# SCOTTISH POLITICAL PARTIES

## 1573 - 1603

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# INTRODUCTION

The period 1573 to 1603 offers a unique opportunity for the study of power politics in Scotland and an assessment of the place of these politics in the lives of those who mattered most politically, the nobility. When the forces of the government of Scotland, under the leadership of Regent Morton on behalf of the infant king, James, succeeded in capturing the castle of Edinburgh from the remnant of Queen Mary's party in Scotland, the long struggle between kingsmen and queensmen was over. It was, indeed, more than the kingsmen/queensmen struggle which was thus ended, for Edinburgh Castle had been captured only with English aid, so that the split from France and the turning towards England which had both been occasioned by and had helped to occasion the Reformation in Scotland, were confirmed. Despite English fears, Scotland never fell under French influence to any great extent hereafter and the likelihood of her so doing was diminished by the union of the crowns in 1603.

With the drawn-out struggle of the civil war years behind them, those who governed Scotland, essentially kingsmen, had to illustrate whether or not they were able for the task of restoring peace to the divided country. It also remained to be seen whether their government would be impartial or whether they would use their position of authority to prosecute the more effectively, quarrels, both private and public which had their origins in the divisions of the civil war years. This situation lends itself to an investigation of how the nobility, in particular, had aligned themselves in the events of these past civil war years. In assessing the impartiality of the new government it will be necessary to investigate how far such disputes as inevitably came into being arose from the earlier divisions and how

far from actions undertaken after peace had been restored.

The starting point of this study, then, is taken to be the fall of Edinburgh Castle in May 1573, which completed the process of establishing peace which the pacification of Perth of February in the same year had more than adequately begun. This pacification had ended the immediate allegiance to Queen Mary of many of her most powerful supporters, others of whom drifted over to the government in the months before the fall of the castle. The castle indeed held only a handful of important men by the time of its surrender. Of these men, Maitland of Lethington soon died, perhaps by his own hand, Kirkcaldy of Grange and others were executed while such as Lord Hume were warded. This meant that the hard core of the Marian party formed a section of the nobility with grievances against the government but it remained to be seen whether the irreconcilables would be limited to this small number, who consequently would be unable to do anything about the grievances, or would be enlarged to include more of those who had been in the queen's party. Clearly, then, the continuation or otherwise of the strife and divisions of the civil war years would have a fundamental bearing on the success and continuence of the new government.

The reasons for the selection of the closing date for this study are obvious, of course, for with the union of the crowns and the establishment of the king in London, Scotland was without a resident monarch and court, at least on any permanent basis. Consequently this period of thirty years provides the last possible opportunity for a study of the actions and motives of the Scots nobility on their soil with reference to almost purely Scottish problems and in company with, if occasionally in opposition to, their resident monarch. The period is thus uniquely wedged between a civil war and the ending of

the residence of the monarchy in Scotland.

The contrasts at either end of the period also pose the problem as to how a country, torn by civil divisions, could, only thirty years later, be deemed by its monarch stable enough to be entrusted to be governed from a distance of four hundred miles. The course of events during this entire period will be investigated in order to suggest an answer to this problem and to ascertain, in general, what motivated the men who took political decisions and how these motivations and decisions changed through the years.

Motivation is the crux of this study but before any attempt is made to define or suggest the different aspects of it which it might be reasonable to expect to encounter, it is necessary to recall the nature of the country in which these events all took place. A glance at the extant written material from these years available for study will confirm the knowledge that the society of these years was dominated very considerably by the nobility. The earls and lords of Scotland were the traditional advisers to the king, and certainly thought of themselves as such, while those of them particularly whose lands lay further away from the place of central government, were still capable of raising large numbers of men for military purposes. This combination of powers ensured that the nobility were of paramount importance and their power touched many of their countrymen in different ways. The holding of land from the nobleman, the entering into a personal bond with him for protection from other neighbours, the sharing of a surname with him and the inhabiting of the same area of the country as him, would all dictate a special relationship with that noble. These different considerations could occasionally work against each other but generally they served to strengthen and reinforce the power which the nobility

enjoyed. These different sources of influence and control all served to increase the political power which the nobles enjoyed. Some of these areas of influence have been investigated fully already[1] and the task of this study is to bring them together as a whole and illustrate what effect they had on the use which the different nobles made of their traditional power.

Power, then, continued to lie in the hands of the nobility and it is the political rather than the social aspect of their relationships both with themselves and with other classes that is particularly pertinent to this study. A word or two concerning the other classes of society, however, might not be out of place.

Lesser nobles and lairds are to be thought of merely as limited versions of their superiors, having all the same sources of power, albeit to a limited extent, with the proviso that they had more superiors exercising control over their actions. The merchant class, although perhaps powerful financially, ventured but little into politics at this time and with little effect. The common people had no doubt sufficient to occupy their time and minds in the securing of provisions for life and this lack of financial resources would limit their mobility and independence, while the lack of any tradition or experience in political affairs would all help to combine to ensure that their role in decision making was minimal.

The only group of commoners who could ever claim to exert a powerful influence on affairs were those who lived in any of the towns and particularly Edinburgh. Their influence, of course, was best felt when they were stimulated into action and the group in society which, in these years, was most able to achieve this stimulation, and which probably, in fact, exercised the greatest amount of political

1. Particularly bonds of manrent investigated recently in a Glasgow University Ph.D Thesis by Dr. Jennifer Brown.

influence of any group outside the nobility, was the kirk. Even it, however, tended to be on the fringe of decision making and its role was more that of approving or disapproving of the current trend in affairs rather than instigating or leading that trend.

The motives which led members of the nobility to the actions which they adopted would obviously be of considerable interest and importance in a society so dominated by that class. There were many different factors often combining and often conflicting which determined the decisions made and the alignments adopted. Often a man adopting a course of action for several different reasons would stress the one which was most praiseworthy in the world's eyes. At the end of the day it is not infrequently impossible to determine what finally did occasion some particular course of action and it should not be forgotten that the person who undertook the action may have been unaware of, or indeed not in possession of, any particular definitive motive.

A few considerations which might prove to be important will be suggested at this stage. The civil war had recently ended and one fundamental issue involved in it had been religion. Religious ties were bound up with international politics as the protestant kingsmen were identified in a general way as being pro-English while their catholic, queensmen opponents were regarded as pro-French. Another important consideration was that of family relationship and ties of kinship. This in turn was often permeated by and even overpowered by the influence of relationships through marriage, whether with a member of the same kin group or not. A third relationship which often existed side by side with both kin and family links was that of land-holding and the inhabiting of the same area of the country. The final group of motivations and, possibly at the end of the day the

most powerful and telling of all, may be held to lie within the characters of the individuals involved. All the varied characteristics and passions of human nature must be reckoned with in any investigation of motivation and these may be difficult to trace for, by their very nature, they tend to leave little written evidence.

These are some of the considerations which will be borne in mind during this investigation and returned to at its close when an attempt will be made to evaluate their respective importance. The nobility of Scotland at this time formed a very close-knit society and their actions on any given occasion may have been influenced by all of the above considerations at once. It is this complexity coupled with the dramatic nature of the events of the period which give this problem its fascination - a fascination it also derives from the fact that in essence it is no more and no less than a study of what motivated people in sixteenth century Scotland, that is, an historical look at human nature.

## Abbreviations

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| A.P.S. | The Acts of the Parliament of Scotland, ed. T. Thomson. |
| Birrel, Diarey. | The Diarey of Robert Birrel, in Fragments of Scottish History, ed. Sir John Graham Dalyell. |
| B.U.K. | Acts and Proceedings of the General Assemblies of the Kirk of Scotland, The Booke of the Universall Kirk of Scotland, ed. T. Thomson. |
| Calderwood. | The History of the Kirk of Scotland, D. Calderwood. |
| Cal.Border Papers. | Calendar of Letters and Papers Relating to the Affairs of the Borders of England and Scotland, ed. Joseph Bain. |
| Cal.S.P.Scot. | Calendar of the State Papers relating to Scotland and Mary, Queen of Scots, ed. William K. Boyd et al. |
| J.Colville, Letters. | Original Letters of Mr. John Colville. |
| Concise D.N.B. | Concise Dictionary of National Biography. |
| Historie of King James the Sext. | The Historie and Life of King James the Sext. |
| J.Melville, Diary. | The Diary of Mr. James Melville. |
| Sir J. Melville, Memoirs. | Memoirs of his own life by Sir James Melville of Halhill. |
| Moysie, Memoirs. | Memoirs of the Affairs of Scotland, David Moysie. |
| R.M.S. | The Register of the Great Seal of Scotland, ed. J. Maitland Thomson. |
| R.P.C. | The Register of the Privy Council of Scotland, ed. J.H. Burton, David Masson. |
| R.P.S. | The Register of the Privy Seal of Scotland, ed. Gordon Donaldson. |

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| R.P.S. | The Register of the Privy Seal of Scotland, (unprinted). |
| Spottiswoode. | The History of the Church of Scotland, by the Right Rev. John Spottiswoode. |
| S.R.O. | Scottish Record Office. |
| Diurnal of Occurrents. | A Diurnal of Remarkable Occurrents. |

## Chapter One

## THE REGENCY OF MORTON

James Douglas, Earl of Morton, became Regent of Scotland on 23 November 1572 and he devoted the opening months of his regency to the successful prosecution of the war against the queen's party. That this party had declined very considerably in power by this time, when the Pacification of Perth had deprived it of its mainstay among the nobility, is evidenced by the change of name which it underwent in this period in which it was known as the party of the Castilians. The fall of Edinburgh Castle to Regent Morton's forces on 28 May 1573, dealt with above*, marked the end of the period of civil war in the country and from that day until his own first, albeit temporary, fall from power in March 1577/8, Morton ruled Scotland as regent with considerable independence and authority. His fall from power, happening in the dramatic way in which it did, must not be allowed to make that fall seem inevitable; neither should a study of the regency merely be an exercise in hindsight, trying to trace the growth of opposition to the regent. Nevertheless, although he was the effective head of one of the most powerful families, the Douglases, it was apparent that Morton would still require to be successful in his capacity as regent to guarantee his continuance in that office. A study of his successes as regent will automatically illustrate his shortcomings, which in turn will reveal the origin of some of the discontent which eventually caused his removal from power. That he enjoyed considerable success as regent is illustrated by the fact that the duration of his tenure of that office was as great as the sum total of those of his three predecessors, and, that at its close,

* See above i.

he was able to remain an important councillor, still deeply involved in the government of the country.

The political factions will be seen in this period as comprising one aspect of the opposition which faced Morton as regent, and it will be investigated how far these factions and this opposition were continuations of the political animosity of those who had been of Queen Mary's party during the civil war and how far they were aroused and brought into being by the actions of Morton as regent. The immediate task facing Morton was obviously the re-establishment of order following the civil war and, more particularly, and as a step towards securing this order, the implementation of the terms of the Pacification of Perth. In accordance with this, arrangements were put in hand to recover the house and abbey of Paisley from Lord Semple and to return this property to Lord Claud Hamilton.[1] Morton had obviously decided that certain of his enemies of the queen's party were too deeply involved to escape punishment, however, and on 3 August 1573 Kirkcaldy of Grange, his brother, and two goldsmiths who had been responsible for forging money in Edinburgh Castle, were executed.[2] Men such as Hugh, Lord Somerville, might be allowed to receive the benefits of the Pacification of Perth as late as 31 January 1573/4,[3] but a list, which included the exiled Bothwell, the Archbishop of Glasgow, Hamilton of Bothwellhall, Kerr of Ferniehurst and others, evidently regarded as being beyond the pale, was issued on 12 February of that year, when their reset was forbidden.[4]

In a letter of 21 January 1573/4 Morton admits that he has retained some horsemen and footmen "partly for the quieting of the

1. R.P.C., ii 241; 2. Row, 49; 3. R.P.C., ii 325; 4. Ibid., 334.

Borders and partly for my own guard finding the roots of malice and sedition not yet fully removed".[5] Even the borders were soon reduced to a more peaceful state, however, and one observer, writing of 1573, stated that "Sir James Home of Cowdenknowes was made guardian of the east marches, the Lord Maxwell of the west and Sir John Carmichael of the middle; who ... reduced the country to such quietness as none was heard to complain",[6] while Morton himself was soon able to walk "abroad with his fishing-rod over his shoulder, or his hawk on his wrist, almost alone, to the wonder of many"[7] not least the English ambassador. This comparative calm in the country as a whole soon enabled Morton to turn to the administration of the royal finances and on 29 June 1573 he instituted action for the recovery of "the jowellis, houshald stuff, munition and movabill gudis sumtyme pertening to the Quene and pertening to his Hienes sen his coronatioun" which were "dispersit and fallin in the handis of diverse his Majesties subjects".[8] Whether these goods belonged to the crown as such or to Queen Mary in person, there was little doubt that their recovery would enable the regent to draw on greater resources should the need arise. The pursuit of the possessors of these jewels, however, especially the Earl and Countess of Argyll, occasioned great animosity, while some contemporaries were not inclined to credit the regent with acting from the above motives and rather attributed his zeal to avarice.

Relations between Scotland and England under the regent seemed likely to be good in that English aid had enabled Morton to capture Edinburgh Castle and in general the king's party had secured greater English backing than the queen's for obvious reasons. There was one

5. Cal. S.P. Scot., iv 639-40; 6. Spottiswoode, ii 194; 7. P.F. Tytler, History of Scotland, vi 231; 8. R.P.C., ii 246.

not inconsiderable source of friction between the two countries in 1573/4, however, and that was the suffering sustained by Scottish seamen at the hands of English pirates,[9] and it was thought for a while that this might have an unfortunate effect on Anglo/Scottish relations. Although this did not, in fact, happen, the most important event in the entire course of the regency, and the one which seemed most likely to cause Morton political embarrassment, occurred in the context of Anglo/Scottish relations and was the raid at Reidswire which took place on 7 July 1575, between Sir John Carmichael, Warden of the East Marches, and his opposite number, Sir John Forster, Warden of the Middle Marches, and their followers.[10] It seems to have been a spontaneous quarrel, with the Scots at first being repulsed, but, after being joined by more of their countrymen from Jedburgh, totally routing the English. Sir John Heron, Keeper of Tynedale, was slain, while Sir John Forster, Sir Francis Russell, Sir Cuthbert Collingwood and around three hundred others were captured and carried off by the Earl of Angus to the regent at Dalkeith. Queen Elizabeth fumed when reports of the incident reached her, and Morton, after an initial resistance, capitulated so far as to send Carmichael into England to placate the queen.[11] This submission, for an unpremeditated affray, in which the English may even have been the aggressors, was reputed to have been "withstood" by "divers of the council".[12]

Despite such discontent, however, the raid neither permanently damaged Anglo/Scottish relations nor impaired Morton's authority as regent. This authority was especially evident in his administration of justice of which it was remarked that "the like execution was never done by any man that ever had rule in Scotland".[13] The most important

9. Cal. S.P. Scot., iv 678, 670; 10. R.P.C., ii 459; Diurnal of Occurrents, 348-9; 11. Cal. S.P. Scot., v 190; 12. Spottiswoode, ii, 199; 13. Cal. S.P. Scot., v 212-13.

breach in the good order which Morton's regime established came from a quarrel between the Earls of Argyll and Atholl which was to have important consequences for the regent. Even once discontent in the country was held to be on the increase, however, it was still thought that any change in the leadership of the country "is still like yet to be deferred" on account of "the scarcity of fit heads to enterprise the same".[14] There was, indeed, often considerable speculation during the course of the regency as to who would succeed Morton in his office, if that should prove necessary. This is perhaps not to be wondered at, however, in a country which was struggling to recover from a civil war and whose regent had been the recognised leader of one of the sides in that war and it is in no way a guide as to the likelihood of Morton's losing his office, which event did not look probable until it happened.

Considerably more time will be spent in dealing with Morton's relations with his fellow nobles than with any other class and this is made inevitable by the nature of the society and the amount and character of the evidence which it has left. The "poor" or the "common" people are not referred to often, even in the pages of the contemporary historians, but it was said of Morton that he was very unpopular with the commons because of the oppression of the poor.[15] This vague type of remark may well be nothing more than the normal criticism levelled at governments for failing in the impossible task of arranging the social and economic order of affairs to the satisfaction of all, but a more precise criticism is that on 25 February 1573/4 when the coinage was debased, "This procured great invy and hatred of the commouns against the Erle of Morton for the people's

14. Ibid., 232; 15. Diurnal of Occurrents, 339.

hands wer full of that money".[16] The regent suffered criticism also for such things as bad harvests, over which he had no control, as well as attempts to raise money such as that of early 1575/6 when it was said of Edinburgh's reaction to his efforts that "The common people of the town somewhat mislike of it".[17] This was to be expected, of course, and obviously the regent could afford to offend the common people and any other groups which lacked real political weight, but he could not afford to offend too many groups at once and so build up a large resistance to himself. If he did so, and this resistance came together as one course bent on his destruction, he would have nowhere left to turn to for effective help.

On 18 March 1574/5 'all the "flescheouris of Edinburgh wer summond to underly the law ... for regraiting of mercattis. This wes done be the burgessis inventionis".[18] If this was calculated to please the burgesses it would obviously antagonise the "flescheouris" while other merchants were said, in June 1575, to be suffering as a result of financial impositions placed on them by Morton, who was said to be benefitting personally from the increased income which thereby resulted.[19] The middling classes, generally, probably had most to gain from a peaceful and prosperous country, and Morton certainly kept the country at peace both internally and with other countries.

Many people, both merchants and commoners, would be strongly influenced by the voice of the church, and the regent fell foul of that institution on several occasions. The church, indeed, had had cause for criticism of Morton even before he became regent for they could see in him a hard man who was unlikely to respect their feelings in any clash between civil and ecclesiastical powers, especially if

16. Calderwood, iii 302; 17. Cal. S.P. Scot., v 213; 18. Diurnal of Occurrents, 347; 19. Cal. S.P. Scot., v 157.

that clash concerned money. There were different reasons why Morton was not so thoroughly acceptable to the kirk as Moray had been. He was decidedly anti-catholic and inclined towards protestant England in his foreign policy, but his private life was open to criticism as he had four illegitimate sons,[20] and, what was probably more telling, he was not as co-operative with the kirk as the leading reformers would have wished. There were several instances in which messages sent from the brethern of the kirk to the regent, requesting his presence at their General Assembly, received a negative answer, the usual excuse being that Morton was too hard pressed with affairs of state.[21] There were also wild statements such as that made by the regent of the clergy that "Ther will never be quyetnes in this countrey till halff a dissone of yow be hangit or banished".[22] Two more general criticisms of his ecclesiastical policy, apart from his failure to attend the General Assembly and indeed his questioning of its privileges and liberty, were reputed to be his inclination towards the use of bishops, and his decision to have the thirds of benefices collected by the civil rather than the ecclesiastical arm of government. In these criticisms he was somewhat unfortunate in that, although his use of bishops could be seen as part of his desire to bring Scotland into greater conformity with England, the kirk itself had approved the use of bishops in 1572 and he only came in for criticism on this count once the kirk had gone back on its previous decision on the matter. As for the collection of thirds, Morton claimed that the secular authority could perform this task more efficiently and this was proved to be the case.

It can be seen therefore, that Morton had done nothing to build up the kirk as a party to support him and one particular member of

20. Scots Peerage, vii 548; 21. Calderwood, iii 369, 385;
22. J. Melville, Diary, 52-53.

that organisation to land in trouble was Master John Davidson, then a student at St. Andrews, and something of a firebrand, who wrote criticising Morton's practice of having several churches put into one preacher's hands. Although this practice was employed with a view, on Morton's part, to saving on ministerial stipends and so permitting a surplus to accrue to the state, it was only a method of guaranteeing that individual ministers, whose numbers fell far short of the number of parishes, would receive a regular stipend, and as such had been advocated by the kirk itself. Davidson's criticism of the regent's policy resulted in his being indicted criminally and he fled to England. The regent showed his teeth by extracting the full bail from Davidson's sureties, while Robert Lekprevik, the printer of the book in which the criticisms were made, was committed to Edinburgh Castle. The regent also subjugated the wishes of the General Assembly to his own particular ideas of what was expedient for the good of his government. This was seen in the case of the Earl of Atholl, for in August 1575 it is reported that "The Bishop of Dunkeld is suspended for not pronouncing the decree of excommunication against the Earl of Atholl pronounced in the last Assembly, but at the Regent's request there be commissioners appointed to confer with the Earl".[23] As will be seen later*, the summer of 1575 seems to have been a period when relations between Atholl and Morton were distinctly better than they had been, or were to be again during the regency. Consequently it would appear that Morton was prepared to induce the Assembly to reverse its previous decision, and refrain from having Atholl excommunicated for his continued adherence to papistry. Obviously even Morton's anti-catholicism would go by the board if he thought thereby he could strengthen himself politically. Other incidents

23. Cal. S.P. Scot., v 181.

* See below 19-20.

concerning Morton's offensive attitude towards the church are mentioned in but tantalisingly sketchy detail by the chroniclers, but the overall position seems fairly clear. It is probable that after Morton's downfall, and especially after his eventual execution and the rise to power of Lennox and Arran, the kirk regretted his passing and the derogatory remarks that leading churchmen had made of his regime, but at the time the regent's actions seemed to threaten the autonomy and independence of the church itself. The churchmen, like the commons, were rendered indifferent to Morton's own political wellbeing by his actions, and would not take his side in any factious struggle as they might have been expected to do, considering the fact that whatever group replaced the regent had a good chance of containing at least someone with the interests of the church even less at heart than Morton. Morton could expect to weather the disapproval of the kirk and survive the displeasure of the merchants and commoners. What he certainly could not afford to do was to antagonise a large number of powerful nobles. There could be none of the mystique of kingship about a Regent, and Morton was only one of the leading nobles, any large-scale combination of whom, if united by mutual hostility to his regime, could seriously prejudice his government, and place its very existence in jeopardy. While it is necessary and informative to study the regent's relationships with as many of the nobility as possible, it is perhaps fair to say that his actions and attitude towards some of the more powerful families in particular, would prove crucial for the success or failure of his regency.

Four such family heads, the Earls of Argyll, Atholl, Arran, and Huntly, had been former Marians, and their relations with the new government was bound to be of importance. Each of them was not only powerful in his own right, but with Argyll as head of clan Campbell,

Arran of the Hamilton, Huntly of the Gordons, and Atholl as a leading Stewart, they commanded a large number of lesser lords and lairds with all their respective followers. Morton and his kinsman Angus had the power of the Douglases to rely on, but clearly the regime could not risk antagonising these, or at least not all of these noble families. The relationship of the Regent to each of these four peers therefore deserves closer study.

Archibald, 5th Earl of Argyll, could not be described as a stalwart adherent of Queen Mary, for at different stages of the civil war he had been seen on different sides. Nevertheless he had been a sympathiser with the queen, and his final submission to the authority of the regent was not given until the summer of 1571. That he was not among the staunchest of Mary's supporters may explain why, after his submission he appears to have been accepted quite fully by the king's faction. After the murder of Lennox in 1571, Argyll was a candidate for the regency, and although the choice fell on Mar, Argyll was sworn a privy councillor on 7 September 1571[24] and was entrusted with the duty of negotiating on behalf of the King's party in the talks at Perth leading to the Pacification which ended the active hostility of the Gordons and Hamiltons. Before this latter event, Mar had died, and on the promotion of Morton in November 1572, the office of Lord High Chancellor was given to Argyll.[25] On 8 August 1573 Argyll married as his second wife Janet or Jane Cunningham, second daughter of the fifth Earl of Glencairn, who was an ardent reformer and supporter of the king's government.[26] On 10 June of this same year, Argyll was appointed one of the king's lieutenants in an action against Robert, Lord Semple,[27] and, in short, it looked

24. A.P.S., iii 69; 25. Scots Peerage. i 342; 26. Ibid., 343;
27. R.P.C., ii 241.

as if Argyll was identifying himself with the regime of Morton and would back it with his power. Unfortunately for Morton, however, Argyll died on 12 September of that year and his position as head of the Campbells passed to his brother Colin, previously styled Campbell of Boquhan.[28] This earl was married to Dame Annas Keith, widow of the Regent Moray, and they were soon both in trouble with Morton over certain crown jewels which had come into Lady Argyll's hands through her previous husband.* They were denounced as rebels for failing to present these jewels to the Privy Council on 3 February 1573/4,[29] but around a fortnight earlier, on 21 January, Morton had written to Queen Elizabeth saying that Argyll had been warned not to assist her enemies in Ireland.[30] This may be the source of his dispute with Argyll, but more likely Morton had already determined or even begun initiating moves for the recovery of the jewellery, and so was hostile to Argyll's actions in different spheres. Although the Register of the Privy Council mentions neither event, the Diurnal of Occurrents states that Argyll and his wife were relaxed from the horn on 5 March only to be denounced rebels again on May 24.[31] Certainly the regent continued to press Argyll for the jewels[32] which prompted one observer to remark of this "which matter I fear will breed some trouble in the end".[33] He also points out that the son and heir of the laird of Glenorchy, a leading Campbell, had just married the Earl of Atholl's daughter,[34] thus bringing the discontented Argyll into a loose matrimonial alliance with Atholl, who had been a prominent Marian, and was regarded by many as a catholic. A week later it was stated that "The Regent is of opinion that the Earl of Argyll will deliver the jewels", but as an afterthought or comment on

28. Scots Peerage, i 344; 29. R.P.C., ii 330-1; 30. Cal. S.P. Scot., iv. 638;
31. Diurnal of Occurrents, 340-1; 32. Cal. S.P. Scot., iv 650;
33. Ibid., iv 626; 34. Ibid.

* They were not alone in being prosecuted over such jewels - other victims included Sir William Sinclair ofRoslin and Mary Livingston.

the foregoing was added that "The Earl of Argyll is one of the likeliest to be Regent if God calls this man".[35]

By 12 August 1574 it was believed that through the intervention of the English Queen, Morton was inclined to let Lady Argyll keep her jewels[36] but a month later she was complaining again to the English Queen that Morton continued to make unreasonable demands on her and her husband.[37] On 5 March Argyll delivered "certain crown jewels" to the privy council.[38] This would have seemed likely to have been the end of the matter, but on the 21 of the same month, John Stewart of Largybrachtane received the escheat of all liferents pertaining to Dame Annas Keith, who is said, along with her husband, to be at the horn.[39] It seems likely, however, that this may be here merely because of a time-lag between the gift of an escheat and the registration of this under the privy seal. It seems, therefore, as if delivery of the jewels on 5 March ended the dispute between the two earls, and Morton wrote soon thereafter that "The occasion of controversy with my lord of Argyll and his lady is likewise removed, and he, after accompanying me since the beginning of March is now lately passed to his house well satisfied, as I am with him".[40] Thus Morton weathered this early challenge to his authority and the matter was ended amicably, and with success going to the regent, who received the controversial jewels into his possession.

Relations between the two earls probably improved after this, at any rate little is heard of Argyll until the beginning of the following year, when it is not Morton that he is feuding with but Atholl. The cause of this dispute, according to the Historie of King James the Sext, was "Alaster Glass alias Mak Callum" of Argyll who "was taken

35. Ibid., 27; 36. Ibid., 37; 37. Ibid., 49; 38. R.P.C., ii 435; 39. R.P.S., vii 108; 40. Cal. S.P. Scot., v 114.

in Atholl and convict to be hangit for thift".[41] He was freed when Argyll vouched for him, but soon committed further offences for which Argyll refused to deliver him. The two earls armed but Morton forbade them to fight. Spottiswoode states that "This trouble was no sooner pacified, than upon an injury done by the Clandonald to the earl of Argyll he took arms".[42] The dating of these two sources is somewhat vague but the more staid Register of the Privy Council records that on 13 February 1575/6 one John McLean complained of his treatment at the hands of the Earl of Argyll, who was sent for to appear before the privy council,[43] and it is obvious that relations between Argyll and the central administration were once more strained. On the 28 of the same month the council decided that the question of letters raised by Argyll against Atholl to produce a commission given him by Queen Mary should be continued.[44] Obviously then the earls were having recourse to law to settle the vexatious question of sovereignty over territory, and on 15 March it was reported that "My Lord of Argyll and sundry other noblemen have accompanied him (Morton) this winter";[45] but less than two months later the privy council was again demanding that Argyll bring John McLean before them.[46] A request or command by Morton to Argyll and Atholl to refrain from fighting was given on the 23 June.[47] Less than three weeks later further action was determined on and both parties were summoned to appear personally, but limits were put on the number of men that they were to be allowed to bring with them.[48] They are instructed to keep good order meantime.

The matter was resolved on 18 July when Argyll gave an assurance to Atholl that he and his kin would desist from attacking that earl's

41. The Historie of King James the Sext, 158-9; 42. Spottiswoode, ii 205; 43. R.P.C., ii 491; 44. Ibid., 500; 45. Cal. S.P.Scot., v 215; 46. R.P.C., ii 519-21; 47. Ibid., 533; 48. Ibid., 538-9.

lands. A corresponding bond was signed by Atholl on the 22.[49] The Historie of King James the Sext states that when Morton forbade the two earls to fight his intention was to punish them both and to make money thereby. The two earls heard of Morton's intentions, however, and agreed themselves at which the regent was "sumthing greavit".[50] Around a year after the two earls had exchanged bonds, it was stated that "The Earls of Argyll and Atholl being long at variance, and thinking their discord to be fed and continued by a third, who they thought would have travailed their speedy agreement, purpose quietly to meet, and betwixt themselves and secret friends to end their debates".[51] Six months after exchanging their bonds, that is on the 20 January 1576/7, Argyll and Atholl both came to Edinburgh, accompanied by great numbers of their friends. The council, fearing more trouble between the rival groups, ordered them to respect each other.[52] A further six months thereafter occurs the above report of the two earls' distrust of a third figure - almost certainly Morton. This report of 19 July 1577 continues to tell of their meeting that "This purpose is drawn by sundry of the said confederates for maintenance of the King, to draw Argyll to that side, as well to increase their general strength as to remove all impediments out of the way of Atholl".[53] It seems clear that some plot for the removal of Morton was underway, that Atholl was the centre-piece in it and that Argyll's distrust of Morton, accumulated over the last four years, had taken him over to that camp.

The Historie of King James the Sext states that on 12 September 1577 Morton repaired to Stirling Castle to the king and discussed with him the advisability of his demitting the office of regency.

49. Ibid., 546; 50. The Historie of King James the Sext, 159-60; 51. Cal. S.P. Scot., v 230; 52. R.P.C., ii 585; 53. Cal. S.P. Scot., v 230.

He recommended that the king should stay in Edinburgh and this whole matter was reported to Argyll and Atholl who advised the king to accept Morton's offer to demit his regency. This account of these events ends by stating "and this was done in the month of March of the next year"[54] which is the date that all other sources give for the ending of the regency. This account would probably be dismissed as merely an error in dating, if it were not for the fact of an entry in the Register of the Privy Council for 15 September which tells that Annabel, Countess of Mar, has taken care of King James from his birth to the present day and, it continues, "now his Hienes being cum to the twelft yeir of his aige - and dalie increasing be the favour and blissing of God to greittar perfectioun and activitie, als weill in his persoun and abilitie of body as in his spreit and leirnyng ...." - he is to be attended by men from now on. In charge of this is Alexander Erskine of Cogar, Master of Mar, who already had the charge of the preservation of James' person and of the Castle of Stirling, which still remained the case.[55] It is possible that the author of the "Historie" searching back for a date for the beginning of Morton's fall fastened on this date when there was evidently some change in the royal estate. It may be significant that in the first of these quotes from the "Historie" Morton is credited with wishing that the king should stay in Edinburgh whereas the council in fact decided that he should stay in Stirling with the Master of Mar. That Morton feared the influence of the Master of Mar may be inferred from this, and that he had good reason to do so would appear to be proved by the accounts of the events of February/March following, to be examined shortly*.

54. The Historie of King James the Sext, 162-4; 55. R.P.C., ii 633-4.

* See below 44-46.

November and December saw Argyll in continual trouble with the privy council, and the violent treatment which he meted out to one crown messenger, David Harper, may illustrate a growing exasperation with the constant intrusion into his affairs by a central government which may have seemed to him to be bent on his ruin.[56] A further occasion of Argyll's discontent with the regent is revealed in an anonymous letter dated merely 1577, where it is ascribed to Morton's preference for another to the estate of chancellor.[57] Argyll's brother and predecessor, Archibald, had been chancellor, and Colin evidently thought he should have succeeded to this position, enjoyed at the time by Lord Glamis. A further reason for thinking that Morton's relations with the Earl of Argyll may have deteriorated on the death of Archibald fourth Earl, and the succession of Colin, is suggested by a report of Henry Killigrew, the English envoy, who related, in connection with the regent's attitude to the two Countesses of Argyll, that "I found the Countess of Argyll that was in the Castle of Edinburgh during the siege, at the Regent's board, well used, and therefore I thought she needed no great recommendation, although I did use compliments with her; but finding the Earl of Argyll's wife, sometime my Lord of Murray's, press me by messengers to speak for her, I took the liberty to do the same for many respects".[58]

This indicates that Elizabeth Beaton, Countess of Argyll, was on good terms with the regent, while Annas Keith, Countess of Argyll, was discontented. This was all the more remarkable when it is remembered that the first countess was in Edinburgh Castle with the rebels when it was surrendered, and that even before the death of the Earl of Argyll she could expect little protection or advancement from him as their marriage had collapsed and ended in divorce months before he

56. Ibid., 660-1; 57. Cal. S.P. Scot., v 265; 58. Ibid., iv 678.

died.

January 1577/8 continued with instances of Argyll's being censured by the council, and on the 18 February 1577/8 it is obvious that he has reached a decision. He is reputed to have issued instructions to men in his lands to come prepared for war so that he can move against certain parties who, he claims, are endangering the peace of the realm. The council, apparently thinking that the object of his hostility was Donald McAngus of Glengarry, ordered him to cease these preparations.[59] Whether this was the final straw for Argyll, or whether his forces had been raised initially with the purpose of challenging the central government, the fact remains that eight days after this final council proclamation, he came to Stirling to the king to be followed immediately by Atholl to commence proceedings to end Morton's regency. The complex manoeuvres which occurred thereafter will be dealt with later*, but the end of February 1577/8 saw the effective end of Morton's regency. It is obvious that Morton had hastened his own downfall by his continual harassment of the Earl of Argyll. Whether Argyll's jealousy of the fact that another had been preferred to the chancellorship rendered friendship between the two impossible, or whether this same result came from Morton's over-zealous regard for the property and wealth of the crown, is not clear. What is certain is that when Morton moved to resolve the Argyll/Atholl dispute, his previous actions were sufficient for him to be credited, rightly or wrongly, with undertaking his role as pacifier merely in order to fine the two nobles and thus gain money from the incident. It seems likely that Argyll, like his brother before him, would have been prepared to serve under Morton in some capacity, preferably as chancellor, and the fact that

59. R.P.C., ii 673-4.

* See below 67, 72, 76-80.

he was deprived of this, coupled with the other occasions of irritation which he suffered at the regent's hands, led him to nourish his discontent in the camp of Morton's enemies.

The chief of those enemies, at least the man who appears to have done most to bring about Morton's fall, was John Stewart, fourth Earl of Atholl. He is generally referred to as a Marian and a catholic, and he probably never whole-heartedly accepted Morton as regent. He was also a brother-in-law of Maitland of Lethington and may have felt aggrieved towards the regent on account of the manner of the secretary's death. His catholicism was the cause of trouble between him and the government, and on 20 June 1573 he was said to have been "warned to subscribe or to feel the smart of the law".[60] This was said at the same time of Lord Seton, who was, in fact, excommunicated less than two months later, when Atholl was said to have "a short day to come" if he wished to avoid the same fate.[61] The same month apparently saw Atholl involved in hostilities with the Mackintoshes and on 6 March 1573/4 it was rumoured that "the Earls of Huntly and Atholl, with Lord Boyd and others of the north, should have appointed a meeting at Dunkeill (Dunkeld) for some practice, but, as far as I can learn, it is not so, or at least will take no effect".[62] It seems likely that any such practice of Huntly and Atholl would most likely be concerned with overthrowing the regent.

Henry Killigrew, the English envoy, at any rate, could not make up his mind about the loyalty of these former Marians. Writing on 17 June 1574 he reported that Huntly and the regent "seem to be on good terms, and the Earl of Atholl likewise",[63] but six days later, he is of the opinion that "The Earl of Atholl is but cold, and the

60. Cal. S.P. Scot., iv 590; 61. Ibid., 601; 62. Ibid., 651;
63. Ibid., 673.

Duke and the Earl of Huntly, I think, but temporisers".[64] He then debates who should be regent if Morton died and states that "Some would have Atholl, because he is a Stewart, but the Protestants mislike him altogether".[65] Although 21 June saw John, Master of Atholl, receiving a gift of escheated goods[66] it was reported on 12 July that Atholl's daughter "was married yesterday to the Laird of Glenorchy's son and heir".[67] This same report also tells of the continuing trouble between Argyll and Morton over the jewels, and it may well be that the inference is that Atholl or Argyll or both thought it a fit time to draw their houses closer together. This same report also states "the Regent told me how that the Earl of Atholl assured him that it was reported he would send the King into England",[68] and this is the first mention of Atholl in a role which is stressed somewhat later on namely as anxious for the safeguarding of the king - presumably safeguarding the king principally from being taken into England or from any other supposed design of Morton.

In August 1574 Atholl was again in trouble with the General Assembly of the Kirk over his religion,[69] and in the following month he was involved before the privy council[70] in a dispute over his rights to certain lead ore which he claimed through a decree allegedly given by Queen Mary in 1565/6.

The 24 January 1574/5 saw John, Master of Atholl, have his escheat of goods of certain Crichtons confirmed,[71] and according to the Diurnal of Occurrents Atholl was present in Edinburgh at a convention on 20 February following.[72] This may suggest better relations between the earl and the regent, and on 19 August 1575 it was stated that, "The bishop of Dunkeld is suspended for not pronouncing the decree of

64. Ibid., 680; 65. Ibid., 681; 66. R.P.S., vi 2550; 67. Cal. S.P. Scot., v 26; 68. Ibid.; 69. Calderwood, iii 331; 70. R.P.C., ii 396-7; 71. R.P.S., vii 14; 72. Diurnal of Occurents, 343.

excommunication against the Earl of Atholl pronounced in the last Assembly, but at the Regent's request there be commissioners appointed to confer with the Earl".[73] This apparent spirit of friendship between the two men was such that, writing about an incident concerning Lord John Hamilton and Douglas of Lochleven, which was expected to divide the country into the old camps of Kingsmen and Queensmen, Killigrew continued "it is thought that with Lochleven there would be the Earls of Argyll, Atholl, Buchan and Mar", that is that they would be of the king's party.[74] How realistic this opinion was is uncertain, but it is at this point, namely the summer of 1575 that relations between Argyll and Morton also appeared to have improved, as was seen before.* Similarly as with the case of Argyll, this sunny relationship between Atholl and the regent appears to have had nothing to disturb it until the beginning of the following year, when the Argyll/Atholl quarrel broke out. On top of his troubles with Argyll, Atholl was soon also confronted with letters raised by James Menzies of that ilk, who claimed a traditional exemption from the commissions of justiciary and lieutenantry, which Atholl enjoyed within his bounds. Menzies claimed that despite this, Atholl pursued him remorselessly. Atholl claimed that the matter was entirely a civil one, but the council thought differently and decided that it had the right to conduct the case.[75]

The progress of the Argyll/Atholl dispute has been chronicled already* and on 10 July 1576, that is the same day on which the council had decided to send letters to the two nobles to keep good order and appear personally, Atholl wrote to the Bishop of Ross, "The Catholics in these parts are affected with no small sorrow be-

73. Cal. S.P. Scot., v 181; 74. Ibid.; 75. R.P.C., ii 515-17.
* See above 12; * See above 14.

cause their affairs cannot be brought to the desired end, for lack of auxiliary forces". Without foreign aid, he continued, there was no hope of any advancement for the glory of God or for the profit of Atholl and his friends.[76] Atholl, then, still a catholic and still involved and interested in changing the status quo in the country, was in fact a potential revolutionary. Twelve days after this letter, Atholl's dispute with Argyll was solved by their exchanging bonds.

In a most interesting letter of 19 July 1577, it is stated that "Atholl, Ruthven, Lindsay and others have confederated themselves by oath for maintenance of the King ... They do not make show of any purpose of alteration of religion or government, and they esteem the Earl of Atholl as most apt either to succeed the Regent or to bear sway in the government of the King".[77] This is a second reference* to the confederacy for maintaining the king, first mentioned three years previously. Although this description makes the confederacy seem harmless enough as far as Morton was concerned, yet the author felt compelled to add that the confederates did not appear likely to trouble the estate of the country as if this would be the first automatic assumption. It is also discussed yet again who should be regent, if Morton goes, which although to some extent is natural does perhaps indicate a feeling that some change was, if not imminent, then, equally, not impossible. Furthermore this same letter contains the passage quoted earlier* concerning a third party's feeding of the quarrel between Argyll and Atholl and states that they mean to resolve their dispute among themselves which "purpose is drawn by sundry of the said confederates for maintenance of the King". Obviously some scheme to replace Morton by Atholl was expected and

76. Cal. S.P. Scot., v 217; 77. Ibid., 229-30.
* See above 19; * See above 14.

no doubt Argyll would be given some important position in the government, possibly the chancellorship which he had failed to secure earlier, which failure had supposedly rankled him. This letter concludes by stating that "Lord Seton having obtained leave to pass into Flanders, is yet at home".[78] Lord Seton, of course, was an eminent supporter of Mary and a catholic, and the undoubted inference here is that he was waiting on events before deciding whether or not to go abroad. He appears to have made up his mind within a fortnight, however, for he is reported to have "departed towards 'the Spawe' for his health", which is said to be an act for him of "unaccustomed bravery".[79] This same report states of affairs in general that matters were "lying over in misliking, and that notion not destitute of malcontents, there be some that wish change of government, which in the scarcity of fit heads to enterprise the same, is still like yet to be deferred".[80]

In December 1577, that is after the date given by the Historie of King James the Sext for the calling of Argyll and Atholl to Stirling, Queen Elizabeth, writing to Atholl, stated "We are very sorry to understand of some unkindness and disagreeing between you and the Regent", and continued to express the hope that the affair would soon be terminated.[81] One of the not infrequent reviews of the nobility, written also in this month, states of Atholl that he is "a Papist, and chiefly by his wife's means, for many hope that he will be hereafter a Protestant ... He greatly favours the King and is the chief of all the confederates for the maintenance of the King".[82] Whether Atholl's catholicism really did depend so heavily on his wife's, or whether this was merely being held out as a sop to those

78. Ibid., 230; 79. Ibid., 232; 80. Ibid.; 81. Ibid., 252; 82. Ibid., 254.

protestants who were with him in his confederacy is open to speculation. That some such confederacy existed, seems beyond doubt, but no declaration of intent exists so that whether they desired to maintain the king's safety from the English, or from Morton, or from the Hamiltons, or any other country or faction is not clear. This same survey of the nobility, however, says of Argyll that "If the contentions betwixt him and Atholl were ended he would be of the faction that profess to maintain the Steward against the Hamiltons",[83] and it says of Ruthven that "He is principal associate of those against the Hamiltons".[84] Lord Lindsay is also said to be "one of the new confederates for the maintenance of the King",[85] while it says of Lord Seton that he "is a Papist, yet pretends to favour the King's regiment, but he is vehemently suspected. He sought earnestly to have been admitted one of the confederates for maintenance of the King, but he could not be received".[86] It would seem, therefore, that although it must be allowed that different members of the confederacy would have different aims, there does appear to have been an intention, either to engineer the fall of Morton, or if this happened without their influence, then at all events to ensure that the Hamiltons did not come to power in his stead. Indeed, as will be seen when the events of the fall of Morton are examined more closely,* one most remarkable fact is the absence of any influence on these events of the Hamiltons. Thus the aims of the confederacy seem largely to have been achieved. Lindsay and Ruthven were probably more concerned with keeping the Hamiltons out than with overthrowing Morton, but perhaps they too were somewhat disenchanted with their friend. If Atholl is taken to be the centre of the confederacy, then it can be

83. Ibid., 253; 84. Ibid., 254; 85. Ibid.; 86. Ibid.

* See below 24-32.

seen that he was careful to avoid any suspicion that he desired to overthrow the religion of the realm as well as its regent, and that, accordingly, Lord Seton was not permitted to be a member of this same confederacy, and had taken himself abroad.

It has been said that the lack of influence of the Hamiltons on the vital events of February/March 1577/8 is noteworthy,* as indeed it is, and an explanation of this fact may be found by a closer study of the position of that house with regard to Morton throughout his regency. The two chief families to benefit by the terms of the Pacification of Perth were the Hamiltons and the Gordons. Lord John, the Hamilton representative at Perth, and the leading figure of that house throughout these years, does not seem to have had much force of character. It has been said that effective leadership was taken from the Hamiltons with the execution of John Hamilton, Archbishop of St. Andrews, who was taken when Dumbarton Castle was captured from Queen Mary's forces on 2 April 1571, for Chatelherault, the head of the house, "was a byword for infirmity of purpose".[87] The Duke died on 22 January 1574/5 while his eldest son, James, a projected suitor at different times for both Queen Mary and Elizabeth, became insane, and was able to take no part in the politics of the period. The second son, Gavin, was already dead, so leadership of the family descended to Lord John, and to a lesser extent to his brother Lord Claud. They, especially Lord John, came to wield a certain amount of influence later in the reign especially towards its close when John was made Marquess of Hamilton,[88] but never again in the king's Scottish reign were the Hamiltons the force they had been under Mary, and although some of this must be ascribed to the losses they sustained for their support of the queen, some of it must also surely be due to the comparative weakness of

87. J.H. Burton, The History of Scotland, v 38; 88. Scots Peerage, iv 372.

* See above 23.

leadership given to their family by the two brothers.

Immediately after the fall of Edinburgh Castle Morton gave evidence of his good faith to the two Hamiltons by sending out officers to aid in the recovery of the houses of Paisley and Arbroath. He did this despite the fact that these houses were held by Lord Semple and George Douglas, styled the Postulate of Arbroath, respectively. Lord Semple had been an associate of Morton in support of the king, and for his special services therein he received the Abbey of Paisley which had been forfeited by Lord Claud.[89] His relations with the Hamiltons, naturally enough, continued to be poor, and returning one evening in May 1570 from the army which had demolished the castle of the Hamiltons, Lord Semple was taken prisoner by some of the Hamilton dependants and was probably not set free until July 1571.[90] Whether it was the knowledge of the fact that the implementation of the terms of the Pacification of Perth would result in Lord Semple's losing Paisley or not is uncertain, but it would seem as if he fell out with Morton. Lord Semple, along with the Earl of Eglinton, was ordered to disband his forces on 15 April 1573.[91] He was sued by Thomas Jack, vicar of Eastwood, for intruding his servant Sir John Hamilton, a papist, into the vicarage and was put to the horn on 6 May 1573.[92]

The other sufferer at this time, George Douglas, the Postulate of Arbroath, was a natural son of the sixth Earl of Angus and, of course, a kinsman of Morton.[93] The two men yielded their properties according to the wishes of the government and it seems clear that Morton was making some effort to bring the Hamiltons peacably into political society even at the expense of his former ally and kinsman. Yet despite this effort, the Hamiltons had much against the regent, and on 23 June 1574 it was thought that if the regent went, "the Hamiltons'

89. Ibid., vii 541; 90. Ibid., 542; 91. R.P.C., ii 219-20;
92. Ibid., 229-30; 93. Scots Peerage, i 192-3.

blood and their friends would rule or else give strokes for it".[94] They were still one of the natural nuclei for the queen's party to reassemble around, and it was reckoned that they could count on "Huntly, Argyll and their allies, ... and besides, the Lord Boyd, the Lord Herries and the Lord Seton a great many".[95] On 3 August 1574 it was further remarked that "yesterday Claud Hamilton was married to Lord Seton's daughter to augment the French faction".[96] It seemed as if the Hamiltons would continue to be the rallying point for all action hostile to the regent, and that no full reconciliation would be had, at any rate while the duke lived.

The duke's death on 22 January 1574/5 cleared the way for a fuller reconciliation. One of the main stumbling blocks to this had apparently been that during the civil war the Hamiltons had slain James Johnstone of Westerhall, who depended on the Douglas Earls of Angus. On 7 March 1574/5 Lords John and Claud made public satisfaction to the Earl of Angus for this. A contract was made arising out of the said slaughter, in which Angus and Morton stood with Johnstone's widow for the aggrieved party.[97] The Diurnal of Occurrents reporting the above satisfaction states that thereafter the Hamiltons and the regent were reconciled and that the Hamiltons were well treated by all at this time especially Angus, but Lord Seton "wes hevilie commovit at the foirsaid homage".[98] This latter fact was doubtless true as Seton may well have thought that he had now lost the mainstay around which any anti-Morton faction would be constructed. It may have been from this point that Atholl was put forward more prominently to fill this bill.

Morton, at any rate, was evidently well pleased with the outcome of the satisfaction, and on 1 April 1575 stated that "there was a

94. Cal. S.P. Scot., iv 681; 95. Ibid.; 96. Ibid., v 36;
97. Register of Deeds, xiv 50; 98. Diurnal of Occurrents, 346-7.

reconciliation of all our differences, and chiefly with the duke's sons, who now having done that which becomes them, are accepted, and as obedient as any others in the realm".[99] This comparatively balmy period in Douglas/Hamilton relations did not last long, at least if the date of June 1575, which is given by both the Historie of King James the Sext and Spottiswoode for an attack on Lord John Hamilton, is to be credited. The Historie states that by the regent's doing, Lord John was to have been ambushed and slain by "the Erle of Buchan, the Erle of Morton that now is (Lochleven as he was then) George Douglas thair brother of Lochleven, George Bishop of Murray, called the Postulant of Arbroath". Hamilton was aided in his flight by Learmonth of Dairsie - no doubt a relative of Kirkcaldy of Grange's widow. The Historie states that it was the Earl of Rothes who prevented a meeting of the rival groups on this 26 July[100] and Spottiswoode adds that Lochleven was committed to Edinburgh Castle for a while until surety was given.[101] Whether the regent really was behind this attempt on Hamilton's life is impossible to ascertain, but, although he was credited, or blamed, with being the source of a similar attempt on Huntly's life, he must, it seems, have changed to a policy of conciliation, as will be seen shortly,* and the main source of the anti-Hamilton feeling appears to have been Douglas of Lochleven.

A report of 19 August describes "some attempt against the Lord of Arbroath by the Earl of Murray's friends", and says that "this much more has ensued. The Lord of Arbroath sent for his friends to accompany him to the Regent; his way lay through Fife, and by the Laird of Lochleven's bounds, who was the chief of those who before lay in wait to have slain him and a brother to the late Earl of Murray, and, suspecting the worst, sent for his friends, and was above 1,200 men ... It is greatly feared that this matter will breed

99. Cal. S.P. Scot., v 114; 100. Historie of King James the Sext, 155-7; 101. Spottiswoode, ii 199.

* See below 28-29.

new trouble in Scotland ... for Arbroath is like to have all the Queen's party, and Lochleven the King's".[102] From this report it may be doubted whether there was one incident or two, and opinion might incline to the likelihood that there was but one event which had reached the author's ears from different sources, and this may be the case, but it goes on to say, "Lochleven excuses his first enterprise, saying it was not the Lord of Arbroath he lay for, but the Provost of Bothwellhaugh, who slew the Earl of Murray at Linlithgow; ... but the secret of the matter is, the Lord of Arbroath, being in doubt but in time the said Regent's death will be laid on him, ... has sought to ally himself with the Regent and Earl of Angus by marrying the Lady of Buccleugh, widow, sister to the Earl of Angus".[103] Evidently this was regarded as a political marriage, and an important one at that, for it is said "which marriage is thought to be so prejudicial and dangerous for the King's person that all those who tender his weal do what they can to hinder the same".[104] It was thought that the regent would agree to the marriage for fear of offending the Hamiltons and it was stated that "This marriage taking place will, ... alienate from the Regent all the minds of those who tender the King's preservation".[105] This projected marriage is of considerable interest in its own right but it evidently fell through as Lord John married (contract dated 30 December 1577) Margaret only daughter of John Lyon, seventh Lord Glamis, and widow of Gilbert, fourth Earl of Cassillis,[106] while the lady in the proposed alliance, Margaret Douglas, waited some years before marriage again, choosing as her second husband Francis Stewart, Earl of Bothwell.[107] This would appear to indicate that the fears of the confederacy for protecting the king, would be assuaged as the projected Douglas/Hamilton alliance did not come off, and may indeed even have

102. Cal. S.P. Scot., v 179; 103. Ibid.; 104. Ibid.; 105. Ibid.;
106. Scots Peerage, iv 372; 107. Ibid., i 193.

been abandoned on account of their fears or pressures. A somewhat different light, however, is put on the episode by Hume of Godscroft, who, telling of the reconciliation between Morton and the Hamiltons and of the above Hamilton/Lyon marriage, suggests that "Whether the love to that Lady brought on the reconcilement, or their reconciliation occasioned the affection to the Lady, it is hard to say ... and by this all quarrels, and more especially that slaughter of Westerhall, was taken away".[108] Godscroft continues to record that "this lost Morton's support from these people who held the Hamiltons to be guilty, at least in some capacity, of the murders of Regent Lennox and Regent Murray ... It particularly grieved William Douglas of Lochleven"[109] who set on Lord Hamilton on several occasions. It was obviously thought that a Douglas/Hamilton reconciliation was to be cemented by marriage, but opinion differed as to the proposed match. The union described by Hume did take place but at the end of 1577 not 1575.[110] Margaret Lyon is described by Hume as "a near cousin" to the regent,[111] but clearly a link with her was not so definitely a link with the Douglases as marriage to Margaret Douglas would have been. It may be, then, that alarm and concern at the proposed marriage of John, Lord Hamilton, with Margaret Douglas, dictated that this proposal should be abandoned and the satisfaction for Westerhall's murder proceed without it, Lord John being brought again into the regent's circle somewhat later by marriage to the sister of Chancellor Glamis. Whether this actual marriage occasioned the same fear as the proposed one had done earlier is uncertain, but it may be more than coincidence that Morton's regency was at an end only two months after the marriage contract was made. Godscroft may have mistakenly transferred the fear occasioned by the proposed Douglas/Hamilton alliance

108. Godscroft, 332; 109. Ibid., 332-3; 110. Scots Peerage, iv 372; 111. Godscroft, 332.

and placed it on the actual Lyon/Hamilton marriage, but it is not impossible that it was greeted with a similar reaction to the first proposal, or even that it quickened the pace of events of 1577/8 which occasioned Morton's fall from power.

"Those who tender the King's preservation" would be those mentioned earlier as confederates to safeguard the king, and it may have seemed as if they were having the ground cut away from under them by the reconciliation of the Hamiltons with Angus and Morton followed by this prospective marriage. On 1 October 1575 Morton made a progress possibly with a view to help to pacify the high feelings of both sides in the recent incident. At any rate, he records that "from Dalkeith I was accompanied by the Lord Claud Hamilton and Sir James Hamilton to Linlithgow, and, they departing from me there, the Lord Livingston and his friends met and 'convoyit' me to the Torwood, where I found the Earl of Mar, the Earl Buchan, Lochleven and other friends ... noblemen; of whom, I thank God, I never had better friendship nor greater goodwill".[112] Relations between the Hamiltons and Douglases may have been unusually good at this point, but the marriage between their houses did not materialise. As the dispute between Atholl and Argyll came to the fore in the following month, little mention is made of the Hamiltons and it may be that the confederacy headed by Atholl had done enough to stave off any permanent alliance between the Douglases and the Hamiltons.

On 31 July 1576, John, Commendator of Arbroath, was charged by the council along with other nobles of the northeast, to answer for his failure to abide by the terms of the general band.[113] On 3 September a number of Hamiltons on Arran were put to the horn for deforcing a crown messenger who had been sent there to charge them

112. Cal. S.P. Scot., v 197; 113. R.P.C., ii 547.

with fire-raising,[114] while on 22 September James Hamilton, son of Lord Claud, received the escheat of the goods of the late Chatelherault, forfeited for treason, and the goods of his father, Lord Claud, rebel for non-payment of thirds.[115] Lords John and Claud were then both in trouble with Morton's government and it may be that he had turned against the Hamiltons again.

Relations between them and the regent give the appearance of being in a state of uneasy truce as the months passed, and a few minor gifts were given to Hamiltons, but no general advancement was made to their estate. Nor does it seem that such an advance was really likely for there were still those who remembered previous actions of the Hamiltons, and an indication of this is seen in a letter of 22 December 1576 which states that the two traitors of Bothwellhaugh had been in prison in Brussels for the last four months and that one of them had escaped.[116] A further indication that all deeds of the past would not be so easily forgotten was given on the 14 March 1576/7 when John Carmichael, younger of that ilk, received the escheat of the goods of Alexander Baillie of Litilgill, a depender of the Hamiltons, at the horn for not finding surety to underlie the law for the slaughter of John Johnstone of Westerhall, the very crime for which the Hamiltons had previously made public satisfaction. Certainly Baillie, along with some others, had been excluded from the benefits of submission, but his pursuit must surely have reminded the Hamiltons how easily they could be pursued for certain crimes.[117] Some correspondence also of Morton to the Laird of Lochleven in the next month[118] indicates that the matter between the said Laird and the Hamiltons was not forgotten, as does a bond, dated 1577, by William Douglas of Lochleven undertaking to desist from "raising of trubill, making of

114. Ibid., 552-3; 115. R.P.S., vii 712, 713; 116. Registrum Honoris de Morton, 1. 83; 117. R.P.S., vii. 955; 118. Registrum Honoris de Morton, 1. 85.

convocatioun in armis or invasioun or persute" of John, Commendator of Arbroath and his kin, except James Hamilton, sometime of Bothwellhaugh, and John Hamilton, sometime provost of Bothwell, his brother, until the regent and council take order anent the controversy between them.[119] Little more of note is recorded concerning the Hamiltons during the regency of Morton, and, as was said earlier,* they played no part in, nor did they benefit from, his downfall. Although the lack of decisive qualities in their leading members must account for this to some extent, it does seem that there must have been some reality to the confederacy, first referred to, albeit vaguely, by Killigrew at 12 July 1574, and which, as it grew, seemed to have as its twin aims the removal of Morton from power and a determination that the Hamiltons should not benefit thereby. There may also have been some element of biding their time in the Hamiltons' political thinking at this point, as they had suffered heavily for their part in the civil war. Their leadership had undergone fairly radical change, and they were deeply implicated in such recent political crimes as the assassination of Moray.

The other great family to benefit from the Pacification of Perth, and which was, in a similar fashion to the Hamiltons, to be comparatively quiet throughout Morton's regency, and to take no part in bringing it to an end, was the Gordons, headed, of course, by the Earl of Huntly. Huntly, like Argyll, was a Marian, but not one whose loyalty to his Queen had been unswerving. His decision, along with the Hamiltons, to come to terms with the King's regime in the Pacification of Perth had effectively ended the hopes of Mary's party in Scotland. The major part of Huntly's wartime activities had taken place in the Northeast, and his main political enemy had been removed, not by his hand or influence, with the death of Regent Moray.

119. S.R.O. Inventory of Morton Papers (from Dalmahoy House, Kirknewton) GD 150/461.

* See above 23.

The Gordon family, like the Hamiltons, lost their leader during the course of the regency, when on 20 October 1576, George Gordon, eighth Earl of Huntly, died of a fit, as his father had before him, but while engaged in what should have been a somewhat less strenuous activity.[120] His son was a minor throughout Morton's regency and beyond, but the fifth Earl's brothers Adam and Patrick, successively styled of Auchindoun, were both alive. Adam, in particular, had been very active during the civil war on behalf of the Queen, when the Forbeses had suffered considerably at his hands. He may not have been content with the terms or the fact of the Pacification of Perth, for on the 20 June 1573 he is reported to be demanding leave to go to France,[121] while on the 1 August he is reported as having sailed there.[122] Regent Morton put a more definite interpretation on his motives, no doubt as a result of some information received, when on 21 January 1573/4 he wrote that Huntly's brother Adam Gordon was in France seeking to raise men and money to alter the Scottish Estate.[123] Huntly himself was reputed on 6 March of this year to have met Atholl and Lord Boyd at Dunkeld "for some practice",[124] but apparently nothing came of it. What this practice was is uncertain, but almost immediately after this report Huntly was in trouble with the privy council. On 17 March John, Master of Forbes, and others raised letters against Huntly for alleged contraventions of the terms of the Pacification of Perth. Huntly failed to appear before the council, which decided that his demands on the Forbeses and others should be ignored.[125] Two days later, Patrick Walter, "Maister Stabillar for the tyme to George, Erll of Huntlie"[126] claimed exemption from crimes according to the terms of the Perth treaty, as he was a servant of Huntly's. The council decided against him, and declared he was not

120. Scots Peerage, iv 540; 121. Cal. S.P. Scot., iv 590; 122. Ibid., 601; 123. Ibid., 639; 124. Ibid., 651; 125. R.P.C., ii 338-9; 126. Ibid., 344-5.

eligible for any protection from the said pacification. Only eight days after this, on 27 March 1574, a host of Cheynes and others were granted a respite for one year for the slaughter of James Gardin in Lochtullo.[127] Taken together these items may indicate a distrust and hostility on the part of the regent towards the Gordons, based no doubt on reports of Huntly's meeting with Atholl and of Adam Gordon's proceedings.

Huntly himself may have felt this distrust on the regent's part and decided to try to remove it. At any rate he was to be found, from the end of May to 2 June 1574 at Dalkeith with the regent, after which "he returned home again so well pleased that some say he will be Chancellor again", but others thought "not in haste".[128] A reconciliation of sorts there may have been for on 17 June it was reported that Huntly was "on good terms with the Regent"[129] but less than a week later he was called a "temporiser" who might be expected to join the Hamiltons in ruling if Morton "goes".[130] A survey of Scottish noblemen, supposedly written in June 1574, gives proof of the influence of Adam Gordon of Auchindoun, of whom it is said that "he commands all Huntly's friends, servants and tenants during the minority of the Earl; he is wise and ready to attempt great things".[131] Although this is either wrongly dated or written on false information, for Huntly did not die until October 1576, it is nevertheless indicative of the fact that the Gordons were still suspected to be "ready to attempt great things"[132] and it must be open to doubt how deep the supposed reconciliation of early June went. Certainly even if it was deep it was not lasting for on 11 July "John Blacader of Tulliallan, Alexander Seyton younger of Meldrum, Patrick Cheyn of Essilmonth and Alexander Drummond of Medop" were sureties that Huntly would enter the bounds of Galloway by 22 July and remain there until released.[133]

127. R.P.S., vi 2422; 128. Cal. S.P. Scot., iv 669; 129. Ibid., 673; 130. Ibid., 680-1; 131. Ibid., v 2; 132. Ibid.; 133. R.P.C., ii 381.

The official reason given for Huntly's warding was that he was under suspicion of communicating treasonably with his brother in France[134] but there may be a darker side to Morton's dealings. The Historie of King James the Sext records that Morton caused Huntly to remain "in frie ward, during his will; and, in that meantime, the Regent exposit Jairden of Apilgirth for his slaughter. But howsone the knyght of Lochinvar gat intelligence thereof, he causit his freynds in great nomber mak gude attendance on the Erle" and the regent "grantit him a relaxatioun in November".[135] There is no mention of this anywhere else at this point but the Diurnal of Occurrents tells of the incident under the date 1 September, when it states that "the said lord Huntlie come out of Galloway to Hamilton. In the mene tyme that he wes in Galloway, he with his freinds, the laird of Lochinver beand passand to ane hunting, wer adverteist that the laird of Apilgirth, with utheris his complices, wer liand in wait to have slane thame" but they escaped.[136] If Jardine of Apilgirth made an attempt on Huntly's life then it was almost certainly at Morton's command. A further clue to Morton's motive in this matter may be found in a report which states that "The Earl of Huntly parting hence into Galloway desired him to see if there were any means to draw his brother into England and to have somewhat of her majesty, but the Regent is not of mind he should come either to England or Scotland, nor to remain in France, but rather to be encouraged to go to Germany or Italy for a time".[137] Morton was evidently fearful of what Adam Gordon might achieve when abroad and was taking no chances with Huntly at home and so may well have devised a plot to remove him altogether with the help of Jardine.

Morton certainly continued his diligence in this matter and

134. Ibid., 420; 135. Historie of King James the Sext, 150-1;
136. Diurnal of Occurrents, 342; 137. Cal. S.P. Scot., v 27.

noted on 22 September that sundry men had arrived in separate ships from France including "Alexander Duff from Adam Gordon" and continued "All which three messengers I have caused to be apprehended and put in sure custody".[138] Huntly was however relieved from ward upon security that he would return at any time on fifteen days notice[139] and on 2 December the order for his warding was cancelled.[140]

Although the Gordons were accorded some small benefits during the next few months it was remarked on 19 August 1575 that "Adam Gordon is still in ward"[141] while the Historie of King James the Sext ties the Lochleven/Hamilton incident in fairly closely with the previous attempt on Huntly's life by Jardine of Apilgirth by stating "As the Regent's devyce was on the a part aganis Huntlie as a chief man of the Queynis factioun, so did he devyce als craftie a stratageme aganis Lord Johne Hammiltoun".[142] If this accusation is true, and it seems that attempts were made on both these nobles by men close to the regent, then Morton obviously determined at one point to strike at each of the chief families of the Pacification of Perth and remove their respective heads by murder.

In January 1575/6, cautioners, listed for Adam Gordon's release from ward, included Hugh, Earl of Eglinton, Lord Elphinstone, Alexander, Lord Livingston and James Chisholm of Cromlix, who guaranteed that within eight days of his release from Blackness Gordon would enter himself into ward in Kirkcudbright;[143] but on 15 March it was reported that "Adam Gordon is yet in the castle of Blackness".[144] On 31 July 1576 , George, Earl of Huntly is one of several northern lords charged to appear personally to answer for their failure to

138. Ibid., 59-60; 139. R.P.C., ii 420-1; 140. Ibid., 423; 141. Cal. S.P. Scot., v 178; 142. Historie of King James the Sext. 155; 143. R.P.C., ii 480; 144. Cal. S.P. Scot., v 215.

abide by the general band, Also charged were his kinsmen James Gordon of Methlik and Harry Gordon of Haddo.[145] It would seem therefore that Morton was being ever vigilant towards the Gordons but the necessity of any further action against Huntly was removed when that earl died on 20 October 1576. The Gordons were thus left without their natural leader, the earl's son being a minor, and they played no conspicuous part in the events of the short time which the regency had left to run, nor had they any hand in its end. As for Adam Gordon, two reports of 1577 differ in their opinion of his position at that time, one saying that he "continues still under bond in Galloway"[146] while an anonymous letter states that he "has been welcomed in France and well treated".[147]

Four main houses, all of them headed by former Marians, have now been examined, with reference especially to their relations with the regent. Clearly Morton might have anticipated the possibility of animosity from these former enemies but one family on which Morton would expect to be able to count for support was the Erskines whose head was now Earl of Mar. John Erskine, first Earl of Mar, had been an early adherent to the king's cause, and when he was regent, immediately before Morton, the two men had worked in close co-operation. On Mar's death in 1572 when the regency passed to Morton, the earldom of Mar passed to another John Erskine, Mar's son, but then a boy of only ten years.[148] The running of Erskine affairs was carried on chiefly by Alexander Erskine of Cogar, master of Mar, a younger brother of the late regent and so uncle of the young earl.

The Erskines derived their political importance principally from their duty of safeguarding the young King James, who was brought up

145. R.P.C., ii 547; 146. Cal. S.P. Scot., v 253; 147. Ibid., 264; 148. Scots Peerage, v 615-16.

and educated in Stirling Castle under their supervision and alongside the young Earl of Mar, who was the King's senior by about four years. A close degree of co-operation would be necessary between the Erskines and the Douglases, if Morton was to be able to rule confidently, for the first move in any attempted coup d' etat against the Regent, was likely to take the form of an assault on the young king's attendants, with a view to gaining possession of the monarch and ruling in his name. That Morton had grounds to expect this co-operation to be forthcoming is illustrated by two documents of 1572 which deal with the safeguarding of the king. The first of these, dated 25 November 1572, tells that the king is to be kept under the care of the Countess of Mar and of the friends of the house of Erskine, who are said to be "Robert, Earl of Buchane, David, commendator of Dryburgh, Alexander Erskin of Cogar and William Dowglas of Lochlevin",[149] or, in other words, two Erskines and two Douglases. A second document on the same subject, which is in fact a bond of relief by the friends of the house of Erskine to the Master of Mar and his cautioners, gives a list of these friends, who are largely made up of Erskines and other lairds of the Stirling area, but who include William Murray of Tullibardine, Comptroller, and John Cunningham of Drumwhassell, keeper of Dumbarton Castle, two important government servants whose loyalty would also be necessary for the well-being of the regent.[150]

The houses of Douglas and Erskine had matrimonial links also, for Robert Douglas of Lochleven had married Margaret Erskine, a sister to Regent Mar and to the present Master of Mar.[151] The houses were linked again by marriage on 13 June 1573, when, perhaps in appreciation of the mutual dependence of the houses, Morton's nephew, the Earl of Angus, married Mary Erskine, sister to the young earl of Mar.[152] A

149. S.R.O. Inventory of Mar and Kellie Muniments; 150. Ibid.;
151. Scots Peerage, vi 369; 152. Ibid.

remembrance written for Burghley, one week later, shows that the political importance of this had not been missed when it says "The Earl of Angus's marriage confirms the devotion of the house of Erskine to the Regent".[153]

Circumstances were not so favourable to Morton as this might seem to indicate, however, for, in this same remembrance comes the first indication that things are not what they might be between the Regent and the Master of Mar. It states that "The Countess of Mar and the Master be yet forborne because of the King, but the Regent is determined, for avoiding charges, to bring the King's house, his own, and the Castle of Edinburgh under one charge".[154] It is difficult to determine whether Morton had any concrete reason to doubt the ability or loyalty, at this stage, of the Master of Mar. What seems to be, perhaps, more likely, is that the regent was merely nervous for his own wellbeing and, appreciating how closely this was tied up with possession of the young King, he thought that the safeguarding of the royal personage was a task which should be performed by himself, or one of his immediate kinsmen, within the country's strongest fortress. This suspicion, on the part of the regent, of the Master of Mar, and his desire to bring the king to Edinburgh Castle, will be referred to again* and the continuation of these feelings seems fatally to have undermined the rapport and trust between the two families.

The split was slow in coming to any crisis. The talk, examined previously,* of discontent and conspiracy which revolved mostly around former Marians in 1574, never mentioned the Erskines, who were then obviously reckoned as loyal to the regent despite any minor differences in opinion. In two separate lists, drawn up in June 1574, and dealing with pensions for Scottish nobles, the Master of Mar comes in

153. Cal. S.P. Scot., iv 590; 154. Ibid.

* See below 40,45.

* See above 18,19.

for favourable mention. One list merely suggests that he should be given a pension of £150, while the second list, which gives reasons for the decisions of the first, describes the Master as "having charge of the King's person" and as being "well-friended, constant, of good credit and power".[155]

Although the closing months of 1574 saw a gift to John, Earl of Mar of an escheat of forfeited goods,[156] and a respite to one of his servants for a murder committed by him,[157] the dispute between the Master of Mar comes back to the forefront of events very forcibly on 7 April 1575. Writing on this date to Queen Elizabeth, Walsingham, in a somewhat alarmist mood, tells of some intelligence he has gained from "a Scottish gentleman who is here". He states that Morton is inclining more towards France than formerly and more than the English government would like. He continues:- "Furthermore, he showed me - which he desires to be used with secrecy - that by letters he has of late received from Sir Alexander Erskine, his uncle, he perceives that his said uncle has lately discovered that the Regent secretly practises to draw the young King out of his hands, committed to his custody by consent and order of Parliament".[158] He writes again in the same vein, a week later, stating to the queen that there are three men in Scotland in particular whose devotion she would do well to capture. One of these three is Alexander Erskine, Master of Mar, who he says is important "for the stay of the young King in that country". He adds that the gentleman who has given him this intelligence would be an "apt instrument" for securing the devotion of Erskine and the other two, to the Queen.[159]

This is a most interesting document and gives rise to considerable speculation. The two main items of interest are whether or

155. Ibid., v 1-2; 156. R.P.S., vi 2775; 157. Ibid., 2801;
158. Cal. S.P. Scot., v 115-16; 159. Ibid., 118-19.

not the report is accurate and also who this "Scottish gentleman" was. The English Government was decidedly prone, on certain occasions, to believe that Scotland was more open to French influence than she in fact was. Consequently when Walsingham is told that Morton is reputed to be contemplating drawing the young King away from the guardian agreed on by parliament, he immediately assumes, or at least, appears to assume, that Morton intends to commit the monarch to France or French influence. This assumption was groundless. Furthermore, it may be wondered whether this "gentleman", who has been talking to Walsingham, may not be playing his own game, in that the net result of his intelligences to the minister was that it is recommended that he should be employed by the English Government, to secure the allegiance of the Master of Mar and others to the Queen of England; for which service, no doubt, he could anticipate being well rewarded. His desire for secrecy, likewise, could be attributed to a regard for his uncle's and his own, safety; or, alternatively, it could be attributed to the fact that he had possibly grossly exaggerated or even invented what he had told to the English Government - a government already worried by the regent's recent reconciliation with the Hamiltons, which event along with others, it viewed as indicative of pro-French policy on Morton's part.

Having made all these provisos, it remains true, of course, that this is not the first mention of a disagreement between Regent Morton and the Master of Mar over the keeping of the young king. Around nine months earlier, on 12 July 1574 Henry Killigrew had written to Walsingham, telling him, "the Regent told me how that the Earl of Atholl assured him that it was reported he would send the King into England".[160] Speculation concerning the Regent's intentions for

160. Ibid., 26.

the King would be never ending, in all probability, in a Scotland where the suspicions and hostilities of the civil war period had not had time to be forgotten but it is interesting that on this earlier occasion it was thought likely, and feared, that the Regent would send the king into England, not France, as in the occasion of Walsingham's letter to the queen.

The confederacy for the safeguarding of the king mentioned earlier* would be particularly interested in all such speculation. The hard core of this confederacy, men such as Atholl, would probably never have been reconciled to Morton, but the regent does seem to have played into the hands of these men by alienating from himself such potentially loyal people as the king's keeper, the Master of Mar. It is impossible to ascertain whether Morton's distrust of Erskine, and his consequent desire to have the king moved to Edinburgh, alarmed certain nobles into forming the confederacy, or, as perhaps seems more likely, the confederacy existed in some loose form anyway, composed of men such as Atholl with no love for Morton, and it itself merely made use of the rumours resulting from Morton's fears and the Master of Mar's dis-satisfaction.

The other interesting and important aspect of this letter of Walsingham's is the identity of the "Scottish gentleman". He goes on to say that the man refers to the Master of Mar as his "Uncle". If it is assumed that he means that term in the proper sense of the word as it is used now, there are several possible candidates for the position. It is an interesting indication of the close knit nature of the Scottish nobility, referred to earlier,* that the Master of Mar could claim to be uncle to many people of importance in the politics of King James' reign. They include James Stewart, Regent Moray, David Erskine, Commendator of Dryburgh, Adam Erskine,

* See above 19; * See above v-vi.

Commendator of Cambuskenneth, John, Earl of Mar, William Douglas of Lochleven, Robert, Earl of Buchan, and others. It can only, of course, be speculated which, if any, of these men - excluding Moray, of course, who was dead - was Walsingham's informer. What is important to realise, however, is the possibility that the man might have been a Douglas and the ramifications of this will be examined shortly* when Morton's own kin is looked at. Whether or not he was a Douglas it seems likely that he would be a man whose support Morton would expect to enjoy and the whole episode is indicative of the widening gulf between the regent and some of his closest allies.

What remains after all the speculation is that the suspicion between Morton and Erskine still existed in the spring of 1575. Despite the fact that 6 May 1575 saw Erskine receiving the gift of a forfeited life-rent, speculation as to the relationship between the Erskines and Douglases continued and, in instructions given to Killigrew on 27 May of this year, the following was included: "As it is thought that the late death of the Countess of Angus may breed some change in the amity betwixt the Regent and the house of Mar, he is to observe and enquire diligently what alteration is like to follow thereof".[161]

On the 1 October 1575, Morton, writing to Henry Killigrew, tells him of a progress he has made through the country, being accompanied for part of the way by the Earl of Mar and others whom he describes as friends.[162] The master is not mentioned on this occasion, and as the earl would still be a boy of thirteen or so, it is interesting to speculate whether Morton was trying to treat the boy separately from his uncle. In the events of 1578 it will be seen* that uncle and nephew were to be found on different sides and it is tempting, this later fact being known, to use hindsight and see Morton sowing

161. Ibid., 153; 162. Ibid., 197.
* see below 48-50; * see below 67.

the seeds of disagreement and jealousy between the two on this earlier occasion. There is too little evidence to be anything like positive over this issue but it remains an interesting possibility.

Little of any interest occurred between Morton and the Erskines in the following two years and the next item of note in their relations comes in an entry in the Register of the Privy Council for 15 September 1577. This states that Annabel, Countess of Mar, has taken care of the King but now that he is in the twelfth year of his life he is to be attended by men. In charge of this is to be Alexander Erskine ofGogar.[163] As was stated earlier* in the brief resume of the events of Morton's fall from power, this date, 15 September, is also the one given by the Historie of King James the Sext for the arrival in Stirling of Atholl and Argyll to advise the king to accept Morton's offer to demit his Regency. The accuracy or otherwise of this entry in the chronicle has been debated earlier* but what is comparatively certain is that the Master of Mar was heavily involved in the events of Morton's fall in the following February/March. As will be seen one source has the Master of Mar giving his consent to the arrival of Argyll and Atholl at Stirling/ while another source actually has him asking them to come in.

The distrust of Morton for the Master of Mar had rebounded on to his own head. Annoyed by Morton's apparent lack of trust, and harassed, no doubt, by those of the confederacy for protecting the king, the Master of Mar had succumbed and was deeply involved in the organisation of the plot for Morton's downfall. The young Earl of Mar seems to have played no part in the events of February/March 1577/8 and it was only later that Morton was able to use him successfully against his uncle.

163. R.P.C., ii 633-4.

* see above 14-15; * see above 15; / see below 46.

Before examining the importance of Morton's own kin, the Douglases, it may be as well to reflect that it may not have been the Master of Mar, or at least not only the Master of Mar that Morton wished to remove from around the king. Melville of Halhill, writing of 1577 states of Buchanan that he "becam the Erle of Mortons gret enemy" and he traces this to a quarrel over a horse, continuing to state that "Dromwhassell also, because the Regent kepit all casualtes to him self ... becam also his enemy, and so did they all that wer about his maieste".[164] George Buchanan was keeper of the privy seal but, more importantly, he was, of course, the king's principal tutor and so would have ample opportunity to prejudice the young king's mind against the regent. Cunningham of Drumwhassell was keeper of Dumbarton Castle and this also was an important post, for Dumbarton was regarded as one of the most strategically important castles in the country. In June 1574 both Cunningham and Buchanan appear in a list entitled "Persons not commended by the Regent and yet by others thought meet to be entertained"; the former being described in this as "able to persuade by credit and counsel, especially about the King and Argyll" while the writer contents himself by describing Buchanan as "a singular man".[165]

On 14 April 1575 in a letter already dealt with at some length* for its importance with reference to the Master of Mar, Queen Elizabeth is advised that as well as Argyll and the Master of Mar, she would do well to cultivate the friendship of "the Captain of Dumbarton, whereby that fort may not come into the hands of the French".[166] It is an interesting reflection on English policy that all three of these men, recommended as being worthwhile for the

164. Sir J. Melville, Memoirs, 262-3; 165. Cal. S.P. Scot., v i-2; 166. Ibid., 119.
* see above 40-43.

English government to win, were involved in the fall of Morton, so that perhaps English money or influence helped to bring to an end the regency it had done so much to bring about. This is, indeed, an example of the belief shared by some Englishmen of the advisability of keeping Scotland in a somewhat unsettled state.

It has already been seen* that Melville attributes the emnity between Morton and Drumwhassell to Morton's greed and it is the same author who attributes to Cunningham a central role in the events of February/March 1577/8, stating that "Argyll and Atholl wer secretly practysed, and drawen in to Stirling be Dromwhassell, with the consent of Alexander Arskin Mester of Mar, and Mester George Buchwhennen" and he continues, still talking of these men, to say "be whais advyse and consaill his Maieste was easely movit to depoise the Regent out of his office".[167] It would appear from this that Morton had good reason to fear the influence of those men close to the king. Some cause for their dislike of the regent is given and it must be assumed that their hatred sprung from what they saw as their individual cases of injustice, and general dissatisfaction.

Telling of the influence against Morton of those around the king, Melville of Halhill, in the entry for 1577, quoted above, names another two men, both Stewarts, who helped to run down the regent in the king's eyes. The first of these, he states, was "James Stuart sone to the Lord Ogiltre", who "wan gret favour and credit with his Maieste, and not sa weill lyked be them of the castell of Stirling". This was overlooked, however, as he poisoned the king's mind against Morton.[168] This must be the man who eventually became a court favourite and, under the usurped title of Earl of Arran, virtually

167. Sir. J. Melville, Memoirs, 264; 168. Ibid., 263-4.
*see above 45.

ruled the country for some time. The Scots Peerage, however, only has him returning from receiving his education abroad in 1579[169] so that perhaps Melville has predated his period of popularity with the king, by mistake, to before the fall of Morton - a mistake which could easily arise when the prominent part that Arran played in Morton's final downfall was remembered.

The other Stewart that Melville tells of is "Robert Erle of Orkeney, wha had bene wardit and hardly handled be the Regent, for some sklent dealing with Denmark as was allegit".[170] He states that he also helped to poison the king's mind against Morton. Robert Stewart certainly suffered at Morton's hands but again this may be a case of predating events, for the Scots Peerage states that Robert Stewart was in ward until Morton demitted his regency.[171] He could have had contact with the king during his time in ward, of course, and, at any rate, his political affiliations are summed up in a review of the nobility of 1577 which states of him that "His (sic) is presently in ward in Linlithgow, under band. He married the Earl of Cassillis's sister. In religion he pretends to be a Protestant. He favours the King, but would be content with alteration".[172]

Even allowing for possible inaccuracies on Melville's part, it seems clear that Morton had every reason to doubt the wisdom of allowing such people as these to remain around the King. His hostility to the Master of Mar may have made that nobleman less careful than he might otherwise have been to protect the King from those with grievances against the regent.

If Morton's relations with the Erskines, and through them those with influence around the King, were important, then his relations

169. Scots Peerage, i 394; 170. Sir J. Melville, Memoirs, 264;
171. Scots Peerage, vi 572-3; 172. Cal.S.P. Scot., v 252.

with his fellow Douglases would be crucial. He would expect automatically to command their allegiance and certainly he gave them considerable incentive to allow him to do so, for the list of Douglases who benefitted one way or another during the regency is very long indeed.[173] There are, however, several reasons, touched on briefly already*, particularly with reference to the Erskines and Hamiltons, to think that dissatisfaction with Morton had pervaded the ranks even of his own kin.

What seems principally to have grieved some of the Douglases is the effort which Morton made to effect a reconciliation with the Hamiltons. He was initially obliged to make these efforts to fulfil the terms of the Pacification of Perth. Unfortunately, from the point of view of the unity of his own kin, this immediately involved dispossessing George Douglas, generally styled the Postulate of Arbroath, who was forced to give up Arbroath to Lord John Hamilton who had held it previously. The Douglases were well rewarded by Morton and it seems to have been the personal grievances of a few of them which led to the discontent. As was mentioned* earlier the Master of Mar was uncle to a number of important men of the period. Another aspect of this same relationship was that William Douglas of Lochleven and Robert, Earl of Buchan, who were full brothers, could call Regent Moray their brother also, as all three had the same mother, Margaret Erskine, sister of Regent Mar.[174] Consequently they were particularly aggrieved at any attempt to rehabilitate the murderers of Regent Moray and there was no dispute that the Hamiltons were the ones that fitted that particular bill. The events of the relations between the Douglases and the Hamiltons have already been examined/ but it is worthwhile noting in passing that those who were

173. R.P.S., vii 202, 288, 462, 1226, 1296; 174. Scots Peerage, vi 369-70.

* see above 27-30; * see above 42-43; / see above 27-30.

involved in the first reported attempt on the Hamiltons, were said, by the author of the Historie of King James Sext, to be the Earl of Buchan, Lochleven, George Douglas brother of Lochleven (usually styled of Helenhill) and George Bishop of Murray, called the Postulate of Arbroath[175] - in other words the late Regent Moray's three half brothers and another Douglas who had suffered as a result of the government's attempts to appease the Hamiltons. Although this same source says that this plot was undertaken on the Regent's instigation, this may be doubted considering his general policy of reconciliation towards the Hamiltons. It is obvious from lists given of those who would be likely to support the Douglases against the Hamiltons that the Erskines by and large considered themselves to be with the Douglases, even if this meant being in some degree of opposition to the regent. As has been shown earlier*, David and Adam Erskine, Commendators of Dryburgh and Cambuskenneth respectively, John, Earl of Mar, and Alexander, Master of Mar were all related to the Lochleven Douglases and the late Regent Moray. They, consequently, seemed to have shared the same hatred of the Hamiltons and the same apprehension over their possible restoration to political respectability. The concern over the possible marriage of Lord John to the Earl of Angus' sister was merely another instance of this general fear.

When this general Douglas/Erskine apprehension over the possible reconciliation of the regent with the Hamiltons was added to the more personal grievance of the Master of Mar over his treatment at the regent's hands, it became obvious that what should have been the backbone of Morton's support was not liable to be as strong for him as he

175. Historie of King James the Sext, 155.

* see above 42-43.

would wish. Writing to the laird of Lochleven on 2 March 1577/8 during the heart of the crisis for his regency, Morton expresses himself, to one who could have been expected to be a stalwart supporter, in very guarded terms such as "Bot gif ye wer plane with us thairin we wald answer yow in the like playnnes".[176] He goes on in the same letter to talk of the Erskines, who might have been expected to be the left arm to the Douglas right "We ar evill and unthankfullie acquite for our guidwill borne to the house of Mar".[177] The Douglases of Lochleven do not seem to have gone as far as the Erskines in their disloyalty in that they played no part in bringing Morton down but they do not appear to have shown the zeal to keep him in office that might have been expected. There are some indications that the Earl of Angus himself was dissatisfied also. Godscroft states that the Earl of Angus himself was discontented in that he thought the regent too careful for his natural sons and not enough for him and he details a quarrel between them[178] but this sounds more like the jealousy of a young man, who was only in his early twenties when Morton lost the regency, than any fundamental discontent. He was soon enough to find out that his own interests were closely tied up with those of his uncle. It is more the Lochleven branch that seems to have been basically discontented with Morton.

The Regent Morton does seem to have had the unfortunate knack of rendering even his potentially closest allies hostile or at least indifferent to his own personal fate. This situation meant that people like the Erskines were susceptible to those who were anxious for a change in government and men like Atholl if they chose to point to and deprecate the proposed reconciliation between the regent and

176. Registrum Honoris de Morton, i 88; 177. Ibid.;
178. Godscroft, 338.

Hamiltons might well receive assent and support from the most unexpected quarters.

This is not to say that Morton did not have his own party, and it will be worthwhile now taking a brief look at some of those who held office under or were particularly friendly with, the regent. In a paragraph on Morton's fall from power, Hume of Godscroft says "The adverse party seemed strong, Argyle, Athole, Crawford, yea also (which did most astonish him) his friends Glames, Ruthven and Lindsay; his most cherished, Pitcarne, (Abbot of Dunfermling), Secretary, and Tillebardin, Controller;".[179] An examination of the accuracy of this analysis of Morton's opponents will be carried out in Chapter 2,* but it will serve at present as a starting point from which to look at those who served under the regent.

Lord Glamis was appointed chancellor on 8 October 1573. He had been an early adherent to the king's party in 1567, and worked closely throughout the Regency with Morton who had been one of his curators and to whom he was related as a first cousin once removed.[180] He appears to have prospered during the course of Morton's government, for he was described in a survey of December 1577 as being "of greatest revenue of Any Scottish baron".[181] A second survey of this same date gives details of an event of some importance for Glamis. On the death of Gilbert, fourth Earl of Cassillis, and by that same noble's will, Glamis was made tutor to the future Earl John, then only eight years old.[182] Glamis was the boy's maternal uncle, but in giving him the position as tutor, Gilbert had passed over an uncle on his own side, Sir Thomas Kennedy of Culzean, who had pretentions to the earldom. The survey now states of the young earl and his kin, "His

179. Ibid., 341; 180. Scots Peerage, viii 288-90; 181. Cal. S.P. Scot., v 263; 182. Scots Peerage, ii 473, 475.

* see below 69-72.



whole surname depends on his father's brother, whom they have chosen and stirred up against Lord Glammis, so that Lord Glammis cannot now come into the country without the aid of Lord Boyd, and for the better strengthening of Lord Glammis it is intended that Arbroath shall marry the sister of Glammis".[183] This sister was the widow of Gilbert, Earl of Cassillis, so that marriage between her and Lord John Hamilton could bring a powerful ally to Glamis in this struggle. This same survey says of Glamis that on account of these negotiations he is "fallen into some suspicion with those who stand against the Hamiltons".[184] This episode, coupled with general loyalty to Morton and a traditional feud between the Lyons and the Lindsays, Earls of Crawford, would appear to be the chief factors in determining where Lord Glamis' political allegiance lay. As will be seen later*, the rumour that Glamis sided against Morton in 1577/8 was untrue so that it seems clear that he identified his interests as being similar to those of Morton, especially in what was one of the most controversial aspects of the regent's policy, namely reconciliation with the Hamiltons, whose chief, Lord John, did in fact marry Glamis' sister on 30 December 1577.[185]

Lord Ruthven, similarly to Glamis, had long been associated with the king's party, and was made Treasurer of Scotland on 24 June 1571.[186] During the regency he was involved in private quarrels, at different times, with Robert Bruce of Clackmannan,[187] and Margaret Sibbald of Nether Liff.[188] Once more, as in the case of the chancellor, important information as to his political affiliations comes in the last few months of the regency. It was stated on 19 July that "Atholl, Ruthven, Lindsay and others have confederated themselves by oath for maintenance of the King".[189] This confederacy

183. Cal. S.P. Scot., v 254-5; 184. Ibid., 253; 185. Scots Peerage, viii 288; 186. R.P.S., vi 1191; 187. R.P.C., ii 273-4; 188. Ibid., 383; 189. Cal. S.P. Scot., v 229.

* see below 70.

has already been discussed at length* but a review of the nobility of December 1577, mentioned above*, reveals what was probably Ruthven's chief motive in joining the confederacy, when it says of him "he is principal associate of those against the Hamiltons".[190] The origin and history of the confederacy go back several years before this, of course, and Ruthven's inclination towards it, possibly dated, as with some other nobles, from the beginning of Morton's moves towards amity with the Hamiltons. Certainly on 19 June 1576 in a letter which may indicate the existence of such a confederacy, Montrose, Lords Gray, Lovat and Ruthven and Tullibardine wrote to Argyll trying to patch things up between him and Atholl, possibly also hoping to draw him thereby into their plot.[191] Ruthven then, like the Lochleven Douglases and the Erskines, did not accord to the regent the unfailing devotion which might have been expected of him, and the reason again seems to have been hatred and fear of the Hamiltons and of their possible rehabilitation.

Lord Lindsay, the third in Godscroft's list of those whose opposition astonished the regent, was also an early adherent to the king's cause and one who was rewarded in 1573 by being made Lord Provost of Edinburgh.[192] He was an ardent, if not fanatical, reformer and may have been alienated by, or disappointed in, Morton's church policy; or perhaps, like Ruthven, it was the regent's attitude to the Hamiltons, so long the enemy of the king's party, that antagonised him. At any rate, as was seen/, he is included in Bowes' list of July 1577[193] as a confederate for the maintenance of the King and is similarly described in the review of the nobility of December of that same year.[194]

190. Ibid., 254; 191. Warrender Papers, Scottish History Society, Third Series, No.18, Vol. 1 133-5; 192. Scots Peerage, v 400; 193. Cal. S.P. Scot., v 229; 194. Ibid., 254.
* see above 19,21-24; ⁎ see above 51; / see above 52.

One of the men described as "his most cherished" by Godscroft was Robert Pitcairn, Abbot of Dunfermline, Secretary.[195] He had been chosen as secretary when Maitland of Lethington finally defected to the queen's party[196] and since then had been a central member of the administration, taking his part in such tasks as negotiating the Pacification of Perth.[197] The other man so described was William Murray of Tullibardine, Comptroller from 1566 to 1582/3. He had been appointed along with Erskine of Gogar as a joint-governor to the young king and keeper of Stirling Castle.[198] These two men were related, Pitcairn being married to a sister of Tullibardine,[199] and the one may have influenced the other into turning against the regent.

These were some of the men on whom Morton depended, and, who, according to Hume of Godscroft, turned against him. There were others who were on good terms with him and who remained loyal, such as Robert, Lord Boyd, described by James Melville in his diary as being "grait with the Regent".[200] He was a somewhat surprising choice as an ally for Morton, for unlike most of those discussed immediately above he had been a Marian in the civil war. He was said on 6 March 1573/4 to have met with Huntly and Atholl at Dunkeld "for some practice", presumably some anti-Morton practice, but this may well be erroneous for the author of this report appears to think that Boyd was a northern noble. At any rate he concludes "as far as I can learn, it is not so, or at least will take no effect".[201] Robert, Lord Boyd and his kinsmen were accorded considerable gifts and benefits under the regent, one of them, Master James Boyd, being made Archbishop of Glasgow.[202] Lord Boyd, himself, was Collector-General of the thirds[203] while in a survey of the nobility of June

195. Godscroft, 341; 196. Concise D.N.B., 1045; 197. R.P.C., ii 193; 198. Scots Peerage, i 466; 199. Ibid., 464; 200. J. Melville, Diary, 53; 201. Cal. S.P. Scot., iv 651; 202. R.P.S., vi 2175; 203. Ibid., vii 487.

1574 it was said of him that he "bears great sway by his favour with the Regent".[204] That he continued to be highly regarded by the regent is evident from another survey of the nobility made in December 1577 where he is said to be "in special favour with the Regent".[205] It will be seen* that Lord Boyd suffered as a result of Morton's fall, thus giving an indication of the close nature of their mutual interests.

Others who were deemed to be of Morton's party were not always of such high rank. Melville of Halhill says at one point that Morton had lost the favour of all Scotland except "George Afflek and Sanders Jardan".[206] These two, George Auchinleck of Balmanno and Alexander Jardine of Apilgirth, were in great favour with the regent and received many gifts and benefits from him.[207] On 20 June 1573 Jardine was appointed Master of the King's Ordnance for life[208] while on 24 January 1577/8 he received a reward for his services to the crown.[209] In the interim he had been the central figure in the plot on Huntly's life which Morton was reputed to have devised when that nobleman was in ward in Calloway. To be used for such an important mission Jardine must have obviously have been in the regent's confidence.

George Auchinleck of Balmanno was also rewarded for his service to the regent. Godscroft states that "the chief men he used were John Carmichael of Carmichael, and George Auchinleck of Balmanno".[210] Godcroft also states that many ran after Auchinleck because his credit with the regent was so good, while others "grudged to see the Regent and his servants to ingrosse all matters of profit and commoditie to themselves alone".[211]

The other man mentioned there by Godscroft as being close to the

204. Cal. S.P. Scot., v 2; 205. Ibid., 255; 206. Sir. J. Melville, Memoirs, 260; 207. R.P.S., vi 277, 1803, 2346, 2431, 2581; 208. Ibid., 2001; 209. Ibid., vii 1413; 210. Godscroft, 332; 211. Ibid., 335.

* see below 75.

regent was John Carmichael of that ilk. One particular service which the laird of Carmichael rendered was that he captured John Ormiston who had been closely involved in Darnley's murder and was executed for the same. He was rewarded specifically for this two years later and on other occasions also gained at Morton's hand;[212] but, perhaps because of the delay between his service in this instance and his reward, he was reported by Melville of Halhill to have "lamented to me grevously of his ingratitude towardis him ... untill I gave him a consaill".[213] Carmichael, younger, married Margaret, natural daughter of Sir George Douglas of Pittindreich, and so was related to Morton.[214] Like Lord Boyd he too suffered on Morton's fall from power, being forfeited in 1581.[215]

These, then, were some of the chief allies that Morton had, along with the Douglases and Erskines examined earlier.* If Morton could be generous to those who were in his favour he could be merciless to those who had earned his animosity. Several aspects of his government, in particular the exercise for recovering the crown jewels, have revealed a persecution of former Marians and there are other examples of those who had supported Queen Mary being pursued by the regent for different matters. There were nobles other than Argyll who were pursued and for causes often less romantic than jewels.

One such was Hugh Montgomery, third Earl of Eglinton, who had not come over finally to the king's side until the summer of 1571[216] and unlike the case of Lord Boyd his late arrival did not result in his being made a close ally of the regent's. In 1573 he was at the horn at the instance of Dame Jean Hamilton, Lady Eastwood[217] and for much of the early part of the regency he was pursued by the council at the

212. R.P.S., vii 378; 213. Sir J. Melville, Memoirs, 260; 214. Scots Peerage, iv 579-80; 215. Ibid., 578; 216. A.P.S., iii 63; 217. R.P.C., ii 227, 303-4.

* see above 37-50.

instance of this lady. She was a daughter of James Hamilton, Earl of Arran, and had been married to Eglinton, from whom she had been divorced in 1562.[218] It is tempting to see this pursuit as part of the government's attempt to reconcile the Hamiltons but it was probably occasioned more by a certain degree of animosity towards those who had lately been adherents of the queen.

Another noble with a similar history of political affiliations was Gilbert Kennedy, fourth Earl of Cassillis, who had also come over to the king's party in the summer of 1571.[219] He was pursued before the Privy Council in 1573 over an incident involving Janet Dalrymple and John Hume[220] and was asked to ward himself in Blackness Castle under threat of treason.

Marians from further down the social scale could suffer also, as in the case of Sir William Sinclair of Roslin, already noted* as having been prosecuted over the possession of crown jewels. On 18 August 1573 he was summoned by the council[221] along with William, Lord Borthwick and Sir William Scott of Balweary, both former Marians, to answer for what had happened to those for whom they had been called to act as surety. David Bell, called the "Young King" was the man whom Sinclair was asked about on this occasion and he was soon back before the council again over this same issue.

These are examples of Marians who were submitted to some degree of harassment, greater or lesser, by the government, but there were other such families who were treated with even greater vigour. The most severely affected must have been those whose immediate heads were forfeited such as the case of Sir William Kirkcaldy of Grange who

218. Scots Peerage, iii 441; 219. A.P.S., iii 63; 220. R.P.C., ii 282-3; 221. Ibid., 272-3.

* see above 11.

was forfeited and executed[222] and whose widow, Margaret Learmonth, was pursued over the crown jewels issue.[223] Similar treatment was accorded to Maitland of Lethington's widow.[224] Other people, who were destined to become important crown servants in the future, such as John Maitland, brother of Lethington, and Sir Robert Melville of Murdocairny, were obliged, because of the part they had played in the civil war - both these men had been in Edinburgh Castle when it surrendered in 1573 - to wait until the regency was at an end before they could live a normal life and seek their political advancement.

Other men such as Sir Thomas Ker of Fernihurst,[225] Lord John Fleming[226] and Alexander, Lord Home,[227] were forfeited; the last named of these, in fact, being held prisoner until shortly before his death in August 1575.[228] Many of their lands and possessions were given to particular favourites and relatives of Morton and obviously this would engender considerable hatred towards the regent and his regime. It cannot be assumed, however, that, when the head of a family suffered in this fashion, the whole of his surname suffered in like manner, or that all bore the same grievance towards the regent. In the case of the Homes, for example, while Morton was so adamant in his hostility to Lord Home, that that noble was reputed by Killigrew, in August 1575, to be "in despair to obtain any relief at the Regent's hands",[229] this hostility was not a general one taking in all Homes. Many lands, which had belonged to Lord Home and which he had lost through forfeiture, were given to others such as Homes of Cowdenknowes, Manderstoun or Hutounhall.[230] Similarly with the Kers, while Fernihurst was exiled and forfeited,[231]

222. Concise D.N.B., 730; 223. Cal. S.P. Scot., iv 622; 224. Ibid.; 225. Scots Peerage, v 65; 226. A.P.S., iii 49, 55; 227. Scots Peerage, iv 462; 228. Ibid.; 229. Cal. S.P. Scot., v 182; 230. R.P.S., vi 2320; 231. Scots Peerage, v 65-6.

Cessford received a considerable number of gifts and appears to have been in some degree of favour with the regent.[232] This may have been deemed to be an extra punishment for such men as Lord Home who might see their position as head of their kin being eroded as their lands were given to others of their surname or it may have been merely a recognition of the practical difficulties of the situation of trying to enforce the decision to take lands away completely from Homes, for instance, in an area where they had held land for years and were numerically strong.

Hume of Godscroft gives some further details of Morton's dealings with such families, especially those in the Borders.[233] He, also agrees with others that Morton faced one direct conspiracy against his life during his regency and it was as an immediate result of the sort of harassment detailed above.[234] Although the details of this incident are not clear and it has no claim to being typical, as there are no other recorded incidents of attempts on the life of Regent Morton, nevertheless it may be of value to describe the event in some detail, both for its intrinsic interest and as an indication of the sort of reaction which Morton's pressure on individuals could produce.

The central character in this plot was John Semple of Beltries, a natural son of Robert, third Lord Semple, by Elizabeth Carlisle, an Englishwoman.[235] On the 19 October 1573, Melville of Murdocairnie being interrogated about the question of jewels "was asked what jewels John Semple's wife had. He says he believes that Semple's wife had some of the Queen's jewels and he does not think the Queen had them back".[236] Semple's wife was Mary Livingston, daughter of Alexander,

232. R.P.S., vi 2486; 233. Godscroft, 336-8; 234. Ibid., 340; 235. Scots Peerage, vii 548; 236. Cal. S.P. Scot., iv 622-3.

fifth Lord Livingston and a close friend of Queen Mary, who could quite conceivably have had crown jewels in her possession.[237] The couple had had a grant of land from Queen Mary on 20th March 1564/5[238] and it may be that Morton was trying to recover this land for the crown. Spottiswoode says that one "Adam Whiteford of Milnetoun was accused as one set on by Lord John and Lord Claud to have killed the Regent. The suspicion did arise of some words of John Semple of Beltries against the Regent for an action intended against him concerning some crown lands. His words were the more taken note of because he was Milnetoun's uncle and upon offer of torture he was brought to confession".[239] The author also states that the chief end of this prosecution was to have been to have furnished evidence against the Hamiltons for their forfeiture.[240] Godscroft states that the plot was revealed by one "Gabriel Semple" and Beltries confessed it.[241]

Pitcairn's Criminal Trials states that on 15 May 1577 Adam Whiteford, younger of "Myltoune", was denounced rebel for "consulting with John Sempill of Byltries, and treasonably conspiring the murther of James Earl of Mortoune".[242] A further entry, dated one month later, tells of the trial of John Semple of Beltries who was convicted and forfeited. His crime was stated to have been taking part in a conspiracy to have shot Regent Morton. The date of the crime was said to have been January 1575 or thereby and was to have taken place "within the Kirk and Kirkland of Paislay" and other unspecified places at other times.[243]

On 22 May 1577 Alan, Lord Cathcart, who seems to have been on good terms with Morton throughout the regency, had been given lands

237. Scots Peerage, vii 548; 238. R.P.S., v 1976; 239. Spottiswoode, ii 203-4; 240. Ibid.; 241. Godscroft, 340; 242. Pitcairn's Criminal Trials Vol.1, Part II, 70; 243. Ibid., 73.

which had belonged previously to John Semple of Beltries and had come into crown possession by his forfeiture.[244] Spottiswoode, in the passage quoted above*, says that Semple was condemned to death for his crime but was pardoned and the Scots Peerage gives his date of death as 25 August 1579.[245]

This was the most extreme action taken by any who were persecuted by Morton, most of whom, as has been illustrated*, were former supporters of Queen Mary or had some close connection with her through marriage to a friend or such like. These persecutors must have confirmed the suspicions of many who had been supporters of Queen Mary who must have doubted, when Morton became regent, whether they could expect impartial treatment at his hands. The more humble of these men tried to assassinate the regent; the more powerful constructed a confederacy aimed at overthrowing him and taking on the disguise of being anxious for the "preservation of the King" they played on the discontent of others, potentially loyal to the regent, who had also been rendered discontented in some way or another by his government.

There were, of course, many other nobles whose political standpoints have not been mentioned and this has generally been because their standpoint appears to have been a moderate one or insufficient evidence exists to make any judgment on them worthy of the name. Some appear to have been in favour with the regent for a time and then merely to have passed from the political scene. Some, such as Lord Maxwell, were in a degree of favour initially but seem to have been surpassed by another, in his case the Earl of Angus who

244. R.P.S., vii 1040; 245. Scots Peerage, vii 548.
* see above 60; * see above 56-58.

succeeded him as Warden of the West Marches when he resigned.[246] Obviously also each individual incident has not been described or each link up traced but it is hoped that the most important aspects and strands of the regency have been highlighted.

The overthrow of the regent in February/March 1577/8 was made possible by the climate of indifference towards him as a person which came into being because of the different policies which he pursued which alienated aspects of the community. This climate was seized on by those who had personal grievances against Morton and who were, largely, former supporters of Queen Mary. No one doubted that Morton was hostile to Queen Mary and her adherents but he seems to have alienated some of his own followers especially by his supposed leniency toward the Hamiltons. The main political split during the regency, then, was a direct continuation of the Kingsmen/Queensmen split of civil war years and those of this latter faction were able to use the discontent of certain people and sections of the country at large, engendered by Morton's overbearing and self-seeking policies, and turn these discontented minds towards conspiring the regent's first fall. They found, however, that to remove him from office was considerably easier than to keep him out of the centre of governmental affairs.

246. R.P.C., ii 613.

# Chapter Two

## 1578-1585

On 21 May 1584, a month after the earls of Angus and Mar and the master of Glammis had been forced to surrender Stirling Castle, which they had captured only three days previously and had fled to England, they issued a manifesto putting forward what had been their aims and intentions in this late coup. They claimed they were fighting for the same cause as Morton and Moray had done 17 years previously and that all that had changed during that time was the identity of the participants in the fight, or, at least, some of them.[1] Their own personal fight and that of Lords John and Claud Hamilton (who were also banished from the country and with whom these lords were eventually able to unite in opposition to the party in power) was not, in fact, brought to a successful conclusion until the close of 1585, some eighteen months after this manifesto was released. On 3 December 1585 the earls and lords mentioned above were restored to their honours and possessions by parliament[2] after they had succeeded in again capturing and this time retaining Stirling Castle, thereby bringing to an end the period of personal influence of James Stewart, Earl of Arran. The eight years from Morton's fall from power to James Stewart's similar fall late in 1585, were a highly complex and eventful time, and any statement, such as the one above made by the Banished Lords, which claims to define and rationalise in one or two sentences, not only this period, but the preceding nine years also, is clearly worth looking at. It may indeed be helpful in an analysis of the political factions of this

1. Cal.S.P.Scot., vii. 142-3; 2. A.P.S., iii. 383-7.

period to bear this statement in mind and to return to it critically at the close of the analysis in order to examine and estimate its worth and to determine if the superficially complex nature of events does in fact permit such a basically simple explanation of motivation.

Among the idiosyncracies of this period is the fact that the two men whose influence was greatest in the early years of the period and with whose names both parties still identify themselves at its close, were both out of the political picture by the end of June 1583, namely, James Douglas, Earl of Morton and Esme Stewart, Earl of Lennox. The period saw a succession of men, either solely or in the partnership with other nobles, rise and fall, enjoying for a brief spell, at the height of their influence, a measure of power and authority, which arguably none but the king ever enjoyed thereafter. Unlike the previous five years there was no regent during this period, despite the fact that the king was only eleven years old when Morton was first deposed, but various nobles exercised considerable influence at different times and threatened to become all-powerful until they were removed by a combination of other interests.

Morton remained the leading noble of the country at least until the arrival from France of Esme Stewart, and, arguably, right up until his death in June 1581. He and the party constructed around him and his interests, which was composed largely of the families of Douglas and Erskine and their adherents, remained a fairly constant factor in the period. They were of the Protestant persuasion, had been kingsmen during the civil war and inclined towards amity with England, while England in her turn tended to regard them more favourably than their opponents and often remarked that Morton had only undertaken the onerous task of being regent at the behest of Queen Elizabeth.

Esme Stewart, Lord D'Aubigny, who was made Earl of Lennox after Lord Robert Stewart had been prevailed upon to demit that honour, was the other of the two major characters of this period. He, and to a lesser extent James Stewart, Earl of Arran, came to epitomise the anti-Morton party. Arran is often referred to as an irreligious man and even an atheist,[3] while Lennox was never fully able to quieten fears and suspicions that he was in fact a Roman Catholic,[4] despite his signing of the King's Confession of Faith[5] and his request for the personal services of a Kirk minister.[6] Lennox arrived in Scotland just in time to take over the role of leader of the opposition to Morton, a role vacant by the decease of Chancellor Atholl, and indeed he became the country's leading noble after the ex-regent's execution. These aspects of Lennox, coupled with the facts that he was after all, a Frenchman, that he was reputed to be on good terms with the family of Guise[7] and that he was also reputed to intend to work in Queen Mary's interests,[8] led to his being identified with a Catholic, pro-French, pro-Mary and above all anti-Morton party. He was seen as such especially by the kirkmen of Scotland and by the politicians of England who, as was seen in the first chapter,* had a tendency to exaggerate the likelihood of Scotland's falling completely under French domination. Lennox's own personal party was composed of men such as Lord Seton and Lord Doune, but after his death, when Arran was in power and was identified still as representing the Lennox policy, as it were, the party came more definitely to include men such as the Earls of Montrose and Crawford.

These two nobles, Morton and Lennox, were at the heart of the

3. Cal.S.P.Scot., vi 121, 172; 4. R.P.C., iii 431-1; 5. B.U.K., ii 515-18; 6. Calderwood, iii 477; 7. Cal. S.P.Scot., v 314, 356, 609, 612; 8. Ibid., 621, 622, 633.

* see above 41.

the two most important political factions of the period. The third group of the nobility was somewhat of an amalgam and is composed of men who must be styled "moderates" although, as will be seen,* their moderation, often more apparent than real, stemmed from a considerable diversity of causes. This section of the nobility in no way acted as a party and the men in question are merely studied together as a means of ascertaining if there was any large group of people who withheld from the Douglas/Stewart conflict. Many of these men will be seen* to have followed their own individual interests as they saw fit, rather than the policies of either major faction. The Hamiltons will be included in this group, as a study of their faction during these years amounts to little more than a study of the actions of Lords John and Claud themselves, for many others who would normally have supported them such as Huntly or Lord Seton gave their adherence to Lennox as the Hamiltons were out of the country for much of this period.

Such an investigation of the nobility classified in three groups should reveal just how much or alternatively how little truth there was in the analysis of events put forward by the Banished Lords. It should also be the case, owing to the amorphous nature of the third group, that no individual who played a large part in the political events of the period will escape analysis.

## I. THE PARTY OF MORTON.

Despite the number and determination of those men who were ranged against Morton, and whose party was examined in the first chapter,/ the government of the country was, to a large extent, still in the control of James Douglas and his party throughout much

* see below 135; * see below 167; / see above 10-37.

of the three years immediately following his initial overthrow. This being the case it might be helpful to investigate the support which Morton and his party enjoyed during the course of these years and ascertain how this support varied as events took their course. As Morton's party is to be considered first and as it constituted the government for a considerable part of the period under discussion, its analysis will also contain a brief resume of events of these years, which will consequently be kept to a minimum in the examination of the other factions.

Talking of the continued ascendancy of Morton in 1578, Hume of Godscroft states that it is indeed a mistake to say that Morton ruled all and claims in fact that he was but "accessary, and concurred (as one of the chief and prime Noblemen) but the house of Marre had the main sway at this time".[9] Whether this is agreed with or not it is certain that the houses of Erskine and Douglas worked very closely together and constituted between them a large and influential percentage of Morton's support. Indeed it was due to the favoured position of the house of Erskine in its capacity as guardian of the King within Stirling Castle that Morton was able to regain the ascendancy which he had lost in early March 1577/8. Around six weeks after his discharge from the regency, Morton regained effective power when the young earl of Mar, who, according to Moysie, had previously conceived a grudge against Alexander Erskine, Master of Mar, his uncle, and principal keeper of the King, accompanied by the abbots of Dryburgh and Cambuskenneth and other friends, took possession and control of Stirling Castle.[10] Morton and his kinsman, Douglas of Lochleven, were soon notified of events[11] and the ex-regent dealt speedily with

9. Godscroft, 344; 10. Moysie, Memoirs, 7; 11. Cal. S.P. Scot., v 288.

those in Stirling, in the hope of re-establishing himself as his king's principal adviser, taking care in the meantime to send a servant to his nephew, the Earl of Angus, to raise forces for his use, should this prove necessary.[12]

In this incident, which temporarily overthrew the work of the previous weeks, the nucleus of the Morton party has been revealed. Throughout the period from 1578 to 1585, both before and after Morton's death, much of the support of his party found its focus and rallying point around the two young earls, Angus and Mar. Their kinsmen, Erskines such as the Abbots of Cambuskenneth and Dryburgh, and Douglases such as Lochleven, Parkhead and others, whose kinship Angus shared with Morton, constituted the bulk of the Morton party throughout these years. Some men of close kin to these central figures, such as Alexander Erskine, Mar's uncle, mentioned already,* might pursue totally different policies to their natural leader and, indeed, in this case be associated closely with their enemies. This does not detract from the truth however that the Douglases and Erskines worked closely together throughout this period and formed the core of the Morton party.

The two houses were, of course, related by marriage, as was seen earlier,* and although Angus' wife, Mary Erskine, had died in 1575 this in no way affected the strength of the ties between the two houses for the marriage had been, as were many such marriages, symbolic of the proximity of interests of the two houses rather than the real cause of that proximity. As has also been seen/ Morton had worked closely with the late Regent Mar and had, of course, succeeded him

12. Ibid.
* see above 39-46; * see above 38; / see above 37.

in that office, both of them being identified with the causes of Protestantism, England and King James, as opposed to Catholicism, France and Queen Mary. These same associations were, by and large, inherited by the Earls of Angus and Mar when they took over the effective leadership of the party.

The Earls of Angus and Mar themselves played an important part in the events of March and April 1578 which saw Morton eventually regain power. Angus was used by Morton to raise forces at this time and previously he had acted as a commissioner for his uncle.[13] Mar, as has been seen* was instrumental in bringing control of the king back into the hands of the Morton faction by the coup at Stirling Castle. Both earls were young and no doubt were motivated partly by ambition. Angus' ambition and concern for his own welfare brought him into conflict on occasions with Morton, his uncle,[14] while Mar's conflict with his uncle, the Master of Mar, which resulted in the Stirling coup, was only resolved when it was decided that the earl was to be principal keeper of the king at Stirling Castle while the master was to be keeper at Edinburgh Castle.[15]

An analysis of the component parts of the opposition which had resulted in Morton's receiving a discharge from the regency on 12 March 1577/8[16] will be continued later in this chapter,* but at this point it is necessary to look at it only in so far as it affected the Morton party and to establish how much it was made up of men who might normally have been expected to be supporters of Morton.

Calderwood says of Morton that "When he perceaved that the Commendatar of Dumfermline, Secretar Tullibardin, Comptroller, and

13. Moysie, Memoirs, 2; 14. Godscroft, 336; 15. R.P.C., ii 688-90; 16. Ibid., 677.
* see above 67; * see below 105-113.

others in whome he trusted, had forsaikin him, he driveth not over time, till he gather his freinds to make resistance";[17] while Hume of Godscroft, discussing those who were in opposition to the regent, adds Lords Glamis, Ruthven and Lindsay to the above two.[18] In discussing these men it is possible firstly to dispose of one who is probably placed erroneously by Godscroft in the number of the regent's enemies, namely Lord Glamis, then chancellor of Scotland. The author of the article on Glamis in the Scots Peerage states that "He was not present at Stirling on 8 March 1577/8 when the King took upon him the government of the kingdom, and the statement that he sided against his old friend is disproved by his attendance up to the last at the meetings of Council over which Morton presided".[19] A note in the same work points out that "the terms of the Chancellor's will prove that his confidence in the Regent remained unabated to the last".[20] Another important piece of evidence which would indicate that the two men were not hostile to one another comes in a letter written by Morton on 19 March 1577/8, that is, only two days after the death of the chancellor at Stirling, in which he writes "I am sorie of the Chancellares unhappy chance quhilk na doubt is to my greit greif".[21] Obviously the interests of Lord Glamis, who had become chancellor in 1573, and the regent, would be closely linked and after the chancellor's death his brother, Thomas Lyon of Baldukie, usually styled Master of Glamis, was a principal adherent of Mar and Angus, themselves the embodiments of Morton's party.

Comptroller Tullibardine and Secretary Pitcairn, who are both given in each of the two lists as opponents of Morton would obviously, like Glamis, be closely involved in the government of the country.

17. Calderwood, iii. 395; 18. Godscroft, 338; 19. Scots Peerage, viii. 289-90; 20. Ibid., 290n; 21. Registrum Honoris de Morton, i. 105.

It must be accepted that they were ranged against Morton in March 1577/8 but soon they both either changed their minds or else did not feel their hostility to Morton to be deeprooted. Both subscribed the discharge given to Morton for his regency[22] and both were appointed to be on the council to guide affairs[23] as might be expected of two adherents of a successful revolution in state affairs. This was in March, however, and in May of the same year, after the Stirling coup had restored Morton to power, they are both given in a list of men who were well-contented in Scotland at that time - a list headed by Morton himself.[24] Furthermore, both of them voted in favour of Morton's being of the king's council and this was not the wish of the Argyll/Atholl party to which they had seemed to belong in March.[25] In June it was agreed that Dunfermline should be sent as an ambassador to England and the list of the names of those who voted in favour of this move illustrates quite clearly that Dunfermline was, by then, regarded once more as a firm supporter of Morton.[26] Both Dunfermline and Tullibardine continued throughout the rest of Morton's life to be associated with him and generally, although not on all occasions, they are referred to as supporters of him.

They are, indeed, often mentioned together and the fact that they were both important crown officers makes this something less than surprising. There was another reason for this, however, as Pitcairn was married to Euphemie, Tullibardine's sister. Another of Tullibardine's sisters had married the Regent Mar, while one of his brothers, James Murray of Pardewis, was later to be a Ruthven Raider.[27] This illustrates that the interests of Dunfermline and Tullibardine were closely interrelated, while Tullibardine was

22. Ibid., 92-100; 23. Ibid., 108; 24. Cal.S.P.Scot., v 295;
25. Ibid., 296; 26. Ibid., 301; 27. Scots Peerage, i 463-5.

related to the Erskines, and both men had been crown officials under Morton. Consequently their natural position in the political arena would seem to be on the side of Morton, and this was the stance which they adopted most of the time. Their deviation from this position in March 1577/8 seems likely to have been due to some personal grudge or dissatisfaction and may be illustrative of that unfortunate quality of Morton's discussed earlier*, which resulted in his having very few personal friends who would fight actively on his behalf.

Of the five men mentioned above whose opposition to Morton is said to have amazed him, three have been shown to have belonged, by and large, to Morton's faction. The other two, Ruthven and Lindsay, might also have been expected to belong to the party which supported rather than opposed Morton. They had both been associated with the king's party and protestantism and so their natural inclinations, in terms of domestic Scottish politics, were towards the party of the Douglases and the Erskines. They were, nevertheless, instrumental in bringing down Morton's government and so cannot be considered as being of his faction. Although not moderates in the normal sense of the word they were both poised, at this stage at least, somewhere between the two major factions and so will be examined more closely* among those of the third group described above./

Morton himself may have been slow to appreciate or lothe to beleive that Lords Lindsay and Ruthven were indeed among his opponents. At any rate on 15 March 1577/8, when his struggle to retain power was still taking the form of negotiation, commissioners were sent by the king, desiring Morton to render the castle of Edinburgh. He replied to them by desiring that some neutral men be found as keepers of the castle and he named four whom he regarded

* see above 50,62; * see below 155-9, 161-3; / see above 66.

as such, the Earl of Buchan, Lords Lindsay and Ruthven and the laird of Lochleven.[28] When it is borne in mind that Buchan and Lochleven were kinsmen of Morton it seems clear that the ex-regent regarded the other two also as friends, or at least former friends whose present hostility was but shallow and temporary.

Lochleven and Buchan were the first and second sons of Sir Robert Douglas of Lochleven, and, in addition to being kinsmen to Morton, they were also closely linked to the Erskine interest through their mother, Margaret, second daughter of John, fifth Lord Erskine. Their parts in the events of the regency have been detailed earlier, where it was seen* that their loyalty to Morton was not unswerving, but he evidently still regarded them as stalwart supporters. Buchan, indeed, did not live to see much of the period under discussion as he died on 18 August 1580,[29] but he seems to have enjoyed Morton's confidence in his latter days. On 28 September 1578 he was nominated as one of those chosen to represent Morton[30] in discussions with representatives from the opposing camp of Atholl and Argyll and was listed in March 1580 as an ally of Morton.[31]

Lochleven played a more prominent part in the events of this period and his identification with the Douglas interest intensified when, in 1588, he succeeded as the fifth Earl of Morton.[32] In the hectic events of the spring of 1578 he was used by Morton to keep him in touch with developments while the ex-regent actually remained at his kinsmen's residence in Lochleven, his attention apparently entirely absorbed by landscape gardening.[33] As a result of his position as observer it was Lochleven who reported to Morton the success of the Erskine-led coup in Stirling Castle in April 1578 and

28. Moysie, Memoirs, 3; 29. Scots Peerage, ii 270; 30. Moysie, Memoirs, 19; 31. Cal.S.P.Scot., v 386; 32. Scots Peerage, vi 371; 33. The Historie of King James the Sext, 165.

* see above 48-50.

he played an important part himself in the successful follow-up to the coup.

There were, of course, many other Douglases, such as Malcolm Douglas of Mains or James Douglas, prior of Pluscarden, the eldest of Morton's four natural sons, and many of them, especially those so closely related to Morton as Pluscarden, would identify their interests very closely with those of the ex-regent. Douglases in general supported Morton and consideration of individuals will be left to the point in the course of events when each enjoyed most personal importance.

Although the Douglases were important, it was kinsmen of Mar who were principally responsible with the young earl for the success of this Stirling coup. The abbots of Cambuskenneth and Dryburgh both subscribed the discharge given by the Privy Council to Morton on 12 March 1577/8[34] and both were appointed to be present as councillors when required.[35] After the leading part they played at Stirling it is no surprise to find them in the list of those described as well-contented with the state of affairs in Scotland in May 1578,[36] or to ascertain that they voted in favour of Morton's becoming a member of the privy council.[37] They both continued to be identified with the Douglas/Erskine cause and in later years were both Ruthven Raiders.[38] They are often referred to as uncles of the Earl of Mar but were in fact natural sons of the first and second of four brothers, the third and fourth of whom were Regent Mar and Alexander Erskine of Gogar, Master of Mar.[39] Consequently the abbots were what might be described as natural cousins to John, Earl of Mar, and evidently conceived their

34. Registrum Honoris de Morton, i 92-100; 35. Ibid., 109; 36. Cal.S.P.Scot., v 295; 37. Ibid., 296; 38. Calderwood, iii 637; 39. Scots Peerage, v 610-11.

interests to be closely allied to his.

That such close kinsmen of the Earls of Angus, Mar and Morton should support the ex-regent's faction is certainly not to be wondered at, but not all that faction's most loyal supporters were kinsmen and the cases of Ruthven and Lindsay must not be allowed to obscure the steady backing given to Morton by men such as Lord Boyd. Spottiswoode states that Boyd reproved Morton for demitting his office so easily[40] and he seems to have remained on good terms with the earl for he was named to represent Morton on different occasions[41] and was described generally as being contented when Morton's affairs were going well.[42] When Morton was accused by Captain James Stewart, in December 1580, of the murder of the king's father, Boyd was similarly accused[43] and the knowledge of their common involvement, in whatever capacity, in that event may have reinforced the bonds of friendship and loyalty between them,

Among men who were supporters of Morton during his regency and who seem largely to have continued their adherence to him throughout this period was Alan, Lord Cathcart, who voted in favour of Morton's being allowed to join the king's council in May 1578,[44] and who is described in September 1580, that is, towards the close of Morton's period of personal influence, as depending on Morton.[45] Another was John Carmichael, younger of that ilk, who continued to receive rewards for his services to Morton and the crown during the remaining time in which Morton enjoyed influence.[46] Two others who likewise remained obviously in Morton's favour, even if they were not so much in the forefront of public life, as they had been during his regency, were Alexander Jardine of Apilgirth and George Auchinleck of Balmanno.

40. Spottiswoode, ii 208-9; 41. R.P.C., iii 25-26; Moysie, Memoirs, 19; 42. Cal.S.P.Scot., v 295; 43. Ibid., 577; 44. Ibid., 296; 45. Ibid., 501; 46. R.P.S., vii 374, 378, 607, 696, 955.

The former continued to receive gifts from the ex-regent,[47] while the latter is described at one point as "sister sone to the saide eairle of Mortoune, and his most familiare freind and servand".[48]

In the period between being granted a discharge from his regency in early March and benefiting from the coup in Stirling Castle in late April, Morton's main policy seems to have been to employ delaying tactics. He delayed most especially in the handing over to the crown of Edinburgh Castle[49] and there was in fact bloodshed as a result, during skirmishes between those within the castle and the citizens of the town.[50] Whether Morton actually contemplated armed resistance to the nobles or whether he was hoping for armed intervention from Queen Elizabeth, whose letters indicated that she did not approve of the recent events in Scotland,[51] is unclear. A third possibility is put forward by Hume of Godscroft who suggests that Morton should have waited on events, advancing a divide-and-rule policy which, he says, would have led to the breakdown of the opposition party as they were linked by nothing else than their discontent with Morton's rule.[52]

The need for any of these policies disappeared on 20 April 1578 with the coup in Stirling Castle which put Morton on more equal terms with his opposition than he had been before and it was in consideration of the interests of this party that it was decided to hold the parliament in the Great Hall of that castle.[53] This did not please the lords opposed to Morton and negotiations on this and other matters continued throughout much of May, to reach apparent success on the 22 of that month when Morton, Atholl and Argyll were reconciled and

47. Ibid., 788, 1324, 1339, 1346, 1400, 1409; 48. Moysie, Memoirs, 30, 147; 49. Ibid., 5; Cal.S.P.Scot., v 282; 50. Cal.S.P.Scot., v 281, 283; The Historie of King James the Sext, 164-5; 51. Cal.S.P.Scot., v 292-4; 52. Godscroft, 341; 53. Cal.S.P.Scot., v 291-2.

were entertained together at Dalkeith.[54] Morton was not prepared to abandon the advantage he had gained, however, in having the possession of the young king and on 28 May he rode to Stirling, where he had more familiarity with the king than Argyll, Atholl, Montrose or others of their faction who had access to the castle twice daily.[55]

Throughout the months of June and July Morton and his party had the upperhand. He was voted on to the King's Council,[56] his supporter Dunfermline was chosen to be sent as ambassador to Queen Elizabeth[57] and the parliament was held as planned in Stirling Castle.[58] Indeed two of the three representatives of the opposition lords who protested too vigorously against the venue for the parliament were warded for their trouble.[59] Events moved once more towards armed conflict after one of those warded, the Earl of Montrose, broke his ward and regathered the opposition forces in Edinburgh.[60] Both sides prepared for imminent civil war and there was a slight skirmish at Falkirk on 12 August.[61] Angus, in charge of Morton's forces, was apparently only restrained from fighting by his uncle,[62] but the forces of the lords who are often referred to hereafter as the Falkirk confederacy, were numbered at 10,000[63] and they may well have been the larger army. At any rate, war was again avoided and negotiations again carried out, as a result of which, articles were agreed which afforded certain concessions to the confederacy and allowed for all forces to be disbanded immediately.[64] This would be in the interests of the ruling Morton party, especially if their forces were indeed smaller than their opponents'. In the autumn of 1578 Morton almost certainly did not enjoy the power he had had as regent but he still

54. Moysie, Memoirs, 8; 55. Ibid., 8-9; 56. Cal.S.P.Scot., v.296; 57. Ibid., 301; 58. A.P.S., iii. 94; 59. R.P.C., iii. 8n; 60. Moysie, Memoirs. 12-13; 61. Ibid., 14-15; 62. Calderwood, iii. 423; 63. Moysie, Memoirs. 14; 64. Cal.S.P.Scot., v. 316.

appears to have wielded great influence. On 11 September he was granted a licence to go abroad for health reasons[65] - not the last he was to be granted nor the last he was to make no use of - and later in the month he agreed to the lords' demands to leave Stirling Castle.[66] Negotiations were continuing between the parties at the time and did so for much of the rest of the year. Masson in a note to an entry in the Register of the Privy Council for 23 December 1578, says that "In the last few sederunts the Earl of Argyle has been present, as the first man in the Council, in Morton's absence. Now the two noblemen are together, as if Morton and Argyle had begun to co-operate again".[67] Morton may well have decided, after months of negotiation and threatened conflict, that he would be unlikely to regain his former dominant position and so was prepared to share power to some degree. In pursuance of this policy, or this realistic recognition of the state of affairs, it seems to have been agreed to bring in Atholl, Morton's other leading opponent, for in a similar note to the one above, this time in reference to an entry for 17 March 1578/9, Masson states that in the sederunt list for that day Atholl was given first as Chancellor, "notwithstanding the order reserving that place always for the Earl of Morton ... He (Atholl) had made up his mind ... becoming reconciled with Morton".[68]

This alliance may have seemed somewhat precarious but it agreed soon on a joint policy in which all its component parts could unite, namely the prosecution of the Hamiltons. On the same day as Atholl appears to have joined forces with Morton the crown took steps to pursue Lord Claud Hamilton over the question of the thirds of Paisley

65. R.P.S., vii 1640; 66. Moysie, Memoirs, 19; 67. R.P.C., iii 56n; 68. Ibid., 116n.

Abbey.[69] Further action against the Hamiltons followed until on the 30 April 1579 it was decided to pursue them in connection with the murders of the Regents Moray and Lennox.[70]

Morton had lost one of his chief enemies some days before this, when, on 24 April, Chancellor Atholl died.[71] Consideration of whether or not he was poisoned will be left till later*, but in the immediate term his death did not affect Morton's policy against the Hamiltons; indeed, Godscroft states that the ex-regent was content that men's fury should be directed against targets other than himself.[72] Morton no doubt realised that his anti-Hamilton policy, in addition to providing a common platform for his new somewhat unlikely alliance, would please those of his own supporters who had felt that he had been lenient towards the Hamiltons during his own regency. It was seen in the first chapter* how certain of his supporters and relations took it into their own hands to pursue the Hamiltons because of Morton's policy of reconciliation towards that house. This view of events gains backing also from Godscroft, who states that the decision to move against the house of Hamilton was "thought to have proceeded chiefly from the house of Marre and Logh-leven".[73]

It must, indeed, have seemed to Morton to be a very satisfactory means of gaining some degree of unity and no time was lost in carrying out the action against the Hamiltons. Those who received commissions of lieutenancy against the Hamiltons were the Earls of Morton, Angus, Mar and Eglinton, with Lords Ruthven, Cathcart and Boyd.[74] Of these seven, five have been shown/ to be outright supporters of Morton, while Ruthven and Eglinton also supported his regime

69. Ibid., 115; 70. Ibid., 146-7; 71. Spottiswoode, ii 263;
72. Godscroft, 345; 73. Ibid., 344; 74. R.P.C., iii 150n.
* see below 106-7; * see above 48-50; / see above 60, 69, 75.

on occasions and tended to be nearer to his policy than that of his opponents. The move made against the Hamiltons was successfully followed through, for although Lords John and Claud fled the country, their castles of Hamilton and Draffen were captured[75] and much of the month of May was occupied with taking measures against the family.[76] The success of this policy and the degree of stability which it lent to the new alliance may have seemed to have been enhanced to Morton on the 17 August 1579 when the Earl of Argyll was made chancellor in succession to Atholl.[77]

A new threat to Morton's supremacy was already in existence however, with the arrival of Esme Stewart, Lord D'Aubigny, from France.[78] The immediate impact of his arrival was to expose the shallow nature of the alliance between Morton and the lords with Argyll. It is stated in October 1579 that "His letters to Argyll and the rest of the lords of the Falkirk (sic) had a more friendly style than Morton's and that faction, and were delivered eight days sooner than the others".[79] The writer does go on to say that "The Earls of Morton and Mar and their friends are yet greatest with the King"[80] which almost echoes Godscroft's words written to describe the state of affairs of a few days earlier in which he reported that the king came to Edinburgh "yet was Marre and Morton the chief men about him, and had greatest credit with him".[81] This may have been the case but the influence of D'Aubigny was not slow in making itself felt and on 21 November Morton was again granted a licence to go abroad for health reasons.[82] An observer writing at the close of the year could say "The Earl of Argyll and he (D'Aubigny) are great, and rule the Court at present, and will not be absent, to the dis-

75. Moysie, Memoirs, 21-22; 76. R.P.C., iii 152-4, 156-8, 159-60, 160-2; 77. Ibid., 206; 78. Birrel, Diarey, 22; 79. Cal.S.P.Scot., v 356; 80. Ibid.; 81. Godscroft, 344; 82. R.P.S., vii 2093.

contentment of Morton and his".[83] This writer goes on to say that it is thought by many that Morton does not mean to take advantage of his licence to go abroad but rather that he wishes to be asked to remain at home as if he was indispensable and he concludes "He absents himself from Court and mislikes with the government".[84]

Morton's fortunes indeed appear to have been at a lower ebb at the close of 1579 than they had been for some time. The particular danger for Morton of having D'Aubigny numbered among his enemies lay in the affection which the young king undoubtedly felt for his foreign kinsman. The situation was not allowed to remain static however, and events come to something of a head in late February 1579/80. Morton was apparently displeased at the king's undertaking a progress through his realm; but the king in his turn had been told that Morton's faction had planned to effect an alteration of the state at the marriage of the Earl of Atholl at Perth. Morton protested his innocence of the charges and was aggrieved because the king would not tell him the author of the report; while the Falkirk faction were apparently in fear that some attempt would be made against them.[85] Relations between Morton and Argyll, as the leader of the Falkirk faction, deteriorated especially after it appeared likely that it was Argyll who had brought rumours of Morton's supposed intended coup to the ears of the king.[86]

On 2 April 1580 it was rumoured that "Lennox and others, minding to overthrow the Earl of Morton, have resolved to send an especial messenger to Sir James Balfour, in France, to procure from him a letter or instrument" involving Morton in Darnley's murder[87] which indicated the direction in which the minds of Morton's opponents

83. Cal.S.P.Scot., v. 371; 84. Ibid., 371-2; 85. Ibid., 378;
86. Ibid., 385; 87. Ibid., 387.

were moving. The spring of 1580, indeed, was alive with rumour and speculation: Morton's supposed coups at Perth or Holyrood House, from where he was said to have been about to transport the king to England, were answered by tales of reputed plans of the Lennox faction to remove certain councillors from around the king and indeed to move the king himself to Dumbarton and thence to France.[88] Morton, indeed, tried to track down the origin of the rumours against himself but could not do so without doubting the testimony of the king himself.[89] Rumour succeeded rumour as month succeeded month with pauses only for abortive attempts at reconciliation between the major participants.

All the time, Morton's position was becoming increasingly precarious and his fortunes were not helped by his quarrelling with his nephew and leading supporter, the earl of Angus. Their disagreement, not new then,[90] which seems to have been over money[91] is first mentioned on 19 March 1579-80. Although it did not stop them from remaining close allies, it did perhaps reduce their confidence in each other and their confidence in dealing with their enemies.

Of these enemies, Lennox, despite efforts by England to turn the king against him,[92] was growing in strength, had taken over the leadership of the so-called Falkirk Confederacy and had made inroads into the affection of men such as Glencairn and Ruthven.[93] On 24 September he was appointed Chamberlain of Scotland, with the Master of Mar, an old enemy of Morton's, as vice-chamberlain.[94] The alienation of Ruthven from Morton was illustrated and increased by an incident in October 1580 when Lord Ruthven was set on by the Master of Oliphant and had one of his company, a Stewart, killed.[95]

88. Moysie, Memoirs, 27; Cal.S.P.Scot., v 396; 89. Cal.S.P.Scot., v 411; 90. Ibid., 385; 91. Ibid., 436; 92. Ibid., 399-402; 93. Ibid., 516; 94. R.P.S., vii 2533; 95. Moysie, Memoirs, 28.

Morton reputedly would have preferred to have conciliated the two parties, for he was drawn both ways: Ruthven was a friend of some considerable standing but the Master of Oliphant was a son-in-law to Douglas of Lochleven, Morton's kinsman. Such a reconciliation proved impossible and Morton sided with his kinsman and young Oliphant, thereby antagonising not only Ruthven but also some of the Stewarts who were aggrieved that Morton should support a man who was being prosecuted for the killing of one of their surname.[96] December 1580 brought relief to Morton in the form of a complete agreement with his nephew Angus.[97] The 20 of the month, however, was the day of law for the Oliphant/Ruthven affair[98] and Ruthven's hostility to Morton as a result of this almost certainly dictated the important part he took in the events of 31 December, when Captain James Stewart, a son of Andrew, Lord Ochiltree, denounced Morton before King and Council as guilty of the murder of Darnley.[99] From this point onward Morton was fighting not to regain his place as leading noble in the realm but to preserve his life.

Morton's party had not varied much during the three years in which he had been contending for power with Atholl, Argyll and Lennox. Denounced alongside him on 31 December as being guilty of the murder of Darnley were Lord Boyd, still very much of his faction, and Archibald Douglas, his kinsman.[100] Some of Morton's adherents had appeared to waver at certain points, as when Mar was described at one point as depending on Lennox,[101] but adherence to one party did not preclude a certain degree of friendship with the other. Mar certainly never "depended" on Lennox and continued to be reckoned as of the Morton party. Tullibardine and Dunfermline, on whose loyalty some doubt was cast earlier,* appear to have remained faithful to Morton,

96. Calderwood, iii 479-80; 97. Cal.S.P.Scot., v 545;
98. Pitcairn's Criminal Trials, i ii 89; 99. Moysie, Memoirs, 28; The Historie of King James the Sext, 180-1; Calderwood, iii 481;
100. Cal.S.P.Scot., v 570, 577; 101. Ibid., 474.
* see above 70-72.

although the latter was reputed at one point to be falling under Lennox influence.[102] In the months before Morton's accusation indeed when pressure against his party was increasing, Tullibardine senior had demitted office in favour of his son, and although one source says this was on account of ill health,[103] another says it was because he foresaw the strength of his adversaries.[104]

If he was gifted with this kind of foresight it appears that Morton himself was not. He had apparently been warned of the plot against him but had reckoned himself strong enough to deal with it.[105] Godscroft depicts Morton as debating with himself whether to resist his accusers by arms or to trust to his innocence and the justice of a trial.[106] He chose the latter course, or it was chosen for him, and he was executed on 2 June 1581.[107] Perhaps he trusted that aid would come from England, where belligerent noises were indeed being made,[108] but nothing materialised, or perhaps he thought his party in Scotland, led by Angus, would be strong enough to secure his freedom.

A week after the accusation, Angus was reputed to hope to relieve Morton by peacable means but was said to be prepared to use other methods;[109] while a further four days later it is stated that Angus had been greatly sought to abandon Morton and to join with Lennox, but Angus had resolved to stand fast with Morton.[110] As Morton was never again, in fact, to be at liberty, Angus assumes the role of leader of the Morton party - a role which he kept until the close of this period under consideration. The second of the two quotes above also gives some indication of what was to be a considerable feature of the events of the months between Morton's arrest and his execution, namely the attempts of others to persuade Angus to abandon Morton as a lost cause. Angus, indeed, may appear to be open to criticism in that all his

102. Ibid., 516; 103. R.P.S., vii 2470; 104. Cal.S.P.Scot., v 498; 105. Godscroft, 348-9; 106. Ibid., 349-50; 107. Calderwood, iii 575; 108. Cal.S.P.Scot., v 586, 590, 597, 682; 109. Ibid., 577; 110. Ibid., 581.

efforts failed to save Morton from execution, but he certainly attempted more than any of Morton's other leading supporters. The most persistent of those who tried to induce Angus to leave Morton's cause was the Earl of Rothes, who was, since Angus' marriage to Margaret Leslie in December 1575, his father-in-law,[111] while the most important was the king himself.[112]

It is not perhaps to be wondered at that relatively uncommitted men like Rothes should attempt to persuade Angus to think more of his own welfare than Morton's, but one writer lists among those who tried so to persuade Angus, none other than Lochleven, and continues "and sundry others of his friends, who for their private quarrels love not Morton".[113] The writer may have been mistaken but it brings back to mind quarrels which the laird and regent had had earlier over the Hamiltons and is a further reminder of the truth of Godscroft's remarks that Morton had the unhappy knack of having men around him who "if they were not his enemies, they were but cold friends, and such as would bee but spectatours, and no wayes actours for him".[114] Lochleven was no enemy to Morton and was always to be reckoned as of the ex-regent's faction but he displayed the coldness which was, unfortunately from Morton's point of view, all too common among those who should have been his most enthusiastic supporters. This point is brought out in a comment of 9 February 1580/1, in the course of a discussion of Angus' attempts to raise a party when it was thought that his friends would take his part for his own sake and not for Morton's.[115] Angus does appear to have been more popular than Morton, perhaps simply on account of their respective characters or perhaps because he had never been regent.

These months of the first half of 1581 again saw more speculation

111. Ibid., 591, 625; 112. Ibid., 581; 113. Ibid., 625;
114. Godscroft, 348; 115. Cal.S.P.Scot., v 625.

than action as Angus endeavoured to construct a party on Morton's behalf. This proposed party occasionally included somewhat unlikely characters such as the Earl of Montrose who was reputed on 24 February to be bound in purpose with Angus.[116] He had been a staunch supporter of Atholl and Argyll and was soon to be chancellor of the assize which condemned Morton.[117] His supposed friendship to Angus was soon abandoned, however, after it was discovered that he had apparently been exchanging love letters with Angus' wife.[118]

The true base of the party which Angus laboured to build on had not varied and the first man to whom he is reputed to have made overtures was, not surprisingly, the Earl of Mar.[119] Mar obviously never deserted the Morton faction and, although he remained on reasonable terms with the crown and was not forced to go to England with Angus and other Douglases, this was almost certainly done from motives of expediency and common sense rather than a result of any new allegiances made or old ones abandoned. Lord Boyd likewise did not leave the country and is indeed accused by one writer of dealing doubly with Angus[120] but almost certainly it was because the opposition seemed too strong that these men, and others like them, did not commit themselves to one wholehearted effort. The strength of the opposition, the somewhat cool nature of their personal affection for Morton and the fact that they, generally, were not personally in danger at this point of time, resulted in their being prepared, if not exactly content, to await on events. There was another reason for their non-intervention, one which they in fact put forward themselves on one occasion and which need not be dismissed entirely, namely that they feared that whatever they attempted on Morton's behalf would rebound on him.[121]

Those who could not afford to wait on events and were forced to

116. Ibid., 642; 117. Moysie, Memoirs, 32-33; 118. Ibid., 30; Cal.S.P.Scot., v 645-6; 119. Cal.S.P.Scot., v 586; 120. Ibid., 650; 121. Ibid., 623.

make the trip into England with Angus were almost exclusively Douglases. As mentioned earlier,* Archibald Douglas, parson of Glasgow, was denounced along with Morton. Almost immediately after his denunciation his parsonage had been taken from him and bestowed on the laird of Minto and his brother the prior of Blantyre.[122] On 6 May it was reported that the king, with advice, had formed some articles to put to Morton and Mr. Archibald Douglas.[123] These were very severe towards the two men and were never implemented, probably less because of their severity than because of the determination of Morton's chief enemies that he should die. Archibald could have had little doubt as to what his fate would have been if he had fallen into his enemies' hands at this point, for not only was ex-regent Morton executed but Archibald's servant, one John Binning, was hanged, drawn and quartered.[124] Others who suffered directly on Morton's fall and saw measures of increasing severity being enacted against them in the months between Morton's arrest and his execution were John Carmichael, younger, of that Ilk, Malcolm Douglas of Mains, and Morton's two base sons James, prior of Pluscarden, and Archibald Douglas of Pittendreich.[125] These four fled south with Angus.[126]

With the execution of Morton, and for the first time in the reign, the party usually associated with his name was not occupying a central role in Scotland. With its leader dead and his obvious successor in England the remnant of the party at home limited its activities. Some of those who were still in Scotland, such as Lochleven, were indeed in ward;[127] others, such as Dunfermline, Tullibardine and others were rumoured to be about to be "put at" as well,[128] and probably felt their own positions to be too precarious to give effective leadership to the remnants of their faction.

122. Ibid., 580; R.P.C., xlvii 66v; 123. Cal.S.P.Scot., vi 10-11;
124. Moysie, Memoirs, 33-34; 125. R.P.C., iii 344-5, 363, 364-5;
Cal.S.P.Scot., v 661-2, 667; 126. Cal.S.P.Scot., vi 28;
127. Ibid., 2, 26; 128. Ibid., 26.

* see above 83.

These months saw the Lennox/Arran regime at its peak of influence, an influence ended only by the Ruthven Raid of 23 August 1582. The fact that it was apparent to the Douglas party that Arran and Lennox had been instrumental in the execution of their leader was aggravated by the fact that both these earls benefited in different ways from the forfeiture of certain Douglases.[129] This virtually meant that if the situation remained as it was then the Douglas faction could regain influence only at the direct expense of their opponents and as the former were outwith the country the most likely method of achieving this was force.

Less than four weeks after Morton's execution there was reputed to be "some pique"[130] between the now-all-powerful duumvirate of Arran and Lennox. This "pique", which seems largely to have stemmed from mutual jealousy, probably not untinged with fear, ebbed and flowed during the following months and reached its climax a little short of a year after Morton's accusation, taking the form of a schism, and for a few weeks there were actually two councils in session.[131] The schism was ended at the beginning of February 1581/2 rather more to Lennox's benefit than Arran's[132] and in the months thereafter they again co-operated fairly closely. Toward the end of July Lennox quarrelled with William, Lord Ruthven,[133] by now Earl of Gowrie, and on 23 August "Mar, Goury and thair freindis interprysed the takin of the King at Ruthven".[134] Gowrie's role in all this will be considered later* but at present the task is to estimate how far the Ruthven Raid was the work of the Douglas/Erskine party.

The accounts agree that Mar was a leading Ruthven Raider[135] and

129. R.P.S., xlvii 106v, 107r, 117v, 124r-125r; xlviii 35v;
130. Cal.S.P.Scot., vi 34; 131. R.P.C., iii 435n-436;
132. Ibid., 439n; 133. Calderwood, iii 632-3; 134. Moysie, Memoirs, 37.
135. Ibid.; The Historie of King James the Sext, 189; Calderwood iii 637.

* see below 156-7.

he was, of course, the leading adherent of the old Morton party who was still in Scotland. During much of the period of the Arran/Lennox supremacy he appears to have lived quietly, being but little mentioned until the summer of 1582. On 22 June it was stated that Glencairn had gone to Stirling to consult with Mar and that "The whole barons of the religion are so incensed that they are in a readiness to take arms".[136] During the dispute between Lennox and Gowrie, mentioned above,* Lennox insisted that /unless a certain group of men whom he named and "who were suspected to favour the Dowglasses, were putt out of the way," there could be no surety for him and his. This list included Mar and had, in addition to many adherents of the old Morton party, such men as Glencairn and Lindsay.[137] It is obvious from this and other subsequent statements that the Douglas party had widened itself at this point to include two other types of men. These were firstly those who were hostile to the Lennox/Arran regime for reasons other than the basic one of how that faction had seized power, that is such men as Gowrie, and secondly there were those such as Glencairn and Lindsay who objected to the religious policy of the existing regime. The aims of this latter group came to be adopted by all the component parts of the party of the Ruthven Raiders as a useful rallying point for support, some of it, of course, received from the Kirk itself.

Other former Morton men whom Lennox was suspicious of in July 1582 were Lord Boyd, the Abbots of Cambuskenneth and Dryburgh, Douglas of Lochleven, and the Commendator of Dunfermline, while Tullibardine had already joined with Atholl and others of the Perth area in supporting Gowrie in his quarrel with Lennox.[138] When it is remembered that, of the others examined earlier* as supporters

136. Cal.S.P.Scot., vi 137; 137. Calderwood, iii 632;
138. Ibid.

* see above 88; * see above 68-76.

of Morton, a number were in England, it is obvious that the faction of the ex-regent had held together to a very considerable degree. Further, and indeed more absolute, proof of this is afforded by an examination of those who were actual Ruthven Raiders or who at least signed the secret bond in which the Raid originated. In addition to those supporters of the Morton party mentioned above,* there were others who signed the bond who can be reckoned as coming within the influence of the chief men of the party; people such as the Abbot of Paisley - an Erskine; Douglases such as William Douglas of Whittingham or others such as the Master of Oliphant.[139] Clearly then a vital element in the personnel of the Ruthven Raiders was the continuing existence of the Morton party, who were unhappy with the country's government and wished a change in order, among other things, to bring back Angus and others from exile.

One man, who signed the bond of the Ruthven Raiders, and who in the years that remain of the period under discussion was to be, after Angus and Mar, the third most important adherent of the Morton party, was Thomas Lyon of Baldukie, Master of Glamis. His alignment on this side of the struggle is not altogether surprising for his brother, Chancellor Glamis, had been a close adherent of Morton and although the Master was on sufficiently good terms with the Arran/Lennox regime to be chosen to be sent with a present to the French King,[140] it seems likely that the dominant factor governing his political allegiance continued to be the feud his family was engaged in with the Lindsays, Earls of Crawford. It was David, Earl of Crawford, and his men who had been responsible for the killing of Chancellor Glamis[141] and part of the reason for the Master of Glamis' proposed trip abroad in

139. R.P.C., iii 507n; 140. Cal.S.P.Scot., vi 52; 141. Moysie, Memoirs, 4.

* see above 89.

September 1581[142] may have been to avert any further hostility between him and Crawford, who had himself returned from abroad two months previously.[143] In the course of the dispute between Lennox and Gowrie in the month before the Ruthven Raid the Master of Glamis was named by Lennox as one of those who seemed to favour the Douglases.[144] The master would seem to have been adhering to the previous loyalty of his house toward Morton and, to guarantee his position among the Douglases and Erskines, there was the consideration that the Earl of Crawford was to be reckoned by this time to be very much part of the Arran/Lennox regime.[145]

Angus himself seems to have had some warning of events for, seventeen days before the Ruthven Raid, he was reported to intend to make his abode at Berwick that day and was obviously watching events keenly.[146] His pardon, which was granted on 28 September 1582 and which he shared with Carmichael, younger of that ilk, and a number of Douglases, was said to have been granted "at the earnest request of the Queen of England 'and onlie for hir desire'"[147] and it did in fact highlight the somewhat shaky base which the Morton party shared with some of their fellow Ruthven Raiders. Alongside Mar and Glamis in the Ruthven Raid had been men like Lindsay and Gowrie who had taken a conspicuous part in the management of affairs against Morton and who, in the case of Gowrie at any rate, had benefited substantially from the forfeiture of different Douglases including Angus. Among other things Gowrie had received the barony of Abernethy, which had pertained to Angus,[148] and might have been expected to resist the latter's reinstatement. One source says of Gowrie that "althoght he had bene the instrument of the wrak of Mortoun, yit he ceissit

142. Cal.S.P.Scot., vi 52; 143. Ibid., 43; 144. Calderwood, iii 632; 145. Cal.S.P.Scot., vi 221 (This document is incorrectly dated in the calendar as 1582. It is obvious from its contents that it refers to 1581); 142, 159; 146. Ibid., 147; 147. Ibid., 182; 148. R.P.S., xlviii 138v-139r.

not day and nycht to travell with the King for the restoring of Angus".[149] Even if that is true Gowrie did not thereby fully recover the goodwill and trust of the Morton party and in some respects when he was in alliance with it he was the weak link in that alliance.

The regime brought into power by the Ruthven Raid and containing, as has been seen,* a high proportion of the old Morton party was to remain in power for some ten months only, before being the victim in its turn of a counter-revolution on 27 June 1583.[150] The chief problem which the Ruthven Raiders faced in the first half of their period in power was the continuing presence of Lennox in the country. As the king's affection for his kinsman appears to have been unquenched the Raiders would obviously wish Lennox out of the country as soon as possible. In fact he delayed all through the remaining months of 1582[151] and his continued presence in Scotland partly accounts for the nervousness which the Raiders evidently experienced at this time. There is, indeed, no great impression of security in the actions and reactions of the Raiders during their period of office. In addition to the continuing presence of Lennox, other factors which helped to contribute to this state of affairs were the nature of the origin of their regime and the basically unstable alliance they had formed, as noted earlier,* and especially the character of Gowrie, their nominal leader.

Presumably there were others who would have echoed the sentiments expressed in Birrel's Diarey with reference to the Ruthven Raid, where it is said that "This ves a verey grate presumptione in a subiecte to hes Prince".[152] One person in particular who seems to have felt like this was the king himself, by then sixteen years

149. The Historie of King James the Sext, 192-3; 150. Moysie, Memoirs, 45; 151. Cal.S.P.Scot., vi 159-60, 163, 168, 171, 175; 152. Birrel, Diarey, 22.

* see above 88-91; ⁂ see above 91.

old, whose affection for Lennox, against whom the Raid was principally directed, is not to be doubted. It was stated that "the king did not appear to like the action of the Ruthven Raiders in taking him[153] and later that "this young Prince already showing that he is not so much in their hands (the Raiders) as it seems that they are in his".[154] It may well be that the news of the death of his former favourite, which he would receive early in June 1583,[155] hardened his determination to be done with these men whom he was bound to regard as responsible for that death.

The fact that King James was taking a more personal interest in events and was inclined against the Raiders was rendered more dangerous from their point of view by reason of the continued existence in the country of Arran, the second of the two nobles against whom they had moved. After the Ruthven Raid, Arran was to be held secure by Gowrie and, indeed, there is reason to think that it was the influence of that noble which kept him alive,[156] as there must surely have been in the Douglas camp considerable hatred of him, as the accuser of Morton. The original intention of the Raiders was that Arran should be kept in ward until Lennox was safely out of the country.[157] As has been seen, however, this fact took longer to achieve than they had anticipated and it would appear that during the period of waiting Gowrie's nerve broke. It is stated of 15 November 1582 that "Gowrie, at this time, fearing his owne estat, was drawin by the king to be a freind to Arran"[158] with the result that it is no surprise to ascertain that, a little over a fortnight later, "Arrane escapit furthe of Ruthuen and ... convenit with the erles of Atholl, Montroise, Crawfurd and utheris".[159] This escape took place, of

153. Cal.S.P.Scot., vi 157-8; 154. Ibid., 311; 155. Ibid., 489, 490; 156. Ibid., 168; 157. A.P.S., iii 328; 158. Calderwood, iii 690; 159. Moysie, Memoirs, 41.

course, at a time when Lennox was still in Scotland, and, although the immediate danger for the Raiders passed when he left the country, Arran was permitted to spend the remaining months of the Ruthven regime at liberty, and, although denied access to the king for much of the time, he was free to reconstruct his party with a view to overthrowing the government or taking the maximum advantage of such an overthrow.

The extent to which the lack of legality of their proceedings affected the confidence of the Ruthven Raiders is difficult to estimate. Previous important changes in government such as those of March 1577/8 or December 1580, when, firstly, Morton's regency had been ended, and, secondly, he had been arrested, had been conducted with a certain regard for form. In 1577/8 the nobility had all been convened before any decision was made and in 1580 the accusation against the ex-regent had been made in council. What was probably more important in the manner of the Ruthven Raid and more damning to its participants was that for the first time, in such a change of government, the actual person of the king was involved. There were to be indications in the future that King James regarded any attempt on his person as the most unforgivable of crimes.

The last factor which contributed towards the unsteady nature of the alliance of the Ruthven Raiders was the character of Gowrie himself. This has already been touched on briefly* and will be dealt with more fully later* but at this stage it is sufficient to point out that in addition to being primarily responsible for the leniency afforded to Arran, whose execution would possibly have best served the Raiders, he is reported on several different occasions during his months in power to be contemplating some deviation from his allies or to feel that others intend some harm against him.[160]

160. Cal.S.P.Scot., vi 326, 336-8, 368.

* see above 91, 93; ⁂ see below 155-8.

The counter-revolution which ended the ten-month rule of the Raiders took place on 27 June 1583 when the king rode suddenly to St. Andrews Castle which was "straitlie keipit"[161] once he was inside. An indication of which particular faction of the Ruthven Raiders would be most likely to suffer as a result of this change was not long in coming, for as soon as the king was established at St. Andrews, "It wes thocht guid that the erles of Huntlie, Crafurd, Mar, Angus sould depairt from court ... Erle of Mar and Angus past hame indeed".[162] It is evident from this and from certain subsequent actions that this counter-revolution was seen principally as being against the Douglas faction of the Raiders, rather than those who professed to be motivated by religious principles or those who had been merely discontented with Lennox's rule. The third principal adherent of the Morton party, the Master of Glamis, also suffered immediately after this coup, and was willed by royal letter to keep away from court.[163]

In the months that followed this latest in the line of revolutions, despite all the talk of reconciliation which was common, and much of which appears to have stemmed from the king himself,[164] it was clear that the fortunes of the Douglas party were again on the decline. On 5 August 1583 it is stated that "the king is kept hostile to Angus and Mar by slanderous rumours" while "Glammis ... has obtained license to depart the realm at his pleasure".[165] Rumours abounded: Mar was to be drawn into the ruling clique and abandon the Douglases; Arran was drawing Angus to leave Mar and the Erskines and join with him;[166] while Glamis was to be reconciled with

161. Moysie, Memoirs, 45; 162. Ibid.; 163. Cal.S.P.Scot., vi 524; 164. Ibid., 542, 566, 580-1; 165. Ibid., 575-6; 166. Ibid., 636-7.

Crawford.[167] What had actually happened by the end of 1583 was that Mar and Glamis were in Ireland[168] and Angus was warded in the north of Scotland.[169]

Meanwhile Gowrie, who was at least partially responsible for the adverse position in which the Douglas party found itself, compounded his mistakes by seeking and receiving a remission for the fact of the Ruthven Raid. As Calderwood states, this acceptation of a remission by Gowrie condemned his associates.[170] Once it had been admitted by the raid's principal participant that the raid itself was in fact a "bad thing" then the door was open for its gradual condemnation until it was referred to as treason and the necessity was created for all the other raiders to receive a similar remission or face the consequences. Gowrie's course was not yet run, however, and while the Douglas party in the closing months of 1583 saw the limitations on its freedom increase, he was permitted to retain a certain share in the government.

Like the Ruthven Raiders before them, those presently in power, led by Arran, were never completely free from the threat of a coup against them organised by their opponents. The Douglas-Erskine faction, from whom this coup was most likely to spring, could not afford to refuse assistance from any source, especially a source in Scotland and at liberty, with the result that negotiations between Mar, Angus, Glamis and Gowrie appear to have continued throughout these months.[171] The net was also cast wider and attempts were made to bring in the influence of the Hamiltons in the persons of Lords John and Claud, but this was, for the time being, unsuccessful.[172]

167. Ibid., 566; 168. Ibid., vii 14; 169. Ibid., vi 668; 170. Calderwood, iii 716; 171. Cal. Border Papers, i 128; Cal. S.P.Scot., vii 55; 172. Cal. S.P. Scot., vii 28, 40.

Gowrie, indeed, began to feel events closing on him, for the months of 1583/4 saw his situation worsening. On 31 January he was charged to depart the country,[173] as he was again the following month,[174] when there were also rumours that he would be "straightned".[175] On 7 March Gowrie resigned all his lands in favour of his son, in preparation for going abroad.[176] Eventually he went to Dundee to leave the country[177] when Angus also was reputed to be waiting there for a passage to La Rochelle.[178] It was, indeed, obvious that events were moving towards another crisis and on 18 April 1584 "Mar, the abbotis of Paslay, Dryburghe with certane freindis of the erle of Angusse tuik the castle of Sterling, and the toun".[179] Angus, who must still officially have been in ward, was nonetheless able to come immediately to Stirling with Glamis;[180] not so Gowrie, however, for he had been captured in Dundee three days previously by Arran's man, Colonel William Stewart,[181] not without suspicion in some quarters of collusion between Gowrie and his said captor.[182]

The three principal adherents of the old Morton party were not to remain in possession of Stirling for long however, and were put to flight by Colonel Stewart.[183] Four men, servants of Angus, Mar and Glamis, who were captured within Stirling Castle by the crown forces, were executed.[184] These executions were indicative of the undoubtedly cruel nature of Arran's personality and from this point until he was deposed he ruled Scotland with greater power and personal authority than he had done either during his period in joint control with Lennox, or in the months just past when he had been restored to a measure of power by the St. Andrews coup. A further indication of the likely

173. Ibid., 18; 174. Ibid., 35; Moysie, Memoirs, 48; 175. Cal. Border Papers, i 128; 176. R.P.S., 1 89r-89v; 177. Cal.S.P.Scot., vii 55; 178. Ibid., 60; 179. Moysie, Memoirs, 48; 180. Ibid.; 181. Cal.S.P.Scot., vii 65-66; 182. Godscroft, 380-1; 183. Moysie, Memoirs, 49-50; 184. Cal.S.P.Scot., vii 115.

nature of this rule was seen in Arran's first act of real political importance, in this his most absolute period of power, when he permitted the execution of Gowrie,[185] who had changed sides once too often and whose earldom Arran was reputed to seek for himself.[186]

During the time of Arran's regime, the banished lords of the Morton party were not inactive in England and, in particular, were in regular communication with Queen Elizabeth,[187] who realised they would be a valuable asset to her in her relations with Arran. The lords also resumed attempts to form a common party with the Hamiltons, of whom they found Lord John the more responsive.[188] Indeed for the last few months of 1584 and all of 1585 Lord John acted as one with the banished lords of the Morton faction, uniting with them in a common hatred of Arran. The position of the banished lords in England was far from satisfactory from their point of view for they were very dependent on Queen Elizabeth, whose main aim was to preserve Anglo-Scottish relations in a state which suited her rather than to restore the lords. They were also still to suffer from the machinations of Arran, who sent the Master of Gray to Elizabeth to tell her that the king suspected that Angus and Mar's constant abode where they were meant that they were planning to attempt something against his estate. Queen Elizabeth consented consequently that the lords would be moved from Newcastle to a place further away from the Scottish border.[189]

Of all the powerful nobles who ruled Scotland individually or in combination throughout these years, Arran appears to have been the pastmaster of the false report. After his first effort against

185. Calderwood, iv 34; 186. Cal.S.P.Scot., vii 124; 187. Ibid., 356-7, 500, 534, 587-8; 188. Ibid., 357, 387, 403; 189. Ibid., 500.

the banished lords at the close of 1584 had succeeded to the extent of their being moved south, he did not rest content. Godscroft says of this period that Arran ruled absolutely and that "His crueltie, (though conspicuous many wayes) did appear singularly in the causing execute Master Cunninghame of Drummewhasle, and Master Douglas of Maines, his sonne-in-law".[190] This refers to Arran's second attempt against the party of the banished lords, which took place at the end of January 1584/5. Robert Hamilton of Inchemachane allegedly "discovered" a conspiracy to capture or kill the king which was reputedly being organised by confederates of Angus and Mar. As a result of these allegations the lairds of Duntreath, Drumwhassill and Mains were arrested. The first of these confessed and testified, with the result that the other two were executed.[191] Duntreath later admitted that all that he had confessed had been untrue and had been done for fear of Arran and to save his own life.[192]

As a Douglas, Mains had been involved with the Morton party and had fled to England with Angus and others after Morton's execution,[193] being also relaxed from the horn at the same time as Angus after the Ruthven Raid.[194] He does not appear to have been particularly active in the Morton cause or particularly powerful. The political career of John Cunningham of Drumwhassill will be examined later,* but suffice it to say at this point that his standpoint through the years had been far from one of constant support for the Douglases. His main political importance stemmed from his association with the keeping of the strategically vital Dumbarton Castle but his chief crime on this occasion seems to have been that he was father-in-law to Mains.[195] The object of this exercise was obviously to blacken still

190. Godscroft, 390-1; 191. Moysie, Memoirs, 52; 192. Cal.S.P. Scot., viii 116; 193. Ibid., vi 28; 194. Ibid., 182; 195. Godscroft, 391.

* see below 113.

further the names of the Banished Lords for on 16 February 1584/5 Edmonstone stated in his deposition that the principal movers in the plot were Angus, Mar, Glamis and Arbroath.[196] It was apparently not felt necessary to include Lord Claud Hamilton in this list and the reason for this becomes obvious when a letter of one week previous is recalled. From this it is clear that Arran was trying to prevent Lord Claud, who was then in Scotland, from joining the Banished Lords and indeed hoped to split them up by turning them against each other, for it states that Arran "will not suffer any favour to be shown to Claud Hamilton except he will resign over his title to the crown and earldom of Arran and take the Earl of Mar's livery".[197] Other efforts were made by Arran and others to split the party of the Lords by making offers to individuals of them to return home.[198]

Despite these schemes of Arran's, the banished lords remained firm as a party and assured Queen Elizabeth of their freedom from complicity in any plot against their king[199] while in return, as late as 27 June 1585, they were counselled to be patient.[200] Affairs in Scotland had progressed, however, and two other distinct elements were now hostile to Arran. They will be examined more fully later* but may here be named to be, firstly, John, Lord Maxwell, styled also at that time Earl of Morton, and secondly a group of courtiers of somewhat mixed allegiances such as Secretary John Maitland, Patrick, Master of Gray, and Sir Lewis Bellenden of Auchnoule, Justice Clerk, who were all determined that Arran's course was run. Whether or not these men could have succeeded in removing Arran by their own strength is debatable. The power of the courtiers lay in dealing and double-dealing with other men's strength, while Lord Maxwell, who, of course,

196. Cal.S.P.Scot., vii 563; 197. Ibid., 547; 198. Ibid., 559;
199. Ibid., 587-8; 200. Ibid., 680.
* see below 124, 142-4.

commanded a considerable following in the south-west, had been in open rebellion for several months, causing thereby a merely local disturbance.

Events outwith their control now came to the aid of the members of this anti-Arran combination. On 29 May Mr. Edward Wotton had arrived in Scotland from England.[201] The object of his visit was to bring about a religious league between England and Scotland to counteract the Holy League that had been formed by continental catholic powers. Although Wotton was to seek to achieve this by negotiating with King James and Arran he was also under instructions to aid those mentioned above in undermining the authority of Arran, whose regime England had never cared for.[202] As July went on it appeared that it would be the first of Wotton's aims which would be achieved, as all the arrangements for the League were completed[203] but then occurred the incident usually referred to as "the Fernihurst affair". At a customary meeting of Anglo-Scottish border officials a scuffle broke out during which Francis, Lord Russell, eldest son of the Earl of Bedford, was shot dead.[204] Kerr of Fernihurst, who was in charge of the Scots side of affairs, was known to work closely with, and depend on, Arran, and it was decided that England would take exaggerated offence at this incident with a view thereby to removing Arran from power.[205] The advanced stage of the negotiations for the League of Amity and the desirability of their completion as far as King James was concerned meant that the Fernihurst affair could be used to telling effect. Arran was warded at once.[206] It was the intention of those who were opposed to him that he should be sent into England to answer for this "crime" but it seems that they

201. Ibid., 651; 202. Ibid., 611-14, 654-5; 203. Ibid., viii 23, 35, 43-46; 204. R.P.C., iii 759n; 205. Cal.S.P.Scot., viii 47; 206. Ibid., 42.

underestimated the strength of the king's affection for Arran.[207] This fact was quickly appreciated by the Master of Gray, by now deeply involved in events, and he, to the disgust of some men, re-established a superficial friendship with Arran.[208] He dealt with King James for Arran's release while at the same time he counselled Queen Elizabeth to refuse to conclude the league between the two countries and to "let slip" the banished lords.[209] As time passed the king seemed increasingly unlikely to send Arran into England[210] and it must have become obvious that force would have to be used to prevent Arran from recovering his former position of power.

Such force was not difficult to assemble and indeed the lords were able to take advantage of an existent situation namely Lord Maxwell's rebellion in the south-west. In addition to this, the banished lords, that is, Angus, Mar, Glamis and Lord John Hamilton, gained the support, on their arrival in Scotland, of Lord Hume and the Earl of Bothwell as well as powerful border lairds such as Cessford and Cowdenknowes.[211]

An attempt at resistance by Colonel Stewart proved futile[212] and the banished lords took Stirling on 2 November.[213] They failed to capture Arran[214] but commission was soon given to Huntly and Lord John Hamilton to pursue him.[215] On 4 November Angus, Mar, Hamilton and the Master of Glamis were relaxed from the horn[216] and a month later they were all restored by parliament.[217] Their long struggle for reinstatement had ended successfully and, as if to confirm this, further marks of royal favour were accorded to each of them: Mar was made captain of Stirling Castle, Angus was to have Tantallon, Dalkeith and Aberdeen, Glamis was made high treasurer and captain

207. Ibid., 59; 208. Ibid.; 209. Ibid., 79-80; 210. Ibid., 65;
211. Calderwood, iv 382-3; 212. Moysie, Memoirs, 54;
213. Cal.S.P.Scot., viii 150; 214. Moysie, Memoirs, 55;
215. Cal.S.P.Scot., viii 162; 216. R.P.C., iv 30-31;
217. A.P.S., iii 383-7.

of the guard, Lord John Hamilton was made captain of Dumbarton Castle[218] while all four were chosen to be members of the privy council.[219] Of the chief of those who had been in arms against Arran only Maxwell, who as early as December was said to be seeking leave to quit the realm,[220] appears to have gained little. He, of course, had never been of the Morton faction and his alliance with the members of it had been purely one of convenience, which ended when the aims of the majority of its members were achieved.

The Morton faction, then, despite the loss of its leader ended this period under discussion where it had begun it, namely in virtual control of the country. Neither Angus nor Mar was to become as powerful as Morton had been, indeed they probably had no such desires, and, in fact, after this period no single noble was to exercise such power. It is significant that of the four banished lords who returned to Scotland in October 1585, it was the Master of Glamis, the least powerful of the four, who was to become the most heavily involved in government in the years immediately to come. He was, indeed, to share and vie for power with some of those courtiers who had plotted for Arran's downfall, notably the Master of Gray and John Maitland. The Morton faction, then, had come through these years more or less intact. It had lost through execution Morton and Douglas of Mains as well as the unreliable Cowrie. Douglas of Lochleven had been forced to spend time abroad in exile while his son and others of the Morton faction were lost at sea after gaining a similar licence to leave the country. Dunfermline and Tullibardine had been lost to the faction by death. Others, such as John Carmichael, younger of that ilk, marched with the banished lords, were restored with them and, like them, were given signs of royal

218. Cal. Border Papers, i 211; Cal.S.P.Scot., viii 160, 162;
219. R.P.C., iv 33; 220. Cal.S.P.Scot., viii 162.

favour; in this particular case Carmichael was made the king's only master stabler of his hunting horses.[221] Virtually all the others given earlier* as adherents of the Morton party, remained loyal to that party and any wavering or weakness, such as that displayed by Auchinleck of Balmanno, during the months immediately prior to Morton's execution, generally sprung from pressing and understandable causes, in this particular case, torture.[222]

It was, of course, to the period immediately before this successful conclusion of affairs for the Banished Lords that the document quoted earlier,* dealing with the causes for which they were fighting, belongs. It can be seen that they could certainly claim to be fighting the same battle as Morton had done for they were virtually all of his old party. If the struggle which Morton and Moray had undertaken is held to be that of the old kingsmen faction then it can be seen as more than coincidence that this declaration of intent by the lords in England was made before they had joined up with Lord John Hamilton, a noted queensman. It is true therefore that the old divisions of the civil war still applied at this stage and although they could be waived in favour of united action to achieve a particular object, such as the overthrow of Arran, they still remained the most natural divisons to which men flew in troubled times. Consequently the statement of the banished lords, while certainly being an oversimplification, had considerable truth in it and makes a useful starting point for a deeper analysis.

## II. THE PARTY OF OPPOSITION.

By the very definition of its name, the party in opposition to Morton's faction is bound to be less cohesive and lacks the unity

221. R.P.S., 1iii 73v; 222. Cal.S.P.Scot., v 663.
* see above 51-56; * see above 63-64.

of the Douglas-Erskine party. It came into being to end the over-powerful rule, as it saw it, of Morton during his regency and was kept in existence by events, in particular the continuance of that struggle, rather than by any burning ideology. This faction can be seen to have undergone three distinct phases during each of which it was headed by different leaders. The opposition of the Falkirk confederacy, headed by Argyll and Atholl, gave way to that headed by Lennox and his henchman Arran, which in turn changed character when it was led and directed by Arran alone.

The lords of the Falkirk confederacy headed the opposition to Morton until the death of Atholl in April 1579. During this period Argyll and Atholl, whose opposition to Morton during his regency has been traced,* were the undoubted leaders of this faction and their every action bespoke their hostility to the Douglas-Erskine party. They both voted against Morton's becoming a member of the king's council[1] and Argyll voted against sending Dunfermline as ambassador to England.[2] Their own fortunes directly mirrored those of their party, so that in March 1577/8, when their faction had the upper hand over Morton's, Atholl was made chancellor,[3] while in May 1578, after the successful coup in Stirling Castle in Morton's favour, Atholl is said "to seek leave to go to the Spa for his health, because his business, though he be Chancellor, at home goes not well".[4]

There were some indications in the first chapter* that Atholl's hatred of Morton was more deep-rooted than Argyll's and by the same token there are reasons to think that Morton appreciated this fact and hoped to spirit Argyll away from Atholl and so split their party. The first piece of evidence of this is in fact the negative one that while Atholl was reported on two occasions in the summer of

1. Cal.S.P.Scot., v 663; 2. Ibid., 301; 3. R.P.C., ii 679;
4. Cal.S.P.Scot., v 295.
* see above 10-24; * see above 18.

1578 to be about to go abroad, a state of affairs usually only regarded as a last resort, such a thing was never stated of Argyll.[5] More conclusive is the fact that the king had written to Argyll by 23 July 1578 asking him to come and be a member of his privy council.[6] Also, after events had come to a head and the rebel lords had marched in arms to Falkirk, certain terms were agreed between them and Morton's party. In these terms no mention was made of Atholl or any of his grievances while specific action was ordered to ameliorate Argyll's position in two distinct fields.[7] Finally, as was seen earlier,* Argyll returned to cooperate with Morton in the Privy Council some three months before Atholl.[8]

It seems clear then that Morton was more prepared to conciliate Argyll than he was Atholl. If it is accepted that Atholl was poisoned then it may even be argued that the apparent reconciliation between the chancellor and the ex-regent was only engineered by the latter the better to enable him or his men to administer the poison which would rid him of his chief adversary. It is in fact obviously impossible to determine whether or not Atholl was poisoned but some observations may be offered. It should, for example, be noted that just over a month before his death, his late arrival at a parliament in Stirling was blamed on his being ill.[9] Also, when Morton was faced with certain execution, he made his confession, in which, although he had nothing to gain or lose, he denied that he had anything to do with Atholl's death.[10] On the other hand the medical opinion of the time was that Atholl was poisoned, and certainly Atholl's kin and friends, who are obviously open to charges of bias of course, seemed to have little doubt that such was the case.[11] During Morton's captivity, before his execution, certain of his

5. Ibid.; R.P.S., vii 1561; 6. Cal.S.P.Scot., v 305-6;
7. Ibid., 316; 8. R.P.C., iii 56n, 116n; 9. Moysie, Memoirs, 20;
10. Cal.S.P.Scot., vi 16; 11. Moysie, Memoirs, 20-21; The Historie of King James the Sext, 174; Calderwood, iii 442-3.

* see above 78.

servants confessed foreknowledge of, and complicity in, the murder of Atholl, but these confessions were extracted under duress and cannot be cited as reliable evidence.[12] Finally, it must be remarked that it was a characteristic of the age that when a man who was deeply involved in public affairs died, tales were often woven as to the cause of his death. This led Moysie to remark, during his discussion of the coup in Stirling Castle in April 1578, that in this coup the Master of Mar's son "deceassit for displeasour"[13] whereas another source gives the more likely if less romantic version that he was, in fact, crushed to death in the confused throng.[14] There are other examples also which indicate that men were often loath to accept the simple version of events when they could, by invention or exaggeration, produce a more romantic tale - especially if their version could be used to serve as propaganda against their enemy and proof of the just nature of their own cause.

It was to the period of the reputed Atholl-Morton reconciliation that the policy of prosecuting the Hamiltons appears to belong. The author of the Historie of King James the Sext, however, sees the move against the Hamiltons as a direct follow-up to Atholl's death, claiming that Morton feared that Atholl's followers would bring in the Hamiltons to their aid.[15] There is, however, evidence that moves against the Hamiltons had begun while Atholl was still alive[16] and it was not from the house of Hamilton but from its rival the house of the Lennox Stewarts that the new leader of the opposition to Morton was to come.

Attempts were certainly made to preserve the unity of the Falkirk association and especially between the Earls of Argyll and Atholl. In his last will and testament Chancellor Atholl had urged his son

12. Moysie, Memoirs, 30-31; Cal.S.P.Scot., v 663, 671; 13. Moysie, Memoirs, 7; 14. Cal.S.P.Scot., v 287; 15. The Historie of King James the Sext, 174-5; 16. R.P.C., iii 115.

"to keip friendship and kindness with my Lord Earle of Argyle and that house in respect of the proximitie of blude standand betwixt thame and grit friendship continewit betwix us and our fourbearis".[17] Further, less than two months after Chancellor Atholl's death it is said that "The Countess of Argyll is suiting the Earl of Atholl in marriage to her daughter. 'What that means you know' Albeit the Lords of Falkirk have lost a man, yet their friendship remains one together".[18] This marriage never took place, in fact, but it illustrates the degree to which Argyll and Atholl were associated as the leaders of the opposition to Morton.

On 10 August 1579 Argyll was created chancellor by vote in council.[19] It had of course been one of Argyll's grievances against Morton during the latter's regency that he had not been appointed chancellor in succession to his brother Archibald, the fifth earl. It remains open to speculation why it was that Argyll was not made chancellor in March 1578, after Glamis' death, when Atholl secured appointment. If Morton had hoped, however, that the gift of the chancellorship to Argyll would result in the ending of the Falkirk association, he was mistaken, for Argyll, like many others in Scotland, was soon to come under the influence of Esme-Stewart who was to take over from the deceased Atholl as leader of the opposition to Morton.

Before dealing with the second phase of the opposition to Morton an evaluation of the part played by other members of the Falkirk confederacy will be made. Chief among those who are named as being at Falkirk with Argyll and Atholl on 11 August 1578 is the Earl of Montrose. Throughout the period from Morton's demission of the regency to Argyll's appointment as chancellor, Montrose acted alongside Argyll

17. S.R.O., Dalguise Muniments, G.D. 38/1/69; 18. Cal.S.P.Scot., v 338; 19. Moysie, Memoirs, 24.

and Atholl. Like them he too voted against Morton's being on the king's council.[20] He was sent by the others of his faction as a commissioner to the parliament summoned by Morton to Stirling[21] and was warded for insisting too vigorously that that parliament was not free.[22] On 20 July 1578 he broke ward and regrouped the other earls,[23] who, shortly thereafter, marched with him to Falkirk.[24] One of the articles agreed, at this point in time, between Morton's party and those of the Falkirk association was that Montrose and Lord Lindsay should be added to the King's council.[25]

Montrose was related to chancellor Atholl, who had married Montrose's widowed mother, with the result that the Earl of Atholl who succeeded in 1579 was a half-brother to Montrose.[26] The suspicion that Morton had poisoned Chancellor Atholl no doubt increased Montrose's hatred of the ex-regent. Discussing his opposition to Morton, the author of the article on Montrose in the Scots Peerage states that in 1578 Montrose took steps to obtain the king's confirmation of his charter of lands of Braco and he suggests that the opposition which Montrose encountered to this proposal, at a time when Morton was largely in control of events, probably increased the earl's hostility towards the ex-regent.[27]

The next two noblemen given by Calderwood in his list of those who were at Falkirk are Lord Maxwell and Lord Seton.[28] Although Maxwell was certainly to be reckoned as an enemy to Morton at this stage, he was later to be allied to the Douglas faction in their struggle against the Earl of Arran. For this reason and because it is proposed to consider him alongside his local rival the laird

20. Cal.S.P.Scot., v 296; 21. Moysie, Memoirs, 11; 22. R.P.C., iii 8 and note; 23. Moysie, Memoirs, 12-13; 24. Calderwood, iii 423; 25. Cal.S.P.Scot., v 316; 26. Scots Peerage, i 445, vi 231; 27. Ibid., vi 233; 28. Calderwood, iii 423.

of Johnstone, a discussion of his career and that of his kinsman John, Lord Herries, will be deferred.* Lord Seton might have been expected to be found in support of the Hamiltons, for the two houses had close connections. There are indications throughout the period that Seton remained on good terms with the Hamiltons[29] but he was certainly also hostile to Morton.[30] From being of the Falkirk confederates he fell under the influence of Esme Stewart[31] and supported him to an extent of which the Hamiltons could not have approved. In May 1578 he voted against Morton's being a member of the king's council[32] and in the months that followed, behaved in a similar fashion to the other lords who opposed Morton. When the council decided to move against the Hamiltons it was thought necessary that Lord Seton and his sons should be put in ward on account of their known proximity to that family.[33] Even apart from this incident Lord Seton's hostility to Morton is easily understood. He had been a Marian, was a catholic, and was at different times reputed to favour France and Spain.[34] In addition to this he had married Isabel, daughter of Sir William Hamilton of Sanquhar, while one of his daughters, Margaret, had married Lord Claud Hamilton.[35]

Hume of Cowdenknowes and Kerr of Cessford are both on Calderwood's list of the Falkirk confederacy.[36] While other Lairds of these surnames were to prove important in this period, their allegiances are somewhat complex and diverse and will be studied in detail with other border families later.* Another member of the Kerr family, Mark Kerr, commendator of Newbattle, is also to be seen voting against Morton's membership of the council.[37]

29. Cal.S.P.Scot., v 336; 30. Spottiswoode, ii 277; Calderwood, iii 575; 31. John Colville, Letters, 4; 32. Cal.S.P.Scot., v 296; 33. Ibid., 336; 34. Ibid., vi 55, 126; 35. Scots Peerage, viii 588, 590; 36. Calderwood, iii 423; 37. Cal.S.P.Scot., v 296.

* see below 141-5; * see below 136-9.

Other men who voted against Morton's inclusion include George Sinclair, fourth Earl of Caithness.[38] He died on 9 September 1582[39] and does not appear to have taken an active part in the political events of the period with the exception of this year, 1578. Throughout this year he lent his support to those in opposition to Morton and he is referred to in its course as a catholic.[40] His wife was Elizabeth Graham, sister to the Earl of Montrose,[41] who was so vehement against Morton at this time, and this earl's influence, coupled with Caithness' own religion may have been sufficient to persuade that man to join the camp of Morton's enemies.

Another noble who voted against Morton in May 1578[42] was Lord Ogilvie, who has a political career not dissimilar to that of Lord Seton with whose name his own is often linked. He was one of those who opposed Morton throughout these months and he acted in a similar fashion to those of the Falkirk confederacy in many instances. He also was reputed to be inclined both towards catholicism and the Hamiltons,[43] but he overcame the second of these inclinations sufficiently to become, like Seton, a close adherent of Lennox.[44]

Along with Seton and Ogilvie, James Stewart of Doune, Abbot of Inchcolm, who also became closely associated with Lennox in the years to come, voted against Morton's being of the King's council in May 1578.[45] Doune came more to the forefront of politics during the period of Lennox's ascendency, but his vote against Morton in May 1578 is recorded. He was a kinsman of Lennox, and a close kinsman of James Stewart, Earl of Arran, and he may have seen adherence to this camp as a method of political advancement, while his initial hostility

38. Ibid.; 39. Scots Peerage, ii 339; 40. Cal.S.P.Scot., v 329; 41. Scots Peerage, ii 340; 42. Cal.S.P.Scot., v 296; 43. Ibid., vi 55; 44. John Colville, Letters, 4; 45. Cal.S.P.Scot., v 296.

to Morton may have been determined by the fact that his wife was Margaret Campbell, eldest daughter of Archibald, fourth Earl of Argyll, and sister of Colin Campbell, the Argyll who jointly led the opposition to Morton.[46]

The last two lords on this list of May 1578 must both be regarded as opponents of Morton. Neither James Stewart, Lord Innermeath, nor Patrick, Lord Gray,[47] played important parts in events; in the case of the former his activity in opposition to Morton in 1578 seems to have been his most active period, while the latter was soon to be eclipsed by his son, the master of Gray, with whom he shared not only the christian name Patrick, but also, supposedly at any rate, adherence to the cause of Queen Mary.[48] Lord Innermeath and Lord Gray, indeed, may well both have had their hostility to Morton grounded in their support for Queen Mary, as may Lord Livingston who, well known as a supporter of Queen Mary in earlier years, was equally well recognised as a leader of the lords against Morton at this time,[49] although he did not in fact vote in this policy decision of May 1578.

Of the bishops who joined in the opposition to Morton at this point, the most important was Robert Stewart, Bishop of Caithness,[50] later to become Earl of Lennox and, later again, Earl of March. His subsequent action and above all his very nature dictate that he be regarded as one of the group of "Moderates".*

The final name in this list of Morton's opponents is Mr. George Buchanan, keeper of the privy seal,[51] whose opposition to the regent was noted in chapter 1.⁂ He was closely involved with the Master of Mar and especially in the events of the coup of April 1578 which saw them lose control of the king once more, and his opposition to Morton

46. Scots Peerage, iii 188, vi 510-11; 47. Cal.S.P.Scot., v 296;
48. Ibid., vii 292; R.P.C., iii 692n; 49. R.P.C., iii 26n;
50. Cal.S.P.Scot., v 296; 51. Ibid.
* see below 163-4; ⁂ see above 45-46.

appears to have continued.[52]

The Master of Mar had been associated, much of the time of his opposition to Regent Morton, with John Cunningham of Drumwhassill, and both these men continued throughout 1578 to aid the Argyll-Atholl faction in its hostility to Morton. It was chiefly against the Master of Mar that the coup of April 1578 was directed; during its course his eldest son was killed[53] while Drumwhassill, for his part, acted as a commissioner for the lords' faction[54] and had the satisfaction of seeing the lords negotiate on his behalf in an attempt to have him relaxed from the horn.[55] In 1579 Drumwhassill suffered at the hands of the Morton faction (when his escheat was given to Robert Stewart, by then Earl of Lennox,[56] at that time to be reckoned as a follower of Morton) and when Esme Stewart, Lord D'Aubigny, came to Scotland both Drumwhassill and the Master of Mar became his close associates,[57] and, in fact, Drumwhassill claimed, or admitted, to being the principal inbringer of Lennox into Scotland.[58] Although neither of them was to be as important again in their country's politics as they had been and although both of them were to fall foul of the leaders of their faction, they must both be regarded as being of the anti-Morton party.

This, then, was the state and complexion of the faction in opposition to Morton throughout 1578 and early 1579 and, as can be seen and, indeed, expected, it was composed largely of those men whose opposition to Morton could be seen to be increasing throughout the regency. Two events, already mentioned,* altered the character of that opposition in mid-1579, namely, the death of Atholl and the arrival of Esme Stewart from France.

52. Ibid., 287, 295; 53. Ibid., 287; 54. Moysie, Memoirs, 5; 55. Cal.S.P.Scot., v 316; 56. R.P.S., vii 1971; 57. Cal.S.P.Scot., v 409; 58. Ibid., 395.

* see above 106-8.

Chancellor Atholl was succeeded as earl by his son, also named John Stewart,[59] who was not, however, a member of the Falkirk confederacy. The new Atholl acted on several occasions in co-operation with Lord Ruthven rather than with Lennox or Arran and his career will be examined among the other moderates.* While the Falkirk confederacy lost Atholl they gained the support of Esme Stewart, who, from his arrival in Scotland on 8 September 1579 till his death in France in the summer of 1583, headed the opposition to Morton and his faction. Opinions of contemporaries differ as to how and why Monsieur D'Aubigny arrived in Scotland just when he did. The author of the Historie of King James the Sext states that he was asked over by 'wyse foreseing men',[60] enemies of Morton, while Calderwood says he was invited over by the remnants of the Queen's party "speciallie, Mr. Johne Matlane and Robert Melvill, both haters of the Erle of Morton",[61] Some few months later, Cunningham of Drumwhassill was reputed to have confessed to have been the principal inbringer of Lennox into Scotland.[62] At any rate it seems certain that D'Aubigny's arrival in Scotland was engineered by men who were hostile to Morton and he, in turn, made it plain where he would stand in the political arena by his first act of importance in Scotland. He wrote to both the Morton faction and the Falkirk confederacy but it is said that his letters to the latter "had a more friendly style ... and were delivered eight days sooner than the others".[63]

Although Lennox, as he was shortly to become, was a Catholic Frenchman, suspected of being sent by the house of Guise to work in the interests of Queen Mary, Morton may have hoped to live in peace with him. Certainly there were ample lands and income which could

59. Scots Peerage, i 445; 60. The Historie of King James the Sext, 177; 61. Calderwood, iii 457; 62. Cal.S.P.Scot., v 395; 63. Ibid., 356.

* see below 164-5.

be given to the new lord without directly affecting Morton or his faction. Excluding the king himself, Monsieur D'Aubigny was the male heir to the Lennox earldom[64] and would have succeeded to it in time if Lord Robert Stewart died childless, as seemed at least a possibility, and if other measures had not been taken to speed up that succession. Also, D'Aubigny had arrived in the country only a few months after the successful campaign against the Hamiltons, the natural rivals of the Lennox Stewarts, and could expect to benefit from their downfall as indeed he did, being made, in November 1579 Commendator of Arbroath in succession to Lord John Hamilton.[65]

Lennox's championing of the cause of the Falkirk confederacy and, equally importantly, the high place he soon occupied in the young king's affection, made him a potential if not an inevitable enemy to Morton, however, and although their mutual hostility appears to have taken a few months to materialise, it could have been no surprise when it did. Argyll, now the sole leader of the Falkirk confederacy, contracted a firm friendship with Lennox and they were reputed in December 1579 to "rule the Court at present",[66] at which time also Morton was reputed to be considering going overseas.[67] Lennox's determination to restore Kerr of Fernihurst could not be expected to win approval from Morton[68] and the deterioration in their relationship was highlighted in February 1579/80 when the king was informed that Morton intended to carry out a revolution to bring himself back to power.[69] Such a rumour persisted for some time and it seems likely that Argyll was the author of it.[70] In April 1580 it was rumoured that Sir James Balfour was to be brought over from France

64. Scots Peerage, v 352-6; 65. Moysie, Memoirs, 26, 146;
66. Cal.S.P.Scot., v 371; 67. Ibid.; 68. Ibid., 379;
69. Ibid., 378; 70. Ibid., 385.

to incriminate Morton in Darnley's murder[71] and it was this line of attack, of course, which eventually secured the triumph of the Falkirk confederacy over Morton.

The rest of the year 1580 was spent largely in conducting a "phoney war" - faction against faction. Rumours of imminent dangers in the estate of government abounded, with Lennox and Morton alternating as the butts of these rumours. One thing which did emerge as the year progressed was the position which three powerful influences were taking in the Lennox-Morton struggle. England and the Kirk were backing Morton but the king was supporting Lennox.[72] That England should support Morton against Lennox is not to be wondered at when the latter's affiliations are remembered but the support of the Kirk for Morton had not always been forthcoming and many had been critical of his ecclesiastical policy during his regency. As soon as Morton ceased to be regent, however, there were indications that the Kirk was coming to regret its earlier hotility towards him. Many churchmen, it is said, were offended at Atholl's being preferred to the Chancellorship and they objected also to the admission of the Earls of Caithness and Eglinton and Lord Ogilvie to the council as these men were all thought to be popishly inclined.[73] When D'Aubigny arrived in Scotland the kirk was not slow to realise that it might be in greater danger through his advance[74] than ever it had been from Morton and so came round to support the ex-regent.

Although it was stated in October 1580 that all was not well between Argyll and Lennox,[75] the two of them held together sufficiently until December when Captain James Stewart accused Morton of treason. This Captain James Stewart who came thus to political prominence was

71. Ibid., 387; 72. Ibid., 397; 577, 461; 73. Spottiswoode, ii 221; 74. Moysie, Memoirs, 26; 75. Cal.S.P.Scot., v 518.

the second son of Andrew, second Lord Ochiltree,[76] and both he and his father had benefited from gifts of land forfeited by the Hamiltons and given to them no doubt through Lennox's influence.[77] Andrew, the father, does not appear to have been particularly hostile to Morton during the period in which the latter demitted his regency and indeed he voted in favour of Morton's being elected to the king's council.[78] His attitude, and it probably helped determine that of his son, appears to have changed when Esme Stewart came to Scotland and it became obvious that the way was open for the Stewarts to benfit at the expense of the Hamiltons, already prosecuted, and perhaps also at the expense of the Douglases. Andrew's mother was a Hamilton, a daughter of James, first Earl of Arran, and it was through this link that James Stewart was able successfully to claim the earldom of Arran.[79]

Discussing the accusation of Morton before the council, one author gives a list of those who had banded together against him. In it are Argyll and Lord Robert Stewart but it also contains, in addition to Lennox himself, Newbattle, St.Colme and Seton,[80] who were all to become more closely associated with the opposition to Morton's party in the period of the Lennox ascendency than they had been during the days of the Falkirk confederacy. The identity of Morton's opponents was changing.

The first half of 1581, which saw Morton's faction striving to save their leader's life, also saw Captain James Stewart advanced to greater dignities, for he was made first tutor, and then Earl, of Arran,[81] benefiting from the forfeitures both of Douglases and Hamiltons.[82] If the Falkirk associates thought they had found in Captain

76. Scots Peerage, vi 512-13; 77. R.M.S., iv 2983; 78. Cal.S.P.Scot., v 296; 79. Scots Peerage, vi 511-13; 80. Calderwood, iii 483; 81. Scots Peerage, i 395; 82. R.M.S., iv 2983; R.P.S., xlvii 117v-118v.

James Stewart a simple soldier who would "bell the cat" for them and then return to comparative political obscurity they were very much mistaken and there are indications that Argyll, their leader, was not long in divining this fact. In May 1581 Argyll was reputed to be "a malcontent, because he saw Lennox attempt suche things as he looked not for at his entrie, and because Arran would have takin the office of Chancellerie from him".[83] Past events should have taught Arran and Lennox of Argyll's sensitivity with regard to this office and, later in the year, his quarrel with Arran caused Argyll to leave court displeased.[84] The Falkirk association was really at an end but it had not ended without achieving its ultimate aim, in that on 2 June 1581, James Douglas, Earl of Morton, was executed. The previous day had seen his assize, presided over by Montrose and attended by Argyll,[85] so that the principal remaining associates were in at the successful conclusion of their policy aims.

With this conclusion of events Argyll's period at the centre of national politics was virtually ended. His significance was greatest during the period of the Falkirk confederacy when he was, of course, a leading member of the anti-Morton faction. He died in August 1584[86] and his activities during the remaining three years of his life may be dealt with briefly. When he left court after quarrelling with Arran it was remarked that the break was unlikely to be permanent as Countess Anna, Argyll's wife, wanted him to remain in association with Lennox.[87] Despite her wishes and despite his quarrel with Arran it was to that earl that Argyll adhered during the Arran-Lennox split at the close of 1581 when the country had two councils in session.[88]

83. Calderwood, iii 556; 84. Cal. Border Papers, i 73; 85. Moysie, Memoirs, 32-33; 86. Scots Peerage, i 345; 87. Cal. Border Papers, i. 76. 88. Cal.S.P.Scot., vi 221. (This document is incorrectly dated in the calendar as 1582. It is obvious from its contents that it refers to 1581.)

When the two Stewarts re-united, Argyll soon fell foul of them again and he appears to have approved of the Ruthven Raid, unlike his wife,[89] although he took no part in it and was never closely involved with the government of the raiders. He also refused to join in complete support of Arran, however, at this time, and was described as a great supporter of the Hamiltons[90] and generally appears to have been waiting on events. These events took the form of the coup at St. Andrews which ended the Ruthven Raid government and saw Argyll recalled as a privy councillor.[91] He was now seeking the Abbacy of Dunfermline for his youngest son, while a kinsman of his, Ardkinglas, was made comptroller.[92] His failure to gain Dunfermline rendered him discontented once more.[93] He became increasingly friendly at this time with John, Earl of Mar, to whom he was related[94] and who had been ordered to leave the country.[95] Argyll was reputed to be so earnest on Mar's behalf that this resulted in further "dryness" between Arran and himself.[96] Towards the end of 1583, reports that Argyll was in poor health come with increasing frequency[97] and his request to be allowed to go abroad in February 1583/4 may actually have been made with a view to recovering his health,[98] unlike most such requests.

In April 1584 Argyll had reputedly agreed not to hinder the attempt by the lords on Stirling Castle[99] and, although he sat on the assize which condemned Gowrie shortly thereafter, it was said that he was most reluctant to do so.[100] In the last few months of his life Argyll's relations with Arran, who obviously intended to succeed him as chancellor, were not good[101] and when he died Arran was said to be "eased of that eyesore".[102] Argyll's hostility to Morton, generally

89. Ibid., 180; 90. Ibid., 447-8; 91. Moysie, Memoirs, 45; 92. Cal.S.P.Scot., vi 590; 93. Ibid., 592, 598; 94. Scots Peerage, v 610; 95. Cal.S.P.Scot., vi 616; 96. Ibid., 644; 97. Ibid., 528, 687; 98. R.P.S., 1. 72r-72v; 99. John Colville, Letters, 309; 100. Cal.S.P.Scot., vii 124; 101. R.P.S., 1. 131v; Cal.S.P.Scot., vii 277; 102. Cal.S.P.Scot., vii 334.

less bitter than that of Atholl, seems to have been personal. This meant that after Morton had been removed, although Argyll cooperated to a certain extent with Lennox, he was not particularly anti-Douglas or anti-Erskine. He could be claimed to be a "moderate" in his latter years but his leading position in the Falkirk confederacy, coinciding as it does with his most active years in central politics, dictates that he be regarded chiefly as an enemy of Morton.

With Morton executed and many of his leading supporters fled into England, the second half of 1581 saw the party of opposition to Morton being the party of government as never before. From this point until the Ruthven Raid, a little over a year later, the country was ruled by this party and in particular by its two leading members, Arran and Lennox. They were, of course, both Stewarts and with the Douglases and Hamiltons both in disgrace, the fortunes of the Stewart families rose. On several occasions there was talk of the king entailing the crown to four houses and, although these houses varied according to the different reports, they were always Stewart houses with the lists generally including Lennox.[103] Opinions also differed as to which of the two men exercised the greater power but generally it seems as if Lennox was regarded as the second person in the realm, subordinate only to the king himself.[104] There is, in fact, a greater sense of being second person in the kingdom about Lennox in this period than there had been of any other leading noble, at least since Morton ceased to be regent. This may have been based on the close relationship between the king and his kinsman and no other noble was to have this aura around him throughout the rest of the reign.

This very sense that Lennox was only one step away from the throne coupled with ambition no doubt accounted for the state of

103. Ibid., vi 55; Cal.Border Papers, i 73; 104. Cal.S.P.Scot., vi 34, 52.

jealous rivalry which existed between Lennox and Arran throughout these months and which reached a climax in December 1581. The two had quarrelled over a forfeited ship[105] and over a dispute which Arran had with Lord Seton and his son[106] and on 18 December 1581 there began a political schism which resulted in two separate councils existing for a period of around two months, each sitting in complete isolation from the other.[107] The tactics used by Arran in the weeks leading to this schism illustrate at once the strengths and weaknesses of Lennox's position in Scotland. A fortnight or so before the actual split, Lennox had felt compelled to make a declaration as to the sincerity of his Protestantism. In a note in the Register of the Privy Council the editor says that the reason for this declaration was that Arran had been trying to win the support of the people by wooing them with his church-going.[108] He was thus trying to harness a force to combat the great advantage which Lennox enjoyed over him and all other nobles in the degree of trust and affection which he received from the king. The proximity of his relationship with the king was to be Lennox's strongest card during his spell in Scotland but his failure to convince people of the sincerity of his religion was to be his weak spot. It was a weakness which Arran attempted to exploit at this time and which the Ruthven Raiders were to make much of in their propaganda eight months later.

In the two councils which existed, one in Holyroodhouse and the other at Dalkeith, Lennox, as could be imagined, was accompanied by the king and also had in his company Lord Seton and Lord Maxwell, now Earl of Morton, who were both also suspected of Catholicism. At Holyroodhouse with Arran there were Argyll, Secretary Dunfermline,

105. Ibid., 53; 106. Moysie, Memoirs, 35; The Historie of King James the Sext, 185-6; 107. R.P.C., iii 435n; 108. Ibid., 431-3, 433n.

Comptroller Tullibardine, Treasurer Cowrie and others.[109] It would seem from this that those who were essentially of neither of the parties of Arran or Lennox were more prepared to back Arran (possibly, because they felt they could dispose of him more easily at a later date as he did not enjoy the same degree of royal favour as Lennox).

Despite the fact that Arran's party appears to have been the more broadly-based, it seems that the honours, at the end of the two months struggle, went to Lennox. On the 1 February 1581/2 Arran demitted his office as Captain of the Guard, was exonerated for all his actions therein[110] and, according to Moysie at least, sought permission to travel abroad.[111] The editor of the Register of the Privy Council suggests as a possible reason for this apparent climb-down by Arran, the fact that his wife had given birth to a son a few weeks previously. Arran's wife, who was to become an object of fear and hatred in that earl's second period of power in 1583-5, had been married to Robert Stewart, now Earl of March, the king's uncle, and had divorced him to marry Arran when it was found that she was carrying Arran's child. The circumstances of the marriage caused considerable scandal at the time and the birth of the child may have renewed that scandal and discredited Arran in the eyes of those who had pretended to be impressed by his church-going.[112]

With this schism healed, the two nobles resumed their alliance, with Lennox, more than ever, the dominant partner.[113] Lennox, however, went from one confrontation with the kirk to another for early in April 1582 he created Robert Montgomery, minister at Stirling, bishop of Glasgow, despite the fact that he must have realised this would be an unpopular move amongst churchmen.[114] His relations with

109. Calderwood, iii 593; 110. R.P.C., iii 438-9; 111. Moysie, Memoirs, 36; 112. R.P.C., iii 439n; 113. Cal. Border Papers, i 82; 114. Cal.S.P.Scot., vi 112.

the kirk deteriorated steadily and he was constantly reputed to wish to alter the country's religion.[115] Rumours that he intended to take the young king to France were also given plenty of airing[116] and these factors coupled with the fact that England had always been hostile to his regime and that there was a group of men who had never ceased to work in the Douglas interest, all contributed to a situation in which there were far more forces ready to oppose Lennox than to support him.

He was not entirely without supporters, of course, and in addition to the king and Arran it is said, by one account of early June that he could rely on a group of men which included such stalwarts as Seton and Ogilvie as well as others such as Huntly, John Maitland and Robert Melville.[117] It may be as well to deal with these three apparent recruits to the Lennox cause before the effect of the Ruthven Raid on his regime is dealt with.

The inclusion of these three men in a list of Lennox's allies is not to be wondered at. The young Earl of Huntly, who returned from abroad in company with the Earl of Crawford in the summer of 1581,[118] was of a family which had been amongst Queen Mary's leading supporters. He himself was a catholic and was well received into Scotland by Lennox whose daughter he was soon contracted to marry.[119] He soon showed his worth to Lennox by accompanying him in July 1582 in the streets during a dispute which the Duke had with Cowrie.[120] Like some others of Lennox's supporters such as Lord Seton, Huntly was not hostile to the Hamiltons, his mother was Anna Hamilton, third daughter of the Duke of Chatelherault,[121] and he was to be involved later in attempts to restore the Hamiltons peacably.

115. Cal.Border Papers, i 81; Cal.S.P.Scot., vi 129; 116. Cal.S.P. Scot., vi 126, 127; 117. Ibid., 129; 118. Ibid., 43; 119. Ibid.; 120. Calderwood, iii 632; 121. Scots Peerage, iv 541.

It was seen earlier* that Calderwood attributes the calling of Lennox into Scotland to John Maitland and Robert Melville "both haters of the Erle of Morton".[122] They had both been inside Edinburgh Castle when it was surrendered to Morton in 1573 and might be considered fortunate not to have lost their lives at that time. Both were supporters of Queen Mary and both had to wait until Morton's period of power was ending before they received the opportunity to begin their careers as crown officials. An entry of 25 September 1580 states that "Maitland ... and Robert Melvin ... grow great in counsel and credit around Lennox"[123] and throughout the succeeding months their positions were strengthened by gifts of pensions and other benefits.[124] On 13 April 1582 Melville was created Treasurer Depute under Cowrie[125] and the summer of that same year saw Maitland and him being regarded as two of Lennox's principal advisers.[126]

These three men, and others such as Lord Seton, who were all reputed at different times to favour the Hamiltons, were really an embodiment of the continuation of the Queen's party and they supported Lennox because he represented that party to them and because he had been instrumental in disposing of that party's great enemy, Morton. Godscroft says that such men wanted an association of government between King James and his mother[127] and they probably placed loyalty to Queen Mary above loyalty to any one noble such as Lennox, and certainly Maitland was prepared, later, to help to overthrow Arran, when it was obvious that nothing of benefit to Queen Mary could be achieved by his continuing in office. The degree to which these men were associated with Lennox in the summer of 1582, however, is indicated by the fact that one of Lennox's crimes, according to propaganda of the

122. Calderwood, iii 457; 123. Cal.S.P.Scot., v 513; 124. R.P.S., xlviii 76r-76v; 125. R.P.C., iii 478-80; 126. Cal.S.P.Scot., vi 121; 127. Godscroft, 346.

* see above 114.

Ruthven Raiders, was that he associated with "a great number of those who were his majesty's ancient and most notable enemies, Prior Maitland, Robert Melville"[128] and others.

The Ruthven Raid ended the period of Lennox's ascendency in Scotland and six months later he left the country never to return. The analysis, which went on at the time, of who could be reckoned to be of the duke's party and who against him, produces, as supporters of Lennox, many names which might have been expected but also others such as the Earls of Crawford and Sutherland.[129] The Earl of Crawford had had a somewhat tenuous link with those in opposition to Morton, occasioned principally by his feud with, and eventual slaughter of, Lord Glamis, who was associated closely with the regent. Another link was his religion, catholic, and he was to become closely associated in government with Arran when that earl returned to power. Alexander, 11th Earl of Sutherland, was related to Lennox through his mother Helenor Stewart,[130] and this no doubt accounts for his support of the duke at this time although in general he took little part in national politics.

The government of the Ruthven Raiders lasted for ten months and for around half of that period Lennox was still in the country. The raid had been directed principally against Arran and him and the Raiders appear to have decided quite quickly that he must leave the country. There was some talk of making Arran stand trial but through the good offices of men like Glencairn and Cowrie it was decided that he should merely be kept in custody until Lennox had left.[131] Lennox did in fact leave Scotland around 21 December 1582[132] but not before there had been the usual rumours of attempted coups to recover possession of the King's person.[133] One writer states that Lennox's depart-

128. Cal.S.P.Scot., vi 171-2; 129. Ibid., 159; 130. Scots Peerage, viii 342; 131. Cal.S.P.Scot., vi 168; 132. R.P.C., iii 538n; 133. Ibid., 533-4 and note; Moysie, Memoirs, 41.

ure was much to be wondered at as he still possessed a very great deal of support.[134] Another had written earlier that it was thought that if Lennox left the country he would take as large a force as possible with him and he does seem to have thought along these lines.[135] Huntly was granted leave to go to France while Lords Maxwell and Ogilvie had similar requests refused.[136] In the event it appears that none of these men accompanied Lennox on his journey, and the Raiders, content at breaking the power of their two chief enemies, embarked on no large-scale persecution of Lennox's supporters in Scotland.

Arran escaped from prison at Ruthven in December 1582 and began to reconstruct a party largely around the Earls of Montrose and Crawford,[137] the latter being the more willing to be so used, no doubt on account of the prominent part played in the Ruthven Raid by the Master of Glamis.[138] During this period, as Arran was striving to regain power and influence with the king, there is evidence of his ability at spreading rumour and false reports which was to become such a feature of court life in the next few years and which was generally more rife when Arran was either out of power or else felt his position to be weak. Arran seems largely to have worked on Gowrie,[139] in many ways the weak link in the Ruthven Raiders, but by May 1583 it appeared that despite the relative freedom which Arran enjoyed he might yet be "put at". On 23 April it was reported that "At the General Assembly of the Church, beginning this day, the friends of the Lord (James) Hamilton, Earl of Arran, will move the same to make humble petition to the King" concerning the earldom of Arran now enjoyed by James Stewart,[140] while a fortnight later it is said of Arran that "all good men are grown weary of him" and it was thought

134. Cal.S.P.Scot., vi 215; 135. Ibid., 179-80; 136. Ibid., 168; 137. Moysie, Memoirs, 41; 138. R.P.C., iii 506n; 139. Cal.S.P. Scot., vi 368, 375-6; 140. Ibid., 406.

likely that the friends of James Hamilton would do something about it[141]. This indicated the basic weakness in Arran's position which existed at all times, namely his holding of an earldom which belonged rightfully to the Hamiltons. Some men, such as Huntly and Seton, whom Arran would expect to count on for support, would probably give that support only if they thought that by so doing they were at least not harming the cause of the Hamiltons and Queen Mary. Arran was, indeed, rumoured on several occasions to be contemplating relinquishing his earldom in order to take another,[142] such as Gowrie's, vacant after that earl's execution, and he might have done well, from his own point of view, to have done so. If he had done this and restored Arran to the Hamiltons this might have had the effect of polarising the factions and rendering the Douglas/Erskine party somewhat isolated.

Any such move against Arran as that contemplated by the friends of the Hamiltons was forced to wait. In early June 1583 news reached Scotland that Lennox was dead and this appears to have had the effect of turning the king's mind very definitely against the Ruthven Raiders whom he regarded, not unnaturally, as responsible for that death. On 27 June the king rode suddenly from Falkland to St. Andrews Castle which was fortified as soon as he was within its walls.[143] By this simple move it was indicated that the government of the Ruthven Raiders was at an end and it was now their turn to see their fortunes decline.

Different sources agree that the principal agent of this coup was Colonel William Stewart,[144] a figure curiously neglected by many histories,[145] perhaps on account of the confusing number of William Stewarts at the time, although he was to be of considerable importance

141. Ibid., 447-8; 142. Ibid., vii 23, 124; 143. Moysie, Memoirs, 45; 144. Calderwood, iii 715; Cal.S.P.Scot., vi 522.
145. But not by Thomas Graves Law. See Collected Essays and Reviews of Thomas Graves Law.

in the next few years. William Stewart of Houston has been generally agreed to be the younger son of Thomas Stewart of Galston.[146] He had been in service in Flanders and was dealt with to come over to Scotland by the Earl of Cowrie, with the direct hope, says Godscroft, that he would counterpoise the greatness of Arran. This may contain more truth than Godscroft realised, for, although he continues by saying of the two Stewarts that "they were so wise, as not to crosse one another"[147] and although the Scots Peerage states that Colonel Stewart did not long support his patron,[148] the fact remains that initially he appears to have done exactly what Gowrie wanted for he is reputed to have been a leading figure in the Ruthven Raid.[149] Despite these early associations, however, Colonel Stewart must be regarded as one of the Stewarts who rose to power as a result of Arran's success for he soon quarrelled with Cowrie[150] and associated himself most closely with Arran. He was made Captain of the king's guard in succession to Arran[151] and was employed as an ambassador to England[152] and it was on his return from that country that he led the coup at St. Andrews. If he was indeed brought over to this country by Cowrie then he could hardly expect to win approval from that earl for this latest action, as the coup can be seen as the first step in Cowrie's decline and eventual execution. There had been some disagreement between Colonel Stewart and Mr. John Colville during their English trip.[153] Colville was Stewart's fellow ambassador and as he was to be reckoned as a supporter of the Douglases, their quarrel may have prejudiced the Colonel against the Raiders, but what seems more likely is that the idea of the coup came from the king himself. King James, angry and sad at news of Lennox's death, was said to long for the return of Colonel Stewart, no doubt to put his plan into

146. Scots Peerage, vii 64; 147. Godscroft, 369; 148. Scots Peerage, vii 65; 149. John Colville, Letters, 16; 150. Cal.S.P.Scot., vi 337; 151. Ibid., 221 (See Footnote 88) 233; 152. Ibid., 440; 153. Ibid., 515.

practice.[154] One account which combines these two possible interpretations, states that the outline of these events had been planned in advance, but that the initial or actual outbreak was precipitated by Colonel Stewart on account of his private grievances, no doubt his quarrel with Colville.[155]

On the completion of this coup it was said of Colonel Stewart that he "carries the sway, and by him the King is chiefly advised" but the same report also states "He appears to be very 'inward' with Huntly, Crawford and Montrose, who now find such favour".[156] If those three were enjoying royal favour it is no surprise to find that on 27 July 1583 the king "longs so greatly for Arran's company"[157] and on 5 August Arran was restored to the king's favour and was back at Court.[158]

Arran and the king proceeded cautiously against the Raiders at first. Colonel Stewart was made Commendator of Pittenweem[159] and Arran's two brothers, William and Robert Stewart, had their cautioners discharged[160] but the talk concerning Mar, Gowrie and the others was of reconciliation rather than persecution.[161] There was rumour, indeed, that affairs between Arran and Colonel Stewart were not going smoothly. Colonel Stewart, as Arran had done himself when he was Captain James Stewart, was proving to be more ambitious than had been expected by those who had chosen him to lead the coup. This second "simple soldier" was reputedly on the watch for an earldom, as his predecessor had been, and the one that he sought was Buchan, currently held by a Douglas, a minor and a nephew to Lochleven.[162] Colonel Stewart's ambition was natural enough but it evidently alarmed Arran for on 21 September that gentleman was directed abroad to conduct the king's affairs for five years.[163]

154. Ibid., 477; 155. Ibid., 538-9; 156. Ibid., 524; 157. Ibid., 558; 158. Calderwood, iii 722; 159. R.P.S., xlix 140r-140v; 160. R.P.C., iii 594; 161. Cal.S.P.Scot., vi 567-8; 162. Ibid., 602. 163. R.P.S., xlix., 166r.

If Arran really did feel that his position was insecure he seems to have determined to work to strengthen it rather than to leave it all behind him. He obtained the keeping of Stirling Castle and also became provost of that town[164] and was soon reputed to wish to exchange that castle for Edinburgh.[165] Throughout the remainder of this autumn Arran worked at trying to separate his enemies from each other by making offers to individuals of them to leave the company of the Raiders and join with the government.[166] His party was given a boost with the arrival in the country of Ludovic Stewart,[167] son to the deceased Esme, for this was almost bound to rekindle in the king's mind thoughts of the manner of the death of Lennox and considerations of who was guilty of this.

In December there is talk for the first time of Arran's becoming chancellor, this talk being occasioned by the fact that Chancellor Argyll was then ill.[168] Throughout this period there are indications that Arran was receiving something less than wholehearted support from some of the nobles he might have expected to rely on. Huntly was reputed to be conferring with Seton to bring back the Hamiltons;[169] Huntly and Crawford were both reputed to be vying with Arran for control of Edinburgh Castle;[170] and Arran and Colonel Stewart had several areas of mutual conflict and jealousy.[171] On 20 January 1583/4, not long after it was first rumoured that Arran would become chancellor, it was "thought convenient by Rothes, Crawford, Montrose, and some others to enact and ordain that two earls shall quarterly relieve and disburden the King of the care of the common affairs". Before there is time to draw any conclusions from this, the report continues, "it is thought that in time this may work to discount Arran".[172]

164. Cal.S.P.Scot., vi 622; 165. Ibid., 629; 166. Ibid., 637, 658; 167. Ibid., 657-8; 168. Ibid., 687; 169. Ibid., 629; 170. Ibid., 663; 171. Ibid., 590, 597-8, 602; 172. Ibid., vii 12.

It seems that the nobility of Arran's party were not entirely satisfied with him, had several personal grievances against him and were not prepared to allow him to become paramount in the country.

What changed this state of affairs was the unsuccessful attempt by the Ruthven Raiders to capture and hold Stirling Castle. Although it was Colonel Stewart who took such military steps as were needed to quell this revolt, it was obvious that the object of the hatred of the raiders was Arran. It would seem inevitable that in the minds of many, and especially the king, this attempted coup would be associated with the Ruthven Raid with the result that the hatred which he had for the raiders, as the indirect agents of Lennox's death, led to the chief raider, Gowrie, being executed and Arran gaining increased support and confidence from the king. Gowrie had been committed to Arran's keeping[173] in a direct reversal of roles of the days immediately after the Ruthven Raid but he did not find that he had as lax a keeper as Arran had had and indeed Arran sat on the jury which convicted him.[174] Arran's immediate gains included a gift of income from crown lands in Stirlingshire to enable him the better to perform his task of guarding Stirling Castle.[175] It was thought also that he might exchange his earldom of Arran for that of Gowrie, so that he could thereby restore the Hamiltons and so reduce the number of his enemies.[176] The somewhat cool nature of the support which he had received from Montrose and others may account for the fact that it was reputed that his uncle, the Laird of Caprington, was a rival to Montrose for the post of treasurer.[177]

Arran received a massive increase in his power at this point in time. One report of May 1584 states "Arran being now master of the principal strengths at Dumbarton, Sterling, Blackness, and Edinburgh,

173. R.P.C., iii 658-9; 174. Spottiswoode, ii 313; 175. R.P.S., 1 129v; 176. Cal.S.P.Scot., vii 124; 177. Ibid., 127.

his wife and he having usurped the stewardship without account of the jewels ... of the realm, and having taken to himself the authority and style of Chancellor, and being now appointed to sit in the King's place ...".[178] He was given land previously held by Mar[179] and lands and goods which had previously been Gowrie's.[180] He was made Lord Lieutenant of the country[181] and was given power, along with Montrose, John Maitland and Robert Melville and others, to deprive such as they thought unworthy.[182]

His relationships with his leading supporters continued somewhat less than ideal. In May, Montrose, who had won the battle to become Treasurer, entered into a new bond of friendship with Arran,[183] but Huntly, Crawford and Ardkinglas, a kinsman of Argyll's and the country's comptroller, were all reputed to be on bad terms with Arran.[184] Never-the-less his own personal power, and that of his wife, continued to increase, while he ensured that the nobles around him would be associated in his dealings to the full by allowing Crawford,[185] Huntly,[186] Montrose[187] and Colonel Stewart[188] all to benefit directly from the forfeiture of the Ruthven Raiders, now exiled in England. Indeed, despite his quarrels at home, the measures which he took for his own personal safety and the rumours which he spread to justify these measures, Arran realised that the main danger to his regime came from those lords in England. Consequently he devoted a considerable amount of energy and invention to the task of having these men discredited in English eyes and towards the end of December 1584 he succeeded in having the banished lords moved south,[189] away from their headquarters at

178. Ibid., 140; 179. R.P.S. 1. 141r; 180. Ibid., 136r, 153r; 181. The Historie of King James The Sext, 205; 182. Cal.S.P.Scot., vii 155; 183. Ibid., 156; 184. Ibid., 204-5; 185. R.P.S., 1. 138v-139v, 147r-148r; 186. Cal.S.P.Scot., vii 124; 187. R.P.S. 1. 144v-145r; 188. Cal.S.P.Scot., vii 185; 189. Ibid., 500.

Newcastle, which he evidently thought to be dangerously close to the Scottish Border.

The chief agent whom Arran used in these dealings in England was Patrick Gray, who was the eldest son of Patrick, fifth Lord Gray, and as he did not succeed to that title until 1608 he was known as Master of Gray through all his tortuous activities during King James's reign in Scotland.[190] He was to prove himself to be somewhat of a political chameleon and indeed he helped to engineer Arran's overthrow, but his position in the political spectrum as a member of a family of Marians, was still that of a member of the anti-Douglas party. He received in December 1581, lands which had formerly pertained to Archibald Douglas of Pittendreich, a natural son of Morton's.[191] The Grays, father and son, are referred to on different occasions as catholics and as harbourers of Jesuits[192] and in March 1583/4 the master was called before the General Assembly on account of his papistry.[193] The master had returned to Scotland from abroad in the company of the young Earl of Lennox[194] and was reputed, in the autumn of 1584, to be in a straight league with Arran, hence his employment on that earl's behalf in England.[195]

Arran continued to make efforts to split the party of the Banished Lords by offering terms to individuals of them to return home but when one of them, Claud Hamilton, did come back to Scotland Arran showed himself to be very intransigent as regards any compromise.[196] At the same time, Arran's relations with an important lord in the south-west of Scotland, Lord Maxwell, which had been deteriorating for some time, collapsed altogether. Lord Maxwell complained to the

190. Scots Peerage, iv. 284-5; 191. R.P.S., xlviii 74r; 192. Cal. S.P.Scot., v. 329; vi. 653; 193. Ibid., vii. 40; 194. Calderwood, iii. 749; 195. Cal.S.P.Scot., vii. 292; 196. Ibid., 547.

king of the machinations against him by the Earl of Arran who "huntes baith for my liefe and landes".[197] Even allowing for the fact that many of the reports which claim that Arran was widely disliked were written by Englishmen about a regime of which their country disapproved, it does seem that the opposition to him and his wife was building up as 1585 progressed. At the end of May, Huntly, Crawford, Bothwell and Atholl were reputed to be offended with him,[198] while the Master of Gray, John Maitland and Justice Clerk Bellenden had begun their court machinations against him.[199] On 27 June Arran was reputed to fear "the return of the lords above everything",[200] as well he might, but how long it might be before these lords returned was most uncertain.

It was of course the Fernihurst affair which precipitated events, for although Fernihurst testified that Arran was in no way to blame for the incident the party of the lords must have had strong hopes that Arran was on his way out of power.[201] As was seen,* however, the king appears to have retained a considerable affection for the earl and it soon became clear that he had no intention of sending Arran into England to face any trial.

It must be remembered in any discussion of the king's preference for political factions during this period of eight years that the noble he loved best was indubitably Esme, Earl of Lennox. Through Arran's alliance with Esme, he had probably acquired associations for the king with that duke as, naturally, had Ludovic, Esme's son, while, conversely, those who were trying to discredit Arran, that is, the Banished Lords, were associated in the king's mind with the Ruthven Raid, which had led to Lennox's death. These lords were probably

197. Hamilton Papers, ii. 637; 198. Cal.S.P.Scot., vii. 653;
199. Ibid., 654; 200. Ibid., 680; 201. R.P.C., iv. 4.
* see above 101-2.

also identified with violent action by the king as their party had had recourse to more of this in the eight years in question. The young king had reputedly been terrified by the coup in Stirling Castle in April 1578,[202] and while Morton's demission of the regency and the events of his arrest and execution had been accomplished peacefully, the Ruthven Raid and the abortive coup on Stirling in April 1584 had both involved force. The gallop from Falkland to St. Andrews in June 1583 which terminated the Ruthven Raid appears to have been done with the king's hearty approval, while James, with his highly developed sense of personal dignity and safety, would look back on the Ruthven Raid as the first occasion, in his maturity, of nobles daring to lay hands on the royal person in order to achieve their political ends. This being true, it is not to be wondered at that the king adhered to the man whom observers and his fellow countrymen were condemning for his ambition and cruelty. As far as the king is to be seen as inclining towards one faction or another then he is to be regarded as being against the Douglases.

## III. THE PARTY OF MODERATION.

Both the main political factions have been seen* to contain men of widely differing hue but the third and final group surpasses the others in the diversity of the nature of its members. It is essentially composed of men who acted at certain times in ways which prohibit them from being thought of as members of either of the main parties. This section also contains studies of families, which may have individual members who behaved consistently, but which, taken as a unit, betray this inconsistency or moderation which is to be

202. Cal.S.P.Scot., v. 287.
* see above 63-135.

the touchstone of this group.

It has already been stated* that it was the so-called Fernihurst incident which brought Arran's career closer to an end and the Kerrs played an interesting if somewhat diverse part in affairs throughout this period. In May 1578, after the pro-Morton coup in Stirling Castle, the Kerrs are described as malcontents[1] with the obvious conclusion that they should be regarded as members of the anti-Douglas faction and throughout the period of hostility to the ex-regent led by the Falkirk Confederacy they were against Morton. When Lennox was in power the Kerrs were described at one stage as his "greatest strength ... next the Stewarts".[2] The reason given for the hostility of the Kerrs varies according to the source consulted. Godscroft says that Kerr of Cessford and Kerr of Fadounside were displeased because Morton had banished Kerr of Ancrum for a feud with the Rutherfords whose service he found useful.[3] Another source blames a feud between the Kerrs and Scotts who depended on Angus,[4] while a third mentions the abbey of Kelso,[5] which had been held by a Kerr in 1566 but was not to be so held again until 1599, being held in the interim by John Maitland and Francis, Earl of Bothwell.[6]

All this, of course, may give the impression that the Kerrs behaved as a unit which is not the case. While Fernihurst had been on the queen's side during the civil war,[7] Cessford had fought for the king at Langside.[8] Fernihurst is certainly to be regarded as an enemy of the Douglases for he was son-in-law to Kirkcaldy of Grange, who had been executed by Morton's party.[9] The importance which was attached to Fernihurst as a leading supporter of Queen Mary is

1. Cal.S.P.Scot., v. 295; 2. Ibid., vi. 2; 3. Godscroft, 338; 4. Cal.S.P.Scot., v. 397; 5. Ibid., 503; 6. Registrum Cartarum de Kelso, I.xvi-xvii; 7. Scots Peerage, v.63-64; 8. Ibid., vii 337; 9. Ibid., v. 67.

* see above 101-2, 134.

evidenced by the speed with which he was sent for by Lennox to return to Scotland when that earl was in power and by the degree of hostility which his proposed return aroused.[10] Fernihurst was present at Morton's execution[11] and benefited from the forfeitures of Morton and Angus at that time.[12] After the Ruthven Raid, Fernihurst went abroad again[13] but was brought back into favour by the St. Andrews coup and was eventually made Warden of the Middle March at the expense of his kinsman Cessford.[14] From that point onwards until the incident which ruined both him and Arran, the fortunes of the two men were closely linked.

Sir Walter Kerr of Cessford identified himself with the Falkirk association and was active in their affairs against Morton.[15] On 18 October 1580 he was said to adhere to Lennox[16] and on 13 January 1580/1 William Kerr, younger of Cessford, his son, was made Warden of the Middle March,[17] but the elder Cessford, perhaps jealous of the favour which Fernihurst was receiving at Lennox's hands, changed sides and signed the bond of the Ruthven Raiders.[18] From this point onwards, despite the death of the elder Cessford, the power of the house was to be with the lords of the Douglas party. After Cessford lost his wardenry in the autumn of 1584 he was warded for several months[19] before joining with the Banished Lords[20] in their march on Stirling. Andrew Kerr of Fadounside, although somewhat less involved in events, also followed this pattern of behaviour in that he may have been one of the Falkirk association[21] but later signed the bond of the Ruthven Raiders.[22]

10. Cal.S.P.Scot., v. 379; 11. Calderwood, iii. 575; 12. R.P.S., xlviii. 15r, 28v; 13. Cal. Border Papers, i. 92; 14. Ibid., 164; R.P.C., iii. 699-70; 15. Calderwood, iii. 423; 16. Cal.S.P.Scot., v. 527; 17. R.P.C., iii. 344-5; 18. Ibid., 507n; 19. Ibid., 726; Cal.S.P.Scot., vii. 653; 20. Moysie, Memoirs, 54;
21. Registrum Honoris de Morton, i. 92-100; 22. R.P.C., iii. 507n.

The third and final family of Kerrs, which merits individual attention at this time, are the Kerrs, Abbots of Newbattle, descended from those of Cessford.[23] After Morton had demitted the regency in 1577/8 one of the first acts of the lords who had helped to bring this about was to appoint Mark Kerr, sone of Mark Kerr, Commendator of Newbattle, as Master of Requests for life.[24] Newbattle is listed as a malcontent after Morton had regained power in April 1578[25] and he voted against Morton's being made a member of the king's council.[26] When the lords of the Falkirk Confederacy were compiling requests to put to the king in August 1578, they included one which asked that all officers dispossessed since 10 June last should be repossessed and especially Mr. Mark Kerr, younger, as Master of Requests.[27] The man who had superseded Kerr was Mr. John Colville,[28] chantor of Glasgow, a supporter of Morton and the Douglases. These two men, Kerr and Colville, alternated in the office for some time[29] and acted as something of a political barometer as to the relative strengths of the two main factions. Newbattle seems to have attached himself closely to Lennox during his rise to power[30] and he was rewarded by a gift of lands which had been forfeited by Morton.[31] He was a supporter of Lennox at the time of the Ruthven Raid[32] but soon after, perhaps reconciling himself to what was apparently inevitable, he was described as neutral to Lennox[33] and he was present at a convention where the king approved the raid.[34] He was one of those who were called to St. Andrews by the king in June 1583 with a view to overthrowing the Ruthven regime.[35] He had apparently hopes of being made secretary in place of Dunfermline, but failed in this ambition, left

23. Scots Peerage, v. 453; 24. R.P.S., vii. 1527; 25. Cal.S.P.Scot., v.295; 26. Ibid., 296; 27. Ibid., 318; 28. R.P.S., vii. 1600; 29. Ibid., 1527, 1600, 1673; R.P.S., xlvii. 103r; 30. Cal.S.P.Scot., v. 420; 31. R.P.S., xlix. 14v-15r; 32. Calderwood, iii. 643; 33. Cal.S.P. Scot., vi. 238; 34. Moysie, Memoirs, 40, 148; 35. Cal.S.P.Scot., vi. 508.

court discontented[36] and died in August 1584.[37] His son had his position as a commendator ratified by the Arran regime[38] but the family did not play as important a part in events in these later years as it had under Lennox and earlier.

The diversity of behaviour of different branches of the Kerrs is mirrored in the patterns displayed by the Humes. The Hume surname in general,[39] and Sir James Hume of Cowdenknowes in particular,[40] supported the Falkirk confederates in their struggle against Morton. This is perhaps not to be wondered at, for, unlike the Kerrs, the Humes had a recognised leader in Lord Hume, and Alexander, the fifth lord, had spent several years in ward during Morton's regency.[41] There was also a dispute between some of the Humes and Lord Glamis, who had been nominated by Morton to act as keeper of Hume Castle, as a result of his marriage with Agnes Gray, Lady Hume.[42] The Humes were not united in 1578 in their hostility to Morton, however, for Godscroft, talking of the parliament in 1578, held after Morton had regained power, states that "Lord Hume was also restored from his forfeitrie, by the meanes and procuring of Sir George Hume of Wedderburne, with the consent indeed of Morton (whom he solicited for that end)".[43] Obviously Wedderburne and Cowdenknowes were on different sides and at this same parliament, continues Godscroft, the wardenry of the east marches was taken from Cowdenknowes and given to Wedderburne.[44] Most of the Humes seemed to have taken their lead in this matter from Cowdenknowes, described as a friend to Lennox,[45] rather than Wedderburne, and certainly Hume of Manderston is described as a particular enemy to Morton.[46] The part played by Lord Hume in the events of the days of the Falkirk

36. Ibid.,575; 37. Scots Peerage, v. 454; 38. R.P.S., li. 46r-47r; 39. Moysie, Memoirs, 13; 40. Calderwood, iii. 423; 41. Scots Peerage, iv. 462; 42. Ibid., 463; 43. Godscroft, 344; 44. Ibid., 45. Cal.S.P.Scot., v. 502; 46. Calderwood, iii. 485.

Confederacy appears to have been slight - he was only eleven years old in 1578 - but, by the time of Morton's execution, he, and not Wedderburne, was Warden of the East Marches[47] and he is described as friend to the earl of Lennox.[48] It is something of a surprise, therefore, to find that both Lord Hume and Sir James Hume of Cowdenknowes, signed the bond of the Ruthven Raiders. Even Alexander Hume of Manderston signed the bond as well as other Hume lairds such as Huttonhall and Broxmouth.[49]

If Lord Hume supported the Ruthven Raid he seems soon thereafter to have reverted to his family's traditional Marian standpoint, and, having quarrelled with the earl of Angus over the lordship of Cockburnspath,[50] he marched with the king's army to help to put down the abortive Stirling coup in April 1584.[51] Cowdenknowes, however, had adhered to his previous decision and was now on the side of the banished lords, being warded after this Stirling incident for his trouble.[52] He remained a supporter of the lords and benefited from their return to power in 1585 by being made Captain of Edinburgh Castle.[53] Wedderburne appears to have run a similar course to Cowdenknowes in these years for he too was warded at the time of the attempted coup at Stirling.[54]

Lord Hume benefited no less, for a while, from his choice of sides, for after the lords had fled to England in April 1584 he was given the lordship of Cockburnspath, belonging to Angus, and was reputedly aiming also at Dirleton, which had been Gowrie's.[55] Lord Hume quarrelled on different occasions with the earl of Bothwell[56] and, more seriously, fell foul of Arran,[57] so that when the banished lords returned to Scotland in October 1585 he joined forces with them.[58]

47. R.P.S., xlvii. 135v-136r; 48. John Colville, Letters, 4; 49. R.P.C., iii. 507n; 50. Cal.S.P.Scot., vi. 298; 51. Ibid., vii. 94; 52. Ibid.; Cal.Border Papers, i. 133; 53. Cal.Border Papers, i. 211; 54. Cal.S.P.Scot., vii. 121; 55. Ibid., 124; 56. Calderwood, iii. 759; Cal.S.P.Scot., vii. 148; 57. Cal.S.P.Scot., vii. 334; 58. James Melville, Diary, 149.

Lord Hume as a catholic and a member of a family which had supported Queen Mary probably should be ranked as an opponent of the Douglases and a supporter of Lennox. He did, however, sign the Ruthven Raiders' bond and helped to overthrow Arran, who was reputedly trying to force him into surrendering his portion of Dirleton. Others of the Humes have been seen to follow different courses at different times.

It may well be that men such as the Kerrs and Humes found that the issues which were of paramount importance to them were local ones. They would change their national political allegiance to further local rivalries and often did not behave as a unit with the rest of their surname. To this there are exceptions such as Kerr of Fernihurst, who was more important on the national political stage and who was unswerving in his support of Queen Mary and consequent hatred of the Douglases, but others seemed to have acted for lesser motives and often across the normal kin and factional divisions. Hume of Cowdenknowes, for example, is to be seen acting with Kerr of Cessford in more instances than alongside his family chief Lord Hume. The local intrigues of these border lairds can only be dealt with in passing for they are the political struggles of the nation in microcosm and form a complicated aspect of a complex whole.

A similar situation to this can be seen in the west borders where the traditional rivalries were between the Johnstones and Maxwells. The leading Maxwells of this period were, of course, John, eighth Lord Maxwell, later Earl of Morton, and his uncle, John, Lord Herries. Both these men were in opposition to Morton in 1578 and acted with the lords of the Falkirk Confederacy.[59] There are early indications that the hostility of the nephew, who had been in ward under Morton,[60] was

59. Cal.S.P.Scot., v. 295, 296; 60. R.P.C., ii. 677.

greater than that of the uncle, who was sufficiently agreeable to Morton as to permit his serving with Lord Glamis and Lord Ruthven as negotiator between the ex-regent and his enemies.[61] When the two were included in a list of eight men chosen by the Falkirk Confederacy to represent them in discussions, Herries, but not Maxwell, was judged by Morton's party to be suitable.[62] Finally, in January 1578/9, after both had appeared before the privy council in a discussion as to how best to control lawlessness in the border area, the post of Warden of the West Marches was given to Herries[63] who seems to have decided to follow Argyll and others of the confederacy in co-operating with Morton.

When this alliance decided on prosecuting the Hamiltons, Lords Herries and Maxwell were caught in the cross-fire. Lord Herries, in particular, had been a very staunch Marian and was used by the Hamiltons at this time to negotiate with the crown forces.[64] As a direct result, it would seem, of their support for the Hamiltons, Lord Maxwell was warded[65] and Lord Herries lost his position as Warden of the West Marches, which was given to the laird of Johnstone.[66] Their fortunes improved, however, when Lennox came to power and their history as Marians no doubt dictated the alliance which each of them appears to have been in, with him.[67] Their reactions to the arrest and trial of Morton were different and re-echoed the split noticed before.* While Herries was reputed to disapprove of the manner of proceeding against Morton and had retired from court,[68] Maxwell "shows himself an open enemy"[69] and sat on the assize at Morton's trial.[70]

61. Moysie, Memoirs, 2; Spottiswoode, ii. 207; 62. Cal.S.P.Scot., v. v. 318; Spottiswoode, ii. 230-1; 63. R.P.C., iii. 73, 75, 76, 77-84, 85; 64. Cal.S.P.Scot., v. 336; 65. R.P.C., iii. 195; 66. Ibid., 207; 67. Cal.S.P.Scot., v.502; R.P.C., iii.322-3 and note; 68. Cal.S.P.Scot., v.587; 69. Ibid., 588; 70. Moysie, Memoirs, 32.

* see above 141.

Maxwell was rewarded for this by being made Warden of the West Marches[71] and shortly thereafter received the lands and title of the Earldom of Morton.[72]

The two men were united again in their support of Lennox at the time of the Ruthven Raid[73] and Herries was called on once again to act in the role of negotiator.[74] Yet again their unity of purpose was short-lived, however, for, while Maxwell sought leave to go abroad with Lennox, was refused[75] and was denounced rebel,[76] Herries was said to have approved the raid,[77] and escaped the consequences of his earlier support of the duke. In addition to being denounced rebel, Lord Maxwell once again lost his office as Warden of the West Marches to the laird of Johnstone[78] and eventually in the early summer of 1583 he went abroad.[79] By that time his uncle, Lord Herries, was dead and had been succeeded by his son William.[80] William, Lord Herries, and John, Lord Maxwell, backed the government of Arran after it had been re-established by the events of St. Andrews and they joined forces to pursue the lords who attempted to hold Stirling in April 1584.[81] Relations between Lord Maxwell and the laird of Johnstone now appear to have deteriorated sharply[82] and in August 1584 Maxwell was granted permission to leave the country.[83] Maxwell later complained that Arran aided Johnstone[84] and at any rate he was put to the horn[85] and had his lands and title of the earldom of Morton taken from him[86] and given to Ludovic, Duke of Lennox.[87]

On 30 April 1585 Lord Herries and other Maxwells were granted

71. R.P.C., iii. 376; 72. R.P.S., xlvii. 132v-133r; 73. Calderwood, iii. 643; 74. Moysie, Memoirs, 38; 75. Cal.S.P.Scot., vi. 168; 76. R.P.C., iii. 527-8; 77. Cal.S.P.Scot., vi. 159; 78. R.P.C., iii. 531; 79. Cal.S.P.Scot., vi. 464; 80. Scots Peerage, iv. 411-14; 81. Cal. Border Papers, i. 132; 82. Ibid., 150-1; 83. R.P.S., li. 39v; 84. Hamilton Papers, ii. 636-7; 85. R.P.C., iii. 725; 86. Ibid., 734; 87. R.P.S., lii. 81r-82r.

crown protection so that they should not suffer on account of Maxwell's rebellion.[88] The next few months were occupied for Maxwell by his feud with Johnstone which was no longer merely against that laird but was now against the crown. When attempts at negotiation through Herries failed,[89] Maxwell eventually resolved to sink his differences with the banished lords and joined them in their march on Stirling.[90] Maxwell gained little from the success of the banished lords for, although he appears to be in charge of the west borders again by 15 November 1585,[91] less than one month later he was again seeking leave to go abroad.[92] Godscroft gives details of differences of opinion between the banished lords and the catholic Maxwell on their march north.[93] More important than religious differences, however, were the facts that Maxwell was inevitably closely associated in the minds of the banished lords with the final disgrace of Morton; and Angus in particular could not be expected to rest content as long as the earldom of Morton remained in the possession either of Ludovic, Duke of Lennox or John, Lord Maxwell.

The two leading houses of Maxwells thus behaved in a similar fashion to each other with the significant exception that Maxwell's quarrel with Morton was more bitter than Herries' and Maxwell fell foul of Arran, while Herries did not. Their allegiance to the catholic, Marian party as epitomised by Lennox, was to be expected as their natural stance but personal considerations appeared to weigh with them as well, so that Herries was alienated by what he regarded as the over-harsh treatment of Morton, while Maxwell was forced to abandon his normal political position because of the animosity between

88. R.P.C., iii. 742; 89. Cal.S.P.Scot., viii. 34-35; Cal. Border Papers, i. 191; 90. Moysie, Memoirs, 54; 91. Cal.S.P.Scot., viii. 153-4; 92. Ibid., 162; 93. Godscroft, 404-5.

him and Arran.

As has been seen at several points* in the account of the Maxwells, the laird of Johnstone tended to benefit from Lord Maxwell's misfortunes and vice versa. After Morton's arrest in 1580, Johnstone was described as one of the few friends whom the Douglas party could count on.[94] He harboured Angus during that earl's journey south[95] and was declared rebel for this.[96] Pledges were offered for his good behaviour[97] and he appears to have taken no part in the Ruthven Raid of August 1582 although his distance from the scene of the action may account partly for this. Nevertheless he did benefit from the return to power of the Douglas faction and he was made Warden of the West Marches in November 1582.[98] After the success of the St. Andrews coup, Johnstone is again to be found at the horn[99] but he appears to have come to terms with Arran sufficiently to aid him against the lords during their attack on Stirling in April 1584.[100] Johnstone's feud with Maxwell, in which he received the support of Arran, has already been described,* but this support was not sufficient to prevent him from being captured and held by Maxwell.[101] Before Maxwell marched north with the Banished Lords, it was reported that "The wholl surname of the Johnstons have yeilded them selves unto Morton".[102]

Johnstone's support for Arran, who might have been expected to be his enemy, no doubt stemmed principally from the fact that Arran and Maxwell had quarrelled. Johnstone had been associated often with Morton and Angus in the past and was closely related to the latter.[103] Once Morton had been executed, however, and Angus was

94. Cal.S.P.Scot., v. 588; 95. Ibid., vi. 2; 96. R.P.C., iii. 374-5; 97. Ibid., 434-5; 98. Ibid., 531; 99. R.P.S., xlix. 152r; 100. Cal. Border Papers, i. 134; 101. Cal. S.P. Scot., viii. 7; 102. Cal. Border Papers, i. 197; 103. Scots Peerage, i. 193, 248.

* see above 142, 143, 144; * see above 141-4.

banished from the country, Johnstone reverted to his first basic consideration of political strategy, namely hostility to his traditional enemy, Maxwell. Godscroft elaborates on how this split between Johnstone and the Douglases was worsened. Dealing with the unsuccessful attempt against Stirling Castle in April 1584, he tells that Archibald Douglas, constable of Edinburgh Castle under Morton, was captured by Johnstone, from whom he had expected no ill, as Johnstone and Angus had the same mother, and was delivered to the courtiers. The courtiers, seeking to make the resultant split between Angus and Johnstone even wider, hanged Archibald Douglas.[104]

This brief look at these four important border families illustrates the inter-relation of national and local considerations. These border lairds were prepared, on occasions, to alter what had become thought of as their natural political affiliations on the national level, in order to better some local rival of long-standing who had adhered himself to the other side. This is not to say that such men had no deep political convictions but rather that they were motivated by practical considerations and could subordinate vague preferences to immediate tangible gains.

Discussion of the faction which can be considered as the Hamilton party during this period is really confined to a study of the two lords, John and Claud, as most of the men who could be regarded as their supporters, such as Huntly and Seton, have been discussed earlier* by reason of the fact that they were prepared to co-operate with the Stewarts against the Douglases even if they felt a basic allegiance to the Hamiltons.

The Hamiltons had taken no part in the campaign against Morton

104. Godscroft, 386.
* see above 110, 117, 123.

and indeed were brought back into the foreground of events only when the combined forces of Atholl, Argyll and Morton decided to prosecute them for their several crimes of the past. No doubt the idea of this came from the Douglas side of the new coalition and it was certainly mostly lords from that political standpoint who carried the operation out.[105] The Hamiltons made arrangements both to quit the country and to defend their property.[106] Lords Claud and John received some entertainment from Lords Maxwell and Herries, the latter indeed negotiating on their behalf with the king.[107] These negotiations revealed the state of Hamilton political thinking, for the offer to render their castles to the crown was to be subject to the conditions that those who were to be appointed captains of the same should be Stewarts and not Douglases or Boyds.[108] The strongholds were all taken[109] and the two lords were put to the horn, allegedly for detaining their elder brother James, Earl of Arran, against his will,[110] although everyone agreed that he was insane. Lord Ruthven was also employed by the Hamiltons to seek clemency from the king but he met with no success either and it was thought that the king's hardness of spirit was Morton's doing,[111] for some of his kinsmen were known to seek the lives of certain Hamiltons.[112]

Supporters of the Morton party such as Alan, Lord Cathcart,[113] and Mr. John Colville[114] were soon given land and income which had belonged to Hamiltons. In November 1579 the two brothers were forfeited formally[115] and the list of those to benefit from this was increased by the inclusion of the earl of Mar and Lord D'Aubigny.[116]

105. R.P.C., iii. 150n; 106. Ibid.; 107. Cal.S.P.Scot., v. 336; 108. Ibid.; 109. Moysie, Memoirs, 22; 110. R.P.C., iii. 160-2; 111. Cal.S.P.Scot., v. 337; 112. Ibid., 337-8; 113. R.P.S., vii. 2037; 114. Ibid., 1969; 115. A.P.S., iii. 129-35; 116. Moysie, Memoirs, 26, 146.

In March following, Andrew Stewart, Lord Ochiltree, and his son Captain James were given lands forfeited by the Hamiltons,[117] thus beginning the process which saw Captain James become earl of Arran.

After the Ruthven Raid had compelled the Duke of Lennox to leave Scotland there was talk of a possible link between him and the Hamiltons but Lord Claud avowed that there would never be a firm agreement between their two houses,[118] while Lord John gave similar answers.[119] When it seemed that the Ruthven Raiders might take action against Arran it was said that the Hamiltons enjoyed a considerable body of support in Scotland including Argyll, Rothes, Marischal, Eglinton and Montrose,[120] but when the St. Andrews coup brought Arran back to power the hopes of the Hamiltons correspondingly declined. There is evidence that the Hamiltons were in some measure of agreement with the lords who seized Stirling Castle in April 1584[121] and they suffered with them for the enterprise. The men who had stood as surety for the Hamiltons in the Pacification of Perth were obliged to pay that surety to the crown[122] and no Hamilton was to be permitted to come within ten miles of the king.[123]

Despite rumours that Arran was contemplating surrendering his earldom to the Hamiltons and becoming earl of Cowrie instead,[124] nothing was achieved and instead the brothers were kept in touch with the other banished lords and with Queen Elizabeth by means of John Colville.[125] On one occasion an English observer had remarked that Lord John was the "better affected" toward Queen Elizabeth and her country[126] and on 16 August 1584 it was reported that King James favoured Lord John but not Lord Claud.[127] Less than two months

117. R.M.S., iv. 2983; 118. Cal. Border Papers, i. 93; 119. Cal. S.P.Scot., vi. 294; 120. Ibid., 445, 447-8; 121. Ibid., vii. 59; 122. R.P.C., iii. 665-6; 123. Ibid., 658; 124. Cal.S.P.Scot., vii. 124; 125. Ibid., 229; 126. Ibid., vi. 243; 127. Ibid., vii. 278.

after this, however, Lord Claud returned to Scotland and was entertained by Huntly and Lord Seton.[128] Lord Claud may well have been the staunch-er Marian and was reputed to need time to consider the idea of dropping his differences with the banished lords and following a course of action which was virtually counselled by Queen Elizabeth, Mary's enemy.[129] The difference between them in this respect may also have been accent-uated by their respective wives. Lord John had married Margaret Lyon, a daughter of Lord Glamis, and this might have inclined him a little more toward the Douglas faction, while Lord Claud's marriage to Margaret, daughter of Lord Seton, was more likely to reaffirm his adherence to Queen Mary.[130] In March 1584/5 Lord Maxwell wrote to Lord John Hamil-ton telling him of the discontent in Scotland,[131] so that the alliance which was to be formed to overthrow Arran was already in the making. In Scotland Arran was making it clear to Lord Claud that he was going to receive no favour[132] and on 6 April Lord Claud and his men were ordered to leave the country.[133] Lord Claud and those who had been instrumental in bringing him into Scotland had been defeated by Arran. It would seem likely that their idea had been to restore the Hamiltons without involving, as they regarded it, the taint of being associated with Queen Elizabeth or the undesirability of restoring the Douglases at the same time.[134]

Lord Claud's initiative having resulted in failure, Lord John's was successful. The party of the lords consisting of himself, Angus, Mar, Glamis, Lord Maxwell and others, took Stirling Castle, pursued Arran and succeeded in having all its members rehabilitated. Lord John was made Captain of Dumbarton Castle and Provost of Glasgow and

128. Moysie, Memoirs, 51-52; 129. Cal.S.P.Scot., vii. 403-4;
130. Scots Peerage, i. 39; iv. 372; 131. Cal.S.P.Scot., viii. 253. (This document is misdated by one year. It should be 1584-5.)
132. Ibid., vii. 547; 133. R.P.C., iii. 733; 134. Ibid., 733n.

was given special permission to pursue Arran.[135] Lord Claud returned to Scotland in January 1585/6 to be received also into royal favour.[136]

Those who are mentioned principally in this period as being associates of the Hamiltons are Huntly, Lord Seton and John Maitland. Their adherence is not in the least to be wondered at, as all were of families with a history of service to Queen Mary. Lord Claud was related to Seton as has been seen,* while Anne, sister to Lords Claud and John, was married to the Earl of Huntly.[137] The Hamiltons were not involved very actively in politics during these years and this accounts for the fact that these men and others like them were to be seen acting with other lords such as Lennox who could also be construed as having the interests of Queen Mary at heart. In some respects it must have seemed unfortunate to supporters of Queen Mary that this young Frenchman, who was reputed to be closely in touch with the family of Guise and who was not far removed from the Scottish throne, should bear the title of Lennox. This title had been associated in recent years, in the person of Regent Lennox, with pro-Morton and kingsmen policy and its associations made the possibility of any alliance between the new Lennox and the Hamiltons less likely; indeed one of the crimes of the Hamiltons had been the assassination of Regent Lennox.[138]

Apart from important border families and the Hamiltons this third group of "moderates" includes several other men who played active parts in the events of these years - men such as Lords Ruthven and Lindsay or the Earls of Rothes and Bothwell. The degree of involvement in events of these different nobles and the consequent amount of information available concerning them varies quite considerably. Also

135. Cal.S.P.Scot., viii. 162; 136. Calderwood, iv. 491;
137. Scots Peerage, iv. 370; 138. Calderwood, iii. 139-40.
* see above 149.

their political standpoints vary very considerably and no attempt is being made to suggest that they were in any way a faction in their own right. Some of them, such as Ruthven and Lindsay, belonged by rights to the Morton faction and are not to be found there simply on account of the inconsistency of their support for that faction. Others, such as Marischal and Rothes, may be held to be almost completely non-aligned. A brief look at the actions of these men in the different crises should reveal just how many of them are to be classified as true moderates and how many as inconsistent as a result of ambition or jealousy or other causes.

In the analysis of events of the struggle for power between Morton and the Falkirk Confederacy certain guides to political affiliation have been used already on different occasions.* Using these same touchstones for this group of nobles it emerges that after the coup at Stirling Castle in April 1578 which restored Morton to power, Rothes, Bothwell, Ruthven, Glencairn and Eglinton are all given in a list of those who are said to be well-contented with events,[139] while of them, Glencairn, Ruthven and Rothes voted in favour of Morton's being a member of the king's council.[140] On the other side, Lindsay and Lord Robert Stewart were given, at the same time, as discontented, with Lindsay, indeed, being named as "colonel of the malcontents",[141] and both of them voted against Morton's admission to the council.[142] Of other possible moderates Orkney, Marischal and Errol do not appear to have been committed either way, while Cassillis, although his uncle the master was of the Falkirk Confederacy,[143] was only a minor and so uncommitted.[144]

139. Cal.S.P.Scot., v. 295; 140. Ibid., 296; 141. Ibid., 295; 142. Ibid., 296; 143. Moysie, Memoirs, 14; 144. Scots Peerage, ii. 475.

* see above 105, 109, 110.

Of those who thus appear at the opening of the period to incline more towards the Morton faction, Rothes would seem to be behaving as could be expected. Although his first wife had been a Hamilton, Andrew, fifth Earl of Rothes, had many marital links with the Douglas, protestant and kingsmen faction. His second wife was a daughter of Patrick, Lord Ruthven, one of his sisters had married William Douglas of Lochleven, his eldest son married a daughter of Lindsay of the Byres and he had daughters who married another Lindsay and Archibald, Earl of Angus.[145] He was evidently regarded, by the Falkirk Confederacy, as sufficiently neutral to act as a negotiator between them and Morton in March 1577/8[146] but from that point until Morton's arrest in December 1580 his support seems to have gone to the Douglas faction.[147]

Rothes' support of Morton did not survive the arrest of the latter and the earl spent much of January and February 1580/1 trying to persuade his son-in-law Angus to desert the cause of the ex-regent.[148] Whatever chances Rothes had of so persauding Angus were lessened when it came to light that his daughter, Angus' wife, was having an affair with the earl of Montrose who was to be reckoned as a leading opponent of Morton.[149] Rothes sat on the assize which convicted Morton[150] but played little part in the politics of the following year, emerging from his seclusion after the Ruthven Raid to voice his approval of that fact.[151] He was not greatly involved in the government of the country in the months following the raid but rather was involved in the coup at St. Andrews in June 1583 which brought this regime to an end.[152] He soon grew discontented, however, for he was excluded from important decision making on occasions.[153] He also soon had a

145. Ibid., vii. 290-6; 146. Cal.S.P.Scot., v. 281-2; 147. Ibid., 295, 296, 386; 148. Ibid., 591, 625; 149. Ibid., 645-6; 150. Moysie, Memoirs, 32; 151. Ibid., 40; Cal.S.P.Scot., vi. 159; 152. Moysie, Memoirs, 45; Cal. Border Papers, i. 103; R.P.C., iii. 575-6; 153. Cal.S.P.Scot., vi. 602-5.

more personal quarrel with a member of the ruling faction namely Colonel Stewart. They quarrelled over the escheat of Douglas of Lochleven, which the king had granted firstly to Rothes and had then given to Colonel Stewart. This escheat would include all the titles to the earldom of Buchan, the last holder of which had been Lochleven's brother, and it was feared by Rothes and others that Colonel Stewart aimed at this earldom.[154]

On 7 December 1583 the king's campaign against the Ruthven Raid had reached the stage that he was referring to it as a crime of lese-majesty.[155] Rothes felt obliged to point out that his own personal approbation of the raid was only given at the king's command.[156] He was used to negotiate between the Arran regime and the earls of Angus and Gowrie[157] and showed that his adherence to Arran was less than complete by being one of the authors of a scheme of government, the object of which was thought to be to restrict Arran's influence.[158] Rothes continued to be closely involved with his son-in-law Angus[159] and must have been aware of much of the planning which went into the attempted coup of April 1584.[160] Possibly because the arrest of Gowrie made the success of that coup less likely, Rothes sided with the royal forces and was one of those in charge of the vanguard on the march to Stirling.[161]

His moderation was further shown in the aftermath of these events when he refused to be on the assize of Gowrie[162] while his son the master of Rothes withdrew from court through fear of apprehension.[163] Although he was given a commission of lieutenancy in the south-eastern shires[164] and charge over lands which belonged to the banished Angus,[165]

154. Ibid., 628; 155. A.P.S., iii. 330-1; 156. Ibid., 331;
157. Cal.S.P.Scot., vi. 677; 158. Ibid., vii. 12; 159. Ibid., 12, 17, 34-35; 160. Ibid., 59; 161. Ibid., 94; 162. Ibid., 124;
163. Ibid., 119, 121, 124, 128; 164. R.P.C., iii. 670-1;
165. R.M.S., li. 48r-48v.

his support for the newly-strengthened Arran regime was less than enthusiastic. In July 1584 he was reputed to have sought leave to depart the realm[166] while in May 1585 he and other noblemen were thought to be planning to instigate disorder in the north to match Maxwell's in the south-west.[167] He was in Stirling when it was taken by the banished lords in November 1585[168] but like most others there his resistance was only token and he was probably not displeased to see the lords in Scotland again.

Rothes can be described as a moderate throughout this period. His inclination seems to have been toward the Douglas faction but he was never sufficiently involved with it to suffer for its deeds. He possibly was able to see the way events were running to a greater degree than some others and was permitted for example to approve of both the Ruthven and St. Andrews raids without any personal consequences.

William Cunningham, fifth Earl of Glencairn, might also have been expected to support Morton as the leader of the protestant, kingsmen faction and indeed he did so throughout 1578 and 1579.[169] The master of Glencairn aided the Morton faction in their prosecution of the Hamiltons[170] but it is evident that Glencairn soon fell under the influence of Lennox.[171] William died and was succeeded by his son James as sixth earl,[172] whose first act of political importance as earl was the part he played in escorting Morton from Edinburgh to custody in Dumbarton Castle.[173]

When Angus was trying to raise a party to rescue his uncle from prison in the first half of 1581, Glencairn's name was often mentioned

166. Cal.S.P.Scot., vii. 222; 167. Cal. Border Papers, i. 183; 168. Moysie, Memoirs, 54; 169. Cal.S.P.Scot., v. 295, 296, 301, 329; 170. Ibid., 336; Moysie, Memoirs. 22; 171. Cal.S.P.Scot., v. 419, 516; 172. Scots Peerage, iv. 242-3; 173. Moysie, Memoirs, 29.

as a possible ally[174] but this came to nothing and he sat on the assize of Morton's trial.[175] He appears to have inclined to Arran more than to Lennox[176] but he was never really alienated from the Douglas party and joined with them to be a leading light in the Ruthven Raid.[177] In the immediate aftermath of the raid it was Glencairn who was associated with Cowrie in attempts to save Arran's life[178] and the two earls incurred displeasure jointly from others of their party for their trouble.[179] Not long after this, Glencairn's links with the other Ruthven Raiders were further weakened because he was suspected of undue favour to Lennox.[180] When the St. Andrews coup overthrew the raiders, Glencairn was sent for by the king and agreed to maintain him in his new course.[181] He failed in an attempt to gain the position of collector of the thirds of spiritualities which went instead to Lord Doune rendering Glencairn discontented.[182] In early April 1584 he left court "more suddenly than was looked for"[183] but he played no part in the attempt on Stirling of that month and, indeed, sat on the assize at Cowrie's trial on May 3.[184] He does not appear to have been important to the new Arran regime and spent much of his energy in local feuds.[185] He was present, like Rothes, when the banished lords took Stirling in November 1585[186] and indeed the political careers of the two earls in this period were not dissimilar.

William, fourth Lord Ruthven, who was more in the political limelight than any other of these men, was also, on paper, a natural ally of Morton in consideration of his long and deep involvement with the king's party. His part in and reasons for bringing

174. Cal.S.P.Scot., v. 625, 642, 677, 679; 175. Moysie, Memoirs, 32; 176. Cal.S.P.Scot.,vi. 53, 220(This document is wrongly dated as 1582. It describes events in December 1581); 177. Calderwood, iii. 645; 178.Cal.S.P.Scot.,vi. 168; 179. Calderwood, iii. 690; 180. Ibid., 692; 181.Cal.S.P.Scot., vi. 572; 182. Ibid., 590, 597; 183. Ibid., vii. 56; 184. Spottiswoode, ii. 313; 185. Cal.S.P.Scot., vii.232; R.P.C., iii. 718; 186. Moysie, Memoirs, 54.

Morton's regency to an end have already been examined* and his desertion of the Douglas cause in 1577/8 certainly seems to have been of but brief duration. He was one of those nominated by Morton to negotiate on his behalf[187] and, as his inclusion in the lists used above* prove, he was back in full support of Morton by May 1578.[188] Under the restored Morton supremacy Ruthven continued as Lord Treasurer and in 1579 he helped in the prosecution of the Hamiltons.[189] On 16 May 1580, however, it was reported that Ruthven was on good terms with Lennox[190] and four months later there was a dispute between Douglas of Lochleven, Morton's kinsman, and Ruthven, in his capacity as treasurer.[191] In October 1580 there was an incident near Dupplin Castle in which Ruthven was attacked by the master of Oliphant with whom he already had a quarrel.[192] Oliphant's father-in-law was Douglas of Lochleven[193] and through this link Morton was drawn into the quarrel against Ruthven. This not only antagonised Ruthven but also some of the Stewarts as in the incident a Stewart, who was in company with Ruthven, had been slain.[194] Mr. John Maitland and Robert Melville, enemies to Morton, apparently played on Ruthven's displeasure over this incident[195] so that when Morton was accused of treason by Captain James Stewart, different sources concur in saying that Ruthven was one of the instigators of the plot.[196]

With the Ruthven Raid, which ended the Lennox ascendency, Ruthven turned his political coat yet again to be numbered once more amongst the Douglas faction.[197] After his influence had been instrumental in December 1580 in having Morton arrested, Ruthven appears to have repented and is mentioned on occasions as being of

187. Ibid., 1-2; 188. Cal.S.P.Scot., v. 295, 296, 301; 189. R.P.C., iii. 144-50 and note; 190. Cal.S.P.Scot., v. 429; 191. R.P.C., iii. 312-13; 192. Moysie, Memoirs, 28; Calderwood, iii. 479-80; 193. Scots Peerage, vi. 550; 194. Calderwood, iii. 479-80; 195. Ibid., 480; 196. Ibid., 483; Historie of King James the Sext, 180; 197. Calderwood, iii. 637.

* see above 52-53; * see above 151.

Angus' party.[198] The possibility of this being cemented into an alliance was lessened when Ruthven was made earl of Gowrie under Lennox's regime[199] and again when he was given the barony of Abernethy which had belonged to Angus.[200] When Arran and Lennox quarrelled Gowrie adhered to the former,[201] which was not calculated to endear him to Lennox and in July 1582 they quarrelled over the "colonelship" of Teviotdale[202] and other matters. Morton had found out twice how costly it could be to quarrel with Gowrie, and Lennox was not long in learning the same lesson for the following month saw him toppled from power by the Ruthven Raid.

During the government of the raiders, Gowrie was, of course, a leading figure. He was supposedly instrumental in saving Arran from coming to any physical harm after the raid[203] and, despite his possession of some of Angus' forfeited lands, worked for the restoration of that earl,[204] although perhaps in so doing he was merely acknowledging the inevitable. He was reputed on more than one occasion to be slipping away from the other raiders and also to be displeased with different courtiers whom he suspected of conspiring to deprive him of his office of treasurer.[205] When the coup at St. Andrews overthrew the government of the raiders, Gowrie at first came to no harm. He sought and received a remission for his part in the Ruthven Raid which forced all his fellow raiders either to do the same or else to risk being prosecuted as participants in a treasonable activity[206] and increased the mistrust which they must have had in him. The Ruthven Raid was condemned increasingly as time passed and although Gowrie was slower to feel the effects of

198. Cal.S.P.Scot., v.624,625,643; 199. Scots Peerage, iv. 263; 200. R.P.S. xlviii. 138v-139r; 201. Calderwood, iii. 593; 202. Ibid., 632; 203. Cal.S.P.Scot., vi.168; 204. Historie of King James the Sext, 192-3; 205. Calderwood, iii. 690,693; Cal. S.P.Scot., vi. 326,337; 206. Calderwood, iii. 716.

this than other raiders, in early 1583/4 he too was commanded to leave the country[207] and obtain a licence to that effect. He resigned all his lands which were given over to his son and prepared to go abroad.[208] He delayed his leaving of the country and was arrested by Colonel William Stewart[209] at the time when the lords of the Douglas party captured and briefly possessed the castle of Stirling. Those who had captured Stirling fled and Gowrie was brought there and executed.[210]

There were probably several factors of importance in determining that Gowrie should join Morton in being the only two important nobles who were executed for political crimes during this entire reign. The cruel nature of Arran's personality and the fact that the crown was in debt to Gowrie for a large sum of money[211] cannot be ignored nor can a desire on the king's part, for revenge against the men whose actions had resulted in the death of his beloved Lennox and who were epitomised by Gowrie. The overwhelming reason, however, which dictated Gowrie's execution seems likely to have been his total unreliability as a political ally. He had, in fact, changed sides once too often. Hume of Godscroft says that Angus and Mar were greatly loved but not so Gowrie because of his changing sides; while in an even more telling passage he says that the courtiers distrusted Gowrie's preparations (to leave the realm) and feared some event was being planned against them, while his fellow conspirators and Angus in particular also distrusted his dissembling and were unsure whether he was trying to hoodwink the Court or them.[212] It had come to the stage that Gowrie was an embarrassment to all and so was executed.

Two nobles who were accounted as pro-Morton but who did not vote

207. Cal.S.P.Scot., vii.18; 208. R.P.S., 1. 89r-89v, 90r;
209. R.P.C., iii. 652-3 and note; 210. Moyside, Memoirs, 50;
211. Cal.S.P.Scot., vi. 240; 212. Godscroft, 376, 380.

in favour of his admission to the council, namely Bothwell and Eglinton, did not play a large part in the events of these years. Bothwell was still a youth when he is described as well-contented at Morton's success[213] and shortly thereafter he went abroad.[214] Morton evidently had hopes, at least, that he could count on Bothwell for support, despite the fact that most Stewarts were to be in opposition to him, for in September 1580 Morton, hoping to raise a party in that house, had sent to bring Bothwell home.[215] Bothwell, certainly, played no part in the events of the arrest and execution of the ex-regent. He was, however, a Ruthven Raider[216] in what was virtually his first act of political importance, thereby fulfilling the belief of the late Morton that he would support his party. He was rewarded for his support of the raid by being appointed lieutenant in the Middle and East Marches in October 1582.[217] However tentative Bothwell's initial support of the raid may have been[218] he was soon identified with its resultant government.[219] After the St. Andrews coup, attempts were made, especially by the king himself, to draw Bothwell away from the other raiders.[220] These attempts succeeded and Bothwell attended court[221] but his early association with the raiders and the constant stream of personal feuds he was involved in seemed to have combined to ensure that he "has not so great grace in Court as other Stewarts".[222]

In January 1583/4 Bothwell sought permission to leave the country[223] but nothing came of it. His discontent continued, however, and in April he levied a force to help the lords in their assault on Stirling Castle.[224] He was commanded to his home[225] but was soon restored to royal favour[226] and sought to gain possession of Cockburnspath

213. Cal.S.P.Scot., v.295; 214. R.P.S., vii.1575; 215. Cal.S.P.Scot., v.512; 216. Calderwood, iii. 645; 217. Cal.S.P.Scot., vi.192; 218. Ibid., 158; 219. Ibid., 322,400; 220. Ibid., 562, 653; Cal. Border Papers, i. 116; 221. Cal.S.P.Scot., vi.658; 222. Ibid., 660; 223. Ibid., vii. 13; 224. Ibid., 94; Cal.Border Papers, i.133; 225. Ibid.; 226. Cal.S.P.Scot., vii. 127.

which had been Angus'.[227] In July 1584 he again sought a grant to leave the country and this was agreed[228] but once more nothing happened. He had a running feud throughout these months with the Humes over the priory of Coldingham[229] and he regarded Arran as being the cause of his lack of success in this matter.[230] He and Lord Hume joined together to unite with the forces of the banished lords when they arrived in Scotland in October 1585 and he marched with them to Stirling.[231]

The very idea of describing Bothwell as a moderate may seem somewhat peculiar and undoubtedly it is not on grounds of personal character that he is to be so regarded. He was very aggressive and quarrelsome and if his overall policy tended to be in favour of the Douglas faction it concealed many twists and turns of a minor nature. His "moderation" sprang from the fact that he was a Stewart supporting the Douglases with the result that he was more likely to gain royal favour than other Douglas adherents and less likely, at this stage at least, to be willing to sacrifice his position by extreme acts.

Eglinton supported Morton in 1578[232] despite the fact that he was a catholic[233] and the following year he aided him against the Hamiltons.[234] He had been a queensman, of course, and seems to have fallen under the influence of Lennox[235] although he is not accredited with any particular malice towards Morton in the events of 1580/1.[236] He did sit on the assize of Morton's trial[237] and supported Lennox rather than Arran during their political schism.[238] He was said to be neutral towards Lennox after the Ruthven Raid[239] and was present

227.Ibid., 148; 228.Ibid., 222; 229.Ibid., 330; Cal.Border Papers, i. 175; 230.Cal.S.P.Scot., vi. 670; 231.Moysie, Memoirs, 54; 232.Cal.S.P.Scot., v. 295, 301; 233.Ibid., 329; 234.R.P.C., iii. 150n; 235.Cal.S.P.Scot., v. 534; 236. Ibid., 577; 237. Moysie, Memoirs, 32; 238.John Colville, Letters, 4; 239.Cal.S.P.Scot., vi. 159.

at the convention when the king approved the raid[240] but is not to be thought of as a raider.

When the St. Andrews coup ended the raiders' government, Eglinton, who had had little to do with that regime, was one of those sent for immediately by the king.[241] He had little more to do with the new regime, however, but he did sit on the assize at Gowrie's trial.[242] Like Glencairn he was much taken up with local feuds[243] until his death in June 1585.[244] Eglinton's claim to be regarded as a moderate stems from his support of Morton despite the fact that he was a catholic, his support of Lennox, and despite this support, his lack of involvement with the government of Arran.

Of the two men in this group given as being in opposition to Morton in this period Lord Lindsay was the more active. His hostility to Morton throughout the period of the Falkirk Confederacy seems to have been particularly virulent[245] and this despite the fact that, as a staunch protestant and kingsman and a son-in-law of Douglas of Lochleven, he would normally have been expected to be on Morton's side. He was warded by Morton's party on account of his over-vehement protestations concerning the lack of freedom in the Stirling parliament,[246] and throughout 1578 and 1579 he remained hostile to Morton and his faction.[247] In the autumn of 1580 he was reputed to be falling under the influence of Lennox,[248] but like Rothes, Lindsay's feelings towards Morton changed with the latter's arrest. He had prevented Morton and Captain James Stewart from coming to blows at the time of the actual accusation[249] and less than a fortnight afterwards he had "departed home discontented" the reason being his

240.Moysie, Memoirs, 49; 241.Cal.S.P.Scot., vi.542; 242.Spottiswoode, ii. 313; 243.Cal.S.P.Scot., vii.232; 244. Scots Peerage, iii.441; 245.Cal.S.P.Scot., v.295; 246.R.P.C., iii. 8 and note; 247.Cal.S.P.Scot., v.301; Moysie, Memoirs, 16; R.P.C., iii. 25-26n; 248.Cal.S.P.Scot., v.502; 249.Ibid.,576;

"misliking the order of dealing against Morton".[250] The reason for this change of heart is obvious enough, for Morton was not being accused for anything he had done during his regency when Lindsay had opposed him, but rather for events during Queen Mary's reign when he had been a member of the same faction as Lindsay had and when he had a record little different from, and no worse than, Lindsay's. Angus looked to Lindsay as a likely member of an alliance to save Morton[251] and when the latter was executed it was thought that Lindsay would "not be long at liberty".[252] He took little part in the Arran-Lennox regime, except to quarrel with the duke over religion,[253] and was a leading member of the Ruthven Raid.[254] His support of the raid, no doubt, occasioned at least partly by religious zeal, appears to have been wholehearted and it was thought that, after the St. Andrews coup, Lindsay might find himself charged to account.[255] Like Rothes he was aware of the plots which culminated in the raid on Stirling in April 1584[256] but unlike Rothes was not able to extricate himself from these in sufficient time and so was warded in Blackness.[257] It was thought that he would share Gowrie's fate[258] and he was saved from this principally by the efforts of the earl of Crawford, his kinsman.[259] There was talk again later that Lindsay would "smart"[260] but he seems to have lain low during the rest of Arran's period in power.

Again Lindsay's place as a moderate does not stem from his personal character, for his chief trait seems to have been a fanatical devotion to protestantism.[261] His case is something like Eglinton's in reverse, in that, it is surprising that he opposed Morton considering the depth and sincerity of his religion. Doubtless he was not

250. Ibid.,580; 251. Ibid., 625, 631, 642-3; 252. Ibid., vi. 26; 253. Ibid., 94; 254. Calderwood, iii.637; 255. Cal.S.P.Scot., vi. 602; 256. John Colville, Letters, 309; 257. Cal.S.P.Scot., vii.94; 258. Ibid., 119; 259. Ibid., 185; 260. Ibid., 539; 261. Scots Peerage, v.399.

a "moderate" man, but his support for the Douglases was marred by the active part he played in destroying Morton's regency, while he could never have been expected to remain long in partnership with the catholic Lennox or the irreligious Arran.

The other member in this group of malcontents[262] was Robert Stewart, Bishop of Caithness, but only one month after his inclusion in this he is to be found described as neutral[263] and the gift of the earldom of Lennox to him[264] seems to have been sufficient to win him round to a pro-Morton stance as evidenced by his voting in favour of the appointment of the commendator of Dunfermline as an ambassador to England.[265] When D'Aubigny rose to favour it was Lord Robert, of course, who was forced to surrender his earldom of Lennox to the young Frenchman, being given in its place the earldom of March.[266] The other half of what was to become the ruling duumvirate, Captain James Stewart, also gained at Lord Robert's expense depriving him of his wife.[267] Lord Robert is, in fact, probably to be reckoned as an adherent of the Morton party from the moment he was given the Lennox earldom, and, when Morton was trying to build up a party among the Stewarts, in addition to sending for Bothwell, he also had talks with Lord Robert.[268] He was given in one list as approving of the Ruthven Raid,[269] and no doubt his adherence was occasioned by hatred of Arran and Lennox. He enjoyed a measure of importance in the months after the raid[270] but seems to have been well aware of the coming of the coup at St. Andrews for it was on one of his horses that the king rode away from the raiders.[271] He was tutor to the young Lennox until this too was taken away from him by a third Stewart

262. Cal.S.P.Scot., v. 295,296; 263. Ibid., 297; 264. R.M.S., iv. 2785; 265. Cal.S.P.Scot., v. 301; 266. R.P.C., iii. 271-2n; 267. Ibid., 399-400n; 268. Cal.S.P.Scot., v. 512; 269. Ibid., vi. 178; 270. Moysie, Memoirs, 40; R.P.C. iii. 522 and note; Cal.S.P. Scot., vi. 399; 271. Cal. Border Papers, i. 103.

parvenu namely Colonel William.[272] He took little part in affairs latterly and died at St. Andrews on 29 March 1586 being described as "simple and of lyttle action or accomte".[273] Like Bothwell he was a moderate in that he was a Stewart, who afforded a certain amount of support to the Douglas faction, but unlike his young kinsman he was also a moderate by nature. His personality seems to have been mild, which it had need of being as he suffered at the hands of Esme, James and Colonel William Stewart, losing something of importance to each.

Of the prominent nobles not involved in this 1578 survey the earl of Atholl, who succeeded on his father's death in April 1579,[274] and who might have been expected to be vehemently opposed to Morton, did, in fact, take only a very limited part in affairs before Morton's arrest. Unlike his father this new earl was not a catholic[275] and a further reason to expect that he might not follow in his father's political footsteps was given by his marriage. Shortly after his father's death it was reported that he was likely to be married to the countess of Argyll's daughter,[276] and this would have reinforced his position as a leading member of the Falkirk Lords. Instead of this, however, he married Lord Ruthven's daughter, at a time when Ruthven was supporting Morton.[277] The indications given by Atholl, who adhered to the Ruthven raid,[278] that he might be more inclined than his predecessor to act in concert with his protestant Perthshire neighbours continued in the months after the raid. He was not so closely involved in the raid as to be damned by its condemnation but nor does he appear to have been instrumental in the St. Andrews coup.

272. Cal.S.P.Scot., vii. 206; 273. Scots Peerage, v.355; 274.Ibid., i. 445; 275. Ibid.; 276. Cal.S.P.Scot., v.338; 277. Ibid., 372; Scots Peerage, i. 446; 278. Cal.S.P.Scot., vi. 238.

His contact with Gowrie survived this latter event and he was one of those named in April 1584 in the welter of rumours which abounded before the Stirling coup was attempted.[279] Godscroft says that Gowrie's capture hindered the Stirling attack because it discouraged a number of men, including his friends such as Atholl.[280] On Gowrie's execution Atholl continued to work for the welfare of the countess, his mother-in-law,[281] and was warded because he would not divorce his wife, Gowrie's daughter, and entail her estate on Arran.[282] Atholl's relations with Arran do not appear to have recovered from this and on different occasions he is named as planning action against that earl and his regime.[283] When the lords entered Scotland in October 1585, Atholl and the master of Gray took Perth in their name and revealed themselves as their allies.[284]

Chancellor Atholl was obviously on the Falkirk Confederacy and no moderate but his son, partly no doubt as a result of his marriage to Mary Ruthven and the fact that he was not catholic, was more moderately inclined. His support for the Douglas faction such as his adherence to the Ruthven Raid was probably not deep rooted and his hostility to Arran in the later period, no doubt stemmed more from that man's treatment of the Ruthvens than of the Douglases.

The earl of Orkney also played a very small part in affairs but he was elected to the privy council when his kinsman Esme Stewart was gaining influence[285] and his earlier hostility to Morton is underlined by his presence at the escorting of the ex-regent from Edinburgh to Dumbarton Castle.[286] The Ruthven Raid marked the end of Orkney's

279. Ibid., vii. 55; 280. Godscroft, 384; 281. Cal.S.P.Scot., vii. 232; 282. Calderwood, iv. 200; 283. Cal.S.P.Scot., vii. 653,660; Cal. Border Papers, i. 183; 284. Cal.S.P.Scot., viii. 137; Cal. Border Papers, i. 209; 285. R.P.C., iii. 327; 286. Moysie, Memoirs, 29.

brief period of comparative importance and he was understandably hostile to this move against his kin.[287] He inclined towards the Stewarts his kinsmen throughout and no doubt his apparent moderation stemmed partly from the distance between his lands and central Scotland.

The case of William, Earl Marischal, is similar to that of Orkney except that in this case it was the master of Marischal and not the earl who was advanced under Lennox.[288] In 1581 George Keith succeeded his grandfather to become fifth earl.[289] He was to take a greater part in events than his grandfather no doubt partly because of that previous earl's age and he was an adherent of the Ruthven Raid.[290] He was nominated to the privy council after the St. Andrews coup but there is evidence[291] that he regretted the change in political direction which this revolution had dictated.[292] His name is given in a list of those who would be liable to aid the venture in Stirling in April 1584[293] and, although he sat on the assize which condemned Gowrie,[294] it was said that he was commanded so to do and refused to vote therein.[295] If there were any chances of Marischal's becoming an integral part of the Arran regime they were lessened by quarrels which he had with Colonel Stewart[296] and the earl of Huntly.[297] In May 1585 he was one of those northern lords who were reputed to be about to emulate Maxwell's exploits[298] and in October when the crisis came he joined with Atholl and the master of Gray in the field.[299] Marischal's moderation saw him become a Ruthven Raider but he did not suffer for it and he gives the impression of being more at home

287. R.P.C., iii. 508n; 288. Ibid., 323 and note; 289. Scots Peerage, vi. 51; 290. Cal.S.P.Scot., vi. 159, 178; 291. Moysie, Memoirs, 45; R.P.C., iii. 575-6; 292. Cal.S.P.Scot., vi. 519,528; 293. John Colville, Letters, 309; 294. Spottiswoode, ii. 313; 295. Cal.S.P.Scot., vii. 124; 296. Ibid., 147; 297. Ibid., 252-3; 298. Cal. Border Papers, i. 183; 299. Cal.S.P.Scot., viii. 137.

supporting an action than leading it.

Andrew Hay, eighth Earl of Errol, appears to have remained uncommitted throughout these years, quarrelling with Bothwell over priority of place in parliament[300] but otherwise doing little of note. He appears to have subscribed the bond against Lennox[301] but was not an active Ruthven Raider. He tended to be involved more in local and personal rather than national affairs.[302] He does appear in the summer of 1585 to have been hostile to Arran[303] but he died before that earl was overthrown.[304]

The earl of Cassillis is given as an ally of Morton in one list of March 1580[305] but as he was still a boy at that time[306] he would be of little value to the ex-regent, especially as the master appears to have continued his hostility to Morton and accompanied him on his journey from Edinburgh to Dumbarton Castle.[307] Throughout the rest of these years in question, indeed, Cassillis played little part in events on account of his youth.

This group of men, including as it does some of the leading characters and families of the period, may illustrate the fact that the old divisions of the civil war period were breaking down in that men like Lindsay and Ruthven could be seen in parternship with catholic Marians like Chancellor Atholl. More probably, however, it merely illustrates the abundance of different motives which guided men in the course of their actions. Most were led by a sense of self-preservation and self advancement, and only became extreme in their actions when circumstances forced them out on to a political limb.

300. Calderwood, iii. 417; 301. Cal.S.P.Scot., vi. 159, 178;
302. R.P.C., iii. 549, 570-1, 593-4; 303. Cal.Border Papers, i. 183;
304. Scots Peerage, iii. 571; 305. Cal.S.P.Scot., v. 386;
306. Scots Peerage, ii. 473-5; 307. Moysie, Memoirs, 29.

Practical considerations were often more important than ideology, increasingly so as time dimmed the memory of the sharp civil war divisions. Many nobles were prepared to forget political differences of the past in order to unite to overthrow such a man as the overpowerful Arran and to bring back into the political fold the many men who had been forced out by the events of the years gone by.

## Chapter Three
### 1586 - 1595

The ten years which form the subject of this chapter were only marginally less hectic in terms of political upheaval than those which had gone immediately before. The main difference between them lies not in the amount of activity of a revolutionary nature but in the identity of the leading protagonists. Throughout the seven years from 1578 to 1585 it could be argued that it was the protestant, Douglas-based party which most influenced affairs, fighting back after its leader's loss of power to stage the Ruthven Raid and the coup in Stirling in November 1585 with which the previous chapter closed. This next period of ten years, however, was punctuated by three distinct crises with the earl of Huntly, who by this time had come to be recognised as the leader of the catholic party, at the centre of all three. It will be investigated how truly catholic this party was and it will be shown* how it emerged from the party of Arran which lost power in November 1585.

The direct counterpart of this new catholic party will be seen to be a broad-based protestant patriotic party* which was formed by a union of the remnant of the party of the Banished Lords and some others of the nobility hitherto designated as moderates. The reason for this union and its place in the wider spectrum of European politics of the time will also be examined. It will be suggested that both the Arran party and the party of the Banished Lords ceased to exist and in their merging with the catholic and protestant parties respectively, they lost their unique identity of the previous years.

There were, of course, men who did not ever identify themselves fully with either of these parties and two such in particular, John

* see below 170-220; * see below 220-266.

Maitland and Francis, Earl of Bothwell, will merit considerable attention where it will be investigated* how far they could claim to be faction leaders and how far they merely followed their own interests.

## I. THE CATHOLIC FACTION.

As the catholic faction will be seen to have been at the centre of all three major crises, it will be helpful to examine it first and in so doing to give something of an outline of the major events of this somewhat complex period. One of the most remarkable facts of the political history of this entire reign is that James Stewart, Earl of Arran, who enjoyed virtually complete freedom as well as the confidence of his king and who did not die until December 1596,[1] was unable to regain power at any time after his overthrow. This fact would seem to provide further proof, if such were needed, of the hatred which many men had had of the regime of which Arran had been the head.

In the weeks after his overthrow Arran was reputed to be in touch with different nobles, usually those with Catholic leanings,[2] to recover his position in court, but on 12 February 1585/6, Lord John Hamilton, Angus and Mar asked the king that Captain James Stewart and Colonel Stewart should be allowed to leave the country. The king did not like this and said they would go when he pleased.[3] This further re-affirmation of the king's support was no doubt gratifying to Arran, but only two days after this request to the king, Lord John Hamilton took matters further by apprehending Sir William Stewart, Arran's brother, who was deemed likely to "be examined and if necessary punished".[4] The day following this apprehension Colonel Stewart left court[5] and later in the

1. R.P.C., v.360n; 2. Cal.S.P.Scot., viii.188,214; 3. Ibid., 223; 4. Ibid., 224; 5. Ibid.

* see below 266-303.

same month Arran was given permission to leave the realm.[6] Arran made no use of this permission, however, and continued to scheme with a view to regaining influence, in which schemes he was aided and abetted by his brothers[7] who seem to have had the same taste for plotting and double-plotting as himself.

The main immediate effort of this defeated party to regain power came in April 1586 when there was a plot in existence to assassinate several leading courtiers. This was supposedly to have been carried out by Colonel William Stewart,[8] and chiefly involved in it, along with him and Arran, was the Earl of Montrose[9] who had, of course, been one of Arran's leading supporters among the nobility during his time in power. This plan having failed Colonel Stewart returned to the Low Countries[10] and Arran went west, reports differing as to whether Kintyre[11] or Ireland[12] was his place of abode. Colonel Stewart remained out of the political picture for some time after this but Arran was back in circulation by August 1586 when he was again in touch with those earls who had catholic leanings[13] and was described shortly thereafter as "the principal worker of all devices with the Jesuits in Scotland"[14] to which communications and plottings he devoted his energy for the rest of that year.[15]

February 1586/7 saw the execution of Queen Mary and Arran tried to use the strong passions aroused by this event to benefit his own cause. On 31 March 1587 he sent a letter to Claud Hamilton to have been taken by him to the king. The letter contained grave matters. The king committed Angus to ward in Linlithgow Palace and Arran was to be apprehended and to prove his accusations.[16] The exact nature of

6.R.P.S., liii.115v; 7.Cal.S.P.Scot., viii.245; 8.Ibid., 316;
9.Ibid., 307-8; 10.R.P.S.,liv.20r; Cal.S.P.Scot., ix.164-6;
11.Cal.S.P.Scot., viii.316; 12.Ibid., 364; 13.Ibid., 640-1;
14.Ibid., 674; 15.Cal.Border Papers, i.231; Cal.S.P.Scot., ix.95, 147;
16.R.P.C., iv. 157-8.

these accusations is somewhat difficult to ascertain as they were either very many and wide-ranging in content, were merely reported differently at different times or, perhaps most likely, changed character and developed as time passed. It would seem, however, that if the plot was directed originally against the Stirling faction and Maitland, it changed course during April and May and the man who suffered most, either by accident or design, was Patrick, Master of Gray.

The career of Gray will be examined later* but in early March 1586/7 he was said to be entering in confederacy with the earl of Huntly and others who were for the most part catholics, and enemies to the lords who came in at Stirling.[17] Shortly after this Patrick, Master of Gray and Sir William Stewart, brother of Arran engaged in some plotting. The latter accused the former and Maitland of treason and both Stewart and Gray were warded.[18] The exact crimes of which Stewart accused Gray were many and included, conniving at the death of Maitland, advising Queen Elizabeth as to the best method of executing Queen Mary and being guilty of fore-knowledge of the late coup at Stirling.[19] One comment on the proceedings stated that Stewart was discredited although some thought that the motivation for the matter came from the king.[20]

What the "motivation for the matter" was, is not easy to determine. It may be that Arran and his faction had hoped to use Gray to accuse the Stirling faction of some points but now found that he was too heavily involved in different matters and so let him go to the wall. It may be that they duped him into thinking that Maitland was to be put at and not him or indeed that may even in fact have been the original intention. By no means the last possible interpretation of these events, but the final one to be offered here, is that it may have become obvious that

17. Cal. S.P. Scot., ix. 327; 18. Historie of King James the Sext, 226-7;
19. R.P.C., iv. 166 - 8; 20. Cal. Border Papers, i. 257.
* see below 234-6.

Gray would have to face some reckoning over his devious conduct in England and that he and those of Arran's faction resolved to make the occasion one of a general mud-slinging variety - some of which mud was bound to stick to their opponents of the Stirling faction. The suspicion that the King might have been involved is further proof of the continuing affection for Arran which James was thought to harbour. Further, although Sir William Stewart was "discredited" the only punishment he was given was to be sent abroad for three years[21] while Arran's son, also James Stewart, was confirmed in the lands which his father had held.[22]

Arran himself evidently deemed it politic to lie low for a while and little is heard of him for some time but on 13 October 1587 John Wallace of Cragy complained that his process of law against Chancellor Arran had been halted as that man had obtained letters relaxing him from the horn. The lords found that the letters had been wrongfully obtained by the defenders and were null and void.[23] The editor of the Register of the Privy Council remarks in a note on this entry that it indicates the continuing affection which James bore for Arran and that the two had been in fairly constant touch.[24] Colonel William Stewart had been in Denmark much of this time and seems to have decided to carve a new niche in court life for himself as an ambassador. One report of 24 February 1587/8 stated that the colonel was to return home from Denmark with the offer of the king of Denmark's second daughter. He had done better therein than previous ambassadors and his credit stood high.[25] He was, however, still associated with the catholic lords and figured centrally in a plot in August 1588 to kill Maitland and the laird of Carmichael.[26] This plot failed and Colonel Stewart

21.R.P.S., lv.71v; 22.Ibid., 90v-92r; 23.R.P.C., iv.220-1;
24.Ibid.; 25.Cal.S.P.Scot., ix.540-1; 26.Ibid.,601.

returned to Denmark to continue his negotiations.[27] On his home-coming to Scotland again in November 1588[28] he seems to have decided to have done with his old allegiances trusting to gain favour by promoting the king's marriage to the Danish princess.[29] At any rate he played no part in the events which led to Brig of Dee and was reputed more than once to "fain be accounted on the English faction".[30]

If Arran lost one of his main supporters by desertion he lost the other by assassination. On 30 July 1588 "Bothwell encountering Sir William Stewart in the street of Edinburgh with his troop of followers, murdered him most cruelly".[31] This Sir William Stewart, known as "William the Sticker", was, of course, Arran's brother[32] and the man who had introduced the accusations against certain nobles in the spring of 1587 which led to the Master of Gray's disgrace. Not that Bothwell was deemed to be acting on Gray's behalf but rather out of personal hatred and jealousy. Sir William Stewart, if he had gone abroad at all, as instructed after the Gray affair, had not fulfilled his three years' banishment but rather had been around the king and had been the hero of a late expedition to put down a rebellion organised by Lord Maxwell to coincide with the Spanish Armada. He had captured that lord and still had him in his custody. "Elated by that feat, as was supposed, he had, since his return to Edinburgh, had high words on some subject with the Earl of Bothwell, with the result that they had given each other the lie at Court" and hence the slaughter.[33] If Bothwell himself, then, was not avenging Gray's disgrace, it may be that someone else was, for one report says when Bothwell murdered Stewart he, the earl, had in his company, a brother of Patrick, Master of Gray whom Sir William had "dilatit of before".[34] A further possible cause of this mutual

27.Ibid., 602; 28.Ibid., 638; 29.Ibid., 648; 30.Ibid., 681; x. 10;
31.Ibid., ix.586; 32.Scots Peerage, vi.513; 33.R.P.C., iv.306n;
34.Historie of King James the Sext, 237.

antagonism may have been that one of the accusations which this William had brought in April 1587 was that the Master of Gray and others had been guilty of fore-knowledge of the coup at Stirling in November 1585. This may have been taken as implying double-dealing on the part of the lords of the Stirling faction and it was certainly denied by Bothwell and others[35] who may have taken personal offence from it.

Whatever the cause, the murder of Sir William Stewart deprived Arran of his last real supporter and relegated him to the position of pawn in a political chess game being played by other men. In late 1588 rumours that Chancellor Maitland would bring Arran to court[36] were succeeded by ones that this same effect would be accomplished by Huntly,[37] but nothing happened and Arran played no part in the events of Brig of Dee. The degree of isolation which Arran now occupied from the catholic party is instanced by the fact mentioned already* that his brother, Sir William had been the captor of Lord Maxwell. Lord Maxwell's rebellion had been catholic-inspired and aimed at aiding the imminent invasion of the Spanish Armada. Although most of the catholic party, as will be seen,⁂ took no part in this revolt they probably wished it well and the fact that Sir William was so instrumental in putting it down, illustrates how isolated Arran was from the party he might have been expected to support. Like the Stirling faction the party he had headed had been incorporated in a larger unit, in this case the catholic party, and not only was he unable to head this new group he was equally unable to secure a place in it.

The catholic party can claim to be the most cohesive in these years and an indication of its importance can be gained from the fact that the first crisis of this period, Brig of Dee, as well as the other

35. R.P.C., iv.164-6; 36. Cal.S.P.Scot., ix.622; 37. Ibid.

* see above 174; ⁂ see below 181.

two major crises, the murder of the earl of Moray and the battle of Glenlivet, were all closely concerned with this party and with its leader Huntly in particular.

Crawford and Montrose had been more involved with Arran in his regime than had Huntly but all three of them continued to lend support to James Stewart after his overthrow and throughout 1586. Huntly was already being described as the "cheifaste pillar" to the catholic faction[38] and as time passed and it became increasingly obvious that James Stewart would not regain power easily, if at all, it was natural that Huntly, as the leading catholic nobleman in the realm, should become the focus of attention for those whose sympathies lay with the old religion. Those with such sympathies included, of course, Queen Mary, so that it was a natural step for the catholic party to pose as the protector, or rather avenger, of the king's mother. On 7 February 1586/7 "A letter was brought to the King, subscribed by Huntly, Crawford, and Montrose, desiring that he would put hand to his own delivery out of the bondage he was in, and they would take arms with the rest of his loyal subjects to that effect, otherwise they would attempt it by themselves".[39] This "bondage" was presumably the influence of the Stirling faction and their adherents, particularly John Maitland, which could conveniently be blamed by Huntly's party as the cause of the king's apparent apathy over his mother's fate. A large measure of this apathy, no doubt, in fact arose from the king's character, education and his feelings or lack of them, for his mother while at the same time the pose of the catholic party also veiled the jealousy and discontent traditionally to be expected from the party currently out of favour. They were, of course, to a large extent merely using the feelings occasioned by Queen Mary's execution as Arran was also

38. Ibid., viii.426-7; 39. Ibid., ix. 266.

doing.

Huntly, Crawford and Montrose were all involved in the somewhat complex accusations of April and May 1587 mentioned earlier* which chiefly featured Sir William Stewart and the Master of Gray. Gray had reputedly entered into confederacy with these three and others[40] and one source attributes the bringing in of Gray, which resulted in his accusation, to the meeting of Huntly and Lord Claud Hamilton with the king.[41] One of the accusations brought by Sir William Stewart was that Huntly and Lord Claud were one with Gray in French affairs and a plot to kill the secretary.[42] The speculation as to the exact nature of Arran's involvement and aims in this entire episode applies equally to the catholic lords but Huntly, at least, seems to have come out of the affair on the credit side for "The King seems to be greatly displeased with the Master of Gray, and has given Dunfermline to Earl Huntly".[43]

Huntly, of course, was not the only catholic noble in the country nor, for some considerable period of time, was he the most active in that cause, that distinction being enjoyed by John, Lord Maxwell. Maxwell had soon fallen foul of his temporary allies of the Stirling faction and he spent all February and the bulk of March 1586/7 in ward in Edinburgh Castle on account of his religious practices.[44] His rivalry with Angus over the earldom of Morton and the support which he received from the Hamiltons, particularly Lord Claud, coupled with his own religious inclinations, led him into dealings with the Huntly party. In so far as this party contained the rump of the Arran party, Maxwell, who had had an implacable hatred of Arran and who had, after all, marched north with the Banished Lords, could be expected to be

40. Ibid., 326-7; 41. Cal.Border Papers, i.255-6; 42. Ibid., 257; 43. Cal.S.P.Scot., ix.414; 44. Cal.Border Papers, i.218-19; Cal.S.P.Scot., viii.282.

* see above 172.

hostile to it. It has been seen,* however, that Arran's influence was fast declining to be replaced by that of Huntly which also led that party to be identified more truly with catholicism. As Arran's influence declined so Maxwell's support of Huntly's party could be expected to increase with the result that in June 1586 "Lord Maxwell, suspectid in religion, vythe the moste part of the King his motheris factioun ar lyk to beir thaym companye".[45] Maxwell's feud with Angus worsened[46] and he was also in trouble with the government for his failure to take order with the broken men of his name and friends.[47] The upshot of all this was that Maxwell was given leave to go abroad in April 1587[48] which he duly did.

Maxwell remained abroad until April 1588 when he returned, without permission[49] and at a time when fear was mounting in both Scotland and England over the possibility of invasion by Spain. Spottiswoode says that Maxwell had just landed at Kirkcudbright with the intention of promoting an insurrection in western Scotland to aid the expected Spanish invasion of England. The rumour was that the invading Spanish army might even select the West of Scotland for its landing point.[50] An enquiry into the basis for such fears and the need to evaluate Maxwell's rebellion as a contribution, both to the activities of the emergent catholic party in Scotland, and to the wider European effort to restore catholicism in England and Scotland, dictates a brief look at the wider stage of European politics.

At the beginning of 1587, around the time of Queen Mary's execution, events in Europe seemed to be moving rapidly towards the crisis which had seemed inevitable virtually since the Reformation. The rise of protestantism which had alienated England from Spain and the house of

45. Cal.S.P.Scot., viii.427; 46. Ibid., ix.147-8; 47. Moysie, Memoirs, 58; 48. R.P.S., lv.47r; R.P.C., iv.158-9; 49. R.P.C., iv.275; 50. Spottiswoode, ii.383.

* see above 176.

Burgundy had not led to any immediate hostility, for Spain had refrained from taking any violent action against England for fear of driving her into the arms of France. Equally, England did not wish to weaken Spain to the benefit of France which would thereby gain influence in Flanders to match that which she had always had in Scotland. The more immediate cause of this particular political crisis was the accession to the French throne in 1589 of the Huguenot, Henry of Navarre. If France followed the example of her king and became protestant the chances of England allying with her against Spain would greatly increase. England could no doubt foresee a great protestant confederacy in Europe led by herself and her attitude towards Spain hardened as could be seen in her protection of the revolted Spanish Netherlands.

Spain could foresee equally well this alarming possibility and used a variety of different policies to try to avert it; one of these policies was the encouragement, both moral and financial, which Spain afforded to the Scottish catholic party. To put matters in a proper perspective, however, it seems clear that throughout the whole Armada period, and beyond, the aims of the Scottish catholics and those of King Philip 11 of Spain were entirely divergent and there was little real chance of any effective aid coming from Spain to the catholic party. The idea of that party seems simply to have been to make Scotland a catholic country and to convert King James, so that he would secure Spanish support and thereby succeed to the kingdom of England which he would then proceed to convert to catholicism in its turn. This had been a popular idea with the Guises also but it had little chance of success largely due to the nature of the king himself who had no intention of becoming a catholic despite whatever protestations he might make or might suffer to be made on his behalf which might seem capable of such an interpretation. King Philip seems to have

realised this well enough but still, almost until the death of Queen Elizabeth, it suited the Spaniards to encourage the Scottish catholics and to keep them in hand to be used as a diversion in case of need. A further factor which would be likely to dictate that any action taken or encouraged by Spain in Scotland would be no more than in the nature of a diversion was the fact that just across the water from Scotland lay Ireland which seemed a much more attractive base. In Ireland, Spain would not have to reckon with a protestant King or a protestant population but with a whole people with a hatred of England.

This was the background to the constant negotations and exchanges of information which were carried on between the Scottish catholics and Spain during these months in which a Spanish invasion of England came to appear increasingly likely. With this state of affairs in Europe Maxwell's return to Scotland may well have appeared likely to herald a full-scale catholic rising timed to supplement the Spanish invasion of England and, reinforced in numbers and strength by other Scottish nobles, who, although not catholics, wanted to see England humbled as an act of revenge for the execution of Queen Mary.

The main catholic faction led by Huntly had not been inactive during Maxwell's banishment and was probably equally well aware of the imminence of the Spanish invasion. At the parliament in July 1587 when Maitland asked the king to lead all the nobility against England to avenge the death of Queen Mary[51] the earls of Huntly, Montrose and Crawford were all present[52] but no doubt realised this to be a mere charade. In October Huntly apparently tried personally to persuade the king to break with England over the issue of Queen Mary's execution but he was told by the king that in such matters "he will not be ruled by" others.[53] When persuasion produced no effect the threat of force

51. Cal.S.P.Scot., ix.476; 52. A.P.S., iii.427; 53. Cal.S.P.Scot., ix. 489.

was resorted to and in January 1587/8 it is reported that "Huntlie and the lords of his factioun hes maid ane band amanges thame, and hes gadderit thier forces together, twa or thre sundrye tymes" to separate the king from those around him.[54] Different sources ascribe to either January or February 1587/8 a meeting of the lords of this faction which took place at Linlithgow[55] and, as a result of which, it would appear, Huntly and Lord Herries were sent as representatives to the king.[56] A further attempt was made at the end of March 1588 when Huntly, Montrose and others came to court. They desired some officers of court to be changed. They desired that Huntly might be made captain of Edinburgh Castle, Lord Claud chancellor, Colonel Stewart, captain of the guard. But the king would not yield.[57] Further such plotting was still being carried on in April 1588 when Maxwell returned from abroad.[58]

Maxwell was in open rebellion in May[59] and it must have seemed a distinct possibility that he would be joined in insurrection by the catholic earls. Instead, Maxwell's revolt was crushed, he himself was captured and by 20 June 1588 his friends were reputedly "practising to save Maxwell's life".[60] His revolt was, in fact, premature due to the fact that the sailing of the Armada was constantly being deferred. The eventual defeat of the Armada in the summer of 1588 meant that Maxwell's revolt took on no more than the colour of yet another outbreak of disorder in the southwest which was seldom the most peaceful corner of Scotland. Unlike Maxwell the catholic earls had not committed themselves so far in advance of the Armada and so its defeat did not mean their downfall. There had indeed been indications in the summer of 1588 that Huntly at least was prepared to make arrangements of a peaceful

54.Ibid., 536; 55.Cal.Border Papers, i.308-9; Calderwood, iv.676-7; Moysie, Memoirs, 66; 56.Moysie, Memoirs, 66; 57.Calderwood, iv. 677; 58.Cal.S.P.Scot., ix.559; 59. R.P.C., iv.278, 286 and note; 60.Cal.S.P.Scot., ix.575.

nature, perhaps, as a precaution against the defeat of the Armada.

In September 1586 "be the Kingis Majesteis speciall avise" a marriage had been contracted between Huntly and Henrietta Stewart, sister of Ludovic, Duke of Lennox.[61] Obviously such a marriage could do nothing but enhance Huntly's prestige in the country and his position in the king's affection. When it came to the time for the marriage to be completed in the summer of 1588 the Kirk wanted the king to refuse Huntly permission to marry until he had professed his faith in the reformed religion.[62] Huntly then was in no position to risk antagonising his king by overt acts of treason in the Spanish interest and on 21 July 1588, around the time the Armada was sailing, it was reported that the king had brought Huntly to be a convert and he subscribed, submitting himself to the church.[63] At the height of the Armada crisis Huntly and Crawford were both evidently regarded as being sufficiently trustworthy to warrant their being placed in charge of resistance to the Spaniards in certain areas.[64] Crawford had even been appointed as a commissioner for Forfar against jesuits and rebels,[65] but neither Montrose nor, less surprisingly, Maxwell, who was still in ward,[66] was involved in the preparations being made for the defence of the country.

Huntly's basic allegiances had not changed, however, and with his marriage safely completed he felt sufficiently confident to free from prison one Colonel Semple, who was being held on account of the fact that he was known to have had dealings with Spain.[67] He also devoted much of his energy in the remaining months of this year to the prosecution of his quarrel with chancellor Maitland[68] who was exercising considerable influence over the king. The news of the complete defeat of the Spanish Armada eventually reached Scotland and must have confirmed

61.R.P.C., iv.103; 62.Ibid.,297n; 63.Cal.S.P.Scot., ix.583;
64.R.P.C., iv.306-8; 65.Ibid., 301; 66.Cal.S.P.Scot.,ix.592;
67.Ibid., 595; 68.Ibid., 601, 620, 622.

Huntly in his opinion that he had been wise to wait on events. He again showed himself to be full of peaceful intentions but the reasons behind this were not misunderstood. "Huntly has written a letter to the King of submission, promising obedience in religion and otherwise, craving pardon, and offering submission to the church. The papists are out of hope to prevail by force now the army of Spain is broken, and show better conformity than before this victory. 'The King hath sent the Earle of Huntlie to his house in the north, and thare as he shall reforme himself in religion, so he shall find his favour towardes him'".[69] Whether or not this favour of the king's took the form of making Huntly captain of the guard, at the expense of the Master of Glamis, is uncertain but it is so reported in more than one source.[70] What seems beyond dispute is that once again "The Spanish faction begins to grow in great credit"[71] with the inevitable result that "The factions here growe jelious on of another".[72] This latter observation was made on 8 February 1588/9 and just one week later were discovered certain letters which precipitated a crisis between the catholic party and the king.

One Thomas Pringle, a servant of the Spanish trafficker Colonel Semple mentioned above,* was captured in England and on his person were found a number of letters from Huntly, Maxwell and Lord Claud Hamilton.[73] These letters bemoaned the fact that the Spanish fleet had not come to Scotland and offered that if forces were sent, even yet, Spain would find a great deal of support in Scotland for any action against England.[74] Other letters contained information which incriminated the Earls of Errol, Crawford and Bothwell in Spanish designs.[75] The catholic party had, of course, been carrying on negotiations with Spain for some con-

69.Ibid., 628; 70.Moysie, Memoirs, 71; Calderwood, iv.696;
71.Cal.S.P.Scot., ix.646; 72.Ibid., 677; 73.R.P.C., iv.820-1;
74.Calderwood, v.14-35; 75.Ibid.

* see above 182.

siderable time and it may well be that the king had been fully aware of them. Whereas at the time of Queen Mary's death and immediately thereafter it may have suited King James to suffer the catholic earls to continue their plotting as a kind of veiled threat to England, by this time, when the affair of his mother's execution was a thing of the past and, more importantly, the Spanish Armada had failed, he now had nothing to gain from such double dealing. Furthermore the fact that the packet of letters was found in England and was sent officially to King James accompanied by a severe lecture from Queen Elizabeth,[76] meant that the king would have to take some kind of immediate action or risk incurring, at the very least, the English queen's grave displeasure.

On the arrival of these letters in Scotland, sent by the English government with a view to the punishment of those therein exposed as Spanish traffickers, the earl of Errol, the bailie of Errol and [illegible] Gordon of Cluny, "chief counsellor to Huntly", who were all with that earl in the king's presence, fled.[77] Huntly, however, chose to brazen the matter out and although he was sent as a prisoner to Edinburgh Castle,[78] he probably shared the opinion of one observer of the matter who wrote: "The letters lately come hither touching the practice with Spain are like to make strange work in this country; as yet it is doubted the rather by the King's too much affection to Huntly ... Few keep Huntly company".[79] If Huntly put his trust in the king's affection it appears to have been well placed for he was soon freed from his ward[80] and united again with Errol.[81] Apart from the king's affection, other reasons were advanced for the apparent royal clemency such as "he dealeth thus mildly with him to lay hands on others ... The

76. Ibid., 7-8; 77. Cal.S.P.Scot., ix.699; 78. Ibid., 698;
79. Ibid., 700-1; 80. R.P.C., iv. 364n; 81. Moysie, Memoirs, 73.

faction is strong and the King afraid to deal with them till he hath strengthened himself and laid hands on such as be most dangerous".[82] Yet Huntly was evidently the most dangerous and the king freed him. A further explanation of the king's conduct was sought by a look at his close advisers: "Alexander Lindsey is the King's best beloved minion; a proper man, and Huntly's wholly. There is not one in the chamber or of the stable, ... but are Huntly's, except Roger Aston and Richard Colborne ... These men have the King's ear, and work great effect for Huntly".[83] Important as this no doubt was, it seems more likely that the king's leniency with Huntly both at this stage and later sprung from the fact that he had known all along that the catholic party was in touch with Spain and had been content to allow this to continue, if not actually to encourage it. The king probably realised how unlikely it was that Spain would ever use Scotland as her main base and calculated that he could afford to keep England in fear by his toleration of the Spanish trafficking. Now that England had direct proof of that traffic and now that she could afford to present Scotland with the same, the Armada having been defeated, King James must needs take action against these traffickers. It seems likely that he had resolved not to punish the earls too harshly.

Speculation over the king's motives soon became redundant as the need for action increased for by 2 April 1589 "word come that the northland lordis wer upone the feildis, and conuenit at Brechin".[84] The lords came south but an attempt to seize the king was thwarted[85] and caused them to retire northwards once more.[86] The king marched north against the rebels and encountered them at the Brig of Dee, near Aberdeen, where they refused to fight against the royal person

82.Cal.S.P.Scot., ix.705; 83.Ibid., x.17; 84.Moysie, Memoirs, 73;
85.Cal.S.P.Scot., x.26; 86.Ibid., 27.

and dispersed.[87] The king followed Huntly further into his own lands and captured him,[88] while Bothwell and Crawford were also taken,[89] and after trial were confined in Borthwick, Tantallon and St. Andrews respectively.[90]

Montrose and Crawford have already been seen* to have been supporters of Arran who had transferred their allegiance to Huntly and they were heavily involved throughout the Brig of Dee affair. Montrose did not "come in" until June 1589[91] no doubt discouraged to do so by reports that Huntly had said "that Montrose was the principal counsellor of any nobleman in this matter".[92] He too was warded[93] for a while but was only punished by a fine of 2,000 crowns.[94] Crawford had been implicated in the letters found on Thomas Pringle and was said, by one of them, to have been converted to catholicisim by Father William Creichton.[95] When he came in and offered to stand trial he pointed out that his crime consisted only of conferring with the rebels and that before they were denounced rebels and "he bare no arms in their company".[96] The reason for his non-attendance at Brig of Dee may well lie in an event which happened on the earls' retreat north namely their capture of the master of Glamis. Glamis was, of course, Crawford's great enemy and was at this point raising forces for the crown against the rebel earls. Consequently "Crawford would have slain him, (the Master of Glamis) but Erroll and Huntly would not suffer it, whereupon Crawford retired in discontentment".[97]

John, Lord Maxwell, was implicated in Spanish trafficking by Pringle's letters but he took no part in events at Brig of Dee on account of the fact that he was still in ward as a result of his own revolt in May 1588. He was, in fact, not released from ward until September

87.Calderwood, v.54-55; 88.Cal.S.P.Scot., x.51; 89.Ibid., 69;
90.Moysie, Memoirs, 77; 91.Cal.S.P.Scot.,x.102; 92.Ibid., 85;
93.Ibid.,102; 94.Ibid.,137; 95.Ibid.,ix.689; 96.Ibid., x.69;
97.Ibid.,38.
* see above 176.

1589, according to Calderwood "to attend upon the arriving of the Queen".[98] Another man implicated by these letters, in one of which he was reputed to have been converted to Roman Catholicism by Father Edmond Hay, his kinsman,[99] was Francis Hay, 9th Earl of Errol. He was related to the earl of Huntly by marriage[100] but his inclusion in this party may be due principally to this conversion. He had been less involved than Montrose or Crawford in the plottings of the catholic faction under Huntly but had been present at their meeting in Linlithgow in February 1587/8 when they "meant to have got the King into their hands".[101] He was present at Brig of Dee[102] and was not captured thereafter,[103] not gaining the king's pardon for his rebellion until 4 August 1589.[104] He was described by Huntly as "most earnest against the religion and for the Spanish faction".[105] This may well, however, have been a case of Huntly blaming one who was not captured and so could not be questioned, as he had done also with Montrose.

Another lord who was implicated in the Spanish communication by Pringle's letters was Lord Claud Hamilton. Unlike Lord John, his brother, he of course, had never been one of the Stirling faction and was no sooner back in Scotland than he was reputedly joining with the catholic lords to overthrow the new regime.[106] He himself was described as a catholic at this point[107] and his allegiance to Queen Mary certainly continued unabated with the consequence that he and his brother were among those most willing to invade England to avenge her execution.[108] He was involved with Huntly in the accusations of Gray by William Stewart[109] and was suspected to have won his brother Lord John to be of the conspiracy of the killing of the Chancellor, the

98.Calderwood, v.59; 99.Cal.S.P.Scot., ix.689; 100.Scots Peerage, iii. 571; 101.Cal.Border Papers, i.308-9; 102.Cal.S.P.Scot., x.38, 41; 103.R.P.C., iv. 384n; 104.Ibid., 406; 105.Cal.S.P.Scot., x. 85; 106.Ibid., viii.220; 107.Ibid.; 108.Ibid., ix. 275; 109.Ibid., 327; Cal.Border Papers, i. 255-6.

Master of Glamis, Justice Clerk and others.[110] He was at Linlithgow with the rest of the catholic party[111] and when that party's representatives saw the king in March 1588, one of their demands was that Lord Claud should be made chancellor.[112] After Lord John's appointment as one of the king's ambassadors for Denmark in April 1588,[113] he and his brother appear to have parted company politically and Lord Claud was not involved in any of the government's activities against Jesuits, rebels and possible Spanish invasion in the summer of 1588. He did apparently profess himself to be a protestant at this point[114] but did not allow this to diminish his involvement with the Spanish faction. When Huntly was freed from his brief ward over the Pringle letters it was Lord Claud, equally implicated in these epistles, who took his place in captivity.[115] By this means he avoided participation in the events at Brig of Dee but was not released from ward until August.[116] Lord Claud's involvement with the catholic faction seems to have sprung mainly from his loyalty to Queen Mary. He was also related to Huntly,[117] was described on occasions as a catholic and never did seem as ready as his brother to forgive those such as the Douglases and Erskines who had been his enemies during the civil war.

The earls of Caithness and Sutherland were others who were linked to Huntly both by religion and family ties and were to be found within the ranks of his party. George Sinclair, 5th Earl of Caithness, was married to Jean Gordon, Huntly's sister,[118] while Alexander, 11th Earl of Sutherland, a fellow Gordon, and a member of a cadet branch of the Huntly line, was married to Jane Gordon, Huntly's aunt, having previously been married to Barbara Sinclair, Caithness's aunt.[119] They both reputedly convened at Linlithgow with the rest of the catholic faction[120]

110.Cal.Border Papers, i.298-9; 111.Ibid., 308-9; 112.Calderwood, iv. 677; 113.R.P.S., lvii.96r-96v; 114.Cal.S.P.Scot., ix.602; 115.R.P.C., iv.364n; 116.Cal.S.P.Scot., x.146; 117.Scots Peerage, iv. 541; 118.Ibid.; 119.Ibid., viii.344; 120.Cal.Border Papers, i.308-9.

but their many links of marriage and their common religion were not sufficient to prevent the two of them from quarrelling with each other, which stopped them from being with Huntly at Brig of Dee.[121]

As with Huntly similarly Lord Maxwell was not without support among his kin. William Maxwell, son of Lord Maxwell's cousin, John Maxwell, had succeeded his father as Lord Herries and had succeeded to the Maxwell religion - catholicism.[122] He convened with the other catholic lords at Linlithgow in February 1587/8[123] but he did not join with Lord Maxwell in his rebellion in May, later in that same year.[124] Nor does he appear to have been implicated in Pringle's letters nor present at Brig of Dee. Even the laird of Johnstone, Maxwell's traditional enemy, seems to have allowed himself to be swayed sufficiently in his policy by his marriage to Lord Herries' sister,[125] to convene with Lord Herries and the other catholic lords at Linlithgow.[126] He does not seem to have been a catholic, however, and is not to be regarded as of that party, or indeed as of any party at this point being more involved in local than national considerations.

Another earl who must be regarded as being of the catholic faction at this point is the young earl of Moray. In view of later events it is a surprise to find this James Stewart described on 7 January 1588/9 as "papiste and friende to the Erle of Huntly".[127] His involvement does not appear to have been very deep and it should be remembered that his kinsman, the earl of Bothwell, who was, like Moray, to become something of a hero in the eyes of the Kirk, was also on the side of the catholic lords. Equally, of course, it should be remembered that Moray's father, Lord Doune had been a principal adherent of Esme, Duke of Lennox, during his regime which also had been linked with catholicism

121.Cal.S.P.Scot., x.46; 122.Scots Peerage, iv.413-14; 123.Cal.Border Papers, i.308-9; 124.R.P.C., iv.286n; 125.Cal.S.P.Scot., ix.533; 126.Cal.Border Papers, i.308-9; 127.Cal.S.P.Scot., ix.666.

and foreign trafficking.

A family traditionally associated with Queen Mary and catholicism was that of Lord Seton and although not involved to any great extent in the events of these years its influence was still used for the same cause. Robert, 6th Lord Seton, Sir John Seton and Alexander Seton, Prior of Pluscarden, brothers, and sons of George, 5th Lord Seton,[128] who had been an ardent supporter of Queen Mary, were all described at different times as catholics or "but indifferently affected".[129] Sir John, in particular, was high in royal favour at this time, having been made Comptroller on 8 July 1587.[130] Bothwell apparently expected Lord Seton to join with him in April 1589[131] but he did not do so. Whether or not his absence can be explained thus: "Seton ... and sundrie others suspected to favour the discontented, were commanded to retire themselves"[132] is uncertain but he evidently enjoyed sufficient royal trust to be on the assize of the rebel lords the following month.[133] Similarly Lord Livingston, associated closely with Queen Mary, is generally described as ill-affected[134] but played little part in events and was, along with Lord Seton, one of those who were commanded to retire themselves at the time of Brig of Dee for fear they would favour the rebels.[135]

Like Lord Maxwell and the earl of Huntly, Montrose was another rebel lord who had one of his kin as a leader in the catholic faction. This was David Graham of Fintry, one of the most active catholics in Scotland at this time. He had caused considerable consternation in the summer of 1587 when it was rumoured that he was to succeed Maitland as secretary on that man's elevation to the chancellorship.[136] The

128.Scots Peerage, viii.588-9; 129.J.Colville, Letters, 312; Cal.S.P. Scot., x.128(This document is mis-dated. It refers to events in July 1587); ix.624,668; 130.R.P.S., lv. 98r; 131.Cal.S.P.Scot., x.44; 132.J.Colville, Letters, 91; 133.Spottiswoode, ii.397; 134.Cal.S.P.Scot., ix.667,703; 135.J.Colville, Letters, 91; 136.Cal.Border Papers, i.263; Cal.S.P.Scot., ix.453.

General Assembly complained about him as a catholic[137] and in October 1588 he is described as one of "The chief of the papists and discontented persons",[138] being charged to depart the country shortly thereafter.[139] Montrose stood surety for him in December 1588 that he would leave the country[140] but in February 1588/9 he was still in prison in Dundee.[141] He contrived to escape from his confinement, joined the other rebel lords,[142] was presumably at Brig of Dee and was denounced rebel along with his chief, Montrose, on 11 June 1589.[143]

The catholic-based, pro-Spanish party was then, at this stage, very large, containing many men of great power. They had not been defeated at Brig of Dee, not being willing to fight, and none of them suffered greatly for their part in this so-called rebellion. The king's leniency to them after their capture again argues in favour of the theory that he was going through the motions of pursuing them for the benefit of England. His own knowledge of their communications earlier, meant he was hardly likely to proceed to extremes against the catholic faction. He was much criticised for his leniency but it was typical of his attitude to the catholic faction throughout this period. This faction has been seen* to have moved on from the Arran faction, jettisoning the earl in the process and become a more catholic-orientated group, containing also men who were interested primarily in revenging Queen Mary's execution.

With the restoration of peace after the Brig of Dee affair, the catholic faction dropped its level of activity somewhat. There were early indications that at least one of those principally involved, Errol, was somewhat aggrieved at the position in which he found himself

137. Calderwood, iv.660; 138. Cal.S.P.Scot., ix.624; 139. Ibid., 647; 140. R.P.C., iv.337; 141. Cal.S.P.Scot., ix.687; 142. R.P.C., iv.373; 143. Ibid., 394.

* see above 176.

and blamed his leader, Huntly. Huntly's description of Errol to the government as the "most earnest against the religion"[144] was answered in turn in August 1589 when Errol accused Huntly of many things which made King James "think worse of Huntley than ever".[145] Once King James was out of the country, however, on his journey to Denmark for his bride, Huntly renewed his quarrel with his traditional enemies the Forbeses,[146] but Bothwell, in his new role as arbiter in such disputes, came north to try and secure agreement between the parties.[147] Huntly also had quarrels at this time with the earls of Atholl[148] and Moray[149] while the master of Gray was proceeding at law against him for Dunfermline Abbey.[150] The lords of the catholic faction continued to meet together on occasions but relations between Huntly and Errol were worsened by the slaughter of James Hay, kinsman of Errol, by Andrew Hareng servant to Huntly.[151] As a reprisal for this "Arrell hath taken the escheat of Alexander Corden, brother of Huntlay, and of the Countesse of Arrell, wife of the said Alexander, and mother-in-law of Arrell. Corden and the Countesse his wife are at horne in civill actions, whereupon Arrell hath obtained and levieth their escheits".[152]

These were more personal quarrels, however, and on 8 March 1589/90 it was remarked "This Spanish faction hold themselves very quiett".[153] It was also suggested later in the same month that "They often come together to do their devotions at a common mass rather than to deliberate of matters of state" but as a cautionary note was added "yet foreign forces are still looked for".[154] Those who were not of the catholic faction would no doubt be content to see such quarrels as that between Huntly and Errol materialise. Sir Robert Melville of Murdocairny, indeed, was thought to push forward a marriage between Errol and Morton's

144.Cal.S.P.Scot., x.85; 145.Ibid.,132; 146.Ibid.,184,191; 147.Ibid., 196; 148.Ibid., 200,202; 149.Ibid.,202; 150.Ibid.; 151.Ibid.,849; 152.Ibid.; 153.Ibid., 853; 154.Ibid., 257.

daughter in order "to draw Errol from Huntly".[155] At this time also Huntly apparently sought leave to go abroad but any decision was deferred to be made by the king on his return[156] as Huntly no doubt knew it would be.

On the king's return from Denmark it seemed at first as if he would turn against Huntly. James entered into the abbacy of Dunfermline previously enjoyed by Huntly's wife,[157] with a view to giving it to his new queen. The castle of Spynie, pertaining to the bishopric of Moray, which formed one cause of the quarrel between Huntly and Moray,[158] had been given by the king to Alexander Lindsay, brother of the Earl of Crawford and Huntly was now commanded to give it up.[159] Further the king's journey home from Denmark had been preceded by rumours that he would institute, on his return to Scotland, new methods of government which would tend to the elevation of crown servants at the expense of the nobility.[160] The reputed reaction to this in Scotland was a conspiracy "that the King may govern with his nobility in wonted manner". The king's reaction to this in turn was said to be a suspicion that the said conspiracy sprang from those involved at Brig of Dee and an intention to ward Huntly, Bothwell, Errol and Montrose.[161] Further action was taken against Huntly when he and Sir Patrick Gordon of Auchindoun, his uncle, were commanded to present Mr. James Gordon, another of Huntly's uncles and an avowed jesuit, before the privy council by 20 June.[162] Attempts were continuing to woo Errol by means of the proposed marriage to Morton's daughter.[163] It seems, however, as if the king in his treatment of Huntly, was giving the catholic party a timely reminder of the fact that they had but recently been rebels and that if he had not punished them very

155.Ibid., 281; 156.Ibid., 285; 157.Ibid., 298; 158.Ibid., 277; 159.Ibid., 298; 160.Sir J. Melville, Memoirs, 373; 161.Cal.S.P.Scot., x.300; 162.Ibid.,301-2; R.P.C.,iv.484; 163.Cal.S.P.Scot.,x.281.

severely for that, that should be taken as a sign of magnanimity and not of weakness. A further, and perhaps more potent, reason for the king's actions, however, is revealed by Bowes who reported on 4 June 1590 that he had travailed with the chancellor in accordance with his instructions to persuade the king to suppress the associates of the Brig of Dee. The king said he had commanded the laird of Auchindoun to bring the bond of Brig of Dee to him, and he thought Huntly would submit, otherwise he would deal with them. The king sought to draw Errol from the others and learn certain matters from him.[164]

Throughout the remainder of June 1590 Huntly carried on negotiations with the king over the different points at issue between them namely Dunfermline, the bishopric of Moray, the Brig of Dee bond, and Mr. James Gordon.[165] There were rumours of Huntly, his wife, Auchindoun and Mr. James Gordon all wishing to go abroad at different stages of these negotiations[166] but on 1 July 1590 the king declared that he did not intend to pursue anyone for his part in Brig of Dee.[167] The king's favour towards the catholic party began to increase. On 13 July 1590 Huntly was appointed to assist Campbell of Glenorchy against the Clan Gregor[168] and on the 23 of the same month the king was reported as arguing that the catholic lords had done little amiss since the remission he granted them before his trip to Denmark.[169]

The king was evidently being pulled two ways. The same report on 23 July went on to state that "Bowes and Sir John Carmichael had tried to persuade the king to take strict action against the rebels but Glamis had employed Blantyre to encourage the king to be lax with them".[170] As a result of these differing influences perhaps, the king's attitude

164. Ibid., 310-11; 165. Ibid., 330-1; 166. Ibid.; 167. R.P.C., iv. 501; 168. Ibid., 509-10; 169. Cal.S.P.Scot., x. 362; 170. Ibid., 362-3.

to the catholic party seemed to vary with each week that passed. For its own part, the catholic faction does seem to have been maintaining its traditional foreign links for on 2 October 1590 it was said that "Sir Alexander Stewart is ready to go to the Duke of Parma with letters of credit from Huntly, James Gordon and Maxwell".[171]

Almost all Huntly's personal quarrels, which were increasing in number, seemed likely to be ended amicably during the months of October and November 1590, when it was reported that he had agreed successfully with Atholl,[172] Alexander Lindsay[173] and the Grants.[174] Attempts were also being made to reconcile Atholl and Errol in their disagreement.[175] This peaceful situation was ended at the end of November, however, by an incident at Darnaway Castle in Moray in which Huntly and the earl of Moray clashed.[176] This ended the agreements reached previously with Atholl[177] and with the Grants and had Bowes and the chancellor reminding the king of the danger of the Brig of Dee faction.[178]

If this incident, which will be examined in more detail later* in an analysis of the roots of the Huntly-Moray feud, had the effect of causing the anti-catholic faction at court to tighten their ranks, it also had the effect of unifying that catholic faction again. On 18 December, Huntly was reputed to have "newlie banded with Montrose and other noblemen"[179] while on 25 January 1590/1 it was rumoured that Huntly, Errol and Montrose and others were to convene at Montrose.[180] It soon became clear, however, that the worsening situation in the Moray area, principally stemming from Huntly's feud with Moray, was regarded by the catholic faction as Huntly's own personal affair rather than that of their party. As the two sides in the dispute began to draw together forces against any crisis, those who were said to be

171.Ibid.,400; 172.Ibid.,410; 173.Ibid.,411; 174.Ibid.,422; 175.Ibid.,410-11,412; 176.Ibid.,428; 177.Ibid.,425; 178.Ibid.,429; 179.Ibid.,437; 180.Ibid.,454.

* see below 238.

supporting Huntly were largely Gordons, other Aberdeen lairds, the earls of Caithness and Sutherland, both already seen* to have been closely related to Huntly, and others who were directly and personally involved in the dispute.[181] No mention was made of Errol, Montrose or Crawford and it had to be assumed that while their sympathies probably lay with Huntly, they felt that he was sufficiently powerful to deal with a quarrel of this nature, without any help from them.

The disputes among the lords of the Moray area continued both in the field and at law. Huntly met with Marischal, a new recruit to his faction, won to it temporarily through his quarrel with Maitland, and with commissioners for Errol and Montrose on 19 June 1591 when it was agreed to come to court and lessen the Chancellor's power.[182] This policy seems to have succeeded for Huntly appears to have established a good relationship with the queen which saw him rise in favour at court.[183] Huntly aided the king in his running feud with Bothwell which was increasingly coming to dominate James' thinking.[184] In return Huntly was permitted to make progress towards satisfactory solutions for some of his problems. The king was reputed to intend to give him Kelso in recompense for Dunfermline.[185] It seemed increasingly likely that Huntly would gain the lieutenancy against law-breakers in the north which he sought[186] and there was even talk at one stage that he and the king would march together to Atholl with a force.[187]

Two trends, already noted*, were emphasised during the course of November and December 1591, namely that Huntly was conducting his own quarrel, largely unaided by the rest of the catholic faction and also that he was prosecuting this quarrel most effectively and was becoming a considerable force in the land in the progress. A report of 10

181. Ibid., 462; 182. Ibid., 532; 183. Ibid., 541, 552; 184. Ibid., 550-1; 185. Ibid., 560; 186. Ibid., 547, 552, 557; 187. Ibid., 569.
* see above 188; * see above 195-6.

November 1591 brings home sharply both these points when it says "Huntly desired the place in Session, (to be vacated by the Master of Glamis) aspiring to be afterwards Chancellor: this being noticed by the Chancellor, he laboured more diligently for Montrose: Huntly smothers his grief for the time ... Marischal, Errol, Forbes and others have banded themselves for mutual defence against Huntly".[188] The following month it was said that the chancellor appeared to have lost some credit and others such as Huntly now had influence with the king,[189] while early in January it was rumoured that Huntly was to be made marquess and earl of Ross.[190] While the degree of fraction in the catholic party may have been exaggerated due to wishful thinking on the part of observers, particularly English ones, it does seem that there was a very considerable degree of disunity in the faction on the eve of the event which marks the second important crisis in which it was to be involved. Huntly had been prosecuting his quarrel with Moray relentlessly and, duringthe night of 7/8 February 1591/2, he murdered him.[191]

The details of this murder and its causes will be examined shortly* but a closer look at the strength and personnel of the catholic party at this time, is called for. Crawford had been warded in St. Andrews for his part in Brig of Dee. His traditional enemy the Master of Glamis was said by one report to have pleaded for his life[192] but by another to be "malcontent with the Chancellor that Crawford is not executed".[193] Thereafter Crawford seems deliberately to have tried to withdraw from public affairs and throughout 1590 little was heard of him apart from one request for a safe-conduct to pass through England on his way abroad, which was eventually granted.[194] In

188.Ibid.,586; 189.Cal.Border Papers. i.390; 190.Cal.S.P.Scot., x.619; 191.Ibid., 633-4; 192.R.P.C., iv. 389n.; 193.Cal.S.P.Scot., x.102; 194.Ibid., 851,281,292.

* see below 237-9.

February 1590/1 he went through one of his periodic reconciliations with the master of Glamis[195] and later in 1591 further efforts were made to secure a more effective reconciliation.[196] This latter attempt was to be advanced by a number of nobles including Errol, Atholl and Moray and was apparently made against chancellor Maitland's will[197] and no doubt with a view to discourting him. Crawford then can be seen to have been involved with Errol in certain schemes but he seems in no way to have been involved with Huntly in his dispute with Moray.

Montrose and Errol had both escaped apprehension after Brig of Dee. Montrose's quarrel with Atholl which will be examined later,* ensured that he would look with sympathy upon Huntly's feud with that earl and Moray. When Errol was debating in April 1590 whether or not to marry Morton's daughter, Montrose joined his voice to that of Huntly in urging Errol against that match and counselling him to keep his old friends.[198] He, like Errol, appears to have become involved in Bothwell's schemes to a far greater extent than Huntly.[199] In November 1591 he secured the office of the treasury which he had held previously until the raid of Stirling.[200] Despite any differences in emphasis between him and Huntly, the two nobles had not fallen out and were, along with Lord Maxwell, reputed to be "carrying the sway in Court" in January 1591/2 on the eve of Moray's murder.[201]

As with Montrose so with his kinsman David Graham of Fintry who continued to be a leading light in the catholic party after Brig of Dee. He was closely involved in the schemes of the jesuits[202] but also had dealings with Bothwell[203] who enabled Fintry, during the king's absence in Denmark to recover the fortalice of the Mains which he had forfeited as a result of Brig of Dee.[204] Fintry continued to be in

195.Ibid.,459; 196.Ibid.,590; 197.Ibid.,592; 198.Ibid.,285; 199.Cal.Border Papers,i.381; Cal.S.P.Scot., x.569; 200.Cal.S.P.Scot., x.590; 201.Ibid.,626; 202.Ibid., 100, 202; 203.Ibid.,251, 258, 294-5; 204.R.P.C., iv.494-5.

* see below 240.

trouble with authority, particularly the General Assembly of the kirk, over his religion[205] as a result of which in May 1591 he was warded.[206] Although closely involved with the catholic faction in these years he too played no part at all in Moray's death.

It has already been seen* that a certain degree of recriminatory bitterness existed between Huntly and Errol after Brig of Dee and that they indeed quarrelled. As with Montrose, however, Errol had a quarrel with Atholl[207] which would help to prejudice him in favour of Huntly in that earl's quarrel with Atholl. There was soon talk, however, of the marriage of Errol to a daughter of the earl of Morton and, as has been seen,* this was thought to be advanced by some with a view to drawing Errol from Huntly.[208] His associates in the catholic party warned Errol against abandoning his old friends but he replied that "he would ether be able to drawe his wife's frendes to his owne course, or els he wold not deale in the matter".[209] Errol was supposed to satisfy the kirk as to his religion before he married Morton's daughter[210] but he failed so to do thus getting his new father-in-law into trouble with the king.[211] That Errol had changed his loyalties somewhat as a result of his marriage could not be denied and was proved soon after that ceremony when in a dispute between Angus, and Alexander Lindsay, brother to Crawford, one of Errol's associates of the catholic faction, Errol sided with the former.[212] The following month saw Errol move further away from Huntly, at least according to one report which stated that "The King would be pleased to spare Errol, since he has humbly submitted and offers to abandon the fellowship of the Bridge of Dee, especially Huntly ...". Glamis wanted Errol confined but "The confining of Errol may please the Chancellor but it will displease

205. B.U.K., 768; 206. R.P.C., iv.619; Cal.S.P.Scot., x.520;
207. Cal.S.P.Scot., x.276; 208. Ibid., 281,285; 209. Ibid., 285;
210. Ibid., 335; 211. Ibid., 347; 212. Ibid., 358.
* see above 191-2; ⁎ see above 192-3.

Morton and all the associates of Stirling" and force Errol back into Huntly's camp.[213] Errol is thus thought of as being distinctly estranged from the Huntly camp at this stage. Errol does seem to be acting more with the bulk of the nobility at this stage, discontented as they were at the chancellor's eminence, and less with Huntly who was concerned above all in his private feuds. Errol seems to have joined with Bothwell against the chancellor in the summer of 1591[214] but he does not ever seem to have given up with or been long out of touch with Huntly. His relationship as son-in-law to Morton also meant that he was involved with another son-in-law of that earl, the master of Glamis.[215] This led Errol to contact Crawford in attempts to reconcile him with Glamis.[216] Errol is one of those reputed to have banded against Huntly in November 1591[217] when their relations were probably at their lowest point and it is no surprise to find that Errol was in no way concerned in the murder at Donibristle.

It has already been seen* that Lord Maxwell, the progenitor of the abortive rebellion of May 1588, had taken no part in the events at Brig of Dee. Throughout what remained of 1589 he continued to press his claim for the earldom of Morton,[218] and his name is linked on several occasions with the catholic party throughout 1590 and 1591[219] while he was reputed to be "carrying the sway in Court" along with Montrose and Huntly in January 1591/2.[220] He was also, however, reputed to be in close touch on different occasions with Bothwell[221] to whom he was related, they having married two sisters, daughters of the seventh Earl of Angus.[222] Although he was rumoured at times, along with others of his faction, to be threatening the status quo, he does not seem to have been involved in the events of Moray's murder.

213. Ibid., 379; 214. Moysie, Memoirs, 86; Cal. Border Papers, i. 381;
215. Scots Peerage, vi. 374; 216. Cal. S.P. Scot., x. 592; 217. Ibid., 586;
218. Ibid., 158, 207; 219. R.P.C., iv. 828-31; Cal. S.P. Scot., x. 264, 400, 482;
220. Cal. S.P. Scot., x. 626; 221. Cal. Border Papers, i. 373; Cal. S.P. Scot., x. 202; 222. Scots Peerage, i. 193-4.

* see above 186.

Both James Stewart, Earl of Arran, and Colonel William Stewart have been seen* to have had links with the catholic faction but neither of them had been present at Brig of Dee. As usual James Stewart was the centre more of rumour than of action but he was reputed to have dealings with different dissident groups including the catholic faction[223] and Bothwell.[224] It was said that he would join with Bothwell and other discontented persons to depose the chancellor and that for this purpose, their feud over Bothwell's slaughter of Sir William Stewart, Arran's brother, would needs be ended.[225] Bothwell, indeed, claimed later that the accusations brought against him by the convicted witch Richard Graham were so brought to prevent the earl's reconciliation with Arran.[226] Colonel Stewart, on the other hand, continued throughout the earlier part of this period to be involved chiefly in negotiations over the proposed Danish marriage.[227] His name, however, was also connected with Bothwell and he was within Holyroodhouse when Bothwell attacked it in December 1591 and he was thought, as a result of this fact, to have been privy to that attempt.[228] The following month, in fact, saw his being warded in Edinburgh Castle partly on suspicion of being involved in the late Bothwell attempt and partly on suspicion that his wife had been furnishing divisions between the monarchy and the chancellor.[229] Colonel Stewart was thus in ward when Moray was murdered and neither he nor Arran appear to have been connected with that incident in any way.

Lord Claud Hamilton had been in ward during the events of Brig of Dee. He was released from ward in August 1589 but appears to have played little part in events. He was still generally referred to as a papist and as being of the catholic party but in November 1590 his

223.Cal.S.P.Scot., x.415; 224.Ibid., 504; 225.Ibid., 415;
226.Ibid., 504; 227.Ibid., 95,121; 228.Spottiswoode, ii.418;
229.Cal.S.P.Scot., x.628.
* see above 170-5.

capacity for action was diminished even further when he lost his senses after the fashion of that house,[230] which sickness recurred on occasions throughout 1591[231] rendering him incapable of any decisive decision-making.

The earls of Caithness and Sutherland continued to support the catholic faction and Huntly in particular in the years after the Brig of Dee. Huntly procured agreement between the two northern earls[232] who repaid this by offering aid to Huntly in his quarrel with Moray.[233] Sutherland joined Huntly to reset Mr. James Gordon, Jesuit, their kinsman, despite government orders to the contrary.[234] Caithness also appears to have kept in touch with Huntly, but, like others already noted,* he appears also to have been in contact with Bothwell, likewise a son of Jean Hepburn.[235] Bothwell was reputed at one point to be in Caithness[236] while Caithness was thought to wish to unite Bothwell and Huntly to pursue their struggles jointly.[237] Caithness seems to have been closely involved in Huntly's northern dispute, however, and his execution of some of Moray's allies in February 1591/2 was thought to have been done at Huntly's instigation.[238]

One lord who was occasionally referred to as papist before Brig of Dee but who showed himself more conclusively so to be after that event and so abandoned his previous moderation was Lord Ogilvie, who was reputed to be harbouring Jesuits in his "howse calitt Boischaere" in Angus.[239] His kinsman, the young laird of Pourie Ogilvie was involved in dealings with Spain.[240] Lord Ogilvie became involved in August 1591 in the northern feud of Huntly and Atholl when he fought with Argyll over Coupar Abbey as a result of which around twenty men

230. Ibid., 422; 231. Ibid., 560, 587, 599-600; 232. Ibid., 202, 849;
233. Ibid., 462; 234. Ibid., 301-2; 235. Scots Peerage, ii. 160-1, 340;
236. Cal. S. P. Scot., x. 593; 237. Ibid., 732; 238. Ibid., 645;
239. Ibid., 100; 240. Ibid., 559, 634, 649, 657.

* see above 198, 200, 201.

were killed including some of Atholl's who joined with Argyll to avenge that slaughter.[241] This dispute continued throughout 1591 and was apparently reconciled around the time of Moray's murder.[242]

It can be seen from the lack of involvement of these men, and others such as the Setons, in the events of Donibristle that the murder of the earl of Moray in February 1591/2 was not executed by the catholic party as such, nor did it represent a crisis in the affairs of that party. The slaughter was to have considerable ramifications, however, not only for Huntly, the author of the event and the leader of the catholic party, but also for that party itself, whose members were forced by the murder to decide what was their attitude to it and its perpetrator. It has been seen* that there were signs that some members of the catholic party, especially Errol, were drifting away somewhat from their leader and it remained to be seen whether the murder of Moray would accelerate that drift or would serve to unite the catholic party once again.

On the completion of the murder, Huntly immediately passed north and it was announced that the king would march against him.[243] The king did not show any great sense of urgency, however, it being announced on 11 February 1591/2 that he would begin his journey against Huntly on 10 March, and in the meantime would march west against Bothwell.[244] The king's apparent laxity rekindled suspicion in some minds of his involvement in Moray's murder while his progress to the west while Bothwell was thought to be in the south-east was said to be to take him away from Edinburgh and make it possible for Huntly to come to him.[245] Negotiations between Huntly and the king certainly continued and it was soon determined to cancel the raid to the north

241. Ibid., 566-7; 242. Ibid., 633; 243. Ibid., 636; 244. Ibid.; 245. Ibid., 639-41.

* see above 200.

as Huntly had agreed to ward himself in Blackness.[246] He did so ward himself,[247] was interrogated concerning the murder and was set free[248] and allowed to return to the north.

It still had not been made clear what the attitude of Errol, and the rest of that faction would be. One report of 22 March 1591/2 states that "the Catholics are doubtful and in deliberation whether they shall 'partye' Huntly or not"[249] and on 14 April, Errol is given in a list of those who intend to seek justice for Moray's murder.[250] It seems likely that Errol was driven back into Huntly's party by the association, on the part of the protestant faction and the populace in general, of the Moray murder with the catholic party. This resulted in assumptions that a convention about to be held would call for justice to be executed against Moray's murderers and for reformation to be taken with Errol.[251] Errol was cited before commissioners of the church for hearing mass[252] and was, in general, reminded of the catholicism which he shared with Huntly. Huntly's own men, in the meantime, had captured Dunotter Castle, belonging to Earl Marischal, where they were reputed to be awaiting the arrival of Spaniards.[253]

Errol and Montrose and others had for some time, had more connection with Bothwell's attempts than Huntly had, but the possibility of a fuller co-operation between, and combination of, the two parties began to look more likely once more after Moray's murder. At the end of June 1592 Bothwell attempted for a second time to storm the king's residence, which on this occasion was Falkland Palace, but rumours of such an enterprise had been current throughout that month. One source reported that Huntly, Errol and Crawford were involved in it,[254] another that Atholl, Errol and the Masters of Gray and Livingston were concerned

246. R.P.C., iv.733; 247. Cal.S.P.Scot., x.654; 248. Ibid., 658-9;
249. Ibid., 657; 250. Ibid., 666; 251. Ibid., 679; 252. Ibid., 701;
253. Ibid., 668-9; 254. Ibid., 694.

therein[255] and a third that Angus, Errol and Colonel Stewart were implicated with Bothwell.[256] What did come to light after the raid at Falkland was "a draft of a 'bande' made between Bothwell, Angus, and Errol, and therein is an article providing that Bothwell shall not prosecute Huntly without the advice of Angus and Errol: few of the late conspiracy, except Papists, were privy to this".[257] Again Huntly does not seem to have been as closely concerned in Bothwell's escapade as Angus and Errol, who were warded for their involvement with that rebel and their continuing catholicism.[258] The holder of the earldom of Angus was now William, 10th earl, noted previously,* when he was merely the master, as a papist.[259] The catholic party had consequently gained a notable ally at the direct expense of the protestant faction, now deprived of the influence of the earldom of Angus.

August 1592 saw several moves by the government against the catholic party. Huntly was required to send in Mr. James Gordon, the jesuit,[260] while Montrose acted as surety for Graham of Fintry that he would enter into ward.[261] The main aim of both the catholic party and Bothwell's faction at this stage seems to have been to discredit the chancellor, who, although he had suffered a certain loss of prestige as a result of his supposed involvement in the Moray murder, still carried considerable influence with the king and used this influence now to encourage the king to pursue the catholics and Bothwell and to grant the so-called "Golden Acts" to the Kirk. On 24 August it was written from the north that Bothwell and Huntly were agreed[262] and there were rumours that the catholic party was again turning to its European ally and engaging in Spanish-backed plots. "The Duke of Lennox, Huntly, Errroll, Lord Hume, and Lord Fleming are noted to be in

255. Ibid., 707; 256. Historie of King James the Sext, 250; 257. Cal. S.P.Scot., x.716; 258. Ibid., 772; 259. Scots Peerage, i.197-9; 260. Cal.S.P.Scot., x.747; 261. R.P.C., v.5; 262. Cal.S.P.Scot., x.764.

* see below 244-50.

best trust and readiest for these purposes".[263]

As well as being heavily involved with fresh catholic intrigues, Huntly was concerned with the retributions for the Moray murder which the earl of Atholl, Lord Ochiltree and the lairds of Grant and Mackintosh were trying to exact. Renewed violence in the north resulted in William, Earl of Angus, released from his ward, being appointed as the king's lieutenant and justice in an attempt to reconcile the warring earls.[264] Angus might have been expected to favour Huntly, his co-religionist, over against the Atholl faction and indeed one report alleges that Angus' "commission was procured at the instance of Huntly"[265] while another reported that Angus appeared to sway the king to favour Huntly against Atholl.[266] Angus succeeded, however, in having both earls warded[267] and gained assurances from them with regard to their future conduct.[268] Part of Angus' desire to succeed in this mission may well have stemmed from the fact that "These wars against Huntly have hindered the actions of the Catholics"[269] and certainly the trouble in the north was no sooner pacified than the issue of the "Spanish Blanks" so called, erupted on the political scene.

George Kerr, brother of the Lord of Newbattle, was arrested in the isles of Cumbrae on 27 December 1592.[270] With Mr. George Kerr they found blank sheets of paper subscribed by Angus, Huntly, Errol and the laird of Auchindoun.[271] It transpired later, through the confessions of George Kerr and Graham of Fintry, that these blanks were taken from the nobility as guarantees of their support for a future landing of Spanish forces in Scotland.[272] Angus had come to Edinburgh shortly after Kerr had been captured and the earl was himself soon

263.Ibid.,787; 264.R.P.C., v.19-20 and note; 265.Cal.S.P.Scot., x.815; 266.Ibid.,830; 267.Ibid.,820; 268.Ibid.; 269.Ibid., 829; 270.R.P.C., v.34n-35; 271.Cal.S.P.Scot., x.828; 272.Calderwood, v.224-31.

warded,[273] charges being sent also to the other three conspirators, - Errol, Huntly and Auchindoun to ward themselves.[274] These three decided not to submit themselves but to "take the fields"[275] and were consequently denounced rebels.[276] On 14 February it was reported that Angus had escaped and was thought to have gone to Huntly and the rest in the north but he was also rumoured to have had contact with Bothwell.[277] Four days later the king began his journey north from Edinburgh against the rebels,[278] pausing only long enough to superintend the execution of David Graham of Fintry,[279] one possessed of a long history of avowed catholicism and deeply implicated in foreign intrigues by the Spanish Blanks.

On 3 March cautions were taken from a number of northland men, including several Gordons, that they would in no way reset Huntly, Errol, Angus, Sir Patrick Gordon of Auchindoun, Sir James Chisholm of Dundorne, Mr. James Gordon, Mr. William Ogilvy, Mr. Robert Abercromby nor any other jesuits.[280] Sir James Chisholm of Dundorne, one of the king's household and a nephew of the bishop of Dunblane, had been deeply involved in the Spanish trafficking and had fled north to join the other rebels.[281] Three days after the cautions were taken, it was reported that "All the rebel Earls have fled, slenderly accompanied to Caithness and the Isles"[282] and a further three days later the earl Marischal was constituted the king's commissioner in the Kincardine, Aberdeen and Banff areas, his duties being chiefly to apprehend Huntly.[283] This appointment permitted the king to return to Edinburgh the progress north having served to secure the bands against the rebels and to take and secure certain of their strongholds such as Huntly's Strathbogie Castle.[284]

273. Ibid., 214; Moysie, Memoirs, 100; 274. Cal.S.P.Scot., xi.25; 275. Ibid., 34; 276. R.P.C., v.42; 277. Cal.S.P.Scot., xi.49; 278. Historie of King James the Sext, 268; 279. Cal.S.P.Scot., xi.57; 280. R.P.C., v. 46-47; 281. Cal.S.P.Scot., xi.18,49; R.P.C., v.42; 282. Cal.S.P.Scot., xi.68; 283. R.P.C., v.49-50; 284. Cal.S.P.Scot., xi.72.

It might have been suspected that Marischal, known to have an unreconciled quarrel with the chancellor, might not prove too energetic in the use of his commission. One report of 19 March stated that "The Earl Marischal, near kinsman to Errol, has bought the escheat of Errol's forfeiture for 1000 marks Scots, and he has the keeping of the house and castle of Slains",[285] - the implication being that he was doing this on behalf of, and not in despite of, Errol. He was soon suspected of greater laxity towards the rebels, however, for after they had returned to the Aberdeen area from the far north it was said that Marischal had aided these earls to return.[286] Only one report of the rebels at this time even suggests the possibility of their breaking up and even it goes on to express the opinion that it seemed unlikely that their party would break up or fail to recruit Bothwell, given the chance.[287]

Mentioned in all proclamations of this time against Huntly, alongside his Spanish trafficking, is the Donibristle affair and the party, led by Atholl, which sought revenge for that murder continued its campaign against Huntly. There is evidence that Huntly and his catholic allies had come to an agreement over his part in the Moray murder. On 18 April 1593 a bond was signed by Huntly, Errol and Angus. This document stated that the earls have a previous general bond to maintain each other but that this is a particular one in which Huntly instructs the other two to make approaches to the kin of the slaughtered earl of Moray. If he refuses to implement what the other two recommend with reference to Moray's kin, then they are to be free from the bond in so far as Moray's slaughter is concerned. If Moray's kin refuse their offers then all three will keep together in the spirit

285.Ibid., 72-73; 286.Ibid., 77; 287.Ibid., 80-81.

of the bond. This bond was witnessed by Gordon of Auchindoun and Chisholm of Dundorne, both closely involved in the Spanish Blanks affair.[288]

Soon the rebel earls were back among their own men again where they gained in confidence, for they were not without their means of contact with the central authorities. The ministers of the kirk were earnest in their pleas for action against the rebel earls but little was achieved.[289] When, late in July 1593, the Stewarts and others succeeded in having Bothwell brought into the presence of the king and accepted by him, it was immediately construed that this would bring all the nobility, including Angus, Huntly and Errol together again[290] and, less than a week later, it was thought likely that Errol, Huntly and Angus would be received again.[291] This was not achieved, however, as quickly or as easily as may have seemed likely for August 1593 saw very considerable violence in the north between the forces of Huntly and those seeking revenge for Moray's murder, especially those men under Mackintosh.[292] A feud between Huntly and Argyll was also gathering momentum at this time,[293] gaining impetus from Argyll's interrogation of Campbell of Ardkinglas which indicated Huntly's involvement in the murder of the laird of Calder.[294] It seems possible, indeed, that an attempt was made to separate Angus and Errol from Huntly, who alone of them was guilty of the Donibristle affair, for it is reported on 8 August that "Argyll, Morton, Mar and Glamis met lately ... in Fife, ... they will not see Angus and Errol perish",[295] the implication being that they could quite well tolerate Huntly's perishing.

The countess of Huntly remained in court for much of this time

288. S.R.O., Gordon Castle Muniments, GD.44/13/9.12; 289. Cal.S.P.Scot., xi.127; 290. Ibid., 130-1; 291. Ibid., 704; 292. Ibid., 143, 147, 151; 293. Ibid., 137; 294. Ibid., 170; 295. Ibid., 141.

and it is possible that the rumoured negotiations between Huntly and the king were carried on through her.[296] It was quite obvious throughout the prosecution of the northern earls, that James, while prepared to go so far, had no intention of taking such action against his nobles as some elements within the kirk, for example, would have wished, as evidenced when the synodal assembly in Fife excommunicated Angus, Huntly and Errol, Home, Auchindoun and Sir James Chisholm. The king reputedly intended to call a Generaly Assembly to reverse this decision.[297] Only a few days after this the rebel earls were in personal contact with the king, when near to Fala, Huntly, Errol, Angus and Sir James Chisholm came and threw themselves at the king's feet, asking for mercy. This was done apparently without the prior knowledge of the king and he indeed would not speak with them but dismissed them.[298] He may have dismissed them on that particular occasion but on 1 November, less than three weeks after the Fala incident, a proclamation was issued commanding all men to receive the rebel earls[299] and later in the same month an act of abolition was passed forgiving the rebels for their offences in connection with the Spanish Blanks and requiring them either to become protestants or to go abroad.[300]

Needless to say, these developments, and especially the Act of Abolition, caused very considerable disquiet to the kirk, whose spokesman thought it "very injurious to the Church, and far against the laws of God and this realm".[301] Moysie thought that the king passed the Act "for the quyetnes of the estaite"[302] as well he might have, but there may be another reason. Queen Elizabeth continued to write to King James expressing her amazement at his leniency to the rebel earls, but letters of 11 October 1593 from Angus, Huntly and Errol show them thanking the

296. Ibid., 181, 190; 297. Ibid., 189; 298. Ibid., 201; 299. Ibid., 215; 300. A.P.S., iv. 46-48; 301. Cal. S.P. Scot., xi. 233; 302. Moysie, Memoirs, 108.

queen for taking up their case.[303] King James is often condemned for his double-dealing and laxity in this matter but if Queen Elizabeth was secretly dealing for the catholic earls while publicly continuing to denounce them, it may be that she too was less than innocent in this matter. It may be that a knowledge of such secret support encouraged James in what seems to have been his natural course of moderation toward the rebels.

The Act of Abolition had not been without conditions and as yet had only been offered to the rebels as a possibility. It remained to be seen whether they would accept it, either by changing their religion or leaving the country. Negotiations between the king and the earls continued throughout December and early January.[304] Rumours continued, throughout the duration of these negotiations, that the king had given Huntly a new commission against Mackintosh and his adherents[305] which seems, to say the least, unwise, considering that Huntly had still not indicated his acceptance of the Act of Abolition and considering what use he had made of similar commissions in the past. It began to appear increasingly likely, indeed, that the rebel earls would refuse the Act of Abolition. One report of 15 January 1593/4 states that "Errol still stands out, refusing to subscribe to the articles of religion, as the other two have offered"[306] but an official pronouncement, three days later, indicates that all of the rebels have so refused and concludes that they are all once more liable to prosecution for their acts.[307] Attempts were then made to have the rebels enter into ward[308] until they were tried but they refused this also, claiming that they could not do so with safety as another coup might endanger them.[309] One observer had to admit that

303. Cal.S.P.Scot., xi.196; 304. Ibid., 245; 305. Ibid., 245, 261;
306. Ibid., 263; 307. A.P.S., iv.52-53; 308. R.P.C., iv.130;
309. Cal.S.P.Scot., xi.284.

he thought that the chances of Errol and Huntly being reconciled to the kirk were not great[310] while further trouble appeared likely also in the north where the truce between Huntly and Mackintosh was over and both sides were reputedly raising forces for any eventuality.[311]

On 8 March 1593/4 the rebels are to be "pursued as traitors"[312] and on 2 April it was disclosed that the king had decided to go north once again in a personal effort to apprehend them.[313] There were increasing indications in the country, however, that certain nobles were becoming fully convinced that the king would never proceed to extremities against the catholic rebels and private attempts to deal with these earls focussed on Atholl and Argyll.[314]

In June and July further attempts were again made to unite the catholic earls with Bothwell[315] while the king continued to delay his proposed expedition. How long the king would have let matters rest thus is impossible to say but a further outrage on the part of the catholic earls precipitated action from the crown. A Spanish ship carrying, among others, a papal nuncio with money from the pope to the rebel earls, was seized on 16 July at Aberdeen.[316] The earls attacked Aberdeen and successfully demanded the release of this and other prisoners.[317] Immediately it was "concluded that the King in person shall enter on his raid on 26th August"[318] despite the fact that one source maintained that "by Huntly's means offer is made, in the name of the King of Spain, to give 40,000 crowns to the King of Scots to grant liberation in religion and remission to the forfeited Earls".[319]

Argyll was raising forces and Atholl was reputed to be preparing to join him[320] but the king, who postponed his own march from August

310. Ibid., 277; 311. Ibid.; 312. R.P.C., v. 134-5; 313. Ibid., 140-1; 314. Cal.S.P.Scot., xi. 320; 315. Cal.S.P.Scot., xi. 363, 369, 373-4; 316. Moysie, Memoirs, 118; Calderwood, v. 340-1; 317. Historie of King James the Sext, 331-3; 318. Cal.S.P.Scot., xi. 389; 319. Ibid., 396; 320. Ibid., 344, 419.

until early October, succeeded in having Argyll also delay his expedition, with the supposed intention that the two of them would act jointly against Huntly.[321] Argyll, now appointed Lord Lieutenant of the North,[322] seems to have been keener than King James to deal with Huntly and he engaged the forces of the catholic earls in battle without waiting on the long-promised presence of the king himself and his forces. The battle is named variously as Glenlivet, Balrinnes or Glenrinnes and as with its name so there are further differences in opinion both with regards to the numbers involved and the outcome. It is generally accepted that Argyll was defeated but James Melville states that Huntly had the greater loss[323] as does Calderwood.[324] "A Faithful Narrative of Huntly's victory over Argyll" on the other hand, says that "five hundred of the enemy were slain; and of our men twelve".[325] The weight of evidence does seem to indicate that a certain portion of Argyll's men fled early on in the battle and that a considerable number of them were killed, but that the rebel earls suffered heavily in the calibre of the men they lost, including Patrick Gordon of Auchindoun, one of their leaders.[326] The earl of Errol was also badly wounded, one report says by an arrow, and was thought, for a while, likely to die.[327]

The king was at Dundee, on his way north, and news of the battle enforced his determination to continue his march.[328] His forces razed the earl's houses of Strathbogie and Slains and destroyed others pertaining to the earls' allies.[329] A band was drawn up and signed by Marischal, Grant, Forbes, Mackintosh and others pledging to pursue the rebels while the duke of Lennox was appointed to be the king's lieutenant in the north[330] until he should be relieved by Argyll.

321. Ibid., 432; 322. Ibid., 389; 323. J. Melville, Diary, 213;
324. Calderwood, v. 351; 325. Scottish Poems of the sixteenth century, ed. J. G. Dalyell, 149; 326. Cal. S. P. Scot., xi. 456-7; 327. Ibid., 457;
328. Ibid., 459; 329. Ibid., 472; R. P. C., v. 182; 330. R. P. C., v. 187-9.

Other actions taken to re-establish peace, such as the execution of some of Huntly's men,[331] indicated that King James was in serious mood as did the speed of his actions once he had finally commenced them. One possible cause of his enthusiasm lay in the fact that he was accompanied during his march by Andrew Melville and other ministers who exhorted him to further action against the catholics.[332]

Angus had not been present at the battle of Glenlivet and one report of 29 October 1594 stated that Huntly and Errol accused Angus and Bothwell "to have broken promise with them".[333] Despite this, however, the alliance between Bothwell and the catholic earls seems to have been effected in the autumn of 1594 and on 12 December, Bothwell was reputed to be with Huntly, Errol and Angus.[334] Argyll, meantime, after his efforts at Glenlivet, continued to make preparations for a fuller revenge on Huntly and hostilities among their followers were common for some time.[335] Huntly did apparently achieve a reconciliation with Atholl at this time[336] but as early as 17 December it was rumoured that Errol and Huntly were making preparations to leave the country.[337] Lennox seems to have conceived that the best way of re-establishing peace in the north was to secure a self-banishment on the parts of Errol and Huntly, as suggested in the Act of Abolition, and he worked on their supporters to achieve this.[338] Such declarations of intent to go abroad were not uncommon, of course, and this particular one on the part of Huntly and Errol was not initially credited. As March 1594/5 wore on, however, it became certain that the earls did intend to quit the realm and on 22 of that month it is said "that Huntly and Errol have embarked ... Errol is not purposed to enter into course with Huntly again".[339]

331. Cal.S.P.Scot., xi.468-9,473; 332. J.Melville, Diary, 214; 333. Cal. S.P.Scot., xi.469; 334. Ibid., 496; 335. Ibid., 496,506; 336. Ibid., 486; 337. Ibid., 497; 338. Ibid., 533; 339. Ibid., 554.

Such discontent with his leader had been Errol's reaction after the affair of Brig of Dee also, of course, and it serves to highlight the degree of uniformity of purpose and action which the catholic party had displayed throughout this period, despite such personal grievances and despite attempts to split it. It has been seen* that the association of the pursuit of the murderers of Donibristle with a desire for further religious conformity on the part of the kirk, had served to reunite the catholic party. That party had received a valuable recruit in the person of the 10th earl of Angus, and Angus, Errol and Huntly had acted together very closely over a period of three years. Errol and Huntly went abroad at the same time, as did Bothwell,[340] who had been concerned in their dealings latterly, while Angus was reputed to be seeking royal permission similarly so to depart.[341] Angus, Errol, Huntly and Auchindoun have been seen,* consequently, to have been in the forefront of events but it must be investigated how far those other nobles, such as Crawford and Montrose, who had been seen earlier/ as operating within the catholic faction had continued to support Huntly and his colleagues in their struggles.

When Moray was murdered it was rumoured that Crawford had murdered the Master of Glamis although this proved to be untrue.[342] Crawford, however, was one of those who accompanied Huntly to Perth to come to his trial for the Moray murder.[343] Crawford continued to be associated with Huntly in particular and the catholic party in general and on 17 June 1592 he is said to have admitted that offers had been made to him from Spain.[344] Crawford, indeed, seems to have acted as a go-between for the king and Huntly at this stage[345] and it was rumoured that both he and Huntly would go abroad.[346] Crawford's kinsman, Spynie,

340. Ibid., 557; 341. Ibid., 576; 342. Ibid., x. 638; 343. Ibid., 653;
344. Ibid., 699; 345. Ibid., 741; 346. Ibid., 741, 746.
* see above 204; * see above 206-14; / see above 197-8.

was also in trouble at this stage in that he was accused by Colonel Stewart of complicity with Bothwell.[347] For a day of reckoning on this accusation Crawford fortified himself with the forces of Huntly, Montrose, Ogilvie and Gray[348] thus illustrating again his continued association with the nobles of the catholic party. In November 1592 Crawford was again reputed to wish to go abroad[349] while in January 1592/3 he is given in a list of Scots nobility who are evilly affected.[350] Although he was not implicated in any way in the Spanish Blanks he continued to be associated with the catholic party[351] and was also reputed to have had dealings with Bothwell on different occasions.[352] He was not present at Glenlivet and seems to have relinquished his place among the three leading catholic nobles to Angus. Why Crawford should have been concerned in the Spanish trafficking before Brig of Dee and not in that before Glenlivet, or at least not so deeply, is not obvious. It can only be assumed that the affair at the Brig of Dee and its aftermath succeeded in illustrating to Crawford the advisability of allowing others to lead this rebellious faction. It is possible also that his catholicism, to which he was reputedly converted or reconverted before Brig of Dee was not as strong as that of Errol or Huntly who both numbered jesuits among their kinsmen.

When Huntly was interrogated over the Donibristle affair one of his questioners was Montrose[353] but that earl continued his support of the catholic party and acted as surety for Angus when he was accused of intercommuning with Bothwell[354] and for his kinsman, Fintry over his continuing catholicism.[355] Like Crawford, Montrose was not implicated in the Spanish Blanks affair in January 1592/3 and, again like Crawford, was reputed to have been concerned in and pleased at Bothwell's successful return to the king's presence in July 1593.[356] He sat on the

347. Ibid., 758; 348. Ibid., 764; 349. Ibid., 819; 350. Ibid., xi. 18;
351. Ibid., 74, 82, 450; 352. Ibid., 105, 424, 426-7; 353. Ibid., x. 658;
354. R.P.C., iv. 764-5; 355. Ibid., v. 5; 356. Cal. S.P. Scot., xi. 705, 149.

assize which, in the following month, cleared Bothwell of the charges levelled against him.[357] In October 1593 it is stated that Montrose was involved with Atholl and Gowrie[358] who were engaged in trying to raise a party against the catholic earls, but it emerges on the 8 of that month that it was the master of Montrose, the earl's son, who was so employed.[359] The names of Montrose and the master of Montrose occur frequently in the next few months in connection with this faction centred around Atholl but it may well be suspected that it was the son who was involved in most of the affairs described.[360] The earl does, however, seem to have moved away a little from the catholic party and he was becoming more closely involved with the administration of the country. He had already been reappointed as treasurer and on 18 January 1594/5 he was chosen as one of the twelve auditors of the exchequer.[361] This involvement and identification with the government probably did not remove the sympathy which Montrose had long had for the aims and personnel of the catholic faction.

Unlike his leading kinsman, David Graham of Fintry was deeply implicated by the Spanish Blanks.[362] He was imprisoned and, as has been seen,* was executed shortly before King James began the second of his three marches against the rebels in the north in February 1592/3. His possessions were given to Lord Lindsay of the Byres[363] and the earl of Mar[364] but the latter resigned his to Fintry's son in June 1594.[365]

It has been seen earlier* that one of the leading catholic nobles of the country, Lord Maxwell, had a tendency to behave in a highly individual fashion, different from that of the northern earls. This continued, in that Maxwell, after initially seeming to favour Bothwell

357. Ibid., 144; 358. Ibid., 191; 359. J. Colville, Letters, 258-9; 360. Cal. S.P. Scot., xi. 193, 304, 327-8; 361. Ibid., 515; 362. Ibid., x. 828-9; 363. R.P.S., lxv. 39v; 364. Ibid., lxvi. 103r; 365. Ibid., 146v-147r.

* see above 207; * see above 181.

in the early summer of 1592,[366] turned his coat and revealed to the king a scheme of Bothwell's against Lochmaben Castle.[367] He then directly aided the king against Bothwell[368] and was rewarded by a grant of privileges in connection with his tenure of the office of the stewartry of Kirkcudbright and Annandale.[369] Maxwell continued to use his title earl of Morton, his dispute with Lochleven over that matter not having been resolved.[370] He also continued to have dealings with the northern earls and was reputed to have been about to receive gold from them in December 1593.[371] A continuation of a further past trend, namely that of feud with the Johnstones, however, resulted in Maxwell's being slain with around 20 of his men by the laird of Johnstone and his forces, in that same month.[372] Maxwell had had a special royal commission against Johnstone at this time[373] and the comparatively high degree of royal favour which Maxwell enjoyed throughout this period in his disputes both with Johnstone and Morton probably account for the decline in his involvement with the other lords of the catholic party.

Along with the earl of Crawford, the other lord who accompanied Huntly to Perth on his way to his trial, after Donibristle, was Lord Ogilvie.[374] He and his house continued to be identified with the catholic party although he personally was not particularly active in the cause. He had a kinsman, Mr. William Ogilvie, who was a jesuit[375] while the laird of Pourie Ogilvie and Lord Ogilvie's brother, John Ogilvie of Craig, continued to be closely connected with the catholic faction, Ogilvie of Craig in fact being denounced rebel for his participation at Glenlivet on the side of Huntly.[376]

366.Cal.S.P.Scot., x.694; 367.Ibid., 707; 368.Ibid., 716; 369.R.P.C., iv.767; 370.Ibid., and note; 371.Cal.S.P.Scot., xi. 236; 372.Calderwood, v.290; 373.R.P.C., v.113n; 374.Cal. S.P.Scot., x.653; 375.Ibid., 662; 376.R.P.S., lxvii.56r.

The earls of Caithness and Sutherland continued their support for Huntly and were both thought likely to party Huntly when he came to his assize over Moray's murder.[377] Caithness continued in his attempts to unite the dissident parties of Huntly and Bothwell in their struggles against the government.[378] Neither Caithness nor Sutherland were involved in the Spanish Blanks or Glenlivet but they continued to support the rebel earls who could always rely on retreating into their northern territories whenever events were going against them in the Aberdeen area.

Those other two stalwarts of the catholic party of earlier days, Arran and Colonel Stewart, continued to behave in the fashions already noted* for them. Arran remained a thing of rumour and surmise, being constantly about to be brought to court usually to "wreck the Chancellor, overthrow the house of Hamilton, and 'knocke the pates' of the ministers"[379] or some such similar intention. Colonel Stewart continued in his more peaceful role as ambassador to the Low Countries, where he had been sent once more by 18 December 1594.[380] He had, however, had one return to the days of intrigue and power politics which he had known before. As was seen earlier* he was warded at the time of Bothwell's Holyroodhouse raid on suspicion of collusion in the same. He was again under suspicion at the time of Bothwell's attempt on Falkland of aiding that earl's designs.[381] It was thought in early July that his life was in danger[382] because of his confessed communications with Bothwell and he tried to escape the consequences by spreading the blame, incriminating Alexander Lindsay, Lord Spynie, in his accusations.[383] He was still apparently thought of as a catalyst for political revolutions and it was surmised more than once during 1592

377. Cal.S.P.Scot., x.644; 378. Ibid., 732; 379. Ibid., 819;
380. Ibid., xi.498; 381. R.P.C., iv.833-4; 382. Cal.S.P.Scot., x.716, 719;
383. R.P.C., v.4, 5-6.
* see above 170-5; * see above 201.

that he would be employed to accuse chancellor Maitland of some matter.[384] He never did so, however, and he escaped the feared execution being sent once again, as was seen,* as ambassador to the Low Countries.

## II. THE PROTESTANT MODERATES

The first of the crises of the reign culminated in the confrontation between royal and catholic forces at Brig of Dee in April 1589 and the period of a little over three years immediately before this was not without incident. This period opened, of course, with the re-establishment of the banished lords who had successfully returned to power as a consequence of their coup in Stirling in November 1585. These banished lords, or the Stirling faction, as they were now known, have already been seen* to have included the remnant of the Morton party which had held together fairly well in the preceding years. Although both John Maitland and Bothwell had aided the return of the banished lords, neither of them ever came to lead or be representative of the Stirling faction, which continued to look for its lead to Archibald 8th earl of Angus. By the time he died on 4 August 1588, the party had more or less ceased to exist and its members would have been difficult to distinguish from those other members of a broader based protestant party loyal to their king and country.

There was perhaps little to hold the banished lords together as a party once they were no longer banished and once they had disposed of their mutual enemy, Arran. They had all been fully restored to their honours at the close of 1585 and it became clear in the early months of 1585/6 that the alliance which had been called into being

384. Cal.S.P.Scot., x.757, 759.
* see above 219; * see above 103-4.

by a desire to see Arran removed from office could not itself long survive that removal. Of the three most important lords who had joined the banished lords on their march north, Earl Bothwell, Lord Hume and Lord Maxwell, two gave early indications that they would not long remain in harness with their allies. Lord Maxwell, against whom there had been complaints during the course of the march north on account of his evident catholic tendencies, soon went openly to mass to the discontent of many including the king who was reputed to intend to follow the matter up.[1] On 26 January 1585/6 it was reported that Maxwell had been conveyed to Edinburgh Castle on account of his religious practices and this coupled with the fact that the earl of Angus was suiting earnestly for the recovery of the earldom of Morton,[2] then held by Maxwell, illustrated the fact that those two were not likely to remain for long in agreement.

As for Bothwell, his own temperament was always the most likely cause of any breach in which he was involved and this was the case in February 1585/6 when he refused to join with his recent allies in their demand to the king to remove all such as had not been at the raid on Stirling. He said then "that he would offend the King no more"[3] but in fact he was merely beginning a career which was to cause his king very considerable offence before it was over. As far as his recent friends were concerned he was reputed to be "already malcontent and cares not how the matters goes; he says that they have not kept faith with them, and therefore he will have nothing to do with them".[4] Lord Hume, the third adherent of the faction, seems to have been more inclined to remain in agreement with his allies and he joined with them in making the request of the king which Bothwell had

1. Cal.S.P.Scot., viii.188; 2. Cal.Border Papers, i.218; 3. Cal.S.P. Scot., viii.224; 4. Ibid.

refused to do.[5]

Of the banished lords themselves Godscroft says that Angus permitted the public affairs of the kingdom to be attended to by the master of Glamis "to whom the rest of their society were most inclined, for the opinion they had of his wisedome, greater experience and age".[6] Glamis certainly threw himself into affairs of state and machinations of court more readily than the others and was soon said to be, along with John Maitland, a chief ruler and guider of affairs.[7] He seems to have been more inclined than the other lords to join with Maitland for on 2 March 1585/6, Mar, Angus and Lord John Hamilton were reputed to be holding fast to the master of Gray as opposed to joining Glamis in support of Maitland.[8] It is also noticeable that Glamis did not join with the other lords in their request to the king to have removed all those that were not on the raid of Stirling, a request which was thought to have been aimed chiefly at the secretary.[9]

As with similar coups examined already,* so with this one at Stirling, those who had thereby gained power were in danger, initially at least, of being turned out of power again by those they had recently bested. This danger was increased by the probability that the king's sympathies lay more with Arran and his associates than with Angus, Mar and theirs and it was not long before discontent had made its appearance among the chief of the returned lords as well as among their leading supporters. After the failure of their attempt to have all those removed from court who had not been on the raid at Stirling, Angus and Lord John Hamilton were both said to have gone home discontented.[10] Their disinclination to be actively involved in the process

5.Ibid.; 6.Godscroft, 409-10; 7.Cal.S.P.Scot., viii.188;
8.Ibid., 237; 9.Ibid., 224; 10.Ibid., 225.
* see above 67-68, 92.

of government is obvious. From the pattern established by recent similar revolutions in government it would have been reasonable to expect one or more of the leading returned nobles to have occupied the central position in government and taken the post of chancellor, but this did not happen. Godscroft indeed states that Angus' associates wanted him to accept the office of chancellor but he would not, becoming instead lieutenant on the Borders, a post which he accepted willingly as being "more sutable to his disposition".[11]

Their desire to slip away from court was temporarily checked in April 1586, however, when they were reputed to fear that they were in danger from Arran, Montrose and Colonel Stewart.[12] This vague threat received a more definite form within a few weeks when it was confessed by one of Arran's company that Angus, John Maitland and the masters of Glamis and Gray were all to have been slain. Warning had apparently been given to Arbroath, Angus, Mar and others with the result that "they determined to unite themselves again and resolved never to leave court.[13] However real the threat of renewed danger from the Arran faction seemed to be in the spring of 1586 it did not materialise throughout that year. Despite the fact that this resulted in the country being comparatively peaceful and despite the fact also that the returned lords evinced a very considerable degree of moderation in most of their actions with their fellow nobles, these apparently were not sufficient for the lords to win the approval of the king who was said, in November 1586, to be "scarcely soundly affected" towards the earls of Angus and Mar despite the reconciliation.[14] This moderation is noticed, although hardly approved of, in personal affairs also by Hume of Godscroft who says that Angus permitted the young Lennox

11. Godscroft, 429-30; 12. Cal. S. P. Scot., viii. 307-8;
13. Ibid., 328; 14. Ibid., ix. 167.

to retain the lordship of Dalkeith until such time as the crown could give him other suitable lands. This occurred when Lennox's kinsman Lord Methven died without heirs, his lands being given to Lennox who then in turn surrendered Dalkeith to Angus.[15]

Although different of the leaders of the Stirling faction had shown discontent they had by and large remained united. This unity appeared to be in danger, however, in the autumn of 1586 and the particular individuals who seemed liable to quarrel were Angus and Lord John Hamilton. On 10 September 1586 it was reported that Lord John was expected to assist Bothwell in his action against Alexander Hume prior of Coldingham for Coldingham while Angus was expected to join with Lord Hume in assisting the latter's kinsmen.[16] More serious was a report of a few days earlier and the implications such a report brought with it. This stated that the king "seeks to conclude a marriage between the young duke and Arbroath's daughter".[17] This would have occasioned fear in Angus' mind that his ally Lord John was about to forsake him for a union with the Lennox Stewarts which union, with the mutual elevation of both houses which such a marriage would occasion, could hardly enhance the prospects of his own Douglas family. There might also have been a fear that any such new alliance would not prove as stalwart for the reformed religion as the banished lords were held to be, for doubts still existed over the young Lennox's likely religious persuasion. These fears would no doubt be worsened by the fact that another marriage, again with the king's special advice and consent, had been contracted between Henrietta Stewart, sister of Lennox, and the earl of Huntly,[18] known to be the leading roman catholic noble in the country. It was said of Angus that the proposed

15. Godscroft, 409; 16. Cal. Border Papers, i.231; 17. Cal. S.P. Scot., viii.674; 18. R.P.C., iv.103.

Hamilton-Lennox marriage "is not at all agreeable to him" and it was rumoured that the method he had decided upon for preventing its completion was the seizure of the king himself.[19] This rumour seems to have had little truth, however, and the king wrote to reassure the earl.[20]

Opposition to the proposed Hamilton-Lennox marriage came also from another quarter, and one which seems likely to have counted for more in such matters than Angus, namely Lord Claud Hamilton. On 2 October 1586 there was reputed to be great controversy between the two Hamilton brothers over the said proposed marriage,[21] while on the last day of the same month it was said that "The Lord Claud is not greatly contented with the marriage of the Duke of Lennox with the Lord Hameltones daughter, whom he will make his heire; the Lord Claud pretending the Earldom of Arraine and Lord Hameldone to be intayled upon the heires males; they are in some speech of accorde".[22] As the marriage did not take place, Lord Claud, who had never joined with the banished lords, thus achieved what had been Angus' aim and the split among the lords of the Stirling faction had been averted thanks to the help of a somewhat unlikely ally.

The party of the Stirling faction thus completed one year in power and ended it more or less united. They were somewhat overtaken by events shortly hereafter, however, for the possible execution of Queen Mary was fast becoming of prime importance to be followed in its turn by the dangerous possibility of invasion by the Spanish Armada. The first of these events seemed likely to renew the split between Lord John Hamilton and the others of the Stirling faction for that lord was of a house which had long been among Queen Mary's staunchest supporters. One survey of February 1586/7 reported that

19. Cal.S.P.Scot., ix.81; 20. Ibid., 148; 21. Cal.Border Papers, i.234; 22. Extract from the Despatches of M.Courcelles, 14(Bannatyne Club, 22).

"all the country most willing to take arms for revenge of her execution, especially Lord Hamilton and Claude, who offered to make 5000 men of their own friends".[23] Angus, Mar and Glamis traditionally adherents of the old Douglas-Kingsmen faction could hardly be expected to rush to arms to save Queen Mary and their split with Lord John widened. Nor was this split liable to be lessened by the support which the Hamiltons continued to afford John, Lord Maxwell, Angus' rival for the earldom of Morton.[24]

The crisis caused by the execution of Queen Mary was seized upon by James Stewart, Earl of Arran, who made at that time the greatest of his attempts to regain power at the expense of the lords of the Stirling faction. He made his move in typical fashion using the combined weapons of accusation and false report. The somewhat complicated nature of these accusations will be investigated more fully later* but their immediate effect was that the king committed Angus to ward in Linlithgow palace.[25] Angus was obviously acting as a representative of the Stirling faction who were accused by Arran of certain crimes. This ploy failed in what was presumably its principal aim, namely to bring Arran back to power. Indeed in one respect it served to unite the lords of the Stirling faction once again for one of the many accusations which was bandied around at this time was that John Maitland, Patrick, master of Gray and others had had foreknowledge of the Stirling coup. This was denied not only by Mar but also by Bothwell and Lord John Hamilton,[26] and Hamilton begged that Gray's life should be spared, after he had been found guilty.[27] Arran was not comprehended in the general reconciliation which took place on 15 May 1587 and saw Angus march hand in hand with Montrose, Glamis with Crawford

23. Cal.S.P.Scot., ix.275; 24. R.P.C., iv.158; 25. Ibid., 157-8 and note; 26. Ibid., 164-6; 27. Moysie, Memoirs, 63.

* see below 235-6.

and Lord John Hamilton and John Maitland.[28]

Angus, Mar and Glamis seemed to have strengthened their alliance again after this and continued to be on good terms with Maitland.[29] There were rumours that their position was far from safe, for one report of 25 November 1587 stated that Angus and Mar would soon be back in England and the master of Glamis also for some alteration seemed likely.[30] The source of this insecurity seems likely to have been the relationship of the lords with their erstwhile ally Lord Hamilton. He would not come to the parliament in July 1587 "because they thought to have taken up the bones of the Earl Morton, and to restore him again".[31] This revival of the old feud between the Douglases and the Hamiltons would naturally alienate Lord John from Angus and his support for Lord Maxwell continued and intensified.[32] Lord John had also fallen out with the master of Glamis and, despite the fact that they were brothers-in-law,[33] was reputed in December 1587 to be part of a conspiracy to kill Glamis, Maitland and others.[34] Lord John does, in fact, seem to have deserted the Stirling faction for a few months and been drawn into the camp of the catholic party by the influence of his brother Lord Claud, and by his desire for revenge on England for the death of Queen Mary.

As with the death of Queen Mary so the threat of the Spanish Armada came to overshadow domestic political rivalries in Scotland and the lords of the Stirling faction found themselves able to unite once more, this time in a party dedicated to oppose catholicism and foreign invasion. Angus led a deputation to the king, of nobles who pledged to resist the invader and maintain the current religion.[35] In July 1588 commissioners were appointed to seek out rebels, jesuits

28.Calderwood,iv.613-14; 29.Cal.S.P.Scot.,ix.479; 30.Ibid.,507;
31.Ibid.,453; 32.Ibid.,532; 33.Scots Peerage,viii.288;
34.Cal.Border Papers, i.298-9; 35.Cal.S.P.Scot., ix.561.

and others and Angus, Mar, Glamis and Lord John were among the many nobles charged to carry this out in specific areas.[36] 1 August saw a similar command issued with instructions for resisting the Spanish invader in the different areas of the country and once more the lords of the Stirling faction figured prominently.[37] A notable exception from those involved in this second partition of responsibility was the earl of Angus who was sick by this time and was to die three days later on August 4.[38] His death highlighted the decline in importance which the Stirling faction had suffered since their return to power and accelerated the process by which they merged with a broader protestant party of patriots. Angus died at a time when the Stirling faction was again united in its aims and this is perhaps reflected in his will, in which the earl names, as those who are to guide his son and heir, the Douglases (which would be expected) but also the earl of Mar and Lord Hamilton, which latter noble Angus evidently still regarded as an ally.[39] Unfortunately for the Stirling faction, this hoped-for heir mentioned by Angus did not materialise. Angus' wife had been carrying a child at the time of his death but this proved to be a girl with the result that the earldoms of Angus and Morton would go to different heirs,[40] so that the personal loss to the lords was exacerbated by political considerations.

Archibald Douglas was, in fact, succeeded in the earldom of Angus by his kinsman William Douglas, hitherto designated "of Glenbervie". His claim to the earldom was opposed by the king himself as heir of line and although the judgment of the Lords of Session went in favour of Douglas, he became earl at the expense of parting with 35,000 merks to the king and the lands of Braidwood to Chancellor

36. R.P.C., iv. 300-2; 37. Ibid., 306-8; 38. Ibid., 306n; Scots Peerage, i. 196; 39. S.R.O. Edinburgh Commissary Court Records CC8/8/20, 44v-50r; 40. Cal.S.P.Scot., ix. 653.

Maitland.[41] In the earldom of Morton, which John, Lord Maxwell, of course, also continued to claim, Archibald Douglas was succeeded by his kinsman Sir William Douglas, previously styled "of Lochleven".[42] Both these men, on account of their protestantism, their Douglas kinship, and their previous personal histories, would be judged likely to carry on the policy of the deceased Angus but the lords of the Stirling faction must have felt deeply the loss of the "guid Archibald" both on account of what they had all been through personally together and also on account of his standing in the eyes of the kirk and his fellow countrymen, especially at a time when the catholics in the country were displaying unwonted vigour.

Throughout the remainder of 1588 and into 1588/9 the remnant of the Stirling faction Mar, Glamis and Lord John continued to be described as well-affected to England and protestantism. On 20 August 1588 Mar was one of the leaders of an army of men mustered to resist the Spaniards.[43] November and December 1588 saw Glamis in contention once more with the family of Lindsay, Earl of Crawford, and this was as always, guaranteed to reaffirm his loyalty to the opposing Stirling faction. The contention on this particular occasion was over the captainship of the guard, which it was proposed to take from Glamis and give to Alexander Lindsay, brother to Crawford, and a considerable favourite of the king.[44] As a third candidate was also mentioned for this position and as that third candidate was the earl of Huntly,[45] Glamis' continued hostility to the catholic party was guaranteed. There had been choice made of Lord John Hamilton in April 1588 as king's ambassador for Denmark[46] and on 20 January 1588/9 this choice was confirmed and he furnished with money for the post.[47]

41. Scots Peerage, i. 197; 42. Ibid., vi. 371; 43. Cal. S. P. Scot., ix. 600;
44. Ibid., 635, 638; 45. Ibid., 647; 46. R. P. S., lvii. 96r-96v;
47. Ibid., lviii. 150v.

This sign of royal favour may have helped to win him back from associating with the catholic party or it may be that his desire for revenge for Queen Mary's death had cooled somewhat as time passed. At any rate a survey of 8 February 1588/9 describes the chief of the "contrarie" or well-affected faction as Lord John Hamilton, Lord Chancellor, master of Glamis, treasurer, earl of Mar, the Earl Marischal[48] and this was shortly before the capture of letters which precipitated the crisis of Brig of Dee.

These letters revealed the involvement of several leading Scottish catholic nobles with the King of Spain, chief among which nobles ranked Huntly. The earl of Mar and the master of Glamis along with their recruits to their faction Angus and Morton, with others, were reputed to have plotted to have solved the matter by slaying Huntly.[49] When this plan came to naught and after the king had decided to march in person against the northern rebels, the lords of the Stirling faction were in the forefront of the preparations. Lord Hamilton and the earl of Mar were among those who accompanied the king in his march north[50] while the master of Glamis and the new earls of Angus and Morton were "beyond the F(orth), gathering forces to joyne with the King".[51] Despite the fact that "There have been three great quarrels between the principal noblemen since we marched; one between Hamilton and Angus, ... another between the Earl of Mar and the Lord Hamilton"[52] these lords and Morton held together sufficiently well to see the northern progress completed and to return and sit on the assize of those rebels who had been apprehended or had surrendered themselves.[53] The master of Glamis had had a somewhat more eventful time than his allies for he had been captured by the rebel earls in their march north

48.Cal.S.P.Scot.,ix.677; 49.Cal.Border Papers,i.335-6;
50.Cal.S.P.Scot.,x.28; 51.Ibid.; 52.Ibid.,54; 53.Spottiswoode,ii. 397.

and was deemed fortunate not to have been killed.[54] It may be that Glamis came to some agreement with the rebel earls while he was their prisoner that if his life was spared he would intercede his voice on their behalf if they were ever called to account for their actions. Certainly such collusion was suspected in some quarters[55] and it seems to have been sufficient to have kept the master from being selected to sit on the assize of the rebels.[56]

The period which thus closed with the assize of the rebel catholic earls had consequently seen the lords of the Stirling faction maintain their unity of purpose to a very considerable degree. The fact that this is the last period in which it is profitable to study these men as a separate faction is not due then to their disintegrating as a party but rather to their being engulfed in a broader-based protestant party. Those other nobles who closed this period on a similar note and who, not being previously connected with the Stirling or any other small faction, could claim to be acting in a consistently moderate fashion came into being as members of a protestant party pledged to defend the country against catholicism and possible Spanish invasion. The earl of Argyll, for example, was only thriteen years old in 1588 and his protestantism and the fact that his mother, Dame Annas Keith, the widow of Regent Moray, had a quarrel with the earl of Huntly seemed sufficient to guarantee the use of his forces against any invading catholic force.[57] Lennox was only one year senior to Argyll and although there were doubts over his religious standing and although his sister had married Huntly, he was appointed to resist the Spanish invader in his area of the country and to pursue rebels and jesuits.[58] Atholl was the only mature man among these three

54. Cal. S. P. Scot., x. 36, 38-39; 55. Ibid., 68; 56. Ibid., 84;
57. Scots Peerage, i. 345-6; 58. R. P. C., iv. 300-1, 306-8.

important nobles. He was reputed on one occasion to be amongst those lords who wanted some changes in the estate[59] but he too was a protestant and he too had a quarrel with Huntly[60] which seemed likely to guarantee his adherence to the patriotic camp and which resulted in his marching north with the royal forces against the rebel earls[61] and eventually sitting on the assize of those who had been captured.[62]

George Keith, fifth Earl Marischal, was of the protestant persuasion and was yet another lord who had a private quarrel with Huntly. Indeed in the march organised by the king in May 1587 to indicate reconciliation between different nobles who had been at feud, Marischal and Huntly walked hand in hand.[63] The dispute between them continued, however, and this, coupled with the fact that Marischal's protestantism seems to have been of an enthusiastic nature, he was sent by the General Assembly of the Kirk to King James on one occasion to discuss the supression of popery,[64] guaranteed that they would be on opposite sides in any conflict, especially where religion entered into it. From the latter part of 1588 until the Brig of Dee affair Marischal is consistently listed as one of the leaders of the protestant party[65] and on 18 March 1588/9 he is named as one of those who had plotted to have slain Huntly.[66] After the Brig of Dee crisis had passed he was appointed the king's lieutenant in the north of the country[67] and he was present at the assize of the rebel earls.[68]

The earl of Rothes has been seen in previous chapters* to have occupied a moderate role in Scottish politics at this time both in terms of the degree and nature of his involvement in events. This

59.Calderwood,iv.677; 60.R.P.C., iv.131-2,149-50,210; 61.Cal. S.P.Scot., x.61; 62.Ibid.,84; 63.Calderwood,iv.614; 64.Ibid., 650; 65.Cal.S.P.Scot.,ix.624,628,703; 66.Cal.Border Papers,i.336; 67.Cal.S.P.Scot., x.75; 68.Ibid.,84.

* see above 151-4.

trend continued in these years although for a while it seemed likely that Rothes would ally himself with the catholic party. Angus, of the Stirling faction, was married to Rothes' daughter and soon after his return to power in November 1585 he resolved to be divorced from her.[69] Their marriage had been in danger already, when the lady was reputed to be involved with the earl of Montrose, but this time Angus was rumoured to be going to accuse her of an affiliation with a stable boy.[70] Obviously if this accusation were substantiated it would cause considerable disgrace to Rothes, who tried to hinder Angus' process of law.[71] Nevertheless the couple were divorced and Rothes is to be found in the plots of the catholic party[72] who were also looking that the Stirling faction should lose influence. He was, however, a protestant and as time healed the wound of his daughter's disgrace and removed Angus from this life, his religious persuasions seemed to have reasserted themselves. He was appointed a commissioner both against rebels and jesuits and to resist Spanish invasion[73] and is once more referred to as protestant and well affected to England.[74]

There are other lords who must needs be described as moderate at this time as a result of insufficient involvement in affairs or as a result of the confused notion that contemporary observers had of their loyalties. Such a one is Lord Hume who is described in two surveys, made only two months apart in time, between the time of the Armada and Brig of Dee, as "well-affected" and as papist and discontented.[75] Hume, however, did march with the king against the northern rebels.[76] Other men, who were nominally involved in events at this time but who are occasionally referred to as papists or ill-affected, such as Lords Ogilvie[77] or Fleming[78] are to be found with

69. Ibid., viii. 637; 70. Ibid.; 71. Ibid.; 72. Ibid., ix. 327; Cal. Border Papers, i. 256; 73. R.P.C., iv. 300-2, 306-8; 74. Cal. S.P. Scot., ix. 667, 703; 75. Ibid., 668, 703; 76. Ibid., x. 28, 36; 77. Ibid., ix. 624; 78. Ibid., 667.

the king in his march against the rebel earls,[79] as is Lord Sanquhar,[80] and they must be regarded as moderates, Fleming indeed to be found also on the assize of the rebel lords later in the same month.[81] Others again, who were often more involved in local affairs than in national ones, such as Robert Montgomery, Master of Eglinton and head of that family since the murder of Hugh 4th Earl on 18 April 1586,[82] were trusted sufficiently by the government to be appointed against rebels, papists and possible Spanish invaders in the summer of the Armada.[83] William Kerr of Cessford also accompanied the king in his journey north[84] and had been one of the leaders of the men mustered in August 1588 to withstand possible Spanish invasion.[85] Walter Scott of Buccleuch may be held to be typical of this class of powerful laird. On 7 April 1589 he was reputed to be joining with Bothwell and others in a plot to kill the chancellor[86] but he had been trusted sufficiently to be appointed as a commissioner against the dangers which seemed imminent in the Armada summer.[87] In short there were many men, both those who cared little and those who cared a great deal about such things as the struggle between the Stirling faction and their opponents, who were all prepared to sink such differences, albeit temporarily, to guarantee the country's safety from what seemed the very real menace of Spanish invasion, backed up by catholic-led insurrection.

As was seen in Chapter Two* the "moderate" party has often to be allowed to contain men who were far from moderate by nature but whose actions were forced into such a pattern by events. Such a man, in this period, is the master of Gray. To categorise the master of Gray as being a member of any political faction is no simple matter but neither can a man who played such a prominent part in events be ignored.

79. Ibid., x. 61; 80. Ibid.; 81. Ibid., 84; 82. Scots Peerage, iii. 442-3; 83. R.P.C., iv. 300-2, 306-8; 84. Cal. S.P. Scot., x. 28; 85. Ibid., ix. 600; 86. Cal. Border Papers, i. 337; 87. R.P.C., iv. 300-2, 306-8.

* see above 160, 162.

He began this period under consideration as an adherent of the Stirling faction, aiding the lords of that party to overthrow Arran with the help of his secret plotting behind that earl's back. He soon fell out with Secretary Maitland, however,[88] and joined the lords of the Stirling faction in their request to the king that all those who were not at the raid on Stirling should be put away from court.[89] He made considerable preparations throughout the summer of 1586 to lead a band of men to the Low Countries[90] to aid England in her struggle there against the Spanish, but never, in fact, went. In December he was chosen by King James as one of Scotland's ambassadors to be sent to England to try and save Queen Mary's life.[91] In this purpose he and his fellow ambassadors failed but were exonerated by the king.[92] It was said of him at this time that "The Master of Gray is in suspense what course to take him to".[93] The courses he was undecided between were those of England and France but it may be that his mind was made up for him for he revealed what was the prime consideration for him early in March 1586/7: "The Maister of Gray be his letteris doeth affirm that the Secretarye doeth presentlye gowern all".[94] This continuing hatred of Maitland who seemed to have more influence with the king than he had, caused Gray to join with other enemies of Maitland, namely those of the catholic faction.[95]

At this point a series of accusations between Gray and Sir William Stewart commenced, some of the crimes of which Gray was accused and some possible interpetations of this involved episode having been given earlier.* It is not proposed to investigate the truth or otherwise of the most famous of these accusations, namely that Gray had proved false to the trust of his king in that, having been sent to England to save

88. Cal.S.P.Scot., viii.216; 89. Ibid., 224; 90. Ibid., 365, 400, 410, 610; 91. Ibid., ix.197; 92. R.P.C., iv.144; 93. Cal.S.P.Scot., ix.276; 94. Ibid., 324; 95. Ibid., 327.

* see above 172-3, 226.

Queen Mary's life, he had instead privately informed Queen Elizabeth that she might execute her more or less with impunity. Gray was, at any rate, found guilty of the crimes[96] and was given leave to go abroad.[97] The editor of the Register of the Privy Council comments on this that "The amazement was that his life was spared. Even his estates were spared, save that he lost the Abbacy of Dunfermline, which was conferred on the Earl of Huntly".[98]

Thereafter Gray became relegated to a position somewhat similar to that occupied by Arran in that his name was used as a threat by one side to the other in the struggle for power between Maitland and the catholic faction.[99] He seems to have returned to Scotland around the time of the Brig of Dee[100] episode but took no part in it. It is difficult to say what Gray's real political position was. He is described, in his early days in the political arena, as a supporter of Queen Mary[101] and was frequently labelled as a papist throughout the years.[102] On the other hand he is equally often styled as a friend to England[103] and may have been guilty of connivance in the death of Queen Mary. It is probably fair to say that considerations of personal political advancement were paramount to him and he was prepared to change his course completely if he thought that he would thereby benefit his career or his purse.

The party of the protestant moderates was stimulated into violent action again by events in the month of February 1591/2 which saw not only the murder of the earl of Moray by Huntly but also the shooting of John Campbell, laird of Calder, a principal guardian of the young earl of Argyll. These two murders brought to a climax several different quarrels which had been in existence for some years and

96.Moysie,Memoirs,63; 97.R.P.C.,iv.173; 98.Ibid.,168n;
99.Cal.S.P.Scot.,ix.622; x.25; 100.R.P.C.,iv.375; 101.Cal.S.P.Scot., vii.292; 102.Cal.Border Papers,i.217; Cal.S.P.Scot.,ix.186;
103.Cal.S.P.Scot.,viii.223,337-8,364.

were inextricably intertwined. Some attempt must be made to untangle them, however, in order to explain the gravity of the situation which this double murder precipitated.

It has already been seen* that the young earl of Moray was a son to Lord Doune, a close associate of the late Esme, duke of Lennox, and like him, one suspected of papistry. Doune's son had become earl of Moray by marrying Elizabeth, eldest daughter of the late regent Moray,[104] and although his supposed inclination to catholicism might have been expected to bring him to friendship with Huntly, this could be expected to be more than counteracted by the Huntly-Moray feud to which the young earl had also succeeded. Queen Mary had deprived George Gordon fourth Earl of Huntly of the earldom of Moray in order to provide her own half-brother James Stewart to that honour. He had secured his earldom by defeating Huntly in battle at Corrichie where that earl died.[105]

The young earl of Moray, Doune's son, had shown an initial tendency to ally with his neighbour Huntly in the months before Brig of Dee,[106] and it seemed that their traditional feud might not come to anything. In the year after Brig of Dee, however, it became clear that the two earls had another important source of contention, namely the lands and possessions of the bishopric of Moray, which both claimed. A document of 16 April 1590 which gives the background to several different quarrels among the northern earls states that George Douglas, late bishop of Moray granted and assigned in fee simple to James, late Earl of Moray, the fishings in the Spey, which descended to Moray's wife. Huntly had, notwithstanding, after the death of the said bishop, both entered into and retained the said fishings and also the

104. Scots Peerage, vi. 316; 105. Ibid., 314; 106. Cal. S.P. Scot., ix. 677; Moysie, Memoirs, 74.

* see above 189.

castle of Spynie, and all the goods of the bishop foresaid, which Moray claimed.[107] Moray had already shown that he was aware of two weapons which he could use against Huntly in this dispute. On 6 March 1589/90 he was appointed a commissioner against catholics in the Elgin and Forres area,[108] an appointment which was no doubt calculated to contrast with Huntly's known catholicism. He had also become friendly with Atholl and Bothwell, his kinsmen, and there was talk of their joining in a band against Huntly.[109] The effect of all this was that the document, mentioned above*, of 16 April 1590, concluded that the king appeared to favour Moray being a Stewart.[110]

The feud continued throughout 1590 and erupted into violence at the close of that year when Huntly surrounded Moray and his allies in Moray's house of Darnaway.[111] The immediate cause of, and excuse for, this action lay in Huntly's feud with the Grants but Huntly, Moray, Atholl, Grant and others were all commanded to ward after John Gordon "brother of the laird of Cluny and a principall author of those troubles" was shot and killed.[112] The feud was continued at court and both earls petitioned the king[113] who seemed now to be favouring Huntly,[114] who had, of course, long been a personal favourite. A further cause of the king's apparent favour to Huntly may have been Moray's friendship with Bothwell which continued unabated throughout this time.[115] Mutual provocation and actual spilling of blood continued in the north between the forces of the two earls[116] and Moray made several attempts to secure, from among his fellow nobles, a band against Huntly.[117] Moray's continuing friendship with Bothwell seems to have discredited him in the king's eyes and when Bothwell attacked Holyroodhouse in December 1591, it was rumoured that Moray had been with him.[118] Whether or not he

107. Cal.S.P.Scot., x.277; 108. Calderwood, v.42; 109. Cal.S.P.Scot., x.259, 264; 110. Ibid., 277; 111. Ibid., 428; 112. Ibid.; 113. R.P.C., iv.569-70; 114. Cal.S.P.Scot., x.460; 115. R.P.C., iv. 804; 116. Cal.S.P.Scot., x.541, 572; 117. Ibid., 558, 586-7; 118. Spottiswoode, ii.419.

* see above 237.

had been present there, he was finding "little favour at court" at this time, a fact attributed by one observer to the decease of his wife in child-bearing[119] a few weeks previously.[120] On 7 February 1591/2 Huntly passed over to Fife and murdered Moray who was then staying at his castle at Donibristle to which he had come for a supposed reconciliation with Huntly.[121] The details of the "bonnie earl's" flight from his pursuers and his betrayal to them in the dark by his hair or headgear catching light from the fire which they had started to drive him out, are well known, and the simple upshot of the whole affair was that the blood-feud between the two houses, the difference in religious persuasion between the two earls and their dispute over the bishopric of Moray, had ended in murder.

In addition to Bothwell, there was another Stewart with whom Moray was heavily involved, namely, John Stewart, 5th Earl of Atholl, and his alliance with Moray was based on considerably more than the Stewart kinship which they both enjoyed. The document of 16 April 1590, already referred to,* lists the origin of no fewer than three disputes in which Atholl was involved, including one with Huntly.[122] This particular dispute had apparently arisen after one George Drummond of Blair, who had been employed by Atholl in all his chief affairs, had been dismissed because the earl had found him "so entred into practises". Huntly then entertained Drummond "with Atholl's great displeasure". Also, after Brig of Dee, Atholl obtained Drummond's escheat and cast down Drummond's house, as Huntly thought, in despite of him.[123] There were many references to this dispute for several years before this analysis of it both in the pages of the Register of the Privy Council and elsewhere.[124] This dispute

119. Cal.S.P.Scot., x.601; 120. Ibid., 594; 121. Ibid., 633-4;
122. Ibid., 276-7; 123. Ibid.; 124. R.P.C., iv.131-2, 149-50, 210; Cal.S.P.Scot., x.202.

* see above 237.

between Atholl and Huntly was in fact terminated in October 1590[125] but the reconciliation was short-lived and was ended by the Darnaway incident and a similar, though less violent, confrontation at Atholl's house of Balveny, just before it.[126] Atholl's dispute with Huntly now followed a similar course to Moray's and the two combined[127] to resist the lieutenancy of the north which Huntly was rumoured to have received.[128] Pressure was put on Atholl by the king to lessen his contact with Bothwell[129] and this may have been sufficient for him to escape the suspicion, which Moray incurred, of being involved with Bothwell in the Holyroodhouse raid. The other two feuds which Atholl was involved in were with the earls of Errol and Montrose[130] with the result that he was in dispute with three of the leading members of the catholic party.

Shortly after the Darnaway incident, on 23 February 1590/1 to be exact, it was reported that "Athol and Murray are especially 'partied' by the lairds of Grant, Caddell, Mackintosh, and others".[131] Like the more powerful earls, these lairds had their own reasons for being hostile to Huntly. It has already been stated* that it was in pursuance of a dispute with Grant that Huntly precipitated the crisis of Darnaway. At the time of Brig of Dee, Grant had been one of those northern lords who pledged to the king to pursue Huntly and his allies[132] and on more than one occasion he was appointed as a commissioner against catholics and jesuits.[133] The real trouble, however, seems to have begun in 1590. John Gordon, brother to Sir Thomas Gordon of Cluny, had married the widow of Grant ofBallindalloch. The tutor of Ballindalloch killed one of Gordon's servants in a private quarrel and Huntly used his official position as holder of a royal commission to pursue what the Grants regarded as a private quarrel.[134] Huntly had, consequently,

125. Cal.S.P.Scot.,x.410; 126. Ibid.,425,428; 127. Ibid.,462,558; 128. Ibid.,460,558; 129. Ibid.,569,571-2; 130. Ibid.,276; 131. Ibid., 462; 132. R.P.C.,iv.376-7; 133. Ibid.,300-1,463-4; 134. Spottiswoode, ii.410; R.P.C.,iv.548.

* see above 238.

been attempting to apprehend the tutor of Ballindalloch and had followed him to Darnaway where the skirmish broke out, as a result of which the said John Gordon was killed.[135] In the verbal disputes at court which followed on the Darnaway incident, the laird of Grant alleged that he was not even in the castle at the time of the killing but it was decided merely to commend Huntly for his actions.[136] The feud continued throughout 1591[137] but on 4 December of that year it is said that "Huntly, continuing still at court, has agreed with the Laird of Grant and Mackintosh, leaving out the Earl of Murray, otherwise than was promised".[138] Huntly had no sooner secured this agreement than he put his plan into action and killed Moray.

The Mackintoshes had had disputes with the powerful earls of Huntly on occasions before Brig of Dee and Mackintosh had come in with Grant on that occasion and signed the bond against Hunly.[139] The relationship between the two men seems to have improved thereafter, however, for on 13 November 1589 Mackintosh granted to Huntly a bond of manrent, in continuation of one made in 1568.[140] By the time of the Darnaway incident, nonetheless, Mackintosh was once more aligned on the side of Moray and Grant.[141] It seems likely that Mackintosh shared Grant's opinion that Huntly was abusing his commission against law-breakers in using it to forward the personal quarrels of other Gordons, especially as Huntly also had commission to call to justice the Clan Chattan,[142] of which Mackintosh was the hereditary captain. Mackintosh and Grant continued to support Moray[143] and by April 1591 Huntly had succeeded in having them both denounced as rebels.[144] On 6 July 1591 it is reported that "Some of the clans lately following Mackintosh are revolted to Huntly and entered into blood against some

135. Cal.S.P.Scot., x.428; 136. R.P.C., iv.570; 137. Ibid., 832, 646-7, 663-4; Cal.S.P.Scot., x.541; 138. Cal.S.P.Scot., x.593; 139. R.P.C., iv.375-7; 140. S.R.O., Gordon Castle Muniments, G.D.44/13/9.7; 141. Cal.S.P.Scot., x.428; 142. Ibid., 442; 143. Ibid., 497; 144. R.P.S., lxii.34r.

under the laird of Grant".[145] There are other reasons to suspect that Mackintosh and Grant were suffering for their support of Moray. On 23 September 1591 it is reported that "Lately the Laird of Lochaber and the clans of Cameron appertaining to Huntly have killed forty-one of Mackintosh's men, and twenty-four tenants of Grant's".[146] It may also have been that Mackintosh was fearful that under Huntly's protection some of the smaller clans such as the Macphersons would become powerful enough to dispense with any dependence on Mackintosh as captain of the Clan Chattan. At any rate, as was seen earlier,* Grant and Mackintosh banded with Huntly, leaving Moray to his fate.[147]

Others in the north-east who were hostile to Huntly at this time included Lord Forbes, whose family had a long-standing feud with the Gordons, and Lord Lovat, who joined with Atholl, Moray, Grant of Freuchie, Campbell of Calder, Stewart of Grantully, Grant of Rothiemurchus, Sutherland of Duffus and Grant of Bellintone in entering, on 1 November 1590, into an alliance, offensive and defensive, evidently directed against Hunly.[148] One of these men, at least, Sutherland of Duffus, seems to have changed his allegiances in the following year, for on 27 November 1591 he granted his assistance to Huntly in his quarrels "and speciallie in thir querrell and deidlie feud had and borne be his Lord aganis the erle of Murray certane his confideratts and uthers within Murray".[149] This band is a most interesting one and is unusual in that the names of those who signed it are not embodied in the text of the band but merely given as signatures at the bottom. It may not be reading too much into this fact, to suggest that Huntly drew up this bond with a view to canvassing and securing as much support for his cause against Moray as he could manage. Other lairds who

145. Cal.S.P.Scot., x.541; 146. Ibid., 572; 147. Ibid., 593;
148. Donald Gregory 'A History of the Western Highlands and Islands of of Scotland', 248n; 149. S.R.O., Gordon Castle Muniments, G.D.44/13/7.35.
* see above 241.

signed the bond included two Dunbars, Hay of Lochloy and Brodie of that Ilk and it may well be that this was one step in Huntly's campaign to guarantee himself security in the north, in which campaign his agreement with Mackintosh and Grant, omitting Moray, was another such step, so that he could proceed to deal with Moray, by now considerably isolated and temporarily resident, far from his former allies, in Fife.

The murder of the laird of Calder or Caddell at the same time as that of the earl of Moray points to the fact that further disputes as yet unmentioned affected the Huntly-Moray situation. If Huntly was the most powerful noble in the north of the country, Argyll held that position in the west. Colin, sixth earl of Argyll, had died in 1584 leaving a son Archibald who was only nine years old.[150] Initially the power of guardianship of the young earl was possessed by John Campbell of Calder, the man murdered at the same time as Moray, who had married Mary Keith, a sister of the widowed countess of Argyll,[151] Neil Campbell, Bishop of Argyll, and Sir James Campbell of Ardkinglas, comptroller. This meant that Campbell of Lochnell who was the next heir after the young Argyll and his younger brother Colin, was thus excluded from power and his discontent at this state of affairs was fomented by Campbell of Glenorchy. Calder and Ardkinglas continued in power and were associated for a while with the earl of Mar, George Erskine, his brother, and the master of Glamis. Thereafter there came a rupture between Calder and Ardkinglas and the death of the latter in 1591 left Calder practically in sole control of the earldom.[152]

Campbell of Calder, it is clear then, could expect to have rivals and enemies among his own kin in 1591 but he was also connected with

150. Scots Peerage, i. 346-7; 151. Ibid., vi. 50; 152. Donald Gregory, op. cit., 244-7.

the earl of Moray and his dispute with Huntly. Around the time of Brig of Dee, Calder had acted as one of the Earl Marischal's sureties in his quarrel with Huntly,[153] had been one of those who signed the bond in favour of religion and the king and against Huntly[154] and had been appointed as a commissioner against catholics in the Nairn area.[155] He was involved in the Darnaway incident on the side of Moray[156] but later alleged that he was not in the castle at the time of the shooting of John Gordon.[157] Consequently Calder had enemies among his fellow Campbells and among Huntly's party.

There were further links between the young earls of Argyll and Moray in terms of marriages. Dame Annas Keith was the mother, by different marriages, both of the earl of Argyll and of Elizabeth Stewart, who had been the heiress of the Moray earldom and was now wife to Moray.[158] This energetic lady, Dame Annas, had carried on, in her capacity as widow of Regent Moray, a fight against Huntly for her rights in connection with the Spey fishing attached to the bishopric of Moray.[159] She had died in 1588[160] but her feud with Huntly remained unresolved and she linked two houses which both now had disputes with that earl. As was said earlier* Campbell of Calder had married Dame Annas' sister, Mary, while a yet further link had been forged earlier* in the marriage of Margaret Campbell, sister to Colin, sixth earl of Argyll, with James Stewart of Doune, she thus becoming the mother of the future earl of Moray.[161]

Yet one further quarrel must be mentioned briefly as it helped to cement the alliance of Argyll, Atholl and Moray against the catholic Huntly. In August 1591, as was mentioned earlier,* Argyll and Lord Ogilvie, regarded as a catholic, quarrelled over Coupar

153. R.P.C., iv.364; 154. Ibid., 375-7; 155. Calderwood, v.42;
156. Cal.S.P.Scot., x.428; 157. R.P.C., iv.570; 158. Scots Peerage, i.345, vi.316; 159. R.P.C., iv.86-87; 160. Scots Peerage, vi.50;
161. Ibid., i.340.
* see above 243; * see above 202-3.

Abbey and around 20 men were killed. This included some of Atholl's men and he joined with Argyll in raising men to avenge this.[162] This feud worsened one month later when "By means of the Earl of Crawford and Lord Ogilvie the King has caused two of the clan of Gregor to be taken and executed in St. Johnston's for slaughter of some of Ogilvie's men. These Gregors belonged to the Earl of Argyll" who was angry at this.[163] This dispute between Argyll and Ogilvie was agreed shortly before the murders of Moray and Calder[164] but it had served to give Atholl and Argyll experience of co-operating against a mutual, catholic enemy. The agreement of this dispute may even have been encouraged by Huntly as another step in his isolation of Moray before his attempt on his life.

The earl of Huntly, then, had obvious reasons for wishing Moray dead and had similar reasons against Calder, as one of Moray's henchmen. The author of the Historie of King James the Sext draws the two murders together by stating that the man who chiefly guided Moray's mind was Campbell of Calder who had spent a long time at court where he had learned all manner of subtleties. He was "very familiar with Chanciller Maitland, fra whome he ressavit instructions to engender disfreyndship betuix Huntlie and Murray". He goes on in fact, to accuse Maitland of devising Moray's death with Huntly, and continues "The Knycht of Caddell was also treasonablie killit in the north be ane Killepatrik Oig, at the instegation of Johne Campbell of Ardkinglas; wha tharefter was apprehendit be the Erle of Argyle for this fact, and provin giltie thareof".[165] Admittedly the author is here running ahead of events but the comment made by some historians that there is no evidence that contemporaries linked the two murders in

162. Cal.S.P.Scot., x.566-7; 163. Ibid., 572-3; 164. Ibid., 633;
165. Historie of King James the Sext, 246-9.

February 1591/2 is untrue. On 10 February 1591/2 Bowes writes that he has heard rumours that Calder was slain by Huntly's means[166] while a week later the same observer states, more definitely "the Laird of Calder was slain in the night by Huntly's means and 'draught' eight days before the murder of Murray, and that Argyle and his friends are deeply grieved herewith".[167]

Public opinion apparently concluded that both the king and chancellor were involved in Moray's death.[168] It would be held by some, indeed, that Maitland was closely linked with both Moray's death and Calder's, in addition to a plot for the attempted murder of the young earl of Argyll and his younger brother.[169] Argyll is reputed to have narrowly escaped death by poisoning in 1592, said to have been administered by Campbell of Lochnell.[170] Argyll investigated the slaughter of Calder and had Ardkinglas tried for the same.[171] Initially that laird confessed nothing but in May 1594 he told of two parallel conspiracies. Apparently Ardkinglas, elder, who had fallen out with Calder before his death, had intended to murder Calder, and Ardkinglas, younger, was prevailed upon to carry this plot into execution, for which purpose he banded with other Argyll lords including Campbell of Glenorchy and Campbell of Lochnell. This agreement was, according to Ardkinglas' testimony, replaced by another band in which all the parties agreed to murder Archibald, earl of Argyll and his brother Colin Campbell of Lundie, James, earl of Moray and John Campbell of Calder. This band was signed by Huntly, John Lord Maxwell, John Maitland, chancellor, Lochnell, Glenorchy, Stewart of Appin and Macdougall of Dunollie. After these murders had been committed Lochnell would become the new earl and would reward Glenorchy, Macdougall, Stewart of Appin and Chancellor Maitland with grants of land. Maitland was reputedly to

166. Cal.S.P.Scot., x.634; 167. Ibid., 642; 168. Ibid., 638, 639-40; 169. Gregory, op.cit., 244-50; 170. Scots Peerage, i.346; 171. Cal.S.P.Scot., x.684, 705; xi.99.

be given the barony of Pinkerton in East Lothian which had been granted to the first earl of Argyll in 1483 and was no doubt coveted by Maitland as proprietor of Lethington.[172]

It is impossible to declare conclusively how valid this testimony is. Torture had been used at some stages of the investigation in Argyll and Ardkinglas had been warded in Carnasserie Castle for some time before he made this statement.[173] The fact that he later withdrew his confession[174] and that Glenorchy denied his supposed involvement in the matter[175] is equally not to be regarded as proof of the lack of veracity of the initial admission. The feuds and plots in the north and west at this time were complex and inter-related at many different levels. The situation was one in which a sudden decisive move such as the four murders mentioned may have seemed the ideal way to solve several problems at once. By the same token, however, it was the type of situation in which any such widespread plot, dreamed up after the event by an interested party, could be deemed likely to have, and could be designed so to have, considerable portions of truth in it and an overall air of plausibility. Absolute condemnation for such as Huntly should also be avoided for his murder had been considered by other nobles previously and his plot differs from any others only in the care with which the groundwork was laid, the fact that it succeeded and, arguably, the brutality of its execution. Horror at the deed does seem to have been felt but such murders between rival families were, if not commonplace, not exactly unheard of either. The whole episode, however, is a fascinating example of the inter-relation of central and local politics and of the relation between local politics in different areas.

172. Ibid., xi. 338, 370, 376; Gregory, op. cit., 244-50; 173. Highland Papers, Vol. 1, ed. J. R. N. Macphail Scottish History Society, Second Series, Vol. 5, 148; 174. Ibid., 150; 175. Ibid.

The incident also shows how two members of the protestant, patriotic party, Argyll and Atholl, along with a recruit to its numbers in the earl of Moray, had remained constant in their hostility to the catholic party in the person of Huntly, albeit their hostility was based on purely personal rather than religious consideration. A more valid extension and continuation of this protestant patriotic party can be seen, however, in the actions of men like Lord John Hamilton and the duke of Lennox who helped to govern the country during the king's absence in Denmark. After his march north with the king to Brig of Dee, Lord John is generally referred to as well-affected to protestantism and England,[176] even if his continued support for Lord Maxwell[177] in his claim to the earldom of Morton prevented him from being on as good terms with the Douglases as he had once been. He was appointed to have special charge over the southern half of Scotland during the king's absence overseas[178] and seems to have exercised his influence to maintain peace.[179] His relations with his brother Claud no doubt improved when that unfortunate's influence on affairs was crippled by illness.[180]

During King James' absence in Denmark Lennox was to remain as head of the privy council,[181] a position of very considerable importance for a boy of fifteen.[182] There was still occasional suspicion as to his religious persuasion[183] but he appears to have acted sensibly in his office and for the benefit of the country. That the catholic faction still had hopes as regards Lennox is evidenced by their reaction to his love for a daughter of the earl of Gowrie, who had been executed at Stirling in 1584. It was said on 24 October 1590 that the king "labours by all means to draw the Duke from that marriage"

176.Cal.S.P.Scot.,x.61,151; 177.Ibid.,215; 178.Ibid.,179-80;
179.Ibid.,197,207-8; 180.Ibid.,422; 181.R.P.C.,iv.423-6;
182.Scots Peerage,v.356; 183.Cal.S.P.Scot.,ix.703,226.

as did Huntly, Colonel Stewart and others who feared that by that marriage the duke would be drawn to the Stirling faction.[184] Lennox appears to have been less willing than most of the other Stewarts to unite against Huntly, in that earl's quarrel with Moray, and he was "employed by the King to pacify these feuds".[185] He eventually married his Ruthven bride,[186] contrary to the king's wishes, but seems to have recovered his sovereign's favour sufficiently to be the principal beneficiary of Bothwell's forfeiture in June and July 1591.[187] Lennox aided the king against Bothwell[188] but he was still thought secretly to favour his kinsman[189] and was suspected of having foreknowledge of Bothwell's attempt on Holyroodhouse in December 1591.[190]

Others who had aided the king at Brig of Dee included the earls of Angus, Morton and Mar, the remnant and new recruits of the old Stirling faction. Mar was not playing such a prominent role in events at this time as he had done but he was named as one of those to attend council during the king's absence.[191] He seemsto have kept aloof both from the Moray-Huntly feud and probably also from Bothwell's escapades, joining with Angus and Morton on one occasion when all three of them were accused of aiding Bothwell in his attempt on Holyroodhouse, to deny this charge and state that they merely opposed the chancellor, like all the nobility.[192] Angus and Morton were also ordered to attend council while King James was in Denmark.[193] Angus had several personal quarrels with other nobles during this period but the one which caused him most attention was that with his son, the master of Angus, also called William. He was a known catholic and was constantly in trouble with the authorities on that account[194] and seemed to be in considerable danger of being excluded from the succession to the earldom

184.Ibid.,x.410; 185.Ibid.,462; 186.Ibid.,502; 187.Ibid.,535; R.M.S.,v.1888; 188.Cal.S.P.Scot.,x.550-1; 189.Ibid.,589; 190.Moysie,Memoirs,87; 191.R.P.C.,iv.423-6; 192.Cal.Border Papers, i.390-1; 193.R.P.C.,iv.423-6; 194.Cal.S.P.Scot.,x.348,359; R.P.C., iv.521.

whenever that should become necessary.[195] That became necessary, in fact, on 1 July 1591 when the ninth earl died. The master was permitted to succeed as tenth earl[196] but his succession terminated the long association of the Angus earldom with the protestant parties.

Morton, or at least his daughter, was the means by which the king hoped to win Errol away from the other lords of the catholic party,[197] but when the marriage of the two went ahead before Errol had satisfied the kirk as to his religion, it was Morton who suffered the king's wrath at the couple's precipitation.[198] Morton acted in concert with his new son-in-law on several occasions after the marriage[199] and each seems to have drawn the other slightly away from their former political standpoints. Perhaps as a consequence of this Morton seems to have had more to do with Bothwell[200] than either Mar or Angus had and his son Archibald Douglas was with Bothwell at his attempt on Holyroodhouse.[201] The master of Glamis did not go to Denmark with the king but was deputed to remain with the council in his capacity as treasurer.[202] His relations with the chancellor continued to be variable.[203] Errol's marriage to a daughter of Morton's meant that Glamis had a new brother-in-law, for he also was married to a daughter of Morton,[204] and those three nobles are to be found acting in concert on occasions.[205] Glamis continued throughout this time to be heavily involved both in government, in his capacity as treasurer, and in court intrigue in which he was generally and increasingly to be found in opposition to the chancellor.[206] When Bothwell escaped from Edinburgh Castle in June 1591 it was rumoured that he was soon joined by Glamis,[207] united no doubt in common hostility to the chancellor. The chancellor was proving too strong for Glamis, however, who was soon to be apprehended on

195. Cal.S.P.Scot., x.417; 196. Scots Peerage, i.198-9; 197. Cal.S.P.Scot., x.281,285; 198. Ibid., 347; R.P.C., iv.506-7; 199. Cal.S.P.Scot., x. 352,358,443; 200. Moysie, Memoirs, 86; Cal.Border Papers, i.381; 201. Moysie, Memoirs, 87; Calderwood, v.141; 202. Cal.S.P.Scot., x.179; 203. Ibid., 145,285,294; 204. Scots Peerage, vi.374; 205. Cal.S.P.Scot., x. 331,352; 206. Ibid., 457,459,481; 207. Moysie, Memoirs, 86.

charges of plotting against Maitland.[208] By 11 August 1591 Glamis was talking of going to England as he could not be reconciled to Maitland.[209] On the 26 of this same month, however, he was warded[210] and shortly thereafter was deprived of his post at the treasury, which was restored to the earl of Montrose.[211] Observers were not slow to conclude that this indicated Glamis' fall and he was said to blame the chancellor.[212] There seemed little chance of a reconciliation and Maitland, indeed, tried to ensure that a further attempt to reconcile Glamis and Crawford would also fail.[213] As has been seen* it was rumoured that Glamis had been murdered[214] at the same time as Moray and the master's feud with Crawford certainly kept him in the anti-catholic or protestant party.

After Brig of Dee, George, fifth Earl Marischal was soon preoccupied with his post as crown ambassador to Denmark in connection with the possible royal marriage.[215] Part of the reason, at least, for his selection for this role seems to have been his very considerable personal wealth which would enable him to bear the cost which a proper execution of this commission would entail.[216] Before the earl left the country he was displeased with chancellor Maitland on account of the fact that other, lesser ambassadors such as Colonel Stewart and Mr. Peter Young appeared to have been given greater powers and more room for negotiation than Marischal, which was thought to be dishonourable to the earl.[217] The quarrel between the two worsened when Maitland went to Denmark with the king for there the earl and the chancellor quarrelled over precedence of place. This was decided in favour of the chancellor[218] who was also apparently the means of refusing a grant of money to Marischal, Lord Dingwall and Sir William

208. Cal.S.P.Scot., x.550; 209. Ibid., 560; 210. Ibid., 566; 211. Ibid., 586; 212. Ibid., 590; 213. Ibid., 592, 608; 214. Ibid., 638; 215. R.P.C., iv.389-91; 216. Ibid., 391n; 217. Cal.S.P.Scot., x.95-96, 121; 218. Ibid., 221-2.

* see above 215.

Keith, Marischal's kinsmen, to defray their expenses incurred in their Denmark trip.[219]

Marischal's quarrel with Maitland continued after both parties had returned to Scotland[220] and he appears to have been willing to ally with men of different political persuasions such as the catholic party[221] or Bothwell[222] to prosecute his feud. He was warded in August 1591[223] on account of his supposed plotting with Bothwell and Hume,[224] who was a half-brother to Marischal's wife,[225] against the chancellor. Despite this quarrel, his place continues to be among the other protestant moderates for his quarrel was a purely personal one and not based on any conflict of ideals, while he returned to his more accustomed moderate role in politics in later years.

The protestant-moderate party can thus be seen to have continued in existence after the twin threats of the Armada and Brig of Dee which had brought it into being. It continued its process of the assimilation of the old Stirling faction and must be admitted to have been a looser, albeit larger, entity than its predecessor. It had come into being as an answer to the threat from the catholic pro-Spanish faction and in this, the second phase of its existence, its patriotic character was further attested by the fact that it supplied the men who governed the country in the king's absence and the core of those men bent on revenge for Moray's murder. The earl so bent most vehemently was the earl of Atholl and in the various lists of names given in this matter his name is the most constant.[226] His intention to exact revenge was so obvious that in April 1592 he was ordered into ward by the king.[227] He began to co-operate with Bothwell,[228] no doubt in the hope that if his kinsman gained control of

219.Ibid.; 220.Ibid.,256,443; 221.Ibid.,285,532; 222.Moysie, Memoirs,86; Cal.S.P.Scot.,x.550; 223.Cal.S.P.Scot.,x.550,556; 224.Ibid.,550; 225.Scots Peerage,iv.462-3; 226.Cal.S.P.Scot.,x. 636,644,664,666; 227.Ibid.,669-70; 228.Ibid.,707.

the king and court he could then be persuaded to direct the resources of the same against the catholic earls. Atholl was consequently involved in the Falkland raid in June 1592, thought not directly.[229] On a local level, however, he was more direct and it was reported on 2 November 1592 that "The wars betwixt Atholl and Huntly still go forwards. It is bruited that Atholl has killed 33 of Huntly's men at Scabroth, within four miles of Strabboggie, Huntly's house".[230] Angus was appointed king's commissioner to try and pacify affairs in the north[231] and assurances were granted by the warring earls early in December.[232] The discovery of the Spanish Blanks in early 1592/3 led to Atholl's being appointed king's commissioner to apprehend the northern catholic earls and the murderers of Moray.[233] There were rumours in April 1593 that Atholl was being tempted into a reconciliation with Huntly by "offer of the marriage of Huntly's eldest son to his daughter" with attractive terms of land but had refused.[234]

Atholl and his wife were deeply involved in the plot which succeeded in July 1593 in bringing Bothwell into Holyroodhouse to the presence of the king.[235] The restored Bothwell and the rest of the Stewarts sought that the king would grant Atholl a commission against Huntly[236] but apparently without success. By October 1593 it seemed to Atholl that he would never gain royal help in his campaign against Huntly and he constructed his own party consisting of the young earls of Moray and Gowrie, the masters of Montrose and Gray, and Lords Innermeath and Forbes.[237] They sent to Bothwell to ask for English favour for their cause[238] but they were soon in trouble with the king. Atholl, as tutor to Moray, decided to keep his court at Doune along with the laird of St. Colme, uncle of Moray, who claimed

229.Ibid.,707-8,722; 230.Ibid.,817; 231.R.P.C.,v.19-20; 232.Cal.S.P.Scot.,x.822; 233.R.P.C.,v.49-51; 234.Cal.S.P.Scot.,xi. 82; 235.Ibid.,130; 236.Ibid.146; 237.J.Colville,Letters,258-9; 238.Ibid.

the castle and lands of Doune during the earl's minority.[239] St. Colme had already been put to the horn for intercommuning with Bothwell,[240] however, with the resultant loss of the keeping of Doune[241] and the king asked Atholl to refrain from holding his court there as planned.[242] Feelings ran high over this incident for apparently the king moved to go to Menteith himself and Atholl retired before his coming[243] while it was freely rumoured that the king had intended to kill Atholl.[244] In his letter to Bothwell Atholl had written that it was high time that resistance was offered to those of the Spanish faction as their numbers were increasing[245] and he continued to be a central figure in that resistance. Atholl, and most of those who had been with him at the time of the Doune incident, joined with Bothwell and Ochiltree around the time of the Road of Leith in writing to certain ministers then assembled at Dunbar. They excused their recent rebellious acts and blamed them on the state of the country.[246]

Atholl was under considerable royal pressure on account of his intercommuning with Bothwell[247] which he admitted but he stood "on his former ground that he agreed to 'partye' Bothwell against Huntly," and for no other reason.[248] That was stated late in April 1594 and the king made considerable efforts in the next few months to win Atholl away from Bothwell.[249] Things were happening on the Huntly front which suited Atholl at this time for Argyll was gathering forces to move against the catholic earl.[250] It might have been expected that Atholl would have aided Argyll against Huntly at Glenlivet but he does not appear to have done so, one report saying that this was as a result of the advice of Montrose, Bothwell and the master of

239.Cal.S.P.Scot.,xi.191; 240.R.P.C.,v.73,76-77; 241.Cal.S.P.Scot., xi.91; 242.Ibid.,191; 243.Ibid.; 244.Moysie,Memoirs,105; 245.J.Colville,Letters,258-9; 246.Cal.S.P.Scot.,xi.327-8; 247.Ibid., 319;R.P.C.,v.138; 248.Cal.S.P.Scot.,xi.325; 249.Ibid.,344,370; 250.Ibid.,344.

Gray.[251]

There may have been more to Atholl's absence from Glenlivet than merely a contentment that another would fight his battle for him for he does indeed seem to have turned his coat at this time. On 2 November it is said that "Atholl's part is not good, for now it is known that his lady has received money from Huntly"[252] while, less than a week later, "Atholl is suspected to be banded with sundry of Argyll's followers against Argyll".[253] Later in the month it is stated more definitely that Huntly and Atholl are agreed.[254] Campbell of Glenlyon attacked Atholl after this reconciliation while the young earl of Moray, on hearing of it fled from Atholl's company to St. Colme's.[255] Atholl's wife was greatly suspected to be the cause of his change of standpoint[256] but the advice of Bothwell and the receipt of 5,000 crowns from Spain were also, no doubt, of importance.[257]

Those banded with Atholl in his attempts to pursue Huntly have been seen* to include the young earl of Moray, but as he was said to be only twelve in 1594/5 when he sought permission to go to England for his education,[258] the aid he could give personally must have been somewhat limited. Similarly the earl of Gowrie, second son of the earl who had been executed in 1584, was only around sixteen at the time of the Doune incident.[259] Like Moray he too sought refuge abroad from the troublesome state of Scotland which he left in the summer of 1594.[260] His association with Atholl is not surprising for the latter was married to Mary Ruthven, Gowrie's eldest sister,[261] through which marriage he had taken the burden of the Ruthven quarrel against such as were especially associated with the execution

251.Ibid.,453; 252.Ibid.,471-2; 253.Ibid.,474; 254.Ibid.,486; 255.Ibid.; 256.Ibid.,489; 257.Ibid.,510; 258.Ibid.,530; 259.Scots Peerage,iv.267; 260.R.P.S.,lxvi.179r; 261.Scots Peerage, iv.265.

* see above 253.

of the first earl, such as Montrose.

The other Stewart who was most vehement against Huntly was Andrew, Lord Ochiltree, who, as has been seen,* was travailing to reconcile Huntly and Moray at the time of the latter's death.[262] Ochiltree quickly took revenge for this murder into his own hands and executed one Captain Cordon and his servant.[263] He agreed with Bothwell for the latter's killing of Sir William Stewart, his uncle,[264] and co-operated with Atholl in attempts to advance the punishment of Huntly.[265] He is reputed to have been instrumental in bringing in Arran, another of his uncles, in December 1592 to King James who intimated that he would not be received back in court,[266] while he also aided Bothwell's successful return to favour in July 1593.[267] He continued to party both Atholl and Bothwell and is described as the latter's chief auxiliary at the Road of Leith.[268] In September 1594, however, when Bothwell began to associate once more with the catholic earls, Ochiltree gave up dealings with him.[269] He gained the king's remission[270] and directed his energies towards attempting to apprehend Angus.[271] He succeeded in agreeing with Hume,[272] his principal adversary at the Road of Leith,[273] and was reported in February 1594/5 to be "at his pleasure abroad".[274]

If Ochiltree was drawn into the Atholl faction through his personal involvement with Moray, there were others who were so drawn because of their own quarrels with Huntly in the north. It was seen earlier* that the lairds of Grant and Mackintosh had agreed with Huntly shortly before Donibristle. Their agreement had not included Moray who had thus been isolated from his northern allies at the time

262. Cal.S.P.Scot.,x.633; 263. Ibid.,641; 264. Ibid.,645; 265. Ibid., 656,664; 266. Ibid.,821; * 268. R.P.C.,v.144 and note; 269. Cal.S.P. Scot.,xi.446,454; 270. R.P.S.,lxvii.22v-23r; 271. J.Colville, Letters, 131; Cal.S.P.Scot.,xi.473; 272. Cal.S.P.Scot.,xi.530,537; 273. Ibid., 496; 274. Ibid.,537; *267. Calderwood,v.256; Moysie, Memoirs, 102-3.

* see above 239; * see above 241.

of his murder. They may have so deserted Moray but they were soon to be found aiding those who sought revenge for that earl's death and Spottiswoode gives details of considerable disorder in the north, in late 1592, caused by men of the Clan Chattan in their quest for vengeance on Huntly.[275] Mackintosh seems to have been more heavily involved in this than Grant and he gained the support of Atholl to protect him from Huntly.[276] Both Grant and Mackintosh were appointed as councillors on 7 March 1592/3 to advise Atholl in his role as commissioner against jesuits and the Donibristle murderers.[277]

Mackintosh and Angus Williamson are given in one account as being among those who brought Bothwell into the king in the summer of 1593[278] and later in the same summer they were once more engaged in full hostilities with Huntly[279] which continued into 1594.[280] After Glenlivet, Mackintosh and Grant were among those northern lairds who entered into a band to oppose Huntly[281] and both, no doubt, thought their feuds with Huntly were over when he left the country.

The Forbes family, traditional enemies of Huntly, also supported the attempts of the crown to prosecute Huntly after Moray's murder.[282] Lord Forbes, indeed, was reputed to have been involved in restoring Bothwell to the king's presence in July 1593[283] no doubt with a view to the better prosecution of Huntly. He was one of those, along with Bothwell, Ochiltree, Atholl and others, who wrote to the ministry at Dunbar in April 1594[284] and he had earlier been mentioned as aiding Atholl in his cause over Moray's murder.[285] He was named with Argyll as a lieutenant in the king's intended progress against the catholic earls[286] but does not appear to have aided him at Glenlivet, being put

275. Spottiswoode, ii. 424-5; 276. Cal. S.P. Scot., x. 801-2; 277. R.P.C., v. 50-51; 278. Cal. S.P. Scot., xi. 132-3; 279. Ibid., 143, 147, 151, 152-3; 280. Ibid., 277; 281. Ibid., 472; 282. Ibid., 77; 283. Moysie, Memoirs, 102; 284. Cal. S.P. Scot., xi. 327; 285. J. Colville, Letters, 258-9; 286. Cal. S.P. Scot., xi. 380.

off, according to one source, when he saw Huntly's forces.[287] He continued thereafter, however, to aid the government forces in their campaign against Huntly[288] as did other lords of the Inverness-Aberdeen area such as Lord Lovat.[289]

These men were all drawn to party the Atholl faction as a result of the murder of Moray but the murder of the laird of Calder brought an important recruit into the anti-Huntly party namely the earl of Argyll. Immediately after those two murders Argyll joined Atholl, Ochiltree and others to exact revenge from Huntly.[290] Argyll pursued Ardkinglas as the Campbell who was chiefly suspected over Calder's murder as has been seen.* Relations between Huntly and Argyll also continued to be hostile and in early August 1593 it was reported that some of Argyll's men had slain over 60 of Huntly's.[291] Argyll was another of those lords who, in his desire for revenge on Huntly, aided Bothwell's return to the king in this same summer.[292] As Argyll gained more and more indication of Huntly's involvement in Calder's death his resolve to move personally against the northern earl increased.[293] On 26 December 1593 it is stated that Argyll intended to prosecute Huntly even if the king and Mar would not.[294] Mar, indeed, succeeded in persuading Argyll to delay his move against Huntly[295] but investigations into Calder's murder continued[296] and action was taken against Macaulay of Ardincaple who had been found guilty of involvement in it.[297] Sporadic raids by Argyll's men against Huntly's men continued,[298] but in July 1594 Argyll succeeded in being named as a lieutenant in the intended royal progress against the papist earls.[299]

As it became clear that the king was in no hurry to begin his

287. Scottish Poems of the sixteenth century, ed. J. G. Dalyell, 142; 288. Cal. S. P. Scot., xi. 472; 289. R. P. C., v. 187; 290. Cal. S. P. Scot., x. 664, 666; 291. Ibid., xi. 137; 292. Ibid., 705, 149; 293. Ibid., 170; 294. Ibid., 250; 295. Ibid., 331; 296. Ibid., 338; 297. Ibid., 344; 298. Ibid., 364; 299. R. P. C., v. 157.

* see above 246-7.

journey so Argyll increased the pace of his own preparations despite the warnings of Mar and others who told him that he might engage Huntly in battle to his own detriment.[300] The king succeeded in again delaying Argyll's progress in order that their two forces might proceed together[301] but, late in September, Argyll marched.[302] He met Huntly at Glenlivet on 30 October with, as has been seen*, an uncertain result. One of the casualties on Argyll's side, however, was Campbell of Lochnell.[303] He has been seen* to have been the man who would have become earl of Argyll if the present Argyll and his brother had been murdered as was apparently planned. It was also said that Lochnell was guilty of a fresh piece of treachery to his chief at this battle of Glenlivet which misfired and caused his own death.[304] His brother John Ogg had been executed by Argyll for his part in the conspiracy against the earl and Calder.[305] Whether the accusation of this new treachery by Lochnell was accurate or not, it does seem that Huntly was well informed as to Argyll's plans for he attacked on the 3rd as Lord Forbes, the laird of Drum and others were supposedly due to join Argyll on the 4th.[306]

In the aftermath of the battle Argyll hesitated to accept the lieutenancy of the north whereupon Lennox was made lieutenant[307] and he continued to be discontented with the comparative lack of support which he had received at Glenlivet.[308] When Atholl became reconciled with Huntly, Campbell of Glenlyon was allowed to make a "heirschip" on Atholl.[309] Argyll continued to raise forces with a view to a further battle with Huntly[310] and also became involved in Mar's schemes to enact a change in the personnel of the royal administration.[311] He

300.Cal.S.P.Scot.,xi.418-19; 301.Ibid., 422,432; 302.Ibid.,449; 303.Historie of King James the Sext,341; 304.Calderwood,v.349; 305.Ibid.; 306.Cal.S.P.Scot.,xi.459; 307.Ibid.,474; 308.Ibid., 459-60,476; 309.Ibid.,486; 310.Ibid.,496,506; 311.Ibid.,487,494.

* see above 213; ⁑ see above 246.

continued to support Mar in this scheme but was deprived of the chance of revenge against Huntly when that earl left the country.

It has been seen,* then, that a desire for revenge on Huntly for the deaths of Moray and Calder had brought a number of men into a loose alliance. These men have been described as being of the protestant moderate party because they were opposed to the catholic faction and in particular to Huntly, its leader. They were not moderates in that they co-operated with Bothwell, however, and Maurice Lee, biographer of John Maitland, is correct in stating of King James that "By insisting that Bothwell be punished before Huntly, he actually delayed Bothwell's ruin by making Bothwellians of all Huntly's enemies".[312] These casual Bothwellians, however, were only such in order to defeat Huntly and so their inclusion among the moderates is valid.

The lords who were more truly poised between the two extreme camps and could consequently claim that their moderation was of a more realistic nature than in the cases dealt with above, are few in number. It will have been noted from the description of events that the duke of Lennox was growing in political importance as he gained in years. It was stated after the murder of Moray that "all the Stewarts (were bent for revenge) with the Duke as earnest as any"[313] and this earnestness resulted shortly thereafter in Lennox being given the non-entry and wardship of the lands of the earldom of Moray.[314] The captain of Edinburgh Castle died around this time and Lennox now sought that post for which he competed with Mar.[315] Maitland added his weight to Mar's side in this dispute,[316] however, and as Lennox was also thought to have been involved indirectly in Bothwell's

312.Maurice Lee, John Maitland of Thirlestane,244; 313.Cal.S.P.Scot., x.636; 314.R.P.S.,lxiii.206r; 315.Cal.S.P.Scot.,x.671,673,674,684; 316.Ibid.,734.

* see above 236-59.

attempt on Falkland,[317] the young duke's fortunes were at a somewhat low ebb, so much so that he reputedly "purposed to travel into and tarry in Germany for two years".[318]

He did not go abroad, however, but assisted the government by apprehending two of Bothwell's associates[319] and he redoubled his efforts in his quarrel against Maitland[320] who had greatly superseded Mar as the butt of Lennox's hatred. Negotiations were on hand, indeed, for Mar to marry Lennox's younger sister[321] while Maitland had to leave court "be ressone of the illwill (of) the diuk of Lennox".[322] With his enemy, Maitland, temporarily absent, Lennox's fortunes rose. He was reputedly offered the chancellorship,[323] became the keeper of Liddesdale,[324] was described as "the chief instrument for the execution of the king's pleasure"[325] and was suspected by the Hamiltons to be about to "be declared the second person in succession" at the next parliament.[326] Throughout November and December 1592 Lennox acted very much as the chief nobleman in the country and "presently rules the Court".[327] The natural rivalry between the Hamiltons and Lennox was worsened by the latter's influential position at court while Lennox was also involved in a dispute with Mr. John Graham, a lord of session, on behalf of Sir James Sandilands, one of his supporters.[328] The duke's quarrel with Maitland continued[329] and it was rumoured that he would bring in Sir James Stewart to counteract the chancellor's influence,[330] but it was, in fact, another of his kinsmen, Bothwell, whom he successfully helped to smuggle into the king's presence for that purpose in July 1593.[331] The king had never any difficulty in deciding his loyalties between Bothwell and Maitland, however, and

317.R.P.C.,iv.833-4; 318.Cal.S.P.Scot.,x.742; 319.Moysie,Memoirs, 95; 320.Cal.S.P.Scot.,x.753-4,756; 321.Ibid.,765; 322.Moysie, Memoirs,96; 323.Cal.S.P.Scot.,x.777; 324.Ibid.,792; 325.Ibid.,793; 326.Ibid.,794; 327.Ibid.,821; 328.Ibid.,xi.49; Historie of King James the Sext,265-7; 329.Cal.S.P.Scot.,x.811; 330.Ibid.,819-20;Calderwood, v.253; 331.Cal.S.P.Scot.,xi.130-1; Calderwood,v.256-7.

as the latter regained his wonted supremacy so Lennox's influence declined and on 18 October 1593 he was again reputed to intend to depart to France if he received no better countenance from the king.[332]

Lennox's relations with Lord John Hamilton continued to be cool[333] and he quarrelled also with Argyll over that earl's treatment of Macaulay of Ardincaple, reputedly involved in the Campbell plots which Argyll was then investigating.[334] After Argyll's stalemate against Huntly at Glenlivet and his subsequent refusal to accept the post as king's lieutenant in the north, that position was offered to, and accepted by, Lennox.[335] In this, Lennox bent his energies towards securing the agreement of the rebel earls to leave the country in which aim, of course, he succeeded.[336] Returning to court he was praised for his achievements[337] in his northern raid and he further partied Mar in that earl's disputes with the chancellor.[338]

Mar, himself, was another noble who became more involved in public affairs towards the end of this period, although for him, of course, this was not due to his attaining manhood but rather was a rekindling of the interest which he had shown in earlier years. As the leading member of the old protestant Stirling faction he, too, was reputed to desire revenge on Huntly after Moray's murder[339] and he too benefitted from the events of this time by being given the non-entry of lands of the late Campbell of Calder.[340] Mar was more deeply involved than Lennox in the attempts of Atholl and others to revenge Moray[341] and he was also concerned with Argyll in that earl's investigations into Calder's murder.[342] As was seen,* Mar was at odds with Lennox over Edinburgh Castle which he eventually succeeded in securing.[343]

332. Cal.S.P.Scot., xi.202; 333. Ibid., 360, 363; 334. Ibid., 338, 344; 335. Ibid., 474; 336. Ibid., 533; R.P.C., v.207-8; 337. R.P.C., v.207-8; 338. Cal.S.P.Scot., xi.545, 550-1; 339. Ibid., x.636, 638; 340. R.P.S., lxiii.174r-174v; 341. Cal.S.P.Scot., x.663, 666; 342. Ibid., 705; 343. Ibid., 693.

* see above 260.

Maitland's support for Mar over this issue led to his quarrel with Lennox which lasted for some considerable time. Mar and Lennox were not long in disagreement, however, and negotiations between the two houses culminated on 7 December 1592 in the marriage of Mar to Maria Stewart, Lennox's sister.[344] Mar and Lennox now began to operate in considerable harmony and the earl was involved in the duke's struggle against Maitland[345] and in his inbringing of Bothwell[346] to keep the chancellor out. In August 1593 Mar and Lennox both gave their support to the queen in her quarrel with Maitland[347] but later the earl fell foul of the queen when she wanted to look after her son, Prince Henry,[348] who had been committed in February 1593/4 to the care of Mar,[349] in accordance with the traditions of that house as royal guardians. Mar continued in good friendship with Argyll and was used by the crown to try and delay Argyll's intended march against the catholic earls.[350] The quarrel between Mar and the chancellor over the royal administration will be dealt with in the next chapter* to which, by its nature if not its timing, it more aptly belongs.

Mar's old associate of his Stirling faction days, the master of Glamis, continued his normal course of court intrigue, as of before, and was generally to be found in opposition to the chancellor with whom he had almost as many reconciliations as he had with his arch-enemy, Crawford. He allied with Lennox to thwart the chancellor[351] and, during the latter's absence from court, was restored to his old position as treasurer.[352] His friendship with Lennox cooled in the summer of 1593,[353] however, and he left court "malcontent" after Bothwell's restoration in July,[354] in which he played no part. He was,

344. Scots Peerage, v.621; 345. Cal.S.P.Scot., xi.88; Calderwood, v.253;
346. Cal.S.P.Scot., xi.130; 347. Ibid., 150; 348. Ibid., 545;
349. Ibid., 280; 350. Ibid., 331; 351. Ibid., x.755-6; 352. Ibid., 824;
353. Ibid., xi.94, 700; 354. Moysie, Memoirs, 103.

* see below 315-18.

indeed, one of those, who, in Bothwell's remission, were refused permission to resort to the king.[355] He allied himself with Lord Hume,[356] who, like himself, cared for neither Maitland nor Bothwell, and was restored to royal favour at the same time as that lord.[357] During Hume's period of ascendency in court in November and December 1593 he was constantly supported by Glamis,[358] but when Maitland had recovered from illness and began to rule affairs once more, Glamis permitted himself to be reconciled yet again with the chancellor,[359] although his friendship with Hume was described as "unchangeable".[360]

It has been seen earlier* that the protestant faction had lost the resources of the earldom of Angus, the holder of which was now a catholic, but the other Douglas earldom, Morton, continued to be in the possession of Sir William Douglas, formerly designated of Lochleven. As might be expected, Morton was one of the many lords who sought revenge on the catholic Huntly for the murder of Moray[361] and shortly after that event he had to be restrained from coming to the king in the west no doubt to press for the prosecution of that rebel earl.[362] He was reputed to be one of those who ruled court after Maitland had been compelled to retire[363] and he continued amicably disposed to Bothwell,[364] Morton's feud with Lord Maxwell over the earldom continued[365] and was only resolved by the latter's death. Morton supported Lennox in the duke's quarrel with Maitland[366] but does not seem to have been involved in the inbringing of Bothwell in July 1593. He seems rather to have been more akin to Glamis on this issue and like him was said to have left court when Bothwell was purged by an assize.[367] He took no active part against the catholic earls at the time of Glenlivet

355. Cal.S.P.Scot.,xi.147; 356. Ibid.,168; Cal.Border Papers,i.495; 357. Calderwood,v.260-1; 358. Cal.S.P.Scot.,xi.189,228,250; 359. Ibid., 487; 360. Ibid.,551; 361. Ibid.,x.636; 362. Ibid.,642; 363. Calderwood, v.149; 364. Cal.S.P.Scot.,x.742; 365. R.P.C.,iv.768-9; 366. Cal.S.P. Scot.,xi.88; Calderwood,v.253; 367. Calderwood,v.258.

* see above 249-50.

but rather attempted to secure for his kinsman, Angus, the right to depart the realm which had been granted to the other rebels.[368]

The last remaining member of the Stirling faction, Lord John Hamilton, was reputed, after Donibristle, more to favour Huntly than otherwise.[369] He does not seem to have favoured Bothwell and intended to pursue him after the Falkland raid.[370] He succeeded in apprehending several of Bothwell's followers including Niddrie and the laird of Samuelston, a fellow Hamilton, but blotted his copy-book somewhat when they escaped from his keeping.[371] As was seen earlier* the rivalry between Lord John and Lennox was aggravated by the latter's recent eminence and the Hamilton position appears to have been one of general hostility to the Stewarts at this time. Lord John was hostile also to Argyll for his natural daughter, Margaret, had married Campbell of Ardkinglas, who was being pursued so rigourously by his chief.[372] As Lennox was hostile to the chancellor, so Hamilton supported that official in his troubles both against the duke and the queen.[373] Although Hamilton was becoming more convinced in his protestantism as he aged,[374] yet he refused the king's offer of the lieutenancy against the catholic earls.[375] Lord John was on guard for much of this period lest the castle of Dumbarton be drawn out of his hands, as was constantly rumoured.[376] Lord John had to shoulder the entire burden of Hamilton affairs in this period as Lord Claud, no doubt at least partly as a result of his recurrent madness, had more or less retired from political life.[377]

Other nobles, such as the earls Cassillis, Eglinton and Glencairn, continued to take little part in central politics, the latter two being

368. Cal.S.P.Scot., xi.555; 369. Ibid., 644; 370. Ibid., 708;
371. Calderwood, v.169-70; 372. Cal.S.P.Scot., xi.99; Scots Peerage, iv.373;
373. Cal.S.P.Scot., x.819; xi.107, 150; 374. Ibid., 190, 227; 375. Ibid., 386; 376. Ibid., 360, 363, 506; 377. Scots Peerage, i.39.

* see above 261.

more concerned in their local feud over the murder of Hugh Montgomery, 5th earl of Eglinton by the Cunninghams in 1586[378] while Cassillis, although now emerged from his minority, exercised little influence on national events. Glencairn was, indeed, described on occasions as a favourer of Huntly,[379] but the overall picture which emerges of him, as of all three lords, is of a man more interested in local than national politics. Another lord who was on occasions described as having catholic sympathies, but who expended more energy on local feuds, in his case against the laird of Drumlanrig and others, than on national politics was Lord Fleming.[380] Other families traditionally associated with catholicism or with Queen Mary such as the Semples, Setons and Livingstons, while their sympathies no doubt lay more with Huntly than his opponents, were but little involved in the affairs of these years.

The party of moderates, then, although having the loosest format did not have the smallest membership of the factions of the period. The catholic factions had continued to be the most cohesive throughout these years and the protestant moderate party, if such it may be called, more or less expanded or contracted as necessary to deal with the papists. The catholic and the protestant moderate parties have been seen to have been a combination of the general and the particular, the national and the local and the ideal and the practical.

## III. BOTHWELL AND MAITLAND.

Two men of major importance in the events of these years, John Maitland and Francis Stewart, Earl of Bothwell, have been left for special consideration in this section. Maitland, of course, could

378. Ibid., iii. 442-3; 379. Cal. S. P. Scot., x. 644; 380. Ibid., xi. 92.

be regarded as a moderate which essentially he was, but his role in events was unique and his inability to construct any large party around himself means that it is not always possible to include him in any particular faction. Bothwell obviously was no moderate in his actions but rather fluctuated between the different extremities of the political spectrum. Again, however, he too was unable to build up any large party to back his designs. The central, albeit very different, roles which these men occupied dictate that their respective careers be examined at some length.

Francis Stewart, Earl of Bothwell, was the son of Lord John Stewart, who was himself a natural son of KingJames V, and so was a half-brother to Queen Mary. This Lord John had married Jean Hepburn, sister and ultimately heiress of James Hepburn, Earl of Bothwell, who was, of course, Queen Mary's third husband.[1] Francis Stewart even received his name from Queen Mary, who as his godmother gave him the christian name of her deceased first husband, the dauphin, Francis.[2] She had continued to treat her kinsman well and had begged her son to make him earl of Bothwell which had been duly done in 1581.[3] Bothwell then had ample reason to support Queen Mary and as his nature was of a somewhat enthusiastic not to say explosive type, his support for a move against England for the purpose of revenging that queen's execution was expressed very forcefully. It was this reaction which first singled him out to any great degree from his fellow nobles. He had, of course, been an adherent of the Stirling faction and had marched north with those lords to depose Arran but as has been seen* he had soon fallen out with his allies. He also fell foul of the Humes over the priory of Coldingham[4] but such feuds paled into insignificance

1. Scots Peerage, ii.160; 2. Ibid., 170; 3. Ibid.; 4. R.P.C., iv.99, 100-1, 101.

* see above 221.

when Queen Mary's life was threatened.

Bothwell was joined in his desire for revenge on England by the Hamiltons and shortly after Queen Mary's execution Walsingham was informed that "My Lord Hamiltone and Boidwell ar the graetaest ennemies ze haif heir, bot ze haif that awantage, that thay ar nocht the woysest in the warld".[5] The author of this estimate of Bothwell's character was certainly not overstating his case. Even in this episode of Queen Mary's death, Bothwell displayed that tendency to reduce his arguments to an "ad hominem" level which was to be typical of his later actions. A month after the queen's death it is recounted that "Upon Sunday last, the Earl of Bothwell being at the Court and seeing the King put on his 'dule wede' found fault with the same, and said he would wear none until he had made revenge, and said he would lie at Kelsey ... to that end ... the King reproved him ... and utterly forbade him".[6]

It may well be that this incident was the first step in the hatred of Bothwell which King James came to feel in the years ahead. It is also possible that this hatred stemmed, at least partially, from a guilty consience. If King James could plead that he could have but little affection for his mother whom he had never known, the same argument could have been used by Bothwell who was only three years senior to his king. Yet Bothwell, so far from resorting to such argument, was spiritedly, albeit impractically, arguing for an invasion of England to exact revenge, in a manner which many observers both then and thereafter must have deemed to be more in line with the natural reactions of a son. Added to this, the fact that James' somewhat timorous personal nature contrasted with his kinsman's bravado

5.Cal.S.P.Scot., ix.327; 6.Ibid., 331.

and it can be seen that from this time there is considerable reason to suspect that the king's hatred of the earl stemmed from a mixture of jealousy tinged with guilt.

Bothwell's desire to avenge Queen Mary's death led him into association with the catholic faction who also had designs against England and the English faction at the Scottish court. His fiery nature also saw him fall foul of several individual nobles for quarrels which were generally of a purely personal nature. One such quarrel saw him murder Sir William Stewart, Arran's brother, in Edinburgh on 30 July 1588.[7] He continued his negotiations and intrigues with the catholic faction[8] but at the same time was involved, in his capacity as Great Admiral of Scotland, in preparations to resist the expected Spanish invasion.[9] He and Huntly were reputed to have received gold from jesuits,[10] and the citizens of Leith set on him for his known dealings with the catholic faction.[11] Bothwell was implicated in catholic conspiracies by letters captured on one Thomas Pringle[12] and was soon in open rebellion with the rest of Huntly's party.[13] A further cause of Bothwell's joining with the catholic party was his running feud with Maitland who was, at this time, identified with the English faction at court.[14] It does not appear that Bothwell was with the rebels when they were confronted by the king at Brig of Dee[15] but he was thoroughly implicated in their designs and was reputed to be contemplating seizing the king's person.[16] He gave himself up,[17] tholed an assize, was found guilty and was confined to Tantallon.[18]

In the events after this it will be found necessary to regard Bothwell as a party unto himself and to a certain extent he was that

7.Ibid.,586; 8.Ibid.,575,608; 9.R.P.C.,iv.306-8; Cal.S.P.Scot., ix.592,600; 10.Cal.S.P.Scot.,ix.622; 11.R.P.C.,iv.331-2 and note; 12.Calderwood,v.7; 13.Moysie,Memoirs,74; 14.Cal.S.P.Scot.,x.25; 15.Ibid.,38-39; 16.Ibid.,26; 17.Ibid.,69-70;Moysie,Memoirs,76; 18.R.P.C.,iv. 389 and note.

already. His period of allegiance to the crown, apart from his episode with the Brig of Dee faction, was not yet over, however, and so he can be regarded at this point as a moderate, his inclusion among the catholic faction being barred because of his protestant religion and his degree of involvement in the preparations to withstand the Armada. It can only be speculation but it is quite likely that if the Spanish Armada had landed in Scotland in August 1588 Bothwell would have been among the most heroic in defending his country. If Bothwell narrowly missed inclusion in the ranks of the catholic party in the years before Brig of Dee, it seemed immediately after that event that he might qualify for inclusion in the ranks of the protestant moderates. He was, however, deemed by one observer of the revolt to be the most dangerous of the rebels.[19] He was reconciled with Chancellor Maitland who apparently asked for mercy on his behalf,[20] but his feud with the Humes over Coldingham continued.[21] He was given an official position on 25 September 1589[22] and the following day was listed as one of the few who were likely to be at the king's marriage.[23] His return to royal favour had been remarkable and King James admitted shortly thereafter that he had thought initially to send Bothwell to Denmark, in respect of his office as Admiral of the realm but he thought better of this because Bothwell had already spent so much in preparation for the king's marriage that he would be unable to perform the task adequately.[24] Bothwell was said to be "malcontent that he being ... is not employed in this sea service"[25] but he had little cause for complaint considering how recently he had been in open rebellion against the king. Whether or not the reason King James gave for not employing Bothwell as his ambassador was the real one, he demonstrated his

19. Cal.S.P.Scot., x.85; 20. R.P.C., iv.389 and note; 21. Cal.S.P.Scot., x.110; 22. R.P.S., lx., 63r-63v; 23. Cal.S.P.Scot., x.158; 24. Ibid., 175; 25. Ibid., 173.

faith in his kinsman by appointing him along with the young duke of Lennox, as joint head of the privy council during his time in Denmark.[26]

This association of a recent rebel with the son of the king's greatest favourite should have occasioned Bothwell considerable satisfaction and he does seem to have entered into his duties during his sovereign's absence with considerable zeal. He reconciled himself with the kirk[27] and devoted considerable energy to attempts to reconcile different feuding nobles.[28] Despite the usual rumours of plots and conspiracies it was generally agreed that the period of the king's absence from the realm was one of peace and quiet, unparallelled in recent years in Scotland at that time.[29] Bothwell, no doubt, was of the opinion that this achievement was partially his own and it was at this point that he came closest to being one of the protestant, moderate nobles. He had responded well at this stage to the degree of responsibility accorded to him and consequently his anger was considerable at the treatment which he received from King James on that monarch's return. Complaints of James against Bothwell dealt with his maintenance of Fintry and the matter of the possessions of the late Thomas Fowler.[30] Graham of Fintry has already been noticed* as a kinsman of Montrose and a papist and the return to him of his house of the Mains at the instigation of Bothwell and Moray was not to the king's liking.[31] Thomas Fowler, lately deceased, had been an English agent in Scotland whose property Bothwell seems to have commandeered,[32] again, not to the liking of the king. King James was also determined to prosecute all persons attainted of murder and required Bothwell to purge his company of the laird of Niddry, guilty of such an offence.[33]

26. R.P.C., iv.423-5; 27. Cal.S.P.Scot., x.192; 28. Ibid., 196, 269; 29. R.P.C., iv.480n; 30. Cal.S.P.Scot., x.294; 31. R.P.C., iv.494-5; 32. Cal.S.P.Scot., x.273-4; 33. Ibid., 306.

* see above 190-1, 198-9.

The king also wanted to buy from Bothwell the inheritance and keepership of Liddesdale in order the better to preserve order there.[34] Consequently Bothwell and the king were in constant touch during this period and on 20 June 1590 Bothwell formulated his position detailing three separate grievances namely that the king pressed too hard for Liddesdale, had slighted Bothwell in his office as Admiral over the incident of the English pirates that robbed the master of Orkney, and that Bothwell was not allowed into the king's chamber although he was chief gentleman there before Lennox's entry.[35]

Bothwell's discontent continued and increased so that in July he was on the point of going abroad,[36] while in August he was warded for one night over the Liddesdale issue.[37] Despite all these grievances Bothwell had not yet quarrelled personally with Maitland and although their relationship was always in a state of flux, the chancellor does seem to have helped the earl on occasions.[38] Bothwell now renewed his association with Atholl and Moray, his fellow Stewarts, and aided them in their quarrel with Huntly, trying to persuade Lennox also to remember his kin.[39]

Bothwell's conduct of personal affairs was invariably violent. If he had been in any way responsible for the peace which prevailed during King James' absence then he had excelled himself and had in fact behaved out of character. If he had continued to have been given positions of trust and responsibility he might have continued to respond in this creditable fashion but it is equally, and indeed more than, likely that once his initial enthusiasm for his new role as a peaceful subject had worn off he would have resumed his more natural, volatile and violent way. April 1591 saw the deeper implication of

34. Ibid., 322; 35. Ibid., 331; 36. Ibid., 359; 37. Ibid., 375;
38. Ibid., 350-1, 365; 39. Ibid., 437.

Bothwell in the charges of witchcraft, which had been current for some time, when he was accused of involvement in the same by Richard Graham, convicted as a witch.[40] Bothwell vehemently denied that he had conspired against the king's life,[41] reputedly hoping to end the same by witchcraft[42] during the king's return journey from Denmark. The earl attributed the accusation to those who feared that Graham might be a means to work a reconciliation between himself and Sir James Stewart,[43] while others thought that his committal to Edinburgh Castle was achieved by the ministers for frequenting to Lord Ruthven's daughter.[44] Bothwell also blamed England for the position he found himself in and, more specifically, "Sir John Carmichael and Mr. Robert Bruce, minister in Edinburgh" whom he evidently thought to be of the English party.[45]

The king appeared convinced of Bothwell's guilt and determined that he should leave the realm.[46] During investigations and negotiations on this matter Bothwell remained warded in Edinburgh Castle, but he escaped from there on 21 June 1591.[47] He had evidently come to realise that the charges against him were more serious than he had initially appreciated[48] and he was also reputed to be fearful lest he was charged with other things such as false-coining or counterfeiting the king's hand[49] a remarkably frank, if ill-advised, expression of his sentiments. Moysie reports that on his escape Bothwell was joined by Lord Hume, the Earls of Morton and Errol, the master of Glamis and others, while Marischal was warded for a short time.[50] Be that as it may, Bothwell's position with the king was now hopeless. The jealousy which the king may well have entertained towards Bothwell would merely be increased by his dashing escape from Edinburgh Castle and the

40.Ibid.,501-2; 41.Ibid.,504; 42.Ibid.,501-2; 43.Ibid.,504; 44.Cal.Border Papers,i.379; 45.Cal.S.P.Scot.,x.506; 46.Ibid., 531; 47.Ibid.,534; 48.Ibid.,506; 49.Ibid.,513; 50.Moysie, Memoirs,86.

accusation that Bothwell had intended the death of his king lifted him up in James' eyes to a position of arch-villainy as the deviser of the most odious of all crimes. The king took his reprisal action quickly, and only three days after Bothwell's escape "the King returned to Edinburgh, and took order with the Council that judgment should be given against the Earl Bothwell for his treason of the Brigg of Dee", which judgment had been hitherto suspended and which offence Bothwell alleged to have been pardoned by the king. Nevertheless that day the judgment was pronounced and by open proclamation he was declared traitor and forfeited. The offices of the admiral, Liddesdale and others were given to the duke of Lennox.[51] This sentence was officially justified by an illustration of the accusation that Bothwell had consistently returned the king evil for good.[52] Bothwell's forfeiture was proclaimed on the same day as one Euphame McCalzean was burned for witchcraft[53] and the earl's involvement in such practices seems to have been the final facet of evil for the king in his mounting hatred of his kinsman. That James took such matters as witchcraft seriously is evidenced by his writing of a tract entitled "Daemonologie"[54] and that he took supposed attempts on his life seriously is illustrated throughout his reign by events and particularly by the Gowrie conspiracy.

In the months after his forfeiture Bothwell found himself increasingly isolated as different allies left him and the king's hatred of him remained unabated. It was widely rumoured that he would go abroad[55] but instead he committed himself to the first of several spectacular attempts to capture for himself the king's person. This attempt took place on 27 December 1591 and was directed at [illegible]

51. Cal.S.P.Scot., x.535; 52. R.P.C., iv.643-4; 53. Birrel, Diarey, 25-26; 54. Daemonologie, (Edinburgh, 1597); 55. Cal.S.P.Scot., x. 559, 566.

gaining possession of Holyroodhouse where the king and queen were for the time.[56] Moysie reports that John Shaw, master stabler, was slain and next day eight of the attackers were taken and hanged. The duke of Lennox was apparently suspected of complicity in this purpose because one of his servants, William Stewart, was at the doing of the deed.[57] Calderwood gives a comprehensive list of Bothwell's associates on this raid,[58] which will be examined shortly,* but the author of the Historie of King James the Sext, thought to be Mr. John Colville[59] a participant in this raid, suggests a possible cause for the exact timing of the venture. One of the leading figures with Bothwell in the raid was James Douglas of Spott and in connection with him, it is stated that Sir George Hume, son to Alexander Hume of Manderston, was in great credence at court with the king; and shortly before Bothwell's attempt, George Hume of Spott, uncle to the said Sir George and father-in-law to James Douglas, was slain by certain men of the surnames of Hume and Craw. It was apparently alleged by Sir George that James Douglas of Spott was the author of that murder.[60] The dispute between Bothwell and the Humes over Coldingham had never been solved either, of course, and on 31 December it is reported that "Sir George Hume has got the King's grant subscribed for Coldingham, wherewith Bothwell is much grieved".[61] A further possible reason for Bothwell's raid may have been fear on his part that still further charges were to be brought against him for the epistle of 31 December quoted above, went on to say that "Young Lord Ochiltree and Farnyhurst lately found sundry coining irons ..." said to belong to Bothwell.[62]

Bothwell may have been the only nobleman in the raid on Holyroodhouse but there was considerable suspicion that others had known of

56.R.P.C.,iv.705n; 57.Moysie,Memoirs,87; 58.Calderwood,v.141-2; 59.John Colville,Letters,iii; 60.Historie of King James the Sext, 243-4; 61.Cal.S.P.Scot.,x.608; 62.Ibid.

* see below 286-7.

it and aided it indirectly. It has already been seen* that Lennox was so suspected. Angus, Mar and Morton were actually accused of involvement[63] while Colonel Stewart was committed to ward in Edinburgh Castle on a similar suspicion.[64] A name mentioned a few weeks later in connection with Bothwell's raid, is that of the earl of Moray. It was said that Huntly was granted his commission against Moray which led to the latter's death, because it was rumoured that Moray had been present with Bothwell in the Holyroodhouse raid.[65] Bothwell was in the west of the country when Moray was murdered in Fife[66] and that event may have given him hope that he might yet be reconciled to the king. After all, he could argue, he had not been guilty of the murder under trust of a fellow earl and he must have hoped that the wave of reaction to Moray's death, which would engulf his fellow Stewarts, would be sufficiently strong to carry him along in its wake, and permit him to share in his kinsmen's revenge, thereby perhaps atoning for his own misdemeanours.

If such indeed were Bothwell's hopes, they were never to be realised for the king soon declared his intention of pursuing Bothwell in February 1591/2 before he would march against Huntly, guilty of Moray's murder.[67] The differing opinions as to the gravity of the respective crimes of Huntly and Bothwell between the king and much of the rest of the country must always be remembered. Huntly, in James' eyes, had prosecuted a private quarrel which he had ended by murdering a fellow earl, which earl James suspected to have been involved with Bothwell. Huntly had also been engaged in negotiating with foreign governments but it seems that the king would appreciate the extent of Huntly's involvement in this all along. Consequently the king could

63. Cal. Border Papers, i. 390-1; 64. Cal. S.P. Scot., x. 628; 65. Spottiswoode, ii. 419; 66. Cal. S.P. Scot., x. 633-4; 67. Ibid., 637.

* see above 275.

argue that Huntly posed no threat to him personally and no real threat to his crown or the established religion. Bothwell, on the other hand, had conspired the death of King James by witchcraft, had personally rebuked and insulted the king and had, just recently, carried out a daring raid to gain possession of the king's person.

After the affairs at Holyroodhouse and Donibristle, Bothwell withdrew from central Scotland[68] and shortly thereafter was attainted.[69] Rumours concerning a change in the estate which was to take place in Fife are first noted as early as 12 June 1592 when it was thought that the catholic earls would have attempted the possession of the court in the kingdom while Bothwell and Maxwell operated on the Edinburgh side of the Forth.[70] It was Bothwell himself, however, who attacked Falkland Palace on 28 June 1593 when King James was therein.[71] As with the Holyroodhouse raid, so at Falkland it was suspected that certain nobles were guilty of collusion with Bothwell in his attempt. Those so suspected on this occasion appear to have been the earls of Errol, Angus and Atholl, Colonel William Stewart and the laird of Johnstone.[72] One report states that the earl's company numbered 400[73] but far fewer names are recorded than at the Holyroodhouse raid.[74] The Douglas laird of Spott and Mr. John Colville were both present again. Scott of Balwearie and Lumsden of Airdrie were two other participants of whom a more interesting example was the master of Gray.[75]

An attempt on Bothwell's part to capture the king as he crossed the Forth, late in July 1592 was stayed[76] and another attempt, early in August, at Dalkeith, was foiled.[77] This latter attempt to gain access to the king's presence was to have been made with the assistance of Balfour of Burley and Wemyss of Logie, two of the courtiers in

68.Ibid.,666; 69.A.P.S.,iii.537-8; 70.Cal.S.P.Scot.,x.694; 71.Ibid., 708; 72.Historie of King James the Sext,250; Cal.S.P.Scot.,x.707; 73.Cal.S.P.Scot.,x.707; 74.Ibid.,707-8; 75.Ibid.; 76.Ibid.,730-1; 77.Moysie,Memoirs,95; R.P.C.,v.1n-2.

attendance on the king but James was forewarned, possibly by Colonel William Stewart, who had also implicated Lord Spynie.[78] What might happen to lesser associates of Bothwell if they were caught was illustrated by the laird of Airdrie and Captain Hackerston who were tortured.[79]

In a letter of 13 September 1592 Bothwell defends his raid on Falkland which is, he claims, condemned, not on principle, but merely because it failed. As examples of similar raids which succeeded he cites that of Lauder Bridge of 1480 and the more contemporary ones at Ruthven, Stirling and St. Andrews.[80] Whatever the truth of such a claim, the foolishness of committing it to paper, and indeed of making it at all, is typical of Bothwell in that, having failed in his own treasonous designs, he was hardly likely to win himself back into royal favour by commending the past treasons of others.

Despite one report in August 1592 that Bothwell and Huntly were agreed,[81] the former was regarded very much as a protestant at this time and gave out more than once that he had refused to join in bands against the religion.[82] Around this time also the ministers were rebuked "for their sharp words against Captain James Stewart, and silence towards Bothwell".[83]

The king continued his campaign against Bothwell, however, and November 1592 saw the earl become increasingly isolated as various of his former associates were pardoned and released.[84] Even his wife[85] and brother[86] were pardoned and it seemed that the king was either interested only in apprehending Bothwell himself or else, that he too would soon be pardoned. Neither of these possibilities occurred, however, and the spring and early summer of 1593 saw the king continuing to try and draw Bothwell's supporters away from him.[87] On 24

78. R.P.C., v.1n-2,4n; 79. Moysie, Memoirs, 96; Cal.S.P.Scot., x.771; 80. Cal. Border Papers, i.407-8; 81. Cal.S.P.Scot., x.764; 82. Ibid., 784,788; Cal. Border Papers, i.411; 83. Cal.S.P.Scot., x.822; 84. R.P.S., lxiv.160r,161v; Birrel, Diarey, 28; 85. Birrel, Diarey, 28; 86. Cal.S.P.Scot., x.821; 87. R.P.C., v.587,592,77,78-79.

July 1593 there occurred that event which Bothwell had long sought and had talked of in his declaration of ten months earlier, namely, a successful palace revolution. "The Duke, Atholl, Mar, Spynie and other Stewarts ... presented to the King the Earl Bothwell, the Laird of Spott, Mr. John Colville and two of Bothwell's servants" with pleas for mercy and offers that Bothwell would abide trial for witchcraft, and "The King has accepted and embraced all these persons".[88] Bothwell's inbringing was attributed by some to a desire on the part of certain lords to ensure that Maitland should not be permitted to return to court.[89] Be that as it may, Bothwell and his associates gained a remission on 26 July, two days after the coup and five days after doom of forfeiture had been pronounced in parliament against the earl.[90] One of the first acts of the pardoned earl was to write to Queen Elizabeth and thank her for the favour extended to him during his king's displeasure. In this same letter he adds, to those mentioned above, Argyll, Crawford and Montrose as men who aided his recent return although they were not present at the same. He continued in his pose as champion of the kirk by declaring that he was opposed to the "grand enemies of religion and estate" namely Huntly, Maxwell and Hume.[91] Bothwell was tried and cleared by an assize on 10 August[92] and the rumour was current that he intended to bring in Captain James Stewart to replace Maitland as chancellor.[93]

It was obvious that the king had no foreknowledge of Bothwell's late return to court and that he had little enough liking of the event,[94] but Bothwell succeeded in securing an order inhibiting Lord Hume, Maitland, Glamis and Hume of Primroknowe from coming to the royal personage.[95] These men were certainly now regarded as Bothwell's

88. Cal.S.P.Scot., xi.130; 89. Spottiswoode, ii.433; 90. R.P.C., v. 91-93 and note; 91. Cal.S.P.Scot., xi.705; 92. Ibid., 142; Calderwood, v.258; 93. Cal.S.P.Scot., xi.141; 94. Ibid., 144-5; 95. Ibid., 147.

chief enemies and they had soon succeeded in returning to court and swaying the king once more, if indeed that were necessary, against his kinsman.[96] Consequently the king's attitude to Bothwell soon hardened and around 11 September the earl pledged that he would go abroad.[97] Bothwell was reputed to be in fear of his life[98] while Bowes "found the King so resolute against Bothwell that it was fruitless to proceed ... for him".[99] Around this time Bothwell was charged to appear to answer concerning certain matters[100] and on 25 October he was denounced for failing so to do.[101]

Bothwell was still thought of at this stage as championing the kirk for the king also accused the ministers of Fife of being in league with Bothwell[102] while certain ministers in convention at Dunbar received a manifesto from Bothwell, Atholl and others explaining their recent actions.[103] Bothwell was still apparently popular with the people in general and was very pro-English at this stage, being in communication with Queen Elizabeth.

Lord Hume, on behalf of the crown, was raising forces against Bothwell and the increase in tension, resulting from this, erupted early in April in a skirmish somewhat east of Edinburgh, generally referred to as the Road of Leith.[104] Early in July it was rumoured that a plan of Atholl, Bothwell and Ochiltree's to put King James into Edinburgh Castle, had failed.[105] At the same time rumours of reconciliation between Bothwell and the catholic faction were on the increase[106] while the king was again trying to isolate Bothwell from his allies by luring Atholl away from him.[107] To secure his alliance, the catholic party evidently offered Bothwell money which he, writing to Queen Elizabeth, offered to take, to prevent it going elsewhere and to join

96.Calderwood,v.260-1; 97.Cal.S.P.Scot.,xi.318-19; 98.Ibid.,188; 99.Ibid.,199; 100.R.P.C.,v.100; 101.Ibid.,101; 102.Cal.S.P.Scot., xi.302-3; 103.Ibid.,327-8; 104.Ibid.,304;Moysie,Memoirs,114-16; 105.Cal.Border Papers,i.539; 106.Cal.S.P.Scot.,xi.363,369,373; 107.Ibid.,319,325.

with the papists merely in order to overthrow them the more easily.[108] In the middle of September he went north to the catholic earls and apparently reached some agreement with them.[109] This agreement did not please Ochiltree while Bothwell was also reported to have quarrelled with Mr. John Colville.[110]

The king was not slow to make political capital out of Bothwell's changing his religious allegiance and on 30 September 1594 a new proclamation against Bothwell recited all his former crimes and called for the king's subjects to rally against the earl "now that he has thrown off the 'cloik of religioun' and openly allied himself with the Catholic Lords".[111] Bothwell's position was, in fact, worsening steadily once again. Ochiltree had deserted him and several of his lesser allies were apprehended and some executed.[112] Bothwell and Angus, neither of whom were at Glenlivet, journeyed north and joined Huntly and Errol after that battle.[113] On 18 February 1594/5 Bothwell's half-brother Hercules Stewart was executed despite considerable public sympathy for him.[114] Bothwell's party had collapsed and he left the country on 28 March 1595[115] around the same time as Errol and Huntly.

It is too facile to say that Bothwell had finally damned his own cause by allying once again with the catholic earls for it must have seemed to him that he had little alternative. No doubt he had need of the money which the catholics offered and he no doubt thought that his situation could hardly deteriorate any further. This alliance may have cost him the support of men like Ochiltree but there was no evidence to suggest that Bothwell would have been successfully restored

108.Ibid.,396-7; 109.Ibid.,436,439-40; 110.Ibid.,446; 111.R.P.C., v.173-5 and note; 112.Cal.S.P.Scot.,xi.445-6; Moysie,Memoirs,119; 113.Cal.S.P.Scot.,xi.496,497; 114.Ibid.,536; 115.Ibid.,574-5.

even with the aid of such men. Above all, the king remained implacable and would not have been swayed by a handful of nobles of any political affiliation as far as concerned Bothwell. Bothwell could only have been restored if he had commanded the active support of a majority of the moderate nobility, most of whom were, no doubt, of the opinion that the earl had been too much of a problem for too long and that the country would lose little by his departure.

Throughout this whole period the occasional involvement with Bothwell of men such as Moray, Errol and Morton has been noticed* but there were others who were more closely associated with him at different times and one such was Lord Hume. Alexander, Lord Hume, had supported the king against the rebels at the time of Brig of Dee[116] and has been seen* to have acted as one of the moderates in many of the events of this time. He was closely involved with Bothwell, however, in different ways, such as their dispute over Coldingham or the more general fact that their respective lands lay in the same part of the country. Their relationship was often far from cordial as in August 1589 when Bothwell was to have gone to Lauder to the chancellor to compound his feud with Hume. He was pursued by Hume and his company and one of his servants Peter Collace was injured by Hume's men.[117] Even the king, when making his arrangements for the government of the country during his absence, took special note of "the lait mislykeing" that had fallen out between Bothwell and Lord Hume. He commanded them both to keep the peace. Bothwell was to remain in Edinburgh and Lord Hume was to keep the peace within the east march.[118] The two nobles were fully reconciled in April 1590 when it was thought that their agreement had been "drawn on by others of greater credit, with secret intention to work the hurt of the Chancellor soon after the

116. Ibid., x. 28, 60; 117. Ibid., 146; 118. R.P.C., iv. 423.

* see above 273, 276; * see above 271, 233.

King's arrival here".[119] There were rumours that Hume was working to alienate Bothwell from Maitland[120] and when Bothwell's affairs with the crown were going badly in June 1590 he and Hume both offered to go abroad but were supposedly to be warded which did not please them.[121] Hume continued to have dealings with the discontented elements in the country, both of the catholic and Bothwell faction,[122] and was in trouble with the king in January 1590/1 for fighting in Edinburgh.[123]

When Bothwell was warded in Edinburgh Castle on the witchcraft charges, it was noted that "Lord Home, thought to favour Bothwell, is sent away on errands, otherwise he should have been charged to depart. He has renewed his suit for a passport to come to England".[124] It was suspected that he had some part in Bothwell's escape from ward[125] but he satisfied the king on this point.[126] It seemed that the king might win him away from Bothwell,[127] but on 2 August 1591 it was reported that King James intended to take the field in person against Bothwell and Hume who was now in open rebellion with the said earl.[128] Negotiations were carried on between the chancellor and Hume[129] and the latter consented to ward himself in Blackness Castle,[130] from which he was soon released.[131] He was given leave to quit the realm[132] and was reported to be in England on 2 September.[133] He must have been a loss to Bothwell, for, being at the horn, he may be adjudged more likely to have given the earl vigorous support, than the assorted earls who met him periodically but had other considerations on their minds. Lord Hume was permitted to return to Scotland in the summer of 1592[134] and so was out of the country at the time of Moray's murder.

119.Cal.S.P.Scot.,x.273; 120.Ibid.,285; 121.Ibid.,311-12; 122.Ibid., 335,365,380; 123.Calderwood,v.116-17; 124.Cal.S.P.Scot., x.513; 125.Ibid.,536; 126.Ibid.,540; 127.R.P.C.,iv.648-9; Cal.S.P.Scot.,x.543; 128.R.P.C.,iv.662; 129.Cal.S.P.Scot.,x.554; 130.Ibid.; 131.Ibid.,559; 132.Ibid.; 133.Ibid.,567; 134.R.P.S.,lxiv.44v.

On his return he sided with Lennox in his quarrel with Maitland.[135] He made no effort to resume his aid to Bothwell, rightly adjudging royal favour to be more worthwhile. The result was that on 2 October 1592 he was given the office of sheriff of Berwick[136] while on 23 of the same month "The Lord Hume is chosen Grand Master-Stabler, and to him and his strength the King commits chiefly the guard of his person".[137]

Although it was suspected that Hume was involved in the Spanish Blanks[138] and although he was hostile to the chancellor, the king was more than prepared to allow him to lead his campaigns against his former ally, Bothwell. Hume continued to aid Lennox against the chancellor but was displeased when the duke and other Stewarts restored Bothwell to counteract Maitland's influence.[139] He continued to be regarded as a papist[140] and was so designated by Bothwell in his propaganda,[141] which earl also succeeded in having Hume and Hume of Primroknowe, banned from court for a while.[142]

The temporary ascendance of their common enemy, Bothwell, led Maitland and Hume to be reconciled[143] and Hume was soon back in royal favour.[144] He was now very much an enemy of the Stewarts, striking a servant of Atholl's,[145] quarrelling with Bothwell,[146] and occupying the Edinburgh house of the countess of Gowrie to prevent its being used by the Stewarts for any fresh coup.[147] Once he was securely back in royal favour again Lord Hume quarrelled once more with Maitland, this time over whether or not the queen should be moved to Stirling for her safety and he and the chancellor were said to be the respective heads of the two factions in court.[148]

135.Cal.S.P.Scot.,x.753-4; 136.R.M.S.,v.2179; 137.Cal.S.P.Scot.,x. 793-4; 138.Ibid.,xi.23; 139.Ibid.,704; J.Colville,Letters,99; 140.Cal.S.P.Scot.,xi.141; 141.Ibid.,705; 142.Ibid.,147; 143.Ibid., 151; 144.Calderwood,v.260-1; 145.Cal.S.P.Scot.,xi.193; 146.Ibid., 170; 147.Ibid.,190; 148.Ibid.,250.

On 27 March 1594 Lord Hume was granted a commission to pursue Bothwell[149] and, early in May, he fought against that earl at the Road of Leith where he seems to have come off second best.[150] Although he was still thought to have occasional dealings with the catholic party[151] he continued to be a leading prosecutor of Bothwell,[152] and benefitted from his forfeiture in the autumn of 1594.[153] He renewed his friendship with the chancellor sufficiently to favour that official in his quarrel with Mar[154] and he became reconciled with Ochiltree over the Road of Leith.[155] In March 1594/5 with the prospect of Bothwell leaving the country Hume became friendly also with Buccleuch and Cessford.[156]

Other border lairds who were involved to some degree with Bothwell included Scott of Buccleuch, whose mother Margaret Douglas, was now Bothwell's wife,[157] and Kerr of Cessford. They are both given in a list of men well-affected to England on 1 September 1589, when they are further described as being members of Chancellor Maitland's suite.[158] They seem, along with Kerr of Fernihurst, to have remained in favour with the chancellor and all three were knighted at the queen's coronation.[159]

In October 1590 Maitland reconciled Cessford and Bothwell,[160] and when, later in the same year, some of Cessford's men killed William Kerr of Ancrum, Bothwell was said to have been with the laird after the fact.[161] Cessford departed into England after this murder[162] while Buccleuch also went into that country "to seek remedy of the gout".[163] When Bothwell was forfeited, the post of keeper of Liddesdale was

149. Ibid., 301;
150. Ibid., 305; Moysie, Memoirs, 114-16; 151. Cal. S.P. Scot., xi. 343-4;
152. Ibid., 439-40; 153. Ibid., 445; 154. Ibid., 506; 155. Ibid., 537;
156. Ibid., 551; 157. Scots Peerage, ii. 231-2; 158. Cal. S.P. Scot.,
x. 151-2; 159. R.P.C., iv. 481n; 160. Cal. S.P. Scot., x. 401;
161. Ibid., 430; 162. Ibid., 439; 163. Ibid., 460.

given to Buccleuch[164] "son-in-law to Bothwell, and one that will be loth to grieve him".[165] Buccleuch, through his relationship to Bothwell no doubt, seems to have been more closely involved in the earl's schemes and a safe conduct for the laird's passage into England was sent north at the same time as the one which Lord Hume made use of.[166] Buccleuch, also, left the country[167] and, being absent for longer than Home,[168] took no part in the aftermath of Donibristle. Cessford replaced Buccleuch as keeper of Liddesdale,[169] despite attempts by Lennox to secure that post, supposedly on behalf of Bothwell.[170]

Archibald Wauchope, Laird of Niddry, younger, had been closely associated with Bothwell for some years and seems, like him, to have had a fiery spirit. He was guilty, apparently of the slaughter of the laird of Shireffhall and his brother John Giffard[171] and was harboured by Bothwell.[172] Calderwood accords him the dubious distinction of being guilty of the only murder committed in Scotland during the king's time in Denmark.[173] The king's determination, on his return to Scotland, to prosecute all persons attainted of murder, led him to pursue Niddry[174] and to chastise Bothwell for permitting him to remain in his company. Niddry's career continued to rival that of his leader, albeit on a less exalted scale, for lawlessness. He attacked Holyroodhouse with Bothwell[175] and continued to support him thereafter.

Niddry was typical of Bothwell's supporters at the time of Holyroodhouse in that many of them seemed to have come from the Edinburgh, East Lothian and Border areas.[176] Also Niddry and others such as Douglas of Spott[177] had grievances of their own which they either hoped to remedy by this attack or which had rendered them insensitive to the

164. R.P.C., iv.649; 165. Cal.S.P.Scot., x.543; 166. Ibid., 557, 565; 167. Ibid., 572; 168. Ibid., 814; 169. Ibid., 579, 588-9, 610; 170. Ibid., 596; 171. Calderwood, v.56; 172. Cal.S.P.Scot., x.73; 173. Calderwood, v.71; 174. Cal.S.P.Scot., x.306; 175. Moysie, Memoirs, 87; 176. Calderwood, v.141-2; 177. Historie of King James the Sext, 243-4.

possibility of future chastisement. Other names of interest among Bothwell's supporters at this time include Robert Scott, who was killed at Holyroodhouse.[178] He was a brother of the laird of Balwearie in Fife, who was to remain a supporter of Bothwell and the other rebels for some time.[179] Another was Mr. John Colville, whose history of involvement in politics was both long and checkered but who also was to remain a firm supporter of Bothwell's for some time.[180] It is interesting to note that one report of Huntly's murder of Moray states that Huntly was rumoured to have gone to Fife to arrest Mr. John Colville for his part in Bothwell's Holyroodhouse raid.[181] Other supporters of Bothwell included several Stewarts and Hepburns, as well as names such as Ormiston, Learmonth, Pringle, Hume and Cranston which suggest a Lothians or Borders origin.[182] As Bothwell's followers on this raid are said, by one account, to have numbered "sixty, in armour"[183] and as the names of around fifty are given by Calderwood,[184] it does seem likely that his supporters were drawn from the Lothians and Borders area where his own influence was greatest. Many of those who followed him no doubt held their land from him and could ill-afford to disobey him. Despite the negotiations Bothwell had had with a large number of nobles, few, if any, seem to have been prepared to help him directly at any stage. With Buccleuch, Cessford and Lord Hume all in England the most important person, other than Bothwell, who was directly involved in the raid was Archibald Douglas, third son of the earl of Morton.[185]

It has already been seen* that the master of Gray was among those who attacked Falkland Palace with Bothwell in June 1592 but it had been known that he was assisting the earl before that date. He and his brother Robert Gray had been denounced rebels in April of that year

178. Cal.S.P.Scot.,x.619; Calderwood,v.141; 179. R.P.C.,v.205; 180. Cal. S.P.Scot.,xi.130; 181. Ibid.,x.633; 182. Calderwood,v.141-2; 183. Cal. S.P.Scot.,x.609 184. Calderwood,v.141-2; 185. Ibid; Scots Peerage,vi.372.

* see above 277.

for resetting Bothwell.[186] Gray agreed to pass abroad[187] but, instead, attacked Falkland. He continued in Bothwell's camp throughout the autumn of 1592[188] but was received again into the king's mercy in late November.[189] Gray was reputedly involved in Atholl's attempts in 1593 to raise a party to oppose the Spanish faction[190] but he is said to have been on Hume's side at the Road of Leith[191] and his time of close involvement with Bothwell, caused no doubt by his failure to regain his former eminent position at court, was brief.

Another man who had a period of association with Bothwell was the laird of Johnstone who was thought to have been guilty of complicity in the Falkland raid.[192] As Lord Maxwell was acting on behalf of the king at this stage in hunting down those guilty of involvement in this episode it was natural for Johnstone to oppose him and so continue in harness with Bothwell. Johnstone received a remission for his reset of Bothwell,[193] however, but his quarrel with Maxwell[194] and his communing with Bothwell[195] both seem to have continued. Maxwell was given a royal commission against Johnstone for his dealings with Bothwell but the laird killed the lord in a skirmish.[196] In April 1594 Johnstone was granted a remission for this slaughter "in order to draw him from Bothwell"[197] which aim seems to have been thereby achieved.

Another lord who was implicated with Bothwell for a while was Alexander Lindsay, Lord Spynie, brother of the earl of Crawford and a favourite of the king's. In the period between Bothwell's attempts at Falkland and Dalkeith, Spynie reputedly told the king that his government was unpopular and that the people admired Bothwell.[198] The following month, August 1592, Spynie was warded in Stirling Castle,[199]

186.R.P.C.,iv.742; 187.Cal.S.P.Scot.,x.679; 188.Ibid.,784; 189.Ibid.,818; 190.J.Colville,Letters,258-9; 191.Cal.Border Papers, i.526; 192.Historie of King James the Sext,250; 193.Cal.Border Papers,i.412; 194.Cal.S.P.Scot.,xi.236; 195.Ibid.,284; 196.R.P.C., v.112-13 and note; 197.Moysie,Memoirs,114; 198.Cal.S.P.Scot.,x.737; 199.Ibid.,759.

accused of resetting Bothwell.[200] He continued in ward for some time[201] and although it was decided on 4 November 1592 that he should be restored to his former place as the accusations against him had not been proved,[202] he seems to have found considerable difficulty in securing his return.[203] He was one of those who successfully stage-managed Bothwell's in-bringing to the king in July 1593[204] and when Bothwell again fell out of royal favour, Spynie was once more denounced rebel for resetting him.[205] He maintained his affiliation with Bothwell[206] but was probably liked personally by the king. Despite this, however, and despite the efforts of his brother, Crawford,[207] it was said that Spynie "has 'gone out of hope' of the King's favour at this time"[208] - "this time" being shortly before Bothwell left the country.

Some of Bothwell's most loyal supporters such as Niddrie, received a royal remission at one stage[209] but were soon rebels once more for aiding Bothwell.[210] John Colville, however, was back in royal favour at the close of this period,[211] having left Bothwell in September 1594 when his cause looked hopeless. The support which Bothwell attracted, then, was composed to a considerable extent of men such as Wauchope, who were already outwith the law for their own misdemeanours, men like Gray who hoped to use their support of Bothwell as a springboard with which to jump back into royal favour and men like Johnstone whose main aim in aiding Bothwell seems to have been to oppose Maxwell, his traditional enemy.

Bothwell's position has been seen* to have been bound up at many times with that of the chancellor, John Maitland, who, like Bothwell was never able to command a party of any great size or importance.

200.R.P.C.,v.4 and note; 201.Cal.S.P.Scot.,x.780; 202.R.P.C.,v. 17-18; 203.Cal.S.P.Scot.,x.801,820; 204.Ibid.,xi.130; 205.R.P.C.,v.114,132-3; 206.Cal.S.P.Scot.,xi.304; 207.Ibid.,509; 208.Ibid.,516; 209.R.P.C.,v.91-93; 210.Ibid.,114; 211.Cal.S.P.Scot., xi.537,562.

* see above 270, 272, 274.

Bothwell's reaction to the execution of Queen Mary has been seen to be typical of him* and this could equally be said of Maitland's. For one thing, Maitland's was not made until July when parliament was in session and so was some five months behind the event. Also it would appear that Maitland had gauged public opinion, at least among the all-important nobility, before he nailed his colours to the mast and finally, although his pleas for action to revenge Mary's death, like Bothwell's before him, accomplished little, they probably achieved all that Maitland had intended or hoped that they would. The fact that Maitland's speech was in sympathy with the feelings current among the nobility and that it was largely if not entirely for show may well be deemed to be borne out by a description of the dramatic scene in parliament in which the lords besought James to lead them against England. James thanked his subjects but said that he must await his opportunity. This may well indicate that Maitland and King James, who were working in close harmony at this point, were of a mind on the matter of revenge and considered that some grand gesture after the fashion of Maitland's speech would be sufficient to placate those who wanted more definite moves. It seems unlikely that Maitland would have made this speech if he had not been sure that such were also the lines along which the king's thoughts were travelling.[212]

Maitland had been involved with the master of Gray in the plotting which helped the Banished Lords to overthrow Arran in November 1585. It soon became obvious, however, that it was to one of the lords, namely Glamis, that he was looking for his new partner in government and the influence of those two with the king rose as Gray's declined.[213] During the years 1586 and 1587 Maitland probably had greater influence over the king than any other man in the country and indeed his

212. Ibid., x.128-9; 213. Ibid., viii.188.

* see above 267.

biographer, Maurice Lee, states of the second of these years that Maitland's "influence over James was now at its peak".[214] Maitland had already been appointed vice chancellor of Scotland[215] and one report of 17 July 1587 stated that "Secretary Maitland shall be made lord of Lauderdale and Earl of March and Great Chancellor of Scotland".[216] More certain was that Maitland and Glamis were given land which had pertained formerly to the church,[217] while Maitland and Bellenden of Auchnoule, justice Clerk, were given the lands of the earldom of Orkney.[218] It was as well for Maitland that he had the king's favour for there was little to indicate in these months that he had anyone else's. Rumours abounded of attempts which were about to be made and which would result in the slaying of Maitland and other courtiers.[219]

He was, of course, not a noble, and so he had to face the jealousy reserved for any such non-noble who became the chief adviser of his king in addition to the usual plotting of others who wished to take over that position. His biographer states that he "was the first chancellor of Scotland in the sixteenth century who was neither a bishop nor a great lord". Nor did becoming chancellor in itself give him any more wealth or independence of the king's favour.[220] Whether or not he had any basic idea of "weakening" the upper aristocracy which this biographer claims,[221] but which seems rather unlikely, he would have a desire to better his own lot in life. This would involve performing his task as chancellor efficiently which would in turn involve attempting to tighten up on royal prerogatives which had been allowed to lapse. The inevitable result would be that he would tread on the toes of some nobles. Adding insult to this injury would be his own non-noble status but a desire for efficiency and self-advancement may

214.Maurice Lee, op.cit., 121; 215.R.P.C., iv.xiii; 216.Cal.S.P.Scot., ix.453; 217.R.M.S., v.1344, 1345, 1346; 218.Ibid., v.1354; 219.Cal. Border Papers, i.299; Cal.S.P.Scot., ix.538; 220.Maurice Lee, op.cit., 118; 221.Ibid., 120.

explain his actions more plausibly than any high-flown theory of weakening the nobility. The rumour that he would become earl of March and his eventual elevation to the peerage as Lord Thirlestane[222] betoken no desire to weaken the nobility as such but rather, through efficient exercise of his office, to join it.

As a direct result, perhaps, of Maitland's non-noble status he was never able to command to himself what could really be described as a party. At this time of very considerable power he was on good terms with the master of Glamis and through him with the rest of the Stirling faction but his relations with Glamis were very changeable over the years and their apparent friendship often only superficial. Other crown officials such as Bellenden of Auchnoule, justice clerk, worked in close harmony with Maitland. The joint grant to them, however, of the earldom of Orkney did not strengthen their friendship as they failed in their plan to dispossess the king's uncle from his lands[223] and made little or no money from the venture. Another official closely associated with Maitland was Sir Robert Melville of Murdocairny.[224] He had, of course, been present with John Maitland and his brother William inside Edinburgh Castle when it was besieged in 1573 and he continued to work with Maitland in these years. Men such as Bellenden of Auchnoule would not feel the same degree of dependence on Maitland as they would have with a noble chancellor, however, for Maitland would have been unable to maintain himself in favour with his own power far less any of his subordinates and was every bit as dependent on the king's good-will as any of his associates. Maitland did succeed in building up a party of administrators from among his own relatives and associates, as Maurice Lee demonstrates,[225] but this could easily have

222. Scots Peerage, v.299; 223. Cal.S.P.Scot., ix.485-6; 224. Ibid., viii.224; ix.197; 225. Maurice Lee, op.cit., 233-4.

been swept away along with himself.

He was, in short, very dependent on the good-will of his king and the toleration of a portion of the nobility. He enjoyed the first of these for many years and in the period which closed at Brig of Dee he enjoyed the second also, courtesy of the Stirling faction and latterly of the moderate, protestant party. This party could see in him a protestant and a councillor who, despite his early Marian associations and his speech for revenge at the 1587 parliament, was generally regarded as pro-English. He was also the recipient of the hatred of the earls of Bothwell and Huntly who were identified with the pro-Spanish catholic factions and so that added to his credentials in the eyes of the protestant party.

During the months after Brig of Dee Maitland's influence continued undiminished despite the fact that all the rebels blamed their escapade on a hatred of him.[226] He was closely involved with the king in the negotiations, which had been going on for some time, with foreign countries for the procuring of a royal bride. Denmark seemed increasingly likely to be the source of that bride but opinions differed as to whether or not the chancellor was in favour of this.[227] Maitland's relations with much of the nobility remained cool but his influence with the king was undeniable with the result that "Every one of the rebels hath sought by friends to make peace with him, (the chancellor) and when they have him they spe(ed) well after".[228] Suspicions that Maitland was less than enthusiastic over the proposed royal wedding were refuted in October 1589 when he was named as a commissioner to go to Denmark to bring home the king's bride.[229] It soon became clear that the king intended to go personally, however, and Maitland incurred further suspicion as the supposed author of

226.Cal.S.P.Scot.,x.67-68; 227.Ibid.,72-73,95; 228.Ibid.,110; 229.R.P.C.,iv.421.

this scheme,[230] which drew a denial from the king himself.[231]

The king and chancellor embarked together for Denmark in company with the justice clerk and others.[232] During the course of his time abroad, Maitland succeeded in quarrelling with both the Earl Marischal[233] and justice clerk[234] and returned to Scotland preceded by rumours that he and the king intended to implement considerable innovations in state affairs to the detriment of the nobility.[235] There were constant rumours concerning plots to overthrow the chancellor, and, soon after his return, Maitland antagonised the man who was, in the future, to be most active in these schemes, namely, Bothwell. Bothwell had been closely concerned with the government of the country during Maitland's absence and seems to have been largely successful in helping to keep the peace. Despite this apparent success, or perhaps even because of it, the king was, on his return, somewhat rigorous in his treatment of Bothwell. At this, Bothwell was angry, chiefly against Maitland and threatened to leave the country.[236] Despite such anger, Maitland, created Lord Thirlestane at the queen's coronation,[237] continued to dominate political and court life. His allies and enemies in court were constantly changing, Bothwell and Glamis figuring at times in each capacity.[238] As Bothwell's position deteriorated in the second half of 1591, so the rumours that a large portion of the nobility were hostile to Maitland increased so that "it is thought that these matters shall turn to some action against the Chancellor, by whose defeat all things shall be 'wrapped up', both for Bothwell's relief and the contentment of many now discontented with this government".[239] The king remained loyal to the chancellor, however, and was

230.Cal.S.P.Scot.,x.173; 231.Ibid.,174-6; 232.Calderwood,v.67; 233.Cal.S.P.Scot.,x.221-2; 234.Ibid.,257; 235.Sir J. Melville, Memoirs,373; 236.Cal.S.P.Scot.,x.294-5; 237.Scots Peerage,v.299; 238.Cal.S.P.Scot.,x.294,297-8,322,350; 239.Ibid.,543.

reported on 21 July 1591 to have "examined the offence conceived by sundry of the nobility against the Chancellor".[240] The personnel involved in the term "sundry of the nobility" is illustrated in another observation of later in this month where it is said that "Bothwell and Hume have given up with him, (the chancellor) and are now his enemies; and most of the nobility have joined Bothwell viz. 'the Erles of Athell, Murray, Mourton, Arrell, Mountrose and Rothos, - the Lordes Hume, Borthwicke and Yester - the Lards of Buckleughe and Johnston, with others'"[241] - an impressive list by any standards, but like all lists of supposed supporters of Bothwell more impressive on paper than in the field.

Maitland's encirclement by potential enemies was checked in November 1591 when he helped to occasion the temporary ruin of his long-time rival the master of Glamis, who lost his post as treasurer to the earl of Montrose.[242] The running of that department of government was recognised as continuing to lie in the hands of the deputy-treasurer, Melville of Murdocairny, a friend of Maitland's of considerable standing.[243] With Bothwell's attempt on Holyroodhouse in December 1591 came the suspicion that other nobles might have been involved in this attempt to overthrow Maitland and the admission by Angus, Mar and Morton that they were hostile to the chancellor as, they claimed, was all the nobility.[244] Maitland's move towards Montrose, to whom he was related by marriage,[245] in securing for that earl the post as treasurer, may indicate a tendency on the chancellor's part to ally with the catholic faction in an attempt to gain some kind of security against the growing criticism of him. This tendency may also be seen in the fact that Huntly and Lord Maxwell were also in

240. Ibid., 546; 241. Cal. Border Papers, i. 381; 242. Cal. S.P. Scot., x. 586, 590; 243. Ibid., 586, 590; 244. Cal. Border Papers, i. 390-1; 245. Scots Peerage, vi. 230-1, viii. 540-3.

court and exercising considerable influence at this time.[246] If such were the case then his scheme profitted Maitland little for, on the murder of Moray, he was immediately implicated therein in the public mind on the side of Huntly the murderer.[247] The evidence gained from the study of Calder's murder has shown* that Maitland may have been involved in that and there was other evidence, albeit largely hearsay, which was widely recounted at the time of Moray's murder as proving the involvement of the chancellor therein.

Lord Ochiltree appears to have arranged to meet the earl of Moray, his kinsman, at Donibristle to forward a reconciliation between the earl and Huntly. After Moray's murder it was declared that the king and chancellor were among the few others who knew of Moray's presence there.[248] What is more certain is that Huntly currently held some commission of lieutenancy for all such were annulled on the day after Moray's murder.[249] The terms of this commission, which was probably merely the one against law-breakers in his own area by which Huntly had justified his earlier raid on Darnaway, became exaggerated and distorted by suspicion, so that by 17 February 1591/2, it was alleged that the king and chancellor were involved with Huntly in the murder of Moray with the grant of a blank commission. It was also said that the king gave Huntly a commission to bring Moray in and if he could not, then to kill him. Huntly had apparently threatened to say that the chancellor was privy to his going to Donibristle.[250] This last aspect of the rumours contains the essence of the problem in determining the chancellor's guilt or innocence, for, once Huntly had committed the crime, he could easily implicate whomsoever he chose, particularly one with whom he had been thought recently to have been close and one

246.Cal.S.P.Scot., x.626; 247.Ibid.,639-40; 248.Ibid.,633-4,637-8;
249.R.P.C.,iv.725; 250.Cal.S.P.Scot.,x.639-40.
* see above 246-7.

who was well-nigh universally unpopular with the nobility.

Whether Maitland was as closely involved in Moray's murder as some suspected, or was so short-sighted as actually to sign a bond concerning that murder and that of Calder, may be doubted. He seems, above all, to have been a careful man, constantly gauging the opinion of the sovereign, upon whom he depended so heavily, before taking any important action. Where he, and, through him, his king, might come in for some moral condemnation is in the fact that such commissions as the one enjoyed by Huntly were allowed to continue in existence, and were even renewed, despite the fact that it was obvious that the holder of the commission was heavily involved in personal feuds which he would be quite likely to pursue under cover of his privileged position. Maitland and the king must have realised that there was a distinct possibility of Huntly's using this power to eliminate Moray, but it may also be that they were not averse to this on account of the known friendship between Moray and Bothwell. Maitland, whether or not he expected to gain materially from some wider conspiracy involving Argyll's death, may well have felt it expedient to fall in with his king's wishes and turn a blind eye to the solution of a personal feud which would succeed, at any rate, in removing from the political scene, one of the many nobles who, he had reason to believe, daily sought his own life. The murder of Moray, after all, achieved notoriety because of its attendant circumstances, but principally because it succeeded. It is impossible to say how many potential Donibristles had been concocted in the minds of different nobles with a view to removing either Huntly or Maitland.

A brief look at Maitland's allies is called for now after so much attention to his enemies. It has already been seen* that Sir Robert Melville of Murdocairny was given the use of the office of the treasury,

* see above 295.

in his capacity as deputy treasurer, after Glamis had been removed from that department. This represented continued reward for a man who remained, throughout these years, closely associated in policy and administration with Maitland. Bellenden of Auchmoule, justice clerk, was hostile to Maitland on several occasions in 1590 and was reputed at one stage to be engaged in a plot against the chancellor.[251] Maitland was relieved of his more than dubious loyalty, however, on 27 August 1591, when he died.[252]

Other men such as John Carmichael of that ilk[253] or James Hume of Cowdenknowes[254] were loyal to the crown throughout this time, gave their king good service and were well rewarded for it; but their loyalty seems to have been more to the king than the chancellor, who was as dependent on the king as any of them. Maitland's advancement of the Cockburns, noted earlier,* certainly continued. Cockburn of Ormiston was knighted at the queen's coronation,[255] while Richard Cockburn, apparent of Clerkington, was made king's secretary on the recommendation of Maitland, who resigned the office specifically in his favour.[256] Cockburn of Ormiston, now Sir John, succeeded Sir Lues Bellenden as justice clerk[257] and no doubt proved less hostile to Maitland than his predecessor had done. Maitland's lack of nobility, and personal power meant that he continued to have to react to the machinations of others rather than instigate his own, as far as power politics were concerned. If Maitland was involved in the murder of the earl of Moray he certainly did not profit by that slaughter. It was said as early as 27 February 1591/2 that "the Chancellor seeks to have the King's leave to depart out of the realm".[258] He did not go abroad, however, but

251. Ibid., 355; 252. Ibid., 567; 253. R.P.S., lxii.69r; lxiii.79v, 201v; 254. Ibid., lix. 134r; lx.108r; lxi.132v-133r; 255. Cal.S.P.Scot., x. 299-300; 256. Ibid., 505, 507; 257. R.P.S., lxii. 180r-180v; 258. Cal.S.P.Scot., x.645.

* see above 292.

rather bent his energy towards advancing the king's punishment of Huntly thereby somewhat mollifying the Stewart faction who suspected his complicity in the Moray murder.[259]

Maitland's biographer, Maurice Lee, entitles a chapter in his book, "Maitland's fall"[260] which he ascribes to 30 March 1592 when, according to Calderwood "Chanceller Matlane was commanded to remove from court".[261] Lee admits later that the terms "fall" is misleading,[262] which indeed it is. The king has been seen before to have "punished" subjects by short-term warding, such as Huntly's after Donibristle and it seems likely that Maitland's retiral to Lethington at this time was something similar, as well as being for his own physical safety. Also, as a note to the Register of the Privy Council states "The unanimous explanation (of the Golden Acts) of the contemporary chroniclers is that Chancellor Maitland had resolved upon it as a necessary piece of statesmanship, and was able to push it through by arguments derived from the wretched and anarchical condition of the country".[263] No statesman who had "fallen" could surely be responsible for such an important piece of legislation some three and a half months after his supposed fall. On 1 July 1592 it is said that "The Chancellor has returned to the King, and is in good favour".[264] The truth of the matter seems to be that while "The Chancellor, (was) not called to manage matters as he was wont to be"[265] he continued to strive to hold on to the not inconsiderable influence which he still enjoyed. He can hardly be said to have fallen when he probably continued to have as much influence over the king as any man in the country until his death.

All this, however, is not to underestimate the strength of the opposition which Maitland faced in the summer after Donibristle, for

259.Ibid.,653; 260.Maurice Lee, op.cit.,237; 261.Calderwood,v.149; 262.Maurice Lee, op.cit.,246; 263.R.P.C.,748-9n; 264.Cal.S.P.Scot., x.712; 265.Ibid.,729.

the chancellor had also aroused the hostility of the new queen with whom he had a dispute over the lordship of Musselburgh.[266] It was not surprising that Maitland, as chief minister, should come in for severe criticism at a time when two distinct factions appeared to be reducing the country to chaos. The basic jealousy on the part of the nobles of Maitland's superior position with the king, coupled with the desire of subject people at such a time of crisis to blame ministers, preferably low-born or foreign, rather than the king himself, led to a situation in which Maitland had constantly to struggle to survive politically.

In addition to his quarrel with the queen and his running feud with Glamis, Maitland also fell foul of Lennox at this time. Maitland, who had special trust in Mar's affairs had been asked by that earl, who was thought to be close to death, to ensure that the keeping of Edinburgh Castle remained in the hands of an Erskine rather than those of Lennox and his papist friends.[267] This led to friction between the chancellor and the duke with the former apparently fearing for his life.[268] Maitland indeed seems to have spent more and more time away from Edinburgh and his name is not to be found for some time in the sederunt of the privy council.[269] James was lothe to lose Maitland's services, however, and it seems to have been largely the king's influence which prevented Maitland from sustaining a proper "fall".

Maitland was granted licence to depart the realm for three years and was to be employed as ambassador to the French king[270] while it was rumoured that Mar, Lennox or Sir James Stewart would replace him as chancellor.[271] None of them succeeded in so doing, however, and while

266.Maurice Lee, op.cit., 245-6; 267.Cal.S.P.Scot., x.734; 268.Ibid., 753-4; 269.R.P.C., v.6n; 270.Cal.S.P.Scot., x.773; 271.Cal. Border Papers, i.406; Cal.S.P.Scot., x.777, 801.

attempts to reconcile Maitland and his various enemies, generally also came to nought, the support of the king for his minister continued. This support resulted in May 1593 in Maitland's again being elected a member of the king's council as chancellor.[272] Calderwood states - "About this tyme, Chanceller Matlane came to court, and was restored to the exercise of his office";[273] while the king's determination to restore his minister is indirectly attested to by the increasing urgency of the attempts of Maitland's enemies to keep him from court or to bring in Captain James Stewart to oppose him.[274]

Maitland seemed likely to be able, at this time, to solve his quarrel with Queen Anne[275] but his feud with Lennox was worsened by the fact that the chancellor was receiving considerable support from Lord John Hamilton.[276] Lennox and other Stewarts continued hostile to Maitland and on 24 July when they smuggled their kinsman, Bothwell, into the royal presence it was said to have been done largely in order to prevent Maitland's return to court which was then reputed to be imminent.[277] Bothwell soon moved for the persecution of Moray's murderers and charged the chancellor, Sir Robert Melville and Sir George Hume.[278] When Bothwell was granted a remission for his past offences it was agreed at the same time that Maitland, and certain others, should be forbidden to come to court.[279] It was reported at one stage that Maitland had been warded[280] but this proved untrue[281] and his position began to improve as Bothwell's hollow and fleeting reconciliation with the king began to collapse. Maitland's name reappears in the sederunt of the privy council on 15 October 1593, his first appearance there for fifteen months.[282] As with the Golden Acts

272.R.P.C.,v.753; 273.Calderwood,v.250; 274.Cal.S.P.Scot.,xi.83, 91-92,100; 275.Ibid.,101; 276.Ibid.,107; 277.Spottiswoode,ii, 433; 278.Cal.S.P.Scot.,xi.145; 279.Ibid.,147; 280.Cal.Border Papers,i.495; 281.Cal.S.P.Scot.,xi.176; 282.R.P.C.,v.101 and note.

earlier, so the important Act of Abolition, of November 1593, which proposed to forgive the catholic earls for their past offences, was reputed to be the work of the king and chancellor,[283] further proof that if Maitland had been physically less involved in government in the past months, his influence was still paramount and his thinking most closely in line with that of the king.

The Act of Abolition was extremely unpopular with the clergy[284] but discussion of it was rendered academic by the catholic earls' refusal to accept it. Maitland, however, was beginning to play a smaller role in affairs in the face of an enemy even he could not defeat, ill health. He did, however, accompany King James on his expedition to Aberdeen after Glenlivet and during the course of this journey quarrelled with the earl of Mar over the running of government finance.[285] This quarrel with Mar which blended into another quarrel which that earl was later to have with the queen over the custody of the young prince, Henry, had little to do with the great affairs which were being terminated by Glenlivet and its aftermath, and will be left for examination in the next chapter.*

Two lairds of importance who came to be thought of as allies of Maitland were Buccleuch and Cessford. Buccleuch, as has been seen,* had aided Bothwell, to whom he was related, and had had to leave the realm as a result so that he was abroad at the time of the Holyroodhouse and Donibristle affairs. When he returned to this country he, along with Cessford and Lord Hume, were granted commission to convocate on the borders and pursue Bothwell.[286] He benefitted from lands forfeited by Bothwell[287] and in the autumn of 1594 he was appointed

283. Ibid., 109n; 284. Ibid.; 285. Cal.S.P.Scot., xi. 473, 476;
286. Ibid., 301; 287. R.M.S., vi. 166.
* see below 315-20; * see above 285-6.

keeper of Liddesdale.[288] Buccleuch and Cessford seemed to have supported Maitland in his quarrel with the queen but it was hoped more than once that their influence would be used to reconcile the two.[289] When the chancellor and the queen were reconciled and were united against Mar over the custody of the young prince, Buccleuch and Cessford continued to back Maitland.[290] Cessford was to be seen supporting Maitland and pursuing Bothwell throughout the summer and autumn of 1593 and in December of that year he and Bothwell actually fought.[291] Like Buccleuch, Cessford benefitted from lands lost by Bothwell through forfeiture[292] and like Buccleuch also Cessford continued to back Maitland through his periods of emnity and amity with the queen.[293] These lairds were Maitland's most consistent supporters for he still was faced with hostility from the nobility but he reached 1595 still high in the favour of the one man necessary to ensure his continued role in government - the king.

288. Cal.S.P.Scot., xi.454,466; 289. Ibid., 498; 290. Ibid., 545;
291. Birrel, Diarey, 31; 292. R.P.S., lxiii.125v-126r;
293. Cal.S.P.Scot., xi.150,545.

## Chapter Four
## The Closing Years.

This final chapter deals with the closing years of King James V1 Scottish reign and begins at the exile of the rebel earls Errol, Huntly and Bothwell in 1595. A brief look will be taken at the party of these men and an estimate made as to the validity of continued reference to them as a party at all. A history of the years 1595-1597 will be sketched by reference to the feuds of the earl of Mar which incorporated the main events of this time. The history of the remainder of the period will then be examined by looking at the new issues which rose to paramount importance at this time namely government finance and government control of the outlying areas with reference also to the struggle between crown and kirk and the last, most spectacular and most puzzling of many coups or attempted coups of this reign, the Gowrie Conspiracy. This treatment should reveal at the close whether any new major political factions had arisen to take the place of the ones which, it will be suggested, largely disappeared in this period.

It will be seen that as time passed the likelihood of King James' succeeding to the English throne increased, and, while this accession should not be viewed in terms of the inevitable, it will be suggested that it had the effect of helping to render the nobility more passive. It will also be seen that other external factors particularly the European political scene had changed in such a way as to remove much of the purpose behind the earlier outbreaks of lawlessness - at least such outbreaks as were led and inspired by the catholic nobility. Credit must not be taken away from the king himself for this new-found political stability for James and his government made considerable efforts at ending feuds and rendering the more traditionally lawless

areas of the borders and highlands peaceful. The increasing maturity of the king, now a married man with family, was matched by that of those earls who had previously caused the government so much trouble and who, with one exception, behaved throughout this period with exemplary loyalty. The consequent ending of the catholic party had widespread ramifications for the make up and necessity of the other political and religious factions and the changing tempo and tenor of events led to the accustomed factions being once more put into the melting pot.

It has been seen* in the previous chapter that the catholic party had been the faction which had exhibited the best cohesion in the years under discussion and had been the motive force behind most of the different crises of that time. The period closed, however, with both Errol and Huntly as well as their fellow rebel Bothwell, going abroad as punishment for their many different past offences. It remained to be seen how long that exile would last and, if it ended, how desirous and how able these earls would be of re-creating and maintaining a catholic party. Rumours as to the whereabouts and activities of the exiled earls were not slow to circulate in the summer of 1595 and as early as August Huntly and Errol were reputed to have been sent home by Spain or were likely to be so to cause trouble.[1] While speculations flourished as to the activities of the earls abroad, the conduct of their wives, who remained in Scotland, was also subjected to considerable comment. The earls and their adherents evidently realised that any possible rehabilitation would have to be preceded by some kind of reconciliation with the kirk, and the countess of Huntly, in particular, was being dealt with by her brother, Lennox, to adhere to the protest-

1. Cal.S.P.Scot., xi. 686.
* see above 175-6.

ant faith and to persuade her husband to do the like.[2] If such projected schemes of reconciliation seemed hopeful for the earls, other rumours which continued to reach Scotland, of their trafficking with Spain and other catholic powers, did not advance their cause.

Speculation that Huntly, in particular, had arrived back in Scotland increased in the summer of 1596 but it may have been August before "It is for verity that Huntly is come home".[3] Immediately, negotiations between the earls' party and the government and kirk increased in urgency with the last-named body urging that the earls be kept out of the realm.[4] Huntly sent offers to the king in an attempt to gain a licence to return home.[5] The king refused the offers, but, showing the moderation which had characterised his dealings with Huntly throughout, he decided to set terms for the earl's return for he regarded it as undesirable for such a powerful man as Huntly to be constantly outwith his noble land, and he also feared that this state might bring Huntly to despair as a result of which he might commit further indiscretions.[6] Naturally enough the ministers counselled the king against dealing with Huntly but the nobility were thought to be largely in favour of the earl[7] as was the queen.[8] In November 1596 articles were laid down to be performed by the earl of Huntly before being allowed to return to Scotland or remain there.[9] Principally these involved his satisfying the kirk, pledging not to traffic with papists and enemies of the crown, permitting his son to be brought up as a protestant and offering sufficient caution for the obedience of these terms. Against this, however, Huntly and Errol,

2. Ibid., xii. 156,162; 3. Ibid., 298; 4. Ibid., 302; Moysie, Memoirs, 127; 5. R.P.C., v. 310-11; 6. Ibid.; 7. Cal.S.P. Scot., xii. 316; 8. Ibid., 313; 9. R.P.C., v. 328.

who had also returned to Scotland by this time after successfully escaping from the imprisonment in which he had been held for a short time by the Conservator for the Scottish Nation in the Low Countries,[10] had committed a fresh crime by so returning to Scotland without the foreknowledge or permission of the king. As a result of this a further proclamation was issued against resetting or intercommuning with the rebel earls.[11]

The chances of a successful outcome to the negotiations between the catholic earls and the kirk, were improved by a tumult in Edinburgh in December 1596[12] which put the kirk in the king's bad grace and made the churchmen more eager to placate their sovereign by any possible means. The ministry of Aberdeen were instructed to listen to the offers of Huntly[13] who betrayed his old characteristic of blaming everyone for his troubles but himself; on this occasion "his uncle, Mr. James Gordon, MacQuhirrie and others"[14] were named as culpable. Huntly was obviously being used as the test case for the others and in May 1597 the negotiations reached a successful conclusion when Huntly and Errol acknowledged the reformed kirk, promising also to expel all papists from their company and bounds.[15] Shortly thereafter the earls were absolved from excommunication, relaxed from the horn and restored by parliament.[16]

The third of the three catholic earls of the troubled earlier years, Angus, had not been forced into exile along with Errol and Huntly, but for all that, he found it no easier to regain the king's favour. Throughout 1595 attempts were made by Angus and his friends to secure his peace by means of a reconciliation with the kirk but to

10. Cal.S.P.Scot., xii. 303, 311; 11. R.P.C., v. 329-31;
12. Cal.S.P.Scot., xii. 393; 13. Ibid., 423; 14. Ibid., 429;
15. Ibid., 550-2; 16. A.P.S., iv. 124-30; Calderwood, v. 633-40.

no avail. The kirk, indeed, might have been expected to have been marginally less resolute against Angus than against Huntly, but Angus had also to deal with the hostility of the duke of Lennox to any proposal to restore him. The duke opposed such attempts to restore Angus for he had been granted some of the earl's lands including Tantallon, and was anxious either to retain them or to extract a cash settlement for their return.[17] With the return to Scotland of Huntly and Errol, Angus' chances of restitution improved and in January 1596/7 it was reported that Errol and Angus were waiting the outcome of Huntly's attempt to be restored before moving.[18] He was, in fact, fully restored at the same time as the other two earls later in the same year of 1597.[19]

The third earl to go abroad in 1595 and the only one of the four rebel earls who failed to be restored in the autumn of 1597 was Francis, Earl of Bothwell. Although not a member of the catholic party in the events of the previous years, he had been associated with it in the months before his exile. If the affairs of Errol, Huntly and Angus were mostly matters of speculation in the years 1595 and 1596 this was even more the case with Bothwell and continued to be true of him throughout the remaining years of King James' Scottish reign. The rumours generally took the form either that he was about to return to Scotland[20] or that he was dealing with some enemies of the crown,[21] but there was even one occasion, in 1596, when he was reputed to be dead in Paris.[22] His wife, the countess, enjoyed the king's favour after a somewhat variable fashion[23] but remission was granted to a considerable list of people who had been

17. Cal.S.P.Scot., xii. 193; 18. Ibid., 424; 19. A.P.S., iv. 124-30; 20. Cal.S.P.Scot., xii. 311; 21. Ibid., 219; 22. Ibid., 303; 23. Ibid., 10, 74.

involved with Bothwell in different of his escapades.[24] The most definite rumours as regards any attempt by Bothwell forcibly to enact his return to Scotland, came in the spring of 1599, when the earls of Caithness and Orkney were both advised to prepare themselves to withstand any such attempt, which was thought likeliest to take place in their area.[25] Nothing came of this, however, and despite similar rumours thereafter and despite the fact that on 19 October 1600 it was reported that the king's anger towards Bothwell seemed to have cooled,[26] the earl never returned to Scotland. In the parliament of 1600 the forfeiture which the earl had sustained was continued against his children[27] and he remained abroad for the rest of his life, dying in Naples in 1612.[28]

The contrast between the treatment accorded to Bothwell and to the other rebel earls is all the more marked when it is noted that in the autumn of 1597, these three earls were restored not only to their livings and portion, but also, shortly thereafter, to very considerable influence in court proceedings. So much so, that early in 1597/8 it was considered a serious possibility that Errol would be made chancellor[29] and, although this did not happen, he was named with the duke and others to serve quarterly with the assistance of the council.[30] The other two earls had to wait a little longer for such a marked piece of royal favour but in the summer of 1598, Angus was made lieutenant on the Borders[31] defeating Lord Hamilton to secure the post,[32] while on 14 December 1598, Huntly and Angus were both appointed as members of a new privy council of thirty-one.[33] All this time the earls had given every indication of intending to remain loyal subjects. Errol,

24.R.P.S. lxvii. 66r,75r,82r; 25.Cal.S.P.Scot., XIII. i. 419; 26.Ibid., ii. 715; 27. A.P.S., iv.229-30; 28.Spottiswoode, ii. 461; Scots Peerage, ii. 171; 29.Cal.S.P.Scot., XIII. i. 150, 167. xii. 132; 30.Ibid., XIII. i. 167; 31.A.P.S., iv. 170-2; 32.Cal.S.P.Scot., XIII. i. 229; 33.R.P.C., v. 499-500.

admittedly, was reputed to be involved in some plot for a change of government in the summer of 1598 but it came to nothing and in any case it was the master of Glamis who was chiefly blamed by the king for it.[34] There was also a "great fray" at Aberdeen[35] between the respective followers of Errol and the Earl Marischal but once again it amounted to very little. There is indeed, little common policy or action between the three earls from this stage onwards and little enough sign of the continued existence of a catholic party.

Not only did Errol fail to become chancellor but he also failed to maintain the important position in court affairs which he had occupied shortly after his restoration. The most important action he was involved in, in the following years, was a dispute with Huntly, and, more particularly, Huntly's man, Gordon of Gight. Gight slew a servant of Errol's and it seemed possible that the two earls would fall out over this[36] but extremes were avoided. Angus was involved, for his part, almost exclusively in border affairs in his role as lieutenant but on one occasion on which he did become more involved in central affairs it appeared that he too might fall out with his former ally Huntly. At the baptism of the king's second daughter Princess Margaret, in April 1599, Huntly was created a marquess as was Lord John Hamilton. The following month it was stated that "Angus being resolved not to suffer the Marquesses to prejudge him (by presuming to sit above him by reason of their new honours) of his ancient place, which may ... breed great troubles".[37] In fact the holder of the oldest Scottish earldom did adhere to his protest for he refused to give Huntly precedence in the parliament of November 1600 and went to Dalkeith rather than appear to sanction Huntly's superior

34. Cal.S.P.Scot., XIII. i. 261; 35. Ibid., 338; 36. Ibid., ii. 864; 37. Ibid., i. 464.

position by attendance at the parliament.[38] He was reputed at one stage to intend to leave the country, presumably because of his strong feelings over this matter of precedence, but he did not in fact do so.[39] He displayed a reluctance to push the issue to extremes which was in fact quite characteristic of the attitude of the bulk of the nobility of these years, and it may be that he, and they, were aware that their different grievances would assume lesser importance if and when King James succeeded to the English throne. This succession appeared more likely with each year that passed and none of the nobility would wish to prejudice their sovereign's good opinion by lawless or extreme action and so forfeit the chance of increased wealth or responsibility which the English accession seemed to promise.

Like Angus, Huntly directed a considerable portion of his energy in these years towards maintaining peace in the outlying areas of the country, in his case the Highlands and Islands. On 9 July 1599 Huntly and Lennox were appointed the King's lieutenants in the Highlands and Islands.[40] Huntly seems to have re-established his good relations with the king who strove to reconcile the new marquess with the earl of Angus over the dispute mentioned above[41] and also maintained continual efforts to reconcile Huntly with the friends and kin of the late earl of Moray.[42] One of these friends of Moray was the earl of Argyll who had his own grievance with Huntly over that earl's supposed involvement in Campbell of Calder's murder and an attempted murder of Argyll himself, as well as the defeat he had inflicted on Argyll at Glenlivet. The king made particular efforts to reconcile these two earls and in 1601 mutual assurances were demanded[43] as they were also between Huntly and Moray although it was some time after

38. Ibid., ii.737; 39. Ibid., 829; 40. R.P.C., vi. 8-10;
41. Cal.S.P.Scot., XIII. ii.729; 42. Ibid., xii. 500,551;
43. R.P.C., vi. 290-1.

this before a firm and realistic reconciliation was achieved. In February 1603 it was agreed that Huntly's son should marry Argyll's daughter in 1605. "And it is meant that Moray shall marry Huntly's daughter and have a good portion",[44] both of which marriages, designed to end the respective feuds, did at least take place.[45]

It can be seen, therefore, that the principal lords of the catholic party behaved themselves very peacably in the years after their restoration and indulged in no common action of a markedly "catholic" nature. Whether the increasing maturity of the catholic earls or a knowledge of the fact that they could not hope to win over the king to their religion, or a hope of advancement when their sovereign was also king of England induced this change of heart is not clear. Another important fact in their decision was undoubtedly the fact that the possibility of a further Spanish invasion of England, possibly through Scotland, seemed less than likely and Scotland's main importance, as far as English foreign policy was concerned, had shifted to her possible role in Tyrone's rebellion in Ireland. Whatever the reasons, it is evident that throughout the last part of King James' Scottish reign, the estate was in no danger from the catholic faction of the nobility.

Before continuing to examine the traditional opponents of the catholic party, the moderate protestant party, it might be opportune to deal briefly at this point with the few incidents of these latter years which originated in catholic aspirations. The limited nature of these incidents and the comparatively humble station of those chiefly involved therein give further proof that catholicism had

44. Cal.S.P.Scot., XIII. ii. 1106; 45. Scots Peerage, iv. 545-6.

ceased to be a dangerous political force in Scotland. There were nobles such as Lord Herries, in trouble for his attendance at a Dumfries mass,[46] who seemed to have continued in the old religion and to have maintained the jesuits such as Mr. James Gordon and Mr. Edmund Hay who continued their activities throughout these years despite the efforts of kirk and government to stop them. These adherents to the old faith, however, were but little involved in any political extension of their faith in these years and the most important act of such a nature concerned Hugh Barclay of Ladylands, who had been associated for some time with the King of Spain and the Pope in catholic intrigue. On the last day of May 1597 it was reported that " ... the laird of Ladylands, returned into this realm from ... Spain ..., has banded with some of the Montgomeries, Stewarts, Murrays and others being papists". They intended to surprise the island of Ailsa Craig in the Clyde. To prevent this the island and house were seized by Mr. Andrew Knox, minister at Paisley.[47] Apparently when Knox and his associates attempted to capture the said Hugh he resisted and was drowned. His intention in attempting to capture the island seems to have been "to have foirtifeit and victuallit the same for the ressett and conforte of the Spanishe armey"[48] which appears to have been a forlorn hope.

Another catholic activist to lose his life in these years was James Wod, apparent of Bonyton. He had been present at the battle of Glenlivet on the side of Huntly and was at the horn for this and his persistent papistry.[49] On 10 April 1599 he was charged to satisfy the kirk or pass abroad[50] but in March 1601 he is one of

46. R.P.C., vi. 312; 47. Cal.S.P.Scot., xii. 568; 48. R.P.C., v. 394; 49. Ibid., 212-13, 547; 50. Ibid., 547.

those whom Calderwood names as being present at a recent mass in Edinburgh. He continues: "A little before this tyme the said young Laird of Bonytoun, and Laird of Latoun, with their complices ... brake up the old Laird of Bonyton's house".[51] They were condemned to death for this housebreaking and theft of papers from the same. Bonyton was executed "an obstinat Papist" in April 1601, despite pleas from Huntly, Errol, Hume and others for mercy. Calderwood adds that Wod claimed to be dying for this faith but it was not mentioned in his dittay.[52]

A third adventurer to perish in these years and one whose connections with the catholic faction were even more tenuous than the above, was Francis Mowbray, son of the laird of Barnbougle in West Lothian. He had a history of considerable lawlessness and had but lately returned from abroad to London. While in London he was accused of plotting to kill the king. His accuser was one Daniel, an Italian fencer, who, putting his faith no doubt in his own skills, was prepared to prove the matter in personal combat. This was postponed in preference of further evidence which duly arrived from London and was heard by the king. The night after this hearing Mowbray attempted to escape from Edinburgh Castle but his rope of blankets being too short he fell and was killed on the castle rock, only to have his body hanged and quartered as a traitor in Edinburgh, on 31 January 1603. Mowbray had previously been in prison concerning his involvement in catholic plots and it was no doubt this, coupled with the king's excessive fear of personal attempts against him, which resulted in such harsh treatment.[53]

These cases have considerable interest in themselves, and are

51.Calderwood, vi.102-3; 52.Ibid., 104-5; 53.R.P.C., vi. 531-2n.

chosen, in preference to the more tortuous dealingsof Poury Ogilvie and other spies, to illustrate how far divorced the events of these years were from the noble-led catholic uprisings of the time of Brig of Dee. This removal of the catholic faction as a potential source of danger in the kingdom coupled with the decreasing likelihood of any invasion of Scotland or England by Spain also took away the "raison d'etre" of the party, designated in the previous chapter, as that of the protestant moderates. It must, indeed, be stated, at this point, that there was considerably less adherence to factions throughout these final years of the reign. Events of such a nature as bred and required factions, that is, feuds, attempted coups d'etat and the like, were of considerably less frequency throughout these years, in which affairs such as government finance and government control over the Highlands and Borders took on a greater significance than quarrels between noble houses. A constant glancing at 1603 is to be avoided in regarding the events of these years but there is a definite air of awaiting events among the nobility at this time and this resulted in an unwillingness to push events to extremes which resulted in its turn in the most peaceful years of the reign so far.

This does not mean, of course, that there were no feuds or factions in the country and the earl of Mar, in particular, found himself heavily involved in three feuds at the one time in the opening years of this period. As Mar could be considered, and indeed was, a leading protestant patriot, and as a history of his feuds is virtually a history of these years, they will be examined at some length and will further illustrate the lack of any large protestant party.

It has already been noted in the third chapter* that during the

* see above 302.

course of the march northwards of the king and his loyal forces in late 1594, at the time of Glenlivet, Chancellor Maitland and the Earl of Mar "have entered into some discord".[54] That the cause of their dispute was in some way connected with the running of government affairs, is, apparently, not to be doubted. Mar's prestige had recently been enhanced by his being appointed as guardian to the young prince, Henry, the king's first child, and it may be that his new position gave him, in his own opinion at least, the right to criticise the rest of the government machine. Certainly on 2 November 1594 it is reported that "The 'factours' of estate, fearing Mar's greatness and that (they) themselves should be 'put at', made a motion to the Earl of Crawford to take the keeping of Edinburgh Castle",[55] while a fortnight later it was said that "Some storms are likely to grow betwixt the Chancellor and the Earl of Mar, and it is deemed that Mar aspires to be Chancellor".[56] That the initiative to change the officers of estate came from Mar is stated on several occasions but another possibility is that "It was the King's intention to have changed the Treasurer and Comptroller by the advice of the old Clerk Register and the Prior". Mar was brought in and brought in "Argyll, Montrose and Glencairn". Mar wanted the change to be extended to include the chancellor and the secretary.[57] Whatever the true origin of this dissatisfaction with the running of government affairs, this feud between Mar and Maitland set the tone for the remaining years of King James' Scottish rule, in that these years which saw peace and harmony prevail among the nobility to a degree unprecedented in the reign so far, also saw change and experiment among the holders of public office to a similarly unprecedented degree.

54. Cal.S.P.Scot., xi. 473; 55. Ibid., 472; 56. Ibid., 476; 57. Ibid., 494.

The main immediate upshot of Mar's attack on the administration was that in January 1594/5, twelve auditors of the exchequer were appointed of whom Mar was one. It was also stated that "There is a determination to change the Treasurer, Comptroller and Collector and to give the offices to 'mene' men" that they might be able to be dismissed.[58] This, of course, was a similar sentiment to that expressed by the king some time later at the appointment of the Octavians and it shows it was no new thought on that latter occasion. It must never be forgotten, however, that throughout these struggles among those engaged in administration, personal considerations remained paramount and theories of government were, at best, but a poor secondary consideration. Maitland showed his appreciation of this fact and of the vulnerability of a part of Mar's position when, as seems likely, he played on the natural maternal instincts of Queen Anne so that she was pleased to request that control of the young prince might be taken from Mar and given to herself.[59] This could not but be deemed a slight to the earl and he continued to resist it fiercely whenever it was mooted.

If Maitland was hostile to Mar's suggested innovations because he regarded them as a possible threat to himself this was no doubt also the attitude of that other old campaigner and one-time ally of Mar, the master of Glamis. An indication of the personal nature of the involvement of these men and of the character of their hostility to Mar's suggestions can be gauged from Glamis' case. The master of Glamis had had the handling of the living of his house for 18 years during the lord, his nephew's, minority. Whatever his previous political vacillation and affiliations, the master was currently on

58. Ibid., 515; 59. Ibid., 531, 546, 548.

good terms with Maitland[60] and with that man's leading supporters, Buccleuch and Cessford. He cherished the hope, consequently, of cementing this friendship by marrying his nephew to Cessford's sister[61] which would not only strengthen the alliance but might also serve to leave him in personal control of the affairs of the lordship for some time to come. His chagrin then would be considerable when he ascertained that "Mar and his friends have got their cousin, Agnes Murray, contracted with Lord Glamis without the Master's privity"[62] and he foresaw "that this marriage is likely to be his overthrow, for he had the handling of the living these eighteen years. He has taken good parts of it to himself, all which he is to answer for, ... Also it is looked that Lord Glamis and the Earl of Crawford shall agree, which shall be no small danger to him".[63] This young lady who thus wrecked Glamis' plans, Ann Murray, was related to Mar[64] and was reputedly "the Kingis mistris"[65] so that, whatever the exact nature of her relationship with the king, the queen's anger might also be calculated to be aroused by this proposed alliance which would see the girl so advanced.

Mar's enemies, the queen, chancellor, and Glamis, were reputed to be at the bottom of a slaughter on 24 June 1595[66] which caused a feud between Mar and his neighbours which lasted for some time to come. It was in April of that year that it was reported that "This late displeasure betwixt Dunipace and Garden is likely to work much ill among us and to separate Mar ... from Dunipace ..., which indeed will prove no small matter, because Dunipace could do and did most against the Chancellor".[67] Garden was a Forrester, and Dunipace a Livingstone and their quarrel evidently worsened for on the day in June, mentioned above, David Forrester, a kinsman of Garden, who was a servant of Mar

60.Ibid., 494,520,525; 61.Ibid.,588; 62.Ibid.,583; 63.Ibid.,588-9; 64.Scots Peerage, i.464-70, v.615; 65.Cal.Border Papers, ii. 31, 34; 66.Cal.S.P.Scot., xi. 625; 67.Ibid., 584.

and a bailie of Stirling, was slain by Dunipace and Bruce of Airth, younger. The author of the "Historie of King James the Sext" states that Bruce and Forrester "hapnit bayth to loove a woman".[68] The Stirlingshire families of Livingstone and Bruce were joined by their neighbours the Elphinstones in opposition to Mar who boasted a formal array of allies of his own, who counselled him to seek redress at law.[69] One source, which ascribes the blame of the slaughter to the queen and her allies, suggests further that their reasoning in this was that they were "thinking thereby to disgrace Mar, for it would have furnished a great argument against him of weakness and inability to defend the young Prince, if he had not been able to bear out his just cause against so mean competitors".[70] If such was indeed the thinking behind the affair then the conspirators had failed adequately to gauge the extent of the king's trust in Mar which never varied throughout this crisis and which was instrumental in bringing about a reconciliation between Mar and the queen. The reconciliation was somewhat less than enthusiastic, however, and the affair continued in a somewhat uncertain fashion until death thinned the ranks of Mar's enemies by removing Chancellor Maitland on 4 October 1595.[71] That Maitland was involved in intrigues and court affairs right up until his death is evident and led one observer to the less than charitable remark that "The Lord Chancellor amends now very well yet keeps Mr. Robert Bruce and other ministers still with him ... So as the sickness has gained him the ministers".[72] He remained, as always, an individual rather than a member of any great faction and in his latter days left the guiding principle of his political life, namely to be on the same side of

68. Historie of King James the Sext, 346; 69. Cal.S.P.Scot., xi. 630; 70. Ibid., 639; 71. Scots Peerage, v. 301; 72. Cal.S.P.Scot., xii. 24.

affairs as the king, only sufficiently to ally himself with the king's wife against Mar whom he evidently saw as a danger to his political security.

It is evident, then, that the three quarrels in which Mar was engaged at this time, namely with the queen, Maitland, and the Livingstone-Bruce combination, were all interdependent and it remained to be seen whether Maitland's death would be the cause of their sundering and going into decline. The master of Glamis, who, as has been seen*, was also heavily involved in these disputes, evidently dreaded that Maitland's death would have the above effect for he, "had lately been in Edinburgh fearing his (Maitland's) death to comfort and keep together the society".[73] Another possible result of Maitland's demise, however, could have been that the late chancellor would have the blame laid on him for the queen's desire to remove Mar[74] but it transpired that the queen would continue her course against Mar despite this death. It was not long, however, before Maitland's influence was missed, for Buccleuch and Cessford quarrelled over a local issue and it was said that the chancellor had kept them friends for a longer time than was previously thought possible.[75] It was thought for a time that their quarrel would lead to a personal combat between the two lairds and although this did not happen, their dispute had the effect of drawing them away from court life and involving them more exclusively once again in local, border affairs.

As the year 1595 ended, Mar's quarrels continued. Despite some reports of reconciliation with the queen it was generally held that the two were still but cool to each other. The king was certainly making efforts to remove the feud between Livingstone and Mar and to ensure

73. Ibid., 39; 74. Ibid., 34-35; 75. Ibid., 115.

* see above 317-18.

that all dealings and negotiations concerning it were kept peaceful.[76] Despite this it was constantly feared that the situation would erupt into renewed violence. As for Mar's third quarrel, the personal side of that had obviously been terminated by Maitland's death but the doubts which Mar had voiced over the royal revenues no doubt played their part in arousing the general discontent which the king appeared to feel on that issue at that point. Unfortunately for Mar, the steps which were taken in January 1595-6 to remedy this situation, promised to be scarcely in his own personal interest. The king's chronic lack of money made it all the more remarkable to him that the queen was able to present him with a purse of gold on New Year's Day 1596. He ascertained that the responsibility for this lay with the queen's household financiers and decided to employ them, along with some other officers to take charge of his own financial affairs. That, at any rate, is how John Colville explains the appointment of the Octavians which took place on 9 January 1595/6.[77] The four members of the queen's council who became Octavians could be expected to continue their adherence to that lady and any advice they gave the king concerning Mar could hardly be expected to be greatly in that earl's favour.

The Octavians, as a body, did not last a year, but their appointment must be regarded as an important experiment in government financial administration in Scotland. It is more in the nature of this work to investigate the political character and likely standpoint of the individuals who were thus brought to prominence in this body but a word on them, as a body, might not be out of place. It is not proposed fully to debate how much of an innovation the appointment of

76. Ibid., 100, 102; 77. John Colville, Letters, 190.

such a body of eight, largely non-noble, councillors was, but there are several points worth making. Firstly, it is worth repeating that when King James made his oft-quoted remark concerning his desire to employ men in his affairs who were "hangable" he was described as being "very merry"[78] or, in other words, did not intend his phraseology to be taken literally. Secondly, any attempt to interpret the appointment of the Octavians as a deliberate blow against the nature of nobility as such, is likely to come to grief. Of the eight men, two, namely, James Elphinstone and Alexander Seton, were younger sons of lords. Alternatively, of the eight men, no less than four were personally elevated to the peerage, a further two were the immediate ancestors of newly-created peers, and of the other two, Peter Young of Seton was knighted, while Sir John Skene was clerk register and a lord of session with the personal title of Lord Curriehill. Their evident desire to join the ranks of the peerage rules out any idea of their being used against the interests of the peerage as such as does the terminology of their demission of office of 30 November 1596, in which "... thay maist humelie crave that thay micht be exonerit of the said charge, at the leist that sum of his Hienes nobilitie, quha aught and sould be faderis of the commounwele, and to quhome the ordouring of the public effearis of the cuntrie propirlie appertenis, may be nominat and appointit" to give their advice.[79]

The reasons for their appointment must lie in the extensive experience of public office which they all enjoyed, the desperate situation in which the royal finances were and the possible desire of the king to make something of a break with the past. Maitland was dead and the king had no great love for the master of Glamis who still

78. Cal.S.P.Scot., xii. 117; 79. R.P.C., v. 337.

held his post as treasurer. Two further points must be made concerning the Octavians as a body, namely, that they did not arrive suddenly on the political scene as individuals for they had been involved in different government work for many years and, lastly, they were not exclusive in their ability to rise, or have their families rise, to the peerage through government service at this time. Men such as the commendator of Newbattle, also heavily involved in government administration, although not actually an Octavian, could see their service rewarded, in this case, Mark Ker, being created earl of Lothian.[80] One final aspect of the Octavians as a body which needs a brief mention is that although their regime did not long survive, individuals of them continued to serve King James for much of the remainder of his reign in several important offices including the chancellorship and secretaryship,[81] thus indicating, that the king was content with their services and was content to continue the advancement at least of some of the men appointed at this time.

Although the Octavians had considerable records of individual public service before this latest appointment they have not figured much in this discussion of political factions, hitherto, as it is generally the fate of administrators to be but peripherally involved in politics. With this advent to greater power, however, it became obvious that their individual personalities and potential alliances would become of greater importance as they themselves became greater prizes to be sought after, by the bulk of men craving royal favour, or by any faction seeking central support to forward a particular policy. Of the four Octavians who were not former members of the queen's council, three can be dealt with comparatively quickly in

80. Scots Peerage, v. 455-6; 81. Handbook of British Chronology, 176, 187.

that their new advancement to higher office made but little difference to the paucity of their involvement in factious politics. Peter Young, for example, had been the king's almoner and co-tutor with Buchanan and had performed many other offices for his king, as he was to continue to do, but his role in court intrigue, never great, shows no increase after his becoming an Octavian.[82] Similarly David Carnegie of Colluthie, who died in April 1598,[83] seems to have concentrated on the financial side of affairs and left the politics to others. Likewise Sir John Skene, mentioned above*, is found dealing in his office as clerk register[84] but not interfering to any great extent in the personal aspect of politics. The fourth of these Octavians who were joined to the four queen's councillors to make up the eight, and the one who played the largest role of those four in the politics of the period was Walter Stewart.

Walter Stewart, Prior of Blantyre, was the son of Sir John Stewart of Minto,[85] and had had a long history of association in government before he was appointed as an Octavian. As has been stated he was the most involved in politics of his group of four Octavians and the side he identified with was that of Mar and Lennox as opposed to that of the queen and her supporters. In September 1595, when it was rumoured that Chancellor Maitland's life was in danger, Alexander Seton was suggested as a possible successor to him in that office. He was, of course, a member of the queen's council, and it was Anna who was reputedly pressing for him to be made chancellor, while her enemy, Mar, and Lennox who was assisting him, gave their support in this issue to Blantyre.[86] These two, Blantyre and Urquhart, as Seton is generally

82. Concise D.N.B., 1454; 83. Scots Peerage, viii. 59;
84. Concise D.N.B., 1207; 85. Scots Peerage, ii. 81;
86. Cal.S.P.Scot., xii. 25.
* see above 322.

referred to, remained very considerable rivals for the unfilled post of chancellor, the first being generally backed by a more definitely protestant faction and the other by people often thought to have a leaning towards catholicism.[87] Blantyre appeared to have triumphed in the struggle, when, in November 1595, he was made vice-chancellor,[88] but the appointment of the Octavians,[89] with the four members of the queen's council joining three largely unaligned officials and Blantyre therein, must be seen more as a victory for Urquhart's side.

Blantyre was reconciled to the queen shortly before the appointment of the Octavians.[90] He demitted his office of lord privy seal in favour of Lindsay, his fellow Octavian, and became instead, treasurer, from which post the master of Glamis was ousted.[91] In December 1596 there was a tumult in Edinburgh, which will be examined more fully later,* but which was directed against certain Octavians and shortly after this there was a convention, in which, Spottiswoode relates "the Octavians not according well amongst themselves (for the prior of Blantyre did keep a course with the gentlemen of the chamber, and underhand informed the ministry of the ill-affection that the President and Advocate carried unto them)".[92] Blantyre was obviously continuing his hostility to the former councillors of the queen who, it might be more than suspected, are referred to in a report of 13 January 1596/7 which states that "The offices of the Comptroller and Collector are given to the Prior of Blantyre, Lord Treasurer, who lately was much put at (as it is said) by four of the Octavians and was ready to have left the Court".[93] When it became likely that a noble would once again be made chancellor, and that the earl of Montrose would be that noble, it is no surprise to find that the efforts of Mar and Lennox

87.Ibid., 26; 88.Ibid., 67; 89.R.P.C., v.254-8; 90.Cal.S.P.Scot., xii. 75; 91.Ibid., 163; 92.Spottiswoode, iii.39; 93.Cal.S.P.Scot., xii.426.

* see below 331-2.

to resist this, were backed by Blantyre.[94] When Montrose did secure that position, however, it was remarked, on 2 February 1598/9 that the treasurer still held his office[95] but in fact he did not hold it for long thereafter. The reason for this was the king's anger at a decision of the lords of session in the case of Mr. Robert Bruce, an Edinburgh minister. Blantyre was known to favour Bruce, and, although he had played no part in the judgment, he bore the brunt of the king's anger, when the decision went against the monarch, and was committed to ward in Edinburgh Castle.[96] The king decided that Blantyre, who was backed throughout this crisis by Lennox, Mar, Ochiltree and others, should demit the treasury, which was to be given to the earl of Cassillis.[97] It seemed as if Blantyre's disgrace was determined on,[98] but the support given him by Lennox helped to persuade the king to give Blantyre back his place in session.[99] The king's good opinion of Blantyre was soon restored more enthusiastically, indeed, for when the prior and the earl of Cassillis, whose tenure of the office of treasury had not lasted one month,[100] were at law, the king gave his support to Blantyre, although the queen, renewing her old hostility to Blantyre, supported the earl.[101] On 11 March 1600 the king made official comment on the faithful fashion in which Blantyre had fulfilled his duties as treasurer and promised to relieve him of debts incurred therein.[102] For the remainder of the king's Scottish reign Blantyre was occupied chiefly in his capacity of advising the young Earl of Moray, his kinsman, as to his correct attitude to the king's attempts to end his quarrel with Huntly.[103] He was created Lord Blantyre in

94. Ibid., XIII. i. 381; 95. Ibid., 395; 96. Ibid., 425, 426-8;
97. Ibid., 434-5; 98. Ibid., 494; 99. Ibid., 521;
100. Scots Peerage, ii. 475-6; 101. Cal.S.P.Scot., XIII. ii. 624;
102. R.P.C., vi. 92; 103. Cal.S.P.Scot., XIII.ii. 992, 1023.

July 1606 and died in 1617.[104]

Of the four Octavians who had been queen's advisers, John Lindsay of Menmuir became lord privy seal and then secretary but did not enjoy good health and resigned his office of secretary to another Octavian, Elphinstone, in January or February 1597/8, seven months or so before his death.[105] In common with the other members of the original queen's council, this man, whose descendants became first lords and then earls of Balcarres,[106] was suspected of being a papist,[107] and it was against these four councillors that the Edinburgh tumult of December 1596 was directed. Thomas Hamilton of Drumcairne, "Tam o' the Cowgate", outlived his king and gave long service to the crown, being created Earl of Haddington in 1627.[108] Spottiswoode claims that the Octavians forced Mr. David Makgill, advocate, to resign and die by associating "with him in office Mr. Thomas Hamilton, one of their own number"[109] and certain it is that he took over as king's advocate in the same month as the Octavians were appointed.[110] As was said above he was suspected of being a papist,[111] while his uncle, Mr. John Hamilton, was a known jesuit.[112] Hamilton and Lindsay continued to be associated with the policies of that portion of the Octavians which had previously been the queen's council.

Alexander Seton and James Elphinstone were the two original queen's councillors who were most actively involved in the personal aspect of politics in the remaining years of King James' Scottish reign and it is perhaps no coincidence that they were the two sons of peers. Alexander Seton was the fourth son of George, fifth Lord Seton,[113] and, consequently, a member of a family which, although not heavily involved in the

104.Scots Peerage, ii. 83; 105. Ibid., i. 517; 106. Ibid., 518-19;
107.Cal.S.P.Scot., xii. 426; 108. Scots Peerage, iv. 309-12;
109.Spottiswoode, ii.468; 110.Scots Peerage, iv.310;
111.Cal.S.P.Scot., xii.426; 112.Scots Peerage, iv.306; 113.Ibid.,viii. 589.

political events of King James' reign, had a history of adherence to the causes of Queen Mary and catholicism. Alexander became earl of Dunfermline in 1605 while his brother Robert, the sixth Lord Seton, became Earl of Winton in 1600,[114] with the obvious inferences that their family was in considerable favour with the king and was enjoying increasing influence. Before he was appointed as an Octavian, Seton was already president of the court of session[115] and as has been seen* he vied with Blantyre for the position of chancellor. His supposed catholicism was reputedly a draw-back to his obtaining that position, yet, although Montrose was made chancellor in 1598/9, it was Seton who succeeded him in that office in 1604[116] and continued therein for many years.[117]

James Elphinstone of Innernauchtie was the third son of Robert, third Lord Elphinstone.[118] His inclusion in the Octavians was not likely to benefit Mar for in addition to being one of the queen's councillors, Elphinstone was a member of a family which was joining with the Bruces and Livingstons in their feud with Mar over the slaughter of David Forrester. Like his fellow Octavian Hamilton, Elphinstone had a close relative, in his case a brother George, who was a jesuit.[119] The family were closely associated with government affairs; Elphinstone's uncle, Michael, was one of King James' masters of household,[120] John Elphinstone was a gentleman of the queen's chamber,[121] George Elphinstone held a similar post in the king's chamber[122] while Alexander, Master of Elphinstone, James' elder brother, became treasurer in 1599.[123] James, himself, was a senator of the college of justice,[124] and became secretary when his fellow

114. Ibid., iii. 370; viii. 591; 115. Ibid., 370; 116. R.P.C., vii. 22-24n; 117. Handbook of British Chronology, 176; 118. Scots Peerage, i. 556; 119. Ibid., iii. 536; 120. Ibid., 533; 121. R.P.S., lxix. 59v; 122. Ibid., lxx. 254v; 123. Spottiswoode, iii. 78-79; 124. Scots Peerage, i. 556.

* see above 324-5.

Octavian, Lindsay, resigned that office through ill health.[125] He continued to use his influence in the earl of Mar's contrary for it was reported on 14 January 1598/9 that Sir George Elphinstone was one of those labouring to make Montrose chancellor against Mar's wish as was the lord secretary and all the competitors of Mar.[126] If Secretary Elphinstone aspired to be chancellor as was alleged at one stage[127] he was to be disappointed in this but he and his kinsmen benefitted considerably from the forfeitures which were a consequence of the Gowrie Conspiracy.[128] Elphinstone, in common with his three associates, was suspected of papistry,[129] and his nephew Alexander, the treasurer's son, was present at a mass in Edinburgh for which he was granted a remission[130] but shortly thereafter the office of the treasury was taken from Alexander Elphinstone[131] and given to Sir George Hume of Spott.[132]

It has been seen that the appointment of the four men of the queen's council, all suspected of papistry and one of them personally involved in a feud with Mar, to have control, with others, over the king's financial affairs, can hardly have pleased the earl and that he, and those of a like mind, gave their support to Blantyre as the most politically conscious Octavian who shared their opinions and standpoint. One of the first actions taken after the appointment of the Octavians was a request to Mar to reduce the superfluous defenders from around the young prince, in the interests of economy.[133] Mar was always sensitive on the topic of his control of the prince and it must have seemed to him to be but another device of the queen's to trouble him in this way through the mouths of the new councillors. During 1596 it was rumoured at one time that Mar and the queen were

125. Cal.S.P.Scot., XIII. i. 162; 126. Ibid., 381; 127. Ibid., ii. 716; 128. R.P.S., lxxii.35 v; lxxi.293r; lxxii.59r; 129. Calderwood, v.511; 130.R.P.S., lxxii.46 v; 131.R.P.C., vi. 287-8; 132. Ibid., 290n; 133. Cal.S.P.Scot., xii. 136.

reconciled and the earl would be made chancellor[134] but in fact the queen continued to harbour designs of controlling the young prince. Mar's quarrel with the administration no doubt seemed to him to have lessened when the Octavians demitted their office on 30 November and those nominated to aid the Octavians in governing included himself, Lennox and Argyll,[135] with whom he remained on good terms. His quarrel with the Livingstons and their allies, however, grew more menacing, from the earl's viewpoint, when Lord Livinstone was given the control of the Princess Elizabeth,[136] the king's second child, "the better match the Earl of Mar now in quarrel with him"[137] and this, despite the fact that his wife, a sister to the earl of Errol, was a known papist.[138] Mar was loyal to the king throughout the time of the tumult of the Edinburgh ministers in December 1596 although he had no love for the councillors against whom it was directed and despite the fact that he was petitioned by some of those ministers to be the leader of their movement.[139] The Edinburgh tumult may have been detrimental to the interests of the kirk but it was around this time that the Octavians demitted their office and it may have served to convince the king of the upopularity of the government.[140] Experiment continued hereafter in the personel of the administration and a succession of different councils was established but none of them were without elements of nobility in them, suggesting that the king was already weary of using merely his "hangable" men, and while he was prepared to benefit from their undoubted skills he had decided to use these in conjunction with some element of the nobility.

Although Mar remained aloof, as indeed did the bulk of the nobility from the machinations of the kirk and its ministers, this

134. Ibid., 241; 135. R.P.C., v. 336-8; 136. Ibid., 343; 137. Cal.S.P.Scot., vii.336; 138. Scots Peerage, v.445; 139.S.R.O., Mar and Kellie Muniments. G.D. 124/15/19; 140. R.P.C., v. 336-8, 357.

may be a suitable place to deal with the struggle between the kirk and king, which was decided in favour of the latter in these last years of the reign. The expulsion of the catholic earls, Huntly and Errol, in the spring of 1595, could not but be seen as a victory for the kirk and it remained constant in its vehement opposition to their reinstatement. Different individuals of the kirk began to overstep themselves, however, such as Mr. David Black, minister of St. Andrews, who, in October 1596, called Queen Elizabeth an atheist.[141] This greatly angered King James who took steps to punish the minister[142] but it was only one example of the crisis in affairs between the leading churchmen and the government. On 14 December 1596 it was said that Black was "to be warded beyond the North Water ... within 6 days"[143] but before these days had elapsed there erupted the tumult in Edinburgh, already referred to on several occasions,* directed against the four Octavians who had been members of the queen's council and who were suspected to be papists. The kirk blamed these men principally for the decision to recall the catholic earls and it was also suggested that some of the courtiers and the king's own domestics, through jealousy of the Octavians, took occasion to stir up quietly the ministers and people of Edinburgh.[144] The kirk was therefore trying to affect decisions of a political nature by its actions to an unprecedented degree but it had little support from the nobility being joined only by Lord Lindsay and Lord Forbes.[145] Different versions of the tumult disagree as to whether the removal from office or the death of the Octavians was the object of the day's exercise[146] but the king retaliated by punishing the chief townsmen of Edinburgh financially and removing the main organs of government from the capital. This,

141. Cal.S.P.Scot., xii. 353; 142. R.P.C., v. 326-7;
143. Cal.S.P.Scot., vii.384; 144. Ibid., 393; 145. Ibid., 393-4;
146. Ibid., 394, 397.
* see above 325, 330.

on top of the action the king had taken earlier at the time of David Black's sermon, when any unlawful convention of the ministry had been banned, quelled the extremist presbyterian element. The king also took action against some of the individuals involved, ministers and others, and declared the outbreak to have been an act of treason.[147] Almost immediately after this tumult, the ministry of Aberdeen were instructed to listen to the offers of Huntly,[148] underlining the fact that the ministers had failed in one of their political ambitions, although the demise of the Octavians, which they also desired, was already in process.

Another event which was illustrative of the crisis in affairs in church and state at this time and which, although considerably less important than the Edinburgh tumult in its ramifications, is nevertheless of considerable interest to a study of political factions and their personalities, was the death of James Stewart, former Earl of Arran and Chancellor of Scotland. In November 1596 it is stated that "on the second hereof James Douglas of Torthorwald (Torthorall) with 2 other of the Douglases (whose fathers were executed by Captain James Stewart's means) killed the same captain and cut him in pieces for the deaths of the Earls of Morton, Gowrie and others ...".[149] Although Arran had thus met his death as a result of a private feud, Spottiswoode states that Arran had hoped to regain the chancellorship, vacant, of course, since Maitland's death.[150] A point which the editor of the Register of the Privy Council makes in a note is that if Arran had brought to that office the same anti-presbyterian feelings as he had shown in his previous tenure of it then this could have had considerable effect in the present crisis in the history of the kirk.[151] This

147. R.P.C., v.349-54, 355-7, 357-9; 148. Cal.S.P.Scot., xii. 423; 149. Ibid., 360; 150. Spottiswoode, iii. 40; 151. R.P.C., v. 360n.

is true, but another aspect of the situation is that it was probably a reflection of the relationship between church and state and Arran's appreciation of the same which led him to harbour, at this particular time, hopes of regaining his former position.

Mar and Lord John Hamilton[152] had both refused invitations of the kirk to head its party but the former, especially, had probably some degree of sympathy with its aims and would certainly not mourn the passing of the Octavians. He does not seem to have been in favour either of the restoration of the catholic earls and he "coldly voted against the reduction"[153] of their forfeiture. His quarrel with the administration being virtually ended with the Octavians' demitting office, Mar's feud with the queen also slipped into obscurity and was but little mentioned after this time but despite strenuous efforts to end it on the king's part, Mar's quarrel with his Stirlingshire neighbours continued for some considerable time.[154] Mar and Lennox continued to be on good terms and to act together and in December 1597 a dispute between Lord John Hamilton and Lennox over the custody of Dumbarton Castle was solved when Hamilton submitted to royal pressure and agreed to allow the duke to possess the same.[155] The earl of Montrose's relations with both Lennox and Mar had not been particularly good in recent years for the earl was reckoned to be a supporter of Livingstone in his quarrel with Mar,[156] while he personally had a feud with the courtier Sir James Sandilands, a close associate of Lennox.[157] When the new council of 31 was established in December 1598, Montrose was appointed to be its president[158] and speculation was immediately renewed that he intended to secure the chancellorship also.[159] Lennox appears to have been more interested

152. Cal.S.P.Scot., xii. 408; 153. Ibid., XIII. i. 141; 154. Ibid., 214; ii. 730; 155. Ibid., i.139; 156. Ibid., xii. 96; 157. Ibid., xi.527, 621, 632; 158. R.P.C., v.499-501; 159. Cal.S.P.Scot., XIII. i. 369.

in securing from Montrose some acknowledgment of the former's interest in the chancellorship in respect that he held the great seal, rather than in preventing Montrose from securing that office at all,[160] but Mar was in no doubt about his opinion on the matter. On 3 January 1598/9 it was stated that Montrose was likely to be made chancellor while "Mar thinks this to be done in his contrary"[161] while it is obvious on different occasions that "the competitors of Mar", that is the Bruce-Elphinstone-Livingstone faction, were lending their support to Montrose in his efforts.[162] It was, indeed, thought that if Montrose did get the place then Mar would not be able to hold on to his place of looking after the prince for long[163] but this prediction proved to be unfounded for Montrose did indeed become chancellor[164] and shortly after it was said that "Mar has been feasted with him".[165]

Mar and Lennox had no sooner weathered the storm of Montrose's appointment as chancellor than the king's displeasure at Blantyre over the case of Mr. Robert Bruce became known. Lennox was Blantyre's principal supporter in his struggles with the king over the following months, and Mar, as well as Glencairn, Ochiltree and others, gave the duke considerable support.[166] An additional factor which was likely to bind Mar to Lennox in this dispute was that Cassillis, who had succeeded Blantyre as treasurer, was himself succeeded in turn in the said office by Alexander Elphinstone, eldest son of Robert third Lord Elphinstone, and brother of James, the former Octavian. Consequently Lennox, in his dealings for satisfaction on behalf of Blantyre was opposed to a man who belonged to the number of Mar's antagonists. This matter was soon settled to the duke's

160. Ibid., 375; 161. Ibid., 373; 162. Ibid., 375; 163. Ibid., 381; 164. R.P.C., v.516; 165. Cal.S.P.Scot., XIII. i.395; 166. Ibid., 428, 434.

satisfaction, while Mar, on 31 July 1599, was accorded official royal approbation for his and his parents' work in bringing up the king and the prince, with promise of reward.[167]

Mar and Lennox continued high in royal favour in 1600 and further rumours in May, June and July of that year, that the young prince would be taken from Mar were soon disposed of.[168] Even the queen claimed that she had nothing to do with these on this occasion.[169] The king was sufficiently well disposed towards these two leading nobles to forgive them for an enterprise which they had devised, in conjunction with the abbot of Holyroodhouse and the laird of Johnstone, to revenge the recent murder of the laird of Carmichael, then warden of the west marches.[170] As two of the most prominent and favoured of the nobles of these years it was both more likely and fitting that Mar and Lennox should have been the two representatives of their rank who happened to be present at the last incident in the Scottish reign of any real interest from the point of view of a study of factious politics, namely the Gowrie Conspiracy.[171]

As with the Octavians, so with the Gowrie Conspiracy, it is a particular aspect of the affair which is of paramount interest and importance to this study, namely how far was the incident an isolated one and how far can it be traced to political affiliations and past events. It is not difficult to place the incident in its historical perspective for three generations of Ruthvens had remarkably harsh and tragic relations with the crown and the representative of the second of these three, William, fourth Lord Ruthven and first Earl of Gowrie, has occupied an important part in the earlier chapters of this study.* His father, Patrick, third Lord Ruthven, was of course, the

167. A.P.S., iv. 186-7; 168. Cal.S.P.Scot., XIII. ii.640, 661;
169. Ibid., 640; 170. Ibid., 672; 171. Ibid., 678;
* see above 52-53, 155-8.

principal actor in the murder of Rizzio, after which event he fled to England dying there shortly thereafter. The first Earl of Gowrie had lent his surname and castle for the Ruthven Raid in 1582 and he was executed and forfeited in May 1584 during the earl of Arran's regime. His eldest son James, second Earl of Gowrie, died in 1588 aged 13, and was succeeded by his brother John, who was the central figure in the conspiracy of August 1600.[172] Consequently the young third earl of Gowrie could be held to have had ample reasons for hatred of the crown, on account of the execution of his father even if the principal party to that execution, James Stewart, Earl of Arran, had himself been removed from the political scene by murder in 1596. A further grievance which the young earl might have harboured lay in the treatment which was accorded to his mother after the execution of his father. She was exceedingly ill-used by the king and Arran who refused her appeals for clemency for her family,[173] the title of earl of Gowrie only being restored to them after Arran's removal from power.[174] In more recent years, the Countess of Gowrie had exhibited an inclination towards the earl of Bothwell and when in July 1593, that earl gained an interview with his sovereign against the latter's wishes, Lady Gowrie's house near Holyroodhouse had been used as an intermediate haven by Bothwell en route to the king.[175] Yet another grievance which the young earl might harbour lay in the fact that his father, in his official position as treasurer had overspent by a very considerable sum of money, which money in addition to sixteen years interest thereon, the crown still owed to the Ruthven family.[176]

The third earl of Gowrie, himself, was born around 1577 and his first act of any political significance came in 1593 when he joined with

172.Scots Peerage, iv.261-7; 173.Cal.S.P.Scot., vii.290-1;
174.A.P.S., iii.399-400; 175.Historie of King James the Sext,270-1;
176.Cal.S.P.Scot., vi.240.

Atholl, his brother-in-law, Moray, the masters of Montrose and Gray and others in a meeting at Doune at which it was decided to offer resistance to those of the Spanish faction.[177] This party wrote to Bothwell asking him to seek favour for their cause from England[178] and it seemed likely at one time that they would join with Bothwell and Ochiltree "in fielde".[179] This came to nothing, however, and shortly thereafter, on 18 July 1594, Gowrie was given permission to leave the country and stay abroad for the next five years.[180] The author of the article on Gowrie in the Scots Peerage states that "In August 1594, after studying with much distinction at the University of Edinburgh, he went abroad and was entered as a law-student in the Scottish 'Nation' at the University of Padua"[181] but this does not disguise the fact that his going abroad was at least partly a matter of political expediency necessitated by his support of Bothwell which had rendered Scotland somewhat dangerous for him.

When the earl of Montrose was in the throes of his struggle to secure the chancellorship in January 1598/9 he "resolved to send for his son and the Earl of Gowrie to come home" and party him.[182] It has already been seen* that the master of Montrose had been involved with Gowrie in 1593 and the cause of their association is not difficult to locate. The master of Montrose married, during his involvement with Gowrie in Atholl's anti-Spanish faction, Margaret Ruthven, a sister of Gowrie.[183] Gowrie seems to have retained his protestant outlook and beliefs during his time abroad, despite allegations both of catholicism[184] and witchcraft,[185] and Mr. Robert Bruce, the minister, mentioned above, had dealings in France on behalf of the

177. Ibid., xi. 193; 178. Ibid.;
179. Ibid., 304; 180. R.P.S., lxvi. 179r;
181. Scots Peerage, iv. 267; 182. Cal.S.P.Scot., XIII. i. 382;
183. Scots Peerage, vi. 241; 184. Cal.S.P.Scot., XIII. i. 363;
185. Ibid., ii. 682, 690.

* see above 336-7.

kirk party to bring Gowrie home.[186] A little thereafter, when he had reached England, Gowrie is described as "one of the best accomplished for his age of that nation, both for learning, travel and good qualities. He is about 22 years of age and of comely personage ... and has remained so firm in religion ...".[187] The favour with which Gowrie was received in England is well-known as is King James' dislike of the same but it may be worth while quoting in full a report of the relationship between the two men when the earl arrived in Scotland: "I understand the Kynge of Scotland toke sumwhat hardley withe the Earle of Goerey when he came into Scotland: gevinge his maney jhestes and prettey tauntes, sayinge he had byn greatley intertaeyned at the cort of England, charginge him withe great conferens had withe Queenes Majesty, and that he shold have byn offered sume goold - to wiche the Earle acknoleged he had byn verey honorabeley intertayened and gratyusley used bey her Majesty, wiche he toke to be for the Kynges sake - and as for goold, he deneyed he had byn offered aney, sayinge he had goold enofe for himselfe. The Kinge marveled the ministers mett him not! withe maney other suche speches".[188] The same author states later, after Gowrie's death, that it was commonly said he was killed because of his good reception in England,[189] and certainly if this description of the king's reaction to Gowrie on that earl's arrival is accurate it betrays what appears to be considerable jealousy of Gowrie's reception by Queen Elizabeth. This is a similar kind of hatred based on fear and jealousy which King James had evinced earlier towards his kinsman Bothwell. The fear in this case would spring from a realisation of the harsh treatment which the crown had meted out to Gowrie's parents and to the possibility that the young earl would now head a party of churchmen, still smarting from their defeat over the Edinburgh

186. Ibid., i.532; 187. Ibid., ii.630; 188. Cal. Border Papers, ii.659; 189. Ibid., 684.

tumult. The jealousy would spring from Gowrie's reception in the country to which King James longed to succeed and the reports of the earl as accomplished and handsome. As a mere aside, the reference in the quotation to the matter of gold is also most interesting and may suggest either guilt on the king's part concerning the debt which the crown still owed to the Ruthvens, or possibly the germ of an idea of some scheme to rid himself of the Gowrie menace by returning to this supposed gold at a later date and endowing its possessor, unnamed, with mysterious qualities.

Gowrie, having had such a reception, would have been well advised to have retired to the country for a while and let matters rest, but exactly one month after the report of the king's reaction to his arrival in Scotland, it was stated that the king had been trying, largely unsuccessfully, to get money out of a convention and those who spoke against his proposals in some way and incurred his wrath for that, included the president, the laird of Balcomie, earl of Gowrie and the laird of Wester Wemyss.[190] Gowrie was evidently a man of spirit and one man, who was afraid just how much spirit the earl would prove to have, was Colonel Stewart. In July 1600 he offered to travel and serve Queen Elizabeth[191] and it was commented a little later that "the true ground of his intended travel is that he doubts that this Earl of Gowrie will think of his father's death because he took him in the tyrant James Stewart's time who called himself E(arl) of Arran".[192] This observation of Colonel Stewart's fear was made only a fortnight before the Gowrie Conspiracy itself.

The events of the day of Tuesday 5 August have been examined and detailed on many occasions and it is not intended to re-examine them

190. Cal.S.P.Scot., XIII. ii. 662-3; 191. Ibid., 666, 668;
192. Ibid., 671.

in this work or to enter into many speculations as to the nature of these events. A few observations will be offered, however, on the alternative theories on the conspiracy. The theory of a royal plot against the Ruthven brothers is rendered unlikely by many factors not least among which is the king's known and intense fear of personal harm as witnessed by his over-reactions to some of the Bothwell's escapades a few years earlier. This would make it very strange for the king to engineer, from start to finish, a plot which involved him in being alone, apart from the so-called "man in the tower", with one of these brothers, who was possibly a stronger man than James and was certainly armed. On the other hand the theory of a Ruthven conspiracy, advanced vehemently by the king himself, involves belief in the fact that King James would swallow a story concerning "a man with a pot of gold", sufficiently to place himself unprotected in the hands of two brothers about whom he must at least have had some reservations. If the account of James' reception of Cowrie, quoted above,* is accurate, it shows the king had no love for the earl and after that kind of treatment in public he could expect the earl to have little for him. It may be that the Ruthvens had some plot against the king and that when James realised this, by which time he was in the turret with the armed Alexander, he had the presence of mind, born of fear, to turn the situation to his own advantage and having completed the day's work fell with a will to the task of advancing his version of events and forcing it on a somewhat disbelieving world.

Any such suggested explanation leaves many problems in its wake, but, more to the point of this study, there is little to connect the incident with the general run of politics of this period which was not of the most eventful nature. Although Cowrie was close to Montrose and was, along with the master, his brother, allegedly on

* see above 338.

good terms with Queen Anne,[193] their sisters Beatrix and Barbara were ladies in Queen Anne's bedchamber,[194] he was also on good terms with the kirk which would rather have endeared him to Mar's side than otherwise. At any rate, there is simply not enough evidence of his involvement with any court faction to raise the conspiracy to a level of faction, and, whatever was the motivation, on either side, behind the events at Gowrie House, it seems likely it would be known to and shared by only a very few people.

Apart from the loss to the country of two promising young noblemen and the confirmation for the king of the wisdom of his natural timidity where his own life was concerned, the principal result of the Gowrie Conspiracy has often been said, correctly, to have been its effect on the relation between the king and kirk. The good use, from his own point of view, to which the king put the Gowrie Conspiracy in strengthening his relations vis-a-vis the kirk, arose not so much from the supposed identity of interest shared by Gowrie and the kirk, but rather from the reaction of certain ministers who were sceptical of the king's version of the day's events. Messrs. Bruce, Balcanquall, Watson, Hall and Balfour are said initially to be in the king's disfavour for not being enthusiastic enough over his version of the Gowrie Conspiracy, and it transpires that they had refused to obey the order to give public thanks for the king's escape.[195] In September it was ordered that Mr. Robert Bruce be banished for his continued scepticism[196] and although Mr. John Hall was restored to his charge in Edinburgh,[197] the other three were all displaced for some considerable time.[198] Shortly after this order for Bruce's banishment it was said that the king had decided to have bishops,[199] some of whom were immediately

193. Cal. Border Papers, ii. 698; 194. Scots Peerage, iv. 266; 195. R.P.C., vi. 148-9; 196. Ibid., 161-2; 197. Ibid., 166; 198. Ibid., 241; 199. Cal. S.P. Scot., XIII. ii. 713.

ordained and one observer commented that the Gowrie affair and the previous turmoil in Edinburgh had both resulted in considerable victories for James against the kirk.[200]

This last attempt during the Scottish reign to solve political matters by a quick recourse to violence is perhaps, then, the most inexplicable of all, but, if it was an attempt at a coup d'etat, aimed perhaps at holding the king hostage and forcing him to act in a more conciliatory attitude towards the kirk, it should be remembered that it failed and, consequently, was less important in itself in terms of political faction than such earlier coups as those at Ruthven, St. Andrews or Stirling. Also, there is far less evidence that this was the work of a faction, but rather it seems to have sprung from the minds of one or two men or even from unhappy chance, and it does not seem materially to have affected the more important feuds such as that between the earl of Mar and his local and royal antagonists, which continued spasmodically to the end of the reign.

The Gowrie Conspiracy, therefore, is certainly not a typical event of these last years of the reign. There is in these years, and particularly after 1600, a sense of waiting on events and an unwillingness to be over committed in any local quarrel. The king himself was able to use this lull in political-faction-fighting to move on to the offensive in an attempt to transform his realm into a more peaceful country so that he could the more safely leave it to others to govern.* It has already been seen briefly in two instances how King James used this opportunity to strengthen his hold over the kirk and a look at his efforts to pacify the highlands and borders will serve to illustrate what use he made of this opportunity in these fields. It will also

200. Ibid., 716.

* see above 331-2, 341-2.

reveal the local political conflicts in these areas and will restore a truer sense of perspective to the relative importance of events of these years in which noble political faction counted for so little.

It is generally stated in books or essays on King James' reigh that among his major achievements was the comparatively high degree of order which he established in the highlands and borders. The highland area had two great earls, at its northeast and southwest extremeties, in the persons of Huntly and Argyll who had, of course, been engaged in direct conflict in 1594 at the battle of Glenlivet. With Huntly's exile, hopes for peace in that area must have risen but on his return it was obvious that a more realistic peace could only be achieved if relations between these two earls were amicable and if the ghost of the Moray murder could finally be laid to rest. After Argyll's defeat at Glenlivet it was the duke of Lennox who was appointed as king's lieutenant and who secured the agreement of the rebel earls to leave the country.[201] There is evidence that Argyll was aggrieved, both at his defeat and at what he, no doubt, regarded as a royal slight in the appointment of Lennox, and in April 1595 it was thought that "If Argyll cannot get licence to depart the realm, he will privately steal away".[202] He soon became important to the crown again, however, as he was its principal agent in its efforts to deter men from the Highlands and Islands from going to Ireland to aid Tyrone there in his rebellion against Queen Elizabeth.[203] In domestic affairs he was a supporter of Mar in his quarrel with the Livingston faction, but he and others advised that earl to seek his satisfaction at law.[204] He also exercised a restraining influence on the young earl of Moray[205] and attempted to reconcile the controversy between Montrose and Sir

201. R.P.C., v. 187-9, 207-8; 202. Cal. S.P. Scot., xi. 584; 203. Ibid., 618-20; 204. Ibid., 625, 627, 630; 205. Ibid., 625.

James Sandilands.[206] In the north, however, he was not being so conciliatory and in November 1595 he was reputed to be raising another army, either to avenge Calder's death or to prepare for a possible return of Huntly.[207] When it became obvious that that return would not happen as soon as was originally thought, Argyll turned his attention towards the pursuit of Ardkinglas for the murder of Calder.[208] Ardkinglas was not without supporters, however, especially Lord John Hamilton,[209] whose natural daughter Margaret was now Ardkinglas's wife.[210] That Hamilton's support carried some weight is evidenced on 2 June 1596 when "Argyll has obtained the king's licence to travel and remain in foreign realms .... He is not contented that the trial of Ardkinglas ... will not proceed",[211] although another factor in his decision may have been the rumours once more on the increase by this time, that Huntly had returned.[212]

It was announced at the end of June 1596, that the king intended to go in person to the North Isles and Highlands to establish order and had decided to send Colonel Stewart in advance as his lieutenant.[213] Needless to say this did not suit Argyll "in respect that his ancestors have long enjoyed that office"[214] of lieutenancy while he himself was being asked merely to assist Colonel Stewart.[215] It was even thought possible that Argyll would aid other Highland chiefs against Colonel Stewart[216] while process of horning was begun against him at the instance of the lords of exchequer.[217] Argyll would have no dealings with the restored Huntly[218] and in February 1596/7 he was again reputed to wish to pass abroad via England.[219] Attempts were made by the crown to reconcile Argyll and Huntly[220] but toward the end of 1597

206.Ibid.,632; 207.Ibid.,xii.59; 208.Ibid.,157,162; 209.Ibid.,168; 210.Scots Peerage,iv.373; 211.Cal.S.P.Scot.,xii.238; 212.Ibid.,216, 253; 213.R.P.C.,v.296-7; 214.Cal.S.P.Scot.,xii.281; 215.Ibid.,291; 216.Ibid.,311-12; 217.Ibid.,318; 218.Ibid.,389,429; 219.Ibid., 463,467; 220.Ibid.,XIII.i.72-73,97.

it was thought more likely that renewed violence would arise,[221] but this was averted when Argyll left Scotland in the early summer of 1598[222] and remained abroad for over two years.[223] On his return, the king again tried to reconcile him with Huntly and, in March 1601, was reported to have got contentment.[224]

Almost immediately thereafter, Argyll's relations with the duke of Lennox, much of whose land was on the fringe of the Highlands, deteriorated considerably. It has already been noted* that Lennox had replaced Argyll as king's lieutenant in the Highlands after Glenlivet, and on 25 November 1600, Lennox, as great admiral of the realm, had complained against Dame Annas Douglas, Countess of Argyll, and the earl, her husband, for usurping his powers as admiral on the west coast.[225] The two men also entertained disagreements over land[226] and over Irish affairs, in which latter sphere Mar was striving that Argyll should be given crown employ.[227] There was trouble in the area where the two lords' spheres of influence met and McAulay of Ardincaple and the Steward of Bute, both Lennox's men, suffered at the hand of Campbell of Auchinbreck in early 1602.[228]

Meanwhile Argyll had ceased to be the stumbling-block to agreement with Huntly and had been replaced as such by Moray.[229] St. Colme, uncle to the young Moray, had been reputed on more than one occasion to be intending to seek violent revenge for the death of the "Bonnie Earl"[230] and, despite the payment of money by Gordons to the kin and friends of Moray,[231] the feud remained unresolved until 1603 when the agreements between Argyll, Huntly and Moray, and the proposed marriage alliances between their houses, detailed earlier,* were made.

221.Ibid.,97; 222.Ibid.,203; 223.Ibid.,ii.672; 224.Ibid.,728; 754,788; 225.R.P.C.,vi.177-9; 226.Cal.S.P.Scot.,XIII.ii.833; 227.Ibid.,915,926; 228.Ibid.,977; R.P.C.,vi.375; 229.Cal.S.P.Scot., XIII.ii.870,895,916,967; 230.Ibid.,xii.302; XIII.i.141; 231.R.P.S., lxix.110r.

* see above 343; * see above 311-12.

The Clan Gregor had caused the crown considerable problems over several years. They had no great landed kin chief, prepared and able, to answer for their behaviour so that lairds such as Tullibardine and Inchaffray,[232] whose lands bordered those of the McGregors, were forced to give pledges and the like which they were often incapable of fulfilling. On 3 March 1601 a commission of lieutenancy was granted to Argyll against the Clan Gregor[233] but on 30 November 1602 a decree was issued against the earl for inefficient performance of his lieutenancy.[234] It was around this time, as has been seen,* that relations between Argyll and Lennox were at a low ebb and in February 1603 a great company of McGregors descended on the Lennox and caused havoc.[235] Birrel in his diary, talking of this battle of Glenfruin states that there were 400 McGregors who slaughtered 60 people.[236] The suspicion that Argyll had let slip the McGregors on Lennox's tenants is difficult to evade and it is certain that Argyll was considerably out of royal favour in these years. He might have been expected to have been raised to the rank of marquess before Huntly, who had recently fought, as a rebel, against Argyll, as a representative of the crown. In the summer of 1602 also, Argyll was denounced rebel on several different charges, some of which involved incidents which had taken place eight years previously[237] and this may suggest some kind of royal witch-hunt, inspired perhaps by Lennox, who was never without influence with the king. After the slaughter of Glenfruin, royal animosity towards Argyll certainly continued and the king wrote to the earl's tenants instructing them to withhold payment of their rents during his majesty's pleasure. Ardincaple had apparently caused the tenants to hold this money because Argyll was due him money and the king instructed them to

232. R.P.C., vi.20,25; 233. Ibid., 215-16; 234. Ibid., 488-90; 235. Calderwood, vi.204; 236. Birrel, Diarey, 57-58; 237. R.P.C., vi. 441-2, 447.

* see above 345.

keep possession of it meantime.[238]

A further cause of the animosity between Argyll and Lennox arose from the attempt to colonise certain parts of the Highlands, particularly Lewis. Lennox was made lieutenant over Lewis in 1598[239] and Colonel Stewart was one of those Fife adventurers who attempted to colonise the island and settle there.[240] Huntly claimed a justiciary over the island, also, however,[241] and on 9 July 1599, Lennox and Huntly were made royal lieutenants and justices over the whole Highland area.[242] Mention was also made of appointing Glencairn as lieutenant in the Isles, at one point,[243] and it no doubt afforded Argyll some grim satisfaction that the Lewis expedition, in which he played virtually no part, failed.

The earls of Caithness and Sutherland, previously seen to be catholics and supporters of Huntly,* continued to have association with that earl, while their feuding with one another, although it did not stop altogether, especially over their respective claims of precedence over each other in parliament,[244] was largely superceded by a quarrel which Caithness had at this time with the earl of Orkney. In 1595 and 1596 Orkney was considerably involved in court affairs, siding with the queen against Mar[245] and taking as his wife the widow of Bellenden of Auchnoule, former justice clerk.[246] In September 1597 debate had fallen out between Caithness and Orkney "either accusing other of homicide and perjury ... The King intends at the next Session to challenge the earldom of Orkney, Caithness hearing of this has made offer to the King that if it please him to accept of him he shall be chamberlain to the earldom ...".[247] The two earls were later charged to subscribe mutual assurances[248] and were both involved in government

238. H.M.C.Report, iii.396.(Duke of Montrose); 239. R.P.C., v.468; 240. Ibid., 462-3; 241. Cal.S.P.Scot., XIII.i.362; 242. R.P.C., vi.8-10; 243. Cal.S.P.Scot., XIII.ii.669; 244. Ibid., 691; R.P.C., vi.212; 245. Cal.S.P.Scot., xi.608,637; 246. Ibid., xii.304,306; 247. Ibid., XIII.i.78; 248. R.P.C., v.523.

* see above 188.

preparations to resist any possible invasion by Bothwell by which time Earl Patrick was already described as "so complained on"[249] that he would not come to Edinburgh, thus indicating the way in which events were to proceed after 1603.

The general tenor of events and the violence of Glenfruin in particular would appear to indicate that although the Highlands generally were more peaceful than they had been during the days of the Huntly-Moray feud and Glenlivet, the great Highland chiefs were more prepared to use violence to resolve their problems than their Lowland counterparts. They may have calculated that the likely union of the crowns would have less effect on affairs in their spheres of influence than it would have on the government machine in Edinburgh and events in general around that area. Also, events in the Highland area in the previous years had been of a particularly violent nature, and it would have been remarkable if that violence had suddenly ceased, especially as most of the principal participants in the earlier events still remained alive. That the violence was as limited as it was and, in particular that there was no large scale revenge taken for Moray's murder and Glenlivet, upon the return of Huntly, is a tribute, on the personal side of affairs, to the fact that King James had been expending considerable energy in these years to render the Highlands more peaceful. Men like Argyll might allow anger and jealousy to prevail upon them to such an extent as permit a Glenfruin at home, but that same earl counselled Mar and Moray to use moderation in their dealings, and the McGregor incident was the exception rather than the rule.

If the king made considerable efforts to reduce the Highlands to order, his efforts were redoubled when it came to the Borders which he conceived as the future "middle shires" of a united Britain. It

249. Cal.S.P.Scot., XIII. i.447.

is here that King James' ambition to succeed to the English throne is at its most evident and even the most casual glance through the pages of the Register of the Privy Council reveals the very considerable amount of time and energy which the government devoted in these years to border affairs. It has been seen* in previous chapters that many of the border lairds were more involved in local than national affairs but the catholic enclave in the southwest, composed largely of Maxwells and headed by Lords Maxwell and Herries, had proved to be an exception in its notable adherence to the old faith and its desire, as evidenced most particularly in Maxwell's rebellion of 1588, to institute a political and religious coup d' etat in the interests of Spain. Local issues had again predominated, however, in December 1593, when Maxwell was slain by the Johnstones, his chief enemies at Dryfesands, near Lockerbie.[250] The young Lord Maxwell naturally inherited this feud along with his title but for some time it was Lord Herries who acted as the chief of their kin,[251] the ties between the two branches being strengthened by the marraige of Herries' son to Lord Maxwell's sister.[252] The feud with Johnstone was violently renewed in November 1595 when around 20 Maxwells, including the laird of Nether Pollock, were slain by a party of Johnstones.[253] The Maxwells were aided in their feud at this time by Douglas of Drumlanrig[254] and also, on occasions by Lord Crichton of Sanquhar, like them, often suspected of papistry.[255] Bonds for good behaviour were taken by the crown from Drumlanrig, Herries and Johnstone.[256] During 1595 Johnstone was supported by Buccleuch[257] but when that laird withdrew his support, the two of them looked likely, for a while, to come to combat.[258] This was, however, avoided and in July 1596 Johnstone

250. R.P.C., v. 112-13; 251. Cal.S.P.Scot., xi. 600, xii. 22-23, 54; 252. Scots Peerage, vi. 483; 253. Cal.S.P.Scot., xii. 54-56; Calderwood v. 385; 254. Cal.S.P.Scot., xii. 45; 255. Ibid., 53, 104; 256. Ibid., 293; 257. Ibid., 47, 51; 258. Ibid., 264.

* see above 136-46, 217-18.

was named as warden of the West Marches[259] but the feud was far from being over and outbreaks of violence continued right up until 1603.

The royal methods of warding the chiefs of the different kin groups and extracting pledges of good behaviour appeared to be having little effect and the best that could be said of the situation in the West Marches, from the point of view of the crown, is that all the violence was being channelled against local rivals and was in no way a threat to the government as such except in so far as any disorder is an insult and so a threat to the ruling regime in a country. Maxwell's friendship with Lord Hamilton was strengthened by his marriage to Margaret, Hamilton's daughter,[260] but although that lord gave Maxwell considerable support,[261] Maxwell's main interest and involvement in this period was, in common with all the great border lairds and lords, in local affairs. The increased concern of the government in border affairs is, in fact, the most definite pointer to the comparative peace which King James was able to bring to the area after 1603, for violence was still very widespread up until that time. Admittedly the West Marches, dealt with above, were the most violent of the border areas but in them, as late as 1600, "Sir John Carmichael, the King's Warden, going to keep Court," has been slaughtered "by the Armstrongs",[262] while in 1602 Lord Maxwell killed and burned two Johnstones.[263]

The tendency to become more absorbed in local affairs is obvious away from the West Marches also, however, for even the lairds of Cessford and Buccleuch, who were heavily involved in central affairs during Bothwell's period of predominance and continued to be so for some time thereafter, fell out of the central limelight after Chancellor Maitland's death. Their support for the chancellor-queen faction in opposition

259. R.P.C., v.304; 260. Scots Peerage, iv.373; 261. Cal.S.P.Scot., XIII.i.529,554; 262. Ibid., ii.658; 263. Ibid., 947.

to Mar has already been noted.* In this they were largely joined also by the master of Glamis and Lord Hume, the former of whom attempted to prevent the lairds resorting to their more accustomed mutual animosity once the death of Maitland had removed the principal cause and guarantee of their friendship.[264] Thereafter, however, they, like those mentioned already* of the West Marches, and, to a lesser extent, Lord Hume on the East Marches, were involved more in local than national politics. When they were mentioned in connection with central affairs they were still regarded as more likely than not to be in Mar's contrary, as when they were thought likely to support Montrose in his bid to become chancellor.[265] Men like Hume and Herries still maintained certain affiliations with catholicism but the ending of roman catholicism as a source of dangerous political factions, mentioned above/, meant that their acts took on the colour of religious lapses committed by men who also lived in an unruly area and indulged in lawless acts themselves, rather than being the precursors of political revolution based on religious ideology.

The Borders and the Highlands then still contained a considerable degree of disorder in the years before 1603 and their leading figures had not moved away from the use of violence for political ends to such an extent as those of the central area who were also, of course, those currently most involved in national government. King James' dealings with those in England who wished to see him become king there, and the general climate of opinion on the succession issue, which seemed increasingly to suggest that James would become King of England with little or no opposition, led to an atmosphere in Scotland, mentioned before+, of waiting on events. Anyone who was out of royal favour

264. Ibid., xii. 39; 265. Ibid., XIII. i. 375, 381.
* see above 303; * see above 349-50; / see above 312;
+ see above 311.

through treasonous dealings or through the over-violent prosecution of a local feud, would not be able to benefit from the increased opportunities which James' accession to England seemed likely to bring in its wake. A further promising source of increased wealth and prestige was the erection of more ecclesiastical property and lands into hereditary temporal lordships. This had occurred before 1603, of course, but there remained many such properties to which different lords had strong claims which they would be unwilling to jeopardise by falling foul of their king.

The international situation, with the demise of Spanish hopes of a conquered, catholic Britain also contributed very significantly to the decline in factious politics in Scotland because of the fact that it removed the raison d' etre of the catholic party, which in turn lessened the need for a protestant, patriotic party to counterbalance this and oppose international, catholic aims. Another possible cause of the increased calm among the nobility in Scotland was the existence of a family born to the king and queen. With the birth of Prince Henry in 1594 it became less easy to envisage governing the country by holding captive the king's person or alternatively plunging the country into chaos by slaying the king. The other side of this coin, of course, was that those men who had charge of the royal children and especially the heir, gained greatly in prestige and importance, so that it is no coincidence that the earl of Mar, the keeper of the prince, was, in many ways, the central figure of these years. He displayed the loyalty to the crown which most nobility showed in these years and which was in considerable contrast to the actions of the years which had passed before. A final cause of increased peace in the country must have been the exile of Bothwell who never returned to Scotland. He had always been the most unruly and

most unpredictable of the rebel earls and he would surely have found it difficult to submit to authority as completely as the others did, even given the changed international situation and the prospect of advancement in England.

## CONCLUSION

It was stated in the introduction that the study of the motives and actions of the nobility throughout this period of thirty years was no more and no less than a study of human nature in sixteenth century Scotland. In conclusion it may be beneficial to separate those aspects of motivation which are ascribable to human nature as such, from those which pertain particularly to sixteenth century Scotland. The former of these types of motivation includes the whole range of human emotions which arguably are changeless. One of the principal charges levelled against Regent Morton was his greed, while pique over his failure to secure the post of chancellorship may well have been instrumental in bringing Argyll into the camp of Morton's opponents. The volatile unpredictable character of Bothwell has been studied at some length, while King James' reaction to him and to the young earl of Gowrie on his arrival from England in 1600 has been shown to indicate that the king was far from exempt from such personal foibles as jealousy, bitterness and fear. Revenge has been shown on several occasions such as in the murder of James Stewart, Earl of Arran, or in the prolonged feuds such as the Maxwell-Johnstone confrontation on the west borders. While the strength of these emotions is often difficult to ascertain, it would be surprising if they were not present and it is imperative that some cognisance be taken of their existence. Personal emotions can often be the overriding reasons for a course of action and this period of thirty years does not appear likely to be an exception. Many of the other causes of motivation to be mentioned, probably built on a basis of personal emotions and if the action was subsequently justified in terms of religious beliefs or political expediency this should not be allowed to cloud the view that the original motives may often have been of a

lower, more personal nature.

Some of the main considerations of motivation in this period of thirty years have been mentioned in the introduction and an important one has been seen to be religion. Religion had obviously been an important issue in Scotland at least since the reformation and throughout the civil war when the kingsmen tended to be identified, albeit loosely, with protestantism and the queensmen with catholicism. These religious ties were bound up with international politics as the protestant kingsmen were thought of as being pro-English and their opponents pro-French. These different considerations often led men into being identified with their particular factions for reasons which were often only marginally connected with religion. Some men such as Patrick, sixth Lord Lindsay of the Byres, on the protestant side, or John, eighth Lord Maxwell, on the catholic side remained true to their religious inclinations which they appeared to hold strongly, but for many other men, religious considerations were to be reckoned alongside other factors and were seldom allowed to be paramount.

Religion could also be used for propaganda purposes to give an action overall respectability. This was the case with the Ruthven Raid in which religion was also used as a means of keeping united several different strands of conspirators for some of whom it meant more than for others. Use of religion of sorts in this fashion can also be seen in the attempts to label both Francis, Earl of Bothwell, and John, Earl of Gowrie, as guilty of witchcraft after both had fallen foul of the king. The party which was seen to have its actions dictated most consistently by religious issues was the catholic party and the events of Brig of Dee, Spanish Blanks and Glenlivet have been discussed. Even this party, however, has been shown to have lost much of its "catholic" nature by the last years of the reign when the changing European

situation, coupled perhaps with the increased maturity of the men involved, led them to adopt the role of loyal nobles, and await what the death of Queen Elizabeth might bring.

Another source of motivation and one which seems likely, on the whole, to have been more important than religion, was a consideration of family relationships and in particular the tie of kinship. Although it may be surmised that by the late sixteenth century, particularly in lowland areas, the more rigid aspects of kin allegiance were on the decline, a general agreement concerning obligations to, and expectations from, the fellow-members of a kin group, seems to have persisted. It has been seen, for example, that there were many instances of important Douglases, Hamiltons or Stewarts acting in concert with others of their surname, even although, and this especially in the case of the Stewarts, they were members of very different branches of the name and may often have been unable to trace any relationship with other members of their kin. In the highlands a chief like Argyll was still capable of raising a considerable army, while in the borders the continuance of feuds from one generation to the next owed much to the allegiance due to a particular surname.

The social aspects of this kin relationship have lain largely outside the scope of this work but the political nature of it has been clear on many occasions. Huntly, for example, could expect to call on a considerable number of fellow Gordons to fight with him at Glenlivet but was expected in return to offer his protection to them. This casts interesting light on the efforts Huntly made to arrest those responsible for the death of John Gordon, brother of the laird of Cluny, after the Darnaway incident, one for whom he was responsible. This semi-formal relationship could be seen outwith strict kin groups, as with alliances

called into being for specific purposes. There were several instances of such alliances or bonds being used around the time of the Huntly-Moray feud as both sides cast around for support to enable them the better to face the coming crises. These bonds tended to be used for limited objectives while the kinship tie was permanent but they both served as a possible base for support, armed if need be, which the leading nobles could call on when a need arose.

A further tie which has been seen to have had political importance on occasions was that of marriage. A marriage was often used to bind two close families even closer, as with the Douglas-Erskine marriage links, to bring together two feuding families, as with the proposed Huntly-Moray marriage deal, or to pull one of the families away from a third party or family regarded by their new partners as undesirable, as with the attempt to lure Errol away from the catholic faction by offering him a daughter of Morton in marriage. That this did not always work out in practice is obvious, but there are many examples of contemporary thinking on the issue and from these it is clear that when a marriage was made between two powerful families it was generally expected that this would have some considerable effect on the relationship between them. The importance which contemporaries placed on this issue can be seen, for example, in the efforts made by the king and others to prevent Ludovic, Duke of Lennox, from marrying a Ruthven bride and so reinforcing a family lately in disgrace. There are many examples of the opinions of observers, usually English, as to how a marriage might be expected to change or reinforce existing political standpoints and the example, offered earlier, of the marriages of the two leading Hamiltons, Lords John and Claud, and how these might have affected their political standpoint, remains typical of many others. A more

concrete example of this may be the case of the Earl of Atholl who succeeded his father in 1579. It has already been seen[1] how his marriage to a Ruthven appears to have helped to change his course from that of a Falkirk confederate, followed by his father, to that of a Ruthven Raider, undoubtedly influenced by his new relatives.

Such marriages were often used to reinforce a desired friendship and may have been only one of a number of actions taken to that end. They were often indicative of a friendship between families rather than the cause of such a friendship. This is illustrated in the fact that such a friendship between families often continued after death had removed one of the partners in such a marriage; for example, the death of Angus' wife, Mary Erskine, in 1575, in no way affected the strength of the ties between their two houses. It is easy to be sceptical about the value of these marriages and certainly some of them failed in their avowed intent of ending family feuds but their importance has clearly been underestimated. The importance which contemporaries attached to them coupled with the change in fortunes which inheritance could bring clearly illustrate that marriages were influential in the motivation of actions. A wife or the prospect of a wife could influence men's actions considerably and was certainly thought so to do.

A third relationship which often existed side by side with both the kin and marriage ties was that of landholding and the general existence in the same part of the country. The holding of land from a local superior and the general existence of two powerful families in the same area could result in their working in harmony both in local and national issues. It has already been seen that much of Bothwell's party at the time of the Holyroodhouse raid shows

1. See Above 164-5.

a Lothian and Borders origin, the areas where his kin and landholding influences were strongest; or alternatively in the Mar-Livingston dispute of the latter part of the reign, the Livinstons gathered their support from other Stirlingshire families such as the Bruces and Elphinstones. The existence of two powerful families locally could, however, lead to strife as in the case of Mar against Livingston, Johnstone against Maxwell, Huntly against Moray and many others. Consequently geographical location and landholding ties could often prove important and although they could equally well lead neighbours into hostility as into friendship, they tended always to have some effect on the situation one way or the other, seldom leaving it cold.

These then are some of the motivations which have been seen to have been important in determining a course of action in sixteenth century Scotland. It only remains to fit this picture of motivations and factions into an overall context. A qualifying note of the introduction must be re-echoed. The undoubted existence of different factors which point towards a certain course of action which was followed, do not of themselves necessarily constitute the absolute reason for that action. Several traceable motives may exist but there is always the possibility that the one which really mattered has left no trace. This is particularly the case with personal motives which, as was said earlier, tend to leave little evidence. Also, men embarking on a course of action for several different reasons tended to put forward the one which the world would deem most honourable. An example of this is to be found in the lukewarm efforts made by those of the party of James Douglas, Earl of Morton, to free the ex-regent from his captivity in early 1581. This could have been caused by Morton's personal nature, by the strength of the opposition, by fear, or other

reasons, but one equally valid reason which was put forward by these men at the time was that any action which they might take to free Morton might result instead in personal harm coming to him. The best of motives, then, may often conceal the worst of motives and, indeed, both may have been valid simultaneously.

After a cautionary note on motivation, a qualifying one is needed on the factions. It has been seen that much of the politics in Scotland during these years was carried on by factions, the composition of which has been one of the main enquiries of this work. That these factions existed and wielded important influence is not to be doubted and it is hoped that the fuller investigation into the motivations of the personnel involved in these parties has helped to define these entities more precisely and illustrate more exactly their role and influence in the events of these years. It should be noted, however, that at different points in the investigation a large number of the nobility have been seen to have played but little part in such factious struggles. Other nobles, such as Eglinton, Cassillis and Glencairn have been shown on several occasions to have been more concerned with local than national affairs. These men controlled a large area of the country, centred on Ayrshire, and their virtual exclusion from central politics gives a better perspective to the faction-struggles which have dominated this study. Large sections of the Scottish people and large sections of the Scottish nobility would not be heavily involved in the factions of court. This was true not only of outlying nobles such as Orkney, Caithness and Sutherland, but also the Ayrshire nobles and other central lords such as Seton, Rothes and others whose influence was sporadic and often negligible.

The existence of these men largely outwith the factions serves to

remind us that these parties did not reach all over the country and influence its whole life. This did not happen even during times of civil war, such as the kingsmen-queensmen struggle, and it was less liable to be the case as the memories of these factious days retreated. Another aspect of this lack of involvement of many of the nobility is that it leads to a more cautious view of the rebellious nature of these factions. Most nobles who were not involved in central factions would probably tend to be loyal to the crown as such and would only cross it in the pursuance of their own local aims. This puts a different complexion on affairs, for example, at the time of the catholic-led uprisings. A group of around five earls and their supporters can be seen to be in conflict with the crown and perhaps ten or twelve other earls. When the rest of the nobility, who played little part in these affairs, but who were most likely to be loyal to the crown, are remembered, it can be seen that the factious revolts gain a new perspective and seem even less likely to topple the monarchy or its religion.

Another aspect of the division into factions which is important is that the existence of such parties should not be regarded as controlling rigidly all aspects of life. An example of this is to be found in the party which Regent Morton could reackon as his at the time of his arrest. He would certainly so have regarded the earl of Mar, yet Mar was also reputedly on good terms with Lennox, Morton's enemy, and this is just one of many such apparent contradictions. The point is that adherence to one party did not preclude a certain degree of friendship with the other. These nobles would have much of their outlook in common with each other and would view all factious fighting in the context of their common position and role in the society of Scotland at the time.

The final aspect of the political parties which needs stressing has been mentioned already especially in the last chapter. This period of thirty years commenced with a civil war and closed with the peaceful transference of power from Edinburgh to London. This was only possible as a result of the fact that much of the heat had gone out of the faction fighting which had plagued Scotland in the 1570's and 1580's. The civil war divisions had gradually lessened as time passed only to be revived and replaced by those induced by the catholic-led insurrections. These too had passed, however, as the possibilities of a second Armada lessened and the level of factious activity had dropped very considerably in the late 1590's and early years of the seventeenth century. The ever-increasing possibility that the crowns of Scotland and England would be united in the person of King James helped to dampen the internal strife and led to a reluctance to push what were, after all, largely minor matters, to extremes and so prejudice the favour of a monarch who would soon have a lot more wealth and power to bestow on whomsoever he might choose.

These qualifications are necessary to place the study of the political parties in the overall picture of Scotland at this time. Not all of the nobility were involved in these parties, and fewer were so as time passed. For those who were so involved, however, an attempt has been made to investigate the thinking which led them to adopt the position which they did on any of the particular issues. Certain motivations such as religion, kin ties, marriage ties and personal characteristics have been found to be of importance as well as looser influences such as geographical locations and others. The whole has provided insight into the parties in Scotland during these years and has attempted to probe behind the loose party names and investigate the personnel involved and the complex causes of their involvement.

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**Note:-** **The sources, particularly manuscript, listed, are those which proved useful in different ways, yielding information which helped towards the formation of conclusions even if the actual information itself was not always of such a nature as to merit quotation in the text of this work.**