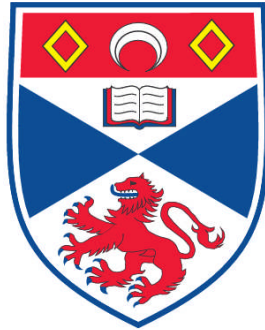


**THE 'GUDE REGENT'? A DIPLOMATIC PERSPECTIVE UPON
THE EARL OF MORAY, MARY, QUEEN OF SCOTS AND THE
SCOTTISH REGENCY, 1567-1570**

Claire L. Webb

**A Thesis Submitted for the Degree of PhD
at the
University of St. Andrews**



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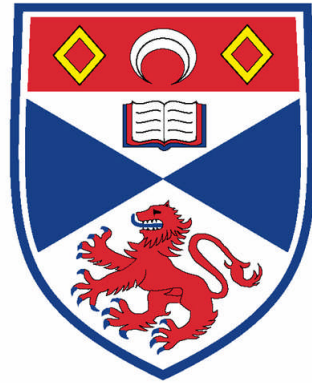
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the Earl of Moray, Mary, Queen of Scots and the
Scottish Regency 1567-1570**

Claire L. Webb

Submitted for the degree of Ph.D.
August 2007

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Abstract

This thesis examines and re-evaluates the political career and reputation of James Stewart, Earl of Moray, who acted as Regent of Scotland for the young King James VI from 1567-1570, after the deposition of Mary, Queen of Scots. Drawing upon a rich and varied body of evidence located in both the English and Scottish archives of state papers, together with contemporary propaganda, memoirs and histories, this work constructs a much needed political narrative of the period, investigating the often highly complex politics which lay behind the outbreak and the initial stages of the Marian Civil War. It questions Maurice Lee's image of Moray as the 'gude regent', an image which was first present in Buchanan's *History*, and which depicts Moray as a highly successful regent, and an altruistic Protestant reformer. Dispelling Lee's view of Moray as a 'reluctant regent', it shows instead that the Earl was determined to gain, and then maintain, his position of power. It incorporates a discussion of the constitutionality of the actual regency itself, together with the theories of election which were drawn up to justify both it and the deposition of a monarch. In addition, the thesis sheds light upon the dynamics of Scottish political alignment during the period, emphasising the great fluidity which was to be found, and showing how issues of internal government, and attitudes towards England, affected men's allegiances as much as, if not more than, the ostensible issue of monarchy itself.

This study also builds upon recent work by Tudor historians such as John Guy and Stephen Alford, and sets Moray's regency within an Anglo-Scottish context, demonstrating the importance of the interconnections between events in England, such as the Norfolk plot, and Scottish politics. It investigates the English attitudes towards Mary, and towards the two rival parties within Scotland, taking into account the sometimes conflicting objectives of Elizabeth I and her leading ministers, such as William Cecil, yet showing how they consistently sought to gain dominance over Scotland. Moray's regency was cut short by his assassination, and this thesis concludes by considering both his murder and its aftermath. It explores how his death impacted upon the political situation, together with the way in which his reputation was shaped in the immediate period after his death. Finally, it investigates the opportunity that both Moray's assassination and the Northern Rising of late 1569 had given England to intervene in Scottish affairs, and further pursue policies to that country's own advantage.

Acknowledgements

I would like to begin by thanking my supervisor, Professor Roger Mason, for first suggesting the topic of the Marian Civil Wars to me, and for providing help and guidance both during my undergraduate career and during the period of my postgraduate research.

I am also grateful to the School of History at the University of St Andrews for purchasing microfilm copies of the State Papers for Scotland, and the Border papers. This has greatly helped with my research. In addition, I would like to thank Lord Stewart of Doune for granting me access to the Moray Muniments (NRAS 217) and for depositing them with the National Archives of Scotland so swiftly.

My greatest debts are to those who have supported me on a personal level. I want to thank my fiancé, Scott, for his constant love and support, and also for taking care of the day to day things over the past few weeks – cooking, shopping, fixing the car and much more. I also want to thank my little sister, Liz, for refusing to show any interest in history whatsoever, for forcing me to think about other things, and for always being able to make me laugh. Finally, I am incredibly grateful to my parents, who have always been there for me, and who have been a constant source of financial and emotional support.

Boarhills, Fife, August 2007.

Contents

Declarations	ii
Abstract	iii
Acknowledgements	iv
Abbreviations	vi
Introduction	1
Chapter 1: The Deposition of Mary, Queen of Scots and Moray's Assumption of the Regency.	
1.1 Mary's Deposition.	16
1.2 The Coronation of James VI and Moray's Assumption of the Regency.	26
1.3 Anglo-Scottish Relations in 1567.	35
1.4 The Beginning of Moray's Regency.	47
1.5 Moray's Enemies.	56
Chapter 2: A British Problem?	
2.1 The Battle of Langside.	65
2.2 Mary's Arrival in England.	75
2.3 King's Men and Queen's Men.	82
2.4 'The First Trial'.	92
Chapter 3: 'The Gude Regent'?	
3.1 Moray's Return to Scotland.	108
3.2 Anglo-Scottish Relations in 1569.	128
3.3 The Decline in Moray's Position.	140
Chapter 4: 'That schot, allace! Yis realme hes shot in tway!'	
4.1 'The Bridle Luisit': The Aftermath of Moray's Assassination.	157
4.2 'This matter wyll brede grete alteracyn': Anglo-Scottish Relations (January – July 1570).	177
4.3 The Choice of a New Regent.	191
Conclusion	201
Bibliography	207

Abbreviations

Add.	British Library, London, Additional MSS.
Alford, <i>Cecil</i>	Stephen Alford, <i>The early Elizabethan polity: William Cecil and the British succession crisis, 1558-69</i> (Cambridge, 1998).
AQM	Gordon Donaldson, <i>All the Queen's Men: Power and Politics in Mary Stewart's Scotland</i> (London, 1983).
APS	<i>Acts of the Parliaments of Scotland</i> , ed. C. Innes and T. Thomson (12 vols., Edinburgh, 1814-75).
Bannatyne, <i>Memorials</i>	Bannatyne, Richard <i>Memorials of Transactions in Scotland, MDLXIX-MDLXXIII</i> , ed. R. Pitcairn (Bannatyne Club, 51, Edinburgh, 1836).
BL	British Library.
Buchanan, <i>History</i>	George Buchanan, <i>The History of Scotland</i> , ed. and trans. J. Aikman (4 vols., Glasgow, 1827).
BUK	' <i>The Booke of the Universall Kirk of Scotland</i> ': <i>Acts and Proceedings of the General Assembly of the Kirk of Scotland</i> , ed. T. Thomson (Bannatyne Club, 81, Edinburgh, 1839-45).
Calderwood, <i>History</i>	David Calderwood, <i>The History of the Kirk of Scotland</i> ed. T. Thomson (8 vols., Wodrow Society, 1839-45).
Cot. Calig.	British Library, London, Cotton Caligula MSS.
CP	Hatfield House Library, Hertfordshire, Cecil Papers.
CSP Dom. Add.	<i>Calendar of State Papers, Domestic Series of the reign of Elizabeth, Addenda, 1566-79</i> , ed. M.A. Green (London, 1871).
CSPF	<i>Calendar of State Papers, Foreign Series, Edward, Mary and Elizabeth</i> , ed. J. Stevenson <i>et al</i> (24 vols., London, 1860-1911).
CSP Scot.	<i>Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603</i> , ed. J Bain <i>et al</i> (13 vols., Edinburgh, 1898-1969).
CSP Spain.	<i>Calendar of letters and state papers relating to English affairs, preserved principally in the Archives of Simancas</i> , ed. R. Tyler <i>et al.</i> (13 vols., London 1862-1954).
Diurnal	<i>A Diurnal of Remarkable Occurrents that have passed within the country of Scotland since the death of King James the Fourth till the year 1575</i> , ed. T. Thomson (Bannatyne Club, 43, Edinburgh, 1833).
Harley	British Library, London, Harley MSS.
Herries, <i>Memoirs</i>	<i>Historical Memoirs of the Reign of Mary, Queen of Scots and a Portion of the Reign of King James VI by Lord Herries</i> , ed. R. Pitcairn (Abbotsford Club, 6, Edinburgh, 1836).
Hist KJVI	<i>The Historie and life of King James the Sext: being an account of the affairs of Scotland from the year 1566 to the year 1596</i> , ed. T. Thomson (Bannatyne Club, 13, 1825).
HMC	<i>Reports of the Historical Manuscripts Commission.</i>
IR	Innes Review.
Lansdowne	British Library, London, Lansdowne MSS.
Melville, <i>Memoirs</i>	Sir James Melville of Halhill, <i>Memoirs of his Own Life</i> (Edinburgh, Maitland Club, 1827).
NAS	National Archives of Scotland, Edinburgh .
NLS	National Library of Scotland, Edinburgh.
NRA(S)	National Register of Archives, Scotland.

ODNB	Oxford Dictionary of National Biography (http://www.oxforddnb.com).
Pitscottie, <i>Historie</i>	Robert Lindsay of Pitscottie, <i>The Historie and Chronicles of Scotland</i> , ed. E. J. G. Mackay (3 vols., Scottish Text Society, Edinburgh, 1899-1911).
PRO	Public Records Office, Kew.
<i>Reg. Hon. Mort</i>	<i>Registrum Honoris de Morton</i> , eds. T. Thomson <i>et al.</i> (2 vols., Bannatyne Club, 94, Edinburgh 1853).
RMS	<i>Registrum magni sigillii regum scotorum, Register of the Great Seal of Scotland</i> ed. J. Thomson <i>et al.</i> (11 vols., Edinburgh, 1882-1914).
RPC	<i>Register of the Privy Council of Scotland</i> , ed. J.H. Burton <i>et al.</i> (38 vols., Edinburgh, 1877-1970).
RSS	<i>Registrum secreti sigilli regum scotorum, Register of the Privy Seal of Scotland</i> , ed. M. Livingstone <i>et al.</i> (8 vols., Edinburgh, 1908-82).
SHR	<i>Scottish Historical Review</i> .
Sloane	British Library, London, Sloane MSS.
SP	Public Records Office, Kew, London, State Papers.
STC	<i>A Short Title Catalogue of Books Printed in England, Scotland and Ireland and of English Books Printed Abroad, 1475-1640</i> , eds. A. W. Pollard, G. R. Redgrave <i>et al.</i> (3 vols., London, 1976-91).
Stowe	British Library, London, Stowe MSS.
STS	Scottish Text Society.
TA	<i>Accounts of the Lord High Treasurer of Scotland</i> , ed. T. Dickson <i>et al.</i> (12 vols., Edinburgh, 1877-1970).
Teulet, <i>Papiers</i>	Alexandre Teulet (ed.), <i>Papiers d'état, pièces et documents inédits ou peu connus, relatifs a l'histoire de l'Écosse au XVIe siècle, tirés des bibliothèques et des archives de France</i> (3 vols., Paris, 1852).
Teulet, <i>Relations</i>	Alexandre Teulet (ed.), <i>Relations Politiques de la France ed de l'Espagne avec l'Ecosse au XVIe siècle</i> (5 vols., Paris, 1862).
<i>Warrender Papers</i>	<i>The Warrender Papers</i> , ed. Annie I. Cameron (2 vols., Scottish History Society, third series, 18-19; Edinburgh, 1931-32).

Conventions

All quotations are in the original spelling. 'u' and 'v', and 'i' and 'j' have been transcribed exactly as they appear in the manuscript document. Letters which the writer has left out by contraction, suspension, or represented by a symbol, are enclosed in square brackets, e.g. m'cat becomes m[er]cat. When a word or sentence in a draft has been scored out, it is struck through, e.g. ~~maiestie~~. When a word is underlined, this too is reproduced, e.g. maiestie. Additions to draft documents have been shown in italics.

All dates are given in New Style.

When documents from the various *Calendars of State Papers* are cited, the document numbers, rather than the page numbers, are given.

The 'Gude Regent?' A Diplomatic Perspective upon the Earl of Moray, Mary, Queen of Scots and the Scottish Regency 1567-1570

James Stewart, Earl of Moray, was a crucial player in politics – both Scottish and British – in the 1560s. His career, however, has been overshadowed by that of his much better known half-sister, Mary, Queen of Scots, and historians' views of the Earl have depended very much upon their views of the Scottish Queen, a Queen who has polarised opinion in death as much as she ever did in life.¹ The only biography of Moray, written by Maurice Lee, dates from the 1950s, and even Lee himself subsequently described it as a 'brash young man's book', which he would write differently were he to attempt it now.² It paints a glowing picture of a devout, altruistic reformer, who was above moral reproach, and who had a highly successful regency within Scotland. Lee sought to show how Moray's actions were consistently driven by a strong desire to further the Protestant Reformation, and a commitment to the idea of Anglo-Scottish amity. Allegations that Moray was acting merely to further his own power and influence were largely dismissed out of hand, with Lee arguing that 'the trappings of power meant but little to him'.³ Even when all the evidence points to the contrary, Lee nonetheless claimed that every action taken by Moray was done to ensure that Protestantism would flourish within Scotland.

However, Lee can not be held entirely responsible for this idealised portrait, since it is an image that was created by the spin doctors of the sixteenth century. Moray was a victim of the assassin's bullet, and the flood of contemporary ballads produced in the aftermath of his death is unsurprisingly eulogistic in tone.⁴ It is in such ballads that the image of the 'Gude Regent' first emerged, an image which was further consolidated in George Buchanan's *History of Scotland*, and which Lee appears to have taken at face value.⁵ Yet it goes without saying that Buchanan's account is highly partisan; in addition to being James VI's tutor, he was Moray's client, and was effectively acting as propagandist for the party which deposed Mary, Queen of Scots.⁶ One purpose of his *History* was therefore to justify the deposition of Mary, which would

¹ Compare, for example, Jenny Wormald, *Mary, Queen of Scots: A Study in Failure* (London, 1988) with Gordon Donaldson, *Mary, Queen of Scots* (London, 1974). Other worthwhile biographies of Mary include Antonia Fraser, *Mary, Queen of Scots* (London, 1969) and more recently, Retha Warnicke, *Mary, Queen of Scots* (Abingdon, 2006). The best edited collection of essays on Mary is Michael Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms, IR*, 38 (1988).

² Maurice Lee, *James Stewart, Earl of Moray* (New York, 1953); Maurice Lee, *The 'Inevitable' Union*, (East Linton, 2003), p. x.

³ Lee, *Moray*, p. 209.

⁴ Many of these ballads are printed in J. Cranstoun (ed.), *Satirical Poems of the Reformation* (2 vols., STS, Edinburgh, 1891-93).

⁵ George Buchanan, *The History of Scotland*, ed. and trans. J. Aikman (4 vols., Glasgow, 1827). This was first published in Latin as *Rerum Scoticarum Historia* in 1582. As Mason argues, Moray is portrayed here as the 'embodiment of civic virtue': Mason, 'George Buchanan and Mary, Queen of Scots', *Records of the Scottish Church History Society*, 30 (2000), p. 23.

⁶ Roger Mason, *Kingship and the Commonwealth: Political Thought in Renaissance and Reformation Scotland* (East Linton, 1998), p. 193. As commendator of St Andrews Priory, Moray had been able to appoint Buchanan to the position of Principal of St Leonard's College in 1566: I.D. McFarlane, *Buchanan* (London, 1981), p. 22; Mason, 'George Buchanan and Mary', p. 15 notes that Buchanan dedicated the first printed edition of his *Franciscanus* to Moray in 1566.

make Moray's virtues shine ever more brightly when compared to the vices of the 'tyrannous' Queen of Scots.⁷

In contrast, historians such as John Guy, who have not made Moray the sole focus of their study, but who have perceived him in the light of their sympathetic approach towards Mary, provide a most unflattering depiction of the Regent, claiming that he was driven purely and simply by self-serving ambition, 'which he had cloaked under the pretence of religion'.⁸ This image too is present in various primary sources of the period – most notably in Camden's history of Elizabeth's reign, in which he described Moray as a man 'who imbraced nothing so affectionately as ambition', in Herries' *Memoirs*, which characterised him as a traitor, full of 'malice and ambition', secretly aiming at the throne himself, and in John Lesley's *Defence*.⁹ These men were, of course, supporters of Mary; Lesley in particular writing to defend her honour and to discredit the Regent.¹⁰ Whilst Moray is clearly deserving of a re-evaluation, and a move away from the somewhat sycophantic approach of Lee is necessary, there is nonetheless a danger of moving too far in the opposite direction, and performing something of a hatchet job on the Regent. Both Lee and Guy have created very two dimensional images of Moray, and a more nuanced picture is needed.

It is not the intention of this thesis to provide a full-scale biography of the Earl of Moray. Instead, the focus is upon the period during which he acted as Regent for the young King James VI.¹¹ Firstly, therefore, it seeks to examine the political career and reputation of the Regent Moray, from the deposition of Mary, Queen of Scots in 1567, up until his own assassination in 1570. Secondly, the thesis re-examines the dynamics of Scottish political alignment during this period, investigating the often highly complex politics which lay behind the outbreak and the initial stages of the Marian Civil War. This incorporates a discussion of the constitutionality of the actual regency itself, and the theories of election which were drawn up to justify both it and the deposition of a monarch. Thirdly, the thesis builds upon work by Tudor historians such as John Guy and Stephen Alford, in setting Moray's regency within an Anglo-Scottish context.¹² It concludes by considering the aftermath of Moray's regency,

⁷ George Buchanan, 'The History of Scotland', in *The Tyrannous Reign of Mary Stewart*, ed. and trans. W.A. Gatherer (Edinburgh, 1958). Indeed, Buchanan, as a humanist, treated history as a 'didactic art', and objective truth was not his aim: Gatherer, *Tyrannous Reign*, pp. 11-13.

⁸ John Guy, *My Heart is My Own: The Life of Mary, Queen of Scots* (London, 2004), p. 124. Gordon Donaldson also emphasises his 'self-interest and ambition': Donaldson, *Scotland: James V – James VII* (Edinburgh, 1987), p. 163.

⁹ William Camden, *Annales the true and royall history of the famous empress Elizabeth Queene of England France and Ireland &c* (London, 1625, STC 4497); Herries, *Historical Memoirs* p. 109; John Lesley, *A defence of the honour of the right highe, mightye and noble Princesse Marie Queene of Scotlande and dowager of France with a declaration aswell of her right, title & intereste to the succession of the crowne of Englande, as that the regimete of women ys conformable to the lawe of God and nature*. (London [i.e. Rheims], 1569, STC 15505).

¹⁰ See Margaret J. Beckett, *The Political Works of John Lesley, Bishop of Ross, 1527-96* (St Andrews University PhD, 2002).

¹¹ Michael Lynch notes that this is an 'obscure' period in Scottish history, and is therefore clearly deserving of a re-examination: Lynch, *Mary Stewart*, p. 7.

¹² This is seen most clearly in Alford, *Cecil*, and Guy, *My Heart is My Own*.

exploring how his death impacted upon the political situation, together with the way in which his reputation was shaped in the immediate period after his death.

It is necessary to begin by sketching in some brief biographical details.¹³ Moray was born James Stewart in 1531, to the mistress of King James V, Margaret Erskine. Ten years older than Mary, Queen of Scots, and eventually the eldest surviving son of the King, it seems that throughout his life, he never lost sight of the fact that royal blood coursed through his veins, and that he had come so close to becoming King himself.¹⁴ Indeed, James V had seriously considered marrying Margaret, going so far as to ask the Pope to grant her a divorce from her husband, which was refused.¹⁵ If she had then married the King, Moray would have been legitimated and the next in line to the Scottish throne. It was often reported by contemporaries that the Earl adopted a regal manner, and found it difficult to watch his younger sister assume the reins of power. In 1560, for example, Elizabeth I's Secretary of State, William Cecil, remarked that Lord James, as he was then, was 'not unlyke ether in person or quallitees to be a kyng soone'.¹⁶

Moray first came to prominence in national affairs in about 1550, during Mary Queen of Scots' minority, and was initially loyal to her mother, Mary of Guise, who acted as regent from 1554, although even then there were some suspicions that he was an English agent.¹⁷ After John Knox's return to Scotland in 1555, Moray (who had been appointed commendator of the wealthy priory of St Andrews in 1538), became influenced by Protestant doctrines.¹⁸ There is nothing to suggest that he was anything but genuine in his conversion, though a sincere religious devotion is not necessarily incompatible with personal ambition, and would certainly not stop him manipulating religious rhetoric to suit his own ends.¹⁹ Moray quickly assumed a leadership position amongst those lords who rebelled against Mary of Guise in 1559, both supporting the reformed religion, and aiming to drive out French influence.²⁰ It was perhaps at this point that Moray first got a taste for political power, and at the same time developed his links with those in England such as William Cecil, who would prove invaluable to him in the coming years. Although Moray was a devout Protestant – as was Cecil – it is significant that the English statesman specifically requested Moray by name, as someone with whom he could

¹³ Also see Mark Loughlin, 'Stewart, James, first earl of Moray (1531/2–1570)', *ODNB* [<http://www.oxforddnb.com/view/article/26479>] and D.W. Doughty, 'The Library of James Stewart, Earl of Moray, 1531-1570', *JR*, 21 (1970).

¹⁴ After 1557, he was the eldest surviving son of James V.

¹⁵ Warnicke, *Mary*, p. 18; Jamie Cameron, *James V* (East Linton, 1998), p. 151.

¹⁶ Cecil to Elizabeth, 19 June 1560, *CSP Scot*, i, 821. James Melville also reported rumours that Moray was aiming at the crown at this time: Melville, *Memoirs*, p. 81.

¹⁷ Ritchie has discovered that he received four payments from the English during the period 1550-52: Pamela E. Ritchie, *Mary of Guise* (East Linton, 2002), p. 82.

¹⁸ There is little evidence about Moray's early career until 1555, when it was reported that he attended Knox's preaching at the house of Erskine of Dun.

¹⁹ Doughty's examination of his library, for example, shows the number of religious texts that he possessed. Doughty, 'The Library of James Stewart', pp. 21, 27.

²⁰ Donaldson, *James V to VII*, ch. 6.

negotiate, since he was not a zealot.²¹ Indeed, if James Hamilton, Duke of Châtellherault, had not taken the position of Governor within Scotland, it seems that Cecil had Moray in line for that office.²² This has led Guy to regard the Regent as ‘pragmatic rather than ideological’, but such a distinction is unhelpful, and there is not such a straightforward dichotomy.²³

The Scottish rebels, known as the Lords of the Congregation, were victorious, and a Protestant settlement was drawn up without royal authority in 1560.²⁴ Despite this initial success, the fledgling Kirk was soon under threat. The death of her French husband, Francis II, led to the return of the Catholic Mary, Queen of Scots the following year. From the outset, Moray sought to obtain a position of great influence with her.²⁵ He even suggested that she appoint a regent, if her return were to be delayed in any way, presumably with himself in mind.²⁶ Although this suggestion was not taken up, Moray nonetheless succeeded in working his way into Mary’s favour, by promising to assist her in her aim to be recognised in the English succession, with the proviso that she made no alteration to the present state of religion.²⁷ Despite his personal faith, however, it was politically advantageous to defend her private celebration of the mass, since it encouraged her to rely upon his advice. This earned him much hostility from Knox, leading to a severe deterioration in what had previously been an amicable relationship.²⁸

During the early years of Mary’s personal rule, the scheming and calculating side of Moray’s nature came to the fore. He convinced the Queen that his rivals for power were simultaneously her enemies. Immediate casualties in the face of Moray’s determination to make his services indispensable to the Queen and increase his own influence were the Hamiltons, with whom he would twice ally for the sake of advancing his career, but whom he always regarded as competitors due to their proximity to the throne.²⁹ Others whom Moray sought to eliminate were the profoundly anti-English Earl of Bothwell, and the Gordons of Huntly, who stood in the way of the Earl’s territorial ambitions. It was surely no coincidence that his earldom of Moray was publicly proclaimed during the march upon Huntly in 1562.³⁰ Moray chose instead to ally with William Maitland, the Laird of Lethington, who, unlike a magnate, could pose no immediate threat, and who possessed connections with England which Moray was keen to

²¹ Clare Kellar, *England, Scotland and the Reformation: 1534-1561* (Oxford, 2003) p. 202; *CSP Scot*, i, 832.

²² Wallace MacCaffrey, *The Shaping of the Elizabethan Regime* (London, 1969), pp. 58-60.

²³ Guy, *My Heart is My Own*, p. 124

²⁴ Donaldson, *The Scottish Reformation* (Cambridge, 1960), ch. 3.

²⁵ Maitland to Cecil, 6 February 1561, *CSP Scot*, i, 958.

²⁶ Loughlin, ‘Stewart, James’, *ODNB*.

²⁷ Wormald, *Mary*, p. 117.

²⁸ Alford, ‘Knox, Cecil and the British Dimension of the Scottish Reformation’ in Roger A. Mason (ed.), *John Knox and the British Reformations* (Aldershot, 1998), p. 213.

²⁹ Marcus Merriman, ‘Hamilton, James, second earl of Arran, and duke of Châtellherault in the French nobility (c.1519–1575)’, *ODNB* [<http://www.oxforddnb.com/view/article/12081>]; Rosalind K. Marshall, ‘Hamilton, James, third earl of Arran (1537/8?–1609)’, *ODNB* [<http://www.oxforddnb.com/view/article/12083>].

³⁰ For the events of 1562, see Allan White, ‘Queen Mary’s Northern Province’, in M. Lynch ed., *Mary Stewart: Queen in Three Kingdoms*, IR, 38 (1988), pp. 59-63, and Warnicke, *Mary*, pp. 81-84.

foster.³¹ As will become clearer, England was of immense importance to Moray, for the fulfilment of his political and religious agenda, and also as a potential source of funding to bankroll his own ambition.

Few of Moray's relationships endured, and that with his sister was no exception. Moray's initial solidarity with Mary did not last. His cherished policy of friendship with England was destroyed at a stroke by her second marriage, directly against English wishes, in 1565.³² Fearing his influence would be supplanted by Mary's new husband, Henry Stewart, Lord Darnley, Moray embarked upon an unsuccessful rebellion. Known as the 'Chaseabout Raid', this resulted in his exile to England, where he remained until 1566.³³ After the murder of Riccio, Moray was pardoned for his part in the Chaseabout Raid, and was restored to some level of power, when Mary wanted to isolate those directly involved in Riccio's death.³⁴ Less than a year later, Darnley too was murdered. In what will emerge as characteristic of his behaviour, Moray left Edinburgh the very day before the crime was committed.³⁵ It is surely inconceivable that he had not known what was to take place, and the timing of his absence is more than coincidental. Throughout his career he was always concerned to distance himself from any action which was likely to win him disfavour, regardless of the actual depth of his involvement.

From this point onwards, events within Scotland gathered pace, and with Mary's marriage to the Earl of Bothwell, chief suspect in Darnley's murder, the hostility towards the young queen was palpable. Moray strategically expressed a desire to 'see other countries', leaving the increasing turmoil within Scotland behind.³⁶ By distancing himself physically, he was able to remain untainted by the proceedings that would unfold. Opposition amongst the Scottish nobility had emerged even before Mary's marriage, with a bond whereby the signatories pledged to set her at liberty from Bothwell, and to punish the murderers of Darnley.³⁷ Once the marriage had taken place, these men, termed the Confederate Lords, reiterated their aims, declaring that their chief purpose was to liberate Mary from Bothwell, and to preserve both the queen and her son, James.³⁸ By an Act of the Secret Council of Scotland (12 June), all lieges were charged to deliver Mary from 'captivity', and to bring Bothwell and his accomplices to 'underly' the laws of the realm.³⁹ The Confederate Lords assembled in arms, and in June 1567, Mary and Bothwell were defeated at the bloodless 'battle' of Carberry. Within a year, Mary's surrender here would lead to what is known as the Marian Civil War, a

³¹ Mark Loughlin, *Maitland of Lethington* (Edinburgh University PhD thesis, 1991).

³² Simon Adams, 'The Release of Lord Darnley and the Failure of the Amity' in Lynch (ed.), *Mary Stewart*, pp. 123-53; Dawson, 'Mary Queen of Scots, Lord Darnley and Anglo-Scottish Relations in 1565', *International History Review*, 8 (1986) pp. 1-24.

³³ Donaldson, *Mary, Queen of Scots* (London, 1974), p.82.

³⁴ *Ibid.*, p. 89.

³⁵ Buchanan, *History of Scotland*, ii, p. 492.

³⁶ Moray to Cecil, 13 March, *CSP Scot*, ii, 484.

³⁷ 1 May 1567, Stirling, printed in Jenny Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442-1603* (Edinburgh, 1985), p. 406.

³⁸ *RPC*, i, p. 519.

³⁹ Act of Secret Council, 12 June, *CSP Scot*, ii, 516; Proclamation of 11 June declaring the effect of their assembly in armour contained a similar statement, NAS MS76, f.49r.

series of bitter conflicts which were fought on one side in the name of Mary, Scotland's Queen, and on the other, in the name of her infant son, King James VI, who was crowned by the Confederate Lords on 29 July 1567. Over five years of fighting ensued, until in February 1573, the noble members of the Queen's Party signed the Pacification of Perth, coming to terms with their adversaries.⁴⁰ It would be a further three months until an exhausted and war-torn Scotland was finally at peace, when with English help, the Marian stronghold of Edinburgh Castle was subdued.⁴¹

Despite their declared aims, however, the action undertaken by the Confederate Lords had not given Mary her promised freedom. Instead, two days later, she found herself imprisoned on the island of Lochleven, at the mercy of her recalcitrant nobility, who excused their actions by claiming that her refusal to separate from Bothwell left them with no other choice.⁴² The first chapter of this thesis focuses on the events surrounding Mary's deposition, and investigates in more detail why it was that so many (there were twelve earls and fourteen lords amongst the Confederates) chose to band together and take such severe action against their lawfully constituted monarch. The original coalition had the potential to unite a variety of viewpoints, and it will be considered by whom such a radical act was favoured. Was it ever intended to be a permanent deprivation, or was Mary's incarceration meant only as a temporary solution? What arguments were used by the Confederate Lords in order to justify their actions? The role which Moray himself played also requires scrutiny. Despite his absence on the continent at the time of Carberry, he was quick to assume a leadership role upon his return to Scotland. He has been described by Lee as a 'reluctant regent', a man genuinely unwilling to take on the responsibilities that the regency would entail.⁴³ Yet how accurate a description is this? As the first – and subsequent – chapters will show, there was more to Moray's assumption of the regency than outwardly appeared. The constitutionality of the regency itself, and the issues of election which lay behind it will be explored, in addition to the ways in which Moray – often through the use of Protestant rhetoric – attempted to consolidate his position.

Somewhat surprisingly, considering the abundance of work on Mary herself, the civil war period has been neglected by historians, who have tended to follow Mary to England, when she fled the country after the Battle of Langside, in May 1568.⁴⁴ Important exceptions to this are Ian Cowan, Gordon Donaldson and Jane Dawson. Jane Dawson's work on the Earl of Argyll is the best recent work on this period, with one chapter following Argyll's political career during the Civil War, considering (amongst other things) the rift that developed between himself and Moray, and showing how the period caused Argyll to withdraw from 'British' politics.⁴⁵ Cowan's article, 'The Marian Civil War, 1567-73', provides an overview of the

⁴⁰ Submission of Huntly and Hamiltons at Perth, 23 February 1573, SP52/24, ff. 84r-87r.

⁴¹ Drury to Burghley, 28 May 1573, *CSP Scot*, iv, 663.

⁴² Act for sequestrating Mary's person and detaining her in Lochleven, 16 June 1567, NLS MS 76, f. 52r.

⁴³ Lee, *Moray*, p. 209.

⁴⁴ E.g. Fraser, *Mary*; and more recently, Warnicke, *Mary*.

⁴⁵ Dawson, *Argyll*, pp. 170-191.

period, arguing that the eventual outcome of the wars was predetermined virtually from the outset.⁴⁶ Rather than providing an in-depth look at the politics of the period, Cowan considers the allegiances of those involved, although, since this is only a short article, writes in very general terms. Far more detailed is Gordon Donaldson's work which covers the period from the coming of the Reformation until Mary's death in 1587. For over two decades, this has proved to be the accepted wisdom on the topic.⁴⁷ His largely prosopographical work focuses primarily on the composition of the parties within Scotland, considering the geographical distribution of supporters for the Queen, and how kinship loyalties and religious leanings affected adherence to Mary. Indeed, as Donaldson makes abundantly clear, the split between the two parties was not along religious lines, but was dominated by territorial and family allegiances.⁴⁸

Neither Donaldson nor Cowan's account amount to a comprehensive political narrative of the period. Rather than examining how allegiances were constantly in a state of flux after Mary's deposition, a somewhat static picture has been painted. When an individual changed his adherence from one party to the other, Donaldson tended to dismiss this in a couple of sentences. It is the intention of this thesis to take a closer look at politics within Scotland, and to untangle some of the political manoeuvrings which were taking place. Questions have been left unanswered, and indeed, the very title of Donaldson's work – *All the Queen's Men* – shows that his focus is most heavily upon Mary's supporters. What caused men such as Maitland of Lethington, Lord Hume, and even Kirkcaldy of Grange to change from a position of utmost loyalty to the King, to becoming the most fervent supporters of the Queen of Scots? Was it as a reaction to the policies and personality of Moray himself, a positive desire to support Mary, Queen of Scots, or were there other issues at stake? For some, the chief concern was perhaps not the monarchy as such, but rather the regency, and gaining political dominance. Whilst on the surface Moray's assumption of the regency appears remarkably smooth, he was not unchallenged, and had some weighty and influential enemies throughout the realm, in particular the Hamiltons. Headed (in name at least) by the Duke of Châtelherault, who asserted his own claim to the regency, it was questionable whether they genuinely desired Mary's restoration, or whether, as contemporaries claimed, their own dynastic ambitions were their real driving force.⁴⁹

The focus of what follows is primarily upon the political elite. In general, it is Moray's peers – the magnates of Scotland – who are under scrutiny. This is not to claim that the rest of the population was insignificant. As work by Julian Goodare has shown, the lairds had played a greater role in Scottish politics from the time of the Reformation onwards, and were now an emergent political force, present at several key conventions of the period, and thus participants

⁴⁶ I. Cowan, 'The Marian Civil War, 1567-73', in Norman Macdougall (ed.) *Scotland and War* (Edinburgh, 1991).

⁴⁷ *AQM*, chiefly pp. 70-151.

⁴⁸ *Ibid.*, p. 114.

⁴⁹ E.g. Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 37r.

in the making of significant political decisions.⁵⁰ Donaldson's work has also identified a number of lairds in both parties, yet as he himself admits, the evidence for their attitudes and motivations is less plentiful than that for their superiors.⁵¹ Rather than providing limited detail about a large body of people, this thesis instead focuses on a narrower section in greater depth. Similarly, whilst a detailed study of Moray's affinity would undoubtedly be of great value, it is also beyond the scope of this thesis. The nature of his earldom, which was non-hereditary, meant that he lacked the support of a regional power base and kinship network, quite unlike a magnate such as Huntly or Argyll. For this reason, a reconstruction of his affinity would prove more challenging. There are, however, two notable exceptions. Maitland of Lethington and Kirkcaldy of Grange are two lairds who had an immensely significant role in the wars, and with whom Moray was closely associated.⁵² Indeed, Moray's relationship with Maitland of Lethington is of particular importance in this period, since his regency witnessed Maitland's gradual shift out of the King's Party. Maitland's career is also significant for the light it sheds upon the way in which attitudes towards England affected allegiances within Scotland in this period.

Moray's approach to ruling Scotland, together with the level of success that he achieved, will also be considered. James Melville described him as:

ane unskillfull player in a keatchepoill, running ever efter the ball; whereas ane expert player wald se and dicerne wher the ball will leicht, wher it will stot, and with small travel will let it leicht in his hand or racket.⁵³

This suggests that Moray's policy was reactive, lacking in foresight, and that he was not particularly well-suited to act as regent. Michael Lynch has even gone so far as to say that Moray was 'arguably a good deal less fitted to rule than his half-sister'.⁵⁴ Maurice Lee, on the other hand, places undue emphasis on Moray's success, particularly with regard to the Borders and the northern region, and fails to consider whether Moray had done any more than provide temporary solutions to the problems he tackled. He argues that Moray had 'succeeded in reducing all of Scotland to his will' by the summer of 1569, and the decline in his position did not occur until his capture of Northumberland in December.⁵⁵ Yet had Moray really created a genuine state of strength and stability within the realm, and succeeded in uniting the various

⁵⁰ Goodare, Julian 'The Admission of Lairds to the Scottish Parliament', *EHR*, 116 (2001), pp. 1103-33. Keith Brown, however, stresses the point that the 1560 Parliament 'did not represent ... any form of social revolution', and the lairds were not seeking power as such, but attended at the wish of those Protestant leaders who were seeking support. Furthermore, they had been present in large numbers at earlier parliaments: Brown, 'The Reformation Parliament', in K. Brown and R. Tanner (eds.), *Parliament and politics in Scotland, 1235-1560* (Edinburgh, 2004), pp. 212-213, 230.

⁵¹ *AQM*, p. 101. Grange was one of Moray's closest friends, and had been created a knight by Mary at the time of Moray's marriage to Agnes Keith – Moray's influence was clearly behind this. *Diurnal*, p. 70.

⁵² For Lethington, see Mark Loughlin, *Maitland of Lethington* (Edinburgh University PhD thesis, 1991). Grange has no recent biographer, apart from an entry in the DNB: Elizabeth Bonner, 'Kirkcaldy, Sir William, of Grange (c.1520–1573)', *ODNB* [<http://www.oxforddnb.com/view/article/15660>].

⁵³ Melville, *Memoirs*, p. 222.

⁵⁴ Lynch (ed.), *Mary Stewart*, p. 7.

⁵⁵ Lee, *Moray*, p. 262; even after the Northern Rising, Lee still believes 'the domestic situation was well in hand': *Ibid.*, p. 270.

interest groups within the King's Party? The deterioration of his rule had arguably begun long before Lee proposes, and whilst by July 1569, he may have appeared to have subdued his opponents, the events towards the end of the year proved a severe test for him, and suggest that his level of control was weaker than he had anticipated. His over-confidence in his position at this time also placed great strain upon the relatively amicable relationship that he had managed to cultivate with Elizabeth I.

Indeed, it was only with English assistance that the King's Party finally triumphed, and were able to recover Edinburgh Castle in 1573. Yet both Donaldson and Cowan have largely ignored any English involvement in the Marian Civil Wars, or English attitudes towards either party, their studies limited by Scotland's geographical boundaries. In recent years, however, some historians – most notably Jane Dawson - have successfully moved away from such an inward-looking approach and, heeding Pocock's calls for a 'new British history', have chosen to set their work within a British context.⁵⁶ Such an approach is fundamental to this thesis, which argues that Moray's regency, and indeed, the Marian Civil Wars as a whole, can only be properly understood in this way.⁵⁷ Scottish politics were never played out in a vacuum, and therefore both the interactions between Scotland and England, and the attitudes of those in either party towards the English must be considered.

Mary, Queen of Scots was a figure of great importance in England – in Walton's words, 'diplomatic dynamite'.⁵⁸ Her Catholic claim to the English throne, coupled with the failure of the Tudor monarchs to secure their succession, placed her in a unique position, with the potential to unite England, Scotland and Ireland under one ruler. In the eyes of the Roman Catholic Church, the marriage of Henry VIII to Elizabeth's mother, Anne Boleyn, had been invalid, with Elizabeth herself described as 'an incestuous bastard, begotten and born in sinne'.⁵⁹ Whilst many English subjects placed their loyalty to Elizabeth above all else, and merely recognised Mary's rights to succeed after her death, there was a vociferous minority who argued that the Roman Catholic Mary should actually replace Elizabeth on the throne, with immediate effect.⁶⁰ Partly in response to such a threat, Elizabeth had refused even to name a successor, despite the efforts made by her councillors, parliaments, and the Scots themselves.⁶¹

⁵⁶ J.G.A. Pocock, 'British History: A Plea for a New Subject', *Journal of Modern History*, 4 (1975). Two good examples of this are Jane Dawson, *The Politics of Religion in the Age of Mary, Queen of Scots: The Earl of Argyll and the Struggle for Britain and Ireland* (Cambridge, 2002) and Clare Kellar, *Scotland, England and the Reformation*. Also see Jane Dawson, 'William Cecil and the British Dimension of early Elizabethan foreign policy', *History*, 74 (1989) and Dawson, 'Anglo-Scottish Relations in 1565', pp.1-24.

⁵⁷ The role of Ireland, however, is not considered in this thesis, since it appears to have been of little interest to Moray himself. For the importance of Ireland in British policy at this time, see Dawson, *Argyll*.

⁵⁸ Kristen Post Walton, *Catholic Queen, Protestant Patriarchy: Mary, Queen of Scots and the Politics of Gender and Religion* (Basingstoke, 2007) p. 2.

⁵⁹ William Allen, *An admonition to the nobility and people of England* (Antwerp, 1588, STC 368), p. xi.

⁶⁰ Wallace T. McCaffrey, *The shaping of the Elizabethan regime* (London, 1969), p. 297.

⁶¹ However, Elizabeth's councillors did not necessarily want Mary named as Elizabeth's successor. Other contenders had included the Protestant Grey sisters, William Cecil's preferred option. For discussion on

Mary's personal rule in Scotland had been characterised by her constant desire to be recognised as Elizabeth's heir, and she refused to ratify the Treaty of Edinburgh (1560), since this had demanded the abandonment of any such claims.⁶² As Elizabeth's nearest neighbour and rival, Mary's very existence posed a grave danger to the English queen's own security. Simultaneously, she appeared a highly attractive proposition to continental monarchs, and indeed, her brief marriage to Francis II of France had given the French a glimmer of hope for the creation of a Franco-British empire.⁶³ The longstanding relationship between France and Scotland, 'the auld alliance', had always been a cause of much concern to the English, and the affront to England, when in 1559, Mary and Francis bore English arms, in addition to those of France and Scotland, demonstrated vividly the threat that was posed.⁶⁴ Even when this tie was dramatically loosened in 1560, Mary's position within the house of Guise meant that such fear could never subside entirely.⁶⁵ Her importance was certainly far greater than the title 'Queen of Scots' suggests, and thus the Civil War, although fought on Scottish soil, was part of a much wider picture.

This thesis therefore examines the English government's attitudes towards Mary, and towards the two rival parties in Scotland, considering the policies which were formulated to deal with the situation. In addition, the interaction and mutual influence between the realms, shown most notably during the Northern Rising in 1569, which affected both Scotland and England, will be examined.⁶⁶ When discussing the 'English government', a qualification must be made. Work by Stephen Alford and John Guy has demonstrated how important it is to differentiate between the views held by Elizabeth, and those held by some of her councillors. As Alford shows, the differences between them had emerged before, when in 1559-60 the fear of French domination within Scotland had caused the English to act.⁶⁷ The 1559 Treaty of Cateau-Cambresis, by which the Habsburg-Valois wars were brought to an effective end, had heightened English suspicions of Catholic conspiracy and invasion, increasing the danger posed by the French presence in Scotland.⁶⁸ No longer were Spain and France at war, and there had been a real fear that France would seize the opportunity to utilise her newly-freed resources in

the problem of succession, see Mortimer Levine, *Tudor Dynastic Problems, 1460-1571* (London, 1973) and Susan Doran, *Monarchy and Matrimony: The Courtships of Elizabeth I* (London, 1996).

⁶² Wormald, *Mary*, p. 104.

⁶³ Note the secret treaties which were concluded at the time of Mary's marriage to the dauphin: Donaldson, *Mary*, pp. 39-40. In these 'secret' documents, Mary bequeathed Scotland to the King of France, failing an heir of her own, and put the kingdom in pledge to him for the sums of money that had been spent on her education and on Scotland's defence.

⁶⁴ Norman MacDougall, *An antidote to the English: the Auld Alliance, 1295-1560* (East Linton, 2001); Marcus Merriman, 'Mary, Queen of France', in Lynch (ed.), *Mary Stewart*; P. Ritchie, *Mary of Guise in Scotland 1548-1560* (East Linton, 2002), p. 197.

⁶⁵ M. Greengrass, 'Mary, Dowager Queen of France', in Lynch (ed.), *Mary Stewart*, p. 172.

⁶⁶ Ronald Pollitt, 'The Northern Rebellion and the Shaping of Anglo-Scottish Relations', *SHR*, 64 (1985) pp. 1-21.

⁶⁷ Alford, *Cecil*, pp. 71-85.

⁶⁸ J. H. Elliott, *Europe Divided 1559-1558* (London, 1968), p. 17; Alford, 'Knox, Cecil and the British Dimension of the Scottish Reformation' in Mason (ed.), *John Knox and the British Reformations*, p. 211.

an attempt to smother the Protestant Elizabethan regime whilst it was still in its infancy.⁶⁹ Elizabethan foreign policy at this stage moved from being purely dynastic, and acquired an additional element of ideology. Alford argues that Cecil justified intervention in Scotland by his desire to act in support of his co-religionists, to enable Britain to form a solid Protestant bulwark against the threat of Catholic invasion.⁷⁰ Yet these arguments had not appealed to Elizabeth who, whilst fully cognisant of the threat of French domination, lacked the fiery anti-Catholic ideology espoused by men such as Cecil and Walsingham. Cecil had therefore encouraged the Scots to package their desires, not in the confessional language that they had used initially against Mary of Guise, but to argue that they, the ancient nobility of the country, were being oppressed by the French incomers.⁷¹ In 1560, when English aid had eventually been given to the Protestant Lords of the Congregation in order to expel the French forces, the foundations of Cecil's plan for a Protestant Anglo-Scottish concord, in which Scotland would act as a 'junior' partner of an imperial Britain, were laid.⁷² Moray's earlier career had shown a commitment to Cecil's ideology of Anglo-Scottish concord, hoping that it would ensure the ongoing success of the Reformation, and also that it would reduce Mary's power, whilst increasing his own importance. His regency therefore seemed highly advantageous to Cecil.

A further element of Cecil's political thought was his conciliarism. In 1559, he had actually appeared willing to stand for what would in effect have been the deposition of the then absent Queen of Scots. In a memorial outlining his ideas for the internal settlement of Scotland, he proposed government by a council, composed of strong Protestant nobles.⁷³ Such thinking was of course anathema to Elizabeth, whose strong views on sovereignty are well-known. A consistent theme of her foreign policy was her unwillingness to rush into supporting various continental rebels, such as those in the Netherlands, and her natural sympathies lay with the legitimate monarch, prioritising hereditary right and dynasticism above religion.⁷⁴ For Elizabeth, it was unthinkable in 1567 that Mary, 'being by Goddes ordonance the prince and soverayne, [should] be in subjection to them that by nature and lawe are subjected to hir'.⁷⁵ As the Civil War progressed, however, she arguably realised the benefits that Moray's regency could bring to England. This thesis, therefore, considers how, why and to what extent Elizabeth's attitude altered, and whether practical politics would be able to overcome her ideological objections to assisting men who were, initially in her eyes, rebels.

Scottish attitudes towards England were equally complex, and there were a variety of viewpoints. With the events of the Rough Wooing still relatively fresh in their memories, and a tradition, harking back to Edward I, of English aggression and claims of overlordship, some of

⁶⁹ Dawson, 'William Cecil and the British Dimension of early Elizabethan foreign policy', p. 201.

⁷⁰ Alford, *Cecil*, p. 73

⁷¹ Roger Mason, 'Covenant and Commonweal: the language of politics in Reformation Scotland', in Macdougall (ed.), *Church, Politics and Society: Scotland 1408-1929* (Edinburgh, 1983), p. 108.

⁷² Alford, *Cecil*, p. 62.

⁷³ *Ibid.*, p. 61.

⁷⁴ C. Haigh, *Profiles in Power: Elizabeth I* (London, 1988), p. 24; Guy, *My Heart is My Own*, p. 109.

⁷⁵ Instructions to Throckmorton, July 1567, Cot. Calig. CI, f. 4v.

the Scots were understandably wary of English intentions.⁷⁶ Even the events of 1559-60 could only go so far towards changing this ingrained attitude, and Moray's mere attendance at the York-Westminster conference of 1568 reopened such debate. This too would shape support and opposition to Moray's regency, and can help to explain the shifts in allegiance which occurred towards the end of the period under consideration. It is highly likely that Maitland of Lethington's stance was affected by his attitude towards England and English policy, and Jane Dawson has already shown how the Earl of Argyll had been motivated in this way.⁷⁷

Moray's regency was cut short by his assassination, and the final chapter of this thesis will examine both his murder and its aftermath. For five months after Moray's death, Scotland lacked a regent, until the appointment of Lennox in July 1570. This period has been greatly neglected by historians, yet it is important to understand how some of the issues which had arisen during Moray's regency continued to develop.⁷⁸ Moray's death caused much alteration to the levels of support for the warring parties, and positions now shifted. His regime had – contrary to Lee's interpretation – been shedding support in its later stages, and his death arguably accelerated this process. Additionally, the opportunity that both Moray's death and the Northern Rising had given England to intervene in Scottish affairs requires investigation. This includes Elizabeth's input into the choice of Lennox as the next regent. Historians are generally of the opinion that Lennox was an unpopular regent, foisted by Elizabeth upon an unwilling Scottish political community.⁷⁹ Yet this is not the whole story. What had the Scots learnt from Moray's regency, both in terms of requesting English support, and with regard to the political process of election?

A note on the sources

There is a wealth of source material for this study, providing a variety of perspectives. The State Papers are an immense mine of information, both for the Anglo-Scottish dimension of the topic, in addition to politics within Scotland itself. They contain primarily correspondence, both private and official (although this distinction can be somewhat blurred), between monarchs, ministers, ambassadors, privy councillors, military leaders and those who sought to gain an influence over politics. Such correspondence includes ambassadorial reports upon the state of Scottish affairs, warrants, commissions, instructions for envoys, and discussions of policy. In addition to the correspondence, several ballads relating to the period have also been collected, as well as draft parliamentary bills and speeches, printed proclamations, council decrees, expenses,

⁷⁶ See Marcus Merriman, *The Rough Wooings: Mary, Queen of Scots, 1542-1551* (East Linton, 2000), ch. 2; for a discussion of British imperial ideology in the sixteenth century, see David Armitage, *The Ideological Origins of the British Empire* (Cambridge, 2000), pp. 24-60.

⁷⁷ Dawson, *Argyll*.

⁷⁸ Donaldson, for example, devotes only a paragraph to this: *AQM*, p. 119.

⁷⁹ Donaldson, *James V to VII*, pp. 163-164; Cowan, 'The Marian Civil War', p. 104; George Hewitt, *Scotland under Morton* (Edinburgh, 1982), p. 12, Lee, *Moray*, p. 280.

and memoranda, notably those by William Cecil. Until the Restoration, however, there were no routine or regular archives kept by the secretaries of state, who tended to take a somewhat personal approach to their papers.⁸⁰ Whilst Cecil was particularly assiduous in retaining the correspondence that passed through his hands, the other ministers, ambassadors and envoys mentioned throughout the thesis unfortunately lacked the same obsessive tendencies of accumulation as Cecil, and thus there are frequent disappointments in finding letters which have been answered, or referred to, no longer extant. Although some of Cecil's outgoing letters survive in the form of copies, or in the papers of others, such as Sussex, Randolph, and members of the King's Party, it has been shown by Stephen Alford that these surviving letters do not represent Cecil's entire output.⁸¹

Cecil 'filtered' all of the correspondence which he received, since in his formal office as principal secretary, held from 1558-72 under Elizabeth, he acted as an intermediary between the writer, and Elizabeth herself, and his function was to liaise between the monarch and the wider political community. It was his duty to present the correspondence to her, either reading it out (sometimes selectively), or passing it over to her directly. It was considered unusual, and unconventional, for a correspondent to write directly to Elizabeth herself, and the consequences for so doing tended to be a sharp fall of the writer in both her own, and Cecil's, estimation.⁸² Interestingly, however, a writer might send two letters, written on the same date, one of which was the 'official' version, designed to be presented to Elizabeth, and the other, designed solely for Cecil's eyes. As Taviner has shown, it is not always easy to distinguish between these letters. Sometimes there may be a particular symbol or mark of differentiation, yet at other times, it is only by detecting subtle changes to the tone.⁸³

Such state papers were in later years re-catalogued, and divided up into various collections and archives. Alford's work has also shown that Cecil considered policy holistically and did not, in his own mind, separate it up into the categories in which the state papers are currently arranged – Scotland was not, to Cecil, a separate category. This was an artificial separation imposed upon the material by the Victorian editors of the Calendars of State Papers, which has only served to create a further barrier between the historian and the mindset of those involved.⁸⁴ This thesis draws upon material located in the Public Records Office at Kew (under the reference SP53 for the reign of Mary, Queen of Scots, SP52 for Scotland, and SP59 for the uncalendared Border Papers), in addition to the State Papers which are to be found in the British Library (primarily in the Cotton Collection), the National Library of Scotland, the National

⁸⁰ G.R. Elton, *England, 1200-1640: The sources of history: studies in the uses of historical evidence* (London, 1969) p. 60.

⁸¹ Alford, *Cecil*, p. 13.

⁸² Mark Taviner, *Robert Beale and the Elizabethan Polity* (St Andrews University PhD thesis, 2000), p. 112.

⁸³ *Ibid.*, p.100.

⁸⁴ Alford, *Cecil*, p. 12.

Archives of Scotland (which contains letter books from the regents Lennox, Mar and Morton), and the Cecil Papers which are held in Hatfield House.⁸⁵

Rather than relying solely upon the printed calendars of State Papers, where possible, the original documents have been consulted. It is only by using the actual manuscript that the drafting and redrafting processes, with corrections and alterations, can be seen.⁸⁶ Such processes of insertion and amendment show to an even greater extent the way in which policy was debated and made. Even a slight alteration can be of immense importance, since the substituting of one phrase for another, rather than merely being a literary device, may be making a subtle ideological point, which can be missed in the printed edition.⁸⁷ Alterations written on in a different hand are also crucial in revealing influences over policy. Cecil, for example, has corrected draft documents – possibly after they had been approved by Elizabeth herself.⁸⁸

Within Scotland itself, in addition to the aforementioned State Papers, the Acts of Parliament of Scotland, and the Register of the Privy Council provide evidence as to the workings of government. Further correspondence between Scotland and France, and the reports of the French ambassadors are found in the volumes edited by Alexandre Teulet.⁸⁹ Other viewpoints are contained in contemporary diaries and memoirs, such as those of James Melville of Halhill,⁹⁰ the fifth Lord Herries, Pitscottie, Bannatyne (John Knox's secretary), and the anonymous author of the *Diurnal*.⁹¹ These men differed in their proximity to the centre of government, were writing with their own, often very obvious, agendas in mind, and in some cases, were writing several years after the events they described. Herries' *Memoirs*, for example, even if largely drafted during the period under discussion, were certainly edited by a much later member of the Maxwell family.⁹² Such works do not therefore necessarily provide the snapshot of contemporary opinion that they at first seem to offer, but are reflections upon the period, and often justifications of the individual's own actions, or the lawful nature of the cause they supported.

It has also been possible to find a limited amount of noble correspondence within Scotland, primarily that which involved the house of Argyll (transcribed by Jane Dawson), in addition to correspondence by the Hamiltons, Lennox and Morton (although for the latter two,

⁸⁵ Microfilm copies of these have been obtained.

⁸⁶ Alford's work on Cecil greatly emphasises this point: Alford, *Cecil*, passim.

⁸⁷ See below, pp. 74-5.

⁸⁸ See below, pp. 40, 102 for examples of this.

⁸⁹ Teulet, *Papiers*; Teulet, *Relations*.

⁹⁰ James Melville carried out diplomatic missions for both Mary, Queen of Scots and Moray.

⁹¹ The *Diurnal* appears to have three distinct authors, although the period from 1557 until June 1572 is by the same author, who seems to have been a contemporary to the events described.

⁹² Although this work may well have been drafted in part by the 5th Lord Herries, there is certainly evidence of a later author or editor, who has used various documents from the period. For example, when describing events shortly after Langside, he inserts the phrase 'as some wryte', and makes reference to other sources which were inserted 'ad longum in the original': Herries, *Memoirs*, pp. 104, 111.

much of this relates to their regencies).⁹³ There was less noble correspondence than originally expected, however, which is presumably owing to a predominantly oral culture, and to the fact that much politically sensitive material was to be destroyed after reading. Indeed, one letter used contained an instruction on the end of it that it should be burnt, an instruction that was clearly ignored but which nonetheless demonstrates the usual fate of letters such as this. Bonds between the magnates have also – with caution - been of use.⁹⁴ Several key political bonds were made in this period, in addition to the more usual bonds of manrent and mutual assistance.⁹⁵

Finally, a variety of sources which could collectively be described as propaganda have been drawn upon.⁹⁶ Neither Donaldson nor Cowan paid attention to the ideological debates of the period, or to the writings regarding kingship which were produced. At one end of the scale, there are the well known works by Buchanan – *De Jure Regni*, the *Detectio*, and his *History*.⁹⁷ Clearly acting as a propagandist for Moray, and the wider King's Party, Buchanan's works are one way to examine the ideology and political principles of its members. For the Queen's Party, Mary's honour was, as mentioned, defended by John Lesley, Bishop of Ross. Such ideas will be discussed throughout the thesis; particularly at the key moments of Mary's deposition, and the York-Westminster conference. At a more 'popular' level, a body of contemporary ballads exists, printed by Bassandyne for the Queen's Party, and by Lekprevik for the King's Party, many of which are collected by James Cranstoun.⁹⁸ These often vitriolic texts also show the arguments which were being used at the time, albeit in a diluted form. They were thus more accessible to contemporaries, and whilst they may not necessarily represent popular opinion, they nonetheless show the way in which the parties wished to try to shape opinion and justify the legitimacy of their actions. Furthermore, those produced by the King's Party contributed to the ways in which Moray's reputation as a staunch defender of Protestantism developed. Other propaganda includes placards posted by members of either party, together with images and several prose items, such as Buchanan's short pamphlets which were designed to discredit the political opponents of the King's Party – particularly the Hamiltons and Maitland of Lethington.⁹⁹ Indeed, the Civil War was as much a war of the pen as of the sword.

⁹³ Jane Dawson, *Transcripts of the Breadalbane Letters, 1548-1583, unpublished transcripts of NAS GD112/39/1-15 (2000)*; *Campbell Letters, 1559-1583 ed. J. Dawson (Scottish History Society, 2000)*.

⁹⁴ See below, pp. 68-70 for a discussion on the problems when using the Hamilton Bond.

⁹⁵ Wormald, *Lords and Men* pp. 170-412 for a list of bonds made in this period; specifically pp. 402-412 for political and religious bonds, involving larger numbers of signatories.

⁹⁶ Priscilla Bawcutt draws attention to the value in using such material: P. Bawcutt, 'Scottish Poetry and English Readers in the Sixteenth Century', in Sally Mapstone and Juliette Wood (eds.) *The Rose and the Thistle: Essays on the culture of late medieval and renaissance Scotland* (East Linton, 1998) p. 66.

⁹⁷ Roger A. Mason and Martin S. Smith (eds.), 'A Dialogue on the Law of Kingship among the Scots: A Critical Edition and Translation of George Buchanan's *De Iure Regni apud Scotos Dialogus*' (Aldershot, 2004); Gatherer (ed.), *The Tyrannous Reign of Mary Stewart* (Edinburgh, 1958).

⁹⁸ Cranstoun, *Satirical Poems*.

⁹⁹ For example: George Buchanan, 'Chameleon', printed in *The History of Scotland*, i, ed. Aikman, pp.xci-ci, and George Buchanan, *Ane Admonition direct to the trew Lordis mantenaris of the Kingis graces autoritie*. (Stirling, 1571, *STC*, 3967).

Chapter I: The Deposition of Mary, Queen of Scots and Moray's Assumption of the Regency

On 15 June 1567, Mary, Queen of Scots surrendered herself into the hands of Kirkcaldy of Grange, representative of the Confederate Lords. Less than two months later, she had been deposed as monarch, and her son James crowned as King. This chapter investigates why so many Scots had chosen to band together against their lawful sovereign, and what the Confederate Lords hoped to achieve. The extent to which they diverged in their aims and objectives, causing this coalition to fragment, and separate parties to emerge will be examined. Initially, the role that Moray himself played appears to be slight. He was proclaimed regent on 22 August, yet had been absent from Scotland until the 11th of that month.¹⁰⁰ This chapter, however, suggests that Moray had taken a keen interest in Mary's deposition from the start, and despite his absence from Scotland during the event itself, had nonetheless retained some level of influence. Although Maurice Lee has taken Moray's professed reluctance to assume the position at face value, this interpretation can also be challenged.¹⁰¹ The choice of Moray as regent will therefore be considered, as will the way in which both he himself, and the Confederate Lords, sought to justify their actions and gain further support, through what would have been seen as highly radical political language. At this early stage, however, there is some difficulty in attaching the labels of 'Queen's Party' and 'King's Party' to the groupings; arguably these terms cannot be used with any real accuracy until after Mary's escape in 1568, when the parties began to crystallise a little more clearly. Even then, in the confused and frequently changing political situation of the civil wars, it is crucial to appreciate the fluidity of affairs and recognise that these terms can prove somewhat misleading.

1.1 Mary's Deposition

When the Confederate Lords confronted their sovereign on the field of Carberry, their declared aims were threefold. They claimed that they wished to set Mary at liberty from her husband, Bothwell, to preserve both herself and her son, James, and to punish the murderers of Darnley.¹⁰² Bothwell, together with his accomplices in the murder, was to be brought to 'underly' [i.e. submit to] the laws of the realm.¹⁰³ As is frequently contended, the murder of Darnley had not in itself caused the breakdown of Mary's government.¹⁰⁴ Indeed, many of those taking up arms against the Queen had themselves played a part in it, and had been supportive of the plan to remove such an unwelcome influence on their sovereign. Whilst too politically astute to be an active participant himself, Moray was clearly one of this number. His opposition to Darnley had been demonstrated in 1565, when he had entered into open rebellion against Mary, fearing that such a marriage,

¹⁰⁰ Throckmorton to Cecil, 12 August 1567, SP52/14, f. 138r.

¹⁰¹ Lee, *Moray*, p. 209.

¹⁰² *RPC*, i, p. 519.

¹⁰³ Act of the Secret Council of Scotland, 12 June, *CSP Scot*, ii, 516.

¹⁰⁴ Loughlin, *Maitland*, p. 244.

together with the emergence of the Lennox party at court, would serve to limit, if not eliminate, his own influence over the direction of affairs. Although Moray had tried to encourage support by asserting that the Protestant religion was under threat, such an argument had had little effect, with even Knox distancing himself from the rebellion.¹⁰⁵ It is tempting to conclude that Moray had embarked upon the ‘Chaseabout’ rebellion as a response to the failure of his preferred policy, that of Anglo-Scottish amity, yet this policy had largely failed even before the Darnley marriage took place. Indeed, Mary’s choice of Darnley as husband was precipitated by Elizabeth I’s claim that she would make no pronouncement with regard to the succession until she herself had made a decision to marry. Nonetheless, Moray had believed – wrongly, as it turned out – that the marriage to Darnley would end any chance of amicable Anglo-Scottish relations. Although it certainly led to a cooling of Elizabeth’s friendship in the short term, negotiations were once again re-opened towards the end of 1566.¹⁰⁶ The marriage had not sounded a decisive death knell with regards to Anglo-Scottish amity, but it had severely limited Moray’s own role in any such negotiations, and weakened the ‘godly’ nature of such relations.¹⁰⁷

Despite a return to government after the Riccio murder in 1566, Moray had not been restored to the same unrivalled level of power as before. In 1567, he may therefore have seen the opportunity to regain his former political domination, yet wisely chose to absent himself from the deed itself. That he knew of it is almost certain, although he had arguably learnt from his experiences in 1565.¹⁰⁸ Then, he had gambled on gaining English assistance, and had not appreciated the strength of Elizabeth’s views on sovereignty. He was now aware that the murder of a king – even an unpopular king consort – would not be looked upon favourably by the English queen, and that active participation in the action would leave him politically vulnerable. His departure from Edinburgh on the very day before Darnley’s murder (explained away by Buchanan as the need to visit his wife, whose life was in danger after suffering a miscarriage) ensured that he had kept his hands clean, and would be able to rise, untainted, above the political fallout.¹⁰⁹ His subsequent decision to journey abroad ‘to see other countries’ was, as Bishop Mondovi, the papal nuncio to Scotland, perceived, to the same end.¹¹⁰ By 10 April he had left court, and was expected in Berwick.¹¹¹ Obviously, it can not be proven that he had the regency in mind at such an early stage. Indeed, he was careful to safeguard his position regardless of the outcome of

¹⁰⁵ Dawson, *Argyll*, p. 124. If Moray had genuinely wished to ensure Protestantism was preserved, he could have agreed to accept the Darnley marriage in exchange for more concessions towards the Kirk.

¹⁰⁶ Guy, *My Heart is My Own*, p. 287.

¹⁰⁷ Loughlin, *Maitland*, p. 239.

¹⁰⁸ Keith, *History*, iii, p. 293 (According to Maitland, Moray would ‘look through his fingers’ at it).

¹⁰⁹ Buchanan, *Detection* ed. Gatherer, pp. 19, 112, 114.

¹¹⁰ *Papal Negotiations with Mary, Queen of Scots during her Reign in Scotland 1561-7*, ed. J.H. Pollen (SHS, 1st ser. 37, Edinburgh, 1901), pp. 401-2; Moray to Cecil, 13 March 1567, *CSP Scot*, ii, 484. This letter was largely to impress upon the secretary that he had not been involved in the murder.

¹¹¹ Drury to Cecil, 10 April 1567, SP59/13, f. 20r; Drury to Cecil, in P.F. Tytler, *History of Scotland* (8 vols., Edinburgh, 1841-2), vii, p. 375. Dating of this letter is uncertain; it is thought by Tytler to date from about 15 April.

events, naming Mary as the guardian of his daughter in his will, a move which was designed to ingratiate himself with the Queen, in case he needed to return to power under her.¹¹²

Moray's foresight had caused him to leave the country at the right time, since Mary's behaviour after Darnley's death sealed her fate. In the face of international outcry, her failure even to appear to punish any of Darnley's murderers was misguided and, since the administration of justice was a key element of kingship, caused support for her to dwindle to dangerously low levels.¹¹³ From May 1567, Mary's hasty remarriage to the alleged chief murderer, Bothwell, and crucially, her overwhelming reliance on him in political affairs, destabilised the government, as it once again alienated leading members of the nobility, causing them to fear for their own influence.¹¹⁴ The Earl of Mar, for example, was removed from his office as Captain of Edinburgh Castle, and replaced with one of Bothwell's chief supporters, Cockburn of Skirling.¹¹⁵ Evidence survives from as early as 1 May 1567, even before the marriage had actually taken place, that the Lords were planning to act. The Stirling Bond, pre-empting one of the objectives of the Confederate Lords, aimed to rescue Mary from Bothwell, after he had taken her to Dunbar.¹¹⁶ Although this Bond was signed by only six men, Robert Melville describes the signatories as 'having the minds of most of the nobility'.¹¹⁷ The thrust of the proclamation of 11 June, regarding Mary's 'captivity' (meaning not her physical imprisonment, but rather the hold and monopoly of advice that Bothwell had over her), was that she was not 'abill to governe her realme and subjectis *be the avyise of the nobilitie and subjectis thair of*' nor to ensure Bothwell received a fair trial.¹¹⁸ The bond of 15 June complained that he was keeping Mary as a prisoner, preventing her own nobility from gaining access to her, and permitting her to see them only if Bothwell himself was also present. Throckmorton was later informed at more length that the Lords had been denied 'the libertie of fre speeche', and that Bothwell had made men pass through 'rankes of harquebusiers'.¹¹⁹

¹¹² *Reg. Hon. Morton*, p. 17.

¹¹³ James Melville mentioned the 'crying out of all uther nations generally against all Scottishmen', *Memoirs*, p. 181; Kirkcaldy of Grange to Bedford, 20 April 1567, *CSP Scot*, ii, 493 wrote that Mary's failure to pursue revenge for the murder meant that she had lost the favour that was borne to her previously. There was a 'trial' of sorts, which resulted in Bothwell's acquittal, but no-one could take this seriously.

¹¹⁴ Melville wrote that 'everyone suspected the Earl Bothwell': Melville, *Memoirs*, p. 174. Answer of the Lords of Scotland to Throckmorton, 20 July 1567, Add. 4126 f. 122r questioned 'quhat wes the office of the nobilitie?' Lynch, *Mary Stewart*, p. 13, argues that insecurity was present amongst the ancient nobility from 1565 onwards.

¹¹⁵ Lee, *Moray*, p. 193, gives the date as 21 March 1567, although it is 20 March in the *Diurnal*, p. 107. He was also appointed as comptroller, in the place of Tullibardine.

¹¹⁶ Wormald, *Lords and Men*, p. 406. This Bond was signed by Argyll, Atholl, Mar, Morton, John Graham, and Murray of Tullibardine: *RPC*, xiv, p. 315.

¹¹⁷ Robert Melville reports on the Stirling bond: 7 May 1567, *CSP Scot*, ii, 501; as does Kirkcaldy of Grange to Bedford, 8 May 1567, *CSPF 1566-68*, 1181, and adds that those who signed the actual bond were supported by Glencairn, Cassillis, Eglinton, Montrose, Caithness, Lords Boyd, Ochiltree, Ruthven, Drummond, Gray, Glamis, Innermeath, Lindsay, Hume and Herries.

¹¹⁸ *RPC*, i, p. 517, italics for emphasis.

¹¹⁹ *Ibid.*, p. 522; Answer of the Lords of Scotland to Throckmorton, 20 July 1567, Add. 4126, f. 121v.

The attempt by the Confederate Lords was arguably seen by some as a genuine endeavour to resolve this dearth of counsel, and to move Mary to readmit those who considered themselves to be her natural born counsellors. Throckmorton, the English ambassador, reported the complaints of some unnamed Lords that Mary had either been advised by bad counsel, or no counsel at all.¹²⁰ Whilst in theory, counsel could be held to be a duty and not a right, many nobles believed that it was in fact their birthright. Furthermore, it was able to legitimate monarchy and prevent it from becoming tyranny. As John Guy writes, ‘by curbing human passions and mitigating misjudgements, “good counsel” stood between order and chaos ... it was the touchstone of government’.¹²¹ Although plans had recently been drawn up for small groups of councillors to serve in rotation, certain individuals (such as Glencairn, Ruthven and Lindsay) remained excluded.¹²² Whilst others – Morton and Rothes, for example – had been offered a role, at least on paper, in this new format, it was questionable whether under Bothwell’s influence it would ever have worked. It was, as Wormald argues, a final (but futile) attempt to recreate the political consensus that Bothwell himself had destroyed.¹²³

Action at this time does not appear to have been taken because of Mary’s own alleged complicity in the murder of Darnley; this was used as a later justification by those who took up arms against her. In the same vein, there was no suggestion in any of the statements made by the Confederate Lords *before* Carberry that Mary’s religious policies or personal beliefs had in any way contributed to their decision to take action against her. Indeed, concessions had been granted to the Protestants, both at the start of Mary’s personal reign, where she had recognised and safeguarded the Kirk, as well as in its final stages. Her marriage to Bothwell had been by Protestant rites, and the recent parliamentary legislation of April 1567, presumably forming part of a last ditch attempt to gain support, had been favourable to the reformers.¹²⁴ The emphasis on Mary’s ‘idolatrous’ behaviour would come later, when the Lords sought justifications for their actions.

Despite their gallant aims, and ‘speciall cair of the deliverance of our Soveranes maist nobill persoun’,¹²⁵ the Confederate Lords did not give Mary her promised freedom from ‘thraldom, bondage and ignominy’.¹²⁶ On the contrary, two days later, she found herself imprisoned on the island of Lochleven, at the mercy of her recalcitrant nobility. The Lords excused their actions by claiming that Mary’s continued refusal to separate from Bothwell meant

¹²⁰ Throckmorton to Elizabeth, 26 July 1567, SP52/14, f. 85v.

¹²¹ John Guy, ‘The Henrician age’, in *The Varieties of British Political Thought 1500-1800* ed. J.G.A Pocock; John Beaton to the Archbishop of Glasgow, 11-17 June 1567, Sloane 3199, f. 152v.

¹²² *RPC*, i, p. 512. The councillors who had been attending, prior to this plan, were Bothwell, Huntly, Crawford, Fleming, Herries, Boyd, Oliphant, Archbishop Hamilton and the Bishops of Ross, Orkney and Whithorn. Argyll was present on 28 May but not after this date.

¹²³ Wormald, *Mary*, p. 167.

¹²⁴ She also made a proclamation designed to reassure those of the religion: May 23 1567, *RPC*, i, p. 513.

¹²⁵ *Ibid.*, p. 519.

¹²⁶ ‘Bond of the Confederate Lords’, 15 June 1567, *CSP Scot*, ii, 521.

that they had no other choice but to keep her in confinement.¹²⁷ Since she was believed to be pregnant at this point, concern for the legitimacy of her unborn child presumably influenced her decision.¹²⁸ However, Bothwell had fled from Carberry, and although still in Scotland, was no longer physically present with Mary. To that extent, she *had* been liberated from him, although it was argued that if she were freed from captivity, she would simply recall him.¹²⁹ Had the rhetoric of liberating Mary from her tyrannous husband been merely a sham, or had the moderate members of the Confederate Lords been overruled by those with more radical tendencies? It was not clear from the outset that the entire body of Confederate Lords had ever intended to go as far as the deposition of Mary, or even to keep her imprisoned for any length of time.

The original coalition had the capacity to contain a 'great diversitie of opinion', since there was a much greater body of support for actions which did not necessarily envisage the deposition of a sovereign monarch.¹³⁰ It appears as if the desire to remove evil counsel from Mary was genuinely the view held by some of the Confederate Lords, and that they did not necessarily intend to take any more extreme action. Arguably many believed that an enforced separation from Bothwell would be all that was required to enable Mary to 'come to her senses', resume her position as rightful queen, and re-employ themselves as her advisors. Kirkcaldy of Grange, for example, had written to Bedford in May, after Mary had allegedly been raped by Bothwell, asking Elizabeth for aid in seeking Mary's liberty and pursuing the Earl, which he was unlikely to have done had he been aware that anything more extreme was intended.¹³¹ Some of those who had been provoked by a fear of exclusion into joining the Confederate Lords may have hoped simply to impose a representative council upon Mary, rather than aiming at her actual downfall. Nonetheless, for the more radical lords, including such individuals as Morton and Glencairn, Mary's permanent removal from power was arguably in mind from the very beginning. Indeed, when reporting on the Stirling Bond in May, Sir William Drury, the Marshal of Berwick, reported that some of the lords wished to see James crowned if Mary chose to marry Bothwell.¹³² Although there are – unsurprisingly – no surviving documents to confirm that deposition was ever part of the original agenda, Drury's comments suggest that it had at least been considered by some of the more 'hardline' lords.¹³³ Whilst some of the more militant had perhaps envisaged such

¹²⁷ Act for sequestrating Mary's person, 16 June 1567, NLS MS 76, f. 52r. This was signed by Atholl, Glencairn, Morton, Mar, J Graham (the Master of Montrose), Lords Hume, Sanquhar, Sempill and Ochiltree. Warrant of Scottish Council to William Douglas of Lochleven for the detention of Mary, Queen of Scots, 6 June 1567, Sloane 3199, f. 3r. This was signed by Atholl, Morton, Glencairn, Mar, Graham, Sanquhar, Sempill and Ochiltree.

¹²⁸ Throckmorton to Elizabeth, 18 July 1567, SP52/14, f. 49v, wrote that 'by renouncyng Bodwell she should acknowledge her selfe to be w[i]th chylde of a Bastarde and to have forfaycted her honoure'.

¹²⁹ Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 25r.

¹³⁰ Calderwood, *History*, ii, p. 366; Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 96v commented on the 'great varyetye' amongst them; Throckmorton to Cecil, 18 July 1567, SP52/14, f. 51r.

¹³¹ Kirkcaldy of Grange to Bedford, 8 May 1567, *CSP Scot*, ii, 502.

¹³² Drury to Cecil, 6 May 1567, SP59/13, f. 68r.

¹³³ This is only to be expected – it would have been highly unlikely, due to the potential danger if plans went awry, for a letter, bond or other document to have been kept which would confirm such an extreme manifesto.

extreme measures, they had clearly been unwilling to publicise these, foreseeing the lack of support. Moray's own viewpoint at this stage is unknown, but despite his absence from Scotland, his hand can be seen in the choice of the location for Mary's imprisonment. The Earl was the son of Margaret Erskine, with whom he had remained in close contact. She was also the mother of William Douglas, the Laird of Lochleven.¹³⁴ Committing Mary to the charge of Moray's own half-brother, who had hitherto played little part in political affairs, does suggest that Moray was planning to reassert his authority in one way or another. Yet it was not clear at this early stage exactly what form this power was to take.

Whilst it had been possible to hold the lords together before Mary had been imprisoned, after her transfer to Lochleven it was a different story. Almost immediately after Carberry, suspicions re-emerged that some wished to crown James as king, with Mary's deposition being the necessary prerequisite.¹³⁵ Such rumours were reported by the Spanish ambassador; and the English Earl of Bedford, who had been stationed in the Borders, remarked upon the 'pretend' nature of the Confederate Lords' outward statements.¹³⁶ If the intention had from the beginning been to crown James, it must be questioned why the Lords took over a month to do so. Drury reported to Elizabeth that the Confederates were waiting until they gained her approval for their former actions, yet the real reason for the delay was surely due to the lack of a predetermined plan of action, and lack of support for the more radical measures.¹³⁷ Indeed, Throckmorton stressed the confusion amongst the Lords.¹³⁸ Atholl, in requesting the assistance of his cousin german, Colin Campbell of Glenorchy, shortly before Carberry, had explained that it was 'only our intention to punyss ye merthur of ye King ... and to presereff ye Prince and comowun welth of yis realm', and that they did not mean 'nay vyerwayis'.¹³⁹ Admittedly, such sensitive political information as the intended fate of their monarch was unlikely to be conveyed by letter, yet Atholl does emphasise the speed of recent proceedings, implying that decisions were being taken on an *ad hoc* basis.¹⁴⁰ His letter suggests that events were being reacted to as they unfolded – 'it com say suddanly' – rather than functioning as steps in any master plan.¹⁴¹ Whilst it could be argued that, since the motivation behind this letter was to gain Campbell's (and thus presumably Argyll's) support, Atholl would have been unlikely to mention anything more radical than the stated confederate aims, he does suggest that Campbell tests the water, as it were, before committing himself, perhaps an indication that Atholl himself was unsure as to what would happen next.¹⁴²

¹³⁴ Margaret H. B. Sanderson, 'Douglas, William, sixth earl of Morton (c.1540–1606)', *ODNB* [<http://www.oxforddnb.com/view/article/7930>].

¹³⁵ Grange to Bedford, 20 June 1567, *CSP Scot*, ii, 526.

¹³⁶ Bedford to Leicester, 15 June 1567, SP59/13, f. 96r.

¹³⁷ Drury to Cecil, 20 June 1567, SP59/13, f. 174v.

¹³⁸ Throckmorton to Cecil, 18 July 1567, SP52/14, f. 51r.

¹³⁹ Atholl to Glenorchy, 1 June 1567, NAS GD112/39/6/20 (transcribed by Jane Dawson).

¹⁴⁰ See Jane Dawson, *Campbell Letters*, pp. 4-7 for the role of correspondence in this period.

¹⁴¹ Atholl to Glenorchy, 1 June 1567, NAS GD112/39/6/20 (transcribed by Jane Dawson).

¹⁴² As a Stewart, with links to the Lennox family, Atholl was arguably keen to revenge the murder of Darnley.

The Earl of Argyll, however, was one who clearly found the developments too extreme. As Jane Dawson has shown, he may have been able to countenance rebellion against a monarch, in order to restrain actions which he perceived to be against the best interests of the common weal, but deposition was a step too far.¹⁴³ Within one week of Carberry, such ideological conservatism on Argyll's part had led to the unlikely formation of an alliance with the Hamiltons.¹⁴⁴ Although Argyll had an existing link to the Hamilton family, Châtelherault being his uncle (on his mother's side), his change in allegiance cannot be attributed to mere family loyalties. Argyll's actions also lend weight to the contention that there had been no plans beyond the immediate objectives stated, since if he had been aware of any more radical intentions, it is unlikely that he would have ever joined the confederacy. The loss of Argyll, one of the most powerful magnates in Scotland, would be felt particularly keenly by the confederates, who tried anxiously to win back his support, sending both Maitland of Lethington and Glencairn to talk with him.¹⁴⁵

Those who intended more extreme measures – individuals such as Morton, Ruthven, Lindsay and Glencairn – had clearly realised that gaining support depended, particularly in its initial stages, on the outward assumption of a less hardline position. The problem they now faced was how to sell their plans to the rest of the political nation and muster support for further action. They were fortunate to an extent in that they were aided by popular sentiment, which had seemingly turned against Mary already, although the spontaneity of the verbal attacks on Mary by the residents of Edinburgh when she was led through the town after Carberry is debatable.¹⁴⁶ Contemporary views on gender, in which the male virtues of reason and rationality were replaced in females by such negative characteristics as passion and frailty, also worked in their favour, and could be exploited by images depicting Mary as a mermaid (symbolising a prostitute), and ballads likening her to Delilah, Jesabel, and Clytemnestra. However, the drastic nature of deposition can not be emphasised enough: whilst the removal of a monarch was not an unheard of phenomenon in Scottish kingship, it had never been done in such a legal sense before. It was the most extreme measure, short of death, which was available to the lords, and certainly something that was not embarked upon lightly. Indeed, as the events of 1559-60 had shown, the Scots were an instinctively conservative nation with a proven reluctance to resist royal authority.¹⁴⁷

It was therefore necessary to use printed propaganda to try to gain support. Ballads produced in the immediate aftermath of Carberry, such as 'Heir followis ane Exhortatioun to the

¹⁴³ As seen in the Chaseabout raid and Carberry itself; Dawson, *Argyll*, p. 151.

¹⁴⁴ *Ibid.*, p. 151; Drury to Cecil, 19 June 1567, SP59/13 f. 164r.

¹⁴⁵ The Confederates feared he was preparing to lead an army to free Mary with force: *Diurnal*, pp. 116-7.

¹⁴⁶ Indeed, what seemed like a popular reaction could actually be orchestrated; when a priest had eggs thrown at him in 1565, for example, John Guy has shown that the large number of eggs thrown indicate that they had been provided beforehand, and that this action had powerful backers: Guy, *My Heart is My Own*, p. 219.

¹⁴⁷ This had been shown in 1559-60: Mason, 'Covenant and Commonwealth: the language of politics in Reformation Scotland', in Norman Macdougall (ed.), *Church, Politics and Society: Scotland 1408-1929* (Edinburgh, 1983), p. 106. Furthermore, whilst John Knox had eventually developed a form of resistance theory, it had taken him a great deal of time and effort before he was finally able to overcome the Pauline injunction of Romans 13, which stated that superior powers must be obeyed.

Lordis', warned of the dangers of ever setting Mary free again, urging the Lords to keep her in captivity, else they would suffer 'baith skaith and shame'.¹⁴⁸ The need for such propaganda demonstrates the lack of consensus amongst the Confederate Lords regarding Mary's imprisonment, and the effort needed to unite them in opinion. Printing was an expensive option, and the fact that there were at least four ballads produced before the end of August is testimony to the Confederate Lords' urgent need to retain their existing followers, regain former supporters, and justify their conduct to the rest of the political nation.¹⁴⁹ Even if a relatively small number of these ballads had been printed, the form in which they were produced meant that the ideas contained within them could still be disseminated fairly widely, since as Cranstoun points out, they were usually on only one sheet of paper, and designed to be conveyed around the country.¹⁵⁰ Parts of Scotland were largely dominated by an oral culture, and thus the format of the propaganda, which lent itself to being read, or even performed, enabled the message within to reach wider numbers.¹⁵¹ Although it is known that the broadsides were printed by Lekprevik, who was later to become official King's Printer, it is difficult to determine exactly who was behind the propaganda.¹⁵² Many broadsides are traditionally attributed to Robert Sempill, about whom there is little information.¹⁵³ It is strange that someone who allegedly made such an important contribution has scarcely been mentioned by contemporaries, and Sempill was possibly a pseudonym. Furthermore, even if we could be reasonably sure of their authorship, it is not known whether these ballads were commissioned, and by whom, or whether he produced them of his own volition. Due to the costs involved, it appears unlikely that he would have published them independently, and it is possible that someone such as Morton, who had the financial means, may have been his backer. Moreover, as will be shown, whilst there may have been a shared goal

¹⁴⁸ 'Heir followis ane Exhortatioun to the Lordis' in Cranstoun (ed.), *Satirical Poems*, i, pp. 46-51.

¹⁴⁹ These ballads were: 'Heir followis ane Exhortatioun to the Lordis', 'Ane Declaratioun of the Lordis iust quarrel', 'Ane Ansr maid to ye Slanderaris yt blasphemis ye Regent and ye rest of ye Lordis', and 'Ane Exhortatioun drect to my Lord Regent and to the Rest of the Lordis accomplis', printed in Cranstoun (ed.), *Satirical Poems*, i, pp. 46-57. Christine Gascoigne, former Keeper of Rare Books at St Andrews, has estimated that print runs in this period stretched only to about 300 copies. Despite Walton's belief that they are addressed to the 'lower classes' rather than the nobility (Walton, *Catholic Queen*, p. 148), the 'Lordis' of the title were certainly amongst the targets. Indeed, the ballads arguably worked on a variety of levels.

¹⁵⁰ Cranstoun (ed.), *Satirical Poems*, i, p. x.

¹⁵¹ They were in the vernacular, in verse form, often with colourful language, making them more accessible to a wider audience. It is possible that some of the ballads were set to popular tunes. Kristin Post Walton suggests that they may even have been repeated in the alehouses, spreading the message still further: Walton, *Catholic Queen*, p. 145. However, despite Walton's belief that they were addressed to the 'lower classes' rather than the nobility (Walton, *Catholic Queen*, p. 148), the 'Lordis' of the title were certainly amongst the targets. Indeed, the ballads arguably worked on a variety of levels.

¹⁵² Lekprevik was appointed as official royal printer on 14 January 1568: *RSS*, vi, p. 28.

¹⁵³ He is mentioned as having written a play in 1568: Birrell, *Diary*, p. 14, and Bawcutt notes that the treasurers' accounts show payments to a 'Sempill' for entertainment, between 1567 and 1570: Priscilla J. Bawcutt, 'Sempill, Robert (d. 1595?)', *ODNB* [<http://www.oxforddnb.com/view/article/25075>]; Bawcutt, 'Scottish Poetry and English Readers in the Sixteenth Century', in Sally Mapstone and Juliette Wood (eds.), *The Rose and the Thistle: Essays on the culture of late medieval and renaissance Scotland* (East Linton, 1998), p. 66. It must also be noted that he was a different Sempill to the Catholic Lord Sempill who was a supporter of the King's Party. Lord Sempill was unlikely to have been writing ballads urging reform in religion.

behind the various broadsides, the means used within the propaganda vary, and it is difficult to imagine such divergent approaches emanated from the same mind. The role of ‘Sempill’, perhaps, was to incorporate the radical political theory held by some of the greatest minds of the period, into a form that was more easily assimilated by others. Indeed, the very name, ‘Sempill’, meaning ‘simple’, may well have been chosen intentionally.

It has already been asserted by Roger Mason that George Buchanan’s *De Jure Regni* was composed in 1567, in order to justify Mary’s deposition, although the changes to the political situation occasioned by Mary’s flight into England in 1568 meant that it was not published at this time, and did not in fact reach print until 1579.¹⁵⁴ However, the ideas present within *De Jure Regni* appear to have been in circulation at this stage, finding an outlet in the broadsides. Whilst it cannot be proven that Sempill had any direct link with George Buchanan, Buchanan’s role as moderator of the June General Assembly had put him at the heart of political affairs, and he would have been in contact with some of the leading Confederate Lords, enabling his ideas to reach Sempill.¹⁵⁵ An individual such as James MacGill, for example, whose home was used as a meeting place by the leading members of the General Assembly, may have facilitated the circulation of these ideas. As early as July 1567, a view of elective monarchy was published in a form which was accessible to the population. ‘Ane Declaratioun of the Lordis iust quarrell’ is dated in both Cranstoun and the *Annals of Scottish Printing* as August 1567, yet on 19 July, when writing to William Cecil, Throckmorton enclosed what he described as a ‘tragical dialogue’ from a ‘poetts shoppe’, believing that the Lords meant to ‘performe the effecte’ contained within.¹⁵⁶ It seems likely that the dialogue he referred to was ‘Ane Declaratioun’.¹⁵⁷ Indeed, it is impossible to concur with Cranstoun that this was produced in August, as by then, Mary had already signed the papers of forced abdication, and James had been crowned. ‘Ane Declaratioun’ is written as if no such action had been taken and certainly contains no sense that she had abdicated of her own free will, as was the preferred fiction whilst she remained imprisoned.

The origins of authority were discussed here, set out in the form of a Socratic dialogue (as was *De Jure Regni*). The stronger and more persuasive character, Philandrius, argued that in the very beginning, the ‘ruid pepill assemblit thame togidder, And maid thair kings’, by the use of ‘votis’. The names used suggest the relative personalities and strengths of the characters – Philandrius as virtuous and manly, Erideilus as fearful, symbolising the fears of the nobility in taking such radical action.¹⁵⁸ It is undoubtedly significant that the publication of this poem was around the time of the General Assembly in which a new coronation oath was fashioned (although

¹⁵⁴ Roger A Mason, *Kingship and the Commonweal*, p. 191.

¹⁵⁵ *BUK*, p. 107.

¹⁵⁶ ‘Ane Declaratioun’, 1567, SP 52/14, f. 53r. A later hand has added the date of August to it.

¹⁵⁷ Throckmorton again refers to this ballad, which he claims was printed ‘twoe dayes past’:
Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 101v.

¹⁵⁸ Cranstoun, *Satirical Poems*, ii, p. 50.

would never actually be used).¹⁵⁹ This oath had an explicit stress on the idea of a ‘mutuall and reciprocous’ contract between king and people; ‘mutual’ and ‘reciprocal’ being terms used by Buchanan himself in *De Jure Regni*.¹⁶⁰ Whilst there is no mention of a contract as such in the ballad, it is clearly implied. Thus, even if Buchanan himself did not pen the verses, it is likely that his ideas had been discussed either at an official meeting of the General Assembly, or at one of the sub-committees which met in private houses.¹⁶¹ It is also significant that on 18 July, Throckmorton noted that two leading members of the General Assembly, ministers John Knox and John Craig, were both preaching vehemently against Mary, and were furnished with arguments, including some grounded upon the ‘lawes of thys Realme, and the ‘condycyons and othe’ made at Mary’s own coronation.¹⁶²

Contrary to other ballads at the time, ‘Ane Declaratioun’ is entirely secular, and claims that since the people had given power to the prince, if this was abused, then the subjects may ‘put ane ordoure to the heid, gif it fra vice can not be callit back’.¹⁶³ Consequently, much effort is expended on demonstrating the vices displayed by both Bothwell and Mary. Bothwell is given far more savage treatment, described variously as a ‘huirmaister’, ‘Kingslayar’, and ‘bowdin bludy beist’.¹⁶⁴ Mary’s own personal vices are not made as explicit, rather her marriage to Bothwell seems to imply her guilt, although she is not portrayed merely as a passive victim of Bothwell’s will, but as an active collaborator. This ballad completely ignores any reference to Mary’s Catholicism and the issue of moral vice clearly predominates. Boece’s ancient Scottish kings also feature here, in order to provide historical support for the contention that monarchs might be lawfully deposed by those who had chosen them.¹⁶⁵ Evenus, the sixteenth king, for example, was deposed for his lustful behaviour – a blatant parallel with Mary herself. This was not just a peculiarly Scottish phenomenon; examples were also drawn from the classical world, with references to Sardanapalus and Nero, which would have been familiar to the Scots.

But what exactly was the ‘effecte within’ of which Throckmorton wrote? Throckmorton had feared since before Carberry that some of the Confederates had intended Mary’s deposition, and, in the case of the Kirk radicals, even her death.¹⁶⁶ Yet in the ballad, although efforts are made to justify the deposition of a monarch, there is a slightly ambiguous tone and it is not entirely clear that the deposition of Mary was intended. Whilst it is certainly the case that kings are to be called to account for their behaviour, and that they may be deposed for failing to reform, the conclusion to this ballad is somewhat tempered. It does not in fact end with a call for the

¹⁵⁹ Buchanan was chosen as moderator on 25 June– before either of the suggested publication dates of the ballad. This Assembly was put off until July however, when Craig became moderator: *BUK*, p. 107.

¹⁶⁰ *BUK*, p. 107; *De Jure Regni* (ed. Mason), p. lxii.

¹⁶¹ McGill’s house was used as a meeting place: *BUK*, 21 July 1567, p. 103.

¹⁶² Throckmorton to Elizabeth, 18 July 1567, SP52/14, f. 49v.

¹⁶³ ‘Ane Declaratioun’, in Cranstoun (ed.), *Satirical Poems*, i, p. 62.

¹⁶⁴ *Ibid.*, pp. 60, 62, 64.

¹⁶⁵ Evenus, Conarus, Ferquhaird, Donald, and Ethus are mentioned. These kings are met once again in the 1571 memorial, which the King’s Party presented in England to justify the deposition of a monarch: 28 February, 1571, Cot. Calig. CII, ff. 520r-526v.

¹⁶⁶ Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 97v.

nobles to rise up and depose their monarch immediately, but merely argues that they do right in keeping her in such straight confinement. If this ballad was commissioned by the radical noble faction, it is indicative of the need to retain more moderate supporters, by providing the theory for deposition and ensuring it reached the public domain, yet focusing on the less extreme measure of simply restraining a monarch. Deposition is portrayed in the ballad only as a last resort – such a portrayal perhaps aiming to unite the divergent opinions within the Confederates. The professed aim is still to ensure that Bothwell gets ‘ane iust rewarid’ and even the imprisonment of Mary is not necessarily viewed as a permanent measure.¹⁶⁷ At the same time, some of the nobles who favoured deposition were anxious to ensure that the most extreme views of all, those of the Kirk ministers calling for Mary’s death, did not take hold amongst the population.¹⁶⁸ Despite the radical nature of this ballad, it is therefore only the nobility who are given the job of reforming the monarch – whilst its authors might be revolutionary in some respects, they still intended the traditional social order to remain intact.¹⁶⁹ It is for this reason that there was no exhortation for the people to rise up against Mary; they were not intending to encourage popular uprisings but merely to gain a more passive form of popular support. There is a similar conclusion to ‘Ane Exhortation’, also dated July, in which it was not merely the right of the nobility, but their duty – ‘gif ye be lashe [lax] ye ar to blame’ – to ensure justice throughout the land if the monarch has failed.¹⁷⁰ The thrust of that ballad was not for the nobles to depose their queen, but to ensure that she was safely kept until there could be a fair trial for Darnley’s murder. Again, there seemed to be a certain amount of reluctance openly to advocate any more radical action – ‘lat na man through yow harmit be’ – and a desire for the nobles to unite in opinion. Clearly the nobility were wary of unleashing forces they might not be able to control.

1.2: The Coronation of James VI and Moray’s Assumption of the Regency

There was little time for such arguments to be digested, however, for by the end of July, the radical noble faction amongst the Confederate Lords had triumphed. Things had moved quickly, since it had not been until 21 July that Throckmorton had received ‘assured intelligence’ of what was to happen.¹⁷¹ Support had been given to the Confederate Lords from the General Assembly, which was held in Edinburgh from this date, and possibly this support had encouraged them to take immediate action. It was also at this time that Mary suffered a miscarriage, leaving her with no further reason to adhere to Bothwell, arguably causing the Confederate Lords to act swiftly, lest sympathy should swing back to the Queen. On 23 July, Lord Lindsay and Robert Melville

¹⁶⁷ ‘Ane Declaratioun’, in Cranstoun (ed.), *Satirical Poems*, i, p. 64.

¹⁶⁸ Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 36r; Throckmorton to Cecil, 18 July 1567, SP52/14, f. 51r

¹⁶⁹ ‘Ane Declaratioun’, in Cranstoun (ed.), *Satirical Poems*, i, p. 58.

¹⁷⁰ ‘Heir followis ane Exhortatioun to the Lordis’ in Cranstoun (ed.), *Satirical Poems*, i, p. 48. This ballad, however, does not contain ideas of elective monarchy.

¹⁷¹ Throckmorton to Elizabeth, 21 July 1567, SP52/14, f. 59v.

departed for Lochleven, bearing three legal instruments to be signed by Mary. One contained her consent to have James crowned king, and to relinquish the government, one was a commission of regency to be granted to the Earl of Moray during the King's minority, and the third, a like commission to certain of the nobility in case Moray should refuse to take on the regency alone.¹⁷² These nobles were Châtelherault, Lennox, Argyll, Atholl, Morton, Glencairn, and Mar.¹⁷³ This third commission may have been drawn up in order to indicate that these men, two of whom were Moray's rivals, were valued members of government, and was thus designed to ensure their continued political loyalty, or, in the case of Châtelherault and Argyll, to try to win them over to the Confederate cause. By the use of such documents, the Confederate Lords were also able to present the deposition of their monarch as her abdication, of crucial importance when dealing with foreign powers. They could claim it was of her own free will, regardless of the fact that in all probability, her life was threatened in order to procure her signature.¹⁷⁴ Indeed, if it had genuinely been of her own free will, it is likely the Lords would have called upon an independent witness, such as Throckmorton, to testify that this was the case, rather than having the documents signed in private. It may also be for this reason that the printed ballads held back from advocating Mary's deposition, since it would be incompatible with the assertion that Mary had voluntarily resigned the crown.

Once Mary's signature had been acquired, events continued to move apace. Orders for the necessary materials and clothing for James's coronation were made on 26 July, with the furrier ordered to 'mak expeditioun',¹⁷⁵ and three days later, the baby prince was crowned in Stirling.¹⁷⁶ Low attendance at James's coronation, however, shows the decline in support amongst the nobility for the more radical measures. Argyll, along with Boyd, Caithness, Cassillis, Eglinton and Herries, despite their previous involvement, all chose to absent themselves from the coronation. Out of the twelve earls and fourteen lords who had numbered among the Confederates, only five earls appear on the list of those present at the coronation, along with eight lords – almost half the original number.¹⁷⁷ The 'heavyweights', Mar, Morton, Glencairn, Ruthven and Lindsay were there, also Maitland of Lethington, and we now begin to witness a shift towards the early formation of what may be termed the King's Party.¹⁷⁸ The sederunts of the meetings of the Privy Council throughout June and July also show consistent attendance by those who appear committed to the Confederates, and form the core of the later King's Party – Morton, Atholl, Mar,

¹⁷² Throckmorton to Elizabeth, 26 July 1567, SP52/14, f. 83r; *RPC*, i, pp. 531-533.

¹⁷³ *RPC*, i, pp. 540-541; Throckmorton to Elizabeth, 18 July 1567, SP52/14, f. 49r notes that Huntly was also on this list, although this was untrue, see below p. 61.

¹⁷⁴ Robert Melville to Elizabeth, 29 July 1567, SP52/14, f. 97r. The timing of this action is also significant – Mary was in a particularly weak state of health, both physically and mentally, having just miscarried twins. Later accounts stress that Mary's life was threatened in order to procure her signature – although these are written by supporters such as John Leslie, e.g. 'Bishop Lesley's Discourse', 1571, Adv. MS. 35.4.1, f. 12v.

¹⁷⁵ *TA*, xii, p. 67.

¹⁷⁶ Robert Melville to Elizabeth, 29 July 1567, SP52/14, f. 97r.

¹⁷⁷ *RPC*, i, p. 537.

¹⁷⁸ *Diurnal*, p. 118. It was these men who had put their names to the act detaining Mary in Lochleven.

Glencairn, Hume, Ruthven, Lindsay, Sempill, Sanquhar and Ochiltree.¹⁷⁹ Atholl, who had earlier appeared to have doubts about the extremity of the Confederate actions, was also present and played a leading role by placing the crown on the prince's head. Morton and Erskine of Dun took the coronation oath on James's behalf, and Ruthven and Lindsay publicly testified that Mary had abdicated without compulsion.¹⁸⁰

Donaldson feels lack of support for the coronation and regency is even more pronounced than the lists of those present suggest. Drawing upon Melville's *Memoirs*, he accepted uncritically that a group of 'secret favourers' of Mary existed within the nascent King's Party.¹⁸¹ Melville had argued that this group, which included Mar, Atholl, Lethington, Grange and Tullibardine, still bore love to the Queen and 'had entred upon that enterprys only for the saiffety of the Prince, and punissement of the Kingis mourther'. He believed their prime intention was simply to free Mary from evil company, with the hope that once she had repented of her marriage to Bothwell, 'the tym mycht bring on sic ane occasion, that they wald all wiss hir at libertie to reull over them'.¹⁸² Yet Melville, although positioned at the heart of events, did not write his *Memoirs* until post-1603, and was not always the most reliable witness.¹⁸³ Mar and Atholl, for example, were lynchpins of the early King's Party and can not be seen as covert supporters of Mary.¹⁸⁴ Melville's admiration of Kirkcaldy of Grange also caused him consistently to credit Grange with pro-Marian intentions. Whilst Grange does in fact emerge by 1571 as one of Mary's most staunch supporters, this was not apparent from the outset, and Melville was trying to impose a consistency on his actions which simply did not exist. Family links also influenced his adulatory treatment of Grange: the laird was married to Janet, daughter of Sir John Melville of Raith, who was the father of James Melville himself.¹⁸⁵

Whilst the label 'secret favourer' can not be applied to Grange from this early date, his initial motivations are difficult to assess. He was notably absent from the coronation of James VI, and his actions suggest that he was largely motivated by enmity to Bothwell.¹⁸⁶ Indeed, Elizabeth Bonner perceives a long-standing mutual dislike between Grange and Bothwell, which may have been based upon the latter's anti-English sentiments.¹⁸⁷ Yet if Grange had only wanted to remove Bothwell from Mary, or to establish a council rather than proceed to outright deposition, why did

¹⁷⁹ *RPC*, i, p. 523 onwards. There is no correlation between those who supported Moray in 1565, and those who now supported him. The Privy Council was composed of completely different individuals than it had been in the final meetings of Mary's personal reign.

¹⁸⁰ Throckmorton to Elizabeth, 31 July 1567, SP52/14, f. 103v; *RPC*, i, p.542.

¹⁸¹ *AQM*, p. 86.

¹⁸² Melville, *Memoirs*, p. 193.

¹⁸³ Despite carrying out diplomatic missions for Moray, he nonetheless had a personal attachment to Mary.

¹⁸⁴ Atholl shifts into the Queen's Party in 1570, but this does not mean he was not initially committed to the King's cause.

¹⁸⁵ Bonner, 'Grange', *ODNB*; Elaine Finnie Greig, 'Melville, Sir James, of Halhill (1535/6–1617)', *ODNB* [<http://www.oxforddnb.com/view/article/18548>]. James and Janet did not share the same mother, making them only half siblings.

¹⁸⁶ Kirkcaldy to Bedford, 10 August 1567, SP52/14, f. 127r.

¹⁸⁷ Bonner, 'Grange', *ODNB*.

he remain with the Confederate Lords? It is hard to believe that he would have acted in concert with them if he was genuinely opposed to their proceedings – Argyll’s misgivings had already caused him to abandon the Confederates, yet Grange made no similar move. The fact that he did not rally to Mary’s side once she escaped and revoked her ‘demission’ in 1568 also indicates that he was not initially committed to her cause. Indeed, throughout Moray’s regency, Grange remained an active King’s Party adherent. In part, his close personal relationship with Moray can explain this. Created a knight at the time of Moray’s wedding, Grange had already received a sign of Moray’s favour.¹⁸⁸ The two had similar political views, since Grange was in favour of a Protestant-based Anglo-Scottish amity. He was clearly trusted by the Earl, being made Captain of Edinburgh Castle, and it may be that he felt he had a duty to remain loyal so long as Moray remained regent.¹⁸⁹

Another individual with whom Moray had a close friendship, yet who would later come to support the Marian cause, was Grange’s close ally, Maitland of Lethington. Indeed, as will be explored in further detail, Grange’s career during the civil wars bore a striking resemblance to that of Lethington, who was also accused of having supported Mary from the very start. Contemporaries accorded a very different treatment to Lethington, describing him as scheming and duplicitous, a contrast to the chivalric Grange.¹⁹⁰ As with Grange, it is difficult to judge exactly what Lethington’s intentions were in 1567. What is clear is that Moray trusted him, and relied upon him, together with Morton, to conduct negotiations in his absence, certainly perceiving him be a genuine supporter of Mary’s deposition, and in favour of a pro-Protestant Anglo-Scottish amity.¹⁹¹ Maitland’s own writings and statements, rather than elucidating the situation, only add a further layer of complexity. Although in both his 1567 and 1571 accounts, he argued that he had seen the deposition as merely a ‘fetch’, and a temporary move, he provided different reasons for it. On the one hand, he was later to boast that the establishment of the regency government could not have been achieved without him. He claimed he sided with the Confederate Lords due to the crumbling support for their position, and that the deposition was a way to strengthen them against the opposition.¹⁹² Yet in 1567, he declared that he played a major role in saving Mary’s life, advising her to sign the deposition for her own safety, and claimed that instead of shoring up a weak party, he was actually restraining the more extreme tendencies of the Confederate Lords, and that the deposition was merely a temporary solution.¹⁹³ It must be noted, however, that Maitland’s views in 1567 were conveyed by Throckmorton. He was concerned with presenting Lethington as the voice of reason, and as Loughlin argues, someone who was providing a ‘middle

¹⁸⁸ *Diurnal*, pp. 70-71 lists those knights created at the time of Moray’s marriage.

¹⁸⁹ Throckmorton to Elizabeth, 14 August 1567, SP52/14, f. 148r.

¹⁹⁰ Most notably in Buchanan’s *Chamaeleon*, in Aikman (ed.), *History of Scotland*, i, pp. xci-ci.

¹⁹¹ Maitland and Moray had a long history of working together, and as Loughlin has shown, it was Moray who had originally acted as Maitland’s patron at court: Mark Loughlin, ‘Maitland, William, of Lethington (1525x30–1573)’, *ODNB* [<http://www.oxforddnb.com/view/article/17838>]. Laureo, Bishop of Mondovi, *Papal Negs*, p. 391.

¹⁹² Loughlin, *Maitland*, p. 257.

¹⁹³ Throckmorton to Elizabeth, 9 August 1567, SP52/14, f. 120r.

way'.¹⁹⁴ As will be explained, Throckmorton had his own agenda, and together with Cecil, was keen to ensure that Elizabeth supported the Confederate cause. Therefore, it was important to show that Maitland was acting in Mary's best interests, and that by agreeing to the deposition (which he claimed could later be revoked since it had been signed under duress), Lethington was in fact saving her life.

Loughlin argued that Maitland's actions could be explained by the fact that he wished to leave the way open for Mary's restoration. However, his chief evidence for this is the 'plat executory', a document drawn up by Maitland, which argues for a conciliar form of government, and for Mary and James to rule jointly.¹⁹⁵ Loughlin has assumed that this document was written in 1567, as it is indeed dated in the British Library catalogue. Yet upon closer examination, the document is far more likely to have been drawn up in 1571, and thus cannot be used to explain Maitland's actions in 1567.¹⁹⁶ It seems more likely that Maitland was initially motivated by the simple aim of self-preservation. As one of those who had allegedly been instrumental in the Darnley murder, and who failed to leave Bothwell's side until relatively late (5 June),¹⁹⁷ his own position may have been compromised.¹⁹⁸ Together with James Balfour, he may have found it necessary to align himself with the Confederate Lords for his own '[pri]vatt securityte'.¹⁹⁹ The fact that he had remained with the government for so long, and did not abandon Mary until he could be sure of the Confederates' strength also suggests that Moray was perhaps a little naïve to rely upon him so completely. Maitland, it seems, was not willing to commit to the Confederate position until he could be assured of their success.²⁰⁰ Yet at this point, there is no concrete evidence to support Melville's view (a view repeated by Maitland's biographer, Skelton) that he secretly favoured Mary from the start.²⁰¹ As will be seen, he was to play a key role in Moray's government, and it was not until 1568, and Mary's escape into England, that his opinion altered.²⁰²

¹⁹⁴ Loughlin, *Maitland*, p. 258.

¹⁹⁵ *Ibid.*, p. 259.

¹⁹⁶ 'A plat executory devised by Ledyngton', Cot. Calig. CI, f. 49r. It is unlikely that this document was drawn up in 1567, since it began by stating 'the recommendations of them that were w[i]t[h]in the castle' – suggesting it was written when Maitland was a Castilian. It also referred to John Chisholm bringing money from France, which occurred in July 1571. It seems that the regent who is being referred to in the 'plat' is Lennox, rather than Moray. August 1571 would be a better date than 1567 which is almost certainly impossible.

¹⁹⁷ *Diurnal*, p. 112.

¹⁹⁸ Contemporaries certainly suspected Maitland as being one of the 'principall devyseris' of the murder: *Diurnal*, p. 128.

¹⁹⁹ Leicester to Throckmorton, 6 August 1567, SP59/14, f. 11v; Elizabeth to Throckmorton, 20 July 1567, SP52/14, f. 57r. Indeed, he suggested this himself to William Cecil, 21 June 1567, *CSP Scot*, ii, 528. In January 1568, it was reported that those executed for Darnley's death had in fact named Lethington as having consented to this, though, perhaps due to his support for the Confederate actions, it was acknowledged by those in the government that this was a 'great wrong'. Their attitudes would presumably have been different had Maitland been supporting Mary: Drury to Cecil, 21 January 1568, *CSPF 1566-1568*, 1957.

²⁰⁰ Loughlin, *Maitland*, p. 255, shows that Maitland had exhibited such behaviour before.

²⁰¹ Skelton, *Maitland of Lethington and the Scotland of Mary Stuart: a history* (2 vols., Edinburgh, 1887-1888), ii, p. 245.

²⁰² He was appointed by the King's Party as auditor of the accounts: 3 October, 1567, NAS GD150/2279.

The changing interpretations Maitland presents of the ‘abdication’ will be discussed later in more detail, yet the actions taken at the time of Mary’s demission and James’ coronation do have an air of permanence about them. There clearly existed those who *were* keen to see Mary deposed, and her son crowned. It is difficult to portray the coronation of the King as merely a temporary measure, since a temporary solution would surely have been to appoint only a governor. It is significant that when James had been crowned, all visible forms of executive power belonging to Mary, Queen of Scots, such as seals and cocquets, were called in to be remade with James’s name on them,²⁰³ and the coiners were similarly discharged until coinage could be re-issued in the King’s name.²⁰⁴ These expensive measures are symbolic of the complete change in authority, and were unlikely to have been carried out if the Lords involved did not believe that what they were doing was to be permanent. The fact that some were unwilling to render these instruments of government to the Confederate Lords, however, once again demonstrates the lack of support for such extreme measures.²⁰⁵ Morton’s seizure of Mary’s jewels in July also lends an air of permanence to proceedings,²⁰⁶ as does the dissolution of the Kirk assembly until it could be reassembled under the King’s authority.²⁰⁷

Moray, absent for both Mary’s deposition and the King’s coronation, had played no public part in these events. However, he was quite probably manoeuvring behind the scenes. The Confederate Lords clearly communicated with him, sending letters into England with Robert Melville, which were then forwarded to the Earl in France.²⁰⁸ Moray’s influence had already been seen in the choice of Lochleven, where his mother resided; and his wife, as well as the Earl of Buchan, described by Throckmorton as Moray’s ‘brother’, had been to visit Mary there.²⁰⁹ This was significant, as Mary had been permitted few visitors, and Buchan had close ties to Moray, who had once been betrothed to his daughter. Despite the marriage never taking place, Moray had gained Buchan lands.²¹⁰ Moray had also previously relied upon his wife, Agnes Keith, to deal with his affairs, asking her to liaise with his mother, and had officially appointed her as his

²⁰³ On 12 August 1567, an order was sent to the custom house that ‘*Maria Dei gratia Regina Scotorum*’ was to be replaced with ‘*Jacobus Dei gratia Rex Scotorum*’: *RPC*, i, pp. 547, 550. Huntly was ordered to deliver in all the great seals that he had, since the position of Chancellor was now going to Morton. *RSS*, vi, 32.

²⁰⁴ Advertisement from Scotland, 18 June 1567, *CSPF 1566-1568*, 1315. As early as 10 June, the Confederate Lords made an order for the ‘*cunzeing*’ of the silver plate in the hands of Mary’s French officers: Sloane 3199, f. 158r. *Diurnal* reports that money was called in even before Mary’s abdication, 15/16 July, and reissued on 1 September: *Diurnal*, p. 120; *RPC*, i, p. 556.

²⁰⁵ It was not until 27 December, for example, that Huntly finally produced the great seals, although they had been requested on 23 August. *RPC*, ii, p. 598.

²⁰⁶ Drury to Cecil, 12 July 1567, *CSPF 1566-1568*, 1433.

²⁰⁷ Throckmorton to Elizabeth, 26 July 1567, SP52/14, f. 84v.

²⁰⁸ Cecil to Norris, 26 June 1567, in Keith, *History*, ii, p. 731. Cecil ensured these were sent on with ‘*great haste*’, and that they were kept from Archbishop Beaton’s eyes.

²⁰⁹ *Ibid.*, f. 84v. Indeed, Moray himself had spent time at Lochleven in the difficult summer of 1565: Moray and Argyll to Randolph, 1 July 1565, *Selections from unpublished manuscripts in the College of Arms and the British Museum illustrating the reign of Mary Queen of Scotland, 1543-1568*, ed. Joseph Stevenson (Maitland Club, 41, Glasgow, 1837), p. 118.

²¹⁰ Rosalind Marshall, *Queen Mary’s Women* (John Donald, 2006), p. 95.

procurator.²¹¹ Herries also claimed that before his departure, Moray had arranged that Morton should ‘manadge the busines’ and head the opposition to Mary, and Morton and Maitland were certainly conducting negotiations on Moray’s behalf.²¹² Morton too had a link to William Douglas, being his cousin.²¹³ He was also one of the more radical Confederate Lords, had been heavily involved in the Darnley murder, and had taken a leading role at James’s coronation. Thus if he had been purposely chosen by Moray to act on his behalf, this might be indicative of Moray’s own viewpoint.²¹⁴ It is highly likely that Moray was therefore being kept well-informed as to developments within Scotland, and that his own concerns were being taken care of.

In August, James Melville was sent by the Lords formally to offer the regency to Moray, and evidence shows that the Confederate Lords had been waiting eagerly for the Earl’s return.²¹⁵ Although Morton was acting as leader, many wished for the more experienced Moray to ‘hast’ home and assume that role.²¹⁶ Even before Mary’s marriage, Grange had written to Drury, requesting that he write to Moray, and ask that he prepare himself in Normandy, ready to return to lead his men.²¹⁷ Nonetheless, despite the apparent desire for Moray’s return, he was not, as Lee argues, ‘the only possible choice as Regent’, and his promotion to office was not a foregone conclusion.²¹⁸ According to Throckmorton, opinion within Scotland was divided. There were legal arguments to support the claims of the Duke of Châtelherault, head of the Hamilton family, as well as the Earl of Lennox. It was initially reported that Lennox had the best claim, and that he was ‘much desyred’ by the Lords in Scotland.²¹⁹ He was the father of the murdered Darnley and hence James’s grandfather and nearest legitimate male relative. Châtelherault’s claim rested on female descent, and he was heir to Mary, rather than to James. However, if the King died without issue, he would have a strong claim to the throne. It was reasoned that as James’s Scottish royal blood had been inherited via his mother, if he died, the throne should return to the maternal side. In that case, it would be usual for the Duke to claim the regency, since it could be argued that the position typically went to the heir presumptive.²²⁰ It was in no way inevitable that Moray, despite

²¹¹ *Reg. Hon. Morton*, pp.14-15,17; Marshall, *Queen Mary’s Women*, p. 99.

²¹² Herries, *Memoirs*, p. 91.

²¹³ Fraser, *Mary*, p. 417.

²¹⁴ Moray and Morton had also worked together before: in 1561 he assisted Moray with Border matters and he had taken part in the campaign against Huntly in 1562. George R. Hewitt, *Scotland Under Morton 1572-80* (Edinburgh, 1982, pp. 4-5); Fraser, *The Douglas Book* (4 vols., Edinburgh, 1885), ii, p. 302. Morton was also particularly wealthy – lending money to the crown in later years – and Moray might also have hoped to benefit from this.

²¹⁵ Herries, *Memoirs*, p. 97.

²¹⁶ Robert Melville to Cecil, 8 July 1567, SP52/14, f. 21r ‘the most part of this realme could agre that he sould beare greatest charge’ and wished him to make a speedy return; James Melville to Drury, 8 July 1567, SP52/14, f. 28r.

²¹⁷ Grange to Bedford, 11 May 1567, *CSPF 1566-1568*, 1181, Melville to Drury, 8 July 1567, SP52/14, f. 28v.

²¹⁸ Lee, *Moray*, p. 205; Potter, *Bloodfeud*, p. 89 also argues that Moray was ‘the only conceivable contender’.

²¹⁹ Throckmorton to Elizabeth, 14 July 1567, Add. 4126, f. 71v.

²²⁰ Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 102r.

being Mary's half brother, and James's uncle, should assume the regency, and both Châtelherault and Lennox had a far stronger claim to it in legal terms.²²¹

In 1567, however, Moray was perhaps the least offensive choice. Châtelherault was disliked by many, and his previous experience at governing Scotland had proved unsuccessful.²²² The Hamiltons had also opposed the Confederate actions, and would form the core of Mary's own supporters. The other main contender, Lennox, would have been an inflammatory choice given the rivalry between himself and the Hamiltons, and few would have wanted to see a revival of the old Lennox-Hamilton feud. Lennox may also have been too Anglophile for the Scots, who, whilst they had Mary in Scottish captivity, were not as dependent upon England as they would later become. Moray, on the other hand, although greatly in favour of Anglo-Scottish amity, would be negotiating this from a stronger position. His close friendship with those – in both England and Scotland – who had been involved in the events of 1560, as well as those of 1567, also stood him in good stead. His leadership skills had been amply demonstrated during the Reformation rebellion, and his role as advisor to Mary, Queen of Scots ensured he was suitably qualified for the position. Those who were keen to see a continuance of the Protestant religion would also be in favour of his candidacy, since Lennox's religious credentials were somewhat shaky – his wife was devoutly Catholic, and despite his attendance at Protestant services, it was thought that he too harboured Catholic sympathies.²²³ Finally, as Darnley's father, Lennox's desire to revenge the murder of his late son may also have threatened the security of those who had conspired in this act. Perhaps for the Confederate Lords, it was safer to close ranks and to appoint one of their co-conspirators. The presence of alternative candidates, however, would continue to influence Moray's regency and, as we shall see, would give rise to an interesting political debate in 1568.

It was not initially clear to Throckmorton that Moray would accept the regency, perhaps due to the second commission of regency, allegedly drawn up in case he refused.²²⁴ Maurice Lee goes so far as to describe Moray as a 'reluctant regent', and claims that although he managed the situation well, he did not relish his part in it, believing Moray to be amongst those who took a more moderate line, and did not wish to see the monarch forcibly deposed. He argues that Moray's preferred option was for Mary to remain as monarch, and for he himself to head a council, through which she should govern.²²⁵ Yet there is no evidence for this. If this was indeed Moray's preferred policy, it is likely he would have discussed it with an old associate such as Argyll, who opposed deposition, and might have been able to help Moray to proceed in this way if

²²¹ Indeed, Moray's illegitimacy arguably meant he had no legal claim at all – Scottish inheritance law in this period did not recognise those who were illegitimate: Keith Brown, *Noble Society in Scotland: Wealth, Family and Culture, from Reformation to Revolution* (Edinburgh, 2000), p. 38.

²²² For Châtelherault's period as Governor, see Marcus Merriman, *The Rough Wooings*, passim.

²²³ Rosalind K. Marshall, 'Douglas, Lady Margaret, countess of Lennox (1515–1578)', *ODNB* [<http://www.oxforddnb.com/view/article/79111>]. Merriman notes Lennox's Catholic sympathies: Marcus Merriman, 'Stewart, Matthew', *ODNB*. Lady Lennox believed that this was why her husband had had to remain in England: Lady Lennox to Cecil, 2 February 1570, Cot. Calig. CI, f. 511r.

²²⁴ Throckmorton to Elizabeth, 14 August 1567, SP52/14, f. 148r.

²²⁵ Lee, *Moray*, p. 209.

it safeguarded Mary's sovereignty.²²⁶ On the contrary, however, Moray tried to persuade such men as Argyll and Herries that he was indeed right to accept the 'wechtye charge'.²²⁷ Whilst Throckmorton did later report that Moray would have been happy for Mary to be released,²²⁸ such a statement cannot be taken seriously, and contradicts other letters in which Throckmorton asserted that Moray concurred with the lords in all things.²²⁹ If Moray had been acting out of the altruistic motives that Lee ascribes to him, or had wished for Mary's liberty, then surely he would have made some attempt to stay the more radical tide and push forward a compromise which would have commanded support amongst the majority of Scots, and would have been far less controversial in the eyes of Europe. Even if this had proved impossible, Moray's later implacable hostility to even a nominal restoration of Mary, with himself remaining in overall control, suggests that he would have been unwilling to see the situation result only in the establishment of a council. Although he claimed in writing that he did not wish to take the regency upon himself, this was a conventional response, which did not necessarily indicate his true feelings. It would not have been consistent with the fiction of abdication if he had been seen to pursue the regency too strongly, and overt ambition may have alienated those whom he would need to incorporate in government. Lee also underestimates both Moray's personal and political ambitions. Although playing a key role in the earlier part of Mary's personal reign, he had been unable to further his own goals, including an accord with England. Indeed, his acceptance of the regency was encouraged by none other than William Cecil.²³⁰

Moray's stage-managed refusal to accept the position until he had visited Mary and heard her own opinion was designed purely to give proceedings a greater cloak of legitimacy – particularly important since Throckmorton was reporting upon events to Elizabeth, and Mary's deposition was to be presented as a voluntary action.²³¹ At his meeting with Mary, Moray was allegedly begged to 'brynge all the fortes of the Realme into hys owne dysposytion' and likewise her jewels and valuables – something she would later vehemently deny.²³² When he was formally pronounced Regent on 22 August, great show was made of the fact that Moray was Mary's own choice, with the commission of regency read aloud, and the justice clerk willing Moray in both the King and Queen's name to accept the charge.²³³ A speech made by Maitland in the December Parliament would also place strong emphasis on the fact that both James's authority as king, and the choice of Moray as regent, came directly from Mary herself, rather than relying on any of the theories of elective monarchy as put forward by Buchanan.²³⁴ As noted above, ideas of elective monarchy had certainly been discussed, but this was *before* Mary was made to sign the papers of

²²⁶ Indeed, Moray planned to meet Argyll on 17 August: SP52/14, f.148r.

²²⁷ Draft of letter from Moray to Herries, 1567, NRAS217/43/58; Herries, *Memoirs*, p. 99.

²²⁸ Throckmorton to Cecil, 1 September 1567, Cot. Calig. CI, f. 46r.

²²⁹ Throckmorton to Cecil, 13 August 1567, SP52/14, f. 145r.

²³⁰ See below, p. 38.

²³¹ Throckmorton to Leicester, 14 August 1567, SP52/14, f. 155r.

²³² Throckmorton to Elizabeth, 20 August 1567, Add. 4126, f. 197r.

²³³ Throckmorton to Cecil, 23 August 1567, SP52/14, f. 164r. Moray also took pains to stress to Herries that he had been chosen by Mary herself: Moray to Herries, 1567, NRAS217/43/58.

²³⁴ This is different to the way in which Maitland of Lethington later interpreted the demission.

abdication and they may have been used much more had there been a greater struggle to gain Mary's signature. For now, the fiction of abdication, perhaps more palatable to an instinctively conservative nation, would suffice, although the alternative theory would be called upon at a later stage.²³⁵ A series of articles between the Regent and the Confederates was also agreed upon, in which they undertook, amongst other things, to further justice, to put order throughout the realm, and to maintain the true religion. There was also much stress on corporate action, with Moray promising to call a parliament without delay, to be accompanied by the council and the nobility, and to rule with their advice.²³⁶ What follows will consider how far Moray actually lived up to the promises made at this time.

1.3: Anglo-Scottish Relations in 1567

Elizabeth I's initial reaction to the events of Carberry was somewhat mixed. She expressed both concern and grief at Mary's predicament, yet echoed some of the Confederate objectives, since she was highly critical of Mary's marriage to Bothwell, and asserted that she too wished to see Darnley's murderers brought to justice, and the life of the prince preserved.²³⁷ Whilst she may not have approved of Mary's second marriage, Darnley had been an English subject, and Elizabeth faced pressure from the Earl and Countess of Lennox (resident in England) to take action against their son's murderers. At the same time, however, Elizabeth was unable to stand by and watch a group of 'rebels' act against a fellow sovereign, not least for the implications it could have for her own authority, and thus she promised Mary she would not lack the English Queen's power and friendship (a promise of which Mary was frequently to remind her).²³⁸ Once rumours that the Confederate Lords were planning to deprive Mary of her royal estate reached Elizabeth's ears, she responded in anger, keen to counter the arguments of 'seditious ballads', such as *Ane Declaratioun*, with its emphasis on elective monarchy.²³⁹ Nonetheless, Elizabeth was always careful to show that her support for the office of monarch was distinct from her attitude towards Mary herself, and never allowed it to appear as if she condoned Mary's previous actions. She achieved this by drawing on the words of St Paul, who commanded the Romans to 'obey *potestatibus supereminetioribus gladium gestantibus*, although it is well known, the rulers in Roome wer infidels.'²⁴⁰ In other words, since she was a monarch, Mary should be obeyed, regardless of her personal and religious shortcomings.

²³⁵ Throckmorton to Elizabeth, 23 August 1567, SP52/14, f. 164r; Articles between the Regent and the Lords, 22 August 1567, SP52/14, f. 168r.

²³⁶ *Ibid.*, SP52/14, ff. 168r-168v.

²³⁷ Elizabeth to Mary, 23 June 1567, *CSP Scot*, ii, 529; Instructions to Throckmorton, 30 June 1567, *CSPF 1566-1568*, 1364.

²³⁸ Elizabeth to Mary, 23 June, 1567 *CSP Scot*, ii, 529.

²³⁹ Elizabeth to Throckmorton, 27 July 1567, Sloane 3199, f. 29v (she specifically mentioned such ballads).

²⁴⁰ *Ibid.*, f. 29v. Elizabeth was quoting from *Romans* 13. This passage was often referred to when a monarch wanted to instil loyalty to the crown: Glen Bowman, 'Elizabethan Catholics and Romans 13: a chapter in the history of political polemic', *Journal of Church and State*, 47 (2005), p. 1.

Unlike Elizabeth, the ‘quasi-republican’ William Cecil welcomed events unequivocally.²⁴¹ As explained in the introduction, his overriding desire was for Anglo-Scottish concord, with Scotland as the junior partner of a Protestant Britain, prioritising religion above monarchy and hereditary right.²⁴² Indeed, Alford writes that in 1559, Cecil had had few qualms about the possible deposition of Mary, and had ‘in effect ... advised the congregation to market itself as a great council of the realm’.²⁴³ It may have been this idea upon which the Confederates drew in 1567 when, as we have seen, there was great stress laid on conciliar government. Cecil also saw the workings of providence behind the Confederate actions, and Guy draws attention to the note he wrote on the end of a memorandum in July: ‘*Athalia interempta per Joas[h] regem*’ (Athalia was killed, so that Joash could be king). According to 2 Chronicles, Athalia, Queen of Israel, had been killed by her nobility, who detested her immorality. The seven year old Prince Joash was installed as King in her place, and a covenant made between the nobles and God. The parallel is obvious, and Guy argues that Cecil had read the biblical text ‘as a prophecy applying to Mary’.²⁴⁴ Also jotted on this memorandum (and hitherto unremarked upon) were the names ‘Ed 3’ and ‘Ric 2’. These are presumably references to the English Kings Edward III and Richard II, the former succeeding to the throne after his father was deposed, and the latter’s reign ending in deposition. This also suggests that Cecil envisaged Mary’s deposition as a very real possibility, and that he had been contemplating historical precedents. He wanted England to seize the opportunity which now presented itself, in order to form a solidly Protestant Britain, although at this stage he was unable to coerce Elizabeth away from her unyielding stance.

The English response to Carberry was to send the experienced diplomat, Sir Nicholas Throckmorton, into Scotland, armed with instructions.²⁴⁵ These instructions represent, perhaps, some form of compromise between the differing approaches of Elizabeth and Cecil.²⁴⁶ The overriding aim, and Elizabeth’s priority, was for Mary to be put to liberty, although with various conditions. The first few of these were designed to appease the Confederate Lords and to heal the rupture in the country: Mary was to have Bothwell’s part in the murder proved before her, and was to divorce him, and the castles of Dunbar and Dumbarton were to be kept out of Bothwell’s hands. A general peace was to be proclaimed, and wardens of the marches were to be chosen. Such moves would benefit England, since Bothwell was known to be anti-English, and Border

²⁴¹ This term is used by John Guy, *My Heart is My Own*, p.363, and refers to the plans Cecil had for a ‘great council’ to govern England in an interregnum period after Elizabeth’s death, and to the ‘States of Scotland’ which governed after Mary of Guise was deposed.

²⁴² See introduction. Alford, *Cecil*, p. 62.

²⁴³ *Ibid.*, p. 61.

²⁴⁴ Guy, *My Heart is my Own*, p. 363; jotting can be seen on ‘Memorandum for Throckmorton’, 1 July 1567, SP52/14, f. 2r.

²⁴⁵ ‘Instructions to Throckmorton’ (Cecil draft), July 1567, Cot. Calig. CI, f. 9r-9v; ‘Memorandum for Throckmorton’, 1 July 1567, SP52/14, ff. 1r-2r. Throckmorton had previously served in both Scotland and France, and was acquainted with the leading political figures in either country.

²⁴⁶ Although Alford, *Cecil*, p. 160, believes they formed part of Cecil’s preferred British strategy, his personal preference – if he had not needed to take Elizabeth’s views into account – would arguably have been for Mary to remain in permanent captivity (or even be put to death by the Scots themselves). This is suggested by his reference to Athalia, and becomes clearer as the civil wars progress.

security was a perennial problem. Elizabeth also wanted to provide some form of security for the rebels, so that they would not hesitate to restore Mary out of fear for their own safety.²⁴⁷ Cecil's own ideas, although lower down the list of instructions, are also plainly in evidence. There was much stress on conciliar government; Mary was to ensure that four or six councillors were always in attendance, and when a councillor died, she was not to replace him of her own free choice, but only with the consent of the remaining councillors. Likewise, all offices were to be bestowed with the advice of the council.²⁴⁸ In theory, if the Confederate Lords had genuinely sought only to follow their previously stated objectives, these articles would have provided them with an ideal solution. There was a visible effort to address the problems of counsel which had contributed to the Confederate uprising, as shown with article fourteen, which required orders to be taken for their sitting in counsel and soliciting of causes to the queen.²⁴⁹ Cecil arguably envisaged this as the best solution given the circumstances, since it would satisfy Elizabeth in upholding the status of monarchy, yet if successful, would restrict Mary's own freedom of action and depending on the makeup of the council, could open the way to greater Anglo-Scottish concord. In addition, these articles were not unduly harsh towards Mary herself (she was allowed the freedom to practise her own religion in private, for example), and so would have had a higher chance of being implemented. Nonetheless, the idea of limiting Mary's independent action reeks of double standards. Elizabeth would have seen such restrictions on her own personal power as abhorrent, yet was prepared to see them imposed upon a fellow monarch! The final condition was that these articles were to be established in the Scottish Parliament, and significantly, although a position as yet underdeveloped, the 'Queen of England may be moved to maintain this Parliament'.²⁵⁰ This hints at the idea of English overlordship, something which Cecil had already used to justify intervention in Scotland, and which would again be brought into play in 1568.²⁵¹ Indeed, the Spanish ambassador noted that if this plan were put into action, it would cause the Scottish nobility to be bound to and dependent upon Elizabeth.²⁵² The very fact that England even drew up such a settlement is significant, for the right to dictate to their northern neighbours was highly contentious, and as we will see, would touch a particularly sensitive nerve with the Scots.

Throckmorton was in a difficult position, since he was caught between the conflicting goals of Cecil and Elizabeth. Although John Guy has described him as one of 'Mary's lesser champions', the emphasis should perhaps be on 'lesser'.²⁵³ Whilst it is true that he had previously been a 'cautious supporter' of Mary's right to succeed to the English throne, conditions had been

²⁴⁷ Elizabeth to Throckmorton, 20 July 1567, SP52/14, f. 57r.

²⁴⁸ 'Instructions for Throckmorton', July 1567, Cot. Calig. CI, f. 9r.

²⁴⁹ *Ibid.*, f. 9r.

²⁵⁰ *Ibid.*, f. 9r.

²⁵¹ Alford, 'Reassessing William Cecil in the 1560s' in J.A. Guy (ed.) *The Tudor Monarchy* (London, 1997), p. 238.

²⁵² Spanish ambassador to Philip II, 21 July, *CSP Spain 1558-1567*, 432.

²⁵³ Guy, *My Heart is my Own*, p. 362; Sir Thomas Smith would later mention that Throckmorton had once loved Mary well: Smith to Burghley, 8 February 1572, *CSPF 1572-4*, 112.

attached to this, and he shared many of Cecil's concerns.²⁵⁴ He appreciated the benefits to England that a Protestant regime could bring, and his correspondence suggests a greater sympathy with the Confederate actions than those of Mary's faction.²⁵⁵ Although Throckmorton would stress in his letters to Elizabeth that he was desperately seeking to preserve Mary's life, this was necessary if he wished to remain in Scotland, and convince her that he was carrying out her wishes. He arrived in Edinburgh on 12 July, having been met by Lethington en route.²⁵⁶ Lethington had built up a relationship with Cecil and other English councillors from 1559-60, and tried immediately to capitalise upon this, and gain English support for the Confederate actions. The Lords sought financial aid from England, stressing to Elizabeth that this would be used to pursue Bothwell.²⁵⁷ Maitland used similar language to Throckmorton and Cecil, emphasising that it was a 'co[m]mo[u]n quarrel', and that the right moves now could strengthen the Anglo-Scottish 'amity'.²⁵⁸ Regardless of his personal sympathies, Throckmorton was unable to promise such aid, and instead, tried in vain to follow his instructions. His mission was unsuccessful. Although he gained individual audiences with men such as Maitland and Morton, he was not permitted by the Confederate Lords to see Mary herself, and they refused to provide any answer to Elizabeth's inquiries as to their future intentions, using the excuse that too few of them were present to deliberate upon such a weighty matter. Instead, they gave only the ambiguous reply that they would not 'procede further then justice and the necessitie of the cause sall leade us'.²⁵⁹

Throckmorton had had very little time to attempt to carry out Elizabeth's wishes, for after Mary's deposition, it was clearly impossible for him to continue to adhere to his former instructions. Elizabeth was furious when she received news of Mary's 'abdication', her immediate reaction being to recall the ambassador, in what looks suspiciously like a fit of temper.²⁶⁰ She was highly mistrustful of the Confederates' claim that Mary had abdicated of her own free will, and consequently refused to recognise Moray as regent, since she could not be certain that it was the Queen's 'mynd w[i]t[h]out coercion'.²⁶¹ She forbade Throckmorton from attending James' coronation, and refused to admit any ambassadors who came in the name of the

²⁵⁴ Guy, *My Heart is my Own*, p. 363; Dawson, 'Anglo-Scottish Relations in 1565', p. 5.

²⁵⁵ Sebastian Walsh, 'Most trusty and beloved', *History Today*, 55 (2005), pp. 39-45; Throckmorton to Cecil, 11 July 1567, Add. 4126, f. 59r argued that the Confederate Lords will stand Elizabeth in more stead.

²⁵⁶ Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 34r.

²⁵⁷ Forster to Cecil, 20 June 1567, SP59/13, f. 167r.

²⁵⁸ Alford describes these men as a group of 'Anglo-Scots': *Cecil* p. 45. Maitland, for example, negotiated on behalf of the Lords of the Congregation, over Mary's marriage to Darnley, and other issues in the previous seven years, thus building up a friendship with Cecil based on shared political objectives. He was held in high regard amongst the English as is evident from their correspondence, which suggests that if something was to be done in Scotland, then Maitland was the man to do it. Maitland of Lethington to Cecil, 1 July 1567, SP52/14, f. 7r.

²⁵⁹ Answer of the Lords, 20 July 1567, Add. 4126, f. 125v.

²⁶⁰ Elizabeth to Throckmorton, 6 August 1567, SP52/14, f. 114r; Bernard Hampton to Cecil, 7 August 1567, SP52/14, f. 116r; Leicester to Throckmorton, 6 August 1567, SP59/14, f. 11 (notes that this took place during Cecil's absence).

²⁶¹ Cecil to Throckmorton, 20 August 1567, SP59/14, f. 48v.

King.²⁶² Many of her councillors, however, were frustrated at Elizabeth's refusal to take the part of the Confederate Lords, who they believed would be the better allies to a Protestant England than the Catholic, pro-French Mary would be.²⁶³ The prospect of Moray's regency was therefore viewed as a positive step by some of the English councillors. Mildmay, for example, wrote that a Moray regency 'wilbe well as I thinke for stablishing of Religion, and contynuaunce of amytie'.²⁶⁴ Moray had built up connections at the English court, and Alford notes that Mildmay liked Moray on a personal level.²⁶⁵ Cecil and Bacon too were highly supportive.

It is clear that Cecil had the idea of a regent in mind from the moment he heard of Carberry, as is evidenced by his reference to Joash and Athalia. As explained in the introduction, Moray and Cecil had collaborated in 1559, and had continued to work in co-operation throughout Mary's personal rule, with Moray's commitment to Anglo-Scottish amity incontrovertible.²⁶⁶ In addition to his political desire to further the Anglo-Scottish amity, however, Moray was also able to benefit from his relationship with Cecil on a more personal level. Lacking a territorial power base within Scotland meant that it was greatly advantageous for him to acquire such a powerful supporter. Now, Cecil once again viewed Moray as the ideal channel through which to operate. He feared that the seven or eight years negotiation he had been so instrumental in conducting with the Scots could suddenly be lost, almost overnight, if Moray did not assume the highest office within Scotland.²⁶⁷ He therefore ensured that it was English assistance which enabled Moray to depart from France on his journey home, employing a man to report upon his movements, and to find a suitable English vessel for his journey.²⁶⁸ He also informed Norris in France that 'If my Lord of Moray should lack credit for money, my Lord Steward [i.e. the Earl of Pembroke, Lord Steward of England] would have his son give him such credit as he hath for my Lord alloweth well of his friendship'.²⁶⁹ On his arrival in England, Moray headed straight to Windsor for a private audience with Cecil and it was understood that he had turned down the earlier French overtures.²⁷⁰ No records of this conversation exist, but it is likely that the two discussed the benefits of Moray's assumption of the regency, and how Moray should behave in order to gain as much support as possible. They may have discussed, and rejected, any idea of merely forcing new advisors upon Mary – the policy advocated by the Earl of Leicester, who wanted Moray to have 'both ye reforme of hir and gov[er]ment under hir'.²⁷¹ Whilst this approach would surely

²⁶² Elizabeth to Throckmorton, 27 July 1567, Sloane 3199, f. 29r.

²⁶³ 'Memorandums; July and August, 1567', Cot. Calig CI, f. 20r; Throckmorton to Cecil, 10 July 1567, *CSPF 1566-1568*, 1428; MacCaffrey, *Elizabeth*, p. 104.

²⁶⁴ Mildmay to Cecil, 4 August 1567, Add. 4126, f. 164r.

²⁶⁵ Alford, *Cecil*, p. 162.

²⁶⁶ Kellar, *Scotland, England and the Reformation*, p. 217.

²⁶⁷ Cecil to Throckmorton, 20 August 1567, SP59/14, f. 48r.

²⁶⁸ Jenye to Cecil, 13 July 1567, Add. 4126, f. 67r. Indeed, there were plans to send Jenye himself to convey Moray home if a suitable English vessel near the French coast could not be procured.

²⁶⁹ Cecil to Norris, 14 July 1567, in Keith, *History*, ii, p. 731.

²⁷⁰ Mildmay to Throckmorton, 4 August 1567, *CSPF 1566-1568*, 1553; Norris to Cecil, 17 July, *CSPF 1566-1568*, 1465. See below, p. 40.

²⁷¹ Leicester to Throckmorton, 6 August 1567, SP59/14, f.13v.

have suited Elizabeth I better, there was no guarantee that Moray would be able to fix any new council to ensure that the shared policies of himself and Cecil could dominate.

Cecil therefore persuaded Elizabeth to allow Throckmorton to stay, at least until Moray was formally elected regent, wanting to keep such a valuable means of communication open, and dissuaded her from her initial desire of waging war upon the Confederates. Cecil strongly emphasised to Elizabeth that without Throckmorton's presence, the Lords might kill Mary, and thus by the time Throckmorton received his letter of revocation, it had already been decided in England that he was to stay.²⁷² Whilst Cecil himself did not share Elizabeth's concerns about Mary's person, he nonetheless realised that keeping her alive at this stage was necessary to the success of any hopes he had for Protestant union. If Mary were to be killed, the English would be unable to offer any help whatsoever to the Confederates, since Elizabeth would be duty-bound to take revenge for her death, and swore to become 'an utter enemy to y[a]t natyo[n] yf y[a]t Q[ueen] perysh'.²⁷³ It was feared that the execution of Mary could also provoke unwanted French intervention, meaning that Mary's death would create far more problems than it could solve. Efforts were simultaneously made to show that Moray's regency would benefit Elizabeth. Throckmorton and Cecil presented Elizabeth with what was allegedly Maitland's argument, that the forced abdication of Mary, and Moray's acceptance of the regency, were actually in Mary's best interests, since the alternative was her death. Indeed, Throckmorton was explicitly told that he could 'nev[er] devyse by any thing in ye world to doe so acceptable servyce as to shewe you were in seking ye safty of [Mary's] lyfe'.²⁷⁴ Similarly, Moray pretended that he wished for his half-sister's liberty, and his argument that he was powerless in the face of the Confederate Lords was designed, as with Maitland's statements, to appeal to Elizabeth.²⁷⁵ This sheds light upon how the view of Moray as a 'reluctant regent' has emerged, and how Lee failed to appreciate the image manipulation which took place behind the scenes. Such efforts did not entirely fail; Elizabeth believed, for a short while at least, that Moray would do his best to save his sovereign, and despite being unhappy with the state of affairs, even instructed Throckmorton to induce Moray to accept the regency if it would save Mary's life!²⁷⁶

Throughout 1567, and indeed, during the course of Moray's regency, there was one issue which was agreed upon by all in the English government. This was the desire to gain custody of the baby prince.²⁷⁷ Initially, it seems as though Elizabeth had even been prepared to permit Mary herself to enter England. A draft of a letter to Throckmorton had originally instructed him to

²⁷² Cecil to Throckmorton, 11 August 1567, SP52/14, f. 137r.

²⁷³ Leicester to Throckmorton, 6 August 1567, SP59/14, f. 13r.

²⁷⁴ Leicester to Throckmorton, 23 July 1567, SP59/14, f. 274r.

²⁷⁵ The Spanish ambassador saw through Moray when he met the Earl on his return to Scotland – 'although he always returned to his desire to help the Queen this is not altogether his intention': De Silva to Philip II, 2 August, *CSP Spain 1558-1567*, 434; Heneage to Cecil, 8 July, Add. 4126, f. 55v. See above, p. 29.

²⁷⁶ Leicester to Throckmorton, 6 August 1567, SP59/14, f.13v; Cecil to Throckmorton, 20 August 1567, SP59/14, f. 48v.

²⁷⁷ 'Memorandums; seemingly extracted out of Throckmorton's letters to Secretary Cecil, in July and August', Cot. Calig. CI, f. 20r.

assure Mary that she and James could ‘enjoy quietnes’ in England, although amendments to the draft by Cecil obliterated any reference to Mary, and focused simply on inviting James. Throckmorton was

to assure her [i.e. Mary] that where her Realme appereith to be subiect to sundry troobles from tyme to tyme and therby ... neither her awn parson free from danger, nor her sone *can[n] not be free* from peril, yf she shall *be* contented her self to enjoy quietnes for her self and for her sone, ~~or for either of them~~ *may enioy suerty and q[ui]etnes* within this o[ur] Realme, being so neere to her as she knith it is: we shall not faile but yeld to her as good savety therin for her and her childe as can be devised for any that might be o[ur] childe borne of our awn body.²⁷⁸

In trying to promote this plan to the Scots, the English consciously echoed the Confederates’ own statements: that they were concerned with the preservation of the child, and wanted to ensure that no possible harm could come to him. They also focused on the fact that his grandparents, the Lennoxes, resided in England at that time. Yet the English motivation for obtaining the prince was by no means as altruistic as they tried to portray. Gaining control of James would open up a number of possibilities for them, and would act as an invaluable lever when engaging in any further negotiations with the Scots. By 1567, with Elizabeth’s refusal to consider any debate on either her own marriage or the succession, the desire of men such as Cecil to gain control over the potential English heir became even more acute. They were particularly keen to ensure that James did not fall into French hands, which was believed to be a Guise objective.²⁷⁹ The English had been well aware of the imperial ambitions which Henry II had hoped to realise through Mary, and wanted to ensure that the French did not get the chance to establish a foothold in Scotland once more. Such fears were not entirely unfounded, since according to Henry Norris (the English ambassador to France), the first thing that the French did when they heard of Mary’s deposition was to call for Moray. They promised him that if he would stand at the French devotion, ‘toching the helpinge hether the Prince and his mother’, he would be amply rewarded by them.²⁸⁰ However, discussion in England regarding the custody of the prince was largely irrelevant, since neither the Confederate Lords nor Mary’s partisans would suffer James to be brought up outside Scotland, and Throckmorton believed they would only consider the scheme if James were to be declared heir to Elizabeth.²⁸¹ Whilst the Confederates claimed, diplomatically, that they welcomed Elizabeth’s offer of protection, sending James into England was a step too far – as indeed it had been in 1543, when Mary herself was the child in question.²⁸² If they hoped to govern in his name, it was essential that they retained control over him, and it would have been unthinkable to relinquish this to England. Every effort was made by the Earl of Mar to keep him securely, under a strong guard.²⁸³ Losing custody of James would reduce any possible bargaining

²⁷⁸ Elizabeth to Throckmorton, 14 July 1567, SP52/14, f. 32r. The words struck through were done so by Cecil in the original, and the italics show his additions.

²⁷⁹ *Ibid.*, f. 32r.

²⁸⁰ Norris to Elizabeth, 2 July 1567, Add. 4126, f. 50r.

²⁸¹ Drury to Cecil, 29 June 1567, SP59/13 f. 194r; Throckmorton to Cecil, 14 July 1567, SP52/14, f. 42r.

²⁸² Bedford to Leicester, 15 June 1567, SP59/13, f. 96r.

²⁸³ De Silva to Philip II, 21 June 1567, *CSP Spain 1558-1567*, 427.

power they might hope to gain with either France or England, or even with Mary herself, limiting their future flexibility of action.

Nonetheless, whilst unwilling to go to such lengths, Scots from either side were clearly keen for English support. To try to encourage assistance for their position, both factions exploited the fear of French involvement. All were well aware that the threat posed by France had caused England to act before, and both sides were keen to capitalise on this. The Queen's Party emphasised their French connections, repeatedly threatening to bring in French aid. Initially, the Hamiltons were perceived to be gaining much comfort from Du Croc, the French ambassador, who was believed to be a Guise agent.²⁸⁴ The Marians certainly did possess connections with the continent – Châtelherault had links with France, and Beaton, the Archbishop of Glasgow, headed Mary's council in Paris, for example.²⁸⁵ Huntly and the other Queen's men wrote to him on 17 June, hoping he would be able to influence the King of France on their behalf.²⁸⁶ As we shall see, in reality such a threat was often much exaggerated; nevertheless, it had the potential to affect the English response. Identifying themselves too closely with the French was, however, a somewhat risky move for the Marians and could be a way to repel prospective adherents, since there was a fine line to be drawn between assistance and domination at this time. Indeed, some of the leading members of the Queen's Party had themselves spent much energy in expelling the French from Leith only a few years before.

The Confederates, and later King's Party, played on this fear, utilising it in both internal and external propaganda, and in their requests for English financial aid.²⁸⁷ Initially, they focused on the fact that they themselves could choose to ally with France. Maitland of Lethington reminded Cecil that, despite their preference for an alliance with England, they could turn to France if they were treated unfavourably by the English.²⁸⁸ He argued that more of the Confederates had found favour at the hands of the French than with Elizabeth, since out of the noblemen, only Glencairn and Morton had benefited from Elizabeth's aid at Leith, and those who entered England after the Riccio murder had 'founde but coolde favour at the Q[ueen] Ma[jes]ties handes'.²⁸⁹ He claimed that Elizabeth's inaction on the Confederates' behalf was simply making the Scots turn towards France, and that until they were certain of the way Elizabeth intended to proceed, they would proceed '*pari passu*' with both countries.²⁹⁰ It is obvious from other of Maitland's letters that he preferred Anglo-Scottish amity, yet he wished to remind Elizabeth that the Scots were not dependent upon her, and that they had other options. At the same time, he amplified the threat to the British Isle if the Marians were to be aided by France, in order to put

²⁸⁴ Du Croc à la Reine-mere, 17 June 1567, in Teulet, *Papiers*, ii, p. 168. Croc exaggerates the amount of support in Scotland for Mary, describing a 'parti formidable' in her favour, perhaps trying to encourage the French king to take her side in the conflict. Melville to Cecil, 1 July 1567, SP52/14, f. 5r.

²⁸⁵ Mark Greengrass, 'Mary, Dowager Queen of France', in Lynch ed., *Mary Stewart*, pp. 271-313.

Beaton had even tried to get Moray stayed in France: Keith, *History*, ii, p. 732.

²⁸⁶ Huntly and others to the Bishop of Glasgow, 17 June 1567, *CSP Scot*, 523.

²⁸⁷ Instruction to messenger sent to Forster, SP59/13, f. 168.

²⁸⁸ Maitland of Lethington to Cecil, 1 July 1567, SP52/14, f. 7v.

²⁸⁹ Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 34v.

²⁹⁰ *Ibid.*, f.30v; Throckmorton to Elizabeth, 21 July 1567, SP52/14, f. 59v.

pressure on Elizabeth to aid Moray to counter this.²⁹¹ He also spread the rumour within Scotland that Du Croc was seeking to acquire James, and that the French king wanted to govern Scotland with a council of his own choosing, gaining custody of key strongholds.²⁹²

Yet how real was the threat posed by France? Based on past precedent, the English certainly had cause to be wary of French motivation. 1567 also saw the expiration of the eight years during which the French were permitted to retain Calais.²⁹³ Their stubborn refusal to part with this possession confirmed the loss of the last English outpost on the continent, heightening England's increasing sense of isolation, and reinforcing the contrast between the Protestant Isle and the Catholic powers on the continent. Indeed, by June, Cecil feared a wider Catholic coalition, believing there to be a league between the Pope, the Emperor, and the Kings of France and Spain, directed against the Protestants, in Mary's favour.²⁹⁴ Rumours of the meeting at Bayonne in 1565 between Catherine de Medici and Alva increased Cecil's fears of a Catholic conspiracy, and the movement of Alva's troops into the Netherlands in the summer of 1567 further contributed to this climate of fear.²⁹⁵ Yet in reality, England's relations with Spain were positive at this time, and an examination of the Spanish ambassador's correspondence in no way indicates a Spanish desire to form a closer relationship with France.²⁹⁶ In actual fact, the English fear of a wider Catholic coalition was misplaced, since, as Sutherland has shown, 1567 witnessed a deterioration in Franco-Spanish relations.²⁹⁷ The Spanish appeared to share the English desire that the baby prince did not fall into French hands, claiming they would actually prefer to see him in custody in Protestant England, rather than in France!²⁹⁸

News of the recent Scottish events had travelled quickly to the French court. Even before they had heard of the outcome of Carberry, ten days after Mary's marriage to Bothwell, Charles IX and Catherine de Medici, the Queen Mother, had been considering how they might be able to exploit the situation. Norris reported that the 'Duke of Lorraine and the whole house of Guise' were looked for shortly, since the King and Queen Mother were 'minded to make their profit of this disaster hapned in Scotland'. Rather than offering support to Mary, they sought instead to 'renue their old practizers with *as many as they thinke be of any regarde to serve their turn*',

²⁹¹ Robert Melville to Cecil, 8 July 1567, SP52/14, f. 21.

²⁹² Throckmorton to Cecil, 12 July 1567, SP52/14, f. 30v.

²⁹³ As laid down in Treaty of Cateau-Cambresis. MacCaffrey, *Shaping of the Elizabethan Regime*, p. 153.

²⁹⁴ Second reply of the Queen to the Emperor's Ambassadors, 22 June 1567, CSPF 1566-1568, 1335, De Silva to Philip II, CSP Spain, 1558-1567, 427.

²⁹⁵ 'Journal of Affairs in France', June and July 1565, CSPF 1564-1565, 1279; Smith to Leicester and Cecil, July, CSPF 1564-1565, 1280; De Silva to Philip II, 16 August 1567, CSP Spain 1558-1567, 436; N.M. Sutherland, *Catherine de Medici and the Ancien Regime* (Historical Association, London, 1966), p. 18; Dawson, 'Anglo-Scottish Relations in 1565', p. 17.

²⁹⁶ G.D. Ramsay, 'The Foreign Policy of Elizabeth I' in C. Haigh (ed.), *The Reign of Elizabeth I* (London, 1984), p. 155.

²⁹⁷ N.M. Sutherland, *Catherine de Medici*, p. 16. The Pope, too, had not shown active support for Mary when she fled into England: A. Lynn Martin, 'Papal Policy and the European Conflict, 1559-1572', *The Sixteenth Century Journal*, 11, 2 (1980), p. 39.

²⁹⁸ De Silva to Philip II, 21 July 1567, CSP Spain 1558-1567, 432.

whether this was through Moray, or Châtellerauld.²⁹⁹ Norris reported rumours that the French aim was to bring Scotland to their devotion, and the young prince into France.³⁰⁰ Sharing Cecil's agenda, Norris explicitly encouraged Elizabeth to use 'such opportunitie' to ensure that there was no possibility of the French recovering their former dominance in Scotland.³⁰¹ There was much paranoia in England as to the intentions of the House of Guise, since the Cardinal of Lorraine, effective leader of the Guise family, was Mary's uncle and almost certain to support the restoration of his niece.³⁰² He also acted as the protector of Mary's interests in France and had the power to dispense revenues from her dower lands.³⁰³ The English were therefore particularly concerned with the level of influence the Guises had in French government at this time. During the summer of 1567, Norris believed Mary's French relations to be in great favour in France, reporting that the King was hunting, riding and eating with the Cardinal, fuelling English anxieties.³⁰⁴ Yet Catherine de Medici herself was not in favour of such friendly relations, and seemed particularly distrustful of the Guises, aiming to rule without reliance on any one faction. Modern historians fail to agree over the actual influence that they had at court at this time; Holt and Sutherland, for example, argue that the Cardinal of Lorraine was particularly dominant, despite Catherine de Medici's dislike of that faction.³⁰⁵ On the other hand, Stuart Carroll's work on the Guise affinity suggests that Guise influence at court was actually very low at this time.³⁰⁶ This discrepancy may in part be based on the misleading reports from the English ambassadors in France, upon which Sutherland has relied, whereas Carroll has used a much wider range of evidence, also drawing upon regional archives. If it is difficult for modern historians to analyse the Guise influence, it was equally difficult for contemporaries, whose views were based solely on the reports they received from their ambassadors, and the climate of fear prevented them from rationally assessing the subtleties of French politics. Even if the Guises were not favoured at court, Norris still believed the Cardinal was personally influencing the king away from the court, attempting to draw him off separately.³⁰⁷ With hindsight, the Guise fortunes do not seem to have been high enough to have intervened decisively in support of Mary, and the fact that Catherine de Medici managed to gain the peace of Longjumeau in 1568, against Guise interests, indicates that even within France their influence had waned since the early 1560s.³⁰⁸

²⁹⁹ Norris to Elizabeth, 25 May 1567, Stowe 147, f.188v; also 2 July 1567, Add. 4126 f. 50r, Norris stressed the promises made to Moray if he would be of the French faction. Italics for emphasis.

³⁰⁰ Norris to Elizabeth, 25 May 1567, Stowe 147, f. 188v.

³⁰¹ Susan Doran, 'Norris, Henry, first Baron Norris (c.1525–1601)', *ODNB*, [<http://www.oxforddnb.com/view/article/20272>]; Norris to Elizabeth, 25 May 1567, Stowe 147, f. 189r.

³⁰² He was the brother of the late Mary of Guise.

³⁰³ Greengrass, 'Mary, Dowager Queen of France', p. 172.

³⁰⁴ Norris to Elizabeth, 25 August 1567, Stowe 147, f. 193v.

³⁰⁵ Mack Holt, *The French Wars of Religion 1562-1629* (Cambridge, 1995), p. 62; Also see N.M. Sutherland, *The Massacre of St Bartholomew and the European Conflict* (Edinburgh, 1973).

³⁰⁶ Stuart Carroll, *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy* (Cambridge, 1998), pp. 124-127.

³⁰⁷ Norris to Elizabeth, 25 August 1567, Stowe 147, f. 193v.

³⁰⁸ N.M. Sutherland, *Catherine de Medici*, p. 18; Holt, *Wars of Religion*, p. 65.

Catherine de Medici herself seemed personally hostile to Mary: Norris reported, ‘the Queen Mother loves not the Queen of Scots and would let her try it by the teeth for any great devotion she has to procure her liberty’.³⁰⁹ Catherine did not want to see the Guises increase their power, and so long as her own position was not dependent on their support, was unwilling to follow a line of policy that could help their house to regain its former dominance. There was also the straightforward issue of feminine rivalry, since Catherine seemed genuinely jealous of the younger queen.³¹⁰ In addition, 1567 saw France preoccupied with problems of its own. Although not directly perceived by England, fears of Spanish hostility towards France emerged at this time. Religious tensions too were increasing, particularly with Alva’s march towards the Netherlands, which the Huguenots feared would be diverted to crush them, and by September, France saw the outbreak of its second religious war.³¹¹ Clearly the French crown would then have been unable to devote men or money to the problems of another country, although the international situation increased Scotland’s importance as an ally. Thus, although the Guises may have been pressuring the French crown to restore Mary, Catherine and Charles IX simply wanted to regain some form of alliance with the Scots, and to prevent England gaining the upper hand, fearing that the ‘grande combustion’ in Scotland could be exploited by the English to their own advantage.³¹² For this reason, both Moray and Châtelherault were bribed with expensive gifts to ‘run the French course’. Moray had been given a sum of money by the French King on his departure, in addition to a yearly pension.³¹³ Although he accepted such gifts, they did not equate to any pro-French attitude on his behalf, and to reject them would have been to turn down a useful source of income in addition to incurring French enmity.³¹⁴ Whilst he was waiting to depart France, it was ideal for Moray to be slightly equivocal about his political allegiances.

Further evidence for the French attitude came when the pro-Guise ambassador, Du Croc, was replaced with Villeroy.³¹⁵ The instructions given to Villeroy suggest that although the French king wished to aid Mary, he was far more concerned with resurrecting the Auld Alliance, preventing Anglo-Scottish concord, and ‘conserver le royaume d’Escosse a sa [France’s] devotion’.³¹⁶ Again, in 1568, the French King wrote to Moray, saying that he wished to maintain

³⁰⁹ Norris to Elizabeth, 23 July 1567, *CSPF 1566-1568*, 1502. Throckmorton also thought that Mary would prefer to retire into England rather than France, as ‘some mislikings’ had been made to her in France: Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 37r.

³¹⁰ Leonie Frieda, *Catherine de Medici* (London, 2003), p. 153.

³¹¹ Holt, *French Wars*, p. 64.

³¹² The French king feared that this could ‘amène la rupture de l’ancienne alliance entre la France et l’Ecosse’: ‘Mémoire pour M. de Villeroy envoyé en Ecosse’, June 1567, in Teulet, *Papiers*, ii, p. 182. The French feared that the enterprise of the Confederate Lords was secretly assisted by the English – ‘ayant assez senti que l’entreprise desdicts seigneurs est par soubz main assistée et favorisée des Anglois’.

³¹³ Throckmorton to Elizabeth, 12 August 1567, SP52/14, f. 141r.

³¹⁴ This is similar to his behaviour in 1550-1 when he took money from the French. Ritchie, *Mary of Guise*, pp. 73-85. Ritchie shows the limited effectiveness of pensions (as well as bonds of manrent) in binding the Scots to the French.

³¹⁵ Norris to Elizabeth, 2 July 1567, Add. 4126, f. 50; The *Diurnal* also notes that on 29 June, Croc departed from Scotland, allegedly because he had failed to have any success: *Diurnal*, p. 116.

³¹⁶ ‘Mémoire pour Villeroy’, June 1567, Teulet, *Papiers*, ii, p. 182.

the Auld Alliance, between the two kings, with no mention of Mary.³¹⁷ In a similar manner to Elizabeth, when the instructions to Throckmorton were drafted, Charles IX may have been hoping to effect a peaceful reconciliation in Scotland with himself as the pivotal point, thus gaining some form of influence within the country, without the need for armed intervention. Although in August, Lignerolles was sent over to Scotland, and openly pronounced the French desire for Mary's liberty, this was widely believed to be only for appearances sake, and 'not the marke he shooteth at', since he simultaneously carried individual letters to the chief Confederate Lords.³¹⁸ These letters assured the Lords that the French king was as careful of their wellbeing as they could wish, and Lignerolles informed them that Charles IX did not mean to trouble the country by sending men of war, since he was '[par]cyall of no syde'.³¹⁹ Despite further promises of support to encourage the friendship of the Marians (for example, the French King allegedly told Châtelherault he would do all he could to ensure Mary was put at liberty, and there were rumours of assistance to Huntly in September), it was unlikely at this stage that such promises would be translated into action.³²⁰

It is clear that all within the English government were concerned over the threat from France, be it real or imaginary, and there was certainly an assumption (albeit incorrect) that the French King would declare himself for Mary.³²¹ Yet they took divergent approaches to counter this. Cecil was concerned to build up Scotland as a Protestant state, led by Moray, in order to *prevent* the French from gaining any foothold in Britain, whereas Elizabeth was concerned that the measures that would need to be taken in order to provide such a united front would in themselves provoke aggression. Her approach was always more cautious, and she was not a risk taker, weighing each decision carefully, even if this made proceedings agonisingly slow. Contrary to the advice of her councillors, who were largely supportive of the Moray regency, Elizabeth decided to aid the Hamiltons.³²² The feed of information Elizabeth received from Throckmorton after Mary's deposition was undoubtedly designed to prompt her to support the Confederates, or at the very least, not to sustain Mary's faction. He described the Hamiltons as weak and fickle, maintaining that aid to them would serve no beneficial purpose,³²³ and that harsh action against the Confederates could lead to the loss of Mary's life.³²⁴ Yet whilst Elizabeth recognised that the Hamiltons were not necessarily acting out of genuine concern for their monarch, she still argued that their cause was the right one, even if their motivation was dubious.³²⁵ On 8 September, Elizabeth instructed her lieutenant-general in the North, Bedford, that he was 'in all things [to]

³¹⁷ King of France to Moray, May, 1568, in Teulet, *Papiers*, ii, p. 221.

³¹⁸ Bedford to Cecil, 14 August 1567, SP59/14, f. 31r.

³¹⁹ Throckmorton to Elizabeth, 12 August 1567, SP52/14, f. 141v; Throckmorton to Elizabeth, 13 August 1567, SP52/14, f. 143v.

³²⁰ Norris to Elizabeth, 6 September 1567, Stowe 147, f. 199v.

³²¹ Du Croc à la Reyne-mere, 17 June 1567, Teulet, *Papiers*, ii, p. 168.

³²² Bedford to Throckmorton, 4 August 1567, SP59/14, f. 9r.

³²³ Throckmorton to Cecil, 20 August 1567, SP52/14, f. 16r.

³²⁴ Throckmorton to Elizabeth, 5 August 1567, SP52/14, f. 112r; Throckmorton to Elizabeth, 22 August 1567, Add. 4126, f. 212r.

³²⁵ Elizabeth to Throckmorton, 29 August 1567, SP52/14, f. 174r.

co[m]fort' the Hamiltons and Lord Herries, or any of their friends who continued to maintain Mary's authority.³²⁶ Bedford feared that this would actually draw the French into the country rather than prevent their coming.³²⁷

However, Elizabeth's true intentions at this stage are uncertain. Although she sent financial aid to the Hamiltons, and openly professed her concerns for Mary, this, as with the French king, did not translate into military action and there was no sense that she ever seriously considered recovering Mary by force, except in moments of rage. Her initial ardour to support the rights of a fellow monarch had cooled somewhat by the autumn. She explained this to the Guises by claiming that, as her councillors advised, any action by English forces could actually put Mary's life in danger.³²⁸ This appeared to satisfy them, and the Guises thanked Elizabeth for taking Mary's cause in hand.³²⁹ Yet was she genuinely reluctant to commit to military action simply because it could put Mary's life at risk? Or was this merely an argument to content Mary's French relations, and to give England a breathing space in which to contemplate the next course of action and formulate a response? There was tension between Elizabeth and her councillors, but also in Elizabeth's own mind, and her indecision was apparent. Despite believing in the legitimacy of Mary's cause, she recognised the benefits of keeping the Confederate Lords on side, not wanting to alienate those with whom Cecil had built up a close working relationship, which she realised could prove advantageous to England, particularly in circumscribing French ambition, and in keeping the Borders under control.³³⁰ By keeping the two factions in a state of equilibrium, her options remained open, and she would be able to act quickly if the international situation necessitated this. Furthermore, the reports she received of the Hamilton party suggested that a substantial military commitment would be needed on England's behalf if Mary were to be forcibly restored. Little was achieved with the aid that England provided to the Hamiltons and it seems that this was designed largely to wean them away from France.³³¹ It was not until August, and only *after* Elizabeth had received reports that the Hamiltons had requested aid from France, and been made 'great offers' by Du Croc, that Elizabeth provided them with money.³³² Throckmorton was eventually recalled, allegedly because Elizabeth believed that he favoured the Confederate Lords too much.³³³ To all intents and purposes, it looked like she had broken off relations with the Confederate Lords, yet private correspondence continued between Cecil and Moray. For the moment, France and England were balanced precariously against each other and neither wanted to make the first move and risk tipping the scales in the favour of the other. Mary's flight to England in 1568, however, would disrupt this temporary state of equilibrium.

³²⁶ Elizabeth to Bedford, 8 September 1567, SP59/14, f.79v.

³²⁷ Bedford to Cecil, August 1567, SP59/14, f. 63r.

³²⁸ Elizabeth to Norris, 27 September 1567, *CSPF 1566-1568*, 1719.

³²⁹ Cardinal of Lorraine to Elizabeth, 6 September 1567, *CSPF 1566-1568*, 1670. This statement of thanks came from the Cardinal of Lorraine, and not from the French court itself.

³³⁰ Elizabeth to Throckmorton, 20 July 1567, SP52/14, f. 57v.

³³¹ Norris to Cecil, 23 July 1567, *CSPF 1566-1568*, 1497; Melville to Throckmorton, 10 September 1567, SP59/14, f. 81r.

³³² Drury to Cecil, 2 July 1567, *CSPF 1566-1568*, 1387.

³³³ Melville to Throckmorton, 10 September 1567, SP59/14, f. 81r.

1.4: The Beginning of Moray's Regency

The Confederate position did not improve overnight with Moray's assumption of the regency. The extremity of the actions taken thus far had already caused some less committed supporters to defect, and those who had not attended James' coronation similarly failed to attend the Privy Council meeting at which Moray's acceptance of the regency was witnessed.³³⁴ Equally worrying for Moray was the fact that the internal cohesion of even the most zealous faction of the Confederates seemed to be weakening. Although little evidence exists, it appears as though there were tensions centred around Morton. Since Moray's return, Morton felt, perhaps, that his own role had diminished. It is significant that earlier in the year, those opposed to the Confederate actions had been described as joining their power 'against Morton', which suggests he had held a dominant position within the Confederate Lords, particularly amongst the extremists.³³⁵ Two separate reports in October indicate that all was not well. Firstly, Bedford mentioned that there were 'mislikings and stomachings of matters between Morton and Home', and that Morton was also an enemy towards Herries.³³⁶ Secondly, Drury wrote that 'Morton's gathering of friends and seeking to make himself strong is much disliked'.³³⁷ One way in which to seek to overcome such tensions, as well as to attract (and maintain) support, was irrevocably to identify the Confederates with the furtherance of the Protestant religion. Whilst the individuals in the King's Party may, in reality, have been no more united than those in the Queen's Party, they were able to utilise the language of Protestantism in order to provide a more cohesive outward appearance of unity.

The furtherance of the reformed religion had not been an aim stated by the Confederate Lords, yet this is not to deny that for some it may have been a consideration. It would, of course, have been incompatible with their initial protestation that they were acting against Bothwell, in Mary's own interests, to have simultaneously claimed that they were taking action due to her faith. Nevertheless, the concept of toleration, as practised by Mary, was anathema to some Protestants, who saw religion in stark black and white terms. Regardless of the concessions that Mary had made, they did not feel that Scotland could claim to be a reformed country so long as it was headed by a Catholic monarch, and there were certainly some who genuinely hoped that their actions would result in a more decisive establishment of Protestantism. Many of the Confederate Lords had themselves joined the Lords of the Congregation in 1559-60, and the hopes of the sincerely committed reformers at that time were somewhat dashed when the Catholic Mary returned in 1561. Now, they saw the opportunity for earlier ideals to be resurrected. Morton, for example, had written to Lord Gray before their enterprise, requiring Gray to come to Edinburgh, reasoning that their actions concerned all who wished for the establishment of 'the religion'.³³⁸ Even if Morton was just attempting to gain support, the fact that he recognised that this was a way to motivate various individuals is significant. It is easy to be sceptical over the level of true

³³⁴ *RPC*, i, p. 548.

³³⁵ E.g. Scrope to Cecil, 21 June 1567, *SP59/13*, f. 179. Calderwood too focuses on Morton's role in trying to keep all those who took part in the initial action in Edinburgh, to prevent them from defecting: *History*, ii, p. 372.

³³⁶ Bedford to Cecil, 28 October 1567, *CSPF 1566-1568*, 1791. It is possible that territorial issues formed the basis of the grievances between Morton and Hume, as they both had lands in the south east of Scotland.

³³⁷ Drury to Cecil, 28 October 1567, *CSPF 1566-1568*, 1792.

³³⁸ Morton to Lord Gray, 12 June, *CSP Scot*, ii, 515. Calderwood actually notes Morton as being one of those who was keen to establish the religion: *History*, ii, p. 382.

religious devotion, but men such as Glencairn, Ruthven, Glamis and Grange were all noted for their commitment to religious reform, taking an active role in the meetings of the General Assembly, and, in the case of Glamis, opening up correspondence with the continental reformer, Beza.³³⁹ Glencairn, after Mary had been imprisoned, even sought the opportunity to deface her chapel at Holyrood.³⁴⁰

As for Moray himself, Lee is keen to show that all of his political moves were made in the belief that he was benefiting Protestantism, claiming that it was the Earl, as opposed to Knox, who played the greater role in the establishment of the Protestant Kirk.³⁴¹ Both Buchanan and the ballads produced after Moray's death stressed the 'godly' aspect of his regency, and together with his actions in 1559-60, there is some evidence that he had a real desire to see Protestantism firmly established.³⁴² His library, for example, contained a variety of Protestant works, he communicated with the French Huguenots, Condé and Coligny, and is reputed to have kept a devout household, described by Buchanan as a 'holy temple, free from impiety'.³⁴³ When giving instructions for the household of James VI, Moray was also concerned that the young king should not be subject to any 'ungodly or lycht behaviour', and that all domestic staff should regularly attend preaching and prayers.³⁴⁴ Nonetheless, the support of the Kirk was crucial for Moray's political success, and throughout his career, it is difficult to find an instance where Moray assisted the Kirk, which did not simultaneously benefit his own position. Thus whilst his genuine religious belief must not be discounted, it was also the case that religion could be manipulated for political ends. This was a technique that Moray had used before, albeit with limited success, at the time of the Chaseabout Raid.

Now, as the conservative nature of the Marian cause automatically enabled Mary's supporters to claim a greater ideological legitimacy, their cause seeming the more respectable throughout Europe, Moray and the King's Party needed a more powerful weapon. The Kirk was the source of some of the most radical theory to emerge in Scotland during the sixteenth century. Knox, for example, had finally applied his covenant theology to Scotland in 1564. He argued that Mary, as an idolatress, should not simply be forbidden to hold her private mass - a ceremony which was contrary to the teachings of scripture - but went so far as to assert that she should 'die the death'.³⁴⁵ As the country had formally embraced Protestantism in 1560, Knox was able to argue that Scotland, like England, had made a covenant with God, and the nobility (but only the

³³⁹ See list of those who took part in General Assembly: *BUK*, p. 107; on Glamis, see G. R. Hewitt, 'Lyon, John, eighth Lord Glamis (c. 1544–1578)', *ODNB* [<http://www.oxforddnb.com/view/article/17278>].

³⁴⁰ Herries, *Memoirs*, p. 97; Knox, *The History of the Reformation*, ii, p. 213. (This act was allegedly condemned by the nobility, who feared such violence, although commended by the ministers).

³⁴¹ Lee, *Moray*, p. 279.

³⁴² It was also reported that he preached 'the word of God' in Fife in 1559: Kellar, *England, Scotland and the Reformation*, p. 142.

³⁴³ Doughty, 'The Library of James Stewart', pp. 21, 27; Buchanan, *History*, ii, p. 573.

³⁴⁴ GD124/10/25, f. 4.

³⁴⁵ 'The Debate at the General Assembly, June 1564', in Knox, *On Rebellion*, ed. R. Mason (Cambridge, 1994), p. 195.

nobility) were thus obliged to take direct action against a monarch who disobeyed God's divine ordinances, to the extent of actually putting this monarch to death. Thus the acts of the Confederate Lords, although undertaken for other considerations, appealed greatly to Knox who interpreted them in accordance with his own priorities, and together with his supporter John Craig, exhorted the Lords to go as far as necessary to remove the idolater from Scotland – causing Throckmorton to fear for Mary's safety.³⁴⁶ Knox's covenant was also present within the coronation oath drawn up by the July General Assembly, which explicitly declared that a 'league and promise' should be made to the true Kirk, and a 'band and contract' between the prince and God.³⁴⁷ Yet the sentiments of someone such as Knox were not necessarily shared by the majority of the population, many of whom were more conservative and balked at the idea of putting their queen to death. Political considerations dominated; although some may have judged that Mary's death would cleanse their country from its sins, it was acknowledged that this would not meet with international approval, and would almost inevitably provoke an undesired response.

The printed ballad, 'Ane Exhortatioun derect to my Lord Regent and to the Rest of the Lordis accomplis', possessed strong Knoxian overtones. Biblical precepts were regarded as binding, with scriptural references to back up each point made throughout – Knox's 'case law'.³⁴⁸ It explicitly connected the Reformation revolt of seven years previously, when 'Christis trumpet throw this la[n]d was blawin', to the current situation. The amazing success that they had at that time, even though they were not the superior force, was attributed to the fact that God bore their banner, and thus the outcome then, as now, was preordained.³⁴⁹ This ballad was produced in August, perhaps prompted by the disappointing turnout at James's coronation and therefore designed to shore up a crumbling confederacy, reminding them of what they had been able to achieve before, when united in 1559. Although Knox's idea of the covenant is not made explicit here, there is nonetheless a sense in which the reign of Mary was seen as a punishment for the Scots' failure to carry through their reforms when they had had the opportunity. The ballad claimed that 'God's servants' – i.e. the reformed ministers – had tried to prevent religion from decaying, and instead condemned the nobility, motivated by 'wardly gloir'. The source of this propaganda therefore appears to have been from within the Kirk itself, regardless of whether or not it was Sempill who shaped the material into its published form.³⁵⁰ There is also evidence that during the 1560s and 1570s the Kirk were financing and supporting Lekprevik, the official Kirk printer, increasing the likelihood that this ballad was produced with Kirk backing.³⁵¹ Certainly, a

³⁴⁶ Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 99v.

³⁴⁷ Calderwood, *History*, ii, p.381; *BUK* p. 107.

³⁴⁸ See Mason, *Kingship and Commonweal*, pp. 139-164 for discussion on Knox's self-image as prophet, and his belief that scriptural examples could be lifted from their own period and transferred directly to the contemporary world.

³⁴⁹ 'Ane Exhortatioun' in Cranstoun (ed.), *Satirical Poems*, i, p. 53.

³⁵⁰ In grouping the ballads together, Walton has elided the diverse modes of argument used in each: Walton, *Protestant Patriarchy*, pp. 145-149.

³⁵¹ Lekprevik was made official King's Printer on 14 January 1568, possibly as a reward for his loyalty and work in the summer of 1567: *RSS*, vi, p. 28. *BUK*, p. 164 mentions that Lekprevik asked the Kirk for support in his office of printing (9 March 1570), and the Kirk assigned him £50 for it, due to the 'great

very different type of argument is used in ‘Ane Exhortatioun derect’, with its strong emphasis on biblical parallels (examples drawn from Chronicles and Kings in particular), if compared to ‘Ane Declaratioun’ (see above, p. 8). The ballad also bears a resemblance to the letters which had been sent out to the Lords during the June General Assembly, signed by Knox, Craig, Row and Erskine of Dun, amongst others.³⁵² They believed the impetus for reform needed to come from the Lords, Knox’s ‘inferior magistracy’, who were therefore exhorted to put religion above political considerations, and to seize this moment of opportunity. Whilst Mary herself was not mentioned by name, the message was clear: ‘let na idolater your handis eschaip’ and ‘leif nathing that belangis to the Paip’. They were urged to depose papists from office, regardless of any kinship loyalties (specifically directed to Moray as Mary’s half-brother, perhaps) and the author of the poem seemed to see this as an opportunity to give radical reform to the commonwealth, placing only ‘godly men’ in office.³⁵³

In a situation where his government was really only *de facto*, rather than *de jure*, Moray was obviously well aware of the value of utilising such Protestant rhetoric to defend his position. Whilst the stance of some preachers may have been too extreme, their support was nonetheless of vital importance to the Confederate Lords, who sought to harness their radical tendencies and manipulate them to their own ends. Efforts were made by Moray from the start of his regency to consolidate Kirk support, both by the language used to justify events, and in acts of a practical nature. For example, in September, in an effort to ensure that the ministers could be sustained, an act of ‘discharges of the thirds’ was made, which stated that Moray wanted to reform the former abuses and corruption of the thirds.³⁵⁴ This act claimed that Mary had made unsuitable gifts of the thirds, tacks, and common kirks, which were now null and void, and announced that the thirds would be put to their rightful purpose. It was a way to contrast the new regime with the old, which Moray argued had caused the policy of the thirds to become corrupt. More practically, it was also a way to ensure that the now under-funded government received its share of the thirds, for ‘publict effaris’.³⁵⁵

zeale and love he beares to serve the Kirk at all times’. He was certainly supportive of the reformers, although, as Dickson and Edmund write, it is not certain whether this was ‘from religious conviction or selfish policy’ – he may have seen the Reformation as a way to increase his income. He had brought out the Confession of Faith in 1561, and again in 1562 there is evidence he was given financial support (being lent £200) from the Kirk: Dickson and Edmund, *Annals of Scottish Printing*, (Cambridge, 1890), p. 199.

³⁵² Calderwood, *History*, ii, pp. 369-370.

³⁵³ Indeed, this was something which the Kirk desired in the demands they presented in the July General Assembly. There is also an encouragement to alleviate the poverty of labourers and tenants, suggestive of the author’s strong commitment to reforming ideals, and something which was also desired by the General Assembly in 1567: *BUK*, p. 108.

³⁵⁴ *RPC*, i, pp. 573-575. The policy of the thirds of benefices, dating from 1561, was where one third of the income from the Church benefices was split between the Crown, and the Protestant Kirk. The existing benefice holders kept the remainder. Collection was often difficult. See Donaldson, *Accounts of the collectors of thirds of benefices, 1561-1572* (Scottish History Society, 3rd Series, Edinburgh, 1949), p. xiii.

³⁵⁵ *RPC*, i, p. 573.

The oath taken by Moray when he became regent also portrayed his role in a theocratic light, since he had promised, according to God's word as revealed in the Old and New Testaments, to

manteyne the true religioun of Jesus Christ, the preachinge of his holie worde and due and right mynistratioun of his sacreamentis now ressavit and practyzed within this realme and sall abolyshe and ganestand all fals religyoun ... and sall rewle the people co[m]myttit to my charge accordinge to the will and co[m]mande of god revelit in his forsaid worde and accordinge to the lovabill lawes and constytucione resavit in this realme.³⁵⁶

Indeed, from this, Throckmorton deduced that Moray was actually seeking to depict himself like a leader of ancient Israel.³⁵⁷ This oath was almost word for word that taken by Morton on James's behalf, casting him as a 'godly prince', and again bears similarities to that which was drawn up by the General Assembly in July.³⁵⁸ However, there was one crucial difference. References to the idea of a covenant, or to a contract between ruler and ruled were dropped. This may be another indication that the Scots were generally more conservative than is sometimes assumed, since Moray presumably realised such language would not attract support – either internally, or from Elizabeth I.

Moray's first parliament, held in December 1567, continued this theme, opening with an exhortation by John Knox.³⁵⁹ This was swiftly followed by a re-affirmation of the acts passed in the Reformation Parliament of 1560, and a repetition of the Confession of Faith from that time.³⁶⁰ It is also likely that Moray prompted Maitland of Lethington into making a speech, which provides a classic example of the persuasive arguments used by the King's Party to justify their actions.³⁶¹ Even if Moray had not explicitly commissioned the Secretary to give this speech, it is probable that it was designed by Maitland to ingratiate himself with the new regency government, particularly since he, as one of the last to withdraw his support from Bothwell, may have been politically vulnerable.³⁶² Although by this point Huntly, Argyll, Herries and Boyd had, as will be seen, all offered their allegiances to Moray, the position of the King's Party, and of Moray himself, was still by no means secure.³⁶³ Before the Parliament began, a placard was posted in Edinburgh, containing various questions 'to be absolvit be the Lords off the articles', most of which cast aspersions on Moray's right to bear the title of Regent. They questioned why Châtelherault had not been appointed to the position, and whether Mary could even lawfully demit her crown and

³⁵⁶ Throckmorton to Elizabeth, 23 August 1567, SP52/14, f. 167r.

³⁵⁷ Throckmorton to Cecil, 20 August 1567, SP52/14, f. 161r.

³⁵⁸ *APS*, iii, p. 23.

³⁵⁹ Calderwood, *History*, ii, p. 388.

³⁶⁰ *APS*, iii, pp. 14-23.

³⁶¹ This speech survives in BL Royal 18 B VI, ff. 238r-238v.

³⁶² Maitland had taken this role of 'harange maker' in 1560 and 1564: Brown, 'The Reformation Parliament', in K. Brown and R. Tanner (eds.), *Parliament and politics in Scotland, 1235-1560* (Edinburgh, 2004), p. 215. Also see 'The Debate at the General Assembly, June 1564', in Knox, *On Rebellion*, pp. 182-209.

³⁶³ See below, pp. 61-62.

create a regent.³⁶⁴ At the same time, the Duke sent a proxy to enter a protest in the Parliament against ‘all attempts which the Regent might make to divert the title and succession to the crown of Scotland from those it rightfully belonged to’.³⁶⁵ With questions over the legality of the deposition, it was now crucial for the King's Party to establish the validity of their actions. Whilst Maitland reiterated the original aims of the Confederates, there was now a need to play up the Protestant goals to the fullest extent. It appears by this speech that the process of Mary’s deposition was sold as a way to continue the process of reformation. Divine sanction was arguably the strongest form of justification that could be obtained; therefore the idea that the Scots had been favoured was prevalent in the speech, with

godis providence towardis zow ... [which] ... hes not onlie bene extendit towardis the saultie of zoure consciences altho^t yat is the principall and tobe takin for the chief benefite bot also to the securitie of zor lyffis and landis.³⁶⁶

The lack of ‘bludeshed’ provided further evidence that they had merely achieved what God had intended. Maitland, like ‘Ane Exhortatioun’, explicitly linked this to the events of 1559-60 and portrayed Mary’s deposition as a culmination of the events that had begun before her arrival in the realm, implying that it was virtually pre-destined. He was concerned to show how Scotland was unique in this sense – a brief comparison with other European countries served to emphasise how what they had received was a ‘peculiar benefite gra[n]tit onelie to ye realme of scotland’, although they did not know the reason why.³⁶⁷ With an eye to his wider audience, Maitland was careful to stress that it was not because Scotland was most worthy.

Maitland also used his speech to exhort men to continue with the process of reformation, warning them not to be negligent and to waste the opportunity that they had been offered. In order to do this it was necessary that they ‘aggrie upoun asuele in mattris of relligioun as twitching the co[m]moun welth *I mean my lord Regent*’ which equated the idea of carrying out God’s will to support for the Regent.³⁶⁸ Whilst the link between the two was not explicit, the tenor of the speech revealed that Moray was the instrument by which God would now act – similar to a letter written by Moray himself to Herries.³⁶⁹ The fact that this speech has survived in written form in the English archives also indicates that it may have been circulated in England, and was designed for consumption at the English court just as much as for the Scots themselves. This was presumably with the aim of encouraging support from those in England who were keen to assist in the furtherance of Protestantism, and was particularly important in the early days of the struggle, when Elizabeth and her councillors were divided in their opinions. By seeking to identify the Scottish situation with a Europe-wide struggle between the forces of light and darkness, the King's

³⁶⁴ It seems possible that this was posted by a Hamilton supporter. ‘Questions to be absolved’, December 1567, Sloane 3199, f. 169v.

³⁶⁵ *HMC*, xi, p. 44.

³⁶⁶ Maitland’s speech, December 1567, BL Royal 18 B VI, ff. 238r.

³⁶⁷ Maitland’s speech, December 1567, BL Royal 18 B VI, ff. 238r.

³⁶⁸ *Ibid.*, f. 238v. Italics for emphasis.

³⁶⁹ Moray to Herries, 1567, NRAS217/43/58.

Party would be appealing directly to someone such as William Cecil or Francis Walsingham.³⁷⁰ It is arguably for this reason that the conflict is so frequently described as a ‘godly quarrel’ in the Anglo-Scottish correspondence.

The King's Party, throughout the course of the wars, therefore found it essential for both internal and external audiences to demonstrate that they were the upholders of the ‘true’ religion, casting the Marians as Papists, and portraying the conflict along confessional lines.³⁷¹ Yet as the examples of Herries and Argyll show, it was actually not unusual for a Protestant to be a staunch Marian supporter, signifying that, whilst religion was certainly a highly significant factor in determining allegiance, it was not as clear cut as the propaganda implies.³⁷² Maitland of Lethington and Kirkcaldy of Grange, both noted for their desire for a Protestant Anglo-Scottish amity, would come to support Mary’s cause, proving that religious motivation alone was not enough to keep them within the fold of the King's Party. At times, the Queen's Party themselves would even try to appear as defenders of the Protestant faith. For example, on his return to Scotland in 1569, Châtelherault’s letter to the General Assembly expressed a desire for the furtherance of Protestantism.³⁷³ Although Châtelherault was, above all, trying to protect himself, with what Calderwood sees as ‘godlie pretences’,³⁷⁴ both he and Argyll had been among the reformers in 1560.³⁷⁵ Despite the pro-Catholic stance they might indicate to France and Spain, the Marians did not perceive the civil wars as primarily a religious conflict. Furthermore, Protestantism and support for Mary, as rightful monarch, were in no way incompatible. Being Protestant did not mean agreeing with Knox’s form of resistance theory, and others may have felt more comfortable with a more moderate response – as had been the case in the debate over Mary’s mass in the 1564 General Assembly. They only had to look to the examples of continental reformers such as Calvin who advocated policies of non-resistance, and the endurance of suffering for their faith.

Maitland’s speech has been cited as evidence of Maitland’s admiration of, and friendship with, Moray.³⁷⁶ However, since Maitland was clearly obliged to praise the Regent, and needed to secure his own position, it is difficult to use this as proof of their supposedly close relationship. There is also a slight amount of ambiguity within the speech. For example, Maitland acknowledged that the King’s authority was planted in Moray, but only for ‘this tyme’. Furthermore, he was keen to emphasise the need for Moray’s submission to the law:

I ... dar promise it in his name that he will nevir tak upoun him to empire ower the law Bot be the contrary submitting his awin persoun to the law will profes him self onlie to be zor

³⁷⁰ Cecil’s view is discussed in Thorp, ‘William Cecil and Anti-Catholic Ideology’, in *Politics, Religion and Diplomacy in Early Modern Europe, Essays in Honor of De Lamar Jensen* eds. Malcolm R. Thorp and Arthur J. Slavin (Missouri, 1994), pp. 289-301.

³⁷¹ This is reflected in some of the histories of the period, such as that by Calderwood.

³⁷² *AQM*, p. 114.

³⁷³ Calderwood, *History*, ii, pp. 479-80; *BUK*, p. 138.

³⁷⁴ Calderwood, *History*, ii, p. 481. Châtelherault was trying to get the Kirk to ensure Moray did not take action against him.

³⁷⁵ Donaldson, *James V- VII*, p. 161.

³⁷⁶ Loughlin, *Maitland*, p. 266.

mi[ni]ster and executor of the gude ordina[n]ces ze sall aggre upoun without ony privat respect to his awin commoditie.³⁷⁷

This concern of Maitland's is a sentiment of which George Buchanan would have heartily approved, and, together with the stress on counsel at the time Moray was installed as regent, would have offered a contrast between the alleged tyranny of their former monarch and the new regime.³⁷⁸ Such sentiments were clearly intended to appeal to Maitland's audience – the law-makers of the country.

In addition to the use of Protestant rhetoric as a way to secure their position, the King's Party emphasised their desire to seek justice. This had been used in their initial propaganda (particularly their banner, depicting the infant James lying under Darnley's corpse, and the words 'Judge and revenge my cause'), and the theme had been continued, forming part of Moray's regency oath.³⁷⁹ In the propaganda, there was a conscious effort to draw a clear distinction between the Confederate Lords and the murderers of Darnley. In reality these two groups were not mutually exclusive, yet it was necessary at least to appear to mete out justice, in order to protect their own positions, and once again to show that they were determined to right the wrongs of Mary's reign. Privy Council sessions after Mary's imprisonment were dominated by attempts to obtain justice, with punishments for those who had assisted Bothwell in any way; for example, the men of Crail who assisted in his escape by sea, and the Bishop of Moray who had allegedly encouraged him in his 'wickitnes'.³⁸⁰ On 22 August, the very day that Moray was proclaimed Regent, 40 minor individuals were summoned to stand trial for the murder, although only three appeared.³⁸¹ Those three were judged to be innocent, since they came uncompelled, while twelve others were outlawed. The executions of men such as Hay of Tallo and Blackadder acted as visual evidence that the Confederate Lords were indeed earnest about seeking justice. At the same time, however, they covered up their own roles in the murder, by executing those who could speak out against them. They took pains to show that they were hunting down Bothwell, now described as the 'cheefe author of the murther [and] also the committer of it with his owne hands', offering a reward to anyone who would bring him in.³⁸² Yet steps were not taken immediately in this respect, suggesting that in reality they did not actually want to catch up with him in case he said too much and implicated them in the murder, and the Craigmillar bond, which – if it really existed – would have indicated their complicity in the murder, was also allegedly burned.³⁸³

³⁷⁷ Speech of Maitland of Lethington to Parliament, December 1567, Royal 18 BVI, f. 238v.

³⁷⁸ Indeed, Maitland's sympathy with such an idea may be why Buchanan feels his defection from the King's Party is such a betrayal and later turns upon him so viciously.

³⁷⁹ 'Banner of the Confederate Lords', 15 June 1567, *CSP Scot*, ii, 519; Throckmorton to Elizabeth, 23 August 1567, SP52/14, f. 167r. The quotation 'Judge and revenge my cause O Lord' is taken from the metrical version of Psalm 43.

³⁸⁰ *RPC*, i, p. 528.

³⁸¹ *Diurnal*, p. 120 [the three that appeared were Cockburn of Skirling, Hepburn of Richardson, and William Edmonston].

³⁸² Calderwood, *History*, ii, p. 367; *RPC*, i, p. 525.

³⁸³ Drury to Cecil, 28 October 1567, *CSPF 1566-1568*, 1792: 'the writings which comprehended the names and consents of the chief for murdering of the King is turned into ashes, the same not unknown to the Queen, and the same which concerns her part kept to be shown'.

Mary's own guilt in the murder was also alluded to in December. An act of parliament, 'Anent the Retentioun of our Soverane Lordis Mother', confirmed a previous act by the Privy Council, declaring that everything done since the time the Lords had taken arms against Mary had been lawful. It was claimed that Mary deserved the treatment meted out to her, due to letters written between herself and Bothwell, which 'proved' she was 'previe, airt and pairt' to the murder.³⁸⁴ Reference to these letters (commonly known as the Casket Letters), had been made as early as June, although no source from that time provides detail as to their content.³⁸⁵ It is probable that whilst the Lords had the idea of fabricating such documentation to prove Mary's guilt, the forged letters themselves did not yet exist. Mary's role in the murder was not yet a key issue; if it had been, it seems that the Lords would have been keen to display publicly all evidence against her. So long as they were using the fiction that she had abdicated of her own free will, there was no immediate need to show her as a tyrant, and there would not be a serious effort to compile evidence against her until a later stage. Indeed, as with the arguments for elective monarchy, it would not be until after she had formally revoked her abdication in 1568 that they would need to refocus their attentions on such ideas. Furthermore, if they placed too much stress on Mary's alleged involvement in the murder, then they might have to deal with some of the issues that were raised on the placard posted before the parliament. One question asked 'if Mary is found guilty of the king's slaughter, whether the prince can succeed to a traitress?' and another, 'if found guilty and imprisoned, whether she can demit her crown and make a regent?'³⁸⁶ Whilst their own regime was still in its infancy, with Mary's abdication not ratified until this Parliament, Moray would not want any further controversies to shake its flimsy foundations.

1.5: Moray's Enemies

Turning now to those who chose to support Mary, and who were consequently ranged against the new Regent, Gordon Donaldson feels that the 'nucleus of a Marian party' existed in Scotland during May 1567, remaining loyal to her despite the Bothwell marriage.³⁸⁷ He uses the lists of those who were with Mary when she made her declaration on 12 May that she was at liberty to marry Bothwell, the witnesses to her marriage contract on 14 May, those present at the actual wedding on 15 May, and the Privy Councillors who were present at meetings from 17 to 22 May. Once it is taken into consideration that some were not councillors and thus ineligible to attend the council meetings, and some would not attend the wedding due to religious scruples, he argues that it is possible to deduce Mary's more consistent supporters. According to these criteria, key adherents in May were the Hamiltons, together with the Earls of Crawford, Caithness, Huntly and

³⁸⁴ *APS*, iii, p. 27, Act by Regent and Council, 4 December 1567, SP52/14, f. 226.

³⁸⁵ Throckmorton reported to Elizabeth that the Lords had proof of Mary's involvement with Bothwell regarding the murder of Darnley: 25 July 1567, *CSPF 1566-1568*, 1509.

³⁸⁶ 'Questions askit to be absolvit be the Lords off the articles December 1567', Sloane 3199, f. 169r-169v.

³⁸⁷ *AQM*, p. 83

Sutherland, Lords Boyd, Fleming, Rothes, Seton, Livingstone, Herries and Oliphant, and the Bishops of Ross and Galloway.³⁸⁸

Donaldson's lists, however, provide only a snapshot of loyalties in the weeks leading up to Carberry, and do not necessarily provide us with a true picture of the early levels of Marian support. Argyll who, along with Huntly and Châtelherault, was to form the backbone of the Queen's Party, was absent from these lists, yet shortly after Carberry, became one of the most prominent supporters.³⁸⁹ Presumably since it does not suit his argument, Donaldson also fails to mention that Maitland of Lethington, who was instrumental in the early formation of the King's Party, appears on at least two of these lists, and did in fact remain with Mary until 5 June.³⁹⁰ Furthermore, the Privy Council sederunts do not automatically equate to loyalty towards Mary – the Bishop of Orkney, for example, was present during the May Privy Council sessions, and also officiated at the marriage ceremony of Mary to Bothwell, yet as his role at the coronation of James demonstrated, he could certainly not be viewed as a supporter of Mary. It is those who came out decisively as defenders of their monarch in the troubled days post-Carberry, rather than those who attended the Privy Council sessions before this, who can truly be viewed as the 'nucleus' of a Marian party.

It was also possible to support Mary, yet oppose her marriage to Bothwell. The bond signed by Mary's supporters in July 1567 contained a very similar statement of aims to those of the Confederate Lords – 'we engage ourselves, our kin, friends, bodies and lives for her liberty, and to concur in punishing the king's murder and for the prince's liberty'.³⁹¹ Their strict adherence to the original aims enabled the Marians to claim that they were simply doing what the rest of the political nation had intended all along, and may have encouraged further support for their party by blurring the distinctions between the two groups.³⁹² This also explains why it had been possible for some of Mary's supporters – such as Argyll – initially to have taken part with the Confederate Lords, yet later to reject the more extreme proceedings and claim they had always had Mary's best interests at heart. Few opposed the Confederate Lords out of any desire to uphold Bothwell's position, and his only real support was that which he had been able to muster from the Borders.³⁹³ Yet even this must be qualified, since the Borderers largely sought to exploit the situation for their own benefit. As Scrope, the English Warden, wrote to Cecil, the Borderers thought that 'undre frendship and [pro]tection of thone party, theie have ... good collor to ryde for

³⁸⁸ *Ibid.*, p. 84.

³⁸⁹ Scrope to Cecil, 21 June 1567, *CSPF*, 1332. Scrope appears to have been a supporter of the Regent, and had given him shelter in 1565 when he was exiled in England after the Chaseabout Raid.

³⁹⁰ He was a witness to the marriage (copy of marriage contract NAS GD149/265, f. 17) and also attended Privy Council meetings.

³⁹¹ The signatories to this bond were Arbroath, Argyll, Boyd, Fleming, Galloway, Herries, Huntly, Killwinning, Ross, Skirling; James Melville to Drury, 8 July 1567, SP52/14, f. 28r. [Bond itself not extant].

³⁹² Archbishop Hamilton *et al.* to Throckmorton, 19 August 1567, SP52/14, f. 158r.

³⁹³ Throckmorton to Elizabeth, 16 July, SP52/14 f.44; 26 July 1567, SP52/14, f. 84v.

the spoyle of thother'.³⁹⁴ Nonetheless, whilst impossible at this stage to view them as adherents to either party, they were later to play a key role in the formation of Anglo-Scottish policy.

The term 'Marian' party can be somewhat misleading, however, since it implies that those who adhered to Mary's cause did so out of a genuine concern for the fate of their monarch. This was not necessarily the case, and some members of this party were united not by a shared belief in Mary's right to rule, but by a variety of grievances and a shared animosity towards Moray. Many of those who formed the embryonic Queen's Party did so not out of any real desire to see their Queen restored to power, but because they themselves were excluded from the role in government they believed they were entitled to. The wide spectrum of beliefs and opinion which existed meant that positions were not set in stone, and both before and after Mary's deposition, there were windows of opportunity for agreement to be made. For example, on 9 July, both sides had convened and Herries, an early deserter from the Confederates, reported that if the Lords in Edinburgh would consent to set Mary at liberty, and allow the realm to be governed by nobles chosen indifferently from either party, then the Marian supporters would join with them in the punishment of the murderers.³⁹⁵

Throckmorton's description of the 'twoe strange and soundrye humors' found amongst the unlikely alliance of Argyll and the Hamiltons, demonstrates the divergent aims of Mary's supporters.³⁹⁶ Hamilton opposition to the confederates, for example, shows in its early days a startling lack of concern for the Scottish Queen. Although outwardly loyal to Mary from the start, the Hamiltons were motivated by the desire to further their own dynastic aims.³⁹⁷ These aims were not new: in 1565, during the Chaseabout Raid, they had even been prepared to ally with Moray, due to their dynastic rivalry with the house of Lennox.³⁹⁸ As Finnie has shown, such dynasticism acted as a force to unite the various branches of the family, even when their religious or political aims were at variance.³⁹⁹ In June 1567, their motivation for forcibly removing Bothwell from Mary was not for the good of the common weal, but because once Mary became a free agent again, they could perhaps hope for a match between Mary and John Hamilton, Commendator of Arbroath. There was certainly much contemporary suspicion of them; Throckmorton wrote that they only 'make show of the lybtertye of the Q[ueen]',⁴⁰⁰ and Drury added that this was 'not for her good, for neyther likes sche off them nor they off her'.⁴⁰¹ For a moment, the Hamiltons had even been prepared to consider joining the Confederate Lords if, in

³⁹⁴ Scrope to Cecil, 16 June 1567, SP59/13, f.100r.

³⁹⁵ Also the Bishop of Galloway, the Uncle of Huntly, asked for a meeting with the King's Party. Throckmorton to Elizabeth, 18 July 1567, SP52/14, f. 49v.

³⁹⁶ Throckmorton to Elizabeth, 14 July 1567, SP52/13, f. 37r.

³⁹⁷ Châtelherault was heir presumptive to Mary, but not necessarily to James, since it could be argued that as he was the son of Darnley, then his paternal uncle, Charles, should be the next in line if James died without issue.

³⁹⁸ For which Châtelherault was now in exile in France.

³⁹⁹ E. Finnie, 'The House of Hamilton: Patronage, Politics and the Church in the Reformation Period', *Innes Review*, 36 (1985), p. 4.

⁴⁰⁰ Throckmorton to Elizabeth, 14 July 1567, SP52/14, f. 37r.

⁴⁰¹ Drury to Cecil, 1 July 1567, SP59/13, f. 196v.

exchange, they were recognised as the next heirs to the throne, instead of Darnley's younger brother, Charles. It was reported that they actually welcomed Mary's detention, and would concur with the Lords in all things, 'so as the crowninge of the prynce, nor none other acte, may defeacte them of theyre possybyltie to thys crowne, which they feare by the settinge up of the howse of the Stuardes'.⁴⁰² Indeed, they were quick to send a man of the Archbishop's to deliver a protestation at the coronation of James, declaring that this should in no way prejudice the Duke's house in their title to the succession,⁴⁰³ and even after the coronation, did not immediately draw away entirely from the Confederates. On 9 August, Throckmorton reported another plan for a conference to be held between the two groups, and feared that the Hamiltons would go so far as to join with those who wanted to see Mary put to death.⁴⁰⁴ Tullibardine had informed him that the Hamiltons' real intention was to kill Mary herself, since if she were gone, they 'accompt but the lytle kinge betwixt them and home, wh[i]ch maye dye'.⁴⁰⁵ He portrayed the Hamiltons as remaining apart from the Confederate Lords not because their measures were too extreme, but because they were not extreme enough. Almost certainly this was rumour, designed to discredit Mary's supporters, and not based on fact. Throckmorton himself believed that this was unlikely – firstly, if Mary were dead, the Hamiltons would be unlikely to gain enough support to make good their claim to the throne, or to see her married to Arbroath, and secondly, they had expressed in writing to both France and England their desire for Mary's liberty, and would surely have recognised that it would be inconceivable to execute their sovereign and expect no reprisals from either Elizabeth or Mary's Guise relations.⁴⁰⁶

Any semblance of agreement with the Confederate Lords soon evaporated. The Hamiltons were unable to accept the regency of Moray – not necessarily because they disagreed with the deposition as such, but because they felt that if there was to be a regency, then it should belong by rights to Châtelherault, who had acted as regent (however poorly) in Mary's own minority.⁴⁰⁷ The Abbot of Kilwinning had even treated with Moray, although to no avail, trying to persuade him to suspend his acceptance of the position until Châtelherault returned.⁴⁰⁸ The Hamiltons thereafter publicised their criticisms of Moray, and attacked his right to the regency, as the ballad entitled 'Ane Ansr maid to ye Slanderaris yt blasphemis ye Regent and ye rest of ye Lordis' shows, since this responded to their complaints, and was specifically directed towards 'Hoitbag Hamiltoun', probably referring to the Archbishop, who was accused of publicly

⁴⁰² Throckmorton to Elizabeth, 16 July 1567, SP52/14 f. 45r; Throckmorton to Elizabeth, 18 July 1567, SP52/14, f. 50r.

⁴⁰³ Throckmorton to Elizabeth, 31 July 1567, SP52/14, f. 104r; *RPC*, ii, p. 537.

⁴⁰⁴ Throckmorton to Leicester, 9 August 1567, SP52/14, f. 123r.

⁴⁰⁵ Throckmorton to Elizabeth, 9 August 1567, SP52/14, f. 119r. 'Home' in this context refers to the throne of Scotland.

⁴⁰⁶ *Ibid.*, f. 118v

⁴⁰⁷ Throckmorton to Elizabeth, 14 August 1567, reported that the Hamiltons refused to accept the regency as the Stuarts would do too well out of it, rather than themselves, SP52/14, f. 149r. Also, the Abbot of Kilwinning treated with Moray to suspend acceptance of the regency until Châtelherault returned, and if that was denied, stated that they would refuse to recognise Moray as regent, or to obey the King in their bounds: Throckmorton to Elizabeth, 23 August 1567, SP52/14, f. 164v.

⁴⁰⁸ *Ibid.*, SP52/14, f. 164v.

proclaiming Moray's illegitimacy.⁴⁰⁹ The endorsement added by Drury to the bottom of the verses claims that it was in answer to bills set up against the Regent of Scotland.⁴¹⁰ Unfortunately any bills to this effect are no longer extant, although this example does serve as a useful reminder that, although a larger body of anti-Marian propaganda may have survived, the Queen's Party did not ignore the opportunities to appeal to public opinion. Indeed, the placards posted before the December parliament also appear to have been Hamilton in origin.⁴¹¹

Once it was established that their claims were not going to be taken into account by the Confederate Lords, and that Moray was to be Regent, the Hamiltons were consequently unable to accept James' coronation, and instead re-concentrated their efforts on trying to procure Mary's liberty and the destruction of Bothwell.⁴¹² It is unlikely that they were genuinely concerned with punishing Bothwell for the murder itself, but instead may have hoped to use this an opportunity to neutralise their political opponents by implicating them in the murder, and thus to ensure for themselves a position at the heart of government and have their place in the succession recognised. They also feared that, as a relatively unpopular house with many of the Confederates, the murder of Darnley would be laid to their charge (regardless of any actual involvement), and that they would be sacrificed at the start of a new regime.⁴¹³ For the Hamiltons, attack was therefore the best form of defence. Furthermore, it was by no means certain that Mary would remain imprisoned, and if she regained her liberty, and punished the Confederate Lords for their actions, the Hamiltons did not want to jeopardise their own claims to the throne.⁴¹⁴

They were ideally placed to muster support. Despite the fact that the head of the house was absent in France, where he had been in exile since the Chaseabout raid, his half brother, the Archbishop of St Andrews, was more capable. He was able to draw upon the vast network of loyalty that Châtelherault had built up, through a combination of kin ties, and bonds of manrent, fortified with marriage alliances, and rewards given during the period of his own governorship.⁴¹⁵ His family had also gained financially, through exploitation of the Church, and through their continental links, and were thus a significant force to be reckoned with. Individuals within the Hamilton nexus, benefiting from the protection it provided, were unwilling to lose this by maintaining a contrary position to that of their leader. Yet the power of the Hamilton family also worked against them. Their manifest ambition and immense acquisition of wealth, church positions and lands had made them deeply unpopular. There were arguably many in Scotland who would have been glad to see them destroyed, and it is likely that some turned to the Confederates and to Moray purely in the hope of seeing their old enemies ruined rather than for any genuine belief in the confederate actions. Indeed, James Melville mentioned that some had 'particulars

⁴⁰⁹ 'Ane Ansr maid to ye Sklanderaris yt blasphemis ye Regent and ye rest of ye Lordis' in Cranstoun (ed.), *Satirical Poems*, i, p. 65.

⁴¹⁰ 'Answer to the Regent's Slanders', August 1567, SP52/14, f. 185r.

⁴¹¹ See above, p. 51.

⁴¹² Archbishop Hamilton to Throckmorton, 19 August 1567, SP52/14, f.158r.

⁴¹³ Robert Melvill to Cecil, 1 July 1567, SP52/14, f. 5r.

⁴¹⁴ Throckmorton to Elizabeth, 9 August 1567, SP52/14, f. 118v.

⁴¹⁵ Finnie, 'The House of Hamilton', pp. 5-6.

against the Hammiltons, and supponit to get them wraked, therby to won vantages be fishing in dromly [muddy] watters'.⁴¹⁶ In addition to this, their connection with France proved unpopular to those who saw Anglo-Scottish amity as the way forward.⁴¹⁷ To a certain extent, the Hamiltons had no real choice but to form their own faction. According to James Melville they were suffering a form of political isolation, and even if they had taken part with the confederates,

ther frendschip and societe was planly refused at this tym, and wer not admitted to com unto the coronation ... For they persaving themselves casten aff, and ther frendschip and assistance refused, maid the moyen and practiques that they mycht, for ther awen surete and defence.⁴¹⁸

If Hamilton motivation is at least relatively easy to explain, what about Moray's other opponents? The Earl of Huntly, for example, was one of Mary's most loyal adherents during the course of the war. Unlike the Hamiltons, the Gordons of Huntly were chiefly a territorial family, without a claim to the throne,⁴¹⁹ yet the well-established network they commanded, primarily in the north-east, but also with connections stretching into the south-west, made them a significant force.⁴²⁰ The lack of strong central government in the North had made Huntly an increasingly powerful magnate, viewed by contemporaries as a 'king in the north',⁴²¹ with a large number of local lairds loyal to him.⁴²² He too was unlikely to accept the regency of Moray, with whom he was already at feud.⁴²³ This had begun in January 1562, when Mary had granted Lord James the earldom of Moray, as a counterweight to Huntly's power. Huntly, as sheriff of Aberdeen, was the *de facto* holder of the earldoms of both Mar and Moray, and had thus opposed this move, due to the loss of lands and power that it would entail.⁴²⁴ Consequently, it was unsurprising that they were on opposite sides of the political divide. As with the Hamiltons, Huntly was also excluded from any proposed King's Party government, since at the time of James' coronation, he was specifically singled out as unfit to govern, being 'not verye wyse, inconstant, factious and insolent'.⁴²⁵ Nonetheless, Huntly was not initially a great threat to Moray. He shared the Regent's hostility towards Bothwell, and had been absent from Carberry. Although Bothwell had subsequently travelled north towards Huntly's stronghold at Strathbogie, it was believed that

⁴¹⁶ Melville, *Memoirs*, p. 191.

⁴¹⁷ During Châtelherault's period as governor, members of Hamilton family acted as ambassadors to France; Châtelherault himself was in exile from 1565 to 1569 in France, and thus able to build up contacts. (Châtelherault lost possession of the duchy after his involvement in the 1559-60 rebellions – though the French allowed him to keep the title). Elizabeth Bonner, 'French Naturalisation of the Scots in the Fifteenth and Sixteenth Centuries', *The Historical Journal*, 40, 4 (1997), pp. 1085-1116.

⁴¹⁸ Melville, *Memoirs*, p. 192.

⁴¹⁹ Finnie, 'The House of Hamilton', p. 4.

⁴²⁰ Huntly's northern region was extensive, stretching as far north and west as Inverness-shire and as far south as Angus.

⁴²¹ Calderwood, *History*, ii, p. 487.

⁴²² Potter, *Bloodfeud*, p. 92.

⁴²³ *AQM*, p. 7.

⁴²⁴ Potter, *Bloodfeud*, p. 59; White, 'Queen Mary's Northern Province', pp. 59-63. Moray had also been given some of the forfeited Gordon lands and fishing rights: 6 May 1563, NRAS217/2/1.

⁴²⁵ Throckmorton to Elizabeth, 31 July 1567, SP52/14, f. 101r; Add. 4126, f.153v. Despite being one of the country's leading magnates, his name had also been absent from the commission of regency given in case Moray should refuse to take it on himself.

Huntly would not ‘adventure much for him’, and that he felt Mary should be rid of him.⁴²⁶ Once Bothwell had reached the Bishop of Moray’s house, Spynie Castle, it was even rumoured that Huntly was a principal conspirator in a plot to kill him there.⁴²⁷ Jean Gordon, whom Bothwell had needed to divorce in order to marry the Queen, was Huntly’s sister, and so it is possible that the shame Huntly may have felt Bothwell brought upon his house prevented him from initially taking an active part amongst Mary’s supporters.

There were also a variety of additional reasons for Marian support, some of which were more positively pro-Marian than others.⁴²⁸ For example, some had personal attachments to Mary herself – Fleming was the brother of one of Mary’s ‘Maries’, and Livingstone, Fleming’s brother-in-law, the brother of another. The loyalty of these two men, genuinely close friends of Mary herself, was to prove constant throughout the civil war period. Donaldson has pointed out, however, that those who were influenced by personal considerations tended to be the lesser nobility, and with smaller followings, would not have been as great a threat to Moray as Huntly and Hamilton.⁴²⁹ Whilst, as mentioned, allegiances during the civil wars were not determined primarily by religion, there were nonetheless some to whom the determined fusion of the King’s Party with Protestantism did not appeal, and who saw in the Marian party the only hope for any toleration of Catholicism, since it was rumoured that the Confederates intended to persecute Catholics.⁴³⁰ Cassillis, Borthwick, Caithness and Seton, for example, were conservatively inclined in religious matters, and may have been opposed to the new regime for this reason.⁴³¹ The configuration of Scottish society at this time was also important: feuds between various noble houses could prove to be a factor in determining allegiances, as demonstrated in the North-East of Scotland, where Moray gained the support of the Forbes family, since their arch rival Huntly was also one of Moray’s opponents.⁴³² There were also those who, like Argyll, Boyd and Montrose, may have felt that the actions taken by the Confederate Lords were too extreme.⁴³³ In addition to this, as will be seen more clearly from 1568, attitudes towards the foreign powers of France and England would also have a part to play.

⁴²⁶ Throckmorton to Elizabeth, 16 July 1567, SP52/14, f. 45r.

⁴²⁷ Throckmorton to Elizabeth, 31 July 1567, SP52/14, f. 103v.

⁴²⁸ For what follows in this paragraph, see *AQM*, pp. 83-116. Donaldson, however, omits to consider the role played by attitudes towards England.

⁴²⁹ *AQM*, p. 60.

⁴³⁰ Throckmorton to Elizabeth, 25 July 1567, Cot. Calig. CI, f. 33r.

⁴³¹ Seton was also more pro-French than many – indeed, he later went to France and became involved in a conspiracy with the Duke of Alva and a network of English Catholics: ‘Taken out of the Book of the Negotiation of the L[ord] Seton’, c. 1572, Harley 7395, f. 205r-205v; Hunsdon to Burghley, 24 February 1572, SP 52/22, f. 58r. This ‘Seton plot’, which has always been overshadowed by the well-known Ridolfi plot, is certainly worthy of fuller investigation (although it is outside the confines of this thesis), since it sheds light on the way in which Cecil’s feared international Catholic network operated, and on the funding Mary’s party received.

⁴³² This is also seen in the Ogilvy and Ruthven feud: *AQM*, p. 110. Donaldson has also shown how the ending of a feud could also encourage men who were formerly on different sides to join the same party – for example, Boyd and Eglinton: *AQM*, p. 97.

⁴³³ Argyll, although split from the confederates, still succeeded in distancing himself somewhat from the Hamiltons before James’ coronation, excusing himself from central politics due to alleged trouble between his countrymen in the highlands: Dawson, *Argyll*, p. 153.

During the course of the next nine months, despite their retention of the main strongholds of Dunbar (until October) and Dumbarton, such opposition to Moray's regime did not amount to a great deal, although evidence for this time is scarce, if compared to that for the periods either side.⁴³⁴ Moray demonstrated his readiness to act forcefully from the start, aiming to prevent any resistance before it got off the ground, taking steps to acquire bonds of loyalty from around the country, which encouraged the less committed supporters to make their peace.⁴³⁵ Many of those who initially stood for Mary arguably came to accept the current political realities facing them and felt that there was little they could do whilst Mary remained imprisoned and under the control of the King's Party.⁴³⁶ On 15 September, Moray informed both Cecil and Throckmorton that Argyll had offered obedience to the king, as had the Hamilton Commendator of Kilwinning on behalf of the Archbishop of St Andrews, and that Huntly and Herries had done the same by message.⁴³⁷ According to the *Diurnal* and Calderwood, the Hamiltons submitted on 10 September, and Herries four days later.⁴³⁸ On the face of it, therefore, the Marian position appeared to be weak, and ineffective, and Moray himself felt that the disunity of his opponents was working to his advantage.⁴³⁹ However, the sincerity of these outward submissions can be doubted, and the potential remained for trouble to flare up at any given moment. Herries, for example, despite the message of support he sent to the Regent, claimed he could not officially subscribe to join the Lords until the next parliament was called, suggesting he was trying to buy time before committing himself.⁴⁴⁰ In his case, he may have come in to the Regent merely to try to pacify the Borders, where he was based, and James Melville made the connection in October that since he had submitted, the Border situation had improved.⁴⁴¹ During a convention held at Glasgow on 12 September, thus roughly the same time that they pronounced their compliance with Moray, the Marian faction named Argyll, Huntly and the Abbot of Arbroath as their regents. Arrangements were also made for the levying of force by Argyll, the Hamiltons, Herries, and Crawford, who were all allegedly bent on gaining Mary's liberty, and Fleming and Livingston were appointed as lieutenants of the horse. At the same time, they agreed to obey the prince, but significantly only as prince, and not as king, leaving the way open for manoeuvre if Mary were to be liberated.⁴⁴² On 24 September, Bedford also informed Cecil that he did not believe there to be any 'hearty agreement' between the Hamiltons and the rest.⁴⁴³ There was clearly much confusion within Scotland at this point, and identifying friend or enemy was not easy. Furthermore, there were also

⁴³⁴ *RPC*, i, p. 572; Grange to Bedford, 1 October 1567, SP52/14, f. 217r.

⁴³⁵ Throckmorton to Cecil, 23 August 1567, SP52/14, f. 170r; *RPC*, i, p. 580. He split Huntly's and Herries' men from them in October.

⁴³⁶ Throckmorton to Elizabeth, 22 August 1567, Cot. Calig. CI, f. 43v.

⁴³⁷ Moray to Cecil, 15 September 1567, SP52/14, f. 199r.

⁴³⁸ Bedford to Cecil, 13 September 1567, *CSPF 1566-1568*, 1682. *Diurnal*, p. 121; Calderwood, *History*, ii, p. 387.

⁴³⁹ Moray to Throckmorton, 15 September 1567, SP52/14, f. 204r.

⁴⁴⁰ Bedford to Cecil, 28 October 1567, *CSPF 1566-1568*, 1791.

⁴⁴¹ James Melville to Throckmorton, 18 October 1567, *CSPF 1566-1568*, 1773.

⁴⁴² 'Secret Proceedings of the Hamiltons', 12 September 1567, SP52/14, f. 197r.

⁴⁴³ Bedford to Cecil, 24 September 1567, *CSPF 1566-1568*, 1712.

some whose aim was to stay neutral. James Melville reported a convention held in Ayr in early September, in which Eglinton, Cassillis, and some unnamed 'others' discussed 'how to keep themselves in amity if they were pursued of any of the parties, for they thought it dangerous as yet to enter in any faction'.⁴⁴⁴

Positions at this stage were therefore not clear cut, and the attendance register for the December Parliament shows a relatively high turnout, containing members from either side, including Marian supporters such as Argyll, Huntly and Crawford.⁴⁴⁵ Huntly now demonstrated allegiance to Moray's government by presenting the seals (he had previously been chancellor). In return, ceremonial roles were given to both himself and Argyll, and they participated in the opening of the parliament, bearing the sceptre and the sword respectively. This appears to be a visible effort on Moray's behalf to try to bring about unity. They were also chosen to be on the Lords of the Articles,⁴⁴⁶ and after 30 December, the much fuller sederunt for the Privy Council included them both.⁴⁴⁷ One explanation for their apparent co-operation with Moray was their fear that their parts in the murder would be made public, since Hay of Tallo had accused them of this. It is of course possible that he had been secretly instructed by Moray to do so, in the hope that this would make them more receptive to the Confederate demands.⁴⁴⁸ On the other hand, Argyll and Huntly may have felt that with their sovereign in prison, there was little that could be achieved by active resistance, and thus they were biding their time, and seeking to make the best out of the situation, by trying to exert their influence within government. The existence of a bond to rescue Mary from Lochleven, dated 25 December 1567, signed by themselves, together with several others who had supposedly recognised the authority of the king, and who attended the December Parliament, gives the lie to their genuine co-operation.⁴⁴⁹ By early 1568, Herries too was reported as working for Mary's liberty, so any agreements he may have made with Moray do not appear to have held fast. It is possible that both the neutrals, and the Queen's men who outwardly professed allegiance to the Regent were trying to buy time, waiting to see what comfort either France or England would provide. The real test to Moray's regime would come in May 1568, with Mary's escape from the island of Lochleven.

⁴⁴⁴ James Melville to Throckmorton, 10 September 1567, *CSPF 1566-1568*, 1675.

⁴⁴⁵ December Parliament, 1567, Cot. Calig. CI, ff. 51r-52r.

⁴⁴⁶ *Diurnal*, p. 126 (Huntly, Argyll, Morton, Atholl, Mar, Glencairn, Bishop of Moray, Bishop of Orkney, Bishop of Galloway, Home, Ruthven, Lindsay).

⁴⁴⁷ *RPC*, i, p. 599.

⁴⁴⁸ *Diurnal*, p. 128.

⁴⁴⁹ Signatories to this bond, which was made at Hamilton, included Argyll, Huntly, Herries, Fleming, Kilwinning, the Archbishop of St Andrews, Bishop of Ross, and Bishop of Galloway. Bond at Hamilton, 25 December 1567, Sloane 3199, f. 228r.

Chapter 2: A British Problem?

In May 1568, after the battle of Langside, Mary, Queen of Scots sought refuge in England, unaware that this action was to result in her permanent captivity. This chapter examines the events surrounding Langside, considering Moray's early attempts to unite his party, and assessing the levels of support for both King and Queen. The evidence is critically examined, and consequently, some conventional assumptions regarding the strength of the two parties are challenged. Mary's flight to England also altered the relationship between Elizabeth and the Scots and, as the work of Stephen Alford has shown, encouraged Cecil in his attempts to formulate a British solution to the problem of Mary.⁴⁵⁰ The Queen of Scots' trial, held at York and Westminster in England, was of far greater significance than a simple trial of Mary's guilt, and would raise new questions relating to Scottish governance, drawing attention to the insecurity of Moray's own position.

2.1 The Battle of Langside

The attendance records for the December 1567 Parliament suggest that the new Regent was successfully beginning to heal the divisions within the country, uniting men from either side of the breach. Although Lee argues that Moray made little use of Argyll and Huntly in his government due to their alleged guilt in Darnley's murder, the evidence does not bear this out.⁴⁵¹ It is true that Huntly had previously been divested of the Chancellorship, but this had occurred at a time when he was in open opposition to the Regent.⁴⁵² Now, the inclusion of both Argyll and Huntly amongst the Lords of the Articles, and the prominent, symbolic role accorded to them in bearing the ceremonial regalia, indicate a desire on Moray's part to reconcile the factions and to adopt a conciliatory approach. This would have been less of a financial and military burden than to crush such powerful opponents by force, and the formation of a broad-based government, containing a wide cross section of opinion, would help to reduce levels of tension and resentment. Argyll had his commission as justice-general renewed, subsequently accompanied Moray on his justice-ayre in Glasgow, and attended meetings of the Privy Council in March and April.⁴⁵³ Even Fleming and Livingston, consistently devoted Marianists, who had not appeared at the December Parliament, were briefly to be found in Moray's council at the start of 1568.⁴⁵⁴ Yet, as was the case throughout his regency, such an appearance of stability

⁴⁵⁰ Alford, *Cecil*, pp. 158-181.

⁴⁵¹ Lee, *Moray*, p. 218. Furthermore, Lee acknowledges that Moray needed to use Morton, who was also named in the murder, and was initially keen on the inclusion of Maitland in his government. Lee's argument that Moray tried to avoid using those men named as accomplices to Bothwell does not therefore stand up to scrutiny. See above, p. 64.

⁴⁵² 11 November 1567, *RSS*, vi, p. 7.

⁴⁵³ Dawson, *Argyll*, p. 154; *RPC*, i, pp. 614-621.

⁴⁵⁴ Donaldson, *AQM*, p. 87; *RPC*, i, p. 604. Their names appear in the sederunt for January meetings, although not after this.

proved to be illusory. Whilst outwardly men may have proffered their allegiance to the Regent and the King, the supporters of Mary did not, as we have seen, commit wholeheartedly to Moray.⁴⁵⁵ With Mary incarcerated, there was little that the Queen's men could do on her behalf. The most sensible option was simply to bide their time, and co-operate with Moray's government, since to resist actively would waste valuable resources which could be put to use at a more opportune moment. Despite the money which Elizabeth had bestowed on the Hamiltons in 1567, no further English aid was forthcoming, and neither, it appears, was French.⁴⁵⁶

Moray took care to reward those loyal to his regime.⁴⁵⁷ We have already seen how he appealed to the Kirk; now he made efforts to secure the commitment of various individuals. Morton, for example, had been appointed Sheriff of Dumbarton in December, was made Chancellor in January, and was promised the office of High Admiral, formerly held by Bothwell.⁴⁵⁸ Loughlin describes a 'Moray-Morton axis' in the first few months of 1568, and as Herries perceived, it appeared that Morton was being rewarded for the leadership role he had taken until Moray had returned.⁴⁵⁹ It is also possible, however, that having reaped the benefit of Morton's leadership during his absence, Moray now viewed him as a potential threat to his own position, and therefore chose to 'buy him off' with such significant offices. Others were similarly compensated: Hume received the castle of Dunbar, together with the sheriffdom of Berwickshire and the bailiary of Lauderdale, Maitland of Lethington the sheriffdom of Lothian, and Grange was given command of the Castle of Edinburgh.⁴⁶⁰ The escheats of goods from various individuals were also given as gifts, and Morton, Hume, Glencairn, Maitland, Mar and Ker of Cessford were immediate beneficiaries of these.⁴⁶¹ However, it was only his closest friends and allies who were rewarded, and Moray was not providing any incentive for those who were wavering in their allegiance, such as Herries, to recognise the King's authority. Indeed, Melville criticised his behaviour, claiming that he 'tok na cair ... to draw them, be ane discret and equitable behaviour, to the obedience of the Kingis authoritie'.⁴⁶² The fact that Moray needed to provide such significant form of reward for his allies, yet at the same time had to pawn plate, jewels, gold- and silverwork so that he himself had enough disposable income, also indicates a level of weakness in his position, and suggests he was not entirely confident of the loyalty of even those who professed allegiance to him.⁴⁶³ As Lee argues, Moray could also ill-afford the significant financial concessions that he had recently made to the Kirk, although he

⁴⁵⁵ See above, p. 64.

⁴⁵⁶ See below, pp. 81-82.

⁴⁵⁷ Drury to Cecil, 4 January, *CSPF 1566-1568*, 1921.

⁴⁵⁸ *RSS*, vi, pp.7, 12, 21.

⁴⁵⁹ Loughlin, *Maitland*, p. 268. Herries wrote that it was Morton's power which assisted Moray in becoming regent, and thus in return Moray made Morton Chancellor. He was concerned to show that it was not carried out with the consent of the whole realm. Herries to Mary, 28 June 1568, Teulet, *Papiers*, ii, p. 239. See above, p. 31.

⁴⁶⁰ *RSS*, vi, pp. 7, 17; Keith, *History*, ii, p. 787; Drury to Cecil, 30 September 1568, SP59/14, f. 130r.

⁴⁶¹ *RSS*, vi, pp. 1-9.

⁴⁶² Melville, *Memoirs*, p. 198.

⁴⁶³ Lee, *Moray*, p. 219; *NRAS 217/43* nos. 61, 68, 70, 71, 73.

had, of course, retained one half of the thirds for government use.⁴⁶⁴ To try to make up the shortfall, he instructed men to strip lead from the cathedrals of Elgin and Aberdeen, to be used to pay his troops, and the list of debts which was drawn up after his death shows that he had also needed to put his own lands in wadset for the same purpose.⁴⁶⁵

From the start of his regency, Moray was keen to demonstrate his authority. His justice ayres in the Border region were reminiscent of the more successful Stewart monarchs, and provided a visible sign of power being exercised.⁴⁶⁶ It may have been in Moray's interests to take a less aggressive approach towards his nobility, but where the Borders were concerned, it was vital that he worked to stabilise the country, and to gain favour with England, in the hope that Elizabeth might choose to recognise his authority. Lee still views Moray as fairly conciliatory at this stage, and argues that it was only after Mary's escape that he enacted more repressive measures.⁴⁶⁷ Indeed, entries in the Register of the Privy Seal (which was not printed at the time Lee's book was written) show that Moray granted a number of remissions to men for former crimes – perhaps suggesting that financial considerations outweighed the need for genuine justice.⁴⁶⁸ Nonetheless, Herries refers to the great severity and rigour that Moray used when executing justice at the start of 1568, and the Regent was alleged to have made 'secret' raids on various families. Herries believed that this behaviour caused Moray to lose support, and made men 'inclyne to pittie the Queen's condition'.⁴⁶⁹ Although Moray did not, at this stage, wreak as much devastation in the Borders as he would during the summer months, his actions nevertheless caused an increase in his unpopularity, which Mary's supporters were able to capitalise upon in the immediate aftermath of her escape.⁴⁷⁰ Similarly, he spent the period immediately before Mary's escape in Glasgow.⁴⁷¹ Glasgow was close to Hamilton territory, and whilst the maintenance of a strong military presence in that region may have been a sensible policy in the long term, the unexpected timing of Mary's escape encouraged more to abandon any support for the Regent, due to the very recent memory of his harsh actions.

Despite the calm outward appearance of the Scottish political nation, there were restless undercurrents, with even Lee admitting that Moray's hold over the country was not as secure as he would have liked.⁴⁷² As we have seen, a bond to free Mary from Lochleven was in existence, and John Hamilton (the Abbot of Arbroath) and Lord Herries had both absented themselves from the country on trips designed to gather foreign support; the brother of Lord Rothes was reportedly at Paris for the same reason, and even Argyll had contemplated travelling to

⁴⁶⁴ Lee, *Moray*, p. 219.

⁴⁶⁵ *RPC*, i, p.608; 'List of debts of Moray', c. 1570, NRAS217/43/110.

⁴⁶⁶ Affairs of the Borders, November 1567, SP59/14, ff. 184r-184v; *RPC*, ii, p. 614.

⁴⁶⁷ Lee, *Moray*, p. 225.

⁴⁶⁸ *RSS*, vi, pp. 51-57.

⁴⁶⁹ Herries, *Memoirs*, p. 100; Melville, *Memoirs*, p. 198; Keith, *History*, ii, p. 786.

⁴⁷⁰ Willock to Cecil, 31 May 1568, *CSP Scot*, 683.

⁴⁷¹ *RPC*, ii, pp. 614-624.

⁴⁷² Lee, *Moray*, p. 220.

Europe.⁴⁷³ The Hamiltons, of course, had never submitted to the Regent, but Herries had at least made display of his loyalty towards Moray's regime, even if he had been somewhat evasive. Contemporary historians and diarists also noted others as having suspect loyalties – Buchanan, Calderwood and Herries all claimed that Maitland was working for the Queen's Party from the start of 1568, with Calderwood believing him to have been instrumental in formulating the plan for Mary's escape.⁴⁷⁴ Loughlin too argues that Maitland had drifted away from Moray at this point, with Morton very much in favour instead.⁴⁷⁵ Yet once again, there is no concrete evidence to suggest that Maitland favoured Mary at this stage, or that he had moved away from Moray.⁴⁷⁶ Letters to Throckmorton and Cecil, nineteen days after Mary's escape, suggest quite the contrary, and Maitland was with Moray at the time of Langside.⁴⁷⁷ There is no sign of Moray's disfavour to him, and the Regent had appointed his brother to the position of Keeper of the Privy Seal.⁴⁷⁸ Even though Hay of Tallo accused Maitland, from the scaffold, of consenting to the Darnley murder, 'many' reportedly felt this 'proceeded of Bothwell's malice', and the accusation was not, at this stage, taken seriously.⁴⁷⁹ Similarly, there were claims that James Balfour and William Murray of Tullibardine had moved into the Marian camp prior to Mary's escape from Lochleven, although both men, like Lethington, joined the Regent's army at Langside.⁴⁸⁰ Like Maitland, who kept his position as Secretary, Tullibardine retained the comptrollership, showing that these men were considered reliable by Moray. The Regent clearly showed distrust towards the double-crossing James Balfour, however, depriving him of his position as keeper of Edinburgh Castle, and giving him the Priory of Pittenweem in exchange. In addition, he was granted an annual pension after resigning his office as Clerk Register.⁴⁸¹ Moray evidently felt uneasy about relying upon him in government, and preferred closer allies – Grange and McGill – to take the respective positions.⁴⁸² Balfour was known to have been a great supporter of Bothwell, and was widely believed to be one of the main 'devisers' of Darnley's murder.⁴⁸³ Although he had promised Mary and Bothwell that they

⁴⁷³ Scrope to Cecil, 16 February 1568, *CSPF 1566-1568*, 2012; Norris to Cecil, 6 February 1568, *CSPF 1566-1568*, 1987; Calderwood, *History*, ii, p. 402; Mary to Châtelherault, 7 May 1568, NAS GD406/1/3; RSS, vi, p. 51.

⁴⁷⁴ Calderwood, *History*, ii, p. 403; Buchanan, *History*, p. 154; Herries, *Memoirs*, p. 101. Buchanan is not the most reliable source where Maitland is concerned, and Herries appears to have got his information from him.

⁴⁷⁵ Loughlin, *Maitland*, p. 268.

⁴⁷⁶ He had not, for example, put his name to the bond of 25 December. (see above, p. 64).

⁴⁷⁷ Maitland to Throckmorton, 21 May 1568, Stowe 142, f. 23r and Maitland to Cecil, 21 May 1568, SP52/15, f. 44r stress the need for English protection; Calderwood, *History*, ii, p. 415.

⁴⁷⁸ RSS, vi, p. 1. After Langside, Maitland's father benefited from various escheats: *ibid.*, p. 68.

⁴⁷⁹ Drury to Cecil, 21 January 1568, *CSPF 1566-1568*, 1957.

⁴⁸⁰ Herries, *Memoirs*, p. 101; 'Notes by a partisan of Mary, during her imprisonment at Lochleven, regarding attempts to procure her release or escape', 1568, NAS SP13/99, f. 1r.

⁴⁸¹ List of debts contracted by Moray, c. 1570, NRAS217/43/110. On 12 September 1567, Balfour was provided to the Priory of Pittenweem: RSS, vi, p. 5, and was given a yearly pension of £500 in return for resigning his position as Clerk of Register: *Ibid.*, p. 16.

⁴⁸² Melville, *Memoirs*, p. 198.

⁴⁸³ Peter G. B. McNeill, 'Balfour, Sir James, of Pittendreich (c.1525–1583)', *ODNB* [<http://www.oxforddnb.com/view/article/1188>]

should have the support of Edinburgh Castle, he had failed to keep this promise. Instead, he had supported the Confederate entry into Edinburgh in 1567, and had subsequently claimed to support Moray. Nonetheless, Moray refused to trust him, yet provided him with compensation, to ensure that he would not join Mary's party out of desperation.⁴⁸⁴ Warnicke speculates (although offers no actual proof) that such generous compensation was because Balfour was engaged in forging the Casket Letters, and consequently had a hold over Moray.⁴⁸⁵

Mary's escape on 2 May did, however, bring some covert Marian supporters out into the open, re-igniting the situation. It is from this point onwards that a clearer formation of the Queen's Party can be seen. The greatest opponents to the King's Party, the Hamiltons, were now joined by the powerful Argyll and Huntly, showing that Moray's efforts to keep his supporters together could never be enough when the legitimate sovereign was once again at liberty.⁴⁸⁶ Despite Moray's bold claim that he was accompanied by all those who had entered into the action against Mary from the beginning, defections became immediately apparent, for example, Lord Boyd.⁴⁸⁷ Boyd was evidently not a unique case – Calderwood wrote that 'manie had slipped from the regent to the queene at the first report of the newes'.⁴⁸⁸ Herries was scathing as to the motivations of Boyd, arguing that he would 'turn ever to that partie that he thought was strongest'.⁴⁸⁹ This was surely true of many, who possessed no firm allegiance to either side, and knew that opportunism was often the key to survival. Some arguably felt that Mary's restoration to power would follow on quickly from her escape, and hoped that demonstrating their loyalty now would help them in the anticipated scramble for office. Others may not have received the political power they had hoped for under Moray, wishing to try their luck under a new master. Mary's proclamations and personal letters also promised remission from any past offences, meaning that those who had taken part with the Confederates at Carberry did not feel they needed to adhere to the Regent in order to safeguard their own positions.⁴⁹⁰ Some of the nobility, such as Huntly and Argyll, who had subscribed to the regency, claimed that they had only done so with the proviso that if Mary did not approve it when she was at liberty, it would be null and void, and indeed, Mary revoked her abdication once she had escaped, claiming it had been made under duress.⁴⁹¹

It is generally considered that the speed with which men flocked to Mary's side was quite remarkable.⁴⁹² As early as 3 May, Moray found it necessary to make hasty proclamations

⁴⁸⁴ Bond of maintenance to Moray, 1567 (c. end of year), NRAS217/43/62.

⁴⁸⁵ Warnicke, *Mary*, pp. 177-179.

⁴⁸⁶ Herries, *Memoirs*, p. 101.

⁴⁸⁷ 'To colour his defection', Boyd wrote to Morton and said that he could do better service this way: Regent to Forster, 9 May 1568, *CSP Scot*, 651.

⁴⁸⁸ Calderwood, *History*, ii, p. 404.

⁴⁸⁹ Herries, *Memoirs*, p. 102. Boyd's record throughout the Civil War supports Herries' remark.

⁴⁹⁰ Calderwood, *History*, ii, p. 405.

⁴⁹¹ Herries to Mary (reporting a discussion had with Elizabeth), 28 June 1568, Teulet, *Papiers*, ii, p. 239; Lesley, *Defence*, p. 27.

⁴⁹² Wormald, *Mary*, p. 175.

against those who had ‘treasonably’ taken up arms in Mary’s name.⁴⁹³ Donaldson argues that this must have been due to the speed of the Marians in the sending out of summonses, and a promptness in obeying them, yet it seems that there was some expectation of Mary’s escape, and thus her supporters were likely to have been warned to ensure that their men were in readiness.⁴⁹⁴ It was reported, for example, that Seton was stationed in the vicinity of Lochleven, ‘lying secretly in the hills’, prepared to convey Mary to a place of safety, and Fleming had been making strenuous efforts to victual Dumbarton.⁴⁹⁵ Lack of written evidence does not equate to a lack of planning, since had such correspondence fallen into the wrong hands, the escape plans would have been put in jeopardy. The Hamilton Bond of 8 May, in which the signatories pledged to defend Mary’s authority with their ‘bodeis, landis and gudis’ certainly appears to show impressive levels of support for the Queen.⁴⁹⁶ The signatories allegedly included nine earls, eighteen lords, nine bishops, and thirteen commendators, plus a significant number of lairds, some of whom, such as Cockburn of Skirling, would come to play an important role on behalf of the Queen’s Party.⁴⁹⁷ Yet there are problems when relying upon this bond as evidence of Mary’s ‘active’ supporters, as Donaldson does.⁴⁹⁸ Firstly, the original Hamilton Bond itself is no longer extant. All that remain are copies in both the English and Scottish archives, and thus it is impossible to judge whether those who signed it were actually present at Hamilton when it was allegedly made, or whether the names of men who were believed to support Mary were added.⁴⁹⁹ Montrose, for example, was an apparent signatory, yet he was elderly and unable to fight. He played no recorded part at Langside, and his grandson, the Master of Montrose, actually fought in Moray’s party.⁵⁰⁰ Several names also appear on the Hamilton Bond, for whom there is no evidence of being present at Langside, which, if the purpose behind the bond was to defend Mary as far as was possible, seems somewhat contradictory. Sutherland, Elphinstone and Carlyle all supposedly signed the bond, for example, but could certainly not be described as ‘active’ supporters of Mary, and they were not committed to action

⁴⁹³ ‘Ane proclamatioun anent the tressonable conspiratouris and trublaris of the tranquillitie of the commoun welth now laitlie assemblit aganis the kingis grace autoritie’, 7 May 1568, Cot. Calig. CI, f. 78r. Drury also referred to an earlier proclamation, which is presumably the ‘proclamation made by the regent for the gatheringe of the countrey upon the Q of Scotts escape from Loghleven’, 3 May 1568, Cot. Calig. CI, f. 77r.

⁴⁹⁴ *AQM*, p. 87.

⁴⁹⁵ Calderwood, *History*, ii, p. 404; Herries, *Memoirs*, p. 101; Drury to Cecil, 3 April 1568, in Keith, *History*, ii, p. 792.

⁴⁹⁶ ‘Hamilton Bond’ (copy), 8 May 1568, Sloane 3199, ff. 35r-36r; another copy is in Cot. Calig. CI, f. 84r.

⁴⁹⁷ *Ibid.*, f. 84r.

⁴⁹⁸ *AQM*, p. 90.

⁴⁹⁹ It is listed in Wormald, *Lords and Men*, p. 407, but the reference provided is only to Keith’s *History*, pp. 807-10 and to the copy of the bond in Sloane 3199, ff. 35r-36r. There is certainly evidence that when signing letters, or perhaps even making a bond, men did not always gather together to do so. See King’s Party to Lord Gray, 20 March 1569, NLS Adv 1.2.2, f. 17r for one such example.

⁵⁰⁰ Whenever Mary’s party discussed the appointment of privy councillors, the Earl of Montrose was always listed as too weak to take part. His grandson, the Master of Montrose (John Graham), was a nephew of the staunch Marian, Lord Fleming, which could perhaps help to explain how his name got on the list. Rob Macpherson, ‘Graham, John, third earl of Montrose (1548–1608)’, *ODNB* [<http://www.oxforddnb.com/view/article/11207>].

on her behalf.⁵⁰¹ The Earl of Huntly's name is also listed, although it is known that Huntly and his men did not reach Langside in time to participate in the battle. It is therefore unlikely that he personally signed the Hamilton Bond if it was genuinely dated 8 May.⁵⁰² Keith suggests that it was *after* signing the Bond that Huntly (and Ogilvy) returned to their own regions to recruit followers.⁵⁰³ Yet there is no evidence to prove that Huntly had been in central Scotland in the immediate aftermath of Mary's escape, and even if he had been, it is unlikely that he would have delayed fetching his men for six days. It would have been naïve if he had not expected there to be some form of military encounter shortly after Mary was at liberty. The more likely scenario is that Huntly's name – and others – were signed by proxy, as known Marian supporters. Alternatively, the Bond may have been conveyed around the country for the Queen's men to sign, although given the short time frame between Mary's escape from one prison and her entry into another across the Border, this is unlikely. Keith also points to an error in the copy of the Bond in Cotton Caligula CI, in which the Bishop of Moray is named 'James' Hepburn, rather than 'Patrick' Hepburn.⁵⁰⁴ It is inconceivable that he would have signed his own name incorrectly, and whilst it may simply be a careless error on the transcriber's part, it suggests that signing by proxy is the most likely explanation. It is therefore unwise to assume, as Donaldson does, that all the names on this list were *actively* supporting Mary, although it does provide us with a general impression of the level of support.

Mary's supporters did not have time to group together fully before they were forced into battle. Intending to convey Mary to Dumbarton in order to wait for reinforcements, they were attacked by Moray and his army.⁵⁰⁵ The Regent attacked before Huntly's northern troops had had time to bolster the Queen's forces, which led to their defeat at the brief battle of Langside on 13 May. Traditional interpretations of the battle suggest that the Marian failure at Langside was one of military weakness and tactical error, rather than lack of support, and the strength of military leadership as displayed by esteemed soldiers such as Kirkcaldy of Grange and Morton is cited as a key reason for why the King's Party triumphed.⁵⁰⁶ Yet can we trust the figures that are usually quoted? With one exception, these ascribe to Mary's party c.5000-6000 men, and to

⁵⁰¹ Allan White, 'Gordon, John, eleventh earl of Sutherland (1525–1567)', *ODNB* [<http://www.oxforddnb.com/view/article/11060>]. Carlyle was inconsistent, and although he had allegedly come to terms with Moray in 1567, he never played a great part. He did not sign the letters that the Queen's Party sent in July and may have had his name added to the Hamilton Bond by Herries. Elphinstone was incapable of managing his own affairs: Julian Goodare, 'Elphinstone, Alexander, fourth Lord Elphinstone (1552–1638)', *ODNB* [<http://www.oxforddnb.com/view/article/8740>]. This article is about the son of the alleged Marian, the third Lord Elphinstone, but makes references to his mental incapacity.

⁵⁰² Guy, incorrectly, lists Huntly as being present at Langside: Guy, *My Heart is My Own*, p. 368.

⁵⁰³ Keith, *History*, ii, p. 819.

⁵⁰⁴ Actually, Keith himself is in error here, as the name in Cotton Caligula CI is neither James, nor Patrick, but John. 'Hamilton Bond', 8 May 1568, Cot. Calig. CI, f. 84v.

⁵⁰⁵ Act transporting Mary to Dumbarton, 12 May 1568, Royal 18 BVI, f. 282v.

⁵⁰⁶ See e.g. Wormald, *Mary*, p. 176; Warnicke, *Mary*, p. 165. Argyll was also taken ill with 'apoplexie': Calderwood, *History*, ii, p. 414.

Moray, only 4000.⁵⁰⁷ Figures such as these are notoriously unreliable, and there is no real way of proving whether the estimates are at all accurate. What can be questioned is whether Mary really had been able to muster the greater force. If this had been the case, and particularly with more men expected, surely there would have been an attempt to regroup after Langside (where very few had been slain, and relatively few taken prisoner), and another attempt made to give battle.⁵⁰⁸ Drury, who had spies in Scotland, reported on 10 May that whilst Moray had already assembled 3000 men, Mary had scarcely 1000, presenting a striking contrast to the later figures, especially when it is borne in mind that Mary's men may have been forewarned of her escape, and thus had the advantage.⁵⁰⁹ 'News from Scotland', dated 9 May, stressed the disunity of the Marian party, claiming that 'their force is not great and very evil frayed', and that they were unable to agree on who should act as lieutenant. This anonymous correspondent also believed that Moray's men would exceed the Queen's men in number. He reported that the proclamations issued by the Regent were well obeyed, whereas those of Mary's party were 'riven' [torn], and the officers announcing them were punished.⁵¹⁰ Although both reports were dated several days before the battle actually occurred, and presumably based on even earlier information, Drury was still claiming that Moray's forces were the larger on 12 May, just one day before the battle.⁵¹¹ Whilst there is no compelling evidence to overturn the traditional assumptions regarding the relative strengths of the party, they must at least be questioned.

The rival parties could also manipulate the figures to their own advantage. Reminiscent of the speech given to Parliament by Maitland the previous December, the Lords of the Privy Council explained the success of the King's Party at Langside as a result of God's providence:

as in the begynning of this rebellious tumult and unnaturall insurrectioun, Almychty God, be his power, hes confoundit the force and polecy of his Majesteis adversaries, and grantit victorie to his faythfull subjectis, professing his obedience and avowing his quarrel.⁵¹²

The King's Party once again found it advantageous to draw parallels with 1560, claiming that the triumph of what was only a small force was a direct mark of God's favour, and that Providence enabled them to defeat the larger army.⁵¹³ Indeed, perhaps to reinforce this image, it was also reported that Moray went to Glasgow Cathedral immediately after the battle, to thank

⁵⁰⁷ Various figures are given, yet most seem to concur that Mary did possess the larger force. E.g. 'Battle of Langsyde', May 1568, *CSP Scot*, ii, 655; Calderwood, *History*, ii, p. 414. The exception is the anonymous 'Letter giving an account of the battle of Langside', which notes that there were 5000 men in Moray's army, although gives no figures for Mary's men, 19 May 1568, NAS GD205/1/8.

⁵⁰⁸ Drury to Cecil, 15 May 1568, Cot. Calig. CI, f. 91r.

⁵⁰⁹ Drury to Cecil, 10 May 1568, *CSPF 1566-1568*, 2173; Drury to Cecil, 15 May 1568, NLS Adv MS 34.2.3, f. 153r; Drury to Cecil, 7 May 1568, also referred to receiving hourly reports from Scotland, Cot. Calig. CI, f. 74r.

⁵¹⁰ 'News from Scotland', 9 May 1568, *CSP Scot*, ii, 652.

⁵¹¹ Drury to Cecil, 12 May 1568, Cot. Calig. BIX, f. 444r.

⁵¹² *RPC*, i, p. 623.

⁵¹³ Buchanan also attributed the victory to God, 'who gave an almost bloodless victory to the cause of justice and equity against a brave enemy so superior in numbers': Buchanan, *History*, p. 537. The anonymous account of the Battle of Langside, GD205/1/8 also noted that 'at last god gif it ower syde', and implied that it was not an easily won victory.

God for his assistance.⁵¹⁴ A letter written by the Marians to France denied that they possessed the larger force, claiming that their ‘small co[m]pany’ was set upon by Moray’s ‘greit co[m]pany’.⁵¹⁵ In a proclamation of 28 July, given by Argyll, it was mentioned that the King’s Party ‘seducit’ a great number of the realm into fighting. Again, the implication is that Moray’s army was so large that ‘Mary *had* to render hir self w[i]t[h]in the realme of England for relief’.⁵¹⁶ However, in later dealings with Elizabeth, the Marians were keen to show that Mary had not been ‘forced’ to flee into England, but had come of her own free will, and an exaggeration of their numbers helped to confirm this.⁵¹⁷

In support of the Queen at Langside were the Earls of Argyll, Cassillis, Eglinton, and Rothes, along with twelve lords, whereas Moray was able to muster four earls (Morton, Mar, Glencairn and Monteith) and the Master of Graham, the son of the Marian Earl, Montrose, although only six lords.⁵¹⁸ Argyll was appointed by Mary as lieutenant of her forces.⁵¹⁹ The Marians would presumably have had the support of Huntly also, if he had reached them in time, and certainly had the backing of Châtelhault, who was at that time absent in France. Thus, regardless of whether the Marians were a numerically superior force, they did possess a greater number of the highest ranking individuals. Throughout the wars, the Queen’s Party were always keen to stress that they were of the ‘pri[n]cipalle hous[e]s of the realme’, and sometimes when they referred to themselves as the ‘greater’ party, they meant simply that they were the greater party in terms of status.⁵²⁰ Although it is true that at this stage they could boast more lords, their self-publicity has perpetuated the view that they were the ‘aristocratic’ party and created a sharper contrast than existed in reality.

After the battle, which claimed surprisingly few lives, Mary fled with her supporters, principally Lords Fleming, Herries, and Claud Hamilton.⁵²¹ After several nights spent at various houses in the south-west of Scotland, she made a hasty decision to cross the Solway, landing at Workington, in Cumbria. It is not entirely clear as to why she chose to enter England, and her chief councillors were keen to distance themselves from this decision. Argyll later wrote to Elizabeth that Mary had sought refuge in England without the advice of her nobility, and Herries’ *Memoirs* corroborate this, although both were writing with the benefit of hindsight.⁵²² At the time, Mary may have believed that to remain any longer in Scotland would

⁵¹⁴ Keith, *History*, ii, p. 819.

⁵¹⁵ Nobility of Scotland to Cardinal of Lorraine, 24 August 1568, Cot. Calig. BIX, f. 317r.

⁵¹⁶ Proclamation by Argyll, 28 July 1568, SP52/15, f. 85r. Italics for emphasis.

⁵¹⁷ E.g. at Westminster in 1568, the Marians tried to show that Mary had actually chosen England, due to Elizabeth’s promise, rather than being forced to flee for her life. Lesley, *Defence*, p. 5.

⁵¹⁸ Queen’s Party Lords were: Claud Hamilton, Seaton, Sommerville, Sanquhar, Maxwell, Herries, Boyd, Borthwick, Ross, Yester, Livingston, Fleming. King’s Party Lords were: Lindsay, Home, Ruthven, Semple, Ochiltree, and Cathcart. Herries, *Memoirs*, p. 102.

⁵¹⁹ Drury to Cecil, undated, 1568, Cot. Calig. BIX, f. 444r.

⁵²⁰ Unknown to Mary, undated, 1568, Cot. Calig. BIX f. 324v.

⁵²¹ Herries, *Memoirs*, p. 103. Lord Seton was taken prisoner.

⁵²² Argyll to Elizabeth, 28 July 1568, *CSP Scot*, 744; Herries to Mary, recounting his audience with Elizabeth, 28 June 1568, Teulet, *Papiers*, ii, p. 239. Herries also tried to show Elizabeth that Mary

put her life in danger, and it is typically argued that at a time of intense mental and emotional strain she panicked, aiming only to escape Scotland, with no consideration of the consequences.⁵²³ Until recently, historians, viewing events retrospectively, were unanimous about the foolishness of this ‘precipitous’ action.⁵²⁴ Yet new research by John Guy has cast the earlier relationship between Mary and Elizabeth in a very different light, characterising them as ‘paid up members of the monarchs’ trade union’. Mary’s decision to journey into England may not, therefore, have been the hasty and thoughtless action that it appears.⁵²⁵ Whilst the rivalry between the two Queens could never be eliminated entirely, if she and Elizabeth were no longer the implacable rivals of past historiography, Mary could quite conceivably expect some form of support. Indeed, the first draft of Elizabeth’s letter in June 1567, in which she promised James should be welcomed into England, had originally promised the same reception for Mary.⁵²⁶ Much was also made later of the alleged promise and ring that Elizabeth had given to Mary, and although she is criticised for taking this seriously, it is perhaps understandable, considering the negotiations that had been taking place, until interrupted by Darnley’s murder.⁵²⁷ There was certainly a case, as the Marians were later to argue, that Elizabeth, as a vigorous advocate of the rights of legitimate sovereigns, would aid Mary since her condition affected all princes who were oppressed by their subjects, and a dangerous precedent would be set were she not restored.⁵²⁸ Furthermore, Elizabeth’s actions in 1567 – sending messages of support to Mary and funding the Hamiltons – only served to increase Mary’s confidence in her fellow monarch.⁵²⁹ Alternatively, Mary may have felt that England could, if necessary, be utilised as a stepping stone to France, although this argument is found primarily amongst correspondence to

actively chose England even though some of her advisors had recommended France as the safer option: Herries, *Memoirs*, p. 103.

⁵²³ P.J. Holmes, ‘Mary Stewart in England’, in Lynch (ed.), *Mary Stewart*, p. 196; Melville, *Memoirs*, p. 202.

⁵²⁴ See for example Ian Cowan, who argues that ‘the greatest mistake was ... that of the queen to flee’: Cowan, ‘The Marian Civil War’, p. 102; Lee, *Moray*, p. 224; Walton, *Catholic Queen*, p. 139.

⁵²⁵ Mary to Elizabeth, 3 January 1566, Adv. 22.2.18, f. 151r, for example, shows the negotiations between Elizabeth and Mary in 1566. Guy, *My Heart is My Own*, ch. 15; Text of public lecture given by Guy at St. Andrews, April 2004, ‘Elizabeth and Mary, Queen of Scots’, [<http://www.johnguy.co.uk/history.php?&content=elizmary.html>]; Warnicke also takes a sympathetic view towards Mary’s decision: *Mary*, p. 167.

⁵²⁶ Guy, *My Heart is My Own*, ch. 15. See above, p. 40.

⁵²⁷ Herries to Scrope, 21 August 1568, SP53/1, f. 40r stressed that Mary had a promise from Elizabeth before she entered the realm. Herries, *Memoirs*, p. 103 also referred to the diamond ring which Elizabeth had sent Mary in token of a ‘sure friendship’ and that it would act as ‘an infallible tye for Elisabeth to assist her, with all her power’. The negotiations of 1566 are explained in Guy, *My Heart is My Own*, p. 278, and would have resulted in each queen recognising the lawful rights of the other. In effect, Mary would have ratified the substance of the Treaty of Edinburgh, and Elizabeth would have acknowledged Mary’s right as heir apparent, providing Elizabeth herself remained childless.

⁵²⁸ Walter Goodall, *An examination of the letters said to have been written by Mary queen of Scots to James, earl of Bothwell* (2 vols., 1754), ii, p. 356.

⁵²⁹ Indeed, even Cecil noted the promises that Elizabeth had made to Mary when he wrote his memorandum of June 1568. In the ‘pro regina Scotorum’ he wrote that she came willingly into the country trusting in Elizabeth, as she had received many messages to this effect: Cot. Calig. CI, f. 139r.

the French.⁵³⁰ There was certainly no reason for her to expect that she would be held prisoner and spend the next 18 years in captivity. As we shall see, however, regardless of Elizabeth's principles, the fact was that the two queens were not acting in a vacuum and other considerations and opinions would be brought to bear on the situation. Mary's chief miscalculation was that she neglected to consider the shift in the political climate that her actual presence in England would cause.

2.2: Mary's Arrival in England

Mary's arrival in England caused much confusion amongst those who were charged with her safekeeping. Was she to be treated as a free princess or as a captive? It was by no means a foregone conclusion that Mary would remain incarcerated; Lowther, who had met her on her arrival, even wrote to Cecil and asked whether she should be sent down to court.⁵³¹ Knollys, to whose care she was entrusted, grew particularly anxious, and was impatient for a resolution as to what should be done with her: was she to be 'norysshed in ones bosome?' or should they 'halte and dissembyll' with her?⁵³² The overwhelming impression gathered from the correspondence is of an atmosphere of great indecision, with no clear cut solutions. Now that Mary was on English soil, Elizabeth was forced to take direct action, and to involve herself perhaps more than she would have liked. As the preceding chapter shows, she tended to delay making any decisions until absolutely necessary, preserving the status quo for as long as possible. Her actions in 1567 had never been decisive enough to affect the balance of power in Scotland to any great extent. Now she was jolted into action and had no choice but to confront the problem head on. It is necessary at this point, therefore, to consider English attitudes towards the Scottish problem, from the moment that Mary escaped from Lochleven.

Once the news had reached Elizabeth of Mary's escape, although prior to her arrival in England, Elizabeth's preferred option had been for her restoration to power.⁵³³ By offering to provide the necessary support to enact this, both Elizabeth and Cecil had viewed it as a way to prevent Scotland becoming 'at co[m]mandme[n]t of ye french'.⁵³⁴ It was not the case that Cecil desired a full scale restoration of Mary per se, but felt that in the circumstances, and if implemented in the right manner, it might paradoxically have been the only realistic way to break the ties between France and Scotland. His overwhelming fear was that if the Catholic 'howss of Guise' entered Scotland, it would spill over and encourage the disaffected papists in England.⁵³⁵ Although his argument was not fully developed, Cecil was clearly of the mind that if Mary's restoration was

⁵³⁰ Mary to Cassillis, 20 May 1568, NAS GD25/2/122/4; Nobility of Scotland to Cardinal of Lorraine, Cot. Calig. BIX, f. 317r.

⁵³¹ Lowther to Cecil, 17 May 1568, *CSP Scot*, ii, 658.

⁵³² Knollys made frequent requests to Elizabeth, Cecil, and the Privy Council, for instructions on how to deal with her. He feared her escape, not wishing to be held responsible. Knollys to Cecil, 11 June 1568, SP53/1, f. 77r. At first, Knollys was actually under the impression that Elizabeth would allow Mary to be free to go to France: Knollys to unknown recipient, 30 May 1568, Cot. Calig. BIX, f. 333r.

⁵³³ Instructions to Leighton, 18 May 1568, Cot. Calig. CI, f. 73r-73v.

⁵³⁴ Cecil's advice to Elizabeth, May 1568, Cot. Calig. CI, f. 74r (a later hand has added that this was written at the time when Leighton was sent into Scotland – i.e. before the English government were aware that Mary had sought refuge in England) See above, ch. 1, for a discussion of the Guise threat.

⁵³⁵ Cecil's advice to Elizabeth, May 1568, Cot. Calig. CI, f. 74r.

effected by Elizabeth's aid, then she would be ruled by Elizabeth's advice. Indeed, English aid would be conditional on a guarantee that there would be no 'sendinge, sollicitinge or receaving anie forraine power from France', and Elizabeth warned Mary that those who had two strings to their bow rarely shot straight; in other words, Mary must choose either England or France.⁵³⁶ Such a restoration would also enable Elizabeth's aim, the preservation of the rights of a fellow sovereign monarch, theoretically to be met.⁵³⁷ Cecil was careful, however, to word the instructions to Thomas Leighton, the messenger dispatched from England, in such a way that Elizabeth would not *necessarily* be committed to restoring Mary to her monarchical estate. In his eyes, she was a deposed queen from the moment she had been taken off the field at Carberry, and no longer a sovereign monarch. Thus Cecil was ensuring that he had not completely limited any flexibility of action on the part of the English. His draft of these instructions advised that Elizabeth would have care for Mary's 'state', but somewhat ambiguously, he struck out the words 'royal and princely' which had preceded it. He had therefore toned down what was originally a more whole-hearted desire for Mary's restoration on Elizabeth's behalf, so that now it could extend merely to the safety of her person.⁵³⁸ Throckmorton's true feelings were also shown at this juncture, when he wrote to Moray telling him that the Regent's English friends were much angered at hearing that Mary had escaped, fearing the negative effect that this could have on the international Protestant situation.⁵³⁹

Once Mary had entered England, Elizabeth continued to express sympathy for her plight. She wrote angrily to Moray, describing Mary as 'for fear of her lyfe compelled to make a demission of her croune', proceeded against in parliament without herself or any advocate being heard, deprived of her royal estate, and forced to flee into England, 'all which things cannot but sounde very strange in the eares of us, being a prince souverayn having dominions and subjects committed to our powre as she had'.⁵⁴⁰ Yet, despite her fundamental belief in the legitimate rights of such 'a sovereign prince', once Mary had entered England, changing the dynamics of the situation, and enlarging the options available to Elizabeth, she was by no means determined to restore Mary unconditionally. Although the charges against the Queen of Scots remained unproven, there was, in her opinion, great difficulty in dealing with someone who was an alleged murderess. Indeed, so distasteful was this to her that it had halted her negotiations with Mary in 1566.⁵⁴¹ As Cecil later noted, this was not simply the murder of a subject, but of a man 'whom she had constituted kyng', who also had a claim to the English succession.⁵⁴² He stated that obedience to God must ensure that Mary was punished, and now that she was in England, and effectively Elizabeth's responsibility, a view with which his sovereign would concur. To Cecil's own mind, Darnley had also been (in accordance with contemporary views on gender) Mary's 'superior', although he had enough tact not to broach this subject with

⁵³⁶ *Ibid.*, f. 74r. This also shows continuity with the ideas of 1560. Mary to Elizabeth, 17 May 1568, Cot. Calig. CI, f. 68r.

⁵³⁷ This is despite the fact that it removes a fundamental royal prerogative – the right to determine foreign policy. However, it could be worded as a treaty between two countries, and not in such a way that it seemed as if England was directing Scottish affairs.

⁵³⁸ Instructions to Leighton, May 1568, draft in SP52/15, f. 39r.

⁵³⁹ Throckmorton to Moray, 10 May 1568, in Teulet, *Papiers*, ii, pp. 211-212.

⁵⁴⁰ Elizabeth to Moray, 8 June 1568, Cot. Calig. CI, f. 123r.

⁵⁴¹ Guy, *My Heart is my Own*, pp. 277-279.

⁵⁴² 'Arguments for and against the Queen of Scots', 20 June 1568, Cot. Calig. CI, f. 139v.

Elizabeth.⁵⁴³ Elizabeth therefore tried to keep her options open, refusing to condemn Mary, yet also claiming that she was unable to admit her to her presence, due to the alleged nature of the crime.⁵⁴⁴ At the same time, Elizabeth forbore to deal with Moray on any point that might affirm the coronation of James.⁵⁴⁵

Mary's arrival in England certainly presented the English government with a dilemma. As Cecil's 'memorial' in May indicated, there was no clear cut solution to the problem, and every possible route was fraught with danger.⁵⁴⁶ If, for example, Mary passed to France, a revival of the Auld Alliance would leave England vulnerable and diplomatically isolated, particularly with the weakening of the Anglo-Burgundian alliance.⁵⁴⁷ If she remained in England, she could act 'as a swete bayte' to those discontented with Elizabeth's rule, providing a focus for plots, and a serious security threat. On the other hand, a full restoration would also be problematic, since it would see the Hamiltons, 'being swor[n]e confederats of Fra[n]ce ... exalted'. Again, this would provide an opportunity for the Auld Alliance, and possibly Catholicism, to be renewed - the very thing that Cecil hoped to prevent.⁵⁴⁸ His fears regarding England's military inferiority also influenced him at this point. The loss of Calais, the last English foothold on the continent, caused him to perceive a reduction of command over the 'narrow seas', believing that, with the French government on a martial footing, and possessing improved discipline in war, the English were lagging behind.⁵⁴⁹ This could only exacerbate the threat of a renewed Franco-Scottish alliance.⁵⁵⁰

Cecil's plans were, as in 1567, shaped by his desire to construct a united Protestant island, to act as a defence against any Catholic aggression. Alford also shows how the events of 1568 drove him to develop and refine the arguments that he had first propounded in 1560.⁵⁵¹ Throughout the summer, his plans developed, with the idea of conciliar government always uppermost in his thinking, his notes revealing an exploration of various options.⁵⁵² As Alford has explained, such memoranda do not necessarily provide us with Cecil's own opinion on a particular matter. Rather, they show a study of the choices available to England, with a deliberation over any dangers involved. Based on his classical training, they were often an objective form of policy making, known as rhetoric *in utramque partem*, in which both sides of a

⁵⁴³ *Ibid.*, f.139r; for views on gender at this point, see Walton, *Catholic Queen*, ch. 3.

⁵⁴⁴ Elizabeth to Mary, 8 June 1568, *CSP Scot*, ii, 692; Instructions to Middlemore, June, Cot. Calig. CI, f. 122r.

⁵⁴⁵ *Ibid.*, f. 122r.

⁵⁴⁶ 'Things to be considered upon the Scottish Queen's coming into England', May 1568, Cot. Calig. CI, ff. 97r-100v.

⁵⁴⁷ G.D. Ramsay, 'The Foreign Policy of Elizabeth I' in C. Haigh (ed.), *The Reign of Elizabeth I* (London, 1984), p.155.

⁵⁴⁸ 'Things to be considered', May 1568, Cot. Calig. CI, ff. 97r-100v.

⁵⁴⁹ Before the coming of artillery, England had been in an advantageous position due to their use of archery. Also, France was now, so Cecil believed, three times bigger in terms of population than England. *Ibid.*, ff. 99v-100r.

⁵⁵⁰ *Ibid.*, f. 99v-100r.

⁵⁵¹ Alford, *Cecil*, ch. 7.

⁵⁵² For example, in 'Arguments for and against the Q[ueen] of Scots', 20 June 1568, Cot. Calig. CI, f. 139r.

question were debated.⁵⁵³ Such notes could strengthen his hand in debates with Elizabeth, since he often considered the arguments that she might propose for alternative plans, and thought of ways to rebut them, and of any advantages which could be taken if her preferred policy was implemented. Aware of Elizabeth's monarchical standpoint, he therefore contrived to turn any eventual form of restoration as much as possible to England's benefit.⁵⁵⁴ Obviously for Cecil, and those of a similar disposition, Moray's continuance in power was welcome, and thus he endeavoured to persuade Elizabeth to act to this end.⁵⁵⁵ He was aware, however, that he needed to tread carefully, and that certain modes of argument would serve only to infuriate the English Queen. Knollys, Mary's current gaoler, shared Cecil's ideology, going so far as to tell Mary that in some cases, princes may be lawfully deposed by their subjects. If they should fall into madness, for example, then their subjects should restrain the monarch from liberty and depose him from office. He even proceeded to question what difference there was between lunacy and committing murder.⁵⁵⁶ Yet Cecil did not use such Buchananesque arguments in his dealings with Elizabeth. Despite sympathy with such sentiments, he did not choose to argue that there had been any breach of contract between ruler and ruled.⁵⁵⁷ Instead, he focused simply on the murder and Mary's involvement in it, without explicitly connecting this to issues of popular sovereignty.

It was thus essential for Cecil that Mary's guilt be proven. Almost as soon as Mary had set foot on English soil, Cecil had been anxious for proofs charging her with Darnley's death to be sent to him without delay.⁵⁵⁸ Plans for a trial were devised almost immediately, and as early as May, Cecil recommended that Mary should be treated with discreetly, to ascertain whether she would have her cause examined, and if so, by whom.⁵⁵⁹ He knew that even with Elizabeth's views on the sacred nature of monarchy, Mary's guilt would prove to be her weak spot, and the best place to strike if he wished her defences to crumble. A paper entitled 'Consultation touching the Queen of Scots' drawn up by Cecil's clerk is particularly instructive, since it details matters allegedly agreed upon by Elizabeth's Privy Council with regard to Mary.⁵⁶⁰ The notes from this council meeting in June seem structured in such a way as to convince Elizabeth that a trial was now necessary. The 'Consultation' appears unanimously in favour of the continuation of the Regent's government, which is somewhat surprising, since Arundel and Norfolk, both subsequent supporters of Mary, attended the council meeting it reported upon.

⁵⁵³ Alford, *Cecil*, pp. 18-20.

⁵⁵⁴ For example, in November, he wrote that the best way for England, but not the easiest, would be that Mary remained deprived of her crown, but since this would be difficult, he attempted to profit from any restoration. 'Suggestions by Cecil', November 1568, SP53/2, f. 99r.

⁵⁵⁵ See Alford, *Cecil*, pp. 160-162.

⁵⁵⁶ Knollys to Elizabeth, 30 May 1568, Cot. Calig. CI, f. 114r.

⁵⁵⁷ Arguments 'pro and contra' the Queen of Scots focused only on the actual charge of murder against her: 20 June 1568, Cot. Calig. CI, f. 139r.

⁵⁵⁸ 'Things to be considered', May 1568, Cot. Calig. CI, f. 97r.

⁵⁵⁹ *Ibid.*, f. 97v; 'Some Questions and Answers concerning an inquiry into Q Mary's conduct', 1568, Cot. Calig. CI, f. 152r.

⁵⁶⁰ 'A consultation', 20 June 1568, Cot. Calig. CI, f. 137r-137v.

No records of the actual discussions exist, however, and Cecil's views were not necessarily representative of the council as a whole. Instead, it seems as if this document was drawn up by the Secretary in order to put pressure on Elizabeth, by presenting a united front with, as he stated explicitly, 'uniforme advise'.⁵⁶¹ It was concluded that Elizabeth could not, with either honour or surety, allow Mary to return to Scotland without a trial, since this would imply an acquittal for the murder, and would enable the Scottish Queen to suppress the 'favourers of amity' – i.e. Moray and his Protestant colleagues. Any restoration of Mary before the cause was tried was categorically opposed: 'it is thought unmete and overdangerous to procede that waye', and a list of reasons was drawn up regarding the perils of such an action.⁵⁶²

Cecil's intention was for the limited restoration of Mary and the implementation of conciliar government in Scotland if – as he hoped - Mary were found guilty.⁵⁶³ The limitations to Mary's authority that he proposed were designed to ensure 'the maintenance of the regent in Scotland and all his party'; he wished Moray to continue to have the principal charge in Scotland, and for all those that inclined to amity with England to hold the places of strength within the realm.⁵⁶⁴ All measures conceivable for the security of the Protestant Isle, and, specifically England, were detailed: Mary was not to marry without the consent of the three estates, the Protestant religion was to be safeguarded, no stranger was to bear office, the prince should be kept in England, the Treaty of Edinburgh should be ratified and confirmed (thus renouncing her immediate claim to Elizabeth's throne), and a defensive league should be made between England and Scotland.⁵⁶⁵ In addition, the role of the Scottish parliament – which had arguably taken on a greater importance since 1560 - was recognised, since it would ratify the treaty. In effect, if Cecil's proposal was enacted, Mary's sovereign rights would be maintained in name only, yet in practice, the decision making powers regarding her marriage, foreign policy, and choice of advisors, would be taken out of her hands, depriving her of the traditional royal prerogatives.⁵⁶⁶ As Alford has argued, this meant that 'the regime could preserve Moray's government of Scotland without having to take the risk of deposing Mary'.⁵⁶⁷ It was an attempt to reconcile the competing views of Elizabeth, who wanted Mary's sovereignty preserved (in theory, at least), with those who wanted to see a Protestant Scotland, governed by those who supported the amity between the nations. Mary's claim as successor to Elizabeth was not acknowledged as such, but Cecil wished to include the threat that if she broke any of the

⁵⁶¹ It was headed: 'these matters following were w[i]t[h] good deliberation, and after the mind of every one of the cou[n]sel fully declared, accorded upon as their uniforme advise': *ibid.*, f. 137r.

⁵⁶² *Ibid.*, f.137r. Such reasons were those to be expected – i.e. the threat from Rome, the challenge of Mary's claim to the English throne, and the bringing in of strangers.

⁵⁶³ 'Instructions to Commissioners', September 1568, Cot. Calig. CI, f. 227r-231v.

⁵⁶⁴ 'Things to be considered', May 1568, Cot. Calig. CI, ff. 98v; 100v.

⁵⁶⁵ *Ibid.*, f. 100v.

⁵⁶⁶ 'Instructions to Commissioners', September 1568, Cot. Calig. CI, f. 229v mentions that it should be considered how the great officers of state are to be appointed.

⁵⁶⁷ Alford, *Cecil*, p. 169. Alford also shows that it is a development of Cecil's plans of 1567.

clauses, then she ‘would immediately forfeit any title or challenge she can pretend’ to be Elizabeth’s heir.⁵⁶⁸

Cecil’s proposal also accorded a key role to England, with the treaty being tripartite between England, Mary, and her son, and Elizabeth was to act as ‘umpere and principal arbitrer’.⁵⁶⁹ He was concerned, however, to make it appear as if this was the desire of the Scots themselves, presumably to avoid any overt references to English overlordship.⁵⁷⁰ Yet in his own writings, the right of England to intervene in this cause was taken as a given, with no real attempt to justify its alleged position as superior, despite the obvious hostility the Scots felt towards such a claim. This was simply stated, ‘always the superiority that of ancient right belongeth to the crowne of England in causes of Scotland’, as by ‘multitude of recordes, examples, and presidentes may be proved’.⁵⁷¹ Cecil was arguably looking back to the time of Somerset’s regime, and the propaganda of the ‘Edwardian moment’, as well as to the reign of Henry VIII, and before him, to Edward I, and felt there was no need to provide any further documentary proof to this effect.⁵⁷² There is no evidence that Elizabeth herself shared this imperial view. Whilst clear that she welcomed an extension of her authority into Scotland, aiming to act as a mediator, she based this on the proximity both of her position geographically and in blood to Mary.⁵⁷³

There were many different attitudes towards, and conceptions of, the trial itself. Holding a trial was necessary in a European context. The English government needed to provide a justification for their actions, and to show that they did not actually countenance the deposition of a sovereign prince. As Alford explains, it was important for England to be seen to be acting impartially and judicially with respect to Mary,⁵⁷⁴ even if men such as Cecil had drawn their own conclusions prior to the proceedings. Internally, Elizabeth was also under pressure from the Lennoxes to see that their son’s death received a fair investigation.⁵⁷⁵ Her own opinions, however, are not entirely clear, although she certainly envisaged Mary’s eventual restoration in one form or another. She saw the ‘trial’ as an opportunity to buy time and keep her options open for a while longer. If Mary were found guilty, it was also hoped that it would deter her European friends from offering her support, since she would be less attractive in their eyes, and would thus weaken her position. England would gain even greater leverage over her, and Mary would become entirely reliant upon Elizabeth, who could then assess the situation, and decide how best to handle it. Indeed, she was keen to better learn exactly what state

⁵⁶⁸ ‘Certain things necessary to be remembered’, September 1568, Cot. Calig. CI, f. 232r.

⁵⁶⁹ ‘Instructions to Commissioners’, September 1568, Cot. Calig. CI, f. 230v.

⁵⁷⁰ *Ibid.*, f. 230r.

⁵⁷¹ ‘Consultation Touching the Queen of Scots’, 20 June 1568, Cot. Calig. CI, f. 137r; Cecil’s Memoranda of May 1568, Cot. Calig. CI, f. 98r; Advice to Elizabeth, May 1568, Cot. Calig. CI, f. 74v.

⁵⁷² Alford, ‘Reassessing William Cecil in the 1560s’, p. 238; Armitage, *Ideological Origins of the British Empire*, pp. 35-36.

⁵⁷³ Elizabeth’s instructions to Leighton, 18 May 1568, Cot. Calig. CI, f. 73r.

⁵⁷⁴ Alford, *Cecil*, p. 162.

⁵⁷⁵ Lennox to Cecil, 18 August 1568, SP53/1, f. 449v.

Scotland was in before making any decisions, which was one of the reasons why Henry Middlemore was despatched to Scotland in June.⁵⁷⁶

It was necessary for the English government to convince Mary and her party to participate in the trial. In calling for the 'conference', as it was diplomatically entitled, Elizabeth persuaded the Queen's Party to send commissioners, by presenting it so that it appeared as if it were those who had deposed Mary who were being called to account for their actions, and allowing Mary to believe it would be in her best interests. Initially, Elizabeth told Herries, who was acting as Mary's ambassador at this point, that she would not admit to her presence any of those who had rebelled against Mary (a promise that was later broken).⁵⁷⁷ The Marianists were also led to believe that if they allowed Elizabeth to put order to their cause, she would restore Mary wholeheartedly if the King's Party were found to have acted unlawfully in deposing their monarch, and, even if she were found guilty, then she would still be restored with all honour, on condition that a council of the principal nobility of the realm (which would therefore imply a role for themselves) be used.⁵⁷⁸ Indeed, in the months leading up to the trial, there was genuine expectation amongst the Queen's Party that the restoration of their queen, in some form or another, was imminent.⁵⁷⁹ The spin placed on the 'conference' was clearly not congruent with that expressed in Cecil's notes, and Mary fell into the trap that had been set for her, actually requesting herself that a trial of her enemies be undertaken, little realising the damage this would do to her own cause.⁵⁸⁰

2.3: King's Men and Queen's Men

Despite Mary's flight into England, the Marian position did not crumble overnight and levels of support remained relatively constant. This would cause Moray to take a far harsher approach than he had done hitherto. Before his governance of the country can be assessed, however, it is necessary to ascertain the level of opposition which he faced. Throughout 1568, it is possible to identify a core group of Marian supporters. Their commitment to the Queen's Party is determined from the surviving bonds, and key correspondence which bore their signatures.⁵⁸¹ The chief of these were John Hamilton (the Archbishop of St Andrews), Argyll, Boyd, Cassillis, Crawford, Drummond, Eglinton, Errol, Fleming, Herries, Huntly, Maxwell, Ogilvy, Oliphant, Rothes, Sanquhar, Somerville and Yester. This was a sizeable percentage of the nobility, although perhaps not quite half. There is less evidence for lairdly support, since their names

⁵⁷⁶ Memorial for Middlemore, 8 June 1568, SP52/15, f. 58r.

⁵⁷⁷ Herries to Mary, 28 June 1568, Teulet, *Papiers*, ii, p. 239; Herries to Huntly, 31 July 1568, Add. 33531, f. 39r.

⁵⁷⁸ *Ibid.*, f.39r; Herries to Argyll, 31 July 1568, Royal 18 BVI, f. 289v.

⁵⁷⁹ Herries to Huntly, 31 July 1568, SP53/1, f. 29r.

⁵⁸⁰ Herries, *Memoirs*, p. 106.

⁵⁸¹ For example, letters were sent out from Largs to England, France, Spain and Rome in July 1568 (e.g. to the French King, 6 July 1568, NLS Adv.22.2.18, ff. 148r-150r). Also see the names of those who authorised the commissioners for the York conference in September 1568, Cot. Titus C12, ff. 152v-154r.

were only recorded if they were found to be actively resisting the king (those who were taken prisoner at Langside are listed, for example), yet that which does survive indicates that Mary was not without friends amongst this group. Donaldson's regional analysis shows that the influence of the major magnates prompted many lairds into fighting for Mary's cause.⁵⁸² Individuals such as the Sheriff of Ayr, and the lairds of Rosslyn, Bass, Wauchton, Lochinvar, Rowallan, Skirling and Dalhousie were all noted Marian adherents in this period – Lochinvar and Skirling presumably under the influence of Lord Herries, and the sheriff of Ayr perhaps swayed by Argyll.

Whilst there was little that Moray's enemies could do within Scotland to bring about the return of their queen, they were nonetheless keen to ensure that the Regent and his party did not gain a stranglehold over the country, and that the way would remain open for Mary's restoration. Mary herself was able to appeal to her supporters in a way that Moray never could, and she wrote a combination of personal and open letters, always optimistic in tone, hinting that her release could soon come, 'we doubt not to be put in our awin place agane', or that foreign aid was just around the corner.⁵⁸³ Her constant encouragement, combined with an unwavering belief that they would do all they could in her service, may well have had some psychological effect, and the influence of a personal note from the Queen herself should not be underestimated. It was not just the more heavyweight supporters that Mary corresponded with: a series of letters between the Queen and the Laird of Rowallan, who is not otherwise notable, exist in the NLS.⁵⁸⁴ Despite the Knoxian abhorrence for female rulers, to an extent Mary's gender may actually have been a help, rather than a hindrance in gathering support: there was still something romantic and chivalrous in defending the honour of such a damsel in distress. Furthermore, Mary was fortunate in that, whilst some of her policies had been unsuccessful, men had genuinely liked her for herself, rather than, as in the case of her English cousin, for the fact that she was queen. The close personal ties that she had created earlier were now cultivated via correspondence.

Three of the most powerful individuals in Scotland were now ranged against Moray, and there was a determined effort by the Queen's Party to preserve the authority of their monarch, even in her absence. These three men, Argyll, Huntly and Châtelherault, dominated wide geographical areas, and, as all were ancient magnates, had impressive followings and power within Scotland, and connections with others of the nobility. It is doubtful whether any individual magnate in the King's Party could rival them, and Moray himself, lacking his own territorial base, certainly could not. Argyll, as the strongest noble in the country in terms of military capabilities, was best placed to assume the task of leadership during this period, styling

⁵⁸² *AQM*, pp. 101-114.

⁵⁸³ Mary to the Earl of Cassillis, 25 May 1568, NAS GD25/2/122/5.

⁵⁸⁴ See NLS MS 3416 for the Rowallan correspondence. Also see, for example, Mary to Laird of Smeaton, 25 June 1568, NAS GD103/2/4/25 and Mary to Ferniehirst, 16 August 1569, NAS GD40/2/19/1.1A.

himself lieutenant to the Queen, in a proclamation given at Largs in July.⁵⁸⁵ This proclamation was partly a reaction to the proposed Parliament to be held by the King's Party in August, intending to forfeit the leading Marian supporters. Less than two weeks after this parliament had been announced, the Queen's Party had assembled. Argyll struck first, forbidding the burghs to assist the King's Party with the forfeitures, or with men, money or munitions, under pain of death.⁵⁸⁶ Detailed plans were drawn up for action, with men warned to be in readiness for military encounters.⁵⁸⁷ The traditional method of joining together in a defensive bond, 'in the most sure form that can be devised', was also used.⁵⁸⁸

Huntly too was given a commission of lieutenancy from Mary, and his dominance of the north-east enabled him to draw up a similar bond, signed by 46 lesser individuals, who presumably owned or held land from Huntly in this region, the majority of whom were Gordons or Leslies.⁵⁸⁹ This, it seems, was a move instigated by Mary herself, who had granted a licence to Huntly instructing him that, regardless of a late act of Parliament to the contrary, he was permitted to make bonds amongst his men for her service.⁵⁹⁰ There is scarce evidence regarding the majority of the signatories of Huntly's bond, and despite the conservative tendencies of the north east, it is impossible to tell whether they genuinely believed in Mary's cause. It is likely that they were motivated by concerns regarding the security of their tenure, and protection from neighbouring clans rather than any great ideological considerations. Alison Cathcart's work, for instance, has shown that Lauchlan Mackintosh of Dunachton had chosen to mend his earlier breach with the Earl, and co-operate with Huntly out of a desire for local stability.⁵⁹¹ Huntly benefited from Mackintosh manpower, and although he commanded smaller forces than Argyll's, was also responsible for much military action. There were reports, for example, that he narrowly failed in his aim to kill Morton, after pursuing him while he was in the area to hear a court case, and he had been spoiling Moray's own lands.⁵⁹² Allegedly, he also besieged the Provost of Aberdeen's house, and forced Aberdeen to yield to the Marians at the end of July, leaving his brother, Adam Gordon of Auchindoun, in control of the burgh.⁵⁹³ He took up the rents of the earldom of Ross, and by the end of the year was described as reigning in the

⁵⁸⁵ This was the title that Mary herself had bestowed upon him at the time of Langside.

⁵⁸⁶ Proclamation by Argyll, 28 July 1568, SP52/15, f.85r; Band taken in defence of Mary, 28 July 1568, Royal 18 BVI, ff. 278r-278v.

⁵⁸⁷ 'Things to be done by the Queen's Party', 28 July 1568, SP52/15, f. 86r. These plans included the provision for payment for a company of men of war – it was to be financed from Mary's patrimony and from the thirds.

⁵⁸⁸ Band taken in defence of Mary, 28 July 1568, Royal 18 BVI, f. 278r.

⁵⁸⁹ Ross to John Hamilton, August 1568, Royal 18 BVI, f. 289r. Bond by Huntly and others to serve Mary, 1568, NAS GD44/13/4/5. Wormald, in *Lords and Men*, identified two bonds of manrent made to him by Lauchlan Mackintosh in June 1568, p. 288; also see Bond of maintenance from Huntly to Mackintosh of Dunachton, 27 Jun 1568, NAS GD176/89.

⁵⁹⁰ 'Warrant and Licence granted by Mary to Huntly', 1568, Cot. Calig. CI, f. 83r.

⁵⁹¹ Alison Cathcart, *Kinship and Clientage: Highland Clanship 1451-1609* (Brill, 2006), pp. 169-170, 190-191

⁵⁹² 'Huntly's pursuit of Morton', 1 August 1568, *CSP Scot*, ii, 752.

⁵⁹³ Moray to Elizabeth, 3 September 1568, SP52/15, f.118. Also see 'offences by the Queen's Party', 4 October 1568, SP52/15, f. 138r. Auchindoun played a key role in the latter stages of the civil wars, and was described by Bannatyne as 'King Herod in the north': Bannatyne, *Memorials*, p. 197.

north.⁵⁹⁴ Potter goes so far as to describe Huntly as having created a ‘provisional Marian administration’, yet although this was certainly the case in 1569, there is no evidence quite so early on.⁵⁹⁵ Nonetheless, his continued activity posed a problem for the establishment of Moray’s authority in the region.

Mary appointed Châtelherault as her third lieutenant. Contemporaries believed that this was not due to any admiration for his leadership skills, but merely because it was a way of making the Hamiltons ‘sure’, and ensuring that they, together with their own wide network, remained within her party.⁵⁹⁶ Mary herself was well aware that dynastic motivations were their driving force, yet nonetheless realised that such energy could be harnessed to her advantage. Châtelherault was, at that time, resident in France, and thus would be useful to the Marians for the foreign connections that he could provide.

Whilst there was certainly no lack of Marian activity elsewhere in Scotland – the fortification of both the town and the church of Dumbarton was underway, for example, in preparation for the reception of French aid – it seemed to be based largely on individual initiative, rather than conforming to an overall strategy. One time at which the Marians did work as a team was the summer of 1568, when many efforts were made to attract foreign support, and a concerted letter writing campaign was undertaken. Alva, Charles IX, Catherine de Medici, and the Cardinal of Lorraine were all targeted by Mary’s Scottish supporters on 24 August.⁵⁹⁷ Shortly after her arrival in England, despite an agreement that she would not seek French aid, and that Elizabeth would be the sole arbiter of her cause, Mary herself had written to request support from the French, stressing the strategic importance of Dumbarton Castle (held by Lord Fleming), and asking for aid to be delivered there.⁵⁹⁸ She wanted all possible steps to be taken to strengthen her party, including all Scots to be arrested in France if they could not show a passport from Argyll, and warned the French crown that spies of Moray’s were operating in France. She also requested that the French King write a letter of support to bolster her adherents in Scotland. Her flight to England was tactfully explained as being intended only as a place en route to France.⁵⁹⁹ Repetition of requests to the French, however, and the tone of disappointment that they had not thus far looked upon Mary’s cause with favour, indicate that the Marians were not as successful at getting support as they desired.

⁵⁹⁴ *Ibid.*, f. 138r; also see Grange to Moray, 31 December 1568, Cot. Calig. CI, f. 379r which lamented the Marian gains.

⁵⁹⁵ Potter, *Bloodfeud*, p. 92. Huntly’s ‘administration’ was seen later, when he held his own courts: Athol L. Murray, ‘Huntly’s Rebellion and the administration of justice in north-east Scotland 1570-1573’, *Northern Scotland*, 4 (1981) pp. 1-6. Also see below, p. 113.

⁵⁹⁶ Knollys to Cecil, 16 August 1568, Cot. Calig. CI, f. 195v.

⁵⁹⁷ Nobility to Charles IX, 24 August 1568, Cot. Calig. BIX, f. 328r; Nobility to Cardinal of Lorraine, 24 August 1568, Cot. Calig. BIX, f. 317r; Nobility to Queen Dowager of France, 24 August 1568, Cot. Calig. BIX, f. 343r.

⁵⁹⁸ Cecil was also well aware of the advantages that Dumbarton Castle had for the Marians. Indeed, it was in his thoughts in May, when the word ‘Du[m]bryton’ was found scribbled on the side of a memorandum: May 1568, Cot Calig CI, f. 74v.

⁵⁹⁹ Copy of letter from Scottish Nobility to French King, from original in Colleg. Scot. Parisien, 1568, NLS Adv. 22.2.18, f. 149r.

James Beaton, the Archbishop of Glasgow, and convenor of Mary's council in France, was also acting on her behalf. A letter written to Mary in July, provides a description of the progress (or lack of) that he had made.⁶⁰⁰ Unfortunately for the Queen's Party, the French King shied away from any action that could 'move the Queen of England to declare the weir', refusing to provide the direct support that the Marianists hoped would pressurise Elizabeth into favourable action.⁶⁰¹ Elizabeth had apparently informed the French that if they sent any 'succours' to Scotland, she would immediately declare her support for the Earl of Moray. Thus no men were to be sent, for fear of offending her. Before taking such a major step, the French had to be sure they would have the means to see it through, and at the present time, that was doubtful. Whilst they had been able to take control of Scotland in the past, this had not been when they had their own internal difficulties to resolve. Now, they were embroiled in their own difficulties with the French Wars of Religion (the third outbreak of war began in September 1568) and could not stretch their resources any further.⁶⁰² Financially, however, the Marianists gained some form of assistance. The French King promised that 'ane zeirs pension' would be employed on Mary's behalf, and that 10,000 francs would be delivered to Châtellerauld, with a further 6,000 at a later stage. Yet this was money that Mary was entitled to from her dowry, and is not necessarily indicative of commitment by the French, since Mary had a large sum owing to her, which had previously been difficult to collect.⁶⁰³

Beaton also approached the Cardinal of Lorraine, requesting him to write on Mary's behalf to Spain, the Pope, and the Emperor. Surprisingly, Mary's uncle refused, and the Queen's Party were obliged to remind him of his 'devite' [duty] towards his niece.⁶⁰⁴ Beaton conjectured that this was because of the rumours that Mary had 'tynit [lost] the hairts' of the Catholics in England. Indeed, Mary had been in a difficult position, as to show that she was willing to make some concessions in order for her restoration to be effected, she had shown herself to be more conformable in religion, and had granted audience to an Anglican chaplain.⁶⁰⁵ Beaton wrote that Mary needed to demonstrate the constancy of her Catholicism before any further support could be expected.⁶⁰⁶ Were the suspicions expressed by her relations as to her Catholicism genuine? There were certainly grounds for such doubts; the policies of her personal rule had shown her to be remarkably accommodating of the Protestants, and it would be anachronistic to suggest that such tolerance was praised in a monarch. Furthermore, she had married Bothwell by Protestant rite. To the Catholic powers, it may have seemed that Mary had betrayed the Catholic church. At this time, however, it also served as a convenient excuse for

⁶⁰⁰ Archbishop of Glasgow to Mary, 1568, Sloane 3199, ff. 162r-167r. (BL dates this as 1567, though internal evidence shows it must be from 1568, since it refers firstly to writings sent from Mary at Carlisle, and secondly to the sending of 'Mr Douglas' into France, which took place in 1568.)

⁶⁰¹ *Ibid.*, f. 162r.

⁶⁰² Elliott, *Europe Divided 1559-1598*, p. 124.

⁶⁰³ Greengrass, 'Mary, Dowager Queen of France', p. 175; Beaton's Journal, 1568, Sloane 3199, f. 166r noted that the treasurer, Doles, had not paid any of Beaton's pension to him.

⁶⁰⁴ Nobility of Scotland to Cardinal of Lorraine, 24 August 1568, Cot. Calig. BIX, f. 317r.

⁶⁰⁵ Beaton's Journal, 1568, Sloane 3199, f. 162v.

⁶⁰⁶ *Ibid.*, f. 162v-163r.

the Cardinal to avoid any definite commitment to Mary's cause. There was, as yet, no certainty of the outcome of the trial, and if Mary were to be restored anyway, little could be gained from intervention at this juncture.

This helps to explain the renewed vigour in portraying Mary's cause as the Catholic cause.⁶⁰⁷ Mary was a shrewd propagandist, and knew the right arguments to use with different audiences.⁶⁰⁸ Now, efforts were made to cast herself in the role of the devout Catholic Queen, imprisoned by the heretic Queen in England, and her faithful subjects oppressed by the heretics in Scotland. She made profession of her Catholicism to an audience in Bolton, wrote to the Archbishop of St Andrews, asking him to write to Alva, portraying the situation as an 'oppression of ye Catholiqs', and wrote to her childhood friend, Elisabeth of Valois (now the wife of Philip II), stressing their unity in the Catholic faith.⁶⁰⁹ Cecil feared the international Catholic community; Mary played on it for all she was worth. In a memoir addressed to 'tous les Princes de la Chrétienté', Mary's predicament was described as one which affected all princes, and it was argued that in helping her, they would be defending their own interests. This is the typical appeal made to Elizabeth, yet to the Catholic audience, Mary also stressed their unity in the one Catholic church: 'par cest amour qu'ilz portent á nostre Seigneur Jésus Christ, duquel ilz tiennent leurs noms et leurs estatz, et par la reverence qu'ilz ont á sa sainte Eglise'.⁶¹⁰ We can now see clearly how each party chose to define itself: Moray and the King's Party stood for Protestant, pro-English amity, whereas the Queen's Party focused upon the conservative notion of ancient nobility and, despite the largely Protestant makeup of their party, to the Catholic powers, emphasised their Catholicism.⁶¹¹ To the French, they also portrayed themselves as the continuers of the 'Auld Alliance', as opposed to the much newer amity with England, yet this was not consistent, and indeed, there were some within the Queen's Party who would have preferred an Anglo- rather than a Franco-Scottish alliance. The language used by the Queen's Party was, in all ways, that of tradition and of retaining past allegiances and values; they stood for the 'Auld' Alliance, the 'ancient' aristocracy, and the 'old' religion, hereditary right and conservatism. In doing so, without explicitly spelling it out, they set up the King's Party to be new – and new always had a hint of danger, unsettling traditional society.⁶¹²

Although rumours of action to be taken by both the French and the Duke of Alva were circulating, there is no concrete evidence to show that there was ever any genuine attempt to

⁶⁰⁷ Knollys to Cecil, 21 September 1568, *CSP Scot*, ii, 821 reported that once Mary heard rumours that people thought she had turned to the gospel, she professed herself more 'papist' than ever before.

⁶⁰⁸ As Knollys was well aware: Knollys to Cecil, 16 August 1568, *Cot. Calig. CI*, f. 195v.

⁶⁰⁹ Fraser, *Mary*, p. 475; 'Instructions sent by Mary, Queen of Scots to Archbishop of St Andrews', 21 July 1568, *Royal 18 BVI*, f. 280r.

⁶¹⁰ *Mémoire adressé au nom de Marie Stuart a tous les Princes de la Chrétienté*, June 1568, in Teulet, *Papiers*, ii, p. 252.

⁶¹¹ There are many instances where the King's Party describe their enemies as those who are against the continuance of the amity between both nations.

⁶¹² Of course, how the Queen's Party chose to define themselves did not correspond to the actual makeup of the party which did contain Protestants, lairds, and, particularly later, men who saw themselves as more pro-English than pro-French.

free Mary planned, and it is probable that the rumours were merely designed to put pressure on Elizabeth.⁶¹³ Nonetheless, they were serious enough to cause Moray to make a proclamation in August, for all to be ready to repulse the French if they came.⁶¹⁴ In response to this largely imaginary continental threat, and to the relatively confident stand taken by the Queen's Party, Moray also chose to act with greater severity.⁶¹⁵ He granted the lands that were forfeited from the Marians captured at Langside, continuing his recent policy of rewarding his supporters. Glencairn, Morton, and Grange were once again beneficiaries.⁶¹⁶ However, whilst he was increasing the loyalty of those already taking his part, he was not providing any incentive for men to abandon Mary's cause and willingly come over to the King.⁶¹⁷ Instead, he operated a policy aimed to crush dissidents rather than incorporate them in his government. He would change tactics once again on his return from England, but for now, particularly with the outcome of Mary's 'trial' undecided, he felt there was no alternative. Lee is surely correct to argue that the events of Mary's escape showed Moray he could only crush his opponents by force,⁶¹⁸ as he had not been able to trust those who had earlier feigned reconciliation. Military action was taken, with an order for fugitives seeking refuge in Dumbarton to be intercepted, and Moray ordered Lord Sempill to seize various Marian 'fortalices' in central Scotland, such as Boghall, Cochnocht and Barr. In addition, the Regent still sought to gain Dumbarton castle itself, and took steps to prevent victuals from reaching it.⁶¹⁹

In particular, there was an urgent need to restore order to the Borders; John Willock reported to Cecil that the West Border, for example, had been 'much broken', and Knollys wrote that 'the hungerye borderers hearabouts wolbe made of anye partye'.⁶²⁰ As seen throughout Border history, many Borderers were motivated by desire for spoil above all else, demonstrating no fixed loyalties. Clearly, they were a destabilising force for Moray's government, and Drury reported upon the numbers who had joined Mary's army at Langside.⁶²¹ Moray's 'Hoddom Road' expedition, in June, saw the destruction of many lairdly properties, including those belonging to men who were attendant on Mary in England.⁶²² Destruction was first threatened, and if the laird involved promised to support Moray, the house was spared.⁶²³ Although it could be argued that the actions here continued to build up a greater climate of hostility towards the Regent, it was necessary for Moray to show that he was serious about his threats, and that he had the military capabilities to see them through. It is also interesting that

⁶¹³ E.g. John Gordon to Moray, 7 July 1568, Cot. Calig. CI, f. 162v.

⁶¹⁴ Drury to unknown, 26 August 1568, Cot. Calig. BIX, f. 353r.

⁶¹⁵ Drury reported Moray's fears of French assistance towards the Queen's men: *Ibid.*, f. 353r.

⁶¹⁶ Escheats of Mary's adherents, May 1568, SP52/15, f. 50r.

⁶¹⁷ As Melville noted: *Memoirs*, p. 198.

⁶¹⁸ Lee, *Moray*, p. 225

⁶¹⁹ *RPC*, i, pp .624-629; Drury to Cecil, 26 May 1568, *CSPF 1566-1568*, 2230.

⁶²⁰ Knollys to Cecil, 8 June 1568, SP53/1, f.73r; Willock to Cecil, 31 May 1568, *CSP Scot*, ii, 683.

⁶²¹ Drury to Cecil, 15 May 1568, Cot. Calig. CI, f. 91r.

⁶²² 'Progress of the Regent', 11-30 June 1568, Cot. Calig. CI, f. 148r. E.g. Skirling, and the Master of Maxwell were targeted.

⁶²³ For example, Sanquhar. *Ibid.*, f. 148r.

whilst families such as the Bells, Irvings, and Johnstones (who supported Mary at Langside) submitted in order to save their property, other lairds (Lochinvar, for example) still chose not to, indicating a greater belief in the concepts of honour and loyalty amongst the Borderers than may traditionally be conceived.⁶²⁴ Although Lochinvar may have been heavily influenced by his relative, Lord Herries, he was a genuinely devoted Marian, later acting as one of Mary's representatives at York.⁶²⁵ It was also during this Border campaign that Herries lost his own house. Moray was keen to discredit him, since he was particularly influential in the region, with many prepared to follow him. He had been successful in stirring up trouble in the west march, even amongst men who did not support Mary, purely to create difficulties for the Regent.⁶²⁶ Herries was also particularly unpopular with the English Border wardens, being termed a 'conning horseleache', for example, and Moray replaced him as warden of the West March with Drumlanrig, whom he felt he could better rely upon.⁶²⁷ Indeed, such an emphasis on Border action was likely to win Moray favour at the English court; Cecil was concerned with Border security, fearing it was a weak frontier which the French would be able to breach, and since the north of England had a greater number of Catholics than elsewhere, was a potential breeding ground for Marian support.⁶²⁸ Furthermore, Border matters required co-operation and Moray was aware that working with the English Border wardens might lead to some level of recognition for his regime. Scrope, for example, appeared favourable towards him, and in November, Elizabeth had permitted her wardens to work with the Regent (although refused actually to term him 'regent').⁶²⁹ Border action, whilst clearly directed against Marian supporters, could easily be explained away to the English Queen merely as the typical way to keep order in the region.⁶³⁰

Whilst such activity was going on, Moray announced his intention to call a Parliament.⁶³¹ This was designed to back up the military proceedings, fortifying them with legal action against those who refused to acknowledge his government. However, as soon as Elizabeth discovered Moray's intentions in calling the August Parliament, she wrote and asked him to prorogue it. She had also instructed Middlemore to advise Moray that the controversy should be ordered by the English Queen, rather than by battle, and that the Regent should thus stay his army.⁶³² At the same time, she requested that Mary order that her followers cease from

⁶²⁴ Knollys to Cecil, 17 June 1568, *CSP Scot*, ii, 706.

⁶²⁵ Moray to Elizabeth, 22 June 1568, SP52/15, f.61r.

⁶²⁶ Knollys to Cecil, 31 May 1568, Cot. Calig. BIX, f. 346r; Moray to Herries, 11 September 1568, SP52/15, f.128r; Scrope to Cecil, 5 July 1568, *CSP Scot*, ii, 723.

⁶²⁷ Throckmorton to Cecil, 20 August 1567, SP52/14, f. 161r; Herries, *Memoirs*, p. 106; *Diurnal*, p. 133. Drumlanrig was a Douglas, and was linked to Morton; he had also acted as a creditor to Moray on 7 May: NRAS217/43/70.

⁶²⁸ George MacDonald Fraser, *The Steel Bonnets* (St Ives, 1971), p. 298.

⁶²⁹ Moray to Elizabeth, 12 August 1568, SP52/15 f. 97r. Moray also ensured that he had a meeting with Scrope during the campaign. Herries, *Memoirs*, p. 106; Knollys to Cecil, 16 June 1568, *CSP Scot*, ii, 704.

⁶³⁰ Moray to Elizabeth, 22 June 1568, SP52/15, f. 61r.

⁶³¹ Mary to Elizabeth, 5 July 1568, *CSP Scot*, ii, 725; Scrope to Moray, 8 June 1568, *CSP Scot*, ii, 694.

⁶³² Elizabeth to Moray, 22 July 1568, SP52/15, f. 83r; 8 June 1568, Memorial for Middlemore, SP52/15, f. 58r.

arms, since Mary's justification for their being in such a state was that they needed to defend themselves from this 'pretended parliament'. The Hamiltons, Argyll and Huntly were all prepared to take military action to prevent this from going ahead, and Herries was allegedly seeking to endanger Moray's newly established peace in the west marches.⁶³³ Such an order reflects Elizabeth's desire to keep both parties in a state of equilibrium until there was a greater possibility of being able to settle matters to her own liking. It also demonstrates her awareness of the European audience, since if it appeared as though she were acting impartially, she had a stronger case for requesting that any French troops were not received.⁶³⁴ In addition, she needed to ensure that Mary would agree to submit her case to her. Elizabeth's request, however, was not received favourably by Moray and his supporters. In part, this was because to acquiesce could be seen as prejudicial to the independent status of Scotland, as in effect it would be permitting another government to dictate when they were able to hold their own parliament. Moray also argued to Elizabeth that because the Marians appeared to ignore the order to cease hostilities, he was consequently unable to stay the parliament. If he did so, it would be perceived as a sign of weakness on his behalf, and he claimed that the Marians would consequently take even greater courage, believing that he had been intimidated by the presence of their forces.⁶³⁵ To this, he added the weak excuse that there were not even enough nobles present with him to authorise the stay of the parliament.⁶³⁶ Unsurprisingly, it became a vicious circle – the Marians would not lay down arms all the time they saw the parliament was to go ahead, and the King's Party would not prorogue the parliament so long as they saw the Marians in arms.⁶³⁷ Despite the need to curry favour with Elizabeth, Moray was determined to push forward with the parliament. Herries noted that although Elizabeth asked Moray to defer it, 'these letter were written in such a strain that the Regent knew the desyre was but written and not desyred'.⁶³⁸ It is probable that behind the scenes, Cecil was encouraging Moray to go ahead regardless.⁶³⁹

⁶³³ Moray to Elizabeth, 12 August 1568, SP 52/15, f. 97r.

⁶³⁴ Notes for Middlemore, June 1568, *CSP Scot*, ii, 690.

⁶³⁵ Moray to Elizabeth, 12 August 1568, 'if we shuld wynek at the same, it wald be shortlie to late for us to prease to put order thairto': SP 52/15 f. 97r; Moray to Elizabeth, 25 August 1568, SP52/15, f. 108r.

⁶³⁶ Moray to Elizabeth, 31 July 1568, SP52/15, f.89r. Moray claimed that this was such a weighty matter that he could not suspend the parliament without the consent of the others. He sent John Wood to inform Elizabeth of this at greater length, and presumably to confer about it with Cecil.

⁶³⁷ Indeed, the Marians were equally guilty of promising one thing to Elizabeth and doing another, and Herries encouraged them to press forward with their intentions – 'it is not meit ze staye ye pointment ze maid ye last daye at ye kirk of ye largis bot sett forduartis': Herries to Argyll, 31 July 1568, Royal 18 BVI, f. 290r.

⁶³⁸ Herries, *Memoirs*, p. 105.

⁶³⁹ The volume of post between Scotland and England was so high at this time that Knollys wondered whether those operating the posts would get an increase in their wages: Knollys to Cecil, 26 August 1568, SP53/1, f. 153r. There was clearly much more correspondence than has survived. It also seems Moray communicated with Cecil and urged him to smooth things over with Elizabeth regarding the Parliament: Moray to Cecil, 25 August 1568, SP52/15, f. 110r.

The sole purpose of the August Parliament was to forfeit various Marian supporters. Those targeted were Claud Hamilton, the Bishop of Ross, the Archbishop of St Andrews, the Abbots of New Battle and Holywood, and various knights, lairds and gentlemen, many of whom were Hamiltons.⁶⁴⁰ This was a far smaller number of forfeitures than could have been expected, with Huntly, Argyll, Herries and others remaining unaffected.⁶⁴¹ Although the parliament ended prematurely, due to Marian military activity, the number of forfeitures was still relatively low.⁶⁴² Lee argues that Moray himself had wanted to act more harshly, but that the moderates in the council had prevailed.⁶⁴³ Such an argument first appears in Herries' *Memoirs*. Herries felt that it was on the advice of Maitland of Lethington that less extreme action was taken.⁶⁴⁴ Whilst it still cannot be proven that Maitland was supportive of Mary herself, it does seem that since her arrival in England, his moderate views began to diverge from the more extreme views of Moray and Morton, and that he would have preferred to see a reconciliation of the factions, rather than a complete dominance by Moray's party. Loughlin has also noted that from this point onwards, Moray referred to his former close ally as the 'necessary evil'.⁶⁴⁵ However, the nature of the forfeitures may simply signify that Moray had not entirely lost hope of recovering men such as Argyll and Huntly to his party. According to Drury, he was prepared to receive them into favour if they agreed to acknowledge the king.⁶⁴⁶ It was a far more sensible policy to forfeit the Hamiltons, who were the most vehement opponents of the Moray regime, and would be unlikely ever to change their allegiance. Furthermore, men such as the Bishop of Ross and the two abbots would not have had extensive followings, whereas the permanent alienation of Argyll or Huntly could prove to be much more damaging. At this stage, forfeiture could still serve as a threat – with Herries, Cassillis, Lochinvar, Yester, Eglinton and Fleming named as those against whom proceedings were, for the time being, suspended.⁶⁴⁷ It would not have been a tactically wise move to carry out all at once, otherwise such individuals would have nothing to lose. Cassillis and Eglinton, in particular, had earlier been noted as neutrals, although had moved to support Argyll, and Moray presumably hoped he had a chance of winning them back.⁶⁴⁸ In addition, by asserting that he would have preferred to act more harshly, yet refrained

⁶⁴⁰ 'Proceedings of the Parliament', 18 August 1568, Cot. Calig. BIX, f. 319r; *APS*, iii, p. 47; Herries writes that 15 Hamiltons were forfeited: Herries to Scrope, 21 August 1568, SP 53/1 f.40.

⁶⁴¹ Crawford and Oliphant had been called to appear, but escaped forfeiture: *RPC*, i, p. 633.

⁶⁴² 'Offences by the Queen's Party', 4 October 1568, SP52/15, f.138r; Drury to Cecil, 21 August, 1568, f. 204r. Fleming and Argyll were besieging the castle, and Huntly had gathered a force of 5000 men, preparing to join up with them. Moray therefore dissolved the Parliament and sent forces to prevent Huntly passing through Stirling. *APS*, iii, p. 54.

⁶⁴³ Lee, *Moray*, p. 231.

⁶⁴⁴ Herries, *Memoirs*, p. 105.

⁶⁴⁵ Loughlin, *Maitland*, p. 269.

⁶⁴⁶ Drury to Cecil, 21 August 1568, *CSP Scot*, ii, 775. Moray had also asked men to come forward with offers for those accused of treason, so that he could lift the summons: *RPC*, ii, p. 634.

⁶⁴⁷ Moray to Elizabeth, 25 August 1568, SP52/15, f. 108r; *Diurnal*, p. 136; *APS*, pp. 51-57.

⁶⁴⁸ Willock to Cecil, 8 July, SP52/15, f.75r; *Diurnal*, p. 134.

from further forfeitures, Moray was also able to ingratiate himself with Elizabeth by claiming that he acted with moderation in accordance with her own request.⁶⁴⁹

This parliament was cut short, when Fleming and Argyll besieged the castle of Glasgow, causing Moray to divert his attention there. Indeed, it appears as if the Marian actions were seriously starting to alarm Moray, particularly with his departure to York imminent.⁶⁵⁰ Although Mary had assured Elizabeth that she would not permit her men to gather, intercepted letters show that she was in fact urging them to fight, and Moray believed that the Marians were actively causing trouble to try to prevent him from going into England.⁶⁵¹ By September, support for Mary was still relatively strong. Unsurprisingly, there had been a few defectors, but these had been relatively minor. Initially therefore, the Marian party remained remarkably unshaken by Mary's rapid exit, which suggests that her departure to England was not perceived as fatal to her cause, and that there was a genuine hope of her restoration, a hope that would resurface periodically, though with decreasing optimism, throughout the civil war period. Indeed, Herries wrote on 31 July that he believed that, so long as various conditions were met, Mary would be restored, and his subsequent return to Scotland greatly encouraged the Marians.⁶⁵² Their renewed confidence explains why Moray had not been able to attract a great deal of further support. The country he left when he embarked upon his journey to England was certainly not one which was at peace, and his hold on the country was less secure than it had been before Mary's escape.

2.4: 'The First Trial'⁶⁵³

In September, commissioners from both the King's Party, and the Queen's Party, left Scotland to travel to York in preparation for the 'conference'. Cecil had originally hoped that this would take place by August, yet the nominating of commissioners in both England and Scotland, together with the acquisition of their safe-conducts, had delayed proceedings. The commissioners chosen to accompany Moray were the Earl of Morton, the Bishop of Orkney (Adam Bothwell), the Commendator of Dunfermline (Robert Pitcairn) and Lord Lindsay, together with highly-skilled advisors: MacGill, Buchanan, Balnaves of Halhill, and Lethington.⁶⁵⁴ The choice of Lethington was remarked upon by several contemporaries, who noted that Moray only included him in the party out of fear that he could not be controlled if he remained in Scotland, and that Maitland's intentions in going were to do what he could to

⁶⁴⁹ Moray to Elizabeth, 25 August 1568, SP52/15 f. 108r.

⁶⁵⁰ 'Offences by the Queen's Party', 4 October 1568, SP 52/15, f. 138r.

⁶⁵¹ Moray to Herries, 11 September 1568, SP52/15, f. 128v.

⁶⁵² Herries to Argyll, 31 July 1568, Royal 18 BVI, f. 289v; Knollys to Norfolk, 21 August 1568, SP53/1, f. 120r, 'and I thynk yt brutes & incoragements of yngland set owte by my L[ord] Herryes have lately increased theyr numbers'; Knollys to Cecil, 21 August 1568, Cot. Calig. BIX, f. 341r; Knollys to Norfolk, 10 August 1568, SP53/1, f. 35r.

⁶⁵³ Donaldson terms it thus: *The First Trial of Mary, Queen of Scots* (London, 1969).

⁶⁵⁴ Moray to Cecil, 7 September 1568, SP52/15, f. 122r; Calderwood, *History*, ii, p. 429.

defend Mary.⁶⁵⁵ As would soon become evident, Maitland was now beginning to work to his own agenda, and this would prove to diverge from that of Moray.

Representing Mary and her party were the Bishop of Ross (John Lesley), Lords Herries, Boyd and Livingston, the Laird of Lochinvar (son-in-law of Herries), Cockburn of Skirling (brother-in-law of Herries), and the Commendator of Kilwinning (Gavin Hamilton). These commissioners were chosen on 12 September, and given full power to treat as necessary by the rest of the Queen's Party.⁶⁵⁶ This discussion took place at Dumbarton, and the list of those 'trew faythful subjectis', who authorised the commissioners to treat on the various articles and instructions, is what Donaldson somewhat misleadingly refers to as the 'Dumbarton Bond'.⁶⁵⁷ The Marian party were realistic enough to understand that a full restoration to the sovereignty that Mary had previously exercised would be out of the question. When compiling instructions for the commissioners, they considered the points upon which they would be willing to compromise, and those on which they were inflexible. These indicate the political priorities of the period, and include the issues that were to become the most debated and most contentious during the civil war.⁶⁵⁸ For example, if it was desired that Mary should be advised by a council of the nobility, which, as we have seen, was one of William Cecil's key goals, the Queen's Party conceded that this was a reasonable request, although qualified it by saying that Mary should choose from the wisest and most experienced nobles, as her predecessors had done, rather than that she should be constrained to use the counsel of those whom her subjects would choose. This, of course, would be a way to safeguard their own power and influence, and would ensure that Moray and his associates were not allowed to dominate. Furthermore, this was not quite in line with the type of council that Cecil had been proposing, since he had suggested that when a councillor left the council, or was unable to serve (out of age or infirmity, for example), the greater part of the council should nominate his successor, rather than the Queen. There was always the danger that this could open the way to a government composed largely of Moray's supporters, and in the most extreme scenario, Mary would be 'in perpetual thralldom' to her subjects.⁶⁵⁹ Her party were clearly aware of the implications for monarchical rule that would ensue had Cecil and Moray got their way.

Other thorny issues anticipated included religion, and the English desire that the Scots abandon their ancient league with France, and whole-heartedly embrace amity with England. To the first, the Queen's Party were willing to condescend to any demands made upon them, a

⁶⁵⁵ *Ibid.*, p. 429; Melville, *Memoirs*, p. 207.

⁶⁵⁶ Alford, *Cecil*, p. 172 states that Cassillis was on Mary's commission, but although she initially suggested that he act as a commissioner, he was not one of those who was finally selected: 'Queen Marie's Register', Cot. Titus CXII, f. 152v; Goodall, *An Examination*, ii, p. 351.

⁶⁵⁷ *Ibid.*, p.354; 'Queen Marie's Register', Cot. Titus CXII, f. 154r. Although Goodall's transcription uses Scottish spelling, it is surprisingly not the same as that found in Cotton Titus CXII, which he claimed to have used; *AQM*, p. 90 confuses it with a genuine bond made at Dumbarton, in 1567. (For the 1567 bond, see Bond by Mary's supporters, 29 June 1567, NLS MS 3657, f. 35r.)

⁶⁵⁸ These points had already been discussed by Herries with the English government. See Herries to Argyll, 31 July 1568, Royal 18 BVI, ff. 289r-290r.

⁶⁵⁹ 'Queen Marie's Register', Cot. Titus CXII, f.158v.

strong indication that despite their protestations to France and Spain, they could in no way be regarded as champions of the Catholic cause. Regarding the 'Auld Alliance', they were more guarded. Whilst they were content that there should be some form of association with England, they did not intend that this should break their links with France. Clearly, they wanted to retain control over their own foreign policy, rather than, as Cecil would have it, being joined in this way with England and unable to act independently. As is seen explicitly in some of the later treaties made during the civil war, they were also reluctant to lose the privileges that they had gained from Scotland's formerly close relationship with France.⁶⁶⁰ Finally, the most contentious issue of all was Mary's claim to the English throne. The Queen's Party went only so far as to consent to the fact that Mary would not molest Elizabeth with regards to this, and would do nothing that could be perceived as prejudicial to the title of Elizabeth, or to her issue. Yet they were concerned that this agreement should be reciprocal, and not to the prejudice of their own monarch's title after the English queen's death. Their reluctance to give in fully to the anticipated English demands suggests that they felt Mary had a good chance of being restored, and differs from the later treaties, in which they were prepared to concede much more ground.⁶⁶¹

Accusations against the King's Party, with which they hoped to open the conference, were also drawn up. Familiar arguments were once again called upon – including the typical appeal to Elizabeth's own attitude towards the inviolability of the monarchical estate, the fact that Mary resigned her crown under duress, and that her marriage to Bothwell had originally been supported by the majority of the nobility. Moray himself was now blamed for Darnley's murder, sowing the seeds of a propaganda campaign to blacken his name (to which we will return in the following chapter). In addition, the Queen's Party considered their own defence. They were aware of the evidence that the King's Party could produce, suggesting that the 'casket letters' were by now common knowledge:

And gif it beis alledgit, that hir Majestie's wretting, [pro]ducit in [par]liament [i.e. the December 1567 session], sould preiff hir G[race] culpabill, it may be answerit, That there is na place mentione maid in it, be the quhilk hir Hienes may be convict, albeit it were hir awin hand wreitt, as it is not. And also the same is cuttit be yame selfis in sum principall & substantious clausis.⁶⁶²

This is clearly an illogical argument, which attempted to cover all bases, since it began by stating that there was nothing in the letters to convict Mary, even if they were written by her, then denied that they were even in her hand, and finally suggested that they were altered by the King's Party.

⁶⁶⁰ Instructions from Mary to Ross to treat with Elizabeth, 26 December 1570, Cot. Calig. CII, f. 511v referred to the privileges that men of arms, archers of the guard, students, merchants and others had in France due to the Auld Alliance. Others had pensions and benefices from France. They were clearly of great importance to many in the Queen's Party.

⁶⁶¹ For example, in 1570, the Queen's Party were willing to accept any conditions if necessary for Mary's return. Maitland wrote 'in ony wise her liberty be procurit qwhatsomever the conditions be. Prease in the best but or we fail we mon accept the worst': Maitland to Ross, 15 August, 1570, SP 53/5, ff. 119r-119v.

⁶⁶² 'Queen Marie's Register', Cot. Titus CXII, f. 157r.

The King's Party had evidently been preparing their proof against Mary for several months; Mary's action in revoking her abdication in the immediate aftermath of her escape had made the gathering of material against her even more pressing.⁶⁶³ Whilst the issue of her complicity in Darnley's murder had not hitherto formed the ground upon which the Moray regime was founded, now, with her abdication revoked, clear justifications for her deposition were called for more than ever before. If Moray wished to stay in power, he needed to prove to Elizabeth and her councillors that Mary had, without doubt, been guilty of the murder. Lennox, currently in England, wrote to Moray saying that it was 'most requisite to arme our selves with as many argume[n]ts ... as may be [pro]duced ageynst the kynges mother', and said that he had also written to various individuals to 'serche out' all the [pro]ofes' and evidence that they could.⁶⁶⁴ Even if the almost certainly forged casket letters had been in circulation in one form or another at least as early as the December Parliament, it is likely that this marked the beginning of a time of fevered activity amongst the King's Party, in which all possible evidence that could be used against Mary was collated (and fabricated), ready to be taken down to England, and called upon if opportunity served. It is surprising that there was not an immediate outpouring of propaganda upon Mary's escape, which, as seen during the course of the wars, tended to rise and fall along with the level of political excitement – key incidents witnessing an increase in production. The simple explanation is surely that those who were behind much of the propaganda were turning their pens towards another goal and another audience – the desire to prove Mary's guilt to the English. Buchanan, for example, was preparing his *Book of Articles* (described by John Guy as a 'compendium of the allegations against Mary citing all relevant facts'), and it is likely that Cecil was encouraging such activity.⁶⁶⁵

Once all the commissioners had arrived – those for Mary, James and Elizabeth herself – the conference got underway on 4 October. Proceedings at York were slow and drawn out. In part, this was because two out of the three groups of commissioners needed to refer back to their monarchs before taking any decision.⁶⁶⁶ Norfolk, Sadler, and Sussex, the commissioners for Elizabeth, were all experienced men, but could take no independent action. The first few days were taken up with protests by the Queen's Party that Elizabeth could not act as judge in this cause, although they were content for her merely to 'consider' it. Mary's commissioners were concerned throughout to stress that Mary should in no way

⁶⁶³ Lennox to Moray, 11-12 June 1568, NAS GD406/1/27.

⁶⁶⁴ Although Wormald (*Mary*, p.181) believes the letters may have been genuine, both Warnicke (*Mary* p. 174-181) and Guy (*My Heart is My Own*, passim.) have argued convincingly that they were forgeries. Indeed, Warnicke shows that during this period, forgeries in Britain for political reasons 'were not an aberration': Warnicke, *Mary*, p.175.

⁶⁶⁵ Guy, *My Heart is My Own*, p. 387; Mahon, *The Indictment of Mary, Queen of Scots* (Cambridge, 1923); 'Book of Articles', 1568, Add. 33531, ff. 51r-64r.

⁶⁶⁶ Everything proved problematic – even the seating of the commissioners. Elizabeth had wanted Mary's commissioners to have the highest place, since in her eyes, Mary was still the legitimate ruler, whereas men such as Sadler had argued for Moray to have priority, since James was in real possession of the crown. Sadler to Cecil, 24 September 1568, SP53/1, f.63r.

recognize herself to be subject to anie judge in earthe, in respect she is a free princesse, having imperiall crowne given her of God and acknowledgedge no other superiour.⁶⁶⁷

Yet this was countered by Elizabeth's commissioners, who argued (in accordance with Cecil's notes) that such a protestation was not

hurtefull or prejudicial to the right title and interest incident to the crowne of England, which the Q[ueen's] Ma[jes]tie and all her noble progenitours, kings of this realm have claymed, had and enjoyed, as superior over the Realme of Scotland.⁶⁶⁸

Such an inflammatory statement was later to feature heavily in the propaganda of the Marian party.

In accordance with the preferred fiction that it was not Mary who was on trial, proceedings began with her commissioners voicing their complaints first, detailing the rebellious actions of the Confederate Lords.⁶⁶⁹ Even though Cecil wanted to engineer the outcome, a show of justice was essential. Portraying the conference in a way that would enable the Queen's Party to attend had, however, dissuaded the King's Party from publicly accusing their former queen. Elizabeth had promised that she would act reasonably towards those men who were, in her eyes, rebels, so long as they did not touch Mary's honour. She appeared unwilling for any accusation to be made against Mary, although it has been suggested that some of this was merely for show.⁶⁷⁰ Alford writes that 'in principle, the regime wanted to support Moray, but in practice Elizabeth had to live up to a language of friendship and amity which had marked early diplomatic exchanges between the two queens'.⁶⁷¹ Yet surely she was unwilling to see the office of monarch brought into disrepute, due to the implications it could have for own rule, and her protestations appear genuine. At this early stage, therefore, Moray balked at accusing the Queen of Scots. He feared, as Herries had bragged, that she was to be restored in any case, and to provide evidence against a monarch who could return, and enact revenge, would prove hazardous.⁶⁷² Furthermore, it would do him no favours with Elizabeth. Earlier in the year, Elizabeth's equivocal response to Moray's fear that Mary would be restored, regardless of the outcome, had not served to put his mind at rest, her non-committal answer being merely that if Mary were to be found guilty, she would 'reconsider' her case.⁶⁷³ Cecil, of

⁶⁶⁷ 'Oath by Mary's commissioners', 7 October 1568, SP53/2, f. 5r. Imperial ideas and iconography had been consciously used in Scotland since at least the reign of James III: R.A. Mason, 'This Realm of Scotland is an Empire?' in Crawford (ed.), *Church, Chronicle and Learning in medieval and early Renaissance Scotland: essays presented to Donald Watt on the occasion of the completion of the publication of Bower's Scotichronicon* (Edinburgh, 1999), p. 74.

⁶⁶⁸ 'Oath by Mary's commissioners', 7 October 1568, SP53/2, f. 5r.

⁶⁶⁹ 'Protest by Mary's Commissioners', 8 October 1568, Cot. Titus CXII, f. 97v; Norfolk to Elizabeth, 9 October 1568, SP53/2, f. 8r.

⁶⁷⁰ Elizabeth to Moray, 30 October 1568, SP53/2, f. 32r. Cecil also made a point of writing that articles were to be made which will seem outwardly to the world to tend to Mary's honour: 'Suggestions by Cecil', 21 November 1568, SP53/2, f. 99r.

⁶⁷¹ Alford, *Cecil*, p. 180.

⁶⁷² Moray to Elizabeth, 28 September 1568, SP53/1, f. 135r. As Norfolk summed it up, 'we suspect they hope, if they do not accuse her or produce it to trial, they may compound and make their own way with her and the lords of her party – while if they proceed to such extremity as to charge her, they should always be in danger, should your majesty fail them'. Norfolk to Elizabeth, 8 October 1568, SP53/2, f. 8r.

⁶⁷³ Elizabeth to Moray, 20 September 1568, SP52/15, f. 132r.

course, had no intention that Mary would be found innocent, and did not want to see her restoration. At the same time as drafting the instructions to Elizabeth's commissioners, he had written separately to Sussex, revealing his true mind:

It is not ment if the Q. of Scottes shall be proved guilty of the murder to restore hir to Scotland, how so ever hir frendes may bragg to the contrary; nor yet shall there be any hast made of hir delivery until the success of the matters of France and Flanders be seene.⁶⁷⁴

There was clearly a difference between the public face of the trial and what was going on behind the scenes. But if Cecil wanted the King's Party openly to accuse Mary of the murder and produce their proofs, they needed to be reassured that the English intention was somewhat different.

Moray handed in a list of demands on 9 October, the most important of which asked what would happen to Mary's person if she were found guilty – whether she would be delivered into the hands of the Scots, or retained in England. He was keen to ensure that if she were put to liberty, both his party and the King would be safe from all danger in time coming. Furthermore, if her guilt were proven, he desired to know whether Elizabeth would allow the previous proceedings of the Confederate Lords. Without satisfactory resolution to this, he claimed it would be impossible to enter into any further accusation for the murder.⁶⁷⁵ Elizabeth's commissioners answered only that they could not with a safe conscience deliver Mary into the hands of her enemies, and that if she were found guilty, further consideration was needed.⁶⁷⁶ This was still not the unambiguous response that Moray desired, and thus for the first part of the conference, he stuck fast to the story of Mary's voluntary abdication, and that she had chosen him as regent of her own free will.⁶⁷⁷ However, despite not officially presenting the casket letters, Moray showed them privately to the English commissioners, testing the water. Sussex and Norfolk immediately saw the difficulties. It would be simple for Mary's commissioners to deny that she had written them, and consequently they would not necessarily be sufficient to obtain the desired guilty verdict, leaving Moray in an even worse position.⁶⁷⁸ Thus matters (in the conference room at least) were at a standstill. Yet outside the formal arena, things were moving in a very different direction to that anticipated by Cecil, which was to necessitate a change in tactics.

The situation changed when it was feared that, instead of exposing Mary's guilt as Cecil hoped, various members of the King's Party were labouring with their adversaries for a reconciliation, even whilst the conference was continuing. Other accounts of Mary's trial have omitted to consider such discussions, many choosing to focus solely on the issue of Mary's

⁶⁷⁴ Cecil to Sussex, 23 September 1568, SP53/1, f. 61r. The words underlined are underlined in the original.

⁶⁷⁵ Moray's demands, 9 October 1568, NLS Adv. 31.2.19, f. 186v.

⁶⁷⁶ Norfolk to Elizabeth, 9 October 1568, SP53/2, f.8r.

⁶⁷⁷ Moray's answer to Mary's commissioners, 11 October 1568, SP53/2, f.15r.

⁶⁷⁸ Commissioners of Elizabeth to the Queen, 11 October 1568, Cot. Calig. CI, f. 260r.

guilt, yet as the following shows, they proved highly significant for Moray's regency.⁶⁷⁹ Without a guarantee of Elizabeth's future goodwill towards them, some of the King's Party (although not Moray himself) felt it would be safer for themselves to attempt to 'compound' their differences with Mary's faction. A further reason for their refusal to produce the 'odious accusations' was that this would prevent any such settlement.⁶⁸⁰ Sussex had heard that Lethington was the principal dealer for this reconciliation, working to persuade Mary to remain in England and live off her French dowry, and to act as regent and appoint men from both parties to places on the council.⁶⁸¹ In exchange, the King's Party would forbear to touch her in honour, and by parliament would declare her to be cleared of the crime. They were also planning to put her in hope (albeit falsely) that she would be restored if her son died, and that there was even the possibility of her restoration during his lifetime. Although outwardly their offer to save Mary's honour sounds as though it would be a concession to the Queen's Party, in actual fact, it was a further safeguard for the King's Party themselves.⁶⁸² Sussex also reported that although the Hamiltons wanted the authority of James to be annulled, and Mary restored, in respect of her 'misgovernment', they were willing to agree that she should remain in England so long as there should be a council of the nobility to govern. The key feature of such a council was that places should be given to those who deserved them, 'according to their state', and thus Châtelherault would be able to interpret it to claim that he, as highest ranking peer, should head it. As Sussex wrote, one further reason behind such action was that if the young King should die (always a fear, with high levels of infant mortality), the Hamiltons could succeed, which the King's Party (and even some Marians) would detest. This way, Mary would be Queen in name, and thus, if James should die, the Council would continue, at least in the short term. On the Queen's Party's behalf, Herries was reported to be negotiating for such a reconciliation, arguing that it would be a way to prevent the damage to Mary's character and future prospects that would otherwise ensue.⁶⁸³ At this time, he was also writing conciliatory letters to Moray, regarding Border policies, perhaps to show that he would prove cooperative, and had the welfare of the country at heart.

A document exists in the British Library, which is entitled 'A declaration in the name of Queen Mary, said to have been framed and proposed by Lethington at Hampton Court; how the young prince of Scotland should remain king and yet Queen Mary not be deprived'.⁶⁸⁴ Although dated in the catalogue as December 1568, the document itself bears no date, and it

⁶⁷⁹ For example, Alford, *Cecil*, pp. 167-181; Warnicke, *Mary*, pp. 175-183, Wormald, pp. 178-182 all neglect this aspect.

⁶⁸⁰ Sussex to Cecil, 22 October 1568, CP4, f. 49r.

⁶⁸¹ *Ibid.*, f.49r.

⁶⁸² It would not offend Elizabeth, would leave out the question of who was responsible for Darnley's murder, and would preserve Scotland's reputation.

⁶⁸³ Knollys to Cecil, 9 October 1568, SP53/2, f.12r reported Queen's Party's movements.

⁶⁸⁴ Lethington's declaration in the name of Queen Mary, 1568, Cot. Calig. CI, ff. 359r-360r.

seems more likely that it was drafted in October, when these negotiations were underway.⁶⁸⁵ This 'declaration' reinterprets Mary's abdication, claiming that it was done out of 'motherly affection', and a desire to see James established as king in her own lifetime. The language used suggests that it was as much about a mother caring for the welfare of her child as it was a political act. Whilst it is a unique interpretation of events, the situation of having a female monarch had also been unique for the Scots, and this was a way of using Mary's gender to her advantage, and the maternal language may have been designed to engender some sympathy for her. Applying the same argument to a male king's deposition could never have worked. Mary's

meanynge was not so far to deprive her self of all princely estate ... [but to] ... be taken abroade for Queene, and so consequently alwayes of the world be honored as Q[ueen] and that as she wes borne to a kingdom and crowned a Q[ueen] ... so she is determined to dye a Quene.

The inauguration of her son was to be 'no wyse prejudicial to her interest to the crown', and if he should die, she should be restored immediately to take full possession of the kingdom as if the demission had never been made. It was stressed that her meaning was not to deprive herself, but merely for her son to profit. It also conveniently ignored the fact that her own subjects acted against her, and whilst a significantly different argument, has more in common with the assertion that Mary acted out of her own free will, rather than that she was constrained by force to abdicate.⁶⁸⁶ Indeed, it ends by stating explicitly that the Scots did not mean to press Mary with any deprivation of estate, and neither they nor she had any desire to dissolve the 'naturall band w[hi]ch by god is knyt betwix the prince and subjectis'.⁶⁸⁷ Finally, the declaration was intended to be read in the Scottish Parliament, and agreed upon by the estates there. This shows both the growing strength of the Scottish Parliament, and the desire to settle affairs without recourse to England. Indeed, the idea that the Scots should settle their own affairs, within their own country, became increasingly important to Maitland of Lethington – perhaps provoked by the imperial declarations made by Elizabeth's commissioners.⁶⁸⁸ This interpretation of the events of 1567 would therefore accord with the plans for an agreement as detailed above, and was perhaps a way for the two parties to be reconciled, without either giving way on the issue of the monarchy itself. Whilst it would exclude such radical theorists as Buchanan, it could accommodate a wide cross-section of thought. Furthermore, it avoided all controversial references to the murder.

The main stumbling block to such a scheme was allegedly Moray's dislike of any form of government in which he did not hold the highest position, whereas the Hamiltons objected to any order in which they were not in as great a position as Moray. Far from being the 'reluctant

⁶⁸⁵ Presumably it has been given a date of December as it is known that the conference moved to Hampton Court in this month. However, individual commissioners had gone to Hampton Court much earlier to speak with Cecil.

⁶⁸⁶ As expressed in the Second Band of the Confederates, 25 July 1567, *RPC*, i, pp. 533-534.

⁶⁸⁷ Lethington's declaration in the name of Queen Mary, 1568, *Cot. Calig. CI*, ff. 359r-360r.

⁶⁸⁸ See above, p. 90.

regent' of Lee's imagination, Moray was determined to cling on to the office. As Sussex wrote, 'these ii factyons for ther pryvat causes tosse betwene them the rowme and publyk affayres of Scotland, & howe nere they be to agree yf ther pryvat causes wer not'.⁶⁸⁹ This suggests that the competition was over the government of the realm rather than the monarchy. It also confirms the idea that the Hamiltons were primarily supporters of Mary for their own claim to the succession, and would willingly agree to her continued imprisonment in England so long as they themselves regained a key role in Scottish political life. Knollys reported that Argyll and Huntly, in addition, could not agree for Moray to continue as regent, since this would hinder Châtelherault's title to succeed, which in turn would affect their own children, who were next in line after Châtelherault.⁶⁹⁰ The key concern did not, therefore, involve Mary herself, but revolved around the regency. Neither Moray, nor Châtelherault, could quite agree to abandon their claims to this, and thus the reconciliation scheme came to a halt. These plans are useful, however, to show that whilst the Queen's Party may have professed strong beliefs in the right of the sovereign, provided that Mary retained some nominal form of her title, they were quite prepared to sacrifice her restoration for their own political gain.

Of great significance is the fact that at this moment arguments 'for and against the free election of a regent' were seen. The issue of the regency had once more become a matter of debate and the Queen's Party tried to take advantage of the conference proceedings. Whilst placards contesting Moray's right to the regency had been posted in Edinburgh in December 1567, it was only now that the competition became intense, with Châtelherault emerging as a real threat to Moray's position. As Knollys understood it, by the law of Scotland, the next heir to the throne should claim the regency, and the Hamiltons, perhaps feeling that failure to fight for this office could be seen as a tacit denial of Châtelherault's right to succeed, reasserted his claim.⁶⁹¹ In addition, at her departure from Carlisle, Mary had sent a sealed instrument to Châtelherault, giving him her full authority to govern Scotland in her absence.⁶⁹² However, despite Mary's request that he 'haster de me venir', Châtelherault himself was slow to return, suggesting that he was not personally desirous of this role, and the return to the turmoil of political life that it would entail.⁶⁹³ He was, after all, fairly elderly at this stage, and could not personally benefit from being heir presumptive to Mary.⁶⁹⁴ His past record as Governor had little to recommend itself, and it seems that he was called back by the Marians not to play an active role as such, but to bolster the party by supplying the necessary credentials, since he was the highest ranking peer in Scotland, and would reinforce the image of ancient nobility. He was intended as a figurehead, rather than an active participant, and could also provide a beneficial

⁶⁸⁹ Sussex to Cecil, 22 October 1568, CP4, f. 49r.

⁶⁹⁰ Knollys to Cecil, 25 October 1568, SP53/2, f. 29r; Knollys to Cecil, 25 October 1568, Cot. Calig. CI, f. 287r.

⁶⁹¹ *Ibid.*, f. 287r.

⁶⁹² Mary to Châtelherault, 7 May 1568, NAS GD406/1/3.

⁶⁹³ Knollys to Cecil, 27 August 1568, Cot. Calig. CI, f. 212r.

⁶⁹⁴ Herries refers to him as 'the old Duke' (he would have been c.55 years old): *Memoirs*, p. 110.

link to France. It was reported that Châtelherault was to bring 1000 French crowns from Mary's dowry, and rumoured that French troops were to accompany him.⁶⁹⁵ As we have seen, Moray had been feeling increasingly under threat from the Marians within Scotland, and greatly feared the return of Châtelherault, and the challenge that the Duke now posed to his regency. His hold on the position was not as secure as Lee has suggested. Indeed, as James MacGill remarked to Sussex, it was, even if the King's Party did not care to admit it, widely recognised that Châtelherault did, in law, have a strong claim, since he was generally regarded as heir presumptive and lacked the stain of illegitimacy that dogged Moray.⁶⁹⁶ It was not just Moray who dreaded Châtelherault's renewed presence in Scotland. His return, with possible French backing, symbolised all that men such as Cecil and Sussex feared.⁶⁹⁷ Although he was a Protestant, he had never shown himself to be one of those receptive to English advances, favouring the French alliance.

Châtelherault's claim to the regency was therefore serious enough to merit discussion at the York-Westminster conference.⁶⁹⁸ To this end, Moray presented a list of 'heads' that he required to Elizabeth.⁶⁹⁹ He mentioned, amongst other things, that his adversaries were speaking of Châtelherault's claim to govern in the king's minority. He pleaded that there should be no talk of this at present, arguing that it was not the reason that the conference had been appointed, and that such discussion would encourage all the various factions within Scotland – namely the murderers of Bothwell, the papists, all those who hated the amity between the two nations, and those who hated law and justice.⁷⁰⁰ Moray's desperation to avoid confrontation on the issue was unmistakable. Even if the Scots did come to some agreement amongst themselves, he wanted to be sure that there was no threat of Elizabeth supporting his rival, and that his own position would remain secure. He was loath even to have Châtelherault's claim expounded in public, since it would be more likely to appeal to Elizabeth's conservative sense of hereditary right. Thus, before providing any theory to support his own claim, he focused on the dangers that replacing the Regent would bring to the King's own person, leading to an increase in civil war.⁷⁰¹ He then provided several main arguments why Châtelherault

⁶⁹⁵ Moray to Elizabeth, 3 September 1568, SP52/15, f. 118r.

⁶⁹⁶ MacGill, although favouring the Lennox line to succeed the young king, said that because James's own claim came from his mother, then by law, it should return to the mother's side, which was the Hamiltons. MacGill added however that it would 'put many men on horseback before it were [per]formed': Sussex to Cecil, 22 October 1568, CP4, f. 49r.

⁶⁹⁷ Knollys to Cecil, 13 June 1568, *CSP Scot*, ii, 701.

⁶⁹⁸ Even Elizabeth realised that the matter needed to be tackled head on. Elizabeth to Norfolk, 16 October 1568, SP53/2, f. 18r.

⁶⁹⁹ These are dated as 21 October, yet the report of the discussion on this is dated 20 October in the Cecil Papers: Haynes, *Cecil Papers*, p. 484. However, it seems as if the heads were submitted prior to the commissioners' discussion. In the heads, Moray only said that he 'understood' the adversaries were promoting Châtelherault's claim, which does not indicate that it had been formally presented, as was to occur at the conference. 'Heads required by Moray', 20/21 October 1568, SP53/2, f. 25v. A summary of the arguments actually presented to the conference is found in 'Reasons for and agains the frie electioun to ye governand off Scotland during the les age of the King', October 1568, NAS GD149.255, f. 65r-67r.

⁷⁰⁰ 'Heads required by Moray', 20/21 October 1568, SP53/2, f. 25v.

⁷⁰¹ *Ibid.*, f. 25v.

specifically should not govern. The second and third of these were straightforward enough: Châtelherault's preferment would bring sedition to the realm rather than quietness, and his personal qualities were insufficient for the charge. Anti-French feelings, designed to appeal to the English court were emphasised, with the assertion that Châtelherault 'solde her [Mary] to Fraunce for the Duchie of Chastellherault', and that, during the 'Rough Wooing', it was Châtelherault's own defects which led to the great slaughter of numerous English and Scots. In addition, Moray asked Elizabeth whether it would be better for her to keep her old friends in power, again playing on the relationship that he had with her leading Protestant ministers.⁷⁰²

The first argument, however, which bears Buchanan's influence, is worthy of a more detailed examination. It referred to 'ane law establishede in o[u]r Realme co[n]cerning the gouvernement in les aage [i.e. minority] about the thousand zeir of o[u]r Lord in Kyng Kenneth the thyrdys tyme' which, Moray claimed, had been used ever since that time.⁷⁰³ The document stated that although in the beginning, it had been the law of Scotland that the heir presumptive should govern, and 'be king' [i.e. regent] until the young king came of age, this law had been found to be damaging, because the regent may seek to see the king destroyed. Therefore, with the consent of the nobility (this is significant, as the law had been made with the consent of the realm, thus giving it added strength), a new law had been made. This law specified that the 'states', i.e. the three estates of the realm, should have election of administration during a minority, as found in the chronicles, and witnessed in perpetual usage.⁷⁰⁴ If the King's Party were using notions of contractual monarchy to justify the deposition of their monarch – and Buchanan was doing exactly this – it was a logical enough move to transfer similar arguments to the position of regent. Moray's unwillingness to discuss the regency was ignored by the English government, and when the issue was raised at the conference, Moray took the opportunity to flesh out this argument a little more, providing historical examples. Several instances when 'manifeste skaith' had occurred in Scotland, and elsewhere, when the law of election had been neglected were produced.⁷⁰⁵ The point was also made that it was 'dangerus ... to co[m]mit gouvernement of ane realme to ye nixt of blud and nix in succession', since this could put the life of the king himself in danger. This had happened when the regency had been given to Robert II's brother, Albany, who then put Robert II's son to death, so that he would be able to usurp the crown.⁷⁰⁶ Such an example was clearly designed to counter Châtelherault's claim to the regency. Perhaps

⁷⁰² *Ibid.*, f. 25v.

⁷⁰³ In Buchanan's *History*, as in Boece's *Scotorum Historia*, Kenneth III's reign (971-995) had been significant for the fact it caused a switch from elective to hereditary monarchy – 'a most atrocious deed' in Buchanan's eyes – and one that meant it was necessary for a guardian to rule on the king's behalf if he was underage: Buchanan, *History*, i, p. 306. Also see Mason, 'Civil Society and the Celts: Hector Boece, George Buchanan and the Ancient Scottish Past', in Edward J. Cowan and Richard J. Finlay (eds.) *Scottish History: The Power of the Past* (Edinburgh, 2002) pp. 110-11, and Mason (ed.), *De Jure Regni*, p. 193, which points out that this King was in reality Kenneth II.

⁷⁰⁴ The reference here is presumably to Boece, and his list of ancient kings which Buchanan drew upon.

⁷⁰⁵ One example given is that of Richard III in England.

⁷⁰⁶ 'Reasons for and agains the frie electioun to ye governand off Scotland', October 1568, NAS GD149.255 f.65. It must be noted that, despite the similarity with his arguments, it is not in Buchanan's hand.

it was partly for this reason that there had been no concerted effort amongst even the devoted Marian adherents to claim the regency for Châtelherault in the summer of 1567, since even those politically allied with him may have had similar doubts regarding his proximity to the succession. It must be noted that up until this present moment, Moray had tried to avoid claiming that he was an *elected* regent, since to do so would invalidate the maintained fiction that he had been specifically nominated by Mary herself to rule in the name of her son. After Mary's revocation at Hamilton, however, this became a more difficult argument to use, and the idea of election was the only way in which Moray could justify his position. Claiming election would also be of benefit if the Earl of Lennox ever argued his own case for the office.⁷⁰⁷

In Cecil's archive, the reasons for the free election to the government of Scotland are found coupled together with the reasons against, and it appears as if the arguments in favour of free election are in response to those of the Queen's Party in favour of Châtelherault's assumption of the regency as presented on 20 October at York.⁷⁰⁸ Their arguments claimed to be based on the municipal laws and customs of Scotland, and it was stated that it had been inviolably observed at all times that the person nearest in blood should govern (although the safeguard that they should not have actual custody of the king remained). The political conservatism of the Queen's Party, as with their monarch, favoured hereditary succession, and they claimed no such law of election existed. Governors must also have descended 'lawfully' from the Kings and Queens of Scotland, and although the example given here is that otherwise Henry VIII could have claimed the government during the minority of James V, the implication was surely that Moray was therefore excluded from the position.⁷⁰⁹ Again, it becomes increasingly understandable why Moray had to argue so strongly for the idea of election. Both sides thus appealed to historical precedent, although they drew contrasting conclusions. Interestingly, the document containing the Queen's Party's case does not really provide many examples, whereas the description found in Herries' *Memoirs* is more detailed.⁷¹⁰ This suggests that Cecil purposefully presented a stronger case for the King's men. There is no record, however, of the English having taken any decision regarding the regency, perhaps due to a lack of understanding of Scottish law, although it is clear that English opinion was overwhelmingly against Châtelherault.⁷¹¹ Elizabeth, in allowing the Marians publicly to present their arguments in favour of the Duke, had nonetheless succeeded in increasing Moray's dependency on her, since she had set herself up as judge and now gained intervention in Scotland's internal power struggles, in addition to the cause of Mary herself. The York-Westminster conference was

⁷⁰⁷ Buchanan, in his *History*, has Moray as 'elected' from the outset: Buchanan, *History* ed. Gatherer, p. 150.

⁷⁰⁸ In NAS GD149.255, the documents are in the opposite order. However, Herries has them in the same order as Cecil, and it seems that Châtelherault's arguments were presented first and then responded to by the King's Party.

⁷⁰⁹ This was the same as for inheritance of land.

⁷¹⁰ Herries, *Memoirs*, p. 110.

⁷¹¹ Questions sent to Norfolk, 16 October 1568, CP155, f. 124r.

clearly far more than a trial of Mary, Queen of Scots, since it had explored wider issues of Scottish government.

The moves towards negotiation, largely outside the conference, in addition to the threat posed by Châtelherault, seemingly made Cecil even more determined to ensure that the ‘odious accusations’ were brought into the public sphere. On 30 October, it was decided by the English council that Moray was to be exhorted to produce the murder charges.⁷¹² Cecil was careful to ensure that Ross and Herries declared that they had a full commission from Mary early on, so that if Mary were to be charged with murder by the King's Party, they would be unable to excuse themselves from the proceedings by claiming they were unauthorised to deal in such matters. There was also to be an increase in security around Mary, since it was feared she might try to escape if such news of the change in direction was to leak out.⁷¹³ The following day, Cecil drew up another answer to the questions which Moray had handed in on 9 October, requiring a guarantee of safety if he were to accuse Mary. Now, a different answer was given. If found guilty, Mary

shall be othir deliverit into the hands of the Erle of Murray ... or els she shall be kept in England ... in such sort as nether the prynce hir sonne, nor the Erle of Murray holdyng part with the said prince, shall be in any danger by hir liberty.

In addition,

the Q[ueen's] Majesty will allow of the proceedyngs of the Ll[ords] of Scotland for the tyme past, as far furth as shall and may be proved to have bene lawfull, by the formar lawes of the Realme of Scotland. and for the tyme to come will in lyke manner according to the lawes of that realme allow and maynteane the autorite of the prynce, to be the kyng and the Regent and his government now being in possession ... *And these answers ar secretly to be imparted to the said Erle of Murray, and to be secretly kept to hym self*, untill the Q Majesty shall have hard the cause and notified hir mynd therein.⁷¹⁴

Furthermore, Moray was to be informed that if he agreed to show Elizabeth ‘how’ Mary is guilty, i.e. produce the casket letters, then he would be assured that his party would not be made subject to Mary’s indignation. A draft answer to these same questions also exists, dated 30 October. Whilst the substance of the actual answer is virtually identical, there is a crossed out paragraph on the earlier draft:

Neither doth she meane by any [par]t of these answer to comfort or bolde[n] any [per]so[n] to enter into accusatio[n] of ye sayd Quene ... but rather wisheth yt hir honor and estate might be [pre]served and found whole sound and firme.⁷¹⁵

What Cecil may have done, is to have created answers that were initially acceptable to Elizabeth, and then doctor them himself, to make it easier for Moray to play the part Cecil had intended all along.

⁷¹² Haynes, *Cecil Papers*, p. 487; Donaldson, *First Trial* p. 97.

⁷¹³ Knollys to Cecil, 30 October 1568, *CSP Scot*, ii, 879; ‘Proceedings in Council at Hampton Court’, 30 October 1568, CP155, f. 128r.

⁷¹⁴ Answers to Moray, 9 October 1568, CP4 f. 41r (italics for emphasis).

⁷¹⁵ ‘Two questions proposed to Elizabeth’s commissioners’, 30 October 1568, Cot. Calig. BIX, f. 359v.

There was, even now, nothing to guarantee that if the King's Party produced their accusations and proof against Mary, she would be found guilty. It is likely, however, that conversations held between the King's Party and Cecil gave them more cause for optimism than the extant correspondence suggests. The conference now moved to Westminster, after some discussion and reluctance by the Queen's Party to attend, fearing that the new location implied judicial proceedings, since it was the place where trials of Elizabeth's English subjects were held. Once their doubts had been assuaged, by ensuring proceedings were held in a chamber of no such significance, proceedings began once more, with Cecil himself as an extra commissioner. Despite this, the tone of the conference had changed, and it was now very much a trial.⁷¹⁶ Formal answers to Moray's demands were read out, yet these did not accord with the answer that Cecil had drawn up to impart privately to Moray. In the conference, Moray was told once again that Elizabeth still did not wish to see Mary's honour impugned, and did not mean that he or any with him 'shold be boldened or anywise comforted to enter into accusation of the s[ai]d queen for any Crime'.⁷¹⁷ The 'trial' was turning into a show piece rather than a genuine judicial proceeding. The strings were being pulled behind the scenes, and it is doubtful that Cecil, Moray's great ally, would have prompted him to display the casket letters had he not been reasonably confident of the outcome. Although there is no corroborative evidence, James Melville provides an account of the submission of their 'eik' (a legal term for a supplementary document; in this sense it is an addition to the King's Party's original statement) to Elizabeth's commissioners, which adds to the element of theatre now surrounding the trial. Allegedly, it was snatched out of John Wood's hands by the Bishop of Orkney, and handed in, even whilst Moray maintained that he would not hand in the accusations until he had a letter signed and sealed by Elizabeth, containing her assurances.⁷¹⁸ This 'eik' accused Mary of being of the 'forknawlege, counsale devise persuader and commander of the said murther'.⁷¹⁹ The King's Party also defended their actions in accusing Mary, using the claim of self-defence, maintaining that it was the extremity of the Queen's Party's accusations against themselves which forced them into defending their own position.⁷²⁰ Once the accusations were out in the open, the proofs were not far behind.⁷²¹ Evidence produced included the infamous casket letters, examinations of various men, such as Hay of Tallo, who were said to have been involved in the murder, and the bond of marriage between Mary and Bothwell.⁷²²

The Queen's Party responded with emotive language, using a range of arguments which obviously appealed to Elizabeth. Amongst other things, the King's Party were accused of having placed hands on God's anointed and defying scripture – actions which could have

⁷¹⁶ Alford, *Cecil*, p. 175.

⁷¹⁷ 'Answer to the Earl of Moray's demands', 26 November 1568, Adv. 31.2.19, f. 187r; 'Eik by Moray's commissioners', 26 November 1568, Add. 33531, f. 51r.

⁷¹⁸ Melville, *Memoirs*, p. 211; Lee, *Moray*, p. 243.

⁷¹⁹ 'Eik by Moray's commissioners', 26 November 1568, Add. 33531, f. 51r.

⁷²⁰ Protest by Moray and others, 26 November 1568, Add. 33531, f. 50r.

⁷²¹ Productions by Moray, 8 December 1568, Adv 31.2.19, f. 194r.

⁷²² Book of Articles, Add 33531, ff. 51r-64r; Productions by Moray, 8 December, Adv 31.2.19, f. 194r.

worldwide consequences.⁷²³ As Moray had feared, Ross and the other commissioners also claimed that some of the King's Party had taken part in the murder itself, and that their accusations against Mary were a way to cover their own tracks.⁷²⁴ This line of defence was also seen in the only pro-Marian piece of propaganda produced at this time, *A Rhyme in Defence of the Queen of Scots* (c. December 1568), which will be considered in the following chapter. A show was made by Elizabeth of rebuking Moray's party for their accusations against their native queen. Some of this was almost certainly genuine anger, because of the repercussions it might have for monarchical authority. However, once the accusations were out in the open, Elizabeth could not, in all honour, restore Mary unconditionally. The allegations were now public and it would be difficult for Elizabeth to act on Mary's behalf, particularly when her own councillors believed the proofs to be so compelling. To this end, Cecil had achieved his objective.

Mary's commissioners demanded that their Queen should now be heard in person. They argued that since Moray had had a personal audience with Elizabeth, why should this be denied to Mary? Yet Elizabeth, despite her belief in Mary's sovereign rights, remained adamant that this should not take place. Her outward reason was that it was not meet for her own honour to admit Mary to her presence, unless she was first cleared of the crimes.⁷²⁵ Perhaps in reality she knew that by denying this, the conference would legitimately be at a 'stay', where no further action could be taken, and no final conclusion drawn. Once Mary's commissioners had formally withdrawn from the conference, by way of protest, it could proceed no further.⁷²⁶ As ever, Elizabeth had ended matters in a way that enabled her to 'staye [her] judgment' and to delay making a final decision until it was an absolute necessity.⁷²⁷ Much as she disliked the accusations against Mary, now that they were out in the open, she had the opportunity to wait and see whether the proceedings had tarnished Mary's reputation irreparably. If she was no longer attractive to continental monarchs, the amount of foreign aid that Mary could hope for, and the consequent threat that she posed to Elizabeth, would decrease. For the present, there were definite advantages in maintaining the friends of the regime in power in Scotland.

Whilst the conference ended inconclusively, the situation was not quite a stalemate. On 22 December, Cecil drew up a memorandum regarding schemes for Mary to stay in England. He justified her continued detention by arguing that Elizabeth had pronounced to Moray at the start of the trial that if Mary were found guilty she would not restore her.⁷²⁸ This was bending the truth, since as we have seen, it was not what Elizabeth had said at all. Cecil added that Elizabeth could not, without offence, forget Mary's challenge to her own title, for which no

⁷²³ Mary's commissioners to those of Elizabeth, 1 December 1568, Cot. Titus CXII, f. 113r.

⁷²⁴ 'Proposition and oppining of the caus pronuncit be my Lord Hereis', 1 December 1568, Cot. Titus CXII, f. 113v.

⁷²⁵ Elizabeth to Mary's commissioners, 16 December 1568, SP53/2, f. 164r.

⁷²⁶ Answer by Ross, 16 December 1568, Cot. Titus CXII, f. 122v.

⁷²⁷ Elizabeth to Mary, 21 December 1568, SP53/2, f. 172r.

⁷²⁸ Memoranda by Cecil, 22 December 1568, Cot. Calig. CI, f. 368r.

satisfaction had yet been made, and thus she could not allow her enemy to go free. Further damage to Mary's cause was threatened if she did not agree; she would be moved further into the realm and Moray would have open countenance.⁷²⁹ The English government were, however, particularly keen to ensure that Mary could be persuaded to stay in England without being forced, and Elizabeth wrote several letters to this effect, flattering Mary's councillor, Herries, in the over-optimistic hope that if one of Mary's own men presented the scheme to her, she would be more likely to agree.⁷³⁰ In addition, the English had still not entirely abandoned their plans of getting James into their custody. Mary was to be informed that it 'might' be beneficial to her cause if she agreed to allow James into England. This, as seen in 1567, was an unrealistic aspiration, particularly when Mary herself did not even have the means to send her son into England.⁷³¹ For the moment, therefore, Mary remained imprisoned, and Moray headed back to Scotland with a loan of £5000 in his pocket, and some promise of military support for Border policy.⁷³² The idea of a 'loan' (half to be repaid by 24 June and the rest by 1 November 1569) may have been a convenient fiction for Elizabeth to provide a form of aid to his party, although a year after Moray's death, his widow nevertheless wrote to Elizabeth asking for the loan to be written off, suggesting that it had never been considered as a gift.⁷³³

By December, both Elizabeth and Cecil had to varying extents achieved what they wanted. Elizabeth, by manoeuvring herself into a position of leverage over both parties now had far greater control over the Scottish situation, with even Moray far more dependent on her goodwill than before, both financially, with the loan, and militarily, with the aid sent to pacify the Borders. All courses of action still remained open to her. Cecil had achieved his objective of having the alleged crimes of Mary brought out fully into the open, and for the present, remained successful in preventing any form of her restoration; instead, Scotland was governed by an ally of his. For Cecil, the outcome of the conference was clear. His bullet points on the end of a memorial summed it up: 'She [Mary] is a lawful prisoner by treaty; she may not depart until she repaired the wrong done by her claim to the crown; Elizabeth's su[per]iority over the crown of Scotland is justly proved.'⁷³⁴ At the same time, the groundwork had been laid for events which were going to pose a challenge both to Moray's government and to the Elizabethan regime, most notably the Norfolk marriage plot. Indeed, there were already signs that did not bode well for the future, as by this point, it was evident that not all in Elizabeth's court were as pleased with the outcome as Cecil. The signs of disagreement that Cecil had so far been able to mask began to leak out. The Earl of Arundel, for example, displayed concern that Moray had been given a sum of money. He suggested that if Moray was kept in London for

⁷²⁹ *Ibid.*, f. 368r.

⁷³⁰ Elizabeth to Knollys, 22 December 1568, CP156, f. 5r.

⁷³¹ *Ibid.*, f. 5r.

⁷³² Bond by Moray for the loan, 18 January 1569, SP 52/16, f.4r; warrant authorising Moray's loan found in a letter from the Queen to John Thomson, 28 February 1569, *CSPF 1569-1571*, 139.

⁷³³ Agnes Keith to Elizabeth, 31 January 1571, *CSPF 1569-1571*, 1530.

⁷³⁴ 'Memoranda by Cecil', 22 December 1568, Cot. Calig. CI, f. 368r.

a longer period, then he might come to an agreement with Châtelherault (Arundel's own preferred option). He was also opposed to the ideas that were so close to Cecil's heart:

one that has a crown [i.e. Elizabeth] can hardly persuade another [i.e. Mary] to leave her crown, because her subjects will not obey. It may be a new doctrine in Scotland, but it is not good to be taught in England.⁷³⁵

Arundel's, and others' dislike of such theory, and their support for the imprisoned Mary, was, in the coming months, to lead them into dangerous waters.

⁷³⁵ Arundel to Elizabeth, [4] January, *CSP Scot*, ii, 941. (manuscript document is too faint to read).

Chapter 3: 'The Gude Regent'? (January 1569 – January 1570)

This chapter investigates the Regent Moray's policies within Scotland during the final year of his life, from the time of his return from the York-Westminster conference until his assassination in January 1570. The outpouring of ballads after his death, deploring such a 'cruel murder', and stressing the many admirable qualities that he allegedly possessed, suggests that he had been a loved, respected, and above all very capable regent, successful in taming the opposition, bringing the full force of central government to bear on the more turbulent areas of the kingdom, and achieving the status of a godly prince, highly regarded by the Kirk.⁷³⁶ It is almost certain, however, that the manner of his death and subsequent turmoil caused Moray's achievements to be overstated. Clearly such a cold-blooded crime was bound to provoke a tremendous emotional response, leading almost inevitably to eulogistic outpourings in the immediate aftermath of his death. Was Moray really such a successful 'Prince of gude renoun', or did he succeed only in masking tensions rather than dealing with the underlying problems?⁷³⁷ Maurice Lee (following in the adulatory footsteps of Buchanan) over-emphasises Moray's success, particularly with regard to the Borders and the northern region, and neglects to consider whether Moray had dealt effectively with the root causes of the difficulties he faced. According to Lee, by the summer of 1569, Moray had 'succeeded in reducing all of Scotland to his will', with his position remaining strong until his capture of Northumberland in December.⁷³⁸ This chapter, however, questions whether Moray really had created a genuine state of strength and stability within the realm, and suggests that the deterioration which was to occur in 1570 had begun long before Lee proposes. Whilst by July 1569, the Regent may have appeared to have acquired a position of strength, the events towards the end of the year were a severe test for him, and suggest that his level of control was not as firm as he had hoped.

3.1: Moray's Return to Scotland

By the end of December 1568, the King's Party were in a state of despair. Although Elizabeth had not found in favour of Mary, the fact remained that no decisive resolution to the situation had been taken, and no fundamental change made to their position.⁷³⁹ Within Scotland, the Queen's Party had been making significant military gains, having taken advantage of Moray's absence to pursue

⁷³⁶ E.g. 'The Deploation of the Cruel Murther' in Cranstoun (ed.), *Satirical Poems*, i, pp. 108-116.

⁷³⁷ 'The Exhortation to all Plesand Things' in Cranstoun (ed.), *Satirical Poems*, i, pp. 122-127.

⁷³⁸ Lee, *Moray*, p. 262; even after the Northern Rising, Lee still believes 'the domestic situation was well in hand'. *Ibid.*, p. 270.

⁷³⁹ Kirkcaldy of Grange to Moray (not to Châtelherault, as described in BL catalogue), 31 December 1568, Cot. Calig. CI, f. 379r.

even more aggressive policies.⁷⁴⁰ Huntly, for example, had further increased his grip over the North: ‘he reignis in the north without contradictioun’, causing that region to obey him as Mary’s general lieutenant.⁷⁴¹ According to Pitscottie, the Hamiltons and Argyll had also done ‘gret wrangis to thame that favourit or tuik part with the regent’, carrying out raids and attacks, despite the fact that Elizabeth had ordered a cessation of hostilities for the duration of the conference.⁷⁴² Indeed, as Kirkcaldy of Grange reported in December, the Hamiltons were besieging houses, taking prisoners, and were involved in an unspecified ‘hiegh interpriss’. The Hepburns in East Lothian were also in readiness for military action, and awaiting the Hamiltons to join with them.⁷⁴³ Grange and Hunsdon both attributed the low morale amongst the King’s Party to their current lack of leadership, claiming that in Moray’s absence those who lacked courage had drifted back into the more forceful Queen’s Party. So severe was the situation that Grange urged Moray to hasten back, claiming ‘that gif we mak shipwrack in this storm, the strangest cabillis of thair ship sall not ride out till the end of the same’.⁷⁴⁴ Although conceivable that such accounts of the situation exaggerated the damage done by the Marians (Pitscottie was an adherent of the King’s Party and Grange might have embroidered his account in order to convince Elizabeth to provide aid), it seems apparent that the King’s Party had diminished in strength from the previous summer.⁷⁴⁵ Moray clearly faced a sizeable opposition, spread throughout Scotland, from the Borders to the North, and the earlier steps that he had taken to weaken the Marians proved ineffective once he was not personally able to exert his authority.

Although the outcome of the York-Westminster conference proved equally, if not more, disappointing for the Marians, they had not given up their fight. Despite the overtures made to her by the English in December 1568, Mary was determined never to resign fully on behalf of her son.⁷⁴⁶ In January 1569, she avowed that her last words would be spoken as a queen of Scotland: ‘et la derniere parole que feray en ma vie serat d’une Royne d’Escosse’.⁷⁴⁷ Her immediate concerns, however, were as much about ensuring the future succession, and defending her own reputation, which had been severely damaged by Moray’s accusations, as actually ruling Scotland in person. If she chose to renounce the throne, she believed this would imply her guilt in the Darnley murder, and leave her honour in shreds.⁷⁴⁸ Much effort was therefore made to refute the

⁷⁴⁰ Hunsdon to Cecil, 6 December 1568, CP4, f. 66r; Hunsdon to Cecil, 15 January 1569, CP155, f. 86r.

⁷⁴¹ Grange to Moray, 31 December 1568, Cot. Calig. CI, f. 379r; Hunsdon to Cecil, 22 November 1568, CP4, f. 59r; Pitscottie, *Historie*, ii, p. 213.

⁷⁴² *Ibid.*, p. 214; Moray to Cecil, 25 February 1569, *CSPF 1569-71*, 132.

⁷⁴³ Grange to Moray, 31 December 1568, Cot. Calig. CI, f. 379r.

⁷⁴⁴ Kirkcaldy wrote that he was ‘maist fervent for your graces sauf and suddane returnyng’: *Ibid.*, f. 379r. Hunsdon to Cecil, 6 December 1568, CP4, f. 66r.

⁷⁴⁵ Pitscottie, *Historie*, ii, p. 208; Moray to Cecil, 25 February 1569, *CSPF 1569-71*, 132, in which Moray requested more shot from Elizabeth.

⁷⁴⁶ Knollys to Cecil, 31 December 1568, Cot. Calig. CI, f. 371r. See above, p. 105.

⁷⁴⁷ French writing delivered by Mary’s ambassador, 2 January 1569, Cot. Calig. CI, f. 375r.

⁷⁴⁸ *Ibid.*, f. 375r.

recent charges laid against her, including most notably the *Defence of the honour of the ... princess Marie*, attributed to her former commissioner John Lesley, the Bishop of Ross. This work was divided into three sections: the first sought to defend Mary's honour, the second outlined her right to succeed Elizabeth, and the third was a more general discourse on the right of women to rule.⁷⁴⁹ As Margaret Beckett has pointed out, it is significant that the section dealing with Mary's innocence came first, since if this could not be established, her right to the English succession could prove irrelevant.⁷⁵⁰ This work was therefore a response not only to Buchanan's 'Book of Articles', but to the propaganda that had been circulating in Scotland during 1567, with its emphasis on the right to depose, or at least to resist a monarch, as well as to writings against female monarchy such as Knox's *First Blast*.⁷⁵¹ Furthermore, it was necessary that the European powers be reassured of Mary's innocence in the wake of such damaging accusations, and the work was also designed, in part, to appeal to Elizabeth herself, since the Queen's Party had not altogether abandoned hope of her assistance.⁷⁵²

For the purposes of this study, it is necessary to consider how such a work, together with other pro-Marian propaganda, related to Moray himself. One of the ways in which the Queen's Party sought to clear Mary's name was by transferring the accusations that had been used against her onto the Regent. It was not enough simply to prove that Mary was innocent; they intended further to challenge Moray's right to the regency, and to ruin his reputation. In Lesley's *Defence*, therefore, it was Moray who was accused of planning Darnley's murder, and the events subsequent to this were portrayed as various means for Moray to cover his tracks. Indeed, parts of the *Defence* were even addressed specifically to the Regent: 'you the Erle murraie, and of other traitours of your allie and affinitie', 'your usurped kingdom'.⁷⁵³ Bearing a close similarity to a 'mémoire' which had been sent to the Kings of France and Spain in June, it was argued that ever since Mary's return to Scotland in 1561, Moray, the 'bastard d'Ecosse', had sought to usurp the throne, and had done all he could to make her appear odious to the people.⁷⁵⁴ All events for which Mary had been blamed were now twisted, so that it appeared as if Moray had masterminded the whole thing. Bothwell's kidnapping and rape of Mary, for example, was thus said to have been

⁷⁴⁹ All three 'books' were part of the same volume however. John Lesley, *A defence of the honour of the right high, mightye and noble Princesse Marie Quene of Scotlande and dowager of France with a declaration aswell of her right, title & intereste to the succession of the crowne of Englande, as that the regimete of women ys conformable to the lawe of God and nature*. (London [i.e. Rheims], 1569, *STC* 15505).

⁷⁵⁰ Margaret J. Beckett, *The Political Works of John Lesley, Bishop of Ross (1527-96)* (St Andrews University PhD, 2002) p. 59.

⁷⁵¹ *Ibid.*, p. 53.

⁷⁵² Kimberly Coles, "'Printed at London anonymous": was there ever an attempt to publish the first edition of the Defence of Mary, Queen of Scots in England?', *The Review of English Studies*, 49 (1998), p. 273.

⁷⁵³ Lesley, *Defence*, p. 6-12. Italics for emphasis.

⁷⁵⁴ 'Mémoire adressé au nom de Marie Stuart á tous les Princes de la Chrétienté', June 1568, in Teulet, *Papiers*, ii, p. 251; Lesley, *Defence*, p. 15. The emphasis on Moray's illegitimacy was also important in pressing Châtelherault's claim to the Regency. Herries, *Memoirs*, p. 112.

executed at Moray's instigation, and rather than being an enemy of Bothwell, Moray and the Confederate Lords had been in collusion with him, permitting him to flee the country in 1567.⁷⁵⁵ Mary's abdication was clearly forced, and thus null and void, and the allegations against her, including the material evidence of the Casket Letters, were said to have been fabricated by Moray and his allies to cover their own proceedings. It was added that Hay, Hepburn, Dalgleish and Powrie, the men who had been hanged for Darnley's murder, had blamed both Moray and Morton from the scaffold.⁷⁵⁶ This was a necessary inclusion, since Mary's chief supporters, Huntly and Argyll, had been named as accomplices to the murder at Westminster. As Dawson has discovered, it was also Lesley who had assisted these two individuals in preparing a protestation of their innocence.⁷⁵⁷

Very similar arguments were found in the ballad, 'A Rhime in Defence of the Queen of Scots against the Earl of Murray', which appears to have been written during the course of Mary's 'first trial'.⁷⁵⁸ There are no records that it was ever printed, however, and only manuscript versions, and later transcriptions survive.⁷⁵⁹ Although J.E. Phillips placed its origins much earlier than the trial, claiming that 'it was written before Mary's flight to England', the references made within to the spoiling of the houses of Lochinvar, Skirling, and Herries, which all took place during Moray's 'Hoddom Road' expedition of June 1568, show that it was written after Mary had arrived in England.⁷⁶⁰ The orthography, references to Scotland as 'that realme' and to the Scots as 'that people', together with the inclusion of parallels drawn from English history, such as a comparison of Moray with Richard III, all point to English authorship.⁷⁶¹ The poem was signed by 'Tom Trowth', and it has been suggested by Phillips that Thomas Bishop, a Scot who had followed Lennox down to England, may have been its author.⁷⁶² Bishop had become naturalised in 1544, and subsequently shifted his allegiance to Mary, after betraying Lennox to Cecil for reasons of personal gain.⁷⁶³ He was questioned in March 1568 regarding a 'book wrighten against the Earl of Murray in defence of the Scotts Q[ueen]', and it has been suggested that this was either the ballad in question, or that he might have collaborated with Lesley in the *Defence*. Indeed,

⁷⁵⁵ Lesley, *Defence*, p. 38 and *passim*.

⁷⁵⁶ *Ibid.*, p. 44.

⁷⁵⁷ Dawson, *Argyll*, p. 176.

⁷⁵⁸ 'A Rhime in Defence' in Cranstoun (ed.), *Satirical Poems*, i, pp. 68-81.

⁷⁵⁹ E.g. 'Rhime in Defence', NLS Adv. MS 35.1.1, ii, ff. 91-101.

⁷⁶⁰ James Emerson Phillips, *Images of a Queen: Mary Stuart in Sixteenth-Century literature* (Berkeley, 1964), p. 248; see above, p. 84.

⁷⁶¹ 'A Rhime in Defence' in Cranstoun (ed.), *Satirical Poems*, i, p. 70.

⁷⁶² Phillips, *Images of a Queen*, p.248; for information on Bishop see Ronald Pollitt, 'An "Old Practizer" at Bay: Thomas Bishop and the Northern Rebellion', *Northern History*, 16 (1980), pp. 59-84. The ballad's author claims that he was present in Scotland at the time of the execution of Hay of Tallo, and since Bishop did return briefly to Scotland in 1567, it is plausible that he witnessed this.

⁷⁶³ Pollitt, 'An Old Practizer', p. 61. Bishop betrayed Lennox in order to keep the lands he had been granted within his family, as they were otherwise to pass to Northumberland on his death. It is unclear at what point he became a supporter of Mary; Pollitt argues that he was looking for a new patron and trying to regain a place in politics, and was basically an enthusiastic plotter for the mere sake of it.

taking Lesley's later confession at face value, Pollitt goes so far as to argue that Bishop actually wrote the first version of the *Defence* upon Herries' instructions, and that Lesley had only revised the work.⁷⁶⁴ It is impossible to determine the relative contributions made by Bishop, Lesley, and even Herries to these works, but what is clear is that there was a campaign being undertaken to blacken Moray's name.⁷⁶⁵ The 'Rhime in Defence' was surely aimed at those – both in England and Scotland - who had read the ballads in support of the Confederate Lords in 1567, whereas Lesley's *Defence*, together with the 'mémoire', targeted a more learned audience. These latter works were also intended for the European monarchs.

From the remaining period of his regency, however, little pro-Marian (or anti-Moray) propaganda has survived. This suggests that Moray made a determined crackdown on any material written against him, and successfully prevented it from reaching the English court. As Priscilla Bawcutt reminds us, it is only those ballads that were sent down for Cecil's perusal, so that he could gain a feel for Scottish opinion, which have been preserved, and she suggests that many others were deliberately destroyed.⁷⁶⁶ The dangers of unregulated material had already been made clear to Moray, as the placards posted up in December 1567, together with the challenge to his regency in 1568, had highlighted that his position was not entirely secure. There was also, as we have seen, a grain of truth in the Queen's Party's accusations against the Earl, and Moray was clearly determined to stamp out such charges in order to protect his position. Indeed, he urged Cecil to encourage Elizabeth to make a proclamation against these 'craftie untrew inventionis [which] ar publishit to mak me odious'.⁷⁶⁷ The divergent views of Moray held by modern historians are, in many cases, extensions of these sixteenth-century debates and propaganda. The 'black image' of Moray has survived only amongst those historians whose loyalties lie with Mary (such as John Guy), and goes largely unremarked upon by Lee, who preferred to adopt the image as painted by Buchanan.

Although Mary did not have the same level of control over the printing press that Moray possessed, this did not entirely halt propaganda on the part of the Queen's Party. She turned to other means in an attempt to turn the people of Scotland against the Regent. Once the accusations against her had been made public, she abandoned any pretence of requesting that her party cease hostilities and, using a combination of letters and proclamations, incited further violence.⁷⁶⁸ The

⁷⁶⁴ Pollitt, 'An Old Practizer', p. 69; Confession of Ross, 27 October 1571, in Murdin (ed.), *State Papers*, p. 29; Second Answer of Bishop, 2 March 1569, SP53/3, f. 109r.

⁷⁶⁵ Beckett, *John Lesley*, p. 63.

⁷⁶⁶ Priscilla Bawcutt, 'Scottish Poetry and English Readers in the Sixteenth Century', in Sally Mapstone and Juliette Wood (eds.), *The Rose and the Thistle: Essays on the culture of late medieval and renaissance Scotland* (East Linton, 1998), p. 64.

⁷⁶⁷ Moray to Cecil, 21 January 1569, SP52/16, f. 6r.

⁷⁶⁸ She was quite open about this – e.g. Knollys to Elizabeth, 28 January 1569, *CSP Scot*, ii, 974; Herries also notes this, and interestingly reveals the fact that his *Memoirs* are based on unidentified primary sources, rather than simply personal recollection, as he says that the letter sent by Mary was inserted 'ad longum, in my original': *Memoirs*, p. 112.

letters that Mary addressed to individual supporters were clearly intended for circulation; one sent to Huntly, for example, contained the instructions that he and Argyll should ‘eik and pare’ the letter as they saw fit, before distributing it further, and certain letters were designed to be turned by her lieutenants into proclamations.⁷⁶⁹ Moray appeared particularly fearful of such distribution methods, claiming that it was not just a ‘simple l[et]re bot ... a nowmer of publict proclamations’, which were therefore able to reach a substantial audience.⁷⁷⁰ The letter sent by Mary to the Abbot of Arbroath on 9 December, in which she claimed that her rebels had been confounded in all that they could allege against her, was a savage attack on the King’s Party, and an appeal to the nationalistic sentiment of her countrymen. With some justification, after the inflammatory speeches made by Elizabeth’s commissioners at York, Mary wrote that ‘the Erle of Murray sell acknowlege to hauld the realme of Scotland in maner of fee of the Quene of England’. She appealed to the strong patriotic fervour of many of the Scots, who feared that their realm might, as Mary termed it, be drawn into ‘miserable subjection’ and held as a ‘tributar’ of England.⁷⁷¹ Although her letter was clearly propagandistic in intent, it was the more effective because it played on the genuine fears and resentments of the Scots, and reminded them not just of recent events, but of earlier English ambitions towards Scotland.⁷⁷² The English wish to be in possession of the young James VI was emphasised, and although in their counter proclamations, the English government claimed this to be untrue, it was undeniably one of their goals. Similarly, Mary complained that the English were trying to persuade her to abdicate voluntarily, which again was true. As in Lesley’s *Defence*, much was made of Moray’s personal ambition, and the Regent’s own claim to the Scottish throne was focused upon. It was claimed that Elizabeth and Cecil would assist Moray in gaining the Scottish throne if the young king should die.⁷⁷³

Mary’s letters therefore armed her friends with justification for aggressive action, and exhorted them to assemble, feeding them further encouragement that foreign aid would be forthcoming in the spring.⁷⁷⁴ She ordered her subjects to do all they could to prevent the Regent from returning home, and publicly to proclaim the treason attempted against her in England. They obeyed, and by the time that Moray was travelling back towards Scotland in mid-January, reports were filtering down that Huntly and his associates intended to hold a rival parliament at Glasgow. A servant of Lord Hunsdon’s (presumably sent to spy on proceedings) provided the information that Huntly, Argyll, and ‘all that society’ were at Glasgow by the middle of January,

⁷⁶⁹ Mary to Huntly, 5 January 1569, Cot. Calig. CI, f. 380r. ‘eik and pare’ means to add or to remove bits from.

⁷⁷⁰ Moray to unknown, 21 January 1569, SP52/16, f. 6r.

⁷⁷¹ Mary to Abbot of Arbroath and others in Queen’s Party, 1569, Labanoff, *Letters*, ii, p. 246.

⁷⁷² Explicit links with previous English monarchs are contained in the proclamation that was issued, where a direct reference to Baliol’s oath of fealty to Edward I can be found. Proclamation by Argyll, based on Mary’s letters to him, January 1569, *Warrender Papers*, pp. 57-8.

⁷⁷³ *Ibid.*, pp. 57-8; Calderwood, *History*, ii, p. 474; Herries, *Memoirs*, p. 112.

⁷⁷⁴ Mary to the Archbishop of St Andrews, 18 January 1569, *CSP Scot*, ii, 956; Mary to unknown, 19 January 1569, NAS GD45/1/4 mentioned that aid was promised by France and Spain.

with seven or eight thousand men, as Mary herself had commanded.⁷⁷⁵ Hunsdon also reported that Argyll and Huntly had made proclamation that men should be ready to resist the Regent, 'and theyr Ancyent Ennymys the Inglyshmen' who were coming with him, thus trying to establish in the minds of the Scots that support for the King's Party equated to support for English overlordship. Such an image had been further reinforced by the Marians' linkage of Cecil to Moray's alleged ambition to rule as king.⁷⁷⁶

Once back in Scotland, Châtelherault, together with Huntly and Argyll, had their positions as lieutenants confirmed, and a proclamation by Mary gave them the power to assemble Parliament and dispense justice.⁷⁷⁷ Indeed, an entire rival administration was being constructed; this could no longer be characterised merely as a group of rebels, but was a completely parallel system. Huntly was described as Chancellor of the Realm (his previous position), posing a direct challenge to Morton, arguably the second in command of the King's Party. This proclamation was far reaching; in essence, Mary gave her party *carte blanche* to run the country as they saw fit, not just in 'extraordinary' situations, but in day to day business. The distribution of benefices and offices, the granting of passports, the administration of justice (including the choosing of lords of session), collection of the thirds of benefices, and the confirmation of land grants were all encompassed by her order. The lieutenants were also authorised to summon the Three Estates; in effect, Mary was transferring the tangible effects of sovereignty on to her chief supporters. Visibly, this was shown in that they were licensed to 'forge and mak seillis grite privat signet and uyeris necessary of expeditioun of l[ett]res in all the foure formes', countering the King's Party's actions of 1567, when the seals had been called in and remade in James's name.⁷⁷⁸ Moray claimed that in exercising these powers, they had proceeded against some of his party, as guilty of treason against the Queen, in a 'pretended form of law'. Indeed, Atholl Murray has shown that Huntly held courts which issued signet letters - 'per actum dominorum secreti concilii' - at Aberdeen in August 1570, and it is likely that such courts may have been held as early as 1568.⁷⁷⁹ Hunsdon, for example, reported in November 1568 that Huntly was 'howldyng justice courts', and thus Moray's fears as to this rival administration, and its level of organisation, were not groundless.⁷⁸⁰

Moray's safe arrival in Scotland was announced on 1 February.⁷⁸¹ Evidently, his most pressing problem was the need to restore order within the country, and in the light of the challenges (both military and otherwise) that had been made, to reassert his authority as Regent.

⁷⁷⁵ Hunsdon to Cecil, 15 January 1569, CP 155, f. 86v.

⁷⁷⁶ *Ibid.*, f. 86v.

⁷⁷⁷ Proclamation by Mary, 28 February 1569, SP53/3, f. 102r.

⁷⁷⁸ *Ibid.*, f. 102r.

⁷⁷⁹ Murray, 'Huntly's Rebellion and the Administration of Justice', p. 1.

⁷⁸⁰ Hunsdon to Cecil, 22 November 1568, CP4, f. 59r; Moray to Elizabeth, 11 March 1569, SP 52/16, f. 29v.

⁷⁸¹ Hunsdon to Cecil, 1 February 1569, CP156, f. 14r.

Even before his arrival, the fact that it had been necessary for the King's Party (and the English government) immediately to publish counter proclamations to refute the claims by Mary and her supporters shows that they were perceived as highly threatening.⁷⁸² The records of the first Privy Council meeting in February 1569 demonstrate an urgent desire to bring Scotland to a state of peace.⁷⁸³ In a letter to Cecil, Moray claimed that he was constrained to use force against the Marians in order to regain the strength that his party had possessed before his departure to England. He placed heavy stress on the fact that if it had not been for Elizabeth's desire to hold the conference, and her simultaneous insistence on an abstinence from hostility, the situation would not have deteriorated in such a way. Clearly, this wording was designed to encourage the English to provide military support for his actions, and in this (as we shall see), he would prove successful.⁷⁸⁴ His initial policy towards those who supported the Queen's Party was not one of outright repression, however. With Mary for now, so he believed, safely in England, and unlikely to be restored, he could afford to be a little more conciliatory. The Privy Council records show that he wanted to combine two different approaches, with the selection of certain individuals (such as Maitland of Lethington) to work for pacification, and others (such as Kirkcaldy of Grange) to assist in the organisation and preparation of military action.⁷⁸⁵ Military force was only one component of his campaign, and not used in all circumstances, but held back as a threat which could be more effective when used sparingly. There are several reasons for this policy. Lee argues that, similar to his restraint in carrying out the forfeitures of the previous summer, Moray chose to avoid an overly repressive stance, in order to prevent the alienation of the moderates within his party, such as Maitland, but although a consideration, this was not the only reason.⁷⁸⁶ It is doubtful that he would really have had the military (or financial) capability to overawe the entire Marian party, particularly when the geographical spread of their power is considered.

Moray's initial attempt to come to terms with the main leaders of the Queen's Party, dealing first with Herries, Cassillis, and Kilwinning (as representatives of Châtelherault), is detailed in the 'heads of the communing' of 13 March. These 'heads' show the main issues needing to be resolved.⁷⁸⁷ In return for an unqualified acceptance of the King's authority (and hence his own as Regent), and a cessation of hostilities, Moray offered to admit Châtelherault and the other leaders of the Queen's Party to their 'awin place' within the realm as 'borne consalouris', and to revoke their forfeitures, demonstrating a desire to work *with* the opposition rather than

⁷⁸² Grange to unknown, 14 January 1569, SP52/16, f. 10r; Elizabeth to Mar, 22 January 1569, NAS GD124/10/26. In this letter, Elizabeth denied that she had ever made a contract with Moray, regarding James, or Scotland itself.

⁷⁸³ *RPC*, i, p. 644.

⁷⁸⁴ Moray to Cecil, 17 February 1569, SP52/16, f.18r; Moray to Elizabeth, 11 March 1569, SP 52/16, f. 29v.

⁷⁸⁵ *RPC*, i, p. 645.

⁷⁸⁶ Lee, *Moray*, p. 254.

⁷⁸⁷ 'Heads of Communing between the Regent and Cassillis etc', 13 March 1569, SP52/16, f. 33r.

simply against them.⁷⁸⁸ Indeed, the Queen's Party had already shown interest in the form of conciliar government which Maitland had proposed in 1568, and had been prepared to negotiate on this matter.⁷⁸⁹ Now, they added the condition that Moray should behave himself 'uprichtlie and indifferantlie', with no partiality or remembrance of past offences, perhaps signifying the greater confidence they currently had in their position. As Mary's supporters were trying to construct a rival administration, then rather than destroying them completely, surely an unrealistic goal, it would be more productive for Moray to try to make use of them, and give them an incentive to support the King. The Regent was clearly threatened by the rival power structures, and if he was eventually hoping for a consensus government, then the submission of a leader such as Châtelherault would automatically bring in his extensive support base, and lead to a more stable situation. Moray was certainly a little optimistic and naïve in this respect.⁷⁹⁰ It was never going to be that straightforward to win over his opponents; it would take an enormous incentive for Châtelherault to relinquish his support for Mary, due to his own reversionary rights to the crown. Indeed, it was this consideration which had led to the breakdown in the negotiations of October 1568.⁷⁹¹ The reason why the Duke offered to submit was simply the immediate fear of force, as Moray had arrived in Glasgow with an army on 10 March, stating that his intention was to pass to Hamilton.⁷⁹²

The initial plan was for the Regent, Châtelherault, Huntly, Argyll, Atholl, Morton, Mar, Glencairn and Herries to meet together in Edinburgh to conclude upon these heads of communing, with hostages to be given in by the Queen's Party.⁷⁹³ In the meantime, Châtelherault and the others were to abandon the exercise of the commissions of lieutenancy that they had been given. The *Diurnal* names Huntly as one of those who would be included in the proposed settlement, and indeed, whilst he didn't sign the same 'heads of communing' in March, there is a separate document found in the Register of the Privy Council, dated 3 April, in which he promised to serve the King.⁷⁹⁴ However, as we shall see, by 10 April, the day appointed, Huntly was excluded from any such treating. As it was, the day of the meeting came and went with the treaty remaining wholly unsigned. Once the earlier threat of force had receded, Châtelherault argued that the articles had been concluded only conditionally, refusing to sign.⁷⁹⁵ He reportedly told Moray that

⁷⁸⁸ With the exception of those who had been involved in the Darnley murder. *Ibid.*, f. 33r.

⁷⁸⁹ See above, p. 93.

⁷⁹⁰ He wrote to Forster, for example, that Châtelherault, Herries and Cassillis had 'become more conformable', 15 March 1569, *CSPF 1569-1571*, 170.

⁷⁹¹ As Cowan explains, Châtelherault was heir to Mary, Queen of Scots, though not necessarily to her son: Cowan, 'The Marian Civil War', p. 96.

⁷⁹² *Diurnal*, p. 140; Calderwood, *History*, ii, p. 497; Buchanan, *History*, p. 554; Herries, to Mary, 1569, Cot. Calig. BIX, f. 388r; *RPC*, i, p. 645.

⁷⁹³ *Diurnal*, p. 139.

⁷⁹⁴ 'Band to the King', 3 April 1569, *RPC*, ii, p. 654. Chief signatories to this were Huntly, Crawford, Cassillis, Sanquhar, Saltoun, Ogilvy and Oliphant, in addition to such influential lairds as the master of Forbes, and Grant of Freuchy.

⁷⁹⁵ Herries, *Memoirs*, p. 114.

if Mary did not approve of his surrender to the Regent, then he would argue that (similar to Mary's own 'abdication') 'he had been compelled to consent to the conditions by the terror of an army'.⁷⁹⁶ This was a clear indication, if any were needed, that Moray would never be able to trust such unyielding opponents. Moray perceived the Queen's Party's earlier promise as simply a way for them to buy time, whilst waiting for the anticipated foreign support to arrive. It is also questionable whether Moray himself had been entirely genuine about the communing. The wording of the document he had drawn up (if strictly adhered to) could have proved dangerous to his position. Moray's promise to admit his opponents to their 'rightful place' in the realm could easily have opened the way for Châtelherault to remount his challenge to the regency, as the Duke's interpretation of his own rightful place was the office of regent. It is possible that Moray had planned this process from the outset, designing it to appear to both internal and external audiences that he was acting impartially and lawfully with regard to Châtelherault, then shifting the blame on to the Duke himself for the breakdown in negotiations. Indeed, even Lee acknowledges that Moray had a habit of 'stage-managing' events if it would prove advantageous to his policy, although he does not cite this particular example.⁷⁹⁷

With no further discussion, Moray committed both Châtelherault and Herries (who had earlier negotiated on his behalf) to ward in Edinburgh Castle. He relished the opportunity to deprive his opponents of Mary's former commissioner, Herries, since he was one of their most astute political brains, and particularly opposed to Moray's dealings with Elizabeth I.⁷⁹⁸ Some felt that Moray did not go far enough; the broadsheets after his death accused him of being too merciful, 'bot we his mercy now may rew', stressing that the leniency he showed to these men was the eventual cause of his assassination.⁷⁹⁹ It is questionable whether the (intended) long term imprisonment of such key figures was in fact an expression of 'mercy', since there was little else he could conceivably have done. Unless he was able to strike out against all the leading Marians simultaneously, clearly an impossibility, then excessive force leading perhaps to an execution of any one of these leaders would have provoked tremendous reaction amongst both the Scots, and those further afield. Whilst the situation regarding Mary's possible return was still unresolved, and England refused explicitly to recognise Moray's government as lawful, the execution of a leading Marian would be difficult to justify. Indeed, as it was, some accused Moray of dealing

⁷⁹⁶ Buchanan, *History*, p. 555.

⁷⁹⁷ Lee, *Moray*, p. 266. He feels Moray was genuinely surprised by Châtelherault's refusal to sign: *ibid.*, p. 256.

⁷⁹⁸ Herries, *Memoirs*, p. 125 criticised Moray for being in 'secret agitation' with Elizabeth.

⁷⁹⁹ 'The Poysonit Schot', in Cranstoun, (ed.) *Satirical Poems*, i, p. 134, also 'Ane Tragedie', p. 94; Buchanan too praised Moray's lenity: Buchanan, *History*, p. 567.

dishonestly with Châtelherault and Herries, and it was suspected that this was the motivation behind his assassination, carried out by a Hamilton.⁸⁰⁰

However, in the short term, Moray was successful in that his actions severely reduced the strength of Mary's party, which encouraged many others, including Huntly and Argyll, to submit. Dawson refers to Moray's 'tactic of dividing the Queen's Party', but such actions do not appear to have been pre-planned; instead, Moray reacted to events as they unfolded, and it was chance, rather than design, which caused the splits within the Marian ranks.⁸⁰¹ According to Buchanan, Huntly and Argyll had refused to agree to this first treaty, because they were angered with Châtelherault for surrendering, and wanted to settle their own affairs separately, perhaps hoping for more favourable conditions.⁸⁰² Dawson has shown that it was pressure from Argyll's own clansmen which encouraged him to submit to Moray.⁸⁰³ In May 1569, after having called both Argyll and Huntly to St Andrews, Moray accepted Argyll's acknowledgement of James VI's authority, demanding only an oath, which Moray's chief apologist, Buchanan, attributed to the former friendship between the two men.⁸⁰⁴ Dawson argues, however, that the real reason why Argyll received such favourable terms was due to his 'virtually impregnable power'.⁸⁰⁵ Moray would have been unable to mount a successful military campaign in Argyll's highland region, and could not have afforded to stretch his resources so thinly. Argyll's recent actions had also been less threatening to his regime than those of Huntly, and he had refused to act against the men of the Lennox region when he had had the opportunity.⁸⁰⁶

With Huntly, more severe conditions were required.⁸⁰⁷ The lack of strong central government in the North had made him an increasingly powerful magnate, with a large number of local lairds loyal to him.⁸⁰⁸ Much of the Marian activity of the previous summer had been orchestrated by Huntly, with military action attempted throughout Angus, the Mearns, and Strathearn, and Dingwall Castle had been captured by his forces.⁸⁰⁹ He had also been exercising his power as Mary's lieutenant, and had even appointed his own officers – Crawford and Ogilvy were chosen as lieutenants around the Dee, for example, and Huntly's own brother had been left

⁸⁰⁰ Herries himself complained to both Moray and Elizabeth that he was being kept prisoner unfairly, with no judicial trial: Herries to Elizabeth, 5 July 1569, SP52/16, f.55r; Herries to Moray, 24 July 1569, SP52/16, f. 71r; *Hist. KJVI*, p. 45.

⁸⁰¹ Dawson, *Argyll*, p. 177.

⁸⁰² Buchanan, *History*, p. 555.

⁸⁰³ Dawson, *Argyll*, p. 178 shows that the Campbells were unhappy about the loss of patronage and exclusion that had resulted in Argyll's adherence to Mary.

⁸⁰⁴ *Ibid.*, p. 556. The 'Declaration recognising the authority of James VI and Regent Moray', although dated 24 August 1569, noted that Argyll had signed an identical band when he met Moray in person: NAS GD205/1/10

⁸⁰⁵ Dawson, *Argyll*, p. 173.

⁸⁰⁶ Herries, *Memoirs*, p. 114 writes that the Hamiltons had urged Argyll to ravage Lennox lands; Dawson, *Argyll*, p. 178.

⁸⁰⁷ *RPC*, xiv, p. 27; Buchanan, p. 557.

⁸⁰⁸ See above, p. 80; Potter, *Bloodfeud*, p. 92.

⁸⁰⁹ *RSS*, vi, pp. 115-116, 135.

in charge of Aberdeen.⁸¹⁰ Despite putting his name to the bond of 3 April, pledging to serve the king, Huntly had nevertheless ‘maid greit persequitioun upone thame that adherit to the kingis obedience’, and had planned to come with an army to Brechin.⁸¹¹ To Moray’s mind, Huntly’s word alone could not be trusted, as he was clearly setting himself up as a rival source of authority within the kingdom, so much so that contemporaries termed him a ‘king in the north’.⁸¹² Furthermore, Moray had some pressure to take action against Huntly, since he was petitioned by those who felt they had suffered under the Earl. Chief amongst these were the Forbes, who were at feud with the Gordons, and who sought to exploit the political situation for their own ends.⁸¹³ Moray’s initial action was to give to those who had complained against Huntly, including such notables as Atholl and Buchan, full power and authority to act against the Earl if he threatened themselves or their lands, and if necessary, to pursue him.⁸¹⁴ This was an attempt to weaken Huntly before getting involved directly himself, enabling Moray to concentrate on his other opponents, and to use the grievances of the complainers to his advantage, perhaps hoping this would cause his own military action to look less severe. At the same time, it was a useful way to avoid the expenditure an army would entail. Significantly, Wishart of Pitarrow, one of Moray’s close associates, had also signed this petition, suggesting that this complaint might have been discussed and pre-planned. Moray also worked to detach Huntly’s supporters from him, dealing with them on an individual basis. After he gained the submissions of Crawford and Ogilvy, and also John Grant of Freuchy and Lauchlan Mackintosh (two of Huntly’s main dependents who had promised to serve the northern earl the previous year), Huntly was deprived of his former adherents.⁸¹⁵ The threat of force from Moray,⁸¹⁶ and the treatment meted out to Herries and Châtelherault, arguably proved a greater incentive for such men to submit, outweighing any desire to remain in Huntly’s protection.⁸¹⁷ The result of this was that it reduced his military potential, and presumably made the Earl himself more amenable to some form of settlement with the Regent.

After these first steps had been taken, what then was the best way to deal with such a magnate? There was much deliberation amongst the members of the Privy Council, with opinion

⁸¹⁰ *Diurnal*, p. 144; Buchanan, p. 556; Allan White, ‘Gordon, George, fifth earl of Huntly (d. 1576)’, *ODNB* [<http://www.oxforddnb.com/view/article/11035>].

⁸¹¹ *Diurnal*, p. 143.

⁸¹² Calderwood, *History*, ii, p. 487.

⁸¹³ Hunsdon later referred to this ‘pryvatt quarrell’: Hunsdon to Burghley, 27 November 1571, SP 52/21, f. 219r. Also see Keith Brown, *Bloodfeud 1573-1625* (Edinburgh, 1986), p. 110.

⁸¹⁴ *RPC*, i, p. 645.

⁸¹⁵ *Ibid.*, p. 662; for Mackintosh, see Cathcart, *Regional Lordship*, p. 170; ‘Offer by John Grant of Freuchy’, 31 March, NAS GD 44/13/4/5. Freuchy was the first name on the 1568 bond after Huntly’s (see above, p. 80). Also see ‘Declaration recognising the authority of James VI and Regent Moray’, 24 August 1569, NAS GD205/1/10 which notes that Crawford, Ogilvy and Oliphant gave their allegiance to the King on 7 May at St Andrews.

⁸¹⁶ Another muster was proclaimed on 20 April, for Brechin on 1 June: *RPC*, i, pp. 656-657.

⁸¹⁷ In March, Moray had ordered that Crawford and Ogilvy’s houses and strengths were to be seized: *RPC*, i, p. 646.

divided over the terms to be offered to Huntly.⁸¹⁸ Some believed that the safest plan would be to pass over Huntly's previous dealings with impunity, as the easiest way to heal the divisions within the country, and to promote peace and concord. This belief also stemmed from a fear of Huntly's power, and 'his numerous connexions and vassals', who would be able to flee to the hills and mountains, making it impossible for them to be conquered. Others, however, including Buchanan himself, took a very different view, arguing that it would be 'cowardice and not clemency' to act in such a way, and would make it appear as if those who had remained loyal to the king were being punished for their fidelity. Morton is known to have been one of those who took a more hardline approach, and, like Moray, who was himself at feud with Huntly,⁸¹⁹ had personal reasons for wishing to see the northern earl weakened.⁸²⁰ Indeed, the eventual pacification settlement contained a clause that due to the 'grudge' between the two, Huntly would do all in his power to satisfy Morton 'in honour and utherwayis' that my lord Regent sall think resonabill'.⁸²¹ Moray's own view is more difficult to gauge, since he had to attempt to balance both opinions to maintain support, yet eventually, it was decided to take some form of military action against Huntly, rather than simply making peace. Although Lee disagrees, it is likely that he allowed his own feelings and previous history with Huntly to influence his decision. Indeed, some of his own lands had borne the brunt of Huntly's campaigns.⁸²² In this sense, he was acting as Earl of Moray, as much as Regent of Scotland.⁸²³ Interestingly, the distinction between the personal role of the magnate, and public role of the regent was made at the time of Morton's assumption of the position in 1572, when he swore to act only as regent, promising that he would not revenge any private quarrels. This acknowledged that the civil wars had taken on an increasingly personal dimension – as witnessed with Moray's treatment of Huntly – which would need to be addressed before an enduring peace could be made.⁸²⁴

Once action had been agreed upon, there remained a further question to be resolved. This was whether the distribution of punishment amongst Huntly's followers should be left to Huntly himself, or whether it should be arranged by the government. Buchanan's view, and the one that won majority acceptance, was that if it were left to Huntly, the greatest criminals (i.e. those who had supported Huntly in his actions) would receive the smallest fines, whereas those who had

⁸¹⁸ Buchanan, *History*, pp. 555-556.

⁸¹⁹ *AQM*, p. 7. Moray and Huntly had clashed already; allegedly Moray had tried to have Huntly killed when he was in prison in 1562, and they had been on opposing sides in the Chaseabout Raid of 1565. There was a history of political and personal rivalry, stemming from the earldom of Moray which was granted to the Regent in 1562, and which Huntly felt should belong to him. See above, p. 61.

⁸²⁰ Huntly had allegedly made an attempt on Morton's life in 1568 (see above, p. 82) and Huntly had previously held Morton's current position of Chancellor.

⁸²¹ *RPC*, i, p. 663.

⁸²² 'offences by the Queen's Party', 4 October 1568, SP52/15, f. 138r.

⁸²³ Lee, *Moray*, pp. 257, 282.

⁸²⁴ 'Convention at Edinburgh', November 1572, SP52/23, f. 231r-231v; Melville, *Memoirs*, p. 249. Despite this, however, Morton would also continue to pursue his own quarrel against Huntly; *ibid.*, p. 251.

played little part in events would suffer the most. Indeed, Buchanan appears to have taken a great interest in this particular political situation, and drew up a document to convey his thoughts, entitled 'George Buchanan's opinion anent the ordering of the north'.⁸²⁵ This document was presumably presented at a Privy Council meeting, since it was clearly designed to be read to an audience, beginning 'I pray al that ar heir present to haif regard'.⁸²⁶ According to Buchanan, it was unthinkable that the 'wickit sal leif in welth for thair iniquitie', and he argued that if Moray did not act harshly towards Huntly, then he would not be carrying out justice, a quality he believed to be essential for good kingship.⁸²⁷ Rather, it would subvert the king's estate, because it 'makis hym freind to hys ennemis ... [and] ... sal increse dayly his ennemis'. Reminiscent of Romans 13, Buchanan wrote of the 'magistrat' being ordained by God, with a 'swerd to the consolation of the gud and fear of the evyl', and argued that they would be seen as traitors to God if they did not pursue the rebels with all their force.⁸²⁸ Whilst the element of divine ordination was not necessarily Buchanan's own point of view, it was certainly an argument that would appeal to those who felt that the crowning and anointing of James had been a sign of God's favour, tying in with the arguments used since 1567.⁸²⁹ More practical reasons were also included: that the King's Party would be 'bro[ch]t to no[ch]t and thayr adversaries augmentit' if action were not taken, and that if Moray pardoned the disobedient subjects in the north, it could lead to accusations of ingratitude from those who had been loyal King's Party supporters throughout. Furthermore, the financial gains from the rebels in the north could be used to buy support.

Why did Buchanan draw up this document? There is no evidence that he was asked to give his opinion for any other political issue of the period in such a way, and it does not appear to have been common practice for such detailed arguments to be committed to writing and brought before the council. Rather, his function appears to have been as some sort of propagandist, furnishing Moray (and also later regents) with arguments to bolster their position. The arguments in defence of the free election of a regent, for example, as propounded the previous year, bore Buchanan's hallmark, and it is undeniable that he was instrumental in the efforts made to prove Mary guilty, and to slander her reputation. So why was Buchanan asked to give his opinion at this point? Although it may have appeared that he was making a spontaneous contribution to the debate, it is likely that this was orchestrated with the Regent beforehand. Moray, perhaps aware of the opposition to the more extreme measures against Huntly that he personally advocated, may have instructed Buchanan to draw up this document, to influence the more conciliatory members

⁸²⁵ 'George Buchanan's opinion anent the ordering of the north', 1569, GD 149.255 f.18r. (This document exists only in manuscript form, and was not known to Lee).

⁸²⁶ *Ibid.*, f.19r.

⁸²⁷ This also ties in with the image the Confederate Lords had wished to present in 1567: see above, p. 54.

⁸²⁸ *Ibid.*, f.19r.

⁸²⁹ See above, p. 50.

of the Privy Council.⁸³⁰ This way, the Regent would also have been able to present the policy as the collective view of those on his council, rather than his own personal preference, fashioning a self-image as a more lenient, and peace-loving individual than he actually was (an image reflected in the ballads after his death). Indeed, Moray was particularly keen to have it known that for the sake of concord, he was personally willing to forgive any private losses that he had sustained by Huntly's actions.⁸³¹ The fact that Buchanan was being employed as a propagandist for internal reasons is also suggestive of a lack of unity within the King's party at this point, and of Moray's fears of the split between those who were more extreme, and those who adopted a more conservative approach. Maitland of Lethington was once again one of those moderates who was not supportive of the more extreme measures. According to Calderwood, it had been Lethington, together with some who favoured the Queen, who alleged that 'impunitie was the surest way for concord and peace'.⁸³² Moray could not afford to take on multiple opponents; thus it was important to keep those with political acumen such as Maitland within the ranks of his party, until the powerful magnates had been neutralised.

Moray was obviously determined to prevent the north from being strong enough to rise again. Despite Huntly's request that no army should be sent north if he agreed to swear obedience to the King, the Regent nonetheless embarked upon an armed expedition in June, aiming to seek redress for the damage that Huntly and his adherents had inflicted on the King's Party.⁸³³ Contemporary accounts all concur that Moray took excessive fines from Huntly's followers, aiming to weaken their allegiance to Huntly, and to increase his own financial position, as recommended in Buchanan's paper.⁸³⁴ Resources of the crown had been drained due to the expense of sustaining men of war, and rewarding supporters, and thus this policy was clearly advantageous to the Regent.⁸³⁵ In an effort to consolidate the gains he had made, Moray combined this with a personal tour of the region, making his authority felt by holding a series of councils, at Dunnotar, Elgin, Aberdeen and Inverness.⁸³⁶ He also exploited the grievances between the Forbes and Gordons, granting escheats from the Gordons to their rivals.⁸³⁷ Although

⁸³⁰ No records exist to show exactly who preferred either option.

⁸³¹ Buchanan, *History*, p. 559.

⁸³² Herries, *Memoirs*, p. 115; *Hist. KJVI*, p. 42; Calderwood, *History*, ii, p. 487 all report on the discussions which took place in the council regarding the treatment to be meted out to Huntly.

⁸³³ *RPC*, ii, p. 666. Huntly promised in May that he would submit, and put his name to the Bond recognising the authority of James VI and the Regent Moray on 4 June at Aberdeen: GD205/1/10.

⁸³⁴ Hunsdon to Cecil, 24 June 1569, *CSPF 1569-71*, 307, states that Moray had received £10,000 in fines. Herries, *Memoirs*, p. 115 and *Diurnal*, p. 144 report that greater sums of money had never before been paid within the realm.

⁸³⁵ See above, ch. 1 and 2 – Moray had needed to reward men who were perhaps of dubious loyalty, and had had to make substantial concessions to the church. As Krista Kesselring shows, punishment in the sixteenth century often offered material rewards and so Moray's actions here were not unusual. K.J. Kesselring, 'Mercy and Liberality: The Aftermath of the 1569 Northern Rebellion', *History*, 90 (2005), p. 234.

⁸³⁶ *RPC*, i, p. 683; John Wood to Cecil, 10 June 1569, SP52/16, f. 52r.

⁸³⁷ *RSS*, vi, p. 134.

by midsummer, Moray's treatment of Huntly had clearly led to a subdued northern region, as with all his actions concerning the Marians, the peace was only a façade.⁸³⁸ The combination of military and judicial actions, seemingly a wise policy to pursue, nevertheless had disadvantages. Whilst Moray, and others, had hoped that harsh treatment of Huntly's supporters would decrease their support for the Earl, they had arguably underestimated the influence Huntly had in that region. Once Moray's attention was diverted away from those who had formerly supported Huntly, and they lacked government protection once again, it would be difficult, and disadvantageous, for them to resist the northern Earl. The inhabitants of the north needed the protection of a strong magnate and only by gaining Huntly's full co-operation, or by crushing him decisively, and putting an individual who was fully backed by the crown in his place, would Moray be able to control the north in the long term. Thus, despite his initial success, his actions arguably increased resentment towards his regime (as in 1567-8).⁸³⁹ He was simply damping down the flames, rather than extinguishing the fire entirely, leaving glowing embers which would be ready to flare up given the opportunity.

It is also difficult to believe that Huntly was genuinely prepared to recognise the King's authority. As with his fellow members of the Queen's Party, he was either buying time until he was in a position to launch a renewed attack, or was attempting to change his tactics, by seeking to influence affairs from a position on the council. Indeed, on the day that Huntly promised he would submit to Moray, the Bishop of Ross wrote a memorandum stating that Huntly, along with Châtelherault, Argyll, Eglinton, Crawford, Fleming, Ogilvy, Herries and Lochinvar, had in fact written to Mary declaring their obedience to her cause.⁸⁴⁰ There are clear parallels with 1567, when the leading Marians submitted to Moray, whilst secretly continuing to support Mary.⁸⁴¹ As before, Huntly's obedience did not last, and by August, the Privy Council was again receiving complaints against the Earl.⁸⁴² However, after their optimistic approach at the start of the year, this period saw a new low point for the Queen's Party. As Alexander Leslie described it to Ross, they were now in great despair, due to what appeared to be the capitulation of their leaders to the Moray regime. Leslie even went so far as to advise Ross that if he was not assured of Mary's relief, he should 'tak dres sik as may be had to evite utter wrak qwhilk thay purpose to use towartes you'.⁸⁴³ Mary herself was shocked and disheartened that her supporters could even contemplate entering into agreement with Moray, such had been her blind faith in their loyalty.⁸⁴⁴

⁸³⁸ Hunsdon to Cecil, 14 July 1569, *CSPF 1569-71*, 326.

⁸³⁹ Ross, for example, complains bitterly about Moray's severity towards the north. 'Memorial by the Bishop of Ross', 16 July 1569, SP53/3, f. 203r; *Hist. KJVI*, p. 42.

⁸⁴⁰ 'Memorial by the Bishop of Ross', 14 May 1569, SP53/3, f. 154r.

⁸⁴¹ See above, p. 62.

⁸⁴² *RPC*, ii, p. 9.

⁸⁴³ Leslie to Ross, 6 April 1569, SP53/3, f. 132r.

⁸⁴⁴ Shrewsbury to Cecil, 8 April 1569, SP 53/3, f. 134r.

A further priority for Moray was once again the pacification of the Borders. Ballads written after his death stressed his achievements: ‘throw him yis realme fand su[m] stabilitie, throw him was baneist thift, murther and reif’.⁸⁴⁵ Moray’s determination to reduce the Borders to obedience is certainly undeniable, yet his repeated journeys to the region show that his previous actions had hitherto had little effect. A further series of expeditions to the Borders was made throughout 1569, during which Moray carried out judicial work (dealing with the redress of stolen goods and various legal matters), and exerted force in the form of military raids.⁸⁴⁶ The Privy Council records show that Moray succeeded both in acquiring general bonds and human pledges (i.e. hostages to be held in various strongholds throughout Scotland), and in restoring some form of order.⁸⁴⁷ The actual term ‘general bond’, based on the principle that a landlord was responsible for his tenants was in fact first used in 1569, although the idea had been around for longer.⁸⁴⁸ This seemed promising in theory, and there are numerous lists of names of those taken. Yet in practice, the loyalty of such men to the crown remained doubtful, and those held in pledge were not always held securely.⁸⁴⁹ In December, for example, it was noted in the Privy Council that these general bonds had not always proved effective.⁸⁵⁰

As with the northern region, the Borders were remote from central government and the achievement of long term results would demand substantial structural changes.⁸⁵¹ As Rae has shown, the organisation of border society was based on ties of landholding and of kinship, creating ‘highly powerful units of both social and political power’.⁸⁵² Families such as the Kers, Humes, Scotts and Maxwells, had been able to increase their strength through bonds of manrent, drawing more and more men into their orbit.⁸⁵³ Such a society, however, was prone to feuding and to territorial disputes, and once land was lost, men would turn to thieving and cross-border raiding.⁸⁵⁴ Although various institutions of government had been established in the Borders, including wardenships and sheriff courts, the ties between these and the centre had loosened

⁸⁴⁵ ‘The Poysonit Shot’ in Cranstoun (ed.) *Satirical Poems*, i, p. 134. Lee also emphasises his success here: *Moray*, p. 269.

⁸⁴⁶ E.g. *RPC*, xiv, p. 27 reports that Moray had taken order throughout the Middle Borders; Forster to Cecil, 30 March 1569, Cot. Calig. CI, f. 406r.

⁸⁴⁷ The human pledges were given by those who could not offer their land for surety. E.g. bond of loyalty taken at Teviotdale, *RPC*, ii, p. 651; bond at Hawick, *ibid.*, p. 651.

⁸⁴⁸ *RPC*, i, p. 652; T.I. Rae, *The administration of the Scottish frontier, 1513-1603* (Edinburgh, 1966), p. 118.

⁸⁴⁹ *Ibid.*, p. 121. Moray to Cassillis, 17 November 1569, NAS GD25/9/37 complained that pledges were escaping and needed to be held more securely.

⁸⁵⁰ *RPC*, ii, p. 76.

⁸⁵¹ In 1579, for example, Herries proposed that there should be a permanent armed force kept in the Borders, and that official wardens should be assisted by representatives from the chief families in the marches: G. R. Hewitt, ‘Maxwell, John, fourth Lord Herries of Terregles (c.1512–1583)’, *ODNB* [<http://www.oxforddnb.com/view/article/18403>].

⁸⁵² Rae, *Scottish Frontier*, p. 7.

⁸⁵³ Names of these families are conspicuous in *RPC* entries relating to the Border regions.

⁸⁵⁴ Rae, *Scottish frontier*, p. 9. Meikle argues that this was true of the West Borders, rather than the East: Maureen Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders 1540-1603* (East Linton, 2004), pp. 4, 247.

throughout the course of the century. The operation of sheriff courts, for example, designed to extend crown authority, actually contributed to its weakness. The position of sheriff, despite legislation to the contrary, ended up becoming hereditary, providing an opportunity for local feuds to be played out in the courts.⁸⁵⁵ Grants of regality, often with absentee controllers, were also conducive to lawlessness.⁸⁵⁶ The wardens too, frequently failed to be answerable to the crown as, in order to operate successfully, some form of power base was necessary, and thus they were chosen from the chief families in the area, who did not depend on the crown for their positions, unlike their English counterparts.⁸⁵⁷ In addition to this, the civil wars had also led to an increase in disorder. The position of warden had been affected, since in the west march, for example, Herries had continued to claim that he was warden on behalf of Mary, despite Moray's appointment of Drumlanrig during his 'Hoddom Road' expedition of 1568.⁸⁵⁸ Whilst Moray had improved matters in the short term, the underlying Border issues still remained, and the region was to provide a source of instability after the outbreak of the Northern Rising. The men who had ridden with him in the spring – Hume, Cessford, Buccleuch, and Ferniehirst – would not prove loyal come the autumn.⁸⁵⁹ Furthermore, Forster reported that Liddesdale, the most troublesome of the Border regions, had not been daunted by Moray's actions, and that its inhabitants would seek to annoy both Scotland and England.⁸⁶⁰

In addition to taking action against his opponents, Moray needed to consolidate the support that he already had. As we have seen, it was politically advantageous for Moray to act as a defender of the Kirk, cementing the 'godly' image of his regency. Many of the ballads produced after his death emphasised this: 'throw him idolatrie and vice was ejectit; throw him Godis Kirk and people fand relief', and the Protestant Pitscottie also praised him for having 'maintened the trew Kirk'.⁸⁶¹ Yet did Moray really make any substantial concessions towards the Kirk? Their most pressing issue was again finance; the majority of benefice holders in this period were not ministers, and although these holders were theoretically supposed to give a third of their income to be split between the crown and the Kirk, the lack of stringent controls on this procedure, occasioned by the disorder throughout the country, meant that the Kirk was not in possession of its entitlement.⁸⁶² Despite his promise of September 1567 to reform the thirds, it appeared little had

⁸⁵⁵ Act of Parliament in 1453 had forbidden the position of warden becoming hereditary; Rae, *The Scottish frontier*, p. 13.

⁸⁵⁶ Huntly, for example, possessed a grant of regality in the Border region despite his northern base.

⁸⁵⁷ Rae, *Scottish frontier*, p. 226 (England was more centralised than Scotland in this period).

⁸⁵⁸ Lists of Wardens in Appendix to Rae, *Scottish frontier*, p. 250; see above, p. 84.

⁸⁵⁹ Forster to Cecil, 30 March 1569, Cot. Calig. CI, f. 406.

⁸⁶⁰ *Ibid.*, f. 406.

⁸⁶¹ 'The Poysonit Shot' in Cranstoun (ed.), *Satirical Poems*, i, p. 134; Pitscottie, *Historie*, ii, p. 223.

⁸⁶² Julian Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), p. 176; Gordon Donaldson, *Accounts of the Collectors of Thirds of Benefices* (Scottish History Society, Edinburgh, 1949), pp. x-xi. This device, to enable both the monarch and the Kirk to gain from Church wealth had been established in 1561-2; *BUK*, p. 151.

changed, and the ministers, finding it ‘unreasonable that idle bellies shall devour and consume the patrimony of the Kirk’, once again urged the Regent to ensure that their funding levels increased.⁸⁶³ Yet the Kirk’s wish remained unfulfilled. If finance was needed by the ministry, the Regent was even more desperate, and he wrote asking the Kirk to permit a greater amount of the thirds to be used to sustain the crown.⁸⁶⁴ The tone of his letter was regretful, and Moray laid the blame upon his council who, contrary to his own personal opinion, insisted that more money was needed to go towards public charges. Moray’s sincerity here is doubtful, since as we have seen, he was frequently concerned to distance himself from an unpalatable action in order to gain popularity. The Kirk consented, hoping that a more peaceful realm would give Moray opportunity to deal with their issues.⁸⁶⁵

Although Moray did make concessions to the Kirk in July, these were arguably more cosmetic than structural, including promises to give manses and glebes to ministers resident at the kirks, to prevent ‘the chopping and changing of benefices’ and consent to the plantation of superintendents throughout the realm.⁸⁶⁶ Given time, Moray would arguably have paid more attention to Kirk issues, but a stable realm was a prerequisite for this. He did, for example, display a willingness to discuss the definition and limits of the Kirk’s jurisdiction at the next Parliament – although this was a repetition of what he had agreed to in 1567.⁸⁶⁷ Unlike later years, this issue does not appear to have been particularly controversial, and the evidence suggests a desire for co-operation on both sides, rather than confrontation, or encroachment on each other’s jurisdictions. In the absence of defined spheres of jurisdiction, the Kirk wanted a ruler who would be able to back up the spiritual punishment of excommunication with civil punishment – ‘the kirk will be verie evill obeyit without the kings authority and power’.⁸⁶⁸ This worked both ways: it is possible that Moray had felt more confident moving against Huntly since he had the Kirk’s backing. The ministers had their own grievances against the Earl, and were supportive of action against him, hoping to extend Kirk influence in the north-east.⁸⁶⁹ The Gordons, despite Huntly’s profession of Protestantism, had acted as protectors of those of the Catholic faith.⁸⁷⁰ On Moray’s northern tour, several instances of co-operation can be found, such as the deposition of the principal and regents of Aberdeen University for popery.⁸⁷¹ The Kirk lent spiritual backing to Moray’s policies towards

⁸⁶³ *Ibid.*, p. 139.

⁸⁶⁴ *Ibid.*, p. 151.

⁸⁶⁵ *Ibid.*, p.151.

⁸⁶⁶ Calderwood, *History*, ii, p. 496; *RPC*, ii, p. 6; *BUK*, p. 148.

⁸⁶⁷ *Ibid.*, p. 149; *APS*, iii, pp. 24-25 shows that Moray had promised this in December 1567 but had not yet done anything about it.

⁸⁶⁸ *Ibid.*, p. 152.

⁸⁶⁹ These grievances were based on his refusal to restore the collectors of the thirds to their places.

Calderwood, *History*, ii, p. 478; *BUK*, p. 134. It seems that they offered to ask Moray whether he would like them to excommunicate Huntly: Calderwood, *History*, ii, p. 485.

⁸⁷⁰ Allan White, ‘Gordon, George, fifth earl of Huntly (d. 1576)’, *ODNB*, [<http://www.oxforddnb.com/view/article/11035>].

⁸⁷¹ *BUK*, pp. 141-3; Calderwood, *History*, ii, p. 491; *RSS*, vi, pp. 132-133.

the opposition, condemning those who had assisted Mary, particularly those Protestants to be found amongst her supporters, with the pulpit serving as another outlet for King's Party propaganda.⁸⁷² For committed Marians, it is doubtful how effective their spiritual censures really were, yet the pulpit was a valuable opportunity to influence mass opinion. The Kirk also supported Moray 'be all meanes possible to reconcile the nobilitie forsaid to the obedience of the Kings majestie and his Regents', and in March, letters were sent to those who had defected from the King.⁸⁷³ Overall, therefore, Moray's relations with the Kirk were remarkably smooth and provided him with a valuable body of support, giving both practical and spiritual aid. In this, he was far more successful than the opposition. The Marians, despite the Catholic image they might try to present to the French, were simultaneously trying to make overtures towards the Scottish Church, with Châtelherault announcing his determination to see that the word of God 'may have frie passage through this haill realme'.⁸⁷⁴ They too attempted to gain the support of the Kirk to assist in pacification, although their efforts were futile. The Queen's Party, with a Catholic monarch as their figurehead, lacked the strong sense of identity with the Protestant Kirk that Moray could command.

By the summer of 1569, Moray clearly felt more optimistic about his position. John Wood reported favourably to Cecil that 'all thir realme groweth to ane quyetnes onles the storme aryse from the sowth'.⁸⁷⁵ On the surface at least, Moray's policies seemed to have been successful. Submissions had been gained from some of the most influential Marians, and those who had not submitted were safely in ward. The north-east had been pacified, Huntly brought under control (albeit temporarily), and steps had been taken to reduce the lawlessness of the Borders. The Kirk had proved a willing partner, and shown much support for the Regent's policies. For the first time, Moray now showed evidence of having a longer term interest in the structure of Scottish government, suggestive of a greater level of confidence. An interesting document of June 1569, entitled 'Counsels to the Regent Murray for the right administration of his government and the management of his private estate and affairs' provided advice to him regarding the possible restructuring of the Privy Council.⁸⁷⁶ Such a proposal had evidently been commissioned by Moray himself, two weeks previously.⁸⁷⁷ Goodare argues that Henry Balnaves was its author, although it is equally likely that James McGill, the Clerk Register, could have devised the proposals.⁸⁷⁸ McGill had, together with John Bellenden, written the *Discours particulier d'Ecosse*

⁸⁷² Calderwood, *History*, ii, p. 483.

⁸⁷³ *BUK*, pp. 138, 140.

⁸⁷⁴ *Ibid.*, p. 136.

⁸⁷⁵ John Wood to Cecil, 10 June 1569, SP52/16, f. 52r.

⁸⁷⁶ NRAS 217/43/90, ff.1r-2v.. I would like to thank Julian Goodare for bringing the calendared version of this document to my attention.

⁸⁷⁷ 'it pleisit your grace to chairage me...': *ibid.*, f. 1r. The author notes that he was asked to write this whilst in Elgin, which is where Moray's council met on 13 June: *RPC*, i, p. 673. McGill was present at this meeting.

⁸⁷⁸ Goodare, *The Government of Scotland*, p.135.

in 1560, and was clearly well acquainted with Scotland's administrative systems.⁸⁷⁹ The June 1569 scheme proposed dividing the Privy Councillors into four groups to oversee the following areas: the schools and the ministers, the laws and the execution thereof, force to sustain the execution of the laws and oppress rebels and foreign invaders, and 'publick rents', i.e. finance. The councillors were to meet every morning, and one from each group would then present their decisions and advice to the Regent.⁸⁸⁰ A timetable for such meetings was also drawn up. Goodare points out that this model was actually very similar to that of Spain, where Philip II had such separate councils, and shows that this would have placed greater responsibility on the Regent himself.⁸⁸¹ Indeed, Moray would have been the only link between the four departments, and it is probable that such a scheme would have had the effect of stifling debate, making it easier for Moray to force through his own policy, concentrating more power in his hands. He might also have hoped it would weaken opposition to his rule. However, whilst the fact that Moray had commissioned such a document shows that he was interested in 'improving' central administration within Scotland, none of the suggestions contained within it were ever implemented. Nothing more was ever heard of the plan, since his hands were soon to become full with other matters, and he would once again be reacting to events as they unfolded, shelving any longer term objectives.

3.2: Anglo-Scottish Relations (January – July 1569)

As we have seen, Moray was now more confident and had a greater, if misplaced, sense of security, which eventually caused him to feel able to abandon Scotland's position of subservience to Elizabeth. This was a position he had maintained throughout the year, since his return from England in January. Despite the inconclusive nature of the York-Westminster conference, Elizabeth had nonetheless succeeded in manoeuvring herself into a position of leverage over Scotland. Whilst the King's Party reacted vehemently against the Marian claims that they had drawn Scotland into bondage, protesting that Moray had come to England 'of his awin frie promeis', and that the independence of Scotland had not been derogated by attendance at the conference, Elizabeth's actions as judge of the Scottish cause had clearly been an implicit assertion of superiority over her northern neighbour, and a resurrection of the English claim of overlordship.⁸⁸²

⁸⁷⁹ John Finlay, 'Bellenden, Sir John, of Auchnoul (d. 1576)', *ODNB* [<http://www.oxforddnb.com/view/article/2044>];

⁸⁸⁰ NRAS 217/43/90, ff.1r-2v.

⁸⁸¹ Goodare, *Government of Scotland*, p. 136.

⁸⁸² 'Proclamation by Argyll in the name of Mary, Queen of Scots', January 1569, *Warrender Papers*, p. 57, Herries, *Memoirs*, also accused Moray of having infringed the liberties of Scotland, p.109; Pitscottie, *Historie*, ii, p. 213.

Although reluctant to admit it openly, Moray realised at the start of the year that he was, to a certain extent, dependent on Elizabeth, and would have been unable to carry out his policies within Scotland had it not been for the loan of £5000, the aid of English forces to help pacify his own Borders, or the English dismissal of Châtelherault's claim to the regency.⁸⁸³ Elizabeth's allowance of discussion on this latter point had, however, brought home to Moray just how necessary her favour - even limited favour - was to him. In keeping with Elizabeth's continual equivocation, no explicit pronouncement was ever made by the English government regarding the position of the regency, yet their actions had implied much support for Moray. Cecil, for example, had ensured that the Regent had as smooth a passage back to Scotland as possible, keeping his rival under constant surveillance. One of Cecil's agents had reported that Châtelherault was planning to join up with 30,000 Scots stationed in readiness upon the Border, presumably for military action against the King's Party.⁸⁸⁴ The Duke was therefore denied permission by Elizabeth to depart until after Moray had done so, and was subsequently stayed at York.⁸⁸⁵ Moray, on the other hand, was safely escorted into Scotland by Lord Hunsdon.⁸⁸⁶ This was vitally important, since the North of England appeared particularly unfavourable to the Regent, and was where he most feared impediments to his journey. Elizabeth had even written to her Border wardens to ensure that they aided Moray in every way possible, and that they allowed no Scot without Moray's special recommendation to enter the realm.⁸⁸⁷

Such a positive experience of English favour gave Moray the confidence to ask Elizabeth for military support in his actions against the Marians as planned for 10 March.⁸⁸⁸ He argued that because the abstinence that Elizabeth had specifically requested during the 'trial' had not been kept, she should assist in repairing the damage that his party had suffered. He was also keen to show his adversaries that he possessed English backing.⁸⁸⁹ Surprisingly, Elizabeth, notoriously reluctant to provide assistance unless there was a real emergency, agreed after only a short delay, and with persuasions from both Cecil and Hunsdon.⁸⁹⁰ Moray's first request for force to be used

⁸⁸³ Sir John Forster to Cecil, 30 March 1569, *CSP Scot*, ii, 1032; 'Bond by the Regent Murray', 18 January 1569, SP53/16, f. 4.

⁸⁸⁴ Mayor Rowe to Cecil, 13 December 1568, SP53/2, f. 160r. Cecil had appointed Rowe to spy on the Duke, and Rowe enlisted the help of Sir William Chester, whose dwelling was directly above that of Châtelherault, above The George, in Lombard Street. Other men were also appointed to keep secret watch on the lodgings of Ross, Herries, Boyd and Kilwinning.

⁸⁸⁵ Elizabeth to Sussex, 26 January 1569, *CSPF 1569-71*, 76; Sussex to Elizabeth, 30 January 1569, *CSPF 1569-71*, 84.

⁸⁸⁶ Hunsdon to Cecil, 10 February 1569, CP4, f.1r; Moray to Elizabeth, 31 January 1569, CP155, f.88r.

⁸⁸⁷ Queen to Lord Wardens of the Marches, 14 January 1569, CP155, f. 84r-84v. This hostility of the northerners may also help to explain why Moray found it necessary to feign support for the Norfolk marriage, as discussed below.

⁸⁸⁸ 'Memorial for Regent of Scotland', March 1569, NAS Adv 31.2.19 f. 228r; Moray to Cecil, 17 February 1569, *CSPF 1569-71*, 118.

⁸⁸⁹ Moray to Cecil, 25 February 1569, *CSPF*, 132; Moray to Cecil, 11 March 1569, SP52/16, f. 29r.

⁸⁹⁰ Hunsdon, as English Border warden, needed Moray's co-operation to maintain some level of control upon the Borders. MacDonald Fraser, *Steel Bonnets*, p. 297; Hunsdon to Cecil, 21 February, CP155, f. 99r.

against his enemies came in February, and on 25 March, a combination of footmen, horsemen and some ammunition was sent from Berwick.⁸⁹¹ Such unaccustomed readiness on Elizabeth's part to give this aid seems initially to suggest that she was moving closer towards an acceptance of Moray's government. But it is more likely that her willingness to assist reveals just how low the fortunes of the King's Party were at the start of 1569. She might never have seriously intended to make them the stronger party, but merely to restore some state of balance to the country, feeling genuinely concerned about the weak state that they were in. Although Moray had originally planned to use these English troops in conjunction with his own force against the Hamiltons, in the end they were used for the military action in the Borders. As we have seen, the mere threat of such force had caused Châtelherault and others to submit. A further indication of English support was that plans were also being made to comply with Moray's request that an English man of good standing should be sent to Scotland for a season to observe the state of the country. Instructions were drawn up for Henry Middlemore to return (although he never actually did so).⁸⁹² Elizabeth claimed his role would be to assist in the pacification of the realm, although more importantly, it would enable her to gain a more accurate and up-to-date view of the Scottish situation.⁸⁹³ In addition to this, Elizabeth had lent her support to Moray in the form of a proclamation, designed to counter those which the Marians had made at the start of the year.⁸⁹⁴ This action however, was arguably as much to reassure the foreign audience about the English intentions towards Mary, and Scotland, as actively to support Moray.

The actions of the English government at the start of 1569 certainly indicated a far more positive attitude towards the Moray regency than had previously been demonstrated, and it appeared as though Elizabeth had been swayed by the powerful nature of Cecil's arguments. However, things were never as cut and dried as Moray's proclamation of March suggested. This emphasised to the Scots that Elizabeth had 'willed the King and Regent's government to continue', and somewhat disingenuously, implied that she had acknowledged Mary's guilt, 'eftir long and diligent tryall' finding that the Regent and others proceeded justly in the king's coronation. In keeping with the Protestant rhetoric seen elsewhere, it was also claimed that this was a visible sign of God's will being wrought, and a continuation of the Reformation process,

⁸⁹¹ Captain William Reed to Cecil, 25 March 1569, CP155, f. 109r.

⁸⁹² Elizabeth to Moray, 17 March, SP52/16 f. 39r.

⁸⁹³ Alford, *Cecil*, p. 191.

⁸⁹⁴ On 15 January, Hunsdon informed Cecil of the Queen's Party's proclamations, and on 19 January, forwarded a copy of the Marian proclamation to Cecil; by 22 January, a draft proclamation was drawn up, to contradict what the English claimed were false reports circulating in Scotland (e.g. that James was to be brought into England and that Moray was to be declared legitimate and to succeed on death of James) and to state that they were maliciously devised to blemish her honour and to stir up discord. 'Proclamation to be made on the Borders, against slanderous writings published in Scotland', 22 January 1569, CP155, f. 75r. Significantly, Cecil, who had drafted this, declared that Elizabeth wanted quietness for the whole isle, although 'isle of England' is crossed out. This slip of the pen is suggestive of his true intentions; he wanted the whole isle to be under English government.

since ‘God was pleased to bring his own work to perfection’.⁸⁹⁵ Despite Moray’s claim that Elizabeth openly supported the regency, this was clearly not the case, and it must be stressed that Elizabeth’s recognition of Moray’s government was only ever partial. As ever, she was keen to retain some sense of balance, and whilst seeming to edge towards a complete commitment, she was careful to ensure that an escape route was always kept open. Whilst some of her councillors were encouraging her to take decisive action on Moray’s behalf, Elizabeth herself suffered her by now familiar qualms about keeping Mary imprisoned. Her attitude in this period is particularly confusing – and perhaps was designed so to be, in order to keep both parties dependent on her. Although it often seems as if she was pursuing two contradictory policies, her aim was arguably to keep matters in that state of opaque equilibrium of which she was clearly so fond.

Trying to work out exactly what Cecil and Elizabeth’s attitudes towards Mary, and towards Scotland were, is therefore highly complex. We have already seen that at the end of 1568, Cecil’s rather optimistic hope was that Mary would willingly agree to resign her throne in favour of James, and would then remain in English captivity. Indeed, Cecil is perhaps easier to pin down than Elizabeth herself, since his ‘short memoryall’ of early 1569, provides a clear, and for once, relatively unambiguous insight into his thoughts.⁸⁹⁶ It also places the problem of Mary into an international context, once again providing evidence of his holistic approach to policy.⁸⁹⁷ Mary was not just a Scottish, English, or even British problem, but one that drew in, and interconnected with, events and personalities throughout Europe. At the time of writing, Cecil was on the verge of abandoning the former hope that his preferred policy, the marriage of Elizabeth, with heirs to prevent a succession crisis, would ever come to fruition. To this end, he was concerned with finding alternative means to neutralise the threat of Mary (since she was, as he reluctantly acknowledged, viewed as Elizabeth’s rightful heir), and also, he believed, the ‘instrument’ through which the Pope, and the Kings of France and Spain would work against Elizabeth.⁸⁹⁸ At this point, he appears almost obsessed with the idea of Catholic conspiracy, which would connect the papists within the realm with the entire Catholic community of Europe. Hitherto, he argued, England had been relatively safe, since internal difficulties had prevented either France or Spain from taking any sort of action against the country. So long as each of the

⁸⁹⁵ ‘Heads of the Regent’s Proclamation’, March 1569, SP 53/3, f. 119r. He proclaimed: ‘it was found that the said Regent and others had justly proceeded in the king’s coronation’.

⁸⁹⁶ ‘A Short Memoryall’, 1569, CP157, ff. 2r-8v. This also provides a list of ‘remedyes’, and can be dated to early 1569, since it mentions the recent trading difficulties for Spain, yet references to the prince of Condé (who was killed on 13 March 1569) show that it must have been drawn up at some point between January and March. It is probable that Cecil was contemplating the situation after Moray’s return to Scotland.

⁸⁹⁷ Alford, *Cecil*, p. 43.

⁸⁹⁸ He notes that Mary’s ‘ancient line’ meant that the world viewed her as the strongest contender. CP 157, f. 2v Furthermore, Katherine Grey, the strongest Protestant claimant had recently died, strengthening Mary’s position further still: Susan Doran, ‘Seymour [Grey], Katherine, countess of Hertford (1540?–1568)’, *ODNB* [<http://www.oxforddnb.com/view/article/25157>].

two Catholic powers had shown steadfast enmity to the other, England's position had been secure, yet now the improved relations between the two denied England the earlier pivotal role that Cecil thought it had had. After drawing up a list of the internal troubles which had plagued both France and Spain, he concluded that these were now either over (or soon to be over), meaning that perils for England were imminent, and Elizabeth's safety seriously at risk.⁸⁹⁹ In addition to this, Cecil felt that the time for Catholic conspiracy was ripe, since during the last decade, he believed that the strength of Protestantism in England had declined – 'the service of God and ye sincere profession of Chri[sti]an Relligion is much of late decayed', and, as Knox would have seen it, the present dangers from the European Catholics were the logical result of this failing. Cecil, as one of those who had helped to shape the Edwardian Church, was genuinely remorseful that Elizabeth had not moved as far towards the more radical forms of Protestantism, and he also disliked the current, rather lax, laws against the English Catholics. Furthermore, he lamented the fact that during the recent decade of peace, England had grown somewhat complacent, and had neglected to provide for the security of the country. As he had previously complained, the frontiers were in a weak state, and there was a comparative lack of martial knowledge, trained soldiers and captains.⁹⁰⁰ Now, he felt there were definite signs of approaching Catholic aggression towards England. Firstly, he was pessimistic for the success of the Protestants in both France and the Netherlands, and if these two countries fell to the power of the papacy, then it could be only a matter of time before England too experienced the crush of Alva's boots. Secondly, he noted that Spain in particular was showing signs of hostility towards England, which, although they may not have emanated from Philip II himself, were nonetheless the cause for some alarm.

How then does this tie in with Cecil's attitude towards Mary, and to Scotland? He followed up his discussion of the dangers facing England with a 'memoryal of Remedyes', listing the steps that it would be necessary to take, in order to overcome them.⁹⁰¹ As ever, he was keen to see a defensive Protestant alliance created. England alone would not be strong enough, and even an alliance with Scotland would not be able to defeat the massed might of the Catholic powers, but it would be a start, particularly if he could gain the co-operation of the Protestant princes on the continent. As he concluded his memorial, 'the more ye cause of Relligio[n] be furdered and ye tyra[n]y and practises of Roome are abased, ye less is ye danger of ye Q[ueen] of Scotts'.⁹⁰² He worried that in time, the memory of Mary's alleged involvement in Darnley's murder would fade, and that her popularity would increase, particularly if through the Pope's means, she gained a divorce from Bothwell, and was once more an important prize in the marriage market. He therefore wanted Moray to be given aid, to ensure that he could not be overthrown, and for the

⁸⁹⁹ 'A Short Memoryal', 1569, CP157, f. 3r.

⁹⁰⁰ *Ibid.*, f. 4r.

⁹⁰¹ *Ibid.*, f. 8r.

⁹⁰² *Ibid.*, f. 7v.

cause of Mary to be ‘compounded’, in other words, to be settled once and for all. He firmly believed Elizabeth’s position would be the safer if she acted as arbiter now, whilst she was in a position of some strength, rather than waiting until her hand was forced by factors beyond her control. He argued that she now had the opportunity to coerce Mary into giving up her claim to the English throne, which would also render her a less attractive prospect to those foreign powers who sought to expand dynastically.⁹⁰³

In May, however, there were renewed discussions over what should be done with Mary, with Elizabeth adopting a more favourable tone towards Mary’s ambassador, the Bishop of Ross, who was once again permitted to visit his queen.⁹⁰⁴ Much effort had been made by Ross on Mary’s behalf, in the form of proposals for her restoration.⁹⁰⁵ The articles put forward were similar in substance to those discussed by the Queen’s Party prior to York-Westminster, including a willingness to accept that Mary should be governed by a council.⁹⁰⁶ Elizabeth was certainly not uninterested, and – to Cecil’s disappointment – the issue of Mary’s restoration was once more under serious consideration. Whilst such negotiations were underway, Boyd was sent to Scotland, to inform Moray that Elizabeth wished him to send some commissioners down to England to ‘appoint’ with Mary.⁹⁰⁷ What had caused Elizabeth to renew this line of policy? Were her actions with regard to the Scottish queen merely diplomatic bluffs, in order to keep foreign aggression at bay? Lee, for example, argues that it was primarily the international situation which alarmed Elizabeth, and moved her to seek Mary’s restoration at this point, fearing that the Spanish were planning an attempt to free the captive queen by force, using her as a figurehead in their plans to overthrow Elizabeth.⁹⁰⁸ Since December 1568, tensions with Spain had certainly reached higher levels than had been seen throughout Elizabeth’s reign – the English seizure of the Spanish bullion ships, and the consequent cessation of commerce with the Netherlands, marking what would later be identified as a turning point for Anglo-Spanish relations.⁹⁰⁹ Alva’s successes in the Netherlands, and the proximity of Spanish power to England, also loomed large in English minds. Additionally, although her ‘Anglo-Scottish’ councillors, such as Cecil and Knollys were not in favour of any form of restoration, there were others at court, such as Leicester, Pembroke and Arundel, who had advocated such a course of action. Although unknown to Elizabeth at the time, these individuals were aiming to see Mary married to Norfolk, and possibly to weaken Cecil’s influence.⁹¹⁰ There were differing motivations behind this, but the hope of the courtiers was that

⁹⁰³ *Ibid.*, ff. 7v-8r.

⁹⁰⁴ Ross to Mary, 2 May 1569, SP53/3, f. 146r.

⁹⁰⁵ ‘Considerations of certain matters propounded by the Bp. of Ross’, 1569, Cot. Calig. CI, f. 410r.

⁹⁰⁶ Ross to Cecil, 8 May 1569, SP53/3, f. 149r.

⁹⁰⁷ Credit to Lord Boyd, May 1569, SP53/3, f. 167r.

⁹⁰⁸ Lee, *Moray*, p. 259.

⁹⁰⁹ Hammer, *Elizabeth’s Wars*, p. 82; Ramsay, ‘The Foreign Policy of Elizabeth’, p. 154.

⁹¹⁰ Although recent research has shied away from the argument that the English court was a hotbed of faction: Alford, *Cecil*, p. 201. However, it may be that Cecil’s council notes were structured in a way to

the marriage would be a precursor to Mary's restoration, and marriage to an English subject would then enable her to succeed to the English throne on Elizabeth's death, uniting England and Scotland.⁹¹¹ Others, however, saw in Mary a hope for the return of the Catholic faith, despite an outward profession of Protestantism.⁹¹² Leicester also felt that the greatest threat to England came from Spain, and contrary to Cecil, believed Mary's restoration would increase amity with France and lessen England's isolation.⁹¹³

However, Lee's assessment of the role the European threat played in provoking Elizabeth to action is somewhat exaggerated. That the Anglo-Burgundian relationship was under strain cannot be denied, but as yet, there was no real indication of the levels of foreign meddling in domestic affairs, as would emerge towards the end of the year. Spain itself was still dealing with the aftermath of the Morisco revolt, and facing Ottoman attacks on the south coast.⁹¹⁴ Initially, it was also hoped that such difficulties could be resolved diplomatically, and one must be wary of assuming that contemporaries realised immediately that this period marked a new phase in Anglo-Spanish diplomacy. Although at first Philip had wanted Alva to investigate the possibility for Mary's restoration, by May, he had specifically informed Alva that he was not considering war with England, and even as late as 1570, did not personally wish for the Bull of Excommunication to be issued against Elizabeth.⁹¹⁵ Trouble from the Spanish was being stirred up primarily by the Spanish ambassador, De Spes, who, as we shall see, was in contact with English Catholics, and not always acting in accordance with Philip's own wishes. Furthermore, if Elizabeth had been reacting primarily to the foreign situation, why had she not done so at the end of 1568, when the escalation of tension between the two countries first became apparent, and when she had had control of the situation at the conclusion of the York-Westminster conference? Whilst fears of foreign aggression might have preyed on Elizabeth's mind, they can not sufficiently explain her apparent change of heart towards Mary at this juncture. It would not be until later in the year that the combination of internal and external Catholicism would seem particularly threatening.

By May, it is likely that circumstances within Scotland had the greatest impact on Elizabeth's thinking. It appears as if she felt that the situation there was well enough under control for the potential return of Mary not to destabilise it completely. Indeed, whilst Cecil himself did not want to see this outcome, he had, after all, stressed that whatever happened, Elizabeth needed to 'determy[n] her cause', in order that Mary could be forced to abandon her title

make it appear as though faction was less of an issue than it in fact was – Alford has not, for example, used the reports of Mothe Fénelon, which focus on disagreements in the council.

⁹¹¹ Some, however, had their eyes on Elizabeth's throne in her own lifetime.

⁹¹² John Guy argues that there were many 'crossed wires' in this plot, since Norfolk was only nominally Protestant, and semi-Catholic. John Guy, *Tudor England*, (Oxford, 1988) p. 273; Alford, *Cecil*, p. 199.

⁹¹³ Wallace McCaffrey, *The shaping of the Elizabethan regime* (London, 1969), p. 190.

⁹¹⁴ Geoffrey Parker, *Philip II* (Boston, 1978), pp. 104-106.

⁹¹⁵ Philip II to Alva, 18 February 1569, *CSP Spain 1568-1579*, 80 – Philip seemed keen on Mary's restoration; McCaffrey, *Shaping of the Elizabethan Regime*, p.191; Philip II to Alva, 15 May 1569, declared war with Elizabeth unwelcome, *CSP Spain 1568-1579*, 97.

to the English throne.⁹¹⁶ If Mary had been returned to Scotland immediately after the trial, the weakness of the King's Party at that moment would have made it much easier for her party to profit at their expense, and despite any conditions imposed, it was likely a very pro-Marian, and perhaps more pro-French, government would have been erected. Yet by late spring, Moray had succeeded in splitting the Marians, and they had been temporarily, at least, deprived of the weighty Hamilton contingent, as well as Huntly and Argyll. At this point, Elizabeth arguably felt, as she had done previously, that the restoration of Mary would be the best way to consolidate and further extend her influence over Scotland. Despite her seemingly pro-King's Party attitude at the start of the year, it is also questionable as to whether Elizabeth really had done a volte-face (as Lee argues), or whether some consistency to her actions can in fact be detected.⁹¹⁷ Firstly, it must be remembered that although Elizabeth had assisted Moray, this action, to her, was not necessarily incompatible with Mary's eventual return, and she had never fully abandoned the idea of sending Mary back to Scotland, although without the full panoply of monarchical powers that she had previously exercised. After the trial, she had of necessity to bide her time and thus she chose to wait upon the outcome of events. Perhaps she would have been content if Mary had genuinely agreed, of her own free will, to resign her throne fully to her son, yet Mary's vehement dislike for this proposition meant that even after her alleged crimes had been made manifest to the world, she would never agree to this. Elizabeth did, however, have the upper hand. At the beginning of 1569, she held all the right cards, and had a far greater level of control over events. It seems that her initial desire was simply to stabilise the situation in Scotland, so that if Mary were to return, with whatever restrictions, Moray and his party would be strong enough to resist the Marians if they tried to break any agreement. By aiding Moray to increase his strength, Elizabeth could also hope to increase his dependency on her, and would thus gain a greater influence in the future form of government. Undeniably, Moray's government had proved useful to her, and she arguably hoped that now, if Mary regained her throne, provided she were advised by the key players of the regency government, Elizabeth would have a favourable government in the northern part of the isle, which was not linked to the French, and unlikely to be used as a pawn in the power politics of the Spanish.

The document entitled 'Three Degrees', sent to Moray in May, made clear Elizabeth's desire to gain control over Scottish policy.⁹¹⁸ The Scots were presented with three options, and Cecil's phrasing and ordering of these indicates his own preferences. The first (and certainly his

⁹¹⁶ 'A Short Memoryall', 1569, CP157, f. 7v.

⁹¹⁷ Lee, *Moray*, p. 254.

⁹¹⁸ 'Copy of the Degrees sent by John Wood', 14 May 1569 (though erroneously placed in the *CSP* under 1570), Cot. Calig. Cl, ff. 432r-433r; printed also in *RPC*, ii, pp. 4-5.

favoured) option was to allow James to remain King.⁹¹⁹ The second was for Mary to rule jointly with her son, although the government of the country would be exercised by the Regent and council. The words 'yf none of these can be compassed', prefacing the third choice, to restore Mary to her position as Queen, suggest that this was intended only as a last resort. The conditions attached to any restoration, however, would have given Mary only nominal sovereignty. England would effectively have taken charge of religion and foreign policy, stripping Mary of the traditional prerogatives of the monarch, since there were conditions that no strangers were to remain within Scotland, religion and crown were to be free from Rome, a perpetual league was to be made with England, and Scotland's position with regard to France was to mirror that of England.⁹²⁰ Even Mary herself was to adopt the form of Protestantism practised in England, if she could not stomach the more extreme Scottish version; this would serve to weaken her position as a Catholic figurehead, making her less attractive to the continental powers. If Scotland's queen practised the same religion as Elizabeth, there would be less benefit in replacing one with the other. Furthermore, Mary herself would be queen in name only, as the government was to be established in Moray until James obtained his majority, and permission was not granted for Mary to change the council without Moray's permission. In addition, Mary was to abandon her claim to the English throne, something that Cecil viewed as key to establishing English security.⁹²¹ Such conditions bear much resemblance to those drawn up in May 1568, when Mary's return was last mooted. Again, it was a way for Elizabeth to reconcile her principles on sovereignty with her practical desire for Moray's rule to continue. Hostages were also to be given to England, and remain there until James reached the age of eighteen, which would weaken Scottish political power by depriving it of some of its leaders, and therefore heighten dependency on England.⁹²² It was the ideal solution for Elizabeth and would increase her leverage over the country, with the treaty to be tripartite between Elizabeth, Mary, and James and the Scots. Cecil believed this to be the surest means to discourage Mary from abandoning all that she had agreed to on her return.⁹²³ If the scheme had worked, Elizabeth would have received substantial benefits. However, her mistake was to count upon Moray's co-operation.

Initially, Moray used delaying tactics to avoid even discussing the 'three degrees'. The oft-repeated excuse of being presently 'destitute of counsellors' was given, and he found it necessary to write to Cecil, asking him to smooth things over with Elizabeth.⁹²⁴ After a whole

⁹¹⁹ His consideration on Ross's Proposals, also dated May, makes it explicit that this is what he himself preferred and viewed as the best option for English security. 'Considerations of certain matters propounded by the Bp. of Ross', May 1569, Cot. Calig. CI, f. 410r.

⁹²⁰ 'Copy of the Degrees sent by John Wood', 14 May 1568, Cot. Calig. CI, f. 432r.

⁹²¹ *Ibid.*, ff. 432-432v.

⁹²² *Ibid.*, f. 433r.

⁹²³ 'Considerations of certain matters propounded by the Bp. of Ross', May 1569, Cot. Calig. CI, f. 413r.

⁹²⁴ Moray to Elizabeth, 5 June 1569, SP52/16, f. 48r; Moray to Cecil, 5 June 1569, SP52/16, f. 50r; Moray to Elizabeth, 24 July 1569, SP52/16, f. 71r.

month had passed, Elizabeth admonished the Regent, since he had as yet made no effort to discuss the proposals, nor sent a messenger, as had been promised.⁹²⁵ She had expected things to be easier than this, and threatened him:

we wish you to think that the [pro]tracting of tyme to consider of these weighty causes may prove so disadvantageous as your self may be sorry to have [pre]termitted the opportunity, and so we wold have you to waye well the weight of the cause and lett us have some answer for satisfaction[n] of this our expectation[n].⁹²⁶

Building Moray up to a position of strength was all very well, but she did not want him to be strong enough to take action against her wishes. Furthermore, she had wanted him to consider the proposals alone. She perhaps realised that it would be easier to outwit him if he kept matters to himself, whereas once they were opened up to the council, he would be in a stronger position, and it would be easier for him to defy her wishes. Moray claimed that although his original intention had been to handle these matters secretly, the plans had been intercepted by Mary's servants.⁹²⁷ Since it was, he argued, now known throughout the country due to Ross's slanderous writings, it was necessary to call together a convention of the whole nobility, which was arranged for 25 July at Perth.⁹²⁸ This was now a public cause, and so had to be dealt with in a public forum. The real reason, however, was surely that Moray once again felt his own position to be under threat. At that moment, he was largely able to decide the makeup of the council, but he feared that Elizabeth's involvement could result in his rivals gaining a greater voice. Furthermore, by presenting any resolution taken as a corporate decision, he was able, as seen so many times before, to distance himself personally from anything displeasing to Elizabeth, and pass the blame onto others.

Despite the fact that she had offered three choices, when Moray, failing to reply until 3 August, reported the refusal of this conference to consider any but the first, Elizabeth's anger seemed real.⁹²⁹ The reason Moray gave for this was that it would be 'sa prejudiciall to the kingoure soveraines estaitt and consequentlie to the suiritie of all his obedient subjects, as also sumquhat dangerous for the unquietting of the haill ile'.⁹³⁰ He thus tried to demonstrate that his refusal to consider the remaining two choices was not a purely selfish act, but that it was actually beneficial to Elizabeth herself, using language that would appeal to Cecil. However, this was a dangerous move, as by doing so, Moray was implying that he knew more about policy-making than Elizabeth herself did, and unintentionally, that he viewed himself as her equal. This was something which Elizabeth, who jealously guarded the privileges of a queen, quite understandably viewed with anger. Moray wanted only the first head discussed with Elizabeth, and rather than

⁹²⁵ Elizabeth to Moray, 17 July 1569, SP52/16, f. 67r.

⁹²⁶ *Ibid.*, f. 67r.

⁹²⁷ Moray to Elizabeth, 7 July 1569, SP52/16 f. 59r.

⁹²⁸ Moray to Cecil, 7 July 1569, SP52/16 f. 61r.

⁹²⁹ Moray to Elizabeth, 3 August 1569, SP52/16 f. 79r.

⁹³⁰ *Ibid.*, f. 79r.

sending down a man qualified to treat on the three, he asked for commissioners to meet on the Borders instead. Again, Elizabeth was furious:

the cause being [pro][per]ly yours, and therefore mete for yow to [pro]cure and sollicite our favours ye ordry[n]g and good ending thereof, and not to use the matter by such an indiffere[n]cy of confere[n]ce as though ther wer any equallitie in this cause betwixt us.⁹³¹

One might ask why she had offered Moray choices and was then displeased when he picked the option he preferred, since it does not, in the pre-Northern Rising era, seem as if she was only bluffing to prevent international action. Arguably she had underestimated his level of confidence, and thought that the terms offered were favourable enough to Moray to persuade him to take Mary back, particularly since, as she threatened, it was in her power to proceed anyway, and ‘then though you shall afterward yeld to more conformite, it may prove to late, and not recoverable by repenta[n]ce’.⁹³² Moray’s stance, however, was unyielding. In order to protect his own position, and that of his close associates, Mary’s return as Queen, however theoretically slight her power would be, must not be permitted.

Moray’s answer left no room for any form of discussion or compromise. The instructions given to Dunfermline in October by the King’s Party, in response to Elizabeth’s demand to provide a more resolute answer to the ‘three degrees’, explained in full why the King’s Party refused to give commission to any man to pass to Elizabeth to confer and treat upon the second and third of the degrees. Their reasons were based on the grounds that Mary’s demission had been lawful. Therefore, the oaths of fidelity made by the Three Estates to James, who now possessed the authority of ‘godis anyonted’, could not be broken, which would be the case if he were either demoted or allowed to rule jointly with Mary.⁹³³ Since James was a minor, it would also be a violation of the laws of the realm if anyone were to be joined in equal authority with him, and furthermore, would be dangerous to him, since the equal would in short time become the superior. This would present a ‘monstrous and strange’ form of government, never before seen, where what the one might establish, the other might undo. There was no precedent for sovereignty to be shared in such a way. Moray’s fears for his own position were clearly in evidence, when it was claimed that even if a governor or regent took the part of the young king, Mary’s faction would soon depose that person.⁹³⁴ Arguments designed to appeal to Cecil and those who wanted to see a Protestant union were included: Mary’s restoration would imperil the ‘true religion’, since even if she made any promises to the Protestants, these would be worthless. This was because Mary, along with the monarchs of France and Spain, was allegedly part of a ‘Holy League’, and a ‘known enemy’ to Protestantism. One of the articles of this league stressed that any promises made regarding religion were not binding. Playing on the English fears of

⁹³¹ Elizabeth to Moray, 12 August 1569, SP52/16, f. 91r.

⁹³² Elizabeth to Moray, 12 August 1569, SP52/16, f. 92r.

⁹³³ Moray’s instructions to Dunfermline, 5 October 1569, Harley 7395, f. 20r.

⁹³⁴ *Ibid.*, f. 21r.

Guisse intervention in Scotland, it was claimed that Mary followed the advice of the Cardinal of Lorraine, and had already assented to the League, by sending the great seal of the realm with the Bishop of Dunblane.⁹³⁵ Such a lengthy justification of their position suggests that Moray and the King's Party were genuinely alarmed by Elizabeth's apparent desire to see Mary returned as Queen. However, as we shall see, an unexpected turn of events was to grant them a reprieve.

Moray's actions within Scotland were also in direct opposition to Elizabeth's wishes. He ignored her requests that the Bishop of Ross's officers be allowed to collect his revenues, and took even more rigorous action against Mary's supporters.⁹³⁶ The decision was made during the Privy Council meeting of 1 August to attack Dumbarton castle, since it was a crucial base for the Marians to receive foreign supplies, and taxation was levied on 31 August for a siege.⁹³⁷ Sempill was ordered to cast down Lord Fleming's house of Boghall, in the vain hope that such action might induce him to surrender the castle.⁹³⁸ Moray also acted contrary to Elizabeth's wishes when he executed the recently returned Paris, whom Elizabeth had wanted kept alive, so that he could provide testimony about the murder of Darnley. Clearly, it was not in Moray's – or the wider King's Party's – interests to allow such evidence to be given, and thus he had Paris executed almost immediately, claiming he had not received Elizabeth's letters in time.⁹³⁹ Elizabeth had clearly overestimated Moray's level of dependence upon her, and his willingness to co-operate with her policies.

Whilst Cecil might have been outwardly supportive of Elizabeth's proposals, it is possible that he secretly wrote to Moray urging him to thwart Elizabeth's plans, and hence encouraged Moray to take such a decisive stand. Although no evidence for this survives, the lack of documentation does not prove secret communications did not occur, since it would have been hazardous for either Cecil or Moray to preserve such correspondence. There is also the possibility of a trusted messenger passing on messages orally, a dimension of politics impossible to reconstruct. Lee claims to have discovered evidence of secret correspondence between Moray and Cecil in 1568, with Cecil advising Moray not to abandon assaults on the Marians, contrary to Elizabeth's instructions, and close links between the two statesmen clearly did exist, with messengers travelling back and forth between the two of them at this time.⁹⁴⁰ Cecil's draft

⁹³⁵ *Ibid.*, f. 25v.

⁹³⁶ Elizabeth to Moray, 20 August 1569, SP52/16, f. 94r. Elizabeth wanted him to forbear from the proposed siege of Dumbarton castle, hearing that he had sent Glencairn and Sempill to conduct this; Elizabeth to Moray, June 1569, *CSPF 1569-71*, 312.

⁹³⁷ *RPC*, ii, p.11, 22.

⁹³⁸ *Ibid.*, p. 31. Moray had not done himself any favours with regard to Fleming, since he had granted Whithorn Priory to his own brother, Robert Stewart, rather than allowing it to stay within the Fleming family. Once again, he was providing no concessions for his opponents to recognise his authority: *RSS*, vi, 97.

⁹³⁹ Elizabeth to Moray, 22 August 1569, SP52/16, f. 96r; Moray to Elizabeth, 5 September 1569, SP52/16, f. 97r.

⁹⁴⁰ Lee, *Moray*, p. 228, although no printed source reference given. There are often letters in which Moray asks Cecil to credit the bearer in anything that he says, however.

concerning the proposals made by the Bishop of Ross for Mary's restoration in May also suggests that he was hunting around for more delaying tactics and arguments to prevent it, since he claimed that before the proposals could be considered, a rumoured grant to Anjou of Mary's pretended title to England must be investigated.⁹⁴¹ He wished for a full conference to be held within Scotland, whereas Elizabeth had wanted matters to be communicated only to Moray, and not to be discussed with a wider audience. It is therefore possible that Cecil encouraged Moray to show the 'Three Degrees' to the convention rather than to answer Elizabeth directly, so as to further delay matters. Moray himself might not even have realised Elizabeth was serious about Mary's restoration, believing that her failure to pronounce a verdict after the York-Westminster Conference had implied support for his government, and perhaps thought that these latest manoeuvres were simply bluffs. By the end of October, he was frustrated with her apparent change of heart, and the lack of clarity in English policy. He told Cecil plainly that it would have been far better had matters been resolved decisively whilst they were down in England in 1568, and that 'it is na tyme now to dissemble. Incertaintie with you hes bred incertaintie amangis ws'.⁹⁴² It is likely, however, that the indecision shown at the conference had merely been a way for Elizabeth to extend her power over both parties, attempting to make them more amenable to her, coupled with a desire to make Mary appear as a less attractive claimant to her own throne.

3.3 The decline in Moray's position

Moray's actions at the Perth convention show that he felt confident enough to abandon his deferential position to Elizabeth. It is possible too that the Marian propaganda at the start of the year had prompted him into taking an independent stance, if only to shake off the accusations that he was holding Scotland 'in fee' of England. The Convention consisted of a far higher number of nobles than had been seen together since before the time of James's coronation, including previous opponents of the Moray regime, such as Crawford, Huntly, Cassillis, Ogilvy, Borthwick and Drummond.⁹⁴³ With such a strong turnout, it is unsurprising that Moray felt his party had

⁹⁴¹ This rumour may have originated with the Huguenots, and then been transmitted to Henry Norris, Elizabeth's ambassador in France. Doran explains that the Huguenots wanted to wean Anjou away from the Guises, and thus promoted the idea of marriage between himself and Elizabeth. As a way to encourage Elizabeth, Norris had been told that the Guises were promising Anjou a grant of Mary's pretended rights to the English and Scottish thrones, in order to gain his co-operation in an enterprise to rescue Mary from captivity. By entering into marriage negotiations with Anjou, it was claimed that Elizabeth would be able to frustrate such a plan. Susan Doran, *Monarchy and Matrimony: The Courtships of Elizabeth I* (London, 1996) p. 100; Mary herself denied this had ever occurred – Mary to Elizabeth's Council, 15 May 1569, Cot. Calig. CI, f. 419r.

⁹⁴² Moray to Cecil, 29 October 1569, SP52/16, f. 123r.

⁹⁴³ 12 earls (which includes the two masters), 17 lords (2 of these are heirs to lordships), 5 bishops, 6 abbots and priors, 6 ordinary officers, 9 commissioners for burghs. Also 'a great number of ancient barons, divers senators of the college of justice, and other learned men of good reputation': 'Convention

triumphed. However, whilst the Regent had arguably reached the pinnacle of his power, success was fleeting and his show of strength misplaced. The cracks, which Moray had managed only to paper over, were beginning to resurface. In a sense this was unavoidable: so long as the situation regarding Mary remained unresolved, Moray's enemies would always retain some vestige of hope and seek to obstruct him at every turn. Whilst his supporters appeared to have grown in number, there was still a significant amount of support for Mary. Men who had remained staunch supporters throughout 1568, including Eglinton, Erroll, Fleming, Rothes and Yester were conspicuous by their absence from the convention, as was Argyll, despite his earlier accord with the Regent. Furthermore, Herries and Châtelherault, although in ward and unable to trouble the country as such, had clearly not converted to becoming 'positive' supporters of the regency, as evidenced by their letters of support to Mary.⁹⁴⁴ Moray had also largely lost the support of his former ally, Maitland of Lethington.

At this point, it is necessary to revisit the autumn of 1568, in order to consider the origins of the Norfolk 'plot', and the participation not only of Maitland, but also of Moray himself, and to investigate the deterioration of the relationship between the two Scots. Stephen Alford describes this not so much as a plot, but more as a political proposal.⁹⁴⁵ There are some grounds for this. Mary's gaoler, Knollys, was one of the first to suggest a possible marriage for the Scottish queen, in order to reduce the danger that she posed.⁹⁴⁶ In the way Knollys envisaged it, it *was* a genuine political proposal, with the aim of preventing an alliance between Mary and either the Hamiltons or France, and consequently was a way to reduce the Catholic threat. His rationale for a match was to give Elizabeth greater freedom of action, since marriage to an English subject could quite conceivably cut off all hopes of foreign support for Mary. After all, Elizabeth herself had once proposed the Earl of Leicester as a possible husband for the Scottish queen.⁹⁴⁷ Knollys' suggestion was for a second son or younger brother of a noble house, since this would further limit Mary's effectiveness as a threat to Elizabeth's throne. With perhaps some hope of personal gain, he suggested his 'cousin', George Carey.⁹⁴⁸ Norfolk, drawing on Knollys' idea, but replacing Carey with himself as the bridegroom, may have been attracted to such a scheme as much for his own ends as for the security of England. But his participation in the 'plot' did not necessarily

at Perth', 28 July 1569, SP52/16, f. 77r. This is almost as many as had taken part in the original confederacy, and many more than had participated in the coronation. *RPC*, ii, p. 2.

⁹⁴⁴ As detailed in 'Memorial by Ross', 14 May 1568, SP53/3, f. 154r.

⁹⁴⁵ Alford, *Cecil*, p. 203.

⁹⁴⁶ Knollys to Norfolk, 15 October 1568, Cot. Calig. CI, f. 263r.

⁹⁴⁷ Warnicke, *Mary*, p. 97.

⁹⁴⁸ Knollys to Norfolk, 15 October 1568, Cot. Calig. CI, f. 263r; George Carey (actually Knollys' nephew) was a son of Lord Hunsdon, who was Knollys' brother in law – Knollys married Katherine Carey, the sister of Henry Carey, Lord Hunsdon). He also suggested that Carey would be an ideal choice as he was near in blood to Elizabeth, since he was the grandson of Mary Boleyn, the sister of Elizabeth's own mother, Anne Boleyn. Wallace T. MacCaffrey, 'Carey, Henry, first Baron Hunsdon (1526–1596)', *ODNB* [<http://www.oxforddnb.com/view/article/4649>]. It was also widely believed that Hunsdon was Henry VIII's illegitimate son; MacDonald Fraser, *Steel Bonnets*, p. 297.

indicate disloyalty to the regime; it could certainly be used as a way to reduce the alarming continental threat, and, if Mary were to succeed Elizabeth, would at least limit the ‘alien’ nature of the succession, combining it with the highest of English blood.⁹⁴⁹ Mary also had an advantage in that she already had one child to succeed her. As Alford describes it, this was ‘a British succession project based (unlike Cecil’s own notes and advice) on dynastic union’.⁹⁵⁰ Yet it is easy to see how it came to be conceptualised as a plot. By describing it in such terms, Cecil was able to contrast the seditious nature of the scheme with his own, opposing, plans to secure a Protestant settlement for Britain, in which Mary’s claims to the English throne would be eliminated, and his Scottish allies would remain in power. The secrecy surrounding the marriage proposal, with Elizabeth uninformed as to the dealings of her councillors, also lent an air of subversion to the proceedings. Finally, and perhaps most importantly, the later mutation of the original scheme into an actual plan to overthrow the present government, drawing in international and papal support, through the devices of Roberto Ridolfi, the Florentine banker, was to turn it into a crisis that the English government could not safely ignore.

There were clearly mixed motivations amongst those who were involved in the scheme, with no uniform goal. Seemingly it was sold in different ways to different interest groups. To the Protestant elite, despairing of their unwed Queen, it was a way to secure the succession and increase the security of the realm through dynastic means, whilst at the same time increasing their own chances of securing a role in a future political administration.⁹⁵¹ To the Catholics, it was a prelude to Mary’s restoration, and the hope of a Catholic succession. Some certainly hoped for the overthrow of Elizabeth, rather than merely being concerned with the future succession, although they were naturally cautious about broaching this aim in public. Historians have differed in their perceptions of Norfolk’s religion, and his relative flexibility in this respect appears to have confused contemporaries also, enabling him to appeal across the religious divide.⁹⁵² The printed text, *A Discourse touching the pretended match betwene the Duke of Norfolk and the Queene of Scottes*, which was published after the plot had been uncovered, stated that Norfolk had strong Catholic sympathies. Examples were provided: he had given his son a

⁹⁴⁹ Norfolk was the highest peer in the country. His father had been executed for quartering the royal arms with his own – claiming that he had the right to do so due to his Plantaganet descent. Cuthbert Sharp (ed.), *The rising in the north : the 1569 rebellion : being a reprint of the 'Memorials of the rebellion of the Earls of Northumberland and Westmorland'* (London, 1840), p. xii.

⁹⁵⁰ Alford, *Cecil*, p. 201.

⁹⁵¹ ‘it hath bene geven out, that the continuance of the Gospell here amonge us, and the safetie of our Soveragine, shoulde depende on a matche to bee had betwene the Duke of Norf. and the Q. of Scots’. *A Discourse touching the pretended match betwene the Duke of Norfolk and the Queene of Scottes*, (London, 1569, STC 13869); Wallace McCaffrey describes it as an ‘insurance policy’ for the councillors, McCaffrey, *Elizabeth*, p. 125.

⁹⁵² Warnicke, *Mary*, p. 189 argues that he was Protestant. Neville Williams describes him as ‘essentially conservative’, and someone who ‘abhorred Protestantism’: Williams, *Thomas Howard: Fourth Duke of Norfolk* (1964), p. 9; whereas Francis Edwards refers to the Duke’s ‘unwavering Protestantism’: Edwards, *The Marvellous Chance: Thomas Howard and the Ridolphi Plot* (1968), p. 15. De Spes, the Spanish ambassador, wrote that Norfolk was ‘not entirely Catholic’, *CSP Spain 1568-1579*, 164.

Catholic education, had filled his house with Catholic servants, and his last marriage had been to a Catholic. In addition, he had links to the northern Catholic family, the Dacres. Interestingly, this pamphlet was written very much along the lines of Cecil's memorandum of early 1569.⁹⁵³ According to the *STC* entry, and to Marie Axton, the author was Thomas Norton, who was one of Cecil's 'men of business', and who may therefore have had access to Cecil's notes.⁹⁵⁴ The pamphlet was clearly designed to discredit both Mary and Norfolk, and to show the potential dangers of the marriage (both to Elizabeth's person and to the 'gospel'), and thus its description of Norfolk's religious allegiances cannot be taken at face value. Norfolk's outward Protestantism, and belief that he could also convince Mary to adopt the Anglican religion was, however, enough to gain the support of key individuals such as Throckmorton, who would have been unlikely to support a pro-Catholic proposal.⁹⁵⁵ Other members of Elizabeth's council also, such as Pembroke, Leicester and Arundel, were keen to see the marriage go ahead, hoping that in so doing, it would elevate Norfolk in the council, reducing the power that Cecil presently wielded.⁹⁵⁶ Leicester in particular wished for a renewal of amicable relations with Spain, something that he believed Cecil had imperilled by his role in the seizure of the treasure ships.⁹⁵⁷ Arundel, as we have seen, is also known to have had genuine doubts regarding the detention of one sovereign by another.⁹⁵⁸ It may not necessarily have occurred to these men that the marriage would prove such an unwelcome proposition for Elizabeth, since Norfolk's name had been on a list of those forwarded to Scotland in 1564 as a potential bridegroom for the Scottish queen.⁹⁵⁹

Maitland of Lethington acted as the bridge between Norfolk and Moray in this scheme, in much the same way as the Bishop of Ross was the intermediary between Norfolk and Mary herself. By the time of the York-Westminster conference, it was evident that Moray and Maitland were no longer working entirely in concert. The turning point for Maitland had been Mary's flight to England.⁹⁶⁰ Whilst he has been grouped with men such as Moray and Cecil, in the set known as 'Anglo-Scots', his conception of Scottish amity with England appears to have been markedly

⁹⁵³ 'A Short memoryall', 1569, CP157, ff. 2r-7v.

⁹⁵⁴ Marie Axton, 'Norton, Thomas (1530x32-1584)', *ODNB* [<http://www.oxforddnb.com/view/article/20359>]. He clearly had an interest in this matter: M.A.R. Graves, 'Thomas Norton the Parliament Man: An Elizabethan M.P., 1559-1581', *The Historical Journal*, 23 (1980), p. 30. Alford, however, attributes it to Francis Walsingham, as does Neville Williams. Alford, *Cecil*, p. 201; Williams, *Norfolk*, p. 167.

⁹⁵⁵ Alford, *Cecil*, p. 199; Alford, 'Knox, Cecil and the British Dimension of the Scottish Reformation' in Roger A Mason, *John Knox and the British Reformations* (Aldershot, 1998), pp. 218-219 shows that men such as Throckmorton believed Mary, if married to Norfolk, would conform to the English Church settlement.

⁹⁵⁶ Narasingha P. Sil, 'Herbert, William, first earl of Pembroke (1506/7-1570)', *ODNB* [<http://www.oxforddnb.com/view/article/13055>]; Julian Lock, 'Fitzalan, Henry, twelfth earl of Arundel (1512-1580)', *ODNB* [<http://www.oxforddnb.com/view/article/9530>].

⁹⁵⁷ Williams, *Norfolk*, p. 147.

⁹⁵⁸ See above, p. 101.

⁹⁵⁹ Michael Graves, 'Howard, Thomas, fourth duke of Norfolk (1538-1572)', *ODNB* [<http://www.oxforddnb.com/view/article/13941>].

⁹⁶⁰ Wilkinson, Maurice, 'The Mystery of Maitland', *SHR* 24 (1926-7), p. 21.

different.⁹⁶¹ The issue is not whether or not he wanted amity with England, this much is obvious, but what form such a relationship should take. As Loughlin reminds us, it was perfectly possible to be a unionist without being an anglophile.⁹⁶² Fiercely patriotic, Maitland was extremely unwilling to see Scotland's position undermined, and so although closeness with England on a Protestant footing was to be welcomed, he did not want to see Scotland as the inferior country in Cecil's imperial vision.⁹⁶³ Certainly, none of the Scots would have wanted their country to be seen as a mere adjunct to England, but perhaps Maitland had greater foresight, and was aware of the potential dangers to Scotland, once England had the Scottish Queen in their grip. Indeed, despite Cecil's professions of amity and partnership to the Scots, he (and Elizabeth) arguably sought control and domination rather than a genuine spirit of co-operation.⁹⁶⁴ Maitland had already been approached by Throckmorton the previous year, with regards to handing James over into English custody, and whilst he was too shrewd a politician openly to show his abhorrence of this scheme, privately, his views may have been swayed by this apparent English ambition.

It is difficult to square Maitland's apparent eagerness for Mary's deposition with his later support for her restoration. It has been suggested that for all his earlier closeness to Buchanan, it is likely that he had far greater conservative tendencies, and after a period of reflection, realised that deprivation of a sovereign was not something he could agree with. It has also been questioned just how far he had wanted proceedings to go in 1567 – although he certainly wanted a council to be imposed upon her, he did not necessarily envisage permanent deprivation.⁹⁶⁵ Yet this explanation is perhaps too simplistic and fails to take into account Maitland's wider goals. If, as we have seen, he was aiming for an eventual Anglo-Scottish union, based on a partnership of far greater equality than Cecil intended, it was essential for him that Scotland itself was strong enough to resist any potential English dominance. Therefore, a prerequisite for union was a strong, united Scotland, with a consensus government which would exclude only those of an extreme persuasion.⁹⁶⁶ Union, for Maitland, may paradoxically have been seen as a way to safeguard Scotland's independence; by entering into such a relationship from a position of strength, it would pre-empt any English attempts at conquest. Maitland remembered only too well the policies of both Henry VIII and Somerset. In 1567, he may have believed that the tide of opinion was so strongly in favour of Mary's deposition, regardless of whether those involved saw it as a permanent move, and thus Maitland felt siding with the majority opinion in Scotland was

⁹⁶¹ Alford uses this term: *Cecil*, p. 45.

⁹⁶² Loughlin, *Maitland*, p. 342.

⁹⁶³ Contrary to Lee, who believes that Protestantism was not that important to Lethington: Lee, *Moray*, p. 281.

⁹⁶⁴ Indeed, Dawson argues that after the difficulties surrounding Mary's marriage in 1565, 'the warmth which had characterised Anglo-Scottish relations between 1559 and 1565 never really returned': 'Anglo-Scottish Relations', p. 19. Maitland was one of those who appreciated this changed atmosphere.

⁹⁶⁵ Wilkinson, 'Mystery of Maitland', p. 22.

⁹⁶⁶ Maitland's scheme of December 1568 was designed to be inclusive of all but the most radical, see above p. 93.

the only way to ensure he was in a position to bring about his aims, which did not necessarily need an adult monarch to come to fruition. At the same time, his own culpability in the Darnley murder made it essential for him to remain on good terms with those who were best positioned to protect him.

If Maitland's overall aim was for an equal union, this can help to explain his subsequent behaviour, and his apparent change of heart. So long as Mary remained imprisoned in Lochleven, the best way of strengthening Scotland internally was to support Moray's government in its aim to quell the dissidents, and form a strong ruling body. Yet once Mary was in captivity in England, and the fissure splitting Scottish society had widened, he needed to rethink his position. How could Scotland consider a partnership with a country which was holding its monarch under lock and key? Whilst Maitland at this stage might not have wanted a full scale restoration of Mary, he wanted her to be governed by Scottish councillors, in a Scottish settlement, rather than one in which Elizabeth was permitted to dominate. He disliked the apparent submission to England that Moray was displaying by his mere attendance at the York Westminster conference, and the idea of his sovereign being placed on trial was distasteful to him. For this reason, his promotion of the reconciliation scheme in the autumn and winter of 1568 was important – it would restore Mary to the throne of Scotland, primarily to remove her from English control. At the same time, with the imposition of a council upon her, Scotland could be governed in the way he personally preferred, with a Protestant ruling elite. As we have seen, his plans for settlement were designed to appeal to as wide a range of opinion as possible, in order to unite the country and increase its strength. In this sense then, the apparent contradictions between the speech he made in support of the regency, for example, and his later support for the Norfolk marriage, are not necessarily as irreconcilable as they may appear at first glance, and his later switch to the Marian position does not negate his earlier desire to push forward the process of Reformation within Scotland. Jane Dawson has shown that Argyll had very similar misgivings about English policy towards Scotland, claiming that the Earl 'came to regard English interference as the greatest danger threatening his country'.⁹⁶⁷ When it came to ways to prevent this, however, the two men moved in opposite directions, and Argyll would eventually make peace with the Regent Lennox. Whilst he too felt a peaceful Scotland was the only way to reduce levels of English intrusion into Scottish politics, he felt that this could be achieved in the absence of Mary herself, unlike Maitland, who arguably believed that the presence of Mary herself was necessary, if only to remove the hold England had over the Scots.

It is therefore easy to see why Maitland might have been attracted to the idea of a marriage between Norfolk and Mary. Events cannot be reconstructed precisely, and it is not known which man proposed the idea to the other, although it seems that matters were discussed

⁹⁶⁷ Dawson, *Argyll*, p. 170.

during a hawking expedition to Cawood on 16 October.⁹⁶⁸ Maitland has often been given the blame for instigating the scheme, yet he had many enemies eager to see his downfall, and this remains unproven. However, it is certainly true that he had recommended Norfolk as a husband for Mary in 1565, preferring him over Leicester and Darnley.⁹⁶⁹ Marriage to Mary (providing Elizabeth remained childless) would join the two countries, still providing the opportunity for some sort of union on a Protestant footing, but in this instance, Scotland would not be in the weaker position, providing that Mary was surrounded by capable advisors, such as Maitland himself. Throckmorton was key for Maitland – whilst he might not necessarily trust Norfolk, with someone such as Throckmorton who had greater sympathy for unionist ideas, and whose Protestantism was unambiguous, he had an ally.

But what of Moray's role in this plot? Contrary to Alford's belief, it is difficult to believe that he genuinely desired a marriage between Mary and Norfolk, and that it was in his interests, since this would undermine his own position.⁹⁷⁰ It goes without saying that securing the English succession for Mary was not one of his key objectives. One reason why he feigned encouragement for it was to increase his support at the English court. Although he had the backing of Cecil, it was also useful to gain the support of some of the 'ancient' peers of the country, who were otherwise more likely to defend the Marian cause. Men such as Arundel had shown doubts regarding the legitimacy of Elizabeth's actions towards Mary, and Moray was concerned to deprive the Marians of any English spokesmen for their position. He also wanted financial and military aid from Elizabeth, and so it was in his interests to procure the support of those who might be able to influence her in this. The English supporters of this scheme were, for their part, especially keen to get Moray on side. Leicester in particular hoped that the scheme could be moved to Elizabeth by the Scots, thus affording the English councillors themselves a safer position if Elizabeth was offended by the plan. Secondly, Norfolk's connections were essential to secure Moray a safe passage back to Scotland. His influence with the Earls of Westmorland and Northumberland meant that he was able to secure Moray an unmolested journey through the northern parts of England.⁹⁷¹ Moray was also shrewd, in that he had made his approval of the marriage scheme dependent on Elizabeth, and presumably aware that she would dislike it, had created the ideal 'get out clause'. He later claimed that he thought it would be good to require the consummation of the marriage before Mary's restoration could take place, knowing that Elizabeth would never permit this. He had not, however, expected her to put Mary's

⁹⁶⁸ Williams, *Norfolk*, p. 138.

⁹⁶⁹ Mark Loughlin, 'Maitland, William, of Lethington (1525x30–1573)', *ODNB*, [http://www.oxforddnb.com/view/article/17838]

⁹⁷⁰ Alford, *Cecil*, p. 204 believes Moray genuinely sought such a dynastic settlement.

⁹⁷¹ One of Norfolk's sisters was married to Westmorland, and the other to the Border warden, Lord Scrope. Norfolk himself was married to the daughter of Lord Dacre: Sharp, *Memorials*, p.xii; Henry Summerson, 'Dacre, Leonard (d. 1573)', *ODNB* [http://www.oxforddnb.com/view/article/6994].

restoration back on the agenda regardless.⁹⁷² Lee also suggests that Moray was keen to isolate Maitland of Lethington, before finally declaring that the scheme held little appeal for him, and for this reason, played along with it simply to retain Maitland's co-operation, until he felt confident enough to take a decisive stand.⁹⁷³ Indeed, whilst relations between Moray and Maitland had cooled throughout 1569, until the summer there was no open breach between the two. Maitland had, however, distanced himself from the King's Party, absenting himself from the Regent's company during the first half of the year, waiting upon the outcome of events before committing himself to a definite position.⁹⁷⁴ Yet contrary to Loughlin's belief, he certainly cannot be counted as a clear Marian at such an early stage.⁹⁷⁵ Reconciliation within Scotland had surely been his chief aim, and was an aim that would be revisited after Moray's death in 1570.

The widening gulf between Maitland and the Regent became visible at the July Convention. Boyd brought to this assembly the message that Mary was perfectly willing to have her marriage to Bothwell annulled (rather than a 'divorce' as such), on the grounds that 'the pretended matrimonye betuix theme wes repute and haldin nevir to be good from the begyni[n]g'.⁹⁷⁶ The divorce was clearly a prerequisite for the Norfolk marriage, and those who stood to benefit from this were keen to remove all such obstacles.⁹⁷⁷ A divorce was also important to those who wanted Mary to be restored, since it was thought by the Marians that the fear of Bothwell's return, with Mary perhaps making him 'ane instrument for there overthrow', would pose a stumbling block to any form of restoration settlement.⁹⁷⁸ If Moray was to prevent this, and the subsequent detrimental effect it would have on his own position, he needed to ensure that Mary was unable to remarry.⁹⁷⁹ Indeed, Cecil's 'short memoryall' had already listed all the dangers that could occur if Mary were once again at liberty to wed whom she chose.⁹⁸⁰ Maitland, however, together with the Prior of Coldingham, Lethington's brother, and James Balfour of Pittendreich, vocally supported Mary's request for a divorce from Bothwell. It was placed on record that these men had opposed the king's authority, and that whoever did so would be accounted a traitor.⁹⁸¹ The significance of this was not lost on Hunsdon, who remarked that 'Lyddington ys howlden suspect too be frend neythar to the K[ing] nor Regent'.⁹⁸² Despite the

⁹⁷² Moray to Elizabeth, 29 October 1568, SP52/16, f. 119r.

⁹⁷³ Lee, *Moray*, p. 261.

⁹⁷⁴ Maitland to Cecil, 22 March 1569, SP52/16, f. 35r. Maitland wrote that he had spent no time in the Regent's company before he went to Glasgow, staying instead at Atholl.

⁹⁷⁵ Loughlin, *Maitland*, p. 271.

⁹⁷⁶ Credit committed by Mary to Boyd, May 1569, Cot. Calig. CI, f. 424r (this was written in May, rather than July, as the BL catalogues it).

⁹⁷⁷ Norfolk himself had actually written to Moray, saying that he wanted the 'stumbling blocks' to be removed. Credit to Boyd, May 1569, NLS Adv 31.2.19, f. 234v.

⁹⁷⁸ Credit committed by Mary to Boyd, May, Cot. Calig. CI, f. 424r.

⁹⁷⁹ As he explains in Instructions for Dunfermline, 5 October 1569, Cot. Calig. CI, f. 445r.

⁹⁸⁰ 'A Short Memoryall', 1569, CP157, ff. 2r-8v.

⁹⁸¹ Hunsdon to Cecil, 5 August 1569, SP52/16, ff. 83r-83v.

⁹⁸² *Ibid.*, f. 83r.

high level of attendance at this convention, the reaction to Mary's request for a divorce showed that opposition to Moray's policies was still rampant. The Regent may have succeeded in gaining the submission of many Marians, but it did not mean they would support his policies, or that they wanted him to continue in power. Despite Lee's belief that Moray was firmly in control, a significant number, nine out of the forty-nine present (including Huntly and Atholl), opposed Moray by consenting to Mary's request, and others of his adversaries were absent, making the real figure of opposition even higher, particularly when the relative power of these opponents is assessed.⁹⁸³ The excuse to be given by Moray was that granting the divorce would necessitate the summoning of Bothwell.⁹⁸⁴ One of the aims professed by the Confederate Lords in 1567 had been to liberate Mary from Bothwell's tyranny, but refusal to grant the divorce meant that any such pretence at this was now abandoned, and thus the unity within the King's Party itself began to fracture still further.⁹⁸⁵ Indeed, Donaldson has pointed out that the divisions were not along party lines, with Atholl and Gray, for example, in favour of the divorce.⁹⁸⁶

By the end of the July conference, the hopes that Maitland had for the furtherance of the Norfolk marriage were ended by the refusal of the Scots to agree to a divorce for Mary. It was now blindingly obvious that Moray and Maitland were headed in different directions, and any form of reconciliation within the country would prove an uphill struggle.⁹⁸⁷ Maitland wrote to Mary, still supportive of her marriage to Norfolk, telling her that if she were to come to Scotland with some force from Elizabeth, then she would find no men who were able 'to cast the balance' in opposition to her. He told her that Moray was only acting in such an obstinate manner as he believed Elizabeth would never support the Scottish queen.⁹⁸⁸ Faced with the risk of Maitland openly defecting, Moray felt he needed to take preventative action. His insecurity was heightened by the report of William Stewart, Lyon King of Arms, that some men had been conspiring to kill the Regent, men whom Stewart described as Moray's own friends.⁹⁸⁹ It is feasible that Moray made the link between Maitland's participation in a 'convention that hath byn of late at Atholl wher were practisyd sum matters for the Scottishe Q[ueen]', and these rumours.⁹⁹⁰ On 5

⁹⁸³ Lee, *Moray*, p. 263. *RPC*, ii, pp. 8-9 marks those who supported the divorce with a G (grant); those who did not with a D (denied). Those who granted it were Huntly, Atholl, Lovat, Gray, Bishop of Galloway, Commendator of Coldingham, Commendator of Pittenweem, Maitland of Lethington, Murray of Tullibardine. Master of Drummond, who was earlier present, seems to have been absent when the vote was taken.

⁹⁸⁴ Herries, *Memoirs*, p.117.

⁹⁸⁵ *Ibid*, p. 116 – 'it might seem strange that this desyre should be now waved, which the former years was desyred with so much vehemencie'.

⁹⁸⁶ *AQM*, p. 118.

⁹⁸⁷ Throckmorton to Moray, 20 July 1569, *CSP Scot*, ii, 1101. Throckmorton urged Moray to trust Maitland, which implied that they were no longer working together.

⁹⁸⁸ Maitland to Mary, 20 September 1569, SP53/4, f. 29r. This coded letter also expressed Lethington's belief that he would be able to win the support of the rest of the nobility, and he still believed the Norfolk marriage retained the support of Throckmorton at this time.

⁹⁸⁹ William Stewart to Moray, 5 August 1569, Add. 33531, f. 81r. Stewart himself was also accused of being party to such a plot and on 15 August was burnt for 'witcherie'. *Diurnal*, p. 146.

⁹⁹⁰ Hunsdon to Cecil 8 September 1569, SP52/16, f. 101r; *Diurnal* p. 147.

September, Moray informed Cecil that Maitland had been restrained from liberty, together with James Balfour, the former clerk of council. The ostensible reason for this was an accusation made by Crawford, a servant of Lennox, who accused them of the foreknowledge of, and participation in, the murder of Darnley.⁹⁹¹ However, as Hunsdon noted, this was merely to cloak the true reason. Certainly, there were many others within the King's Party who were equally as guilty of the murder, and Moray committed Maitland to ward without even a trial, after tricking him into initial attendance at Stirling.⁹⁹² Balfour, though, was permitted to return to St Andrews, and to remain there in 'frie waird'.⁹⁹³ As Hunsdon explained, it was Maitland's speech in defence of the proposed divorce, the letter he wrote to Mary, and also his involvement with those at Atholl, where it was rumoured plots were being hatched, which sealed his fate.⁹⁹⁴ Moray needed to remove Maitland from the political arena to increase his own security.

Some contemporaries have accused Morton of being behind the decision to trick Maitland and Balfour into a meeting with Moray, and their subsequent committal to ward.⁹⁹⁵ Interestingly, Maitland himself also refused to blame Moray entirely, claiming that it was Morton, Mar and Glencairn, who had made a league against him, as they 'did perceive my advises tend to an universall accord'.⁹⁹⁶ If true, it would suggest that factions were forming amongst the King's men, indicating that Moray was not in total control even of his own party. Maitland clearly felt that Morton was the leader of an extremist wing, and adamantly opposed to his own, moderate, and reconciliatory aims. Morton's radicalism would not serve to unite the country, but could only bring about deeper divisions. The *Diurnal* emphasises the mutual hatred between them, and Drury noted that Morton was 'moche hatyd of all ledyngton's faction'.⁹⁹⁷ At this point, Maitland had not completely given up on Moray; he still believed that due to their previously strong friendship, he might have some influence with him. Indeed, he claimed that he went to Stirling hoping that he would find the Regent 'more conformable'.⁹⁹⁸ However, Moray's earlier countenance of the Norfolk marriage had arguably caused Maitland to underestimate the powerful nature of his personal ambition. Even if the plot against Maitland had originated with the

⁹⁹¹ Moray to Cecil, 5 September 1569, SP52/16, f.99r. Maitland to Cecil, 23 October 1569, SP52/16, f. 115r stated that Lennox's servant had no commission from his master to actually make this accusation. Also see *Diurnal*, pp. 147-8.

⁹⁹² Moray claimed that the reason he had called Maitland there was to discuss the proposed mission of Dunfermline to Elizabeth. Maitland to Norfolk, 16 September 1569, *Warrender Papers*, p. 64.

⁹⁹³ *Diurnal*, p. 149; *RPC*, ii, p. 27.

⁹⁹⁴ Hunsdon to Cecil, 8 September 1569, SP52/16, f. 101r.

⁹⁹⁵ Maitland to Norfolk, 16 September 1569, *Warrender Papers*, p. 63; Melville, *Memoirs*, p. 218; *Diurnal*, however, claimed that Moray and Morton were working together against Maitland: *Diurnal*, p. 148.

Grange also believed it was a 'factioun' responsible for Maitland's committal to ward, although did not name Morton: Grange to Bedford, 23 October 1569, SP52/16, f. 117r.

⁹⁹⁶ Maitland to Norfolk, 16 September 1569, *Warrender Papers*, p. 67. He also claimed that this practise against him was the reason why he had remained at home for so long. No evidence can be found to prove this.

⁹⁹⁷ *Diurnal*, p. 148; Drury to Cecil, 30 September 1569, Cot. Calig. BIX, f. 453r.

⁹⁹⁸ Maitland to Mary, 20 September 1569, SP53/4, f. 29r.

extremists in the King's Party, Moray was only too keen to join. It was now in his interests to remove Maitland from the scene whilst he himself was trying to prevent Mary's restoration, and put the final nail in the coffin of the Norfolk plot. Maitland's reconciliatory goals could, if taken up by both parties, jeopardise his own status and office. At the same time, and in accordance with his customary behaviour, it was particularly useful to ensure that others took the blame for the move against the former Secretary.⁹⁹⁹ Morton could also prove a useful scapegoat, since Moray needed to encourage Maitland to accuse Norfolk of being the originator of the marriage plot, to clear his own name, and it was thus beneficial to keep up at least some limited pretence of friendship.¹⁰⁰⁰

Moray's treatment of Maitland contributed to the shedding of support for his regime. Melville was arguably accurate when he wrote that Moray now 'tint [i.e. lost] daly of his best friends [and] the number of his ennemys inccressit'.¹⁰⁰¹ Atholl, for example, was said to be offended, since Maitland had come to the council where he was arrested in Atholl's company.¹⁰⁰² The movement of Maitland into Edinburgh Castle by Kirkcaldy of Grange also indicated that even had Moray lived, Maitland may have been successful in detaching some of his adherents, something which will be explored in further detail in the following chapter. It was claimed by some contemporaries that Grange removed Maitland to the castle without Moray's permission, possibly forging his signature to do so, feeling that this was best for Maitland's own safety.¹⁰⁰³ At the time of the formation of the Confederate Lords, Maitland had been promised that no action would be taken against the murderers, and it seems likely that a sense of justice may have motivated Grange.¹⁰⁰⁴ The Lord Hume was another who drifted from the Regent at this time.¹⁰⁰⁵ Yet rather than seeing these men as immediate 'Marian converts', it is perhaps more useful to think in terms of a rejection of the extremism which was perceived to be dominant in the King's Party.¹⁰⁰⁶ Drury reported that the 'drynes' of Grange towards Moray, and his refusal to come out of the Castle to meet him, was due to the fact that Morton was in his company, and also blamed Morton for the estrangement between Hume and Moray.¹⁰⁰⁷ In addition, various unnamed

⁹⁹⁹ Even Lee concedes that Moray was involved; Lee, *Moray*, p. 266.

¹⁰⁰⁰ Moray to Cecil, October 1569, SP52/16, f. 128r. Later, he tells Cecil that Lethington will gladly come to England to declare his own part in the matter and would be content to underly English law if he was found guilty by the English government in this: Moray to Cecil, 7 November 1569, SP52/16, f. 129r. Moray was surely aiming to remove Lethington from the political scene as well as clearing his own name.

¹⁰⁰¹ Melville, *Memoirs*, p. 220. *Diurnal*, p. 150, 'it wes well jugit that all the maist part of the nobilitie had left him'.

¹⁰⁰² *Diurnal*, p. 148 describes him as 'heavilie offendit and commovit'.

¹⁰⁰³ Melville, *Memoirs*, p. 218; *Diurnal* p. 149 claims that Moray lodged Maitland with David Forrester, waiting to find a secure place to ward him, and never intended for him to enter the castle, perceiving the obvious dangers. Herries, *Memoirs*, p. 118.

¹⁰⁰⁴ Lee, *Moray*, p. 266; Grange to Bedford, 23 October 1569, SP52/16, f. 117r.

¹⁰⁰⁵ Drury to Cecil, 22 October 1569, Cot. Calig. CI, f. 465r.

¹⁰⁰⁶ Maitland of Lethington to Norfolk, 16 September 1569, *Warrender Papers*, p. 67.

¹⁰⁰⁷ Drury to Cecil, 9 November 1569, Cot. Calig. CI, f. 474v; Drury to Cecil, 30 September 1569, Cot. Calig. BIX, f.453r.

individuals had also made persuasions to the Regent not to give Morton any more strength.¹⁰⁰⁸ The examples of both Grange and Maitland show the difficulty in attaching labels to individuals at this point; it is not enough simply to split them into the two traditional groupings of King's Men or Queen's Men,¹⁰⁰⁹ since there was a greater level of fluidity than such dichotomous terms suggest, and even in late December, Maitland still tried to propose plans to reconcile the nobility.¹⁰¹⁰ Whilst Grange did not openly support Mary, it seems that he too veered towards the moderates within the King's Party, and Moray would have had a difficult task to unite the likes of Morton with Grange.

The Castle was, at this time, already playing host to Herries and Châtelherault and it could easily have formed a real stronghold against the Regent if Maitland succeeded in gaining Grange's support. Even from within the castle walls, Maitland still claimed his influence with the Scottish nobility was good enough to assist Norfolk; he had clearly not abandoned the idea of the marriage, even though the odds appeared to be stacked against him.¹⁰¹¹ Whilst the statement that he thought he could serve Mary better than before might have been mere rhetoric, it nevertheless indicated a level of confidence in carrying some key King's men with him. The fact that Moray was forced to postpone Maitland's 'day of law' (when he was to answer the charges laid against him) due to the amount of support he had, including Moray's former ally, Lord Hume, also shows (contrary to Lee's interpretation) the inadequacy of Moray's control at this point.¹⁰¹² Lethington had written many letters to friends of his, urging them to come to Edinburgh on his behalf, and Drury wrote to Cecil that if the trial had not been postponed, it was 'likely to breade more blood sched then was off eny day sithense moskelboroe feld' (i.e. Battle of Pinkie, 1547).¹⁰¹³

Meanwhile, in England, the divergent aims of those involved in the Norfolk plot had now become manifest. Throughout 1569, Norfolk and Arundel in particular had been in communication with the Spanish ambassador, Guerau de Spes, via the services of Roberto Ridolfi.¹⁰¹⁴ Some of the plotters were no longer seeing the marriage as a mere 'political proposal' which could settle the succession, but as a way in which Elizabeth herself could be overthrown and, for Arundel at least, a way to return the country to Catholicism in the immediate future.¹⁰¹⁵

¹⁰⁰⁸ Drury to Cecil, 9 November 1569, Cot. Calig. CI, f. 474v.

¹⁰⁰⁹ Loughlin, for example, feels that Maitland can be clearly numbered amongst the Queen's Men from July 1569 onwards: Loughlin, *Maitland*, p. 277.

¹⁰¹⁰ Drury to Cecil, 20 December 1569, Cot. Calig. CI, f. 479r. Maitland's 'device' was intended to bind the nobility of Scotland together against the 'papists' in England and Scotland.

¹⁰¹¹ Maitland of Lethington to Norfolk, 16 September 1569, *Warrender Papers*, p. 69.

¹⁰¹² Moray to Cecil, 22 November 1569, SP52/16, f. 133r; *Diurnal*, p. 151 mentions great numbers of Maitland's friends were present; Bannatyne, *Memorials*, p. 2.

¹⁰¹³ Maitland to unknown, 30 October 1569, asking him to bring all his friends and servants, Cot. Calig. CI, f. 471r. Drury to Cecil, 9 November 1569, reports that this was only one of many such letters, Cot. Calig. CI, f.474v; Drury to Cecil, 5 November 1569, Cot. Calig. CI, f. 472v.

¹⁰¹⁴ De Spes to Philip II, *CSP Spain 1568-1579*, 23 May 1569, 99; Spes to Philip II, 7 July 1569, *Ibid.*, 116; Philip II to Alva, 18 November 1569, *Ibid.*, 158.

¹⁰¹⁵ It must of course be borne in mind that the commitment shown by such men to Catholicism may in part have been designed to gain foreign aid for their venture.

Such plans were not common knowledge, however, since the marriage proposal retained the support of men such as Throckmorton in England and Lethington in Scotland. Although the international aspect of the plot would prove alarming to Elizabeth, much of the support for the scheme came only from de Spes himself, who was a reckless plotter, whereas the more cautious Philip II of Spain, and his governor in the Netherlands, Alva, were reluctant to commit themselves.¹⁰¹⁶ It is true that Philip sent money to Mary, and expressed the wish that an overthrow of Elizabeth would be a desirable outcome, but he did not necessarily feel the Norfolk match was the right solution; this would tie Mary to a man whom he did not judge to be a committed Catholic, and would limit the power that Spain would be able to wield over the country.¹⁰¹⁷ De Spes frequently overstated the support for a Catholic revival in his letters to Philip, and the image of vast swathes of England being prepared to rise in support of Mary, and of Catholicism, is simply a figment of his imagination. Nonetheless, the networking that took place between Mary, Ross, Ridolfi, Norfolk and his noble supporters, and Spain, highlighted the very real nature of the sort of Catholic conspiracy of which Cecil had sought to warn Elizabeth.

By early June, the Norfolk plot had also drawn in one further element. This was the support of such northern earls as Westmorland, Dacre, Northumberland, Derby and Montague.¹⁰¹⁸ The reasons for their support cannot be analysed in full here, but included a desire to restore the Catholic religion and to replace Elizabeth with Mary, in addition to growing feelings of discontent regarding their perceived exclusion from a council dominated by William Cecil, and the 'new' councillors. They too had had dealings with Ridolfi, and by firmly identifying themselves as Catholic leaders, had managed to procure 12,000 crowns from the papacy to support them in their actions.¹⁰¹⁹ Once Elizabeth had learnt of the existence of the Norfolk marriage plot, and the court element of this had subsequently collapsed in the face of her anger, Norfolk's northern allies alone remained faithful, engineering a rising in support. Norfolk's withdrawal from court was misinterpreted as a signal for the revolt to begin, and what became known to history as the Northern Rising was underway by mid-November. Although the revolt was suppressed by Lord Hunsdon, he failed to apprehend the entire group of rebels, including Westmorland, and Northumberland and his wife, who fled across the Border into Scotland, 'to lurk ... upon the trust of the border men'.¹⁰²⁰

The Northern Rising was thus to have a marked impact on the political situation within Scotland, and on Anglo-Scottish relations. Surprisingly, in his study of the Marian Civil War,

¹⁰¹⁶ Alva to Philip II, 1 June 1569, *CSP Spain 1568-1579* 103; Spes to Philip II, 15 June 1569, *Ibid.*, 107; Duke of Alva to Spes, 2 July 1569, *Ibid.*, 114.

¹⁰¹⁷ Philip II to Alva, 18 November 1569, *CSP Spain 1568-1579*, 158.

¹⁰¹⁸ Williams, *Norfolk*, p. 158.

¹⁰¹⁹ *Ibid.*, p. 159. Also see K.J. Kesselring, "'A Cold Pye for the Papistes': Constructing and Containing the Northern Rising of 1569", in *Journal of British Studies*, 43 (2004) pp. 417-443.

¹⁰²⁰ Herries, *Memoirs*, p. 118.

Gordon Donaldson failed even to mention it. Yet in both the short and the long term, it was to prove a turning point in various ways, and its effects would be far reaching. It was simultaneously a blessing and a curse to the Regent. Straight away, it demonstrated that with regard to the Borders, the measures Moray had taken were only temporary. Whilst some disturbances in the region had been quelled after the raids made by Moray's armies, this was not a sustainable policy, and its effects were illusory. Many Borderers were willing to 'reset' the English rebels who entered their lands, disregarding Moray's proclamations, and showing that when it came to an issue affecting the whole of the isle, the loyalties of the borderers belonged to neither England nor Scotland, but to their own society and kinsmen.¹⁰²¹ Furthermore, Moray's measures had arguably increased the dislike for central authority which was already felt in the region, and his seizure of Northumberland, contrary to the body of Border custom which had built up over the years, showed a lack of understanding of Border society, and led to more desertions from his party.¹⁰²² His failure to impact upon the structure of Border society meant that when it came to a crisis, his control of the situation was limited. Only a constant military presence, something that Moray, in his precarious financial state, could not have afforded, would have brought enough peace to the Borders for more structural changes to be attempted. Whilst the capture of the Earl was beneficial to Anglo-Scottish relations, and would provide him with a valuable bargaining counter, it made many of Moray's own countrymen regard him with increased hostility. In this sense, Pollitt rightly described Northumberland as 'a greater liability than a prize' for the Regent.¹⁰²³

The Northern Rising was also a boost to Moray's adversaries, leading to further defections from the King's Party. The influx of rebels who supported Mary's cause strengthened the Marian position, and since Moray had not crushed them entirely, the Marians were now able to seize the chance to spring back. Ferniehurst, for example, who had formerly ridden on the Borders with Moray, reverted to the Marian camp, and took both Westmorland and the Countess of Northumberland into his protection.¹⁰²⁴ Other rebels were said to be kept at Branxholm with Buccleuch, and with Bedrule, Andrew Kerr, and the sheriff of Teviotdale.¹⁰²⁵ Even before the rebellion had broken out, there had been suspicion of Hume's allegiance, when he had declared

¹⁰²¹ Moray to Sussex, 22 December 1569, SP52/16, f. 143r; *RPC*, ii, p. 66. No Scot was to help maintain the rebels under pain of treason.

¹⁰²² Herries, *Memoirs*, p. 119; *Diurnal*, p. 154 mentions the 'sacred word' of the border men to those who entered that region in time of distress; Sussex and Sadler to Privy Council, 28 December 1569, SP59/16, f. 122r - 'the Scottish Borderers were in the begynning very unwilling to denye aide to banisshed men that sought aide at ther hands affirming that it was against ther custom and ther owne suertie to deliv[er] such as fled owt of England for that they in any tymes in lik cases received succour in englande'; Pollitt, 'The Northern Rebellion and the Shaping of Anglo-Scottish Relations', *SHR*, lxiv (1985), p. 4; Elizabeth to Moray, 2 January 1570, NRAS 217/43/93.

¹⁰²³ Pollitt, 'The Northern Rebellion', p. 3.

¹⁰²⁴ Sir John Forster to Cecil, 30 March 1569, Cot. Calig. CI, f. 406r; Sussex and Sadler to the Privy Council, 4 January 1570, *CSPF 1569-71*, 601; Sadler to Cecil, 9 January 1570, *CSPF 1569-71*, 613. Allayne King to Henry Percy, 6 January 1570, Cot. Calig. BIX, f. 505r; *Diurnal* p. 155.

¹⁰²⁵ Hunsdon to Moray, 9 January 1570, CP156, f. 10r.

his support for Maitland. Drury also noted that he had ensured Hume and Fast Castles were well supplied with provisions, and that ‘the enmity between the regent and him [i.e. Hume] increases’.¹⁰²⁶ The arrival of the rebels encouraged Hume to come out decisively in Mary’s favour, promising aid to the rebels by the end of December.¹⁰²⁷ Even had Moray’s government continued, the Marians had the potential to take advantage of the situation, since troops were diverted to the Border region, leaving other areas unprotected, and indeed, there were rumours of Huntly rising.¹⁰²⁸ Despite military operations, and the siege attempted from September to November, the Marians had also retained the stronghold of Dumbarton Castle.¹⁰²⁹ Moray had needed this to consolidate his position, for it was of immense strategic importance, acting as a gateway for any continental aid, in particular, aid from France.¹⁰³⁰ The Northern Rising had hit Moray while he was still vulnerable, and before he had gone far enough.

At the same time, however, Moray was able to benefit from the instant changes that were felt in his relationship with England. Since his show of strength in the summer, there had been a tense atmosphere between himself and Elizabeth. This had been intensified by her anger at discovering his part in the Norfolk marriage plot. Although unlike Maitland, he had not expressed any further support beyond his initial agreement to engage with those involved, he had nonetheless failed to advise Elizabeth of the scheme, claiming disingenuously that he thought she had been aware of it all along.¹⁰³¹ Now, Moray became increasingly important to England, and support for him was crucial.¹⁰³² Elizabeth and Cecil were both shaken by the rebellion, which came perilously close to the realisation of Cecil’s worst fears: a Catholic conspiracy connecting the internal papists with the foreign powers, using Mary as the ‘instrument’, as he had termed her only months before. It now appeared that unbeknown to the English government, Mary herself had been in contact with Spain throughout the year, possibly going so far as to offer the upbringing of her son to Philip II.¹⁰³³ In addition to reports that Hartlepool had been captured by the English rebels as a base to receive Spanish troops, it was also rumoured that men were to be sent from Alva who were to land at Dumbarton.¹⁰³⁴ The immediate reaction was to ensure that Mary was kept in even tighter custody, and her restoration removed from the agenda, since she

¹⁰²⁶ Drury to Cecil, 5 November 1569, Cot. Calig. CI, f. 472v.

¹⁰²⁷ Drury to Cecil, 19 December 1569, *CSP Scot*, ii, 50.

¹⁰²⁸ Sadler to Cecil, 9 January 1570, *CSPF 1569-71*, 613.

¹⁰²⁹ *RPC*, ii, pp. 25, 31, 62.

¹⁰³⁰ Drury to Cecil, 9 December 1569, Cot. Calig. CI, f. 479v.

¹⁰³¹ Moray to Elizabeth, 29 October 1569, *CSP Scot 1563-69*, 1188; However, Elizabeth – probably influenced by Cecil – had not wanted to alienate Moray, and she had asked Moray to ‘mak it appeare’ that Norfolk moved the matter to him rather than vice versa, implying he was to make up the evidence if nothing authentic could be found. Elizabeth to Moray, 13 October, SP52/16, f. 119r.

¹⁰³² There is a change in tone in the correspondence, with Elizabeth now flattering him – ‘ye have wisely ... provided for the inward quietnes of [Scotland]’: Elizabeth to Moray, 2 January 1570, SP52/17, f. 1r.

¹⁰³³ De Spes to Philip II, 14 February 1569, *CSP Spain 1568-1579*, 78. It is difficult to take this as being entirely true – de Spes was known for his exaggeration.

¹⁰³⁴ Drury to Cecil, 9 December 1569, Cot. Calig. CI, f. 479v; Moray to Drury, 20 January 1570, Cot. Calig. CI, f. 505r.

had committed what was, in Elizabeth's eyes, a treasonable act.¹⁰³⁵ Both the Norfolk plot and the Northern Rising had amply demonstrated to Elizabeth what a serious security threat Mary was, and the evidence of Spain's complicity in the plot meant that the international situation was from this point on to become a key factor in future decisions regarding Mary's fate. After the discovery of the Norfolk plot, Cecil had been working through schemes relating to Mary's possible return to Scotland – purely as a prisoner, rather than ruling in any form – although no conclusions had then been reached.¹⁰³⁶ The Northern Rising further solidified his thoughts, and there exists a memorandum drawn up by Cecil, which, although dated 10 March 1570, seems to have been written in the immediate aftermath of the rebels' flight into Scotland, and certainly prior to the death of Moray.¹⁰³⁷ The situation was viewed with much fear by Cecil, since the English rebels were now coupled with the Marian party, increasing their strength, and giving them new courage. Cecil's 'resolution' to the difficulties was threefold: in order to protect the security of England, it was now necessary for aid to be given to the Regent, for order to be taken by him to apprehend the rebels in Scotland, and for Mary to be returned home as a private person. Thus the Northern Rising quickly led to a renewed spirit of co-operation between Moray and Elizabeth, and to a relationship of greater equality, since both needed the other's assistance.¹⁰³⁸

Moray, for his part, proved to be willing to aid Elizabeth, free of charge.¹⁰³⁹ This was partly out of fear that the northern rebels would join with the Marians within Scotland, but also because any assistance provided to Elizabeth (who feared an attack on England led by the northern earls) could set him on the way to gaining her unqualified support for his regime.¹⁰⁴⁰ Although much money was now owing to his troops, this was a gamble he had to take.¹⁰⁴¹ As we have seen, Moray's control over Scotland had deteriorated, and despite Lee's belief that 'the domestic situation was well in hand', and that Moray's 'hold on the country had never seemed more secure', Moray himself declared 'it both difficulte and impossebilite for hym to co[n]tinue ye government as he hath done these 2 years w[i]t[h]out ye Q[ueen] Ma[jes]tys speciall favour

¹⁰³⁵ Elizabeth to Shrewsbury, 4 November 1569, SP53/4, f. 100r. Even before the rising actually broke out, there were fears that something was intended: Elizabeth to Shrewsbury, 15 September 1569, CP156, f. 53r.

¹⁰³⁶ 'A deliberation', c. October 1569, Cot. Calig. CI, ff. 276r-277r; 'eight questions concerning the treatment of Mary', October 1569, Cot. Calig. CI, ff. 440r-442v.

¹⁰³⁷ Memorandum by Cecil, CP156, f. 18r. Since it refers to Moray by name, and mentions the necessity of providing him with aid, it is inconceivable that it was written after his assassination. A date of December 1569 or the first half of January 1570 seems more probable.

¹⁰³⁸ Elizabeth to Moray, 2 January 1570, SP 52/17, f. 1r.

¹⁰³⁹ Drury to Cecil, 5 December 1569, Cot. Calig. CI, f. 477r, 'his offer now is to come into England with 10,000 with him, with twenty days victuals, at their own charges'; Drury to Cecil, 19 December 1569, Cot. Calig. CI, f. 488v; Proclamation by Moray, 8 December 1569, SP52/16, f. 136r, requiring all fencibles south of the forth to be ready to assist. *RPC*, ii, p. 66.

¹⁰⁴⁰ Anonymous memorandum, 'Affairs in the North', states that the Earls intended to join with the Hamiltons, Argyll, and friends: 18 December, *CSP Scot*, iii, 47; Drury to Cecil, 23 December 1569, Cot. Calig. CI, f. 491r.

¹⁰⁴¹ 'List of debts of Moray', c. 1570, NRAS217/43/110.

towards yt state'.¹⁰⁴² He was painfully aware that the Hamiltons, Argyll, and Huntly would 'ever be adverse to ye kyng', and even those who originally supported the King's Party were now less steadfast.¹⁰⁴³ The Privy Council records show that the King's authority was in contempt, demonstrating the ineffectiveness of some of the measures that the Regent had taken. The orders Moray had made with regard to forfeitures and hornings, for example, had not been carried out, due to the fact that his officers were frequently attacked when their way to make such proclamations.¹⁰⁴⁴ The following month, he therefore requested an immediate sum of £1000 from Elizabeth, and a further £1000 every year, together with powder, shot and pikes, warning Elizabeth that otherwise danger would ensue to both realms, 'by inccress of ye contrary factio[n]s favory[n]g papistry and ye Q[ueen] of Scotts title'.¹⁰⁴⁵

Indeed, if Moray had not died when he did, his capture of Northumberland would arguably have enabled him to put pressure on Elizabeth to accede to these demands in exchange for the captive.¹⁰⁴⁶ Such a conspiracy overrode (at least in the short term) Elizabeth's nagging doubts over keeping a monarch in custody, and she was less keen to support Mary's right to sovereignty. It seems likely that had Moray lived, the eventual outcome, after an initial Marian resurgence, would have been English support for his government, since Elizabeth was now under even greater pressure from her ministers to declare support, with Carey advocating that a garrison should be kept on the borders during the winter, to 'be a terror to the Queen of Scots' Party and a bridle to our rebellious Papists'.¹⁰⁴⁷ Although the Northern Rising had removed, for the present, any thoughts of an English-inspired restoration of Mary as Queen, it was not certain that she would necessarily be retained in England. It is possible that, once Elizabeth was assured that the Scottish government had overcome the opposition, Mary herself would have been transferred to secure custody within Scotland, removing the security threat to England. English support would also have strengthened Moray's regime and provided protection from foreign aggression. Thus, although the Northern Rising indicated that Moray's hold on Scotland was not as secure as he would have liked, on the other hand, had he lived, it could have been exploited as a useful tool in re-establishing relations with England.

¹⁰⁴² Lee, *Moray*, p. 270; 'Instructions for Elphinstone', 19 January 1570, SP52/17, f. 14v. This is a good example of how the uncalendared Border Papers can illuminate a particular situation, and why they should be more widely consulted.

¹⁰⁴³ *Ibid.*, f. 14v.

¹⁰⁴⁴ *RPC*, ii, pp. 74-77.

¹⁰⁴⁵ 'Instructions for Elphinstone', 19 January 1570, SP52/17, f. 15r.

¹⁰⁴⁶ 'Instructions for Sir William Drury', 22 December 1569, *CSP Scot*, iii, 58; 'Instructions for Carey', 22 December 1569, SP52/16, f. 145r.

¹⁰⁴⁷ Carey to Sussex, Hunsdon, and Sadler, 24 December 1569, SP59/16, f. 110r.

Chapter 4: ‘That schot, allace! Yis realme hes shot in tway!’¹⁰⁴⁸

Before any plans for greater co-operation between Moray and Elizabeth could be put into action, the Regent was assassinated, throwing Scottish affairs into a renewed state of turmoil.¹⁰⁴⁹ The following five months, culminating in the appointment of Lennox as Regent in July, have hitherto been greatly neglected by historians, despite the sudden upsurge in activity which the interregnum period witnessed.¹⁰⁵⁰ This chapter investigates the effects of Moray’s assassination, considering the alterations it made to the levels of support for either party within Scotland, and the extent to which it affected Anglo-Scottish relations. As we have seen, the Regent’s murder alone can not be held solely responsible for such changes. Problems had emerged during the autumn, when Moray’s hold over both the realm as a whole, and the King’s Party itself, weakened. His death thus contributed to the disorder into which the realm had already begun to fall. It also raised further issues which needed to be resolved. These concerned the election of a new regent, and whether Mary should now be restored, and if so, under what conditions. England continued to assume a dominant role in the ordering of Scottish politics, with the Northern Rising serving as a convenient justification for an interventionist approach, exemplified by the arrival of the English army in the Borders in April. Heightened fears of continental involvement in Scottish affairs in the aftermath of the Northern Rising also impacted upon Anglo-Scottish relations. Finally, the process of Lennox’s appointment as Regent will be considered, as a comparison with that of Moray, and to investigate whether the political theories of election, as drawn upon in 1568, were now being put into practice.

4.1: ‘The Brydle Luisit’¹⁰⁵¹

The Regent Moray was shot as he rode through the town of Linlithgow, on 23 January 1570, whilst on his way to meet with Sir Harry Gates and Sir William Drury, to discuss the problem of the English rebels who had recently fled into Scotland.¹⁰⁵² The assassin was James Hamilton of Bothwellhaugh, who took aim from a window overlooking the High Street.¹⁰⁵³ Although his wound was not initially thought to be fatal, Moray died from his injuries later that night, leaving Scotland with no legally constituted head of government.¹⁰⁵⁴ It was widely believed that the

¹⁰⁴⁸ ‘The Poysonit Schot’, in Cranstoun (ed.), *Satirical Poems*, i, p. 35.

¹⁰⁴⁹ As recorded by almost all contemporary observers, e.g. Birrel, *Diary*, p. 14.

¹⁰⁵⁰ E.g. *AQM*, pp. 118-119.

¹⁰⁵¹ *RPC*, ii, p. 35.

¹⁰⁵² Hunsdon to Elizabeth, 24 January 1570, SP59/16, f. 165r.

¹⁰⁵³ Buchanan, *History*, p. 571; Calderwood, *History*, ii, p. 510; Hunsdon to Elizabeth, 24 January 1570, SP59/16, f. 167r.

¹⁰⁵⁴ Buchanan, *History*, p. 571.

assassination was masterminded by John Hamilton, Archbishop of St Andrews, who owned the house from which the shot was fired.¹⁰⁵⁵ He later confessed to this at the time of his execution (April 1571), although the confession of a man on the scaffold is hardly the most reliable testimony.¹⁰⁵⁶ The murder was clearly some form of Hamilton conspiracy, however, and the Archbishop was the most likely suspect.¹⁰⁵⁷ With Châtelherault currently imprisoned within Edinburgh Castle, the Archbishop's influence was at its peak. It is unknown whether the Duke himself sanctioned this action, although he had reason enough to pledge his support, since he had been held captive by Moray since April 1569. The Hamiltons certainly viewed Moray as a great obstacle to their dynastic ambitions and, as contemporary propaganda suggested, they presumably anticipated that in the absence of a regent, their own claims might be resurrected.¹⁰⁵⁸ The Hamiltons also hoped it would lead to the immediate release of Châtelherault from prison, and possibly even to a general uprising, culminating in his installation as the next regent.¹⁰⁵⁹ Further evidence from the summer of 1570 demonstrates the magnitude of Châtelherault's ambition, showing that the common perception that he was motivated by his own reversionary rights to the crown was by no means a mere invention on the part of his enemies. Instructions given to his servant, Chambers, sent to the French King in July, displayed a complete lack of concern for Mary's predicament, and instead stressed how his own rights had been usurped by Moray. He even went so far as to claim that, if Mary were

not found worthy to brocke the authoritie ... [then] ... the prince will not succede as it is supponyd, since the right of the crowne comes only but by her maiestie to him and therefore will ap[er]teigne to my sayd L[ord] Duke and hys succession.¹⁰⁶⁰

He asserted that if he gained French support for his position, he would join Scotland with France, 'specially [in actions] contrary to the Q[ueen] of England'.¹⁰⁶¹ This indicates that his overwhelming concern was not with the primary issue dividing the parties but with the preservation of his own rights and extension of his power. These instructions were signed only by Châtelherault himself, suggesting that such negotiations with the French King were to be carried out without the knowledge of his co-Marians.

¹⁰⁵⁵ Information regarding murder of the Regent, 14 February 1570, *CSP Scot*, iii, 120.

¹⁰⁵⁶ *Diurnal*, p. 204. The author of the *Diurnal* actually claims to have been present at the time of this execution – indeed, he even mentions that he reasoned with the Archbishop. This may provide us with a clue as to his identity; he was clearly a Protestant, perhaps a lawyer or a church man.

¹⁰⁵⁷ Gates to Sussex, 29 January 1570, SP59/16 f.180v, shows that it was a Hamilton conspiracy. The horse on which the assassin escaped belonged to John Hamilton, Abbot of Arbroath: Calderwood, *History*, ii, p. 511.

¹⁰⁵⁸ E.g. Buchanan, *Ane admonition direct to the trew Lordis mantenaris of the Kingis graces autoritie*. (Stirling, 1571, *STC* 3967).

¹⁰⁵⁹ Hunsdon to Elizabeth, 30 January 1570, SP52/16, f. 182r; Hunsdon to Cecil, 23 April 1570, SP59/16, f. 289r.

¹⁰⁶⁰ Instructions by Châtelherault, July 1570, SP52/18, f. 171r. This argument was seemingly taken seriously; James VI himself feared that Mary's treason would taint his claim to the English throne in 1587.

¹⁰⁶¹ *Ibid.*, f. 171. These instructions were found, endorsed by Cecil's clerk, showing he was well aware of Châtelherault's ambition.

Yet returning to the murder, what of Bothwellhaugh himself, who has been described merely as a ‘professional murderer’?¹⁰⁶² Was he acting only to further Hamilton ambition? Herries thought not, attributing his actions to personal feelings of revenge, since he had ‘received many disgraces from the Regent and amongst others had been compelled to renounce a piece of land to save his life’.¹⁰⁶³ It was unlikely that Bothwellhaugh was acting on his own initiative, however, or that such grievances alone would have prompted him to murder the Regent.¹⁰⁶⁴ Instead, it is probable that his own genuine grudge against Moray was harnessed by Archbishop Hamilton.¹⁰⁶⁵ He was described by Calderwood as being the Archbishop’s ‘sister sonne’, and later evidence suggests that Bothwellhaugh was in the pay of the Archbishop.¹⁰⁶⁶ The assassination was certainly not spontaneous - contemporary commentators noted the rumours that an attempt on Moray’s life was to be made, castigating his failure to take such warnings seriously.¹⁰⁶⁷ Border chieftains also rose on the night of the murder, Buccleuch and Ferniehirst both launching aggressive raids into England, causing contemporaries to believe that they were co-conspirators.¹⁰⁶⁸ Ferniehirst was alleged to have written to Kirkcaldy of Grange to inform him that Archbishop Hamilton had requested he take in hand these enterprises against England.¹⁰⁶⁹ Calderwood also stated that the two Border lairds had been in Edinburgh Castle shortly before the murder, ‘where all the mischeefe was brewed’, and drew attention to the fact that Ferniehirst was the son-in-law of Grange.¹⁰⁷⁰ There is no direct evidence that this was such a co-ordinated campaign, however, or that Grange played any part, and it may simply be that the Borderers took advantage of the situation when it happened, rather than taking an active part in the planning process. It is likely that they had heard the rumours regarding the murder, and realising that

¹⁰⁶² Lee, *Moray*, p. 274.

¹⁰⁶³ Herries, *Memoirs*, p. 120. Although Tytler claimed that Bothwellhaugh wanted revenge because Moray had granted the escheat of his wife’s property of Woodhouselee to John Bellenden, who turned her out ‘almost in a state of nakedness’, Laing has shown that in actual fact this property had been conveyed to Bellenden by Bothwellhaugh himself, for the purpose of preventing its forfeiture. This may be the piece of land that Herries describes him as having ‘renounced’. Tytler, *History of Scotland*, vii, p. 251; Laing, ‘Notice Respecting the Monument of the Regent Earl of Murray, Now Restored, within the Church of St Giles, Edinburgh’, in *Proceedings of the Society of Antiquaries*, 6 (Edinburgh 1868), pp. 54-5.

¹⁰⁶⁴ Pollitt argues that the murder ‘resulted more from a personal quarrel than from ideology’, but this is somewhat simplistic: Pollitt, ‘The Shaping of Anglo-Scottish Relations’, p. 7.

¹⁰⁶⁵ Peter Holmes, ‘Hamilton, James, of Bothwellhaugh (d. 1581x5)’, *ODNB* [<http://www.oxforddnb.com/view/article/12082>].

¹⁰⁶⁶ Calderwood, *History*, ii, p. 510; Bothwellhaugh to his brother, 2 January 1572, CP7, f. 13r states that he had never lacked any money whilst the Archbishop was alive, which implies he was on the payroll of Hamilton. After the assassination, Bothwellhaugh fled to France.

¹⁰⁶⁷ Melville, *Memoirs* p. 222; *Hist KJVI*, p. 45; Calderwood, *History*, ii, p. 510.

¹⁰⁶⁸ Bannatyne, *Memorials*, p. 4; Calderwood, *History*, ii, p. 513; Hunsdon to Cecil, 25 January 1570, SP59/16, f. 171r; Fraser, *The Scotts of Buccleuch* (Edinburgh, 1878), i, p. 152.

¹⁰⁶⁹ Drury to Cecil, 7 February 1570, SP59/16, f. 198v.

¹⁰⁷⁰ Calderwood, *History*, ii, pp. 513, 529; Bannatyne also blamed Grange and Lethington, believing that Grange knew about the murder plot in advance. He allegedly said that he would be true to the regent ‘so lang as he levis’ which Bannatyne used as evidence to prove that he collaborated in the murder: Bannatyne, *Memorials*, p. 37. Forster noted that Ker of Cessford married the daughter of Grange: NAS GD40/2/9/53.

regardless of the outcome, attention would be directed elsewhere, seized the chance to gain some extra spoils.

Buchanan argued that the Marians were driven to the assassination, out of desperation, due to the strength of Moray's position at this juncture.¹⁰⁷¹ However, Moray's position within Scotland was never so secure as Buchanan claimed, nor was he as popular a regent as described. In the winter of 1569, for example, a satire attacking Moray was produced, which Bannatyne attributes to Thomas Maitland, younger brother of Lethington.¹⁰⁷² It was written as though an acquaintance of Argyll's had been at court, and had overheard a secret conference taking place between Moray, and six counsellors: Lindsay, the laird of Pitarrow, John Wood, John Knox, James McGill, and the tutor of Pitcur. All six were closely associated with the Regent, and in this fictitious conference, advised Moray to do all he could to 'provyde for himself'. The satire thus sought to show the duplicitous motives of those who advised Moray, together with the Regent's own level of ambition. 'Knox', for example, argued that it would be best for the Kirk if Moray's estate was 'preservit', and that the government was established in him as long as he lived, leaving no place for the King himself, even once he came of age. He even went so far as to argue that kings should not succeed by hereditary right, nor should 'bastardry' preclude men from government. Moray was advised by others (amongst other things) to get the person of the King into his own hands; to use the Machiavellian qualities of 'deceit', 'subtilitie' and 'craft'; to gain riches for himself to further his schemes; and to fill the offices of the realm with men of his own creation.¹⁰⁷³ As Dawson suggests, the very fact that this 'adverteisment' was supposedly sent to 'a freind' of Argyll, might indicate that the Earl shared this view of the Regent, and it certainly reveals that there were contemporary suspicions as to Moray's intentions.¹⁰⁷⁴ It was a different approach to the propaganda produced in 1569, and might have marked the beginning of a renewed campaign against the Regent, had his rule not been cut short.

Indeed, Moray's popularity, declining since the summer of 1569, had seen an even sharper fall after his seizure of Northumberland, which had led to an increase in hostility from the Borderers in particular.¹⁰⁷⁵ Whilst in time, English support might have enabled him to augment his power, the current state of disorder occasioned by the Northern Rising provided the ideal

¹⁰⁷¹ Buchanan, *History*, ii, p. 574.

¹⁰⁷² Bannatyne, *Memorials*, pp. 5-13. Although Bannatyne places this piece of propaganda after the murder of Moray, the BL catalogues a manuscript version of it as 10 October 1569 (Cot. Calig. BIX, ff. 390-394v). For information about the dating of this document, see Dawson, *Argyll*, p. 179.

¹⁰⁷³ Bannatyne, *Memorials*, pp. 6, 8-12.

¹⁰⁷⁴ Dawson, *Argyll*, p. 179.

¹⁰⁷⁵ Even Lee acknowledges that Moray underestimated the popular reaction to this: *Moray*, p. 271. As Meikle writes, the men of the Borders 'tended to be Borderers first and foremost and Scots or English second': Meikle, *A British Frontier?*, pp. 3, 270. It was, however, 'official' border law that fugitives were not to be sheltered: MacDonald Fraser, *The Steel Bonnets*, p. 152. Hector Armstrong, who betrayed Northumberland, was condemned by the Borderers, and MacDonald Fraser writes that "'taking Hector's cloak" came to mean betraying a friend': *ibid.*, p. 303; Herries, *Memoirs*, p. 118.

opportunity for the Hamiltons. If there had been a more stable environment, and the King's Party had been a stronger, more cohesive force, with greater support and military capability, then an attack on their head, which was not guaranteed to succeed, would undoubtedly have led to harsh retaliation. Far from the assassination attempt being a sign of weakness on the part of the Queen's Party (or at least, the Hamiltons, since it is uncertain whether the action commanded widespread support), it was instead triggered in part by their belief that they were starting to gain more support and could capitalise on the present circumstances. In a sense, it was also a pre-emptive strike, launched before Moray was officially furnished with English support, as appeared likely.

The assassination of Moray did not immediately prove to be a Marian victory. Neither a general uprising, nor the granting of liberty to Châtelherault materialised, despite the fact that the Hamiltons mustered forces only a few days after Moray's death.¹⁰⁷⁶ Nervous of Hamilton dominance, some of the Queen's Party sought to distance themselves from them, leading to some initial fragmentation in the party. Argyll and Boyd, for example, were both keen to disassociate themselves from the murder plot, openly claiming that they had no foreknowledge of it.¹⁰⁷⁷ Nonetheless, despite such initial misgivings, the loss of the Regent enabled Marian leaders to devote themselves with renewed vigour to Mary's cause. Hearing of Moray's murder, the King's Party soldiers who had been present at the siege of Dumbarton departed, leaving the way clear for Argyll and the Hamiltons to join Lord Fleming at Dumbarton Castle.¹⁰⁷⁸ From there, Campbell of Ardkinglas (Argyll's cousin) was sent to the lords and earls in Edinburgh, who had assembled in haste to take order, to desire them to acknowledge no authority but that of Mary, and themselves as her lieutenants.¹⁰⁷⁹ They claimed that they were willing to punish those who had committed the murder, but that the 'hail Hamiltons' were not involved.¹⁰⁸⁰ The steady trickle of defections from the King's Party, observed from the end of 1569, now turned into a haemorrhaging of supporters. The combination of Moray's recent treatment of Maitland, the defection of the border magnate Lord Hume, the influx of rebels from England, and Moray's seizure of Northumberland (perceived as evidence of an overly subservient attitude towards Elizabeth), followed so swiftly by the assassination, caused many more to declare for Mary. On 17 February, the Earl of Argyll, the Commendator of Arbroath, Claud Hamilton, Lords Eglinton, Boyd and Fleming, the Master of Herries, and the lairds of Buccleuch, Lochinvar, and Ferniehirst, met in Glasgow, holding a council in order to proclaim Mary's authority. With Moray dead and buried, the expectation was that Mary would soon arrive home, and the disintegration of the *de facto* government suggested to many that her restoration was imminent.¹⁰⁸¹ Those who had opposed Mary were encouraged to

¹⁰⁷⁶ Bannatyne, *Memorials*, p. 4.

¹⁰⁷⁷ *Ibid.*, p. 18; Herries, *Memoirs*, p. 123.

¹⁰⁷⁸ *Diurnal*, p. 156.

¹⁰⁷⁹ Argyll to Randolph, 18 February, SP52/17, f. 138r.

¹⁰⁸⁰ *Diurnal*, p. 157.

¹⁰⁸¹ Randolph to Cecil, 22 February, SP52/17, f. 147r.

switch sides, fearing that if rumours regarding her restoration were true, they might otherwise find themselves punished harshly on her return.¹⁰⁸² This suggests that there was a group of ‘floating voters’ who would support whichever ever appeared to be the winning side, the simple aim of self-preservation influencing their choice of party.¹⁰⁸³

It is traditionally assumed that a large border contingent declared for Mary which, considering they had felt the strongest impact of recent events, would have been unsurprising.¹⁰⁸⁴ Buccleuch, Ferniehirst, and Lochinvar were all Marian supporters, as was Herries, currently serving time in prison for his devotion.¹⁰⁸⁵ With Moray no longer suppressing their activities, they could once again campaign on Mary’s behalf. The Marians were also now aided by Lord Hume, whose allegiance had appeared to be wavering even before the Regent’s death. Hume is an interesting case. In 1573, he submitted a deposition regarding his defection from the King’s Party, in which he denied that he had abandoned the party until after Moray’s assassination.¹⁰⁸⁶ Indeed, he had initially been a fairly enthusiastic supporter of the regency government, and had received several benefits for lending his support to Moray.¹⁰⁸⁷ His refusal to join with the Queen’s Party in 1567 may have been due in part to regional rivalry with Bothwell (after Bothwell’s downfall, he was made Bailie of Lauderdale), showing that local issues sometimes took precedence over central politics, yet could simultaneously impact upon them. His original support for the King’s men, which included bringing men to Langside, and attending privy council meetings up until 1570, may have been as a means to achieve and consolidate his influence within the east march, where he was warden.¹⁰⁸⁸ Yet there were signs that even before Moray’s death, Hume’s allegiance to the King’s Party had waned. His decision to victual Hume castle in the autumn of 1569 had already singled him out as a possible defector, and suggests that he foresaw trouble ahead, and he had refused to ride on the Borders with Moray in October.¹⁰⁸⁹ Tension between Hume and Morton towards the end of 1569 has already been noted, and with Morton as acting head of the King’s men in the immediate aftermath of Moray’s assassination, it is perhaps unsurprising that Hume felt he could no longer remain in the party. He also appears to have been attached to Maitland of Lethington, which may be based on regional links (Maitland had land in

¹⁰⁸² *Ibid.*, f. 147r.

¹⁰⁸³ As was also witnessed at the time of Mary’s escape from Lochleven.

¹⁰⁸⁴ Cowan, ‘The Marian Civil War’, p. 102.

¹⁰⁸⁵ *Diurnal*, p. 160.

¹⁰⁸⁶ Hume’s Deposition, 1573, Add. MS 32091, f. 270r. This document also mentions printed rumours that Hume had left the King’s Party because he would not consent to Moray’s schemes to murder the young king. There is no further evidence to back this up, and it was probably a rumour designed merely to discredit the Regent, with no basis in truth. It does, however, point to contemporary perception of Moray’s ambition, and the fact that no such claims have survived is a useful reminder that the propaganda which we do possess may only be the tip of the iceberg.

¹⁰⁸⁷ Maureen M. Meikle, ‘Home, Alexander, fifth Lord Home (c.1525–1575)’, *ODNB* [<http://www.oxforddnb.com/view/article/13636>]; *RSS*, vi, p. 7.

¹⁰⁸⁸ Maureen Meikle, *A British Frontier?*, p. 68.

¹⁰⁸⁹ Drury to Cecil, 5 November 1569, Cot. Calig. CI, f. 472v; Drury to Cecil, 22 October 1569, Cot. Calig. CI, f. 465r.

Lauderdale), and he had appeared in Edinburgh to support Maitland, for his ‘day of law’.¹⁰⁹⁰ In return, Lethington was later to support Hume in his calls for the restoration of his property.¹⁰⁹¹

Hume clearly had connections with the northern rebels, and it is possible that he had had prior warning of the rising. He also had friends amongst the Dacres in England, who rose in February 1570, and were likewise forced to flee into Scotland.¹⁰⁹² Hunsdon reported that he would even ‘dye a dakers’, since it was a Dacre who had maintained his father and mother for three years, when they had been forced to seek refuge in England.¹⁰⁹³ Hume himself claimed that the cause of his defection was ‘the skaith’ he had ‘sustenit of england’.¹⁰⁹⁴ As Meikle notes, Hume had certainly harboured grudges against the English government, which may account for his support of the English rebels in 1569-70, and hence his subsequent support for the Queen's Party.¹⁰⁹⁵ Thus, his defection was not necessarily as a result of Moray's death, but may have occurred regardless, particularly if Moray had continued to do Elizabeth's bidding in the matter of the Northern Rebels. The ‘skaith’ from England increased once he had committed decisively to the Marians, and the subsequent capture of Hume Castle, rather than encouraging him to rejoin the King, only strengthened his opposition.¹⁰⁹⁶ Meikle also suggests that Hume's shift to Mary's side might be linked to his re-conversion to Catholicism, but this is not an entirely convincing argument, given the variety of religious belief to be found amongst either party.¹⁰⁹⁷ With Hume, as with others, we are seeing not so much a shift towards the Marian position for the prime reason of restoring Mary as monarch, but as a reaction against the policies of the King's Party. Issues of a more regional and personal nature were prominent. Furthermore, Hume did not ‘dramatically change sides’ in the way Meikle has described it, but rather shifted out of the King's Party towards the end of 1569, adopting some form of middle ground and awaiting upon the outcome of events, before completely committing to Mary in 1570, an approach shared by several at this time.¹⁰⁹⁸

Hume failed to carry into the Queen's Party many of his kinsmen in the locality, with Hunsdon reporting that ‘hys best friends yn the marshe hathe refusyd hym ... I wold fynd a goode party of hys owne name yn hys contrary’.¹⁰⁹⁹ Later propaganda also mentioned that Hume's

¹⁰⁹⁰ Hume's Deposition, 1573, Add. MS 32091, f. 270r.

¹⁰⁹¹ Randolph to Cecil, 7 April 1570, SP52/17, f. 79r.

¹⁰⁹² Sussex to Elizabeth, 10 April 1570, SP52/17, f. 84r. Summerson mentions that Dacre had ‘numerous and powerful allies’ in Scotland, though is not forthcoming as to who these were: Henry Summerson, ‘Dacre, Leonard (d. 1573)’, *ODNB*, [<http://www.oxforddnb.com/view/article/6994>].

¹⁰⁹³ Hunsdon to Cecil, 2 April 1570, SP59/16, f. 272r.

¹⁰⁹⁴ Hume's Deposition, 1573, Add. MS 32091, f. 270r.

¹⁰⁹⁵ Meikle, *A British Frontier?*, p. 68.

¹⁰⁹⁶ Melville, *Memoirs*, p. 228. The issue of Hume Castle was also to cause further problems when the two parties were later trying to come to terms: Mar to Hunsdon, 13 May 1572, SP51/23, f. 34v.

¹⁰⁹⁷ Meikle, *ODNB*, ‘Home’.

¹⁰⁹⁸ *Ibid.*

¹⁰⁹⁹ Hunsdon to Cecil, 7 March 1570, SP59/16, f. 222r. In 1570, when Sussex's army arrived, the *Diurnal* notes that Hume's ‘haill freindis’ were assured with the English: *Diurnal*, p. 170. Sussex also remarked that Hume was unable to assemble 100 horsemen: Sussex to Elizabeth, 1 May 1570, SP52/18, f. 5r; Sussex to Cecil, 25 April 1570, CP5, f. 48r; Drury to Cecil, 7 February 1570, SP59/16, f. 198r; Herries, *Memoirs*, p. 127.

‘freindis left him’.¹¹⁰⁰ Seeing this as an opportunity to increase their own power at his expense, the Humes of both Manderston and Coldenknowes stood against him.¹¹⁰¹ Whilst there was certainly an increase of Marian support, it can not be assumed that the whole of the east marches were brought into the Marian camp along with Hume. This also meant that once Hume had left the King's Party, he would find it impossible to return. Local opponents were arrayed against him, and he could muster little local support, leaving him politically isolated. Similarly, Ker of Ferniehirst, devotedly Marian from the outset, had also failed to carry all of the Kers with him, due to his personal feud with Ker of Cessford, who had supported Moray.¹¹⁰² He did, however, possess more local support than Hume.¹¹⁰³ On the other hand, although the Scotts (Buccleuch's kin) were often at feud with the Kers, including Ferniehirst, they nonetheless supported Mary, showing that whilst local issues might frequently outweigh wider political considerations, it must not be assumed that this was always the case.¹¹⁰⁴ Apart from Hume, there is also little to suggest that any of the Borderers who followed the Queen had Catholic sympathies.¹¹⁰⁵

Other Marian leaders were also able to devote themselves once again to Mary's cause. Huntly caused immediate alarm to the King's Party, as evidenced by the hasty passage of an Act of Council, empowering any burgess to take to arms against him with impunity.¹¹⁰⁶ Complaints had been made against him by various burghs of Scotland, for his taking of James Adamson, a burgess of Edinburgh, and for other violence committed by him, simply because those to whom it was directed were supporters of the King. Unable to deploy valuable military resources to deal directly with the problem, the Council temporised, claiming that because this was not a simple matter of oppression, which could be solved by recourse to justice:

full power, libertie and commandement [were given] to the haill estaitt of burgessis ... to tak armes, convocat themselffis ... and to searche and seik all persones of the said Erle of Huntleis factione quhilkis wer or is participant or accompaneit him and his adherentis in the tressonabill proclamatioune of the said new and forgeit authoritie in contempt of our said Soverane Lord ... and for that effect to invaid thame with all kynd of hostilitie.

This was similar to Moray's order in the spring of 1569, when he directed those who had complained against the Earl to take action against him, and shows that local grievances could be

¹¹⁰⁰ ‘Diallog of Twa Wyffeis’, 30 April 1570, SP52/17, ff. 289r-97r.

¹¹⁰¹ Hume of Manderston even went so far as to escort the English army into Scotland: *Diurnal*, p. 173, and Hume's ‘familiaris’ also had a secret conference with Drury, asking that they and their tenants might be protected in spite of Hume's actions: Drury to Cecil, 23 February 1570, Cot. Calig. BIX, f. 448r.

¹¹⁰² *AQM*, p. 107; Sussex noted that Cessford offered obedience to the King: Sussex to Cecil, 25 April 1570, CP 5, f. 48; Randolph asked Forster to ensure Cessford was ‘well used’: Randolph to Forster, 6 March 1570, *CSPF 1569-71*, 734. Ferniehirst was one of those with whom Mary corresponded – see NAS GD40/2/9/50.

¹¹⁰³ Meikle, *A British Frontier?*, p. 69.

¹¹⁰⁴ The Scotts and Kers became reconciled in 1569, when Jean Scott, daughter of Buccleuch, married Ferniehirst: Rosalind K. Marshall, ‘Scott, Jean, Lady Ferniehirst (b. c.1548, d. after 1593)’, *ODNB* [<http://www.oxforddnb.com/view/article/69922>]; *AQM*, p. 108.

¹¹⁰⁵ *Ibid.*, pp. 108-109. In his analysis of support from the Border region, Donaldson has shown that many of the Borderers who supported Mary appeared to have Protestant leanings.

¹¹⁰⁶ *RPC*, xiv, p. 37.

exploited by those at the centre of politics. Huntly continued to provoke the King's Party by reasserting his right to the office of Chancellor, and he permitted some of the northern rebels to shelter in Aberdeen. The Countess of Northumberland remained there with Lord Seton for a while, and the Earl of Westmorland stayed there en route to Flanders.¹¹⁰⁷

By April, Sussex was able to draw attention to the Marian gains, reporting that whereas 'the sones [par]tie daily decayeth, the mothers [par]tie daily increaseth', fearing if things continued in this vein, there would soon be 'no [par]tie but one'.¹¹⁰⁸ Indeed, if compared to the Marian successes, the King's Party was now very small, with the core members consisting of only Morton, Mar, Glencairn and Buchan amongst the earls, plus eight lords, whereas the Marians could boast that they possessed about twelve earls, and fourteen lords.¹¹⁰⁹ The Privy Council continued to meet, with Morton acting as leader, but the records show that fewer were in attendance in March than there had been in February, and by the time of Lennox's election in the summer, this number had declined even further.¹¹¹⁰ The King's Party did, however, retain the support of the Kirk, who arguably felt that the closer links with England possessed by the King's Party were more beneficial to them than the foreign aid sought by some of the Marians.¹¹¹¹ During this interregnum period they excommunicated the murderers of Moray and made their own moves to win supporters.¹¹¹² Desperately trying to change public opinion, they ordained that since it had pleased God to erect the authority of the King in the realm, with the consent of the three estates, then this authority should be obeyed, whatever else was pretended. Ministers were instructed to pray for the preservation of James's authority and person, and further efforts were made by sending members of the Kirk to try to gain more support for the King.¹¹¹³

Propaganda certainly increased dramatically, with a variety of ballads lamenting Moray's death, and inveighing against the Hamiltons. The immediate aftermath of Moray's murder witnessed a greater outpouring of printed broadsheets than at any other point in the war, and such

¹¹⁰⁷ De Spes to Philip II, 18 June, *CSP Spain 1568-1579*, 190; Hunsdon to Cecil, 23 April 1570, SP59/16, f. 289. It was also claimed that Huntly had taken over the tollbooth in Edinburgh at this time.

¹¹⁰⁸ Sussex to Elizabeth, 23 April 1570, SP52/17, f.130v.

¹¹⁰⁹ Hunsdon, on 30 January 1570, made a list of those who were at Elizabeth's devotion. Presumably this equates to the King's Party at this juncture, and consists of Morton, Mar, Atholl, Cassillis, Glencairn, Sempill, Ochiltree, Cathcart, Ruthven, Grange and Balfour. Hunsdon to Elizabeth, 30 January 1570, SP59/16, f. 184; *AQM*, p. 119. The lords of the King's Party as noted in the Records of the Privy Council included Ruthven, Lindsay, Glamis, Ochiltree, Cathcart, Methven, and Saltoun: *RPC*, ii, p. 43. Also see signatories to credit for Dunfermline, 1 May 1570, Cot. Calig CII, f. 203r. The Marian party included the Earls of Huntly, Argyll, Atholl, Errol, Crawford, Cassillis, Caithness, Eglinton, and Sutherland, as well as the Lords Herries, Hume, Seton, Boyd, Fleming, Ogilvie, Ross, Borthwick, Oliphant, Yester, Sommerville, Innermeith and Gray, and, of course, the Duke of Châtellherault: *RPC*, ii, p. 43.

¹¹¹⁰ *Hist KJVI*, p. 48 notes that Morton was in higher estimation than the other lords of his faction; *RPC*, xiv, pp. 32, 40. The list of names was slightly shorter in March. For election of Lennox, see Cot. Calig. CII, f. 314r.

¹¹¹¹ This was despite the effort of the Queen's Party who, according to Calderwood, stated that they preferred the advancement of religion to their own lives: Calderwood, *History*, ii, p. 551.

¹¹¹² *BUK*, p. 164.

¹¹¹³ Calderwood, *History*, iii, p. 3.

an attempt to manipulate public opinion had not been seen since 1567.¹¹¹⁴ Rather than being a genuine expression of grief, such productivity implies that the King's Party were struggling and in need of support. The primary purpose of the ballads was to call for revenge to be taken against the house of Hamilton. In so doing, the treacherous nature of the Hamiltons was contrasted with the virtues that Moray had possessed, to emphasise the enormity of the crime, and to urge that justice be done. The image of Moray as seen in these ballads undeniably contributed to the shaping of his reputation, with the overwhelming number of publications helping to bury the negative portrayal of the Regent as seen in the manuscript propaganda of 1569. With frequent references to his godly nature and the assistance he gave to the furtherance of the true religion, as well as to his mercy, his sense of justice and honour, his sober life, and his military prowess, it is clear to see how the image of the 'gude regent' emerged. Buchanan's *History* also noted these qualities in Moray, trying to ensure that Moray would be viewed this way by posterity.¹¹¹⁵

Indeed, Buchanan was active after Moray's death, writing his *Admonition to the True Lords* in April, a vicious attack on the Hamiltons, although this remained unpublished until 1571, when it was printed in Stirling.¹¹¹⁶ The most likely reason for the lack of publication is, as Mason has suggested, the fact that Lekprevik was experiencing difficulties in printing controversial material within Edinburgh, due to the resurgence of the Marian position.¹¹¹⁷ It was surely far easier to print single-sided broadsheets, with less risk to himself, and the other longer work from this period, *The Diallog of the Twa Wyfeis*, also went unprinted. Nonetheless, Buchanan's work could quite well have been circulating in manuscript form, and one draft certainly found its way into the hands of William Cecil.¹¹¹⁸ As with the ballads, the main thrust of the work was that the Hamiltons were not genuinely supportive of Mary's restoration, but were seeking 'the blud ... of our innoce[n]t king ... [and] his trew servandis', wishing to place themselves in the 'kinglie rowme'.¹¹¹⁹ Buchanan alleged that the Hamiltons had been single mindedly pursuing this one aim from the time of James V. This was certainly a widespread perception, and several ballads, in addition to a proclamation by the King's Council, indicated that the next step for the Hamiltons would be to kill the King.¹¹²⁰ These ballads addressed the Lords themselves, urging them to lead

¹¹¹⁴ There are 14 printed ballads from the first few months of 1570 collected in Cranstoun (ed.) *Satirical Poems*, i, pp. 82-169. Some of these ballads may have been widely distributed: 'The Regentis Tragedie' for example, went through three editions.

¹¹¹⁵ Buchanan, *History*, pp. 572-573.

¹¹¹⁶ Buchanan, *Ane admonition direct to the trew Lordis mantenaris of the Kingis graces autoritie*. (Stirling, 1571, *STC* 3967). It can, however, be dated from internal evidence. Despite the fact that the manuscript version appears in SP under February, this is incorrect, since the work refers to the murder of John Wood, which did not occur until April.

¹¹¹⁷ Roger A. Mason, 'Buchanan's Vernacular Polemics', *IR*, 54 (2003), p. 55.

¹¹¹⁸ 'Diallog of the Twa Wyfeis', 30 April 1570, SP52/17, ff. 289r-97r. Loughlin also notes that Buchanan's *Chamaeleon* managed to circulate in manuscript form, so it is quite likely that the *Admonition* did also: Loughlin, *Maitland*, p. 303.

¹¹¹⁹ Buchanan, *Ane admonition*, sig. Ciii.

¹¹²⁰ 'The Kingis Complaint', in Cranstoun (ed.) *Satirical Poems*, i, pp. 117-120.

the barons, and exhorting them ‘to assemble ... with curage stout’.¹¹²¹ The constant repetition of the calls for the Lords to rise up indicate the lack of success that the King's Party had in encouraging military action, and it was this sense of desperation which led to such an unprecedented volume of printed exhortations.

There is also at least one example of visual imagery being used to emphasise the risk to the King: a painted ensign was hung in the street, showing the infant under a tree, as if he were dead, crying ‘Judge and revenge my cause, O Lord’, a phrase also seen in several of the ballads.¹¹²² This bore clear links with 1567, when a similar banner had been used at Carberry, urging the Lords to revenge Darnley's death, and indeed, became something of a motto for the Lennox family from that time onwards. Revenge, in this sense, was being used as a virtue, as defined by Aquinas, since it was to punish wrongs done to God.¹¹²³ If, as we have seen, Mary's deposition had been divinely supported, the murder of that individual who had been appointed to rule, was clearly an offence in the eyes of God. Therefore, as in 1567, the religious rhetoric which had been deployed to justify the actions of the Confederate Lords was called upon, and characterised many of the ballads. Buchanan, Sempill, and the other balladeers all stressed that the Lords had a duty to God to take revenge, particularly since they had experienced His favour hitherto. ‘The Regentis Tragedie’, for example, stated that Christ would not spare them for the crime of inaction, comparing it to Saul's punishment for sparing Agag against God's command, and Buchanan too claimed that ‘sleuthfulness’ would be punished.¹¹²⁴ It is easy to see why Moray's religious zeal was thus emphasised, and he was compared to various biblical figures: ‘The Kingis Complaint’ described him as possessing ‘Abrahamis Faith’, ‘Dauidis mercy’, ‘Salomonis wit’ and ‘Sampsonis strength’.¹¹²⁵ The desire to push the Reformation forward also continued to find expression, with several ballads suggesting that Moray's death had been divine punishment for the Scots' slackness in Church reform, and a failure to follow in the zealous footsteps of their leader. Again, as we saw after Carberry, it is possible that some of the ballads were Kirk sponsored, with the nobility once more targeted for their failure to take a leading role in Church reform: ‘zour inobedience hes purchessit Goddis hait’.¹¹²⁶

A meeting of the Council had been called to discuss what action, if any, should be taken against the Hamiltons, with William Douglas of Lochleven, Moray's kinsman, presenting a petition for summary execution of justice.¹¹²⁷ The councillors debated whether the matter should be pursued with force against the whole house, or whether a certain number of them should be

¹¹²¹ ‘The Deploration of the Cruel Murther’ in Cranstoun, (ed.) *Satirical Poems*, i, p. 111.

¹¹²² Randolph to Cecil, 1 March 1570, SP52/17, f. 67.

¹¹²³ Robert S. Knapp, ‘The Uses of Revenge’, *Review of English Studies*, 40 (1973), p. 210.

¹¹²⁴ ‘Regentis Tragedie’ in Cranstoun, (ed.) *Satirical Poems*, i, p. 104. Story of Saul and Agag is from 1 Samuel 15.

¹¹²⁵ ‘The Kingis Complaint’, *ibid.*, p. 119.

¹¹²⁶ ‘Ane Admonitioun to the Lordis’, *ibid.*, p. 142.

¹¹²⁷ ‘Supplication to Lords of the Secret Council and the Nobility’, March 1570, SP52/17, f. 70r.

called to answer to the law.¹¹²⁸ Yet the disagreement over whether to use martial or judicial proceedings remained unresolved, and nothing further was done until the arrival of the English army in May. This was possibly due to the realisation that the Hamiltons were now in a stronger position, and action from the much weakened King's Party alone would be futile.¹¹²⁹ Maitland of Lethington, who informed Cecil that he did not welcome any reprisals, was blamed for the Council's indecision, and it was believed that he had prompted Atholl to ask for any decision to be delayed until a fuller assembly should meet.¹¹³⁰ Kirkcaldy of Grange had also been opposed to involving himself in any military revenge, not wishing to 'take the deadly fead ... of all ye Ham[m]iltons' upon himself'.¹¹³¹ Despite the outpourings of grief as witnessed in the ballads, the desire to elect a new regent took precedence over any wish for revenge.¹¹³² Moray's absence in England in 1568 had shown the King's Party the dangers of being without a lawfully constituted head, and they were keen to find a Joshua to follow their Moses.¹¹³³ The competition for the place, however, brought fresh controversy and renewed debate. The convention of the nobility which met in Edinburgh in March to decide upon the regency was composed of all shades of opinion, which in itself is indicative both of the weakness of the core King's Party members, and the desire of many for some form of co-operation.¹¹³⁴ Indeed, this period shows the inadequacy of the labels, Queen's Party and King's Party, more plainly than at any other time during the civil war. There were individuals who wanted to work for some form of reconciliation, and who did not identify clearly with either extreme during the interregnum months. The parties were not in two black and white, fixed positions, and these few months saw a mixture of both hostility and discussion. There were a variety of individual approaches, with positions shifting rapidly. Men such as Argyll, Boyd, and even Lethington, sought to cut across the earlier divides and reconcile the factions. Dawson has shown, for example, how Argyll tried to negotiate between his Hamilton kinsmen and the King's Party.¹¹³⁵ Atholl too, now beginning to shift into the Queen's Party, was able to act as an intermediary, since he was still in communications with Mar and Morton.¹¹³⁶ He had shown some unease about Moray's rule towards the end of 1569, when he had voted in favour of Mary's divorce, had permitted Maitland to lodge with him, and been angered by Maitland's subsequent imprisonment.¹¹³⁷ Furthermore, it was now easier for Atholl to join the

¹¹²⁸ Calderwood, *History*, ii, p. 526.

¹¹²⁹ Council meeting discussed this but voted in favour not to. Buchanan, *History*, ii, p. 577.

¹¹³⁰ Pitscottie, *Historie*, ii, p. 225.

¹¹³¹ Kirkcaldy of Grange to Randolph, 26 April, SP52/17, f. 137r.

¹¹³² *Diurnal*, p. 159; Drury to Cecil, 21 February 1570, Cot. Calig. BIX, f. 451r.

¹¹³³ 'The Regentis Tragedie', in Cranstoun (ed.) *Satirical Poems*, i, p. 101.

¹¹³⁴ *Hist. KJVI*, p. 48. The Hamiltons however were absent. Hunsdon to Cecil, SP59/16, f. 228r.

¹¹³⁵ Dawson, *Argyll*, p. 180.

¹¹³⁶ *Diurnal* p. 169; Mar to Laird of Lochleven, 15 April 1570, NLS MS 76, f. 84r; Dawson, *Argyll*, p. 181.

¹¹³⁷ It is possible that it was Atholl's influence which had also caused Tullibardine to vote in favour of the divorce, and he also followed him into the Queen's Party in 1570.

same party as Argyll, since they appeared to have come to terms over the troublesome clan McGregor.¹¹³⁸ As with Lord Hume, local issues affected central politics.

The death of Moray opened the door to a range of new possibilities. For some, this might mean a restoration of Mary, in various forms. For others, it was a chance to form a more broad-based government. We have already seen the beginning of Maitland of Lethington's gradual shift away from the King's Party, and the interregnum period witnessed the finalisation of his move into the Marian camp. Once again, he was to weave a tortuous path that would frustrate future historians. Initially, he tried to work for some form of reconciliation between the parties, without identifying himself as a member of either grouping. Even before his release, he had tried to further negotiations, sending to Huntly and Fleming, for example, to request that they refrained from committing any hostility until the Estates had met.¹¹³⁹ He had also perceived the Northern Rising to be an opportunity to draw the Scottish nobility together in a league against the papists of England, playing on the fear of a common enemy. Significantly, despite the fact that he 'hated' Morton, he had been willing to draw him into this league as well.¹¹⁴⁰ It is impossible to say whether anything concrete would have resulted from such plans, but Moray, whilst making no pronouncement on them, had at least offered to discuss them with the rest of the nobility.¹¹⁴¹ After the Regent's death, it was reported that Maitland continued to attempt a reconciliation with Morton, although owing to his imprisonment, the sincerity of this was questionable. If his aim had indeed been to procure his release, he succeeded, for on 14 February, the same day as Moray's funeral, he was restored to his former freedom by the Privy Council. The councillors published a decree stating that he had been committed to prison only because of the whisperings of his enemies, and he was acquitted both of Darnley's murder, and of being a 'practizer'.¹¹⁴² This suggests that his committal to ward had been an unpopular move with many of the King's Party, particularly those of a less extreme persuasion. Indeed, Hume's dissatisfaction had already manifested itself. Secondly, Maitland's restoration might also show that his desire to see some sort of Scottish pacification settlement had garnered widespread support. His political acumen and connections with both Queen's men and King's men now put him in the ideal place to act as broker for some sort of peace settlement. The lack of firm allegiance to any one noble house also gave him an advantage in this respect, since he could show greater neutrality than many.

¹¹³⁸ Lethington to Argyll, 10 June 1570, NAS GD112/39/7/11

¹¹³⁹ Gates to Sussex, 29 January 1570, SP59/16, f. 180v; Hunsdon to Elizabeth, 30 January 1570, SP59/16, f. 182r; Randolph to Cecil, 22 February 1570, SP52/17, f. 147r; Drury reported to Cecil that Maitland and Atholl were working for a thorough reconciliation: 7 February 1570, SP59/16, f. 198r.

¹¹⁴⁰ Drury to Cecil, 9 December 1570, Cot. Calig. CI, f. 479r.

¹¹⁴¹ Drury to Cecil, 20 December 1570, Cot. Calig. CI, f. 489r.

¹¹⁴² Decree of the Secret Council acquitting Maitland, 14 February 1570, SP52/17, f. 22r.

After his release, Maitland, by now in a poor state of health, was conveyed to his house at Lethington by Lord Seton, who had been one of his fellow students at the University of Paris,¹¹⁴³ and who had also gained his liberty from Edinburgh Castle at the start of 1570.¹¹⁴⁴ Yet despite this association with one of Mary's most committed supporters, Lethington moved cautiously, and it was not until late April that he could definitely be accounted as a Marian himself. At the end of February, he participated in a meeting with Boyd, Argyll and Morton at Dalkeith.¹¹⁴⁵ According to the *Diurnal*, all matters that were currently in controversy were discussed, in particular, whether Mary should return home. Presumably the aim behind this was to bring the Scots to internal agreement, without the need for any foreign intervention – an aim which Maitland and Argyll would have shared. Indeed, although the specifics of the Dalkeith talks remain largely unknown, the one recorded fact was that when Randolph, the English ambassador, arrived, Argyll and 'his colliges ... wes naway contentit thairwith'.¹¹⁴⁶

No conclusion was reached at the Dalkeith meeting, however, and the decision was taken to convene in Edinburgh on 4 March.¹¹⁴⁷ The 'hail nobilitie' were ordered to assemble, and letters were also sent out to many lairds – clearly the aim was for as wide an attendance as possible.¹¹⁴⁸ Present at the convention were leading nobles of contrasting allegiances, including Morton, Glencairn and Mar, as well as Huntly, Atholl, Crawford, Hume, Seton and Ogilvy.¹¹⁴⁹ The *Diurnal* terms the latter lords as 'being all of ane factioun mynd and will to have the quenis grac rignand'. They had previously been in conference at Linlithgow, with the Hamiltons, who were now prevented from entering Edinburgh.¹¹⁵⁰ Surprisingly, Argyll and Boyd failed to turn up to the Edinburgh convention, claiming that their refusal to attend was because the Earl of Mar had broken a promise made personally to them, and raised fire in Linlithgow.¹¹⁵¹ If the level of tension between the main protagonists was such that even a relatively trivial incident could have serious consequences, it did not augur well for the successful outcome of negotiations. It was also rumoured that Argyll's absence was due to the fact that he had newly been made Mary's lieutenant, a rumour which could only widen the increasing distance between the parties.¹¹⁵² The

¹¹⁴³ Michael Lynch, 'Seton, George, fifth Lord Seton (c.1530–1586)', *ODNB*, [<http://www.oxforddnb.com/view/article/25121>]

¹¹⁴⁴ Seton had been captured at Langside; Randolph to Cecil, 1 March 1570, SP52/17, f. 67r.

¹¹⁴⁵ *Diurnal*, p. 160.

¹¹⁴⁶ *Ibid.*, p. 161.

¹¹⁴⁷ *Ibid.*, p. 160; Randolph to Cecil, [27 February], SP52/17, f. 53r.

¹¹⁴⁸ Sums of money paid to boys who delivered writings to various lords, lairds and bishops – presumably regarding attendance at the convention: *TA*, xii, p. 200. This also suggests that the lairds were not attending of their own initiative.

¹¹⁴⁹ *Diurnal*, p. 163; Calderwood, *History*, ii, pp. 544-545.

¹¹⁵⁰ *Ibid.*, p. 544.

¹¹⁵¹ *Diurnal*, p. 164; Hunsdon to Cecil, 17 March 1570, SP59/16, f. 254; Bannatyne, *Memorials*, p. 20.

¹¹⁵² Hunsdon to Cecil, 17 March 1570, SP59/16, f. 254r.

Queen's Party used Argyll's absence as an excuse to claim that they could not come to any final decision without his say.¹¹⁵³

At this convention, it was discussed upon what grounds and by what authority, a regent might be appointed.¹¹⁵⁴ According to Maitland, some nobles alleged that they had the right to rule because of Mary's 'demission' of the crown at Lochleven. They cited the commission that she had signed at that time, which had named several noblemen to the position of regent, in case Moray refused to accept the charge alone.¹¹⁵⁵ Those who supported Mary, on the other hand, alleged that even if this commission had once been valid, it could not be extended to the present situation, for the conditions in which it was formed had ceased to exist, meaning it had now expired. Even some within the King's Party agreed with this. Others claimed that a full parliament was needed to resolve upon the matter, allegedly Maitland and his brother's preferred option, leading to accusations from their opponents that the Secretary was simply aiming to drive time.¹¹⁵⁶ Certainly, Maitland might have wanted to avoid any hasty decisions being taken, enabling the Queen's Party to consolidate their power, but it might also have been so that the Scots themselves could meet and place the government of their country on a more secure, legal footing, without any foreign intervention. The role of Parliament was important, and suggests that in addition to calling for Mary's return, Maitland wanted to see greater political participation, perhaps affording to Parliament the role of restraining the monarch. However, Maitland was also careful to adopt a conservative tone in his public correspondence. As we have seen, the Marians drew upon the blood ties of some of their leading members to oppose the King's Party, arguing that those who were nearer to the throne in blood, with ancient heritage, should govern, rather than the 'meanest' sort amongst the earls.¹¹⁵⁷ Maitland wrote to Leicester that, unlike the King's Party, the Queen's Party contained the 'most principal of the nobility' and fewer members of the inferior sort. He was eager to stress that the Queen's Party was the more influential, and was keen to emphasise their ancient lineage in the hope that it might make Elizabeth more responsive to them.¹¹⁵⁸

The convention ended, however, with 'nathing concludit', and it represented a failure for those inclined to conciliation.¹¹⁵⁹ Argyll's refusal to attend, whilst not solely responsible for its break-up, was nonetheless symptomatic of the personal as well as political differences between the lords. The moment for any unified decision was over, and the division into two parties started to

¹¹⁵³ Calderwood, *History*, ii, p. 544.

¹¹⁵⁴ *Ibid.*, p. 545.

¹¹⁵⁵ Maitland to Leicester, 29 March 1570, Cot. Calig. CII, f. 143r; Calderwood, *History*, ii, p. 545. Also see Instructions to Commendator of Dunfermline, 1 May 1570, SP52/18, f. 3 in which the Lords of the King's Party said they agreed that the original commission was sufficient.

¹¹⁵⁶ Calderwood, *History*, ii, p.545.

¹¹⁵⁷ Maitland of Lethington to Leicester, 29 March 1570, Cot. Calig. CII, f. 143r.

¹¹⁵⁸ *Ibid.*, f. 143.

¹¹⁵⁹ *Diurnal*, p.165; Hunsdon reported the break-up of the convention to Cecil, 17 March, SP59/16, f. 254.

become clearer. Maitland, Atholl, Hume, and Grange, whose allegiance had been wavering at the end of 1569, were perceived to depart completely from the rest of the King's Party, contemplating Mary's return, whereas the more extreme members – namely Morton, Mar and Glencairn – would not compass this in any shape or form.¹¹⁶⁰ After the convention had ended, these last mentioned convened in the Tollbooth, to debate their next move. Fearing Marian dominance, they planned to take it in turns to remain in Edinburgh, with Morton, Caithness, Ruthven, Glamis and Ogilvy intending to stay there until May, when they would be relieved by Mar and five others.¹¹⁶¹ The Queen's Men now met in Lethington's lodgings, and in April, together with the English rebels, retired to Linlithgow, where it was said of Maitland that he 'ruleth the convention'.¹¹⁶²

Several factors, resulting in part from Moray's death, were responsible for pushing Maitland even further into the Queen's Party. Firstly, the swelling of their ranks meant that they were the largest grouping within Scotland by April.¹¹⁶³ If Maitland genuinely hoped to unite the two parties, he might have felt that the best option for this, and one that would limit the role played by England, would be to work from a position within the stronger party. With the core of the King's Party consisting now of the most extreme individuals, he would arguably have better success working with the majority, and with a grouping that – similar to the early Confederate Lords – contained the greatest diversity of thought. This way, he could hope to avoid the dominance of either extreme. Perhaps he understood better than anyone the varied motivations of those within the Queen's Party, realising that the goal of many was no longer to restore Mary unconditionally, but that joint sovereignty with the King, or a more limited restoration, was looking to be an increasingly attractive option. A proclamation produced by the Marians in April, stressing that the King's Party were responsible for the new divisions, since they had departed from their original aim of liberating Mary from Bothwell, did not even mention any desire to restore Mary to full sovereignty.¹¹⁶⁴ The rise in support for the Queen's Party would also limit the power of the Hamiltons within it, a change from the situation in 1567. The other key factor in his total defection was the role England now chose to play. Although, as we have seen, Maitland certainly welcomed union, he most fervently did not want to see Scotland becoming subservient to England. Hearing of Sussex's army, and the devastation it intended to wreak on Maitland's countrymen, some of whom were his personal friends, in addition to conveying Lennox (widely tipped to be the next regent) towards Scotland, Maitland surely realised that he could no longer

¹¹⁶⁰ *Diurnal*, p.165.

¹¹⁶¹ Hunsdon to Cecil, 17 March 1570, SP59/16, f. 254.

¹¹⁶² Sussex to Cecil, 16 April 1570, SP52/17, f. 96.

¹¹⁶³ Letter written to Elizabeth by the Queen's Party at Linlithgow in April contained over 30 high-ranking names: Châtelherault and others to Elizabeth, 16 April 1570, SP52/17, ff. 98-101.

¹¹⁶⁴ Calderwood, *History*, ii, p.551.

support a party which looked as though it might capitulate entirely to Elizabeth.¹¹⁶⁵ Maitland would have been well aware of Lennox's treasonable activities in the 1540s, and his support for the policies of Henry VIII and Edward VI, which had been based on assertions of English overlordship. Lennox could therefore never prove acceptable to Lethington, as he feared it might open the door for this claim to be resurrected once again.¹¹⁶⁶ Indeed, in August, Maitland was to remark that 'it breakis my hart to se us at this point that England may gif us sik law as they will'.¹¹⁶⁷

At the same time, however, Maitland did not want to sever links with England entirely, and was keen to continue correspondence with the leading lights of English politics. After all, his aim was for an eventual union, though one on more equal terms. By joining himself to the strongest party within Scotland, he perhaps hoped this would enable the Scots to provide a stronger front to resist English demands, yet not rule out some form of amity. He also realised that whatever internal strength the Queen's Party might possess, some level of co-operation with England was essential, if Mary were to be returned home.¹¹⁶⁸ Despite his increasing distance from the King's Party, Maitland therefore kept in touch with the English ambassador, and expressed a wish for some form of Anglo-Scottish friendship. Indeed, it was surely Maitland's influence that caused the Queen's Party to start to remarket themselves in their dealings with the English, appropriating the King's Party's language of Anglo-Scottish 'godly amity'.¹¹⁶⁹ In a sense, they were also recasting themselves as the original Confederate Lords, claiming that they stayed true to the original aim of separating Mary from Bothwell. Although later, Maitland would participate in negotiations with the French, there is no suggestion at this point that he genuinely wanted French involvement, only to the extent that it could operate as a threat to England.¹¹⁷⁰ Indeed, he might have been hoping to prevent the Queen's Party from becoming too Francophile, aiming to channel their strength into a direction which would be more acceptable to the majority of Scots, of varying political persuasions.¹¹⁷¹

Straight away, Maitland adopted a leadership position within the Queen's Party, and it was reported that 'hys hed governes Huntley Argayle Atholl Heume and all that gange'.¹¹⁷² Randolph

¹¹⁶⁵ Bannatyne mentions that there were rumours circulating at the March convention that Lennox was returning to act as regent: Bannatyne, *Memorials*, p. 21. There is an implicit comparison with the Rough Wooings: Maitland to Sussex, 14 June 1570, SP52/18, f. 132r.

¹¹⁶⁶ Randolph to Cecil, 1 March 1570, SP52/17, f. 67r.

¹¹⁶⁷ Maitland to Ross, 15 August 1570, SP53/5, f. 117r.

¹¹⁶⁸ Loughlin, *Maitland*, p. 283.

¹¹⁶⁹ Maitland was believed to have 'dyted' the letter sent from the Queen's Party to Elizabeth in April 1570. Calderwood, *History*, ii, pp. 547, 550; Bannatyne, *Memorials*, p. 25; Instructions for Trebroun, 15 April 1570, SP52/17 f. 109r..

¹¹⁷⁰ In 1571, for example, he received money from France: payments to Grange and Lethington, 21 November 1571, NAS RH1/2/415.

¹¹⁷¹ His goal of reconciliation continued throughout the wars, see for example, 'Project for an Accord', 26 February 1572, SP52/22, f. 68r.

¹¹⁷² Hunsdon to Cecil, 17 March 1570, SP59/16, f. 254r.

and Sussex lamented his defection, describing him as a ‘maliciowse instrume[n]t’, alarmed that he saw through the English promises of aid to the King's Party, since he had shrewdly claimed that Elizabeth herself was indecisive, and unhappy with the detention of a fellow sovereign monarch.¹¹⁷³ His defection to the Marians was also felt keenly by those in the King's Party, with the great energy devoted to the ruin of his reputation showing that he was viewed as a real danger, due to his tremendous powers of persuasion, and the political acumen that he possessed. In the ‘Diallog of the Twa Wyfeis’, an unprinted piece of propaganda against the Marian party, Maitland was described as the ‘scholmaster’, with those who went to his house in Edinburgh as his pupils.¹¹⁷⁴ Hume in particular was singled out as being his ‘scholar’, and Herries was alleged to be the best to succeed in Maitland’s place if he should die. He was also described as being Machiavellian, clearly meant in this context as a derogatory term: ‘a by-word for atheism, tyranny, treachery and defeat’.¹¹⁷⁵ It was an image found again in a later ballad, ‘The Bird in the Cage’, which described him as ‘a scurvie scholar of Machiavellus lair’. Rather than being a military tactician, Maitland’s weapons consisted of his ‘pratting word’ and his ‘warldly wit’.¹¹⁷⁶ Another adjective frequently used to describe him was ‘cruikit’, found in both the ‘Twa Wyfeis’ as well as a ballad of the same month, ‘The Cruikit Leads the Blind’, which emphasised his alleged dishonest dealings, and provided a stark contrast to the ballads detailing Moray’s qualities and achievements.¹¹⁷⁷ The picture painted of Maitland was virtually a polar opposite to that of Moray – although as we have seen, Moray had also had his ‘cruikit’ moments.¹¹⁷⁸ Buchanan later directed his *Chamaeleon* against Lethington, although it was seized before publication, and again, the venom directed at Maitland was intense.¹¹⁷⁹ Buchanan arguably felt betrayed by his former ally, as they had previously shared some political principles.

Moray’s death, and the events surrounding it, also propelled Kirkcaldy of Grange into the Queen’s Party. Contemporaries did not, however, treat Grange with quite the level of hostility that Lethington endured.¹¹⁸⁰ The ‘Hailsome Admonitioun’, for example, a ballad printed in April, lamented the fact that he seemed to be abandoning the King’s men, but tried to exhort him to return to them, rather than pouring out bitter invective.¹¹⁸¹ One reason for this may be that

¹¹⁷³ Sussex to Cecil, 12 May 1570, SP52/18, f. 48r.

¹¹⁷⁴ This piece of prose propaganda is marked as c. April 1570, and was certainly written after 20 April, since it details both Rothes’ homecoming and the release of the prisoners from the Castle. It was endorsed by Cecil on 30 April, which gives a narrow range of dates for its production: SP52/17, ff. 289-97.

¹¹⁷⁵ Mark Loughlin, “‘The Dialogue of the Twa Wyfeis’”: Maitland, Machiavelli and the Propaganda of the Scottish Civil War’ in *The Renaissance in Scotland*, eds. A.A. MacDonald, M. Lynch and I.B. Cowan (Leiden, 1994) p. 227.

¹¹⁷⁶ ‘The Bird in the Cage’ in Cranstoun (ed.), *Satirical Poems*, i, pp. 160-164.

¹¹⁷⁷ Maitland was also ‘cruikit’ in body at this stage.

¹¹⁷⁸ ‘The Cruikit Leads the Blind’, in Cranstoun (ed.), *Satirical Poems*, i, pp. 128-131.

¹¹⁷⁹ Buchanan, ‘Chamaeleon’, in *History of Scotland* ed. Aikman, i, pp. xci-ci.

¹¹⁸⁰ E.g. *Hist KJVI*, p. 51; ‘Ane Ballat of the Captain of the Castle’, in Cranstoun (ed.), *Satirical Poems*, i, pp. 174-179.

¹¹⁸¹ ‘The Hailsome Admonitioun’, *ibid.*, pp. 165-169.

Grange, until 1570, had largely stayed out of any political manoeuvring. Unlike Maitland, he had not dirtied his hands in the Norfolk plot, had not opposed the Regent in any political forum, and his loyalty towards Moray had appeared consistently strong. As with Maitland, pinpointing an exact moment when Grange stopped being a King's Party member and offered his support to the Queen's Party is almost impossible. Some try to date his change in position from November 1569, when he ensured that Maitland of Lethington was brought into the castle, yet this does not necessarily mark a real change of heart; Maitland was an old friend, and the consideration that Grange showed towards him did not have to be indicative of a shift in his own political views. Personal ties could easily cut across political differences. Grange himself always stressed that whilst Moray was in authority, he never betrayed the King's cause, and that it was only once Lennox took over the reins of power that he shifted his stance. There was no contemporary doubt of Grange's loyalty voiced publicly at the start of 1570, and he had participated in Moray's funeral, carrying the standard.¹¹⁸² Despite the rumours that he had encouraged the Borderers to make incursions into England, his correspondence with Ferniehurst suggests the exact opposite – that he had tried to prevent such actions.¹¹⁸³ However, by April, English doubts of Grange's allegiance had arisen, and the releasing of Herries and Châtelherault from Edinburgh Castle was taken as a sign that Grange had decisively changed sides.¹¹⁸⁴ Sussex noted that at that time he was 'veheme[n]tly suspected of his fellowes',¹¹⁸⁵ and by 23 April, thought he was 'wholy revolted'.¹¹⁸⁶ Morton did not go quite so far, reporting to Randolph that the most they could expect from Grange was that he would be 'neutrall'.¹¹⁸⁷ The actions that Grange took were certainly beneficial to the Marians, even if he was not officially one of them. His position was not entirely clear cut, however, since in May, his signature could still be found attached to letters sent from the King's Party to Elizabeth, suggesting he did not view himself as a total convert to the Marian cause.¹¹⁸⁸ It was not until July, with his refusal to shoot off the ordnance to celebrate Lennox's appointment, that he can be seen to have completely departed from his former allies.¹¹⁸⁹ The Marians were then

¹¹⁸² Hunsdon lists Grange as one of those at Elizabeth's devotion: Hunsdon to Elizabeth, 30 January 1570, SP59/16, f. 184r. However, the satire of late 1569 has Lindsay saying that the King's Party would be the better if they had the 'auld Craig', i.e. Edinburgh Castle, in their hands, which implies that the author of it had detected Grange's change in allegiance as early as October 1569. Bannatyne, *Memorials*, p. 6. Grange wrote to Agnes Keith (Moray's widow) in March 1570, as though he were still an adherent to the King: 20 March 1570, NRAS 217/43/106.

¹¹⁸³ Ferniehurst to Grange, 23 February 1570, SP52/17, f. 148r.

¹¹⁸⁴ Hunsdon to Cecil, 23 April 1570, SP59/16, f. 289r. Also in the 'Dialog of twa wyfeis' it was claimed that Grange had got rid of the prisoners and prepared the castle in order to receive Mary (April): SP52/17, ff. 289r-297r.

¹¹⁸⁵ Sussex to Cecil, 21 April 1570, SP52/17, f. 122r.

¹¹⁸⁶ Sussex to Elizabeth, 23 April 1570, SP52/17, f. 130r.

¹¹⁸⁷ Morton to Randolph, 25 April 1570, SP52/17, f. 135r.

¹¹⁸⁸ Nobles of King's Party to Elizabeth, 5 May 1570, *CSP Scot*, iii, 215.

¹¹⁸⁹ Indeed, right before this, Randolph was still uncertain as to his allegiance: Randolph to Sussex, 9 July 1570, Cot. Calig. CII, f. 300r; Randolph to Sussex, 18 July 1570, Cot. Calig. CII, f. 324v.

given an enormous boost with the acquisition of Edinburgh Castle, a stronghold that was going to prove of immense value to them throughout the rest of the war.

What, then, were the reasons for Grange's defection? Maitland is typically blamed for his change of heart, with Randolph claiming that Lethington 'inchaunte hym'.¹¹⁹⁰ Indeed, Grange shared Maitland's fears as to the potential subordination of Scotland to England, and perhaps also felt that joining himself with the stronger party could be the way forward. Again, he was not necessarily supportive of the Queen's Party for the prime reason of seeing Mary restored to her position, but was influenced by other concerns. As with Maitland, it was the entry of the English army into Scotland, coupled with the installation of Lennox as regent, which caused him to abandon the King's men. In a letter to Moray's widow, Agnes Keith, Grange claimed that whilst he would never leave his duty towards Moray, and was willing to revenge his death, he feared that the 'haill realme is lyk to be brocht to uthier ruyne be the inbringin of straingers' and that he could see 'nathing but a playne conquest to be maid upon our cuntreye be them that sould be the deffenderis of it'.¹¹⁹¹ In the 'Hailsome Admonitioun', great effort was made to stress that the English were not coming in to Scotland to 'proffite to thame sell', suggesting that contemporaries also perceived it was dislike of English policy that caused Grange to change sides.¹¹⁹² He was clearly unhappy with English proceedings, and was suspicious of English intentions, seemingly angered at the army's attack on the lands of Maxwell and Hume, claiming that he was preparing the Castle to resist the army, and keep the English at the gate.¹¹⁹³ Yet he did not lay the blame solely on the English, criticising the King's Party equally, arguing that it was they who had invited the English into Scotland.

Once the Linlithgow conference had ended, hostilities within Scotland escalated. The Marianists now moved into Edinburgh, aided by Grange, who welcomed them into the town, with provisos that they did not alter the religion, did not molest anyone dwelling within the town, and did not come accompanied by either Elizabeth's rebels, or the Hamiltons.¹¹⁹⁴ Grange was therefore acting as a protector to the Queen's men, and by May, he had provided lodgings for both Hume and Lethington within the Castle.¹¹⁹⁵ Instead of the earlier negotiation attempts, there was now a move towards military action. Châtelherault and Huntly, for example, attempted to prevent Morton, Mar and others from reaching Edinburgh on 28 April, resulting in what Sussex described as a skirmish with the 'prickers' of Linlithgow.¹¹⁹⁶ A few days earlier, Grange too had prevented Morton coming to Edinburgh, since the Earl had been planning to use force to put Châtelherault

¹¹⁹⁰ Randolph to Cecil, 17 April 1570, SP52/17, f. 114r.

¹¹⁹¹ Grange to Agnes Keith, 20 May 1570, NRAS 217/43/118.

¹¹⁹² 'Hailsome Admonitioun' in Cranstoun (ed.), *Satirical Poems*, i, p. 169.

¹¹⁹³ Grange to Randolph, 26 April 1570, SP52/17, f. 137v.

¹¹⁹⁴ Grange to Randolph, 16 April 1570, SP52/17, f. 116r; *Diurnal* p. 169.

¹¹⁹⁵ Sussex to Cecil, 1 May 1570, SP59/17, f. 1r.

¹¹⁹⁶ *Ibid.*, f. 1r; Bannatyne, *Memorials*, p. 38; Sussex to Cecil, 2 May, SP59/17, f. 5r.

and Huntly out of the town. On 6 and 8 May, both sides made proclamations for the country to be ready for war, and as Sussex noted, 'the realme is now upon the pointe to trye the authority by the sworde'.¹¹⁹⁷ Tensions were rising, and the earlier possibility of some sort of conciliation was rapidly diminishing. The arrival of the English army, under the Earl of Sussex, at the end of April, and the subsequent English intervention on behalf of the King's men, would only contribute to this highly charged atmosphere, heightening the friction between the two sides still further.¹¹⁹⁸

4.2 'This matter wyll brede ... grete alteracyn': Anglo-Scottish Relations, January – July 1570¹¹⁹⁹

The death of Moray dealt a blow to the most recent English proposals. As Sussex termed it, this was the 'worste accydent' that could have befallen England.¹²⁰⁰ No longer was there a leader who, provided English assistance were given, had the capability to pacify Scotland. The renewal of instability within the realm now necessitated the immediate abandonment of any schemes to send Mary back as a prisoner.¹²⁰¹ It is of course questionable whether in reality, Moray could have commanded a secure enough hold over the country to make such proposals viable, and indeed, would even have acquiesced to them, bearing in mind his defiance of Elizabeth in the summer of 1569. Nevertheless, he had been the best chance the English had had of extending their influence into Scotland, and the best hope Cecil had had for his imperialist ambitions. Now, the lines of Anglo-Scottish policy needed to be redrawn. Although Moray's death terminated certain strategies, the potential for the English to exploit the Scottish situation to their own advantage still remained alive.

Of immediate concern to Elizabeth was the fact that, without Moray, the King's Party lacked the ability to capture the English rebels who were being maintained in Scotland.¹²⁰² She feared that these fugitives might join with Mary's supporters in launching a renewed attack upon England, aiming to deprive her of her throne, and replace her with the Scottish queen.¹²⁰³ This was understandable, since it was widely – if erroneously – believed that Ross and Lethington,

¹¹⁹⁷ Sussex to Elizabeth, 1 May 1570, SP52/18, f.6v, Sussex to Cecil, 1 May 1570, SP59/17, f. 1r; *Diurnal*, p. 174.

¹¹⁹⁸ The King's Party were encouraged by Sussex's arrival and took even harsher action against the Marians, burning Hamilton lands, destroying Châtelherault's palace at Hamilton, and casting down many other Hamilton houses: Sussex to Elizabeth, 3 June 1570, SP52/18, f. 103v.

¹¹⁹⁹ Sussex to Cecil, 26 January 1570, SP59/16, f. 169r.

¹²⁰⁰ *Ibid.*, f. 169r.

¹²⁰¹ These would, however, be resurrected during Mar's regency in 1572 with a more sinister intent – Cecil later hoped that the Scots would themselves put Mary to death: Secret Instructions to Killigrew, [10] September 1572, CP7, f. 49r; Killigrew to Burghley and Leicester, 24 September 1572, SP51/23, f. 188r.

¹²⁰² Hunsdon to unknown, 24 January 1570, SP59/16, f. 168r.

¹²⁰³ Elizabeth to Sussex, 29 January 1570, Cot. Calig. BIX, f. 404r.

amongst others, had known of and supported the Northern Rising.¹²⁰⁴ The increased instability of the Borders, combined with a fresh influx of rebels into Scotland after Leonard Dacre's rising in February, further heightened Elizabeth's anxiety, and led to a fierce determination to see the rebels brought to justice. Cross-border friendships, together with the traditional Border custom of aiding those banished out of either realm meant that the Dacres were not short of willing maintainers once they entered Scotland.¹²⁰⁵ Hunsdon also pointed out that the Borderers might choose to keep the rebels, rather than hand them over, since Elizabeth had effectively done the same thing by refusing to return Mary.¹²⁰⁶

On 18 March, the Scots were informed that an army was to be sent at the beginning of April, under the Earl of Sussex's command, in order to prosecute the rebels, those who maintained them, and those who had launched raids into England.¹²⁰⁷ Ronald Pollitt, following James Melville's interpretation of events, is keen to stress that the issue of the northern rebels was used primarily as a cover for the real aim of weakening the recently enlarged Marian party.¹²⁰⁸ If the actions of the English army are considered, it could be argued that a pitiful attempt was actually made to capture the rebels, whereas material damage was inflicted on the Marian strongholds in the Borders, such as Hume Castle.¹²⁰⁹ Certainly, areas were targeted in which the Queen's men were abundant, and the incoming force led to some dispersal of the Marians: Herries, Maxwell, Lochinvar and Johnston were forced to abandon the gathering at Linlithgow in order to attend to their own properties.¹²¹⁰ Pollitt points out that both Hume and Fast Castle were strategically important bases for the Marians, and had recently been victualled.¹²¹¹ He argues that if the English were genuinely concerned only with recovering the rebels, it would have been surprising to assault such castles housing, he claims, only two unimportant English subjects.¹²¹² There was clearly an element of strategy at play here, with Sussex himself explaining to Elizabeth exactly why these strongholds should be retained by the English. Hume castle, for example, standing on a prominent mound in the centre of the Merse, was in an 'offensive position'. If the Scots received

¹²⁰⁴ Hunsdon to Elizabeth, 30 December 1569, SP59/16, f. 124v. Hume, Johnston, Ferniehurst, Buccleuch, and even Argyll were also suspected of involvement, or at the least foreknowledge, of the rebellion.

¹²⁰⁵ Scrope noted that the friends of Maxwell and Herries, as well as Hume, supported the Dacres: Scrope to Cecil, 17 February 1570, *CSPF 1569-71*, 691; also Musgrave to Leicester, 3 March 1570, SP59/16 f. 217r, feared that the Douglasses would join; Hunsdon to Cecil, 2 April, SP59/16, f. 272r; Hunsdon to Elizabeth, 30 December, SP59/16, f. 124r.

¹²⁰⁶ *Ibid.*, f. 124v.

¹²⁰⁷ Elizabeth to Randolph, 26 February 1570, SP52/17, f. 72r.

¹²⁰⁸ Pollitt, 'The Northern Rebellion', pp. 11-12.

¹²⁰⁹ Notes of expeditions into Scotland, 1 June 1570, SP59/17, ff. 21r-23r.

¹²¹⁰ Sussex to Elizabeth, 9 May 1570, SP52/18, f. 34r. Scrope had been specifically asked by Morton to ensure that these men were kept at home: Scrope to Cecil, 9 May 1570, SP59/17, f. 12r.

¹²¹¹ Sussex explained that he threatened force against Fast Castle because he thought that it belonged to Hume, although afterwards found out that it belonged to the laird of Restalrig, who was a ward and son to Lady Hume by her former husband. Sussex to Elizabeth, 4 May 1570, SP52/18, f. 11r; Sussex and Hunsdon to Elizabeth, 29 April 1570, SP52/17, f. 143r.

¹²¹² Pollitt, 'The Northern Rebellion', pp. 11-12. In February, Drury reported that there were two English priests in Fast Castle: Drury to Cecil, 7 February, *CSPF 1569-71*, 677.

foreign forces, it could be utilised as a base from which to ‘annoy England’.¹²¹³ Sussex also advised Elizabeth that if she wished to maintain the King’s authority, she would either be able to win Hume back to the King’s Party, by redelivering the castle into his hands, or would be able to banish him from the march, and be assured of the rest of the Borderers in that region. On the other hand, if her intention was to restore Mary, then he wished it to be overthrown, so that it could not be refortified, and serve as a threat to England.¹²¹⁴

Steps were taken to make it appear (particularly where the continental audience was concerned) that the English army’s only purpose was to pursue the rebels, with proclamations to this effect being sent into Scotland, and ambassadors instructed to report this to the French King.¹²¹⁵ However, contemporaries certainly perceived the English army to be a clear indication of support for the King’s Party. Herries went so far as to claim that the King’s Party themselves had solicited Elizabeth to send the army, merely ‘under colour’ to pursue the rebels.¹²¹⁶ Indeed, if the Marians had genuinely believed that abandonment of the rebels would cause the English forces to be stayed, it is probable that they would have made greater efforts to disassociate themselves from them. Their insistence on maintaining them, however, suggests an expectation that the army would enter Scotland regardless, in which case, the support provided by the rebels could prove a useful bargaining tool. At the same time, it could serve as a contrast to the perceived subordination to Elizabeth that Moray’s capture of Northumberland had implied, attracting those who had disliked such an attitude. The Marians’ maintenance of the rebels was also a way to augment their numbers still further, suggesting to the French ambassador, who attended the Linlithgow convention in April, that they were well supported, and thus worthy of having aid bestowed upon them.¹²¹⁷ Furthermore, a number of the Queen’s Party genuinely believed that the cause of the Northern rebels had been popular, and hoped that maintaining the fugitives could lead to assistance from some of the English nobility. The *Diurnal* reports a speech made by Westmorland at Linlithgow, in which he promised to furnish the Marians with both men and money to support their cause, emphasising the support that there was for them in England. Yet Westmorland’s speech is difficult to take seriously, since he also promised to find means for Northumberland, Cumberland and Westmorland to be part of Scottish rule, with the marches relocating to Newcastle.¹²¹⁸

Whilst the intervention of the English army can certainly be viewed as a way to aid the King’s Party, Elizabeth’s wish simultaneously to prevent an invasion from the north was also a key motivation. Her genuine desire to see justice enacted on the rebels must not be taken out of the equation, and has perhaps been underestimated. Plans to send an army to pursue them had

¹²¹³ Sussex to Elizabeth, 1 May 1570, SP52/18, f. 5r.

¹²¹⁴ *Ibid.*, f. 5r.

¹²¹⁵ ‘Elizabeth’s orders concerning the proceedings on the Borders’, 14 March 1570, Cot. Calig. CI, ff. 523r-524v; Sussex to Queen’s Party, 17 April 1570, Cot. Calig. CII, f. 119r.

¹²¹⁶ Herries, *Memoirs*, p. 124.

¹²¹⁷ Randolph to Cecil, 7 April 1570, *CSP Scot*, iii, 790.

¹²¹⁸ *Diurnal*, p. 162.

been under discussion even before Moray's untimely death.¹²¹⁹ Although Elizabeth had hoped that the promise of reward would be sufficient enticement for the rebels to be handed over, she had directed her wardens to confer with Moray, to see what level of force would be necessary to procure the delivery of the fugitives.¹²²⁰ The difficulty is that because the areas in which rebels were 'reset' were virtually coterminous with those of the highest Marian concentration, it is almost impossible to identify English aims with any real accuracy. Pollitt's article, although valuable in drawing attention to the importance of the Northern Rising in restructuring Anglo-Scottish relations, neglects to consider the differences between Elizabeth's own objectives and those of her ministers, and commanders in the field.¹²²¹ Whilst all might appear bent towards the same enterprise, motivations were not identical. Elizabeth, for example, appeared genuinely to wish for attacks to be made on Hume and Fast Castles, for the primary reason that these had been, contrary to Pollitt, two of the main receptacles for the rebels.¹²²² In addition to the two priests whom Pollitt notes were present, the rebels Sir John Neville and Markenfeld were also alleged to be there, men whom Elizabeth specifically requested be captured.¹²²³ Granted, they are also considered to have been Marian strongholds, but Hume was, at this point, by no means a dyed in the wool Marian supporter, and it was rumoured that he might soon even be reconciled with Morton.¹²²⁴ In much of the correspondence she had with her Border officials, both before and after Moray's death, Elizabeth's stress was always on revenge for aiding or receiving the rebels, and revenge on those who took advantage of the situation to make incursions into England.¹²²⁵ The Borders had certainly fallen into much disorder, with frequent reports of nightly raids being undertaken by the Scots.¹²²⁶ She was keen to see justice enacted, to act as a 'terror to all others', in case of future rebellions.¹²²⁷ This was not out of line with typical Border policy, particularly given Cecil's increased emphasis on the need for a higher level of Border security, due to the mounting threat from foreign powers.¹²²⁸ Moray's death made it even more urgent to take action, simply because the uncertain state of government within Scotland meant that the Scots themselves were now unable to tackle the Border problem with the necessary speed and forces.¹²²⁹

¹²¹⁹ Instructions for Carey', 22 December 1569, SP52/16, f. 145r – 'he is to desire the Regent to allow her officers to enter Scotland with some convenient force'; also Sussex and Sadler to Moray, 4 January 1570, SP59/16, f. 137r, inform him that Elizabeth might find it necessary to send force; Sadler to Cecil, 9 January 1570, *CSPF 1569-71*, 613.

¹²²⁰ Elizabeth to Sussex, 24 January 1570, SP59/16, f. 164r. A secret conference was to be held with Moray and the border wardens to determine this.

¹²²¹ Pollitt, 'The Northern Rebellion', pp. 1-21.

¹²²² Hunsdon to Privy Council, 15 February 1570, SP59/16, f. 200r; Hunsdon to Cecil, 30 January 1570, SP59/16, f. 186r; Elizabeth to Hunsdon, 8 March 1570, SP59/16, f. 224r.

¹²²³ Elizabeth's Instructions to Sussex, 11 March 1570, SP59/16, f. 234r.

¹²²⁴ Hunsdon to Cecil, 30 January 1570, SP59/16, f. 186r.

¹²²⁵ Elizabeth's Instructions to Sussex, 11 March 1570, SP59/16, f. 231r. Elizabeth specifically notes that it was Hume, Ferniehurst, Buccleuch, and Johnstone who had maintained the rebels.

¹²²⁶ Drury to Cecil, 20 February 1570, *CSPF 1569-71*, 699; Hunsdon to the Privy Council, 15 February 1570, SP59/16, f. 200r.

¹²²⁷ Elizabeth to Hunsdon, 24 January 1570, SP59/16, f. 163r.

¹²²⁸ See above, ch. 3; Dawson, 'William Cecil and the British Dimension of early Elizabethan foreign policy', p. 201.

¹²²⁹ Elizabeth's Instructions to Sussex, 11 March 1570, SP59/16, f. 231v.

Elizabeth's very real fears regarding the rebels were exploited to their utmost by advisors such as Cecil, who realised immediately the tremendous opportunity to advance his own objectives. The King's Party had certainly declined in strength, even if the defectors were not yet fully-fledged Marianists. Cecil's policy was consistent with that of 1569, as he believed that the solution lay in sending aid to create a strong King's Party, judging that if the Marianists were to be crushed decisively, and Protestantism furthered even more in Scotland, then there would be less chance of them receiving external aid.¹²³⁰ The appointment of the professional diplomat, Thomas Randolph, as the new ambassador to Scotland, is also significant. Cecil had considerable, if not exclusive, influence over his appointment as ambassador, and was thus likely to have chosen a man sharing his own beliefs, and commitment to an Anglo-Scottish concord.¹²³¹ Furthermore, Randolph had previous experience of Scotland in 1559-60, when he had been on the side of the reformers, and Alford has placed him in the group of 'Anglo-Scots', supportive of an integrated Protestant culture.¹²³² He was also a great friend of Buchanan and clearly involved in Scottish politics: Morton, for example, wrote to Randolph as if they shared the same concerns.¹²³³ Sussex too, despite a conscious effort to present information to Elizabeth in what looked like an impartial light, showed his true colours by the way he referred to the Marianists as the 'adverse party', and the King's Party as 'our party', in his communications with the English court.¹²³⁴

In mid-April, Sussex asked Elizabeth whether he was permitted to aid the King's men.¹²³⁵ This indicates that Elizabeth had not sent the army with a clear intention that the King's Party should be assisted. The view of Elizabeth's Council, which met on 29 April, appeared unequivocal: aid should be given to the King's Party, and given now. With only a minute of the meeting drawn up by Cecil in existence, clearly structured in such a way as to pressure Elizabeth into acting on behalf of the King's men, it is difficult to judge whether this was genuinely a majority view.¹²³⁶ One of the first points made was that Mary should not be restored, since Elizabeth would never obtain sufficient assurance for her own safety if this were done. Cecil noted that, as evidenced by the late rebellion, Mary would not be short of men to support her claims to the throne of England. He followed this up by arguing that there would be a likelihood of conspiracy emanating from Scotland, were the government there not strengthened. Aid should be given to the party which favoured Elizabeth, and Sussex should 'omytt no occasion to weken

¹²³⁰ Cecil, *Papers*, 'A Short Memorial on the State of the Realm', p. 586.

¹²³¹ G. M. Bell, 'Elizabethan Diplomacy: The Subtle Revolution', in Malcolm R. Thorp and Arthur J. Slavin (eds.), *Politics, Religion and Diplomacy in Early Modern Europe, Essays in Honor of De Lamar Jensen*, p. 281. Bell believes that Elizabeth's own role in choosing the ambassadors was extremely slight, and that this period more than any other saw the secretaries have great influence in appointing them.

¹²³² Alford, *Cecil*, p. 45; Julian Lock, 'Randolph, Thomas (1525/6-1590)', *ODNB* [<http://www.oxforddnb.com/view/article/23122>].

¹²³³ Morton to Randolph, 25 April 1570, SP52/17, f. 135r.

¹²³⁴ See e.g. Sussex to Cecil, 25 April 1570, CP5, f. 48r; Sussex to Cecil, 9 May, SP52/18, ff. 33r-35v.

¹²³⁵ Sussex to Elizabeth, 17 April 1570, SP 52/17, f. 107r.

¹²³⁶ Deliberation of Elizabeth's Council concerning aid for the King's Party, 29 April 1570, Cot. Calig. CII, ff. 63r-65v.

ye contrary [par]ty'.¹²³⁷ It was made clear that this should be done immediately – indeed, there was implied criticism that Elizabeth had not yet acted. Otherwise, there was great danger that the King's Party might yield to their adversaries, for the sake of their lives, honours and possessions, leaving Elizabeth with no party at all in Scotland. The council therefore supported the King's Party's request for money to maintain 1000 waged soldiers for three months, and also the aid of the English army, since it would be able to do more now, and at less charge, than an army twice as large could do in the future, if the Marians consolidated their already much-improved position. Elizabeth was urged not to meddle in the claims between Mary and her son, but to keep Scotland in the manner which it had been 'by the lawes of ther [par]leme[n]t stablished' – in other words, to ensure that the King's Party continued in government.¹²³⁸

Yet Elizabeth declined to adopt such a resolute stance, and her refusal to declare openly for the King's Party was the source of much frustration amongst her ministers. Sussex in particular showed frequent irritation with her indecision, and by May was urging her to 'discov[er] on w[hi]ch side you wilbe'.¹²³⁹ He did not, however, wait patiently for an answer. Once the army had entered Scotland under his command, the delay in communications meant that Elizabeth had very little power to ensure that only her own objectives were met.¹²⁴⁰ On 12 May, the English troops entered further into Scotland than previously, moving to Edinburgh, still ostensibly seeking out the northern rebels, yet to contemporaries of both factions, it appeared as if they were forming a coalition with the King's Party.¹²⁴¹ By 16 May this was even more apparent, when the English army joined the King's men to relieve the siege of Glasgow Castle. When faced with such a military presence, the Hamiltons were forced to raise the siege and flee.¹²⁴² Much destruction was now carried out, with the Hamilton lands receiving the harshest treatment.¹²⁴³ Other Queen's men also suffered, especially Fleming and Livingston, as well as those lairds professing obedience to Mary.¹²⁴⁴ English intervention at this stage was arguably more of Sussex's influence, backed by Cecil, than that of Elizabeth.¹²⁴⁵ It seems as if, frustrated with her refusal to declare for the party, he himself took the initiative, writing to Elizabeth only *after* he had moved the army northwards to support the King's Party, justifying his actions by the disingenuous, and by now patently false,

¹²³⁷ *Ibid.*, f. 65r.

¹²³⁸ *Ibid.*, f. 65v. This suggests Cecil feared Elizabeth would support Mary's claims – otherwise he would surely have wanted her to take a dominant role in settling the issue.

¹²³⁹ Sussex to Elizabeth, 1 May 1570, SP52/18, f. 5r.

¹²⁴⁰ As Sussex wrote to Cecil, he was intending to do as much as he could to keep the King's Party from suppression: SP52/18, f. 35r. Fénelon notes that Sussex had a tendency to act 'sans le commandement de ceste Roynie' in such matters: *Correspondance Diplomatique*, iii, p. 304.

¹²⁴¹ Sussex to Elizabeth, 12 May 1570, CSP Scot, iii, 233.

¹²⁴² Pledges were also taken from the King's Party before the English army entered this far into the country. *Diurnal*, p. 176 specifically states that the cause of the English army coming into Scotland was 'to mantene the kingis auctoritie'; Bannatyne, *Memorials*, p. 41; Morton to Commendator of Dunfermline, 30 May 1570, SP52/18, f. 88r.

¹²⁴³ Atholl to Campbell of Glenorchy, 30 May 1570, NAS GD 112/39/7/6; Sussex to Elizabeth, 3 June 1570, SP52/18, f. 103r. The principal houses of the Hamiltons were cast down, including the Duke's house in Linlithgow, and the abbot of Kilwinning's house.

¹²⁴⁴ *Diurnal*, pp. 177-8.

¹²⁴⁵ Sussex to Cecil, 25 April 1570, CP5, f. 48r notes that Cecil desired revenge against the false Scots.

claim that the army was simply pursuing her rebels. Sussex also feared that Maitland of Lethington was spreading the rumour that Elizabeth was ‘inconstant unresolut and feareful’, and thus, ‘to mete w[i]th those practises’, felt it was necessary to make some effort to reassure the Scots otherwise.¹²⁴⁶ The King's Party expressed much gratitude for this aid.¹²⁴⁷ Sussex also independently stayed messengers from travelling between Mary and her party, and would later give money to the King's Party, before seeking Elizabeth's permission.¹²⁴⁸ Yet to Elizabeth, he claimed that he had made no show of ‘favouring or misliking of any [per]son in Scotland’, and argued that the display of force might lead to better offers being made by both parties.¹²⁴⁹ A letter to Cecil, written the very same day, is more revealing. In the latter, he told Cecil of his fears that the King's Party was deteriorating, and said that he had felt it necessary to take matters into his own hands, to ‘aid *our* party’.¹²⁵⁰ He avowed to Cecil that even without Elizabeth's direction, he would not see the King's Party suppressed.¹²⁵¹ Hunsdon too appears to have been involved in this action; he informed Cecil, though not Elizabeth, that he had resolved to send men into Edinburgh under Drury, and hoped that she would not be offended by his decision.¹²⁵² Yet when this came to her knowledge, Elizabeth expressed great displeasure, seemingly angered that the forces had gone so far into Scotland without her command.¹²⁵³ This intervention by the English was clearly instrumental in preventing the collapse of the King's Party, however. As Sussex remarked to Cecil, ‘oure [par]tie in Scotland was farre in declinacion at my coming hether ... They have now takin hart’, and Pitscottie believed that ‘gif Ingland had nocht tane pairt with the kingis lordis they had beine wraiked’.¹²⁵⁴ At the same time, it also put an end to the hope of any internal Scottish reconciliation.

Why then was Elizabeth so opposed to offering direct assistance to the King's Party? After all, this was the party composed of men who were eager to stress their devotion to England. Immediately after the Northern Rising, it had seemed as if she was more willing to provide support to Moray's party. However, the rapid decline of their fortunes after his death meant that a substantial military and financial commitment would have been needed from the English, and it would now take far longer to ensure a King's Party victory, which would bring increased risks.

¹²⁴⁶ Sussex to Cecil, 12 May 1570, SP52/18, ff. 48r-48v. He said that whatever Lethington devised, he would keep the Marians from having their wills.

¹²⁴⁷ Morton and others to Sussex, 29 May 1570, SP52/18, f. 99r.

¹²⁴⁸ Sussex to Elizabeth, 12 June 1570, SP52/18, f. 114r; Sussex to Elizabeth, 4 June 1570, SP59/17, f. 27r.

¹²⁴⁹ Sussex to Elizabeth, 12 May 1570, SP 52/18, f. 45r. Sussex wrote that he ‘thought it necessary to sende a [par]te of your force thether aswell to kepe others from suppressing of your [par]tie in Scotland’. This force would have carried out its actions before Elizabeth received the letter.

¹²⁵⁰ Sussex to Cecil, 12 May 1570, SP 52/18, f. 48r (my italics). He also claimed he would do what he could to ‘kepe upp still the q[ueen's] [par]tie’. Queen in this sense refers to Elizabeth.

¹²⁵¹ Sussex to Cecil, 4 May 1570, SP59/17, f. 5r.

¹²⁵² Hunsdon to Cecil, 9 May 1570, SP59/17, f. 8r.

¹²⁵³ Elizabeth to Sussex, 22 May 1570, Cot. Calig. CII, f. 214r. On 30 April, she had told Sussex that if the King's Party required her forces within the realm, ‘wee woldd you shold forbear to assent therto’: Cot. Calig. CII, f. 201v.

¹²⁵⁴ Sussex to Cecil, 9 May 1570, SP52/18, f. 35; Sussex's letter to Elizabeth, on the same day, adopted a far more neutral tone: Sussex to Elizabeth, 9 May 1570, SP 52/18, ff. 33r-34r; Pitscottie, *Historie*, ii, p. 225.

Her hostility towards the action by Sussex suggests that her aim was only to ensure the bare survival of the King's Party, not significantly to strengthen it. Indeed, in April, she had admitted to Sussex that she was unable to make a decisive resolution, wanting him merely to ensure that the King's Party did not decline greatly.¹²⁵⁵ Later, she stated specifically that she had only wanted them 'ayded and manteyned from ruyne'.¹²⁵⁶ If she had possessed a genuine determination to ensure their outright victory, surely the stronghold of Dumbarton castle would have been one of her targets, and she would have been more responsive to the requests for further aid.¹²⁵⁷ Instead, her policy was as equivocal as ever, and Sussex's repeated enquiries as to her intentions show that she lacked a clearly defined policy.¹²⁵⁸ James Melville was convinced by this behaviour that Elizabeth's plan was merely to hold the country in a state of discord.¹²⁵⁹ Indeed, there were contemporary rumours to this effect, as indicated by Randolph's comment that he was 'burdened to sowe sedition and to mayke division'.¹²⁶⁰ However, Melville felt that the action taken against Hume Castle, for example, was designed, paradoxically, to strengthen the Queen's Party, by detaching Hume from the King. He believed that, contrary to the typical viewpoint, England did not feel the Queen's Party was yet strong enough to sustain itself against the King's men.¹²⁶¹ It is a little extreme to argue that Elizabeth was aiming to kindle discord amongst the Scots, and Melville is surely mistaken to claim that it was the Queen's Party which needed to be bolstered, yet there remains a grain of truth in his statement. Elizabeth's aim throughout the civil war period was to ensure that Scotland was in a state of balance, and to prevent the Scots coming to any form of agreement amongst themselves, without England playing a decisive role. She was aiming once again, as in 1569, to increase the dependency of the parties on her, and to increase her control over Scottish events. Moray's obstreperous behaviour at the July Convention had then hindered her approach, but now such aims could be resurrected. Indeed, Elizabeth told Sussex that she wanted the parties to remain balanced so that she 'might have fardar tyme to make choyse whether we will deliver [Mary] or not'.¹²⁶² Elizabeth was also concerned to learn precisely what the intentions of the King's Party were, before committing herself in any way. Her emphasis was on intelligence, wanting Randolph to communicate the names of those who would be assured friends of England, and those who would act to the contrary. Before taking any critical action, she needed to be assured of the Scots' loyalty, and was wary of the fact that they might accept English aid, yet follow their own course of action regardless.¹²⁶³

The key difficulty in fathoming Elizabeth's intentions is that she deliberately altered the tone of her communications according to the audience. To the King's Party, she would make what

¹²⁵⁵ Elizabeth to Sussex, 30 April 1570, Cot. Calig, CII, f. 201v.

¹²⁵⁶ Elizabeth to Sussex, 22 May 1570, Cot. Calig, CII, f. 214r.

¹²⁵⁷ Lennox, Morton and others to Sussex, 16 May 1570, *CSPF Elizabeth 1569-71*, 932.

¹²⁵⁸ Elizabeth to Randolph, 18 March 1570, SP52/17, f. 72r.

¹²⁵⁹ Melville, *Memoirs*, p. 231

¹²⁶⁰ Randolph to Maitland, 27 March 1570, SP52/17, f. 75r.

¹²⁶¹ Melville, *Memoirs*, p.228

¹²⁶² Elizabeth to Sussex, 30 April 1570, Cot. Calig, CII, f. 201v

¹²⁶³ *Ibid.*, f. 202r 'it is also to be considered that wee bee not abused by them to gyve them our money, and they therew[i]th not to serve our purpose'.

appeared to be promises of support, implying that she would meet their desires, yet on close reading these promises lacked substance.¹²⁶⁴ She also refused to send Sadler, a higher ranking diplomat than Randolph, into Scotland.¹²⁶⁵ Randolph, with less power than Sadler would have had, could more convincingly claim that it was lack of authority that prevented him from providing any more direct answers to the Scottish lords, providing Elizabeth with further opportunity for temporising. Indeed, when Elizabeth refused to declare explicitly that England would support the King's Party, Randolph was instructed that if he was asked whether her meaning was 'to take full part with them', he was to say that he had 'no p[rese]nt authorite to make any speciall mention in precise words of such a ma[n]ner of mayntena[n]ce of ther Kyng and his estate'.¹²⁶⁶ He was only to imply that their desires would be met if they joined with her own forces, in order to punish the English rebels and their maintainers, and bring peace to the Borders, providing Elizabeth with the 'get out clause' that she was always so insistent on. Elizabeth also explained why it was not possible to provide open support. Her reasons were that if she did so, it would appear to the world at large as though she were taking on the position as judge of their cause, whereas she did not intend to 'intermedle' with their laws and customs.¹²⁶⁷

Elizabeth's concern with 'the world at large' was intense, and was the overriding cause of her refusal to commit. It is true that she had always been concerned with the legitimacy of her rule and actions, and had great respect for the status of a lawful monarch, yet references to this in 1570 are scarce, and it is more likely that her concerns were dominated by international reaction to any moves she made. Fears of foreign reaction were considerable as Elizabeth explained to Sussex:

The Frenche king solliciteth us to delyvour [Mary], and now begynneth expressley to pronounce his determination to ayde hir faction in Scotland, if we shall offende them, and ayde hir contraries, and though we are not ignorant of frenche threatenings, yet wee see suche preparation of forces on the sea syde in France, as we cannot neglect it, we have cause also to doubt the lyke of the king of spayne from the duke of Alva.¹²⁶⁸

The Marians certainly emphasised their continental links: Ross, for example, played on Elizabeth's fears when urging her to stay Sussex's army, claiming that revenge would be sought if Sussex were to enter Scotland. Such revenge, he continued, would draw in the European powers, who would interpret it as a breach of the peace.¹²⁶⁹ Letters were also directed from the lords in Scotland, claiming that instead of pouring water to 'represe the rage off the flamme' and pacify the realm, Elizabeth was providing 'oyle tymmer or other materialles to incesse and nurish it'.

¹²⁶⁴ Elizabeth's orders to Sussex, 14 March 1570, Cot. Calig. CI, f. 523r.

¹²⁶⁵ Elizabeth to Randolph, 26 February 1570, SP52/17, f. 152r. Before Moray had died, Sadler had been on his way to Scotland, but was recalled: Elizabeth to Randolph, January 1570, Cot. Calig. CI, f. 508r. See Gary Bell, 'Elizabethan Diplomatic Compensation: Its Nature and Variety' in *The Journal of British Studies*, 20 (1981) pp. 1-25 for a discussion of the status of diplomats.

¹²⁶⁶ Elizabeth to Randolph, 18 March 1570, SP52/17, f. 72v; Elizabeth's orders to Sussex, 14 March 1570, Cot. Calig. CI, f. 523r.

¹²⁶⁷ *Ibid.*, f. 523r.

¹²⁶⁸ Elizabeth to Sussex, 30 April 1570, Cot. Calig. CII, f. 201v.

¹²⁶⁹ 'The Articles touching the Queen of Scots' Affairs' presented by John Lesley, 12 April 1570, SP53/5, f. 54v.

She was warned that if she chose to support the opposing faction, foreign assistance would be turned against England.¹²⁷⁰ The King's Party also capitalised on the fear of invasion from abroad. It formed part of their internal propaganda, asserting that those who supported the 'pretend' quarrel of Mary did so in order to bring foreigners into their realm.¹²⁷¹ This was partly a response to Marian criticisms that they were permitting England to dominate their own realm, since many Protestants, in particular, would have felt that Catholic foreign aid was the greater of the two evils. Their requests for military aid from England also focused upon this, arguing that receipt of such aid would enable them to preserve Scotland's independence from foreign rule, taking advantage of England's perpetual fear regarding Scotland's role as a 'back door' for French entry.¹²⁷² The very fact that both parties were able to use this as a threat shows how worrying the possibility of foreign assistance was to the English.

Compared to the first half of 1569, there was certainly some cause for alarm. Firstly, Elizabeth's excommunication by the Pope in February 1570, combined with the Northern Rising, had heightened anxiety with regard to Catholic conspiracies.¹²⁷³ It was also rumoured that the Pope was to grant Mary a divorce, making her, if restored, an attractive prize to foreign rulers with their eyes on Elizabeth's throne. Spain had unmistakably identified itself with the papal interest, and Anglo-Spanish relations had been worsening since 1568.¹²⁷⁴ During 1570, Spain was perceived to be in a stronger position, having defeated the Morisco revolt and appearing to have regained control over the Netherlands, where Alva's troops were ideally situated to launch an attack on England.¹²⁷⁵ Despite the failure of the Rising, links between the rebels and the continental powers continued; money was reportedly being sent from the Duke of Florence, and the Pope, to the English Catholics.¹²⁷⁶ A 'Roome runner from the pope' was alleged to be with the English rebels who were being maintained by Hume, and was said to have contented them greatly.¹²⁷⁷ Both the northern rebels and the Marians had established contacts on the continent – Châtelherault's servant, David Chambers, and Thomas Mason (unidentifiable), carried letters to Alva from Northumberland and the other rebels.¹²⁷⁸ A greater strengthening of the ties of international Catholicism was seen as the Civil War progressed, but even at this early stage, there were reports that Thomas Jenye, Egremont Ratcliffe and others were setting sail for Flanders.¹²⁷⁹

¹²⁷⁰ Châtelherault and others to Elizabeth, 16 April 1570, SP52/17, f. 98.

¹²⁷¹ Shown again on 8 May, with a proclamation by the Secret Council urging men not to support her, as she would put into action 'the cruel decree of the Council of Trent': 8 May 1570, SP52/18, f. 31.

¹²⁷² Instructions to the Commendator of Dunfermline, 1 May 1570, SP52/18, ff. 3r-4v.

¹²⁷³ The bull was nailed to the door of the Bishop of London on 25 May: Lehmberg, *Sir Water Mildmay*, p. 89. Kesselring shows that the northern earls had earlier hoped for such a bull in order to legitimise their rising: Kesselring, 'A Pye for the Papistes?', p. 423.

¹²⁷⁴ Ramsay, 'The Foreign Policy of Elizabeth I', pp. 154-157.

¹²⁷⁵ Norris to Cecil, 16 March 1570, CSPF 1569-71, 761; Parker, *Philip II*, p. 105.

¹²⁷⁶ Robert Hogan to the Earl of Leicester, 8 March 1570, CSPF 1569-71, 737.

¹²⁷⁷ Sussex to Cecil, 26 March 1570, SP59/16, f. 261r.

¹²⁷⁸ John Marsh to unknown [11 April] 1570, CSPF 1569-71, 803. Marsh was a merchant who provided Cecil with diplomatic information, and it is therefore probable that this letter was addressed to Cecil.

¹²⁷⁹ Hunsdon to Cecil, 17 March 1570, SP59/16, f.254r. Jenye had changed allegiances, after originally working for Cecil, helping to secure Moray's passage to England in 1567.

At this point, there is no concrete evidence that the Spanish were planning any action against England, yet the financial aid they were giving to Elizabeth's enemies was deeply alarming nonetheless, and could be crucial in furnishing the rebels with the means to launch a further rebellion.¹²⁸⁰

France was possibly a greater threat.¹²⁸¹ Treating for peace had begun in the spring of 1570, and a France at peace, both internally, and with Spain, caused much anxiety for England.¹²⁸² Elizabeth's ambassador, Norris, fuelled fears of French action, reporting from Paris that the Cardinal of Lorraine was prepared to invade Scotland, and that the 'spring head' of the Northern Rising had originated either in France or in Flanders.¹²⁸³ He linked this into a wider conspiracy, suggesting that the Cardinal had been behind Moray's assassination, and that he was aiming to place Mary on the English throne.¹²⁸⁴ Norris also mentioned a treatise published in France, which he believed confirmed French involvement in the Northern Rising, noting that Catherine de Medici failed to punish its author.¹²⁸⁵ This was not simply scaremongering on Norris's part – immediately after Moray's death, there had been suspicions amongst both the English and the Scots that the French had been privy to the assassination.¹²⁸⁶ It also seemed suspicious that Westmorland was now allegedly heading for France.¹²⁸⁷ Rumours of new conspiracies abounded; Cecil being informed of a French plan to send ships near to where Mary went hunting, in order to seize her.¹²⁸⁸ There were also fears that French aid was en route to the Marians.¹²⁸⁹ The French ambassador, Verac, had arrived at Dumbarton in March, and was present at the Marian convention in Linlithgow in April.¹²⁹⁰ He was said to have brought with him letters from Charles IX, promising any form of aid they required, in remembrance of the 'ancient alliance betwixt France and Scotland'.¹²⁹¹ Norris corroborated this by reporting that 4000 corslets and 6000 harquebusiers were ready to be sent to Dumbarton, and a proclamation had been made in France that only ships bearing Mary's passport were to be allowed in.¹²⁹²

¹²⁸⁰ Norris reported rumours that the Spanish king's ministers in the Low Countries were planning to succour Elizabeth's rebels. Norris to Elizabeth, 13 April, *CSPF 1569-71*, 806.

¹²⁸¹ J.H. Elliott, *Europe divided 1559-1598* (London, 1968) pp.124-5.

¹²⁸² Concluded in August with the Treaty of St Germain: Holt, *French Wars*, p. 69; Norris to Cecil, 16 March 1570, *CSPF 1569-71*, 761 noted that France and Spain were on good terms, each promising that they would not act against England without making the other privy to it.

¹²⁸³ Norris to Cecil, 5 February 1570, *CSPF 1569-71*, 675.

¹²⁸⁴ Norris to Cecil, 25 February, 1570, *CSPF 1569-71*, 712; Norris to Cecil, 1 March 1570, *CSPF 1569-71*, 725.

¹²⁸⁵ Norris to Cecil, 25 February 1570, *CSPF 1569-71*, 712.

¹²⁸⁶ Sussex to Cecil, 26 January 1570, SP59/16, f. 169r.

¹²⁸⁷ Hunsdon to Cecil, 17 March 1570, SP59/16, f. 254v.

¹²⁸⁸ Norris to Cecil, 9 March 1570, *CSPF 1569-71*, 740

¹²⁸⁹ In January, Moray had reported that French ships were off the coast and ready to approach Dumbarton: Moray to Drury, 20 January 1570, Cot. Calig. CI, f. 505r.

¹²⁹⁰ John Gordon to Elizabeth, 18 April 1570, SP52/17, f. 118r.

¹²⁹¹ Hunsdon to Cecil, 1 April 1570, SP59/16, f. 270r, reported that Verac was with Seton and Fleming. John Gordon to Elizabeth, 18 April 1570, SP52/17, f. 118r.

¹²⁹² Norris to Cecil, 9 March 1570, *CSPF 1569-71*, 740; Norris to Cecil, 14 April, *CSPF 1569-71*, 808. (Proclamation itself is dated 11 March).

Such reports of French aid for the Queen's Party, combined with pressure from the French King for Mary's restoration, were the cause of much alarm to Elizabeth. Catherine de Medici claimed that her son could not, with honour, see Mary deprived of her estate, and within England, there was unrelenting pressure to restore Mary from the French ambassador, who refused to accept that the army had been sent only to punish the English rebels.¹²⁹³ He called for the forces to be retired, stating that Charles IX was prepared to 'take upon himself her cause as if it were his own'.¹²⁹⁴ It appeared as if it was this pressure which led Elizabeth to discharge the army at the end of May, although by then it had arguably done as much as, if not more than, she had intended. In return, she was rewarded by a letter from the French King, claiming that he had countermanded his own forces.¹²⁹⁵ It is not certain that such forces had actually been ready to sail, yet it looked like the threat had succeeded nonetheless. Indeed, Mary's sudden burst of letters to Charles IX, Mothe Fénelon, and the Archbishop of Glasgow, in April, indicate that French aid was clearly not as forthcoming as the reports had suggested. She found it necessary to reiterate that the army was being sent only 'soubz couleur de poursuivre et chercher ses rebelles fugitives', and she urged France to send the aid that had been promised for the last year.¹²⁹⁶ In June, Randolph reported that the Queen's Party's hope of France 'is not so greate as yt was, for sins the departeur of the ffrench man [i.e. Verac] thei nev[er] hearde thens', and Sussex claimed 'the cominge of the French was but a bragginge from the beginning'.¹²⁹⁷ It is unlikely that the French crown ever seriously intended to provide much aid at this stage, although might have been content for the Guises to offer some form of assistance in an unofficial capacity. The French King did not seem to want to restore Mary himself, but simply to ensure that England did not gain a foothold over Scotland. Indeed, with hindsight, it is obvious that both France and England were playing the game of diplomatic bluff.

Nevertheless, such threats arguably caused Mary's restoration to be – at least outwardly – under renewed discussion, further increasing the optimism amongst the Marian party. Elizabeth now yielded to hear what offers Mary would make (via Ross), and agreed that representatives of both parties should enter England to treat with Elizabeth and her council.¹²⁹⁸ Despite the fact that much of the surviving evidence shows Cecil's viewpoint, he was not the sole influence on Elizabeth, and Fénelon reported the differences of opinion within the council.¹²⁹⁹ Leicester, for example, was in favour of closer ties with France, in order to form an alliance in case of future trouble with Spain, and therefore would not advocate a policy which would appear offensive to

¹²⁹³ Norris to Elizabeth, 5 February 1570, *CSPF 1569-71*, 674; 'Audience of the French Ambassador', 21 May 1570, *CSPF 1569-71*, 942.

¹²⁹⁴ 'Instructions to the French ambassador', 12 April 1570, *CSPF 1569-71*, 805.

¹²⁹⁵ Charles IX to the French Ambassador, 10 June 1570, *CSPF 1569-71*, 990.

¹²⁹⁶ Mary to Fénelon 30 April 1570, Labanoff, *Lettres*, iii, p. 37; Instructions by Châtelherault to the kings of France and Spain, July 1570, SP52/18, f. 171r also suggest that French aid had not been readily available.

¹²⁹⁷ Randolph to Sussex, 23 June 1570, Cot. Calig. CII, f. 253r; Sussex to Cecil, 22 June 1570, SP52/18, f. 138r.

¹²⁹⁸ Elizabeth to Sussex, 31 May 1570, Cot. Calig. CII, f. 220r; Articles Touching Queen of Scots'

Affairs, 12 April 1570, SP53/5, ff. 43r-44v. No Scots came into England to treat at this point, however.

¹²⁹⁹ Fénelon, *Correspondance Diplomatique*, iii, p. 141.

the French. According to Fénelon, others supported him in this option.¹³⁰⁰ Elizabeth certainly attempted to convince Europe that she was seeking Mary's restoration, creating the impression that she had already set the wheels in motion for it. She wrote that once Mary had agreed to the things which had recently been treated by the Bishop of Ross, then further steps to restore her would be taken.¹³⁰¹ Previous breakdowns in treating were blamed on Mary's involvement in the Northern Rising.

However, it is doubtful whether this was much more than a ploy to stall France and Spain. Unlike 1569, when she had been genuinely keen to get negotiations moving, Elizabeth herself now found obstacles and sought to impede progress. This is not to say that she had abandoned all wish to send Mary back to Scotland; only that she did not consider this an opportune moment to do so. Whilst McCaffrey argues that Francis Bacon's raising of the issue of Ross's *Defence* caused Elizabeth to delay, this instead appears to be simply a convenient excuse.¹³⁰² She also instructed Norris to tell the French that the delay in restoring Mary was partly because Mary's own ministers were interrupting 'with innovations on her behalf', and partly due to the Scottish refusal to hand over the English rebels.¹³⁰³ Ross had promised on Mary's behalf, that she would see any injuries done to England redressed, and thus the English rebels were clearly being used as another excuse to halt the treating. Cecil's draft of 7 May, entitled the 'delivery of the Queen of Scots', appears to have been an attempt to devise even harsher conditions than previously, which he believed the Queen's Party would not have accepted.¹³⁰⁴ Almost certainly, he was writing the memorandum unwillingly, forced into it by Elizabeth's panic in the face of French threats. Significantly, it was not a restoration of Mary to sole sovereignty that was envisaged, but jointly with her son. The conditions he drew up included a ratification of the treaty made at Leith (i.e. the Treaty of Edinburgh, denying that Mary had any claim to the English throne), keeping the peace with England, the delivery of Hume and Dumbarton Castles to Elizabeth, and returning the English rebels to England to face justice.¹³⁰⁵ Mary would also be bound to keep the articles of the treaty by the Scottish Parliament. A further condition was the handing over of the young James VI to English custody, for surety, something that he believed Mary – and indeed, the Scots themselves – would be unwilling to do.¹³⁰⁶ Yet Mary herself appeared willing to accept all such conditions, informing the Countess of Mar that James may need to be sent to England.¹³⁰⁷ It is likely that the English government had not expected the Scots to be so amenable, and thus invented an excuse to manoeuvre out of the negotiations, telling Ross in June that despite agreeing to the conditions, he had been too general, and that more specific answers, particularly relating to

¹³⁰⁰ Arundel returned to court on 4 April 1570: *ibid.*, p. 106; MacCaffrey, *Elizabeth*, pp.132-33.

¹³⁰¹ Answer of Elizabeth to the French Ambassador, 22 May 1570, *CSP Scot*, ii, 252.

¹³⁰² MacCaffrey, *The Shaping of the Elizabethan Regime*, p. 251.

¹³⁰³ Elizabeth to Sir Henry Norris, 23 May 1570, Cot. Calig. CII, f. 216r.

¹³⁰⁴ Draft by Cecil, 'Delivery of the Queen of Scots', 7 May 1570, Cot. Calig. CII, f.23r.

¹³⁰⁵ *Ibid.*, f. 23r.

¹³⁰⁶ *Ibid.*, f. 23r. One of the conditions placed on Lennox when he came became Regent was that James should not be transported out of the realm. See below, p. 195.

¹³⁰⁷ Mary to the Countess of Mar, June 1570, *CSP Scot*, ii, 328.

the surety that the Scots would provide, were required. Thus, discussions faltered, with Elizabeth also arguing that new evidence had come to light regarding the 1569 rebellion.¹³⁰⁸

Whilst the treating was taking place, Elizabeth's attitude towards the Scots was highly equivocal. Firstly, she insisted that the hostilities from either party must cease, no alterations were to be made regarding the government of Scotland, and an arrangement must be made for the rebels to be delivered.¹³⁰⁹ Cecil explained to Lennox that this was because, 'uppon i[m]portunite of ye fr[ench] kyng, and othirs, she is contented to heare what offers ye Q[ueen] of Scottis ca[n] or will make'.¹³¹⁰ The articles for disarming within Scotland made it appear to the King's men that the way was being prepared for Mary's return, and by the summer, they had reached their lowest point. Indeed, Elizabeth was well aware that her actions would 'muche discomforte' the King's Party, and warned her ministers in Scotland that they must be 'warely handled'.¹³¹¹ Yet on 6 June, Elizabeth informed Sussex that due to 'some new indirect course taken here and practised on the Scottish Quene's behalf to abuse us, have therefore thought good n[ot] to procede ether in such sort or wth such spede [to] hir avantage as before we were inclined'.¹³¹² When she was at greater leisure, she explained that although she had yielded to what Mary had to say, and to offer, her mind was by no means made up, and she argued that since James VI had been crowned, it was not possible to make any legal alterations to his state.¹³¹³ This was a further sign of her indecision, since it was incompatible with her other statements that Mary, as the legitimate sovereign, could not lawfully be deposed. If she had consistently upheld this belief, then surely she would have viewed James's coronation as invalid.

Whilst the European threat had caused Elizabeth to resume negotiations with Mary, it had not yet panicked her into actually carrying out the restoration, and all she had done was to drive time, before taking decisive action, ensuring that neither party within Scotland gained enough strength to make it likely that her future wishes could be thwarted. Similar to her aim after the York-Westminster conference, Elizabeth wanted the King's Party only to survive, and for the parties to be balanced, to give her the opportunity, if international pressure eased off, to follow whatever path she chose. As ever, she was reluctant to close off any avenue of policy unless absolutely necessary. Furthermore, the restoration of Mary would not have been in Elizabeth's best interests at this stage. As in 1569, she was only prepared to give her nominal sovereignty, Cecil's conditions effectively subjugating the will of the monarch to parliament, and for this policy to be effective, a strong and trustworthy council within Scotland was necessary. Whilst Moray was alive, she believed she had this. His death, however, had contributed to the recent resurgence of the Marian position, which meant that whatever the Queen's Party might promise,

¹³⁰⁸ Bishop of Ross' Audience with Elizabeth, 28 June 1570, *CSP Scot*, ii, 323.

¹³⁰⁹ Elizabeth to Sussex, 31 May 1570, Cot. Calig. CII, f. 220r.

¹³¹⁰ Cecil to Lennox, 18 June 1570, Add. MS 3209,1 f. 220r.

¹³¹¹ Elizabeth to Sussex, 31 May 1570, Cot. Calig CII, f. 220v.

¹³¹² Elizabeth to Sussex, 6 June 1570, Cot. Calig. CII, f. 238r.

¹³¹³ Elizabeth to Sussex, 2 July 1570, Add. MS33531, f. 91v.

any restoration of Mary at this point would leave Elizabeth vulnerable.¹³¹⁴ The English army had failed to win any of the Marian heavyweights over to the King's Party, and had only succeeded in increasing the resentment they already felt towards Elizabeth, with many of the Marians construing the actions of 1570 as further assertions of overlordship.¹³¹⁵ Although attempts were made by Cecil and Sussex to gain the co-operation of Lethington and Grange, hoping that this would improve Elizabeth's standing, these were ultimately unproductive.¹³¹⁶

4.3: The Choice of a New Regent

Within Scotland, the choice of a regent returned to the top of the agenda. Sent on a mission to England in May, the Commendator of Dunfermline had been instructed to ask Elizabeth whom she wished to appoint as regent, since the King's Party, in need of English assistance, accepted that she would play a part in this decision.¹³¹⁷ Once again, Elizabeth's characteristic hesitancy was shown. It took almost six months from the time of Moray's death until Lennox was appointed as regent, making it the longest period throughout the civil wars where there was no single individual in at least nominal control. It is frequently assumed that Lennox (in spite of his initial pro-French entry into Scottish politics in the 1540s) was an anglophile regent, who was imposed upon an unwilling Scottish nation by the English Queen.¹³¹⁸ Yet Lennox himself, at the time of his entry into Scotland, claimed that the Scots were 'verie desireous to have me with them'.¹³¹⁹ Thorough examination of the evidence suggests that neither opinion offers the whole truth.

From the very beginning of the interregnum period, Lennox, who was resident in England, had been mentioned as a possible successor to Moray.¹³²⁰ Ballads printed at the time, such as 'The Regentis Tragedie', contained calls to 'feche Levenox hame'.¹³²¹ Even before Moray's assassination, Lennox had been called upon by the King's Party to take an active role in Scottish politics, being requested by the Council to appear in Edinburgh for Maitland of Lethington's day of law, presumably to bolster the weakened King's men.¹³²² Immediately after Moray's death, Sir Henry Gates (in Scotland to discuss the capture of the English rebels), sent a report on proceedings down to Sussex. He maintained that the 'openyon of c[er]tane of the best, [was] for the Erle of Lennox w[i]th assistance to be gov[er]nor of the kinge'.¹³²³ Indeed, letters were directed to Lennox, 'desyryng him to cum in Scotland' as 'they wald prefer him to be Regent

¹³¹⁴ Cecil had earlier warned Elizabeth about this: 'eight questions concerning the treatment of Mary', October 1569, Cot. Calig. CI, f. 440r.

¹³¹⁵ Herries, *Memoirs*, p. 128.

¹³¹⁶ E.g. tenth enclosure, Sussex to Maitland and Grange, in letter from Sussex to Elizabeth, 4 May 1570, SP52/18 f.22r.

¹³¹⁷ Instructions to Dunfermline, 1 May 1570, SP52/18, f. 3r.

¹³¹⁸ Cowan, 'The Marian Civil War' p. 104; Hewitt, *Scotland under Morton*, p. 12; Fraser, *Mary*, p. 524.

¹³¹⁹ Lennox to Cecil, 8 May 1570, Cot. Calig. CI, f. 207v.

¹³²⁰ E.g. Drury to Cecil, 24 February 1570, SP59/16, f. 208r.

¹³²¹ 'The Regentis Tragedie' in Cranstoun (ed.), *Satirical Poems*, i, p. 106.

¹³²² Lennox to Eglinton, 24 October 1569, NAS RH1/2/414.

¹³²³ Henry Gates to Sussex, 29 January 1570, SP59/16, f. 180r.

to the King', and at the time of Moray's funeral, Randolph was also requested to move Cecil to be 'a meane for my Lord of Lennox comynge'.¹³²⁴ This latter comment suggests that they felt Elizabeth would need some persuasion before allowing him to leave.¹³²⁵ If Elizabeth was unwilling, they said that they would make Lennox joint regent, 'w[i]th suche other as the Q[ueen's] Matie shall allowe of'.¹³²⁶

Why was Lennox requested by the King's Party now? His past record of loyalty had little to commend itself and in 1567, although Grange had mentioned the possibility of Lennox's return, his name had been passed over with no discussion.¹³²⁷ As we have seen, legally, Lennox was the best qualified candidate.¹³²⁸ Throckmorton had noted in 1567 that he was the next 'agnatus' to the prince, and that the masculine line should be preferred.¹³²⁹ This was alluded to in 'The Regentis Tragedie', which affirmed that 'ye haif nane narer nor he', and Hunsdon claimed that the King's Party were eager to make Lennox the head of their faction, since he was 'a steward and by maryage a duglase'.¹³³⁰ Yet Lennox had been equally as close to the King in 1567; what now had changed? Firstly, alternative choices were limited: Châtelherault, despite possessing a dynastic claim, was clearly unacceptable to the King's Party, and their current leader, Morton, was not even under consideration.¹³³¹ Although Moray's illegitimate descent might, in a stronger field, have debarred him from the position, he had possessed enough support for this to be only a minor issue. Morton's biographer, Hewitt, argues that Morton lacked such backing.¹³³² His actions in the autumn of 1569, contributing to the eventual defection of Maitland, Hume, and potentially Grange; his personal grievances with various individuals; and his failure to impose the hardline policies he desired, also show little support for him. The attachment of Morton's name to Maitland's decree of acquittal also suggests that far from the death of Moray enabling the Earl to realise his own ambitions, his lack of support obliged him to concur with the majority opinion of the King's Party.¹³³³ Lennox, on the other hand, had the advantage of bearing a long standing hatred towards the Hamilton family, his dynastic rivals, which stretched back to 1526.¹³³⁴ In the aftermath of Moray's death, this was surely appealing, and would make it obvious that there could

¹³²⁴ Randolph to Cecil 22 February 1570, SP52/17, f. 147v; *Hist KJVI*, p. 51.

¹³²⁵ Melville, *Memoirs*, p. 225

¹³²⁶ Gates to Sussex, 29 January 1570, SP59/16, f. 180r.

¹³²⁷ For Lennox's previous involvement with Henry VIII and Somerset, see Marcus Merriman, 'Stewart, Matthew, thirteenth or fourth earl of Lennox (1516–1571)', *ODNB* [<http://www.oxforddnb.com/view/article/26497>].

¹³²⁸ The King's Party told Sussex that 'by the lawe of the realme he owght to be his [the King's] tuto[u]r'. Sussex to Cecil, 16 June 1570, SP52/18, f. 123r.

¹³²⁹ Throckmorton to Elizabeth, 19 July 1567, Add. 4126, f. 96r-103v. Lennox, as the king's grandfather, was his nearest legitimate male relative.

¹³³⁰ 'The Regentis Tragedie' in Cranstoun (ed.), *Satirical Poems*, i, p. 106; Hunsdon to Elizabeth, 30 January 1570, SP59/16, f. 182r.

¹³³¹ He is noted in correspondence as being the head of the King's Party e.g. Sussex to Cecil, 31 March 1570, SP59/16, f. 266r. Many of the letters sent from the King's Party to Elizabeth are headed by Morton.

¹³³² Hewitt, *Morton*, p. 13. Little work has been done on Morton's role during the period prior to his own regency.

¹³³³ Decree of the Secret Council acquitting Maitland, 14 February 1570, SP52/17, f. 22r.

¹³³⁴ His father was murdered at Linlithgow, and he also had further rivalry with the Hamiltons regarding the position of heir to the throne.

be no compromise. His desire to seek revenge for Darnley's murder also put him firmly in the anti-Marian camp, and it was likely that he would attempt to regain Dumbarton, which he had formerly held. However, whilst this would have appealed to those hardline King's men such as Morton, it would prevent those who were bent on compromise and moderation, such as Lethington, from rejoining the King's Party.

The political landscape had also changed considerably since 1567, when the Confederate Lords had experienced such heady levels of optimism and possessed a substantial level of support. Then, they had wielded a far greater level of control over Scottish affairs, with their Queen under lock and key within the realm, and hence under their own command. Now, with Mary an English prisoner, the Scots were no longer at liberty to direct their own affairs in precisely the way they desired. Scottish politics had never operated in a vacuum, but now, more than ever, extra considerations needed to be made. Elizabeth had the potential to alter events to suit herself, since she could wreck any carefully constructed governments on behalf of the King, by restoring Mary with full English backing. Alternatively, she could fortify the King's Party, providing them with the necessary support to overawe their enemies and create an enduring settlement. Whilst Lennox was later to be castigated in propaganda originating from within Scotland, and accused of being 'the English regent', this was largely by the Marian party who were seeking to denigrate him, and make him unpopular for their own ends. At this moment, the King's Party were keen to reap the benefits of appointing a man with English connections, focusing on the benefits that this could bring to them, and hoping to exploit his associations to the utmost. They believed he would prove the most acceptable choice to Elizabeth – perhaps hoping that his relationship to James would appeal to her conservative instincts. Significantly, the Scots did not feel able to take on the election of a regent themselves, unlike they had done in 1567. Presumably this was simply due to their desire for English assistance, and they did not want to risk antagonising their one chance of support.¹³³⁵ Elizabeth's demands for an abstinence, including the condition that they should make no alteration to government, also meant it was necessary for her to approve their choice, if they did not wish to offend her.

Lennox himself contemplated a return to Scotland, from at least as early as February.¹³³⁶ The Countess of Lennox, writing to Cecil, was careful to deny that her husband wished to assume the position of regent, using emotive language to suggest that his prime concern was merely to ensure the safety of his young grandson.¹³³⁷ Almost certainly, however, Lennox did have the regency in his sights, and he was equally as ambitious as Moray had been. Although more work needs to be done on Lennox's political career, the evidence suggests that he acted solely to further his own family ambition. In 1570, with Scottish Protestantism on a seemingly firmer footing after Moray's regency, Elizabeth was prepared to allow him to return to Scotland. Initially, she was somewhat hesitant, commenting to Randolph that she could not resolve on sending the Earl until

¹³³⁵ Lennox was currently maintaining soldiers on his own charges – English money was badly needed.

¹³³⁶ Countess of Lennox to Cecil, 2 February 1570, Cot. Calig. CI, f. 511r.

¹³³⁷ *Ibid.*, f. 511r.

she knew whether the greatest of the Scots wished for him, even though it seemed that the wisest did. She would ‘condiscend’ to send Lennox only once she knew this, and there is certainly no sense that she was forcing him upon the Scots.¹³³⁸ It was therefore not until May, when he was conveyed into Scotland with Sussex’s army, that Lennox reached Scotland.¹³³⁹ However, Elizabeth continued to procrastinate, and did not immediately approve his installation as regent. By June, despite Elizabeth’s reassurances via Sussex, her repeated refusals to declare open support for the King’s Party had made them despondent. Dunfermline’s return to Scotland brought no answer regarding the regency, and only a statement of Elizabeth’s intentions regarding Mary, which (already out of date) was delivered to them at their convention in Stirling, on 21 June. On hearing Dunfermline, the King’s Party ‘were wholly frustrate of their expectation’, with Randolph claiming that he had never seen men in such a state of sorrow.¹³⁴⁰ They felt that Elizabeth had abandoned their cause, and stressed in letters to the English Privy Council how prejudicial this delay had been to them.¹³⁴¹ Elizabeth’s ‘diplomatic bluff’, if this is indeed what it was, had arguably been so convincing, that she was in danger of losing their support altogether, with Randolph warning that they were likely ‘to provide for themselves’, and would ‘rek there owne’ at Mary’s hands.¹³⁴² Some comfort was given to them verbally by Randolph, to whose lodgings they resorted individually, but it was not enough.¹³⁴³ There were now fears that Lennox might abandon the Scots, due to the lack of money he had received from England, and even that the Earl of Morton might switch sides for his own safety.¹³⁴⁴ The King’s Party had reportedly ‘losed a grete nombre of favorars and all ye peples hartes’, and Randolph used the example of Grange to try to push Elizabeth into taking a decision, since it was implied that a more speedy and resolute commitment from the English would have prevented him from seeking reconciliation with the Marians.¹³⁴⁵

On 24 June, the King’s Party issued something of an ultimatum to Elizabeth.¹³⁴⁶ Whilst clearly desirous of English support, they could not endure the uncertainty any longer. They had learnt from Moray’s regime that a stable government was essential if they hoped to restore order to the country, and therefore, until they heard Elizabeth’s opinion, a short-term measure was taken, with Lennox being given the position of lieutenant.¹³⁴⁷ By so doing, they were not

¹³³⁸ Elizabeth to Randolph, 26 February 1570, SP52/17, f. 154r.

¹³³⁹ Lennox to Cecil, 11 May 1570, SP52/18, f. 43r.

¹³⁴⁰ Randolph to Cecil, 26 June 1570, SP52/18, f. 156r; Randolph to Sussex, 26 June 1570, SP52/18, f. 158r; Instructions for Archibald Douglas, SP52/18, f.164r show King’s Party’s disappointment at Dunfermline’s message.

¹³⁴¹ Lennox and others to the Privy Council, 24 June 1570, SP52/18, f. 148r.

¹³⁴² Randolph to Sussex, 26 June 1570, SP52/18, f. 158v.

¹³⁴³ Randolph to Sussex, 21 June 1570, Cot. Calig. CII, f. 253r.

¹³⁴⁴ Randolph to Elizabeth, 2 July 1570, Cot. Calig. CII f. 275r; also Randolph to Elizabeth, 6 July 1570, Cot. Calig. CII, f. 263r.

¹³⁴⁵ Randolph to Elizabeth, 2 July 1570, Cot. Calig. CII f. 275r; Anonymous, ‘State of Scotland as to the nobility’, Cot. Calig. CII, f. 21r. Randolph’s argument here was arguably incorrect; greater English involvement would not have won Grange back to the King’s Party – in fact, quite the opposite.

¹³⁴⁶ Lennox and others to the English Privy Council, 24 June 1570, SP52/18, ff. 148r-148v.

¹³⁴⁷ Randolph to Sussex, 23 June 1570, Cot. Calig. CII, f. 259r. Buchanan styled him as an ‘inter-regent’: Buchanan, *History*, ii, p. 588.

contravening Elizabeth's order against innovation in government, since it could be argued that this was a military role. Although the *Diurnal* notes that it was done 'at the commandment of the Queen of England', all the evidence suggests that the King's Party chose to appoint Lennox to this position because of the *lack* of direction that they had received from Elizabeth.¹³⁴⁸ They claimed the post was temporary, and not 'establyshed to indure', being valid only until 10 or 11 July.¹³⁴⁹ Frustrated with Elizabeth's silence on the issue, they stated that they would proceed regardless, if they had heard nothing by this date. However, even this did not produce an immediate result, and by 6 July, their position had sunk even lower, causing Randolph and Sussex to fear that unless she acted quickly, Elizabeth might soon be without any friends in Scotland.¹³⁵⁰ Fears that the two sides might be reconciled increased, with reports that the Marianists were making offers to their adversaries.¹³⁵¹ At the same time, Livingston, who had recently arrived from England, was announcing that the Scottish Queen was due to return within six weeks.¹³⁵² His reports were particularly threatening, since the King's Party believed him to be licensed by Elizabeth.¹³⁵³ Tullibardine was also proclaiming Mary's homecoming in Edinburgh, and Mary's own letters were to the same effect.¹³⁵⁴ The Marian position remained strong; 'unhappy bruits' were in the air, regarding the fear of commotion in Midsummer, and from Aberdeen, the news had filtered down that Huntly, Atholl, Crawford and others were convening, ready to take up arms.¹³⁵⁵ Indeed, by this time, Huntly had succeeded in regaining the support of the northern region, and the majority were solidly behind him.¹³⁵⁶ As late as 8 July, Sussex was still uncertain as to how Elizabeth was going to act.

Elizabeth's acceptance of their choice, written on 2 July, but only reaching Scotland at the eleventh hour, prevented impending crisis. Randolph reported on 11 July that the King's Party were now 'much comforted' with the answer that they had received. Their confidence in Elizabeth was renewed. She had agreed to the appointment of Lennox, realising that otherwise she could lose their support altogether. This was a way to retain their allegiance, and could be taken as tacit support for their form of government, yet did not amount to an outright declaration of aid.¹³⁵⁷ Elizabeth was particularly concerned to make it seem as if Lennox was the King's Party's own choice; fearful of how it might appear to the world, she was aware that

¹³⁴⁸ *Diurnal*, p. 179.

¹³⁴⁹ Randolph to Sussex, 23 June 1570, Cot. Calig. CII, f. 259r.

¹³⁵⁰ Randolph to Hunsdon, 5 July 1570, SP52/18, f. 178r.

¹³⁵¹ Sussex to Elizabeth 8 July 1570, SP52/18, f. 187r.

¹³⁵² Randolph to Sussex, 8 July 1570, Cot. Calig. CII, f. 297r.

¹³⁵³ Randolph to Sussex, 27 June 1570, Cot. Calig. CII, f. 265r.

¹³⁵⁴ Randolph to Sussex, 6 July 1570, Cot. Calig. CII, f. 282v.

¹³⁵⁵ Randolph to Sussex, 13 June, Cot. Calig. CII, f. 244v.

¹³⁵⁶ Potter, *Bloodfeud*, p.97; 'The State of Scotland as to the nobility', Cot. Calig. CII, f.21r.

Huntly was working to get some recompense of Moray's adherents to satisfy his friends who were 'skattit ye last zeir at ye haldin of murrayis airis and for susteyninge of ye souldiers'.

¹³⁵⁷ Elizabeth to Sussex, 2 July, Add MS 33531, f. 91r.

yf we so shuld do yet it could not be without some jelosie and scrupul in the headis of the states, nobilitie, and commonaltie of that realme that the governo[r] thereof shuld be by us specially named and ordeind.¹³⁵⁸

She was aware that however much she, and Cecil, wished to control Scotland, it needed to be done subtly. Ordering the Scots to elect Lennox as regent would also have been a clear indication that she had openly chosen to support the King's Party and Elizabeth was not yet ready to nail her colours to the mast. The regent therefore had to be someone 'whome they by their common consent shall firste choose and appoint to that purpose', although she gave her opinion that Lennox, either alone, or with others, would be the best choice. Elizabeth's emphatic protestations that Lennox was the King's Party's own choice, and not her own, have perhaps led historians to assume that the vigorous denials meant that she must have been covering her tracks. Elizabeth's 'opinion' has also been interpreted as being more of a command than the words alone suggest. However, since it is also clear that the Scots themselves wanted Lennox, even if this was true, it proved irrelevant. Only if there had been a strong difference of opinion between Elizabeth and the King's Party over the position would it have been clear exactly whose choice it was. It is difficult to tell whether the Scots genuinely wanted Lennox for himself, or because they believed he would be the most acceptable choice to Elizabeth. What is certain, though, is that he was never foisted upon them in the way that has usually been claimed.

If Lennox had always been Elizabeth's preferred option, then it must also be questioned why she took so long to agree to his appointment as regent, and what she stood to gain from it. If she had been intent on his appointment from the start, then the delay could be explained by the fact that there were negotiations ongoing at the time, and whilst the two parties were engaged in some form of discussion, she was reluctant completely to alienate the Queen's Party until it was clear that they would not compromise, or until she had finalised her policy regarding Mary. Formally sanctioning the appointment of the regent at the same time as Sussex's army entered Scotland would also have made its actions seem even more hostile, particularly to French eyes. Yet it seems unlikely that Elizabeth would have chosen Lennox if Mary's restoration was still being seriously considered, since his fervent hostility towards Mary would impede any future attempts at returning her to her rightful position. She may have hoped (somewhat naively) that Lennox would be easier to deal with since, as Sussex claimed, he was bound to depend on Elizabeth because his wife, children and lands were in England.¹³⁵⁹ He had also promised to serve England – although Lennox's promises had, in the past, been worth very little.¹³⁶⁰ The overriding reason for Elizabeth's acceptance of Lennox was surely the realisation that it appeared the only

¹³⁵⁸ *Ibid.*, f. 91r.

¹³⁵⁹ Sussex to Cecil, 16 June 1570, SP52/18, f. 123r. Lennox was married to Lady Margaret Douglas, the daughter of the Earl of Angus and Margaret Tudor, sister of Henry VIII, and widow of James IV. Lennox had also been given land in England when he became an English subject, in July 1544. Cecil appeared to have had similar views regarding the ease of recalling Darnley in 1565, so it is surprising if the lesson had not been learnt. Dawson, 'Anglo-Scottish Relations in 1565', p. 7.

¹³⁶⁰ Countess of Lennox to Cecil, 2 February 1570, CSP Scot, ii, 110; Lennox to Cecil, 8 May 1570, Cot. Calig. CI, f. 207v; Lennox to Cecil, 11 May 1570, promised to 'sarve her majestie', SP52/18, f. 43r.

way to keep the King's Party loyal to her, and prevent a Scottish settlement which did not afford England a role. This lends weight to the assertion that her foreign policy was by and large reactive. It was the fear that the Scots might otherwise come to some agreement amongst themselves which compelled her to act. Seeing the weak state of the King's Party at this point, Elizabeth arguably believed that agreeing to Lennox would also serve as a way to re-balance the parties. Lennox's regency, however, would only end up increasing the gulf between the two parties, exacerbating hostilities, and increasing Marian enmity towards England. His almost obsessive desire for revenge on those who were implicated in the murder of his son, Darnley, and steadfast refusal to entertain any proposals for Mary's return, would also, in the long term, cause more problems for England, particularly during the following autumn, when Mary's restoration returned to the agenda once more.

A document dated 17 July is entitled 'Record of the Election of the Earl of Lennox to the office of Regent'. Few nobles were present to witness his acceptance of the office; those whose attendance was recorded were the Earls of Morton, Mar, Glencairn, Angus, and Menteith, and the Lords Lindsay, Ruthven, Glamis, Ochiltree, Cathcart, Borthwick, Methven, Sinclair, and Lord St John,¹³⁶¹ as well as government officials such as James McGill and John Bellenden.¹³⁶² This is a comparable number to those who had witnessed Moray's assumption of the position three years previously, which demonstrates the ephemeral nature of the gains that the King's Party had made. Yet despite the title of the document, and Bannatyne's comment that Lennox was elected by 'commoun suffrage', no real election, as Buchanan would have advocated, took place.¹³⁶³ Conversely, the fiction of Mary's abdication, and the reference to her 'commission' naming regents, was resurrected, despite the fact many now held this to be invalid. Significantly, the document mentioned that Lennox was chosen as regent, because he was 'n[er]est of blude'.¹³⁶⁴ Lennox took the position due to dynastic rights, rather than a process of election, thus using very different arguments to those developed when Moray's regency was under discussion in 1568. Then, it had been considered dangerous to commit the government of the realm to that person who was nearest in blood. The radical nature of the arguments used in 1568 had now been abandoned, although the reason for this is unclear. One explanation may be that, although the most vocal section of the King's Party were keen for Lennox to be chosen, there was a need to convince the rest of the Scottish political community.¹³⁶⁵ Unlike 1567, when the Confederate Lords had clearly possessed the bulk of support within Scotland, and any 'election' would have been far more representative of public opinion, it was now difficult to argue that Lennox had been the majority choice, due to the defections from the King's Party in recent months. Indeed, Grange would later

¹³⁶¹ Lord St John was James Sandilands of Calder, first Lord Torphichen, a devout Protestant: Michael J. Yellowlees, 'Sandilands, James, of Calder, first Lord Torphichen (*d.* 1579)', *ODNB* [<http://www.oxforddnb.com/view/article/24642>].

¹³⁶² Record of the election of Lennox, 17 July 1570, Cot. Calig. CII, f. 314r.

¹³⁶³ Bannatyne, *Memorials*, p. 47; also *KJVI*, p. 58.

¹³⁶⁴ Record of the election of Lennox, 17 July 1570, Cot. Calig. CII, f. 315r.

¹³⁶⁵ Lennox's installation as regent was witnessed by only five earls, and nine lords, all of whom had been strong King's men from the beginning. *Ibid.*, f. 314r.

refuse to shoot off the ordinance at Lennox's installation as regent, and to deliver the crown, sceptre, and sword for the King's Party parliament in October, arguing that 'the regent was nocht maid nor electit be the maist pairt of the nobilitie of this realme'.¹³⁶⁶ The stress on dynastic claim to the position also placated the more conservative tendencies of Elizabeth who had clearly never accepted the line of argument as pursued in 1568 (although within Scotland, this was not necessarily less contentious, since the Hamiltons too could lay claim to dynastic right).

Whilst Lennox himself had not have been elected as such, the regency was nonetheless placed upon a contractual footing, with a list of conditions to be imposed upon him drawn up.¹³⁶⁷ Moray too had agreed to a series of articles, although the list in 1570 was lengthier. There were some similarities: Lennox, like Moray, had to agree to establish justice throughout the realm, and to include the nobles in government, promising to do nothing 'in the effairis of grettest mome[n]t wtout the co[n]currence assistance and advise of the said nobility'. Crown revenues were not be granted without the advice of the council, and he was not to dispose of wards, non-entries, marriages, or other feudal casualties, without their consent.¹³⁶⁸ The King's Party were keen to consolidate their influence; Lennox was prevented from restoring the lands of those who had been forfeited, presumably so that the King's men could keep their adversaries out of government. He also had to vow to further Protestantism, to 'ma[n]tene the trew religioun' and be 'cairfull to rwit owt all heretykis', clauses which may have been implemented due to his rather shaky religious credentials, although Moray's oath had also contained similar, if fewer, promises. Other steps were also taken to protect the 'true religion': prelacies were not to be given to those who were able to vote in Parliament, but simply to those who were qualified, and who professed the true religion. Moray's regency had shown that maintaining Kirk support for the King's government was crucial, and the defence of Protestantism continued to be integral to the oath sworn by the Regent. Furthermore, the disposing of religious office was no longer to be a form of bribery. This, together with the other conditions placed on Lennox meant that he would find it harder to buy support than did his predecessor. Lacking any strong support network within Scotland, due in part to his prolonged absence from the country, it may be that both Elizabeth, and the Scots, despite being aware of his antipathy towards the Hamiltons, entertained the vain hopes that such a position would make him more malleable. Finally, perhaps as a reaction to the perceived subservience that Moray had once shown to England, as well as to Lennox's own background, Lennox had to promise not to treat with any foreign prince, or transport James out of the realm, without the consent of the nobility. By forcing the Regent to agree to such conditions, and placing the regency on a contractual footing, there was a safeguard if they ever wished to remove him from office.

¹³⁶⁶ Pitscottie, *Historie*, p. 240.

¹³⁶⁷ Conditions to be proposed to the Earl of Lennox, July 1570, Cot. Calig. CII, ff. 227-227v. Also see Cot. Calig. CII, ff. 315r-318r, where these conditions were formalised in the record of his election. Randolph also noted that Lennox was to be 'bounde to the [per]formance' of these conditions, which the King's Party judged 'very necessary': Randolph to Sussex, 23 June, Cot. Calig. CII, f. 255v.

¹³⁶⁸ Record of the election of Lennox, July 17 1570, Cot. Calig. CII, f. 315r.

Despite the fact that Lennox had not been formally elected into office, this idea did not, however, fade from the Scots' political consciousness. September 1571 witnessed a smooth (and rapid) procedure of election, in which the subsequent regent, John Erskine, the Earl of Mar, was chosen 'be commoun voce and assent' from a selection of three candidates – Mar himself, Morton and Argyll.¹³⁶⁹ Following Mar's death, the final regent of the civil war period, Morton, was also formally elected to the position, with votes cast. Whilst by that point it was almost inevitable that Morton would succeed Mar, the fielding of an alternative, albeit unlikely, candidate in the person of Glencairn suggested a genuine level of respect amongst the Scots for the new process of election. Indeed, the Castilians (Mary's supporters) sought to gain any possible advantage, urging the Lords in their party to profess the King's obedience, simply so they could attend the convention at which the votes would be taken, with the aim of procuring either a divided regency, or none at all.¹³⁷⁰ This is significant, since it shows that the Castilians were trying to operate within what had become a constitutional mechanism, rather than resorting to force or other measures. Indeed, the Parliament of January 1573 was even to pass an act stating that, if the regency were to fall vacant once again, 'it shalbe to the estates to elect any [per]son of the nobility professing the true religion and that have given proof of his good affection thereto'. It was specifically mentioned that such a regent did not have to have been named in Mary's commission.¹³⁷¹ The idea of election, as Buchanan had set it out in 1568, would therefore come to enter the Scots' political consciousness, and its importance would be widely understood.

As this chapter has shown, it is almost impossible to separate the effects of Moray's death from those of the Northern Rising, and it is clear that his fortunes had taken a downward turn in the months preceding his assassination. Nonetheless, the events which occurred in the aftermath of his death had a significant effect in shaping the remainder of the Civil War. Allegiances, which had not been solid at the end of 1569, now entered an even greater state of flux, with the absence of the Regent meaning that men of a more moderate disposition – such as Maitland and Argyll – saw an opportunity to draw the Scots together, with Mary's restoration widely expected. This, they hoped, would limit the role that England could play in Scottish politics. It was not to be. For the English, the issue of the northern rebels led to greater intervention in Scotland than had been seen for a decade, with Elizabeth determined to ensure she had a hand in ordering Scottish politics. Whilst uncertainty and indecision characterised her approach to the King's Party, she was clear on one point: the Scots must not be allowed to resolve matters alone, and to that end she ensured that the King's Party remained dependent on English assistance, yet were able to maintain their position in the face of their adversaries' growing strength. Elizabeth's actions never amounted to outright support for the King's Party, but their desire for her favour, which manifested itself in the process of selecting the next regent, caused positions within Scotland to temporarily solidify in the summer of 1570. Moray's capture of Northumberland had led to

¹³⁶⁹ *APS*, iii, p. 65.

¹³⁷⁰ Killigrew to Burghley, 11 November 1572, SP51/23, f. 227r.

¹³⁷¹ Acts of Parliament, January 1573, Cot. Calig. CIV, f. 9r.

accusations of subservience towards England, and the King's Party continued this trend with the appointment of Lennox. Although they took great pains to stress that he had the right to rule since Scotland was 'his native cuntre', Lennox's regency would only deepen the fissure splitting Scottish society and lead to claims from their adversaries that they were allowing themselves to be ruled by a naturalised Englishman, who had sworn fealty to a foreign prince.¹³⁷² Reconciliation was, for the moment, over, and the ensuing war was to be bitterly fought.

¹³⁷² Bannatyne, *Memorials*, p. 51; Calderwood, *History*, iii, p. 9; Drury to Burghley, 30 September 1571, SP52/21, f. 124r.

Conclusion

It will be clear from the foregoing that Moray was not quite ‘the Gude Regent’ of Buchanan’s *History*, or of the contemporary ballads. But neither was he the archetypal villain, as seen in the pro-Marian works. Instead, the truth lies somewhere in between. The greatest problem in assessing his political career lies in the fact that we are only able to assess Moray’s motives from his actions, and from writings about him, rather than by him. He did not leave behind a wide-ranging corpus of material in the same way that someone such as William Cecil did, and the historian has instead to contend with the level of image creation and manipulation which was prevalent, not only after Moray’s death, but also during his regency itself. A study of the regency of Moray is, indeed, a fine study in the sixteenth-century art of spin doctoring; if Buchanan was not quite the Alistair Campbell to Moray’s Tony Blair, he was nonetheless highly influential in shaping the Regent’s reputation, and the opinion of the political elite was appealed to more than ever before. Much stage-management of events also took place, but a closer look behind the scenes has revealed that all was not entirely what it seemed.¹³⁷³

This was evident with Moray’s assumption of the regency. Whilst, contrary to the accusations of his adversaries, there is no sense that Moray ever sought to deprive the King of his throne, he was never a ‘reluctant ruler’.¹³⁷⁴ Despite his absence from the country, he had certainly taken a keen interest in events within Scotland, using various individuals who remained there to promote his concerns. As this thesis has shown, it was clearly advantageous to make it appear as though he had been forced into the position, not least because of Elizabeth I’s views. Yet the evidence suggests that, backed by Cecil, he had sought this role all along. Indeed, if Moray had not been so determined to obtain the highest possible office for himself, the situation would have panned out rather differently. There was ample opportunity at the time of Carberry for a council to have been imposed upon Mary; certainly, men such as Argyll and Lethington would have supported this, and with the exception of the more radical Lords such as Morton and Glencairn, it is likely that such a policy would have gained widespread support. However, Moray himself was adamantly opposed to any such plans, regardless of any positive effects it might have had for political stability within Scotland. Throughout the period of his regency, he consistently showed hostility towards any form of reconciliation scheme if it would have diminished his own power, and despite Lee’s claim that he ‘prevented conflict’, at times his actions served only to widen the divide within Scotland.¹³⁷⁵ The proposal advocated during the York Westminster conference by Maitland, for example, could arguably have worked to the country’s advantage, since it encompassed a wide variety of opinion. Furthermore, if Mary had returned under the stringent

¹³⁷³ Whilst Maurice Lee concedes that Moray would sometimes adopt this technique, it was even more frequently used than he believes: Lee, *Moray*, p. 243.

¹³⁷⁴ See, for example, the ‘Conference’ as printed in Bannatyne, *Memorials*, pp. 5-13 and Lesley, *Defence*, passim.; Lee, *Moray*, p. 209.

¹³⁷⁵ *Ibid.*, p. 276.

conditions proposed, it would not have posed a great threat to the 'true religion'.¹³⁷⁶ Yet Moray's own desire to concentrate power in his own hands, and to retain the friendship of men such as William Cecil in England, meant that such schemes lacked appeal for him.

Moray's assumption of the regency, and his subsequent resolve to remain in office, was also significant for the contribution it made to the development of political thought within Scotland. Whilst it was Mary's deposition which had led to theories of elective monarchy, and of the accountability of a monarch to their subjects, these were quickly transferred to the position of regent.¹³⁷⁷ Moray was clearly under pressure, particularly during the York Westminster conference of 1568, and the development of such arguments is testament to his determination to remain in office. As the final chapter of the thesis has shown, whilst the specific circumstances of Lennox's installation as regent precluded the use of such radical theory, it nonetheless filtered into the political consciousness of the Scots. By the end of the Marian Civil War, the process of election to the position had become a smooth political mechanism, and the oath sworn by the incoming regent was coupled with a list of conditions, implying that a basic contract now existed.

Maurice Lee, failing to appreciate the way in which Moray's image and reputation were intentionally fashioned, argued that 'all his political moves were made in the belief that he was thereby benefiting Protestantism'.¹³⁷⁸ Up to a point, Lee is correct. As we have seen, the Regent's personal faith was not in doubt, nor was his sincere desire to advance the cause of Protestantism within Scotland. But, as this thesis has demonstrated, there was more to it than this. Moray's moves were also carefully considered in order to further his own power and status. He was not the altruistic reformer of Lee's imagination, but an ambitious reformer, who wanted simultaneously to advance himself, as well as those policies he held close to his heart. Confronted with a party which stood for the conservative belief in hereditary monarchy, it was of the utmost importance that Moray's government established some validity and legitimacy for itself. For this reason, regardless of his genuine beliefs, it was essential that he consolidated his position through the use of Protestant rhetoric, and that he gained the full support of the Kirk. As this thesis has shown, a variety of means were used: he cast himself in the role of a leader of ancient Israel (seen particularly in his coronation oath), he made limited concessions to the Kirk, and much of the propaganda printed to justify the events of 1567 had a distinctly Protestant flavour.

Following Hume Brown, Lee maintains that Moray played an even greater role in furthering the Protestant Reformation than did Knox, yet it is questionable how much was down to positive input from Moray himself, and how much was simply a result of circumstances.¹³⁷⁹ With the country's Catholic Queen removed, how could the Kirk do anything but thrive? As others

¹³⁷⁶ See above, p. 96.

¹³⁷⁷ Indeed, the arguments put forward in 1568, regarding the election of a regent, bore a marked resemblance to those of 1571, when the King's Party tried once again to justify Mary's deposition and argue in favour of popular sovereignty: Memorial presented by the King's Party, 28 February, 1571, Cot. Calig. CII, ff. 520r-526v.

¹³⁷⁸ Lee, *Moray*, p. 283.

¹³⁷⁹ *Ibid.*, p. 279.

have noted, these were not religious wars and the Kirk was not struggling to maintain itself in the face of hostile opposition.¹³⁸⁰ The concessions made by Moray tended to result in vague promises rather than concrete action (such as his pledge to reform the thirds), and when his actions are analysed, it is clear that his own position greatly benefited from the steps taken to assist the Kirk. The language of Protestantism was used by Moray as a way to unite the disparate elements within his own party who, in some cases, had very different agendas, and, of equal importance, to appeal to his allies in England. Explicit connections with 1560 were made, and in this sense, the Reformation rebellion was portrayed not as an end in itself, but the beginning of what was to come, initiating God's divine purpose for the Scots. Mary's deposition, although not carried out purely or even primarily for religious reasons, was thus described (after the event itself) as a way to continue the process of Reformation. The early successes at Carberry and Langside were interpreted as a sign of God's favour, with the force of Providence able to sweep through any obstacles which lay in its path.

How capable a ruler was Moray? James Melville, when summarising Moray's regency, criticised the Earl for relying upon flatterers, rather than 'the consaill of his auld experimented frendis'.¹³⁸¹ Indeed, it is true that Moray's frequent identification with the hard-line members of his party – those who also refused to brook compromise – led to alienation of his former supporters. Lee simply dismisses this view out of hand, commenting instead that Moray was 'able to keep the ... nobility in hand by moderation and concessions and extreme caution'.¹³⁸² Once more, Lee's picture is not entirely accurate, and he has perhaps been influenced by the way in which the contemporary ballads, together with Buchanan's *History*, emphasised Moray's sense of justice and his lenity. Although an appearance of stability within the realm was certainly created, this was not always achieved through the use of moderation and concessions. Moray's approach consisted of a mixture of conciliation, force, and even some deception, and his outward show of strength in the summer of 1569 had not been engineered through compromise, but rather through the harsh treatment of his political opponents. Moray, occasionally allowing personal feelings to dominate, had failed to unite his countrymen, and proved unable successfully to exploit the use of patronage in order to gain the allegiance of those who were not initially loyal to him. Furthermore, the Earl did not always act in as moral a fashion as Lee asserts, but would ally with any interest group or individual which could further his ambition, often abandoning them once his goal had been achieved. Opposition, although seemingly subdued, nonetheless remained rampant, and while his policies masked the level of tension between the rival parties, they had not eliminated them. Indeed, the opposite occurred, with defectors becoming more apparent in the latter half of 1569. Lee's statement that 'his work [was] so well done that his party could continue to function' after his assassination is clearly incorrect. A regime constructed on such shaky foundations could not withstand any deep shocks, and thus when the Northern Rising hit,

¹³⁸⁰ Donaldson, *AQM*, p. 114; Dawson, *Argyll*, p. 172.

¹³⁸¹ Melville, *Memoirs*, p. 224.

¹³⁸² Lee, *Moray*, p. 280.

disintegration and turmoil rapidly followed. Although Moray's death certainly exacerbated the disorder into which the realm had already begun to fall, it was not entirely responsible for the subsequent weakness of the King's men, and the very act of assassination can actually be viewed as part of the Marian resurgence. As the final chapter has shown, his death merely accelerated a process already begun.

Moray's task, however, had by no means been easy. His position was hampered by the lack of a territorial base, and with such weighty opponents, and a virtually parallel administration ranged against him, it is unsurprising that a greater level of success eluded him. So long as Mary remained in English captivity, and the potential for her return remained alive, it was inevitable that Moray would be unable to trust his adversaries. Given such a short timescale, it was arguably expecting too much of him to make the substantial structural changes which would have been needed for longer term stability, and it is understandable that a large proportion of his policy within Scotland was reactive and short term in nature, rather than conforming to any long term objectives. It is also doubtful whether any other individual within Scotland at that time could have bettered his achievements. It would not be until Elizabeth I lent her full backing to the Regent Morton in 1573 that the King's Party were finally able to triumph.

This study of Moray, together with some of his friends, allies and enemies, has contributed to existing historiography of the period by providing a detailed narrative and examination of the political machinations which took place during these three years. It has also shed some light on the nature of political allegiances at this time. It is abundantly clear that there was no simple dichotomy, and that the labels Queen's Party and King's Party are inadequate. Firstly, there was not always a clear division into the two groups; the careers of Maitland, Grange and Hume in particular demonstrating that the situation was far more fluid than these terms suggest, and that there was often much overlap in the objectives of the rival parties. The reason why many came to adhere to Mary, particularly those who had not supported her from the outset, was often as a result of frustration with the King's Party's actions, and animosity towards Moray himself. The language that the two parties used to define themselves was not necessarily representative of their true motives and intentions, and the process of governing within the realm – whether this was central or regional government – dominated men's thinking.

As Jane Dawson's work on Argyll has also shown, attitudes towards England had a great effect upon allegiances in this period, and played a far greater role than Gordon Donaldson acknowledged.¹³⁸³ Indeed, it was the King's Party's overly subservient attitude towards England, and the dislike of English intervention, coupled with the dominant role Elizabeth was able to assume once Mary was in her custody, which caused Maitland and Grange to shift out of the King's Party. The main issue was not, perhaps, the respective positions of King and Queen, in the sense that the 'Queen's Men' wanted a full-scale restoration of Mary – many of her 'supporters' would have welcomed restrictions placed upon her power – but concerned *who* should be

¹³⁸³ Dawson, *Argyll; AQM*.

responsible for implementing, and policing, such controls. Some were content for England to assume this role, whereas others wanted to see the Scots adopt full responsibility. As the clash at the opening of the York-Westminster conference demonstrated, many Scots felt that they too belonged to an 'imperial' nation, and would not, therefore, permit their policy to be directed by a rival monarch.

It is evident that the role played by England during this turbulent period was critical. Indeed, this study of Moray's political career has shown the importance of considering politics in an Anglo-Scottish context, and it further illuminates England's attitudes towards her northern neighbour during this period, as well as demonstrating the interconnections between the Marian Civil Wars and events within England such as the Northern Rising. Sharing Cecil's frequently voiced desire for a Protestant-based amity between the realms, Moray was undoubtedly assisted in securing his position by men such as Cecil himself, and others, including Throckmorton, Randolph, and Sussex, who shared his ideology. Elizabeth I's attitude was more complex: whilst she appreciated the benefits that Moray's assumption of the regency could bring, her own views regarding the rights of the legitimate sovereign prevented her from lending her full support to the King's Party. Moreover, she believed that the threat from the foreign Catholic powers necessitated a policy of appeasement, rather than the more aggressive approach favoured by Cecil, which was designed to build up a strong Protestant island. Indeed, Cecil and other of Elizabeth's ministers were often frustrated with her painfully slow proceedings, urging her both directly, and through more subtle means, to support Moray. With hindsight, the magnitude of the continental threat was never as great as it was perceived to be, yet it was obviously such perceptions, fuelled by the growing fear of international Catholic conspiracies linking in to domestic networks, which dictated policy.

Whilst it is often thought that Mary's flight to England marked the decline in her party's fortunes, a closer examination of this period has shown that it was not immediately fatal to her cause.¹³⁸⁴ Although there was certainly an amount of 'diplomatic bluffing' taking place, there were nonetheless some genuine attempts to restore her, albeit under stringent conditions. Yet interspersed with such efforts was English assistance to the King's Party – Mary's very enemies. This gave English foreign policy an irresolute appearance, yet there was one constant. They justified it by different means, but all within England were united in the desire to dictate Scottish foreign policy and to extend and consolidate control over the Scottish kingdom. Mary's marriage to Darnley in 1565 had eliminated the earlier hold that Elizabeth, dangling the promise of succession, had had over both the Queen and her realm, and the English arguably now saw the opportunity to recover, and increase, such dominance. Both before and after Moray's death, Elizabeth therefore adopted a strategy of balance. Firstly, this gave her a necessary breathing space, providing her with time to assess the international situation. Yet it also meant that she was poised to act swiftly should the circumstances warrant it. At the same time, her actions were

¹³⁸⁴ E.g. Cowan, 'The Marian Civil War', p. 102.

designed to ensure that neither party within Scotland became too powerful, and that ultimately whichever she chose to support would owe its success, and thereby its loyalty, to England.

Broadly speaking, this policy was successful for England. With relatively small financial outlay, Elizabeth had manoeuvred herself into a position of leverage. There was only one point when she overestimated Moray's reliance upon her. This was in the summer of 1569, when Moray chose to defy Elizabeth, fearing that her proposals would put his own position in jeopardy. Even then, he was not acting alone, since it is likely that he was being encouraged to act in this way by Cecil, who disagreed with Elizabeth at this juncture. However, such independence did not last: Moray was, in effect, dependent upon Elizabeth's friendship, in addition to Cecil's, if he wished to maintain his position. As she was only too keen to remind him, it was in her power to return Mary to Scotland if she so desired, and when the Northern Rising broke out at the end of the year, he regained her favour, at the expense of internal support, by his capture of Northumberland. This immediately aroused hostility amongst the Scots, contributing to the stream of defections from the King's Party. If Moray's death had not followed so quickly, then surely his reputation as the 'gude regent' would never have developed as it did.

Bibliography

Manuscripts

Public Record Office, London

(microfilm copies)

- SP 12 State Papers, Domestic: Elizabeth I
- SP 52 State Papers for Scotland: Elizabeth I
- SP 53 State Papers for Scotland relating to Mary, Queen of Scots
- SP 59 State Papers, Borders: Elizabeth I

British Library, London

Additional Manuscripts:

4126	32091
5754	33531
19044	35125
19401	35831
23109	48023
30666	48049

Cotton Collection:

Caligula BIV	Caligula CIII
Caligula BVIII	Caligula CIV
Caligula BIX	Caligula EVI
Caligula CI	Julius FVI
Caligula CII	Titus CXII

Egerton:

1818

Harley:

260	4111
289	7395
290	

Lansdowne:

12	15
13	16

Royal:

18 B VI

Sloane:

3199

Stowe:

142

147

Cecil Papers, Hatfield House

(microfilm copies)

CP 3-7

CP 155-159

National Archives of Scotland, Edinburgh

GD 8 Boyd Papers
GD 24 Abercairny Muniments
GD 25 Ailsa Muniments
GD 40 Papers of the Kerr Family, Marquises of Lothian (Lothian Muniments)
GD 44 Papers of the Gordon Family, Dukes of Gordon (Gordon Castle Muniments)
GD 45 Papers of the Maule Family, Earls of Dalhousie
GD 103 Papers of Society of Antiquaries of Scotland
GD 112 Breadalbane Muniments
GD 124 Papers of the Erskine Family, Earls of Mar and Kellie
GD 149 Cunningham of Caprington Muniments
GD 150 Papers of the Earls of Morton
GD 176 Mackintosh Muniments
GD 205 Papers of the Ogilvy family of Inverquharity
GD 406 Papers of the Douglas Hamilton Family, Dukes of Hamilton and Brandon

RH 1 Miscellaneous Transcripts

SP 1 Royal letter books

SP 13 State papers

Private Muniments

NRAS 217 Moray Muniments, Darnaway Castle, Moray

National Library of Scotland, Edinburgh

Advocates MS 1.2.2
Advocates MS 22.2.18
Advocates MS 31.2.19
Advocates MS 35.4.1

MS 73
MS 75
MS 76
MS 571
MS 3416
MS 3657

Primary and Reference Sources

- Accounts of the Lord High Treasurer of Scotland*, eds. T. Dickson *et al.* (12 vols., Edinburgh, 1877-1970).
- Ane Discourse tuiching the estait present in October anno Domini 1571*, anon. (St Andrews, 1572, STC 6909.5).
- Acts of the Parliaments of Scotland*, eds. C. Innes and T. Thomson (12 vols., Edinburgh, 1814-75).
- Acts of the Privy Council of England*, ed. J. Dasent (46 vols., London, 1890-1964).
- Allen, William, *An admonition to the nobility and people of England* (Antwerp, STC 368, 1588).
- Atlas of Scottish History to 1707*, eds. P. McNeill and H.L. MacQueen (Scottish Medievalists, Edinburgh, 1996).
- Balfour, Sir James, *Practicks*, ed. P. McNeill (2 vols., Stair Society, 21, 22; Edinburgh, 1962-3).
- Bannatyne, Richard, *Memorials of Transactions in Scotland, MDLXIX-MDLXXIII*, ed. R. Pitcairn (Bannatyne Club, 51, Edinburgh, 1836).
- 'The Diary of Robert Birrell, Burgess of Edinburgh', in *Fragments of Scottish History*, ed. J.G. Dalryell (Edinburgh, 1798).
- '*The Booke of the Universall Kirk of Scotland*': *Acts and Proceedings of the General Assembly of the Kirk of Scotland*, ed. T. Thomson (Bannatyne Club, 81, Edinburgh, 1839-45).
- Buchanan, George, *The History of Scotland*, ed. and trans. J. Aikman (4 vols., Glasgow, 1827).
- 'The History of Scotland', in *The Tyrannous Reign of Mary Stewart*, ed. and trans. W.A. Gatherer (Edinburgh, 1958).
- 'Chameleon', in *The History of Scotland*, ed. and trans. J. Aikman (4 vols., Glasgow, 1827).
- Ane Admonition direct to the trew Lordis mantenaris of the Kingis graces autoritie* (Stirling, 1571, STC 3967).
- The Indictment of Mary Queen of Scots, as derived from a manuscript in the University Library at Cambridge, hitherto unpublished*, ed. R. Mahon (Cambridge, 1923).
- Burghley, William Cecil, Baron, *The copie of a letter written by one in London to his frend concernyng the credit of the late published detection of the doynge of the Ladie Marie of Scotland* (London, 1572, STC 17565).
- Calderwood, David, *History of the Kirk of Scotland*, eds. T. Thomson and D. Laing (8 vols., Wodrow Society, 1842-9).
- Calendar of Letters and State Papers Relating to English Affairs, Preserved Principally in the Archives of Simancas*, ed. Martin A.S. Hume (4 vols., London, 1892-9).
- Calendar of State Papers, Domestic Series, of the Reigns of Edward VI, Mary, Elizabeth 1547-1580*, ed. Robert Lemon (London, 1856).
- Calendar of State Papers, Domestic Series of the reign of Elizabeth, Addenda, 1566-79*, ed. M.A. Green (London, 1871).
- Calendar of State Papers, Foreign Series, Edward, Mary and Elizabeth*, eds. J. Stevenson *et al.* (25 vols., London, 1861-1950).
- Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603*, eds. J. Bain *et al.* (13 vols., Edinburgh, 1898-1969).
- Camden, William, *Annales the true and royall history of the famous empresse Elizabeth Queene of England France and Ireland &c. True faith's defendresse of diuine renowne and happy memory. Wherein all such memorable things as happened during hir blessed raigne ... are exactly described* (London, 1625, STC 4497).
- Campbell Letters 1559-1583*, ed. J.E.A. Dawson (SHS, 5th ser. 10, Edinburgh, 1997).
- A Collection of State Papers Relating to Affairs in the Reigns of King Henry VIII, Queen Mary, King Edward VI and Queen Elizabeth From the Years 1542-1570, Transcribed from Original Letters and Other Authentick Memorials Never Before Published, Left by William Cecil Lord Burghley and now remaining at Hatfield House in the library of the Right Honourable the present Earl of Salisbury*, ed. Samuel Haynes (London, 1740).

- Collections Relating to the History of Mary Queen of Scotland*, ed. James Anderson (4 vols., Edinburgh, 1727-28).
- The copie of the proclamatioun set furth be the Kingis Maiestie and his counsall for ane conuentioun of the professouris of the trew religioun within this realme, to consult and deliberate vpon the imminent dangeris and conspiracies of the papistis* (St Andrews, 1572, STC 21940).
- Cranstoun, J. (ed.), *Satirical Poems at the Time of the Reformation* (2 vols., Edinburgh, Scottish Text Society, 1891-93).
- Digges, Dudley, *The Compleat Ambassador: or Two treaties of the intended marriage of Queen Elizabeth comprised in letters of negotiation of Sir Francis Walsingham* (London, 1655).
- A Diurnal of Remarkable Occurrents that have passed within the country of Scotland since the death of King James the Fourth till the year 1575*, ed. T. Thomson (Bannatyne Club, 43, Edinburgh, 1833).
- The Egerton Papers: A Collection of Public and Private Documents, chiefly illustrative of the times of Elizabeth and James I from the original manuscripts*, ed. J. Payne Collier (Camden Society, London, 1840).
- Estimate of the Scottish Nobility during the minority of James VI*, ed. C. Rogers (Grampian Club, 6, Edinburgh, 1873).
- Fénelon, Bertrand de la Mothe, *Correspondance Diplomatique* (7 vols., Paris and London, 1838-1840).
- Fraser, William, *The Douglas Book* (4 vols., Edinburgh, 1885).
- The Lennox* (2 vols., Edinburgh, 1874).
- The Melvilles, Earls of Melville and the Leslies, Earls of Leven* (3 vols., Edinburgh, 1890).
- The Scotts of Buccleuch* (Edinburgh, 1878).
- The Sutherland Book* (3 vols., Edinburgh, 1892).
- Lord Herries, *Historical Memoirs of the Reign of Mary, Queen of Scots and a Portion of the Reign of King James VI*, ed. R. Pitcairn (Abbotsford Club, 6, 1836).
- Hannay, Robert Kerr and Herkless, John, *The Archbishops of St Andrews* (5 vols., Edinburgh, 1907-15).
- The Historie and life of King James the Sext: being an account of the affairs of Scotland from the year 1566 to the year 1596*, ed. T. Thomson (Bannatyne Club, 13, 1825).
- Historical Manuscripts Commission report on the manuscripts of Colonel David Milne Home of Wedderburn Castle*, ed. Henry Paton (HMSO, London, 1902).
- Historical Manuscripts Commission report on the Argyll Manuscripts* (6th report, HMSO, London, 1877).
- Historical Manuscripts Commission report on the manuscripts of the Duke of Athole, and of the Earl of Home* (12th report, HMSO, London, 1891).
- Historical Manuscripts Commission report on the manuscripts of the Duke of Buccleuch and Queensberry, preserved at Montagu House, Whitehall* (HMSO, London, 1899).
- Historical Manuscripts Commission report on the Manuscripts of the Duke of Hamilton* (11th report, HMSO, London, 1887).
- Historical Manuscripts Commission supplementary report on the manuscripts of the Earl of Mar and Kellie, preserved at Alloa House* (HMSO, London, 1904).
- Historical Manuscripts Commission Calendar of the manuscripts of the Marquis of Salisbury, preserved at Hatfield House, Hertfordshire* (9th report, HMSO, London, 1883-1976).
- Historical Manuscripts Commission Report on the Pepys manuscripts, preserved at Magdalene College, Cambridge* (70th report, HMSO, London, 1911).
- Keith, R., *History of the Affairs of Church and State in Scotland, from the Beginning of the Ref to the Year 1568*, eds. J.P. Lawson and C.J. Lyon (3 vols., Spottiswoode Society, 1, Edinburgh, 1844-50).
- Knox, John, *The History of the Reformation in Scotland*, ed. W.C. Dickinson (2 vols., London, 1949)
- On Rebellion*, ed. Roger A. Mason (Cambridge, 1994).

- Lesley, John, *A defence of the honour of the right high, mightye and noble Princesse Marie Quene of Scotlande and dowager of France with a declaration aswell of her right, title & intereste to the succession of the crowne of Englande, as that the regimete of women ys conformable to the lawe of God and nature.* (London [i.e. Rheims], 1569, *STC* 15505).
- Letters to the Argyll family*, ed. A. MacDonald (Maitland Club, 50, Edinburgh, 1839).
- Lettres inédits de Marie Stuart, accompagnées de divers dépêches et instructions, 1558-1587*, ed. A. Labanoff (Paris, 1839).
- Lettres, Instructions et mémoires de Marie Stuart*, ed. A. Labanoff (6 vols., London, 1844).
- Letters du Cardinal Charles du Lorraine (1525-1574)*, ed. Daniel Cuisiat (Geneva, 1998).
- Robert Lindsay of Pitscottie, *The Historie and Chronicles of Scotland*, ed. E.J.G. Mackay (3 vols., Scottish Text Society, Edinburgh, 1899-1911).
- Sir James Melville of Halhill, *Memoirs of his Own Life*, ed. T. Thomson (Bannatyne Club, 18, 1827).
- McNeill, Peter G.B. and MacQueen, Hector L. (eds.), *Atlas of Scottish History to 1707* (University of Edinburgh, 1996).
- Miscellaneous Papers, Principally Illustrative of Events in the Reigns of Queen Mary and King James VI*, ed. Andrew McGeorge (Maitland Club, 26, Glasgow, 1834).
- Nau, Claude, *The History of Mary Stewart from the murder of Riccio until her flight into England*, ed. Joseph Stevenson (Edinburgh, 1883).
- Norton, Thomas, *A Discourse touching the pretended match betwene the Duke of Norfolk and the Queene of Scottes* (London, 1569, *STC* 13869).
- Oxford Dictionary of National Biography*, (Oxford University Press, 2004 [http://www.oxforddnb.com])
- Papal Negotiations with Mary, Queen of Scots during her Reign in Scotland 1561-7*, ed. J.H. Pollen (Scottish History Society, 1st ser. 37, Edinburgh, 1901).
- A Proclamation declaryng the untrueth of certaine malitious reportes devised and publisshed in the realme of Scotlande* (London, 1569, *STC* 8010).
- Proceedings in the Parliament of Elizabeth I: Volume I 1558-1581*, ed. T.E. Hartley (Leicester, 1981).
- Register of the Privy Council of Scotland*, eds. J.H. Burton *et al.* (38 vols., Edinburgh, 1877-1970).
- Registrum Honoris de Morton: A series of ancient charters of the earldom of Morton with other original papers in two volumes* (Bannatyne Club, 94, Edinburgh, 1853).
- Registrum magni sigillii regum scotorum, Register of the Great Seal of Scotland*, eds. J. Thomson *et al.* (11 vols., Edinburgh, 1882-1914).
- Registrum secreti sigilli regum scotorum, Register of the Privy Seal of Scotland*, eds. M. Livingstone *et al.* (8 vols., Edinburgh, 1908-82).
- Selections from unpublished manuscripts in the College of Arms and the British Museum illustrating the reign of Mary Queen of Scotland, 1543-1568*, ed. Joseph Stevenson (Maitland Club, 41, Glasgow, 1837).
- Sharp, Cuthbert, *The rising in the north : the 1569 rebellion : being a reprint of the 'Memorials of the rebellion of the Earls of Northumberland and Westmoreland'* (London, 1840).
- A Short Title Catalogue of Books Printed in England, Scotland and Ireland and of English Books Printed Abroad, 1475-1640*, eds. A. W. Pollard, G. R. Redgrave *et al.* (3 vols., London, 1976-91).
- Skelton, John, *Maitland of Lethington and the Scotland of Mary Stuart : a history* (2 vols., Edinburgh, 1887-1888).
- Spottiswoode, John, *The History of the Church of Scotland*, eds. M. Napier and M. Russell (3 vols., Bannatyne Club, Edinburgh, 1850).
- Strickland, A., *Letters of Mary, Queen of Scots, and Documents connected with her personal History, now first published* (2 vols., London, 1844).
- Teulet, Alexandre (ed.), *Papiers d'état, pièces et documents inédits ou peu connus, relatifs a l'histoire de l'Écosse au XVI^e siècle, tirés des bibliothèques et des archives de France* (Paris, 3 vols., 1852).
- Relations Politiques de la France ed de l'Espagne avec l'Ecosse au XVI^e siècle* (5 vols., Paris, 1862).
- The Scots Peerage*, ed. J. Balfour Paul (9 vols., Edinburgh, 1904-14).

Supplementary Report on the manuscripts of his grace the Duke of Hamilton, eds. Jane Harvey McMaster and Marguerite Wood (London, HMSO, 1932).
Tytler, Patrick Fraser, *History of Scotland* (8 vols., Edinburgh, 1841-2).
The Warrender Papers, ed. Annie. I. Cameron (2 vols., Scottish History Society, third series, 18-19; Edinburgh, 1931-32).

Secondary Sources

- Adams, Simon, 'Eliza Enthroned? The Court and its Politics' in C. Haigh (ed.), *The Reign of Elizabeth I* (London, 1984).
- 'The Release of Lord Darnley and the Failure of the Amity', in M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms* (IR, 38, 1988).
- 'Favourites and Factions at the Elizabethan Court' in J.A. Guy (ed.), *The Tudor Monarchy* (London, 1997).
- Alford, Stephen, 'Reassessing William Cecil in the 1560s' in J.A. Guy (ed.), *The Tudor Monarchy* (London, 1997).
- The early Elizabethan polity: William Cecil and the British succession crisis, 1558-69* (Cambridge, 1998).
- 'Knox, Cecil and the British Dimension of the Scottish Reformation' in Roger A. Mason (ed.), *John Knox and the British Reformations* (Aldershot, 1998).
- Armitage, David, *The Ideological Origins of the British Empire* (Cambridge, 2000).
- Bardgett, Frank D., *Scotland Reformed: The Reformation in Angus and the Mearns* (Edinburgh, 1989).
- Bawcutt, Priscilla, 'Scottish Poetry and English Readers in the Sixteenth Century', in Sally Mapstone and Juliette Wood (eds.), *The Rose and the Thistle: Essays on the culture of late medieval and renaissance Scotland* (East Linton, 1998).
- Bell, Gary M., 'Elizabethan Diplomacy: The Subtle Revolution', in Malcolm R. Thorp and Arthur J. Slavin (eds.), *Politics, Religion and Diplomacy in Early Modern Europe, Essays in Honor of De Lamar Jensen* (Missouri, 1994).
- 'Elizabethan Diplomatic Compensation: Its Nature and Variety', *Journal of British Studies*, 20 (1981).
- Blake, William, *William Maitland of Lethington, 1528-1573: a study of the policy of moderation in the Scottish Reformation* (New York, 1990).
- Bonner, Elizabeth, 'French Naturalisation of the Scots in the Fifteenth and Sixteenth Centuries', *The Historical Journal*, 40 (1997).
- Bowman, Glen, 'Elizabethan Catholics and Romans 13: a chapter in the history of political polemic', *Journal of Church and State*, 47 (2005).
- Bradshaw, B. and Morrill J. (eds.), *British Consciousness and Identity: The Making of Britain, 1533-1707* (Cambridge, 1998).
- Brown, J. (now Wormald), 'Scottish Politics, 1567-1625' in A.G.R. Smith (ed.), *James VI and I* (London, 1973).
- Brown, Keith, *Bloodfeud in Scotland, 1573-1625 : violence, justice and politics in an early modern society* (Edinburgh, 1986).
- 'The Price of Friendship: The "Well Affected" and English Economic Clientage in Scotland before 1603', in Roger A. Mason (ed.), *Scotland and England 1286 – 1815* (Edinburgh, 1987).
- Noble Society in Scotland: Wealth, Family and Culture from Reformation to Revolution* (Edinburgh, 2000).
- 'The Reformation Parliament', in K. Brown and R. Tanner (eds.), *Parliament and politics in Scotland, 1235-1560* (Edinburgh, 2004).
- Burns, J H, *The True Law of Kingship: Concepts of Monarchy in Early Modern Scotland* (Oxford, 1996).
- Cameron, Jamie, *James V* (East Linton, 1998).
- Carroll, Stuart, *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy* (Cambridge, 1998).
- Cathcart, Alison, *Kinship and Clientage: Highland Clanship 1451-1609* (Brill, 2006).
- Coles, Kimberley, "'Printed at London anonymous": Was there ever an attempt to publish the first edition of the Defence of Mary, Queen of Scots in England? English Ambassador John Leslie's treatise "A defence of the honour of the right, highe, mightye and noble princesse Marie Quene of Scotlande")', *The Review of English Studies*, 49 (1998).
- Collinson, Patrick, 'The Monarchical Republic of Elizabeth I' in John Guy (ed.), *The Tudor Monarchy* (Arnold, 1997).

- Cowan, Ian, *The Scottish Reformation: Church and Society in Sixteenth Century Scotland* (London, 1982).
 'The Marian Civil War, 1567-73', in Norman Macdougall (ed.), *Scotland and War* (Edinburgh, 1991).
- Cowan, Ian, and Finlay, Richard (eds.), *Scottish history: the power of the past* (Edinburgh, 2002).
- Crawford, Barbara (ed.), *Church, Chronicle and Learning in medieval and early Renaissance Scotland: essays presented to Donald Watt on the occasion of the completion of the publication of Bower's Scotichronicon* (Edinburgh, 1999).
- Dawson, Jane, 'Mary Queen of Scots, Lord Darnley and Anglo-Scottish Relations in 1565', *International History Review*, 8 (1986).
 'The Fifth Earl of Argyle, Gaelic Lordship and Political Power in Sixteenth Century Scotland', *Scottish Historical Review*, 67 (1988).
 'William Cecil and the British Dimension of early Elizabethan foreign policy', *History*, 74 (1989).
 Anglo-Scottish Protestant culture and integration in sixteenth-century Britain', in Steven G. Ellis and Sarah Barber (eds.), *Conquest and union. Fashioning a British State, 1485-1725* (London and New York, 1995).
The Politics of Religion in the Age of Mary, Queen of Scots: The Earl of Argyll and the Struggle for Britain and Ireland (Cambridge, 2002).
- Dickson, Robert and Edmund, John Philip (eds.), *Annals of Scottish printing from the introduction of the art in 1507 to the beginning of the seventeenth century* (Cambridge, 1890).
- Donaldson, Gordon (ed.), *Accounts of the collectors of thirds of benefices, 1561-1572* (Scottish History Society, 3rd ser., Edinburgh, 1949).
The Scottish Reformation (Cambridge, 1960).
Scotland: James V-James VII (Edinburgh, 1965).
The First Trial of Mary, Queen of Scots (London, 1969).
Mary, Queen of Scots (London, 1974).
All the Queen's Men: power and politics in Mary Stewart's Scotland (London 1983).
- Doran, Susan, *Monarchy and Matrimony: The Courtships of Elizabeth I* (London, 1996).
- Doughty, D.W., 'The Library of James Stewart, Earl of Moray, 1531-1570', *IR*, 21 (Glasgow, 1970).
- Drummond, Humphrey, *Our Man in Scotland: Sir Ralph Sadleir, 1507-1587* (London, 1969).
- Duncan, T.D., 'The relations of the Earl of Murray with Mary Stuart', *SHR*, 6 (1909).
- Edwards, Francis, S.J., *The Dangerous Queen* (London, 1964).
The Marvellous Chance: Thomas Howard, Fourth Duke of Norfolk, and the Ridolphi Plot, 1570-1572 (London, 1968).
- Elliott, J.H., *Europe divided 1559-1598* (London, 1968)
- Ellis, Steven and Barber, Sarah (eds.), *Conquest and Union: The Formation of the British State 1485-1725* (London, 1995).
- Elton, G.R. *England, 1200-1640: The sources of history: studies in the uses of historical evidence* (London, 1969).
The Parliament of England 1559-1581 (Cambridge, 1986).
- Ferguson, W., *Scotland's Relations with England: A survey to 1707* (Edinburgh, 1977).
- Finnie, E., 'The House of Hamilton: Patronage, Politics and the Church in the Reformation Period', *IR*, 36 (1985).
- Fraser, Antonia, *Mary, Queen of Scots* (London, 1969).
- Frieda, Leonie, *Catherine de Medici* (London, 2003).
- Goodare, Julian, 'Queen Mary's Catholic Interlude', in M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms, IR* (1987).
 'Estates in the Scottish Parliament' in Clyve Jones ed., *The Scots and Parliament* (Edinburgh, 1996).
State and Society in Early Modern Scotland (Oxford, 1999).
 'The Scottish Parliamentary Records', *Journal of Historical Research*, 62 (1999).
 'The Admission of Lairds to the Scottish Parliament', *EHR*, 116 (2001).

- The Government of Scotland 1560-1625* (Oxford, 2004).
- Goodare, Julian, and Lynch, Michael (eds.), *The Reign of James VI* (East Linton, 2000).
- Graves, M.A.R., 'Thomas Norton the Parliament Man: An Elizabethan M.P., 1559-1581', *The Historical Journal*, 23 (1980).
- Greengrass, Mark, 'Mary, Dowager Queen of France', in M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms*, IR, 38 (1988).
- Guy, John A., *Tudor England*, (Oxford, 1988)
- 'The Henrician age', in J.G.A. Pocock (ed.), *The Varieties of British Political Thought 1500-1800* (Cambridge, 1993).
- 'The rhetoric of counsel in early modern England', in Dale Hoak (ed.), *Tudor Political Culture* (Cambridge, 1995).
- My Heart is My Own: The Life of Mary, Queen of Scots* (2004).
- 'Imagining and Detecting Conspiracy, 1571-1605', [<http://www.johnguy.co.uk/history.php?&content=conspiracy.html>].
- Guy, John A., (ed.) *The Tudor Monarchy* (London, 1997).
- Haigh, C., *Profiles in Power: Elizabeth I* (London, 1988).
- Haigh, C. (ed.), *The Reign of Elizabeth I* (London, 1984).
- Hammer, Paul, *Elizabeth's Wars* (Hampshire, 2003).
- Hartley, T. E., *Elizabeth's Parliaments: Queen, Lords and Commons 1559-1601* (Manchester, 1992).
- Haynes, Alan, *The Elizabethan secret services* (Stroud, 1992).
- Hewitt, George R., *Scotland Under Morton* (Edinburgh, 1982).
- Hexter, J.H., *Reappraisals in History* (London, 1961).
- Hoak, Dale (ed.), *Tudor Political Culture* (Cambridge, 1995).
- Holmes, P.J., 'Mary Stewart in England' in M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms*, IR, 38 (1988).
- Holt, Mack, *The French Wars of Religion 1562-1629* (Cambridge, 1995).
- Kellar, Clare, *Scotland, England and the Reformation: 1534-1561* (Oxford, 2003).
- Kesselring, K.J., "'A Cold Pye for the Papistes": Constructing and Containing the Northern Rising of 1569', in *Journal of British Studies*, 43 (2004).
- 'Mercy and Liberality: The Aftermath of the 1569 Northern Rebellion', *History*, 90 (2005).
- Kirk, James, 'The Exercise of Ecclesiastical patronage by the Crown, 1560-72' in I.B. Cowan and D. Shaw (eds.), *The Renaissance and Reformation in Scotland* (Edinburgh 1983). *Patterns of Reform* (Edinburgh, 1989).
- Knapp, Robert S. 'Horestes: The Uses of Revenge', *Review of English Studies*, 40 (1973).
- Knecht, R., *Catherine de' Medici* (London, 1998).
- Knox, W.W. and Houston, R.A. (eds.), *The new Penguin history of Scotland : from the earliest times to the present day* (London, 2001).
- Laing, David, 'Notice Respecting the Monument of the Regent Earl of Murray, Now Restored, within the Church of St Giles, Edinburgh', in *Proceedings of the Society of Antiquaries*, 6 (Edinburgh 1868).
- Lee, Maurice, *James Stewart, Earl of Moray* (New York, 1953).
- The 'Inevitable' Union and Other Essays on Early Modern Scotland* (East Linton, 2003).
- Lehmberg, Stanford E., *Sir Walter Mildmay and Tudor Government* (Austin, Texas, 1964).
- Levine, Mortimer, *Tudor Dynastic Problems, 1460-1571* (London, 1973).
- Lewis, Jayne Elizabeth, *Mary Queen of Scots: Romance and Nation* (New York, 1998).
- Lockie, D.M., 'The Political Career of the Bishop of Ross, 1568-80', *The University of Birmingham Historical Journal*, 4 (1953).
- Loughlin, Mark, "'The Dialogue of the Twa Wyfeis": Maitland, Machiavelli and the Propaganda of the Scottish Civil War', in A.A. MacDonald, M. Lynch and I.B. Cowan (eds.), *The Renaissance in Scotland* (Leiden, 1994).
- Lynch, Michael, *Edinburgh and the Reformation* (Edinburgh, 1986).
- Scotland: A New History* (London, 1991).
- Lynch, Michael (ed.), *Mary Stewart: Queen in Three Kingdoms*, IR, 38 (1988).

- MacDonald, Alan, *The Jacobean Kirk 1567-1625* (Aldershot, 1998).
 ‘Deliberative Processes in Parliament c.1567-1639: Multicameralism and the Lords of the Articles’, *Scottish Historical Review*, 211 (April 2002).
- MacDonald Fraser, George, *The Steel Bonnets* (St Ives, 1971).
- McCaffrey, Wallace T., ‘Elizabeth Politics: The First Decade 1558-1568’, *Past and Present*, 24 (1963).
The shaping of the Elizabethan regime (London, 1969).
Queen Elizabeth and the Making of Policy, 1572-1588 (Princeton, 1981).
Elizabeth I (New York, 1993).
- McFarlane, I.D., *Buchanan* (London, 1981).
- Mann, Alistair, *The Scottish Book Trade 1500-1720: print commerce and print control in early modern Scotland: an historiographical survey of the early modern book in Scotland* (East Linton, 2000).
- Mapstone, Sally and Wood, Juliet (eds.), *The Rose and the Thistle: Essays on the culture of late medieval and renaissance Scotland* (East Linton, 1998).
- Martin, A. Lynn, ‘Papal Policy and the European Conflict, 1559-1572’, *The Sixteenth Century Journal*, 11, 2 (1980)
- Marshall, Rosalind K., *Queen Mary’s Women* (John Donald, 2006).
- Mason, Roger A., ‘Covenant and Commonweal: the language of politics in Reformation Scotland’, in Norman Macdougall (ed.), *Church, Politics and Society: Scotland 1408-1929* (Edinburgh, 1983).
Kingship and the Commonweal: Political Thought in Renaissance and Reformation Scotland (East Linton, 1998).
 ‘This Realm of Scotland is an Empire?’ in Barbara Crawford (ed.), *Church, Chronicle and Learning in medieval and early Renaissance Scotland: essays presented to Donald Watt on the occasion of the completion of the publication of Bower's Scotichronicon* (Edinburgh, 1999).
 ‘George Buchanan and Mary, Queen of Scots’, *Records of the Scottish Church History Society*, 30 (2000).
 ‘George Buchanan and the Common Man’ in Robert von Friedeburg (ed.), *Widerstandsrecht in der frühen Neuzeit: Erträge und Perspektiven der Forschung im deutsch-britischen Vergleich* (Berlin, 2001).
 ‘Civil Society and the Celts: Hector Boece, George Buchanan and the Ancient Scottish Past’, in Edward J. Cowan and Richard J. Finlay (eds.) *Scottish History: The Power of the Past* (Edinburgh, 2002).
 ‘George Buchanan’s vernacular polemics, 1570-1572’ *IR*, 54 (2003).
- Mason, Roger A. (ed.), *Scotland and England 1286-1815* (Edinburgh, 1987).
Scots and Britons: Scottish Political Thought and the Union of 1603 (Cambridge, 1994).
John Knox and the British Reformations (Aldershot, 1998).
- Mason, Roger A. and Martin S. Smith, *A Dialogue on the Law of Kingship among the Scots: A Critical Edition and Translation of George Buchanan’s ‘De Jure Regni apud Scotos Dialogus’* (Aldershot, 2004).
- Meikle, Maureen M., *A British Frontier? Lairds and Gentlemen in the Eastern Borders 1540-1603* (East Linton, 2004).
- Merriman, Marcus, ‘Mary, Queen of France’, in M. Lynch ed., *Mary Stewart: Queen in Three Kingdoms*, *IR*, 38 (1988).
The Rough Wooings: Mary, Queen of Scots, 1542-1551 (East Linton, 2000).
- Mullan, D.G., *Episcopacy in Scotland, the History of an Idea 1560-1638* (Edinburgh, 1986).
- Murray, Athol L., ‘Huntly’s Rebellion and the administration of justice in north-east Scotland 1570-1573’, *Northern Scotland*, 4 (1981).
- Murray Rose, D., ‘Mary Queen of Scots and her Brother’, *SHR*, 2 (1905).
- Neale, J.E., *Elizabeth I and her parliaments, 1559-1581* (London, 1953).
- Nobbs, D., *England and Scotland 1560-1707* (London, 1952).
- Parker, G., ‘The Place of Tudor England in the Messianic Vision of Philip II of Spain’, *Transactions of the Royal Historical Society*, 12 (2002).
- Parker, G., *Philip II* (Boston, 1978).
- Pettegree, Andrew, ‘Elizabethan Foreign Policy’, *Historical Journal*, 31 (1988).

- Reformation and the Culture of Persuasion* (Cambridge, 2005).
- Phillips, James Emerson, *Images of a Queen: Mary Stuart in Sixteenth-Century Literature* (Berkeley, 1964).
- Pocock, J.G.A., 'British History: A Plea for a New Subject', *Journal of Modern History*, 4 (1975).
- Pocock, J.G.A. (ed.), *The Varieties of British Political Thought 1500-1800* (Cambridge, 1993).
- Pollitt, Ronald, 'An "Old Practizer" at Bay: Thomas Bishop and the Northern Rebellion', *Northern History*, 16 (1980).
- 'The Northern Rebellion and the Shaping of Anglo-Scottish Relations', *Scottish Historical Review*, 64 (1985).
- Potter, Harry, *Bloodfeud* (Stroud, 2002).
- Edinburgh Under Siege 1571-1573* (Stroud, 2003).
- 'Dumbarton Rock: 1st and 2nd April 1571' *History Scotland*, 5 (2005).
- 'The Douglas Wars' *History Scotland*, 6 (2006).
- Quynn, D.M., 'The Early Career of John Gordon, Dean of Salisbury', *Bibliothèque d'Humanisme et Renaissance*, 7 (1948).
- Rae, Thomas Ian, *The administration of the Scottish frontier, 1513-1603* (Edinburgh, 1966).
- Ramsay, G.D., 'The Foreign Policy of Elizabeth I' in C. Haigh (ed.), *The Reign of Elizabeth I* (London, 1984).
- Read, Conyers, 'Queen Elizabeth's seizure of the Duke of Alva's pay-ships', *Journal of Modern History*, 5 (1933).
- Mr Secretary Cecil and Queen Elizabeth* (London, 1955).
- Lord Burghley and Queen Elizabeth* (London, 1960).
- Ritchie, Pamela E., *Mary of Guise in Scotland: 1548-1560* (East Linton, 2002).
- Rose, D. Murray, 'Mary, Queen of Scots and Her Brother', *Scottish Historical Review*, 2 (1905).
- Russell, E., *Maitland of Lethington the minister of Mary Stuart: a study of his life and times* (London, 1912).
- Shaw, D., *The General Assemblies of the Church of Scotland 1560-1600* (Edinburgh, 1964).
- Skinner, Quentin, *The Foundations of Modern Political Thought*, (2 vols., Cambridge, 1978).
- Sutherland, N.M., *Catherine de Medici and the Ancien Régime*, (Historical Association, London, 1966).
- The Massacre of St Bartholomew and the European Conflict* (Edinburgh, 1973).
- Thorp, Malcolm R., 'William Cecil and Anti-Catholic Ideology', in Malcolm R. Thorp and Arthur J. Slavin (eds.), *Politics, Religion and Diplomacy in Early Modern Europe, Essays in Honor of De Lamar Jensen* (Missouri, 1994).
- 'Catholic Conspiracy in Early Elizabethan Foreign Policy' *Sixteenth Century Journal*, 4 (1984)
- Trevor-Roper, H.R., 'George Buchanan and the Ancient Scottish Constitution', *EHR* supplement 3 (1963)
- Walsh, Sebastian, 'Most trusty and beloved', *History Today*, 55 (2005).
- Warnicke, Retha M., *Mary, Queen of Scots* (Abingdon, 2006).
- Walton, Kristin Post, *Catholic Queen, Protestant Patriarchy: Mary, Queen of Scots, and the Politics of Gender and Religion* (Palgrave Macmillan, 2007).
- Weir, Alison, *Mary, Queen of Scots and the Murder of Lord Darnley* (London, 2003).
- Wernham, R.B., *Before the Armada: The Growth of English Foreign Policy 1485-1588* (London, 1966).
- White, Allan, 'Queen Mary's Northern Province', in M. Lynch (ed.), *Mary Stewart: Queen in Three Kingdoms, IR*, 38 (1988).
- Wiener, Carol Z. 'The Beleaguered Isle. A study of Elizabethan and early Jacobean anti-Catholicism', *Past and Present*, 51 (1971).
- Williams, Neville, *Thomas Howard, Fourth Duke of Norfolk* (London, 1964).
- Williams, Penry, *The Later Tudors: England, 1547-1603* (Oxford, 1995).
- Wilkinson, Alexander S., *Mary, Queen of Scots and French Public Opinion* (Basingstoke, 2004).
- Wilkinson, Maurice, 'The Mystery of Maitland', *SHR*, 24 (1926-7).

Wormald, Jenny, 'Bloodfeud, Kindred and Government in Early Modern Scotland', *Past and Present*, 87 (1980).
Court, Kirk and Community: Scotland 1470-1625 (London, 1981).
Lords and Men in Scotland: Bonds of Manrent 1442-1603 (Edinburgh, 1985).
Mary, Queen of Scots: A Study in Failure (London, 1988).

Unpublished PhD Theses

Alford, Stephen, *William Cecil and the British succession crisis of the 1560s* (St Andrews University PhD thesis, 1996).
Beckett, Margaret J., *The Political Works of John Lesley, Bishop of Ross (1527-96)* (St Andrews University PhD thesis, 2002).
Loughlin, Mark, *Maitland of Lethington* (Edinburgh University PhD thesis, 1991).
Taviner, Mark, *Robert Beale and the Elizabethan Polity* (St Andrews University PhD thesis, 2000).
Wilkinson, Alexander S , *Mary, Queen of Scots in the Polemical Literature of the French Wars*