

The Regency and Administration of
James Douglas, fourth earl of Morton

A thesis presented for the degree of
Ph.D. in the Arts Faculty of the Open
University by George R. Hewitt, B.A.,
October, 1978.

Number is: HDB4308 T.
Date of submission 18-5-1978
Date of award 10-1-1979

ACKNOWLEDGEMENT

I should like to record my gratitude to my supervisor, Dr. Ian B. Cowan, Scottish History Department, Glasgow University, for all his assistance and encouragement.

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A B S T R A C T

Morton, the obvious successor to Mar in November, 1572, effectively commenced his regency in June, 1573, by which date all opposition had been pacified or overcome.

His overthrow in March, 1578 was, at least partly, the result of his own maladroit tactics. Although he was subsequently reinstated, he never recovered his former dominance - hence, so it would appear, a stratagem such as the proscription of the Hamiltons. He was disastrously indecisive in 1580, thus permitting the Lennox-Arran faction to attain an overwhelming supremacy against which he and his supporters found it impossible to offer a serious challenge.

His reorganisation of the kirk's finances and accompanying reforms provoked some criticism, albeit not on a considerable scale until 1578. While he did not halt dilapidation, there is no evidence of excessive plundering of ecclesiastical wealth, and questions of patrimony seem to have been overshadowed by those of polity. Here, an ill-defined policy led to growing hostility particularly towards episcopacy. This was largely a consequence of Morton's equivocal treatment of the second Book of Discipline. Nonetheless, it seems conceivable that both sides, aware of the consequences, exercised some measure of restraint.

The kernel of his foreign policy was the English alliance. He failed to secure a permanent league with England primarily because Elizabeth saw no necessity, even in 1580, for such a commitment.

His border administration was notably competent while he remained regent but latterly, with his own decline, the frontier was governed less satisfactorily. His other domestic achievements were limited and there is a controversial taint of corruption

surrounding some aspects of it.

To sum up, Morton's overall record is an uneven one. Unquestionably, his performance, greatly dependent on his own powerful personality, was much more impressive during the years of his regency.

CHAPTER I

MORTON'S EARLIER CAREER

James Douglas, born around 1516, was the second son of George Douglas, master of Angus, and his wife, Elizabeth Douglas, only daughter of David Douglas of Pittendreich.¹ He inherited the earldom of Morton as a result of his marriage, contracted in 1543 to Elizabeth Douglas, youngest daughter of James Douglas, third earl of Morton, whom he succeeded on his death in 1552.² This was an impressive inheritance including, in addition to the two principal residences at Dalkeith and Aberdour, baronies and estates with the various ecclesiastical and other privileges attached to them in Perthshire, Fife, Lanarkshire, Dumfriesshire, the Stewartry of Kirkcudbright and several parts of south east Scotland.³ Moreover, on the death in 1557 of his brother David, seventh earl of Angus, he became tutor of his two-year-old son, Archibald,⁴ and ultimately, after a protracted contest with Margaret, countess of Lennox, incontestably in charge of his widespread territories during his minority.⁵ These comprised the regality of Bothwell and the imposing fortress of Tantallon castle as well as such "landis, lordschippis and baroneys" as Abernethy, Kirriemuir, Jedburgh forest, Bonkle, Preston, Douglas, Crawford-Douglas and Selkirk.⁶ Undoubtedly, it was his marriage to Elizabeth Douglas, despite its unfortunate aspect - Morton's wife seems to have been insane from about 1559⁷ - and the guardianship of his nephew which laid the foundations for that opulence which enabled him to make elaborate alterations at Dalkeith, construct a new residence at Drochil in Teviotdale⁸ and, on occasions, render financial assistance

to the crown itself.⁹

Of his early life and career little is known, but it seems doubtful whether he went into exile in England with his father, a notably pro-English diplomat during the reign of James V and queen Mary's minority, and his uncle Archibald, sixth earl of Angus, when their estates were forfeited in 1528.¹⁰ Nevertheless, he apparently shared his father's anglophil sympathies, and an early example of Morton and his brother David displaying such tendencies was in 1544 when, in charge of Tantallon castle, they declared themselves prepared to yield without a struggle to the invading English army.¹¹ On the other hand, Morton's defence of Dalkeith against lord Grey's forces in June, 1548, when he was wounded and taken prisoner is incontrovertibly a commentary on the ineptitude of Henry VIII and Protector Somerset in their policy towards Scotland which could antagonise even those normally well-affected towards England.¹²

Following his capture in 1548, Morton, despite attempts to procure his speedy release,¹³ probably spent a couple of years as an English prisoner before being freed in 1550.¹⁴ In 1552, there is the first mention of him as a privy councillor¹⁵ and, in the latter part of the 1550's, with the onset of the reformation movement, he speedily became involved in the events surrounding it. However, although he was a signatory in December, 1557 of the first bond of the lords of the congregation,¹⁶ he was initially a lukewarm adherent and his part an inconspicuous one. Indeed, by all accounts, Morton pursued a policy of vacillation, causing John Knox to observe later that he "promised to be ours but never did plainly join".¹⁷ Thus, on 1 August 1559, he was reported as being "suspected by the regent and has left the court", yet, three months later on 17 November, Sadler the English ambassador was recording that he "stole secretly into the castle the day before we left", and this despite his professions of loyalty to

the anti-government party.¹⁸ In fact, he behaved in this equivocal manner, at one moment seeming to support the opponents of the regent Mary of Guise, at another apparently on her side¹⁹ until 10 May, 1560 when, by appending his signature to the ratification of the treaty of Berwick, he finally appears to have committed himself to the cause of reformation.²⁰

The most convincing explanation for Morton's conduct in this period is that he required the assistance of Mary of Guise in his dispute, already alluded to, with Margaret countess of Lennox. He had contracted a bond of manrent with the regent in 1557²¹ and presumably had no desire to antagonise her permanently by rashly joining her adversaries. Indeed, his predicament and his possibly misguided faith in the regent's support was perceived by at least one of the leading members of the reform party, Maitland of Lethington who, in a letter to the English secretary, William Cecil, on 26 December, 1559, inferred that Morton could be won over if he was made aware of Mary of Guise's real intentions "conent the earldom of Angus".²²

However, Morton's irresolution in 1559-60 had no visibly harmful impact on his career since it was now, following the defeat of the regent's government, that he emerged as one of the leading noblemen in the kingdom. Thus, in August, 1560, having participated in the parliament held that month, he was appointed a member of the council formed to administer the state during queen Mary's absence and, in addition, was delegated to be one of the commissioners entrusted with negotiating the possibility of a marriage between the Duke of Chatelherault's eldest son, James earl of Arran and queen Elizabeth.²³

Meanwhile, anticipating Mary's return and displaying that instinct for looking after his own interests, particularly noticeable in the previous two years, Morton contacted the Scottish queen prior to her departure from France. Accordingly, apart from some diplomatic

references to the "waird nonentries and reliefs dispoit to me be unquhile the Queen's graco regent", assurances were given of his loyalty and, conveniently ignoring his devious conduct before her mother's downfall, Mary was reminded how "from the time the said Queen mother received the regency I was ever with her in service".²⁴

Consequently, after her arrival in Scotland in August, 1561, Morton was soon figuring prominently in her government, assisting Moray restore law and order in the borders in November, 1561 and serving a year later in the campaign against the rebellious earl of Huntly.²⁵ His loyal service was duly rewarded on 7 January, 1563 when he became royal chancellor.²⁶

For just over three years after this appointment, Morton remained on good terms with Mary.²⁷ Moreover, although he was originally unenthusiastic about the proposed marriage between her and Darnley in 1565,²⁸ there were certain considerations, particularly the conclusion of his quarrel with Margaret Douglas countess of Lennox, Darnley's mother, which forced him to overcome his reservations.²⁹ The first stage in this reconciliation had come about in 1561 when she had surrendered all claims to his own earldom.³⁰ Now in May, 1565, obviously eager for the chancellor's support in her son's marriage, she renounced, as well, by a mutual contract between the two parties, all claims to the Angus estates.³¹ Consequently, Morton played no part in what is termed the Chaseabout raid of August - October, 1565 when Moray and certain other noblemen attempted to overthrow Mary and her new husband. On the contrary, in October, he commanded a section of the royal army against the insurgents.³² Nevertheless, according to the English ambassador Thomas Randolph, Morton and others like him were, by this date, merely endeavouring "to make fayer wether untyll it come to the pinche".³³

The turning point in his relations with Mary came about as a

result of his complicity in March, 1566 in the death of Riccio, her Italian private secretary. For Morton, there were several reasons why he should be implicated in this affair. In the first instance, he possibly took umbrage at Mary's negotiations with the papacy undertaken shortly after the Chaseabout raid.³⁴ Then, again, he may have believed the probably erroneous rumour that the queen intended depriving him of the chancellorship in favour of Riccio.³⁵ However, the elimination of her Italian servant was almost certainly secondary to the real purpose of the conspiracy which seems to have been to win the feeble Darnley's support by the removal of Riccio, of whom he was uncontrollably jealous and, in return, have the queen's consort prorogue the parliament scheduled to be held on 12 March.³⁶ If this was done, Morton would not be deprived of certain possessions which, so we are told,³⁷ he was convinced were about to be forfeited by a royal act of revocation, and Moray, with other leading Chaseabout raiders, would not be attainted as undoubtedly would have occurred. Furthermore, it is surely not too improbable to conjecture that Morton envisaged the exiled Moray returning to head a government in which Darnley would simply be a figurehead, and real control would be vested in the queen's half-brother and himself.

Morton, therefore, committed himself whole-heartedly to the murder of Riccio, and was present in person at his death.³⁸ But the conspirators under-estimated Mary's powers of recovery as well as Darnley's duplicity and, within a fortnight, Morton was deprived of his chancellorship and publicly named as one of Riccio's assassins.³⁹ Meanwhile, realising his plans had gone wrong, he headed, in company with Patrick, lord Ruthven, for Berwick where, on 27 March, the two noblemen wrote to Cecil justifying their actions on the grounds that it had forestalled a parliament "quhairin determination wes takin to have ruinated the hail nobilitie that then wer banissit in this

realme and lykewyis a great number that then wer resident within the rcalme".⁴⁰

Morton's exile ended on Christmas eve, 1566 when he and most of his accomplices were granted a remission for their parts in the Riccio killing.⁴¹ This "relaxacioun and dresse", according to the earl of Bedford then on a mission to Scotland, was largely the work of Moray in company with Atholl and Bothwell.⁴² In fact, it was the latter nobleman who encountered Morton, as he returned, to present him with the details of the Darnley conspiracy. However, by his own account, he refused to participate although, as he was later to confess, he made no effort to inform the queen's husband about the plot against him nor, for that matter, prevent one of his kinsmen, the notorious Archibald Douglas take part in it.⁴³

Undoubtedly, Morton's guarded reaction at this juncture does make sense especially if his serious miscalculation over the Riccio affair and his subsequent exile are taken into account.⁴⁴ Moreover, he probably had his reservations about the consequences of the Darnley project and preferred, rather as he had done in 1559-60, to await the outcome of events.

Whatever his motives were, and he was probably more deeply implicated than he was prepared to admit, his cautious tactics, as in 1560, were not to his disadvantage. The parliament summoned shortly after Darnley's assassination ratified Morton's possession of his earldom⁴⁵ and, although he was one of the signatories of the "Ainslie's Tavern bond" assenting to Bothwell's candidature for Mary's hand,⁴⁶ it seems likely that he and several other leading noblemen were only awaiting a suitable opportunity to wrest control of Mary from him and possibly depose her as well.⁴⁷ Thus, Bothwell's seizure and subsequent marriage to the queen provided a convenient pretext for an insurrection in which Morton played a conspicuous part.

He was present at Stirling early in May, 1567 when a convention of the disaffected nobility condemned Bothwell's actions;⁴⁸ shortly afterwards, along with lord Hume, he endeavoured unsuccessfully to apprehend Mary and her third husband at Borthwick castle⁴⁹ and he was a prominent member of the contingent which accepted the queen's surrender at Carberry on 15 June.⁵⁰

With Mary's abdication on 24 July at Lochleven castle, the residence of Morton's cousin, William Douglas, and the accession of the infant James VI,⁵¹ he emerges as one of the most powerful figures in the kingdom, arguably second only in authority to the new regent James, earl of Moray. This is underlined by the fact that he was nominated one of the council to administer the country until Moray returned from the continent and, should he decline the regency, he was one of the regents designated to govern in his place.⁵²

Morton's strong position by 1567 is further emphasised by the various appointments and acquisitions which came his way during Moray's regency. Thus, in November, 1567, he was re-appointed chancellor;⁵³ less than a month later, he became sheriff of Dumbartonshire and, in January, 1568, he was created high admiral of Scotland, an office forfeited by Bothwell.⁵⁴ Meanwhile, in August, 1567, he obtained the former property of a Darnley conspirator, and the next month the gift of the marriage of Walter Scott of Branxholm, previously another perquisite of Bothwell.⁵⁵

As might be expected, he also played a major role in Moray's administration. Consequently, in May, 1568, he commanded the royal vanguard at Langside where Mary and her supporters vainly tried to reverse the settlement of the previous year⁵⁶ and, the next month, he accompanied the regent on his anti-Marian campaign in the south western counties.⁵⁷ Then, later that year, he was one of the commissioners who travelled with Moray, initially to York and thence

to London, for the enquiry conducted by queen Elizabeth into her cousin's affairs.⁵⁸ Morton, of course, possessed vital, if controversial, evidence in the form of the casket letters whose acquisition and contents he described to the tripartite conference on 9 December, 1568.⁵⁹ Again, in 1569, presumably annoyed by his change of allegiance in queen Mary's favour as well as his influence with queen Elizabeth, he supported Moray's arrest of Maitland of Lethington.⁶⁰ One of his final actions before the regent's assassination in January, 1570 was to be in attendance with him on a border raid the previous October.⁶¹

There followed an interregnum of approximately six months during which time Morton, on behalf of the king's party, gave further evidence of his attachment to the English alliance by seeking Elizabeth's assistance against his Marian opponents.⁶² Consequently, in May, 1570, his forces and an English one commanded by the earl of Sussex launched an attack on Hamilton territory in Clydesdale, concluding the operations with the burning of Hamilton castle.⁶³

On 18 July, 1570, Matthew earl of Lennox, on Elizabeth's recommendation, became the new regent. He was not an auspicious choice, having little popular support, and, within a year, most of his council was reported as disliking him and "being at Morton's direction".⁶⁴ The question, therefore, arises why Morton backed his candidature instead of asserting his own obvious claims. The answer would appear to be partly that he felt he lacked sufficient support - Argyll, Cassillis, Eglinton and Boyd, for example, were not to be added to the king's party until over a year later.⁶⁵ Furthermore, although Sir William Drury, marshal of Berwick, regarded him as the real power behind the regency,⁶⁶ he probably preferred waiting until he was absolutely certain the moment was propitious for him. In short, as Rume of Godscroft commented regarding his conduct at the

time of the Darnley business, he was "wise as he was wilely"⁶⁷ and this was presumably the case now in July, 1570 and again in September, 1571 when the ineffectual earl of Mar succeeded Lennox after his death at Stirling.

Meanwhile, Morton was steadily augmenting the already impressive number of gifts received by him from the crown. On 12 September, 1570, for instance, he was given another ex-Bothwell wardship; three months later, he was granted the escheat of the goods of Robert bishop of Dunkeld while, on 21 January, 1571, he received an escheat worth 4000 merks, formerly in the possession of John lord Fleming.⁶⁸ Later that year, on 14 September, 1571, as recompense for a loan to the throne of £8000, he was awarded the lease for five years of the priory of St. Andrews and the fruits of Pittenweem priory for four years.⁶⁹ Moreover, at some point in 1571, at least according to Calderwood,⁷⁰ as compensation for expenses incurred on an embassy to London to discuss the question of queen Mary's return,⁷¹ Morton is supposed to have been awarded the temporality of the archbishopric of St. Andrews, vacant since the execution of the primate, John Hamilton at Dumbarton in April. However, there is no mention of such a gift under the privy seal although, by his nomination of John Douglas in August, 1571 for this vacancy, Morton clearly exercised great influence in that diocese and may well have devised some means of extracting its revenues for his own purposes.⁷²

Although by Anglo-French mediation a truce was signed between the two sides on 30 July, 1572, the earlier months before his accession as regent on 24 November saw some of the most bitter fighting of the civil war. During this period, Morton, according to one narrative, escaped an assassination attempt and, states the same source, had "ane minister hangit in Leith and borne to jibbit because he was birsit with the battis".⁷³ This punishment was

supposedly administered for telling Morton "he defendit ane unjust caus and that he wald repent quhen na tyme wes to repent". However, the authenticity of this episode seems very questionable, especially when there is no other contemporary reference to the incident.

When Mar died suddenly on 28 October, 1572, everything pointed to Morton as his successor. That he had been the dominant figure in Mar's government had been emphasised only shortly before the regent's death when Mar, on being consulted by Sir Henry Killigrew the English ambassador about the fate of queen Mary, had postponed any comment until he had discussed the matter with Morton.⁷⁴ As Killigrew acutely observed, "Morton is the only man for her majesty to account of in this realm".⁷⁵ In short, Morton, confident of English support and with a sizeable section of the nobility on his side, must have been convinced that now was the moment for accepting the arduous and dangerous office of regent of Scotland.

Morton, therefore, on the eve of becoming regent, was an experienced royal councillor who, by marriage, tutelage of his nephew and vigorous prosecution of his own interests was to earn the reputation of "the wealthiest subject that had been in the kingdom for manie years".⁷⁶ Although he could be provoked into violent action, as his participation in the Riccio murder illustrates, his behaviour was usually characterised by caution and diplomatic perception. Thus, his equivocal reaction to the protestant revolution in 1559-60 or the Darnley conspiracy seems more typical of his nature.

Between 1567 and 1572, he had become an increasingly prominent figure playing a significant role in all three regencies of this period, and consequently strengthening his own candidature for that office. Undoubtedly, too, a considerable amount of his confidence by 1572 stemmed from the knowledge of English backing, the result of those anglophil sympathies which he displayed constantly throughout

his career.

As far as the kirk was concerned, he had supported the reformation if hesitantly at first, but had clashed in 1571 with the brethren over his nomination of John Douglas as primate. However, this controversy and certain other outstanding issues had been temporarily resolved at Leith in January, 1572.

Shortly before his election as regent, Morton had a final death-bed conversation with John Knox. "I charge you", the dying reformer was supposed to have admonished him, "to use all thir benefites aricht and better in time to cum then ye have done in times bypast; first to Godis glorie to the furtherance of the cvangle to the menteanance of the kirke of God and his ministrie; nixt, for the weill of the king, his realme and trew subjectis".⁷⁷ Just to what extent Morton heeded, or was allowed to follow this advice can only be judged in the light of his subsequent career but, clearly, his first task was to consolidate his position and, if necessary, eliminate any factious opposition.

Notes to Chapter I

1. In a royal letter written to him at the time of his deposition in March, 1578, his age is given as "past threescoir ane zoiris", Mort. Reg. i, 107; Fraser Douglas ii, 164.
2. Mort. Reg. ii, 274-75; Fraser Douglas ii, 299.
3. Mort. Reg. ii, 276-80.
4. Calderwood, History i, 327; c.f. gift of non-entry dated 12 November, 1557, RSS v, No. 246.
5. This was resolved in 1565, see below, p. 5.
6. Fraser Douglas iii, 256.
7. ibid ii, 321, but see also CSP Scot. i, 615; three legitimate children appear to have survived Morton (Fraser Carlawerock ii, 490) but there were in addition four natural sons, James, Archibald, George and William (Fraser Douglas ii, 321) and apparently a natural daughter Jean, RMS iv, No. 1877, RSS vi, Nos. 713-14.

8. Hume of Godscroft History ii, 239; for Drochil see also RCAHM (Peebleshire) ii, 229.
9. For further details see below Chap. IX, 202-03.
10. Fraser (Douglas ii, 248) draws this conclusion from his presence as heir to his mother on a royal charter of 1536.
11. Maitland Misc. iv, pt. I, 94-98.
12. CSP Scot. i, 115, 118, 120; Fraser Douglas, iv, 171.
13. By his father, George Douglas, CSP Scot. i, 127-28.
14. Fraser Douglas ii, 299.
15. On 14 October, 1552, RPC i, 125.
16. Calderwood History i, 327.
17. Knox History i, 261-62.
18. CSP Scot. i, 236, 267.
19. There are several references early in 1560 to his ambiguous behaviour, e.g. ibid, 334, 349, 354, 357 and 394.
20. ibid, 403.
21. Donaldson James V - James VII, 86.
22. CSP Scot. i, 279.
23. ibid, 458, 465; he returned from London in January, 1561 in time to sign the first Book of Discipline, Knox, History, i, 345.
24. CSP Scot. i, 528 - 31.
25. ibid. 569, 662; RPC i, 159, 218-20.
26. RSS v, No. 1186.
27. A fact underlined by royal confirmation of his earldom in 1564, RMS iv, No. 1535.
28. CSP Scot. ii, 126.
29. ibid, 153; there is also the possibility that Morton was partly influenced by considerations of kinship, Damley being an Angus Douglas on his mother's side, Donaldson James V - James VII, 119.
30. Mort. Reg. ii, 301-02.
31. HMC iii, App. 394; Fraser Douglas iii, 255-62.
32. RPC i, 379.
33. CSP Scot. ii, 222; that Mary was aware of his innermost feeling may account for her insistence on the delivery of Tantallon shortly afterwards, RPC i, 383.

34. See Pollen, Papal Negotiations, 232-34.
35. CSP Scot. 11, 264; see also Spottiswood, History, 11, 35.
36. These, at least, are the conclusions of Donaldson, James V - James VII, 121.
37. Melville Memoirs, 148.
38. Keith History, 11, 414.
39. RSS v. No 269; RPC 1, 436-37; Morton and the others were "lauchfullie denuncit rebellis" by the council on 8 June, 1566, ibid. 462-63.
40. CSP Scot. 11, 271.
41. RSS v. No. 3149.
42. CSP Scot. 11, 308.
43. This is Morton's own version of the affair as given to certain Edinburgh clergy prior to his execution in June, 1581, Bannatyne Memorials, 317-20.
44. He said as much himself in his 1581 confession, ibid. 318.
45. APS 11, 562.
46. CSP Scot. 11, 326-27.
47. For the inference that Mary's deposition was intended, see CSP Spanish (1558-67), 639.
48. CSP Scot. 11, 326-27.
49. Calderwood History 11, 361.
50. CSP Scot. 11, 332-33.
51. Morton took the coronation oath on James VI's behalf, RPC 1, 542.
52. ibid. 540-41.
53. RSS vi, No. 32.
54. ibid. Nos. 57, 92.
55. ibid. Nos. 4, 16.
56. CSP Scot. 11, 406, 408.
57. ibid. 445-46.
58. ibid. 507-77 *passim*.
59. ibid. 576-77.
60. Diurnal, 148.

61. CSP Scot. 11, 697.
62. ibid. 111, 109, 187.
63. ibid., 191-93.
64. ibid., 633.
65. ibid., 642-43.
66. CSP Foreign (1569-71), 484-85.
67. Hume of Godscroft History 11, 164.
68. RSS vi, Nos. 899, 1052, 1112.
69. ibid., No. 1285.
70. Calderwood History 111, 67.
71. The text of Morton's speech to the privy council is given at length in Trevor-Roper, George Buchanan and the Ancient Scottish Constitution, EHR (Supplement 3), 1966.
72. Calderwood History 111, 135; for the ensuing controversy with the kirk culminating in the Leith convention, January, 1572, see Chap. VI, 115-116.
73. Diurnal, 292-93.
74. CSP Scot. iv, 412.
75. ibid., 413.
76. Calderwood History 111, 507.
77. Bannatyne Memoriales, 326.

CHAPTER II

THE CONCLUSION OF THE CIVIL WAR

At Edinburgh, on 24 November, 1572, five earls, fourteen lords, three bishops, nine commendators and over seventy lairds attended the convention which elected Morton as the new regent.¹ These numbers might not be quite so impressive as the nine earls, nine bishops, seventeen lords, fourteen commendators and about ninety lairds who signed the Hamilton bond in support of Mary on 8 May, 1568², yet they do reveal how circumstances had altered and the strength of Morton and the King's party at this stage of the civil war. The answer to the question why Morton now received such general support for his candidature can largely be discovered by an analysis of those present at the convention.

Of the earls, Angus was Morton's nephew while Robert Douglas, earl of Buchan, was a kinsman. Glencairn had always been an anti-Marian, Errol was an opponent of Huntly, and Marischal, who had fought against Mary at Carberry but for her at Langside, had apparently had another change of heart. Crawford and Cassillis had changed sides, the latter officially in August, 1571 along with Eglinton who was not in attendance on 24 November. Montrose, despite his father's neutrality, had been on the side of king James VI at Langside and had since supported both Mar and Morton.³

Among the lords, the backbone of the King's party initially comprised Cathcart, Glamis, Lindsay, Ochiltree, Ruthven and Sempill.⁴ To this nucleus had been added Lovat who had joined Mary in 1569, Boyd who switched his allegiance at the same time as Cassillis and Eglinton,

Herries, Maxwell and Sinclair who were reconciled to the regent in 1572 and Borthwick, another of Mary's Langside supporters who had seemingly deserted her cause.⁵ In addition, there were lords Somerville and Torphichen who had presumably decided by November, 1572 that their allegiance lay with the king.

However, to some extent, this affords an unsatisfactory impression of Morton's position since there were others, absent on 24 November, whom he could reliably assume were either on his side or on the point of joining it. In this category, for example, were lords Forbes and Saltoun, both opposed to Huntly, with one of Forbes's sons a prisoner of that family, while two others were Gray and Oliphant, both known adversaries of Mary.⁶ Gray, admittedly, was supposed to have wanted a postponement of the election but, once it had taken place, he wasted no time enlisting with the regent.⁷

On the other hand, by November, 1572, with Fleming accidentally killed earlier that year, Ogilvy gone to France and the new earl of Bothwell, like Crichton and Methven, under age, the ranks of the Queen's party were decidedly thin.⁸ Undoubtedly, her imprisonment in England, the support given by the English government to the King's party, and the hazards of remaining a Marian were the main causes of desertion. That Mary was conscious of her supporters' difficulties is evident from a letter written to the earl of Cassillis in May, 1571 in which she told him she realised that it was partly for fear of loss of his goods and partly "be the crafty persuasions of our enymeis" that she was forfeiting his allegiance.⁹

The Queen's principal followers, therefore, were the Hamilton family, the earl of Huntly, his brother Adam Gordon of Auchindoun, and the earl of Atholl. The Hamiltons, the duke of Chatelherault with his sons, John and Claud, supported Mary both as heirs presumptive and because they believed that, in the event of her

deposition, their family should be regents. Moreover, there was a bitter dispute between them and the Douglasses over the possession of Arbroath abbey to which George Douglas, natural son of Archibald, sixth earl of Angus, challenged lord John.¹⁰ As for Huntly, his attachment, presumably to some degree, arose from his marriage to Ann, daughter of the duke, and his consequent proximity to the royal succession.¹¹ In the case of Atholl, he was both a noted Catholic and married to a wife who was a Fleming, thus having connubial ties with the Hamiltons as well.¹² The only other members of the nobility of any consequence still firmly linked to Mary, apart from Lord Hume in Edinburgh castle, were Huntly's confederates, the earls of Caithness and Sutherland and the faithful lords Seton and Livingston.¹³ They were absentees from the convention, like their leaders, who, according to one account, held a rival assembly at Hamilton.¹⁴

This leaves one important, if vacillating figure, the earl of Argyll. Having signed the Hamilton bond, he had fought for Mary at Langside but, since then, his loyalty had wavered and he had ultimately submitted to Lennox in 1571.¹⁵ Although reputedly the candidate of Morton's opponents whom Killigrew, the English ambassador, believed had ensured "there was great practice used to defer the election" he, nevertheless, must have been impressed by the "plurality of votes" which Morton received.¹⁶ In fact, not only had the new regent the backing of the vast majority of noblemen, he also had a significant proportion of lairds as well. If, in 1568, most lairds from the south-east, the south-west and the Fife area had rallied to Mary,¹⁷ the situation was now completely reversed, and such prominent names, for example, as Cockburn of Ormiston, Crawford of Leifnorcis, Cunningham of Drumquassel, Douglas of Drumlanrig, Hume of Coldenknowes, Jardine of Applegarth, Kennedy of Bargeny, Ker of Cessford and Scott of Abbotshall, are to be found among those in

Edinburgh on 24 November, 1572.¹⁸ Thus, Argyll's indecision was short-lived. In December, he attended Morton's first privy council at which he was designated chancellor, an office to which, in January, 1573, he was officially appointed.¹⁹ On the same date, he also received the keepership of the great seal and a grant of chamberlainry of the forfeited lands of the bishop of Dunkeld whose temporalities he had been collecting since the previous January.²⁰ The next month, he was to assist with the negotiations at Perth involving the Hamiltons and Huntly; by April, he was being described as the regent's right-hand man.²¹

Therefore, at Morton's accession, the queen's party consisted of her supporters in Edinburgh castle, commanded by William Kirkcaldy of Grange, with William Maitland of Lethington the other principal figure and the Hamilton-Huntly faction whose greatest strength lay in the north-east of the kingdom. It was with this latter group that the regent decided to seek a reconciliation.

On 10 December, 1572, Killigrew, the English ambassador, reported the possibility of discussions between the new government and their leading opponents.²² However, the first meeting at Perth later that month, at which Atholl attended but Huntly was an absentee, proved unproductive.²³ Nevertheless, by the end of January, as a result of the regent's and Killigrew's efforts, a conference had been arranged to commence at Perth on 15 February.²⁴ The English ambassador presided over the negotiations which continued for eight days.²⁵ Morton himself did not participate in the talks but was represented chiefly by Argyll, Boyd, Montrose and Ruthven, while his antagonists had Huntly and Lord John Hamilton as their representatives. The regent obviously hoped for a successful outcome but, if there was no co-operation forthcoming at Perth, he had contingency measures ready. In such an eventuality, it was planned that he would lead an expedition

scheduled to assemble at Brechin on 1st March into Huntly territory, while Eglinton, Glencairn and Lindsay would act as his deputies in the capital.²⁶ However, a northern journey was avoided since both sides reached agreement at Perth.

By the main provisions of the settlement, the two families and their followers must promise religious conformity, must recognise Morton as regent, confess previous misdemeanours, agree to eschew any support of royal enemies, return all property which they had seized and prisoners which they held, and dismiss their respective forces.²⁷ In return, the members of houses of Hamilton and Huntly would have all legal measures taken against them since 15 June, 1567 declared null and void. They would also have all lands restored, and certain individuals, including John Hamilton, Archbishop of St. Andrews, executed in 1571, and Gavin Hamilton, Commendator of Kilwinning, formerly denounced as a rebel, would be rehabilitated with all previous criminal offences, except involvement in the murder of Moray or Lennox, forgiven. This last matter and the question of fruits and moveables taken since June, 1567 "quhilkis ar materis of sic wecht and importance as the said Lord Regent of himself cannot convenientlie remit them" were to receive the arbitration of queen Elizabeth. If remission was granted, it would be confirmed by act of Parliament. Regarding thirds of benefices, common kirks or friar lands, the regent would seek the advice of the general assembly. North of the Tay, Glamis, Montrose and Sir John Wishart of Pitarro would mediate on disputes arising from the settlement while, in the southern half of the country, this task would be undertaken by Boyd, Mark Ker, commendator of Newbattle and Sir John Bellenden of Auchnoule, justice-clerk.

Although Atholl was not included in the Perth agreement, this was of lesser consequence now that his colleagues were detached from

him. Moreover, he was to submit to the regent's authority in April when he made a fleeting appearance in Edinburgh.²⁸ This may well have been a mere token gesture - in one estimate, "na man could judge whois faction he inclynit maist unto",²⁹ but Morton could not have been greatly worried whether Atholl was sincere or not. As far as he was concerned, the elimination of the Hamilton and Huntly nexus left him free to concentrate on the sole remaining bastion of the Marian cause, the garrison of Edinburgh castle.

Morton had renewed hostilities with the defenders of the castle when the truce ended on 1st January, 1573. Inside the fortress, Mary's cause was upheld principally by Kirkcaldy of Grange, who had joined her side in 1569, and Maitland of Lethington, who, in the same year, had benefited from Grange's custodial protection when arrested on a charge of the foreknowledge of Darnley's murder.³⁰ Of the others, John Maitland, commendator of Coldingham, was Lethington's younger brother; Alexander, Lord Hume had temporarily allied with Moray in 1569 but, on being driven from his castle by Sussex's incursion of that year, had rejoined the Marians in Edinburgh;³¹ Sir Robert Melville of Murdocairnie was both a staunch partisan of Mary and a close associate of Lethington's;³² Robert Crichton was the former bishop of Dunkeld whose religious and political sympathies had resulted in him forfeiting his see.³³ In addition, there were Robert Logan of Restalrig, a stepson of lord Hume, Henry Echling of Pittadro the governor of the castle, Alexander Crichton of Drylaw and a complement of about a hundred and sixty soldiers.³⁴

Morton, according to Sir James Melville of Hallhill,³⁵ brother of Murdocairnie and the regent's emissary, had originally offered Grange and his company the same terms as Mar had proposed when he was regent. This would have meant that Grange and his supporters would

have recovered all their forfeited lands and possessions, and received an agreement on the lines of the Perth one. However, this was to be a unilateral arrangement excluding the Hamilton and Huntly faction upon whose lands, so Melville states, Morton had acquisitive designs. But Grange, who was also unhappy about deserting his allies, insisted on retaining the castle for a further period of up to six months to prove, he declared, that, despite his condemnation by the kirk, he was a man of honour. Morton, understandably, when Grange's past record is considered, balked at his retention of the castle as well as what was described as "the oblivion desir'd be the adversaris",³⁶ that is, all he was prepared to grant was remission since that "only takes away the pain due for the crime",³⁷ and the problem of "satisfaction to the party grieved" was to be left unresolved. Thus, rejecting a conciliatory overture by Lethington in early December,³⁸ he proceeded to summon reinforcements and take the necessary steps for the investment of the castle.³⁹ The main reasons he gave for ending the "abstinence", as stated in a broadsheet published in January, were the rejection by the garrison of certain opportunities for negotiation, their continual debasement of the coinage and victualling far in excess of immediate needs.⁴⁰

On 27 March, Morton reluctantly consented to Killigrew's proposal that the occupants of the castle should be offered similar terms to those accepted by Hamilton and Huntly.⁴¹ His reluctance, the ambassador observed, stemmed from the unpopularity of the Perth agreement with his own followers and their unwillingness to make further sacrifices by which "they should lose or render those livings of others which they possess".⁴² Yet this was precisely what Grange had in mind when he referred to "some hard and dark points" which required further discussion and, in fact, assured the talks were

abortive.⁴³ He stuck out for a deal which included the payment of his own debts, his retention of Blackness castle, an English guarantee of his life and the return of the former property of his allies. This latter demand would have entailed Morton surrendering his claims to such lands as Grange and Tyrie as well as restoring Woodfield, Glamis renouncing possession of Kinghorn, north Pettudy and Bawbardie, Robert Pitcairn commendator of Dunfermline returning east quarter to Murdocairnie and Sir James Balfour of Pittendreich, whose services had recently proved useful at Perth, dropping an action for damages in connection with St. Andrew's castle.⁴⁴

Once the English bombardment of the castle had begun on 17 May, Morton would consider nothing but its unconditional surrender.⁴⁵ By the terms of the capitulation, the garrison was permitted to go free but Grange, the Lethingtons, Humo, Dunkeld, Restalrig, Murdocairnie, Drylaw, Pittadro and two forgers of false coins were to be "reserved and kept where the regent shall appoint" until queen Elizabeth's advice was forthcoming.⁴⁶

The latter declared that she had no desire to pass judgment on the prisoners, and instructed Killigrew to hand them over to the regent who, all along, had been seeking such a solution and who believed that the leading rebels should receive "the due reward of their deserts".⁴⁷

Subsequently, Grange, with his brother, Thomas Kirkcaldy, captured at Blackness in January, was executed in Edinburgh on 3 August.⁴⁸ There was a last minute attempt at winning a reprieve for Grange by his nephew, William Mowbray, laird of Barnbogle, who submitted bonds of manrent from "five score of gentlemen landed" as well as guarantees of financial contributions, pledges for his uncle's future behaviour and offers to return missing royal jewels. That Morton rejected Grange's nephew has been attributed to the

desires of his adherents for vengeance and his need to placate them.⁴⁹ Of the others whose fate is easily discernible, Lethington escaped the hangman by dying, allegedly by his own hand, on 11 June;⁵⁰ Murdocairnie, on Elizabeth's intervention, was reprieved although he remained incarcerated for about another year;⁵¹ Hume's life was spared as a result of intercessions on his behalf by his kinsmen, the lairds of Manderston and Coldenknowes, but he was not released from Edinburgh castle until shortly before his death in 1575;⁵² John Maitland was confined in Tantallon before being transferred to Callendar house and latterly to Cowthally, the residence of his cousin lord Somerville, from where he was released in September, 1578;⁵³ the former bishop of Dunkeld was placed for some time in Blackness castle.⁵⁴ The lairds of Drylaw, Restalrig and Pittadro were presumably released after an appropriate interval and, on 5 August, 1577, for example, Logan of Restalrig was one of the signatories to a bond of surety for Robert Lord Stewart, feuar of Orkney and Shetland.⁵⁵

The end of the civil war, accompanied by the defeat of his principal opponents, enabled Morton to devote all his energies to the task of governing the kingdom. Some account of his governance and the difficulties which he encountered now require to be given.

Notes to Chapter II

1. Two more earls voted by letter, viz. Errol and Marischal. The election was subsequently ratified by parliament in January, 1573. APS iii, 71 and 77, CSP Scot. iv, 433.
2. Donaldson, Mary Queen of Scots, 125.
3. Scots Peerage ii, 472; iii, 440-41, 29, 569; iv, 240, vi, 48, 232.
4. ibid. ii, 514-15; iv, 263; v, 399; vi, 512; vii, 541-42; viii, 288-89.
5. ibid. ii, 110-11; iv, 410-11; v, 159, 528; vi, 482-83; vii, 573.

6. ibid. iv, 57, 280; vi, 547; vii, 411.
7. Calderwood, History iii, 243; CSP Scot. iv, 444.
8. Scots Peerage i, 119; ii, 170; iii, 229-30; iv, 544; vi, 169.
9. HMC Rep. v, App. 616.
10. Scots Peerage iv, 371.
11. ibid. iv, 541.
12. ibid. i, 445, i.e. through his brother-in-law's marriage to Barbara, daughter of Chatelherault.
13. ibid. ii, 339; v. 441-42; viii, 343-44, 587.
14. Pitcottie, Historie ii, 244.
15. Scots Peerage i, 340-43.
16. CSP Scot. iv, 430, 432-33.
17. Donaldson, Mary Queen of Scots, 131-34.
18. CSP Scot. iv, 432-33; APS iii, 77.
19. RPC ii, 172; RSS vi, No. 1820.
20. HMC Rep. iv, App. 486; RSS vi, No. 1421.
21. Warrender Papers i, 115-117; CSP Scot. iv, 544-45.
22. ibid., 443-44.
23. ibid., 455-56.
24. ibid., 478, 486.
25. ibid., 495-98; RPC ii, 193-200.
26. ibid., 177-78; T.A. xii, 336.
27. RPC ii, 193-200; CSP Scot. iv, 494-98.
28. ibid., 538; RPC ii, 211; Diurnal, 329.
29. Historie and life of King James the Sext, 141.
30. Scots Peerage v, 294.
31. ibid. iv, 461-62.
32. Fraser, Melville, 99.
33. RSS, vi, No. 2812.
34. CSP Scot. iv, 556-57; Calderwood, History iii, 283.

35. Melville, Memoirs, 249-51.
36. CSP Scot. iv, 439.
37. ibid., 436.
38. Bannatyne, Memoriales, 339-44; Historie and Life of King James the Sext, 124.
39. RPC ii, 171-72; T.A. xii, 331-32.
40. CSP Scot. iv, 453-55.
41. ibid., 526-28.
42. ibid., 526-28, 533-34.
43. ibid., 533.
44. Warrender Papers i, 124-26.
45. CSP Scot. iv, 570; for English co-operation at the siege of Edinburgh castle, see Chap. VII, 141-45.
46. CSP Scot. iv, 571-72, 590.
47. ibid., 574-75, 582.
48. ibid., 603-04.
49. Melvill, Diary, 35.
50. CSP Scot. iv, 585; however, according to Lee, Maitland of Thirlestane, 35 "there is no evidence he committed suicide".
51. At Lethington House, CSP Scot. iv, 622; Fraser, Melville, 101.
52. Melville, Memoirs, 256; Scots Peerage iv, 462; for his son's version of the regent's treatment of his father, see HMC Rep. xii, App. pt. viii, 102.
53. Calderwood, History iii, 284; Historie and Life of King James the Sext, 145; RPC iii, 29.
54. Calderwood, History iii, 284; Historie and Life of King James the Sext, 145.
55. RPC ii, 622.

CHAPTER III

GOVERNANCE, PART I
(June, 1573 - March, 1578)

For Morton, the fall of Edinburgh castle marked the real beginning of an ascendancy which was to last until 8 March, 1578. During this period, the regent never summoned parliament although there was one very well-attended convention held at Holyrood on 5 March, 1575. Undoubtedly, an important feature, as far as Morton was concerned, was the presence of so many leading members of the nobility and higher clergy. Thirteen earls, including that elusive figure, the earl of Atholl, sixteen peers and seven bishops were in attendance - a reflection, surely, on the strength of the regent's position at this juncture.¹ However, for the day-to-day administration of the country, the regent depended on the privy council as his principal governing body.

Normally, this comprised a handful of royal officials, and a scrutiny of the privy council sederunts reveals that the commendator of Dunfermline, the bishop of Orkney, and lords Boyd, Glamis and Ruthven were easily the most frequent attenders.² Robert Pitcairn, commendator of Dunfermline, royal secretary, was understandably rarely absent, but the presence so often of Adam Bothwell, bishop of Orkney, merits further comment. Since 1568, he had been commendator of Holyrood abbey, having surrendered the greater part of his bishopric to Robert Stewart, earl of Orkney, the former commendator of Holyrood.³ Thus, he was seldom far from Edinburgh. Moreover, he was a bishop with legal training, being a judge of the court of

session, whose expertise had been utilised by Moray in 1569 at Westminster during the enquiry into queen Mary's affairs.⁴ Morton presumably appreciated his abilities, and this would account for the fact that, between June, 1573 and March, 1578, only Robert Pitcairn, commendator of Dunfermline, has a better record of attendance. As for Glamis, Ruthven and Boyd, they all held positions of responsibility in the government. Argyll, Morton's original chancellor, had died on 12 September, 1573⁵ to be succeeded by Glamis on 8 October;⁶ Ruthven had been treasurer before Morton's appointment, having held that position since 24 June, 1571;⁷ Boyd was installed as collector of thirds sometime in 1573.⁸

Undoubtedly, it was Morton's policy to ensure that loyal service was adequately rewarded, especially in the case of Glamis and Boyd. Glamis, for example, received various escheats⁹ and gifts of wardships¹⁰ as well as, on 5 November, 1577, the shared lease for eleven years of lead mines in Ayrshire and Galloway with Morton's natural son, James, commendator of Pluscarden.¹¹ Boyd acquired the lands and barony of Grogar in Ayrshire forfeited by lord Hume¹² and an assortment of escheats¹³ and wardships.¹⁴ In addition, on 25 March, 1575, he was appointed bailie and justiciar of Glasgow where his nephew, James Boyd, had been elected archbishop on 3 November, 1573.¹⁵ Then, on 3 June, 1577, he was granted a pension of 1000 marks per annum from the thirds of the archbishopric of Glasgow and Paisley abbey and, the same year, "pro bono servitio", further lands in Ayrshire.¹⁶ Ruthven's remuneration seems slender by comparison although he was able to procure a number of escheats for some of his "servitors".¹⁷ Possibly his very position as treasurer was recognized, with its obvious opportunities for peculation, as sufficient reward - a viewpoint at least unquestionably later held by some of his critics.¹⁸ Obviously, there were other loyal servants

recompensed for their labours, notably Sir James Hume of Coldenknowes and John, lord Maxwell.¹⁹ With both of them having the arduous task of administering the east and west marches respectively, this is only to be expected.

Not surprisingly, some of Morton's own relatives and kinsmen are to be found occupying positions in his administration and benefiting accordingly. Archibald, 8th earl of Angus, had become a ward of the regent on his father's death in June, 1557, and his uncle always appears to have done his best for him. His prolonged and ultimately successful struggle with Margaret, countess of Lennox, over her claims to his nephew's territories is a good example of his solicitude.²⁰ Thus, Angus, who was another frequent attender at the privy council, was amply endowed with the forfeited property of the earl of Bothwell and Sir Thomas Ker of Fernihurst.²¹ In addition, he received the escheated goods of several individuals put to the horn²² as well as three gifts of marriage.²³ On 27 October, 1573, he was appointed sheriff of Berwick and bailie of Lauderdale²⁴ while, on 31 July, 1574, he became lieutenant of all the marches.²⁵ This appointment was renewed on 6 December, 1576,²⁶ and the following year, on 25 May, 1577, he also took over the wardenship of the west march.²⁷ Finally, on 16 December, 1577, he was created hereditary steward of Fife and captain of Falkland palace.²⁸ Indubitably, he was not only one of the principal recipients of the regent's favour but also a key figure in his government.

Angus, however, was not the only person related to Morton whose services were utilised and duly remunerated. Another was John Carmichael, younger of that ilk, whose father belonged to a cadet branch of the Douglasses, while he had married a half-sister of Morton's.²⁹ He featured prominently in the regent's border administration, being referred to as keeper of Liddesdale in June, 1574,

although he had probably been appointed the previous November.³⁰ He was also to play a leading part in the Redeswyre fracas the following year.³¹ Sir James Melville relates that, shortly after the regent came to power, Carmichael was temporarily out of favour. However, as soon as he was suitably obsequious, a policy which Melville claims to have recommended, all was well.³² Apocryphal as this possibly is, it is undeniable that Carmichael did not really begin to accumulate his various escheats,³³ a wardship³⁴ and a pension from the superplus of the thirds of the priory of St. Andrews³⁵ until near the end of 1575.

Another relative who prospered during the regency was William Douglas of Whittinghame. He was a cousin of Morton's who had married the sister of Maitland of Lethington and was a brother of that notorious individual, Archibald Douglas, senator of the college of justice.³⁶ He received an assortment of wardships³⁷ for himself with grants of forfeited Bothwell property for one son,³⁸ a prebend from the collegiate church of Corstorphine and a pension for educational purposes from the treasurer of Moray for the other.³⁹

Two others who profited from their propinquity to the regent were George Douglas of Parkhead and Archibald Douglas of Milnton. The former was a half-brother of Morton's who was captain of Edinburgh castle and also, between 1576 and March, 1578, provost of the city.⁴⁰ He acquired several escheats,⁴¹ wardships⁴² and a fifty-year lease of leadmines at Glengonar and Wanlockhead in Lanarkshire for himself⁴³ while, for his servant, Florence Douglas, he obtained the office of Rothesay herald.⁴⁴ Likewise, Douglas of Milnton, constable of Edinburgh castle, had his ties of kinship rewarded with several gifts under the privy seal.⁴⁵

Outwith his own kith and kin, there are numerous minor figures within the regent's household whose names are to be found in the

register of the privy seal. One such "domestical servand", for example, is Sir James Maxwell of Calderwood, the recipient of several wardships and escheats.⁴⁶ However, within his retinue, there is one name, that of George Auchinleck of Balmanno, who, although admittedly related to Morton, held no official post in his government, yet whose name appears so frequently as to be worthy of closer scrutiny.⁴⁷ One nineteenth century account of his family states that "there is little trace of them except for the occasional appearance as witnesses to local charters" - a statement which seems to ignore a great deal of available evidence.⁴⁸ Hume of Godscroft, on the other hand, believed this particular individual occupied a position comparable to steward or chamberlain in the regent's household.⁴⁹ As, in the course of six years, he was a witness to at least a dozen charters involving Morton and his family as well as being entrusted with a considerable amount of the regent's business, Hume's conclusion does seem a valid one.⁵⁰ Moreover, on 18 February, 1576, in the company of David Borthwick of Lochhill, King's advocate, Ruthven, the commendator of Dunfermline, Sir John Bellenden of Auchnoule, justice-clerk, Sir Archibald Napier and James Reid, an Edinburgh burgess, he ratified a gold-mining contract between king James and Morton on the one part, and Abraham Petersen, a Flemish mining entrepreneur, on the other.⁵¹ That same year, he was entrusted with receiving the 8000 marks left as an educational bequest by Robert Reid, bishop of Orkney, which should have been handed over by the errant Walter Reid, commendator of Kinloss while, in November, he served as a commissioner on the justice ayre held at Roxburgh.⁵² On 24 March, 1578, he, George Douglas of Parkhead and William Douglas of Glenbervie were Morton's commissioners when he surrendered custody of the royal jewels, the munitions of the castle and certain other items to the King's representatives.⁵³ Auchinleck,

in Hume's estimation, was an arrogant upstart, and he quotes two anecdotes involving him to substantiate this assertion: in one, he recounts the tale of the slaughter by Auchinleck during broad daylight in the streets of Edinburgh of a certain Captain Nisbet. In the other, he describes an encounter between Morton's servant and Oliver Sinclair, favourite of king James V, who reminds the regent's protegee, by pointing to his own situation, of the fickle nature of fortune.⁵⁴ Whether these accounts are authentic or otherwise, it is undeniable that Auchinleck received a lengthy catalogue of escheats,⁵⁵ wardships⁵⁶ and grants of land.⁵⁷ Furthermore, on 11 September, 1573, he was to be the recipient of £500 from "the first and readiest compositions of the burghs",⁵⁸ with pensions, subsequently, from the spirituality and temporality of the archbishopric of St. Andrews and, when a new archbishop was installed, from the thirds of its priory.⁵⁹ Nor was that all, since his brother Archibald and even one of his servants also benefited from his influential position.⁶⁰

This, then, was Morton's government, its principal members as well as the various relatives and kinsmen who assisted the regent. Outwith border raids, Morton left the capital infrequently but, on 3 August, 1574, the regent departed from Edinburgh for Aberdeen on what Killigrew described as his "northern voyage".⁶¹ The aims of this expedition, so it was proclaimed when it reached Aberdeen, were "the establishment of justice and punishment of disorderis and enormittis attemptit aganis our Soverane lordis authoritie and commonweill of the realme".⁶² Within the capital, he left behind Angus, Lindsay and Ruthven in charge of affairs⁶³ although he had also taken the precaution the previous month of confining George, earl of Huntly.⁶⁴ Thus, the most powerful nobleman in the north-east of the kingdom was placed under ward in the south-western province of Galloway, ostensibly on account of the behaviour of his

brother, Adam Gordon of Auchindoun, now in France.⁶⁵ To assist him in his northern venture, Morton was accompanied initially by his chancellor, John lord Glamis, his secretary, Robert commendator of Dunfermline, his comptroller, Sir James Murray of Tullibardine, and the royal advocate, David Borthwick of Lochhill.⁶⁶ The party was probably joined at some stage on the way by Andrew, earl of Rothes, Robert, earl of Buchan, and Andrew, earl of Errol, whose principal houses were situated on the route northwards. This may well have occurred at Brechin on 6 August when the regent's bodyguard of forty light horsemen commanded by James Carmichael, younger of that ilk, was scheduled to be reinforced by the addition of levies from Fife, Kinross, Perthshire, Forfarshire and Kincardineshire.⁶⁷ Certainly, all three noblemen were present at the privy council session held at Aberdeen on 12 August when the master of Marischal and his brother, the commendator of Deer, were also in attendance.⁶⁸

Morton's main business while in Aberdeen was to administer the law which he did by convening a justice ayre. This court did inflict a few hefty fines. Andrew, earl of Errol, and George Hay, for example, were fined £3,333. 6s. 8d. for seizing, imprisoning and committing grievous bodily harm on two individuals, while the laird of Drum and his accomplices paid £1,000 as punishment for the abduction of Alexander Cumming of Culter. However, the bulk of those found guilty of assisting Adam Gordon or supplying provisions to his forces or of such other offences as regrating victuals and exporting barley without a licence paid much smaller amounts.⁶⁹ Many, indeed, sought, and obtained, remissions for felonies committed many years before which would underline the previous lack of good government in this area. One body which undoubtedly had incurred the regent's displeasure and suffered accordingly was the city council of Aberdeen. The councillors, Morton informed them on 21 August,

"haf nocht done thair dewetie and thankful service during the tyme of the lait truble and frequent tumult".⁷⁰ Thus, their support of the Gordon family was to cost them an amercement of 4,000 merks, 3,000 merks payable before 20 October and the remainder to be spent on such social and religious projects as the regent determined.⁷¹

Morton departed on 4 September but not before he had extracted from the councillors a band of allegiance to king James VI and himself.⁷² A similar compact was also procured from "the Erlls, Lordis, Baronis, landit men and uthoris" whereby they promised they would "in all tyme cuming continew faithful and obedient subjectis to oure Soverane Lord, his authoritie and Regent foirsaid".⁷³ Morton's departure is unlikely to have been regretted since the members of the city council regarded their treatment as "weray hurtfull"⁷⁴ while the author of one account observed that "peipill thairabout gat na kyndnes".⁷⁵ On the other hand, it was important that some respect for law and order and royal authority should be implanted in this disaffected region. This seems precisely what the regent did achieve.

While Morton was at Aberdeen, another matter, the prolonged dispute with Colin, earl of Argyll, over certain royal jewels, seemed to be on the verge of a settlement. The origins of this affair went back to the parliament of January, 1573 which had authorised the regent to retrieve all of king James VI's jewels and pursue "the havaris, resettaris, sellaris and intromettors" of these items.⁷⁶ Once Edinburgh castle had fallen, this task was energetically undertaken by Morton. On 7 August, 1573, George, earl of Huntly, had restored "ane garnysing of diamantes, sex rubies and twelf perlis all sett in knoppis of gold"⁷⁷ while, as a result of his interrogation of Grange and later Murdocairnie, the whereabouts of the bulk of the

royal valuables was established.⁷⁸ Some of them were dispersed among the hands of Fernihirst, lady Hume and lady Lethington, but most of them had been given to Sir William Drury, marshall of Berwick. Some of these were recovered on Morton's behalf in August by Drury's colleague, Sir Valentine Brown, while others appear to have been retrieved in October.⁷⁹ Certainly, the treasury accounts of that month contain a reference to £1,814. 6s. 8d. to Drury "for redeming fra him of the Kingis jowellis quhilkis wer laid in pledge to him be the layrde of Grange".⁸⁰ However, Morton's dealings with the marshall of Berwick were not yet concluded since, in a letter to Burghley on 3 August, 1574, Killigrew noted that the regent had discovered the exact value of the jewels which Grange had given Drury and "proposes to demand again".⁸¹

Meanwhile, on 3 February, 1574, Morton raised the question in privy council of the royal valuables in the possession of the Argylls.⁸² Colin, sixth earl of Argyll, who had succeeded to the title on the death of his brother Archibald on 12 September, 1573, had married Agnes Keith, eldest daughter of William earl Marischal and widow of the earl of Moray.⁸³ This lady, the council declaimed, "hes in hir handis thre greit rubyis and thre greit dyamontis of the saidis jowellis, with ane greit jowell in the forme of ane H set with dyamontis quhilk scho will not present befoir my said Lord Regent without scho be compellit".⁸⁴ The countess, conversely, believed she was perfectly within her rights in keeping them since her late husband, as she later explained to queen Elizabeth, "retained some part in his own hands for his relief on the debts contracted by him in the common cause whereof the burden comes on his bairns; in consideration thereof she has just cause to withhold and retain the jewels after his decease until relief and payment of the said debts be made".⁸⁵ Argyll and his wife attended this session of the

council but "on no wayis did exhibit and present the saidis jowellis" and, consequently, they were put to the horn.⁸⁶ By August, however, following intervention on behalf of the Argylls by Killigrew who had accompanied Morton to Aberdeen and by queen Elizabeth herself, it looked as if a compromise had been reached.⁸⁷ Thus, it was arranged that, on Morton's return to Edinburgh, they would submit the jewels for inspection and, at the same time, state their case for their retention. But hopes of a settlement were soon dashed and, by 10 September, the countess was once again beseeching English assistance and submitting a dossier of recent correspondence with the regent.⁸⁸ Morton, apparently, despite the fact that the countess, having recently given birth to a still-born child, was, as her husband observed, "cvil at point to travel", had insisted the valuables be produced in Edinburgh on 24 September.⁸⁹ Moreover, he demanded a surety of £10,000 from "enlandismen" that they would be forthcoming on that date before he would relax the Argylls from their sentence.⁹⁰

Deadlock prevailed until the convention of 5 March, 1575, when a satisfactory settlement was made. Argyll now rolinquished the precious stones but, in return, received a promise from Glamis, Lord Chancellor, that he would "tak consideratioun of the chargeis and expensis" of his wife and children.⁹¹ In this manner, as Morton remarked, "the occasion of controversy (was) removed".⁹² Nevertheless, whether it was sound policy pursuing this vendetta with the Argylls so vigorously could be regarded as debatable. Certainly, Killigrew had been concerned about the schism between the regent and Argyll, regarding the latter as both harshly treated and, possibly more important, someone whom it was in England's interests to protect.⁹³ This viewpoint - one also shared by his superior, Walsingham⁹⁴ was largely determined by the English government's perennial preoccupation with developments in Ireland where Argyll,

with his territory adjacent to the Irish coast, wielded some influence. On the other hand, Morton believed the countess had no claims whatsoever to the jewels once her husband had been assassinated. "If any power over the King's jewels was granted to the regent Moray", he had informed Argyll, "they were not ordained to be withholden by his wife after his decease".⁹⁵ In any case, he added, "concerning the late regent's debts contracted in the King's service, no such thing is yet found and declared by account". Clearly, the regent was convinced that Argyll must be taught respect for royal authority and not imagine he was above the law. In the light of the earl's subsequent behaviour, this does not seem an unreasonable attitude. If he was rather brusque with the countess at one stage, he does appear to have made some attempt to make amends. For example, in a letter to her on 15 May, 1575, in which he hoped she would give a friendly reception to the bishop of Moray, he also observed that he trusted she had found him "a slow uptaker of your eschaet dewities out of the tenentis handes".⁹⁶ Morton, at least as far as taxation was concerned, was giving the impression of deliberate leniency.

With the Argyll affair resolved in March, 1575, Morton's relations with the nobility for the rest of the year were generally felicitous. This mutual harmony is reflected in a letter written by him to Killigrow on 1st October in which he describes a leisurely and congenial excursion from his palace at Dalkeith to one of his other main residences at Aberdour. "From Dalkeith", he wrote, "I was accompanied by the lord Claud Hamilton and Sir James Hamilton to Linlithgow and they departing from me there, the lord Livingston and his friends met and conveyed me to the Torwood where I found the earl of Mar, the earl of Buchan, Lochleven and other friends who returned together to Stirling; and there, besides the comfortable time spent

with the King's majesty, to my great rejoicing I had good pastime hunting in the park and otherwise till my lord of Montrose and the laird of Tullibardine comptroller, coming hither accompanied me the first night to Kincardine, my lord of Montrose's house from which dining at Tullibardine in the morn I was at night with my lord of Rothes at Bambreich" (Ballinbreich).⁹⁷ Lords Ruthven, Drummond and Oliphant were others visited or encountered before he finally reached his destination. This mood of complacency was doubtless reinforced three weeks later when he learned of the sudden death of George earl of Huntly, a nobleman whose allegiance, as has been seen, was sometimes questionable.⁹⁸

In February, 1576, however, there began the feud between the earls of Argyll and Atholl which was to dominate the latter part of Morton's regency and have important consequences for it. The first intimation of discord was at a privy council meeting on 28 February when Argyll, who was there in person, claimed in virtue of his heritable office of justice-general, that a commission of justiciary formerly given by queen Mary to Atholl, over his own territory, should be dissolved.⁹⁹ The council announced that it would reserve judgement until 20 April but, meanwhile, Atholl should not attempt to exercise any legal powers. However, there is no record of any council session on 20 April, and the next occasion the two earls feature in the council minutes is 23 June. On this date, the council, acting on reports of "late slaughter and utheris enormities happynnit betwix the freinds, servandis and dependaris of the Erllis of Ergyle and Atholl", instructed them to cease feuding to such time as they reached a decision regarding a settlement.¹⁰⁰ On 10 July, the two rivals were ordered to appear, each accompanied by not more than sixty followers, before the council on 16 November and also required to give guarantees that, in the intervening period, they would keep

the peace.¹⁰¹ This Argyll subscribed at Dunoon on 20 July, and Atholl two days later at Dunkeld.¹⁰²

Notwithstanding the ruling of 10 July, the dispute between the two earls was not heard in the council until 2 February, 1577. At this meeting, Atholl was ordered to produce two Camerons whom he had imprisoned at Blair Atholl as being the perpetrators of "divers slaughters, heirschippis and oppressionis upoun certane the said Erllis men, tenentis and servandis".¹⁰³ They were duly presented on 26 February when they were denounced for the murder of their late clan chieftain.¹⁰⁴ The relevance of the Cameron brothers to the Argyll-Atholl imbroglio is that they were apparently dependants of Argyll - a fact which became obvious when he and John Campbell of Caddell entered sureties for them and took them into protective custody.¹⁰⁵ This action, according to one authority,¹⁰⁶ was in retaliation for Atholl refusing to hand over two of his servants whom Argyll had indicted on 30 July, 1576 and intended should stand trial on 18 October that year.¹⁰⁷

It was not until 24 November, 1577 that Argyll was ordered to hand over the Camerons.¹⁰⁸ This delay may partly have been a result of attempts by Morton to mediate in the dispute. In January, 1577, for example, he had asked the lairds of Menzies and Fandow to provide him with an assessment of the respective losses on either side.¹⁰⁹ Argyll's reply to the summons was to ignore it completely and have the messenger bearing it beaten up by his followers.¹¹⁰ For this open defiance of royal authority, he was denounced on 17 January, 1578.¹¹¹ However, Argyll, seemingly impervious to condemnation, was now preparing to attack the laird of Glengarry, and the council, on 18 February, issued further orders declaring his actions treasonable and exhorted "all and sindry cure Soverane Lordis liegis dwelland within the boundis of the erldomes of Ross, Murray, the lordschippis

of Badyeneuch and Balquhiddel" to render assistance to Glengarry.¹¹² Next day, Thomas Fraser of Knocky, Colin Mackenzie of Kintail, John Grant of Freuchie, who had a perpetual bond of maintenance with Glengarry's father,¹¹³ and several others were specifically instructed to help him.¹¹⁴ More importantly, that same day, a mobilisation order was promulgated for the counties of Ayrshire, Dunbarton, Lanark, Renfrew and Stirling, the burghs of Ayr, Dunbarton, Glasgow, Hamilton, Irvine, Lanark, Paisley, Renfrew, Rutherglen "and utheris townis and places on the coist syde quhair oistlary is used".¹¹⁵ With its detailed victualling and transport arrangements by land and sea, and its reference to the western seaboard, the regent was clearly planning to tackle the rebellious Argyll in uncompromising fashion. However, it was to be his misfortune that, just at this juncture, his attention was to be diverted by the conspiracy against him which was to bring his regency to an end.

The first signs of any significant opposition to Morton were observed on 28 June, 1577 by Robert Bowes, the treasurer of Berwick. Writing to the earl of Huntingdon, he noted the existence of a party headed by Atholl, Ruthven and Lindsay who had "confederated themselves by oath for the maintenance of the King".¹¹⁶ They hoped, he informed Burghley, three weeks later, to end the dispute between Atholl and Argyll and thus add the latter earl to their faction.¹¹⁷ Morton, apparently, was aware of the existence of this group¹¹⁸ and, in September, possibly to measure the extent of its influence over the young King, he is reported as having set the dangerous precedent of offering to resign if James was dissatisfied with him.¹¹⁹

Meanwhile, as has been observed, the regent's quarrel with Argyll continued. In addition, Atholl was dissatisfied, presumably to some extent, on account of the affair with the Cameron brothers, but also, so Bowes noticed, because he was convinced that Morton was

not seriously attempting to find a settlement between him and his rival.¹²⁰ Indeed, by July, 1577, he seems to have been of the opinion that the regent was deliberately prolonging the feud - hoping to benefit from the forfeitures of both earls, one source alleges,¹²¹ and, by this date, Atholl was considering a reconciliation. Thus, on 22 October, the two earls signed a bond promising jointly to assist the master of Mar in defence of the King.¹²² Nevertheless, it was not until 28 February, 1578 that the situation was suddenly transformed when Thomas Randolph, who had just arrived as English ambassador, announced that "the earls of Atholl and Argyll being lately reconciled have linked to them some personages of the house of Mar to favour their faction".¹²³ In other words, the erstwhile adversaries were now openly confederates in a conspiracy to overthrow Morton.

It is difficult to see how Morton could have prevented the formation of this alliance. Inevitably, certain individuals, notably the earl of Montrose, the master of Mar, lords Maxwell, Herries and Ogilvie and the commendator of Newbattle had, during the course of his regency, either quarrelled with him or grown to dislike him. Inexorably, too, they tended to gravitate to the Argyll-Atholl axis. If Morton did deliberately protract the dispute between the two earls for his own avaricious ends, then his overthrow could be regarded as a merited reckoning. But there is no concrete proof of this whatsoever - merely a reference of questionable veracity in the *Historie and Life of King James the Sext*, a work definitely unsympathetic towards the regent.¹²⁴ If this allegation is dismissed as not proven, Morton was amply justified in taking such a determined stance towards the refractory earl of Argyll who was not only flexing his muscles against royal authority but other clan chiefs at the same time.¹²⁵ He certainly deserved to be put in his place, and it was

unfortunate Morton was prevented from so doing.

On 2 March, the regent received word from his cousin, Douglas of Lochleven, of developments at Stirling where Argyll had now arrived and been cordially welcomed by Alexander Erskine, master of Mar, the custodian of the King.¹²⁶ He also learned that Atholl was believed to be repairing there shortly. In reply, Morton told Lochleven that Randolph was departing for Stirling and would be accompanied by three of his council, namely Angus, Ruthven and Glamis.¹²⁷ Initially, he recommended that he liaise with Angus - "Ye will understand be my Lord of Angus my awin meaning" - but, when his nephew decided to proceed to Stirling via Douglas, Alexander Hay, clerk-register, was substituted as the person whom he should contact. This alteration was intimated to Lochleven on 4 March, by which date Morton would appear to have recognised his opponents' fait accompli, confessing to his cousin that he was quite prepared to resign "how sone as evir his Majestie sall think himself reddy and able for his awin governamnt".¹²⁸ This was to be four days hence, on 8 March, when the convention summoned by the Argyll-Atholl cabal assembled at Stirling.

The first session of the March convention was attended by six earls, four peers, two bishops, three commendators, the comptroller and the director of chancery.¹²⁹ They were all hand-picked since "the advertisement went only to those that were their own friends"¹³⁰ although Morton obviously could have gone personally to Stirling but probably he had fears for his safety in such an undertaking.¹³¹ At the head of the earls were Argyll and Atholl, both of them ambitious - Argyll was to succeed his old rival as chancellor on the latter's sudden death in 1579 - as well as inimical towards Morton. The earl of Caithness, described in a contemporary estimate as someone "making always fairweather with those in authority", had doubtless decided

his best interests lay with the two earls.¹³² This would seem a judicious decision if charters subsequently confirming a yearly pension from the revenues of the bishopric of Caithness and to lands in Inverness are taken into account.¹³³ The earl of Montrose, it has been suggested, deserted the regent over a disagreement about a feu charter which Andrew Graham, bishop of Dunblane, had granted him.¹³⁴ He was, in addition, one of those who, in August, 1576, had endeavoured to bring Argyll and Atholl together.¹³⁵ The earl of Mar, still a mere youth, very likely obeyed the wishes of his uncle, Alexander Erskine, master of Mar, a noted antagonist of Morton whom the latter regarded as one of the main instigators of the whole conspiracy.¹³⁶ The earl of Eglinton's presence is less easily deduced. Perhaps he still resented being threatened with imprisonment in November, 1573 for breach of legal contract with his former wife, Jane Hamilton, or he bore a grudge about being ordered in March, 1575, in his capacity as bailie of Cunninghame, to collect arrears of taxes.¹³⁷

Of the peers, Lord Maxwell is said to have objected to the regent's retention of the earldom of Morton to which he believed he was entitled to a one-third share.¹³⁸ Moreover, his dismissal from the wardenship of the west march on 25 May, 1577 and the restrictions subsequently placed on him must have strengthened his resolve to join the anti-Morton coalition and recover his position in the west march.¹³⁹ Lord Herries was Maxwell's uncle and, it can be confidently assumed, was strongly influenced by family ties. Lord Ogilvie was another peer motivated by resentment at imprisonment, being confined during 1576 in Linlithgow and later Glasgow.¹⁴⁰ Although he was later to plead that he had been detained "for quat caus he knawis not",¹⁴¹ his Marian sympathies, which extended to illicit correspondence with ex-archbishop Beaton in Paris, would seem an adequate

explanation.¹⁴² Lord Innermeath's presence can be attributed to his links as a Stewart with Atholl and by his dependence on Ruthven.¹⁴³ The latter, possibly purposely absent from the first session while he sat on the fence, was to attend the others and become a privy councillor in the new government.¹⁴⁴ Alexander Campbell, bishop of Brechin, had alienated much of his bishopric to Argyll and, patently by his attendance, was giving further evidence of loyalty to the chief of his clan.¹⁴⁵ However, the reasons for the presence of the other prelate, George Douglas, bishop of Moray, are impossible to ascertain. He may have quarrelled with Morton, yet there is no record of this, and he must serve as a caveat to too much emphasis on hypotheses based solely on kinship.

Among the commendators, Adam Erskine of Cambuskenneth, one of those entrusted with the care of the King, clearly on this occasion sided with his half-brother, the master of Mar. Mark Ker, commendator of Newbattle, presumably affected by the dispute between his nephew, William Ker of Cessford, and the regent,¹⁴⁶ appears, by his later support for Lennox in 1580, to have disliked Morton.¹⁴⁷ Furthermore, his appointment on 24 March to the new privy council and his son's promotion to master of requests four days earlier would suggest he was highly regarded by Morton's adversaries.¹⁴⁸ Robert Pitcairn, commendator of Dunfermline, the secretary, would appear, like Sir William Murray of Tullibardine, the comptroller, to have sensed that a change of government was imminent and astutely taken the appropriate steps to ensure they were in the right place when this occurred. Finally, there is George Buchanan, director of chancery and royal tutor, who, if Melville is to be believed, allowed an altercation over a favourite horse affect his allegiance to the regent.¹⁴⁹

The sole business of the first session of the March convention was Morton's dismissal. "Having besyde his hiences", it is stated in

the minutes of the proceedings, "A greit nowmer of his nobilitie His maijestie hes thought convenient and necessary to advise with thame on the best wayes for the preservation of his hienes persoun and manteinance of peace in this his realme". This, it continued, was threatened "be the apparent troubles quhilk arrysis throw the misliking that mony hes in the persoun of his right traist cousing, James, erll of Mortoun". Thus, the King, "perceaving all to remit the chois to his heines awin judgement", had decided to accept "the burding of the administratioun" and replace Morton who, "be toung and last be writt produceit and red in the audience quhairupon his majestie cravit thair advises", had expressed his willingness to resign.¹⁵⁰

Although there was hardly, for instance, "a greit nowmer of his nobilitie" present - the phrase "be toung" obviously refers to the regent's gesture of resignation the previous September,¹⁵¹ while the written offer was one which Morton had given to Angus and which he read apparently on 7 March to all those assembled at Stirling.¹⁵² In its official version in the convention minutes, this declaration contains some brief advice about the royal revenues, the English alliance and the border situation as well as the important announcement that "qhen it sould pleis your hienes to tak the regemen in your awin handis I wald maist willinglie according to your hienes pleasure and commandment". Whether this was the exact contents of the Angus statement must remain conjectural. On the other hand, in certain "notes appointit to be spokin before the upgoving of the regemen of the Erle of Morton", the regent, while repeating most of the above, does make some additional remarks.¹⁵³ In particular, he reminds the King of the energy and resources he has expended in restoring Edinburgh castle and how he would be reluctant to surrender it to an unreliable person. In addition, he also points out that

one reason why the royal revenues were not as substantial as they might be was the decline in the rental payments by both Argyll and Atholl. Certainly, if Angus did make these comments on Morton's behalf, it is not surprising that they were subsequently omitted.

Later, on 8 March, Morton received word of King James' decision and despatched Douglas of Whittinghame with a message of acknowledgement.¹⁵⁴ On 10 March, the regent's resignation was confirmed by royal proclamation¹⁵⁵ and, two days later, another session of the convention was held.¹⁵⁶ This time, its personnel was augmented by the presence of Angus, lords Cathcart, Glamis, Lindsay, Menteith, Ruthven and Somerville, the bishops of Orkney, Caithness and Dunkeld, the commendator of Inchcolm and the masters of Gray and Rothes.¹⁵⁷ Undeniably, this was a more impressive gathering than the previous one, even more so when the number of noblemen, ecclesiastics and lairds actually present in Stirling on this date is taken into account. Their existence is corroborated by an examination of the signatures on the document entitled "The nobilitie's obligatiouns for ratifying my lord of Mortoun's discharge maid by the King in Parliament".¹⁵⁸ This reveals a total of ten earls, eight lords, four bishops and eight commendators, with the names of the earls of Crawford, Errol and Mar, lord Borthwick, the masters of Mar and Seton and the commendators of Deer, Coldingham and Dryburgh appended in addition to those noted as in attendance at the convention. Moreover, influential lairds such as Ker of Fawdonside, Hume of Coldenknowes, Hume of Manderston, Kennedy of Bargeny and Douglas of Lochleven also subscribed. So, too, did Cunningham of Drumquassel regarded by some as an arch conspirator.¹⁵⁹ Incontrovertibly, the centre of government had now been temporarily transferred from Edinburgh to Stirling and the position of the palace revolutionaries greatly strengthened by Morton voluntarily accepting his deposition

without any struggle.

The regent's exoneration stated that "The jowellis and plenissingis of his hienes' housses, clithing artailzerie and munitioune pertening to his Majestie or his darrest moder intro-mettit with and recoverit be the said lord Regent quhilkis his hienes willis nocht sal be comprehendit in his said discharge".¹⁶⁰ This entailed the submission of Edinburgh castle, obviously a cardinal objective for the coalition party. However, Morton, in reply to a communique informing him of the proposed commission, was once again co-operative. Nonetheless, he did remind the King of the loyal service performed by the captain of the castle, his half-brother, George Douglas of Parkhead, as well as his own not inconsiderable outlay on behalf of the crown on assuming the regency. Moreover, he continued, in reply to a suggestion that he had allowed the royal palaces to decay, "his majesty's houses are now in better case than they were at the beginning of the regiment and his rent is now in good order". Finally, he ended on a conciliatory note by consenting to the dismissal of his border administrators, Angus, Carmichael and William Douglas of Bonjedburgh, whom his opponents clearly regarded as too influential.¹⁶²

Meanwhile, at Stirling on 17 March, Glamis was killed in a scuffle between his followers and those of the earl of Crawford.¹⁶³ Although Calderwood and Hume of Godscroft both suggest that the chancellor had joined the opposition immediately the crisis of 1578 erupted,¹⁶⁴ nevertheless, considering Morton had demitted office voluntarily, he would seem to have had little alternative and, in any case, there is distinct evidence which would confirm that the ex-regent still regarded him as a trusted friend. This comes in a letter written by Morton to him on the day before his death when he asked him to use his influence with the King in order to deny various

malicious rumours circulating about his fortifying Edinburgh castle, retaining control of the mint and preparing to resist royal authority.¹⁶⁵ Besides, on learning of Glamis' melancholy fate, he observed to Angus that his demise was "an unhappy chance quhilk na doubt is to my greit greif".¹⁶⁶ These hardly seem the sentiments of someone who felt aggrieved.

There was at this stage an ugly incident involving the garrison of Edinburgh castle and some of the townspeople in which three citizens died and several were injured.¹⁶⁷ Again, Morton would appear to have been anxious to play down the whole episode which he described to Lochleven as a trivial business "come foolishelie on".¹⁶⁸ His only ambition, he confided in the same letter to his cousin, was "to leif quietlie, to serve my God and the King, my maister". This objective he would seem to have been on the point of realising when, shortly afterwards, he handed over the castle and its contents to the reconstituted commission in which Rothes took the place of Glamis.¹⁶⁹

Notes to Chapter III

1. APS iii, 84.
2. RPC ii, (1569-78).
3. Keith, Bishops, 226-27.
4. Donaldson, Trial of Mary, 128; Brunton and Haig, Senators of the College of Justice, 119.
5. Scots Peerage i, 343.
6. RSS vi, No. 2148.
7. ibid., No. 1191.
8. The first referrence to this appointment is in the minutes of the privy council, 15 December, 1573, RPC ii, 313.
9. RSS vi, No. 2681; vii, No. 897.

10. ibid. vi, No. 2682; vii, Nos. 494, 775, 786-87.
11. ibid. vii, No. 1271.
12. ibid. vi, No. 1961.
13. ibid., Nos. 2434, 2548; vii, Nos. 183, 1007.
14. ibid., No. 8; vi, No. 2771.
15. RMS iv, No. 2407; RSS vi, No. 2175.
16. ibid. vii, No. 1059; RMS iv, No. 2717.
17. RSS vii, Nos. 272, 279, 334, 1199, 1318.
18. CSP Scot. v, 396.
19. For details, Chap. VIII, 165 & 168.
20. See Chap. I, 4.
21. RMS iv, Nos. 2111, 2248, 2344-47; RSS vii, No. 811.
22. RSS vi, No. 2283; vii, Nos. 1072, 1353.
23. ibid., Nos. 111, 1311; vi, No. 2542.
24. RMS iv, No. 2152.
25. Fraser, Douglas ii, 327.
26. RPC ii, 572.
27. RSS vii, No. 1048; RPC ii, 613.
28. RMS iv, No. 2753.
29. Scots Peerage iv, 578-79; Fraser, Douglas ii, 342.
30. Rae Scottish Frontier, 244.
31. See Chap. VII, 149-53.
32. Melville, Memoirs, 260-61.
33. RSS vii, Nos. 374, 607, 696, 955, 1080.
34. ibid., No. 926.
35. ibid., No. 378.
36. Scots Peerage ii, 161; v, 298.
37. RSS vi, Nos. 2594, 2790; vii, Nos. 249, 714, 1242.
38. RMS iv, Nos. 2400, 2628.
39. RSS vi, No. 2255; vii, No. 540.

40. Scots Peerage i, 188; Edin. Rec. (1573-89), 576.
41. RSS vi, Nos. 2696, 2058; vii, Nos. 368, 939.
42. ibid., Nos. 263, 1312.
43. ibid., No. 793.
44. ibid., No. 43.
45. ibid. vi, No. 2265; vii, Nos. 71, 76, 835, 1325, 1333, 1448.
46. ibid., Nos. 576, 1505 (wardships); 782, 1524 (escheats).
47. According to Fraser Douglas ii, 170, Auchinleck was married to an illegitimate sister of the regent. See also RPC iii, 294, where Morton is referred to as his "modor broder".
48. Jervise, Memorials ii, 111-12.
49. Hume of Godscroft, History ii, 238.
50. RMS iv, (1546-80); examples of Auchinleck's stewardship are to be found in the Treasurer's accounts, e.g. April, 1576, "for furnishing and outredding of certain his grace's affairs" - £500; December, 1576 "to be disbursed by him on his grace's affairs and business" - £2000; TA xiii (MSS), 101, 149.
51. RPC ii, 506.
52. ibid. ii, 528-29; RSS vii, No. 1209; TA xiii (MSS), 348.
53. CSP Scot. v, 283.
54. Hume of Godscroft, History ii, 244-45; for Auchinleck's menacing behaviour towards the provost of Edinburgh in August, 1578 see Chap. IX, 212-13.
55. RSS vi, Nos. 2346, 2431, 2581, 2743; vii, No. 1409.
56. ibid. vi, Nos. 2500, 2526; vii, Nos. 1324, 1339, 1346, 1400, 1454.
57. RMS iv, Nos. 2181, 2288, 2309.
58. TA xii, 360; in addition he was awarded expenses of £666. 13. 4. in August, 1574, TA xiii (MSS), 28.
59. RSS vi, Nos. 2700-01; vii, No. 788.
60. ibid. vi, Nos. 2518, 2598, 2782.
61. CSP Scot. v, 36.
62. RPC ii, 388.
63. CSP Scot. v, 35.
64. RPC ii, 381.

65. ibid., 420, 423.
66. They are all to be found in attendance at Aberdeen; RPC ii, 388.
67. TA xiii (MSS), 24, 27.
68. RPC ii, 388.
69. See TA xiii (MSS), App. ii, 318-29.
70. Abdn. Counc., 11-12.
71. ibid., 12-13; 1000 merks of the fine was remitted and another 1000 merks was designated to the "bigging and reparatioun of ane hospitall", ibid., 15; RPC ii, 402-03.
72. Abdn. Counc., 13-15; RPC ii, 394-96.
73. Those who subscribed included the earls of Errol and Buchan, lords Glamis, Innermeath and Sinclair, the masters of Marischal and Forbes, the commendator of Deer and over sixty lairds; RPC ii, 398-40.
74. Abdn. Counc., 13.
75. Diurnal, 342.
76. APS iii, 74.
77. MHC Rep. ix, App. 192.
78. CSP Scot. iv, 585, 621-23; MHC (Salisbury MSS) ii, 56.
79. CSP Scot. iv, 608.
80. TA xii, 364.
81. CSP Scot. v, 36.
82. RPC ii, 330-31.
83. Scots Peerage i, 344-45.
84. RPC ii, 330.
85. CSP Scot. v, 53.
86. RPC ii, 331.
87. CSP Scot. v, 37, 42-44.
88. ibid. 49-55; there is a draft copy of the countess of Argyll's letter to queen Elizabeth in SRO, Moray Muniments i, Box 15, 632.
89. CSP Scot. v, 13, 50-51.
90. ibid., 52.
91. APS iii, 84 and 86; RPC ii, 435.

92. CSP Scot. v, 114.
93. ibid., 26, 64.
94. ibid., 119.
95. ibid., 50.
96. HMC Rep. vi, App. 655.
97. CSP Scot. v, 197.
98. Scots Peerage iv, 540.
99. RPC ii, 500.
100. ibid., 533.
101. ibid., 538-39; TA xiii (MSS), 133-34.
102. ibid., 546.
103. ibid., 587-88.
104. ibid., 597.
105. The exact date is not given but they forfeited their sureties on 1st January, 1578, ibid., 661.
106. Gregory, History of the Western Highlands, 215.
107. RPC ii, 547.
108. ibid., 660-61; TA xiii (MSS), 186.
109. HMC Rep. vi, App. 696. (Neither earl was co-operative and Menzies complained of ill-treatment from both of them, ibid. 697).
110. RPC ii, 661, 663-64.
111. ibid., 663.
112. ibid., 673-74; TA xiii (MSS), 193.
113. Fraser, Grant iii, 143-49.
114. RPC ii, 674.
115. ibid., 674-75.
116. HMC Rep. (Hastings) ii, 10.
117. CSP Scot. v, 229-30; it would appear there had been attempts at such a settlement for nearly a year, Argyll Letters, 13-14.
118. HMC Rep. (Hastings) ii, 10.
119. ibid., 10; Historie and Life of King James the Sext, 162; Teulet, Papiers ii, 363.

120. CSP Scot. v, 230.
121. Historie and Life of King James the Sext, 159-60.
122. HMC (Salisbury MSS) ii, 162.
123. CSP Scot. v, 274.
124. See above, p.40.
125. Gregory, History of the Western Highlands, 216-17.
126. NLS, Morton papers, 77, f 28; printed in Mort. Reg. i, 87-89.
127. NLS, Morton papers, 77, f 29; printed in Mort. Reg. i, 90.
128. NLS, Morton papers, 77, f 29 and 30; printed in Mort. Reg. i, 90-91.
129. APS iii, 115.
130. Spottiswood, History ii, 206.
131. Moysie Memoirs, 1.
132. CSP Scot. v, 253.
133. Confirmed on 1 & 4 June, 1578; RMS iv, Nos. 278 and 283.
134. Scots Peerage vi, 233.
135. Argyll Letters, 13-14.
136. "Our freindlie dealing and confidence in the house of Mar is not thankfully acquite", NLS Morton papers, 77, f 33; printed in Mort. Reg. i, 91.
137. RFC ii, 303, 327, 436.
138. Morton had married his aunt, Elizabeth Douglas, Fraser, Carlaverock i, 232.
139. RFC ii, 613, 631, 729; re-appointed warden of west march, ibid. 678-79.
140. ibid., 527-28.
141. APS iii, 117.
142. SRO, Airlie Muniments ii, GD16, 569.
143. He was said to "depend wholly on Ruthven", CSP Scot. v, 254.
144. APS iii, 119.
145. Keith, Bishops, 166-67.
146. See Chap. VIII, 175-76.

147. See Chap. IV, 76-77.
148. APS iii, 118; RSS vii, No. 1527.
149. Melville, Memoirs, 260.
150. APS iii, 115.
151. See above, p. 39.
152. APS iii, 117; CSP Scot. v, 276-77.
153. Warrender Papers i, 135-36.
154. CSP Scot. v, 275.
155. ibid., 275-76.
156. APS iii, 115.
157. Absent on this occasion were the earls of Eglinton and Mar, lord Innermeath and the bishop of Brechin.
158. Mort. Reg. i, 100.
159. For example by Robert Bowes, MHC Rep. (Hastings) ii, 10.
160. NLS, Morton papers, 77, f 34; printed in Mort. Reg. i, 92-95.
161. CSP Scot. v, 276.
162. ibid., 277.
163. CSP Scot. v, 283.
164. Calderwood, History iii, 395; Hume of Godscroft, History, 255.
165. NLS, Morton papers, 77, f 36; printed in Mort. Reg. i, 101-02.
166. NLS, Morton papers, 77, f 38; printed in Mort. Reg. i, 105.
167. CSP Scot. v, 281-283; Calderwood, History iii, 397.
168. NLS, Morton papers, 77, f 40; printed in Mort. Reg. i, 103.
169. NLS, Morton papers, 77, f 42; printed in Mort. Reg. i, 106; his surrender of the castle and his voluntary demission were confirmed by act of parliament on 31 March, 1578, APS iii, 120.

C H A P T E R IV

GOVERNANCE - PART II
(March, 1578 - December, 1580)

On Tuesday, 1st April, 1578, Edinburgh castle was handed over to John Cunningham of Drumquassel and James Seton of Touche, its temporary custodians, and Morton retired to Lochleven castle, the residence of his cousin, William Douglas.¹ Here he had time to reflect on recent events, and it may possibly have occurred to him that he should have endeavoured to reach an agreement with Atholl and thus detached him from his powerful ally, Argyll.² Yet his demission "was indoid sa quicklie performit", as one source observes, "that before the regent could get intelligence thay war all conspyrit in myndis and body aganis him and voitit all that the King sould accept the regement".³ Again, on second thoughts, he may have concluded, as did some of his followers, notably lord Boyd, that he had resigned too hastily.⁴ However, this would have meant ignoring the formidable strength of his adversaries who were not only firmly entrenched around the King at Stirling but also had the support of the citizens of Edinburgh. The city council, antagonised by Morton's economic policy,⁵ eagerly co-operated with the new regime and, in the interval between his abdication and the capitulation of the castle, was thanked on two separate occasions for its assistance.⁶ Finally, he may have noted - and his subsequent behaviour would suggest that he did - that his opponents' success had depended to a large extent on the influence which they exercised over the King. There was nothing exceptional about this during a royal minority,

yet the hostility of the master of Mar and his conspiratorial activities within the royal household had done great harm to Morton's cause. Therefore, should he wish to retrieve his position, an essential pro-requisite was control of the King and his guardians.

The incident which signalled that Morton's return was a distinct possibility took place at Stirling castle on Saturday, 27 April. It would appear, according to the most reliable account,⁷ that the master of Mar, residing in the gatehouse of the castle, was suddenly awakened at 6 a.m. that morning by his nephew, John, earl of Mar, and his two brothers, the commendators of Cambuskenneth and Dryburgh, accompanied by a number of servants. Their business was not hunting, as they had originally seemed to indicate, but to accuse the master of treating his nephew in an unsatisfactory manner and, as guardian of the King and his castle, far exceeding the powers which he had been granted. A melee now ensued, in the course of which the master's son was mortally injured. Meanwhile, Argyll, who was also staying in the castle, arrived on the scene with some of his followers but, by this time, "the fray was pacified" and the protagonists had adjourned to seek a compromise. There followed a joint statement informing the council in Edinburgh that the two parties were reconciled and recommending they "proceed forwards in the course determined for the government as though no such matter had happened".

Not surprisingly, there was an emergency meeting of the council. Captain David Preston of Craigmillar was directed to move his troops to Stirling,⁸ Montrose was despatched to ascertain what the situation was really like and, despite his reassuring reply, there was a general exodus of the council from Edinburgh to Stirling.

That the upshot was a peaceful solution must be due in no small measure to the wise precaution taken by the earl of Mar's faction in issuing a proclamation limiting the number of followers each member

of the council could bring to Stirling "to the effect that the godlie and gude werk intendit may the better proceed".⁹ Thus, on 3 May, the council announced that the earl of Mar had displaced his uncle and that he took upon himself "the charge of the attendance upoun his Majesteis persoun preservation thair of and keping of his said Castell of Striveling during his Hienes being thair".¹⁰

Although Sir Henry Killigrew apparently thought otherwise,¹¹ it has been generally assumed that Morton did not spend all of his time at Lochleven in contemplation or mere gardening. "He seemed to do nothing but to make alleys and gardens", wrote Calderwood, "yet was he contriving deeper matters".¹² "Making the allees of the garding even, his mynd was occupied in the mean tym upon cruiked paithes, with a complot how to be brocht in again to be maister of the court", was Sir James Melville's more sardonic estimate of his activities at Lochleven.¹³ Morton, however, never admitted being involved in the events at Stirling on 27 April, and specifically denied any complicity when questioned before his execution.¹⁴ Possibly, therefore, the earl of Mar and his two uncles had acted spontaneously though confident of support from the Douglas family for their enterprise. Morton certainly was not present at Stirling, as Melville alleges,¹⁵ on 27 April although he was soon aware of developments at the castle. This information was provided by Douglas of Lochleven who, having been contacted by the commendators of Cambuskenneth and Dryburgh on the Saturday, had joined them later that day. Morton, in turn, had notified the earl of Angus urging him, unnecessarily as it so happened, to raise as many supporters as he could.¹⁶

Whether, as the Argyll-Atholl party was later to proclaim,¹⁷ the earl of Mar and his associates were "his apostat and subornit instruments" or not, there is no controversy about the significance for Morton of these events. Undoubtedly, he was in a much stronger

position to effect his reinstatement, a fact which he clearly appreciated, as his subsequent policy proves.

Morton's first move was to make overtures to his former opponents, Atholl and Argyll, about the possibility of a reconciliation. On 2 May, for example, Sir James Balfour of Pittendreich, whose services as an intermediary had been utilised earlier at Perth in 1573, submitted details of recent negotiations he had been conducting on the ex-regent's behalf with Atholl.¹⁸ He also enclosed a bond of friendship from the latter for Morton's consideration but Morton was not completely satisfied with some of the articles in this bond nor, for that matter, with the omission of "some particular heads commonit betwix the laird of Carmyohaell and George Drummond". Moreover, his request to be permitted to rejoin the court at Stirling had been rejected meantime and this obviously upset him. "It appears", he replied, "gif my lord had been willing to have endit matters with me he would not have refusit my coming to Striveling at this tyme".

This, however, was only a temporary setback to Morton's plans for a settlement. Queen Elizabeth supported his efforts and wrote encouragingly to him.¹⁹ At the same time, she exerted diplomatic pressure on Argyll, exhorting him "to be a mean to the King and the rest of the nobility for the calling of the earl of Morton about him as a councillor".²⁰ Consequently, at Craigmillar Castle on 23 May, with Robert Bowes present to lubricate proceedings, Morton took part in discussions with Argyll and Atholl.

What decisions were actually reached and Morton's behaviour thereafter have been the subject of contrasting interpretations. According to Calderwood, the three noblemen had agreed to ride together the next day to Stirling for a joint meeting with the King but Morton had ignored this arrangement by rising early and going ahead of the others to Stirling. Once there, he had persuaded Sir William

Murray of Tullibardine to admit him and his followers.²¹ Bowes, on the other hand, is quite definite that the three principals had "agreed very friendly together" although Argyll and Atholl would have preferred if Morton had waited until Monday before proceeding to Stirling.²²

Since Bowes was actually present at Craigmillar, there would seem no reason to doubt his version which would mean that the most feasible explanation of Argyll and Atholl's strategy at this juncture would be that they recognised the earl of Mar's coup had made it virtually impossible to prevent Morton's reappearance at court. Nonetheless, they may well have hoped that, by summoning a convention, which they now did on 2 June,²³ they could employ the strength of the support which they presumably believed they still possessed, to foil Morton's recovery. Thus, in this fashion, they could convince king James that Morton did not have the support of a majority of the members of the estates.

Unfortunately, they had under-estimated Morton's prestige and, at the subsequent convention on 12 June, twenty-five of the forty-eight members voted for him "to be of his Majesteis ordinar privy counsale" with "first rowme and place" on that body.²⁴ Of those present at the assembly which had deposed him on 8 March, the earl of Mar, the commendators of Dunfermline and Cambuskenneth, the bishop of Moray and Sir William Murray of Tullibardine now endorsed his return to power.²⁵ In only three months, Morton had been restored to a position apparently comparable in all but title to his former office.

Two days later, Morton, in a move obviously designed to ensure that he remained close to the King, announced that the parliament due to be held in Edinburgh on 10 July was to be transferred to Stirling where it would re-assemble on 15 July.²⁶ The first indications of any reaction to this came shortly afterwards at a privy

council session on 17 June when Argyll, with several others, strongly criticised a mission to England due to be undertaken by the commendator of Dunfermline.²⁷ Although the secretary was to assess the possibilities of a league whose aims included the "suppraising of domestical sedition", the real motive for Argyll's disapproval seems more likely to have been resentment at Parliament being switched to Stirling.²⁸

When parliament did convene at Stirling on 15 July, it was more a gathering of Morton's supporters than a representative assembly.²⁹ To indicate its disapproval, the Argyll-Atholl faction boycotted the proceedings, sending as its commissioners the earl of Montrose, lord Lindsay and the bishop of Orkney.³⁰ Its spokesman was Lindsay who, immediately after the opening preliminaries, protested about the legality and freedom of a parliament held within a castle.³¹ The following day, when the Lords of the Articles were being chosen, having launched another attack on the nature of this parliament, king James, supposedly at Morton's prompting, replied, "least anie man sould judge this not to be a free parliament I declare it to be free and those that love me will thinke as I think".³² Morton, whose council had already publicly declared that the King was in no way "detenit aganis his will",³³ now held an emergency council meeting where it was agreed that the recent declaration by the King should be given widespread publicity.³⁴ Moreover, in an effort to guarantee solidarity, it was also affirmed that everyone presently in attendance at this parliament would remain in Stirling until it was dissolved. The three dissident commissioners were now summoned before the Lords of the Articles where they were accused of attempting to disrupt parliament and requested to withdraw their allegations.³⁵ The bishop of Orkney acquiesced but Lindsay and Montrose, remaining adamant, were ordered "for certaine ressonabill caussis and considerations moving his Hiencs to

remain within their lodgings within the burgh of Striveling." ³⁶

On Friday, 25 July, at its final session, parliament ratified, among other items, the earl of Mar's custody of the King and Morton's restoration, and appointed various commissions for legal, university and church reform. ³⁷ Finally, a new council was approved consisting of the earls of Morton, Argyll, Buchan, Eglinton, Glencairn, Lennox ³⁸ and Rothes, lords Boyd, Cathcart and Ochiltree, the commendators of Cambuskenneth and Dryburgh, and the various government officials. Of the latter, the most important were the chancellor (Atholl), treasurer (Ruthven), secretary (commendator of Dunfermline) and comptroller (Sir William Murray of Tullibardine). There was also an arrangement whereby there would be a rota of four councillors who would be in permanent residence with the King at Stirling for two months at a time. By this device, Morton, Cathcart, Lennox and Cambuskenneth would be the first group in regular attendance followed by Argyll, Boyd, Buchan and Ochiltree.

The overall impression arising from these proceedings is that Morton was prepared to tolerate the presence of Argyll and Atholl on the council but was determined that none of their colleagues would sit on it. Indeed, he seems to have made some kind of attempt to separate Argyll from his allies by having the King specially request his presence at the new council. ³⁹ Although Argyll did not reply favourably, Morton's adversaries do seem to have been somewhat disorganised at this juncture with Atholl on the point of returning home, the earl of Caithness already in Fife and heading northwards, and Herries apparently unwell or unenthusiastic. ⁴⁰ Thus, it would appear to have been Montrose's escape from house arrest at Stirling and his arrival at Edinburgh on 23 July which spurred the disaffected nobility to a determined course of action. ⁴¹

Argyll and Atholl, with their cohorts, now congregated in

Edinburgh where they ignored privy council orders to disperse⁴² and foiled government efforts to enlist loyal forces within the city.⁴³ Claiming to be "the chosin counsellors of the King's majestie and remnant of the nobilitie heere assembled", they published their own proclamation in defence of their actions.⁴⁴ Morton, they declared, had seized control of the King, transferred parliament from Edinburgh to Stirling, had ill-treated Montrose and Lindsay, and now was making military preparations against those who sought nothing but "the King's majestie's deliverance and libertie". His purpose in all this had solely been "to mainteane this his usurped authoritie, to worke the utter wracke and exterminion of the King's Majesties faithfull and obedient subjects".⁴⁵

Meanwhile, Morton and his allies faced up to the prospect of a civil war. The first order for an armed levy came on 26 July⁴⁶ and, despite the statement that it was a consequence of "the monyfauld reiffis, slaughtaris, heirschippis, oppin robbereis and oppressionis quhilkis hes bene and dalie is committit and usit in diverse partis of this realme bot speciale be the inhabitantis of his Hiencs Bordouris", it gave the impression from the wide recruitment area of being more than a mere border muster. This was confirmed the following day partly by the terms of the earl of Angus's commission as its commander⁴⁷ and, on 29 July, by instructions summoning all able-bodied men to assemble at Stirling on 10 August.⁴⁸ At the same time, numerous letters were urgently despatched all over central Scotland to those regarded as faithful supporters⁴⁹ while, on 31 July, no doubt to strengthen the King's forces, Sir David Hume of Fishwick, Thomas Crawford of Jordanhill, James Preston and Andrew Lambie were commissioned to recruit professional soldiers.⁵⁰

On 12 August, the rival armies faced each other at Falkirk.⁵¹ Angus was in command of the government forces, while the insurgents'

troops comprised the various units attached to the earls of Argyll, Atholl and Montrose, lords Innermeath, Livingston, Maxwell and Seton and the masters of Cassillis and Lindsay. In addition, there were the borderers who came with Cessford, Coldenknowes and Hume of Manderston although these lairds must surely have been aware of the possibility of English intervention on Morton's behalf.⁵² Contemporary opinion is unanimous in its verdict that, although the two sides were numerically roughly equal, Morton's opponents were better equipped and more reliable.⁵³ In fact, he may well have doubted the reliability of his men as, on two separate occasions, on 12 and 13 August, he ordered Angus to withdraw rather than engage the enemy.⁵⁴

However, a confrontation was averted since, on 14 August, as a result of the mediatory efforts of Robert Bowes and two Edinburgh ministers, James Lawson and David Lindsay, both parties accepted a truce and signed a joint agreement.⁵⁵ The main provisions were that both sides agreed to disband their forces, Argyll and Atholl, since the King was convinced their actions arose "from the love and tender affection they bear to him", were assured there would be no reprisals, Argyll was to have free access to the King, Montrose and Lindsay were to be added to the privy council, and a commission of eight noblemen nominated on queen Elizabeth's recommendation, was to be appointed to examine the outstanding differences between the two parties.

Morton, by this settlement, had clearly survived a perilous threat to the position which he had lately retrieved and, it might be imagined, had turned a dangerous corner. Bowes, however, still had serious reservations about the permanency of this recent peace formula.⁵⁶ "I traist", he wrote, "ye sall heire tell the lords sall cum shortelie to this towne of Edinbrough again for thair gaves so manye evill reaperes betwix the lords and the erle of Morton that I thinck yt sall be als evill as evir it was before and wars for thay

will never be pacified in quiet manner till they meet (each) other on the fieldes". Although, on this occasion, Bowes' estimate was somewhat too pessimistic, Morton did have problems with the date and rendez-vous for the proposed meeting between the contending commissioners. His opponents insisted that it should be held on 30 November at Edinburgh whereas Morton adhered to the 20 September at Stirling.⁵⁷ Thus, "Because the hail aucht nobill men writtin for be his Majestie convenit not at Striviling the said XX day of September throw the schortnes of the warning or utheris impedimentis", the meeting was re-arranged for Stirling one month hence.⁵⁸ That this conference did occur is confirmed by Bowes⁵⁹ and by David Moysie in his Memoirs which is the only authority to give details of the proceedings.⁶⁰ Apparently, Montrose, Sir James Balfour of Pittendreich, the laird of Bargeny and Peter Hay, bailie of Errol, attended representing the Argyll-Atholl party, while the earl of Buchan, lord Boyd, the commendator of Dunfermline and Sir John Gordon of Lochinvar were there on Morton's behalf. As a result of these discussions, according to Moysie, Argyll and Montrose were reconciled to Morton. It was also agreed that there should be a convention at Stirling in January, 1579, to be followed by the summoning of parliament in March. That some such agreement was concluded is confirmed partly by Argyll and Montrose's presence for the first time at the council in November⁶¹ and by certain bonds of friendship contracted about this date between Argyll and the earl of Mar and Morton himself.⁶² Further confirmation of the improved relations between the two sides is provided by a report by the French ambassador in London who, on 15 November, 1578, informed his government that "Les countes D'Arguil, d'Athol, de Cadnesse, de Montrosse et de Linnesay se sont si bien accordez avec le counte de Morton qu'ilz sont aujourd'hay ensemble comme freres".⁶³ Corroboration that a convention

also was intended can be found in both the treasurer's accounts⁶⁴ and Edinburgh burgh records where orders to attend such an assembly are given.⁶⁵

No parliament was actually held in March, 1579 but, significantly, from 12 March and for over a week, the privy council was augmented by so many unfamiliar faces as to have the appearance of a convention. The explanation for the presence of, in the first instance, Atholl and such uncommon figures as lords Drummond, Herries, Innermeath, Oliphant, Sinclair and Ochiltree, the archbishops of St. Andrews and Glasgow, the bishops of Brechin and Dunkeld, the commendators of Balmerino, Cupar, Culross, Deer and Inchcolm, in addition to the regular council members,⁶⁶ did not become apparent until the discussion of business on 17 March. On that day, David Borthwick of Lochhill and Robert Crichton of Elick, the royal advocates, delivered a report concerning an "Actioun aganis Lord Claude Hammiltoun, commendator of Paislay for the superplus and omittit thriddis, fruttis and rentis quhatsumevir not gevin up in the rentall of the said Abbay of Paislay off all yeiris and termes bigane sen the said Claudis awin interes and possession to the fruttis of the same Abbay".⁶⁷ In other words, it was the prospect of a combined assault on the house of Hamilton which had brought together the Douglases, Stewarts, Campbells, Grahams, Leslies and the others, and this was to be the first manifestation of what was intended.

During the earliest part of Morton's regency, there had been some ill-feeling between the Hamiltons and the Douglases, mainly on account of the slaughter, by the former, of James Johnstone of Westerhall, a dependant of Angus. Nevertheless, relations were greatly improved when, at Holyrood, on 7 March, 1575, lords Claud and John Hamilton publicly atoned for their actions before Angus,⁶⁸ and a bond of friendship was signed between the two brothers and Morton and his

nephew.⁶⁹ The latter, in return, with Westerhall's widow, who was to receive 2,000 merks as compensation,⁷⁰ subscribed a remission to the members of the Hamilton family involved in the affair.⁷¹

However, one member on the Douglas side, namely William Douglas of Lochleven, Morton's cousin, proved irreconcilable. Claiming to seek revenge for the assassination of his half-brother, the earl of Moray, he continued a single-handed vendetta against the Hamiltons.⁷² He was involved in a serious incident in Fife in the summer of 1575 in which, although accounts are widely divergent,⁷³ he undoubtedly behaved in a violent manner towards lord John Hamilton as he sought to pass through his land. Morton, on this occasion, was pre-occupied with the Redeswyre crisis but, when there was a similar disturbance in February, 1577, he acted decisively. On 2 March, he summoned the lieges to assemble at Kinghorn and Cupar on 5 March "to pass furthwart and accompany his Grace as thay sal be commandit for quieting of the saidis troublis".⁷⁴ Whether the services of the inhabitants of Lothian and Fife were actually called upon seems improbable since Morton certainly was not in Fife on 5 March, and it seems more likely that the proclamation was intended as a salutary warning.⁷⁵ On 22 March, Lochleven and lord John were instructed to appear before the council on 20 May and meanwhile give assurances for their good behaviour.⁷⁶ Lochleven "marvellit" at being asked for such a guarantee, only to be sternly rebuked by his cousin who reminded him that it was requested so that "gude order and rule be kepit in the countrie quhilk during the tyme of our office and charge we are bound of dewty to see the same observed and kepit and trustis that all our friendis will respect the same and not gif occasion to the contrary".⁷⁷ But Lochleven remained intransigent and, on 17 May, an order was issued for his imprisonment in Edinburgh castle.⁷⁸

Morton, therefore, in his years as regent, had never displayed personal animosity towards the Hamiltons and, as has been seen, was prepared, for the sake of law and order, to incur the displeasure of his cousin rather than allow him to take justice into his own hands. This being his past record, why did he sanction the persecution of the Hamiltons in 1579? There would appear to be at least two convincing arguments for his tactics.

In the first instance, the Hamilton purge could serve as a useful diversion so that the other nobility would not have what Hume of Godscroft, the biographer of the Douglas family, described as "leisure to think of him and his late greatness".⁷⁹ Furthermore, because of the Hamiltons' hereditary claims to the succession as well as the involvement of certain members of their family in such events as the assassination of Moray and the death of Lennox and their generally chequered political record, it was an operation for which he could expect widespread support. Killigrow, writing in 1575, at the time of the first episode with Lochleven, was then of the opinion that Morton's cousin was merely one representative of a party whose membership included Argyll, Atholl, Buchan, Ruthven, Lindsay and the house of Mar.⁸⁰ A scrutiny of those present during the crucial dates in March, 1579 when the enlarged council planned the attack on the Hamiltons, reveals the English ambassador's earlier estimate as a fairly accurate one.

Secondly, obvious targets for a penurious monarchy such as that of James VI were the vast family estates of the Hamiltons stretching from the isle of Arran on the west coast through Lanarkshire, where lord Claud was both commendator of Paisley and hereditary sheriff of Clydesdale and where their chief residences, Hamilton and Draffen, were located, to their territories in the north-east which lord John held as commendator of Arbroath. The forfeitures and fines which could be

realised from these and all the other possessions in the hands of the house of Hamilton unquestionably provide a second motive for the campaign against them. Indeed, this need to enrich the crown was later specifically mentioned in the proclamation of 15 May, 1579, where it was announced that there would be no disposition of Hamilton⁸¹ lands until parliament convened.

The exact date when Morton first conceived the stratagem of utilising the general antagonism towards the Hamiltons to his own and the crown's advantage cannot be established with absolute certainty. In July, 1578, for example, lords Claud and John had evinced alarm about "the whisperings of certain particulars present about the King".⁸² This, however, could simply indicate their misgivings about the effect of the influence of the house of Mar on the King's impressionable nature. A more probable occasion would be in October at the discussions which resulted in Argyll and Montrose being reconciled to Morton. The promise of an officially-backed campaign against the Hamiltons might well have been the inducement which enabled the two parties to eschew their differences. Indeed, one contemporary account, generally of little value, entitled *A Chronicle of the Kings of Scotland*, does make just such a suggestion. Thus, the anonymous author, referring to the meeting between the rivals in October, asserts that "they being agreed, entered in one good friendship and all their dewyiss was aganis the name of Hammiltoun and for the revendge of the slachtter of the twa Regentis".⁸³

Whenever the seeds of the plot were sown - and it should be remembered that Morton was later to deny it was his idea at all - it was the council's announcement on 17 March, as has already been stated, that it intended prosecuting lord Claud for his maladministration of Paisley abbey which was the earliest overt signal. Why there should be a hiatus of six weeks before further measures were taken is

problematical but it is possible that the delay was caused by a divergence of opinion among the councillors as to the appropriate course of action to be pursued. Some members, at least according to Spottiswoode, advocated that the Hamiltons should be summoned to stand trial, whereas others believed that, since they had already been condemned by a previous statute, they should simply be arrested forthwith.⁸⁵ In the end, as the order for their apprehension confirms, it was the second viewpoint which prevailed. Lords Claud and John, now that the King was of age, so it was declared, were no longer protected by the pacification of Perth, and his majesty believed it was his bounden duty to see that "the saidis decreittis and sentsamentis of Parliament gevin and pronuncit aganis the said Johnne and Claude Hammiltonis sal be execute without delay; and to that effect thair personis to be serchit for and apprehendit that they may ressave punciement according to thair treasonabill deservings".⁸⁶

This order was swiftly followed on 1st May by the appointment of Morton, Angus, Mar, Eglinton, Ruthven, Boyd and Cathcart as the commissioners empowered to put it into effect.⁸⁷ The next day, lords Claud and John were proclaimed traitors, and mobilisation instructions were issued ordering those affected to muster at Hamilton or, if necessary, at any other point where their presence was deemed essential.⁸⁸ By this date, Morton and his assistants had departed from Stirling, leaving behind a caretaker government to publish further advice over the next few days.⁸⁹ From the tenor of these edicts with their prohibitions on conveying the Hamiltons overseas, it is obvious that the two brothers had eluded the grasp of the commissioners and were trying to escape from the country.⁹⁰ Meanwhile, on 19 May, with the siege of both Hamilton and Draffen castle underway because prolonged investments were anticipated at both strongholds, rather ambitious military arrangements were announced whereby each part of

the kingdom would provide forces to perform siege duty on a rota basis.⁹² That this was an unrealistic proposal is corroborated by an amendment the following day charging "All and sundrie crllis, lordis, frehaldaris landitmen, gentilmcn and substantious yemen men dwolland within the boundis of the sherefdomes of Edinburgh principale and within the constabularie of Hadingtoun, Linlythguow, Lanerk, Air and Renfrew and bailliereis of Kyle, Carrik and Cunninghame" to assemble, instead, on 20 May at Hamilton, fully armed and with fifteen days' provisions.⁹³ However, this host was found to be unnecessary since the infantry and the artillery, including those commanded by the master of Glencairn at Paisley which had assembled by this stage, numbering, by one account, four hundred men, were more effective than had been envisaged.⁹⁴ Thus, on 19 May, the occupants of Hamilton castle were compelled to surrender unconditionally while, at Draffen, the defenders evacuated the castle under cover of darkness.⁹⁵

Although lords Claud and John evaded capture,⁹⁶ their deranged brother, James, earl of Arran, with their other brother David and their mother, the duchess of Chatelherault, were taken at Draffen and conveyed to Linlithgow.⁹⁷ Here, Arran was persuaded to subscribe a document condemning his brothers for disobeying a command requesting them to present him before the privy council,⁹⁸ a procedure, in Spottiswoode's estimation, designed to facilitate royal acquisition of the Hamilton estates.⁹⁹ The earl, because of his mental condition, so the same author affirms, could not be accused of complicity in his brother's offences but, by this declaration, he was placing both himself and his possessions in the protective custody of the crown.

The fates of the lesser figures attached to the house of Hamilton are clearly indicated by the spate of denunciations and cautions for attendance which now ensued. Eventually, a dozen individuals, including James Hamilton of Bothwellhaugh, John Hamilton, provost of

Bothwell, Gavin Hamilton of Raploch and Robert Hamilton of Dalserf, had sentences of treason against them ratified by parliament in November.¹⁰⁰ The remainder, according to one source, "war compellit to answer as law wald. They came to Edinburgh and payit great soumes of money for pardoun of sik crymes as ather actuallic they had done or that could be allegeit aganis thayme".¹⁰¹ With a general order of 28 October banishing all Hamiltons, with one exception, from Edinburgh and the court, the process against them was completed.¹⁰²

Finally, there is the question of the political wisdom of Morton's anti-Hamilton vendetta. King James, unquestionably, was impressed, and Morton's status was raised in the royal eyes.¹⁰³ In addition, although corroborative evidence is lacking and also allowing for the expensive nature of the campaign,¹⁰⁴ the financial position of the crown by means of fines and confiscations must, to some extent, have been improved. Besides, the various escheats of goods, tacks and profits disposed by the crown under the privy seal all had compositions attached to them. Here, a gift of escheat received by Alexander Hamilton, commendator of Kilwinning, a member of a branch of the family unaffected by events, might serve as a typical example. He was given "the coirnes, cattell, maillis, fermes, proffittis and dewties of the Manis of Monkcastell within the regality of Kylwynning and schirefdom of Air quhilkis pertenet to Claude Hamilton sumtyme commendator of Paislaw" but was still, however, required to pay a composition of £40.¹⁰⁵ A final justification for Morton's actions would be that it provided an opportunity to settle old scores against the Hamiltons, and consequently rallied many of the more important members of the nobility to his side at a time when he still needed such support to consolidate his position.

On the other hand, Morton did not retain his King's affection for any length of time. Esmé Stewart was soon to establish himself

at court and his influence was rapidly eroded.¹⁰⁶ Moreover, despite the financial plight of the crown, two of the most lucrative Hamilton possessions were relinquished, both of them, ironically, to enemies of Morton. Thus, Esmé Stewart received Arbroath abbey, while his partner, captain James Stewart, was ultimately to acquire the earldom of Arran.¹⁰⁷ Lastly, even if the assault on the Hamiltons did provide Morton with the backing of a substantial number of magnates, it was still a somewhat primitive and barbaric way to govern a country, and queen Elizabeth, for example, criticised his treatment of the Hamiltons on several occasions.¹⁰⁸ Morton, admittedly, was no worse in this respect than his contemporaries but, if he had possessed qualities of superior statesmanship, he should either have accepted the advice of those councillors who recommended prosecuting the Hamiltons via the existing legal machinery or he should have desisted from the enterprise altogether.

On 24 April, shortly before the proscription of the Hamiltons got properly underway, there occurred the death at Kincardine of the earl of Atholl, an event, in its own way, of some importance.¹⁰⁹ The circumstances surrounding the demise of the earl who had attended a banquet at Stirling with Morton a few days previously soon gave rise to controversy. His son, John, fifth earl of Atholl, for example, writing only a few days later, is to be found referring to "venemus and extreme poyson".¹¹⁰ There was a formal inquest on 15 June before the privy council at which his wife Margaret, countess of Atholl, her doubts reinforced by the depositions of the physicians in their post-mortem report, voiced her suspicions about the manner of her husband's death.¹¹¹ Morton, at least according to one source, was one of the prime suspects.¹¹² "Whether be advyce of Mortoun", says this version, "or be the auld countess of Mar it is uncertayne sik mightie ppyson was gevin to the lord Chancellor that upon the fourt day after that bancat

he departit this lyff". However, some doubts about the reliability of this source are raised when it proceeds to allege that it was only after Atholl's death that Morton, afraid lest the chancellor's friends would bring the Hamiltons to the court and his control of the King might be diminished, instigated the programme against them. Nevertheless, there were clearly persistent rumours, much to the alarm of certain members of the Mar family and to the annoyance of Morton.¹¹³ Adam Erskine, commendator of Cambuskenneth, for example, concerned at the outcome of the post-mortem, wrote to Robert Erskine of Dun, son of the superintendent of Angus and Mearns, seeking his father's presence at the relevant privy council meeting.¹¹⁴ Morton, on the other hand, had William Turnbull and William Scott, two pamphleteers who published scurrilous attacks on him, arrested and executed at Stirling in August.¹¹⁵ This sentence, according to a gift of escheat of Turnbull's goods on 1st September, was condign punishment "for the inventing and making of leyis of sum of the nobilitie to our said soverane lord incontrair the tennour of the actis of Parliament maid thairupon".¹¹⁶ Not surprisingly, both families ensured that the parliament of November, 1579 cleared their names officially from any complicity in Atholl's death.¹¹⁷ However, it seems unlikely that Atholl was poisoned, especially when the statement of his wife that she was also unwell after dining at Stirling is considered and the fragile constitution of the earl, who had applied in June, 1578 for a licence to go abroad on account of his ill-health, is recollected.¹¹⁸ Indeed, Andrew Lang's conclusion that it was more likely a surfeit of "haggis, friar's partens, sheephead and cockie-leckie" appears a more satisfactory diagnosis.¹¹⁹

The significance of Atholl's departure is that one of the most powerful figures in the kingdom was removed from the political scene. Thus, Morton, while his opponents had lost an invaluable ally, could

regard the situation, at least momentarily, with some satisfaction.

In the summer of 1579, understandably, "he estimat himself to leve in securitie from the dangers of any great enemies in Scotland." ¹²⁰

His complacency, however, was to be short-lived since, with the arrival at Leith on 8 September of Esmé Stewart, lord d'Aubigny,¹²¹ there emerged a new challenge to his pre-eminence.

Esmé was the son of John Stewart who was a brother of Matthew, earl of Lennox, former regent and royal grandfather, and also of Robert Stewart, the present earl of Lennox. John Stewart, while in France, had acquired the title, lord d'Aubigny, which had been inherited by Esmé.¹²² Whatever Esmé's motives were for arriving at this moment, king James was immediately impressed by his French relative and, in November, as a measure of his favour, rewarded him with the vacant commendatorship of Arbroath abbey,¹²³ ensuring, also, that it was excluded from any parliamentary statute prohibiting the disposition of forfeited Hamilton lands.¹²⁴ Then, in March, 1580, having persuaded Robert, earl of Lennox, to relinquish his title,¹²⁵ James presented Esmé with that earldom.¹²⁶ In addition, the new earl of Lennox was admitted to the privy council and reported as being offered the governorship of the strategic stronghold of Dumbarton castle.¹²⁷

Up until this juncture, there would appear to have been little that Morton could have done to prevent the King, who was clearly infatuated with Lennox, bestowing favours on him. At the beginning of 1580, Morton, as it happened, was engaged in another round of that intermittent friction which sporadically erupted between the earl of Argyll and himself. The pretext, on this occasion, was a rumour, first current in February and supposedly at Argyll's instigation, that Morton recently "had devised something for the alteration of the state".¹²⁸ What he exactly was supposed to have planned remains obscure although the "fellowship of Falkirk" were reported as believing

"some practice was intended for their overthrow".¹²⁹ That he had conspired anything whatsoever was strenuously denied by Morton and, eventually, on 28 April, at his insistence, the council issued a statement completely exonerating him from any such intrigue.¹³⁰

Morton's conduct, however, during these weeks seems distinctly unstatesmanlike. His reaction, for example, to the Argyll allegation was to leave Edinburgh in a pique for Dalkeith where, apparently, he sulked, "minding to forbear the court until he be called".¹³¹ Moreover, he had also contrived to quarrel with his nephew, Angus, one of his most reliable supporters, and this at a time when, as English observers had already noted, there was a serious rival imminent.¹³² The origins of this dispute are uncertain but Bowes, on one occasion, mentions George Auchinleck of Balmano as being implicated and, on another, that financial differences were its cause.¹³³ Furthermore, his maladroit tactics may well have encouraged Lennox's followers, if not Lennox himself, to consider the seizure of the King on his return from Doune castle on 9 April.¹³⁴ That such an action, although frustrated, was ever contemplated is surely an indictment of Morton's declining authority by this date.

However, Morton's position at this stage, at least in the opinion of Robert Bowes, analysing the situation in mid-May, was not necessarily a hopeless one.¹³⁵ Morton, he conceded, "had fallen from his former state and leading in the government which chiefly grows from his absence from court, divisions betwixt him and Angus and temporizing with Lennox". "Yet", he confirmed, "the experienced here think that he may be again be enabled to repossess his wonted grace and to reduce matters to a better course". This, Bowes believed, could be best achieved by Morton utilising unique influence with King and council which he still retained, settling his differences with Angus and displaying much greater resolution. If he was to "lay away the vizor"

and act with greater determination his old colleagues would rally to him, and those place-seekers who had drifted to Lennox would, "according to the common disposition of this changeable nation", return to him.

Apart from his observations on the need for a reconciliation between Morton and Angus which, in fact, soon materialised,¹³⁶ the keynote of Bowes's assessment was clearly that Morton must seize the initiative against Lennox. Unfortunately, Morton's subsequent actions provide little evidence for concluding that he perceived the direction in which his best interests lay.

On 23 May, the court left Stirling and the King commenced his tour of the north-eastern part of his kingdom.¹³⁷ Morton, however, was an absentee from the earlier stages of the peregrinations, ostensibly suffering from a leg injury sustained from a horse but actually because, so Bowes reported, he feared a coup was imminent.¹³⁸ Melville may also be correct in suggesting that another reason for his absence was his disapproval of Lennox's presence.¹³⁹ The latter certainly accompanied the King, making his first appearance in the privy council at Dundee on 9 June,¹⁴⁰ and, a fortnight later, winning the plaudits of the Aberdeen magistrates by helping to revoke an infetment of certain salmon-fishing rights on the Dee and Don, originally granted by Morton to George Auchinleck and now restored to the appellants.¹⁴¹ Morton joined the other councillors at St. Andrews on 29 July¹⁴² where, according to Calderwood, while attending the performance of a play, he was given a prophetic warning about his future by a "phrenetic man" known as skipper Lindsay.¹⁴³ Whether he was affected by this experience or not, he seems to have, at least temporarily, changed his tactics, and there were now reports of the possibility of a settlement being reached between him and Lennox.¹⁴⁴ But, by the end of August, the chances of such an entente were becoming

less likely and, instead, the political situation grew even more confused with various rumours of governmental changes in the offing¹⁴⁵ as well as the untoward episode in Edinburgh one afternoon when the city gates were suddenly closed until eight o'clock next morning.¹⁴⁶ One explanation, heard by Robert Bowes, was that it was done at Lennox's behest in order to arrest Cunningham of Drumquassel and obtain possession of Dumbarton castle.¹⁴⁷ Another, however, concurred that it was Lennox's doing but gave a different interpretation for his actions. These, it alleged, were the result of his fears "that some hurt was devised against him" by those who had recently joined Morton at Dalkeith.¹⁴⁸ If Morton and his followers had been planning a coup, it had clearly been thwarted.

By mid-September, Morton had obviously been out-manoeuvred and eclipsed by Lennox. Bowes, writing on 13 September to a worried English government, observed that Lennox's authority was now so formidable that "few or none will openly withstand anything that he would have forwards and such as be willing to give the attempt distrust both their own power and company at home and also their backing abroad".¹⁴⁹ In the same enclosure, he also submitted a list of those who could be regarded as members of the Lennox faction. In this category, he included lords Ruthven, Lindsay, Herries, the commendat-ors of Dunfermline, Newbattle and Inchcolm and the lairds of Cessford and Coldenknowes. Of these, Dunfermline was aptly described by Bowes as "running the course of Lennox in some parts which he perceives he does more in desire thereby to retain his office and credit than in love to join with or set forward Lennox's devices".¹⁵⁰ Ruthven, on the other hand, was both ambitious and probably disgruntled over the dispute which had arisen between him and Morton's cousin, Douglas of Lochleven. This concerned a gift of ward and nonentry of the heritage of the earl of Buchan granted to Lochleven by king James and contested

by Ruthven on grounds of legal irregularity and the crown's financial plight.¹⁵¹ Of the others named by Bowes, all of them could be regarded as members of the Argyll-Atholl confederacy of 1578. Argyll although not prominent in affairs at this particular moment, was undoubtedly an inveterate opponent of Morton and, when it is recalled that both Montrose and the master of Mar can be regarded as followers of Lennox,¹⁵² there does seem considerable validity in Calderwood's assertion that one motive for Lennox's presence in the country was to replace Atholl in the partnership against Morton.¹⁵³ Whether John Maitland and Robert Melvill, two notable survivors of the siege of Edinburgh castle in 1573, were also deeply implicated, as Calderwood and Hume of Godscroft both insist,¹⁵⁴ must remain a matter for conjecture but, certainly, neither could have regarded Morton amicably.

On 24 September, as further confirmation of the ascendancy of Lennox and his followers, the council, with Morton supposedly absent on legal business, recommended the appointment of a lord high chamberlain with a deputy and twenty-four gentlemen of the chamber.¹⁵⁵ The real significance of this proposal became apparent on 15 October when, with Morton actually present, Lennox was nominated to the principal position and the master of Mar as his assistant.¹⁵⁶ Moreover, an examination of the "ordinary gentlemen of his Highness' chamber" reveals so many of them as definitely attached to Lennox that it can be safely assumed that virtually the whole body supported him.

The last significant episode before Morton's overthrow was the dispute between lords Ruthven and Oliphant which began on 1st November¹⁵⁷ On that date, Ruthven, in the company of certain members of the Stewart family, had been returning from the wedding of the earl of Mar when their proximity to the lands of Oliphant and the existence of some ill-feeling already between the two families provoked the master of Oliphant to attack them. In the resultant fracas, Alexander

Stewart of Schutingleyis, brother of Stewart of Traquair, was shot and killed.¹⁵⁸ Oliphant, consequently, at Ruthven's petition, was summoned before the privy council, placed in ward at Doune and ordered to stand trial for murder.¹⁵⁹ Although Oliphant was ultimately acquitted of this charge,¹⁶⁰ the affair had ramifications which affected Morton. His cousin, Douglas of Lochleven, one of whose daughters was married to the master of Oliphant, had been a prominent figure in his son-in-law's defence while Morton himself had eventually taken Oliphant's part.¹⁶¹ This could not have improved his relations with Ruthven nor, for that matter, with the house of Stewart. In short, the whole affair, if anything, weakened his own position even further and, correspondingly, strengthened that of his adversaries.

Lennox, by the end of December, must have been convinced that he now had sufficient support to dispose of Morton without fear of serious repercussions. Among his adherents, in addition to those already indicated, he could also depend on lords Maxwell, Robert Stewart and Seton. Lord Maxwell, who had originally opposed Morton in 1578, was ultimately on such good terms with Lennox as to be promised Morton's earldom once he was eliminated.¹⁶² Lord Robert Stewart had spent most of his time since 1576 in prison for serious offences committed in Orkney,¹⁶³ but had recently been released and admitted to the council.¹⁶⁴ By all accounts, he was an embittered opponent of Morton.¹⁶⁵ Lastly, lord Seton was, in Calderwood's estimation,¹⁶⁶ one of those who had "particular quarrels against him" and, considering his relations with Morton since 1572, with his three sons imprisoned at Brechin on charges of treason as recently as May, 1579, this would seem a sound assumption.¹⁶⁷ As well as these noblemen, there was also the notorious Sir James Balfour who was in France supposedly searching for incriminating evidence against Morton,¹⁶⁸ and, more importantly, captain James Stewart. The latter

was the second son of Andrew lord Ochiltree who had returned from military service abroad and was first recorded at court on 3 June, 1579.¹⁶⁹ In October, he had been among those appointed gentlemen of the King's chamber¹⁷⁰ and, slightly earlier, he had acquired two substantial gifts under the privy and great seal respectively. In September, by the former, he had received a gift of "teind schaves, fruitis, rentis, proventis and emolumentis of the kirkis of Sanctandros and Leucheris" forfeited by the earl of March as the result of an action for debt by an Edinburgh burgess.¹⁷¹ By the latter, a month earlier, he had obtained certain lands in Lanarkshire formerly in the possession of Claud Hamilton.¹⁷² He was, moreover, to play a vital role in the overthrow of Morton.

On Saturday, 31 December, either during a regular meeting of the privy council or at an extraordinary one specially summoned for the purpose, Morton was accused by captain James Stewart of being an accessory to Darnley's murder.¹⁷³ Morton, who supposedly had some inkling that such a plot was imminent, reacted violently, and bitterly attacked his accuser. Physical conflict seeming a distinct possibility, both of them were removed from the council chamber and the royal advocate was consulted regarding the correct legal procedure.¹⁷⁴ On his recommendation, it was decided that Morton, until he stood trial for the accusations against him, should be placed in custody. In the words of the official indictment, signed by king James, Argyll and Lennox, "Forasmoch as James erll of Mortoun lord of Dalkeith is suspectit and delaitit in presens of the Kingis Majestie and lordis of secreit counsall to have committit treasoure quhairfoir his Majestie with awise of the saidis lordis Ordanis ane maser or uther officiar of Arms To pas and in his hienes name and aucthoritie command and charge the said James erll of Mortoune To remain and keip waird in the abbay of Halicrudhous in the hous quhairin he presentlie remainis".¹⁷⁵

Morton, apparently, accepted the decision calmly and, eschewing any thoughts of escape, confined himself within Holyrood house until Monday when, by a further privy council order, he was taken to Edinburgh castle ¹⁷⁶ by an escort consisting, appropriately enough, of captain James Stewart, the master of Mar and the lairds of Coldenknowes and Manderston.¹⁷⁷

However, before any account of his final months is given, it is obviously necessary to consider some of the other significant aspects of his career. Here, undoubtedly, one of the most important was his relationship with the kirk, both in the matter of its endowment and its constitution.

Notes to Chapter IV

1. Calderwood History iii, 398; Moysie Memoirs, 5.
2. Such a strategy had been suggested by the English government in 1577; CSP Scot. v, 252.
3. Historie and Life of King James the Sext, 164.
4. Calderwood History iii, 396; Spottiswood History ii, 208.
5. See chap. IX, 211-13.
6. Fdin. Recs. (1573-89), 66-67.
7. By Robert Bowes, English ambassador, writing to Walsingham the following day, CSP Scot. v, 287-88.
8. NLS Advocates MSS, 29.2.6, No. 140.
9. RPC ii, 696-97.
10. ibid. ii, 688-90.
11. Killigrew could write in April that Morton "meddles with nothing", CSP Dom. Add., 540.
12. Calderwood History iii, 408.
13. Melville Memoirs, 264; for a similar viewpoint, see Historie and Life of King James the Sext, 165.
14. Bannatyne Memoriales, 322.

15. Melville Memoirs, 265.
16. CSP Scot. v, 288.
17. Historie and Life of King James the Sext, 168.
18. Warrander Papers 1, 136-40.
19. CSP Scot. v, 292.
20. Elizabeth to Argyll, 20 May, 1578, ibid., 293-94.
21. Calderwood History 111, 408-09. For a similar account, see Moysie Memoirs, 8.
22. HMC (Hastings) 11, 11-12.
23. RFC 11, 703.
24. APS 111, 121; CSP Scot. v, 296.
25. Ruthven also backed Morton on 12 June, CSP Scot. v, 296.
26. RFC 11, 705.
27. ibid., 707-08.
28. See "Articles to be preferred to James VI" where there are also complaints about holding parliament within Stirling castle and the large numbers of soldiers in the town, CSP Scot. v, 291.
29. RFC 111, 6 - 7.
30. Calderwood History 111, 413.
31. ibid., 413.
32. ibid., 414.
33. RFC 111, 3.
34. ibid., 7-8; Morton astutely saw to it that this declaration was also recorded in the official account of the proceedings, APS 111, 94.
35. Calderwood History 111, 416.
36. RFC 111, 8; Calderwood History 111, 417.
37. APS 111, 94-116.
38. i.e. Robert Stewart, bishop of Caithness, and a great-uncle of the King who had become earl of Lennox in June, 1578, RMS iv, 2785.
39. HMC (Hastings) 11, 13; CSP Scot. v, 305.
40. HMC (Hastings) 11, 13; CSP Scot. v, 306.

41. HMC (Hastings) ii, 13; CSP Scot. v, 305; Calderwood History iii, 417.
42. RPC iii, 10, 15-16; TA(MSS) xiii, 213-14.
43. Calderwood History iii, 419; Moysie Memoirs, 13; Historie and Life of King James the Sext, 167.
44. Calderwood History iii, 419-22; also in Historie and Life of King James the Sext, 167-72.
45. Morton's council, not surprisingly, strenuously denounced his proclamation, RPC iii, 15-16.
46. ibid., 9; TA(MSS) xiii, 213.
47. RPC iii, 12-14; TA(MSS) xiii, 213.
48. RPC iii, 16-17; TA(MSS) xiii, 214.
49. ibid., 214.
50. RPC iii, 18.
51. The fullest accounts are in Calderwood History iii, 423-24 and Moysie Memoirs, 14-15.
52. Lord Hunsdon, governor of Berwick, had instructed Bowes to warn Cessford and company of his intentions, CSP Scot. v, 317.
53. Calderwood History iii, 424; CSP Scot. v, 318; Historie and Life of King James the Sext, 172.
54. Calderwood History iii, 423-24.
55. CSP Scot. v, 316; RPC iii, 22; Calderwood History iii, 424-26.
56. HMC (Hastings) ii, 14.
57. CSP Scot. v, 318-19; RPC iii, 25-26.
58. ibid., 33-34.
59. CSP Scot. v, 327.
60. Moysie Memoirs, 19-20.
61. The first time they attended was 15 November, 1578; RPC iii, 45.
62. The bond between Argyll and Mar is specifically dated 27 November, 1578, NRA 6 (Argyll Muniments).
63. Teulet Papiers ii, 391.
64. TA(MSS) xiii, 228.
65. Its postponement is also given on grounds of short notice, inconvenience and bad weather, Edin. Recs. (1573-89), 98.

66. RPC iii, 108-116.
67. ibid., 115.
68. Calderwood History iii, 346; Diurnal, 346; Historie and Life of King James the Sext, 152.
69. SRO, Johnstone of Westerhall papers, GD1/510, No. 6.
70. NRA 859 Douglas-Home Box 56/4.
71. Fraser Douglas iii, 269-70.
72. Moray was the illegitimate offspring of James V and Margaret daughter of John 5th Lord Erskine and Lochleven's mother. Her legal husband was Lochleven's father, Sir Robert Douglas of Lochleven, Scots Peerage vi, 369.
73. E.g. CSP Scot. v, 178-79; Calderwood History iii, 346; Historie and Life of King James the Sext, 155-57.
74. RPC ii, 598; TA(MSS) xiii, 161.
75. He attended a meeting of the privy council in Edinburgh on 5 March, RPC iii, 598.
76. ibid., 605-06; TA(MSS) xiii, 164.
77. NLS (Morton Papers) 77, f 24; printed in Mort. Reg. i, 85-86.
78. RPC ii, 612.
79. Hume of Godscroft History ii, 262.
80. CSP Scot. v, 179.
81. ibid., 302.
82. CSP Scot. v, 302.
83. A Chronicle of the Kings of Scotland, 133.
84. To Nicholas Errington, the English agent in Edinburgh in December, 1579, CSP Scot. v, 369.
85. Spottiswood History ii, 306.
86. RPC iii, 146-47.
87. Details of this military commission are to be found in APS iii, 159-62.
88. RPC iii, 148; TA(MSS) xiii, 262.
89. There were, therefore, two councils, one at Stirling and the other at Hamilton, RPC iii, 148-65.
90. ibid., 152-53; TA(MSS) xiii, 264.

91. Morton and company are reported as having begun the siege of Hamilton on 4 May, CSP Scot. v, 336.
92. RPC iii, 156.
93. ibid., 156.
94. Moysie Memoirs, 21.
95. CSP Scot. v, 337.
96. Lord John fled to France and lord Claud eventually to England, ibid., 351-52; Historie and Life of King James the Sext, 175; Spottiswood History ii, 264.
97. CSP Scot. v, 337.
98. RPC iii, 160-62.
99. Spottiswood History, 264-65.
100. AFS iii, 125.
101. Historie and Life of King James the Sext, 176; one notable exception was Arthur Hamilton of Mirretoun, captain of Hamilton castle who was hanged at Stirling on 30 May, CSP Scot. v, 338.
102. RPC iii, 232.
103. CSP Scot. v, 337.
104. See TA(MSS) xiii, 266-72.
105. RSS vii, No. 2000.
106. See below, 73.
107. RMS iv, No. 2920 and v, No. 167.
108. CSP Scot. v, 350, 359, 363.
109. Calderwood History iii, 442-43; Spottiswood History ii, 263; Moysie Memoirs, 20.
110. HMC (App.) xii, pt. viii, 24.
111. NLS (Earl of Athol) 3157; RPC iii, 184-85.
112. Historie and Life of King James the Sext, 174.
113. Queen Mary, for example, the following year in a letter to the countess of Atholl, referred to the possibility of the Mar family being involved, HMC (App.) xii, pt. viii, 9.
114. HMC (App.) v, 635; Spalding Misc. iv, 61-62.
115. Calderwood History iii, 770-72; Moysie Memoirs, 24; Spottiswood History ii, 263-64; Historie and Life of King James the Sext, 177.

116. RSS vii, No. 2031.
117. APS iii, 175-76.
118. ibid., 176; RSS vii, No. 1561.
119. Lang History ii, 263.
120. Historie and Life of King James the Sext, 177.
121. Calderwood History iii, 457.
122. Scots Peerage v, 355-56.
123. RMS iv, No. 2920.
124. APS iii, 151.
125. He now became earl of March, RSS vii, No. 2244.
126. ibid., No. 2252.
127. CSP Scot. v, 384; his first recorded attendance at the privy council was not until 9 June, 1580, RFC iii, 289.
128. CSP Scot. v, 378, 385.
129. ibid., 378.
130. ibid., 404, 411; RFC iii, 281-83; Calderwood History, iii, 461-62.
131. CSP Scot. v, 378.
132. First recorded by Walsingham in January, 1580, CSP Foreign (1578-80), 146.
133. CSP Scot. v, 385, 397, 429, 436.
134. ibid., 392-93, 409.
135. ibid., 422-24.
136. Bowes was confident of restoring amity between them at the end of May, 1580; ibid., 436.
137. ibid., 431.
138. ibid., 441-42.
139. Melville Memoirs, 265.
140. RFC iii, 289.
141. ibid., 299-95.
142. ibid., 295.
143. Calderwood History iii, 462-63; this narrative is also given by James Melvill, Diary, 81-82.

144. CSP Scot. v, 465-66, 479-80.
145. ibid., 487-88, 498, 503.
146. ibid., 490.
147. Drumquassel's captaincy of Dumbarton castle had been revoked by the privy council on 27 July (RPC iii, 295) but he had failed to deliver it to Lennox.
148. CSP Scot. v, 490.
149. ibid., v, 500.
150. ibid., 526; queen Mary, who described the secretary as "crafty, wily, made by Morton and to serve all changes and turns", obviously had a similar opinion of him, ibid. vi, 86.
151. RPC iii, 312-13; RSS, vii, No. 2521.
152. Montrose, for example, was reported as won over by Lennox in August, 1580, CSP Scot. v, 474.
153. Calderwood History iii, 457.
154. ibid., 457; Hume of Godscroft History ii, 264.
155. RPC iii, 316; CSP Scot. v, 510.
156. RPC iii, 332-33.
157. Calderwood (History iii, 479) dates the incident in October but 1st November is the date given at Oliphant's trial, Pitcairn Trials i, 90.
158. Calderwood History iii, 479; Koysie Memoirs, 28.
159. RPC iii, 329, 333-34.
160. Which included using a poisoned bullet, Pitcairn Trials i, 90-92.
161. Calderwood History iii, 479-80; Hume of Godscroft History ii, 268. (Hume also states that Ruthven withheld information about the conspiracy against Morton on 31 December).
162. Fraser Carlaverock i, 250-52.
163. See, for a detailed account of his nefarious activities, Oppressions in the islands of Orkney and Shetland, Maitland Club, 1859.
164. RPC iii, 327.
165. Melville Memoirs, 263-64.
166. Calderwood History iii, 483.

167. CSP Scot. v, 336; RPC iii, 182-83.
168. First mentioned as being in France for this purpose on 2 April, 1580, CSP Scot. v, 387.
169. ibid., 339.
170. RPC iii, 322-23.
171. RSS vii, No. 2544.
172. RMS v, No. 5.
173. According to Calderwood (Calderwood History iii, 481), it was an ordinary council session, whereas Bowes (CSP Scot. v, 569 and 576-77) states that it was specially convened. Between them, they give the best account of events on 31 December.
174. From Bowes's details, it would appear the following were certainly present in addition to Morton and captain James Stewart: king James, the earls of Angus, Argyll, Eglinton and Lennox, lords Cathcart and Lindsay and David Borthwick of Lochhill, ibid., 576-77.
175. NLS (Morton Papers) 77, f.54; printed in Mort. Reg. i, 124-25.
176. NLS (Morton Papers) 77, f.56; printed in Mort. Reg. i, 125.
177. Calderwood History iii, 482; CSP Scot. v, 576-77.

C H A P T E R V

THE FINANCIAL AFFAIRS OF THE KIRK

Morton's relations with the kirk, both with regard to its patrimony and its polity, form another important part of his administration. Although the situation after the Leith convention of January, 1572 has been described as one in which "what had formerly been a question of finance had by Morton's policy become inextricably bound up with the matter of the organisation and government of the church",¹ it is helpful, for a clearer understanding of his attitudes towards the two aspects, to deal with them separately.

The question of the kirk's patrimony was a major problem from the onset of the reformation and, in February, 1562, the privy council, on behalf of the reformed church and the state itself, had introduced a system whereby, between them, they hoped to obtain one third of most of the available revenues of the old church. Accordingly, on 1st March, 1562, Sir John Wishart of Pittarro had been appointed the first collector-general in charge of twelve provincial sub-collectors of thirds. This system had not worked well for the kirk and, subsequently, in the wake of the revolution against queen Mary, it had been decided, in December, 1567, that the thirds should be assigned firstly to the ministers as part of their stipends, and only the remainder or "superplus" should be allocated to the government. Shortly afterwards, the kirk had been permitted to name its own collectors who were answerable to the exchequer, and the office of collector-general became redundant. However, a breakdown of the whole organisation had followed these alterations. This had occurred

partly as a result of the civil dislocation of the period but also because the kirk's collectors lacked authority and were ineffective. Consequently, in January, 1572, the crown had come to an agreement with the kirk that the government should receive £7,000 annually from the thirds and had, in addition, appointed its own officials for the collection of this sum.²

Morton, therefore, on his accession, found the collectory in a chaotic condition. Out of eleven sub-collectors' accounts for 1569, for example, only those for Lothian had been audited by the date of his appointment.³ This deficiency was clearly a matter requiring his immediate attention since, not only would the crown benefit, but so too would his own standing with the kirk - a consideration which, in the closing stages of the civil war, he could not afford to ignore. Thus, in March, 1573, the general assembly, at the regent's request, nominated a commission of ten members headed by John Douglas, archbishop of St. Andrews, "to hear the saidis collectoris compts with the rest of the Lords of our Sovereign Lords Chekker, allow and approve or disallow according to their wisdom and conscience and after the said compts shall be made to subscribe the same according to the order taken".⁴ By March, 1574, as a result of their endeavours, the bulk of the sub-collectors' accounts between 1568 and 1572, although there were still some omissions, had been audited.⁵

Morton's next undertaking, which his council announced on 5 May, 1573, was to set in foot the arrangement by which ministers or readers were given the right to collect thirds or other dues from the members of their local parishes. "General assemblies", the council declared, "have earnestly cravit that thay mycht have speciall assignations of payment of their stipends" and now, in answer to their demands, "Thair stipends sal be assignit and appointit to thame als neir and commodiouslie as may be to the place of thair residence".⁶

The council also informed the members of the kirk that, in order to facilitate this task, it had "appointit the names of the kirkis to be collectit and the ministeris to be distributit amangis thame as also assignations to be maid for payment of thair stipendis". By 10 August, when Morton outlined the final details of his financial re-organisation, this information had been obtained and "the names and nowmer of the parroche kirkis hes bene collectit and the present nowmer of ministeris and preacheouris distributit throuhout the realme".⁷

The most significant alteration which the regent now proposed was the revival of the office of a collector-general who would be responsible for administering the collection of the thirds of benefices and whose revenues, it was intended, should support both the kirk and "the commoun and neidfull effairis of the realme".⁸ Additionally, in an effort to obtain a more realistic overall contribution, the collector-general was empowered to take appropriate action for the uncovering of omissions, evasions and other malpractices perpetrated in the previous assumption.⁹

Morton, who, in the space of about eight months, had effected a number of important changes affecting the finances of the kirk, found his actions received a mixed reception from its members.

One measure about which there could be little complaint was the powers given to the collector-general to assist him in his re-assessment of the thirds. The first enquiries in this connection appear to have been made in August, 1573 and continued thereafter. In the case of Melrose abbey, for example, instructions were not issued until 31 January, 1578 to the collector-general and his deputies to procure "ane rentale of the said Abacie of Melrose as the samin presentlie extendis to and assume ane thrid thereof".¹⁰ The town council of Glasgow, on the other hand, was asked to provide details of its

benefices in August, 1573.¹¹ Then, on 13 October, in what appears to have been an attempt to bring Argyll and the Isles, who hitherto had escaped assessment, into line with the rest of the country, John Campbell, bishop of the Isles, gave a guarantee "to bring and present one sufficient and perfite particular rental of the haill rentis and fruttis of the bischoprik of Ilis and Abbay of Ycolmkill as alsun of the priorie of Ardchatten".¹² He promised, in addition, a list of the names of all churches, their possessors and rentals in his diocese. While, since Argyll and the Isles remained outwith the collectory, this may have been a notably unsuccessful attempt, the endeavours of the collector-general undoubtedly produced substantial rewards. Thus, in 1573, over a hundred "new enterit benefices" were added to the accounts yielding a total of £1,106 with further, if less spectacular, augmentations during the rest of Morton's administration.¹³

The payment of ministers' stipends from the locally available thirds, a provision actually advocated by several past assemblies,¹⁴ did not, in itself, provoke unfavourable comment. However, it had been necessary to replace the old register of ministers and their assistants which had been in use since 1567 by a new one which, at least in prototype, was ready by August, 1573 and which appeared in its final version a year later as the "Buik of Assignations of the Ministeris and Reidaris Stipendis". Under this new disposition, with its redistribution of ministers, readers and parishes, the displacement of the clergy varied markedly. There were, on the one hand, badly-served areas such as Teviotdale, Ettrick and Tweeddale in the diocese of Glasgow where there were only eleven ministers and forty readers for fifty-nine churches. Conversely, there were other areas like the diocese of St. Andrews where, for sixty churches, there were twenty-four ministers and fifty readers. However, on average, one minister was responsible for three or four parishes, and it was this

ratio which became a source of contention between the regent and the kirk.¹⁵

Initially, on the understanding that it was an interim expedient "to remaine quhill God of his mercie shall thrust out more labourers into his harvest", the members of the general assembly appear to have raised few objections to Morton's re-organisation.¹⁶ However, there was one outspoken critic, namely John Davidson, regent of St. Leonard's college, St. Andrews and author of "The Dialogue betwixt the Clerk and the Courtier", an attack in verse on the new arrangements. "Foure parish kirks", he was to state in his defence, "are over great a charge for one minister and therefore the order that would appoint so manie or more to one man ... (he believed) to be evil and consequentlie devilish".¹⁷ For his temerity in having the verses published, although he denied this was his intention, he was summoned before Morton at the justice eyre held at Haddington in January, 1574. There followed the first of several interrogations and periods of detention until, in June, due to stand trial and convinced he would not receive a fair hearing, he sought refuge in exile, firstly in Argyll and then England.¹⁸

Although Davidson had his well-wishers, both among the clergy and the laity, some of whom succeeded in persuading lord Boyd to intervene, not very successfully, on his behalf with Morton,¹⁹ he appears to have lacked the unanimous support of the general assembly. Certainly, one member, John Rutherford, provost of St. Salvator's college, St. Andrews, challenged "The Dialogue" apparently because he believed it contained unfavourable references to himself.²⁰ Perhaps, as Calderwood claims, the assembly feared Morton's displeasure. Thus, so he states, "The brethrein deputed to trie would nather damne nor allow (his book) but passed over with silence, least the regent should be offended, pretending their number was not full".²¹

In the religious atmosphere of the sixteenth century, Morton's treatment of the disputatious regent of St. Leonard's was unremarkable. Admittedly, Davidson's main criticism of the reform was the effect on the religious teachings of the ministry rather than its financial aspects, and it is Calderwood, by his remarks that "the regent and counsell had made an act before to cast so manie kirks in the hands of one preacher that the kings revenues by the superplus of the thrids might be the greater", who gives the impression that Morton's motive was merely a pecuniary one.²² Nevertheless, he had written critically of government policy, and the justice-clerk is reportedly said to have observed, "To a privat man to write against the conclusions of princes is damnable and the writer worthie of punishment".²³ He may not have posed any real threat to the authorities but he was a forerunner of that more radical section of the kirk which was to feature more prominently as Morton's tenure of office lengthened. It was to be this body which would eventually decide that it was unlawful for a minister to have the care of more than one flock.²⁴

Contrary to the statements of some sources,²⁵ the fact that the collection of the thirds was once more in governmental hands would appear to have brought little immediate response from the kirk. In March, 1574, the general assembly was asked by Morton "the substantial cause if any be of mislyking the order agreed upon for payment of minister's stipends and assignation of the same and what better order can be proposed and devised for the same".²⁶ A committee duly deliberated the matter but the upshot was a somewhat oblique statement by its chairman, Sir John Erskine of Dun, superintendent of Angus and Mearns, that "nothing should be imputed to them or laid to their charge as done and concluded by them with my Lord Regent's Grace, that might prejudice the brethren or the Assembly".²⁷

Morton, therefore, as with the redistribution of ministers, did

not feel the real weight of opposition from the kirk regarding lay collection of the thirds until after his return to power in 1578 when the assembly, in October that year, repeated the demand made during his demission that it should intromit with its own thirds.²⁸ This request that "the Kirk of God within this realme may be restored to the benefit of the Act of Parliament concerning the thirds" was made more forcibly in July, 1580 when the king was reassured that the kirk's uplifting of the thirds would not have a deleterious effect on the royal revenue.²⁹

The kirk's eventual hostility to the crown's collection of the thirds should not obscure the fact that, under Morton, they were far more efficiently collected and administered than hitherto. That this was the case is confirmed, at least to some extent, by a comparison between the insubstantial register of ministers kept between 1567 and 1573 and the much more impressive registers kept thereafter.³⁰

The accounts of the regent's successive collectors-general of thirds, Robert lord Boyd and Adam Erskine, commendator of Cambuskenneth, with a similar format adopted for income and expenditure, are completely extant for all but the years 1574 and 1575.³¹ With regard to expenditure, there is firstly the "discharge" or payment of stipends to the commissioners, ministers and readers by diocese "according to the modification and assignation of the said buik". This is followed by grants to students and bursars, the disbursement to the royal household and various remissions, pensions and extraordinary expenses. Finally, there are the lists of "rests depending" indicating individuals against whom proceedings for non-payment are pending, "rests by horning" where the defaulters are officially denounced, and a short list of salaries to royal officials which completes the accounts. Since it would be of relevance to discover whether Morton extended further the iniquitous practice of granting

remissions from the thirds and just how effective he was in reducing the numbers of those who evaded payment of their thirds, the items of greatest significance would appear to be the remissions and the details of those who were in arrears.

There had always been a large number of thirds remitted. In 1562, the first year they were collected, the total was forty-two and, among those benefiting on that occasion were Archibald, earl of Argyll, James Beaton, archbishop of Glasgow, John, master of Maxwell, James, earl of Moray, George lord Seton and Robert Stewart, commendator of Holyrood abbey.³² In addition, John lord Erskine (subsequently earl of Mar and regent) refused to pay thirds for Cambuskenneth and Dryburgh abbeys as well as Inchmahome priory.³³

Under Morton, there was a similar, if slightly larger, catalogue of exonerations - on average, fifty between 1573 and 1580.³⁴ Among the forty-eight exemptions granted in 1576, which it is convenient to regard as a typical year, are certain individuals whose presence in the accounts can be readily explained. David Cunningham, for example, subsequently bishop of Aberdeen, became minister in Morton's household that year;³⁵ James Hume of Coldenknowes was warden of the east march;³⁶ William McDowell, who also enjoyed with the "puir beidmen of the hospitall of St. Paulis Werk" the third of that preceptory, was the royal master of work;³⁷ Robert Pitcairn, commendator of Dunfermline, to whom several benefices were "gevin fre", was royal secretary; Robert Pont was both a senator of the college of justice and, like John Winram, another recipient, a superintendent of the kirk.³⁸ All these remissions, therefore, could be regarded as the predictable perquisites of office. So, too, could the quittance given to Morton's kinsman, the ubiquitous Archibald Douglas, for both the money and the victual of the parsonage of Glasgow. What might appear to have been evidence of the regent's patronage can, in fact, be explained by his

membership of the court of session, normally a guarantee of excusal.³⁹

Less deserving, no doubt, were the remissions to Thomas Lyon, master of Glamis, and brother of the royal chancellor and "the bairnis of Robert Stewart fueare of Orkcnay" who were allowed part of the silver mails of Holyrood abbey.⁴⁰ However, the least justifiable concession was almost certainly "the rest of the third of the priorie of Pittenweme ---- gevin fre by our soverane lord at the advyss of my lord regent's grace to James Balfour, prior thairof".⁴¹ Balfour, whose conduct since his participation in the Darnley murder had given him a deservedly notorious reputation which was unmistakeably well-known to Morton,⁴² had, nevertheless, proved himself valuable as an intermediary at Perth in February, 1573, and this may have been one way in which he profited. In any case, he had not paid his thirds for Pittenweem in either 1570 or 1572.⁴³

If Morton was not granting remissions too gratuitously, the question then arises, who did benefit? The answer, in many cases, undoubtedly must be those who probably most deserved to. Thus, for example, the towns of Ayr, Dundee, Dumfries, Montrose, Perth and Stirling and the "puir hospitall of Inverness" all received exonerations for "the sustenation of the puir" or for "the puir and hospitalitie thairof".⁴⁴ Another beneficiary was the grammar school of Dunkeld which was excused its contributions for the prebends of Inchmagranoch, Craigie and Caputh as well as the chaplaincy of Inver.⁴⁵ In this instance, however, Morton's administration was merely repeating previous concessions,⁴⁶ and some other allowances - which have been described as "compassionate remissions"⁴⁷ - had likewise been awarded before his accession. "The puir sisters of the Scenis", for example, were still being treated favourably in 1576, as were the occupants of the hospital of St. Nicholas beside St. Andrews who continued to enjoy the £20 annual rent once paid by the lairds of

Balcomy to the Blackfriars of St. Andrews.⁴⁸

The collectors accounts after 1576 reveal no spectacular changes from the pattern already observed. Admittedly, in 1579, David Erskine, commendator of Dryburgh, George Douglas, bishop of Moray, and William lord Ruthven were all added to the list of recipients while Robert Stewart, bishop of Caithness, successfully retained his privileges.⁴⁹ This might conceivably give rise to the consideration that Morton was looking after the interests of a particular faction. However, when it is recollected that Erskine's brother was the new collector-general and that he had appealed successfully in 1573 against an indictment for non-payment on the grounds that he had "his saidis thridis alwayes dischargit be the Quene",⁵⁰ that the bishop of Caithness was the king's uncle and had previously had the thirds of his bishopric remitted to sustain the ministry in his diocese,⁵¹ and that Ruthven as treasurer had frequent recourse to his own resources on the crown's behalf,⁵² these concessions seem less remarkable and no part of any deliberate design.

Thus, it would seem inadvisable to draw any definite conclusions from Morton's handling of the remissions of thirds. Certainly, to some extent, he took care of his relatives and kinsmen as the concession already noted, to the bishop of Moray and another in 1577 to his natural son, James, as "prior" of Pluscarden, would indicate.⁵³ However, even when the similar treatment in 1577 of William Douglas, commendator of Melrose and second son of the regent's cousin, William Douglas of Lochleven, is taken into account, it hardly amounts to blatantly excessive patronage.⁵⁴ Accordingly, apart from this and some increase in the amount of allowances for charitable purposes to the poor of certain towns, it would seem impossible to detect the presence of any conscious policy on the part of Morton where the thirds were concerned.

a larger group attempting illegal evasion and against whom legal action was either pending or had been taken. In this latter category of "restis by horning" are to be found, between 1573 and 1577, such notable personages as William Hay, lord Yester, John lord Herries, George lord Seton, Hugh lord Somerville, James Paton, bishop of Dunkeld, Alexander Colville, commendator of Culross, Adam Erskine, commendator of Cambuskenneth, David Erskine, commendator of Dryburgh, Walter Reid, commendator of Kinross, Claud Hamilton, commendator of Paisley, Sir James Douglas of Drumlanrig, Thomas Turnbull of Bedrule, John Carmichael of Meadowflat, John Johnstone of that ilk, Sir Alexander Jardane of Apelgirth and Robert Boyd of Baddineath.⁵⁵ Two typical examples of somewhat less eminent individuals who could also apparently act with impunity are Thomas Campbell, commendator of Holywood and Robert Douglas, provost of Lincluden college. In 1567, Campbell, for example, had been horned for non-payment of part of the third of Holywood abbey and, a decade later, he was still not contributing; Douglas, who was a son of Sir James Douglas of Drumlanrig, likewise was first delated in 1567 over the third of the common kirk of Glencarne and, ten years later, he was still in arrears.⁵⁶

Overall, in this period, the average number of hornings annually amounted to seventy-seven with, in many instances, the offenders' names being constantly repeated.⁵⁷ Inevitably, this would tend to confirm the view that, even under Morton, the whole process of putting individuals to the horn was "little more than a formality".⁵⁸

On the other hand, Morton's administration, especially during the earlier years of his regency, did make some attempt at rectifying this situation. On 14 December, 1573, for example, the council, while permitting the collectors of thirds an extension until 20 January, 1574 for the presentation of their accounts, warned them

"upon thair perrel and under the pane of rebellion and putting of thame to the home to mak compt reknying and payment of thair said intromission during the space foirsaid".⁵⁹ Furthermore, the next day, in connection with deficiencies in the bishopric of Aberdeen, "the fewaris, firmoraris, tenentis, takksmen, parochynaris and all utheris intromettouris with the fruitis of the said Bischoprik" were ordered to render to the collector-general, or risk denunciation, "the haill fruitis, rentis, kind, teindschavis and emolumentis of all landis and kirkis pertening to the said Bischoprik".⁶⁰ Again, on 29 May, 1574, "divers personis" in Stirling, Dumbarton, Lennox and Renfrew, at the horn for non-payment, were sent warning letters either reminding or informing them of their offence.⁶¹

As well as this activity, there was, between 1575 and 1580, about a score of grants made under the privy seal in which failure to pay thirds, fruits or teindsheaves had resulted in forfeiture.⁶² One victim of this policy was Thomas Hay, commendator of Glenluce and parson of Spynie. On 9 February, 1575, being "ordourlie denunciit rebell and put to the home for nonpayment to Harry Smyth collector of the thrid of his said benefice of Glenluce of the croppis and yeiris 1567-71", his parsonage of Spynie was presented to Alexander Winchester. On 20 February, escheat of the fruits of his parsonage was given to Alexander Innes of Crommy. Finally, on 10 March, the proceedings against Hay were completed by the appointment of Robert Charteris of Kelwood as chamberlain of Glenluce abbey.⁶³

Although certain pressure was exerted on defaulters and some were punished for their temerity, Alexander Hume, commendator of Coldingham priory, for example,⁶⁴ when the large numbers known to remain immune are taken into account, not to mention the complaints of the kirk on this subject,⁶⁵ it becomes obvious that Morton was either unable or unwilling to do very much to alter the situation. In

August, 1575, for instance, the general assembly had vainly requested that "where ministers produce letters of homing to the generall upon suche persons as are assigned to them for payment, the said collector may be caused to make payment to the said ministers". In short, despite the efforts of Patrick Davidson, Ross herald and James Purdy, Islay herald who, in November, 1579 claimed, when pleading exemption from a tax being imposed by the Edinburgh magistrates, they were "all the dayis of the yeir occupit in his Hienes continewall service about the inbringing of the superplus of the thriddis",⁶⁶ there was clearly widespread retention of wealth which was rightfully the kirk's or the crown's.

Although the collectors accounts also provide evidence of the number of pensions granted by the government, they are, as has already been noted, incomplete, and a more comprehensive impression of the various awards and the principal beneficiaries can be obtained from the gifts made under the privy seal.

Crown officials, especially members of the legal profession, emerge as the main group whose salaries were provided by this source. Thus, in 1573, Robert Pont, senator of the college of justice, received 300 merks from the thirds of the bishopric of Moray;⁶⁷ the following year, Alexander Hay, director of chancery, was awarded an annual pension of 500 merks from the superplus of the thirds;⁶⁸ in 1576, James Meldrum, fiar of Segy and another senator of the college of justice, "having onlie the appearance of ano leving quhen it sall pleis God to call his father frome this lyff", was granted a pension consisting of five chalders of victual from the superplus of Haddington priory.⁶⁹ Further donations were made in 1577 to William Baillie of Provand, president of the college of justice,⁷⁰ to John Skene, an advocate whom the crown had "chargit to serve and travell with certane utheris in the revewing of the auld municipall

lawis of this realme",⁷¹ to Thomas Bannatyne,⁷² justice-depute and lord of session, and two writers, John Forsyth and Henry Sinclair.⁷³ Others, outwith the judiciary, who profited were Gilbert Primrose,⁷⁴ royal surgeon, Peter Young, the king's tutor,⁷⁵ and the two border administrators, James Hume of Coldenknowes and John Carmichael of that ilk.⁷⁶

Although certain members of the nobility also acquired such gifts, there seems a strong case for contending that most of these were rewards for faithful service. Thus, in 1579, the countess of Mar, in consideration for her "long, gude and cairfull service done to his majestie", was given £1,100 annually, of which £600 was to be forthcoming from the thirds of the bishopric of St. Andrews and the remainder from the mails of Strathearn.⁷⁷ Likewise, her son John, earl of Mar, received his award of £400 per month in 1578 out of the thirds in order that he could meet the extra expenses he had incurred as custodian of the king.⁷⁸ Similarly, it can be presumed that lord Boyd received his subvention of 1,000 merks per annum as recompense for his efforts at the collectory.⁷⁹

For that matter, neither Morton's own family and relatives nor his servants were enriched directly to an abnormal degree by the crown, either by the thirds or such branches of the kirk's patrimony as gifts of prebends and forfeited church property. Apart from Patrick Adamson⁸⁰ and Patrick Auchinleck,⁸¹ successively the regent's ministers, and George Auchinleck whose peculiar links with Morton have been examined elsewhere,⁸² only the acquisitions of his eldest natural son, James, could be regarded as, in any way, exceptional. Hence, in 1577, he obtained the escheat of the fruits of the deanery of Brechin, the chantory of Moray, the subdeanery of Ross and a number of other benefices forfeited by James Thornton, chantor of Moray, and two other, less substantial, awards.⁸³

To sum up, Morton certainly utilised some of the resources from the thirds as well as such other sources as gifts of prebends and escheats of forfeited property to provide pensions or other forms of remuneration for various candidates. Moreover, despite privy council announcements about the revocation of pensions out of the surplus which were ultimately ratified in parliament in November, 1579,⁸⁴ the practice undoubtedly prevailed.⁸⁵ However, the principal recipients were generally royal officials, especially lawyers, and there is no evidence of blatant patronage by the regent. Finally, Morton, in making such awards, far from being an innovator, was merely following a precedent established for over a decade.

On the other hand, there still remains for consideration those gifts made by certain prelates from their own fruits. Undeniably, there was a number of such donations during Morton's regime although only five bishops seem to have indulged in the custom. These were James Paton, bishop of Dunkeld, Robert Stewart, bishop of Caithness, William Gordon, bishop of Aberdeen and his successor, David Cunningham, and Patrick Adamson, archbishop of St. Andrews.

Paton had been nominated by the crown on 8 September, 1571 to succeed Robert Crichton,⁸⁶ and he was the subject of constant strictures for his behaviour from the kirk in the 1570's.⁸⁷ His only significant award, however, was an annuity of £220 from the thirds of the bishopric to a "servitor" of the regent, David Crawford of Blackcraig.⁸⁸ Stewart, a royal uncle, had originally been appointed as a young man in 1541 and had subsequently permitted considerable dilapidation of both his see and the priory of St. Andrews which he had obtained in 1570.⁸⁹ He, too, bestowed favour on an associate of Morton's - the egregious George Auchinleck of Balmanno⁹⁰ who received a gift of £100 per annum from the fruits of St. Andrews priory dated 11 October, 1575 which was confirmed on 5 January, 1580 -

but, in addition, on 26 December, 1576, he conferred a pension of £500 per annum from the fruits of his priory on the regent's natural son, George.⁹¹ Bishop Gordon, an incumbent since 1545, also dispensed largesse to Morton's offspring and, on 14 April, 1574, Archibald Douglas received confirmation of a similar pension from the "two-thirds" of the bishopric of Aberdeen.⁹² This process was continued by David Cunningham although on a less lavish scale. Thus, on 28 October, 1578, he confirmed four previous gifts amounting to £210 altogether.⁹³ Three of them were to "servitors" of Morton's, while the other was to the "keepare of owre said noverane lordis Wardrobe". Finally, between 1576 and 1578, a dozen minor figures attached to the regent's retinue obtained small awards from the primate, Patrick Adamson.⁹⁴

Outwith Morton's family and his followers, there was only a handful of significant awards. One person, for instance, who clearly benefited from his ancestry was John Lindsay, parson of Menmuir and son of the deceased David, earl of Lindsay. On 11 July, 1576, for example, he received an annuity of £200 from archbishop Adamson.⁹⁵ Nevertheless, it must be concluded that there was no systematic plundering of the bishoprics concerned. However, particularly in the case of ^{the} archbishopric of St. Andrews where Adamson bestowed several other pensions on a variety of individuals including his own son,⁹⁶ the aggregate amount was not inconsiderable. Furthermore, as has been aptly observed, it was unlikely that the archbishop was acting throughout in a spirit of "spontaneous generosity".⁹⁷

The issues arising from Morton's policy towards the thirds of benefices should not obscure the fact that other procedures, such as the feuing of kirklands, the appointment of laymen as commendators, and the dilapidation of bishoprics during vacancies also had financial implications for the kirk.

On 12 August, 1573, Alexander Hay, then clerk to the privy council and Morton's representative at the general assembly on that date, informed the members that "It being good reason that the ministers of the kirks should be sustained upon the rents thereof", the government intended a "reduction of the saids feus, tacks and dispositions wherethrough the rents of the saids commons and thrids may be goodly and rightly applyed as effeirs".⁹⁸ Nevertheless, although there were only eleven charters confirming ecclesiastical feus in 1573, there was an annual average in the region of fifty between 1574 and 1577. There was then an understandable decline in 1578 due to the disturbed nature of that year, followed by a rise to over fifty such charters in 1580.⁹⁹

Taking into account the pitfalls of any conclusion based on statistical evidence - not all such charters, for example, were necessarily registered under the great seal - it still might appear that the regent had ignored his original promise. However, inspection of individual feu charters reveals that their most notable feature is that many of them were originally contracted before Morton's accession, a tendency even more pronounced after 1578. A convenient example is a feu charter to Morton's natural son, Archibald, conferred by the crown on 8 February, 1574. On that date, the king ratified a charter in feu-ferm originally granted on 2 June, 1562 by William Colthird, chaplain of St. Thomas chapel in the parish of Douglas, to James Williamson, a burghess of Dalkeith. On 23 November, 1563, however, this had been transferred, with the consent of the burghess, to Morton's son, yet it was not until February, 1574 that the royal imprimatur was obtained.¹⁰⁰

Presumably, although some allowance must be made for lengthy delays on account of the expense and litigation involved, the greater stability of Morton's regency must have made some initial difference

to the number of those seeking official confirmation of their feus. Similarly, the events of March, 1578 appear to have convinced other feuars that the time was opportune to seek royal approval for their possessions. But there was no dramatic acceleration of feuing in the 1570's and the fact, as has been seen, that so many of the charters verified earlier covenants would lend weight to the conclusion that the whole business was, at least for the time being, past its zenith.¹⁰¹

Inevitably, the kirk protested, especially over fellow members who indulged in feuing. In October, 1576, for example, the brethren resolved that "considering the great prejudice and hurt done to the kirk of God be beneficit persons within the Ministrie that sets feuis and taks no beneficit person within the Ministrie, Bisshop or utheris sall lett feuis or taks of their benefices or ecclesiastical livings, lands rents teinds and fruitis of the same without the advice and consent of the General Assemblie".¹⁰² Indeed, by June, 1578, it had been decided that any member guilty of feuing should be "depryvit from thair offices and function in tyme comeing"¹⁰³ and the setting of feus or taks was, not unexpectedly, condemned in the second Book of Discipline.¹⁰⁴

On the other hand, it was not Morton who bore the brunt of the kirk's attacks so much as some of its own members, particularly if they were bishops. James Paton, bishop of Dunkeld, was one prelate who had to endure the assembly's denunciation. On 6 August, 1575, for instance, the members found "great fault" with him, condemning his setting of part of his benefice in feu and his granting of a tack for nineteen years of another part to the earl of Argyll.¹⁰⁵ Certainly, in Paton's case, with a clutch of feus granted to various possessors on 12 May, 1574 alone, the assembly's concern would seem justified.¹⁰⁶

In the practice of presenting laymen as commendators of abbeys,

Morton's policy was no different from that of his predecessors, Undoubtedly, it was a feature of his administration although there would appear to be no consistent motive behind the eleven presentations which were made between 1573 and 1580.

In some instances, as with the appointment on 14 March, 1577 of Robert Forbes, son of William lord Forbes, who replaced Alexander Forbes who had demitted office as commendator of Monymusk priory, some concern regarding the eligibility of the candidate was evinced. Thus, Forbes was noted as being over 21 years of age, and the commissioner of the kirk gave his approval to the promotion.¹⁰⁷ At the same time, of course, the Forbes were noted for their hostility towards the Gordons, and their loyalty to the crown had been rewarded on a previous occasion in a somewhat different fashion. Thus, in April, 1573, the master of Forbes "be my lord regentis grace speciall command" received £100 from the treasurer "for his supporte efter the feild of the Crabstane".¹⁰⁸

At Beaully priory, however, the principle of hereditary succession would appear to have operated. On 26 November, 1579, Thomas Fraser, second son of Hugh lord Fraser, succeeded John Fraser who had demitted the office.¹⁰⁹ Indeed, as this gift was quickly accompanied by the assignation of Robert Crichton of Elik, king's advocate, as administrator, since the "said Thomas be nocht of perfyte age", it can also be assumed that the crown profited from this arrangement.¹¹⁰

Of the other presentations, the acquisition of Eccles priory on 26 March, 1575 by James Hume of Coldenknowes and of Pittenweem priory on 4 December, 1579 by James Haliburton, provost of Dundee and privy councillor can be regarded as rewards for loyal service.¹¹¹ William lord Ruthven's position as royal treasurer would seem sufficient warrant for his son John's promotion to Scone abbey on 7 May, 1580.¹¹² In the case of Balmerino abbey, it was obtained following the death of

John Hay by Henry Kinnear, son of John Kinnear who, as the gift under the privy seal indicates, was a philosophy student at St. Andrews university.¹¹³ However, his bequest of a pension amounting to £500 on 26 December, 1576 to Morton's son, James, would suggest that this appointment was not without its dubious aspects.¹¹⁴ Ardochattan priory, on the other hand, which was in the possession of John Campbell, bishop of the Isles, was resigned by him to Alexander Campbell on 5 June, 1580 for what might appear to be no obvious reason.¹¹⁵ But, in fact, the latter was a natural son of the bishop, and the whole procedure was merely a transference of property within a particular family. This is borne out by the further agreement made between father and son on 13 November, 1580 when it was agreed that John should receive the fruits of Ardochattan and Iona during his lifetime but demit the commends in favour of his son, Alexander.¹¹⁶

There remains Pluscarden priory and Arbroath abbey. At the former, on 6 February, 1577, Morton's son, James, replaced Alexander, son of George lord Seton, an allegedly unworthy occupant. Clearly, on this occasion, the regent looked after the interests of his own kin.¹¹⁷ At Arbroath, however, where Esme' Stewart became commendator on 14 November, 1579,¹¹⁸ it was palpably a question of Morton having to accept a personally unpopular choice and one which resulted from his rival's influence over the youthful monarch.

Lastly, there is the matter of vacancies among the episcopate during Morton's administration and whether the crown, by delaying appointments, took financial advantage of the situation.

In the case of Aberdeen, where bishop Gordon died on 6 August, 1577 and his successor, David Cunningham, was appointed about two months later, the crown obviously reaped no profit.¹¹⁹ In the bishopric of Galloway, however, where there was a vacancy from

November, 1575 until 17 September, 1578, the situation was different.¹²⁰ Here, on 16 October, 1576, Morton's son, James, acquired the temporality and spirituality of the see until the appointment of a new bishop.¹²¹ Similarly, in the bishopric of Ross, where Alexander Hepburn had died by 31 October, 1578, Henry lord Methven was given the temporality on that date.¹²² Since there was no subsequent appointment, he retained it for the remainder of Morton's lifetime. At St. Andrews, where archbishop Douglas died on 31 January, 1574, there was a vacancy for over two years.¹²³ Yet, although certain pensions were awarded out of the two thirds of the see during this interval,¹²⁴ this delay does not appear to have been deliberate but rather a result of the opposition of some members of the kirk to Morton's candidate, Patrick Adamson.¹²⁵

In short, there was some dilapidation of the bishoprics under Morton but not on an extensive scale and certainly no more so than had taken place formerly.

The main points, therefore, which emerge from the preceding account are the greater efficiency, generally speaking, in the administration of the thirds of benefices, the lack of any substantial evidence to suggest excessively rapacious behaviour by the regent in his handling of the kirk's revenues, and the latter body's muted criticism of his financial policy, at least until the year 1578.

Thus, the accounts of the collector-general were properly audited, the ministers received local assignments of the thirds, and Morton's government assumed the function of collecting such payments. In addition, state control also meant the recovery of numerous unpaid revenues (the "new enterit benefices") as well as the more controversial re-organisation of the expanding ministry. On the other hand, the efficacy of the process of horning for non-payment must still be regarded as very questionable.

Again, in such matters as the granting of remissions and pensions from the thirds, the overall impression is not one of innovation. The kirk undoubtedly still continued to receive less than it might have but, with the exception, to some degree, of Morton's own friends and relatives, no single faction or individual seems to have been especially favoured. Unquestionably, the awards from the "two-thirds" of certain bishoprics were the most culpable practice.

Finally, opposition from the kirk to Morton's financial policy only became really strident on his return to power in 1578 and, even then, such protests were largely indistinguishable from the other demands of the second Book of Discipline. The treatment of one critic, John Davidson, may have acted as an effective deterrent in the earlier years but it does seem that it gradually became the larger issue of the constitution of the kirk and its relations with the state which preoccupied the minds of many members. Consequently, it is this question, that is, of Morton and the polity of the kirk, which must now be examined.

Notes to Chapter V

1. Macgregor Scottish Presbyterian Polity, 101.
2. This preface on the thirds is based on the introduction to Donaldson, Thirds of Benefices, vii - xxxix.
3. ibid., xli. There are no accounts extant for Ayrshire, the twelfth area.
4. BUK i, 263-64.
5. Donaldson Thirds of Benefices, xli.
6. RFC ii, 227-28.
7. ibid., 261.
8. ibid., 263.
9. ibid., 264.

10. Melrose Rec. iii, 146-47.
11. Glas. Rec. i, 449.
12. RPC ii, 286.
13. SRO, Thirds of Benefices, E45/8, 10, 13; see also Donaldson "The New Enterit Benefices" SWR xxxii, 93-98.
14. BUK i, 40, 59, 68, 70-71.
15. An abstract of the 1574 register is given in Wodrow Misc. i, 396.
16. BUK i, 296.
17. "An Apologie or Defence made by Mr. Johne Davidstone for not entering the 17th Day of June, 1574 in the Tolbooth of Edinburgh, to underly the law", Calderwood, History iii, 314-26.
18. ibid., 324-26; McCrie Melville i, 127.
19. Calderwood, History iii, 313.
20. BUK i, 289-90.
21. Calderwood, History iii, 312.
22. ibid., 301.
23. ibid., 309.
24. BUK ii, 458.
25. E.g. Diurnal, 338; Spottiswood, History ii, 196.
26. BUK i, 290.
27. ibid., 291, this demand was also made in the second Book of Discipline, ibid. ii, 502.
28. ibid. ii, 405, 419.
29. ibid., 457, 461.
30. SRO, Register of Assignations, E/47, 1-2; Register of Ministers, Exhorters and Readers, Maitland Club, 1830.
31. SRO, Thirds of Benefices, E45/8-14 (there is no "discharge" for 1574, and 1575 is completely missing).
32. Donaldson, Thirds of Benefices, 83-91.
33. ibid., 113-14; they were remitted in his favour the following year, ibid., 148.
34. SRO, Thirds of Benefices, E45/8-14.
35. Keith, Bishops, 131.
36. Described as James Hume of "Sinlawis Ewest", SRO, Thirds of Benefices, E45/10, f.111r.

37. Works Accts. xxvii; SRO, Thirde of Benefices, E45/10, f.110v.
38. Winram had had his thirds "allowed" since 1563, Donaldson, Thirde of Benefices, 242; Brunton and Haig, Senators of the College of Justice, 151.
39. SRO, Thirde of Benefices, E45/10, f.111v.
40. ibid. E45/10, f.111v and f.111r.
41. ibid. E45/10, f.111v.
42. For a brief account of Balfour's chequered career, see Balfour, Practicks, xi-xxxi.
43. Donaldson, Thirde of Benefices, 247.
44. SRO, Thirde of Benefices, E45/10, f.110r, f.111r and f.111v.
45. ibid., E45/10, f.110v.
46. c.f. Donaldson, Thirde of Benefices, 239.
47. ibid., xviii.
48. SRO, Thirde of Benefices, E45/10, f.111r; Donaldson, Thirde of Benefices, 89, 241.
49. SRO, Thirde of Benefices, E45/13, f.104r and 104v.
50. RPC ii, 347.
51. Donaldson, Thirde of Benefices, 208; SRO, Thirde of Benefices, E45/11, f.112v; he appealed successfully to the council in 1579 for the retention of his thirds, RPC iii, 179.
52. ibid. iii, 340-42; on 8 June, 1581, there was a royal order to repay him £40,000 of his expenses, ibid., 390-91.
53. He also had the surplus of the thirds of the bishopric of Galloway remitted, SRO, Thirde of Benefices, E45/11, f.113r.
54. ibid., E45/11, f.112v.
55. ibid., E45/8, 10, 11; (the "discharge" for 1576 includes those at the horn in 1574 and 1575).
56. ibid., E45/11, f.124r and f.124v; Donaldson, Thirde of Benefices, 295
57. SRO, Thirde of Benefices, E45/8, 10, 11.
58. Donaldson, Thirde of Benefices, xvii.
59. RPC ii, 310.
60. ibid., 312-13.
61. TA xii, 390.
62. RSS vii(1575-80), passim.

63. ibid., Nos. 45-46, 82.
64. See Chap. VIII, 165-66.
65. BUK 1, 339.
66. RPC 111, 241.
67. RSS vi, No. 2184.
68. ibid., No. 2562.
69. ibid. vii, No. 476; two other similar awards in 1576 were to James Millar, writer to the signet, and Nicholas Elphinstone of Schank, advocate. ibid., Nos. 568, 695.
70. ibid., No. 861.
71. ibid., No. 1070.
72. ibid., No. 1253.
73. ibid., Nos. 1051, 1315.
74. ibid., No. 765.
75. ibid., No. 2083.
76. ibid., Nos. 56, 378.
77. ibid., No. 2697; however, in the opinion of William Robertson, History of Scotland ii, 64, this was simply a device by Morton to retain the support of the countess.
78. RSS vii, No. 1660
79. ibid., No. 1655.
80. ibid., No. 219.
81. ibid., No. 1287.
82. See Chap. III, p. 30-31.
83. RSS vii, Nos. 1208, 1313, 1347.
84. RPC 111, 29-31, 35, 200-01; APS 111, 149.
85. James Meldrum, fiar of Segy, to quote but one example, had his pension renewed on 22 January, 1579, RSS vii, No. 1786.
86. RSS vi, No. 2812.
87. See below, p. 105.
88. RSS vi, No. 2003.
89. Keith, Bishops, 215-16.

90. RSS vii, No. 2183.
91. ibid., No. 812.
92. ibid., vi, No. 2448.
93. ibid., vii, Nos. 1687-1690.
94. ibid., Nos. 824, 827, 862-69, 916, 941.
95. ibid., No. 658.
96. ibid., Nos. 1726, 1746, 2015, 2182, 2497.
97. ibid., x (introduction).
98. BUK i, 277-279.
99. RMS iv, v, *passim*.
100. RMS iv, No. 2180.
101. See Sanderson "Feuars of Kirklands", SHR 111, 117-136.
102. BUK i, 373.
103. ibid. ii, 413-14.
104. ibid., 510.
105. ibid. i, 331-32.
106. RMS iv, Nos. 2236-2234.
107. RSS vii, No. 956.
108. TA xii, 345.
109. RSS vii, No. 2113.
110. ibid., No. 2133.
111. ibid., No. 140 (Hume), RMS iv, No. 2930 (Haliburton).
112. ibid., No. 3011; it was, in any case, traditionally a Ruthven perquisite.
113. ibid., No. 2232; see also St. Andrews Acta, ii, 438-39.
114. RSS vii, No. 813.
115. RMS iv, No. 3021.
116. Clan Campbell vi, 42-3.
117. RMS iv, No. 2640.
118. ibid., No. 2920.

119. Spalding Misc. ii, 46; RSS vii, No. 1254.
120. Keith, Bishops, 279; RSS vii, No. 1646.
121. ibid., No. 730.
122. ibid., No. 1693.
123. Diurnal, 341.
124. RSS vii, Nos. 187, 658, 704.
125. See Chap. VI, 124-25.

C H A P T E R VI

THE POLITY OF THE KIRK

Morton had been closely involved with the affairs of the kirk before he became regent. Indeed, it was the presentation in August, 1571 of his elderly protégé, John Douglas, rector of St. Andrews university, to the vacant archbishopric which had precipitated a serious religious controversy between the regent Mar and the kirk. Eventually, after considerable debate between the two sides, it was agreed there should be a conference at Leith to settle outstanding issues. This was held in January, 1572 with Morton a prominent member of the government's delegation.¹

As a result of the Leith convention, it was agreed that the existing diocesan boundaries should remain unaltered but, within a year of a vacancy occurring in any bishopric, the government should nominate a suitably qualified candidate. Such a nomination would, however, be followed by the approval of the chapter concerned. In addition, in the case of nominations to the commendatorships of vacant monasteries, only when proper provision for ministers out of the teinds of churches appropriated to any monastery had been obtained should appointments be made. Lastly, the powers of the new bishops were to be comparable with those of the superintendents, being subject to the kirk in religious matters and to the civil power in temporal affairs.²

However, another important consequence of the Leith meeting was that the kirk, which had gained succession to the lesser benefices in

1567, now obtained access to those of the higher clergy. In fact, it has been suggested that Morton hoped that, by persuading the leaders of the reformed church to accept episcopacy and consequently benefit financially, a solution had been found to the perennial issue of the kirk's endowment.³ But, with so much of the wealth of the church already given away, the 1567 Act had proved an unsatisfactory measure as far as the ministers' stipends were concerned. Furthermore, the arrangements of 1572, because of the inroads into ecclesiastical revenues, particularly by awards of pensions, did not give the bishops anything like the livings enjoyed by pre-reformation occupants.⁴

In other words, the problem of finding a permanent endowment remained after 1572 and, if Morton, on his accession to the regency, did believe that the bulk of his problems within the kirk were resolved and that its members would be quiescent, he was quickly disillusioned. In fact, the general assembly in August, 1572 had made its position quite clear by accepting the Leith arrangements in principle^{le} but adding, significantly, "that the said heids and articles agreed upon be onlie receaved as an interim till further and more perfyte order may be obtained".⁵ Although the regent admittedly had helped matters to some extent by passing a statute in January, 1573 which insisted that all holders of benefices must subscribe to the confession of faith or suffer deprivation,⁶ this statute operated unevenly. Admittedly, a number of deprivations are recorded in the register of the privy seal in 1573 and subsequent years. Indeed, the gift of the fruits of Pluscarden abbey to Morton's natural son, James, in February, 1577 was stated as being a consequence of the "last pryoure thairof, for non geving of the confessioun of his faith and acknolegeing of our said soveranis auctoritie within the space and according to the ordour appointit in the act of Parliament laitlie

maid thairancnt",⁷ On the other hand, the act ignored those who were prepared to subscribe to the confession of faith but were not willing to serve the church, and this loophole inevitably meant that it was of limited value.

Consequently, Morton, from the outset of his regency, had to contend with the criticism of a substantial minority of ministers and their supporters. This body was determined that outstanding questions affecting endowment and polity should be answered by the government. What this radical party within the kirk probably lacked initially was someone to provide leadership - a deficiency remedied, however, by the return of Andrew Melville in July, 1574.

Melville, who returned to Scotland with a brilliant academic reputation acquired at Poitiers and Geneva, although offered a temporary position in Morton's household on the understanding that "he should be honourable advanced at the first occasion", preferred to seek a university post.⁸ Thus, in October, 1574, on the special recommendation of archbishop Boyd of Glasgow and Andrew Hay, commissioner of the west, he was appointed principal of Glasgow university.⁹ The regent, therefore, who may have sought Melville's services for the dual purpose of adding a distinguished scholar to his retinue,¹⁰ and, at the same time, at least so his nephew, James Melvill, believed, muzzling a potentially dangerous religious opponent,¹¹ had failed in his bid to attract him. The new principal now proceeded not only to revive Glasgow university but also to act as a catalyst to the latent disquiet among the members of the kirk.

Thus, in March, 1575, for example, he replaced Alexander Arbuthnot, principal of the college of Aberdeen, as one of the seven commissioners nominated "to concur and reason with my lord Regents Grace his commissioners upon the jurisdiction and polity of the Kirk".¹² Since Arbuthnot and Melville had already met and agreed on a programme

of university reform,¹³ this substitution might well have been at Arbuthnot's own suggestion. However, it meant that Melville became a member of the joint committee headed by the regent's chancellor, lord Glamis, who had been authorised by a recent parliamentary convention "to convene, confer, reason and put in forme the ecclesiastical policie and ordour of the governing of the kirk".¹⁴

The Glamis committee has left no record of its work but it can be assumed with some degree of certainty that it experienced difficulties in devising a satisfactory formula. This would explain why Glamis, about a year later, presumably with Morton's permission, sought the advice of Theodore Beza, Calvin's successor at Geneva.¹⁵ Furthermore, in his letter to the Swiss reformer, he also remarked that "adequate agreement has not yet been reached among us on matters of government and constitution on which men devout and right minded on all points of religion are sometimes found to differ".¹⁶ The contentious issues troubling the chancellor and the regent, as the dialogue with Beza reveals, included such diverse matters as the status of the bishops in a reformed church, the kirk's right to summon its own assemblies as well as the powers which these possessed, the treatment of catholics and whether the sovereign, in the case of the kirk's patrimony, "can appropriate the remainder so that he be free to convert it into his own or public use".¹⁷

Beza's reply, on the other hand, with its anti-episcopal comments and its emphasis on the primacy of the kirk, could hardly have appealed to Morton or his governmental colleagues.¹⁸ Nevertheless, the correspondence can be regarded as indicative of the regent's desire to establish a modus vivendi with the kirk as well as further evidence of growing pressure upon him under Melville to find such a solution.

A further illustration of the impact of Melville's leadership

forcing Morton to give serious consideration to a wide variety of issues affecting the kirk is provided by the forty-two questions which he submitted for the assembly's deliberation in October, 1576.¹⁹ Whether they emanated from the regent himself or, as Calderwood would have us believe, from the archbishop of St. Andrews, Patrick Adamson, is of little consequence.²⁰ What they undoubtedly did succeed in doing was to provoke discussion on such controversial topics as the powers of the assembly, the status of bishops, ecclesiastical representation in parliament, the kirk's patrimony, alterations in diocesan boundaries, reasons for deprivation, future policy regarding benefices, the judicial powers of the kirk, the permanency of the Leith arrangements as well as a number of other relevant issues.

Another area where Morton was possibly likely to have become aware of Melville's more decisive authority within the kirk was over the requests made for his presence, or one of the members of his council, at the sessions of the general assembly. Such demands, made, it has been suggested, with a view to committing the regent's government to acceptance of the policy which the kirk was busy framing,²¹ were made in October, 1576 and with particular insistence a year later.²² On the latter date, Morton apprised the members that "in respect of sindrie important businesses he could not have the counsell so soone convened", and suggested that a deputation from the assembly should contact him, as had happened before, about its deliberations.²³ In short, Morton had no intention of encouraging the idea once prevalent in the 1560's that the privy council, or at least part of it, should attend the general assembly. Moreover, it is possibly about this date that Morton, in conversation with Melville, made one of the more controversial comments attributed to him. Melville's party, he is supposed to have stated, "be thair conceats, owersie dreames, imitation of Genev discipline and lawes" were a

serious source of internal dissension. "Ther will never", he allegedly concluded, "be quyetnes in this countrey till halff a dissonne of you be hangit or banished the countrey".²⁴ Although, in a moment of exasperation, the regent may conceivably have been guilty of such an outburst - one which may well have registered his innermost feelings about the Melvillians - there is no evidence that he ever seriously contemplated the unstatesmanlike solution of hanging his opponents.

On the other hand, Morton would undoubtedly have liked Melville out of the way, if only for a short period. Thus, it is quite possible, as Calderwood avers, that, in the request made by queen Elizabeth in October, 1577 for Scottish churchmen to attend a conference on the Augustan confession at Magdeburg, the regent saw an opportunity of being rid, if only temporarily, of Melville.²⁵ Certainly, Melville was one of the two delegates nominated by the government for a mission which was ultimately abandoned through "want of expences and charges".²⁶

While Morton, in the face of growing pressure from the anti-episcopal party, clearly endeavoured to establish a polity favourably inclined towards episcopacy, it would seem mistaken to regard all the criticism of bishops made in the years 1573 to 1578 as proof of a continuous campaign against them. Certainly, it was the general assembly's desire to extend its disciplinary powers to embrace all its members which brought it into conflict with particular bishops. Those most concerned were Alexander Gordon, bishop of Galloway, James Paton, bishop of Dunkeld, George Douglas, bishop of Moray, and, eventually, Patrick Adamson, archbishop of St. Andrews.

Alexander Gordon, nominated to his see of Galloway in 1559, was a brother of George, fourth earl of Gordon and a cousin of queen Mary. He had supported the reformation but lost favour with the

kirk through his Marian sympathies in the civil war.²⁷ In March, 1573, the general assembly repeated an earlier prohibition on his exercising any spiritual functions within the kirk while, in August, "certain heads of accusation were given in against him" regarding his behaviour during the siege of Edinburgh.²⁸ Then, among other transgressions, he was alleged to have both "taught the people most perverse and ungodlie doctrine" and encouraged them "to rebell against our soverane lord and to joyne with manifest rebels and conjured enemies". The bishop, however, declared the pacification of Perth, signed earlier that year, absolved him from any past offences, and the assembly was obliged to have recourse to Morton's arbitration.²⁹ The regent, although he insisted that the terms of the Perth agreement must be respected, nonetheless afforded Gordon little consolation by adding that his decision was not to be regarded as "prejudging the privilege of the Kirk".³⁰ The affair continued until August, 1575, three months before Gordon's death, when the assembly, having acted in March "with consideration of my lord Regent's Graces request made in his favours", reduced his sentence to one of only public penance at the kirk of Holyrood house,³¹ and announced that "no fault they will find, that he will preach truly the word of God albeit he stand suspended from commission of visitation".³² Why Morton should have intervened on Gordon's behalf is problematical: the original sentence was that "he should make publick repentance in sackcloath three severall sundays one in the Kirk of Edinburgh another in Holyroodhouse and the thrid in the Queens College for Sanct Cuthbert's Kirk", and perhaps he objected to any member of the episcopate being subjected to such a degrading punishment.³³ For whatever reason, it didn't protect Gordon from the vigilance of the regent's collector-general of thirds, Robert lord Boyd, who, on 6 April, 1574, was given the gift under the privy seal of the escheat

of Gordon's goods on account of his non-payment of pensions to Archibald Crawford, parson of Eaglesham, and Stephen Wilson, parson of Glendevon, as well as his failure "for whatsoever years past" to contribute the thirds for either his bishopric or Inchaffray abbey, of which he was formerly commendator.³⁴

James Paton, nominated by the crown to Dunkeld on 8 September, 1571 to replace the Marian incumbent, Robert Crichton,³⁵ was charged with a variety of offences by the general assembly in August, 1573.³⁶ These included accusations of inactivity against catholics, particularly John earl of Atholl, a simoniacal agreement between himself and the earl of Argyll, and of voting in parliament contrary to the interests of the assembly. By August, 1575, in addition to these shortcomings, he was being indicted for permitting the dilapidation of his benefice, non-residence and, in one instance, placing one minister in charge of several kirks.³⁷ At this juncture, Morton, whose council had already rebuked Paton for failing to pay ministers and readers their stipends from the thirds,³⁸ became involved in the proceedings. Paton alleged the controversial lease granted the earl of Argyll had only been yielded under duress, and produced evidence that he had a promise of assistance for obtaining its reversion from the regent himself.³⁹ Therefore, the members, heeding a request from Morton that "all further process against the said bishop should be intermitted till the next assembly", postponed further action meanwhile.⁴⁰ However, at its next meeting in April, 1576, the assembly found Paton guilty of his misdemeanours, and sentenced him to be permanently deprived of his office "so farre as lycs in thair power".⁴¹ The regent accepted this verdict, observing that "the kirk hath proceeded against him and deprived him worthilie for his offence, he could find no fault therein".⁴² Morton, in short, was clearly unwilling to protect a member of the episcopate who had so

blatantly offended the general assembly.

The regent displayed a similar disinterest in the kirk's treatment of his kinsman, George Douglas, bishop of Moray. Douglas, a natural son of Archibald, sixth earl of Angus, and a privy council member since 1572, received royal confirmation of his appointment on 5 February, 1574.⁴³ The assembly in March that year immediately challenged his election on the grounds of immorality, and a committee was designated to examine the chapter which had approved his election.⁴⁴ The question of his worthiness prevailed until 1576 with the disparaged Douglas twice evading a confrontation with his accusers by pleading, on one occasion, that he was unwell and, on another, the legal disability of being at the horn.⁴⁵ There seems little doubt that Morton, in this instance, was unprepared to intervene on behalf of a prelate whose calibre, in itself a reflection on himself, the assembly had apparently had good grounds to impugn. In other words, the regent, it must be concluded, at times paid scant regard to the quality of some of his episcopal appointments and, consequently, to one of the terms of the Leith agreement.

John Douglas, archbishop of St. Andrews, between February, 1572 and July, 1574, regarded as unsuitable for the task by many churchmen on account of his advanced years, and James Boyd, archbishop of Glasgow from November, 1573, were two other members of the episcopate who, in the earlier part of Morton's regency, experienced the strictures of the kirk, albeit to a lesser degree.⁴⁶ Again, the regent remained inactive, almost certainly because he recognised such criticism as being a regular feature of every assembly since their inception and a facet of what has been termed the "new ecclesiastical democracy".⁴⁷ In other words, he did not perceive it as a general assault on the status of the bishops.

Moreover, he must have regarded the rigorous treatment of various

commissioners and superintendents as confirmation of this viewpoint. Thus, at the general assembly at Edinburgh on 6 August, 1575, for example, it was not only the bishops of Dunkeld, Galloway and Moray who were the subjects of the members' attention, nor, for that matter, the archbishop of Glasgow who was rebuked for being "negligent in preaching".⁴⁸ Consequently, John Erskine of Dun, superintendent of Angus and Meams, was charged with admitting an unsatisfactory minister; George Hay, commissioner for Aberdeen, was accused of permitting "certain patron and festival dayes" and of a lack of discipline within his province, while Robert Graham, commissioner for Caithness, was indicted for defaulting on visitations and giving his consent to a controversial marriage.⁴⁹ Clearly, the bishops were not the only body to experience the investigative tendencies of the assembly.

In the latter part of Morton's regency, the only member of the hierarchy to feel the weight of the kirk's disapproval to any great extent was Patrick Adamson. Adamson, once an outspoken critic of John Douglas, had become the regent's chaplain and, on Douglas' death, his candidate for the primacy.⁵⁰ In October, 1576, the general assembly challenged Adamson's right to accept presentation to St. Andrews without first satisfying the members as to suitability and worthiness.⁵¹ In doing so, they were adhering to one of their own decisions, agreed upon at an earlier assembly in March, 1575, that "no bishop be elected to a bishoprick be the Chapter before he give proof of his doctrine before the Generall Assembly".⁵² This had meant that, in March, 1575, Andrew Graham, Morton's candidate for the bishopric of Dunblane, had to satisfy the assembly before it approved his presentation. Initially, Adamson gave the impression of acquiescing to the members' demands by stating that Morton "had discharged him to proceed farther in this matter . . . and therfor he

wald not midle farther".⁵³ However, during a later session of the same assembly, following a complaint by the chapter of St. Andrews that "my Lord Regents Grace has presentit Mr. Patrick Adamson to the Bishoprick of Saint Androes", he was asked if he would "submit himself to the tryale and examination of the Assemblie".⁵⁴ But Adamson, probably on the regent's instructions, declined to do so and, shortly afterwards, his appointment was confirmed by the crown.⁵⁵ The assembly's reply in April, 1577 was to withhold recognition of his title and to refuse to grant him his powers of visitation.⁵⁶

However, before reaching any final conclusions about the intensity of the campaign against bishops at this stage of Morton's career, it might be advisable to consider the significance of the proposal regarding visitations of dioceses first made in the assembly of April, 1576. That body "Forasmekle as the great and intollerable burden lying to the charge of Bishops, Superintendents and Commissioners is and hath been the very cause that the whole kirk within thir bounds could not be ducly overseen, consequently good discipline unexercised within the same for lack of visitation", resolved in an attempt at rectifying this situation, to nominate several brethren "to make a proper distribution and division of the whole bounds of this realme".⁵⁷ Consequently, the following day, a list of visitors was announced for the whole country.⁵⁸ Since only the bishops of Dunblane, Moray and Ross were included among those named, this development could be looked upon as an example of the assembly seeking to extend its influence over the country. Correspondingly, it could be regarded as an attempt to diminish the powers of visitation possessed by the bishops and, accordingly, as a thinly-veiled attack on them. On the other hand, the use of visitors in 1576 could be regarded as simply part of the process of merging their functions with those of the superintendents.⁵⁹

However, notwithstanding the introduction of the visitors and some efforts especially in the case of James Boyd, bishop of Glasgow, to persuade him "to accept of a particular charge and flock",⁶⁰ there would still seem insufficient grounds for concluding that the episcopacy was under intolerable pressure in these years. In some ways, this is unremarkable. Morton's position was much more secure than what it was to become later while, on the other hand, Melville and the members of the assembly were greatly preoccupied with the compilation of the second Book of Discipline. Consequently, it was not until their constitution was rejected, or at least shelved, that Morton and all the episcopate had to face a really belligerent kirk.

Shortly before the coup of March, 1578, the committee responsible for drafting the final version of the "Booke of Policie" presented it to the regent and fixed a date for further discussions of its contents.⁶¹ This arrangement, however, was overtaken by Morton's demission and possibly, as has been argued,⁶² acting on the assumption that there was more likelihood of affecting a change in the ecclesiastical constitution now that the royal minority had technically ended, the same committee delivered its proposals and certain other requests to the new government.⁶³ In April, 1578, the general assembly, with Andrew Melville as moderator, undoubtedly concerned lest, in the turmoil of Morton's overthrow, its religious recommendations were overlooked, "thought the same mcitt to be craved of the counsell and desired my Lord Herries and the Abbot of Deir present of thir opinion concerning the said Articles".⁶⁴ But the two commissioners representing the new administration informed the brethren that they had no authority to discuss policy and could only refer the assembly's demand to the council.⁶⁵ Discussions between the latter and the kirk's representatives now followed, and it was

agreed there should be further talks so that "all things may be duly advised upon befor the Parliament".⁶⁶ By this date, that is, July, 1578, Morton, however, had retrieved his position. Nevertheless, the church leaders had grounds for hoping for a successful outcome in parliament since, as the general assembly specially summoned that month was informed, when their demands were presented to the former regent, they had been received in encouraging fashion.⁶⁷ "Not only", he declared, "would he concur with the kirk in all things that might advance the true religion presentlie professit within this realme bot also wald be a procurator for the Kirk".

Morton, at this juncture in June, 1578, it can safely be presumed, was anxious to recruit as much support as possible, hence his friendly response to the kirk's delegates and, later that month, his conciliatory manner during further discussions with the kirk leaders.⁶⁸ However, in the parliament held the next month at Stirling, his influence on the kirk's behalf is conspicuous by its absence. Instead, the twelve commissioners in attendance as representatives of the kirk's interests were notified that "the said buik being red and considerit in presence of the lords chosen upoun the artioles and mony headis thair of being found of sa great wecht and consequence that no resolution nor determination can be presentlie gevin thairin".⁶⁹ Consequently, yet another conference on the subject was proposed to be held at Stirling on 18 August. This was a serious blow to the kirk's envoys who seem to have believed, although this was contradicted by the archbishops of St. Andrews and Glasgow, that the June talks had left only four items unresolved.⁷⁰ Morton, admittedly, was willing to authorize parliament ^{to} legalise some of the proposals but the commissioners were unwilling to accept such a piecemeal arrangement.⁷¹ They also disagreed about the composition of the joint committee due to meet in August, and proceeded to make the rather audacious

pronouncement "that it became not the prince to prescribe on policie to the kirk and if they would appoint anie, they would not consent to it."⁷² Not surprisingly, Morton and his colleagues "took it in evil part" and the brethren were rebuked for their temerity.⁷³

Thus, the kirk discovered Morton's strategy during his latter years in office was to be one of procrastination. Obviously, the August conference never took place because of the internall dissension that month but, in December, 1578, there were further discussions at Stirling. From 22nd to 29 December, there were regular sessions at Stirling castle between a deputation from Morton's government led by Robert, earl of Buchan, and the two archbishops and one representing the kirk, consisting of Robert Pont, James Lawson, John Row and David Lindsay.⁷⁴ While there was some measure of agrcement over quite a number of articles in the second Book of Discipline, there were still important items "referred to further reasoning", "past over" or "differed". In these categories, predictably, were sections of Chapter I, "Off the Kirk and Policie thairof in generall", and Chapter VII, "Off Elderschippis and Assemblies and of Discipline". In the case of Chapters VIII and IX which dealt with the dēaconate and the patrimony of the kirk, it was "Thought good to be superseded, whill the hecd of the corruptions be reasouned". Similarly, discussion on Chapter V, "of Doctors and their office", which was particularly apposite to Melville's desire that "doctors", like himself, should be regarded as an order in the church, was postponed "till further reasoning".

About a year later, in November, 1579, it was agreed by parliament, in answer to a request from the general assembly for a resumption of the unfinished talks of the previous December, that there should be such a meeting.⁷⁵ Accordingly, a committee headed by Morton was instructed to liaise with the kirk leaders on 11 April, 1580 at

Edinburgh "to search furth mair specealie and to consider what other special pointis or clauss sould appertene to the jurisdiction privilege and authoritie of the said kirk". It is extremely unlikely that such a meeting ever took place and there is no reference whatsoever to it at the next general assembly in July, 1580.

Indeed, on that occasion, yet another delegation was nominated for discussions with the government about a series of items including the "Book of Policie" which, it was hoped, "may be establischt be ane act of Privie Counsell, quhill ane Parliament be had".⁷⁶

The kirk's answer to Morton's vacillation, it having already been decided, in April, 1578, that "Bischops and all uthers bearing Ecclesiastiall function, be callit thair owin names, or Brothren in tyme comeing", was to intensify the campaign against the bishops.⁷⁷ By October, 1578, for example, an eight-point programme of episcopal reform had been devised.⁷⁸ Thus, bishops were required to "be content to be pastors and ministers of ane flock"; they were inhibited from either claiming temporal titles, exercising criminal jurisdiction or voting in parliament without the permission of the kirk; they were exhorted not to live extravagantly nor squander wealth which could otherwise provide stipends, assist education or relieve the poor; they were adjured not to exceed the limits of their diocesan powers either with regard to visitations or by overruling the presbyteries.

In addition, as might be expected, individual prelates were also the targets for criticism. In the October, 1578 assembly, for example, there was a renewal of that harassment of the archbishop of Glasgow which, in one opinion, was partly responsible for his premature demise.⁷⁹ Boyd, on this occasion, would appear to have defended himself quite competently against various charges of "negligence" or "indiscipline", basing his defence, ultimately, on the status of the

bishops as determined by the Leith convention.⁸⁰ Then, at the next assembly in July, 1579, it was Boyd's colleague, Patrick Adamson, who, in his absence, was the object of the kirk's censure.⁸¹ The primate was indicted for voting in parliament, giving collation outwith the bounds within which the members believed he should be confined, as well as other irregularities.⁸² Adamson was also condemned for his behaviour in parliament the previous year when he had contradicted the kirk leaders over the decisions reached at the pre-parliamentary conference on the second Book of Discipline.

Predictably, in the last months of Morton's administration, as his authority distinctly declined, so the kirk's assault on episcopacy gained increasing momentum. Thus, at the assembly in July, 1580, the suspension of James Paton, bishop of Dunkeld, was renewed; Andrew Graham, bishop of Dunblane, was accused of various misdemeanours, and the bishops of Argyll, Brechin, Caithness and Orkney were ordered to "compeere" before the brethren.⁸³ This was followed by a denunciation of the office of bishop and with the issuing of instructions for synodal assemblies to be held in August at Glasgow, St. Andrews, Aberdeen and Elgin where the members of the episcopacy concerned would be required "to give obedience to the said Act".⁸⁴

Thus, it has been seen, in the years 1578-80, Morton faced a two-pronged offensive from the kirk. Initially, the members had concentrated on seeking recognition for the second Book of Discipline but, after experiencing a discouraging series of delays, they directed their energies towards a more determined attempt to undermine the bishops.

The overall impression which emerges is of an ill-defined religious policy in which hesitancy and procrastination feature prominently. Admittedly, Morton had originally asked the kirk to submit a detailed plan for a reformed church but, on the other hand,

he obviously had no intention of accepting those controversial sections which would have established a kirk financially independent and free from civil control. Morton's stance, it so happened, was clearly understood by Melville who, in his correspondence with Beza in 1578-79, succinctly outlined the ex-regent's attitude.⁸⁵ "They (i.e. the nobility) complain", he informed the Swiss reformer, "that if pseudo-episcopacy be abolished, the state of the kingdom will be overturned; if presbyteries be established, the royal authority will be diminished; if the ecclesiastical goods are restored to their legitimate use, the royal treasury will be exhausted. They plead that bishops, with abbots and priors form the third estate in parliament that all jurisdiction, ecclesiastical as well as civil, pertains solely to the king and his council and that the whole of the ecclesiastical property should go into the exchequer". Undeniably, it was Morton's intention to preserve the status quo and, with the support of most of the nobility as well as Patrick Adamson, one of his more inspired ecclesiastical appointments, he possibly believed he could deflect most of the unacceptable proposals of his religious opponents.

At the same time, the question remains how perturbed Morton was regarding the strength of the opposition emanating from the clerical party. Inevitably, although it had been serious enough when he was regent, this must have been a greater problem in the less stable period following his return to power. Yet he could, on occasion, treat the members of the kirk with some asperity as, in July, 1579 when he had king James exhort the assembly not to dabble in matters "that may seeme prejudiciall to that good ordour of the government of the kirk and the ecclesiasticall policie heirtofoir lang travellit in and hopeit for".⁸⁶ Such items, "not concludit be our lawis or receivit in practice", the admonition continued, "let it so rest

without prejudging the same with any of your conclusions at this time, since our Parliament now so shortly approaches".

Nevertheless, Morton could not fail to have been aware how influential the kirk was throughout the country and the possible repercussions of antagonising its members too much.⁸⁷ There was the episode in October, 1578, for example, when the assembly, disgruntled at his tactics, invited Atholl, Lindsay, Montrose and Seton, some of his most noted adversaries, to their sessions and sought their assistance with the king and council.⁸⁸ Again, Lennox, who posed the greatest threat to Morton's supremacy, astutely realising the importance of placating the kirk, made not inconsiderable efforts during 1580 to convince the brethren of his religious conformity,⁸⁹ and tactfully handled the Edinburgh minister, John Dury, who, in October, 1580, had condemned both Morton and himself for their factious behaviour.⁹⁰

Finally, the fact that Morton and the Melvillians shared, for dissimilar reasons, a preference for the English alliance should not be overlooked. For Melville and his colleagues, this represented an association with the leading anti-catholic power in Europe and with a country where, at least at this stage, their co-religionists were making considerable progress. But for Morton "to be conform with England in the Kirk's policie", as Melville's nephew acutely observed, implied "to haiff Bischopes to rowll the Kirk and thay to be answerable to the king and sa the frie preaching repressed".⁹¹

Morton may have partly favoured retaining episcopacy in order to preserve that Anglo-Scottish amity which certainly was a cardinal feature of his foreign policy, and Patrick Adamson, at least, is believed to have held this view.⁹² Nevertheless, before turning to examine relations between the two countries, it is salutary to conclude by reflecting that, just as the Melvillians stood to lose if Morton

was overthrown, so the latter could ill-afford the permanent antagonism of the kirk. In short, on the one hand, it was highly unlikely that Morton's political adversaries would consider a Calvinistic church settlement; conversely, Morton required all the support he could muster within Scotland for his English alliance, and it would have been tactless and undiplomatic to push Melville and his cohorts too far. Morton might not "suffer Chryst to reing frielie" but he was also, in James Melvill's opinion, "a man ever cast upon the best syde and did honestlie and stoutlie in the cause".⁹³ Thus, it would seem that, to some extent, both sides may well have pulled their punches in the quest for a religious settlement which, at Morton's downfall, was still unresolved.

Notes to Chapter VI

1. Donaldson, Scottish Reformation, 160-63.
2. Calderwood, History iii, 172-96.
3. Macgregor, Scottish Presbyterian Polity, 100.
4. Donaldson, Scottish Reformation, 155; see, for the bishopric of Galloway, Donaldson, Alexander Gordon, bishop of Galloway, TDGAS, 3rd Series, xxiv, 113.
5. Calderwood, History iii, 221.
6. APS iii, 72.
7. RSS vii, No. 891.
8. Melvill, Diary, 45.
9. ibid., 47-48.
10. McCrie, Melville i, 59.
11. Melvill, Diary, 45.
12. BOK i, 325-26.
13. Melvill, Diary, 53.
14. APS iii, 89.

15. The date is given as probably April, 1576, Donaldson, Lord Chancellor Glamis and Theodore Beza, SMS Miscellany viii, 89-113.
16. ibid., 100.
17. ibid., 101-113.
18. Beza's answers are printed following each question, ibid., 102-112.
19. BUK 1, 368-73.
20. Calderwood, History iii, 343.
21. Shaw, General Assemblies, 55.
22. Calderwood, History iii, 365, 392-93.
23. ibid., 385.
24. Melvill, Diary, 68; Calderwood, History iii, 393-94.
25. ibid., 386-87.
26. George Hay, commissioner for Caithness, was the other representative, BUK 1, 394-95; Calderwood, History iii, 387.
27. Donaldson, Alexander Gordon, bishop of Galloway, TIGAS 3rd Series, xxiv, 111-128.
28. BUK 1, 261, 273-74.
29. ibid., 274.
30. ibid., 275.
31. ibid., 319-20.
32. ibid., 343.
33. ibid., 277; Calderwood, History iii, 293.
34. RSS vi, No. 2434; he had resigned the commendatorship of Inchaffray to one of his cousins in 1566, ibid. v, No. 2211.
35. ibid. vi, No. 2812.
36. BUK 1, 270.
37. ibid., 331-32; Calderwood, History iii, 347-48.
38. RPC ii, 363-64.
39. BUK 1, 340-41; Calderwood, History iii, 348.
40. BUK 1, 341; Calderwood, History iii, 348.
41. BUK 1, 350-352; Calderwood, History iii, 359-61.

42. BUK 1, 352.
43. He succeeded Patrick Hepburn, deceased bishop of Moray, RSS vi, No. 2309.
44. BUK 1, 288.
45. ibid. 1, 300-02, 321, 349; Calderwood, History iii, 332, 340, 359; 'he was at the horn for non-payment of the thirds of his bishopric, SRO, Thirds of Benefices, E45/10.
46. For Douglas, see BUK 1, 255 et seq; Calderwood, History iii, 272 et seq; for Boyd, see BUK 1, 300 et seq; Calderwood, History iii, 331 et seq.
47. The expression is used by Donaldson, Alexander Gordon, bishop of Galloway, TDGAS, 3rd Series, xxiv, 125.
48. BUK 1, 331; Calderwood, History iii, 347.
49. BUK 1, 332-33. (Calderwood, History iii, 349-50 omits Erskine but gives details of certain aspersions regarding John Winram, superintendent of Fife).
50. Keith, Bishops, 40.
51. BUK 1, 367.
52. ibid., 325-26; Calderwood, History iii, 341-42.
53. BUK 1, 367.
54. ibid., 376-77.
55. RSS vii, No. 789.
56. BUK 1, 385-86.
57. ibid., 353; Calderwood, History iii, 363.
58. BUK 1, 358-59.
59. Kirk, The Influence of Calvinism on the Scottish Reformation, SCHS, xviii, 167-68.
60. BUK 1, 359; Calderwood, History iii, 367.
61. BUK ii, 404; Calderwood, History iii, 399.
62. Donaldson, The Scottish Episcopate at the Reformation, EMR, lx, 349-64.
63. BUK ii, 405; Calderwood, History iii, 399.
64. BUK ii, 405; Calderwood, History iii, 400.
65. BUK ii, 406; Calderwood, History iii, 400.
66. BUK ii, 408; Calderwood, History iii, 402.

67. BUK ii, 414.
68. Calderwood, History iii, 415.
69. APS iii, 105.
70. Calderwood, History iii, 415.
71. ibid., iii, 415.
72. ibid., iii, 415-16.
73. ibid., iii, 416.
74. The details of this conference are given in Calderwood, History iii, 433-442.
75. APS iii, 138; the assembly had made this proposal in July, 1579; BUK ii, 438.
76. ibid., 460-61.
77. ibid., 404.
78. ibid., 419.
79. W.M. Campbell, Robert Boyd of Trochrigg, SCHS, xii, 220-34.
80. BUK ii, 420-21, 423; Calderwood, History iii, 428-30.
81. Adamson could not have been present since the assembly authorised its commissioners to summon him, BUK ii, 433; Calderwood, History iii, 444-45.
82. One of these, his intrusion of a reader into the parish of Bolton (Fife) was also the subject of a complaint by the parishioners concerned to the privy council who referred the dispute to the next parliament, RPC iii, 95-96.
83. BUK ii, 451, 454; Calderwood, History iii, 464-65.
84. BUK ii, 453; Calderwood, History iii, 469-70.
85. McCrie, Melville i, 201-02; drafts of the original correspondence of 1578-79 are to be found in NLS Wodrow 42, No.3.
86. BUK ii, 428-29.
87. For a convincing impression of the kirk's strength in the provinces at this date, see the account of the Jesuit John Hay written in 1579, Forbes-Leith, Narratives, 141-65.
88. BUK ii, 419.
89. Calderwood, History iii, 468-69, 477.
90. CSP Scot. v, 520.
91. Melvill, Diary, 61.

92. Donaldson, Attitude of Whitgift and Bancroft to the Scottish Church, Trans. R. Hist. Soc. 4th Series, xxiv, 96-97.
93. Melvill, Diary, 60.

CHAPTER VII

FOREIGN POLICY

Any account of Morton's foreign policy must be essentially a survey of Anglo-Scottish relations during this period. Although Morton may have pretended, on occasions, that there was a possibility of a rapprochement with France, the latter country's support for queen Mary and her followers in Scotland, not to mention religious differences, meant this line of action was never seriously contemplated. As far as other European powers were concerned, apart from the recruitment of Scottish mercenaries for service in Sweden or the Netherlands,¹ dealings with continental governments were notably infrequent. Thus, the keynote to the regent's attitude to foreign affairs is his desire for amity with England.

Anglo-Scottish relations under Morton fall conveniently into four phases. Firstly, there is the period from his accession in November, 1572 to the downfall of the Marian forces within Edinburgh castle in May, 1573 when both sides ultimately combined against the common foe. There is, then, a largely uneventful interval between the surrender of the castle and the regent's own deposition in March, 1578 during which Morton unsuccessfully sought a formal alliance with England. However, there did occur, in July, 1575, the Redeswyre crisis which, at least temporarily, endangered the concord between the two countries. Thereafter, following Morton's recovery, there is the pacification of the Argyll-Atholl faction in August, 1578, an episode in which Robert Bowes, the English ambassador, played a not inconsiderable part. Finally, there is English

reaction to the presence of Esmé Stewart at the court of James VI and the renewed efforts by Morton to obtain a categorical guarantee of English support.

Morton, on the death of the regent Mar on 28 October, 1572, could not only depend on the support of his own followers for his nomination as regent but had the additional advantage of being the candidate preferred by the English government. Thus, queen Elizabeth, on hearing of Mar's demise, observed, as she proffered her condolences, that she was "comforted by the trust that he will follow herein the footsteps which he had begun".² In other words, she was confident that Morton's well-established predilection for England, observed in his earlier career,³ would prevail now that he had reached the pinnacle of his career. Certainly, the new regent, who had informed the earl of Huntingdon on 1st December that "there shall be no lack in him in that which may continue the good intelligence with England",⁴ clearly had no intention of severing his ties with his neighbour. It is, therefore, relevant to examine briefly why both he and Elizabeth were so determined to remain on good terms.

When Morton became regent there was only a few weeks left before the truce or "abstinence", which had halted the civil war between the supporters of queen Mary and the government of king James VI, was scheduled to end. This had been arranged by the Anglo-French commissioners, Davidson and du Croc, and was originally to last two months but was eventually extended to 31 December, 1572.⁵ Furthermore, by this date, although the allegiance of several important noblemen was still ambiguous, the most active Marians were those within Edinburgh castle commanded by Kirkcaldy of Grange and confidently awaiting French assistance.⁶ To some extent, their confidence was not entirely misplaced since previously, in August, 1572, a French agent had been dispatched with money for

Grange and the promise of more if he could retain the fortress for the Marian cause.⁷

Mary was now an English prisoner but, as long as her supporters flourished in Scotland and were the recipients of foreign aid, there was always a threat to English security and Elizabeth's crown. Therefore, it was the continued presence of Mary's adherents in the northern kingdom and especially their retention of the principal stronghold of that country which had caused Elizabeth to regard Morton's predicament with increasing disquiet. Her attitude was aptly summarised by a government memorandum of September, 1572 which declared that "The Scottish Queen's party in Scotland seek to set up her that seeks to throw down the Queen's majesty and the King's party seek the suppression of her that seeks to suppress the Queen's majesty. It is therefor manifest", it concluded, "that the overthrow of the Scottish Queen's party is the overthrow of her and the surety of the Queen and the overthrow of the King's party is the peril of the Queen's majesty and the way to set up her greatest enemy"⁸ In short, just as the Huguenots, based at their great fortress of La Rochelle, presented serious difficulties to Charles IX of France, so for England there was an equivalent situation in Scotland.

Morton, on the other hand, as leader of the "King's party", required English assistance if he was to defeat the "Scottish Queen's party" and establish himself as the undisputed head of state. Moreover, he was well aware of the inadequacy of his own resources and, as he confided to Burchley shortly after his accession, "The knowledge of her majesty's meaning has chiefly moved me to accept the charge, resting in assured hope of her favourable protection and maintenance".⁹ Thus, Morton, as regent of an impecunious and militarily vulnerable state, looked towards England for succour. His principal

task in the first months he was in office was to convince Elizabeth of the necessity of direct intervention on his behalf against his enemies.

Morton, on 1st January, 1573, when he resumed hostilities against the defenders of Edinburgh castle, having failed so far to obtain any definite guarantee of English support or even any material assistance, obviously renewed the struggle suffering certain disadvantages. Possessing, for example, only two large pieces of artillery, neither of them in the capital, and a few smaller guns, he patently lacked effective artillery.¹⁰ Furthermore, although he had asked Sir Henry Killigrew, Elizabeth's ambassador, for financial aid "for the present payment of our men of war their bypast wages",¹¹ this money had not been forthcoming. By 24 January, this had clearly become a serious issue since, on that date, the privy council received a complaint about outstanding wages from several officers. However, they were apparently placated by an assurance from Morton's government that it would "mak full and compleit payment of the saidis thre monthis wageis to the saidis capitainis and their companyis betwix the dait heirof and the first day of June nixtocuum".¹²

That Morton was perturbed about the strength of the castle compared with his limited resources is underlined in a request, that month, to Sir William Drury, marshall of Berwick, for some "auld experimentit captainis with a mynour".¹³ Drury sent two experts who, apart from demonstrating the proper construction of trenches, concluded that mining was impracticable but that, if a sufficient supply of ordnance was mounted, the castle could be taken within three weeks.¹⁴

Meanwhile, most of February was taken up with neutralising the Hamilton-Huntly faction, a task in which, as has been demonstrated, Killigrew played a prominent part.¹⁵ However, by the time the Perth

agreement was concluded, it would appear that Elizabeth was at last considering a more forward policy in Scotland. Thus, Killigrew, on 25 February, while Morton's guest at Abordour, could reassure him "of her majesty's good meaning to assist the Regent for the recovery of the castle".¹⁶ Moreover, by this juncture, Drury had also been notified that he would command any English expeditionary force raised for a Scottish campaign.¹⁷

Although Morton was occasionally not averse to putting pressure on the English government by dark threats of changing his allegiance and he had, for example, on one occasion warned Killigrew that "should he be in danger to be left in the mire he would surely quit the regiment",¹⁸ it would seem to have been the realisation that the regent was unable to take the castle single-handed and the menace to Elizabeth of the continued presence of a French subsidised party in Scotland which finally converted her. Nevertheless, Morton was undoubtedly also indebted directly or indirectly to various English officials for their advocacy of his cause. Chief among these, apart from Sir Henry Killigrew, were the earl of Huntingdon, president of the council of the north, Sir Thomas Smith, Burghley's secretarial colleague, and Francis Walsingham, at that moment English ambassador in Paris.¹⁹ Walsingham, for instance, during January, had sent a number of disturbing accounts of French activity in Scotland.²⁰ Moreover, and this may well have been the viewpoint which swayed Elizabeth, lord Burghley, her principal counsellor, favoured immediate action on behalf of Morton. Thus, in a memorandum about the siege, he noted, "Delay - The Scots power shall withdraw. The castle shall wax the stronger. The foreign aid shall come thither in time. The expense of one pound now will cost £5 within a month or two. Therefore - a present attempt should be made".²¹

The first indication that Elizabeth really meant to intervene was the commission issued to Drury on 12 March. Thereby, if Morton produced evidence "of any that shall detain any castle of the King's or shall levy any forces against the King thereby seeking to renew the civil war or to bring strangers into Scotland for that purpose" or if, in addition, "he shall require aid of him to concur with the King's forces for the reduction of such disordered persons to obedience" then this should be the task of "such forces as are there in her pay and with any others that shall be sent thither or may be levied by him and with such munitions, artillery and other things thereto belonging".²² In addition, on 17 March, Drury received a warrant for the treasurer of Berwick, Sir Valentine Browne, "to imprest such sums as shall seem requisite to him for the service of Sir William Drury and others for extraordinary service in Scotland".²³ However, it was not until 25 March, following further instructions and by which time his preparations were well under way, that Drury forwarded these details to Morton.²⁴ Consequently, it was nearly the end of March before the regent could be absolutely certain that English reinforcements were a reality and he could confirm arrangements for the reception of the English army as well as the dispatch of the requisite number of Scottish hostages.²⁵

But it was to be over a fortnight before the hostages departed and, although Morton would have preferred awaiting the arrival of the English forces and then storming the castle, which enterprise, according to Killigrew, he was prepared to lead himself,²⁶ there was, on 5 April, yet another unsuccessful attempt to negotiate with Grange. The breakdown of these discussions, at which the earl of Rothes represented Morton's government, led to the decision that this would be the last offer until Drury's forces were actually assembled.²⁷

Eventually, on 17 April, at Lamberton church in Berwickshire,

lord Ruthven handed over the Scottish hostages and signed the appropriate articles of agreement, on behalf of the Scottish government, with Drury. The terms included guarantees that neither side would seek an independent settlement with the occupants of the castle and that the ringleaders "sa far as may be sal be reservit to be justifiit be the lawis of Scotland, quhairin hir Majostein advise sal be usit". Additionally, there was provision that "in cais the said Castell sall not utherwayis be recoverit than be force all ordinance, munitionis, royall plate, jewellis, wardrop and houshald stuff with the registers and recordis belongand" would be surrendered to Morton's government. Finally, it was agreed that "hostages to the number of ten remane in England during the tyme that the saidis forces and ordnance sall remane in Scotland and for sauf returning of the same".²⁸

Once the English commander and his troops had arrived at Edinburgh, the final stages of the siege proceeded as Morton desired. The garrison ignored a final opportunity to surrender,²⁹ a gesture of defiance which Morton possibly secretly welcomed. At least according to Henry Lee, one of Drury's officers, the regent feared the consequences which might follow the release of Grange and Maitland of Lethington. Consequently, this made him "thruste more greedily after the possession of their bodies that he may live hereafter more quietly".³⁰ On 17 May, the allied bombardment commenced.³¹ It lasted until 28 May when the castle surrendered unconditionally, the rank and file being allowed their freedom, but Grange, Lethington and certain other prisoners were eventually handed over, in accordance with the previous agreement.³²

This marked the end of a successful combined operation during which Morton's forces had co-operated effectively with Drury's to overcome the small but resolutely commanded garrison within the

castle. For Morton, it meant the elimination of the last threat, at least for the present, to his position, whereas, for Elizabeth, it signalled the collapse of the active pro-French, Marian party in Scotland whom, as Killigrew observed, were "now very thin sown".³³ Moreover, although Drury's activities provoked a sharp diplomatic rebuke from the French ambassador in London,³⁴ this, as it materialised, was to be the limit of French reaction. Nevertheless, Morton and his English allies were perhaps fortunate that the Huguenots at La Rochelle, with clandestine English and Dutch assistance, resisted all attacks upon them until it was too late for French intervention in Scotland.

The only discordant note in the proceedings was struck by Morton himself in his relationship with the English general, Sir William Drury. Consequently, while Killigrew was receiving, as a reward for his outstanding services, a basin, a laver and three cups "all in silver by his grace command",³⁵ Drury was being subjected to considerable criticism for his alleged "slender gudewill and furthwartnes".³⁶

The first occasion when there would appear to have been any friction between the two of them was in connection with an application by Grange for the release of his sister, who was unwell, that she might have proper medical treatment in the city. This was rejected by Morton.³⁷ Drury's comment in a despatch to Burghley that "because the same is mislike of the regent he will not grant to such request" would seem to suggest that he thought the petition should have been allowed.³⁸ However, this matter was apparently smoothed over by Killigrew,³⁹ and, although one contemporary source does allude to ill-feeling between Morton and Drury over the latter negotiating with Grange unbeknown to the regent,⁴⁰ there is no reference to this in any of the inter-governmental correspondence. Thus, the primary reason

for Morton's displeasure would seem to have been Drury's sympathetic attitude towards his prisoners, particularly Grange, once the castle had been taken. Indeed, in one communique, Drury commented "on the good conformity grown to with the Castilians",⁴¹ and he is also supposed to have interceded with his government in an effort to save Grange's life.⁴²

It is understandable that Morton should have disapproved of Drury's attitude towards Grange. On the other hand, while there admittedly was also the question of certain royal jewels given by Grange to Drury,⁴³ it does seem unfortunate that the regent allowed their differences to have become the basis for, on his part, a rather squalid personal vendetta. In June, for example, in a letter to the countess of Lennox, the regent was warning her "to be war and circumspect with the Marshall of Berwick's information for that he is undoubtedly the secret friend of our enemies". He also recommended his dismissal from his post at Berwick.⁴⁴ Indeed, in his relations with the English marshall, there can be detected that prickly, irascible side of Morton's character which was to do him a disservice on occasions in his subsequent dealings with the nobility.

With his immediate internal problems resolved, Morton could now consider long-term defensive arrangements with England. Accordingly, Killigrew, on his departure on 26 June, was given a lengthy description of the type of agreement between the two kingdoms which the regent was to seek intermittently until his deposition in March, 1578. Such a pact, it was suggested, might have the same format as the earlier treaty of Berwick of 1560 but might also incorporate a clause guaranteeing "the maintenance and defence of the true religion against the Council of Trent".⁴⁵ In short, what the regent envisaged was an alliance which protected the protestant faith in both states and also ensured that, in the event of foreign attack, each country

would come to the other's aid.

However, it was another ten months before Killigrew returned to Edinburgh and meanwhile, following the cool reception given to Morton's request for financial assistance and a supply of gunpowder,⁴⁶ it appeared, at least to the English government, that the regent's allegiance was wavering. - hence Killigrew's mission in the summer of 1574 with instructions "to diligently search out what alteration has happened since your last being there in particular whether the Regent continues constant in his affection toward us".⁴⁷ In addition, the English ambassador was to endeavour to ascertain "whether there hath not been any lately sent out of France to practice underhand any alteration in that state".

On the other hand, Killigrew was advised to proceed very cautiously in any discussions with Morton regarding "a league between our two realms for mutual defence against foreign invasion". While the prospect of a compact between other protestant powers in Europe, including Scotland, was not to be discouraged, and negotiations with the Palatinate could be cited as proof of Elizabeth's intentions in this direction, this should be the limit of his commitment. Moreover, he should emphasise to the regent that such a protestant league would make a formal alliance with England superfluous. In any case, the Scottish leader should be reminded that the English government had never neglected his welfare in the past. Finally, as far as his official instructions were concerned, Killigrew was to avoid any promise of financial support either to Morton himself or any of his colleagues, and, if Morton proved persistent, then the English ambassador should procrastinate by declaring he was referring the matter to his government.⁴⁸

However, there was one other topic not mentioned in his government's memorandum which Killigrew clearly had authority to

discuss. This was the question of queen Mary's return to Scotland or, as it was cryptically referred to in the official correspondence, "the great matter". The possibility of Mary being handed over to the Scottish government had been raised in Killigrew's embassy of September, 1572 during Mar's regency,⁴⁹ but the latter's death caused a postponement which lasted until the English ambassador's present mission. In the event there were some deliberations between Morton and Killigrew on this subject but the conclusions reached must remain conjectural.⁵⁰ Possibly the improved international situation made Elizabeth less anxious to unburden herself of her cousin, especially as it would have meant transferring her to a government highly unlikely to have spared her life. Morton, conversely, may well have believed that Mary's repatriation would only cause trouble for his administration by exacerbating relations between him and her former supporters in the kingdom.

Meanwhile, Killigrew had arrived in Edinburgh to find there was what he termed some "practicising for France" although he could not determine whether or not the regent leaned in that direction.⁵¹ Certainly, he detected Morton's manner as distinctly less cordial than formerly.⁵² Nevertheless, he was reassured by Sir James Balfour that this "marvellous alteration" was partly a reaction to unremitting English piracy, not to mention the failure of the English government to curb it, and disappointment that no agreement had been made regarding an alliance.⁵³ Consequently, Killigrew was adamant that a treaty with Morton's government was imperative unless "want thereof, by appearance will endanger the loss of their good affections", and strongly recommended about £2,000 being allocated annually as pensions for Morton and the leading members of his council.⁵⁴

Nevertheless, there would seem to be every likelihood that the regent played on English fears of France, since he must have been

well aware that therein lay his strongest card in any bid for a closer alignment with England. Undoubtedly, the French did have certain designs on Scotland but their activities were confined to the second half of 1574. Thus, in July, for example, Catherine de Medicis exhorted her ambassador in London to promote French interests in Scotland,⁵⁵ while, in October, she sent advance notice of the arrival of her steward on a mission, supposedly "pour la conservation de la bonne et ancienne amitie".⁵⁶ But Morton was clearly unimpressed by these French overtures, warning Elizabeth in September of Catherine's stratagems⁵⁷ and, two months later, confiding to Walsingham apropos the arrival of her steward that "he wishes he were terrified of the danger of the plague".⁵⁸

Although Catherine's emissary never did come to Scotland, the question of Morton's allegiance was again a matter of some concern to Elizabeth's government in the earlier months of 1575, and Killigrew found himself once more in Edinburgh.⁵⁹ On this occasion, however, he was instructed to convey to Morton his mistress' regret that the league of protestant princes was no longer feasible "since the said Princes are not so willing to enter therein as she looked for".⁶⁰ At the same time, the regent was to be consoled with reassurances of English assistance whenever the situation warranted it and to reiterate England's favourable record in recent years in this connection. However, at the beginning of July, before Killigrew could make a significant impact, friendly relations between the two countries were suddenly threatened by an incident at Redeswyre on the English middle march.

If there are conflicting versions of some aspects of the Redeswyre affair, nonetheless the main details are relatively uncomplicated.⁶¹ On 7 July, Sir John Forster, warden of the English middle march, and Sir John Carmichael, keeper of Liddesdale, both

accompanied by a motley collection of followers, assembled at Redeswyre, just inside the English boundary, "for the execution of justice only". Although, in the early stages, the meeting seems to have proceeded harmoniously, a dispute ultimately arose between the two officials over the delivery to Carmichael of an Englishman whom he wished to prosecute. Harsh words ensued and were followed by an exchange of blows in which the Scottish party was coming off worse until the arrival of reinforcements from Jedburgh. Thereupon, several Englishmen, including the deputy warden, Sir George Heron, a brother-in-law of Forster's, were slain, and Carmichael, allegedly a reluctant participant, arrested the English warden and another deputy, Cuthbert Collingwood, taking them, with a large number of their adherents, to Jedburgh to await Morton's instructions.

The reaction of both Morton and Elizabeth's leading ministers was to endeavour to defuse the situation. The regent, for example, immediately contacted Walsingham regarding "the unhappy accident fallen at the middle march" and sought English advice "for eschewing further breach and mischief that hereon may grow".⁶² His next step was to summon "such of the Council of Scotland as then could be had together most readily".⁶³ This body decided that, taking into consideration "the nature of the said Warden, his disadvantage so freshly received, the recent slaughter of his brother-in-law and the multitude of broken men and disordered people under his rule", in the interests of peace on the borders, "he should be a little while stayed".⁶⁴ Accordingly, Forster and certain others were brought to the regent's own residence at Dalkeith. Meanwhile, Morton, by the issue of proclamations and strict instructions to his wardens about the need to preserve law and order, strove to maintain peace on the marches. Subsequently, after about a fortnight's custody, Forster and his colleagues, on indicating that "their tarry was somewhat

scaithful to them", were released on condition that they promised to return if required to do so.⁶⁵

As far as Walsingham was concerned, while he was somewhat disconcerted about the death of the deputy warden and the treatment of Sir John Forster, he was reluctant to ask for too severe measures against Carmichael on account of his strong ties with the regent.⁶⁶ Instead, he suggested in a note to him that the solution lay in a joint commission "who may without partiality examine how the disorder grew".⁶⁷

In fact, the only person on either side to adopt a really intransigent attitude was the queen herself. Indeed, Elizabeth's annoyance at the arrest of an English warden was so intense that Walsingham, writing to Burghley on 3 August, described her as "so seasoned with choler that he thinks they may take their leave of the amity of Scotland".⁶⁸

Morton, however, had no intention of permitting a border skirmish to endanger the accord between the two nations permanently, and recommended that Elizabeth should suspend judgement until discussions had taken place between her representative, the earl of Huntingdon and himself.⁶⁹ These talks, during which Huntingdon, according to his biographer, "found a Scot he could unreservedly admire",⁷⁰ began on the boundary of the middle march in mid-August and eventually produced, on 6 September, a declaration by Morton wherein he defended his actions, though in a suitably placatory fashion.⁷¹ This testimony was followed a week later by the signature at Foulden, Berwickshire, of a mutual agreement formally resolving the whole incident.⁷² The Scottish signatories were Morton, Patrick lord Lindsay, Robert Pitcairn, commendator of Dunfermline, Mark Ker, commendator of Newbattle, Sir James Hume of Coldenknowes and John Sharpe, advocate, and, by its terms, amicable relations were officially restored and a

joint commission appointed to bring the principal offenders to justice. In addition, "since it appears that her highness esteems her honour herein offended, for further satisfaction of her highness and declaration that the regent will leave nothing undone that in honour and reason may satisfy her", it was also agreed that eight hostages would be sent to Berwick to remain there or wherever the queen should transfer them and that Carmichael would be delivered "to abide simply such punishment as her majesty shall determine".

Undoubtedly, in the summer of 1575, the Redeswyre affair seemed of great consequence, and Morton and his border officials were certainly alarmed about its possible repercussions. On July 26, for example, lord Maxwell, warden of the west march, wrote to Sir Patrick Vaus of Barnbarroch notifying him of a day of truce on 10 August and also observing that, because of "the laitt cummeris on the middill bordouris", lord Scrope, his opposite number, intended to be present in force at this meeting.⁷³ Therefore, he recommended on this occasion that Barnbarroch should ensure his own warden was adequately protected.⁷⁴ In another instance, on 5 August, the regent himself advised William Ker of Cessford, warden of the middle march, to stand "as far on your guard until we see what success matters take".⁷⁵

Nevertheless, on reflection, Redeswyre was never much more than yet another chapter in the troubled history of the Anglo-Scottish frontier. Moreover, the main reason for its prominence was indisputably queen Elizabeth's imperious reaction to it. Her description of the arrest of her warden, a man of questionable character - Forster was to be involved in September, 1586 in another incident similar to Redeswyre which led to a government investigation of his administration⁷⁶ - as "so foul a fact (that) can no ways be excused" and her threat of "prosecuting that just revenge that she is provoked to" would seem a distinctly overbearing and extremely irascible stance

to adopt.⁷⁷

Morton, on the other hand, would appear to have handled the affair in a statesmanlike fashion. This, patently, was an inflammable situation on the middle march which Forster's precipitate release could have worsened. Furthermore, he was conciliatory and prepared to negotiate over an event which Elizabeth chose, perversely, to regard as a diplomatic insult, but which, as her own officials recognised, was essentially a consequence of the turbulent condition of the borders. As Huntingdon remarked, "if the said feuds had not been so many and great amongst the people assembled on both sides, those stirs and slaughters had not been done".⁷⁸

Nonetheless, Elizabeth's high-handed manner serves to illustrate one point, namely her estimate, in the prevailing international political climate, of Scotland's value as an ally. In other words, when there was no danger of her neighbour being utilised as a point d'appui by France or Spain for attacking England, she obviously regarded Scotland as an unimportant minor power and treated her regent accordingly. In short, and the statements of the Scottish delegation who, in September, 1575 were said by Huntingdon to be prepared "to seek peace on their knees" rather than provoke hostilities with England substantiate this conclusion⁷⁹. Scotland, at times, was no more than a client state of England's and the Redeswyre episode simply another example of what has been termed, with reference to Morton's downfall in 1580, "satellite diplomacy".⁸⁰

The interval between the settlement of the Redeswyre crisis and Morton's dismissal in March, 1578 has been fairly accurately described as "practically a blank page".⁸¹ Thus, there was little diplomatic activity apart from some talk in February, 1577 of reviving the idea of "a general combination between all Princes of the religion"⁸² and, the following September, as a result of growing English concern about

the deterioration in relations between Morton and the nobility, a brief visit by Robert Bowes, treasurer of Berwick.⁸³

However, early in 1578, there were indications of a greater English initiative and, on 30 January, Thomas Randolph was instructed to join Bowes at Berwick before they both proceeded to Edinburgh. Randolph, moreover, had authority to discuss a "mutual contract of amity" and, somewhat surprisingly, in a postscript, added significantly after the news of the Dutch defeat at Gembloux had reached England, was given an assurance that "her majesty will not stick at money, considering how much it stands her upon to assure Scotland to her".⁸⁴ Whether Morton, at this juncture, could have obtained his long-awaited alliance with England would still seem doubtful, especially when Elizabeth's devious twists in policy are borne in mind. However, the possibility did not arise since the upheaval of 8 March saw him excluded from public affairs. As the ex-regent in temporary retirement observed shortly afterwards to Burghley, "There rests not now in me that ability to do good whercunto I was always disposed and inclined during the while that I bore the charge".⁸⁵

Morton, once he had effected his restoration, wasted no time in renewing the quest for closer links with England. Thus, on 17 June, Robert Pitcairn, commendator of Dunfermline, was given his instructions for a mission in which border matters, piracy and the King's claim to the estate of the recently deceased countess of Lennox were included but whose principal object was "the ratification and confirmation of the peace and amity contracted in the first year of her reign".⁸⁶

On Friday, 25 July, Pitcairn had his first audience with the queen and her council where he raised the various considerations within his remit as well as, it would appear, the question of English financial assistance towards the provision of a bodyguard for King James VI.⁸⁷ He was given a cordial reception, perhaps assisted by

the fact that Morton had taken the precaution beforehand of contacting certain influential councillors and sympathisers such as Walsingham⁸⁸ and a former ambassador, Sir Ralph Sadler, in the hope of affecting the queen's decision. Sadler, for example, was asked "to continew as ye have worthelie done heirtofore and be a gude meane unto our said dearrest sister upoun the hering of our trustie and weil belovit counselar, Robert".⁸⁹ Nonetheless, Pitcairn returned empty-handed. Elizabeth, while welcoming Scottish assurances of friendship and reciprocating them, had studiously avoided what the French ambassador, always an interested party, described as "une ligue offensive et defensivo entre l'Ecosse et l'Angleterre".⁹⁰

On the other hand, Morton's anglophil attitude stood him in good stead during his confrontation with the Argyll-Atholl faction in August, 1578. At the height of the emergency, for example, he had the knowledge that English forces, at Elizabeth's express command, were stationed on the border poised to attack, if necessary, the territories of Cessford and Coldenknowes, the border allies of his adversaries.⁹¹ Moreover, at Falkirk, where the rival armies faced each other, it was due largely to the diplomatic ability of Robert Bowes, Elizabeth's ambassador, that a bloody and probably disastrous conflict, as far as Morton was concerned, was averted.⁹²

Although the persecution of the Hamiltons during 1579 eventually produced some repercussions on Anglo-Scottish relations, with Elizabeth complaining on several occasions that the retrospective punishment of the Hamiltons infringed the Perth agreement and her own arbitration,⁹³ it was the impact on Scottish affairs of Esme Stewart, subsequently earl of Lennox, which dominated the final part of Morton's administration. By April, 1580, both he and Elizabeth were displaying a mutual concern about the Frenchman's ascendancy.

Lennox, in Morton's view, presented a serious threat to his

supremacy and was all the more dangerous on account of his supposed connections with France. However, although Morton could allege that, as a result of the influence of this contender for royal favour, the adolescent monarch had been persuaded "to commend and to be contented to hear the practices of France beyond his accustomed manner",⁹⁴ just how deeply Lennox was actually involved in the tangled skein of European political intrigue must remain problematical. If anything, it would seem more likely his affinities lay with the house of Guise and its ally, Philip of Spain. Certainly, shortly after Morton's downfall, the French ambassador in London acquainted his king, Henry III, with information concerning Spanish involvement in Scotland, and linked Lennox with this activity.⁹⁵

For Elizabeth, the arrival and promotion of a French nobleman in Scotland was an unpleasant development fraught with all manner of sinister possibilities. Accounts of interviews before he left France with the former archbishop of Glasgow, James Beaton, and, equally incriminating, the Duke of Guise, bred instant suspicion.⁹⁶ Eventually, by the summer of 1580, he was being branded by Walsingham as both a papal emissary and "a man especially chosen by the French to bring in that nation to the utter overthrow of Scotland and the disquiet of England".⁹⁷ Elizabeth, however, some time before her secretary's accusations, following a plea from Morton "for the expedition of her help" as well as unfavourable reports from her agent, Nicholas Errington, on 10 April, ordered Robert Bowes to undertake another mission to Scotland.⁹⁸

Bowes, once he contacted Morton, discovered that he and his supporters had certain suggestions to offer as a remedy to their problems.⁹⁹ They recommended, in the first place, that Elizabeth should make a general statement about her intention to protect the protestant religion in Scotland. Presumably this was intended to

be both a warning to Lennox should he attempt any religious alterations and a guarantee to Morton and his associates of English intervention in such an eventuality. Their second proposal was that, in order to obtain greater influence over king James "and thereby more readily stop the way of foreign practices and of discontented subjects", the English government should provide loans or subsidies to the Scottish crown. Finally, it was suggested that "two young men in whom the king will have pleasure" - Angus and Mar were mentioned specifically - should always accompany him with, in addition, "one well chosen and wise counsellor", who should remain in court, "to reduce things to the former course". Not surprisingly, Morton himself was nominated for this latter position for which, as with that of royal companions, it was recommended there should be appropriate remuneration.

Morton apparently believed that, if these measures were adopted by England, Lennox's attempts to supplant him could be thwarted. Such a conclusion may have been well-founded but, although Bowes disbursed certain sums of money sent by his government,¹⁰⁰ Morton's proposals, to all intents and purposes, were ignored. Consequently, as has been observed previously,¹⁰¹ he toyed fleetingly with the possibility of reaching some agreement with his rival.

However, on 31 August, the vacillating policy of the English government took another turn when, alarmed at the implications of Lennox's custody of Dumbarton castle, Bowes, who had retired to Berwick in June, was commanded to return to Scotland.¹⁰² The English privy council was now of the opinion - so it informed its ambassador - that, if Lennox was permitted to retain such authority as he now possessed, he would destroy the pro-English party in Scotland, cause widespread and costly damage on the borders and, in all probability, arrange either a French marriage for James or one equally hostile to

English interests.¹⁰³ With Elizabeth's government in such a mood and Bowes advising his superiors that subsidies were essential,¹⁰⁴ Morton could be excused for imagining, as he may well have done, that his earlier proposals were about to be implemented.

On the other hand, while Bowes can be regarded as basically sympathetic to Morton's interests, it may well have been one of his communiques shortly afterwards which ensured no English aid was forthcoming and that Morton would be left to his own devices. Thus, on 27 September, he wrote a letter to his government in which he recounted a conversation with the Scottish treasurer, lord Ruthven.¹⁰⁵ The gist of his interview with this important nobleman, who had recently deserted Morton, was his assurance that Lennox was powerless without the backing of the nobility and that, if the latter perceived "any purpose in him to practise anything against the religion or amity with her majesty (they) would soon leave him alone and withstand his practices". In the same bulletin, Bowes reported a similar conference with Robert Melville, formerly one of the leading prisoners taken at Edinburgh castle in May, 1573, in which he also insisted that support for Lennox did not necessarily imply any antipathy towards Elizabeth or the English alliance. Clearly, although Bowes was anxious lest Morton should feel he was being surrendered "as it were a prey to Lennox and his faction",¹⁰⁶ if this was the case, there was much less need for concern by England about developments in Scotland. While Morton was probably unaware of Bowes' assessment or the response of his government, in the last weeks of 1580, as Lennox consolidated his position even further, he undoubtedly must have regarded with increased misgivings the reluctance of the English government to commit itself further on his behalf.

For Morton, the essence of his foreign policy undoubtedly was the maintenance of harmonious relations with England and, if possible,

a permanent treaty with that country. Clearly, there was little alternative to this, and certainly, on two occasions when interests seemingly inimical to England were proving awkward, that is at the siege of Edinburgh castle in 1573 and in his struggle with the party of Argyll and Atholl in 1578, his friendship with England was invaluable. Yet, as witness the abortive mission of the commendator of Dunfermline in July, 1578, he was unable to persuade Elizabeth either to compromise her country by some league of mutual defence or even, as her various ambassadors frequently suggested, to furnish financial subsidies. Therefore, the inevitable conclusion must be that such an alliance between the two nations was considerably more desirable and advantageous to Morton, especially once his influence waned, than it was to Elizabeth. "A poor and unimportant kingdom well out of the mainstream of European politics", while a modern assessment of Scotland's significance in the second half of the sixteenth century,¹⁰⁷ is one with which Elizabeth surely would have concurred. Her imperious treatment of the regent, for example, over the Redeswyre affair in 1575 is but one illustration of this attitude. Admittedly, there could be a flurry of ambassadorial activity by England if, as in 1574 and 1575 or even 1580, it was suspected that Morton was veering towards France or his position was in some jeopardy. However, even the threat arising from Lennox would seem to have become less menacing once it was perceived that some of his adherents were supposedly anglophil in outlook.

English reaction in 1581 to Morton's overthrow will be examined subsequently.¹⁰⁸ However, before that is undertaken, it is necessary to consider Morton's domestic government and, in the first instance, his administration of the borders.

Notes to Chapter VII

1. RPC ii, 235-38, 641-43; Berg and Lagercrantz, Scots in Sweden, 14-17.
2. CSP Scot. iv, 430.
3. See Chap. I, pp. 10-11.
4. CSP Foreign (1572-74), 210.
5. CSP Scot. iv, 363-64, 443.
6. ibid., 454.
7. Fenelon, Correspondence vii, 327; Grange admitted he had received 2,000 crowns from this source in December, CSP Scot. iv, 443.
8. ibid., 394.
9. ibid., 441.
10. ibid., 452.
11. ibid., 453.
12. RPC ii, 176-77.
13. CSP Scot. iv, 460.
14. CSP Foreign (1572-74), 242-43, 269-70; Bannatyne Misc. ii, 69-71. The advice about mining was later disregarded and a large mine was subsequently dug under the part of the castle known as the "Spur", CSP Scot. iv, 565.
15. See Chap. II, pp. 18-19.
16. CSP Scot. iv, 503.
17. ibid., 504.
18. ibid., 457.
19. Fox Huntingdon and Smith, see ibid., 488-89 and CSP Foreign (1572-74), 268-69.
20. ibid., 233, 235-36.
21. HMC (Salisbury MSS) ii, 67.
22. CSP Scot. iv, 514.
23. ibid., 520.
24. ibid., 525.
25. ibid., 529-30.

26. ibid., 552-53.
27. ibid., 537, 539-40, 544.
28. RPC ii, 216-19.
29. CSP Scot. iv, 552-54.
30. ibid., 561.
31. ibid., 564.
32. For further details, see Chap. II, pp. 22-23.
33. CSP Scot. iv, 587.
34. Fenelon, Correspondence v, 322.
35. TA xii, 350.
36. CSP Scot. iv, 590.
37. ibid., 559.
38. ibid., 561.
39. Killigrew wrote to Burghley on 12 May that, "By his conference old friendship, somewhat shaken was renewed", ibid., 562.
40. Diurnal, 333.
41. CSP Foreign (1572-74), 348.
42. Melville, Memoirs, 255.
43. See Chap. III, p. 34.
44. CSP Scot. iv, 595.
45. ibid., 593-94.
46. ibid., 625, 638.
47. ibid., 663-64.
48. ibid., 664.
49. Murdin, State Papers, 224-25.
50. CSP Scot. iv, 679, 682; v, 6, 25, 28, 33.
51. ibid. iv, 673.
52. The regent, according to Killigrew, "uttereth not at all", ibid., 679.
53. ibid., 679.
54. ibid. v, 7.

55. Catherine de Medicis, Lettres v, 63.
56. ibid., 93.
57. CSP Scot. v, 60.
58. ibid., 67.
59. ibid., 83, 112-13.
60. ibid., 152-54.
61. The most reliable account is provided by the earl of Huntingdon in CSP Foreign (1575-77), 103-05; Forster's own version is given briefly in HMC (Salisbury MSS) ii, 101; according to Killigrew, it does not differ greatly from Carmichael's except on the issue of which side started the affray, CSP Scot. v, 168; contemporary Scottish sources, e.g. Historic and Life of King James the Sext, 153-54 and Diurnal, 348-49 are unreliable, especially regarding the number of casualties. The subsequent description of the events is based on Huntingdon's testimony.
62. CSP Scot. v, 166.
63. ibid., 186; since the date given for this meeting in the privy council register is 26 July, Morton presumably took the decision at an emergency session and had it endorsed later, RC ii, 459.
64. CSP Scot. v, 186.
65. ibid., 187.
66. ibid., 166-67.
67. ibid., 167.
68. ibid., 170-71.
69. ibid., 173.
70. Cross, The Puritan Earl, 204.
71. "The Regent Morton's declaration to the earl of Huntingdon", CSP Scot. v, 185-88.
72. ibid., 188-90.
73. Vaus, Correspondence i, 96-97.
74. Maxwell issued similar instructions to Sir Patrick Vaus on 30 August regarding another day of truce on September 12, ibid., 184-85.
75. HMC Rep. xiv, App. part iii, 34-35.
76. CSP Border i, 232.
77. CSP Scot. v, 184.
78. CSP Foreign (1575-77), 105.

79. CSP Scot. v, 175.
80. Lee, The Fall of the Regent Morton, Journal of Mod. Hist. xxviii, 1956.
81. Read, Walsingham ii, 140.
82. CSP Scot. v, 226-27.
83. CSP Foreign (1577-78), 144-46.
84. CSP Scot. v, 268-70, 271.
85. ibid., 285.
86. ibid., 297-300; RFC ii, 707-08.
87. CSP Scot. v, 309, 312-13.
88. ibid., 302.
89. Sadler, Papers ii, 343-44.
90. Teulet, Relations ii, 382.
91. CSP Foreign (1578-79), 138; Bowes, Correspondence, ii.
92. CSP Scot. v, 317-18.
93. ibid., 358-59.
94. ibid., 412.
95. Teulet, Relations ii, 443-44.
96. CSP Foreign (1579-80), 50; CSP Scot. v, 356.
97. ibid., 493.
98. ibid., 388-89, 396-98.
99. ibid., 424.
100. From Bowes' account, it is clear that Morton was not one of the recipients, ibid., 443.
101. See Chap. IV, p. 75.
102. CSP Scot. v, 492-93.
103. ibid., 504.
104. ibid., 514.
105. ibid., 514-16.
106. ibid., 524.
107. Smith, Reign of James VI & I, 8.

CHAPTER VIII

THE ADMINISTRATION OF THE BORDERS

Events on the borders, as at Redeswyre in 1575, sometimes seriously affected Anglo-Scottish relations. Moreover, joint consultations between the respective officials on either side were frequently necessary. However, the burden of governing their part of the frontier was essentially the responsibility of the individual government concerned, and this task undoubtedly was one of the principal concerns of Morton's domestic administration.

The borders had a long-established tradition of disorder, and Morton's inheritance, therefore, was a system where the government depended, to a great extent, on individual officials enforcing their own brand of law and order over their respective provinces. These comprised three marches, the east, west and middle, each administered by a warden with, in addition, Liddesdale, technically part of the middle march but, in practice, generally a separate unit possessing its own keeper.

The east march, which was the smallest and least turbulent, consisted essentially of the Merse, that is the southern and eastern sections of the sheriffdom of Berwick. William lord Ruthven had held the post of warden on this march since September, 1570, having replaced the disaffected Alexander lord Hume.¹ Morton, on 6 November, 1573, since Ruthven patently could not continue to perform indefinitely the duties of both treasurer and warden, appointed, in his place on the east march, James Hume of Coldenknowes.²

The new warden was the son of John Hume of Coldenknowes who had

probably served as a deputy warden in 1561 under his kinsman, Alexander lord Hume.³ The wardenship of the east march, although a prestigious appointment with undoubted opportunities for personal advancement, had been one devoid of salary since 1565.⁴ The next year, a nominee of lord Hume was given the nunnery of St. Bothans, and presumably the revenues of that benefice served in lieu of a warden's pension.⁵ Similarly, under Morton, Coldenknowes' acquisition of the tack of the bailiary and chamberlaincy of the earldom of March, which included a small annual fee of £20 from the mails, can be regarded as compensation for the absence of a regular salary.⁶ Other comparable emoluments were the award of the escheat of the fruits of Eccles priory on 8 February, 1574 with its eventual presentation to his son, James, on 26 March, 1575,⁷ and a gift of ward and nonentry shared with Sir Thomas Turnbull of Bedrule.⁸

Although Coldenknowes' career on the east march was an uneventful one with little evidence of friction between him and Morton, he was, notwithstanding, to become a prominent member of the alliance against him in the summer of 1578. To some extent, the reasons for their schism must remain conjectural, yet Coldenknowes' behaviour is not entirely inexplicable.

In the first instance, Coldenknowes was a guarantor for the behaviour of the border family of Burnfields. In this capacity, on 28 June, 1576, he was summoned before the council and fined, along with several Burnfields, a total of £5,000 for failing to prevent a renewal of the Burnfield-Haitlie feud.⁹ It is possible he had taken umbrage at this sentence by Morton's council.

Another conceivable cause of resentment towards the regent was the treatment, the following year, of one of his kinsmen, Alexander Hume of Manderston, commendator of Coldingham priory. Manderston, on 2 February, 1577, was required to submit " the just and trew rental

of the said Pryorie of Coldinghame", since, the summons contended, "as yit thair is not ane just and trew rentall of the Pryorie of Coldinghame gevin up, bot hes bene neglectit to be persewit for hitherto - partlie becaus the hail thrid wes gevin in the begynning to unquhile Johnne Commendatere of Coldinghame; and sen his deceis be the negligence and owersicht of the collectouris for the tyme and thair officiaris quha persewit not for ane trew rentall thairof".¹⁰ Hume of Manderston now claimed, on the basis of a previous tack of the priory, that 1,000 merks was an adequate rental, and his reluctance to pay a third of this amount, it can be assumed, became the bone of contention between the regent and the Humes. In fact, according to the accounts of the collector-general of the thirds of benefices, Coldingham priory's annual contribution between 1568-72 amounted to just over £222.¹¹ Morton, not surprisingly, must have found Manderston's behaviour unacceptable. Nevertheless, it appears to have been a prolonged dispute, still in existence, according to Sir John Forster, warden of the English middle march, as late as September, 1580.¹²

Finally, and also in 1576, another kinsman of Coldenknowes, Andrew Hume, commendator of Jedburgh and brother of the deceased lord Hume, had to stand trial on 23 October for alleged complicity with the convicted traitor, James or "Black" Ormiston.¹³ This action and other Hume family grievances, especially their resentment about lord Hume's treatment when alive and confined in Edinburgh castle,¹⁴ may well have served as a further inducement to Coldenknowes to turn against Morton.

Morton, once he had surmounted the obstacle presented by the opposition of the Argyll-Atholl faction, dismissed Coldenknowes. This would appear to have taken place at the beginning of September,¹⁵ following an interview at which, states one source, there was "a

falling out in high terms between them".¹⁶ However, if the "mass of close writings" to John Eddington in Coldingham during the summer of 1577 and the award of a pension to this person two years later have any significance, it is at least possible that Morton may have been aware that Coldenknoves was a malcontent some time before he came out into the open in August, 1578.¹⁷ Certainly, he remained alienated and was conspicuous as one of those who flocked to the side of Lennox once his star was in the ascendant.¹⁸

George Hume of Wedderburn replaced Coldenknoves as warden of the east march on 6 September, 1578.¹⁹ Wedderburn, who was a member of the oldest cadet branch of the Hume family and a future royal treasurer, now occupied his first post of responsibility.²⁰ A council recommendation on 12 February, 1579 "to use the advice of the gudeman of Nutonhall and sic utheris as ar best experimented quhar ony difficultie appearis" would indicate that Morton and his colleagues, conscious of his inexperience, were suggesting that he should utilise the knowledge of his deputies to rectify his deficiency.²¹ On the other hand, although he appears to have encountered some difficulties negotiating with lord Hunsdon, his English counterpart, with the result that there was a considerable administrative backlog,²² affairs on the east march were never a major concern of Morton's during Wedderburn's wardenship. Furthermore, Morton, even if there is no record of such a payment in the treasurer's accounts, did give instructions in 1579 that the warden of the east march should receive his warden's fee. Thus, there is an undated precept for 1579, by King James VI, for paying a warden's fee to Wedderburn who had completed the "wardanrie of our eist merche" for one year and was due payment of £100.²³ This in itself would confirm that the government believed he was performing his duties satisfactorily.

When Morton became regent in November, 1572, the west march,

comprising the sheriffdom of Dumfries, the stewartries of Annandale and Kirkcudbright as well as part of the sheriffdom of Wigtown, had possessed no official warden for about three years.²⁴ The Maxwells, as the most powerful family in this area, traditionally occupied this office, and Morton, at the conclusion of the civil war, continued this policy. Thus, on 26 August, 1573, John lord Maxwell, a young man twenty years old, whose mother was Morton's sister-in-law and whose wife was also his niece,²⁵ was appointed warden.²⁶ The new incumbent, until his submission to the government shortly after his marriage, had actively supported queen Mary's cause, a fact which Morton was obviously prepared to overlook when he gave him this commission.²⁷

The wardenship of the west march, as its annual pension of £500 and warden's fee of £100 would imply, was regarded as a most important and onerous office. Maxwell, nevertheless, received no salary until 12 July, 1576, "the quhilk day William Lord Ruthven, Theasaurare to oure Soverane Lord, binds and obleissis him and his airis to content and pay to Johnne Lord Maxwell Wardane of the West Marches of this realme or his servandis in his name the sowme of auchtene hundrith pundis usuale money of Scotland and that in full and compleit payment of his fee and pension".²⁸ However, this delay would not appear to have been the prime cause of the division which developed between Maxwell and Morton. Its origins seem to lie in that endemic rivalry existing among border families in the sixteenth century.

Maxwell, although he must have had some difficulty enforcing his authority in such a turbulent region, gives the impression of having been a reasonably competent official. His appointment, for example, was renewed on 4 June, 1575,²⁹ and lord Scrope, his opposite number, spoke very favourably of his abilities.³⁰ Indeed, it is the English warden who provides an important hint for explaining Maxwell's

subsequent resignation. "I understand", he wrote on 31 March, 1577 in a letter to Walsingham, "that Lord Maxwell being of late returned from Edinburgh upon certain particularities between him and the laird of Johnstone for the failing (fying) of bills minds determinately to give up his office of wardenry and no further to exercise the same".³¹ In other words, it was the ancient enmity between the Maxwells and Johnstones which had provoked the warden of the west march.

The first intimation of this feud during Morton's regency was a complaint by Maxwell on 28 November, 1574 against Johnstone of that ilk regarding the absence of certain of his dependants from the steward court of Annandale.³² Johnstone promised to rectify this and other misdemeanours while, in an effort to improve relations between the two families, it was agreed to appoint several commissioners who would meet at Edinburgh in February, 1575 "to commune and travell for away taking and componing of the saidis debaittis and contraversiis". The next recorded incident was on 19 February, 1577 when Maxwell was accused by Johnstone of wrongly presenting one of his servants, "Jok Irving of the Sheilhill", at a day of truce the previous March.³³ The council reserved judgement until they could hear further evidence but it would appear to have been this failure by the government to reinforce his authority as a warden which upset Maxwell and which he had confided to lord Scrope.

On 25 May, 1577, Maxwell, "having willinglie upoun his awin motioun dimittit and geven up his office of Wardanrie of the West Marche of this realme foranent England", was instructed with his warden clerk, Herbert Anderson, "to bring, present and exhibit all bukis, scrollis, rollis, indentis, aggrementis, bandis and utheris writtis" before the regent and his council.³⁴ The following day, all revenues attached to the warden's stronghold of Lochmaben castle were arrested,

and he was requested to hand over the fortress.³⁵ Shortly afterwards, he was committed to Blackness castle and, though released at the beginning of September, he was obliged to remain within the environs of St. Andrews which he seems to have done until he was released from custody in March, 1578.³⁶

Sir William Fraser believed Maxwell was a victim of Morton's annoyance at the claims which he persisted in making to the earldom of Douglas.³⁷ This may have influenced the regent but it does seem more likely that Morton, concerned about the stability of the west march and perturbed at the friction between the Maxwells and Johnstones, decided, in an attempt at amelioration, to remove Maxwell from the borders. Moreover, a comment by Robert Bowes on 2 August, 1577 that the former warden was under arrest "upon suspicion of intent (to) arise troubles on the borders" would serve to confirm this explanation of Morton's conduct.³⁸

Maxwell's successor on the west march was Archibald, earl of Angus.³⁹ The new warden, a brother-in-law of his predecessor, had already been created lieutenant of all the marches,⁴⁰ and he undoubtedly perpetuated one feature of Maxwell's tenure, namely the cordial relationship established with lord Scrope. This was noted by the English agent, Nicholas Errington, a few weeks after Angus became warden,⁴¹ and is also apparent from the existing correspondence between Scrope and himself. The English warden, for example, in a letter of 7 August, 1577, having given details of a number of Scottish offences, observed, "I am the bolder herein to wryte my mynde to your lordshippe for that I am well assured of your lordshippes honourable meaning and intention to reformation of such disorders".⁴² Angus, in reply, reassured him of his determination to pursue the guilty culprits and promised his counterpart "the salbe deliverit to be punist as periurd personis and sall nevir be borne with be myself nor na others

of my knowledge or allowance".⁴³

Angus, on the day of his appointment to the west march, was commissioned by Morton's council to hold a justice eyre at Dumfries beginning on 10 July.⁴⁴ In addition, the justice clerk or his deputies were ordered to proceed there a month beforehand "to reassave dittay upoun all complaintis that sal be maid quhatsumevir personis that hes reassavit skayth or injurie within the said west march". Finally, in order to assist these judicial proceedings a muster was summoned to assemble at Dumfries on 2 July. Unfortunately, there is no record in the treasurer's accounts of the fines received by this court in July, 1577 but, since Morton, on the twenty-second of that month announced plans for another expedition to the same march the following October to deal with "a certane few nowmer purposlie maid lowse and left out",⁴⁵ it would appear that Angus and his legal colleague, Sir Lewis Bellenden of Auchnoule, were not altogether successful.⁴⁶ Doubtless, their task was not made any easier by the failure of several Ayrshire lairds to participate in the raid. Fairlie of that ilk, Cunningham of Cunninghamhead and Hunter of Hunterston, for example, were all subsequently required to give sureties for their attendance before the council in Edinburgh to answer for their absence in July.⁴⁷

Maxwell, having been reinstated as warden of the west march by the Argyll-Atholl party, was somewhat surprisingly retained by Morton once he had effected his recovery.⁴⁸ The ex-regent, however, was in a much less dominant position than formerly and probably hesitated dismissing such an eminent member of the opposition. Nevertheless, as soon as a suitable opportunity arose, recourse was had to it and Maxwell discarded.

Such an occasion presented itself on 21 January, 1579 when Maxwell attended a meeting of the council for discussions about the

deteriorating condition of the west march where, as its warden admitted, there were over five hundred "quhom he estemit inobcydient"⁴⁹ and where, at least by one account, there had been governmental misgivings about Maxwell's administration.⁵⁰ Maxwell and John lord Herries, who was also present, now submitted proposals for reforming this situation.⁵¹ Both agreed on the necessity for a company of armed light horsemen to assist the warden as well as the importance of repairing the strategically-situated fortress at Annan. Where they diverged, apart from Herries' controversial suggestion that Lochmaben castle should be the warden's headquarters, was over his other proposal that members of the Johnstone family should become deputy wardens and be rewarded for their service with half the escheats taken. It seems likely that it was this recommendation which convinced Morton that he could afford to jettison Maxwell and appoint someone, namely Herries, who, being a former warden, was not only experienced but prepared to co-operate with the Johnstones, his principal rivals. Moreover, Herries was also a confederate of Argyll and Atholl so Morton would have no need to fear repercussions over Maxwell's dismissal from that direction. Thus, the council "deliberat to burdeyne Johnne Lord Herries with the said wardenrie".⁵² Maxwell, who had been asked the previous day if he was willing to continue as warden and had accepted, conditionally, was understandably discomfited.⁵³

Herries, a nobleman in his late sixties, had first served as warden of the west march in 1546 and had been re-appointed on several further occasions before 1579.⁵⁴ Morton, apart from his new warden's willingness to conciliate the Johnstones, may have found his scheme for an armed force permanently stationed on the west march, if not an original plan, at least a useful one. Certainly, it was quickly adopted and, from 1st February, 1579, there were regular monthly

payments to one captain and twenty-four horsemen which must have made some contribution towards "the suppressing of the disordered subjects".⁵⁵ Indeed, Herries, on 15 April, was commended for the improved condition of the west march by queen Elizabeth who, "being amply advertised by Lord Scrope, Lord Warden of the Marches, of the good offices, earnest endeavour and pains he used in the charge there committed to him in the administration of justice and repairing and punishing on his side the disorders of those that seek to disturb the peace between Scotland and England, she gives him hearty thanks for the same".⁵⁶ Nevertheless, Morton, on 24 August, 1579, somewhat inexplicably, unless it was his advanced years, decided to have Herries superseded by John Johnstone of that ilk.⁵⁷

The appointment of Johnstone, head of the most powerful family on the west march after the Maxwells, undoubtedly exacerbated the hostility between these two families. Maxwell was conspicuously unco-operative, quarreling, on one occasion, with the new warden over the custody of the fortalice of Lougholm,⁵⁸ and, on another, creating difficulties with lord Scrope by his failure to hand over relevant documents.⁵⁹ By the end of September, 1580, in spite of a bond of assurance between them earlier that month,⁶⁰ they were so much at variance that the council suggested the earl of Angus should be offered the lieutenancy of the west march and thus have its overall supervision.⁶¹ Morton's nephew, however, rejected the invitation.⁶² His refusal can probably be explained as stemming from a reluctance to commit himself to duties in an area remote from the capital during the confused political situation which was a feature of his uncle's final months in office. Although the earl of Argyll ultimately did accept the post of lieutenant of the west march,⁶³ the postponements of a judicial and military expedition proposed firstly for October and then November would underline the indecisive nature of government

action by this juncture on this march.⁶⁴

Thus, Johnstone, though personally loyal to Morton, a fact emphasised by his speedy dismissal and ultimate banishment on the latter's downfall,⁶⁵ was, in the circumstances, an infelicitous choice for a region where the Maxwells were so firmly entrenched. If Herries could not be prevailed upon to remain as warden, a more suitable candidate would have been Angus who had previously acquitted himself creditably. In this way, it might have been possible to avoid, what the preamble to the proclamation of yet another expedition for 15 December described as "the enormiteis of the thevis and brokin men".⁶⁶ These crimes the council rightly concluded were committed by those who had taken advantage of "the oversight and sparing this lang tyme bygano" on the west march.

The middle march was defined in 1581 as the "whole shires of Roxburgh, Solkirk and Peebles".⁶⁷ The wardenship was traditionally a perquisite of the Ker family, and William Ker of Cessford who, by October, 1570, was recognised "now wardane of the saidis marches"⁶⁸ (in place of his father, Walter Ker), retained the position on Morton's accession.

The fact that Cessford was the only warden to remain in office throughout Morton's career might suggest a harmonious relationship being established between him and his warden of the middle march. Certainly, Morton, in the earlier part of his regency, found him a satisfactory servant. In a letter of 5 August, 1575, for example, he congratulated Cessford for his diligence on the frontier "quhairin" he added "we pray you continew".⁶⁹ At the same time, however, he cautioned him against summarily executing a felon, whom he had recently apprehended, especially as it was a case in which he was personally involved. Cessford, on the other hand, obviously believed he was a law unto himself since, the following year, in November,

having ignored Morton's admonition, he found himself summoned before the justice cyre at Roxburgh charged with "hanging a thief called Geordie Young without an assize".⁷⁰ Admittedly, his fine of £333. 6s. 8d. was remitted but it is unlikely that he enjoyed experiencing the regent's disapproval.⁷¹

This episode in itself, bearing in mind the quirky temperaments of many borderers, might have been sufficient to guarantee his and his father's presence among Morton's opponents in 1578.⁷² Indeed, it was a dependant of Cessford's called Tait who, in August, 1578, by being killed at a preliminary skirmish at Falkirk, achieved the unhappy distinction of being the only fatality in that affair.⁷³ Nevertheless, there are several other possible explanations for his behaviour at that time.

Firstly, on 23 September, 1577, Cessford's father complained to the privy council about what he alleged was the restarting by Walter Scott of Goldalandis of the ancient feud between the Scotts and Kers.⁷⁴ However, the upshot of the council's investigation into the matter was unfavourable as far as the Kers were concerned. Cessford, as a result of being a signatory to an unfulfilled wedding contract of 24 March, 1564, whereby George Ker, eldest son of Andrew Ker of Fawdonside, was to have married Janet Scott, sister of the deceased William Scott of Buccleugh, was ordered to pay a fine of 1,000 marks to Scott of Goldalandis.⁷⁵ This decision, while it may have improved relations in the long term between the two families, undoubtedly, at the time, could not have pleased either Cessford senior or his son.

Secondly, on 6 August, 1577, four borderers appealed successfully to the privy council against Cessford's judgement in a case concerning them.⁷⁶ This was doubly annoying to the warden since, shortly afterwards, he found himself liable to pay their costs as well.⁷⁷ The government's actions clearly rankled with Cessford who, in December,

1579, was still protesting about a verdict which he ultimately, by his persistence, had reversed in September, 1581.⁷⁸

Finally, it would appear that Morton, possibly in November, 1576, when he and his council visited the middle march, reduced the area controlled by his warden.⁷⁹ At least this is one recent interpretation of a report of December, 1577,⁸⁰ in which it was stated that "the Laird of Cessford or Carr is warden of the Middle Marches be east the streat"⁸¹ - that is, Cessford was confined to the section of the march east of the old Roman road known as Dero Street. William Douglas of Bonjedburgh, a kinsman of Morton's, now took over, it has been assumed by the same source,⁸² the supervision of the western part of the middle march. Dissatisfaction at these alterations probably accounts for Cessford's neglect of his warden duties which produced frequent complaints from his English counterparts.⁸³ Indeed, for much of the winter of 1576-77, he seems to have deserted his march altogether and to have spent his time in Edinburgh.⁸⁴

Morton, once he had retrieved his position in 1578, decided, despite Cessford's disaffection, to retain his services in the middle march where, on the regent's resignation earlier that year, he had been speedily restored to full control including the area "bewest the strete".⁸⁵ Morton's decision was probably more a matter of expediency than preference since, with Walter Scott of Buccleugh a minor and Sir Thomas Ker of Fernihurst, who was to attempt a reconciliation with Morton sometime in 1579,⁸⁶ still in exile, there was no obvious alternative candidate.

Cessford, at least initially, would appear to have carried out his duties competently, and an English report of 31 December, 1579 spoke favourably of his administration of east Teviotdale.⁸⁷ Nevertheless, in the same account, there was also mention of the warden of the middle march being both poorly recompensed for his efforts, and

his work hampered by the enmity prevailing between him and John Carmichael, keeper of Liddesdale. Thus, Cessford's attitude latterly to Morton, and his exercise of his warden's authority was adversely affected by a sense of grievance over pay and his relations with Carmichael.

Apropos his warden's payments, Cessford regularly received the £100 per annum which was his official salary.⁸⁸ Although this in itself was an inadequate amount, it was supplemented by an annual pension of 650 merks from the fruits of Kelso abbey.⁸⁹ Forster, the English warden, however, alluded on one occasion to ill-feeling between Morton and Cessford over that abbey, and it is conceivable that he was no longer in receipt of all of this emolument.⁹⁰

Cessford's antagonism towards Carmichael sprang from the latter's attachment to Morton and possibly a belief that he intended, as had happened in November, 1576, a diminution of his warden's powers by utilising the services of a kinsman. One of Morton's last significant measures, for example, was on 23 November, 1580, to invest Carmichael with the command of a muster at Hawick "within the bounds of Liddesdaill and Tyndaill bowest the street".⁹¹ Consequently, his administration of the frontier appears to have been affected and he was peremptorily ordered in October, 1580 "to appoint dayis of trew and keep meatingis with the opposite warden".⁹² By this date, perhaps not surprisingly, Cessford had also come to be regarded as a staunch supporter of the earl of Lennox.⁹³

Liddesdale, although officially within the middle march, was, for much of the sixteenth century, governed either conjointly by the wardens of the middle or west march or separately by a keeper, equivalent in status to a warden. Morton appointed John Carmichael of that ilk keeper of Liddesdale, probably in November, 1573,⁹⁴ although the first reference to him as keeper is in June, 1574.⁹⁵

Carmichael, despite being closely involved in the Redeswyre crisis of July, 1575, survived that episode unscathed. Indeed, the expenses he incurred when sent as a scapegoat to England in September were reimbursed by Morton's government,⁹⁶ and, on his return, he was placed in charge of the arrangements to restore goods taken at Redeswyre.⁹⁷ He was temporarily dismissed in the administrative reshuffle which followed Morton's resignation in March, 1578⁹⁸ but restored once the latter's recovery had been effected.⁹⁹ Until October, 1579, his keeper's salary of £500 was provided by an annual pension, firstly from the superplus of the thirds from St. Andrews priory, and latterly, from September, 1578, from Arbroath abbey.¹⁰⁰ However, it seems he received nothing from this second source since, on 24 December, 1579, he complained to the council about arrears of £1,000¹⁰¹ which, although allocated to him by the treasury department in October,¹⁰² had still not been paid. In addition, Carmichael was also the recipient of that customary perquisite, escheated property.¹⁰³ However, in the turbulent conditions prevalent in the borders, how much he actually received must remain conjectural.

The comparative paucity of references to Carmichael's territory would, in itself, suggest he was a competent official. Admittedly, he was unable to prevent some serious outrages: on 28 August, 1580, for example, there was a major disturbance involving over three hundred borderers in which certain Armstrongs, Elliots and others ambushed Walter Scott of Goldalands and his company as they returned from a reprisal raid into England.¹⁰⁴ Carmichael, in addition, was also handicapped, as has been noted, by the bad blood prevailing between him and Cessford - a situation which so disillusioned him that he was reported at one point as having offered his services in Ireland.¹⁰⁵ Nevertheless, there is an overall impression of a

diligent and faithful lieutenant whose devotion to Morton's cause was keenly appreciated by the latter's adversaries. Thus, when his superior fell, Carmichael was quick to follow.¹⁰⁶

Although governments in Morton's period depended, to a great extent, on the efficiency of their border officials, there were certain ways in which the central authority could reinforce the powers of the local administration. One of these was for the king or regent to summon a levy of "fencible" subjects and lead a sortie against criminals on the frontier. Another was to hold a justice gyre in the centre of a disturbed region. Sometimes both tactics were employed simultaneously so that the council would order a muster of the lieges for a show of force on one of the marches while, at the same time, evacuating Stirling or Edinburgh to execute the law in the march concerned. Morton, when regent, normally participated personally in these enterprises and, between August, 1573 and November, 1577, he planned eight raids. One of these was postponed but he attended all but one of the others.¹⁰⁷ The expedition to the west march held in November and December, 1575 is a convenient example of his regime during one of its more efficient phases.

On 30 September, 1575, it was announced that the regent, because of "sundry stowthis and utheris enorme crymes" which had been perpetrated on the west march, intended descending on Dumfries "in quhilk journey neidfull it is that he be weill and substantiouslie accompaneit".¹⁰⁸ Consequently, there followed orders for a muster from the inhabitants of the south-western counties who were to assemble at Dumfries on 24 October "weill bodin in foir of weir with XX dayis victuallis". A fortnight later, however, "for certane necessairy caussis and considerationis", probably connected with events at Redeswyre, it was affirmed that Morton had decided "to differ his passage to Dumfreis", and those to whom it concerned

should "addreis theme selfis and be in full reddiness upoun sex dayis warning".¹⁰⁹ On 28 October, a fresh date, the 16 November, was proclaimed and all those seeking redress were advised to submit their complaints to the justice clerk or his deputies who would be at Dumfries beforchand.¹¹⁰ On the prescribed day, Morton and his council, reportedly accompanied by lords Claud and John Hamilton, proceeded to Dumfries "at the whilk tyme many brokinmen of the borders war puncist be thair purses rather than be thair lyves".¹¹¹ This, to some extent, might have been the case although the justice ayre yielded a somewhat disappointing total of only £1, 968.¹¹² That this was regarded as a rather unimpressive amount¹¹³ might be concluded from the statement issued at Dumfries on 21 November condemning the local assistance given to known malefactors from both sides of the border.¹¹⁴

Morton, as a result of his experiences on the west march in November, 1575, resolved to tighten up the system of taking pledges. Under the existing arrangements, established earlier in the century, prominent borderers, as a guarantee for the good behaviour of their family or dependants, were placed under a form of mild detention in households remote from the frontier. This was a procedure which had been used extensively by Morton previously. In September, 1573, for example, following a foray into the middle march, numbers of pledges were dispatched to "noblemen and uthoris weil affectit to his Hienes service".¹¹⁵ A year later, after another expedition into the same territory, seventeen pledges were recorded as having been lodged in Edinburgh at the government's expense before being transferred to their custodians.¹¹⁶ Morton's principal innovation in December, 1575, apart from improving the arrangements used for conveying pledges across the country, was to introduce a statutory monetary penalty of £2,000 to be imposed upon any keeper who allowed a pledge under his

care to escape.¹¹⁷

Initially at least, this was no meaningless piece of council legislation as William Porterfield of Duchall, George Maxwell of Newark, Neil Montgomery of Lainshaw, Hugh Wallace of Carnell and Duncan Forbes of Monymusk discovered when, on 1st April, 1576, they were all summoned before the council to answer charges of contravening the new regulations.¹¹⁸ Montgomery of Lainshaw and Wallace of Carnell, for example, appeared before the council on 9 May where they "confessit and grantit the letting hame of the saidis pledges" but appealed for a remission of their fines.¹¹⁹ Inevitably, Morton had not solved the problem of errant pledges completely. The council, on 22 July, 1577, for instance, referring to conditions on the west march, observed that "albeit thair be plegis reassavit and liand in the Incuntre for the gude rewle of the principallis of the clahnis, yit is a certane few nowmer purposlie maid lowse and left out".¹²⁰ However, it must have convinced a number of custodians to exercise greater surveillance over their wards.

Morton, once he retrieved the reins of power in the summer of 1578, found that the interval of provisional government had certainly not brought any improvement to the situation on the borders. On the contrary, the council, on 28 October, announced that no less than forty-five pledges were at liberty "quhairthrow the Bordouris and trew subjectis of this realme ar sensyne greittie trublit and inquietit".¹²¹ Accordingly, on 11 October, proclamations were ordered to be made at various market crosses giving details of three separate musters on the middle and west marches.¹²² One, prepared for twenty days' service, was to assemble at Dumfries on 4 November, a second, for a similar stint and on the same date at Jedburgh, while a third "with provisions for the space of ane moneth" was to meet at Peebles on 1st December. This was followed shortly afterwards by

numerous letters to various prominent individuals seeking their presence on the respective raids.¹²³ Douglas of Lochleven, Morton's cousin, for example, was requested to attend at Jedburgh.¹²⁴ However, on 28 October, it was decided "upon sindrie gude wechtie and necessarie respectis to prorogat the assembling" at Dumfries and Jedburgh until 5 December.¹²⁵ This postponement, which may well have been a consequence of the delicate negotiations being conducted by Morton's side and his opponents at this juncture,¹²⁶ was followed by a change of policy in favour of "sum ordinar force to be employed for a certane space to repress sic fugitives and outlawis".¹²⁷ To finance this body, it was proposed to raise £12,000 by means of a general levy on all his majesty's subjects liable to such taxation. Although a similar "stent", admittedly only for £4,000, had been demanded in 1575 for the same purpose,¹²⁸ there were strong objections, on this second occasion, to such a procedure.¹²⁹ "The force in the making of the and granting of the said taxt", it was alleged, "was not usit and observit conforme to the Actis of Parliament". Thus, Morton and his council, accused of acting unconstitutionally, appear to have abandoned the project altogether, and there was no further conciliar action on the borders that year. It was left to lord Ruthven, in his capacity as lieutenant of all the marches, to do the best he could to suppress the prevailing disorder.¹³⁰ This task, according to Spottiswoode, "he discharged with great commendation"¹³¹ and the details of his efforts in the council records would substantiate this verdict.¹³² Nevertheless, it is possible that it was the magnitude of this undertaking which hastened his resignation from the lieutenancy in mid-January, 1579.¹³³

Morton authorized neither judicial nor military expeditions to the borders in 1579. On 16 November, 1580, there was to have been a justice ayre and a muster on both the middle and west marches but they

were deferred, allegedly until talks being conducted by Alexander Hume of North Berwick with the English government were completed.¹³⁴ In fact, Hume's abortive mission was more an attempt by the supporters of Lennox to improve that nobleman's standing with Elizabeth than a serious embassy about frontier matters.¹³⁵ Indeed, Morton, despite constant English pressure throughout 1580, failed, undoubtedly because of his domestic preoccupations, to make the necessary arrangements for a meeting of border commissioners from both sides. Originally, John lord Herries, Mark Ker, commendator of Newbattle, and Alexander Hay, director of chancery, had been named as the Scottish representatives for such a conference.¹³⁶ Initially, this was to be held on 20 May, then it was prorogued until 20 June.¹³⁷ This date passed without any sessions of the Anglo-Scottish commissioners and, by 14 August, when there still had been no meetings, Elizabeth was growing increasingly concerned and "greatly marvelled that the meeting should be deferred".¹³⁸

Thus, the only decisive action taken on the borders by Morton's government between October, 1578 and December, 1580 was the incursions on the west and middle marches undertaken by Johnstone and Carmichael on 15 December, 1580.

While Morton latterly neglected one major means of controlling the borders, he continued to employ another expedient utilised by him to assist his border officials in their duties. This was the provision of small companies of infantry and cavalry. These were first in action at the beginning of his regency and, over a period of three years, for example, from the end of 1573 to the same point in 1576, there were detachments regularly employed in unruly areas.

In the first two months of 1574, a hundred infantrymen and forty lighthorsemen, commanded by captain David Hume and John Carmichael of that ilk, respectively served the government presumably in Liddesdale

or the middle march.¹³⁹ They were in action again in June-July, doubtless acting as reinforcements to the raid launched on the middle march in midsummer. The autumn found them once more on active service.¹⁴⁰

During the first half of 1575, Carmichael, the keeper of Liddesdale, and his small band appear to have been carrying out regular operations¹⁴¹ but, for the big judicial and military expedition to the west march later in the year, extra forces were recruited. Thus, captain David Spalding and Carmichael commanded fifty infantrymen, while captain Robert Maxwell was in charge of forty cavalrymen.¹⁴²

The earlier part of 1576 had a similar military pattern to the previous year but Carmichael's unit was the only body to assist the assault on the middle march held in November.¹⁴³ However, December of that year would appear to be the last occasion for some time when payments were made by the central government to any auxiliary forces on the borders. Perhaps Morton's activity had produced some temporary improvement in conditions on the marches and he saw the opportunity for an obvious cut in governmental expenditure.

It was not until February, 1579, shortly after it had been suggested by both lords Herries and Maxwell at the discussions held in Edinburgh in mid-January about border matters, that the practice was restarted. Thus, Herries, as newly-appointed warden of the west march, received a monthly allowance for the upkeep of one captain and twenty-four men.¹⁴⁴ Johnstone, his successor, was given similar military assistance while, in September, Carmichael, accompanied by fifty horsemen, was once more attending to the "retaining of good order of the borders".¹⁴⁵ Clearly, it was a costly policy, and Morton, on two occasions, as has been observed, had endeavoured to defray some of the expenses by extraordinary taxation. Nevertheless,

in the turbulent state of the frontier, especially in Liddesdale and the middle march, it would seem a commendable strategy of inestimable value to the officials concerned.

In such manner did Morton strive to govern the borders, and his endeavours, at least in the earlier part of his administration, seem to have met with considerable success. Contemporary opinion, frequently unsympathetic towards him, usually concedes he was efficient. "This regent held the countre under gret obedience and in one establissit estait", admitted Sir James Melville,¹⁴⁶ an estimate echoed by several other authorities.¹⁴⁷ This view was shared by English officials, certainly initially, as a letter from their privy council to Morton on 26 February, 1576 would confirm. They offered "right hearty thanks, assuring him that they shall not fail to concur with him and desire him to continue his former care and good disposition in such causes whereof they have been advertised from the Lords Wardens of her majesty's borders and especially by Lord Scrope".¹⁴⁸

Latterly, however, the English government was less enthusiastic and Bowes, in September, 1580, following his unsuccessful attempts at arranging a meeting of Anglo-Scottish commissioners to discuss border problems, wrote pessimistically that he anticipated "slender order taken for the borders".¹⁴⁹ This was scarcely surprising since Morton, after 1578 as has been shown, never exercised, with the possible exception of Liddesdale, the same control over the marches. On the east march, he had installed the comparatively inexperienced Hume of Wedderburn; on the west march, Johnstone's effectiveness was frequently blunted by the contumacious Maxwell, while Cessford, on the middle march, was never completely reliable.

On Morton's downfall, Cessford's wardenship was renewed and he was given Liddesdale as well.¹⁵⁰ However, at the same time, the new

council, by its detailed instructions such as those about regular quarterly sessions of the warden's court, weekly hearings of complaints, and a purge of unemployed persons in the area, provides a good indication of how unsettled the middle march had become.¹⁵¹ Furthermore, as has also been noted, governmental intervention by means of judicial and military expeditions declined noticeably in the final years of Morton's administration. In short, it would appear incontrovertible that, as Morton's position at Edinburgh was undermined, so his grasp on the borders correspondingly slackened.

Notes to Chapter VIII

1. CSP Scot. iii, 357.
2. RSS vi, No. 2176; RFC ii, 300.
3. Rae, Scottish Frontier, 238.
4. TA xii (1566-74).
5. RMS iv, No. 1716.
6. RSS vi, No. 2381.
7. ibid., No. 2320, vii, No. 140.
8. ibid., vi, No. 2369.
9. RFC ii, 534-37.
10. ibid., 586-87.
11. Donaldson, Thirds of Benefices, 24.
12. CSP Scot. v, 503.
13. Pitcairn, Trials i, 47-48; TA(MSS)xiii, 141.
14. MMC Rep. xii, App. pt. viii, 102-03.
15. His successor was appointed on 6 September, 1578. RSS vii, No. 1635.
16. Moysie, Memoirs, 17.
17. TA(MSS)xiii, 172-73, 261.

18. Robert Bowes on several occasions in 1580 refers to Coldenknowes' association with Lennox, e.g. CSP Scot.v, 311, 496, 502, 508.
19. RSS vii, No. 1635.
20. Scots Peerage iii, 286-87.
21. HMC Rep. (Milne-Home), 50.
22. CSP Scot. v, 341-42, 353-54.
23. HMC Rep. (Milne-Home), 49.
24. Rae, Scottish Frontier, 241.
25. Fraser, Carlaverock i, 223, 228-29.
26. RSS vi, No. 2116.
27. Fraser, Carlaverock i, 225, 229.
28. RPC ii, 543; TA(MSS)xiii, 124-25.
29. Fraser, Carlaverock i, 231.
30. CSP Dom. Add.(1566-79), 506.
31. CSP Scot.v, 227.
32. RPC ii, 421-23.
33. ibid., 593.
34. ibid., 613.
35. ibid., 615; TA(MSS) xiii, 168-69.
36. RPC ii, 631, 677, 729; TA(MSS)xiii, 175, 183, 190.
37. Fraser, Carlaverock i, 231-33.
38. CSP Scot. v, 232.
39. RSS vii, No. 1048; RPC ii, 613.
40. ibid., 576.
41. CSP Scot. v, 230.
42. Fraser, Douglas iv, 230-31.
43. ibid., 231-32.
44. RPC ii, 614; TA(MSS)xiii, 169.
45. RPC ii, 619-20.

46. That Sir Louis Bellenden was present is confirmed by a payment received in September, 1579 by the justice clerk of £333.6s.8d., "in forthsetting of justice and putting order to that troubled country" at courts held by Angus and Ruthven, TA(MSS)xiii, 287.
47. ibid., 181.
48. RSS vii, No. 1622.
49. RPC iii, 73.
50. Spottiswood, History ii, 260.
51. RPC iii, 75-84.
52. ibid., 76.
53. ibid., 76.
54. Rae, Scottish Frontier, 240-41.
55. TA(MSS)xiii, 253 - 301, *passim*.
56. CSP Scot. v, 335.
57. RPC iii, 207; Fraser, Annandale i, 40-41.
58. RPC iii, 304-05.
59. ibid., 286-87, 397-99.
60. ibid., 302.
61. CSP Scot. v, 512.
62. ibid., 512.
63. ibid., 512.
64. RPC iii, 307, 310, 317, 326, 328. It was subsequently ordered for December, SRO TA, E22/4, 77R.
65. See Chap. X, 236.
66. RPC iii, 332-33.
67. ibid., 344.
68. RSS vi, No. 945.
69. HMC Rep. xiv, App. pt. iii, 34-35.
70. TA(MSS)xiii, 351.
71. ibid., 148.
72. Cessford's hostility is mentioned by several sources, e.g. CSP Scot. v, 317; Calderwood, History iii, 423; Spottiswood, History ii, 228; Moysie, Memoirs, 14.

73. Calderwood, History iii, 424.
74. HMC Rep.(Iain) i, 27-28.
75. RPC ii, 643-44, 665; Fraser, Buccleugh i, 138-39, 164.
76. RPC ii, 622-23.
77. ibid., 639-40.
78. ibid., iii, 251, 421.
79. ibid., 567-73.
80. Rae, Scottish Frontier, 201.
81. CSP Scot. v, 255.
82. Rae, Scottish Frontier, 201; On 21 February, 1577, Forster, warden of the English middle march, addressed Bonjedburgh as "Deputy warden of West Teviotdale", Fraser, Douglas, iv, 215-16.
83. ibid., 208-09, 211, 212-13, 216.
84. ibid., 208-09, 211, 218.
85. CSP Scot. v, 277.
86. HMC Rep.xv App. pt. ix, 28.
87. CSP Scot. v, 373.
88. See TA(MSS)xiii.
89. First awarded on 14 October, 1570 and renewed on 26 February, 1575, RSS vi, No. 945, vii, No. 56.
90. CSP Scot. v, 503.
91. RPC iii, 333.
92. ibid., 325.
93. CSP Scot. v, 502, 508, 527.
94. Rae, Scottish Frontier, 244.
95. CSP Scot. iv, 683.
96. TA(MSS)xiii, 73.
97. RPC ii, 498, 568.
98. CSP Scot. v, 277.
99. RPC iii, 47.
100. RSS vii, Nos. 378, 1657.

101. RPC iii, 252.
102. TA(MSS)xiii, 290.
103. E.g. RGS vii, Nos. 607, 955, 1080, 1468.
104. RPC iii, 209-10.
105. CSP Scot. v, 356.
106. He was dismissed on 13 January, 1581, RPC iii, 344.
107. Rao, Scottish Frontier, 265-66.
108. RPC ii, 462; TA(MSS)xiii, 78.
109. RPC ii, 465.
110. ibid., 467, 469; TA(MSS)xiii, 79.
111. Historie and Life of King James the Sext, 158; CSP Scot. v, 200-01.
112. TA(MSS)xiii, 16.
113. Other totals for justice cyrcs between 1574-76 were Aberdeen (Aug., 1574) £11,656; Edinburgh (Feb., 1576) £2,224; ibid., 16.
114. RPC ii, 476-77.
115. ibid., 275-76; Diurnal, 337; Pitscottie, Historie ii, 309.
116. TA(MSS)xiii, 28; CSP Scot. v, 35.
117. RPC ii, 477-78.
118. ibid., 514; TA(MSS)xiii, 122.
119. RPC ii, 525-26.
120. ibid., 620.
121. ibid. iii, 42-43.
122. ibid., 38; TA(MSS)xiii, 220.
123. ibid., 225.
124. NLS, Morton papers, 77, f.46; printed in Mort. Reg. i, 116.
125. RPC iii, 41; TA(MSS)xiii, 226.
126. See Chap. IV, p. 63.
127. RPC iii, 46.
128. ibid. ii, 467-79; TA(MSS)xiii, 107.
129. RPC iii, 56-57.

130. There is, however, no actual reference to Ruthven's appointment in the council minutes and he is not mentioned by name until 18 January, 1579, ibid., 62.
131. Spottiswood, History ii, 259-60.
132. RFC iii, 62-68.
133. ibid., 63.
134. ibid., 328-29; Johnstone and Carmichael undertook small-scale raids in December, 1580, ibid., 332-333.
135. Details of Hume's mission are given in CSP Scot. v, 538-39.
136. ibid., 392.
137. ibid., 396, 432.
138. ibid., 483.
139. TA xii, 373-74, 377.
140. TA(MSS)xiii, 18, 23, 35, 44.
141. ibid., 51, 59, 66, 69, 71, 77.
142. ibid., 84.
143. ibid., 91, 93, 101, 143.
144. ibid., 253.
145. ibid., 286.
146. Melville, Memoirs, 260.
147. See Melvill, Diary, 60; Historie and Life of King James the Sext, 146; Diurnal, 337-38; Spottiswood, History ii, 279.
148. CSP Scot. v, 212; see also CSP Foreign (1575-77), 118.
149. CSP Scot. v, 512.
150. RFC iii, 345.
151. ibid., 345-48.

C H A P T E R IX

DOMESTIC ADMINISTRATION

Controlling the borders, while always a major concern for Morton's government, was only one of several matters requiring his attention in domestic affairs. Other important items which pre-occupied him were the enforcement of justice in the rest of the country, the health of the nation's finances including the condition of the currency, overseas trade and the problems of the poor.

Morton's judicial activities on the borders or at Aberdeen require no further comment but his efforts in this direction were not confined solely to these regions. Thus, in December, 1573, following assizes at Peebles and Selkirk the month before, a justice ayre was held at Haddington in connection with offences in the sheriffdom of Edinburgh "within the Constabulary of Hadingtoun".¹ Furthermore, another such court was arranged for the same town a month later to deal with crimes committed within the sheriffdom of "Berwik and Bailary of Lauderdale"² and, between 1574 and 1578, there were three further such assizes in Edinburgh itself.³ These, as well as similar judicial proceedings on the frontier, must have been largely responsible for the observation in one account that because of "his perpetuall policie and cullor of justice whareby he punneist transgressors and uthers saikles the greatest part of the people fearit him and consequentlie invyit him".⁴

Another indication of greater tranquillity, generally, is the reduction in the number of those warrants for grants under the privy seal which normally infer crime of some kind or other.

Accordingly, during Morton's era, the number of escheats, remissions and respites all fell drastically in number. Escheats, for example, dropped from 650 to 450, remissions from 160 to 66 and respites from 90 to 40 compared to the years of the civil war.⁵ Granted, there are some references in the privy seal to serious crime when Morton was in office. Thus, on 5 April, 1576, in Aberdeenshire, a large band of Gordons attacked "the house and plaice of Streichin (Strichen) . . . , asseigeing of the samin be schuting culveringis, daggis and uther weirlyke persute" and, in their determination to procure the release of one of their kinsmen, killed Thomas Fraser of Strichen.⁶ Again, in September, 1578, at the Chanonry of Ross, Colin Mackenzie of Kintail and his followers acted violently and displayed considerable cruelty towards the widow and servants of the newly-deceased bishop Hepburn.⁷

Nonetheless, these would appear to have been uncharacteristic incidents, and there would seem to be good grounds, at least for the period of Morton's regency, for accepting the estimate of the Edinburgh burgess, Robert Birrell, that, during this period, "he kept the country in great justice and peace".⁸

Paradoxically, however, it was during the more settled period of his regency that there was, allegedly, a plot on his life. Thus, on 15 June, 1577, John Sempill of Beltries, "Dilaittit of the tressonabill conspiracie of my Lord Regentis Graceis slaughtare" was found guilty of this charge and "the dome of forfaltour was pronunceit aganis him".⁹

Sempill, a natural son of Robert lord Sempill, had married Mary, daughter of Alexander lord Livingstone in March, 1565.¹⁰ The background to the affair with Morton would appear to have been a dispute which had arisen with the regent over "a portion of fyne ground" granted by queen Mary "for his awin and his wyffis gude

service".¹¹ Morton sought to restore these lands to the crown, and Sempill, so it is stated, infuriated at such treatment, conspired with others, but notably his nephew, Adam Whiteford of Milnton, "to kill him as he went down the street towards the palace with a harquebuss".¹² However, as a result of certain "rash and boasting speeches", Sempill was arrested and confessed under torture what his intentions had been.¹³

Sempill was subsequently reprimanded but, meanwhile, Whiteford, whose father was fined £100 in May, 1577 for his son's absence from court in Edinburgh,¹⁴ was apprehended later that month in Dute.¹⁵ He, too, was tortured by the regent but apparently revealed nothing.¹⁶ Indeed, according to Spottiswoode, because of his maltreatment of Whiteford, "the mouths of many opened against the regent using such rigour".¹⁷ Nonetheless, Whiteford's later record, with his father and himself accused along with several others of the slaughter of Patrick Maxwell of Stanelie in July, 1584, might suggest he came from a turbulent family.¹⁸

Before leaving the incident, the question of its significance arises. Spottiswoode, for example, states that the Hamiltons were believed to be implicated.¹⁹ Conversely, Balfour, in his account of the episode, denies there was any Hamilton complicity, and dismisses the whole business "as only a net to have caught the Hamiltons in".²⁰ It is always possible Morton was contriving some devious stratagem against the Hamiltons, and Whiteford does seem to have been one of their adherents.²¹ Yet, January, 1576, the date when Sempill was accused of concocting his conspiracy, was a period when, as has been shown,²² Morton was on particularly good terms with the Hamiltons.

On the other hand, on 9 May, 1578, Sempill was rehabilitated by the provisional government which had supplanted Morton although

it was at pains to point out that "the landis of Auchtermowtie lyand within the erledome of Fyfe, Mckill Cumray, Lyttill Cumray and Stewartoun..... quhilkis wes disponit to said Johnne of befoir and now is na wyise meant to be comprehendit in this restitution, rehabilitatioun and reponing".²³ Thus, considering how quickly he was restored, it could be argued that the regent's enemies had been the instigators of Sempill's attempt and were now looking after their agent's interests. Again, this is always a possibility.

Nevertheless, it is not inconceivable that Sempill had no links with any of Morton's rivals and simply disliked him for the reasons given and possibly on account of his activities as tutor of the master of Sempill during his minority. Morton was given this commission by Robert lord Sempill on 7 October, 1573,²⁴ and a discharge and remuneration dated 1st March, 1578 by Elizabeth Sempill, daughter of the deceased lord Sempill, of the fruits of Paisley abbey and the teind sheaves of the churches of Lochwinnoch, Largs and Inverkip would suggest the regent took an active interest in his tutorship.²⁵

The affair, however, does underline the precarious nature of the office of regent in sixteenth century Scotland. Yet it was an isolated incident and in no way detracts from Morton's achievement in enforcing law and order. This, of course, was only one of his tasks, and what must now be studied - his supervision of the country's finances - was a very different undertaking.

In any examination of Morton's financial administration, the exchequer office must feature prominently. Therefore, a brief resume of its functions would be relevant before any attempt at an assessment of it under the regent is undertaken.

The division of the exchequer into two offices, that of comptroller and treasurer, is a familiar feature of Scotland's

financial administration in the sixteenth century. Thus, Morton's government contained a comptroller's department with a comptroller responsible for the revenues from the crown lands, burghal payments and customs duties. From this income he had to endeavour to defray the expenses of the royal household. Similarly, there was a treasury office with a treasurer in charge of all casualties. These comprised compositions, revenues from escheated property, fines, temporal fruits and revenues from vacant bishoprics as well as the profits from the royal mines and the coinage. From these sources the treasurer was expected to meet all the expenses incurred outwith the royal household. The obvious question is whether Morton's more determined rule, already observed in his administration of the borders, can also be detected in his control of the nation's financial affairs.

Morton, on becoming regent, retained the services of Sir William Murray of Tullibardine as comptroller. By 1574, this official was recording a substantial improvement in the income from his section of the exchequer. Thus, whereas the total sum collected by Murray of Tullibardine in 1573 amounted to £10,182,²⁶ the following year it rose by over £8,000 to £18,932.²⁷ Admittedly, and surely this is a reflection to some extent of Morton's stronger government, a large proportion of this amount included repayment of sums outstanding for several years. Nevertheless, on the basis of the only other extant accounts, that is, those of 1579 and 1580 being just slightly less than the somewhat artificial total for 1574,²⁸ it would seem reasonable to conclude that Murray's department was operating more efficiently again. This assumption is confirmed, to some degree, by an examination of the available burghal and customs returns but more explicitly in the income from the "ballivi ad extra".

In 1573, when Morton's government was preoccupied for nearly half that year with the final stages of the civil war, the crown received in cash only £2,853 from its various chamberlains, feufarmers and lessees of crown lands.²⁹ The next year, however, the figure rose to £9,758.³⁰ While the disparity between the two totals was undoubtedly exaggerated by William Ewart, receiver of the lordship of Galloway below the Cree, disbursing £5,620 as back payment outstanding for eleven years,³¹ it is significant that, whereas only eight local officials subscribed in 1573, fourteen did so a year later.³² Indeed, between 1575 and 1580, but excluding 1578, a notably disturbed year, out of a possible total of about twenty-five different officials who should have contributed, there were, on average, seventeen who did so.³³

Granted, there were still omissions and irregularities as far as certain bailies were concerned. Colin, earl of Argyll, for instance, whose predecessors had apparently made no sheriff returns since 1528,³⁴ as chamberlain of both Bute and Cowal, rendered no contributions for the former in 1577-78 nor for the latter from 1576 to 1578.³⁵ Considering the friction already noted between Argyll and Morton in these years,³⁶ this is scarcely surprising. There again, John, earl of Mar, in his capacity as chamberlain of Stirling, made no payments to the exchequer between 1574 and 1579.³⁷ In his case, especially latterly during 1578 when Morton and Mar were firm allies, this could possibly have been a consequence of their friendship. On the other hand, the financial discrepancies of Sir Mathew Campbell of Loudon, sheriff of Ayr and feufarmer of Trabboch and Terrenzean in that county, whose last payment to the comptroller was in 1575,³⁸ would seem characteristic of someone frequently at odds with the central government. There are, for example, various references to his activities in the register of

the privy council,³⁹ although it is also possible that, having signed a bond of manrent with Morton and Angus on 6 October, 1575, he could afford to be somewhat dilatory with his payments.⁴⁰ Nevertheless, these were exceptional cases and, while it must be conceded that, in 1582, the subsequent Lennox-Arran regime has a more impressive record,⁴¹ Morton's administration would seem to have made a creditable effort at obtaining the revenues from the crown lands.

However, the crown lands were but one of the responsibilities of the comptroller. Nonetheless, although initially, according to the responde books of the exchequer, there might have been large numbers of defaulters who failed "to half gevin compt, rakning and payment of thair intromissioun" by the prescribed date,⁴² the majority, on being admonished, obeyed Morton's government. In other words, a fine of £10 and a warning to offenders that, if their accounts were not rendered, they would be placed "under the pane of rebollioun and putting of thame and everyane of thame to the horne", was generally sufficient warning for most of them to settle with the comptroller inside six months. In 1576, for example, most of the revenues from the crown lands were still unpaid in August when the customary admonition was issued.⁴³ Nevertheless, by February, 1577 nearly all concerned had rendered their accounts.⁴⁴ Here again, therefore, there is further testimony of a grudging acceptance of the regent's authority.

Furthermore, the various individual actions taken against certain sheriffs, bailies and customs officials would hardly suggest a moribund administration. Thus, in 1577, for example, the provost of Ayr, with several fellow councillors, found making the journey to Edinburgh and forfeiting over £300 preferable to remaining at the horn.⁴⁵ In the same year, the burghs of Rutherglen, Lenark

and Peebles were required to present their accounts for inspection,⁴⁶ and there was an enquiry into the mishandling of Perth's finances.⁴⁷ Meanwhile, at Dundee, although the customs officer, James Lowell, "offerit himself rady to mak compt, raknyng and payment of the custumes thairof sen his compt", the exchequer, clearly suspicious of Lowell's behaviour, insisted on the additional presence of his clerk of the cocket.⁴⁸ Lastly, at Lauder in 1577, William Woddret, bailie of the burgh, "quhill he have maid full compt, reknyng and payment of the borrow males", was to lodge himself in custody at Edinburgh castle.⁴⁹

Undeniably, there were some irregularities. For instance, the customs duties of Aberdeen from 1564 to 1573, apparently given as a tack to the provost, Thomas Menzies of Pitfodellis, were not paid until 1581 despite the provost being put to the horn in March, 1575 for their non-payment.⁵⁰ Again, the burgh of Irvine made no customs payments after 1574,⁵¹ nor Dumfries between 1560 and 1578. However, the explanation for this latter infringement would appear to be that the customs were leased to George Maxwell, burgess of Dumfries, for £40 per annum.⁵² Nevertheless, these deficiencies, and certain others, would hardly seem to affect the conclusion that Morton's regime ensured the comptroller's department of a much more realistic amount from the sources available to it.

However, despite a greater yield from the crown lands, customs and the burghs, Murray of Tullibardine was unable to avoid a growing deficit by the end of Morton's career. Admittedly, by 1574, the arrears of the preceding year, which stood at £7,261, were reduced to £1,433,⁵³ and probably, although there are no comptroller's accounts extant for these years, it is reasonable to speculate they remained at a similar level until 1578. But the discord of that year produced a loss of £4,847,⁵⁴ and, although there was

subsequently some improvement in 1579 when the imbalance fell to £3,254,⁵⁵ Morton's rule ended with comptroller recording a deficit of £5,377.⁵⁶

While speculation cannot be discounted - Robert Bowes, for instance, reported to his government on 10 May, 1580 that Morton's opponents wanted his administration "charged with sudden reckonings"⁵⁷ - there possibly were mitigating circumstances which might explain Murray's predicament. In short, his failure to meet the expenses incurred by the royal household might be due to the fact that the period of his comptrollership under Morton formed part of at least a half-century of rising and fluctuating commodity prices.⁵⁸ Evidence for such an assertion, though subject to reservations about regional variations, is provided by an examination of the prices of specific items in the records of the burgh of Glasgow. Accordingly, the fourpenny loaf which, in 1574, weighed fourteen ounces, was twelve ounces in weight by 1580 and had, in 1577, been a mere ten ounces. Similarly, ale which was sixpence a pint in 1574 rose to eightpence for the same measure in 1577 but fell to sevenpence per pint by 1580. Wine and candles show less fluctuation but the former increased by twopence per pint and the latter by fourpence per pound over the same interval.⁵⁹

Thus, the general rise in the cost of living, rather than the comptroller lining his own pockets by hoodwinking the royal auditors, would seem the principal reason for Murray's failure to balance his accounts and consistently present Morton with a deficit from his department.

The comptroller's problems, however, seem of less consequence when those of William lord Ruthven, Morton's treasurer, are considered. Ruthven's task was exceedingly onerous since, as well as defraying the innumerable regular charges arising outwith the royal

household, he also had to cope with a large variety of extraordinary expenditure.

One such item was the siege of Edinburgh castle in 1573 - a particularly costly affair. Some of the expenses which the treasurer had, on that occasion, included wages totalling £2,500 to the members of Berwick garrison present at the bombardment,⁶⁰ a reward of one hundred "crowns of the scene" to the English artillerymen who broke down Kirkcaldy of Grange's defences,⁶¹ and £500 between four Scottish officers "upoun considderatioun of divers sowmes auchtand to thame in the tyme of the late regent and that thai wer presentlie to entir in service for asseging and enclosing of the castell of Edinburgh".⁶² In addition, there was the expensive gift to the English ambassador, Sir Henry Killigrew. This comprised of "ane ring of gold ane basing, ane laver, thre cowpis with thair coveris and ane saltsatt with the cover all of silver graven dowbill ourgilt with gold".⁶³ It cost the treasury £680. Another noteworthy payment is that made to George Douglas, son of Archibald Douglas of Kilspindie, a cousin of the regent, in return for his expenses while serving as a pledge "for the men and munitioun that come thairfra to the assege of the castell".⁶⁴ Since James Stewart, son of lord Ochiltree, was the only other hostage apparently in receipt of such an award,⁶⁵ this must be further evidence of Morton's tendency to look after the interests of his own kin.

A further charge on the treasurer was the repairs necessary to Edinburgh castle. This undertaking, an operation lasting several years, with work still in progress in the summer of 1576,⁶⁶ was one to which Morton paid considerable attention. We are told, for example, that the regent "caussit maissions begin to red the bruisit wallis and repayrit the forewark to the forme of a bulwark, plat

and brayd abone for the ressett and rynnning of many cannons".⁶⁷ The same authority also alleges that Morton not only paid the workmen with base money but had his own coat of arms ostentatiously inscribed "upoun the new biggit part of the castell, above the lyon of Scotland".⁶⁸ Whether he did or did not - and there is no extant evidence that he did.⁶⁹ - it does not gainsay the fact, as borne out in the treasurer's accounts,⁷⁰ that the regent devoted considerable energy on the restoration of the castle, and could justifiably reflect on the occasion of his demission in March, 1578 that he had taken good care of the crown's major fortress.⁷¹

There were two other particularly costly affairs. Firstly, there was the imbroglio at Falkirk in August, 1578 when the royal forces under Morton and Angus confronted those of the malcontents led by Argyll and Atholl. Then, the next year, there was the campaign against the Hamiltons. The Argyll-Atholl insurrection resulted in Ruthven having to disburse £5,944 to the officers commanding the king's army,⁷² with, in addition, damages amounting to £533. 6s. 8d. being paid as compensation to John Livingston, younger of Dunipace, for "the spulzie of his house and eating of his corn by the horsemen and others that convened at Falkirk".⁷³ The persecution of the Hamiltons, on the other hand, denuded the treasury of over £8,000 which it could ill afford.⁷⁴

When these facts are taken into consideration, it is scarcely surprising that Morton's treasurer found himself faced with a regular deficit and having to resort to emergency expedients. "Be ressoun", so he informed the royal auditors in 1574, "the said thesaurar had nocht of the kingis majesteis geir in his handis to performe the necessar expensis and charges for furthsetting of our soverane lordis service and paying of his hienes dettis as the necessitie of the tyme requirit, it behuifit him to have recours to employ his credit

at my lord regentis grace".⁷⁵ In other words, Morton, between December, 1572 and May, 1574, loaned the treasurer a total of £57,510 and thus reduced his outstanding debt to £3,521.⁷⁶ However, over the same period, the regent recovered just over £45,055 of this amount from the profits of the mint and thus remained "superexpendit of his awin geir debursit be him as said is in the sowme of twelf thousand foure hundreth fiftie fyve pund twenty thrie pennyis obolus".⁷⁷ By 1576, Ruthven's deficit had fallen to £17,356 and, once again, Morton came to his rescue.⁷⁸ As before, the regent was recompensed by further profits from the mint as well as from the superplus of the thirds and from the tax levied for the suppression of the borders. This left only £3,075 "to be paid by the king majesty of the readiest of his property and casualties".⁷⁹

The precise reason for Morton's willingness to subsidise the treasury must remain conjectural. However, the notion of the crown being indebted to him was possibly not an unattractive proposition. Moreover, it is conceivable that he saw a distinct opportunity for financial chicanery arising from his dealings with the mint. Whatever motive guided him, the practice continued after 1578 and, throughout 1579 and 1580, Morton was still the recipient of regular and frequently considerable sums of money from the treasury.⁸⁰

Undoubtedly, the improvement in the financial condition of the treasury, which has been noted in the middle years of his regency, owed a good deal to Morton himself. His subjugation of the borders and north-east Scotland between 1574 and 1576, for example, yielded nearly £16,000 in fines from justice eyres.⁸¹ His presence was felt most vividly in the city of Aberdeen where provost Menzies and his council paid dearly for their allegiance to Huntly in the civil war.⁸² Although there were two other judicial hearings at Dunfries and Edinburgh, this northern circuit, undertaken in August, 1574,

accounted for approximately three-quarters of the sum collected.⁸³ Furthermore, four subsequent assizes shared by Jedburgh and Edinburgh between 1576 and 1578 contributed another £12,089 to the treasury.⁸⁴ Clearly, the treasury benefited from the profits of justice, and the absence of such judicial activity in the latter years of Morton's career was to its disadvantage.

Yet Morton, at least while he was regent, would appear, by his neglect of compositions on signatures under the privy seal, to have ignored one way of increasing the royal revenue. It has been estimated, for instance, that, between March, 1573 and April, 1574, out of a total of 515 such grants, 356 were given gratis by the treasury.⁸⁵ Now perhaps, in this matter, the regent was perfunctory or unusually generous. This may be the explanation but, in the case of some of the larger remissions involved, the likelihood of a political motive seems distinctly possible. Take the cases of John lord Herries remitted "by my lord regents grace precept" the composition on three signatures confirming ecclesiastical feus amounting to £474,⁸⁶ or John Johnstone of that ilk who was exonerated from a series of compositions totalling £800 affecting himself and his servants.⁸⁷ In these instances and others of a similar nature,⁸⁸ affecting George Douglas of Bonjedburgh, William Ker of Cessford and Sir James Hume of Coldenknowes, since all concerned were prominent figures in the southern half of the kingdom, Morton may have believed that their allegiance could be more effectively guaranteed by concessions of this nature. Likewise, the favour shown Andrew earl of Errol, Alexander lord Saltoun and William Leslie of Wardaris,⁸⁹ all individuals of some standing in the north-east part of the realm, may have had a similar objective.

Nevertheless, there is always the possibility that Morton concocted a system for exacting payments on his own account and was,

in some way, by-passing the treasury. He had, for example, allegedly devised a scheme whereby he pocketed the compositions paid by certain Edinburgh citizens who had supported the losing side in the civil war.⁹⁰ Moreover, it is significant that, after his recovery in 1578, the yields from compositions under the privy seal were considerably higher. Thus, between 1578 and 1580, the amount realised on compositions by the treasury was £28,000. Between 1574 and 1576, conversely, it was a mere £11,000.⁹¹ Since Morton had less control over affairs in the final years of his administration, it is conceivable that, reinforced by privy council and parliamentary decrees,⁹² Ruthven was able to ensure that such compositions became a more substantial source of royal income. Therefore, if Morton had, as Sir James Melville affirms, "set his haill study how till gather goir" when he was regent,⁹³ he may have found less opportunity for such practices between 1578 and 1580.

Undoubtedly, Ruthven's problems could not have been made any easier if the regent was indulging in such activities nor, for that matter, by the price rise which, as has been noted, adversely affected the comptroller's department. However, the treasurer's predicament was made all the more serious by another factor - the condition of the Scottish currency.

Morton issued new coins on three occasions. In 1575, "he causit a new pcece of gold to be imprentit of the weight of ane once and ordainit to have course in the countrie for the avail of twentie punds money".⁹⁴ This handsome piece portrayed King James VI in armour on the face side with the inscription "In utrumque paratus" while the reverse had a crowned shield and the Virgilian lines "parcere subiectis debellere superbos".⁹⁵ The next issue should have been in 1578 when it was proposed to introduce a gold crown as well as two silver marks.⁹⁶ However, there was no distribution of

the silver merks until the following year while, in 1580, it was decided to replace the gold crown with a golden ducat.⁹⁷

Undoubtedly, Morton's government realised the weakness of the country's currency was caused by debasement and the circulation of innumerable foreign coins. Thus, at the convention of March, 1575, where the regent made his first attempt to repair the situation, it was announced that the roots of the problem lay partly in the quantity of false currency produced "not allanerlie within this realme bot outwith" and now circulating within the kingdom. However, the principal reason was declared to be the "gredit quantitie of fals countirfaitit money plakkis and lyonis utherwayis callit hardheidis strikkin in cunze in the time of the governament of the queene Drowarior".⁹⁸ Morton's remedy was to order all surviving coins issued by Mary of Guise to be rendered to the mint for clipping. There, in what appears to have been a device aimed at stabilising the currency, the plack and the hardhead were reduced in value. Furthermore, as from 20 November, 1575, unclipped coins became illegal tender and dealing in them an indictable offence.⁹⁹

Reaction to the regent's measures, at least from the poor, would appear to have been universally unfavourable. According to one source, the reduction of the plack from 4d. to 2d. and the hardhead from 1½d. to 1d. "procured great envy and hatred of the commons against the Erle of Morton for the people's hands were full of that money".¹⁰⁰ Indeed, so unpopular was this expedient, states another account, that "Everie ilk day efter this proclamation, induring the conventioun, the pure verit and band of the regent and haill lords oppenlie in thair presentis quhen ever thay past or repast fra the abbay, quhilk wes havie and lamentable to heir".¹⁰¹ If contemporary opinion regarding the "douncryng of thair ancient pryces" produced "execrations and maledictions as is odious to reherse",¹⁰² a modern

viewpoint would be that Morton and those before him, by their manipulation of a coinage lacking the fixed face value of today, were pursuing "a poverty stricken opportunist existence".¹⁰³

Then there is the question of what the regent did about the prevalence of forgery and the distribution of counterfeit money. This, of course, was an ancient malpractice but one towards which Morton certainly adopted a determined stance. On 5 July, 1574, for example, he was personally in attendance at the interrogation of a Bristol merchant recently apprehended at Ayr in possession of a quantity of illegal hardheads.¹⁰⁴ In fact, he and another companion were only released in September because, as the regent informed the English government, it was better for "the good amity's cause" that he overlooked the affair "than curiously and exactly to seek trial of them by law".¹⁰⁵

Morton's personal interest in the activities of the accused Englishmen might appear noteworthy but, in fact, it was neither unique nor unexpected since forgery or similar offences, as the statute book will confirm, were traditionally those which would provoke official reaction. Consequently, Morton's presence in January, 1577 at the trial of a Scottish merchant accused of importing false coins into the kingdom was presumably similarly motivated.¹⁰⁶ Nevertheless, his attendance in this instance, and such actions as requesting English assistance in 1574 with an Italian counterfeiter who had slipped across the border,¹⁰⁷ underline one clearly-established feature of his regime, namely a determination to enforce the law. On the other hand, as the charges in June, 1580 of "making, forgeing and countairfuting of certane fals and adulterat money" against George Balfour, commendator of Charterhouse and his associates testify,¹⁰⁸ it was always an uphill struggle.

An additional handicap facing Morton as far as the currency was concerned was the acute shortage of bullion. There was some mining of precious metals in Scotland at this period and, in 1568, the regent himself had become a member of one company organised for this purpose.¹⁰⁹ The principal figure in this company was a Dutchman, Cornelius de Vois but Morton, on 29 June, 1575, "finding his nether tending to the kingis commoditie nor weill of our cuntrie", suspended his contract.¹¹⁰ Subsequently, on 18 February, 1576, and clearly in an effort to obtain a greater supply of bullion, a new agreement for "the haill gold, silver, copper and leid mynis and mynerallis within the bounds of Crawfordmure, Robertmure, Hendirland and ony uther partis" was signed with Abraham Peterson, the other Dutchman in the earlier partnership.¹¹¹ By the terms of the contract, Peterson's company was given a guaranteed price for all gold, silver, lead and copper extracted on behalf of the crown, being subject, however, to a tax "for every hundrith unces of gold or silver that sal be found or win in the saidis gold and silver mynes sex unces frelie as his Hienes just dewitie".¹¹² How successful Peterson actually was must remain uncertain although a subsequent deal with the master of the mint in March, 1577, and permission to introduce more foreign miners in July, 1578, would suggest that Morton was better pleased with him than his predecessor.¹¹³

Morton certainly was closely involved in these proceedings. George Auchinleck of Balmanno, one of the leading members of the regent's entourage, for example, was, with Peterson, the largest shareholder in the new venture.¹¹⁴ Peterson, moreover, if the experiences of his fellow countryman, Arnold Bronckhorst, can be regarded as typical, may well have discovered that Morton drove a hard bargain. Bronckhorst, in partnership with the Elizabethan miniaturist, Nicholas Hilliard, also sought permission from Morton

to prospect for precious metals in Scotland. However, their application was refused and Bronckhorst "was forced to become one of his Majesties sworne servants at ordinary in Scotland, to draw all the small and great pictures for his Majesty".¹¹⁵ At the same time, in November, 1577, when his natural son James, commendator of Pluscarden, in partnership with John lord Glamis, was given an eleven year lease of the "leid mynes and leid ure in Conynghame, Carrik and Galloway",¹¹⁶ he was clearly ensuring that his family benefited from any rewards forthcoming from a separate enterprise. Clearly, the regent, whom Sir Henry Killigrew reported on one occasion in June, 1574 as having "gone to set miners a work on Crawford Moor and make profit from it",¹¹⁷ it would appear, was not going to neglect any opportunity for the enrichment of himself or his kin.

Nonetheless, neither these endeavours nor the introduction of a special levy on the export of salt¹¹⁸ prevented a seriously inadequate supply of bullion. Moreover, as Morton obviously appreciated, the situation was undoubtedly aggravated by the practice of certain Scottish merchants exporting silver overseas: hence a series of attempts by him to eliminate such transactions.

The first of these was on 13 October, 1574 when the privy council observed that, although there were existing statutes against the transport of gold and silver out of the realm, "be a certane space bigane hes tane na effect bot hes bene planlie contravenit, partlie be misknowlege of the saidis Actis and partlie because the offendouris hes not bene punist".¹¹⁹ Consequently, this latest measure announced that anyone convicted of the offence would forfeit not only the bullion involved but "all the remanent of thair movabill guidis". Furthermore, Morton, as might be expected, soon showed this was no idle threat and, on 31 December of that year, a "great multitude" of merchants were summoned before the council for

bullion offences.¹²⁰ In addition to this, the following May, another batch of merchants from Kinghorn, Kirkcaldy, Dysart and Pittenweem were required to present themselves before the regent for "away taking of gold".¹²¹

Nevertheless, as subsequent proclamations testify,¹²² there was still widespread evasion of these regulations, and consequently, on his return to power in 1578, Morton adopted different tactics. Accordingly, authorised by the parliament held in July "to take ordour how the xxx, xx and x shilling pieces with the testamentis be haldin within the realme and not transportit furth thairroff",¹²³ he announced, the next month, that, in order to halt the export of these coins, the government intended calling in all these denominations by 1st March, 1579.¹²⁴ "Lauchfull and trew cunye", the edict stated, would be marked with a crowned thistle and they would all be raised in value: the 30/- piece was to be raised in value to 32/6d. and the others enhanced proportionally, and any "countairfait or adulterat" money discovered would simply be clipped and returned to the owner.¹²⁵

This operation proved a troublesome and unpopular business "altogether mislykit", states one source, "be the common pepill and specialie be the inhabitants of Edinburgh".¹²⁶ The order, presumably because of the unsettled state of the country in August, was repeated on 19 September but, in fact, there were to be two extensions before the final time limit of 20 October, 1579 was fixed.¹²⁷ These were a consequence, so the council claimed, partly of "the stormy wether that happainit this last wyntir and springtyme" as well as deliberate withholding by some individuals of the currency in the hope of financial profit. While the sum of over £45,000, which the treasurer received from the master of the mint, underlines the profitability of this debasement,¹²⁸ its short-term nature is seen

in the necessity for Morton's successors, shortly after his downfall, in February, 1581, to undertake further readjustments in the gold and silver content of the nation's currency.¹²⁹

It has been seen that both Morton's comptroller and treasurer experienced serious financial difficulties which were assisted by neither the price rise nor a currency suffering from a variety of misfortunes. The principal remedy adopted by Morton to reduce the crown's debts was to put pressure on the royal burghs, particularly the largest, Edinburgh, to contribute and thus alleviate the exchequer's position.

Consequently, on 24 July, 1574, representatives from the town council of Edinburgh were summoned before the regent's presence at Holyrood where he "did schew unto thame that our Soverane Lord the King was detbound to certane his Hienes creditouris in the soume of xxxviijm poundis or thairby".¹³⁰ The solution, so they were informed, lay in their hands "gyf thay wald glaidlie consent to bring sa mekle silver to the cunzchous without compulsioun". Eventually, following a polite rejection to his request from the convention of royal burghs the same month, on the grounds that they "farther could nocht interpryse nor tak hand without the avyse of thair magistrattis",¹³¹ twenty-one Edinburgh burgesses agreed to co-operate "provyding his Grace tak the lyke ordour with the remanent burrowis of the realme for thair help".¹³²

But this was not the end of the matter. In January, 1575, there were objections from Edinburgh to the employment for the collection of the bullion of Sir James Balfour of Pittendreich "in respect of the iniuries done be him to the gude toune the tyme that he with his complices did withald the same from our Soverane Lord".¹³³ Indeed, it would seem certain citizens voiced their complaints too vehemently for Morton's liking. Wherefore, on 2nd February, for

opposing the regent's proposals and allegedly stating "we haid maid his Graice and waild mismak him", William Napier, Alexander and Nicholas Udward, William Little, Henry Nesbit, John Morrison and Thomas Aitkenhead were incarcerated in the castles of Dumbarton, Doune or Linlithgow.¹³⁴ There they remained for several months despite the efforts of their relatives and colleagues to intercede on their behalf.¹³⁵

The upshot was that the regent had to settle for a subvention from the royal burghs of £10,000 - considerably less than his original request.¹³⁶ However, the significance of the episode undoubtedly lies in the manner in which Morton endeavoured to impose his authority on the recalcitrant Edinburgh burgesses and whether the regent acted wisely in taking such draconian measures.

Certainly, his standing in the capital suffered and, when he was dislodged from office in March, 1578, "the burghes, Edinburgh in speciall", according to Calderwood, "were alicnated from him and gave him no countenance".¹³⁷ On the other hand, memories of his regime were not so easily effaced and, as soon as it became likely that he would be restored to power, the city authorities were only too willing to come to terms with him and his associates. Thus, on 21 May, 1578, the provost and his council denied in a letter to Morton's ally, John earl of Mar, that they had dispatched any forces to Stirling at the time of the recent coup d'état¹³⁸ and, shortly afterwards, were represented at the convention which restored Morton as leading member of the council.¹³⁹ Admittedly, Archibald Stewart, who, in April, had replaced George Douglas of Parkhead as provost,¹⁴⁰ doubtless expressed the heartfelt feelings of many burgesses by openly supporting the Argyll-Atholl faction in the summer of 1578 although, according to Robert Bowes, the English ambassador, he took the precaution of protecting himself with a bodyguard in case he was

assaulted by Morton's henchman, George Auchinleck of Balmanno.¹⁴¹ He paid for his audacity by being temporarily imprisoned in Doune castle on 6 August¹⁴² but, although Morton wanted him dismissed from office in September, the town council successfully resisted this move by declaring, "thei cane nocht graunt to the diminutioun of ony pairt of thair fredomes and in specciall to want the free election of thair magistrates at the tymes appointet".¹⁴³ Morton's inability on this occasion to have his candidate, Alexander Clark of Balbirnie, installed as provost, despite apparently exerting considerable pressure on Archibald Stewart, who was supposedly threatened with arrest unless he personally appeared at Stirling,¹⁴⁴ illustrates the comparatively unstable nature of his position at this juncture. Conversely, a year later, he was clearly more firmly established since the Edinburgh council, being instructed "to elect and cheis Alexander Clark and gif they faillyeit to put thame to the horne", complied without protest.¹⁴⁵

Yet, all things considered, it must remain doubtful if it was sound policy for Morton to add another source of disaffection to those already in existence. Furthermore, the financial problems of his administration could arguably have been less serious if the Edinburgh merchants had been handled more tactfully and less rigorously in 1575.

The emphasis so far has been largely on the financial condition of the country under Morton but closely linked to this is a commercial policy apparently pursued on traditionally medieval lines. Thus, as far as overseas trade was concerned, he endeavoured to obtain as much revenue as possible from the customs, and strove to curb inflation by restricting exports of scarce commodities.

That customs returns were at least being made regularly for most ports has already been noted.¹⁴⁶ However, one contribution

which Morton did render towards the expansion of overseas trade was to take the lead in having the staple port for Scottish merchants established at Campveere in the Netherlands. Accordingly, at the convention of royal burghs on 12 February, 1578, "after lang avise-ment and ressonyng with my said Lord Regentis Grace", it was decided "that thair be electit and chosin sum speciall man to be sent with ampill and full commissioun to the pairtis of Flanderis sic as Antverp, Campheir, Bruges, Berry, Middelburgh and uther places neidful to enter in commoning with the principallis of the townis forsaidis tuching the said staipill and with thir commissionis to tak with thame my said Lord Regentis Grace wrytingis in thair favouris".¹⁴⁷ In this fashion, negotiations were begun which were to be completed later that year and which marked the end for Scottish merchants of a period of uncertainty about the staple prevailing since the outbreak of the Dutch rebellion.¹⁴⁸

In the matter of embargoes on exports, Morton, as soon as he became regent, placed restrictions on a number of items. Hence, parliament, in April, 1573, decreed that "nane of the subiectis of this Realme tak upon hand to carie or transport forth of this Roalme ony manner of lynning claith lingeit seid maid Candell or uther Tallow quwhatsumever eitting Butter Cheis Barkit Hydes or maid Schone".¹⁴⁹ Attempts, however, to place such restraint on the export of salt posed particular difficulties for the regent.

The Scottish salt industry produced insufficient quantities to satisfy home demand but the general dislocation of European trade in the 1570's made it extremely profitable for Scottish exporters to sell salt overseas and compete in a small way with the great salt entrepreneurs of the bay of Biscay.

Morton's first legislation against such practices was also in the April, 1573 parliament where it was stated that "Forasmekle as

it is understand the great and exorbitant prices the small salt is
laitlie rissin to", a three-year ban was accordingly being placed
on its export.¹⁵⁰ However, in August that year, the council
announced changes in the laws affecting salt so that there was now
to be no export of that commodity until the demand in Scotland had
been satisfied. Moreover, it was only to be sold at a price fixed
by the council. On the other hand, "the rest of the salt mair nor
sall satisfie the subiectis of this realme" could be taken abroad
providing those transporting it paid to the master of the mint
"sex unces of silver for every chalder contenit in thair cokquett".¹⁵¹
Just over a year later, on 20 September, 1574, there was a further
change when, on account of a shortage of salt and its high price,
the government revoked all existing export agreements.¹⁵² But this
proved to be only a temporary measure since, following objections
from several burghs, a number of exemptions were granted.¹⁵³
Indeed, the principal of awarding dispensations to export salt and
the necessity of obtaining permission "under the signet and sub-
:scription of the regent's grace" became established policy, being
confirmed by the parliamentary convention of March, 1575 and
repeated in a privy council statement shortly thereafter.¹⁵⁴

Henceforth, the control of the salt industry may have operated
more satisfactorily. Nevertheless, it could have given Morton
another opportunity to indulge in questionable financial dealings
similar to those in which, so several authorities aver, he partici-
:pated regarding licences for importing wine, corn or eating flesh
in Lent.¹⁵⁵ Thus, according to one account, "he maid lawis that na
merchand sould bring wynis from France without his licence, Bot how
dere cost war these licences to the merchanda, I report one to
thair pursis".¹⁵⁶ In any case, as has also been observed, the
awarding of licences to individual merchants could be regarded as

suspiciously akin to some iniquitous form of monopoly.¹⁵⁷

Finally, Morton's government had the social problems presented by the poor. For a regent who strove to establish law and order, he was, not unexpectedly, distinctly concerned about the existence of large numbers of impoverished individuals and their potential threat to authority.

Accordingly, the convention of 1575 recommended that sturdy beggars should be "scurgeit and burnt throw the girrsill if the right eare with one hot Irne to the compass of one inche about", whereas what were regarded as the deserving poor should benefit from a system of relief administered by church elders and deacons.¹⁵⁸ A later statute of 1579 only differed substantially from the act of 1575 in the manner of collecting poor relief. Thus, it was now the duty of "provestis, baillies and Jugis to taxt and stent the haill inhabitatis within the parrockyne according to the estimatioun of thair substance to sic ouklie charge and contributioun as sal be thocht expedient".¹⁵⁹

Whether these measures were effective seems unlikely. "The formal Scottish poor law rested primarily on the statute of 1579" is how one modern authority has described Morton's legislation.¹⁶⁰ Nevertheless, the same writer is quick to point to the ineffectiveness of this act and subsequent ones.¹⁶¹ Indeed, by July, 1580, the royal burghs were already complaining about the neglect of the enactments of the previous November,¹⁶² a clear indication of the difficulty Morton's government experienced in enforcing its poor law.

There remains Morton's personal attitude to the less fortunate. Admittedly, the impression given so far of his domestic administration is hardly that of a benevolent figure. In fact, by his manipulations of the currency, it has been seen that he allegedly caused con-

considerable distress among the poor.¹⁶³ Nevertheless, Morton could occasionally appear to display some concern in this direction. Hence, at Aberdeen for example, during his visit in August-September, 1574, the council was left in no uncertainty about the regent's intentions. Thus, he commanded that "the organys with all expeditioun be removed out of the kirk and maid proffite of to the use and support of the pure".¹⁶⁴ Furthermore, there were instructions that "the pure be not defraudit of the almus collectit at the kirk dur", that the Greyfriars building "be roupit to the maist avale and settin few heretabillie to sic as will gif maist yearlie dewtie thairfore and the same to be fully applyit to the use and sustentatioun of the pure", and that the leper house, which had fallen into disrepair, should be restored and its occupants given assistance.¹⁶⁵ Lastly, the council had £1,000 of the fine imposed upon it remitted on condition that there was built "ane Hospitall within our said burgh for the harbring and ressett of the puyr and impotent personis of the same".¹⁶⁶

However, it would obviously be unwise to place too much emphasis on Morton's behaviour at Aberdeen since it might well have been more a desire to embarrass a council which had annoyed him by its support for his adversaries in the civil war than a genuine interest in the condition of Aberdeen's paupers. Similarly, the remission regularly given in the accounts of the collector of thirds to "the pair beid men being four in number of the maison dieu in Elgin in almonis at my lord regent's command", which might appear, if on a minor scale, to be evidence of Morton's generosity, on closer scrutiny assumes a different complexion.¹⁶⁷ In fact, in 1567, the preceptory of this hospital at Elgin with an obligation for sustaining the poor therein had been given to Robert, son of Henry Douglas of Drumgarland.¹⁶⁸ The regent, therefore, for reasons best known to himself, was in a

small way once again looking after the interests of a kinsman rather than specially assisting four indigent members of the community.

The conclusion must be that, when it suited his purpose, as at Aberdeen, or when it seemed in the interests of a kinsman as with Robert Douglas of Drumgarland, or perhaps when he felt obliged to as in the case of certain wounded English soldiers whom he ensured were paid their outstanding wages in 1573,¹⁶⁹ only then did Morton display a personal concern for those in the lower ranks of society.

Thus, Morton, as far as his record in domestic government is concerned, emerges as someone comparatively successful in some aspects but decidedly less so in others. Undoubtedly, there was greater respect for royal authority. Moreover, both departments of the exchequer operated more efficiently, benefiting from such features of the regent's more determined rule as increased returns from the crown lands and the customs, his subjugation of the borders, and his financial impositions on the city of Aberdeen. Firm action too was taken, in an effort to protect the currency, against forgery and the illegal export of silver. In addition, the establishment of the staple on a permanent footing at Campveere was undoubtedly of considerable assistance to Scottish merchants.

On the other hand, Morton, even if he was temporarily able to effect some reduction in the amount involved, could not prevent both exchequer departments having a constant deficit. Shortly after his arrest, the treasurer, for example, reported a loss of £36,000 "or thereby".¹⁷⁰ Nor, for that matter, could the remedies he adopted, debasement and manipulation of the currency as well as a demand for a compulsory contribution from the royal burghs, be considered solutions to a problem no doubt acerbated by inflation. Furthermore, his poor law legislation, while well-intentioned, at least for

those regarded as the deserving poor, was never properly enforced. As for his economic policy, the only notable item, apart from his commendable efforts with the staple, was his restraint of the salt trade. In this, he may have been relatively successful although the practice of issuing licences raises the question of his integrity in such matters.

Indeed, it is this very question of his venality where Morton seems most open to criticism. Clearly, if not surprisingly, he took care of his own kin:- hence the expenses paid to the son of Douglas of Kilspindie, the grant in partnership with Glamis, to his own son, John, commendator of Pluscarden, of the leadmines in Ayrshire and Galloway, and, at a more humble level, the favour conferred on Robert Douglas, preceptor of the hospital at Elgin. Moreover, from his own involvement in the mining industry, the dubious business of lending the crown large sums of money and recouping himself from the profits of the mint as well as his curious neglect of compositions, it can be justifiably concluded he took good care of his own interests as well.

Nevertheless, none of this seems too exceptional when the widespread nature of corruption in sixteenth century Scotland and England is borne in mind. Admittedly, it is possible, as has been noted, that Morton, as in the case of compositions or in the issue of certain licences, devised methods no longer evident for enriching himself, thus earning that reputation for rapacity which contemporaries gave him. However, what seems more significant is that, although he undoubtedly dominated affairs by his forceful personality, yet, despite this authority, the exchequer remained with a deficit, the currency continued in as deleterious a state as ever, and the poor law legislation was largely ignored. In short, there were distinct limitations to Morton's achievements in his domestic administration.

Notes to Chapter IX

1. TA xii, 272.
2. ibid., 272.
3. ibid. xiii(MS) 16, 123.
4. Historie and Life of King James the Sext, 160-61.
5. The figures are given in RSS vii, v (introduction).
6. ibid., No. 735.
7. ibid., No. 2090; see also RPC iii, 88-91.
8. Dalryell, Fragments, 21.
9. Pitcairn, Trials i, pt. iii, 72-73.
10. Scots Peerage vii, 548.
11. Historie and Life of King James the Sext, 161; Spottiswood, History ii, 203.
12. ibid., 204; Gabriel Sempill, younger of Cathcart, is also mentioned as involved, RSS vii, No. 1536.
13. Spottiswood, History ii, 203-04.
14. Pitcairn, Trials i, pt. iii, 70-71.
15. RSS vii, No. 1025; TA xiii(MS), 166-67.
16. Spottiswood, History ii, 204.
17. ibid., 205.
18. Pitcairn, Trials i, pt. iii, 133.
19. Spottiswood, History ii, 203.
20. Balfour, Annales i, 364.
21. On 26 May, 1579, for example, Adam Whiteford and his father are listed among twelve individuals who gave sureties that they would not assist Claud and John Hamilton, RPC iii, 172.
22. See Chap. III, p. 36.
23. RSS vii, No. 1536.
24. SRO Morton papers, GD 150/2282.
25. ibid., GD 150/1769; litigation involving Morton's tutorship was still in progress in January, 1582, SRO RSS xlviii, FS 1/48, f. 92r.

26. ER xx, 118.
27. ibid., 179.
28. The total for 1579 was £17,379 and, for 1580, £18,166, ibid., 342; xxi, 128.
29. ibid., xx, 115.
30. ibid., 176.
31. ibid., 167.
32. ibid., 104-112, 158-171.
33. ibid., xx and xxi, *passim*.
34. Murray, Procedure of the Scottish Exchequer in the 16th C. SHR xl, 98.
35. ER xv, 258-70, 284-92, 305-07.
36. See Chap. III, pp. 37-40.
37. See ER xx, accounts of the ballivi ad extra.
38. ER xx, 230.
39. RPC ii, 172, 439, 464.
40. SRO Morton papers, GD 150/457.
41. ER xxi, 182-201.
42. E.g. ER xx, 447, 503-04, 518-19, 547-48.
43. ibid., 503-04.
44. ibid., 258-70.
45. Ayr Accts., 140-41.
46. ER xx, 517-20.
47. ibid., 517; RPC ii, 627-29.
48. ER xx, 517-18.
49. ibid., 517.
50. ibid., 467-68, xxi, 162.
51. The next occasion Irvine paid was January, 1583, ibid., xxi, 216.
52. Murray, Customs Accounts of Dumfries and Kirkcudbright (1560-1660), TDGAS, 3rd Series, xlii, 114.
53. ER xx, 145, 205.

54. This figure is based on the "superexpenditure" from the previous year shown in the account of 1579, ibid., 342.
55. ibid., 362.
56. ibid., xxi, 155.
57. CSP Scot. v, 418.
58. See Devine and Lytho, Economy of Scotland under James VI, SHR 1, 94.
59. Glas. Recs. i, 22-82 *passim*.
60. TA xii, 350.
61. ibid., 350.
62. ibid., 334.
63. ibid., 350.
64. It amounted to £143. 17s. 4d., ibid., 345.
65. ibid., 345.
66. Works Accts. i, 299-301.
67. Historie and Life of King James the Sext, 145.
68. ibid., 152.
69. RCAHM (Edinburgh), 15-18.
70. There are frequent references in the Treasurer's Accounts, e.g. TA xii, 387; TA xiii (MSS), 17, 23, 29, 33, 36, 40.
71. Warrender Papers i, 135-36.
72. TA xiii (MSS), 215, 218.
73. ibid., 253.
74. ibid., 265-72.
75. TA xii, 392.
76. ibid., 393-94.
77. ibid., 394.
78. ibid. xiii (MSS), 106.
79. ibid., 107.
80. ibid., 387-408 *passim*; TA(MSS), E22/4, 81v.
81. TA xiii (MSS), 16.

82. RPC ii, 394-96, 402-03; Aberdeen council was originally fined 4,000 merks but the regent eventually "freely discharged" 1,000 merks of this amount, Abdn. Counc., 11-16.
83. TA xiii (MSS), 16.
84. ibid., 123.
85. TA xii (introduction) xxiv.
86. TA xiii (MSS), 140.
87. ibid., 153; another good example would be John Gordon of Lochinvar who was excused payment on certain charters relating to Tongland, ibid., 151.
88. ibid., 27, 148, 165.
89. ibid., 27-28, 53.
90. Historie and Life of King James the Sext, 148.
91. TA xiii (MSS), 6-14, 241-48.
92. E.g. RPC ii, 683; iii, 285, 326; AFS iii, 149.
93. Melville, Memoirs, 259.
94. Historie and Life of King James the Sext, 158.
95. Stewart, Scottish Coinage, 92-94.
96. The crown was worth 40/- and the silver pices 26/8d. and 13/4d. respectively, AFS iii, 108, 150; RPC iii, 31-32.
97. ibid., 283, 287.
98. AFS iii, 92.
99. ibid., 92-93; CSP Scot. v, 97-98.
100. Calderwood, History iii, 302.
101. Diurnal, 345.
102. Historie and Life of King James the Sext, 152.
103. Lythe, Economy of Scotland, 103.
104. CSP Scot. v, 21.
105. ibid., 60-61.
106. Pitcairn, Trials i, pt. iii, 66.
107. CSP Scot. iv, 666.
108. RPC iii, 294; TA xiii (MSS), 281.

109. Atkinson, History of the Gold Mines, 19-20.
110. HMC (Laing) 1, 25-26.
111. Exempt from this covenant were the lead mines in Glengonar and Ordney worked by a company in which Morton's half-brother, George Douglas of Parkhead, was a member, RPC 11, 506-13.
112. ibid., 507.
113. ibid., 598; 111, 2.
114. ibid., 11, 510.
115. Atkinson, History of the Gold Mines, 35. A portrait of Morton is also attributed to him, Painters in Scotland, 1301-1700, SRS, New Series, vii, 31.
116. RSS vii, No. 1271.
117. CSP Scot. v, 5.
118. See below, p. 214-15.
119. RPC 11, 410-11.
120. TA xiii (MSS), 46.
121. ibid., 68.
122. RPC 11, 554-55, 615.
123. APS 111, 108.
124. RPC 111, 17-18.
125. ibid., 17.
126. Moysie, Memoirs, 18.
127. RPC 111, 32-33, 100, 158-59, 196.
128. The exact amount was £45,457. 15s. 9d., TA xiii (MSS), 249.
129. APS 111, 191.
130. Edin. Recs. (1573-89), 18.
131. RCRB, 1, 28.
132. Edin. Recs. (1573-89), 20-21.
133. ibid., 35.
134. ibid., 40-41; their names and location of imprisonment are given in Diurnal, 343 and Historie and Life of King James the Sext, 151.
135. CSP Scot. v, 180; Edin. Recs. (1573-89), 37.
136. RCRB, 1, 42-43.

137. Calderwood, History *iii*, 396.
138. HMC (Mar & Kellie) *i*, 31; the reinforcements concerned would appear to have been ordered by a section of the privy council, NLS Advocates MSS, 29.2.6, No. 140.
139. APS *iii*, 121.
140. Edin. Recs. (1573-89), 71.
141. HMC (Hastings) *i*, 14.
142. RPC *iii*, 19-20.
143. Edin. Recs. (1573-89), 84-85.
144. Moysie, Memoirs, 18-19.
145. RPC *iii*, 226.
146. See above, p. 199.
147. RCRB *i*, 51-52.
148. ibid., 53-65; Davidson and Gray, Scottish Staple, 177-82.
149. APS *iii*, 83.
150. Exempt from this legislation were "strangeris of Norway and utheris of the Eist partis" who brought timber into Scotland, ibid., 82.
151. RPC *ii*, 264-65.
152. ibid., 406-07.
153. E.g. Prestonpans, Bo'ness, Culross and Fordell, ibid., 424-25, 427-28.
154. APS *iii*, 93; RPC *ii*, 442-43.
155. CSP Scot. v, 157; Historie and Life of King James the Sext, 150; Hume of Godscroft, History *ii*, 243; Pitscottie, History *ii*, 320.
156. Historie and Life of King James the Sext, 150.
157. See Davidson and Gray, Scottish Staple, 65.
158. APS *iii*, 86-89.
159. ibid., 139-142.
160. Smout, History of the Scottish People, 86.
161. ibid., 86.
162. RCRB *i*, 102.

163. See above, p. 206.
164. RPC 11, 391.
165. ibid., 391.
166. ibid., 402-03; Abdn. Council, 12-13.
167. E.g. SRO, Thirds of Benefices, E45/11, f.111v.
168. RSS vi, No. 23; Cowan & Easson, Medieval Religious Houses, 179.
169. TA xii, 361, 363.
170. RPC 111, 340.

C H A P T E R X

THE FINAL MONTHS

Morton's administration officially ended with his arrest and imprisonment on 31 December, 1580. Initially, after a brief confinement in Holyrood, he was incarcerated in Edinburgh castle but, on Wednesday, 18 January, 1581, accompanied by a guard which included the earl of Glencairn, lords Robert Stewart and Seton, and the lairds of Coldenknowes and Manderston, most of them notable adversaries, and also a detachment of harquebusiers from the city council, he was transferred on the orders of the privy council to the Lennox stronghold of Dumbarton castle.¹ This development, which had been rumoured the previous week,² was clearly a precautionary measure by the new government which obviously hoped that, by removing Morton from the capital, there was less likelihood of him being freed by his supporters. Thus, on 22 January, king James VI, in conversation with Randolph, the English ambassador, confided that Morton had been shifted to Dumbarton because his council was concerned "what practices his friends would use either to give him intelligence or to carry him away".³ However, no doubt his opponents also appreciated that, with him well out of the way, they could concentrate on consolidating their position within the country. Furthermore, since Morton had not been executed immediately, it would appear that Lennox and his followers were probably disappointed with the information provided by Sir James Balfour of Pittendreich who had returned from France about the same time as Morton's arrest but

minus any really incriminating evidence of his part in the Darnley murder.⁴ Consequently, the Lennox faction presumably had misgivings about its own strength and the repercussions which might occur, both within and without Scotland, should Morton be eliminated too hastily.

Morton, it has been seen,⁵ had been unable to prevent Lennox establishing an impressively large faction and, when his overthrow did take place, the bulk of his support lay among his own relatives and kinsmen. Unquestionably, the most important member of this group was his nephew, Archibald, earl of Angus. He, for example, shortly before his uncle was taken from Edinburgh, was reported as active in Fife rallying support for him and, by the date of his departure for Dumbarton, he had, by one account, "convocat together about two thousand hors".⁷ However, since Morton's escort warned him his life was only secure provided his friends made no effort to rescue him, any plans to liberate him en route to his new gaol were abandoned "least his life sould be in hazard".

Unfortunately, time was not on Angus's side as the new regime had already taken steps to lessen the possibility of a successful counter revolution. Thus, on 13 January, the anti-Morton William Ker of Cessford, warden of the middle march, was additionally appointed keeper of Liddesdale in place of John Carmichael of that ilk, a noted adherent of Morton.⁸ Furthermore, the day before Morton was to be transported to Dumbarton, doubtless as a precaution against any possible rescue attempts, a proclamation was issued ordering certain specified relatives and friends of Morton's as well as "all utheris the said Erlis servantis and propir dependers" to return home and "on na wyse to repair to his Hicnes presence and court or to the burgh of

Edinburgh or to any uther place quhair they sall understand his Majestie to be for the tyme quhill the said triall be done or that they have his Hienes express licence with avise of his Counsaile to the contrary".⁹ Among those named were Morton's natural sons, James and Archibald, his half-brother, George Douglas of Parkhead, Malcolm Douglas of Mains, George Auchinleck of Balmano with his two brothers, and Archibald Douglas, formerly constable of Edinburgh castle.¹⁰ By this date, his namesake, the notorious Archibald Douglas, parson of Glasgow and senator of the college of justice, had already been denounced and his property forfeited.¹¹

The next significant measure undertaken by Lennox was to have the privy council on 7 February announce, allegedly on account of "divers incursions, stowthis, reiffis and depredationes", a general levy of the whole realm for service on the borders.¹² However, since this proclamation also referred to the fact that queen Elizabeth "for the terrour of the saidis thevis and brokin men and saulftie of hir peciable and gude subiectis intendis to place sum forces upoun the Bordouris", Lennox patently was making preliminary preparations to tackle his other main threat - Morton's English allies.

As far as the English government was concerned, the news of Morton's deposition was decidedly unwelcome and provoked a prompt reaction. Hence, on 6 January, the veteran diplomat, Thomas Randolph, was dispatched northwards with instructions to convey his queen's extreme displeasure at recent events, especially the part played in them by Lennox who was only in Scotland, so it was stated, "to breed some alteration in the State, however. it be dissembled in the meantime and to turn him (i.e. James VI) away from the true service of God and to establish in that realm the

Romish religion".¹³ If, however, he was unable to convince king James of Lennox's real intentions, he should instead "enter into conference", so he was exhorted, "with the party which you shall find and know to wish well to the king and have a desire to have the practices of D'Aubigny encountered". Randolph, moreover, in order to assist this body, was, if necessary, to utilise certain forces which would be placed on the borders under the command of the earl of Huntingdon, president of the council of the north.

Accordingly, just over a week later, the privy council, because "the Queen of England has been given to understand of the disorderly proceedings in Scotland", ordered Huntingdon to raise two thousand infantry and five hundred cavalry for service on the frontier.¹⁴ In charge of these units was lord Hunsdon, governor of Berwick, who, like such members of the privy council as Francis Walsingham, was a powerful advocate of English intervention on behalf of Morton.¹⁵ Thus, on 29 January, for example, in a letter to Randolph, he reminded him that, by the terms of his military appointment, he was given "full power to invade any part of Scotland as often as the Earl of Huntingdon, he or the rest of the Council of the north shall think expedient".¹⁶

However, on 8 February, the English ambassador submitted a particularly pessimistic appraisal of Morton's position. In his opinion, only Angus and the earl of Mar of the leading noblemen could be regarded as definitely on Morton's side, whereas Lennox could certainly count on Argyll, Ruthven and Montrose, and probably Rothes and Lindsay.¹⁷ In addition, the cities of Edinburgh and Perth supported the new administration and, although James Haliburton, provost of Dundee, remained loyal to Morton, his fellow councillors were "so given to peace and particularities that hardly for any cause would they be moved".

Hunsdon, on the other hand, while agreeing with Randolph's views on Angus, insisted, doubtless as a result of a conversation with the egregious Archibald Douglas,¹⁸ that Morton's nephew "has surely knit to him the earls of Montrose, Mar, Glencairn and Rothes".¹⁹ In addition, so he averred, "lord Boyd is as forward in this action as he, (and) lord Cathcart and the laird of Lochleven will not leave him".

Granted, Randolph's efforts at diplomacy were sometimes criticised both by his border compatriots and his privy council,²⁰ yet, incontrovertibly, he was in the best position to gauge the political mood of the country. Consequently, his estimate of the situation seems infinitely more realistic than that of the governor of Berwick. The latter may have been right about Boyd at this juncture although doubts were later to be cast on his loyalty to the Douglasses,²¹ and certainly he was unmistakably correct in his assessment of the laird of Lochleven. Nevertheless, Montrose, whose illicit relationship with Angus's wife was soon to be uncovered,²² was hardly an ally of Morton's nephew - a fact underlined by his subsequent appointment as commander of the royal army.²³ Likewise, Glencairn, although he might have favoured the English alliance and, in March, 1581, was reported by Randolph as being one of the few noblemen favourably disposed towards England,²⁴ regarded himself as "hardly dealt with" by Morton, and consequently must be looked upon as a very doubtful partisan.²⁵ Finally, there is lord Cathcart whose allegiance is less easy to determine. Certainly, his attendance at the privy council in the first half of 1581 was conspicuously infrequent - apart from attendance at the convention of estates in February, he was only present on one occasion between January and June, 1581²⁶ - and it is possible he was awaiting the outcome of events before

committing himself.

Meanwhile, Lennox, following his general mobilisation for duty on the borders, now called a convention of the estates for 20 February.²⁷ By so doing, he could request the money which had to be raised in taxation to pay any royal army while, at the same time, by studying the attitudes of those present, he could assess the extent of support, if any, still prevailing for Morton. Accordingly, the estates, "Forasmuche as the Kingis Majestie being informit of the preparaciones making for armes in sundrie partis of Europe and that his dearest sister and cousine the quene of England has raisit sum forces and draivin thame towards the frontiers of the realme", proceeded to vote £40,000 for the nation's defence.²⁸

Lennox, moreover, obviously convinced by this stage of his own ascendancy, permitted Randolph to make what turned out to be a polemical address to the convention about the insidious nature of his role as Morton's successor in the universal papal conspiracy against protestantism.²⁹ The English ambassador concluded by assuring the members of the estates that "If the greatness of Monsierr D'Aubigny shall seem to terrify or stay them from reformation of him", they could depend on his government to overthrow him and "procure that the earl of Morton may be recovered from D'Aubigny's possession to be openly tried by the laws of Scotland".³⁰ If Lennox now felt, as seems likely, that the defeat of his opponents was within sight, Angus, conversely, must have realised that any likelihood of dislodging him was becoming increasingly remote and that a final desperate effort on behalf of his uncle was imperative. Consequently, as soon as he had left the convention, he was frantically contacting a number of noblemen and lairds whom he hoped favoured the Douglas cause.³¹

He began, apparently, by endeavouring to raise support from among his own followers on the borders and then, in company with the earl of Mar, made overtures to such possible allies as the latter's uncles, the commendators of Cambuskenneth and Dryburgh, as well as Boyd, Glencairn and Douglas of Lochleven.³² Thus, Mar, for example, in a letter to the laird of Lochleven, urged Morton's cousin "to keip the apoyntit day tharof in this toune for sic causis as I haif ado quhilkis ar of gret Importance and can nocht tak guid effect at the presence of my freindis of quhilk number I esteme zow one of the speciallis".³³

About the same time, the feasibility of a direct assault on Dumbarton castle was also considered but, probably on Morton's own recommendation, the project was abandoned as being too hazardous. It would appear that both Angus and Morton feared that its custodians would use the occasion of an attack on the castle as a pretext for putting him to death.³⁴

At this stage, clearly discomfited about the extent of support for Morton which could be guaranteed within Scotland, with the loyalty of Boyd, for example, being regarded as distinctly uncertain,³⁵ Angus and Mar appealed to lord Hunsdon for English assistance. Unquestionably, he and Huntingdon were both very sympathetic and, if the Spanish ambassador in London can be believed, at one stage they actually suggested a bogus attack by some of the followers of Angus on English property as an excuse for an incursion by him across the border.³⁶ However, Hunsdon was also a realist and he reluctantly informed Morton's allies that English aid was not forthcoming because "their party was neither sufficient nor so to be trusted as in such a cause was to be looked for (and) it was not thought good to hazard Her Majesty's force without better assurance".³⁷

In this fashion, the possibility of English intervention on Morton's behalf evaporated. Shortly afterwards, Randolph, having narrowly escaped an assassination attempt, left Edinburgh and retired to Berwick.³⁸ Whereupon, his government, disbanding its border levies, suggested a joint commission to discuss Anglo-Scottish relations and resolve the outstanding problems.³⁹

Meanwhile, Lennox stepped up his campaign against his adversaries by having certain of Morton's kinsmen and servants arrested. Thus, during the course of March, William Douglas of Whittinghame, George Auchinleck of Balmano, William Home, younger of Spott, as well as Alexander Nesbit and Alexander Jardine, two chamberlains attending Morton at Dumbarton, were summoned for interrogation.⁴⁰ Obviously, Lennox hoped that, either by threats of torture or its actual application, Morton's confidants would divulge information about the intentions of Angus or damning evidence to incriminate Morton himself when he was brought to trial. Accordingly, George Auchinleck supposedly confessed that Morton "was privy to the poisoning of the earl of Atholl", while Douglas of Whittinghame apparently required little persuasion before allegedly providing his inquisitors with startling revelations of a plot concocted by Angus for the elimination of Lennox, Montrose and Argyll, and the removal of King James to England.⁴¹ In addition, he was also supposed to have declared that a letter between James Beaton, former archbishop of Glasgow, and Lennox, which had been used by Randolph to compromise the royal favourite, was, in fact, a forgery perpetrated by Archibald Douglas.

While the second allegation may have been well-founded, the story of the assassination plot and the seizure of the king is decidedly questionable. Indeed, that Whittinghame ever made

such a statement was subsequently contradicted by someone present at his interrogation, and Hunsdon, the recipient of this information, recalling a similar earlier scare in 1580 involving King James, acutely observed that, on that occasion, Argyll was believed to be the author of the rumour.⁴²

Nevertheless, under the circumstances, with Whittinghame having "left nothing unspoken that he knew against any man",⁴³ Lennox undoubtedly believed he had sufficient grounds to justify concerted action against Morton's followers. Thus, on 14 March, 1581, James and Archibald, his two natural sons, John Carmichael younger of that ilk, Malcolm Douglas of Mains and William Douglas of Lochleven were ordered to appear before the privy council "to answer to sic things as sal be inquirit of them".⁴⁴ The same day, Angus, "for the suretie of his Hienes maist noble person, eschewing of truble, furthering of justice and certaine utheris ressonable caussis", was commanded to enter ward within six days beyond the river Spey.⁴⁵ A few days later, there followed another edict prohibiting any communication with him since, so it was stated, "the King and Council ar credibilie informit that divers his Hienes subjectis hes bene movit of lait be Archibald, Erll of Angus and utheris on his behalf to ryse and tak armes for purposes suspitious".⁴⁶

Angus, however, still hopeful of English support, ignored these privy council warnings and, by his retention of such fortresses as Tantallon, Cocksburnpath and Douglas, continued to pose a minor threat to Lennox's security. Consequently, on 27 March, the previous ban against him and his followers was repeated and, with those in charge of these garrisons, he was commanded, under pain of treason, to surrender them within forty-eight hours.⁴⁷

But, by this date, Lennox, in fact, was on the verge of total victory while his opponents, conversely, were about to disintegrate completely. An extremely significant development contributing towards this outcome and also occurring on 27 March was the renunciation by ten border lairds of "all and quhatsomevir bandis of manrent or service made and subscrivit be thame in ony tyme by gane for the service of Archibald Erll of Angus, lord Douglas and Abirnethie or any utheris".⁴⁸ This meant, for example, that Andrew Rutherford of Hundalee, John Rutherford of Hunthill and Thomas Turnbull of Bedrule, who had signed bonds of manrent with Angus quite recently, were now forsaking him.⁴⁹ Similarly, George Douglas, younger of Bonjedburgh, whose father, as has been seen, owed his promotion to joint warden of the middle march between December, 1576 and March, 1578 to Morton,⁵⁰ was giving notice that he at least had changed his allegiance.

Lennox, not unexpectedly, took advantage of these defections from the Angus camp by almost immediately instructing Douglas of Lochleven to place himself in exile by 8 April beyond "the water of Cromartie".⁵¹ At the same time, pressure was being exerted on the earl of Mar by his uncle, Alexander Erskine, who warned his nephew of the dire consequences ensuing "gif he consent or follow furth the evill and desperat course of the Earl of Angus".⁵² The youthful earl heeded his uncle's admonition and, in this manner, Angus lost both Stirling castle and a valuable confederate. Finally, on 22 April, John Johnstone of that ilk, one of the most loyal Douglas partisans, was declared a rebel and, one week later, his wardenship was transferred to John lord Maxwell, his great rival and a prominent supporter of Lennox.⁵³

Lennox's triumph meant that Angus, with the remnant of his followers, must seek refuge in England. Thus, on 16 May, Robert

Bowes, treasurer of Berwick, reported that Angus, "seeing the end of toleration to approach and distrusting to find the king's favour without his submission to unreasonable conditions", intended applying for shelter in England.⁵⁴ On 8 June, Morton's nephew, accompanied by James and Archibald Douglas, James Carmichael, younger of that ilk, Malcolm Douglas of Mains and a number of servants arrived at Carlisle where they were taken under the protection of Henry lord Scrope, governor of that city and warden of the west march.⁵⁵

Angus's bid to save Morton failed for a number of reasons. In the first instance, Lennox was in a very strong position, having complete control over king James VI who automatically approved all his decisions. Furthermore, the great majority of the privy council was on his side. Indeed, of the thirty or so official members of that body, possibly only Cathcart, Herries and Lindsay, at least on the basis of their poor attendance at the council, could be regarded as in any way sympathetic towards Morton. Moreover, albeit Lennox's taxation proposals "took no execution" and another convention proved necessary in April,⁵⁶ his action in summoning the estates proved decisive in that it gave him the authority to raise a royal army. This force, if a nondescript one,⁵⁷ nonetheless afforded some protection in the event of a possible English invasion and also meant that Lennox could concentrate on the task of having Angus and his associates proscribed.

Angus, conversely, found only meagre support for his uncle within Scotland. Admittedly, much of the responsibility for this poor response can be attributed to Morton's own latter day unpopularity. Nevertheless, it is conceivable that there would have been a stronger reaction on his behalf if queen Elizabeth

and her government had acted differently.

Elizabeth, having initially mobilised her forces on the borders and sent her ambassador to Edinburgh, proceeded to recall and disband her levies just at the moment when Angus's predicament was most critical. Granted, the English government was preoccupied, as has been emphasised in one modern analysis of Morton's downfall,⁵⁸ with the marriage negotiations still in the offing between Elizabeth and the duke d'Alencon, and was consequently reluctant to offend the French by any incursions into Scotland. Unquestionably, up to a point, this was the case although, considering that, in February, 1581, Henry III of France was being informed by his ambassador in London that Lennox was in league with the Spanish crown, it is conceivable that Elizabeth laid too much stress on the consequences of an aggressive policy towards Scotland.⁵⁹ Indeed, this argument would seem to be strengthened by the reply of Henry III two months later to a complaint by the former archbishop of Glasgow about Elizabeth's support for Morton and the presence of Hunningdon on the Scottish frontier. On that occasion, the French king apparently told Beaton that he would not "deal in anything that might impeach their entire amity".⁶⁰

On the other hand, bearing in mind her imperious behaviour over Redeswyre in 1575, it is possible that, on Morton's arrest, Elizabeth initially acted out of pique at this maltreatment of her principal supporter in Scotland. However, once she had reflected on recent Spanish success in Portugal and Philip's gradual recovery in the Netherlands, as well as his utilisation of disaffection in Ireland, she may have regretted her original impetuosity. Such additional considerations as the cost of a Scottish expeditionary force and the poor condition of her border levies were possibly further incentives for restraint.⁶¹ In other words, as the

advantages of propinquity with France became increasingly manifest so events in Scotland became correspondingly less significant. Consequently, perhaps also consoling herself with Ruthven's assurances, conveyed by Bowes the previous year, of the allegiance of most Scottish noblemen despite Lennox's ascendancy, Elizabeth allowed her anger to subside.

Whatever the reasons for Elizabeth's vacillations and the possibility that, in her irate outburst, she was merely fulminating as a matter of diplomacy also merits consideration, the consequences of her ineffectual policy for Morton's party were twofold. Firstly, it gave Lennox a pretext for mobilising a Scottish army and this was, as far as Morton was concerned, and as Sir James Melville correctly opined, "rather the cause to haist his wrak".⁶² Secondly, by failing to intervene openly, Elizabeth presented Angus with a well-nigh impossible undertaking since, without visible signs of English assistance, support for Morton was inevitably confined to his friends and kinsmen.

Lennox, once Angus was rendered impotent, with his dwindling band of supporters confined to a few Douglas strongholds, could, with his coadjutor, the earl of Arran, tackle the question of Morton's fate.⁶³ Accordingly, a meeting of the leading members of the council to discuss this topic seems to have been held at Dalkeith, Morton's old residence, on 3 May.⁶⁴

On the basis of certain "Articles conceived by the King to be delivered to the earl of Morton" which came into the hands of Robert Bowes shortly afterwards, it would appear that, at this conference, it was decided to offer Morton and his family, Angus and Archibald Douglas, an ultimatum. This consisted of a series of humiliating conditions which were required to be accepted in return for Morton's life, though not his freedom. Thus, the

former regent was expected to surrender to the crown Dalkcith and Blackness, the latter stronghold being in Morton's possession as sheriff of Linlithgow; he was, in addition, to renounce his heritable sheriffdoms of Linlithgow and Lothian as well as his post of high admiral; James Douglas was to lose his commendatorship of Pluscarden, and Archibald his pension from Balmorino in favour of lord Seton's sons, while their other pensions from the bishoprics of St. Andrews and Aberdeen were to be rendered to the crown; the "whole charges of the soldiers levied and the extraordinary charge that the King has been at since the last of December" were to be repaid by Morton; his kinsman, Archibald Douglas, was to continue to forfeit his parsonage of Glasgow and his position as a senator of the college of justice.⁶⁵

Presumably these were the terms which Angus referred to as "unreasonable conditions".⁶⁶ Moreover, his adversaries probably calculated that they would be rejected and that they would then be justified in arranging for Morton to stand trial for his life.

Accordingly, on Tuesday, 23 May, Montrose and Arran were instructed to bring Morton to Edinburgh where he duly arrived four days later.⁶⁷ At this point, certain rumours began to circulate in the capital alleging that Morton, as well as being tried for his complicity in the Darnley affair, was to "be burdynnit and accusit of sic thingis as wer done and execute in our Soverane Lordis name for the furthsetting of his authoritie and service alsweill during the tyme that the said Erll of Mortoun wes Regent".⁶⁸ However, a proclamation quickly appeared denying such "seditious and sclanderous bruittis" and, on Thursday, 1st June, Morton was taken to the city tolbooth to stand trial.⁶⁹

Originally there was a lengthy indictment against him consisting of about twenty charges. Calderwood, for example,

quotes nineteen accusations against Morton whereas Sir John Seton, in a letter to Walsingham on 4 June, gives the number as twenty-two.⁷⁰ These included involvement in the Chaseabout raid, "conspiracie preceeding the murther of the king's father and concealing the same", consenting to and supporting Bothwell's marriage to queen Mary, the "abstracting of the king's casualties", certain currency offences at the time of his deposition in March, 1578, collusion with the Erskines in the Stirling castle putsch thereafter, participation in a conspiracy to seize the king at Doune in April, 1580, as well as being implicated in plots the same year on the life of Lennox, planning to escape while being transported from Edinburgh to Dumbarton, transferring the bulk of his wealth to his natural son, James Douglas, who was alleged to have employed it for "the maintenance of the King's rebels and furnishing of the English forces", accepting English pensions and "traffiquing with forrane princes specialle the Queene of England and States of Flanders".⁷¹

Although it is interesting to note that there was no reference in the charges to the poisoning of the earl of Atholl, one of the most serious allegations against Morton - and this would surely suggest that, despite intensive enquiries, there was still insufficient evidence available - there undoubtedly was considerable substance to many of these accusations. Morton, for example, had temporarily supported Bothwell in 1567 at the time of the Darnley conspiracy and his subsequent marriage to queen Mary; he could, as regent, conceivably have devised various means of denuding the royal treasury, not to mention on his dismissal in 1578 proceeding to issue coins illegally; it is quite likely that he plotted Lennox's overthrow in 1580; he certainly did consider escaping from custody while en route to Dumbarton,

and at least one authority avers that he ensured that his son got possession of his wealth;⁷² finally, unquestionably, he did pursue an anglophil policy, thus laying himself open to the charge of nefarious dealings with England. Nevertheless, the Lennox administration decided to "slippe from the rest" and merely accuse Morton of complicity in the Darnley murder.⁷³

The reasons for so doing appear fairly obvious. Apart from any delay which detailed examination of all these charges would have entailed, there was the undeniable fact that several of Lennox's existing government had served under Morton, and to continue with the original indictment must inevitably have produced embarrassing revelations as far as they were concerned. Indeed, the proclamation issued the day before Morton's trial would seem especially designed to allay such fears.⁷⁴ In short, royal servants such as Ruthven, Sir William Murray of Tullibardine, Robert Pitcairn, commendator of Dunfermline, Alexander Hay, clerk register, David Borthwick of Lochhill, royal advocate, and probably Argyll, who had latterly been chancellor in Morton's government, almost certainly had no desire to rake up the immediate past.

Morton's prosecutors, having decided on the presentation of their case, in order to guarantee the requisite verdict, selected a jury which, except for possibly two members, the earl of Eglinton and lord Somerville who had no obvious quarrel with Morton, consisted either of adherents of the Stewart family or Morton's enemies. Ignoring the earls of Argyll, Montrose and Glencairn, lords Maxwell and Seton, whose sentiments are blatantly self-evident, there is the earl of Rothes who possibly harboured little personal ill-will towards Morton himself but was apparently on bad terms with Angus;⁷⁵ the earl of Sutherland was a Gordon who conceivably regarded his recently-deceased kinsman, Adam

Gordon of Auchindoun as harshly treated by Morton and was, like another member of the jury, James Stewart, lord Innermeath, reportedly "matched with the houses of Lennox, Atholl and Arrol";⁷⁶ lord Ogilvie had been imprisoned by Morton between 1576 and 1578,⁷⁷ and his pro-Lennox sympathies are underlined by the appointment of his son as a gentleman of the king's bedchamber in October, 1580; the master of Livingstone, another gentleman of the king's bedchamber who came from a family with distinctly Marian tendencies, was so devoted to Lennox that he later accompanied him to France in 1583.⁷⁹ Outwith the noble members of the jury, there was Sir John Gordon of Lochinvar, whose affinities were presumably similar to the other Gordon on the jury, the laird of Kilsyth, who was a kinsman of Livingstone,⁸⁰ Sir Patrick Learmonth of Darsie, and the laird of Waughton, who had served with Kirkcaldy in France at one time⁸¹ and against whose presence Morton had specifically protested.⁸²

Morton, with such a hostile jury, was, not surprisingly, speedily found guilty and his death sentence duly pronounced the same day.⁸³ According to Calderwood, however, he was initially only convicted of concealing the conspiracy against Darnley but Arran and Montrose, to give greater weight to the verdict and imply his actual participation in the events of February, 1567, insisted on the insertion of the additional phrase "art and part".

Morton's sentence was due to be carried out the following day, Friday, 2 June, but, in the interval before this happened, he had a lengthy disquisition with certain leading members of the kirk. However, the former regent's answers to the series of questions which they presented to him, frequently referred to as his "confession",⁸⁴ are limited in their significance. There was a stern warning of the dangers facing the protestant religion

because "they who have beene the king's unfriends, enemies to his crown and laws are brought in credit and in court" as well as a strong refutation of any complicity in the poisoning of Atholl. But, apart from this, his statement was mainly a denial of certain charges contained in the original indictment against him, an explanation to the brethren of his policy towards the kirk, replies to such questions as his deathbed conversation with Knox, and his opinion "of the forme of judgement used against him".⁸⁵

Morton, having made his peace with the kirk and supposedly evincing "most evident tokenis of the inward motioun of the Spreit of God", was led to the scaffold at about four o'clock on the afternoon of the 2 June, 1581.⁸⁶ Thereupon, confronted by several clergymen and following a brief speech to the crowd present,⁸⁷ the instrument of execution known as the maiden claimed one of its more celebrated victims.⁸⁸ Subsequently, his head was "sett upon a prick in the highest stone of the gavell of the Tolbuith toward the publict street" where it remained until its removal by royal edict on 14 December, 1582.⁸⁹

Unquestionably, Morton did not have a fair trial. Indeed, as he remarked to the members of the kirk on the day of his execution, "It had been all alike to me gif I had bene as innocent as Sanct Stevin as gif I had been als guiltie as Judas, for I perceivit plainlie that there was nothing but my life sought ...".⁹⁰ Clearly, therefore, he was beheaded because the Lennox administration still feared him and the possibility that he might repeat his performance of 1578 and retrieve his position yet again. At the same time, there was the additionally attractive proposition presented by the numerous possessions in his hands, and those of his supporters, which would come the way of his adversaries if he was eliminated and his followers outlawed. Not unexpectedly, no

time was wasted in the redistribution of such spoils.

Thus, Lennox himself did especially well, amassing, among other rewards, the lordship, regality and barony of Dalkeith and the baronies of Aberdour, Mordington and Whittinghame.⁹¹ As well as this, he obtained for himself gifts of escheat of the property of Malcolm Douglas of Mains⁹² and certain debts owing to Morton by Robert earl of Buchan, William Douglas of Whittinghame and Robert Colville of Cleishe with, in addition, "all sowmes of money auchtand to the said James erle of Morton be quhatsumevir persone or persons".⁹³

Another individual who benefited handsomely was the earl of Arran, formerly captain James Stewart. He acquired before his elevation the pension of £500 per year from Balmerino abbey, previously a perquisite of James Douglas, commendator of Pluscarden, as well as a gift of escheat of a marriage also belonging to Morton's natural son.⁹⁴ Moreover, on 13 June, 1581, the tack of the leadmines held by George Douglas of Parkhead also fell into his possession.⁹⁵ Furthermore, while one of his brothers, William Stewart of Monkton, received the lease of the teind sheaves of Lanark, forfeited by Angus,⁹⁶ another, Henry Stewart, gained possession of Morton's lands at Nether Gogar near Edinburgh.⁹⁷ Even one of his domestics benefited by being granted certain teind sheaves once in the hands of Angus.⁹⁸

Another member of the Stewarts who profited was James Stewart, son of Sir James Stewart of Doune. He was awarded the pension of £500 from the bishopric of Aberdeen which had once been the prerogative of Morton's natural son, Archibald Douglas, as well as the escheat of a tack formerly held by Morton himself.⁹⁹ Indeed, if the long catalogue of Douglas territories, including Morton's sheriffdom of Edinburgh and Haddington, his office of

high admiral and Angus's sheriffdom of Berwick and bailiary of Lauderdale, all acquired by Francis Stewart, commendator of Kelso, subsequently earl of Bothwell, are taken into account,¹⁰⁰ there would seem ample evidence, at least in the case of the Stewarts, for concluding that the ties of kinship were particularly strong at this stage in the sixteenth century.

Apart from the Stewarts, the other main recipients of the generosity of the Lennox administration were its faithful adherents, and John lord Maxwell undoubtedly was one of the principal beneficiaries. Before Morton's trial, he had actually come to an arrangement with Lennox whereby, on the former regent being convicted, he would receive his earldom.¹⁰¹ Accordingly, on 5 June, 1581, by a charter under the great seal, Maxwell was appointed to the earldom of Morton, receiving the title about a fortnight later.¹⁰²

Excluding Maxwell, the Campbells, Setons and Humes all profited from Morton's downfall. Thus, Argyll assumed Morton's office of sheriff of Linlithgow,¹⁰³ while his kinsman, James Campbell of Ardkinglas, "be reason of escheit throw the proceis and dome of forfaltour", obtained two not inconsiderable sureties which Argyll himself had once been obliged to guarantee to pay Morton.¹⁰⁴ In the case of the Setons, Alexander, son of George lord Seton, replaced James Douglas as commendator of Pluscarden.¹⁰⁵ Finally, Alexander Hume of Manderston, an inveterate foe of Morton's, gained possession of certain lands in Haddington which had been the property of James Douglas,¹⁰⁶ Alexander lord Hume received the escheat of a tack once held by Angus,¹⁰⁷ while Patrick Hume of Polwarth had bestowed on him the lands and barony of Bonkle and Bothwell.¹⁰⁸

Outwith the Stewarts and their close allies, one family

particularly favoured was that of William lord Ruthven. The treasurer himself, for instance, was the recipient of several substantial awards. Thus, he obtained the escheat of a gift of marriage forfeited by the commendator of Pluscarden as well as certain lands appertaining to Angus.¹⁰⁹ Additionally, he came by the sum of £10,000 which had once been an obligation made by John lord Glamis to Morton in return for gifts of marriage and ward involving the Cassillis family,¹¹⁰ not to mention another 4,000 merks, the legacy of an act of caution made with Morton by the master of the mint and an Edinburgh burghess.¹¹¹ Two further donations to his brothers Alexander and James Ruthven¹¹² only serve to underline the importance the new regime attached to the allegiance of its powerful treasurer and his kinsmen.

In this fashion, Morton's domains and offices were dismembered by his victorious opponents. However, the effects of his governance were not so easily undone, and stock must now be taken of the more permanent achievements of his regency and administration.

Notes to Chapter X

1. RPC iii, 350; Calderwood, History iii, 484-85; Moysie, Memoirs, 29; Edin. Recs. (1573-89), 192.
2. CSP Scot. v, 580.
3. ibid., 589.
4. Balfour, Practicks, i, introduction, xxix.
5. See Chap. IV, pp. 78-79.
6. CSP Scot. v, 586.
7. Calderwood, History iii, 485.
8. RPC iii, 344-45.

9. ibid., 348.
10. According to Calderwood, Angus and Douglas of Lochleven were also meant to be included but, by order of the king, their names were "scraippedout", History iii, 484.
11. ibid., 340; SRO, RSS xlvi, PS1/47, f. 66v.
12. RFC iii, 355-56.
13. CSP Scot. v, 572-74.
14. ibid., 585.
15. HMC (Hastings) ii, 16-17.
16. CSP Scot. v, 595-96.
17. ibid., 623-24.
18. Hunsdon, Huntingdon and Bowes all seem to have been influenced by the opinions of this character. Randolph later referred to Bowes as "led thereunto by Mr. A. Douglas - not the best instrument to appease troubles", ibid., 655.
19. ibid., 625.
20. E.g. ibid., 592-93, 606, 629-30.
21. See below, p. 233.
22. CSP Scot. v, 645-46.
23. RFC iii, 393.
24. CSP Scot. v, 688.
25. ibid., 632.
26. RFC iii, 340-89.
27. CSP Scot. v, 628.
28. APS iii, 189.
29. If Calderwood is correct, the commissioners of the burghs were dismissed before Randolph's speech, presumably lest his allegations caused them to have second thoughts about assenting to the proposed taxation, History iii, 488.
30. CSP Scot. v, 638.
31. He departed, in fact, before it was finished; Calderwood, History iii, 487-88.
32. CSP Scot. v, 649, 695.
33. NLS Morton papers, 77, f.58; printed in Mort. Reg. i, 126.

34. CSP Scot. v, 677-78.
35. ibid., 697.
36. CSP Spanish (1580-86), 85.
37. CSP Scot. v, 696.
38. ibid., 680.
39. ibid., 680-81.
40. ibid., 663, 670, 679; Moysie, Memoirs, 31.
41. CSP Scot. v, 663, 670-71, 675; the gift in September, 1581 of an escheat to Auchinleck of Balmanno would suggest that he had been quite prepared to desert Morton and ingratiate himself with the new regime, SRO, RSS xlviil, PS1/48, f.44v.
42. CSP Scot. v, 673, 675.
43. ibid., 670; both he and Auchinleck received remissions, SRO xlviil, PS1/47, f.124r; ibid. xlviil, PS1/48, f.105r.
44. RPC iii, 364-65; they were subsequently denounced rebels on 31 March, 1581, ibid., 369.
45. ibid., 365.
46. ibid., 365.
47. ibid., 367; a similar order was made against the retention of Torthorwald by George Douglas of Parkhead, Sheriff Court Book of Dumfries, TDGAS, 3rd Series, xii, 175-76.
48. RPC iii, 368.
49. Fraser, Douglas iii, 266-68.
50. For Morton's division of the middle march in December, 1576, see Chap. VIII, 176.
51. NLS, Morton Papers, 77, f.60; printed in Mort. Reg. i, 127.
52. HMC (Mar & Kellie) i, 33-34.
53. RPC iii, 374-76.
54. CSP Scot. vi, 11.
55. ibid., 24, 28.
56. APS iii, 192; RPC iii, 369-70.
57. At least according to Randolph, CSP Scot. v, 650.
58. Lee, The Fall of the Regent Morton, Journal Mod. Hist. xxviii, 111-30.
59. Teulet, Papiers ii, 443-44.

60. Reported on 20 April, 1581 by Cobham, English ambassador in Paris, CSP Foreign (1579-81), 122-23.
61. CSP Scot. v, 582; vi, 4.
62. Melville, Memoirs, 266.
63. Captain James Stewart was elevated to this title on 22 April, 1581, RMS v, 167.
64. Calderwood, History iii, 556.
65. CSP Scot. vi, 10-11.
66. See above, p. 237.
67. RPC iii, 387; Calderwood, History iii, 556.
68. RPC iii, 388.
69. ibid., 388; Calderwood, History iii, 557.
70. ibid., 557-58; CSP Scot. vi, 23.
71. Calderwood, History iii, 557-58.
72. Melville, Memoirs, 267.
73. Calderwood, History iii, 557; CSP Scot. vi, 26.
74. See above, p. 240.
75. Rothes was the father-in-law of Angus and allegedly objected to his handling of his daughter's liaison with Montrose, CSP Scot. v, 695.
76. An Estimate of the Scottish Nobility during the minority of James VI, TMS Soc. ii, 231, 238.
77. See Chap. III, p. 42.
78. RPC iii, 322-23.
79. Scots Peerage v, 443.
80. ibid. v, 188-89.
81. CSP Scot. iv, 276.
82. Along with Argyll and Seton, ibid. vi, 18-19.
83. Calderwood, History iii, 558-59.
84. e.g. Bannatyne, Memoriales, 317; Calderwood, History iii, 559; CSP Scot. vi, 14.
85. Bannatyne, Memoriales, 317-332.
86. ibid. 327; Calderwood, History iii, 575.

87. Bannatyne, Memoriales, 331-32.
88. The first near contemporary reference to the actual employment of this means of execution on 2 June, 1581 is in Row, History ii, 86.
89. Calderwood, History iii, 575; Moysie, Memoirs, 33; Fdin. Recs. (1573-89), 262.
90. Bannatyne, Memoriales, 324.
91. RMS v, No. 198.
92. SRO, RSS xlvii, PS1/47, f.106v.
93. *ibid.*, f.131v; his daughter, Henrietta, received a gift of escheat of a marriage formerly belonging to Angus, *ibid.* xlviii, PS1/48, f.19r.
94. *ibid.*, xlvii, PS1/47, f.117v, and f.107r.
95. *ibid.*, xlviii, PS1/48, f.7r.
96. *ibid.*, f.22r.
97. RMS v, No. 204.
98. SRO, RSS xlvii, PS1/47, f.141r.
99. *ibid.*, f.113v, f.130v.
100. RMS v, No. 218.
101. Lennox, Carlaverock i, 252.
102. RMS v, No. 203; Lennox, Carlaverock i, 252.
103. RMS v, No. 199.
104. SRO, RSS xlvii, PS1/47, f.124r.
105. SRO Lordship of Urquhart, GD94, No. 16; confirmed by act of Parliament in November, 1581, APS iii, 276, c.f. Clan Campbell vi, 39-40.
106. Melrose Recs. iii, 304.
107. SRO, RSS xlvii, PS1/47, f.135v.
108. *ibid.*, xlviii, PS1/48, f.40r.
109. *ibid.*, xlvii, PS1/47, f.106v, f.137r.
110. *ibid.*, f.131r.
111. *ibid.*, f.131r.
112. *ibid.*, f.126r; xlviii, PS1/48, f.6r.

CHAPTER XI

MORTON REAPPRAISED

Although Morton's arrest and imprisonment occurred with dramatic suddenness in December, 1580, opposition to him had, in fact, been growing steadily over the years. Consequently, before any assessment of his administration is undertaken, there is need to trace the most obvious causes for his ultimate downfall.

Unquestionably, if Morton was to survive, he had to endeavour to remain on good terms with the more powerful magnates in the country and retain their support. Certainly, if his account of the cordial reception he encountered from various noblemen while on a leisurely peregrination in the autumn of 1575 is anything to go by, he initially was largely successful in this task. Moreover, he had not indulged to any great extent in the ill-advised practice of his uncle, Archibald, sixth earl of Angus who, when regent in the reign of James V, had made himself widely unpopular by filling the council and royal household with Douglas nominees.

Nevertheless, during the opening years of the regency, there was the serious lesion which developed between him and Argyll over the royal jewels regarding which even Sir Henry Killigrew believed Morton was over-zealous. This was followed in March, 1578 by the temporary triumph of the Argyll-Atholl faction, the outcome partly of the regent's failing to ensure that his influence over the adolescent monarch remained paramount and partly from his

inability to resolve the feud between the two earls.

Morton, however, on his recovery in June, 1578, while he may have possessed "first rowme and place" on the council, was patently in nothing like so strong a position as formerly. Thus, the Argyll-Atholl league, in the summer of 1578, posed serious problems for him and he only retained his authority by making concessions to his opponents. Moreover, it would appear that Morton was very conscious of the changed nature of his circumstances, and this was reflected in some of his actions during the remainder of his administration.

Undoubtedly, the outstanding example of the ex-regent placating his adversaries and striving to deflect their attention from ending his ascendancy was his decision to persecute the Hamilton family. Indeed, it would seem likely that it was this proposal which disarmed his opponents at the vital discussions between the two sides in October, 1578.

While the operations against the Hamiltons were incontrovertibly popular, it was, nevertheless, a short-sighted and costly expedient hardly indicative of superior statesmanship. Furthermore, the enterprise had repercussions which may have adversely affected Morton himself. In the first instance, queen Elizabeth, being of the opinion that it contravened the agreement made at Perth in February, 1573, was unhappy about the proscription of the Hamiltons. Indeed, correspondence on this subject dragged on between the two countries well into the summer of 1580. Besides, as far as Morton was concerned, it was not to his advantage that there was any tension in Anglo-Scottish relations, particularly at a time when his authority was being subjected to its sternest challenge. Secondly, although Morton, admittedly, was unlikely to have foreseen this would happen, the

legal device employed against the Hamiltons of utilising the king's coming of age to revive old charges, such as the murders of Darnley, Moray and Lennox, was a dangerous precedent with unfortunate consequences for himself. Thus, at his own trial in June, 1581, this was precisely the technique adopted by the prosecution.

The death of Atholl in April, 1579 temporarily weakened "the fellowship of Falkirk" but, within a year, his place was more than adequately taken by Esmé Stewart. By March of the following year, he was earl of Lennox, commendator of Arbroath and on the point of becoming keeper of Dumbarton castle. If Morton's tactics in 1579 were maladroit, if perfectly understandable, his behaviour during 1580 when he was faced with the greatest threat in his career is much harder to interpret. As Robert Bowes, his English ally, perceived, Morton's policy in these months should have been to act resolutely and endeavour to preserve the backing of the bulk of the nobility. On the other hand, what he contrived to do was have another serious quarrel with Argyll, attend the privy council only spasmodically, abstain from participating in the greater part of the royal tour of the north-east and ultimately, by his attitude over a legal dispute between Ruthven and Oliphant and his support for the latter, alienate the influential treasurer. At one stage in 1580 he even managed to be on bad terms with Angus!

Perhaps the key to any explanation of Morton's conduct prior to his overthrow lies in the magnitude of his task and a disenchantment, possibly a result of his advancing years, with the burdens of office. It does seem very significant that, on 21 November, 1579, he was given permission for a second time "to depart and pas furth of this realme to the pairtis of Almany or

utheris beyond sey".¹ The ostensible reason for the granting of such a licence was that, as a result of "excessive travellis inwatching, wairding and uthirwyise during the said tripoblus tyme and cairfull panis takin in governing of this his hienes realme sensyne joynit with the said erlis grit aige, being now past threscore yeiris", there was need for him to seek a cure for his "disesis and infirmitais". While Morton did have some internal complaint or other - he was reported, for example, as suffering from "rumburstanes" at the time he became regent² - the real motive for this application to leave the kingdom could well have been that, aware of the threat he was under from Lennox, he was taking the precaution of devising a means of escape should the situation deteriorate further.

The question arises, of course, why he didn't utilise this licence during 1580 instead of allowing himself to be outmanoeuvred by his adversaries. Here it can only be conjectured that, having savoured power for so long, he was reluctant to recognise Lennox's ascendancy. Consequently, he seems to have entered a phase of virtual inactivity, greatly piqued by the success of his rival, yet unwilling or unable to act decisively against him. The indecision and irresolution which he displayed in these months was, to his misfortune, to be the most serious miscalculation of his career. Thus, by 1581, surrounded by enemies and with support for himself reduced to his relatives and a few adherents, his plight was critical. Admittedly, queen Elizabeth momentarily appeared eager to render assistance. Unfortunately, however, as soon as she perceived the weak state of his party in Scotland and assessed the possibly unfavourable reaction from France of intervention, she decided to desert Morton. Once this happened, his fate was sealed, and the Lennox-Arran

government delayed only briefly before eliminating the major threat to the security of their regime.

While the disintegration of Morton's influence over the nobility and the manner in which he was gradually eclipsed and supplanted by Lennox were the main causes of his downfall, these circumstances should not be allowed to overshadow any appraisal of his career. Undoubtedly, one of its most important aspects was his relations with the kirk, both with regard to its endowment and its constitution.

One sphere of Morton's ecclesiastical policy affecting the patrimony of the kirk where he was, and subsequently has been, criticised, probably unfairly, is his reorganisation of the parishes and his redistribution of the clergy. This followed the state assuming control of the collectory in 1573 and, at the time, it provoked James Davidson into publishing his condemnation in verse of the alterations although, as was noted, mainly on the grounds of its harmful effects on the kirk's evangelical mission. Subsequent opinion, however, has generally been hostile towards Morton's reorganisation. Thus, Calderwood, writing in the early seventeenth century, although not too severe in his criticism, alleged that it was done so "that the king's revenues, by the superplus of the thrids might be the greater".³ His contemporary, bishop Spottiswoode, perhaps eager at this juncture in his history of the church to gloss over the anti-episcopal campaign which was developing, declared that Morton forfeited "all his good opinion by the causes he took to enrich himself".⁴ Two centuries later, Patrick Tytler asserted that the regent's avarice "found the first field for its exercise in an attack upon the patrimony of the kirk".⁵ Finally, P. Hume-Brown, at the beginning of this century, in similar vein, proclaimed that the ecclesiastical

reorganisation of 1574 was an attempt by Morton "to veil his rapacity under the guise of law and justice".⁶

Indeed, it was only fairly recently that a substantial revisionary argument appeared. Thus, Morton, in the opinion of Gordon Donaldson, far from meriting the calumny he has received in this matter, "really deserves credit for a great improvement in the payment of stipends".⁷

Essentially, Donaldson's contention is that Morton, having taken over and reformed the collectory and undertaken a reassessment of the thirds which produced the "new enterit benefices", logically proceeded to have the ministers and readers redistributed on the basis of the number of clergy available in each diocese. Such a conclusion would appear a feasible one, particularly if the regent's penchant for efficiency is taken into account. On the other hand, his critics would argue that his reorganisation was merely a device for the crown or himself to enjoy the revenues of the vacant benefices, and it is undeniable that Morton, while efficient, was also venal.

Perhaps, however, the real truth of the matter lies somewhere in between. That is, Morton, who undoubtedly did improve the financial organisation of the kirk, could have acted as he did partly from a desire to see the kirk's finances managed more efficiently and partly in the knowledge that it might also be to the crown's advantage as well. Nevertheless, considering the chaotic state of the collectory when he became regent, the concrete advantages accruing to the kirk from his reorganisation would seem to outweigh the possible disadvantages. Consequently, in this instance, there would seem insufficient grounds for wholesale condemnation of the regent, and the sweeping accusations of Tytler and Hume-Brown, for example, must be seriously queried.

If Morton has been unfairly censured concerning this aspect of his ecclesiastical policy, there is another, namely his use, in a variety of ways, of the kirk's patrimony to reward both royal servants and his own family, where criticism might appear to be more justified.

Unquestionably, a considerable number of privy councillors, senators of the college of justice, advocates, writers and border wardens and members of the regent's own household benefited from grants or remissions of thirds, gifts from episcopal fruits and appointments to commendatorships. Indeed, it was, presumably, the subventions by certain prelates from their own fruits which has led one recent authority to declaim that Morton pursued "a programme of pious racketeering".⁸

Undeniably too, his own family reaped the benefit of his control of the church. Thus, for example, his eldest natural son, James, obtained the commendatorship of Pluscarden, a lucrative pension from Balmerino abbey, the temporality and spirituality of the bishopric of Galloway for nearly two years as well as a clutch of benefices forfeited by James Thornton, chanter of Moray. Moreover, the pensions bestowed on two other sons from the bishopric of Aberdeen and the priory of St. Andrews indicate they were not neglected either.

While this would suggest considerable dilapidation of the kirk, it does seem significant that the volume of protest about it was comparatively muted. Granted, the assembly resolved in August, 1574 "That all sick persons as either buyes or sells benefices or uses any other kynd of coupling thereof either directlie or indirectlie, sal be deprivit of all kynd of function within the kirk".⁹ Similarly, there were several complaints about the practice of infeudation, and, undeniably, certain

bishops were the subjects of the kirk's disapprobation. But, although the brethren inveighed against the bishop of Galloway's Marian sympathies in the civil war, accused the bishop of Moray of immorality, and chastised archbishop Adamson for the manner of his presentation, the only member of the episcopate openly condemned for financial malpractices was James Paton, bishop of Dunkeld. Paton, moreover, was rebuked by Morton's government for his shortcomings.

Therefore, it seems a justifiable assumption that, as far as the church was concerned, the treatment of its finances under Morton seems to have been regarded as unexceptional and no different from that of his predecessors. At the same time, however, it must be remembered that the kirk's endowment formed only part of a larger question which especially preoccupied the clergy. This was, of course, the matter of the polity of the kirk, indubitably a major issue between Morton and the church leaders.

If Morton believed the settlement made with the kirk at Leith in January, 1572 before he became regent would placate its members, he was soon aware that he had misinterpreted their mood. Thus, as soon as they were provided with the inspiring leadership of Andrew Melville, they sought, by the compilation of the second Book of Discipline, to resolve all outstanding ecclesiastical issues. Initially, the regent's attitude, as far as it can be judged by such actions as permitting Glamis consult Beza and the submission of his own forty-two questions to the assembly, would appear to have been that of someone genuinely seeking a formula acceptable to both church and state. Nevertheless, as Melville himself appreciated some of the more radical demands such as the claims advanced to all ecclesiastical

property, the abolition of episcopal government and the kirk's dominant role in the government of the kingdom were totally unacceptable to Morton or his colleagues. When faced with such demands on his return to power in the summer of 1578, his tactics essentially were to postpone any immediate decision and refer controversial items to special committees. This happened on several occasions between 1578 and 1580, was clearly unsatisfactory and prompted the general assembly to intensify its campaign against the bishops. Since it seems improbable that he could procrastinate in this fashion indefinitely, the question arises what his policy would have been if his career had not been cut short by his opponents. Certainly, it is highly unlikely, even if, secretly, he would have relished doing so, that he would have resorted to draconian measures against the Melvillians. This would have been impolitic if for no other reason than it would have antagonised a very influential body within the community. Perhaps, therefore, if he had any clearly defined ideas whatsoever, he may have intended, possibly with the assistance of Patrick Adamson, archbishop of St. Andrews, to isolate Melville and the more radical element in the assembly by assenting to the less controversial sections of the second Book of Discipline. This, he may have imagined, would win over the more moderate churchmen. Indeed, such a stratagem appears to have been attempted in July, 1578 when Morton indicated his willingness for a compromise by suggesting that parliament ratify the acceptable sections of the kirk's "book of policie".

Whether such tactics would have succeeded is another matter. It is conceivable that Morton, with his position much less stable after the upheaval of 1578 and his own enthusiasm for the task visibly waning, pursued a policy of procrastination simply because

he lacked his former zeal, and postponing a major confrontation with the kirk was the most convenient expedient.

However, what seems significant is that, despite this conflict with the kirk over its polity, presbyterian historians wrote remarkably favourably of Morton. Calderwood, for example, while commenting, with reference to his preference for episcopacy, that "he could not suffer Christ to reign free", nevertheless observed that, when he was executed, there perished "one of the chief instruments of the reformation of religion".¹⁰ Similarly, Melville's nephew, reflecting on the death of Ruthven in 1584 and Morton in 1581, remarked that both noblemen were "most stout and valiant advengers and defenders of religion".¹¹ Finally, William Scot, minister of Cupar, in his account of the kirk since the reformation, though critical of Morton's episcopal policy, nonetheless admitted "he was stout and wise, one of the chief maintainers of religion".¹²

Accordingly, all things considered, it seems obvious that many members of the kirk found more to take consolation from than condemn in Morton's administration. They welcomed, for example, his anglophil foreign policy, regarding it as a commendable link with the leading protestant power in Europe and immeasurably preferable to the francophil leanings of the Marians and his other adversaries with their supposedly crypto-catholic tendencies. Another point, incidentally, in Morton's favour was his attitude towards university reform - always an important matter as far as the church was concerned. Here, for example, bursaries to students from the thirds of benefices were constantly greater in number during his regime than beforehand.¹³ Again, while his visitations to St. Andrews University in 1574 still required an act of parliament in 1575 as well as a further commission in 1579

before anything substantial was achieved, it showed a welcome interest in the conditions prevailing at that university.¹⁴ Furthermore, in 1577, admittedly after some pressure from the assembly, he had eventually advanced the funds necessary if Melville was to revive the moribund university of Glasgow.¹⁵

In short, his record in the eyes of the members of the kirk was not such an unfavourable one. He may not have been able to obviate the impasse presented by the second Book of Discipline but he had avoided a really violent clash over its proposals while he remained in office. Perhaps both Morton and the Melvillians realised that, when the prevalent political situation was taken into consideration, it was not in the interests of either party to seek a direct collision with the other.

Morton, in his relations with the kirk, certainly had problems but one area where both sides were undoubtedly in agreement was over his foreign policy. Here, he followed the example of his father and the tendencies of his own earlier career by favouring close ties with England. In fact, as has been argued, with his opponents looking towards France for support and as the representative of a nation which had comparatively recently undergone a protestant revolution, he had little alternative. Thus, having required English diplomatic assistance to reach agreement with the Hamilton and Huntly factions at Perth in February, 1573, and then military aid to oust Grange and his followers from Edinburgh castle, as soon as his opponents were quelled he sought a defensive league with England. What he envisaged was a permanent alliance in which both sides would guarantee each other and promise to defend the protestant faith. Unfortunately, his search for such a treaty with England was destined to be a fruitless one.

Queen Elizabeth, admittedly alarmed in 1573 lest the French might take advantage of a garrison at Edinburgh desperate for foreign assistance, was prepared, after attempts at negotiation had failed, to send Drury with his troop to reinforce Morton's insubstantial army and armaments. However, once the mission was successfully accomplished and the threat of French interference removed, she saw no need for any further commitment either of a political or financial nature. In other words, England was only concerned with Scottish affairs when there appeared to be a serious threat to its security emanating from within its neighbour, and the only reassurance Morton received was to be told that, since his interests had not been neglected previously, it was unlikely that they would be in the future.

In the political context of the decade, the divergent attitudes of Morton and Elizabeth are perfectly comprehensible. The regent, for example, almost certainly feared a fresh outbreak of the civil war with such noblemen as Atholl, Caithness and Crawford - what has been described as the "conservative north"¹⁶ - seeking French aid once more. However, if he had a definite agreement with England and a guarantee of intervention, the possibility of a successful outcome for his adversaries must be remote. Elizabeth, on the other hand, was reluctant to commit her government to any treaty which contained clauses, such as Morton proposed in June, 1573, whereby, so it was suggested, "in case strangers arrive in this realm that her majesty shall send forces to resist them".¹⁷ Similarly rejected were proposals that, if there were serious border disturbances, there should be joint action by both countries. Besides, the instigator of a foreign policy characterised by an exasperating caution and concern for England's own interests was unlikely to be attracted

to a pact on the lines sought by Morton. This would have placed too many restrictions on Elizabeth's diplomacy, especially with France, and could have the equally unattractive possibility of entailing unwelcome expenditure on Morton's behalf, whether it was essential from England's standpoint or not.

Thus, Morton, although he occasionally might endeavour to put pressure on the English government by feigning French sympathies, had to accept that, as regent of the lesser power, the diplomatic tune was called by the more powerful partner. This was particularly evident during the Bedeswyre crisis in 1575. On that occasion, Morton, with considerable skill, made great efforts to placate Elizabeth, who was incensed, albeit unnecessarily, over the affair, and thus preserved the entente existing between the two countries.

At the same time, however, Morton, despite his failure to obtain the alliance which he desired, at least, while in office, could hardly regard himself as deserted by England. Granted, his English allies had been unable to prevent his deposition in 1578 although they had expressed their disapproval to some of his opponents.¹⁸ Moreover, rather ironically, at the time of this revolution in March, 1578, because of a serious setback for the Dutch forces in the Netherlands, there had even been talk by Elizabeth of some "mutual contract of amity" between the two states, although whether anything would ever have come of such a proposal is debatable. Nevertheless, once the ex-regent retrieved his position, English assistance proved invaluable. Thus Elizabeth, while reverting to her normal stance regarding a formal alliance in August, nonetheless, in Robert Bowes, provided a skilful mediator. At Falkirk, for example, he greatly assisted in defusing a potentially disastrous situation for

Morton who also was aware that, at least on the borders, there were English levies awaiting the signal to launch an attack on his adversaries.

In the course of 1580, Elizabeth was still unwilling to give any definite guarantees to proposals for the "continuance of her care chiefly for the common defence of religion" or advance subsidies if King James' financial condition "be found and shall appear to her majesty to be decayed and needing repaired".¹⁹

Nonetheless, Bowes was sent to Edinburgh on two separate occasions to assess the political situation and provide some solace for Morton. The latter, however, ignored Bowes' advice to adopt a determined stance towards Lennox and, instead, seemed almost set on achieving his own destruction. With Morton behaving in this unpredictable fashion, there was not a good deal that England could do. Moreover, and it would appear to have been a crucial revelation, there was some consolation for Elizabeth in the discovery that, although Lennox's motives might be very suspect, the majority of the Scottish nobility was committed to retaining good relations with England. This, at least, was what Ruthven had told Bowes in September and, as an ultra protestant, there was no reason why the Scottish treasurer's statement should be regarded as other than genuine. Accordingly, as Morton's position weakened in the last weeks of 1580, the English government remained inactive.

Morton's arrest and eventual imprisonment, not surprisingly, provoked England into action. Thus, Randolph was despatched to Edinburgh with instructions that, if necessary, he was to summon the levies specially raised on the borders to intervene on Morton's behalf. However, these forces were never called upon and were ultimately disbanded without having struck a blow.

It is possible that, if Angus had been able to recruit a substantial following for his uncle, English policy might have been different and Elizabeth would have heeded the recommendations of such English supporters of Morton as Bowes, Hunsdon and Huntingdon or her secretary, Walsingham. More likely, if Angus had seemed to stand some chance of success, there would have been another instance of that clandestine military assistance employed by England so frequently on the continent with the troops stationed on the borders acting as a last reserve or possibly a warning to Morton's opponents that they would be employed against them if necessary. Such tactics would, of course, have been all the more preferable at a time of the resumption of the delicate negotiations with France over the d'Alencon marriage. In short, unless there was a repetition in some ways of the situation which had arisen at Edinburgh in 1560 or 1573, open intervention was out of the question. Angus, unfortunately, could raise little support and, since English interests no longer appeared to be vitally affected, Morton was abandoned.

Morton's foreign policy throughout his career had been a cogent one of "conformity with England" and, until the final months of his life, he and his supporters had benefited from it. Inevitably, however, as the client of a much greater power than his own country, there was always the possibility that protecting his interests or even saving his life would not seem worth the trouble and expense involved. This is precisely what seems to have been the case in 1581.

A feature of Morton's career apparent, to some degree, in his foreign policy and certainly obvious both in his relations with the kirk and the nobility, has been the less effective nature of his administration after his recovery in 1578. This is also

evident in his handling of the problems associated with the borders.

One area, for example, where his tactics seem to invite criticism latterly is on the west march. Here, lord Maxwell, who had presumably been restored to that wardenship in September, 1578, as a gesture of conciliation towards Morton's rivals, may well have deserved to be dismissed and replaced early in 1579 by the experienced, if veteran warden, lord Herries. But to substitute the latter, having served for about only six months, by yet another warden would seem highly questionable. If Herries was no longer physically capable of withstanding the rigours of warden duties, he should not have been appointed in the first place. Moreover, his successor, John Johnstone of that ilk, while both able and a loyal follower of Morton, was hardly the person to win the co-operation of lord Maxwell and his adherents, sworn enemies of the Johnstones. Consequently, Morton's reshuffling of offices on the west march produced further feuding between the bellicose Maxwells and Johnstones as well as an overall deterioration in the condition of what had always been a troublesome territory.

Another indication of Morton's slackening grip on affairs on the borders is the absence of those judicial and military expeditions into the more turbulent sections of the frontier which were regularly undertaken when he was regent. Thus, although late in 1578 and 1580 two large-scale forays of this nature were contemplated in both the middle and west marches, neither, in fact, materialised. All that did take place was a couple of much less ambitious sorties by Carmichael and Johnstone in these marches shortly before Morton's downfall. Undoubtedly, his preoccupation with the attack on the Hamiltons in 1579, combined,

it would seem, with an unwonted reluctance to offend those who had protested about the taxation proposed for the 1578 raid and his struggle to cling to his ascendancy in 1580 caused him to neglect one of the best means of restoring some semblance of law and order in these regions. Furthermore, the fact that there were no more justice ayres held in the borders in these years meant a loss in fines with which the treasury could well have done.

Just as Morton failed to perform his judicial functions on the borders in these years, so too, by his failure to organise a meeting of border commissioners, he threatened the amity which had generally existed between the Scottish wardens and their English counterparts. Accordingly, in 1580, discussions between the two sides were proposed on three separate occasions and Scottish commissioners selected, but no conference ever actually was held. This not only left important border issues unresolved but also irritated Queen Elizabeth who could not understand Morton's vacillation.

However, if the latter years of Morton's border administration were not crowned with success, nonetheless, when he was regent, his record was much better and his achievements considerable. Consequently, Morton, in this earlier period, as far as judicial and military expeditions were concerned, displayed that characteristic concern for strong rule which was a principal feature of his domestic government. Thus, in five years, that is between June, 1573 and March, 1578, eight of these raids were planned and seven actually undertaken. This compares favourably, for example, both with the record of queen Mary and regent Moray in the previous decade or, for that matter, with king James himself when he tackled the border problem in the 1590's.²⁰

A feature of these expeditions, furthermore, was the taking of pledges for future good conduct and, in this connection, Morton took certain commendable steps. Accordingly, the security arrangements attached to convoying pledges were improved and, in an effort to eliminate the frequent numbers of pledges breaking from custody, he introduced a monetary penalty of £2,000 to be forfeited by any custodian who allowed his prisoner to escape. Certainly, initially, this innovation, as the fines recorded in the privy council confirm, met with some success.

Similarly, his widespread utilisation of the practice, first introduced by queen Mary's administration, of government forces being employed to augment the authority of the various wardens was another means by which central control of the frontier was extended and turbulence reduced. Moreover, despite the setbacks of 1578, this policy at least continued until his downfall, with small detachments of troops being retained on both Liddesdale and the west march.

Finally, in these earlier years, the Redeswyre crisis and his dislike of the English warden, Sir John Forster, notwithstanding, relations between wardens on either side were more harmonious. Unquestionably, the main reason for this was that Morton's government exercised far more care about conditions on the marches than it was to do latterly. As a consequence, frequent days of truce were held between the Scottish officials and their English counterparts which meant that the respective wardens were able to carry out the task of administering justice and redressing grievances on both sides of the frontier more effectively. Moreover, while Ker of Cessford may ultimately have neglected his duties, Angus, on succeeding Maxwell to the west march in 1576, certainly continued the favourable relations already established

by his predecessor with the English warden, lord Scrope.

Consequently, in his administration of the borders, it would appear that a clear distinction has to be drawn between Morton's performance when he was regent and the less auspicious years thereafter. In the former period, although he may perhaps have shown at times those abrasive qualities, already noted in his dealings with certain noblemen, and caused wardens such as Ker of Cessford and Hume of Coldenknowes to turn against him, nonetheless, his record is an impressive one. Latterly, however, as with other aspects of his career, his unstable position and his own uncertainty adversely affected his policy towards the borders.

While the administration of the borders was one important item in Morton's domestic government, he also had to devote a considerable amount of time to social and economic matters. In this connection, the predominant features of his regime would appear to be the greater efficiency and concern for law and order which characterised it, the unpopularity of some of his measures and the distinct impression that there is some foundation for the allegations of corruption with which Morton has been charged.

Although, as it happened, there was an attempt on Morton's life when he was regent, this was an isolated incident and, undoubtedly, once the civil war was over, the country experienced a more peaceful and settled era. Thus, as the reduction, for example, in the number of warrants for those grants which generally followed criminal actions would suggest, there was less disorder, not only on the borders or the north-east, but throughout the whole country. Even Sir James Melville, not noted for his love of Morton, had to concede that under Morton the country enjoyed a more settled and peaceful period -

"better than was many yeares of before nor yet sen syn".²¹

Moreover, the frequent justice eyres which Morton held between 1573 and 1578 not only assisted with the suppression of disorder but were also a means of improving the financial condition of the exchequer. Thus, at least for some years, both comptroller and treasurer departments, helped by the income from Morton's judicial proceedings as well as the greater amounts collected from crown lands, customs and burghs, were able to reduce their deficits. Furthermore, if the customary warnings about delay in payment proved ineffective, the regent's government frequently took individual action against recalcitrant sheriffs, bailies or customs officials.

On the other hand, despite the initial improvements in both sections of the exchequer, the losses in both of them, while not so great as when Morton took over, were, nonetheless, mounting steadily in the years 1578 to 1580. This, as has been noted, was partly an inevitable consequence of the widespread inflation which prevailed in the second half of the sixteenth century but it was certainly not assisted by such costly episodes as the struggle with the Argyll-Atholl faction in the summer of 1578 nor the proscription of the Hamiltons the following year.

While the value of the most of Morton's attempts to improve the currency must be regarded as questionable, nevertheless, in his efforts to deal with forgery, he displayed some of that energy expended against lawbreakers. He personally attended the interrogation of certain offenders and, in 1574, in his desire to extradite an Italian counterfeiter who had eluded him, he sought English assistance as well.

The regent's commercial policy with its embargoes on specific exports, particularly salt, was on traditional lines and contained

little to distinguish it from his predecessors. However, the customs were at least collected more efficiently and, by the establishment of the Scottish staple at Campveore, Morton did perform a notable service for Scottish merchants. For some time, but especially since the outbreak of the Dutch revolution in 1572, Scottish trade had been hampered by the lack of a permanent base. Now, thanks largely to Morton's assistance in 1578, this uncertainty was ended and Scottish merchants were firmly ensconced at Campveore.

Regarding the problems presented by the poor within Scotland, Morton's actions seem greatly influenced by the English example. Hence, his statute of 1579 with its distinction between the indolent, sturdy beggar and the deserving pauper, as well as its system of relief based on the local parishes, was similar in some ways to earlier English legislation of 1572. Likewise, as in England, Morton discovered legislation was one thing and enforcing his statutes another. There seems little doubt that his, and successive governments, found the problem of the poor an insuperable one.

On occasions at Aberdeen in 1574, when the council was ordered to take measures on their behalf, Morton's concern for the interests of the poor, genuine or otherwise, could obviously make him unpopular with the local authorities. However, where he was most disliked by the bulk of the population was over the remedies he adopted to improve the currency. Thus, his reduction in value of the plack and hardhead in 1575 would seem to have been universally deplored by the less fortunate. Similarly, his programme of debasement for 30/-, 20/-, 10/- pieces and tentons in 1578, while it resulted in a profit for the mint, provoked hostile comment throughout the countryside. Again, his ban on

the export of bullion, as a means of increasing the supply available to the mint, and the subsequent arrest of those who contravened this legislation, can hardly be regarded as popular actions. Likewise, his attempt to reduce the deficiencies of the exchequer by compelling burghs to advance money to the crown was fraught with problems, not least the friction which developed between the city of Edinburgh and himself over this proposal.

Morton's monetary policy, like those before him, was totally unenlightened and, if he modelled some of his poor law on English precedent, he would have been well-advised studying some of the neighbouring country's financial expedients. Although earlier English rulers manipulated the currency and debased it extensively, Elizabeth deliberately refrained from such short-sighted tactics. In fact, during the 1570's, having borrowed on a big scale at the outset of her reign and re-enhanced the English currency, Elizabeth's ministers were negotiating a large loan from the German city state of Cologne.²² Morton might have considered the feasibility of such a proposition for Scotland rather than the measures which he did adopt. Moreover, the antagonism which his treatment of the seven Edinburgh burgesses who criticised his financial demands created was, if nothing else, tactless behaviour when the importance of that city is borne in mind.

If Morton's alterations to the currency caused discontent among mainly the poorer sections of the community, his greatest fault, from a contemporary viewpoint, was his avarice or, to quote one 17th century account, "his incursions into the subject's coffers".²³ Whether he acted thus "as he said to inritche the King withall"²⁴ or simply because, as another authority would have us believe, he was "inclined to covetousness",²⁵ there certainly would appear to be a number of instances where his intentions seem open to question.

In other words, it is conceivable that the compositions paid by Marian supporters in Edinburgh were pocketed for his own benefit; it is also quite feasible that the practice of issuing licences for the export of salt, not to mention similar authorisations required before corn could be taken outwith Scotland, wine imported or flesh eaten in Lent, provided opportunities for corrupt practice by the regent. Again, the peculiar neglect by Morton of compositions on signatures under the privy seal may have indicated that the regent was lackadaisical and "too easy going".²⁶ On the other hand, it seems just as likely that he had devised some method to his own financial advantage regarding these compositions. Similarly, the habit of lending the treasury large sums of money must inevitably raise certain doubts, especially as he was recouped, to a great extent, from the profits of the mint.

In short, it would seem unlikely that all the charges of corruption against Morton are solely the work of biased commentators. At the same time, as Pitcottie observed, "there were many writings cassin in upon the regent of his greediness bot nocht avowit".²⁷ If, therefore, Morton's mendacity was difficult to prove conclusively in the sixteenth century, it is even more so today.

However, Morton's venality unquestionably was the norm rather than the exception among contemporary fellow statesmen, and it would be unwise to place too much emphasis on this aspect of his personality. Much more relevant is the fact that, in his social and economic policies, Morton's achievements were strictly limited. Thus, the exchequer might receive something more like what it should be obtaining from its various sources of revenue, yet it was still experiencing a growing deficit at

Morton's downfall; the currency, in an attempt at improvement, was debased in 1578-79 but required further alterations immediately after Morton departed; the establishment of the staple at Campveere was a commendable action but Scottish trade generally showed no signs of expansion or any noted improvement; there was poor law legislation but the problem of the poor, not surprisingly, defied a solution.

In the final analysis, Morton's record, both as regent and particularly when he occupied "first rowme and place", can only be described as an uneven one. Thus, for much of the time, he handled the nobility adroitly yet he allowed himself to become embroiled in a bitter quarrel with Argyll, and also failed to prevent a formidable alliance combining against him in March, 1578. Hence, in his relations with those two noblemen, he revealed a lack of political acumen. In other words, his strategy should either have been their total subjugation to his rule or, alternatively, realising the magnitude of this task, he should have endeavoured to reconcile them to him. Moreover, his subsequent campaign against the Hamiltons, his principal means of diverting his adversaries, was a questionable policy to pursue. Again, in 1580, his irresolution in the face of the Lennox-Arran faction was the main reason for his ultimate deposition. With the kirk, while he probably has been unjustly criticised regarding his reorganisation of the parishes and ministers, he undoubtedly, by the favours bestowed on his own family and the pensions granted numerous individuals, continued the dilapidation of its resources. Over the vexed question of the kirk's constitution, it seems improbable that he had any permanent or acceptable solution to offer, and what is remarkable is the comparatively favourable opinion presbyterian writers

formed of him. This reputation, however, would seem unlikely to have remained had he continued in office much longer. His foreign policy with its dependence on England was clearly the right one for someone in the political position which he occupied and his eventual desertion by Elizabeth in 1581 must surely have come as no surprise to someone with Morton's long experience of Elizabethan diplomacy. His administration of the borders provides the clearest evidence of the dichotomy which is such an obvious feature of his career. Thus, until his dismissal in 1578, with his frequent judicial excursions, innovations in the pledge system, extensive fining of malefactors and his stationing of small military detachments on the borders to assist the wardens, Morton displayed the characteristic signs of an efficient regime. On the other hand, after his restoration in 1578, there was an unsatisfactory situation on the west march, no governmental incursions to the borders and not even the meeting of Anglo-Scottish commissioners sought by the English authorities. In other aspects of his domestic administration, apart from his success regarding the staple at Campveere, there was initially some improvement on the condition of the exchequer but, again, the impact of 1578 produced deleterious results. Consequently, in his final years, the deficits of both treasurer and comptroller departments were rising steadily.

Nonetheless, Morton undoubtedly possessed one outstanding quality which was apparent for most of his career: this was his powerful personality. Indubitably, it was this characteristic which brought the country strong, effective government and respect for authority for most of the period when he was in office. Similarly, it was this strength of character which enabled him to survive for eight years the hazardous position

which he occupied. In the turbulent conditions prevalent in Scotland during his lifetime, this was no mean achievement.

Notes to Chapter XI

1. RSS vii, No. 2093; the first such licence was granted in September, 1578, ibid., No. 1640.
2. Diurnal, 321.
3. Calderwood, History iii, 301.
4. Spottiswood, History ii, 195.
5. Tytler, History iv, 2.
6. Hume-Brown, History ii, 161.
7. Donaldson, Scottish Reformation, 92.
8. Ferguson, Scotland's Relations with England, 91.
9. BUK i, 310.
10. Calderwood, History iii, 395-96, 575.
11. Melvill, Diary, 161.
12. Scot, Apologetical Narration, 45.
13. See SRG, Thirds of Benefices, E45/8-14.
14. Shaw, General Assemblies, 184-85; NLS Advocates MSS, 29.2.7 Nos. 17, 22, 23, 25, 27, 29, 31.
15. Shaw, General Assemblies, 188; Durkan & Kirk, Glasgow University (1451-1577), 288.
16. Donaldson, Scotland's Conservative North in the 16th & 17th Centuries, R.H. Soc. Trans., 5th Series, xvi, 65-79.
17. CSP Scot. iv, 594.
18. Argyll Letters, 15-16.
19. CSP Scot. v, 424.
20. Rae, Scottish Frontier, 264-65, 267-68.
21. Melville, Memoirs, 260.
22. Outhwaite, Royal Borrowing in the Reign of Elizabeth I, ENR lxxxvi, 251-63.
23. Scotia Rediviva, 388.

24. Melvill, Diary, 61.
25. Spottiswood, History ii, 279.
26. Donaldson(ed), RSS vii (introduction), vii.
27. Pitscottie, Historie ii, 313.

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