

# The Anglo-Scottish War of 1558 and the Scottish Reformation

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## Abstract

The year 1558 was one of open war between England and Scotland. Previous scholarly accounts of this period have glossed over this conflict. This article first establishes the contours of the war. The failure of peace negotiations in the first portion of the year was linked to Scots' hopes of an invasion of Berwick in the aftermath of the fall of Calais, and the tentative movements towards peace in October were disturbed by the death of Mary Tudor in November 1558. Beyond its implications for Anglo-Scots relations, however, this conflict was significant in a domestic Scottish context. The second part of the article argues that the war interacted with better-known factors such as the accession of Elizabeth I, anti-French feeling and the growth of Protestant preaching to create the circumstances which made the Reformation Rebellion of 1559 possible. Increased mobility prompted by a national war effort, coupled with a governmental focus on defence, and reliance on reformers in the national army, simultaneously promoted the spread of reformed ideas and inhibited the authorities' ability to contain them. The war of 1558 therefore helped to foster the growth of 'heresy', which in 1559 blossomed into full-scale religious rebellion.

**O**n 30 April 1558 Thomas Percy, seventh earl of Northumberland, dispatched news of a cross-border raid to London. He reported that the English assault on the Scots fort of Langton had proven successful and, although the Scots commanders had escaped, about 100 Scots were killed and the English took a further 400 prisoners.<sup>1</sup> Two days earlier, Scotland's last Protestant martyr, Walter Milne, had been burned at the stake, an event which has long been acknowledged in accounts of the period seeking to explain the causes of the Reformation Rebellion of 1559 as having 'fostered sympathy for the protestants'.<sup>2</sup> By contrast, although scholars of Scottish history have acknowledged in

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<sup>1</sup> Northumberland to Mary Tudor, 30 April 1558, London, The National Archives [TNA] SP15/8, fos 170r–171r.

<sup>2</sup> Ian B. Cowan, *The Scottish Reformation: Church and Society in Sixteenth-Century Scotland* (London, 1982), p. 112; Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester, 2006), pp. 125–6.

passing that war with England continued during this period, its scale, contours and ramifications have been left unexplored.<sup>3</sup> Meanwhile, in English historiography the Franco-Spanish struggle on the continent of which the Anglo-Scots war was a part has taken centre stage and again the impact of the Anglo-Scots conflict on events within the British Isles has remained unpursued.<sup>4</sup> As we shall see, the ongoing Anglo-Scottish war was a significant conflict which created pressures within Scotland, and these, like Milne's burning, helped the reformed religion to grow.

Whilst the Reformation Rebellion cannot be attributed to any single cause, debate on this subject has coalesced around the relative significance of three areas.<sup>5</sup> First, the impact of anti-French sentiment and resentment towards various aspects of the regime of Marie de Guise, regent on behalf of her absent daughter, Mary, Queen of Scots. Secondly, the increased activity amongst the reformers during 1558, which was accompanied by the stepping up of the Church's anti-heresy campaign, as epitomized by Milne's death, in response to these new threats. As each side took a firmer, more active position compromise became impossible. Finally, the timing of the Reformation Rebellion was in part dictated by changes to the international situation with the accession of Elizabeth Tudor, a Protestant of questionable legitimacy, in November 1557. This opened the way for Mary, Queen of Scots, a descendant of Henry VII whose legitimacy was absolutely above question, to claim the throne of England. Awareness of the fact that throughout 1558 Scotland's governing regime was fully occupied by war casts new light on the build-up of events leading to the Reformation Rebellion, and helps to explain why the regent did not offer more support for the Catholic hierarchy, and, potentially, the growth of Protestantism. Since this war has not previously been studied, the opening section of this article outlines events during the eighteen months between the Scottish refusal to invade the English fort of Wark in October 1557 and the signing of the Peace of Cateau-Cambrésis, which officially ended Anglo-Scottish conflict, on 2 April 1559. Although violence remained largely confined to the border, contemporaries were anxious that it might spread to encompass invasions of Edinburgh and Berwick-upon-Tweed, and Guise's regime was heavily occupied in the necessary military arrangements. Moreover, events in, and individuals from, Ireland, France and Spain played a role in shaping the conflict, reminding us that the Anglo-Scottish theatre was only one facet of, and thus closely connected to, a broader Hapsburg-Valois struggle.

<sup>3</sup> Claire Kellar, *Scotland, England and the Reformation 1534–61* (Oxford, 2003), pp. 145–6; Gordon Donaldson, *Scotland, James V to James VII* (Edinburgh, 1994 reprint), pp. 88–91; J. H. Burns 'The Political Background of the Reformation, 1513–1625', in D. McRoberts (ed.), *Essays on the Scottish Reformation* (Glasgow, 1962), pp. 1–38, at pp. 16–17; Pamela Ritchie, *Mary of Guise in Scotland, 1548–1560: A Political Career* (East Linton, 2002), p. 187 n. 91.

<sup>4</sup> David Loades, *Mary Tudor: A Life* (Oxford, 1989), pp. 292–304.

<sup>5</sup> Ryrie, *Origins*, p. 152; Ritchie, *Mary of Guise*, pp. 207–10; Donaldson, *Scotland: James V to James VII*, pp. 85–92; Cowan, *The Scottish Reformation*, p. 111; Kellar, *Scotland, England and the Reformation*, pp. 185–6.

The second part of this article relates these military developments to the evidence for the growth in ideas and behaviours which contemporaries variously characterized as ‘heretical’ or ‘reforming’, and Marie de Guise’s reaction to these developments. Although the argument of this second section is made with greater caution than the first section, the ongoing Anglo-Scots conflict provides a plausible explanation for both the spread of reformed ideas in 1558 and Guise’s at times contradictory behaviour towards the reformers. War provided the opportunity for reformed ideas to spread; meanwhile, Guise was constrained to rely on reformers in the army and this, combined with the necessity of overseeing a military campaign, limited her ability to intervene strongly against heretics. Since Alec Ryrie has identified the abortive campaign of 1557 as having offered an opportunity for reformed ideas to spread, the more substantial and enduring war in 1558 provides a potentially compelling explanation for the clear growth in reformed activity the following year.<sup>6</sup> Indeed, Margaret Sanderson argued that during the early 1540s a ‘preoccupation with war’ prevented Cardinal Beaton from dealing with the threat of George Wishart’s heresy in a timely manner.<sup>7</sup> The same factors were at play twelve years later. Although the connection between war and a growth in reformed ideas is well established in general terms, it should be emphasized that this is an ‘as well as’ not an ‘instead of’ argument: the effects of the Anglo-Scottish war in 1558 operated in conjunction with the better-known causal factors of the Scottish Reformation outlined above.

First, however, it is helpful to clarify the nature of the conflict being fought. According to Pamela Ritchie’s account of the period, open ‘official’ cross-border violence between England and Scotland ceased in October 1557 when the Scots nobility, led by Mary Queen of Scots’ heir apparent, James Hamilton, duke of Châtellherault, refused to follow the instructions of the regent, Marie de Guise, to invade the English fort of Wark. Following this, according to Ritchie, although no ‘national army furnished with great pieces of ordinance’ was gathered, an ‘unofficial’ war, fought with a degree of magnate support, continued until the January 1558 truce, with fighting restarting in April.<sup>8</sup> The categories of ‘official’ and ‘unofficial’ war used by Ritchie at this juncture are problematic, not least because they were not employed by contemporaries and it is not clear how they relate to sixteenth-century experience of cross-border conflict. Violence across the Anglo-Scottish border took place in a variety of ways, ranging from conflict between armies summoned from throughout the kingdom by the monarch and marching under the royal banner, to cross-border raids of largely local men led by a border official, to incursions

<sup>6</sup> Ryrie, *Origins*, pp. 129, 148, citing D. Laing (ed.), *The Works of John Knox*, Wodrow Society, 6 vols (Edinburgh, 1846–64), I, p. 256. Ryrie ascribes the comment to 1557, but it is likely to apply to the whole period 1557–8 since it occurs after the Wark incident.

<sup>7</sup> Margaret H. B. Sanderson, *Cardinal of Scotland, David Beaton, 1494–1546* (Edinburgh, 1986), p. 206.

<sup>8</sup> Ritchie, *Mary of Guise*, pp. 185–6. For another account of the conflict: Ryrie, *Origins*, pp. 144–5.

undertaken by groups of borderers, who, during peace time, might be legally pursued by ‘hot trod’ across the border and, if caught, subject to trial in a warden court.<sup>9</sup> Throughout 1558, as we shall see, a Scottish army summoned by the crown from the four quarters of the realm, accompanied by the heavy ordinance, remained on the borders. However, following the Scottish nobility’s refusal to invade Wark, this army was not used to make any large-scale invasion of England; instead, it remained a defensive force, although, as we shall see, the Scots did contemplate larger-scale invasive action. Indeed, this outcome is not surprising, since Châtelherault’s refusal to invade England reflected a broader ambiguity amongst the Scots surrounding a regent’s right to invade another power, as opposed to simply defend Scotland.<sup>10</sup> Since a crown-summoned army remained a feature of this conflict throughout, rather than exploring the ‘official’ nature or otherwise of the war of 1558 it is more helpful to consider changes to the nature of the conflict in terms of its scale. With that in mind, it is now time to turn to the contours of this war.

## I

Near-contemporary chroniclers had no trouble in identifying the year 1558 as one of Anglo-Scottish war. The Protestant polemicist George Buchanan observed that there ‘seem’d rather to be no Peace, than a War’ in 1558, whilst the reformed author Robert Lindsay of Pitscottie remembered it as a year of ‘great weir’.<sup>11</sup> On the other side of the religious spectrum, John Lesley, the Catholic bishop of Ross, recalled that ‘During this hoill symmer, the warris continowit still betuix France and Flanders verey hoit, and lykwyse betuix Scotlande and Inlande.’<sup>12</sup> This assessment is amply borne out by contemporary correspondence and evidence of the Scots’ crown expenditure drawn from the Treasurer’s Accounts. Moreover, the borders were not the only location where Anglo-Scottish violence was played out. From the moment the English declared war on France in June 1557 they identified that Ireland also needed to be prepared against a possible Scottish attack.<sup>13</sup> The most provocative character in this aspect of the conflict was James MacDonnell, or MacDonald of Dunyvaig and

<sup>9</sup> There is a large literature on the border, of especial relevance here is: Thomas I. Rae, *The Administration of the Scottish Frontier* (Edinburgh, 1966), for the warden’s role in war: pp. 43–7; David H. Caldwell, ‘The defence of the Scottish border’, *Journal of the Sydney Society for Scottish History*, 12 (2010), pp. 59–82; for reiving and hot trod: G. MacDonald Fraser, *The Steel Bonnets: The Story of the Anglo-Scottish Border Reivers* (London, 1971), esp. pp. 90–6, 114–21. For correctives to the view that the Scottish borders were purely lawless and violent: Maureen M. Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540–1603* (East Linton, 2004); Anna Groundwater, *The Scottish Middle March, 1573–1625: Power, Kinship, Allegiance* (Woodbridge, 2010).

<sup>10</sup> Amy Blakeway, *Regency in Sixteenth-Century Scotland* (Woodbridge, 2015), p. 196.

<sup>11</sup> George Buchanan, *History of Scotland* (London, 1690), p. 122; Robert Lindsay of Pitscottie, *The History and Chronicles of Scotland*, ed. Æ. G. MacKay, Scottish Text Society, 2 vols (Edinburgh, 1899–1911), II, p. 137.

<sup>12</sup> John Lesley (ed. T. Thomson), *History of Scotland from the Death of King James I in the Year 1436 to the Year 1561* (Edinburgh, 1830), p. 265.

<sup>13</sup> Mary Tudor to Sussex, 1 June 1557, TNA SP62/1, fo. 114v.

the Glens (d. 1565), the elder brother of the more famous Sorley Boy and, at this time, head of the MacDonnell family.

The period between the abortive siege of Wark, October 1557 to January 1558, saw consistent low-level military activity. Cross-border raiding and attempts to secure the service of subjects from the other side of the border continued on both sides until the middle of January.<sup>14</sup> In early January, the arrival of French ships in Scotland caused consternation amongst English officials, but by the end of the month negotiations for an Anglo-Scottish peace had begun.<sup>15</sup> Before 23 January the Scots had approached English border officials to discuss the possibility of peace and temporary truces, or abstinences, were agreed.<sup>16</sup> Meanwhile Guise appointed William Maitland of Lethington as ambassador to England, apparently with the intention of negotiating a more permanent arrangement.<sup>17</sup> Mary Tudor, however, was not convinced that the Scots were participating in the negotiations in good faith.<sup>18</sup> Despite the continued hopes for peace expressed by Guise in February, English cynicism was well founded.<sup>19</sup> Throughout that month the Scots were fortifying Eyemouth (called Haymouth or Aymouth in contemporary sources), one of their main border strongholds, moving the heavy artillery to the borders, reinforcing Aberdeen's harbour against a potential English invasion by sea, issuing proclamations for all men between sixteen and sixty to be ready to fight on twenty-four hours' warning, building beacons to be lit in case of invasion, and preparing to provision French troops stationed in the borders.<sup>20</sup> In short, the Scots had exploited the period of a temporary truce to make careful preparations for war. Unsurprisingly in view of this military activity, some Scots made incursions across the border, and they had to be ordered to contain themselves until the truce expired on 15 March.<sup>21</sup>

To explain why the Scots exploited the truce in this manner we need to look further afield, since this war was only one facet of a larger European conflict. Scottish bellicosity was prompted by the news that

<sup>14</sup> J. R. Dasset *et al.* (eds), *Acts of the Privy Council of England [APC]*, HMSO, 13 vols (London, 1890–1964), VI, pp. 191, 207, 210, 212, 213, 220, 240.

<sup>15</sup> *APC*, VI, pp. 237–8.

<sup>16</sup> Instructions to Durham and Northumberland, 23 Jan. 1558, TNA SP51 fo. 73r.

<sup>17</sup> Marie de Guise to Mary Tudor, 11 Feb. 1558, TNA SP51, fo. 84r; Safe conduct for de Ruberay and Lethington, 21 Jan. 1558, TNA SP51, fo. 69r.

<sup>18</sup> Mary Tudor to Northumberland, 23 Jan. 1558, TNA SP51, fo. 78r.

<sup>19</sup> Mary Tudor to Dr. Hindmer, 4 Feb. 1558, TNA SP51, fo. 81r; Marie de Guise to Mary Tudor, 11 Feb. 1558, TNA SP51, fo. 84r.

<sup>20</sup> Treasurer's Account, 1558–9, Edinburgh, National Records of Scotland [NRS] E21/51, fos 30r–v, 32r–34r. Unfortunately, owing to a gap in the Treasurers' Accounts before February 1558 it is unclear how novel these activities were: NRS E21/49 ends in 1556; NRS E21/50 covers June and July 1557 but is so badly damaged that little information can be gleaned. The Treasurer's Accounts have been published, but because volumes I–II of the edition are unreliable the manuscript has been preferred here. The relevant volume of this edition is: Thomas Dickson *et al.* (eds), *Accounts of the Lord High Treasurer of Scotland*, 13 vols (Edinburgh, 1877–1978), X.

<sup>21</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 33v.

the last English holding in France, Calais, had fallen to Marie de Guise's brother, François, duke of Guise, on 7 January 1558. Although it is not clear when the news reached Scotland, judging by when it had reached England, it was likely to have been on or around 10 January.<sup>22</sup> Guise ordered 'publick fyris of joy in the principall townis' in response.<sup>23</sup> By contrast, from the moment Calais fell the English remained on the alert, full of anxiety that a combined Franco-Scottish force would capitalize on the French victory at Calais and invade Berwick.<sup>24</sup> Similar fears emerged in Ireland, where it was believed that Henri II 'hath allured the Scotts of the Isles to annoy us wherby to open an entre here for him with this that it is bruyted both that he hath an army in Skotland and that James Mc Connell [MacDonnell] is comyng hether with great force of Scotts and Frenchemen'.<sup>25</sup> Indeed, in the months after Calais's fall the English too made preparations to defend the Anglo-Scots border, a frontier which had gained new significance as 'England's sole remaining land border'.<sup>26</sup>

Fortunately for the English, they had a well-qualified negotiator to hand. In September 1557 Philip had dispatched Christophe Dassonleville as his ambassador to Scotland and ordered him to travel via the English court.<sup>27</sup> Philip presumably hoped that an ambassador from Flanders, a country with whom the Scots were at peace and had extensive trade links, would be able to defuse the escalating situation of the autumn of 1557 and be better placed to obtain information. Using an ambassador from Flanders as a route to Scotland fits neatly with the growing reassessment of Philip as an active, possibly even helpful, member of the polity in Marian England, albeit one whose role was defined by his position of consort.<sup>28</sup> In the event, Dassonleville was finally sent to Scotland in the

<sup>22</sup> Mary Tudor to Cheyne, 10 Jan. 1558, TNA SP11/12, fo. 37r.

<sup>23</sup> Lesley, *History*, pp. 263–4.

<sup>24</sup> Mary Tudor to James Crofts, 16 Jan. 1558, TNA SP15/8, fo. 125r–v; Mary Tudor to Richard Lee, 18 Jan. 1558, TNA SP15/8, fo. 127r; 'A note of the men appointed to go to Berwick, 18 Jan. 1558, TNA SP15/8, fos 128r–v; Northumberland to Mary Tudor, 20 Jan. 1558, TNA SP15/8 fo. 130r.

<sup>25</sup> Sidney and Council of Ireland to Mary Tudor, 8 Feb. 1558, TNA SP62/2, fo. 15r; Mary Ann Lyons, *Franco-Irish Relations, 1500–1610: Politics, Migration and Trade* (London, 2015), pp. 116–17. For French policy in Ireland more broadly in this period: David Potter, 'French intrigue in Ireland during the Reign of Henri II, 1547–1559', *International History Review*, 5/2 (1983), pp. 159–80.

<sup>26</sup> *APC*, VI, pp. 242–4, 256, 261; Jane E. A. Dawson, 'William Cecil and the British dimension of early Elizabethan foreign policy', *History*, 74 (1989), pp. 196–216, at p. 200.

<sup>27</sup> Philip II to Dassonleville, 18 Sept. 1557, TNA SP51, fo. 53r; Dassonleville to Mary Tudor, autumn 1557, TNA SP51, fo. 56.

<sup>28</sup> Alexander Samson, 'Power sharing: the co-monarchy of Philip and Mary', in Alice Hunt and Anna Whitelock (eds), *Tudor Queenship: The Reigns of Mary and Elizabeth* (Basingstoke, 2010), pp. 159–72, at pp. 165–6; Glyn Redworth, '“Matters impertinent to women”: male and female monarchy under Philip and Mary', *English Historical Review*, 112 (1997), pp. 597–613; Constance Jordan, 'Woman's rule in sixteenth-century British political thought', *Renaissance Quarterly*, 40 (1987), pp. 421–51, at pp. 426–9; J. M. Richards, 'Reassessing Mary Tudor', in Susan Doran and Thomas S. Freeman (eds), *Mary Tudor: Old and New Perspectives* (Basingstoke, 2011), pp. 206–24, at pp. 223–4; J. M. Richards, 'Mary Tudor as “sole quene”? Gendering Tudor monarchy', *Historical Journal*, 40/4 (1997), pp. 895–924; J. M. Richards, '“To promote a woman to beare rule”: talking of queens in mid-Tudor England', *Sixteenth Century Journal*, 28 (1997), pp. 101–21.

aftermath of the fall of Calais, declaring his credence to Guise on 23 January.<sup>29</sup> When he departed in early February, after a 'banket' funded by the capital, he did so having successfully negotiated a truce.<sup>30</sup> Nevertheless, Dassonleville lacked confidence in the duration of Anglo-Scottish amity: he worried that the Scots were receiving information from traitors in Berwick and that the Scots' desire to possess Berwick was a potential impediment to the amity.<sup>31</sup> This, however, if anything underestimated the Scots' ambition at this point. On 6 February Guise dispatched Yves de Rubay to the French court, and his instructions included a proposal for a Franco-Scottish invasion of Berwick. This explained that the Scottish nobility and the Church hierarchy 'voyant ceste grand conquete de Callays' supported the venture.<sup>32</sup> Even Châtelherault was willing to be involved, something which the French diplomats esteemed would 'effacer sa faulte dernière' – his refusal to invade England at Wark the previous autumn. By 20 February, news of Guise's lack of enthusiasm for the peace negotiations with England in the wake of the fall of Calais was openly discussed in the French court and in diplomatic circles.<sup>33</sup> In the event, no invasion was launched: the Scots had inadequate munition for such a venture, and Henri must have refused to supply them.

Given the cross-border anticipation of a Scottish invasion of Berwick, it is unsurprising that on 1 March the Scottish ambassador William Maitland was dismissed from the English court.<sup>34</sup> The truce expired on 15 March and within five days James MacDonnell had launched attacks on the English in Ulster.<sup>35</sup> Maxwell was on the border by the end of March and preparations were made for a Scottish host to meet 'in feir of war' on 1 April at Lauder, after which they were ordered to remain on the borders.<sup>36</sup> Further large-scale musters were then arranged for Langton and Duns on 18 April; these troops were replaced with fresh men in early May.<sup>37</sup> By the end of April, French troops were stationed in Fife, although this apparently caused some alarm, since the inhabitants of Kinghorn were ordered not to leave the town but 'to remane baik and brew for resaving of certane franche men of weir'.<sup>38</sup> There was some difficulty in holding the army together, since troops were ordered to remain on the

<sup>29</sup> Marie de Guise to Philip II, 4 Feb. 1558, TNA SP51, fo. 83r.

<sup>30</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 31r–v; 'The compt of James Adamson Edinburgh Treasurer of common rents and casualties', 1557–8, Edinburgh City Archives [ECA], Uncatalogued volume entitled 'Treasurer's Accounts, 1552–1567', fo. 226r.

<sup>31</sup> Westmoreland to Mary Tudor, 14 Feb. 1558, TNA SP15/8, fo. 150r.

<sup>32</sup> 'Memoir baillé au sieur de Rubbay, venant d'Escosse en France', 6 Feb. 1558, in A. Teulet (ed.), *Papiers d'État, pièces et documents inédits ou peu connus relatifs à l'histoire de l'Écosse au XVI<sup>e</sup> siècle*, Bannatyne Club, 3 vols (Paris, 1851–60), I, p. 289.

<sup>33</sup> Giovanni Michieli to Doge and Senate, 20 Feb. 1558, in Rawdon Brown *et al.* (eds), *Calendar of State Papers and Manuscripts, Relating to English Affairs, Existing in the Archives and Collections of Venice, and in other Libraries of Northern Italy*, 38 vols (London, 1864–1947), VI:III, 1455.

<sup>34</sup> Mary Tudor to Mary of Guise, 1 March 1558, TNA SP51, fo. 85r.

<sup>35</sup> Council of Ireland to Sussex, 20 March 1558, TNA SP62/2, fo. 66v.

<sup>36</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 35v, 36v, 37r–v, 39v.

<sup>37</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 40v, 42v, 44r, 41r.

<sup>38</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 41v.

borders and boatmen were ordered not to carry anyone over the Firth of Forth.<sup>39</sup> Towards the end of April, the raid with which we opened this article took place.<sup>40</sup> Shortly after Northumberland's successful assault on Langton, Edinburgh burgh [town] council requested that Guise should appoint a temporary provost for the capital. Edinburgh's usual provost, Lord Seton, was absent and the burgh council were concerned that facing 'the present apperance of weris and invasioun of inimeis' they lacked a nobleman to defend them.<sup>41</sup> Potentially, Northumberland's success had made the council fearful of further English incursions. This was only the first of a number of defensive measures organized by Edinburgh's council over the following weeks; evidently, the citizens believed the English might launch a larger-scale invasion at any moment.<sup>42</sup> Meanwhile, MacDonnell had landed in the north of Ireland and the Dublin-based administration anxiously sought news of his doings and potential collaboration with the French.<sup>43</sup> Despite the English anxiety that MacDonnell was acting in coordination with the French forces, the extent to which his actions were directed by Guise is unclear. A degree of co-ordination is perhaps revealed in payments for a messenger to MacDonnell and his associate Hector Maclane on 6 July.<sup>44</sup> Frustratingly, the contents of the missive are unknown.

Even as the marriage of Mary, Queen of Scots, to the Dauphin was celebrated in Edinburgh, troops remained at Eyemouth and were ordered to return to Langton.<sup>45</sup> At this juncture, conflict appears to have intensified. Guise had sent individual letters to landowners in late May summoning them to meet her on 11 July to resist the English; on 2 July a more general proclamation was issued summoning men to the border, and a hint of the human tragedy of war emerges in the payment of alms to the newly widowed Elizabeth Copeland.<sup>46</sup> At this stage, the advantage appears to have been with the English, who had won a tower in Scotland (it is unclear which one). All this military activity coincided with a growing 'devysion of religion in Scotlande', about which the English sought information, although any intelligence the English gathered no longer remains extant.<sup>47</sup> By the end of the month, a state of heightened

<sup>39</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 42r.

<sup>40</sup> Northumberland to Mary Tudor, 30 April 1558, TNA SP15/8, fo. 170r.

<sup>41</sup> J. D. Marwick (ed.), *Extracts from the Records of the Burgh of Edinburgh [EBR] III, 1557–1571*, Scottish Burgh Records Society, 5 vols (Edinburgh, 1869–82), p. 19.

<sup>42</sup> *EBR*, III, pp. 20–3.

<sup>43</sup> Sussex *et al* to Privy Council, 31 May 1558, TNA SP62/2, fo. 109r; Sussex to Boxall, 8 June 1558, TNA SP62/2, fo. 116v.

<sup>44</sup> Treasurer's Account, 1558–9, NRS E21/, fo. 54v.

<sup>45</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 47v, 48v. For the marriage celebrations see: S. Carpenter and G. Runnals, 'The entertainments at the marriage of Mary, Queen of Scots and the French dauphin François, 1558: Paris and Edinburgh', *Medieval English Theatre*, 22 (2000), pp. 145–61.

<sup>46</sup> Marie de Guise to Rowallan, 28 May 1558, NLS MS 54.1.7, fo. 1r; Treasurer's Account, 1558–9, NRS E21/51, fo. 54r, 52v.

<sup>47</sup> *APC*, VI, p. 358.



urgency was clearly perceived to exist since men with an obligation to provide military service were ordered to be prepared to go to battle on six days' warning; moreover, a tax to fund the provision of horsemen was collected.<sup>48</sup> This may have been the remainder of the 'great tax' of £60,000 granted in 1557, since Edinburgh at least was still struggling to pay its portion of the money in July 1558.<sup>49</sup>

High alert continued into August, with orders for the hills near Jedburgh to be watched and for the inhabitants of Haddingtonshire 'to be in reddines efter yai se balis birne within ye boundis of ye mers'.<sup>50</sup> These extra provisions may have been necessary owing to the late arrival of troops at the border, a delay which English intelligencers attributed to 'dissention amonge' the Scots.<sup>51</sup> Whether or not the Scots were divided, this time of the year was particularly dangerous in cross-border warfare since the opportunity to damage the enemy's crops was too good to miss.<sup>52</sup> A large gathering to resist the 'auld enemies' was summoned to meet at Falla Mure on 3 September, another was due to meet at Lauder on 1 September, on pain of death, whilst the unfortunate inhabitants of the border towns of Kelso, Lauder and Melrose were ordered to remain at home and prepare to defend their properties.<sup>53</sup> For their part, the English launched an expedition to the Western Isles and west of Scotland headed by the Lord Deputy. Between 19 and 30 September Sussex burned the Kintyre peninsula and the Isle of Arran, his progress only being stopped by 'an extreme tempest' at Bute, shortly followed by 'the greatest and moost terrible tempeste that hathe lightly [sic] bene sene'.<sup>54</sup> Despite this setback, Sussex had achieved considerable success. Although his raid on the West Coast is little known today, a seventeenth-century recollection by the Edinburgh burgess Patrick Anderson affirms that contemporaries saw the incursions as a significant facet of the same conflict then being played out on the borders.<sup>55</sup> On his return, Sussex turned his attention to the Scots in Ulster and succeeded in securing oaths of loyalty to Mary Tudor from at least some of those he harried.<sup>56</sup> The English queen was so delighted with her Lord Deputy's performance that she granted his request for permission to visit London, leaving Ireland in the hands of

<sup>48</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 57v–58r.

<sup>49</sup> 'The extent of ane thousand twa hundredth li grantit be ye toun of Edinburgh for furnesing and uplifting of thre hundredth men', 1557, ECA, Uncatalogued volume entitled Treasurer's Accounts, 1552–1567, fos 51–5; 'The second termes extent of ye greit taxt of 60,000', 1558, ECA, Uncatalogued volume entitled Treasurer's Accounts, 1552–1567, fos 57–61.

<sup>50</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 60v–61r.

<sup>51</sup> *APC*, VI, p. 374.

<sup>52</sup> *APC*, VI, p. 373.

<sup>53</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 61v–63v, 64r–v.

<sup>54</sup> Sussex to Mary Tudor, 6 Oct. 1558, TNA SP62/2, fo. 161–2; 'Notes of matters touching the Qwenes shippes in the journey into the owte Isles', 6 October 1558, TNA SP62/2, fo. 163. For earlier preparations: Sussex *et al.* to Boxoll, 4 Aug. 1558, TNA SP62/2, fo. 138r.

<sup>55</sup> Patrick Anderson, 'History', NLS MS 35.5.3 vol. II, fos 198v–201v.

<sup>56</sup> Sussex to Mary Tudor, 6 Oct., TNA SP62/2, fo. 162r; Sussex to Mary Tudor, 31 Oct. 1558, TNA SP62/2, fo. 168r.

Sir Henry Sidney. Unfortunately for the English, in the longer term, these efforts were 'unable to make any lasting change to the situation in Ulster or the rest of Ireland'.<sup>57</sup> The pattern of conflict in Ireland and on the west coast of Scotland contrasts with events on the Anglo-Scottish border, with less consistent levels of activity in Ireland and the west of Scotland, and, on the part of the Scottish administration, a sharp contrast between the close crown involvement in events on the border, and the apparent willingness to allow figures such as MacDonell a free hand in the west.

In September 1558 a new tax was granted. No parliament sat that month, so presumably this was agreed by a Convention of Estates – this is likely to be the 'counsell of Scotland' reported by English spies to be meeting that month.<sup>58</sup> Since no records of this body survive, and the only financial record of the tax concerns the payments to messengers with summons to collect it, how much was raised of the £48,000 demanded 'for furnesng of jm [1,000] men of weir' is unclear.<sup>59</sup> Pitscottie, however, claimed that the tax was for £24,000, of which the clergy would pay £16,000 and the barons the remainder: since this is precisely half the total mentioned in the Treasurer's Accounts perhaps this represents the proportional division of payments.<sup>60</sup> The granting of a tax confirms that the Scottish political community considered that it was engaged in a dangerous international conflict. At the same time, some communities, including the diocese of Ross, commuted their obligation to provide military service into cash payments; presumably these would have helped fund French troops.<sup>61</sup> Although further musters took place in Langton towards the end of the month, the war was beginning to draw to its conclusion as the negotiations which would eventually lead to the Peace of Cateau-Cambrésis began.<sup>62</sup> In the first instance the Scots were not directly included in the Cateau-Cambrésis discussions with England, but on 27 September the English commissioners were licensed to treat with Scots' commissioners appointed by Mary and François.<sup>63</sup> In early October Guise summoned the temporal and spiritual lords with the burghs to a Convention to meet on 20 November.<sup>64</sup> It is possible that this was to discuss the prospect of a truce or peace, but no records survive for this meeting. In any event, in October commissioners were active at Eyemouth, and by November commissioners were stationed in Teviotdale.<sup>65</sup> Although their activities are obscure, the presence of

<sup>57</sup> Mary Tudor to Sussex, 19 Oct. 1558, TNA SP62/2, fo. 164r; Dawson, 'British dimension', p. 203.

<sup>58</sup> *APC*, VI, p. 399.

<sup>59</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 67v–68r.

<sup>60</sup> Pitscottie, *History and Chronicles*, II, p. 137.

<sup>61</sup> Treasurer's Account, 1559–61, NRS E21/52, fo. 30v.

<sup>62</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 68v–69r.

<sup>63</sup> Paget to English Council, 26 Sept. 1558, TNA SP69/13, fo. 181r; Mary Tudor to Commissioners, 27 Sept. 1558 [amended by Cecil 21 November 1558], TNA SP52/1, fo. 1r.

<sup>64</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 72r–v.

<sup>65</sup> Treasurer's Account, 1558–9, NRS E21/51, fos 72r, 77r.

commissioners on the borders hints towards negotiations. Despite these tentative movements towards peace, defensive provisions remained in place: Bothwell stayed on the borders serving as lieutenant and Eyemouth remained fortified.<sup>66</sup>

With the death of Mary Tudor on 17 November 1558 the prospect of Anglo-Scots hostilities revived. As Mary, Queen of Scots' arms were quartered with those of England in an aggressive symbolic assertion of her dynastic right, Elizabeth's new secretary, William Cecil, included securing the borders with Scotland amongst the matters in need of urgent attention and issued a new commission to the English representatives at Cateau-Cambrésis to negotiate with the Scots.<sup>67</sup> In the English border shires, officials drew up numerous documents anxiously reporting the decayed state of the frontiers, and Sir William Eure was dispatched to investigate the state of the Berwick fortifications.<sup>68</sup> By December, groups of Scots were making incursions into England which English borderers believed might be a prelude to a larger invasion.<sup>69</sup> Although the English responded by burning the area around Eyemouth, from December 1558 until September 1559 rumours circulated 'that English borderers were assured by the Scottes from burning and spoyle, and for the same in lyke wyse payed the Scots certen rent and tribute'.<sup>70</sup> Concerning as the Scots' receiving assurance from English subjects might have been, there was a prospect still more worrying than this. In early 1559 English fears, as they had the previous year, coalesced around a Franco-Scottish assault on Berwick.<sup>71</sup> In fact, no invasion of Berwick eventuated, and conflict was inconclusive with victories on both sides. In January 1559 the Scots paid rewards to men who had captured two English standards and proclamations were issued that other standards and prisoners which had been captured should be handed over to the crown.<sup>72</sup> Whilst this suggests a Scottish victory, on 6 January Northumberland reported that recent Scottish raiding parties entering England had been 'disappointed', although he continued to worry that the English border defences remained inadequate to withstand sustained attack.<sup>73</sup> Northumberland's concerns were

<sup>66</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 77v, 78v.

<sup>67</sup> T. Thomson (ed.), *Memoirs of his own Life by Sir James Melville of Halhill 1549–93* (Edinburgh, 1827), p. 76; Cecil, 'Considerations', 17 Nov. 1558, TNA SP12/1, fo. 3r; Cecil, 'Memorial of things to be done', 18 Nov. 1558, TNA SP12/1, fo. 4r; Mary Tudor to commissioners, 27 Sept. 1558, [amended by Cecil 21 Nov. 1558], TNA SP52/1, fo. 1r.

<sup>68</sup> 'Considerations necessarie fo the ordre and defence of thest and middle marches against Scotlande', Dec. 1558, TNA SP59/1, fos 49–60. See also: 'Thopinion of Henry Erle of Westmorlande ... touching ... the state of thest and middle marches', TNA SP59/1 fos 45–8; TNA SP59/1, Assessment of the border defences, 1558, fos 61–75; *APC*, VII, p. 4.

<sup>69</sup> Francis Chesnye to Sir John Thynne, 28 Dec. 1558, TNA SP59/1, fo. 12r.

<sup>70</sup> *APC*, VII, p. 32; Sadler to Cecil, 2 Sept. 1559, in A. Clifford (ed.), *The State Papers and Letters of Sir Ralph Sadler*, I, p. 444; Francis Chesnye to Sir John Thynne, 28 Dec. 1558, TNA SP59/1, fo. 12r.

<sup>71</sup> Sir Henry Percy to Parry and Cecil, 1 Jan. 1559, TNA SP59/1, fo. 77r.

<sup>72</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 81r, 83v.

<sup>73</sup> Northumberland to Privy Council, 6 Jan. 1559, SP59/1, fo. 83v.

widely spread amongst the English in the decades prior to and during the 1550s, although other English officials blamed Northumberland himself for the vulnerable state of the frontiers.<sup>74</sup>

Despite the continued raiding, the Scottish nobility, as well as Guise and D'Oysel, began to make overtures for peace. Potentially Guise had sought to obtain the English prisoners and standards in anticipation of an exchange resulting from the peace negotiations. Unsurprisingly, the English were initially uncertain whether the Scots' overtures were a ruse to gain time before an invasion of Berwick or a genuine effort prompted by news from the Continent that France and England were moving towards an agreement.<sup>75</sup> On this occasion, the moves towards concord were genuine: on 1 March 1559 Mary and Francis appointed their commissioners to negotiate for the Anglo-Scottish peace at Cateau-Cambrésis.<sup>76</sup> On 6 March a two-month Anglo-Scottish truce was agreed. This was proclaimed the following day, and twelve days later D'Oysel agreed to force all soldiers under his charge, 'de quelque nation', to conform.<sup>77</sup> By 12 March, a preliminary Anglo-French treaty had been drafted and within a month the final agreement was signed.<sup>78</sup> The proclamation issued in the north of England that the inhabitants should cease to 'annoye the Scottes, but to use them as frendes' did more than ensure the formalities were completed in every aspect of the conflict.<sup>79</sup> It signalled the end of an active war.

Before exploring the conflict's place in the spread of reformed ideas it is helpful to consider who was actually involved in the fighting. In January 1559 Châtelherault reminded the English border official Sir Henry Percy of the Scots' refusal to proceed at Wark in October 1557, and the subsequent lack of incursions by the Scots into England throughout 1558. This, according to the duke, was evidence that the Scots could be trusted to forge a lasting peace with England.<sup>80</sup> Although the war of 1558 was too recent, and Percy too seasoned a borderer, for Châtelherault to have departed too far from the truth, the duke's emphasis on the nobility as distinct from the regent and their irenic attitude towards England disingenuously ignored his earlier appetite for an invasion of Berwick. Since this recollection of the war of 1558 was made in the context of broader Scottish attempts to persuade English officials that they sought an abstinence, such an emphasis was a politic, and sensible,

<sup>74</sup> Steven G. Ellis, *Defending English Ground: War and Peace in Meath and Northumberland, 1460–1542* (Oxford, 2015), pp. 134–61. For one contemporary example: Sadler to Cecil, 2 Sept. 1559, in Clifford, *State Papers . . . of Sir Ralph Sadler*, I, p. 444.

<sup>75</sup> Sir Henry Percy to Parry and Cecil, 1 Jan. 1559, TNA SP59/1, fo. 77r; Henry Percy to Parry and Cecil, 24 Jan. 1559, TNA SP59/1, fo. 90r; James Croft to Cecil, 30 Jan. 1559, TNA SP59/1, fo. 92r.

<sup>76</sup> Appointment of commissioners for Scotland, 1 March 1559, in Thomas Rymer *et al.* (eds), *Foedera*, 17 vols (London, 1708–1869), XV, pp. 503–4.

<sup>77</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 89r. D'Oysel, 'Agreement for Observation of the Truce', 18 March 1559, Hatfield House, CP152/32, fo. 48.

<sup>78</sup> Preliminary Treaty of Cateau-Cambrésis, 12 March 1559, Hatfield House, CP232, fos 153–5.

<sup>79</sup> *APC*, VII, p. 80.

<sup>80</sup> Sir Henry Percy to Sir Thomas Parry, 22 Jan. 1559, TNA SP59/1, fo. 87v.

stance. Other sources affirm that these ducal reminiscences were highly selective. John Lesley averred that throughout 1558 ‘the hoill nobill men and gentill men and substantiall yemen keped the bordouris, and accompanied the Frenche men be quartaris’.<sup>81</sup> In making this claim, Lesley flatly contradicted his earlier statement that the nobility had broken with Guise irrevocably at the siege of Wark.<sup>82</sup> It is now broadly accepted that Guise and the nobility disagreed at Wark over ‘tactics’ rather than, as Lesley claimed, that the event signalled a complete break between regent and magnates.<sup>83</sup> By contrast, Lesley’s reference to continued noble involvement in a national war effort accurately recalled the events of 1558.

Lesley’s reference to quarters, the national system of military organization whereby each quarter of the realm served in rotation, is particularly revealing since this demonstrates that he was describing a national war effort coordinated by central government. Scotland’s implementation of the system of quarters is amply confirmed by numerous references in the Treasurer’s Accounts.<sup>84</sup> As with any conflict in this period, the humdrum management of war included the punishment of those who failed to fulfil their military duties or, occasionally, actively collaborated with the English, but non-compliance appears to have been the exception rather than the rule.<sup>85</sup> Moreover, considering the men appointed as lieutenants for each quarter reveals that Guise enjoyed support from those of noble birth. James Douglas, earl of Morton served, as did Huntly’s eldest son, George, Lord Gordon, James Hepburn, earl of Bothwell and Patrick, third Lord Ruthven. Robert, Lord Sempill, and Alexander Cunningham, earl of Glencairn, held a joint commission, as did the laird of Skipbutie and Duncan Campbell.<sup>86</sup> Pitscottie claimed that William, master of Marischall, Patrick, fourth Lord Gray and the master of Graham were all taken prisoner ‘witth wther sindrie gentill men and barrouns’, and Buchanan confirmed the capture of the former two men.<sup>87</sup> This identification of named prisoners taken in the conflict, combined with the identities of the lieutenants, points to active wartime participation from across the nobility. This group originated from throughout the country, and included both men such as Sempill who remained loyal to Guise throughout the subsequent Reformation Rebellion, and those such as Morton who would go on to oppose her. Of course, the commanders and the captured were only a small portion of those who served. The fact that the system of quarters was implemented allows us to infer the involvement of ‘sindrie gentill men and barrouns’ in

<sup>81</sup> Lesley, *History*, p. 265.

<sup>82</sup> *Ibid.*, p. 261.

<sup>83</sup> Ryrie, *Origins*, p. 144; Ritchie, *Mary of Guise*, pp. 183–6.

<sup>84</sup> Treasurer’s Account, 1558–9, NRS E21/51, fos 44r, 45r, 48v. See also: Pitscottie, *History*, II, p. 137.

<sup>85</sup> Treasurer’s Account, 1558–9, NRS E21/51, fos 42v, 44r, 45r, 47r, 49v, 55v, 68r, 70r, 73v; Robert Pitcairn (ed.), *Ancient Criminal Trials of Scotland*, Bannatyne Club, 3 vols (Edinburgh, 1833), I:II, pp. 404–5.

<sup>86</sup> Treasurer’s Account, 1558–9, NRS E21/51, fo. 45r, 56v, 73v, 56r, 49r, 61r.

<sup>87</sup> Pitscottie, *History*, II, p. 137. Buchanan, *History*, p. 122.

the war effort: it was on such local notables whom the responsibility of military mobilization in the localities must have fallen. Of those identified as serving in the host, five, namely Glencairn, Morton, Bothwell, Gordon and Marischall, were drawn from the highest ranks of the nobility. Had this war tipped over into a full-scale defence against a substantial English invasion, or an invasion of England, others would doubtless have joined the host. As we have seen when the invasion of Berwick with French support was mooted in February 1558, Châtelherault, other nobles and high-born ecclesiastics including the duke's half-brother John, archbishop of St Andrews, had been supportive.

In short, between the expiry of the Anglo-Scottish truce in March 1558 and the signing of a new truce during the negotiations which led to the Peace of Cateau-Cambrésis in March 1559, Guise's regime was organizing a substantial military operation which required the participation of large numbers of Scots, who were commanded by nobles ranging in status from lairds to earls. Although these military activities remained geographically confined, officials on both sides of the Anglo-Scottish border anticipated that the conflict might at any moment spread, and were required to behave accordingly. It is now time to consider the extent to which the preoccupation of Guise's regime with military affairs throughout 1558 helps us to understand both the regent's attitude to Scotland's heresy problem, and the Scottish Reformation Rebellion itself.

## II

Whilst Guise's regime was engaged in fighting the English, throughout 1558 the Scottish Church was conducting its own campaign against heresy. The period 1558–9 witnessed the hardening of positions on both sides of the confessional divide, but with the outbreak of the Reformation Rebellion in 1559, the Scottish Church's fight against heresy proved to be a losing battle. For much of her regency Guise had adopted a conciliatory attitude towards religious reformers, and within fifty years of Guise's death a consensus had been reached that she only began to persecute Protestants after the Treaty of Cateau-Cambrésis had been signed in April 1559.<sup>88</sup> Contemporaries, however, disagreed about the reasons for her change of heart. The sympathetic James Melville of Halhill emphasized the influence of the French in forcing a change of policy, suggesting that Guise's behaviour changed following chastisement from Henri II regarding her 'gentill bearing' towards heretics.<sup>89</sup> By contrast, Guise's opponent John Knox claimed that 'how sone that all thingis perteanyng to the commoditie of France war granted by us' Guise 'began to spew furthe and disclose the latent vennome of her dowble harte'.<sup>90</sup> More recently, Ritchie has emphasized that in fact no such sudden change took place

<sup>88</sup> For the treaty: Copies of treaties of Cateau-Cambrésis, 2 April 1559, TNA SP52/1, fos 11–18.

<sup>89</sup> Thomson, *Memoirs . . . Melville of Halhill*, p. 77.

<sup>90</sup> Knox, *Works*, I, p. 315.

in April 1558, and that Guise, who was motivated more by dynastic concerns and international events than by religious fervour, continued to compromise with the reformers after the peace was signed.<sup>91</sup> This picture of continuity across April 1558 can be extended: just as a degree of willingness to compromise continued after Cateau-Cambresis, Guise had supported the Church's heresy campaign before as well as after the peace. First, however, to understand Guise's actions in relation to the prosecution of heretics it is helpful to overview briefly the crown's role in heresy prosecutions in Scotland prior to 1558.<sup>92</sup>

Once an accusation had been made, a summons would be issued to the accused to appear before a court headed either by an archbishop or by another churchman who held a commission to hold heresy trials.<sup>93</sup> If the heretic repented during the trial they would declare that they 'detest waryis and abjures all heresy and specialy it that I am infamit now with' and perform penance.<sup>94</sup> If contrition was not forthcoming, or the heretic did repent but later relapsed, they would be passed to the secular authorities for punishment, which was death by burning. This situation is neatly summarized in the fact that the December 1543 parliament ordered 'all prelati and ordinari, ilkane within thare awin diocy and jurisdictione, to inquir apone all sic maner of personis and proceid aganis thame according to the lawis of halykirk'; meanwhile, 'my said lord governour salbe rady at all tymes to do tharin that accordis him of his office'.<sup>95</sup> If, as happened several times in 1558, a heretic failed to appear for their trial they would, like anyone else who failed to appear for trial, be denounced as a rebel by the secular authorities. For instance, the officials of Scotland's highest court, the Justiciary Court, dealt with the process of horning (publically denouncing) the Protestant preachers who did not compeer in May 1559.<sup>96</sup> In short, heretics were tried by the Kirk, but died at the crown's hands.

Although the secular arm's role was in theory confined to meeting out punishment, in practice when the Church did proceed to a trial if those involved were plentiful enough, prominent enough or problematic enough, then proceedings might be supported or endorsed by the crown in other ways. The most obvious of these was by attending the trial of a heretic. James V attended a number of heresy trials, whilst locating the trials in Holyrood Abbey suggested they enjoyed royal

<sup>91</sup> Ritchie, *Mary of Guise*, p. 206.

<sup>92</sup> The following discussion draws on the helpful account given in: Sanderson, *Cardinal of Scotland*, pp. 111–12.

<sup>93</sup> For examples of these summonses: Gordon Donaldson and C. Macrae (eds), *St Andrews Formulare, 1514–46* Stair Society, 2 vols (1942–4), II, pp. 59–60, 85–7, for commissions to examine and proceed against heretics: pp. 105–7, 143–4.

<sup>94</sup> For an example of a recantation: *St Andrews Formulare*, II, p. 104. For a dispensation of penance on a heretic: pp. 163–4.

<sup>95</sup> RPS, 1543/12/63 [accessed 2 Aug. 2016].

<sup>96</sup> Pitcairn, *Ancient Criminal Trials*, I:II, pp. 406–7.

support.<sup>97</sup> On one occasion, the monarch's personal intervention secured a last-minute recantation.<sup>98</sup> Whilst James's presence at the trial and execution of an effigy of his former servant Sir John Borthwick in 1540 cannot be conclusively established, the king was in St Andrews for the occasion and met Cardinal Beaton the same day, which strongly suggests that he did attend part of the proceedings and, at least, reveals a willingness on his part for the venture to proceed.<sup>99</sup> Knox claimed that this was intended to be a 'spectakle and triumphe to Marie of Loreane, laitlie arrived fra France', suggesting, albeit not conclusively, royal attendance – since he dated the trial to shortly after Guise's arrival in 1538 the account is at least suspect in terms of chronology.<sup>100</sup> Nevertheless, on other occasions there is no record of James's attendance at trials: at such times, he simply left the Church to do its job.<sup>101</sup> At other times crown resources were employed to support the process of bringing heretics to trial. James corresponded with James Beaton, archbishop of St Andrews, concerning the trial of some Lutherans in 1532, in 1536 crown messengers ordered the provost and baillies of Dundee to search for those men who were 'suspect of ye hanging of ye Image of sanct francis', and the following year crown funds rewarded a messenger for his 'labouris done in Serching of ye hereticks in ye west land'.<sup>102</sup> All this was not without a degree of self-interest at play since the crown had a right to receive heretics' escheated estates, and, as took place in 1539, redistributing these served as a form of patronage.<sup>103</sup>

Guise's predecessor as regent, Châtelherault, likewise attended a number of heresy trials, and notably accompanied Beaton on his 1544 anti-heresy tour to Perth, although Mary Verschuur has suggested that on this occasion the heresy accusations may have been an excuse to target individuals whose real fault was civil insurrection.<sup>104</sup> Nevertheless, the governor was certainly absent from the trial and execution of George Wishart in 1546.<sup>105</sup> This precipitated disorder, in the form of Cardinal David Beaton's assassination in St Andrews castle, which in turn sparked

<sup>97</sup> Jane E. A. Dawson, 'The Scottish Reformation and the theatre of martyrdom', in Diana Wood (ed.), *Martyrs and Martyrologies*, Studies in Church History, 30 (Oxford, 1993), pp. 259–270, at p. 261; Knox, *Works*, I, pp. 5, 60, 519.

<sup>98</sup> James Kirk, 'Early Scottish Protestants', in James Kirk (ed.), *Humanism and Reform: The Church in Europe, England and Scotland, 1400–1643*, Studies in Church History, *Subsidia*, 8 (Oxford, 1991), pp. 361–413, at p. 373; Dawson, 'Theatre of martyrdom', p. 261.

<sup>99</sup> Sanderson, *Cardinal of Scotland*, pp. 91–2. For Borthwick's sentence: *St Andrews Formulare*, pp. 225–6.

<sup>100</sup> Knox, *Works*, I, p. 61.

<sup>101</sup> For an account of a trial not attended by James: Knox, *Works*, I, pp. 64–6.

<sup>102</sup> Treasurer's Account, 1531–2, NRS E21/25, fo. 52r; Treasurer's Account, 1536–7, NRS E21/31, fos 21r, 25v.

<sup>103</sup> Treasurer's Account, 1538–9, NRS E21/36, fos 13v–14v.

<sup>104</sup> Sanderson, *Cardinal of Scotland*, pp. 190–1; Mary Verschuur, *Politics or Religion? The Reformation in Perth, 1540–1570* (Edinburgh, 2006), pp. 72–9.

<sup>105</sup> Household Accounts, 1544–7, NRS E31/13, fo. 175v. For Wishart's trial and Beaton's death: Sanderson, *Cardinal of Scotland*, pp. 214–30.



a new phase of the war of the Rough Wooings. Subsequently, the governor and other nobles attended the heresy trial of Adam Wallace in 1550, the last burning before that of Walter Milne, and used crown funds to pay for the scaffold for the occasion.<sup>106</sup> Although no other recorded heresy trials took place during Châtelherault's regency, crown machinery swung into motion to ensure that the goods of heretics who failed to appear for trial were forfeited, and to summon iconoclasts accused of 'casting down of the ymage of ye Magdalene and cutting of the heid of ye said ymage'.<sup>107</sup> The expectation that crown and Kirk were partners in the fight against heresy was, however, perhaps most clearly articulated in the March 1547 convention when Arran received a petition from the spiritual estate requesting that he take action against the Lutheran heretics.<sup>108</sup> He responded with a request that the Kirkmen should

gif to his grace ye names of the heretiks yat ar Relaps or haldis opiniounis aganis ye sacrament of ye alter or yt techis heresyis And his grace and the lords temporale sall tak yame and caus ye lawis of the realme to be execut upoun yame ay as he is requiritit yairto conforme to ye lawis of hallykirk.<sup>109</sup>

For good measure, the convention also expressed its disapproval of individuals who deforced Church officers, and the governor inhibited himself from granting such people remissions for their crimes for a period of three years.<sup>110</sup>

A number of points emerge from this overview. First, that Scotland's martyrs were few in number, a fact which dismayed Knox.<sup>111</sup> Dawson has suggested that the infrequent and erratic application of the punishment of burning resulted in the policy falling into 'disrepute'.<sup>112</sup> Conversely, the relatively rare nature of a heresy trial meant that it was not unusual for a monarch or regent to attend. The crown was legally obliged to execute the laws of the realm in punishing heretics, which meant that the Church was dependent on the secular powers to dispense punishment. Nevertheless, there was no legal requirement for rulers to attend trials in person, and neither James V nor Arran had a full attendance record. It is unclear if either of the cousins attended an execution. Alongside the occasional drama of the burnings, however, the crown lent mundane but important administrative support.

In this context, Guise's decision not to attend the trial of Walter Milne cannot be read as unusual, or indicative of a lack of support for the venture. Milne's execution in St Andrews on 28 April 1558 represented a change of direction on the part of the Scottish Church towards its heresy problem, since the hallmark of Archbishop Hamilton's archiepiscopate

<sup>106</sup> Knox, *Works*, I, p. 240; Treasurer's Account, 1546–50, NRS E21/42, fo. 371r.

<sup>107</sup> Ryrie, *Origins*, p. 111; Treasurer's Account, 1546–50, NRS E21/42, fo. 75v.

<sup>108</sup> NRS PC1/1, fo. 59v.

<sup>109</sup> *Ibid.*

<sup>110</sup> NRS PC1/1, fo. 60v.

<sup>111</sup> Dawson, 'Theatre of martyrdom', pp. 259–61.

<sup>112</sup> *Ibid.*, p. 268.

from his elevation in 1546 had been a sensitive policy of reform from within.<sup>113</sup> Milne had been a priest but had married during a period on the Continent, and had returned to Scotland two years before his arrest. Dawson has suggested the decision to arrest Milne was plausibly in response to the increased reformed preaching, whilst Ryrie interprets it as an attempt to issue a ‘warning’ to reformers who stepped beyond the realms of acceptable compromise.<sup>114</sup> Elements of both were probably present. Following Milne’s trial and conviction in an ecclesiastical court the civic authorities of St Andrews refused to carry out the sentence unless a civil conviction was secured. The demand for a secular conviction was a departure from usual procedures, but since executions were carried out by the civil powers Hamilton was unable to proceed without their acquiescence. On their further refusal to convene such a court, the archbishop was understandably ‘werie crabit’.<sup>115</sup> Once Hamilton’s servant Alexander Somerville had convened an alternative court, Milne was eventually burned on 28 April.

There is some confusion surrounding Guise’s role in Milne’s execution, so events first need clarifying. Frustratingly, only Knox (and accounts drawing heavily on his, such as Patrick Anderson’s ‘History’) mentioned Guise’s attitude to Milne’s execution. Ritchie alleges that ‘even Knox accepted Guise’s protestations of innocence in this matter [Milne’s death]’ and that Guise’s desire to create an inclusive regime was simply not shared by the combustively minded Catholic hierarchy.<sup>116</sup> This was not the case: what Knox actually commented was that Guise ‘as a woman born to dissemble and deceive’ had cited the prerogative of ecclesiastical jurisdiction to claim she had nothing to do with the execution. Knox went on to claim that the reformers ‘suspecting nothing that the Quein Regent was consenting to the foirnamed murther’ continued to seek out her support.<sup>117</sup> Knox’s story was thus that Guise privately condoned Milne’s death, yet nevertheless she lied about this and successfully deceived the reformers into further compliance. Ryrie’s account of Milne’s death draws on Knox to argue that Guise’s lack of public support for the burning ‘fatally undermined’ the Church’s anti-heresy project.<sup>118</sup> This is certainly the case in practical terms, since Guise’s presence at the St Giles’ Day parade in September did serve as a check to reformist disorder; her presence at Milne’s trial or execution may well have done the same.

<sup>113</sup> J. K. Cameron, ‘The Cologne Reformation and the Church of Scotland’, *Journal of Ecclesiastical History*, 30 (1979), pp. 39–64; Ryrie, *Origins*, pp. 98–113. Ryrie’s account is also published in: Alec Ryrie, ‘Reform without frontiers in the last years of Catholic Scotland’, *English Historical Review*, 119 (2004), pp. 27–56.

<sup>114</sup> Dawson, ‘Theatre of martyrdom’, p. 269; Ryrie, *Origins*, p. 151.

<sup>115</sup> Pitscottie, *History*, II, pp. 134–5. For other accounts of Milne’s death see: John Foxe, *The Unabridged Acts and Monuments Online* (1576 edition), pp. 1262–3, HRI Online Publications (Sheffield, 2011). Available from: <http://www.johnfoxe.org> [accessed 29 Feb. 2016]; Knox, *Works*, I, p. 308; Buchanan, *History*, p. 123.

<sup>116</sup> Ritchie, *Mary of Guise*, p. 201 n. 150.

<sup>117</sup> Knox, *Works*, I, p. 308.

<sup>118</sup> Ryrie, *Origins*, pp. 125–6, 151.

Nevertheless, it is not clear that her non-attendance would have signalled a clear lack of support from which broader conclusions about her attitude might be drawn.

As we have seen, between 20 and 28 April, the period during which Milne was tried and executed, Guise was in Edinburgh, arranging for the dispatch of French troops to Inchkeith and Kinghorn. In the midst of the trial, she wrote to James MacGill, the Clerk Register, who was then in St Andrews and at this time remained a Catholic.<sup>119</sup> Whether the Clerk Register was involved in Milne's trial and what Guise's message said is unknown: frustratingly, the letter has been lost, but it could plausibly have contained either permission for, or an order to proceed to, an execution. Whether or not Guise herself would have attended the trial had circumstances been different, it is clear that to have done so Guise would have had to step back from close involvement in military commitments, whilst her correspondence with a crown official in St Andrews during the trial raises the possibility that she was nonetheless engaged with events in Fife.

Although Milne was the only Protestant who was burned in 1558, he was not the only individual whom the Catholic hierarchy tried to bring to trial. Evidence for the summoning of reformed preachers later in 1558 is, however, complex. In July, a number of individuals including George Lovell and David Fergusson were summoned for 'wringus using and wristing of ye scripture and for disputing upoun erronius opinionis' to compeer in the Edinburgh Tolbooth.<sup>120</sup> The Treasurer's Accounts record a second summons issued on 20 July for a group of Dundonians to compeer on 28 July, but does not explain whether this was a re-summons for non-compearance, or another group charged with a different crime.<sup>121</sup> Buchanan seemed to recall this timing accurately, but claimed that it was Paul Methven who was summoned to appear on 20 July and that owing to a large number of the nobility being present 'the matter seem'd to tend toward a Tumult, whereupon the Process was deferr'd to another time'.<sup>122</sup> Those who did not appear were offered a pardon if they recanted in public on St Giles' Day. This broadly reflects Lesley's account, although he lacked dates and names and did not mention any violence.<sup>123</sup> However, the anonymous historian who wrote 'A Historie of the Estate of Scotland from July 1558 to April 1560' suggested that two sets of summons were issued, the first by Guise in July 1558 to a group of Dundonians, which resulted in them presenting her with a supplication which she promised to

<sup>119</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 42r; Michael Lynch, 'MacGill, James, of Nether Rankeillour (d. 1579)', *Oxford Dictionary of National Biography* (Oxford 2004), <http://www.oxforddnb.com/view/article/17612> [accessed 9 Aug. 2016].

<sup>120</sup> Treasurer's Account, 1558–9, NRS E21/51, fo. 54v.

<sup>121</sup> *Ibid.*, fo. 56v.

<sup>122</sup> Buchanan, *History*, p. 123.

<sup>123</sup> Lesley, *History*, p. 266.

consider.<sup>124</sup> Then, at the end of December, Archbishop Hamilton issued a summons to a group of preachers for 2 February, which, following threats of violence by the reformers, Guise asked him to defer, implying that in the end no preachers compeered.<sup>125</sup> This account is very close to that of Pitscottie, who, like Buchanan, dates Methven's summons to 20 July but, like the anonymous 'Historie', claimed it was deferred due to the intervention of temporal men, whilst noting that the clergy requested a second summons for Methven in November.<sup>126</sup>

Knox provided a dramatic account of an interlocution between the regent and a group of laymen who had appeared to defend the preachers once the summons has been issued. Although Knox neglected to date the event it appeared between Milne's burning and the St Giles' Day riots, suggesting it took place over the summer, but he made no mention of recantations on 1 September or of a further set of summons in December.<sup>127</sup> Knox's account has variously been associated with the July summons and the December summons, and it is possible that it contains elements from both occasions.<sup>128</sup> What is clear, however, is that the ability of the lay reformers to intervene for their preachers, and Guise's unwillingness to prosecute on the basis of this resistance, were embedded in ongoing military arrangements.

Knox recalled how, at the instigation of the bishops, Guise summoned a group of problematic Protestant preachers to compeer before her, despite her misgivings that she 'thought it could not stand with hir advantage to offend such a multitud as then took upon thame the defence of the Evangell, and the name of Protestantes'.<sup>129</sup> Attempts to interrogate the preachers were disturbed by the arrival of a group of armed men. On seeing this resistance, Guise discharged the summons to the preachers. Ryrie has drawn attention to this event as an indication of how volatile the situation had become.<sup>130</sup> The fact that it was another summons to the preachers which proved the final catalyst for the violence of May 1559 certainly shows that feelings were running high amongst the reformers surrounding this issue. However, examination of Knox's account of the event also reveals how deeply embedded this interlocution was in military arrangements. The men who were walking around Edinburgh each with his 'steill bonet' ready to place on his head to underline his willingness to fight for the summoned preachers were none other than 'the qwarter of the West-land'.<sup>131</sup> In other words, this was a group of soldiers who had just returned from the border. Donaldson's account

<sup>124</sup> 'Historie of the estate of Scotland from July 1558 to April 1560', in David Laing (ed) *The Miscellany of the Wodrow Society* (Edinburgh, 1844), pp. 49–88, at p. 53.

<sup>125</sup> *Wodrow Miscellany*, p. 55.

<sup>126</sup> Pitscottie, *History*, II, pp. 137–8.

<sup>127</sup> Knox, *Works*, I, pp. 257–8.

<sup>128</sup> Donaldson, *James V to James VII* p. 90; Ryrie, *Origins*, p. 154.

<sup>129</sup> Knox, *Works*, I, pp. 256–7.

<sup>130</sup> Ryrie, *Origins*, p. 154.

<sup>131</sup> Knox, *Works*, I, pp. 257–8.

of the event noted the geographical origin of the ‘gentlemen’, but not their membership of a military quarter, an omission which highlights the extent to which the significance of military activity in this period has been downplayed.<sup>132</sup>

Evidently, Guise had very sound reasons for being ‘unwilling to offend’ these Protestants playing an active role in defence. As section one of this article demonstrated, both July and December 1558 were particularly active moments in the military campaign, when cohesion amongst the men who were serving on the borders would have been critical. A need to placate those fighting on the border would have been equally compelling in both months and offers an explanation for Guise’s reluctance to pursue the reformers. Presumably in December her trepidation was only heightened by Elizabeth’s accession and the attendant possibility that Protestants who had been willing to fight for a Catholic monarch against another Catholic monarch might prove less amenable to slaughtering their co-religionists. The war, particularly its reliance on the national system of quarters, both created the circumstances in which armed bands of Protestants existed in the first place, and meant that these men were too valuable to Guise for their concerns to be instantly dismissed. Knox’s account of the parliament held between 29 November and 5 December hints at the efficacy of Guise’s conciliation, since he recalled that the reformers departed from the meeting willing ‘to spend our goodis and hasard our bodyes at hir pleasour’.<sup>133</sup> The most obvious occasion when reformers might incur financial expense or physical danger in Guise’s service was, of course, in fighting the ongoing war against England. However, since each act of conciliation meant that reformers were ‘farther encouraged’, the short-term need to placate militarily useful subjects proved, in the longer term, a significant miscalculation.<sup>134</sup> The concurrent ongoing needs to provide for defence whilst controlling religious disorder are neatly illustrated in the fact that on the same day Guise accompanied the St Giles’ Day procession, a military muster met at Lauder.<sup>135</sup> Similarly, Guise’s proclamation of 9 February 1559 forbidding the disturbance of Kirk services during Lent and enjoining subjects to keep the Lenten fast was issued on the same day as a set of military instructions were dispatched to Bothwell.<sup>136</sup>

Although our knowledge of events in December rests only on the anonymous ‘Historie of the Estate of Scotland’ and the unreliable Pitscottie, it is amply clear that in July Guise was willing to follow her deceased husband’s example and allow crown messengers to issue summons for heretics. Moreover, Pitscottie claimed that the heretics

<sup>132</sup> Donaldson, *James V to James VII*, p. 90.

<sup>133</sup> Knox, *Works*, I, p. 314. For the official parliamentary record: *RPS*, 1558/11/1–35 [accessed 11 Aug. 2016].

<sup>134</sup> Knox, *Works*, I, p. 258.

<sup>135</sup> Treasurer’s Account, 1558–9, NRS E21/51, fo. 64r.

<sup>136</sup> *Ibid.*, fo. 86r.

would have been brought before the Privy Council.<sup>137</sup> This is unlikely since it would have encroached on ecclesiastical jurisdiction and could have been interpreted as a concession to the Protestants' demands, present in the aftermath of Milne's trial and presented formally to the November–December parliament, to see heresy tried in a secular court: it nonetheless implies that Guise would have been present at the trials.<sup>138</sup> It is not clear whether the interlocution between Guise and the quarter of the west land described by Knox took place on the date when the preachers were supposed to compeer, but if it was, since Guise was present alongside the bishops this suggests she intended to attend the trial.

The reformers who did not appear in July had been ordered to recant on St Giles' Day, 1 September, as part of the annual procession in Edinburgh.<sup>139</sup> Guise chose to attend this event. This may have been to witness the public recantation, but it may also have been prompted by the events of the summer, when the image of St Giles had been stolen.<sup>140</sup> Although the Burgh Council had refused to secure a replacement when ordered to do so by Archbishop Hamilton, their stance was based on jurisdictional concerns rather than, as Knox had claimed, religious principles.<sup>141</sup> Indeed, when faced with the prospect of English invasion in May the council had sought to protect the relics of St Giles along with the church ornaments, and the same concern to protect the relics would resurface the following year.<sup>142</sup> It was only when Guise left the procession that the riot, which attacked the image of St Giles and the clerics who accompanied it, broke out.<sup>143</sup> It is hard to read a willingness to issue summons for trials which could easily have concluded with executions, and then attending public recantations, which were taking place as part of the celebrations on a major feast day, as an attempt to 'compromise' with reformers. Rather, it is highly tempting to read this increased crown visibility in the prosecution of heretics as an initial response to the disorder precipitated by Milne's death, from which the constraints of a delicate military situation forced Guise to withdraw.

Before concluding, it is worth asking an obvious, but hard to answer, question: did the war of 1558 serve as a catalyst in spreading reforming opinion throughout Scotland? Doubtless multiple factors were at play in invigorating reformed behaviour in 1558, and, equally certainly, further

<sup>137</sup> Pitscottie, *Historie*, II, p. 137.

<sup>138</sup> Knox, *Works*, I, pp. 310–11. There is no mention of this in the parliamentary record.

<sup>139</sup> Lesley, *History*, p. 266. Buchanan, *History*, p. 123. Buchanan seems to have conflated Meffen's trial and that of the other heretics.

<sup>140</sup> Knox, *Works*, I, pp. 258–9; *Wodrow Miscellany*, p. 54.

<sup>141</sup> Knox, *Works*, I, pp. 258–9; 'The compt of James Adamson Edinburgh Treasurer of common rents and casualties', 1557–8, ECA, Uncatalogued volume entitled 'Treasurer's Accounts, 1552–1567', fo. 229; The compt of master James Lindsay thesaurer of ys burgh of Edinburgh, 1558–9, ECA, Uncatalogued volume entitled 'Treasurer's Accounts, 1552–1567', fo. 269; Michael Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981), p. 73.

<sup>142</sup> Lynch, *Edinburgh and the Reformation*, p. 73, citing *EBR*, III, pp. 42–4. For May 1558: *EBR*, III, p. 22.

<sup>143</sup> Knox, *Works*, I, p. 260.

investigation into particular local circumstances would expose a variety of particular, local, prompts. Nevertheless, John Lesley ruefully recalled that ‘quhill the realme was in this maner trubled with the warris’ Protestant sympathizers ‘caused certane preachers cum within the realme’ to stir up religious sedition.<sup>144</sup> Evidently, Lesley believed that whilst the secular authorities were focused on war, reformers had greater freedom of movement. The fact that the St Giles’ Day riots in Edinburgh began only after Guise left the procession suggests that disorder was more likely to take place in the absence of the secular authorities, and during the war local governance was likely to have been disrupted.<sup>145</sup> Likewise, for the Privy Council, a burgh council or ecclesiastical authorities to control the ‘sindre Inglis buikis, ballettis and treateis’ which Lesley recalled were circulating would have been still more challenging.<sup>146</sup> Indeed, as the taxes granted by the Church remind us, clerics too had wartime responsibilities, although it is difficult to know how much, if at all, this affected the smooth running of the Church.

The detailed mechanics of the impact of war on reformed activities are likely to remain elusive without the discovery of new evidence, but the defence that the quarter of the west mounted for their preachers suggests one way in which war could have facilitated the flow of information. Military mobilization entailed the large-scale movement from all four quarters of Scotland to the borders via Edinburgh. Regardless of whether an itinerant preacher had reached their own parish, men serving in the army could hear the sermons of William Harlaw in Edinburgh, or John Douglas in the capital and its port of Leith, on their way to and from the borders.<sup>147</sup> The widespread use of French troops and discontent at their presence, evident in the order to the inhabitants of Kinghorn not to flee but to remain and provision the French forces, could also potentially explain the prominence which anti-French rhetoric would later assume during the Reformation Rebellion. As Roger Mason has shown, ‘the Scots either did not understand or were not prepared to respond to the covenanting rhetoric initially employed by the Congregation’; accordingly, from August 1559 onwards, a new emphasis on the French as oppressors emerged in the reformers’ rhetoric.<sup>148</sup> The fact that billeting French soldiers was such a recent memory may well have added an immediate verisimilitude to these claims.

In conclusion, the Anglo-Scottish war of 1558 required significant national mobilization in Scotland, and, even though neither Scotland nor England launched a large-scale invasion of the other realm, contemporaries remained alert to the possibility that violence might

<sup>144</sup> Lesley, *History*, pp. 265–6.

<sup>145</sup> Knox, *Works*, I, p. 260.

<sup>146</sup> Lesley, *History*, p. 269.

<sup>147</sup> Patrick Anderson, ‘History’, NLS Adv MS. 35.5.3 vol. 2, fo. 193r.

<sup>148</sup> Roger Mason, ‘Covenant and commonweal: the language of politics in Reformation Scotland’, in Norman Macdougall (ed.), *Church, Politics and Society: Scotland 1408–1929* (Edinburgh, 1983), pp. 97–126, at pp. 105–12.

spread beyond the borders. At its most dramatic, this envisaged plans to capture Berwick or fears that Edinburgh would be invaded. Whilst events on the Anglo-Scottish border, Ireland and the west coast of Scotland did not directly affect events on the Continent, they should be seen as part of this broader conflict. Even though this war was not as large in scale as, for instance, the Rough Wooings, it nonetheless occupied a significant portion of government resources and attention. Contemporary commentators on both sides of the confessional divide connected the rise in preaching to the war, and a need to placate valuable soldiers provides a plausible explanation for Guise's refusal to proceed with heresy trials which, on at least one occasion, she had used crown officials to arrange. As Knox himself recognized, throughout 1558 'warr continewed, during the whiche the Evangell of Jesus Christ begane wondrously to floriss'.<sup>149</sup>

<sup>149</sup> Knox, *Works*, I, p. 256.