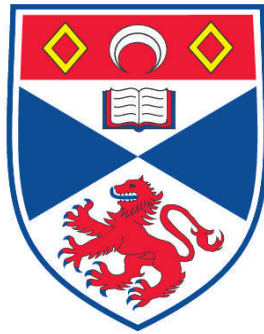


THE MINORITY OF KING JAMES V, 1513-1528

William Kevin Emond

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



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THE MINORITY OF KING JAMES V 1513-1528

by

WILLIAM KEVIN EMOND

Submitted for the degree of Ph.D.

in

June 1988



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ABSTRACT

The thesis is a detailed study of Scottish central government institutions, personnel and policies during the long and politically complex minority of James V 1513-1528. Research has been undertaken principally in the records of the Lords of Council which have never been published nor examined intensively for this period. Documents from various family collections further supplement the wide range of record sources which have been published, particularly the Letters and Papers..., and State Papers of Henry VIII. The contribution made by contemporary and later chroniclers has also been examined with the conclusion that their contributions are of some value, provided that due recognition is given to their motivation for writing history.

Examination of the rôle and influence of faction at Court, pro-English against pro-French, has broadened the scope of the thesis to include discussion of the wider themes of Scottish foreign policy in the early sixteenth century. Consideration is also given to the effect of the unprecedented opportunities presented to England and France for interference through the rival claims to authority made by Queen Margaret Tudor, mother of James V, and John, Duke of Albany, the nearest male relative of the young King. The complex political machinations following Albany's final departure in 1524, which led to the domination of the Scottish government by Archibald, 6th Earl of Angus, during the final years of James V's minority are discussed at length.

The conclusion is that the development of royal autocracy was hindered by the King's youth and that this minority contributes to the evidence that, in general, minorities acted as a safety-valve in the development of Scottish government, preserving a balance between the interests of crown and magnates. Nevertheless, there was a genuine desire shown by the magnates to have a Governor able/

Governor able to act as if he was a king of full age because of the advantage such a position could bring, especially in foreign relations. Government did not stagnate because there was no adult king.

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INTRODUCTION

There has been for some time a recognition that the minority of James V needed to be subjected to the searching scrutiny of modern research:

"Not only was it a long minority, but a minority in which the course of events was exceedingly complex and tortuous, more tortuous even than those troubled years of Crichton and Livingston under James II, and of Kennedy and Boyd under James III. On the other hand, while the complexity of the situation is such as almost to repel a reader, there are other features which make it deserving of study. For one thing, there is now much more ample information available, including a vast amount of correspondence in which contemporaries committed their thoughts to paper. We can no longer complain that we are wholly at a loss to understand the motives of the persons involved in Scottish affairs; they have become figures of flesh and blood, and we can form some impression of their aims and purposes..."¹

Although there has been a general awakening of interest in this "bread and butter period between two layers of jam",² there has been, up to now, no single study devoted to James V's minority. The standard treatments by modern writers, Gordon Donaldson's James V - James VII, in the Edinburgh History of Scotland series, and Jenny Wormald's Court, Kirk and Community, in the New History of Scotland series, are fairly brief. Older writers have tended to base their accounts, brief or lengthy, on the stories popularised by the later sixteenth-century chroniclers and not on the extensive record sources. As Professor Donaldson recognised, however, an in-depth study of James V's minority is not only desirable, but possible, because of the wealth of source-material available.

The principal source for a study of the development of Scottish central government institutions is the 'Acta Dominorum Concilii'.³ This record covers the proceedings, which took place almost daily for most of the minority, of the Lords of a Council which was competent to deal with judicial cases in the Session, and also to deal with political affairs. There was no continuation, in the minority, of earlier efforts to differentiate between these two functions of/

functions of the Council. Selections of the deliberations which the Lords made in political affairs were published by Professor Hannay under the title, Acts of the Lords of Council in Public Affairs,⁴ but the original record is much more extensive. The record is lacking, however, for the period from December 1519 to November 1522, during which time some of the most bitter factionalism operated within Scotland. It is important to stress that the judicial record of the Council needs to be treated with caution because it depended on the wronged party seeking the help of the Council. The record is at its most extensive in the period 1516-18, when Albany's government had proved that the Council's judgement was not worthless.

This source is supplemented by the Acts of the Parliaments of Scotland,⁵ but, because of the continuation of a trend evident in the later years of James IV's reign of relying more on a Royal Council than on the regular summoning of parliament, the record is fairly poor. Although there were, undoubtedly, some parliaments held of which no record is preserved in the 'Acts...', causing an undue distortion in the use of parliament after Albany's departure from Scotland for the last time (six parliaments were held in the four years between 1524 and 1528), the overall reflection is of a concentration of political decision-making in Councils rather than parliaments.

The distribution of patronage within Scotland gives valuable indications of the support which the various governments of the minority enjoyed. This can be traced through the records preserved in the Register of the Privy Seal,⁶ which also contains valuable references to the grants of respites and remissions which add details to our knowledge of the level of political violence during the minority. Less extensive are the records of confirmations of grants preserved in about 600 charters in the Register of the Great Seal.⁷ Almost all of these carry witness lists, but only about one sixth/

sixth of them are of independent value. The others usually carry the ambiguous phrase "as in other charters". The independent lists provide corroborative evidence of the support enjoyed by the various governments of the minority, to add to the more extensive sederunt lists of the 'Acta Dominorum Concilii': both are included in Appendices to this work.

The record of the use of royal lands and of the level of royal revenues comes from the Exchequer Rolls of Scotland.⁸ The infrequency of the Exchequer at times of crisis (e.g. there were no accounts audited between 1518 and 1522), reduces the value of this source, but gives an indirect confirmation of the difficulties of raising royal revenues when there was no stable central government. The Treasurer's Accounts⁹ reveal similar problems of the over-expenditure of available resources, although the infrequency of rendering accounts again at times of crisis (e.g. no accounts were rendered between 1518 and 1524), detracts from the wealth of information which the Treasurer's Accounts reveal. This gives detail on the transport of artillery, on the travels of messengers to various parts of Scotland, and, most valuably, on the progress of military campaigns on the Borders, in the west of Scotland, and against England.

The personal nature of Scottish government, being reliant to a very large degree on the character of the King (and in his minority on those of his Regents), and of his councillors, makes the sources of information about the people involved in government important. The records of charters and other documents, which are preserved in their original family collections in the Scottish Record Office, can be supplemented by reference to the reports of the Historical Manuscripts Commission¹⁰ and to the family books of William Fraser.¹¹ Much additional information can be obtained from the records of burghs and burgh courts, abbeys and sheriff courts.

In particular, the nature of James V's minority emphasises the importance of the/

importance of the international dimension. The major contenders for the office of Regent were Queen Margaret, Henry VIII's sister, and the Duke of Albany, who had been born and brought up in France. For several years, both before and after the Battle of Flodden, Scotland played a rôle in international politics out of proportion to her size, population, wealth and geographical location. This interest in Scotland, by whom and how she was governed, is recorded in the extensive surviving correspondence preserved in the Letters and Papers of Henry VIII,¹² covering the whole period and, preserving original documents from 1524, in the State Papers of Henry VIII.¹³ The value of original correspondence in giving details of events within Scotland, of Scotland's relationship with England, France and other governments, and of the course of war and peace during the minority, is enormous. Above all, the insight which it can give us into the minds of the people at the very heart of politics in the early sixteenth century should not be underestimated. Some caution needs to be employed with regard to some of the more speculative reports of English border wardens but, in general, there is little doubt that Lord Dacre and the English Lieutenants operated a very efficient spy network in Scotland, which allowed them to report to Henry VIII and Cardinal Wolsey on the activities and expectations of the leading Scots.

Also of use with regard to the speculation which surrounded Scotland and her position in French and English calculations are the State Papers of Milan, Venice and Spain¹⁴ which cover reports of Ambassadors in England and France and provide valuable confirmations of rumours circulating at their Courts.

The need to explain the aims of leading Scots formed the basis of the later sixteenth-century chronicles. Despite the fact that the personal experiences of writers such as George Buchanan, Bishop John Lesley, and Robert Lindsay/

Robert Lindsay of Pitscottie, were either limited or non-existent in writing of the minority of James V, it is their exciting stories of the action highlights of the period which have held sway with most later writers. The value of the evidence of the chroniclers is here reassessed to take account of the personal prejudices of the writers. Greater emphasis is placed on the contributions of contemporary writers - notably Adam Abell and John Law.¹⁵

The minority of James V is, as Professor Donaldson suggested, of a frightening complexity. In order to provide a framework through which the tortuous unravelling of domestic and foreign policy can be followed more easily, it has been necessary to follow a chronological approach. The sequence of cause and effect of the changing governments of the minority has been so confused by all writers since Pitscottie, that this is the only approach capable of avoiding such confusion. The major themes of the period are all dealt with: Scotland's relationships with England and France; attitudes to peace and war and the effect of the lack of an adult king on the development of Scottish government. These themes are followed through the successive phases of government by Queen Margaret, Albany during his three visits, and in his absence through the crisis of 1519-21. After Albany's departure for the last time in 1524, there was another four years down to the summer of 1528 before James V can be seen to be acting without the restraint of a Governor in any form. This latter period saw the King declared of age twice - in 1524 and again in 1526 - though the practical effects of these declarations were the denial of authority previously granted to others, and confirmation of authority to the present Keepers of the King, rather than any independence of action for the King. The second of these declarations confirmed the supremacy of Archibald Douglas, 6th Earl of Angus, whose family and friends dominated the government thereafter until the King could express free opinions and make known his opposition in 1528.

The main/

The main question which this thesis seeks to examine is to what extent James V's minority, like those of earlier Scottish kings, "provided a safety-valve ... [removing] the threat of growing autocracy".¹⁶ An examination of the rôle and influence of faction in determining the development of Scottish central government institutions and policies is undertaken. The sources, especially the original correspondence, also allow judgements to be made on the personalities of the leading characters involved in government. The question of Scotland's relationship to the wider world is also of exceptional importance in the minority of James V because of the new international dimension attached to the question of who was to govern Scotland. In fact, this international dimension dominated every aspect of Scottish thinking because independence of action was severely curtailed after Flodden and most Scots thought in terms of closer ties with England or closer ties with France. Queen Margaret and the Duke of Albany were constant living reminders of the alternative options so even internal government was affected.

The minority of James V lasted for nearly fifteen years, from 9 September 1513 until the summer of 1528. It is deserving of study, and the sources are extensive enough to make a detailed study possible. It is of significance primarily to Scottish History, but the interest which the sources reveal that the rest of Europe had in Scotland's affairs at this time, make it highly relevant to the study of early sixteenth-century, European History.

INTRODUCTION . . . NOTES

- 1 G Donaldson, Scottish Kings, (London 1967), 70.
- 2 J Wormald, Court, Kirk and Community, (London 1981), 3.
- 3 SRO CS5/26-38, 'Acta Dominorum Concilii'. The period between Sep. 1513 and summer 1528 covers 12 complete volumes of approximately 200 folios each, plus over 100 folios of volume 38. See Appendix E for a breakdown of the sederunts of the Council meetings showing the support given by each Lord to the various governments of the minority.
- 4 Acts of the Lords of Council in Public Affairs 1501-1554. Selections from Acta Dominorum Concilii, ed. R K Hannay (Edinburgh 1932), [ADCP].
- 5 Acts of Parliaments of Scotland, edd. T Thomson, C Innes, vols. ii and xii (Edinburgh 1814, 1875), [APS]; there is some additional information in the suppressed first volume of Acts - The Parliamentary Records of Scotland, ed. W Robertson (Edinburgh 1804), [Robertson, Parl. Recs.].
- 6 Registrum Secreti Sigilli Regum Scotorum, edd. M Livingstone, David Hay Fleming, vols. i and ii (Edinburgh 1908, 1921), [RSS].
- 7 Registrum Magni Sigilli Regum Scotorum, edd. J Balfour Paul, J M Thomson, vols. ii and iii (Edinburgh 1882, 1883), [RMS]; see Appendix D for independent lists of charter witnesses broken down by period to indicate support for the various governments of the minority.
- 8 The Exchequer Rolls of Scotland, edd. J Stuart and others, vols. xiv and xv (Edinburgh 1893, 1895), [ER].
- 9 Accounts of the Lord High Treasurer of Scotland, edd. T Dickson, Sir J Balfour Paul, vol. v (Edinburgh 1903), [TA].
- 10 Reports of the Royal Commission on Historical Manuscripts (London 1870-), [HMC].
- 11 e.g. W Fraser, The Douglas Book vol. iii (Edinburgh 1885); W Fraser, The Lennox vol. ii (Edinburgh 1874), etc.
- 12 Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII, preserved in the Public Record Office, the British Museum and Elsewhere, vol. i pt. ii ed. R H Brodie (2nd edn. London 1920); vols. ii pt. i - iv pt. ii ed. J S Brewer (London 1864-70), [L&PHVIII].
- 13 State Papers of King Henry the Eighth : Correspondence Relative to Scotland and the Borders 1513-34, vol. iv pt. iv (London 1836), [SPHVIII].
- 14 Calendar of the State Papers and Manuscripts existing in the Archives and Collections of Milan, ed. A B Hinds vol. i (London 1912). [Cal. State Papers (Milan)]; Calendar of the State Papers and Manuscripts relating to English affairs, existing in the Archives and Collections of Venice ed. Rawdon Brown, vols. ii and iii (London 1867) [Cal. State Papers (Venice)]; Calendar of Letters, Despatches, and State Papers, relating to the Negotiations/

the Negotiations between England and Spain, preserved in the Archives at Simancas and Elsewhere, edd. G A Bergenroth, Pascual de Gayangos vols. ii and iii (London 1866-77), and Further Supplement to the letters ... preserved in the Archives at Vienna and elsewhere, ed. Garrett Mattingly (London 1947), [Cal. State Papers (Spanish)].

- 15 See below Chapter 14 for details of the chronicle evidence.
- 16 Wormald, Court, Kirk and Community, 13.

CHAPTER ONE

The Aftermath of Flodden : Queen Margaret's First Regency

9 September 1513 - 21 September 1514

A rumour of the disaster at Flodden had already reached Edinburgh on the day after the battle. The presidents (i.e. deputy-provosts), together with the council acting on behalf of the provost and baillies, did not dare ignore the potential danger and ordered:

"...that all maner of personis nychtbouris within the samyn have redde thair fensabill geir and wapponis for weir, and comperit thairwith to the said presidentis at jowyng of the commoun bell, for the keeping and defens of the town aganis thame that wald invaid the samyn..."¹

The news was sufficiently serious for them to order that nobody be seen publicly grieving, while prayers were to be said in St Giles' kirk for the King and his army. Despite their protestations that this activity was based on rumour alone, "... of the quhilk we undirstand thair is cumin na veritie as yit...", few can have doubted that confirmation of the news of a serious defeat at the hands of the Earl of Surrey's army would soon be received.

Henry VIII heard of the great victory won in England, less than a week later, at his camp at Tournai. He was able to report the news to his ally, Massimiliano Sforza, Duke of Milan, choosing to regard his victory as divine retribution on the Scots for their perfidy, and that of James IV, who made war in defiance of the treaty between England and Scotland. James had chosen to forget the ties which made them allies and brothers-in-law but, "... at length, the Almighty, avenging the broken treaty, gave victory to the English...". He added a postscript with the news of the English certainty that they had found James IV's body among the dead.²

The rumours of the defeat, and subsequently of the scale of the defeat, went round Europe for several weeks after the first report was made. By 1 October 1513, Cardinal Bainbridge, the English representative at Rome and the Spanish and Imperial ambassadors were confident enough of the reports of victory to light celebratory bonfires.³ The news nearer home was more detailed and a letter sent to Venice from England on 29 September included a list of the dead. The difficulty of rendering the Latin names to their Scottish equivalent adds to the problem of the writer's unfamiliarity with Scottish names. It is now difficult to judge to whom references are made in several cases, but the main point to be gathered from the list is clear: the scale of the defeat was shattering in terms of losses of the leading men of the country. The list included thirty-four laymen and six spiritual peers, headed by Alexander Stewart, Archbishop of St Andrews, as well as the King himself.⁴ It was not surprising that the same letter could refer to the only four lords left alive in Scotland.

The result of the "unhappy feild of Flowdoun" as Bishop Lesley described it in his 'History of Scotland',⁵ had soon been confirmed in Scotland by those who returned. A General Council convened at Stirling on 19 September 1513, to arrange for the immediate coronation of the new King, James V. The inaccuracy of the above suggestion that only four lords remained in Scotland capable of carrying on the government is immediately apparent. This council meeting was attended by twenty-three lords, including twelve spiritual peers and eleven lay peers, augmented to twenty-eight three days later. No fewer than thirty-three lords were: "ordanit be the generale counsell to sit apoun the daily consell for all materis occurrand in the realme or ane sufficient part of thaim..." The chances of maintaining such a large gathering of lords were not great and this was acknowledged by the addition of the phrase, "... and evir thre spirituale and thre temporale of thir as it lykis the queyn to command..."⁶

Six councillors was a more realistic figure for constant attendance than thirty-three, but the latter figure reflects the recognition of the opportunity to influence government among the lords. Some may have been persuaded to put themselves forward out of selfless patriotism; most were undoubtedly attracted by self-interest.

The new King, James V, was the only surviving child of the five which Margaret Tudor had so far borne to James IV.⁷ She was pregnant again at the time of her husband's death. James V succeeded to the throne when he was only seventeen months old, having been born on 10 April 1512.⁸ This opened up the prospect of a long official minority such as had befallen James I, II and III in the 15th century, and unofficially had affected James IV after his accession to the throne at the age of 15.

James V's coronation took place at Stirling on 21 September 1513. At the same time, the lords accepted Margaret Tudor as Regent for her young son and governor of the kingdom in terms of James IV's will: "...he constitute and ordainit quene Margaret ... his maist derrest spous, tutrix testamentare ..."⁹

Margaret was to retain this position so long as she remained a widow. The prejudices of George Buchanan against female governance, especially as exhibited in his own day by Mary, Queen of Scots, make his references to this adoption of Queen Margaret as Regent untenable. His statement that it was only acceptable due to the "scarcity of noblemen", is not borne out by the council sederunts, nor does his reference to it as "the first example of female government among the Scots" stand up to examination.¹⁰ The 'Auchinleck Chronicle', describing the first meeting of the parliament in James III's reign on 23 February 1461, says:

"... and yai left ye king in keping with his modere ye quene and governing of all ye kinrik. And yairfor ye Lordis said yat yai war litill gud worth bath spirituale & temporall that gaf ye keping of ye kinrik till a woman..."¹¹

Despite this contemporary judgement, Mary of Gueldres proved to be reasonably competent in exercising government. The example more fitting to Margaret Tudor is that of Joan Beaufort, the English princess who married James I of Scotland in 1424. After his death, she may have been intended by James I as Regent, but in practice the nearest male heir, Archibald, 5th Earl of Douglas, exercised this function through his office of Lieutenant-General until his death in 1439. Thereafter, Joan's remarriage to Sir James Stewart of Lorne brought her little advantage in the factional struggle which developed.¹²

It was this tradition of the nearest male heir being appointed Regent which meant that Margaret's position would not be unchallenged. She was the sister of Henry VIII of England, while the nearest male heir, after Margaret's as yet unborn child, was James V's first cousin once removed, John Stewart, Duke of Albany. John (or Jehan, as he signed his name) was the son of James III's younger brother Alexander, Duke of Albany, who had fled into exile in France in the 1480s after his failed attempt to depose James III and take the crown himself. His estates had all been forfeited, but nevertheless the title itself continued to be employed by his son and recognised at the French court. John had been born in 1485 and was a valued supporter of the French Crown. He was also already known to the Scots through his contacts with James IV. James had employed his cousin as an ambassador to Rome on a mission with Andrew Forman, Bishop of Moray, in February 1511 to try to heal the division between France and the Papacy.¹³ Despite Albany's expressions of desire to meet James and serve him,¹⁴ he had been put off by the King before November 1512. It is possible that Albany was merely writing formally covering a request for his restoration to title (officially) and property in Scotland, on the proposed formalisation of his marriage to Anne Delatour D'Auvergne.¹⁵

However, Albany's later record underlines the sincerity of his desire to serve the country of his heritage. These proposals for restoration had royal approval from Louis XII of France in December 1512. This offered to compromise: the restoration could be commuted to a pension of 6-8000 francs a year, "... so that it may not be said that he comes of too poor a country to give anything to his wife...".¹⁶

The request for Albany to return to Scotland (or rather to visit the country of his forebears for the first time) was made by the Earl of Arran and Lord Fleming, who were in France at the time of Flodden, having been in command of the Scottish fleet. They wanted him to return with aid to help prosecute the war, making the appeal on the basis of the responsibility for Flodden lying in French hands. The King, nobles and lieges, "... war slane et distroyit in batell ... principaly in the quarell of france..."¹⁷

Louis XII had agreed to send Albany in instructions of October 1513,¹⁸ which Antoine D'Arces, Seigneur De La Bastie, conveyed to the General Council. However, Albany was not to be sent until his position and duties in Scotland were made clear. Albany's trips to Scotland were always more subject to the French situation in regard to England and the other major European powers, than to Scottish desires. Louis XII wanted to know what influence Queen Margaret was likely to exercise in favour of England, before committing Albany to a return to Scotland. He was too valuable a servant of the French Crown to lose to a possible Scottish imprisonment.

The two countries who for two centuries had the greatest potential for influencing the Scottish political community - England and France - were now represented in the persons of Margaret Tudor and John, Duke of Albany respectively. The political community was presented with a dilemma concerning which side to support that could by no means be easily resolved by suggesting that Albany stood for a continuation of war with England while Margaret's ascendancy would herald a new era of peace with England.

In fact, the situation was complicated even further when England and France made peace in 1514, with little regard to Scottish interests.

Albany wrote in October 1513 to the Queen and Council to follow the same policy as the late king for the weal of both Scotland and France. He begged them,

"...to keep in agreement for the sake of the young King and his kingdom, since misfortune from outside may be remedied, but not internal misfortune. It seems therefore that they must be united and abandon all quarrels, for a united kingdom cannot be defeated or subjugated. [DelaBastie] is to beg the Queen to assist in the above matter which touches her more than any other..."¹⁹

A united front depended on an agreement, or at the least a compromise on policy, and policy would ultimately be determined by the personnel of government. The question of the continuity, or otherwise, of policy is bound up therefore with the question of a continuity, or otherwise, of personnel.

As far as the continuity of personnel is concerned, there are two main points to note. Firstly, the top level of government was not as badly affected by Flodden as the Venetian news letter, or generations of later writers, suggested.²⁰ Flodden was a calamitous loss only in terms of experience. Nine earls were killed in the battle (out of twenty men of that rank at that time), among them some of the most active councillors of James IV, including Argyll, Lennox and Bothwell; but of these nine, only two left heirs who were too young to take their fathers' places at the council table. (These two were Bothwell, aged about one-and-a-half; and Montrose whose heir was about thirteen years old.) Between twelve and fourteen Lords of Parliament also lost their lives; (Borthwick and Crichton of Sanquhar were the uncertainties), from a total of thirty men of that rank and of these only three - Lords Elphinstone, Herries of Terregles and Seton, left under-age heirs.²¹ Of the spiritual peers, the losses were more calamitous from the point of view of the possibilities for dissension over successors, than from that of loss of experience. The main loss/

loss was that of the twenty-year-old Alexander Stewart, Archbishop of St Andrews, nominally Chancellor, while other vacancies arose in the Bishopric of the Isles and the abbeys of Inchaffray and Kilwinning.²²

A new generation was to grow up quickly in the opportunity presented to it by the decimation of so many of its peers. However, the major offices of state were hardly affected in the immediate aftermath of Flodden. The appointment of James Beaton, Archbishop of Glasgow, as Chancellor took place at the end of September 1513. He was noted as Chancellor in the sederunt of 29 September,²³ and witnessed a great seal charter on 2 October, again described as Chancellor.²⁴ Beaton had already been one of the strong advocates in favour of the Flodden campaign, and as such cannot have been a close ally of Margaret. As the senior living spiritual peer, however, he was eminently suitable to restore the position of Chancellor to one of greater influence after its decline under James IV, who successively appointed his brother, then left it vacant, and finally his illegitimate son, Alexander, Archbishop of St Andrews. Alexander, 3rd Lord Home continued as Chamberlain and it was to him that the task of pacifying the Borders was entrusted,²⁵ while Archibald, 5th Earl of Angus, was to act as Justice south of Forth to restore order and reform all criminal attempts. Both of these were survivors of the Flodden campaign. Gavin Dunbar, Archdeacon of St Andrews, remained Lord Clerk Register; William Elphinstone, Bishop of Aberdeen, carried on as Keeper of the Privy Seal, and Patrick Paniter, Abbot of Cambuskenneth, continued as Secretary. By 15 October, Andrew Stewart, Bishop of Caithness, had been appointed to discharge the functions of Treasurer and Comptroller. The machinery of government did not grind to a halt.

The second point to note is the effects of the loss of personnel at a lower level./

lower level. Almost every area of Scotland had answered the summons, and there can have been scarcely anywhere which did not lose some of its local officials or landowners. In January 1514, the Council set out a schedule for the rule of the northern part of the kingdom, covering the whole area from Caithness to Strathearn and the Mearns.²⁶ This reflects not only the opportunity raised for disorder in the wilder fastnesses of Scotland, but also the loss of leading figures in the localities. The Council also intended to raise resistance against an insurrection in the Isles where Lauchlan MacLean of Duart had taken advantage of the government's preoccupations to seize the castles of Cairn-na-Burgh in the Treshmish Isles and Dunshawik.²⁷

The main indicator of such widespread losses is the 'Acts of the Lords of Council'. The 'Act of Twizelhaugh'²⁸ had provided that the heirs of all those killed in the King's army during the Flodden campaign should inherit their lands and goods free from the usual feudal casualties of ward, relief and marriage, dispensing with the age of the heir. Children would inherit their lands during their minorities, having their estates administered for their own profit. The disordered state of the Borders and fear of invasion, (Lord Dacre related to Henry VIII on 13 November that a raid had been made successfully into Scotland²⁹), led to the successful petition of Lord Home on 26th November, for this 'Act of Twizelhaugh' to remain in force during their "daily jeopardy and peril" from the English.³⁰ Much of the business which the daily Council concerned itself with, in the first year after Flodden, dealt with the legal arguments of heirs to those who died on the Flodden campaign. The formula of these cases was for the widow to find surety that the estates of their sons would be maintained to their profit in their lesage. An example from 5 November 1513 is that of Isobel Dunbar, /

Dunbar, Lady of Galston in Ayrshire. A supplication was given in to the Council on her behalf to allow her to undertake responsibility for the running of the estates of her late husband, Patrick McLellan of Galston. The Crown was not entitled to non-entries due to the 'Act of Twizelhaugh' and the children were not of age to run the estates themselves. The Lords granted them to the custody of the widow and ordered that they,

"salbe put to the profite and utilite of the saidis bairnis and ye said compt [therefore] to be made zerelie befor the lordis ofoure soverane lordis counsale..."³¹

There were fifty-five (at least) such cases in the first year after Flodden and although, naturally, all such cases refer to landowners, as an indicator of widespread losses from the lairdly class they are invaluable. Only five of these fifty-five cases referred to men of burgess class.

Concern was also shown for the younger children of those killed at Flodden, those who would not eventually inherit the estate, but for whom provision was necessary out of the profits of the lands during their minority.³²

The Register of the Great Seal contains few references to land transfers of this nature which passed for confirmation to the Great Seal. One of the earliest charters of the reign, however, on 2 October 1513, was to Marion Broun, widow of Thomas Otterburn, Burgess of Edinburgh, who was granted for herself, and her heirs, the lands belonging to her husband who had been "...killed with the King's father in the field of battle..."³³

The change in personnel was not great in terms of loss of numbers but rather in loss of experience. Did this new generation change policy? It is not surprising that it is hard to distinguish a consistent, national policy followed by a united council, despite the Duke of Albany's injunction to "...discuss matters in assembly and adopt the sanest and weightiest advice..."³⁴ The most consistent policy followed by the Councillors was self-interest which did not allow for easy choices of pro-English or pro-French; pro-Margaret or pro-Albany.

There was no need to take immediate decisions about the question of war or peace with England because the lateness of the campaigning season had brought on the bad weather which prevented a feared English invasion. Even small-scale raids were likely to be undertaken with little enthusiasm, as a letter of 20 September from Thomas Ruthal, Bishop of Durham, confirms. The English were hampered by the foul weather and lack of supplies.³⁵ Later Lord Dacre was able to convey the news of a successful raid into Scotland,³⁶ so the Scots certainly had to prepare defences at the very least. Calls for 'wapinschawingis' to be held throughout the realm on 29 October, were repeated on 20 January 1514 because "nochtwithstanding lettres war direct for wapinschawingis to be maid throw out the realme and rycht nocht as yit done tharto..."³⁷. This laxity suggests a confidence that the English threat was not serious to any beyond the immediate area of the Border Marches. It had more to do with the unpopularity of campaigning in winter than active desire for a policy of peace. Meanwhile, the sale of all goods and weapons recovered from the dead at Flodden was not to be allowed to reach English hands under pain of treason.³⁸

The first major indication of policy is given in the acts of the General Council held at Perth, 26 November 1513. The impressive turnout of fifty-two notables, including thirty-four laymen and eighteen spiritual peers, confirms the interest which the Scottish political community had in policy-making in the aftermath of Flodden.³⁹ The main point of discussion was the continued alliance with France. The ambassadors sent from France, Antoine D'Arces, Seigneur De La Bastie,⁴⁰ and the Scotsman, Master James Ogilvy, proposed two articles to the Assembly. Firstly, they proposed that the ancient alliance between Scotland and France should be continued, renewed and ratified; and, secondly, that the request for John, Duke of Albany, /

Albany, to be sent to Scotland (initially made by Arran and Fleming in France), should be confirmed by all those councillors present. After discussion of these two articles, the unanimous decision of the councillors was in favour of the hasty confirmation of the alliance with France which was, "of so long standing that they could not consent to violate it...". To the second article, all of the councillors consented to Albany's homecoming to aid the realm against the English threat with all munitions and men, especially Scots in the French service, that could be spared. To this agreement was added a clause which gives an indication that the Lords may have envisaged an attempt to make workable the scheme of James II's minority. This was to have a Lieutenant-General ruling in government for a young King who was in the physical keepership of his mother:

"...providing always that the person of the most noble king of Scotland be surely kept now in his young age and after the tenor and dues of the last will and testament of the late king..."⁴¹

At this stage, Queen Margaret had not identified herself with any one interest against another, but it is hard to believe that she would accept such a subordinate role, especially as it seemed likely to involve acquiescence in the promotion of further warfare against England. The English were not slow to try diplomatic moves to urge the Queen and Council against supporting France.⁴² The Council had supported the position of Margaret as defined by the last will and testament of James IV, reflecting a desire to have a figurehead, aloof from the petty disputes of the self-interested ruling class. Less certainly, it reflected a desire to prevent Albany sending the young James V to be brought up in France.

The desire of the majority of the Council to prosecute the war intensified with the coming of Spring, the season for action and not just words. Lord Darcy, Captain of Berwick castle, reported to Henry VIII on 20 March 1514 that the Scots had attacked across the Border and burnt five English/

English towns.⁴³ Such actions were limited and there was no mention of the accomplishment of an anticipated Scottish attack on Berwick itself. In order to maintain pressure on England, the Scots were forced to rely on French help and this was no longer forthcoming after France concluded a truce with her enemies, comprehending Scotland, in March 1514. By August this had been converted into a full peace with England, sealed by a marriage alliance.

The effects of the truce of March 1514 were twofold. Firstly, it made peace between England and Scotland without the active participation of either. Henry VIII was sold out in his preparations for a renewed campaign in France, by his allies, Ferdinand, King of Aragon and the Emperor Maximilian, who needed little prompting to accept the status quo after Louis XII had assuaged papal displeasure by submitting to the Lateran Council.⁴⁴ The French King stretched diplomatic credibility beyond breaking point in his instructions of June 1514 by suggesting that he signed the truce with the King of Aragon "...to relieve the King of one enemy the better to help Scotland..."⁴⁵ Scottish recovery from the trauma of Flodden would certainly have been better-aided by peace with England, than by foolhardy attempts at revenge, even if the latter course appealed to many.

The second effect of the truce was to concentrate attention in Scotland on the possibilities of peace. It would not have been unwelcome to Queen Margaret to have those Lords who supported Albany's return meet with such a setback, for he could hardly bring aid to prosecute a war which was no longer in existence. The Anglo-French amity was sealed despite Henry's continued warlike preparations in the summer of 1514, and their accord/

accord was incompatible with a continuation of the foreign policy which James IV had reluctantly been forced to accept. The new situation was dictated as much as before by events outside Scotland. Indeed, the possibility that the accord would mean that Henry VIII could settle Anglo-Scottish relations entirely to his satisfaction was not just the talk of wily diplomats,⁴⁶ nor the hopeful speculation of Ferdinand,⁴⁷ and Maximilian.⁴⁸ At least as early as April 1514 there was a scheme mooted to Lord Dacre for the widowed Queen Margaret to seal the peace with France by marriage to the widower, Louis XII, whose wife Anne, Duchess of Brittany, had recently died without giving him a son and heir.⁴⁹ This scheme prompted Dacre's somewhat contemptuous retort, "If the French King please to marry her, he can have her...".⁵⁰ With Margaret in France and France as England's ally, Albany would also have been kept out and who could then have prevented the preponderant influence of Henry VIII?

The practical effects of the truce included a cessation of the Scottish trading rights in Flanders, despite James V's and Margaret's protest for the upholding of a treaty in force for nearly a century.⁵¹ Within Scotland, the ruling class remained divided in the summer of 1514, unwilling to accept Margaret's direction of government, unanimously, or even to heed Albany's injunctions to sanity.⁵² The conclusion that Margaret was not making a point of "fostering unity" is borne out by a consideration of the main actions of the Council in this period.

The most contentious issues concerned the usual factors of wealth, power and influence, which were combined in the major benefices. The disposal of these benefices had long been of the utmost importance to Scottish rulers and James III had succeeded in obtaining a confirmation of the privilege of eight months' grace in which to make the royal nomination known to/

known to the Pope for provision to the wealthiest benefices.⁵³ In late 1513 it was a matter for the Queen and Council to approve a new Archbishop of St Andrews and to fill the other positions made vacant by deaths at Flodden. Again, they had to contend with Henry VIII's influence at Rome when the English King wrote to Pope Leo X on 12 October 1513, bringing up claims to supremacy over Scottish benefices which had not been heard for nearly two centuries:

"...The church of St Andrews was only recently made metropolitan and the Archbishop slain in the battle was only the second of that dignity, and his predecessors were always suffragans of the Archbishop of York. Begg he will recall the grant of metropolitan honours to that see, and reduce it to the dignity of a bishopric... As the affairs of Scotland concern him nearly, begs Leo not to dispose of any of the Scotch bishoprics, rendered vacant by the slaughter of the prelates who were in the battle, armed and without sacerdotal habit, until Henry has expressed his wishes with regard to them..."⁵⁴

This would have been a serious curtailment of Scottish privileges and a threat even to Scotland's sovereign status had it been answered. In fact, Leo X in reply referred only to Henry VIII's request for James IV to be given a Christian burial, notwithstanding his death while under excommunication. Leo X allowed this, "...as it is to be presumed the King gave some signs of repentance in his extremities..."⁵⁵

The fact that a Papal candidate for the Archbishopric of St Andrews had already been promoted on 15 October 1513,⁵⁶ and that this candidate was Leo X's nephew, Cardinal Innocenzo Cibo, may have had something to do with the papal refusal to satisfy Henry VIII. Leo would have no wish to reduce the bargaining potential of his candidate by having to heed Henry's desires.

The emergence of several more candidates for the primatial see made the St Andrews dispute one of the most visibly contentious in the first period of the minority. The eventual victor, Andrew Forman, did not obtain full, undisputed possession until 1516. It seemed to matter little that one/

one of the candidates was the man best qualified by age and experience among Scottish churchmen, William Elphinstone, Bishop of Aberdeen, though it is true that other Scottish candidates at least waited for his death in October 1514 to mount their campaigns.⁵⁷

Andrew Forman, the ultimately successful candidate, had been a regular ambassador to France. Besides holding the Scottish see of Moray, he had been promoted at Louis XII's insistence to be Archbishop of Bourges in addition in July 1513.⁵⁸ He was recognisable as one of the most prominent supporters of the French alliance and as one who had been in the forefront in advocating the Flodden campaign. His success was due partly to the influence which the Duke of Albany initially cast in his favour, but primarily to the fact that he had a position with which to bargain against Cardinal Cibo. In April 1514, Leo X proposed to Albany the scheme which was eventually put into effect.⁵⁹ This scheme was that Forman would be translated from Moray to St Andrews, while resigning Bourges in favour of Cibo whose claims to St Andrews would be surrendered. Forman's agreement to this was confirmed by a grant of the coveted title of 'legatus a latere' in December 1514.⁶⁰

The Scottish Council remained obstinately in favour of the promotion of William Elphinstone, and despite the papal scheme, Margaret confirmed in August 1514 in letters of supplication to Rome that the royal preference was for the translation of Elphinstone from Aberdeen to St Andrews.⁶¹ After Elphinstone's death, two other candidates came to prominence. These were firstly John Hepburn, Prior of St Andrews and Vicar-General of the vacant see (and so described as late as January 1516⁶²); and Gavin Douglas, the Provost of St Giles' kirk, Edinburgh and uncle of the 6th Earl of Angus. The qualifications of these two mattered less than their connections and the Douglas candidature was boosted by the marriage of Queen Margaret to Archibald, 6th Earl of Angus. Hepburn did not have either French or Papal support/

support for his promotion but he probably benefited from a Scottish perception that Forman's close ties to France would prevent his return during the peace. Forman did not have Albany's unqualified support,⁶³ and the candidature of Hepburn was favoured by influential Lords such as Huntly, Crawford, Arran and James Beaton, Archbishop of Glasgow in early 1515, peers notably opposed to Margaret and in favour of closer French links.⁶⁴ Queen Margaret did favour Gavin Douglas after Elphinstone's death and she tried unsuccessfully to raise Henry VIII's enthusiasm for the promotion of Douglas in November 1514. At that stage his physical control on the principal residence of the Archbishop of St Andrews, St Andrews Castle, was threatened by a siege led by John Hepburn.⁶⁵ By 8 December 1514, Douglas had been ordered by papal mandate to relinquish control of the castle, though presumably in favour of the papally-approved candidate, Forman.⁶⁶

The dispute over St Andrews overshadows other controversies concerning the provisions to benefices, reflecting its pre-eminence within Scotland. It is important in giving a suggestion of the lack of authority which Queen Margaret enjoyed in her first regency because protestations about Scottish privileges carried no weight at Rome after 1513 during her control. There is a record of the approved candidates of the Queen and Council in letters to Rome of August 1514.⁶⁷ At that stage, the ailing Elphinstone⁶⁸ was still the choice for St Andrews; George Crichton, Abbot of Holyrood, was to replace him at Aberdeen, and Patrick Paniter, the Royal Secretary, was to transfer from Cambuskenneth to Holyrood. The Bishop of Caithness was to receive Cambuskenneth in commend for life. Gavin Douglas, soon to be setting his sights higher, was to receive Arbroath Abbey; James Hepburn - Dunfermline; Alexander Stewart - Inchaffray; The Bishop of Argyll (David Hamilton) - Glenluce; and David Home - Coldingham. The inclusion of several men who were shortly to be prominent opponents of the Queen indicate/

indicate that this was one of the last occasions on which something like a 'national interest' prevailed. Significantly few of these provisions were eventually accomplished. Margaret's particular concern for the Borders led to her support for a local candidate, Thomas Kerr, against the absentee commendator and important government official, Andrew, Bishop of Caithness, for the abbey of Kelso. The material advantage of strong local defence in its exposed position on the Borders helped this provision to succeed.⁶⁹

The other very protracted dispute was over the preceptory of Torphichen, leadership of the Order of the Knights of St John of Jerusalem in Scotland, a position which carried the lay title of Lord St John's. George Dundas, it was stated in the preamble to a mandate in his favour,⁷⁰ had already won three definitive statements at Rome confirming his rights against the claims of Patrick Paniter. Another candidate was Alexander Stewart, Albany's brother, who was eventually satisfied by provision to Inchaffray Abbey, in accordance with the Scottish desires expressed above, in November 1514.⁷¹ The dispute over Torphichen continued to be prosecuted before the Scottish Council for several months in 1515,⁷² but George Dundas eventually secured his rights and became an active councillor during the governorship of the Duke of Albany.

Margaret's ability to exercise control over the Scottish political community may have been fatally affected by her early inaccessibility due to her pregnancy. Her son, Alexander, Duke of Ross, was born at the end of April 1514, but by then her lack of control was apparent and Albany was writing by June that,

"...Margaret should make a point of fostering unity. The council and the estates are to be told that Albany writes so often in this strain because of several reports of faction..."⁷³

in the same letter where he gave the Scots the recommendation that they use the "sanest advice" in adopting policy.⁷⁴

Shortly before this, Lord Dacre had reported news received from spies in Scotland, to Henry VIII: "...Sir, of a surety, there is noder law ne reason ne justice at this day used ne kept in Scotland, but git that git may..."⁷⁵ Dacre identified a division of the parties in Scotland at this stage which corresponds surprisingly well to geographical separation into northern/western Lords and southern/eastern Lords. Huntly, Crawford, Lennox, Glencairn and Cassilis with others of the north side of Forth being opposed to Angus, Morton, Arran, Home, Borthwick, Maxwell, Crichton of Sanquhar and Seton, and other Lords from Lothian and the Borders. Those nearest the English frontier were strongest in support of the French alliance.

There is evidence that divisions were not yet inflexible. Despite the seizure of opportunity to settle old scores by some - and the Council were certainly kept busy trying to answer those who called for redress on this account - the Council itself could still act together to prevent anarchy.

On 31 May 1514, all Sheriffs were called upon to execute justice in their bounds, being granted general commissions to bring to justice all manner of "...recent slauchteris, reiffis, stouthis and heirschippis committit sen the feild and to be committit in tyme tocum within the boundis of thar offices..."⁷⁶

Uncontroversial matters such as help to widows of Flodden by allowing all royal tacks granted to men who had been killed to be taken up by the widow, son or nearest heir of the dead for terms of three years from Whitsun, were still able to raise widespread support. Concern for the defence of the realm prompted the inclusion of the stipulation that the successor find a sufficient person to do service in the King's wars as necessary.⁷⁷

There was definitely no general sanction of anarchy and this was made clear in an Act of July 1514 which intended to make clear that there would be no loss of control of the localities to unpunished thieves and murderers. Any encouragement which rumours of disunity in the Council may have given to "evill disposit pesons" was condemned on the grounds of the fiction of the rumours,

"... tharfor the kingis graice, the queyn and all the estatis of the realme spirituale and temporale in ane voce declaris and makis manifest till [all] and sindry the kingis liegis that the estatis of the realme ar of ane will and mynd to remane togidder in defence of the realme fra our inimys and to caus justice, and will have the samyn ministrat in the maist extreme wys out throwcht all the realme of all maner of oppin herscheppis, murthouris, slauchteris, commone thiftis, reffis and spulzeis, and will that justice aieris be incontinent proclamit and haldin thar apon..."⁷⁸

The wide-ranging support which this measure enjoyed is clear from the autograph signatures to it, being drawn from either side in Dacre's division and representing the collective will of all shades of political opinion. Two days later on 12 July 1514, an even wider range of councillors signified their assent to the continuation of Queen Margaret as Regent:

"Madame, we ar content to stand in ane mynd and will and to concurr with all the Lordis of the realme to the plesour of our master the kingis grace, your grace, and for the comon weile, and to use nane uthir bandis now nor in tymes to cum in the contrar."⁷⁹

The "common weile" was a powerful ideal and the Anglo-French amity suggested that those who had supported Albany's claim to the governorship, particularly Arran and Home, may now have felt it unlikely that he would come to Scotland at all. Margaret was still generally acceptable, as a figurehead, to the majority, especially as her pregnancy had kept her out of active involvement in daily government and her influence with Henry VIII had not yet been proved to be negligible. It was possible to manipulate her to the best advantage of each Lord, or so they thought.

It was due largely to Margaret's own actions that within a month of its agreement, this accord had failed and the political community divided more openly than at any time since Flodden. She may have felt that she needed more practical assistance in running the government, or have determined that she would not act merely as a political cipher. Plans for her second marriage to Archibald, 6th Earl of Angus, were probably in hand from the early summer of 1514. One of the earliest indications of a rapport between Margaret and the family of the man whom she was later to marry, was the appointment of Angus' maternal grandfather, the seventy-six year old John, Lord Drummond⁸⁰ as Chamberlain of the royal lands of Strathearn on 1 May 1514. As his account in the Exchequer Rolls reveals, this also carried the significant position of Keeper of Stirling Castle and of the person of the King.⁸¹

Despite James IV's will which permitted Margaret to act as Regent only so long as she remained a widow, it was hardly to be expected that the vivacious twenty-four year old sister of Henry VIII would remain unmarried when she had several attractions for potential suitors. She was young and had already proved her child-bearing capacity, notably her facility for sons. (It may also have been noted that of her six children, only two were still living, the elder barely two years old.) Plans which others made for Margaret were all highly speculative, despite her liability to diplomatic use in furthering English policy. A foreign marriage would not have pleased Margaret, given the later strong maternal feelings she was to exhibit towards James V, since it would have meant almost certainly permanent separation from him. However, as was eventually to prove true, marriage to any potential Scottish suitors carried the problem of automatically lowering Margaret to the status of her erstwhile subjects, and too/

and too closely identifying her with one faction. The jealousies of those who lost out in the manipulation stakes could not be underestimated. In fact, Margaret probably did underestimate the strength of opposition to her marriage, though it is hard to credit blind infatuation as the cause of this.

Almost from the moment of her widowhood, Margaret had been talked about as an eligible bride. The Milanese Ambassador at Rome reported to his master a conversation which he had had with the English Secretary in October 1513:

"...in speaking of the good qualities and beauty of the King of Scotland's wife, [he] gave a hint that she would make a good wife for your Excellency, [i.e. Massimiliano Sforza, Duke of Milan], especially as she is not barren, as she has borne a son to her late husband..."⁸²

A marriage alliance between England and the Sforza Duke of Milan would have benefited England, but would have brought no tangible profit to Scotland. English aid to the Holy League had helped Sforza to be restored to his duchy against the claims of the French King. The English were clearly thinking of Margaret as Henry VIII's sister rather than as James IV's widow. This plan was never pursued.

A more serious plan was reported by the Venetian Ambassador in England in January 1514. Henry proposed to give Margaret in marriage to the Emperor Maximilian as part of a three-pronged marriage alliance with the Hapsburgs. This plan, which was a direct threat to France, included their sister, Mary Tudor, to Charles of Burgundy, later Emperor Charles V, and Madame Margaret, the Emperor's daughter to Lord Lisle, Charles Brandon, who was to be created Duke of Suffolk.⁸³ These three ladies were again mentioned as the most eligible when Louis XII of France himself became a widower⁸⁴ and Margaret Tudor may have been favoured because she had proved her capacity/

to bear sons, of whom Louis had none.⁸⁵ The marriage market was confused by the truce of February 1514. Although Mary Tudor and Charles, later Charles V, remained potential suitors, until early May, at least,⁸⁶ the disdain with which Ferdinand of Aragon and the Emperor Maximilian had scuppered Henry's plans for a renewed attack on France and the excuses which they dreamed up to put off the match of Charles, their mutual grandson and heir, to Henry's sister made an English volte-face likely.⁸⁷ If alliance with France was to be sealed in time-honoured tradition by marriage alliance, then Margaret was surely the preferable bride from Henry's point of view. Such a marriage would have sent Margaret to France, while amity with France would have kept Albany out, leaving a regency council in Scotland without amenable allies and clearly open to influence from England. The alliance was concluded, the marriage was not. The explanation probably lies in Louis XII's personal choice of Mary rather than Margaret Tudor.

Margaret's own desires for the qualities of a second husband rested on several points. These have recently been described as:

"...a strong arm to carry out her decrees, a firm voice to urge agreement with her policies, a reliable companion to sustain her in adverse circumstances..."⁸⁸

In order to avoid having to leave her children, she was looking for a Scottish husband, and the selection in early 1514 was hardly wide. Apart from the young Earl of Angus, the only other eligible member of the front rank of the peerage was James Hamilton, Earl of Arran. Apart from the fact that he was already over forty years old, his chances were blighted by the dubiety of his divorce from his first wife, Elizabeth Home.⁸⁹

One marriage might have solved all of the problems of Queen Margaret and Scotland at once - Margaret to John, Duke of Albany; but this was not possible. Albany was already married and no record of any attempt to obtain a/

obtain a divorce survives, (except in unreliable English sources of the 1520s when Albany was furthering Margaret's divorce from Angus), though this did not prevent the possibility being aired. Queen Margaret attempted to discredit Albany in April 1516, after her flight to England by claiming that he sent her tokens of marriage.⁹⁰

Archibald Douglas, 6th Earl of Angus, was probably about the same age as Queen Margaret. His parents were married in 1488 and he was their first-born child. He was the heir of the Red Douglas family which had a long, though not always honourable, tradition of involvement in Scottish government. Also by tradition, the family favoured alliance with England. Archibald began his political career on inheriting the lands and baronies of Douglas, Crawford-Douglas, Tantallon, Jedburgh-Forest, Abernethy and Selkirk following the death of his father, George, Master of Angus at Flodden.⁹¹ Archibald inherited the earldom of Angus after the death of his grandfather, the 5th Earl, in December 1513. The young Angus was retoured heir to his barony of Bothwell on 22 March 1514.⁹² One of his first appearances as a Lord of Council was on 3 April 1514 when the business concerned provision for Dunbar Castle, one of the principal castles of the East Coast and lying not far from Angus's own castle of Tantallon. Robert Forman, Dean of Glasgow, held Dunbar in the name of James IV's illegitimate son James, Earl of Moray, but was evidently under threat and repeated a request to the Council to aid him in providing necessary goods and men to the defence of Dunbar.⁹³

When Angus first met Margaret is a matter for conjecture, but their courtship must have been relatively brief - especially if it only began after Drummond's appointment as custodian of Stirling Castle. The marriage took place on 6 August 1514 according to Bishop Lesley:

"...Nocht lang heireftir the Quene wes moved to ane sudden marriage, quhilk sho did sore eftirwart repent: for upon the vj day of August, sho mariet Archebald, Erle of Angus for her plesour, without the King of England hir broderis assent, or the counsel of the nobilitie of Scotland..."⁹⁴

It is sentimental to believe that Margaret married Angus solely "for her plesour"; from all other evidence Margaret was not a sentimental person. The coincidence of Angus being the head of the very powerful Douglas kin, a family well-known for English sympathies, at a time when Margaret needed definite practical support, as opposed to vague goodwill, if she was to exercise anything more than a nominal authority, cannot be passed over lightly.

The efforts made by the young couple to keep their marriage a secret in order to rally their defences suggests a certain degree of foreknowledge of the jealousy of the other Lords. Pitscottie states that they married, "...[without] the advyse and consall of the Lordis ffor they knew nathing thairof ane long tyme efter..."⁹⁵

There was no mention of the marriage in English correspondence until 1 September⁹⁶ and the likelihood is that the marriage took place in private at Kinnoull Church in Strathearn,⁹⁷ where Lord Drummond was the Chamberlain. The marriage certainly was not a ceremonial state occasion.

The first move which Margaret and Angus made in their joint bid for real power was to deprive James Beaton, Archbishop of Glasgow, of the great seal, symbol of the chancellorship.⁹⁸ This was quickly opposed by many influential councillors and Margaret and Angus were forced to compromise just three weeks after their marriage on 26 August. The strength of opposition to the exercise of power by Margaret and Angus can be judged from the fact that many of those who only rarely attended the Council came at this stage to back the compromise. Sixty-one men appeared in this period on/

period on the Council out of eighty-four who appeared at least once over the whole year, 1514; over 40% of these making their only appearance on the Council at this time.⁹⁹ It is clear that the resentment of a sufficient number of Lords allowed Archbishop Beaton and Lord Home to lead a successful pronouncement of Margaret's effective deposition from her regency. The marriage played into the hands of her opponents.

The compromise of 26 August 1514 had evidently been negotiated beforehand. Neither faction was yet strong enough to obtain control - the marriage persuaded a lot of the uncommitted Lords to prevent Angus from wielding power but this did not mean that they supported Beaton, Home or Arran's wielding of the same power. Margaret and Angus were actively supported by his uncle, Gavin Douglas, postulate of Arbroath, (and soon to be their candidate for St Andrews Archbishopric); Angus's grandfather, Lord Drummond, and Lord Ogilvy of Airlie.¹⁰⁰ For the Lords of Council, David Hamilton, Bishop of Argyll; Lord Home, the Chamberlain; George Crichton, Abbot of Holyrood; and Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register were the negotiators. They agreed to impose a temporary ban on Margaret using her powers as Regent, which pertained to the Crown, until 12 September, and for up to eight days thereafter to allow full consideration of her rights in the matter. Representatives of both parties were to keep the disputed great seal to prevent it being used wilfully by either side. (Gavin Dunbar, Archdeacon of St Andrews, was to keep the seal itself, but the keys were given to Gavin Douglas.)

The most significant clause was the first, in which:

"...the quenis grace with consent of hir husband and Lordis forsaid sall consent that my Lord duk of Albany as governour of Scotland be send now in continent for and in all gudlie haist and sall subscribe now the lettres to be send for him..."¹⁰¹

This indicates the strength of opposition Margaret's marriage to Angus raised, because her position must have been in considerable jeopardy for her to put her name to a call for Albany to come to Scotland, especially agreeing to the use of the style, "as governour". She relied on the fact that Albany had not responded positively in the nine months since Arran and Fleming made the initial approach to him, and the Anglo-French amity suggested that Louis XII would not be too anxious to displease his new ally and brother-in-law, Henry VIII, by sending Albany to Scotland. The seeds of the later allegations of Queen Margaret's perfidy had been sown however. If she could once agree to call for Albany to come to Scotland, "as governour", how could she deny his claim once he was in Scotland?

The compromise seems to have held firm for a time with both sides using the respite to rally support. During the extra time allowed for discussion of Margaret's rights, a group of Lords convened at Dunfermline. The Lords who gathered there included leading government officials such as the Chancellor (James Beaton); Lord Clerk Register (Gavin Dunbar) and Royal Secretary (Patrick Paniter). Leading lay peers were also present, including Arran, Huntly, Cassillis, Argyll and Lord Home. Other prominent Albany supporters, including his half-brother Alexander Stewart, Postulate of Inchaffray, and Robert Forman, Dean of Glasgow (brother of Andrew Forman who enjoyed French support in his claims to St Andrews), also took part but this was not merely a gathering of committed opponents of Angus. Previously irregular Council attenders such as Hugh Montgomery, Earl of Eglinton, and Andrew Stewart, 3rd Lord Avandale, and others, persuaded by kin allegiance to support this 'official' council, e.g. Arran's bastard half-brother, Sir Patrick Hamilton of Kincavil, were also present. Queen Margaret and her supporters had retired to Stirling Castle, an easily-defensible/

easily-defensible stronghold of which Lord Drummond had been Keeper. From there, Margaret sent Gavin Douglas with a commission to object to some of the Lords of Council who were 'suspect' to her,¹⁰² notably the erstwhile Chancellor, Beaton and David Arnot, Bishop of Galloway. This commission was not satisfied by the Lords gathered at Dunfermline and they renewed their call to the Duke of Albany, betraying a slight hint of desperation in their phraseology:

"The said day all the saidis Lordis in ane voce has consentit and concludit that lettres be writin to my Lord duk of Albany, governour of Scotland to cum hame in this realme of Scotland in all possible haist for defence of the samin and for gud reule to be put and kepit in the said realme in all partis."103

On the same afternoon they reiterated the call with the additional desire that Albany bring all the aid he could obtain in money, munitions and men from the King of France as he had promised before. Despite the improbability of this happening while the Anglo-French peace held, the Albany sympathisers pointed quite reasonably to the fact that,

"...the condicions of the comprehension ar undirstand to the saidis lordis of consell to contene rather weir than pece, and tharfor to pray the said governor to provyde for defence of the said realme..."104

Margaret had undermined her potential support by looking to peace with England at a time when revenge for Flodden was the more popular sentiment. This was confirmed at the very time that the 'official' council issued the above sentiments in a letter written in James V's name, but whose dating - 23 August 1514 - and tenor suggested that the inspiration came from Margaret and her supporters.¹⁰⁵ The letter contained an order to the "officer in charge on the borders" (who was Lord Home,¹⁰⁶ a prominent member of the opposition gathered at Dunfermline) to abstain from hostilities and meet with the English warden for peace.

The assembly at Dunfermline concluded their discussions by declaring that:

"...the quenis graice has tynt the office of tutrix of the kingis grace our soverane Lord hir sone, and sall ceis fra the using of the samyn in times cuming and sall nocht intromet with na materis pertening to the crown, and decernis the lordis of counsale to provyde tharfor, becaus sche has contractit mariage and past 'ad secundas nuptias' throw the quhilk the office of tutory cassis in hir conforme to the lawis of the realme..."¹⁰⁷

This latter point made a convenient and indisputable excuse for depriving Margaret and it would probably have been insurmountable in the case of her marrying anyone. A foreign marriage would have meant her leaving Scotland anyway, and any Scots marriage would have provoked jealousy. Nevertheless, Margaret's choice of Angus helped to increase the support for those opposed to her - fear of the exaltation of a family with such a notorious view of its own importance played an important part.

The Lords still sought a compromise because Albany had not yet given any indication of coming to Scotland. On 21 September 1514 they constituted the Bishop of Argyll (David Hamilton), John, Lord Erskine, the Prior of Whithorn and Sir William Scott of Balwearie as their representatives to meet Margaret's advocates, Alexander, Earl of Crawford; John, Lord Drummond; Gavin Douglas, Postulate of Arbroath; and Robert Shaw, Abbot of Paisley, (or any other Lords with the Queen). It was intended that they should discuss all matters of debate between the two sides except the decret depriving Queen Margaret from the regency since, they claimed, that was based on an incontrovertible point of law and not on party politics. Given the lateness of the year, no-one could expect Albany to arrive before the Spring, even assuming that the political climate would then be favourable. The desire was strong on both sides to avoid open civil war. Margaret still felt herself to be in a reasonable position since she had protested against the partiality of the leading councillors who had pronounced her deposition at Dunfermline and she could justify her continued opposition on the grounds of the illegality of their decision. Her support is less-clearly defined, but it was evidently not strong enough to enable her to overcome the forces ranged against her. Compromise would seem acceptable to both sides.

CHAPTER ONE NOTES

- 1 Extracts from the Records of the Burgh of Edinburgh vol. i (Edinburgh, SBRS 1869) 143-4 10 September 1513.
- 2 Calendar of State Papers and Manuscripts existing in the Archives and Collections of Milan vol. i ed. A B Hinds (London 1912) no. 655 King Henry VIII of England to Massimiliano Sforza, Duke of Milan. 16 September 1513.
- 3 Letters And Papers, Foreign And Domestic, of the Reign of Henry VIII, 1509-1547 Ed. R H Brodie. 2nd edn. rev. (London, 1920), i, part ii no. 2332 Venice (note of letters received 4 Oct. 1513) 1 Oct. 1513; hereafter cited as L&PHVIII.
- 4 Calendar of State Papers and Manuscripts, relating to English affairs, existing in the Archives and Collections of Venice vol. ii, 1509-1519 ed. Rawdon Brown (London, 1867) no. 341 'Flodden' 22 October 1513; L&PHVIII i pt. ii no. 2313 Venice (report sent from England 29 Sep. 1513).
- 5 J Lesley, The History of Scotland from the Death of King James I in the Year 1436 to the Year 1561 (*Bannatyne Club, 1830*) 97.
- 6 Acts of the Lords of Council in Public Affairs 1501-1554 : Selections from Acta Dominorum Concilii, ed. R K Hannay (Edinburgh, 1932) 1-2. The sederunt lists are given in full in Scottish Record Office CS5/26-38: Acta Dominorum Concilii 26 ff.3,3v; hereafter cited as ADC.
- 7 The Scots Peerage, ed. Sir J Balfour Paul (Edinburgh, 1904-14) vol. i 21.
- 8 The Letters of James The Fourth 1505-13, edd. R K Hannay and R L Mackie (SHS, 1953) nos. 443 James IV to John of Denmark 22 April 1512; *ibid.* no. 444 James IV to the Queen of Denmark [22 Apr. 1512].
- 9 A Diurnal of Remarkable Occurrents that have passed within the country of Scotland since the death of King James the Fourth till the year 1575 (*Bannatyne Club, 1833*), 4; A Myln, Vitae Dunkeldensis Ecclesiae Episcoporum (*Bannatyne Club 1831*), 47; cf. Rentale Dunkeldense, Being Accounts of the Bishopric (AD 1505-1517) with Myln's 'Lives of the Bishops' (AD 1483-1517), trans. and ed. R K Hannay (SHS 1915), 315 : "James V was crowned ... at Stirling on St Matthew's day ... (i.e. 21 Sep. 1513)."
- 10 G Buchanan, The History of Scotland, translated J Aikman (Glasgow, 1845) ii 202.
- 11 The Asloan Manuscript, ed. W A Craigie (STS, Edinburgh, 1923) vol. i 231-2.
- 12 The Acts of the Parliaments of Scotland, edd. T Thomson and C Innes (Edinburgh, 1814-75) vol. ii 54. The arrangements settled on 6 Sep. 1439 made clear what position Joan Beaufort had so far enjoyed since the murder of King James I and that which she was to enjoy in future.

- 13 James IV Letters nos. 349, 351, 354, 355, 356, James IV to Pope Julius II; the Duke of Savoy; Maximilian, Emperor-elect; and the King of Hungary, 5, 7 Feb. 1511.
- 14 Flodden Papers 1507-17, ed. M Wood (SHS, 1933) no. vi Instructions to Andrew Forman, Bishop of Moray Jan. 1512; *ibid* no. xiii Albany's instructions Nov. 1512.
- 15 *Ibid*; cf Marie W Stuart, The Scot Who Was a Frenchman (Edinburgh, 1940) 22, and Appendix A, 295.
- 16 Flodden Papers no. xiv Louis XII, King of France to James IV, King of Scotland. Dec. 1512: "...et qu'on ne puisse dire qu'il soit yssu de si pouvre lieu qu'il n'ait donne quelque chose à sa femme..."
- 17 APS ii 282. Matters proposed at the General Council at Perth, 26 Nov. 1513.
- 18 Flodden Papers no. xviii Louis XII's instructions 4 Oct. 1513.
- 19 *Ibid.* no. xx Instructions by Albany to Monsieur De La Bastie.
- 20 See above 2 and n.4, Cal. State Papers (Venice) ii no. 341 'Flodden' 22 Oct. 1513.
- 21 For losses at Flodden see Appendix A.
- 22 For losses among the spirituality see also Appendix A.
- 23 ADC 26 f.5v 29 September 1513.
- 24 Registrum Magni Sigillii Regum Scotorum, edd. J M Thomson et al (Edinburgh 1882-1914) vol. iii 1513-46 no. 2.
- 25 ADCP 4.
- 26 *Ibid.* 7-8, 10 Jan. 1514.
- 27 *Ibid.* 7, 2 Dec. 1513; 8, 10 Jan. 1514.
- 28 *Ibid.* 1, 24 Aug. 1513.
- 29 L&PHVIII i pt. ii no. 2443 Thomas, Lord Dacre to Henry VIII 13 Nov. 1513. For details of Dacre's career as Warden of the English West March, see Appendix B.
- 30 ADCP 6 26 November 1513.
- 31 ADC 26 ff.13v-14; ADCP 5-6. For these losses see Appendix A.
- 32 *Ibid.*
- 33 RMS iii no. 2 : "...occisus fuit cum patre regis in campo bellico..."
- 34 Flodden Papers no. xxiv Instructions by Albany to Master James Ogilvy 13 June 1514.

- 35 W M Mackenzie, The Secret of Flodden (Edinburgh 1931) 94 quoting 'National MSS of England' part ii no. v.
- 36 L&PHVIII i pt. ii no. 2443 Thomas Lord Dacre to Henry VIII, 13 Nov. 1513.
- 37 ADCP 9-10.
- 38 Ibid. 6.
- 39 Sederunt of General Council at Perth. 26 Nov. 1513. APS ii 281:
James Beaton, Archbishop of Glasgow, Chancellor; William Elphinstone, Bishop of Aberdeen; James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness; David Hamilton, Bishop of Argyll; Edward Stewart, Bishop of Orkney; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; William Turnbull, Abbot of Coupar; Henry Orme, Abbot of Lindores; James Hepburn, Postulate of Dunfermline; John Home, Abbot of Jedburgh; Patrick Paniter, Postulate of Cambuskenneth; Andrew, Postulate of Caithness (?); Gavin Dunbar, Archdeacon of St Andrews; Robert Forman, Dean of Glasgow; Walter Drummond, Dean of Dunblane; Colin Campbell, 3rd Earl of Argyll; James Hamilton, 1st Earl of Arran; James Douglas, 3rd Earl of Morton; John Stewart, 3rd Earl of Lennox; William Hay, 5th Earl of Erroll; Alexander Lindsay, 7th Earl of Crawford; William Keith, 3rd Earl Marischal; John Stewart, 2nd Earl of Atholl; Gilbert Kennedy, 2nd Earl of Cassillis; Hugh Montgomery, 1st Earl of Eglinton; Alexander, 3rd Lord Home; John, 1st Lord Drummond; John, 2nd Lord Fleming; John, 2nd Lord Oliphant; John, 5th Lord Erskine; William, 1st Lord Ruthven; Robert, 5th Lord Maxwell; John, 6th Lord Forbes; Ninian, 3rd Lord Ross of Halkhead; Robert, 3rd Lord Crichton of Sanquhar; William Keith, (? Robert Keith) Master of Marischal; John Montgomery, Master of Eglinton; William Murray of Tullibardine; William Menteith of Kerse; Patrick Crichton of Cranston-Riddale; Patrick Hamilton of Kincavil; David Bruce of Clackmannan; Andrew Kerr of Ferniehurst; James Shaw of Sauchie; Philip Nesbit of that ilk; Alexander Hume of Spot; Gilbert Menzies, Provost of Aberdeen; Alexander Blair, Provost of Perth; James Wishart of Pitarrow, Justice Clerk.
- 40 Antoine D'Arces, Seigneur De La Bastie was already familiar with Scotland. He had received presents from James IV on previous visits to Scotland, e.g. Accounts of the Lord High Treasurer of Scotland, edd. T Dickson and Sir J Balfour Paul (Edinburgh 1877-1916) vol. iii 364-6 Jan.-Feb. 1507; *ibid* vol. iv 124, 127-8 June 1508.
- 41 APS ii 282.
- 42 L&PHVIII i pt. ii no. 2423 Thomas Ruthal, Bishop of Durham to Henry VIII 1 Nov. 1513.
- 43 *Ibid.* i pt. ii no. 2740, Thomas, Lord Darcy to Henry VIII 20 Mar. 1514. Thomas, Lord Darcy (b. c.1467) was a former warden of the East and Middle Marches and was, until 1515, Captain of Berwick Castle: see G.E.C. The Complete Peerage, edd. V Gibbs et al (London 1910-59) iv 73-74.

- 44 J Scarisbrick, Henry VIII (London, 1968) 50-52. A Teulet, Inventaire Chronologique des Documents Relatifs a l'Histoire d'Ecosse... (Abbotsford Club 1839), 60, 31 Mar. 1514. Confirmation of this submission was dated 26 Oct. 1513 : L&PHVIII no. 2399 Louis XII 26 Oct. 1513.
- 45 Flodden Papers no. xxiii Instructions to Master James Ogilvy 11 June 1514.
- 46 L&PHVIII i pt. ii no. 2815 Wingfield and others to Henry VIII 18 April 1514.
- 47 Ibid. no. 2860 Ferdinand, King of Aragon to Vich April 1514.
- 48 Ibid. no. 2794 Emperor Maximilian to Margaret of Savoy 8 April 1514.
- 49 A message of condolences from the Doge of Venice on 23 Jan. 1514 to the French Ambassador already includes talk of Louis' remarriage, with Margaret among the most suitable candidates: Cal. State Papers (Venice) ii no. 367.
- 50 L&PHVIII i pt. ii no. 2793 Dacre to Henry VIII 8 April 1514.
- 51 The Letters of James V, edd. R K Hannay and D Hay (Edinburgh, 1954) 6-7, James V and Margaret to the Senate and Council of Ghent (1513-14).
- 52 Flodden Papers no. xxiv Instructions by Albany to Master James Ogilvy 13 June 1514.
- 53 N A T MacDougall, James III A Political Study 229-30; cf L&PHVIII i pt. ii no. 3470 wrongly dated 23 Nov. 1514. This letter is detailed in J Herkless and R K Hannay, The Archbishops of St Andrews (Edinburgh, 1907) vol. ii 85.
- 54 L&PHVIII i pt. ii no. 2355 Henry VIII to Leo X 12 October 1513.
- 55 Ibid. i pt. ii no. 2469 Leo X to Henry VIII 29 November 1513; Thomas Rymer (ed.) Foedera ... Ab Anno 1101 ad Nostra Usque Tempora... (London, 1712) xiii 385.
- 56 Cal. State Papers (Venice) ii no. 339 Vettor Lippomano (Venetian Ambassador at Rome) to an unknown correspondent, 18 Oct. 1513.
- 57 L J McFarlane, William Elphinstone and the Kingdom of Scotland, 1431-1514 (Aberdeen, 1985) 431-3; cf. John Law, 'De Cronicis Scotorum Brevia (Edinburgh University Library MS) f.138 for Elphinstone's crown nomination.
- 58 Francisque-Michel, Les Ecosseis en France ... i 319-21, 7 June 1513; Flodden Papers no. xxiii Instructions to Master James Ogilvy, 105 n.2. Forman was provided by Pope Julius II on 15 July 1513.
- 59 James V Letters 8 Leo X to Albany 11 April 1514.

- 60 Regesta Leonis X 13155-9; Powers for Andrew, Archbishop of St Andrews as legate and primate 11 Dec. 1514; in L&PHVIII i pt. ii no. 3617.
- 61 James V Letters 12-13 James V and Margaret to Leo X 5 August 1514.
- 62 Fasti Ecclesiae Scoticanæ Medii Aevi ad annum 1638, ed. D E R Watt (St Andrews, 1969) 297; J Dowden, 'The Bishops of Scotland' (Glasgow, 1912) 39.
- 63 Herkless and Hannay, Archbishops of St Andrews ii 92-94.
- 64 ADCP 30, letters written in James V's name to Leo X described Forman as having sacrificed everything, unpatriotically, to his own ambition in promoting war - James V Letters 18-19, James V and Margaret to Leo X 14 March 1515.
- 65 L&PHVIII i pt. ii no. 3468 Margaret of Scotland to Henry VIII 23 November 1514.
- 66 Fasti 297.
- 67 James V Letters 12-13 James V to Leo X; to Cardinal Protector (St Mark), and Cardinal Cibo, 5 August 1514.
- 68 Hectoris Boetii Murthlacensium et Aberdonensium Episcoporum Vitae (New Spalding Club, 1894), 106 "... His friends dissuaded him from going [to meet the nobles among whom dissensions had broken out] for he was now ill..."
- 69 James V Letters 6 James V to Leo X undated (1513-1514).
- 70 L&PHVIII i pt. ii no. 2911 Leo X 16 May 1514.
- 71 Charters, Bulls and Other Documents relating to the Abbey of Inchaffray (SHS 1908) 257.
- 72 ADCP 33-4, 36, 37-8, 39-40, 56. June-Sep. 1515; cf The Knights of St John of Jerusalem in Scotland edd. Ian B Cowan, P H R Mackay and Alan Macquarrie (SHS 1983) introduction xlv - l. George Dundas had been coadjutor from 30 November 1508.
- 73 James V Letters 10-12 Instructions by Albany to Master James Ogilvy 13 June 1514.
- 74 above n. 52 - the letter printed in James V Letters is a translation of that in Flodden Papers.
- 75 L&PHVIII i pt. ii no. 2973 Lord Dacre to [Henry VIII] 4 June 1514.
- 76 ADCP 16 31 May 1514.
- 77 Ibid. 17 Of those mentioned by Dacre as being in opposite factions, two of the northern group: John, Earl of Lennox and Alexander, Earl of Crawford; and five of the southern group: Archibald, Earl of Angus; James, Earl of Morton; James, Earl of Arran; Alexander, Lord Home;

- and William, Lord Borthwick consented to this Act. The others present were Queen Margaret; James Beaton, Archbishop of Glasgow (Chancellor); William Elphinstone, Bishop of Aberdeen; James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness; Edward Stewart, Bishop of Orkney; David Hamilton, Bishop of Argyll; William, Earl Marischal; John, Lord Drummond; Patrick, Lord Lindsay of Byres; Robert, Lord Maxwell; John, Lord Forbes; Robert Shaw, Abbot of Paisley; James Hepburn, Postulate of Dunfermline; Gavin Douglas, Postulate of Arbroath; Gavin Dunbar, Lord Clerk Register; Patrick Paniter, Secretary; and Robert Forman, Dean of Glasgow.
- 78 ADCP 17-18 10 July 1514.
- 79 Ibid. 18 12 July 1514.
- 80 Scots Peerage vii 40-3, Drummond died aged 81 in 1519.
- 81 The Exchequer Rolls of Scotland, edd. J Stuart and others (Edinburgh, 1878-1908) vol. xiv 239, 243; cf. ibid. preface lviii. Drummond's appointment as Chamberlain of Strathearn was ratified by the Council on 31 May 1514 - ADCP 16.
- 82 Cal. State Papers (Milan) i no. 666 Hieronimo Morono (Milanese Ambassador at Rome) to Massimiliano Sforza, Duke of Milan 3 Oct. 1513.
- 83 Cal. State Papers (Venice) ii no. 371 Andrea Badoer (Venetian Ambassador in England) to the State 13 Jan. 1514.
- 84 Anne of Brittany died at Blois 9 Jan. 1514 aged 37: Cal. State Papers (Venice) ii no. 367 n.
- 85 Ibid. ii no. 367 Audience given by the College to the French Ambassador, who communicated letters from Rome to France, 23 Jan. 1514.
- 86 L&PHVIII i pt. ii no. 2877 Henry VIII to Margaret of Savoy 5 May 1514.
- 87 For details of England's volte-face and the reasons behind it, see Scarisbrick Henry VIII 50-55.
- 88 P Buchanan, Margaret Tudor, Queen of Scots (Edinburgh, 1985) 86.
- 89 Scots Peerage vol. iv 358-60. Arran did remarry in 1516 to Janet Beaton.
- 90 L&PHVIII ii pt. i no. 1830 undated (27 April 1516).
- 91 W Fraser, The Douglas Book (Edinburgh, 1885) iii Douglas Charters no. 183, 29 Nov. 1513.
- 92 The 5th Earl of Angus was dead by the last day of December 1513 - ER xiv 532 : Archibald Douglas, 6th Earl of Angus paid relief of the lordship and barony of Crawford-Douglas and of the lands of the barony of Abernethy; cf Fraser, Douglas ii 177-8.

- 93 ADCP 14 3 April 1514.
- 94 Lesley, History 99.
- 95 R Lindesay of Pitscottie, The Historie and Cronicles of Scotland (STS 1899-1911), i 280.
- 96 L&PHVIII i pt. ii no. 3227 Francis De Bordeaux to York Herald 1 Sep. 1514.
- 97 Scots Peerage i 22.
- 98 ADCP 19 (Arran calls for Beaton's restoration); Herkless and Hannay Archbishop of St Andrews iii 49-51.
- 99 ADC 26 ff.159-175v For details of council sederunts throughout James V's minority broken down into periods matching different periods of control, see Appendix E.
- 100 James, 3rd Lord Ogilvy of Airlie was the son-in-law of Alexander, 7th Earl of Crawford, who was also prominent in support of Margaret and Angus's cause. Crawford was the brother-in-law of Lord Drummond.
- 101 ADCP 19 26 August 1514.
- 102 Ibid. 20 Commission to Master Gavin Douglas by Queen Margaret.
- 103 Ibid. Dunfermline 18 Sep. 1514.
- 104 Ibid. 21 18 Sep. 1514 p.m.
- 105 James V Letters 13-14 James V to Louis D'Orleans, Duke of Longueville and the French envoys in England. 23 Aug. 1514.
- 106 Lord Home was the warden of the Marches and as such received his fee from the profits of Ettrick Forest: ER xiv 17.
- 107 ADCP 22 21 Sep. 1514.

CHAPTER TWO

Stalemate : Scotland divided, 21 September 1514 - 26 May 1515

The idea of compromise may have had theoretical attractions for both factions in Scotland, but in practical terms it was less desirable. Neither side was willing to give way on certain fundamental points and, therefore, compromise was impossible to achieve. The Chancellor, Arran, Home and their adherents, who now claimed to form the "official" Council (i.e. it was these Lords whose acts were recorded in the official 'Acts of the Lords of Council'.¹) were not willing to detract in any way from their decret stating that Margaret had forfeited her right to be tutrix and Regent by her second marriage. On the other hand, Margaret, Angus and the other faction,² were not willing to accept that Margaret's powers as Regent had been legally diminished. The period from Margaret's deposition to the arrival of John, Duke of Albany, in Scotland was thus one of impasse. The direct confrontation of the Lords of the "official" Council and those of Margaret's faction was complicated by the separate entry of a group of Western Scottish Lords headed by John, Earl of Lennox and his uncle, James, Earl of Arran, who do not seem to have been acting in any but their own interests. The factions in Scotland remained dependent on the outside influences of England and France and the stalemate was propagated by the negation of those influences by the Anglo-French peace. All the desires of the pro-French Council to have Albany in Scotland counted for nothing while Louis XII could assure England that he would never send the Duke to Scotland.³ This rebuff was made shortly after the Council had shown the goodwill borne to Albany by turning over Dunbar Castle to his servants.⁴ The actual restoration of Albany to his titles and estates, mooted even before James IV's death, was not yet on offer but Dunbar, besides being one of the best defensive strongholds on the East coast of Scotland, had been part of Albany's father's estate as Earl of March.

It was the death of the fifty-two-year-old Louis XII and the accession of his son-in-law as Francis I on 1 January 1515,⁵ which promised the quickest solution to the impasse in Scotland. Francis I, young, ambitious and energetic, held to the peace at first, but soon decided that the departure of Albany for the land of his forefathers would not constitute an unacceptable risk to that peace. Within five months Albany had reached Scotland.

Queen Margaret's words and actions in the first few months after her second marriage indicate clearly that her intention had been to obtain the effective control of government, no longer being content to act as a mere figurehead. In particular, the seizure of Archbishop Beaton and the expropriation of the Great Seal from his care indicates the importance she attached to the legitimation of her government.⁶ The seriousness of the situation for the Lords opposed to Margaret, after efforts to regain the Great Seal had failed,⁷ was clear from Margaret's decision to call a Parliament. The battle was for the support of the majority of uncommitted, even apolitical, Lords and those opposed to Margaret had to make attempts to justify calling her Parliament, "...pretendit ... without ony autorite or ordour..."⁸. They even threatened to make a new Great Seal for direction of precepts summoning a parliament to Edinburgh under their control, and for use in the office of Chancery, unless Thomas Ballantyne, Director of Chancery, restored the original Great Seal to their control.⁹ Professor Hannay noted the differences in 'summons to 'Parliament' and 'General Council' and stated that for the former, the Quarter Seal, (the testimonial of the Great Seal used for this purpose), had to be appended to precepts for Parliament. These seals reposed with the Director of Chancery who superintended the necessary writing and distribution of the precepts.¹⁰ At this time, the Director of Chancery, Thomas Ballantyne, was a supporter of Margaret.^{11/}

of Margaret.¹¹ Therefore, the importance of control of the Great Seal in legitimising a Parliament, and in winning over the uncommitted, is clear. It was a powerful propaganda weapon for Margaret to wield, and the opposition tried to ensure that the majority of Lords attended their Parliament at Edinburgh and not Margaret's at Perth by renewing the decret of her deposition. The same Lords, headed by the Chancellor, (Archbishop Beaton retained the style of his office, in the record, even when deprived of control of the Great Seal); William, Bishop of Aberdeen (whose last public act this was¹²); the Earls of Huntly, Arran, Argyll, and Lord Home, again pronounced Margaret deposed by reason of her second marriage. This time, they ordered the decret to be, "...notifiit and opinly proclamit in all public placis throwtut the realme quhar it is neidfull..."¹³ in the propaganda war.

Margaret was in a strong position at this time, not only because she had appealed against some of the judges who had pronounced her deposed, (and thus made that deposition illegal from the point of view of her supporters) but, more importantly, because she had physical possession of the King. The little avail to which she was able to put this advantage proves that the propaganda war was won by her opponents. By mid-November 1514, she was complaining that the opposition had eventually regained control of the Great Seal, (without apparently having had to resort to the expedient of making a new one) and that they were using it, "as they were kingis..."¹⁴.

Despite the added burden against successful compromise of rival parliaments depending at Perth and Edinburgh, efforts to reach an agreement continued to be made. Thomas Hay, provincial of the Black Friars in Scotland, took on the mantle of peacemaker in November 1514, but he seems to have obtained little hope of progress from the answer given by Margaret's faction/

Margaret's faction to his overtures for peace. As was only to be expected, her supporters took the view that they were in the right and had always acted in the best interests of the public weal, "...nor scho nor thai dividit nevir thaimself fra the laif of my Lordis nor socht nevir na fremmyt¹⁵ way againis thame...". It was the opposition who caused the trouble by their unreasonable demands and actions; and who made such efforts that they caused,

"...the quenis grace and Lordis with hir to feir that my uthir Lordis ar nocht of gud mynd nor will to heir ony gud wais of concord as thai propone..."¹⁶

Despite Margaret's reassurance that she would always think on the common weal and tranquility of the realm and would make every effort, even at the risk of damaging her support, this effectively wrecked any possible compromise. The letter was signed by Gavin Douglas and the Earls of Angus, Erroll and Glencairn. Gavin Douglas employed the style of Chancellor even though Margaret no longer had control of the Great Seal.¹⁷

Although the outlook was not promising, a further meeting between the two factions was scheduled for 15 November. For the Lords of the "official" Council, the representatives were David Hamilton, Bishop of Argyll; George Crichton, Abbot of Holyrood; and the provincials of the Black and Grey Friars in Scotland. The credence which they were given suggests what the opposition hoped to gain from the compromise. The credence included conventional exhortations to remember the "gudnes and verite of the quarell", and the unbelievable, though diplomatic, statement:

"...that nane of my Lordis seikis thair particular profit, office nor benefice and ar content to behaf thame as the thre estatis gadirit sall divis..."¹⁸

The basic offer was that, in return for Margaret desisting from intromission with the authority of the crown, to which, by implication, she no longer had any right, or with royal property or casualties, her conjunct fee was to be paid in full. Beyond the somewhat vague offer of remedies to be made/

be made by both sides for any crimes committed in the past few months, no specific mention was made of Margaret's supporters or of the position of the Earl of Angus. Margaret was expected to abandon the "pretendit" parliament at Perth and to come, with her supporters who would have attended there, to the parliament at Edinburgh. In order to start afresh in an attempt at good government, a general absolution was to be granted to everyone who had been involved on either side. This latest attempted compromise, intended to meet at Linlithgow, had no more success than previous attempts, and no more was heard of it than the credence. Margaret's letter, written shortly after, speaks only of her adversaries and makes no mention of compromise.

The party opposed to Margaret and Angus continued to expect Albany's early return to Scotland, not only to lend his authority as second person of the realm to their cause, but also the much more persuasive threat of French men, money and munitions. Albany himself was clearly still hoping to return and Charles, Duke of Suffolk, the English Ambassador at the French Court, was approached by Albany with an offer for him to travel to Scotland via the English Court. There he would take personal charge of mediating a peace to the benefit of all the factions. He offered to leave his wife behind in France to prevent the suspicion that he intended to make his home permanently in Scotland.¹⁹ Suffolk's only reply was that he had no commission to "meddle of such matters"²⁰. Within a few days, Louis XII was assuring Suffolk and his fellow Ambassadors that Albany would never be sent to Scotland.²¹

Albany had returned to the earlier theme of requiring proof of the goodwill of the Scots towards him. As yet, no steps had been taken to restore officially his title or lands in Scotland, beyond the grant of Dunbar Castle. Even the most ardent supporters of French influence in Scotland/

Scotland were wary of being duped by Louis XII into allowing the full restoration, only to see that followed by Albany's collection of the revenues through deputies, while the French King made excuses for not letting him go to Scotland in person. Dunbar was an important inducement to Albany to return and claim all of his inheritance and the contract of agreement transferring control to Seigneur De La Bastie on Albany's behalf provided for the deliverance of the castle and the munitions, artillery and other goods pertaining to its defence on 6 December 1514. Some of the associated lands had been given to the Earl of Moray, formerly keeper, in name, of Dunbar, in assedation and his legal possession of those lands, e.g. Grange of Newtonlees was not transferred to Albany. This contract had a time limit imposed which signifies Dunbar's importance as an inducement, though this limit was later ignored:

"...and gif the said duke, governour cumis nocht in Scotland or Pasche nixt following this writt, as God forbid, in that cais the said La Baty promittis and bindis him body and gudis to restor again to the said dene of Glasgw the said Castell als fre as he ressavit the samyn within viij dais eftir Pasche at the command of the lordis of consell to be gydit and haldin be the dene..."²²

Easter fell on 16 April in 1514, but Albany did not come to Scotland until May.

This gesture of good faith was granted in the presence of many of the leading figures in the pro-French party, including James Beaton, Archbishop of Glasgow, Chancellor; Arran, Home and Albany's half-brother, Alexander, Postulate of Inchaffray. It is very significant in the light of later developments that Alexander, 3rd Lord Home, should be so actively aware of this restoration of part of the Earldom of March, because his great-grandfather, Alexander Home of Home, had been one of the principal beneficiaries of the forfeiture of the late Alexander, Duke of Albany in 1483. Other members of the Home kin had also benefited.²³ Any restoration of the/

of the son of the late Albany, John Stewart, to the estates formerly belonging to his father was therefore bound to be a serious blow to Home's power-base in south-east Scotland. Home was, however, one of the most ardent advocates of Albany's return, until he actually reached Scotland. Perhaps Home deluded himself with the belief that Albany would be satisfied with Dunbar and the formal restoration of his title, without pursuing the practical implications of that restoration. Perhaps, more likely, his rivalry with Archibald, 6th Earl of Angus, had been strengthened by Angus's marriage to Queen Margaret. Their power-bases were certainly dangerously based in the same area of the Eastern March. Later chroniclers suggested that Home supported Albany because he wished to avoid any Scotsman being raised to a position more exalted than his own, specifically fearing the promotion of the Douglasses, "...lest Angus' greatness be an umbrage to his..."²⁴. Not only was the exalted position of Angus as brother-in-law to Henry VIII dangerous to Home's influence in the Borders, his power was also threatened by the control which the marriage allowed Angus to exercise on his wife's behalf over the lands of her conjunct fee.²⁵ These lands included Ettrick Forest of which the Home family had been bailies as well as Newark Castle. In 1514 Home had derived a great amount of revenue from keepership of Newark and receivership of Ettrick Forest.²⁶

The restoration of Dunbar to Albany did not presage well for Margaret and Angus either, even though it had not been part of her conjunct fee. They remained implacably opposed to the return of Albany, and Margaret confirmed this in a letter of 23 November 1514,²⁷ "...The enemy trust entirely to the coming of Albany. If he arrives before Henry's army, some of her party may incline to him from dread..." Margaret asked for her brother's aid in terms of an army or, at the least, in money. She claimed to spend "a thousand" a day in wages, though without specifying pennies or pounds./

pounds. She also claimed that Home was the leading light in the opposition and wanted English raids to keep him occupied protecting the Borders.

In fact, Margaret had not, as yet, any real need for money. It was only much later that she revealed to Henry VIII that she had received from James IV before his departure for Flodden "18,000 crowns of weight" sent by Louis XII of France to help prosecute the war against England. She spent most of this before finally fleeing from Scotland in October 1515.²⁸ She may have been prodigal in spending her resources but it was bringing her little success in the struggle to obtain authority in Scotland. She had tried to obtain sanction for Gavin Douglas's promotion to St Andrews,²⁹ only to hear of his servants being besieged in the Bishop's Castle at St Andrews by John Hepburn, a rival claimant. She was even in danger of being besieged herself in Stirling Castle since the opposition recognised that her major strength lay in physical control of her sons. She recognised that if it came to pass that she was separated from the King, it might be impossible to deny the will of the opposite party and so in this letter she devised a code:

"...and gif my party adversare counterfettes ony letteris in my name, or giff yai compell me to write to zou for concord ye subscription salbe bott yus Margaret R and na mare ... signed: Your loweing suster, Margaret R."³⁰

Margaret thus devised a method of denying compromise, because she could invalidate any document displeasing to her which was likely to be sent to her brother.

Lord Dacre confirmed that she was in serious difficulties just a few days later. She had been compelled to leave Stirling Castle and had been taken to Edinburgh by a force of men under the command of James, Earl of Arran and Alexander, Lord Home. She was received at Edinburgh by the Chancellor, James Beaton, and the rest of the Council:

"...albeit/

"...albeit whenas thay had her there thay yode clear from her ways, and so she withdrew herself, be wisdom, from Edinburgh to Striveling, on the said Tuesday, and the Earl of Angus with her..."³¹

(i.e. no compromise could be effected and she was able to escape back to Stirling.) Margaret's escape to Stirling, where she was reunited with Angus, meant that the impasse continued.

Albany had sent March Herald for the Scottish ratification of their comprehension in the peace treaty between England and France. Since this was the only practical foreign policy, it was probable that the factions within Scotland would remain bereft of outside aid from either England or France. As long as the peace held between England and France, neither an English army nor Albany, with or without French aid, was likely to enter Scotland, and so the stage was set for a new group to rise up and challenge the existing factions. In January 1515, a group of Lords from the west of Scotland made an attempt to seize what power they could in their own area.

Dumbarton Castle was one of the key strongholds in the west of Scotland and its possession had always been of great importance to Scottish kings. It had been associated, however, traditionally with the Earls of Lennox and had at one time been the principal messuage of their Earldom.³²

In 1455 it was included in the Act of Annexation of lands to the Crown which was intended to prevent alienation of lands from the royal patrimony.³³

Dumbarton had been the centre of a previous western rebellion, being seized in 1489 by John, 1st Earl of Lennox, (of the Stewart line³⁴), his son and Lord Lyle. Even after the involvement of Lennox in disputes over its control in 1515 and 1516, his family continued to be closely associated with Dumbarton as Keepers of the castle.³⁵

This western rebellion was almost certainly designed to achieve maximum control in the locality for its supporters. It was directed against Margaret and Angus, but almost equally against some members of the "official" Council./

"official" Council. Those who were involved were James, Earl of Arran; his nephew, John, Earl of Lennox, and the husband of Lennox's paternal aunt, Sir John Colquhoun of Luss. They were supported most notably by Cuthbert, Earl of Glencairn; his son, William, Master of Glencairn; Patrick Colquhoun; John Logan of Balvie and two of his sons; George Buchanan of that ilk; and William Stirling of Glorat.³⁶

It is not beyond credibility to suggest that this was an attempt by Arran to establish some sort of claim to the Regency for himself. He was the nearest male heir, who had actually been born in Scotland, to James V. Given the inconstancy which Arran displayed throughout the minority,³⁷ it is not a refutation of this suggestion to point out that he had been one of the first voices to urge the Duke of Albany to come to Scotland. Despite Lord Fleming's assurances in a letter of 11 December 1514 to worried French sympathisers in Scotland that, "...the Duke is the same man as ever he was, and will not fail his friends who bide at his opinion, as ye have ever done...",³⁸ there had never been any word of his preparations for coming to Scotland. Arran may have derived impetus from the calculated possibility that Albany might never have been freed from his commitments in France. It is not hard to credit Arran with unwillingness to acquiesce in the advancement of Angus, and his presence in the councils which deposed Margaret in September 1514 confirms this reluctance. Equally, it is hard to believe that Arran would accept a subordinate rôle to Lord Home. He would be galled by Home's assumption of the leading rôle in the Council and irritated by any suggestion that Home was more of a friend to France than he was. (Margaret complained in her letter of 23 November 1514 that in claiming a valuable escheat of bastardy for himself, Home acted "as if he had the sole authority".³⁹) Pitscottie may not have exaggerated too much in having Home assert that he would bring Albany to Scotland even if no-one else/

no-one else would consent to his coming.⁴⁰

The western rebellion was directed against Angus, Margaret, Home, Beaton and the rest of the pro-French Council and in favour only of the personal advancement of its participants. Arran hoped to assert claims to be the most important person in Scotland with influence in the Council to match, while Lennox revived the ancient claims of his family to Dumbarton in an attempt to forestall its grant to French control, in a similar move to the grant of Dunbar Castle, the principal stronghold of the East Coast. (The importance of Dumbarton in strategic control was recognised in this fashion on Albany's departure from Scotland in 1517.⁴¹)

There were two strands to the western rebellion - an ambush of Angus and the assault on Dumbarton castle. The attack on Angus took place, according to Margaret's secretary, James Inglis, on 11 January 1515.⁴² An ambush was laid by the Earl of Arran with 600 men, but Angus escaped because he obtained foreknowledge of the surprise from a scout forced to reveal all. It is probable that the attack on Angus came after the attack on Dumbarton, not before, (and Bishop Lesley placed them in this order),⁴³ because Angus made no attempt to warn the Keeper of Dumbarton Castle, John, Lord Erskine, who was one of Margaret's supporters.⁴⁴ The details of both attacks are obscure, but the success of that on Dumbarton is clear from the later remissions granted for involvement in its capture. Surprise was probably a key factor in winning Dumbarton because it does not seem to have been won by force and the later actions pursued by Lord Erskine against Sir William Stirling of Glorat rule out treachery on his part. The use of artillery is not mentioned anywhere and would surely have taken much longer to have an effect, while there are no subsequent accounts for restoration work.

There were lesser actions associated with the attack on Dumbarton.

Later remissions/

Later remissions make mention of the destruction of a gate and door of the tower of Greenock and other buildings belonging to the Lordship of Kilwinning Abbey⁴⁵ which pertained in commend to Archbishop Beaton of Glasgow, the Chancellor. Although the temporalities were only confirmed to Beaton on 10 March 1516,⁴⁶ he had first been granted rights by Leo X on 9 January 1514.⁴⁷ The attack there was a sign of hostility towards the Chancellor.

The attack on Dumbarton had later consequences when Lord Erskine pursued Sir William Stirling of Glorat before the Lords of Council in a case which was heard in January 1517.⁴⁸ Stirling of Glorat had been one of the beneficiaries of the successful attack on Dumbarton. He was granted an obligation by the Earl of Lennox to infest him in the lands of Kepoch, less than a month after the taking of Dumbarton on 3 February 1515. The specific reason for the grant was,

"...that forsamekle as our traist cousyng and familiar servitour, Williame Strivelyng of Glorat, has be his labouris, travellis, costis and expensis, gotten and obtenit to ws the Castale of Dunbertane..."⁴⁹

He was as a reward granted these lands for a nominal fee. He was further rewarded for his services by being granted the office of Captain and Keeper of Dumbarton Castle for life:

"...and attour assignis and transferris to the said Williame our Capitane, the hale profit pertenyng to the keping of the said Castale, viz. landis, annuell rentis, fermis, gersummis, deuiteis and dew service..."⁵⁰

Stirling of Glorat did not fall out of favour with the government immediately after Albany's arrival. A letter of 19 March 1516 subscribed by the Governor's own hand, ordered payment to him, as Captain and Keeper of the King's Castle of Dumbarton, of a yearly pension from the readiest money of the Customs of Dumbarton of £40 Scots.⁵¹ In July of the same year, the account which he rendered as Custumar of Dumbarton and Lowis included the first payment of twenty pounds.⁵² He was still further rewarded/

rewarded in September by the grant of a gift of wardship in certain Lennox lands in Dumbartonshire.⁵³

Nevertheless, Erskine won his case to prove that he had been illegally deprived of control of Dumbarton on 22 January 1517, when Stirling of Glorat did not appear to defend the action. Surprisingly, Stirling of Glorat continued thereafter to serve as Custumar of Dumbarton, and, more remarkably, to receive the pension granted by Albany for his service as Keeper of Dumbarton Castle.⁵⁴ He continued to be excused from accounting for the period from July to December 1514 because Erskine had been in control of the customs during that time. Erskine was called to answer for this missing period but still had not been successfully pursued by March 1521.⁵⁵

Erskine did not ever regain direct benefit or interest in Dumbarton, despite the judgement against Stirling of Glorat. Instead, Albany eventually put in Frenchmen to hold it securely in his absence under the command of Alan Stewart, Captain of Milan, as Captain.⁵⁶

The western rebellion was successful in winning control of Dumbarton, though not in capturing or killing Angus. Arran did not stop attending as a member of the "official" Council. He was present at deliberations on both 25 and 26 January 1515 while none of the other recent rebels attended. James Hepburn, Postulate of Dunfermline, came from Margaret's faction to argue against his deprivation from Dunfermline, which the "official" Council was debating with regard to the provision of Andrew Forman as Archbishop of St Andrews and Commendator of Dunfermline.⁵⁷ Arran was playing a dangerous game of duplicity. He, personally, took part only in the ambush of Angus, while giving tacit support to Lennox. If the Dumbarton escapade had backfired he could still have claimed to be acting in the interests of the "official" Council. There may have been the danger of losing on/

losing on all sides, but the stakes were high. When Arran, Lennox and others considered that Albany was unfamiliar with Scotland, its customs, and probably even its language, and that he would take time to be able to govern well with Scottish advisers, the desirability of arguing from a position of strength is evident. The career of Stirling of Glorat described above after Albany's arrival, proves with what success this provision of evidence of occupation could be met.

Lesley later said of this time, "...everyane preassed to tak sic possessione as thay mycht obtaine, principallye of that was lyand nearest unto thame..."⁵⁸. Before the arrival of Albany in Scotland, no-one could have foreseen the success with which Albany would be able to govern in the period 1515-17, but until then the "git that git may" policy was very attractive.

Despite the threats to Angus from both Arran and the pro-French Council, his cause and that of Queen Margaret was not declining in support. On the contrary, both Gavin Douglas and Margaret's secretary, James Inglis, reported that the Earl of Huntly, the most prominent Lord in the north of Scotland, had joined Margaret's party. (Inglis added that the Earl Marischal had joined their cause as well.) This is borne out by a letter in favour of Gavin Douglas's claims to the bishopric of Dunkeld of 20 January 1515, which was signed by the leaders of Margaret's faction.⁵⁹

George Brown, Bishop of Dunkeld, died on 14 January 1515 in his seventy-sixth year⁶⁰ and the news quickly reached Margaret's faction. She gave the Crown nomination to her husband's uncle, Gavin Douglas, then Provost of St Giles and who was trying to pursue claims to the Abbey of Arbroath and even the Archbishopric of St Andrews. Despite later being warded for having contravened the statutes of the realm through having sought promotion with English aid, it was this See which Gavin Douglas was ultimately successful/

ultimately successful in obtaining.

In fact, the threats to Angus and his supporters were not sufficiently serious at this time for him to need English rescue plans. Dacre had proposed to move the Queen and her family to a refuge in the Borders,⁶¹ while Adam Williamson suggested that they might need sanctuary within England,⁶² but neither proposal was followed up. The safeconducts issued in January for one year to Gavin Douglas, as Postulate of Arbroath, Angus and Lord Maxwell,⁶³ were not needed either, although they indicate that escape to England was to be regarded as the final solution if all else failed in Scotland. It would have been a welcome course for Margaret as she related in a letter from the same time, if she could only bring her children with her, "...But God send I were such a woman that might go with my bairns in myn arm, I trow I should not be long fra you..."⁶⁴

In the continuing absence of Albany, the alignments within Scotland never allowed one faction to become strong enough to dominate the others. The "official" Council may have claimed to act for the whole country but the amount of support^{on} which the Douglasses could rely, and the numbers involved in the seizure of Dumbarton in the west, meant that they could not successfully deprive Margaret of her children, and so long as she retained control of the King, she was in a very strong position, as she recognised in the letter quoted above.

While Scotland continued to be split into factions who were deadlocked in their efforts to obtain power, the most important development in the outside influences on Scotland was the death of Louis XII of France. His successor, Francis I, had been born on 12 September 1494 and was, therefore, only twenty years old at his accession on 1 January 1515.⁶⁵ Although he was to renew the Italian wars begun by his predecessors in the year of his birth, within a year of his accession, and gain a stunning victory/

victory over the Swiss at Marignano on 13 September 1515,⁶⁶ his immediate concern was for confirmation of the peace. At the same time as avoiding causing any alarm to the English, he offered the encouragement of the new to those councillors in Scotland whose hopes of seeing Albany land in the country of his forefathers had been, as yet, unlikely to be fulfilled.

In March 1515, Francis sent as his Ambassador, Monsieur Jean De Plains and, with him, conveyed not merely the usual assurances of French goodwill - vague diplomatic statements about not forgetting the services rendered to France by the late King of Scots, and unlikely promises to send aid if England did not keep the peace - but a definite commitment to send Albany to Scotland to give them advice and tell them of French intentions.⁶⁷

Louis XII had not been prepared to risk wrecking his hard-won arrangement with England by sending the Duke of Albany to Scotland.⁶⁸

Francis, however, felt that the desirability of trying to keep Scotland in the French camp by sending Albany to restore unity outweighed the possible strain of relations with Henry VIII. The English Ambassadors in France conveyed the offer of Henry for peace to endure for both Henry's and Francis's lives comprehending Scotland. The condition which was imposed was to keep Albany from going to Scotland. Francis was almost certainly already contemplating the renewed attack on Italy which would render such a peace worthless anyway so his reply was not too reticent. He had promised the Scots to send Albany and he could not now stop him with honour.⁶⁹

English protests which were to take on a familiar ring were here fully rehearsed. They urged:

"...that he was the most suspect person that might be sent for the surety of the two young princes and the Queen, for he not only pretended title to the crown of Scotland, but also he was called thither by the young King's adversaries and also makes himself party with them..."

In fact, Francis had already included in his instructions by Monsieur

DePlains/

DePlains a request for the younger boy, Alexander, Duke of Ross, to be sent to be educated in France.⁷⁰ He obviously saw no reason to detain Albany through fear of his removing either of the two children.

Francis also had to keep in mind that he needed time to complete his preparations for the renewal of war. As always, Scotland was the sacrifice which was most easily made on the altar of English passivity, though this time it proved unnecessary. The French Chancellor, Antoine Duprat, made a proposal to the English Ambassadors to delay Albany further for three months, if in the intervening period Henry would give no aid to Queen Margaret and her party. This proposal met with the classic diplomatic rebuff, the Chancellor being informed that this was not within the terms of the Ambassadors' authority. They added that it was only natural for Henry not to allow his sister to be "oppressed".⁷¹ Even though Henry had made no practical response to Margaret's plea for an army to enter Scotland on her behalf of the previous November, he was not going to rule out such support if it became desirable from the English point of view.

The peace had been agreed to continue until one year after the death of the first of the two sovereigns to die and was, therefore, due to lapse on 1 January 1516, one year after Louis XII's death. Despite this, the pro-French supporters in Scotland still looked to Albany to bring money and men to prosecute war with England. It was to be the great paradox of Albany's relations with the Scots that when they wanted to attack England, his brief was to restrain them while the same enthusiasm had completely vanished when it came to encouraging the Scots to attack in the French interests in the 1520s. It was the terms of Scotland's comprehension in the peace treaty which once again revealed the extent of the French willingness to ditch Scotland if that better suited French foreign policy. If the Scots went ahead and invaded England or committed any hostile act,

"...with a force/

"...with a force exceeding 300 horse, and with the consent of the ruler for the time being in Scotland, the aggressors were to be held common enemies, and not comprised in this peace; but should the invasion take place without the consent of the aforesaid ruler, compensation and restitution were to be made..."⁷²

It has to be admitted that this latter clause did allow a safeguard which probably meant that the Scots would not be excluded, since in the absence of Albany there was no-one strong enough to be solely considered "the ruler for the time", and so the responsibility could always be disclaimed.

The renewed peace was to be proclaimed on 15 May 1515. This course was welcome not only to the pro-French sympathisers who had been guaranteed Albany's return by Francis I, but also to Margaret's supporters as well who had always been of the opinion that peace with England was the most obvious way for Scotland to progress. The letter which was sent in James V's name to Francis I accepting comprehension in the peace was witnessed not only by the long-term supporters of the "official" Council such as the Chancellor, David Hamilton, Bishop of Argyll and Lord Home, but also by the Earl of Arran and members of the opposing faction, including Angus, Erroll and James Hepburn, Postulate of Dunfermline.⁷³

Nevertheless, it was not to a country whose ruling class was united nor willing to sink their differences and welcome the Governor, that the Duke of Albany came on 16 May 1515.⁷⁴ There had been no success for the efforts made to reach a compromise since the Council had met to depose Margaret from the Regency in the previous September. There is every likelihood that a Parliament met at the end of February or early in March which was unsuccessful in obtaining agreement on any policies: "...and becaus thay cold nocht aggre amangis thame selfes continewit it to the hame cuminge of the Duke of Albany..."⁷⁵ The printed 'Acts of the Parliaments of Scotland' contain a reference to a Parliament held on 8 May 1515, just over a week/

over a week before Albany's arrival, but its only recorded business was the restoration of Andrew Heriot of Traprain to his heritage, annulling a process of forfeiture led against him.⁷⁶

Albany faced the task of obtaining peace in Scotland through the necessary combination of force and moderation. A start, at least, had been made by the acceptance of the peace with England and Albany moved from Dumbarton, where he would no doubt be made aware of Lennox's hold on the castle, to Glasgow, where he confirmed his own acceptance of the peace, as protector of the Scottish realm.⁷⁷ On 26 May he entered Edinburgh to take up the challenge of government.⁷⁸

CHAPTER TWO NOTES

- 1 The "official" Council can be deduced from the sederunts of the 'Acts of the Lords of Council' - see Appendix E.
- 2 Margaret was supported by Angus; his uncle, Gavin Douglas; his grandfather, John, Lord Drummond; Drummond's brother-in-law, Alexander, Earl of Crawford; Crawford's son-in-law, James, Lord Ogilvy of Airlie; Robert Shaw, Abbot of Paisley - see above 28 ; William, 5th Earl of Erroll; Cuthbert, Earl of Glencairn (Angus's uncle-by-marriage); Alexander Gordon, Bishop elect of Aberdeen (after Elphinstone's death); William Turnbull, Abbot of Coupar; Richard, Lord Innermeath; John, Lord Hay of Yester (Angus's brother-in-law) and Alexander, Earl of Huntly - see above 49 and below n.59 .
- 3 L&PHVIII i, pt. ii, no. 3485 Charles Brandon, Duke of Suffolk, and Thomas Grey, 2nd Marquis of Dorset, to Wolsey 28 Nov. 1514.
- 4 ADCP 27-28, 20 Nov. 1514.
- 5 R J Knecht, Francis I, (Cambridge, 1982) 12.
- 6 ADCP 19, 26 August 1514; Herkless and Hannay, Archbishops of St Andrews iii 50-52. In a Great Seal Charter witnessed on 18 July 1514, Beaton is not described as Chancellor - RMS iii no. 22. Beaton later received payment of £140 for his expenses in maintaining 200 persons in Falkland to resist the Queen in her violent and unjust actions. - ER xiv 163.
- 7 The seal itself was to be put into the keeping of Gavin Dunbar, Archdeacon of St Andrews, while the keys of the seal were to be kept by Gavin Douglas. Later threats to make a new seal (see below) prove that this scheme did not work.
- 8 ADCP 24, 24 Oct. 1514.
- 9 Ibid; there were no registered Great Seal Charters between July 1514 and April 1515.
- 10 R K Hannay, 'General Council and Convention of Estates', Scottish Historical Review (1923), 105.-
- 11 R K Hannay, 'Parliament and General Council', S.H.R., (1921) 160-1.
- 12 Bishop Elphinstone died on 25 October 1514: McFarlane, 'Elphinstone', 435; Boece Vitae 108.
- 13 ADCP 24, 24 Oct. 1514.
- 14 L&PHVIII i, pt. ii, no. 3468. Margaret to Henry VIII, 23 November 1514.
- 15 'fremmyt' = strange, unfamiliar: Concise Scots Dictionary.
- 16 ADCP 26, 14 November 1514.

- 17 Ibid. The document is dated 14 Nov. 1514 but is placed in the original record between the records of the morning and afternoon sessions of the "official" Council at Dunfermline on 18 September, i.e. at the time of her deposition after the commission to Gavin Douglas to object to certain Lords of the Opposition had been passed over. - ADC 26 f.161v.
- 18 Ibid. 26-7, 14 November 1514.
- 19 Albany did leave his wife behind in France when he came to Scotland eventually, giving the clearest indication that he never intended to settle permanently in Scotland and always thought of France as home.
- 20 L&PHVIII i, pt. ii, no. 3449 Charles, Duke of Suffolk to Wolsey 18 Nov. 1514.
- 21 Ibid. no. 3485 Suffolk and Dorset to Wolsey 28 Nov. 1514.
- 22 ADCP 27-8, 20 November 1514.
- 23 RMS ii no. 1571 10 January 1484, in favour of John Home, son and heir apparent of George Home of Ayton, granting the lands of Duns; ibid. no. 1572 11 Jan. 1484 in favour of Alexander Home of Home, granting the lands of Chirnside, together with the patronage and advowson of the church of Chirnside; ibid. no. 1745 28 June 1488 in favour of Patrick Home of Polwarth, confirming a grant originally made by Albany of the lands of Brighamshiels, (all Berwickshire). Others who benefited from the forfeiture of the Duke of Albany were the Earl of Argyll, the Earl of Crawford, Robert Charters of Amisfield, William Kerr of Mersington, Alexander Kirkpatrick and Alexander Bruce - RMS ii, nos. 1564, 1573, 1599, 1603, 1638 and 1714.
- 24 Buchanan, History ii 205; William Drummond of Hawthornden, History of Scotland from the year 1423 until the year 1542 (London 1655) 150.
- 25 Margaret's conjunct fee consisted principally of Ettrick Forest and other parts of the old Earldom of March, together with Newark Castle, Linlithgowshire, Stirlingshire and Methven (in Perthshire), together with Stirling Castle and Linlithgow Palace: ER xiv, preface xxxiii-xxxv; cf RMS ii no. 2721, 24 May 1503.
- 26 RMS ii, no. 1921 12 Jan. 1490 grant for 19 years; Registrum Secreti Sigillii Regum Scotorum, ed. M Livingstone (Edinburgh 1908) vol. i nos. 838, 839 May 1502; ER xiv 16, account rendered 14 July 1514.
- 27 L&PHVIII i, pt. ii, no. 3468 Margaret of Scotland to Henry VIII 23 November 1514.
- 28 Ibid. ii, pt. ii, no. 3335 Queen Margaret to Henry VIII 3 June 1517.
- 29 ADCP 47-8 Letter from Leo X to Gavin Douglas from Rome, 19 February 1515; James V Letters 17-18 Leo X to Margaret and the Council, 19 February 1515.
- 30 L&PHVIII i, pt. ii, no. 3468 Margaret of Scotland to Henry VIII 23 November 1514.

- 31 Ibid. no. 2481 Dacre to the Council 27 Nov. 1514. In fact Tuesday was 21 November and Margaret's fears of being besieged in Stirling Castle probably postdate her escape from Edinburgh.
- 32 W Fraser, The Lennox (Edinburgh 1874) i 72.
- 33 APS ii 42.
- 34 John, 1st Earl of Lennox (of the Stewart creation) died in 1495. He was the grandfather of John, 3rd Earl of Lennox who held the title 1513-26; Scots Peerage v 348-9.
- 35 The same John, 3rd Earl of Lennox was later granted the Keepership in August 1525: W Fraser, The Stirlings of Keir (Edinburgh 1858) 324, charter no. 112. His son, Matthew, 4th Earl of Lennox, received a similar grant, when a minor in 1531: Fraser, Lennox i 84.
- 36 The full list of people subsequently named in respites for their involvement is: John, 3rd Earl of Lennox and all his kin etc. (RSS i no. 2652, 26 Oct. 1515); George Forman, merchant in Kilmany (ibid. no. 2716, 6 March 1516); David Blair, servant to Lennox (ibid. no. 2717); George Buchanan, Thomas and Walter Buchanan and Walter Blair (ibid. no. 2718); Duncan Forrester (ibid. no. 2719); John Shaw (ibid. no. 2720); Cuthbert, 2nd Earl of Glencairn; William, Master of Glencairn; William Cunningham, younger, of Craigens; Robert Boyd of Portencross; Alexander Langmure; Thomas Crawford of Birkhead; William Barclay of Perston, and William Kelso (ibid. no. 2721); John Logan, William Logan, Walter Galbraith, James Norie, Patrick Ure, Thomas Buchanan and Patrick Layng (ibid. no. 3423, 11 July 1526); John Syme (ibid. no. 3424, 11 July 1526); George Buchanan of that ilk and 22 others (unnamed) (ibid. no. 3425); Patrick Layng (again) (ibid. no. 3426); Sir John Colquhoun of Luss and Patrick Colquhoun (ibid. no. 3427); Cuthbert, Earl of Glencairn (again); William, Master of Glencairn (again); James Cunningham, his brother; Robert Cunningham of Aikhead; Robert Boyd of Portencross (again); Robert Cunningham, younger, Laird of Waterston; William Cunningham of Polquharne; John Cunningham of Caprinton; Alexander Cunningham of Laiglane; Edward Mure of Middleton; David Cunningham of Bertaneholm; William Cunningham of Craigens; William Cunningham of Cunninghamhead; Mungo Mure of Rowallan; William Cunningham of Glengarnock; and Robert Boyd in Kilmarnock (ibid. no. 3440; 16 July 1526).
- 37 Thomas Howard, Duke of Norfolk, later wrote of James Hamilton, Earl of Arran: "...whosoever hath him best is no more sure of him than he that hath an eel by the tail..." : L&PHVIII iv, pt. i, no. 804 Norfolk to Wolsey 5 November 1524.
- 38 Ibid. i, pt. ii, no. 3540 John, Lord Fleming to [Lord Home?] 11 December 1514.
- 39 Ibid. i, pt. ii, no. 3468 Margaret of Scotland to Henry VIII 23 November 1514.
- 40 Pitscottie, Historie i 285.
- 41 RSS i, no. 3041 22 June 1519. Grant of Keepership of Dumbarton to Alan Stewart, Captain of Milan; cf. I M M Macphail, Dumbarton Castle (Edin. 1979), 41-2.

- 42 L&PHVIII ii, pt. i, no. 50 James Inglis to Adam Williamson 22 January 1515.
- 43 Lesley, History 101.
- 44 John, Lord Erskine had been confirmed by Margaret as Captain of Dumbarton in succession to his father, Robert, 4th Lord Erskine, who had been granted ~~that~~ position for himself and his heirs for nineteen years - RSS i, no. 2255 1 June 1511.
- 45 RSS i, no. 2718 6 March 1516 - see above n. 36.
- 46 Ibid. i, no. 2725 10 March 1516.
- 47 Herkless and Hannay, Archbishops of St Andrews iii 40.
- 48 ADC 27, ff.115-117v.
- 49 Fraser, Keir 301-2, charter no. 93.
- 50 Ibid. 302-3, charter no. 94 6 February 1515.
- 51 RSS i, no. 2730. The letter is quoted in full in ER xiv 192n.
- 52 ER xiv 192.
- 53 RSS i, no. 2804 6 September 1516.
- 54 ER xiv 266 29 July 1517.
- 55 Ibid. xiv 435 6 March 1521.
- 56 Ibid. xiv 349, 458-9; RSS i, no. 3041 22 June 1519. Alan Stewart is regularly referred to as "Captain of Milan", presumably from service rendered in Italy. He was probably a member of the Lennox family which had long had close links with France. - ER xiv, preface cxliv.
- 57 ADCP 29-30 25, 26 January 1515.
- 58 Lesley, History 101.
- 59 ADCP 49. The case against Gavin Douglas was heard in July 1515. The letter was signed by Margaret; the Earls of Angus, Crawford, Erroll, Huntly, Glencairn; Alexander Gordon elect of Aberdeen; Lords Innermeath, Drummond, Ogilvy of Airlie, Hay of Yester and the Abbot of Coupar (William Turnbull).
- 60 Myln, Vitae 54; Watt, Fasti 99.
- 61 L&PHVIII ii, pt. i, no. 27 Adam Williamson to [Gavin Douglas] 15 January 1515.
- 62 Ibid. no. 66 Adam Williamson to [Gavin Douglas] January 1515.
- 63 Ibid. no. 53 23 January 1515.

- 64 Ibid. no. 47 Queen Margaret to Henry VIII 22 January 1515.
- 65 Knecht, Francis I 2.
- 66 Ibid. 44-6; L&PHVIII i, pt. ii, no. 953 Sir Richard Wingfield to Wolsey 27 September 1515.
- 67 Rélations politique de la France et de l'Espagne avec l'Ecosse au xvi^{ème} siècle, ed. A Teulet (Paris 1862) i 3-5; James V Letters 20 Instructions for De Plains, Ambassador to Scotland. (c. 29 March 1515).
- 68 Hence Louis' assurance to the English Ambassadors, Suffolk and Dorset : L&PHVIII i, pt. ii, no. 3485 Suffolk and Dorset to Wolsey 28 November 1514.
- 69 Ibid. ii, pt. i, no. 296 Suffolk, Nicholas West and Sir Richard Wingfield to Wolsey 3 April 1515.
- 70 Teulet, Relations i 5.
- 71 L&PHVIII ii, pt. i, no. 304 Suffolk, West and Wingfield to Wolsey 6 April 1515.
- 72 ADCP 31 4 May 1515; Cal. State Papers (Venice) ii, no. 602 Sebastian Giustinian (Venetian Ambassador to France and England) and Pietro Pasqualigo to the Signory 12 April 1515.
- 73 James V Letters 22 James V to Francis I 15 May 1515. The full list of witnesses was: James Beaton, Archbishop of Glasgow, Chancellor; David Hamilton, Bishop of Argyll; the Earls of Angus, Argyll, Arran, Morton, Erroll and Eglinton; Lords Home, Erskine, Semple, Ross of Halkhead and Hay of Yester; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; Patrick Paniter, Abbot of Cambuskenneth; John Home, Abbot of Jedburgh; James Hepburn, Postulate of Dunfermline; Gavin Dunbar, Archdeacon of St Andrews; Patrick Crichton of Cranston-Riddale; Andrew Kerr of Cessford, and Andrew Kerr of Ferniehirst.
- 74 ER xiv 163. He arrived at Ayr 16 May and at Dumbarton on 18 May; cf Ibid. preface xliii.
- 75 Lesley, History 101-2. Lesley was one of the editors of the first published edition of the 'Acts and Constitutions of the Parliaments of Scotland' (1566) and should have been aware of when parliaments were held in the early 16th century. James Inglis in his letter of 22 January 1515 mentions a Parliament set to meet on 12 March 1515, though this may have involved only Margaret's supporters: L&PHVIII ii, pt. i, no. 50 James Inglis to Adam Williamson.
- 76 APS ii 387 (Appendix to Acts of James V's reign). These lands were confirmed by a charter under the Great Seal one year after ~~the~~ Heriot's forfeiture had been annulled, RMS iii no. 72
- 77 L&PHVIII ii, pt. i, no. 494 John, Duke of Albany, to Francis I 22 May 1515.
- 78 TA v 18.

CHAPTER THREE

Albany's First Regency : Overcoming the Challenge of the Opposition

26 May 1515 - 9 October 1516

1. Arrival and Intentions of Albany

The arrival of the Duke of Albany in Scotland was intended by those Lords who had been most active in his support to mark a new beginning in the attempt to bring stable and good government to Scotland. It was also intended by the French King, Francis I, to maintain Scottish support for the old alliance with France. His initial welcome was encouraging, with broad-based acceptance allowing the first parliament after his arrival, held in July 1515, to carry out the confirmation of Albany's de facto restoration as Duke and of his position as Protector and Governor. This good beginning foundered on the necessity of removing the King from the physical control of his mother and her supporters, and the active opposition of Queen Margaret, the Earl of Angus, Lord Home and, later, the Earl of Arran and other western Lords. The first year of his governorship was a period when a vigorous defence of his authority was essential to prevent the crumbling of Scottish government either into anarchy or into English control. In this period, a marked difference existed between the appearance and the reality of the effectiveness of Albany's government. On the one hand, the hearing of judicial cases before the Lords of Council, (sitting on the Session) flourished. There was a clear perception that land disputes, claims against theft and kidnapping and feuds could be redressed satisfactorily by the attention of the Lords in the Session. Albany could undoubtedly rely on the support of a majority of the ruling class to help him carry out his duties as Governor with wisdom and moderation. On the other hand, the strength of the opposition to Albany should not be underestimated, even if it was concentrated in only a minority of the/

of the ruling class and in certain geographical areas - notably the Eastern March in the autumn of 1515 and around Glasgow in the first two months of 1516. The attempts made by Angus, Home, Arran and others to destabilise the government involved an enormous cost in time and money in the first year after Albany's arrival. Albany was forced into a diplomatic juggling act to keep the Scottish government going and answer English charges against his right to rule in order to prevent their abrogation of the peace which Francis I was so anxious to maintain. This diplomacy became even more important after Francis I's spectacular victory at Marignano over the Swiss in October 1515 had restored French control of Milan.

To a great extent, Albany's success in the first period of his Regency was due to his arrogation of the royal powers which resided in an adult king. In this arrogation of powers, he trod a fine line between the precipices of the 'haves' and 'have nots' in governmental terms - between those favoured in distribution of land, offices of state and benefices, and those powerful enough to cause trouble if their expectations went unsatisfied. At the same time, he laid himself open to claims, which the English never ceased to voice, that what he really intended was to seize the throne for himself. Albany was never an overtly ambitious man and this helped him to overcome such accusations. Nor were such suspicions confined to Englishmen, though John Major was hardly an unbiased observer: the whole *raison d'être* for his writing was to argue for the union of England and Scotland and the Duke of Albany was the most visible obstacle to close co-operation in the years of his governorship. Major took the chance to warn of Albany's hidden ambitions.¹

The struggle for control of the person of the King was an essential prelude to Albany's attempt to govern and his victory in this first confrontation laid the basis for all his future success. Thereafter, his relentless pursuit/

relentless pursuit of moderation and stability was effective in achieving a measure of acceptance of his rule, though reconciliation was, as yet, insincere. The most notable arrogation of royal power was the declaration of August 1515² that all summons of treason raised by the Governor were to be reckoned as if they had been sent out from the King at his perfect age. The Lords of Council pronounced this at the height of the opposition from Lord Home and it was to be he and his brother alone, who were to feel the full terrible effects of this decree.

The exceptional nature of the use of extreme justice on peers or other prominent members of the political community cannot be overemphasised. The executions of Lord Home and his brother in October 1516 were the only examples of extreme justice in Scotland between those of John, Earl of Mar in 1479-80³ and of Sir James Hamilton of Finnart, Arran's bastard son in 1540.⁴ Violent death was common, but execution after legal judgement was not. This moderation in Scotland is in strong contrast to the zeal with which the early Tudors used judicial murder to rid themselves of potential nuisances.⁵ Inevitably, the very infrequency of such extreme justice in Scottish life prompts the question as to what crime Lord Home committed which was so heinous that it merited execution. John Major's suggestion, written just a few years after Home's death, "that there is naught more perilous than unduly to exalt great houses, and most of all if their territory happen to lie in the extremities of the kingdom..."⁶ does not provide a convincing answer, for his other examples of such dangerous men did not suffer legal execution. The Earl of March⁷ and Lord of the Isles⁸ were forfeited only, while one Earl of Douglas was murdered without any pretence at legality and his successor was forfeited.⁹

Later chroniclers preferred lurid explanations: from Pitscottie's tale of evil counsel, with Prior John Hepburn of St Andrews as a proto-Iago poisoning/

poisoning Albany's mind;¹⁰ to Buchanan's repetition of the legend that James IV escaped from the battlefield of Flodden only to meet his fate in the Merse.¹¹ The charges against Home - whether of involvement in the death of James IV or not acting with sufficient élan on the battlefield to save his countrymen, are not proven at best. The possibility that Home and his brothers were examples to the rest of the nobility is quite strong and is supported by the prominent display of the heads of Home and his brother over the tolbooth of Edinburgh. There is no room to doubt that Lord Home had treasonably intrigued with England to destabilise the Scottish government - a government which Home may have later repudiated but which he accepted both before and after Albany's arrival. Home received remission for his treasons in April 1516, but his renewed conspiracy forced Albany to believe that he had no other option in order to secure his government, than to use Home as an example to warn the rest of the ruling class that there was a line beyond which action became necessary and ultimate forgiveness was no longer a possibility.

Albany's government in the first year after his arrival can be deemed a success because he was still in office, having overcome the severest challenges, in the summer of 1516. This success stemmed from the unwavering support of a certain group of the Lords, principally of those who had formed the "official" Council in the period September 1514 to May 1515. Equally, it was based on the chance which was afforded him to get established in the first two months. The opposition did not materialise until after he had taken the first fateful steps towards security by demanding control of the King to be turned over from the Queen Mother.

In fact, for the brief period immediately following Albany's arrival in Edinburgh, the sederunts of the Council are consistently higher than at any other time in the first few years after Flodden. Significantly, the average attendance of those first four days 30 May - 2 June (excluding the afternoon meeting on 1 June when only thirteen stayed on) of forty-six was well above/

well above the average of the divided Council of September 1514 which had deposed Margaret and which had struggled to muster the support of thirty Lords. The Council, immediately after Albany's arrival, consisted not only of such regular attenders of the "official" Council as the Chancellor (Archbishop James Beaton), the Prior of St Andrews (John Hepburn) and Lord Home (not yet alienated): but also some of its most regular opponents such as Angus, Glencairn and, latterly, Huntly, Marischal and Erroll; and some of the disaffected western Lords from earlier in 1515 - Lennox, Eglinton and Arran.¹²

The representative nature of the group of Lords selected to be councillors on 31 May indicates a willingness to draw the Council from all sides in a bid to make its competence widely recognised. The councillors elected were: the Bishops of Galloway, Caithness and Argyll, the Prior of St Andrews, Abbot of Holyrood, Postulates of Dunfermline (James Hepburn) and Arbroath (Gavin Douglas): the Earls of Arran and Eglinton, Lords Borthwick, Ruthven and Lindsay of Byres and the Laird of Balwearie,¹³ together with the Earls of Angus and Lennox and the Lord Chamberlain (Home) when they were present.¹⁴

This inaugural success in obtaining a willingness to work together to resolve disputes probably worked for one main reason: no-one had seriously expected Albany actually to come to Scotland and although his perceived predilection would be towards a pro-French policy, all the members of the ruling class would want to be 'in' at the start of his government in order to win as much influence as possible. There is no real reason to doubt the authenticity of claims that Albany was unfamiliar with the Scots language and customs.¹⁵ Albany had not been brought up, as the councillors had, in the ways and customs of Scotland and was a 'foreigner' in that sense, nor would he have had either opportunity or necessity to use Scots in his everyday life/

everyday life in France. Even his previous contact with Scotland had been conducted in the diplomatic languages of French¹⁶ and Latin.¹⁷ The coalition of the disparate elements of the Scottish ruling class lasted long enough for Albany to be restored effectively as Duke in the Parliament of 12 July 1515 and for him to be able to describe the later rebels as traitors who had forsworn their bodily oaths given to Albany. He was similarly in a strong position with regard to Queen Margaret, because she could not escape from the fact that she had subscribed to the call for Albany's return to Scotland in the previous August,¹⁸ a call which had specifically accorded Albany the title of "Governor". Margaret's later regret at having made such an agreement lends weight to the belief that such a call was a measure to buy time at an awkward juncture for her supporters and that they, at least, never thought to see Albany in the flesh at the tolbooth of Edinburgh.

The record of the Parliament of July 1515¹⁹ is not very detailed but its activities can be pieced together from various other descriptions. On 11 July, the Lords of Council agreed that on the following day, the Duke of Albany should come into Parliament wearing the coronet and mantle of a Duke with the sceptre to be borne before him as a sign of his right to govern and the sword as a sign of his right to give justice.²⁰ This procedural point is significant because it makes clear that the Lords sitting as a Council already reckoned that Albany was a Duke, and did not need the Council, as augmented into a Parliament, to do anything beyond acquiescing in the *fait accompli*; and similarly that they reckoned he was already Governor by right of being the nearest male agnate and did not need Parliamentary election or approval. There is no doubt that some of those Lords who were very shortly afterwards to rebel, endorsed this arrangement. In his description of the event, Lord Dacre described the opening of Parliament/

Parliament in very much the terms planned on the previous day:

"At the beginning of the Scotch parliament ... the sword was borne before Albany to and from the Parliament by the Earl of Arran, and a coronet set on his head by Angus and Argyll, and he was appointed protector till the King came to the age of eighteen at length..."²¹

Albany's position was strengthened by the giving of bodily oaths to support him as Governor, by the Lords. The French Ambassador to Scotland, Jean De Plains, writing to Wolsey, stated that Albany was received with such joy on his arrival in Scotland that the Lords gave their oaths of allegiance before he had even disembarked from his ship.²² There is some corroborative evidence that oaths were taken and homage given individually, even before Parliament met,²³ but the formal place for such actions was in a ceremony in Parliament, and that such took place is clear from Albany's later defence. He answered charges brought by Queen Margaret, saying that:

"...the 'tutele' of the King and his brother and the government of the kingdom have been settled by the unanimous voice of the Lords and the estates, including those that are now traitors, as the Queen understands, in whose presence Angus, Home and others made bodily oaths..."²⁴

The emphasis laid by Albany on his actions being the will of the estates and not his own personal desire, is common in his early correspondence. The indications are that although Albany was anxious to have the fullest powers of his office as Governor, he was always equally concerned to preserve an image of legality. His desire to have everything done properly is also clear from De Plains' letter to Wolsey²⁵ where the French Ambassador stated that the ceremony of having sword, sceptre and ducal coronet borne before him was contrary to Albany's wishes. The only qualification to be added is that it was contrary to Albany's public wishes - in private he must have recognised that all the symbols of power he could accrue would help to project his image as the real authority in the country. He needed to be accepted, as Margaret had latterly proved she could not/

could not be, as being above the petty disputes over which he claimed to arbitrate. The desire to be seen as a figurehead could only be further strengthened by parliamentary approbation for his restoration.

This restoration to title and lands was a 'de facto' acceptance because there was no formal 'de jure' charter of his restoration.²⁶ The Lords signified their belief that he was Duke of Albany by according him the mantle and coronet of a Duke and later, when the troubles of the first fifteen months had been weathered, by confirming his position in the succession to the throne, thereby disregarding the obstacle of his father's forfeiture.²⁷ The restoration to lands was not taken to its full potential. There is no record among the sasines in the 'Libri Responsionum' of Albany being seised in his lands.²⁸ The castle of Dunbar had already been placed in French hands in Albany's name,²⁹ though the Earldom of March remained with Queen Margaret as part of her conjunct fee lands. It is possible that the disposal of Lochmaben Castle, Dumfriesshire which had also been forfeited from the late Alexander, Duke of Albany, was directly in the gift of the Governor when he granted its Captaincy and Keepership to Robert, Lord Maxwell on 28 October 1516.³⁰ It made sense on the one hand to have it put to the use of the Warden of the West Marches and on the other it may have been a useful grant to reward loyal service in the wake of the Home executions. Either way, Albany himself did not receive any revenue³¹ in his capacity as an Earl or Duke,^{but} only as Governor and that came from royal income.

2. The practice of government before the opposition became active

The Duke of Albany was therefore in control of government and justice in theory. It remained to be seen how successfully he could exercise control in practice. The way in which he exercised his rights of patronage, distribution of offices and of benefices would largely determine the support which he could expect in the following months. In fact he followed the/

followed the traditional pattern in attempting to use his powers to build a co-operative platform with the most powerful magnates, a pattern followed with varying degrees of success by all Scottish rulers.

The early testament to Albany's success in restoring some measure of 'normal' government is the Session which was held from 4 June to 1 August 1515.¹ Albany's regular physical presence in the council chamber, (he appeared on sixteen out of thirty-one recorded meetings) improved the perception of the government's impartiality. A flood of cases was now heard by the Lords in the Session. Redress was once again perceived to be possible without the necessity of resorting to private vengeance to restore the imbalance of a partial Council. For example, Janet Paterson, widow of the late Provost of Edinburgh, Sir Alexander Lauder of Blyth, had the former decret which she had obtained against William Cockburn of Scraling renewed. He had ignored previous injunctions to stop interfering in her possession of the lands of Roberton. Now Janet presumably felt the chances had increased that if he continued to defy the Lords, they would be able and willing to act in her favour.² A further indication of the perception of Albany as an acceptable figurehead is evident from the dispute over Craighall. John Kinninmonth alleged that he was the lawful tutor to William Kinninmonth of Craighall and that Patrick, Lord Lindsay of Byres, and his accomplices, had kidnapped the said William from his mother's keeping and had unlawfully invaded and occupied the house of Craighall, and withheld it and the goods therein from the tutor. The Lords could not give an immediate judgement and continued the case, ordaining in the meantime that the house and goods at dispute be held by the Governor, (as an acceptable arbiter). Lord Lindsay accepted this decision and the Council recorded that he handed over the said castle to the Duke only, for his pleasure, and at the request of the Lords of Council. The case dragged on for many months before Lord Lindsay's son, William Lindsay, proved not only his right/

his right to the lands and house but also his right to have the profits which had been gathered illegally by others repaid to him.³ The acid test of the impartiality of the Council was the hearing of cases directed against some of Albany's strongest supporters. An example from the first Session is the case heard on 21 July when the tenants and inhabitants of the royal lands of Trabreauch, Kyle, Ayrshire, brought a complaint against Gilbert, Earl of Cassillis, that he was demanding payment of the mails of the past two years by extortion, since they had already paid the same to the King's Chamberlain. The tenants were represented before the Council by the Justice-General Colin, Earl of Argyll. No judgement was given and the case was continued to 26 August when nothing more is heard of it.⁴ Perhaps, significantly, Gilbert, Earl of Cassillis, continued to appear in the Exchequer to pay the dues for Trabreauch and other royal lands as Chamberlain of Carrick, Leswalt and Menybrig.⁵

The most significant cases of the first Session concerned, on the one hand, the latest developments in the long-running disputes over benefices, and, on the other hand, cases involving Queen Margaret and the Earl of Angus.

The major disputes over benefices which were brought before the Council concerned the Archbishopric of St Andrews; the bishopric of Dunkeld; the preceptory of Torphichen; the Abbey of Glenluce, and the Collegiate church of Restalrig. Rarely were disputes settled as amicably as that between Master Patrick Coventry and Master John Douglas over Restalrig. The former was to be Dean of Restalrig (and as such became a regular member of the Council) but he would remit all the profits which the latter had received in return for a renunciation of all his claims.⁶

The Abbey of Glenluce had been in dispute between David Hamilton, Bishop of Argyll, who was its absentee commendator and Alexander Cunningham,

Cunningham, a monk of Glenluce, who had claimed the Abbey by right of election. Cunningham had been warded in Blackness Castle, but with the arrival of Albany, he submitted and was allowed to leave ward and was even permitted to return as a monk to Glenluce if he wanted.⁷ This was not the end of the matter, however, for only a few days later the Bishop of Argyll called on the Council to repeat the decret in his favour while the head of the 'name' Cunningham, Cuthbert, Earl of Glencairn, found surety for his kinsman to behave.⁸ It was nearly another year before Alexander Cunningham was finally pacified and then only after his final vigorous protest against his treatment which reveals that Arran (who was the Bishop of Argyll's half-brother) had been the instigator of his arrest and warding at Blackness. The Lords decided that he had broken the Act of Parliament against intromission with benefices and that he had no title to Glenluce. They still remained willing to allow him to be released to live at the Abbey as a monk or to find surety not to trouble the Abbey further.⁹ What the Glenluce case really showed was the power of a wealthy and influential commendator.

One of the most time-consuming and acrimonious disputes was over the preceptory of Torphichen, which carried the lay title, Lord St John's to its holder, who was the head of the Order of the Knights of St John of Jerusalem in Scotland.¹⁰ Albany had preserved his appearance of impartiality by appointing a commission to advise him on the rights of the claimants, who included George Dundas, for long the designated successor of William Knollis, and Albany's half-brother, Alexander Stewart.¹¹ At first Alexander appeared to have the upper hand, appearing several times in Council sederunts between July and October 1515. Alexander's rival, George Dundas, was eventually successful in having papal bulls accepted, proving his right to Torphichen, despite allegations of treason made against him for having/

for having travelled through England in war time. Thereafter, Dundas served as a consistent councillor in every year of the minority.¹²

The disputed succession to the See of St Andrews reflects its position as the wealthiest and most influential ecclesiastical appointment in Scotland. The early moves in the search to find an acceptable candidate are described above.¹³ The provision of Andrew Forman by Pope Leo X on 13 November 1514 marked the point at which Forman's ultimate success became very likely.¹⁴ He had the backing which was needed in Rome and also in France and it only remained for him to win over the backing of enough of the ruling class in Scotland for his promotion to be assured. This popularity in Scotland was not easy to find because Albany, who was predisposed in Forman's favour by their common knowledge of the French Court, inherited an attitude of hostility from the Scottish Council on his arrival.

On 3 March 1515, the Lords of Council had all agreed,¹⁵ except the Chancellor, James Beaton, Archbishop of Glasgow, to the appeal made by one of Forman's greatest rivals for the primatial See, Prior John Hepburn of St Andrews, against the bulls purchased by Andrew Forman for St Andrews, Dunfermline and Arbroath.¹⁶ They based their opposition on the grounds of Forman's infringement of crown privileges. The exception of James Beaton is significant since he was an ambitious man and may have felt that he had a chance of raising sufficient support for his own candidature. At any rate, he was probably playing a subtle, though not unusual, game of support in return for favour. When Forman was settled at St Andrews, James Beaton won confirmation of the exemption of Glasgow, Galloway and Lismore (Argyll) dioceses from the jurisdiction of St Andrews and of a further twelve members of Beaton's household beyond those resident in his diocese, an agreement to continue even if Forman became a cardinal.¹⁷ Letters had immediately/

Letters had immediately followed the appeal against Forman, directed to Leo X, accusing Forman not only of impetration with St Andrews, but also of the distinctly anti-French charge of having been the cause of conflict between Henry VIII, Louis XII and James IV in 1513. His diplomacy in the months before Flodden was now cast in his face as he had been one of the principal voices urging Scotland to give succour to her ancient ally of France by an attack on England. The Lords claimed that Forman had been justly condemned as a rebel and exile who was unworthy of office or benefice.¹⁸

Andrew Forman did not accompany the Duke of Albany to Scotland. The suggestion made by Herkless and Hannay that the two were estranged because of the former's earlier willingness to seek a compromise with Henry, is rather unlikely.¹⁹ At this time, Francis I was very much in favour of peace with England and all ways of extending that peace must have been satisfactory, while the promotion of Gavin Douglas to Dunkeld, in whose favour Forman was said to have written, would have removed one of Forman's chief rivals from the St Andrews contention. Undoubtedly once Albany was in Scotland, he did not favour Forman, but this was due largely to the inherited hostility of the Scottish Council. Shortly before Forman's arrival in Scotland,²⁰ he was cried down by the Lords of Council for having infringed the royal privilege in purchasing his bulls for St Andrews. In reply, his brother, Robert Forman, Dean of Glasgow, made the claim that Forman had obtained 'writings' from James IV empowering him to purchase any vacant benefice. An investigation into this claim was ordered.²¹ Forman arrived in person at or near his Priory of Pittenweem and he was ordered to be detained there, an involuntary detention which lasted till the end of the year.²² This was because the Council's hostility had hardened by the end of June into a decision not to admit the Bishop of Moray's promotion to be Archbishop and legate until he had been admitted thereto by the Duke of Albany.²³ /

Albany.²³ The Council which made this decision was again representative of various groups in Scotland's political community, showing the widespread opposition Forman had engendered, including pro-Albany supporters (notably the Chancellor, Bishop of Galloway, Earl of Cassilis and Lord Fleming); pro-English supporters (Angus and Drummond) and the Hepburns (Prior of St Andrews, Postulate of Dunfermline - his abbey would have gone to Forman if he had been provided - and the Dean of Dunkeld). The onus had been placed very definitely on Albany. Spinely had claimed on 17 June 1515 that, "Moray and Albany are good friends, but as the former is not popular in Scotland, they wend different ways..."²⁴ and this seems likely both politically and personally. Albany had to take notice of the sensibilities and prejudices of the ruling class if he was to make any headway in governing Scotland. Though personally in favour of Forman's promotion and probably realising the likelihood of its eventual realisation because of his papal provision and the failure of another candidate to emerge as a compromise, (perhaps what James Beaton had in mind) with enough backing, Albany had to take note of the widespread opposition to Forman's appointment. In July, Albany wrote to Leo X intimating that the Lords had agreed to Forman's appointment as a considerable sacrifice in order to obtain papal sanction for royal nominations in future.²⁵ However, the temporalities of the See remained in Albany's hands. The connection between the active opposition which now descended on Albany and the non-acquisition of his See by Forman, is not coincidence. Although Albany could obtain valuable financial gains in his fight against Lord Home by retaining the fruits of the See, that was not the fundamental reason for Forman's non-promotion. What was in essence at the root of the problem was Albany's desire to be seen to be maintaining royal privileges. It was on the grounds of having had no respect for those privileges that Forman had been condemned/

been condemned by a properly representative Council. Although they had subsequently transferred to Albany the right to carry out the promotion when he thought fit, it was not to his advantage in the propaganda fight to establish his image as the guardian of royal privilege, to promote Forman to the temporalities of his See until the following February. Then he was in a much stronger position and, indeed, about to obtain the submission of his enemies. In the meantime, the revenues of St Andrews and also Dunkeld and others, could be put to good use in helping the fight against Albany's enemies.²⁶

The claims which Gavin Douglas had raised to be promoted as Bishop of Dunkeld were also ultimately successful. He too had papal provision²⁷ but, being closely identified with Margaret and the pro-English faction through her marriage with his nephew, the Earl of Angus, Douglas had a less compelling claim. He was cited to appear before the Lords of Council on 6 July to answer for his procurement of the Bishopric of Dunkeld and the case was heard further on 9 July. The catalogue of evidence produced against him detailing English support for his claims, proves that they had actively desired his promotion. The unusual aspect of having copies of these letters and evidence engrossed in the record was probably a move by Albany to counter any English criticism. Douglas's defence rested on the claim that the Lords were not competent to judge him - a weak argument which had not been accepted in other cases, (because the case concerned the royal privilege of nominating to valuable Sees and Abbeys). His second defence was a letter in his favour subscribed by Queen Margaret and the Lords then with her in January 1515.²⁸ He claimed that they acted on royal behalf in promoting him. This argument would have been more compelling if those who had signed the letter were not now either strong supporters of Albany or not yet actively opposed to him. In fact, the Earls of Erroll and Glencairn/

Glencairn (Gavin Douglas's brother-in-law) and Lord Hay of Yester (his nephew by marriage) were anxious to avoid implication in the trouble that was brewing, and they lodged protests that they had only signed the letter, in favour of Gavin Douglas's promotion to Dunkeld, because they were affirming the royal privilege (and the right of Margaret, at that time, to execute it); and that they would do nothing to break such privilege, (neatly accepting that it was now Albany who had the right to exercise it). In the face of such desertion of allies, the Council's judgement is not surprising. They declared that Gavin Douglas had broken the statutes of Parliament against impetrating benefices or seeking promotion with outside help, contrary to the Crown's privileges. He had purchased the bishopric of Dunkeld without the King's licence or Albany's commendation or laudation - because the letter of 20 January in his favour, signed by Margaret and others, was insufficient licence.²⁹

It is necessary to look beyond the disputes over benefices to find the reasons for the eruption of active opposition to Albany. Though the removal of the children, James V and the Duke of Ross, from Margaret's care was the catalyst for action, there was an accumulation of grievances on the part of the Queen and her supporters over the first two months of Albany's governorship. The warding of the Bishop of Dunkeld, her husband's uncle, was only one important aspect of this.

Despite Margaret's later protestations that it was wrong,

"...for to say that ever I was agreeable, content or pleased that the said Duke of Albany should come into Scotland, or that ever he did justice or meddled with justice, but only vexed and troubled me and my friends..."³⁰

she seems to have been willing to make an effort at peaceful co-existence in the beginning and Albany may have sought, in turn, to please Margaret as far as possible.³¹ She also seems to have given some form of further approbation of Albany's position on his arrival, in addition to her earlier subscription/

subscription to a call for his return in August 1514. In a letter of 3 July 1515 (before the Queen was in active opposition) from James V and the Estates to Pope Leo X and the Cardinals, it was stated that credence was to be extended to Albany because he was accepted as Governor "unanimously, Margaret assenting", a point repeated in the note of the Council record ordering the letter to be written.³²

Besides giving such assent, the Queen and Angus gave implicit acceptance of Albany's right to give justice by using the Lords of Council to try to obtain redress. (Angus gave explicit acceptance in mid-July in the Parliament by his involvement in the opening ceremony.³³) David, Master of Crawford, had withheld the castle of Methven and intromitted with the profits of its lands in defiance of the grant of the castle and lands to Margaret as part of her conjunct fee. The Lords first heard the case raised on 2 June 1515, but the grievance of Margaret and Angus was based on frustration as the case was continually postponed throughout June and July until action took over from discussion.³⁴ Nor was this the only example of an apparent failure of justice on the part of Angus or Margaret. On 23 June 1515, Gavin Douglas had entered a protest in the long-standing case between Janet Kennedy (the former mistress of King James IV³⁵ and of Archibald, 5th Earl of Angus, of whom she may have been the wife³⁶), who was a claimant to the Lordship of Bothwell, and Archibald, 6th Earl of Angus. The baronies of Braidwood and Crawford Lindsay were granted to Janet Kennedy in the summer of 1498³⁷ but she was challenged therein by her husband, Angus, after their separation.³⁸ In 1509 they reached a compromise whereby she resigned Crawford Lindsay and Braidwood and other lands in return for the liferent of the barony of Bothwell,³⁹ a settlement approved by royal charter of confirmation.⁴⁰ She had still been troubled however in her possession of Bothwell and obtained the backing of the Council/

Council in the period immediately after Flodden to force her tenants to pay their rents to her, her forespeaker protesting that the Earl of Angus interfered in her enjoyment of their rents and duties.⁴¹ By the time of Gavin Douglas's protest in June 1515, her ex-husband was dead and his grandson had taken over the determination to prove his right to the barony of Bothwell.⁴² The protest was that Janet Kennedy claimed to have been brooked in the lordship for thirteen years (i.e. from 1502) but she had only produced an instrument thereof dated four or five years before the date of the hearing (i.e. from 1510-11).⁴³ Gavin Douglas further proposed an exception to the royal letters purchased by Janet Kennedy to force payment of the rents of the lordship of Bothwell because they were of a different form to the ones raised before.⁴⁴ The Lords ignored all of Gavin Douglas's arguments as being insufficient to retract the letters and ordered instead that they be put to due execution. Almost certainly Janet Kennedy's rights to the lordship in liferent were just but the disregard with which Angus's case was apparently treated would be one more grievance against the justice provided by the Albany-led Council. (Albany was himself present on 7 July when the above decision was made.)

Two days after the judgement in the Bothwell case had gone against Angus, the claims of Gavin Douglas to the Bishopric of Dunkeld were quashed by the Council. The judgement was pronounced against him on 9 July and he was warded in the sea-tower of St Andrews Castle.⁴⁵ On 11 July, Angus's maternal grandfather, Lord Drummond, was charged with treason and ordered to remain at his own expense with James Logan in Leith until 16 July when he was to appear in Parliament to hear the judgement in his case.⁴⁶ This was rather harsh treatment for an elderly man who had been making overtures of peace to the new régime for some time. On 28 June he had made an oath to be loyal only to the Governor and to no other.⁴⁷ On 9 July he appeared as one/

as one of the judges in the Council which condemned Gavin Douglas and in the midst of the controversy over Douglas, he revoked all the things he had done in support of Margaret.⁴⁸ Such moves availed him nothing and the trial and judgement, though the parliamentary record is not extant was not in his favour. According to the decree of his restoration to lands and title in the Parliament held at Edinburgh on 22 November 1516, his life alone was left to him. The official charge on which he was condemned was that he "put violent hands on Lyon King of Arms".⁴⁹ Margaret memorably described this incident in her later catalogue of complaints as the occasion when Lord Drummond, "...waffed his sleif at an harralde, and gave him upon the breast with his hand" for unbecoming deportment, saying that he came from the Lords.⁵⁰ The incident obviously took place in the months immediately following Margaret's marriage to Drummond's grandson, Angus, probably during one of the meetings which sought to achieve a compromise in Albany's continuing absence.

There were other probable reasons for proceeding against Drummond which made this incident seem likely to be just a useful excuse. In the first place, Drummond was the Captain of Stirling Castle⁵¹ and, despite all his fair words to Albany, he could not be expected lightly to abandon Margaret when Albany tried to take the royal children from her keeping there. Dacre additionally furnished the evidence that Drummond, at some point shortly before his arrest, had made known that he advised having the King of England made protector of the Scottish realm and the young King James V delivered into his hands.⁵² This was a particularly dangerous attitude to take because Lord Home was to be convicted later in the summer for trying to put such a plan into operation. It was incompatible with the recent support Drummond had shown to Albany and he may have abandoned such ideas when Albany actually came to Scotland.

The taking/

The taking of his heritage and goods, but not his life, lends weight to the view that Drummond was an example to the other Lords that such beliefs were not acceptable. Albany never granted away the Drummond heritage and it was restored to him in November 1516, for his "good mind and true service" to the late James IV, the King's grace "that now is" and to the governor.⁵³ A comparison with Albany's tactics in regard to Home's forfeiture suggests that it was only when such a warning failed to work with Home that he proceeded to use him as an example of his willingness to take life as well as heritage. (Although the heritage was forfeited in October 1515, it was not granted out until after Home's execution in October 1516.) Drummond was warded in Blackness Castle, where he remained throughout the coming few months of crisis.⁵⁴

3. Albany's seizure of the King : beginning of the active opposition

The way was cleared by such moves against potential opposition and by the apparent unanimity of Parliament for Albany to proceed to the next stage of securely establishing his position as Governor. This was the one direct move against Margaret and her friends which counted more than all the above grievances in raising their opposition, and the move directly responsible for the disturbances of the rest of the year; that was the removal of James V and Alexander, Duke of Ross, his brother, from Margaret's keeping. Albany was aware from the start that his claims to act for the King and with full royal authority depended on the continued goodwill of the King himself, or rather of whoever had control of his person and could therefore claim to speak with his voice. Margaret and Angus were potentially hostile to Albany's intentions and the King had to be removed from their influence. Such an action naturally engendered even greater hostility.

On 26 July 1515/

On 26 July 1515, Parliament approved a scheme for the sure keeping of the King and his brother.¹ Dacre described the scheme as providing eight Lords chosen by Parliament, of whom four were sent to the Queen desiring her to choose three. In the Council record, only three are mentioned - Marischal, Borthwick and Ruthven. They are recorded as dissenting from their own appointments - presumably to avoid any suspicion being cast on their impartiality. Others who may have been among the eight were Erskine, Fleming and Sir John Stirling of Keir, who received Albany's letters and credence for the keeping of the King's Grace on 31 July.² The endearing scene of Margaret with her elder son by her side and the younger in his nurse's arms, defying the Lords sent to demand her surrender of them into their care as appointed by Parliament, is recorded by Dacre just a few days later³ and while he may have tried to rouse an indignant sympathy in his readers, the substance is very likely true. He gives a very great deal of detail in his letters describing the events of the next few days and where he deals with facts, there seems no room to doubt the authenticity of the reports which reached him.

Dacre indicates that at first Angus was willing to surrender the children immediately into the Lords' care. He may have thought it expedient to avoid facing the same fate as Lord Drummond. Margaret was quite happy to stay in Scotland so long as she could keep her children or have ready access to them. She offered a compromise, therefore, but one doomed to failure without even consideration, given Albany's desire to remove the King from the Douglas influence. Her suggestion was to surrender her children into the keeping of Angus, Marischal, Home and Sir Robert Lauder of Bass, if she herself was suspect, while reserving the liberty to see them when she pleased. Of these, only Marischal was acceptable to Albany and he may have been included by the Governor only as a sop/

a sop to Margaret. (He had been a supporter of hers in January 1515.) Albany rejected Margaret's compromise and raised a force to besiege Stirling.⁴ The strength of the besieging force is uncertain, but it cannot have been very large, at least at first. The grand design which Dacre proposed in response to this move, was the kidnapping of James V from Stirling by Angus and Home with sixty horsemen. Although a small force had a better chance of eluding besiegers, it must have been reckoned to be large enough if it came to a fight. Dacre relates that the force encountered the besiegers, who were led by the Earls of Lennox and Cassillis and Lords Borthwick and Ruthven and that in a fight which ensued, sixteen men were killed. They did, however, manage to speak to the Queen and to leave George Douglas, Angus's brother, to help her, but the kidnap plot was a dismal failure. It is very likely that the whole idea had emanated from Dacre. Margaret can only have been informed of it on their arrival at Stirling, while Angus had been quite happy to surrender to Albany just days earlier. Dacre's whole political life in the next few months was taken up with attempts to destabilise Albany's government without breaking the truce between England and Scotland, and for this reason he gave fees to potentially disaffected Scots to take up arms against their Governor.

The previously unknown factor was Lord Home. The mention of his name as a suitable guardian for her children by Margaret is his first association with the anti-Albany faction, and his involvement in the kidnap plot was the first manifestation of his avid opposition to Albany, a disaffection which only death removed. It is difficult to understand the change in Lord Home. Before Albany's arrival, he had been one of the most ardent supporters of his governorship and nothing which happened in the first months after he came openly accounts for the swing. It is true that Albany's restoration to lands and title may have threatened Home's position of influence/

of influence in the Eastern March but that title, as already explained, was not taken too literally. The answer lies almost certainly in disappointed ambition. It is not necessary to believe in chroniclers' tales of Prior Hepburn poisoning Albany's mind against Home,⁵ to imagine that Home had hoped to enjoy a pre-eminent place in the Council and did not. The hallmark of the first two months of Albany's active governorship was his attempts at reconciliation which could not favour one man too openly over others. It is likely that Home's disaffection was aggravated by the subtle persuasions of Lord Dacre. The latter reported to the English Council on 4 August that he had made Home 'fast' to the Queen's party, and just two days later Home wrote to Dacre that he would "never take any way with the Duke or the Council except with the King's consent [i.e. Henry VIII]"⁶ By that stage the royal children were in Albany's control.

The besieging force at Stirling may have been relatively small at first, but the numbers anticipated by Albany's letters suggest no surprise that the defenders were fairly quickly overawed. Albany sent general letters to raise supplies for the army to Linlithgow, Stirling, Falkland, Dunfermline, Inverkeithing and Kinghorn and the burghs in those areas and to call on Dalkeith, Newbattle and Restalrig for oxen to help pull the guns.⁷ It is clear that he sought to make a show of strength sufficient to avoid a long, drawn-out siege; (Dacre had reported that he believed the castle could not be won before Michaelmas [i.e. 29 September], nearly two months away.)⁸ His success came from the fact that most of the temporal Lords realised that it was anomalous and, in fact, dangerous, to have the King in the hands of Lords other than those Albany could fully trust. His force was estimated by Dacre's spies at 7,000, including the majority of the temporal Lords,⁹ and the necessity of drawing supplies from such a wide area/

area supports the view that this force represented a sizeable degree of support for Albany's position. There can be no suggestion that the Lords followed Albany from fear because this ignores the recognition that the best chance to be rid of Albany was if he was unable to establish his government. One sure way to prevent this would be to have the King in the hands of the opposition. Control of the King was all-important and Albany had the support not only of the Lords in Parliament, but also of those same Lords willing to raise their men and fight to establish his right.

The threat of the arrival of the artillery with such a force seems to have been enough to induce thoughts of surrender in the defenders. If Dacre is to be credited (and I have argued that he is), George Douglas proved even more spineless in a crisis than his brother had done, as he seems to have fled the castle with all the men who had been defending Margaret. Again, the only excuse is that almost certainly the younger Douglas would have been tried for treason and at least committed to ward to join his uncle and grandfather. If they realised the inevitability of an Albany success, Margaret and George Douglas may have felt that the escape of the defenders to carry on the fight another day was the most sensible way to maintain the opposition. Margaret, realising that defence was now impossible, surrendered the keys to the toddler king and instructed him to hand them to Albany, another touching scene told by Dacre in such a way as to conjure up visions of the young Edward V and his uncle, Richard III, a comparison which occurred all too readily to the minds of Dacre, Wolsey and the English Council.¹⁰ Back in Edinburgh on 6 August, the Lords of Council recorded that the Governor had appointed Marischal, Borthwick and Ruthven as Keepers of the King and his brother and had entered them into keepership of Stirling Castle following its surrender.¹¹

Despite this major success, the country was not yet pacified and Albany decided/

Albany decided to pursue Home immediately for his manifest treason. The charges against him were first rehearsed at the same meeting of the Lords of Council on 6 August. These charges consisted of his treasonable imagining of the kidnapping of the King and taking him out of Stirling Castle "be craft and subtillite" and thereafter delivering him to English keeping "to thar perpetuale subjection and utar distruction of the realme of Scotland". He had compounded this manifest treason, (of which he was demonstrably guilty, as Dacre's despatches to the English Privy Council prove) by contemptuously dismissing the messenger sent to summon him to answer on certain points to the Governor. Not only was he guilty of these treasons, but his brother, William, (later executed as well) had demonstrated his complicity therein by following the departed messenger and seizing his letters, and he [William]

"...said wikkit, evil and malicius wordis of my lord governour and in speciale that he suld writ letteris with ane langar pen and ink of blud and that he suld rais fyir to wrek his evil mynd."¹²

Such "opin, manifest tresoun and insurrectioun" could not go unpunished by Albany. His authority had been infinitely strengthened by his ability to control the King and at this stage, Queen Margaret and Angus were also in his power. It was left to Home to carry on the resistance and if Albany could remove that thorn, his government would be well on the way to overall control. His first action was again typical of his concern throughout his governorship to be seen to be acting only on behalf of the King or of the estates, not on his own. He made faith to be loyal to the King in resisting the treasonable violence of Home and his assisters. All his accomplices were warned not to give him aid any more, under pain of forfeiture of life, lands and goods.¹³

Also on 6 August, the army was raised with orders to be in Edinburgh on 15 August/

on 15 August with twenty days' victuals ready for a campaign in the Borders. The army was to be raised from the lieges in Roxburghshire, Berwickshire, Peebles, Selkirk, Forfar, Kincardine, Fife, Dundee, Cupar, Bervie, Perth, Menteith, Clackmannan, Strathearn, Kinross, Kyle, Cunningham and Renfrewshire.¹⁴ Edinburgh, Leith, Haddington and other neighbouring towns were to provide supplies¹⁵ and further requests for supplies were sent to the Sheriffs of Selkirk and Lauder and to the town of Dunbar.¹⁶ Home, on the other side, was able to rely on the support of the English Warden of the Marches, Lord Dacre, which was as yet tacit and not explicit, to avoid breaking the truce. Nevertheless, the offer of a safe refuge in England if events turned against Home was an important safeguard. At this stage, he did not have support inside Scotland from other members of the ruling class as Angus appears to have deserted him to return to be with the Queen in Edinburgh (the probable meaning of an obscure passage in Dacre's despatch of 7 August¹⁷). Home was stocking Fast Castle, Berwickshire, ready to cause trouble in the Borders by guerilla-type raids. The way to overcome such tactics was correctly perceived by Albany, that is to take control of all the strongholds from which the opposition could operate. On 10 August, Albany sent an officer to the Borders to demand the possession of Home strongholds in the Eastern March in Albany's name.¹⁸ These were Home, Thornton, Fast Castle, Dirleton, Dunglass and Samuelston, as well as the Queen's castle of Newark in Ettrick Forest, of which Home was the Keeper.¹⁹ The next day the artillery, which had been such an effective threat against the defenders at Stirling the previous week, began to be moved towards the Borders.²⁰ Albany had, in the meantime, taken steps to deprive Home of his wardenship of the Marches, appointing Lord Maxwell and Andrew Kerr of Cessford to the West and Middle Marches respectively, and leaving the East March vacant, /

March vacant, because no-one could successfully have undertaken the job at that stage without serious interference from the renegade Lord Home. Dacre, Home's partisan, not surprisingly, wrote to Albany in protest against the deprivation of Home.²¹ He also took the opportunity to assume that the army being raised by Albany (which on 14 August was to be ready at an hour's warning²²) was intended not to proceed against Home, but to attack England - "it is said to lay siege to Berwick". These words were of little immediate help to Home. His offer on 14 August to surrender his castles, including Fast Castle which he had made his base,²³ reveals quite clearly that he did not have enough support to resist Albany - once again the Lords of Council must have made clear that they were willing to take action to enforce their pronouncements. Home's castles were surrendered to Albany's forces on 16 August and in order to avoid continuing the English suspicions, Albany, on that day, disbanded the army, even though Home himself had not yet surrendered.²⁴ By 20 August, Home and Dunglass were held for the Governor²⁵ and Newark also by 22 August.²⁶

At this stage, the Duke of Albany was closer to obtaining a favourable settlement of the government of Scotland than at any time before the spring of 1516, except for a couple of days in October when Home himself was in his power. He had Home on the run, without a base to work from, and he had Margaret and Angus in his power. He tried to obtain Margaret's consent to an indenture made at Edinburgh on 14 August²⁷ by which she would guarantee not to seek help from England or any other realm without the Governor's special licence: in return for which Albany would defend and help Margaret in all their reasonable causes and secure their privileges and property. Dacre warned Margaret that if she agreed to this, it would be to her utter destruction, (for which read the utter destruction of Dacre's schemes to destabilise the Scottish government and force Albany to leave Scotland) considering/

considering all that Albany had so far done to deprive her of government, comfort, family life and her income.²⁸ Indeed, Albany's promises do sound rather hollow when the Treasurer's Accounts record receipt on 17 August of the sum of £381 5s Scots which had been intended for Margaret's sustentation being diverted to Albany's secretary.²⁹ Albany could justify such a sequestration on the grounds of the national emergency and the need to supply the army defending the national interest against traitors like Home. It was hardly likely to inspire confidence in Margaret of the realisation of her desires at Albany's hand in return for not seeking aid of anyone else.

There now followed on 20 and 22 August letters purporting to be written by Margaret in favour of Albany. In the letter to her brother, Henry VIII, of 20 August, is the statement that Margaret was quite content to have handed over control of the King, and hoping that "...she and Albany will continue in such a course that peace may be preserved..."³⁰ These letters do not conform either to Margaret's earlier defiance of Albany until forced to surrender her children, nor with the later position she adopted, once she had escaped to England. This prompts the conclusion that the letter was forged or her signature was not appended willingly, as Lord Home believed...

"...The Duke will not be satisfied unless he have the kingdom unconditionally, and has 'grat' [i.e. compelled] the Queen against her will to write to her brother that she is content..."³¹

If this was true, then Albany had knowledge of the code which Margaret had earlier devised for just such an eventuality³² for these letters were all signed, "Your loving sister, Margaret R", the code for a letter sent of her own free will. On the other hand, considering the circumstances as they stood at that time, it is not inconceivable that Margaret was willing to forget old/

forget old grievances and co-operate with Albany. He was very close to securing a stable government in Scotland and stability would almost certainly restore to Margaret some rights of involvement with her children - a major consideration with her. Alternatively, she may already have formulated plans to escape to England using her pregnancy as a ruse. In the letter of 20 August she stated her intention to retire to Linlithgow at the beginning of September for her 'lying in' before the birth of her child by the Earl of Angus. If the escape plan was already formulated, it is likely that she would have written to her brother in a manner calculated to please Albany and allay his suspicions, trusting that she would be able to repudiate her statements when she was safely in her brother's realm.

Lord Home was not yet willing to surrender himself and the evacuation of certain of his strongholds was only a measure to buy some time. This is suggested by the willingness with which he destroyed his own castle of Home rather than let it serve as a defensible stronghold for Albany's forces. Dacre reported that Home Castle had been burnt, its iron gates removed³³ and all the houses and chambers unroofed except one vault, where Lord Fleming, who had invested the castle on Albany's behalf, lay with his men.³⁴ On 22 August, the Lords of Council advised that until the iron gates could be restored and the whole place repaired, Fleming should retain a force of a hundred men within its walls, ready for the possibility of a surprise attack as Dacre reported was proposed a few days later.³⁵

An act of the Lords of Council further extending Albany's powers to act as if he were a fully adult king was passed on 22 August. All summons of treason passed under the white wax and other seals in Albany's name were to have strength and authority as if they were directed in the King's name. The councillors who proposed this extension of Albany's powers³⁶ were clearly thinking of Lord Home's treason, for just two days later, the formal summons of treason was sent to Lord Home, his four brothers (George Home [later 4th Lord Home], William Home [also executed in 1516], David

Home (Prior of Coldingham) and John Home, Abbot of Jedburgh) and David Heriot of Trabroun (i.e. Traprain) ordering their compearance to answer the charges or be forfeited on 22 October, that is on 60 days' notice.³⁷ The Duke had earlier offered the prospect of remission for all bygone assistance to Home in his treasons to all of his supporters except the above-named men, provided they abjured their 'evil opinion' and came into the Governor, in an effort to isolate the Chamberlain from his support in the Eastern Marches, which must have been strong enough to prevent his capture or surrender when he evacuated his strongholds.³⁸

Albany also appeared to be fighting against an enemy within, who was revealing Council decisions in advance to Home, allowing him time to respond to their measures. Albany now charged

"...that nane of our soverane lordis liegis spirituale nor temporale, hie degre nor law, send na writtingis nor credence with na personis to the said Alexander Lord Home in na maner of materis in tyme cuming without licence of my said lord governour nor ressave na maner of credence nor writingis fra him, bot gif thai schaw the samin to my said lord governour undir the pane of lif landis and gudis..."³⁹

Proof that such measures were beginning to have an effect was forthcoming on 27 August when two members of cadet branches of the Home family - David Home of Wedderburn and Alexander Home of Polwarth, compeared before Albany and the Lords of Council in the palace of Holyrood to give their oaths not to help nor supply Lord Home nor his accomplices in any way, but rather to pursue him at their utmost power. They also swore to make redress for any raids on England to avoid any further stress being placed on Anglo-Scottish relations. In mid-September, William Cockburn of Scraling and his tenants, John Scott, Andrew Aitken and the widow of James Hunter, won their case pursued before the Lords of Council that their lands had been wrongfully spuilzied by John Somerville of Cambusnethan, William, his son and Stephen Taylor, while Cockburn was serving at Albany's command with the/

with the host at Home Castle. Somerville was ordered to make redress.⁴⁰

John Somerville of Cambusnethan was tutor to his kinsman, Lord Somerville, who was mentally deficient, and was a close associate of the Earl of Angus.⁴¹ In this instance he seems to have carried out some kind of diversionary raid or revenge attack in support of Lord Home. The Council once again demonstrated its support for the rule of law in condemning such an arrogation of justice to a private citizen.

Despite these measures, Albany had still not broken the spirit of Lord Home's resistance and on 26 August, Home Castle fell back into the hands of its erstwhile owner, who further broke down its walls and "dammed up the well for ever more".⁴² The Homes now made Blackadder Castle their base instead.⁴³ Albany remained aware of the dangers he was facing as his further requests to the Provosts and Bailies of St Andrews, Dundee, Montrose and Aberdeen testify.⁴⁴ He wanted 'wageouris' to be sent in. This suggests that he realised that the use of a 'national' army was unsuitable for a long struggle against guerrilla tactics, while the additional strain imposed on Anglo-Scottish relations by such an army similarly made its use unsuitable. Nevertheless, he may have felt that the 'wageouris' were just to be an adjunct to the continued use of the traditional army, because men of war from all parts of the realm were also summoned.⁴⁵ The 'wageouris' were probably intended as the fallback if a quick solution was not found by the use of a large force.

4. Margaret's flight to England; Arran joins the opposition

By at least the beginning of September it was clear to Margaret that the chances of her supporters in Scotland being restored to positions of power and influence were very slim, while Albany remained in Scotland. It is possible, nevertheless, that there was no great thought for the long-term future in her flight to England. Her position in Scotland had become untenable/

untenable from her point of view, because she had been deprived of direct control of her children, with all the possibilities for influencing them which that entailed, and of easy access to them. Further, her closest supporters were either in ward or proscribed traitors (except her husband, Angus; he had, however, not distinguished himself in the crisis so far). These were strong reasons for her to go to England and raise the support of her brother. On the other hand, her departure removed one of the major focal points of discontent from Scotland, leaving Albany a clear field to ignore her desires. In fact, he did not do this and made many efforts to lure her back to Scotland in order to validate his claim to rule Scotland with the consent of all. Despite these offers, her absence continued throughout the rest of Albany's first period of regency and this also made it easier for Angus and Home eventually to become reconciled to Albany, because they did not have to support her impossible demand for control of her children. Their reconciliation to Albany in the Spring of 1516 in turn further rendered it impossible for Margaret to enjoy the sort of position of privilege and power at the head of the Scottish government, which she had so craved, despite being deprived of it in 1514.

Margaret's actual departure from Court took place in the early days of September. The plot had been worked out by the ever-resourceful Lord Dacre who had suggested the first two or three days in September as the most suitable. The details are given in the credence sent to Dacre from Margaret by her servant, Robin Kerr, and make it clear that she was responsible for the actual working. She was to escape from Linlithgow, where she had gone for her lying in, pretending to be nearer to giving birth than she actually was, with only her husband and four or five servants attending her. They were to be met two or three miles from Linlithgow by Lord Home.¹ Albany refers to this escape having actually taken place/

taken place, in his declaration of 5 September, justifying his government in reply to complaints raised by Margaret, and signed by Lord Dacre, Earl of Angus and Lord Home. He offered a deal if Margaret would return to Scotland (suggesting that at that stage he believed that she had gone straight to England, which she had not done). If she came back for her "gesine" (lying-in before birth) he would restore "everything" to her within seven days. Alternatively, if she was now too weak to travel, she could send Angus and his brother as hostages during her "gesine", and they would receive full pardon for all their crimes; (an unsubtle hint of their fate if captured having ignored the offer). She, herself, would then return 8 days after she was churched. In addition "communication" was to be established concerning Home's fate.² Albany's concern to have Margaret back in Scotland reflected the positive and negative aspects of his government. He wanted her back in Scotland and amenable to his rule to allow him to claim to govern with the concern for all which a 'good' government displayed, and with unanimous consent. Moreover, he wanted to prevent Margaret from returning to Scotland, with an English army, which would not only shatter the peace and involve France in an undesired war, but which would mean the failure of Albany's government.

This offer and all his subsequent offers were ignored. Margaret seems to have fled at first to Tantallon Castle. She had to leave there in a hurry, probably when Albany received news of her being there, leaving behind her baggage and jewels.³ Albany sent letters to Tantallon in haste on 13 and 14 September but the accounts do not mention to whom the letters were addressed. They may have been either to Margaret with further offers, (though this is unlikely as later messengers were specifically stated to be taking letters to the Queen) or to her supporters in the castle, threatening punishment if they did not surrender./

surrender. Another possibility is that they were directed to Albany's men in the area to move in and capture Margaret. Her hasty flight had taken her to Blackadder Castle, the Home stronghold, by 16 September (when Albany sent further letters to her)⁴ and to England via Coldstream Priory by 24 September.⁵ Two days later, the summons of treason on her husband, the Earl of Angus, was sent out giving him fifty-one days' notice to compear on 16 November 1515.⁶ Margaret had made one last attempt to obtain some favourable response from the Council in regard to her living. She sent a supplication to them asking to have the ward and marriage of an heir within her conjunct fee lands of Balquhidder, which the Treasurer had disponed to others (probably at Albany's request) granted to her. No judgement is recorded almost certainly preserving the status quo and, therefore, answering against Margaret.⁷ Nevertheless, the Council continued to seek a way of persuading Margaret to return to Scotland and authorised the French Ambassador, Monsieur Jean De Plains, to go to England on 28 September with their latest offers.⁸

The summonses to raise the army had continued to be sent and the stocking of Dunbar, Fastcastle, Dunglass and Tantallon with victuals and artillery gave grim warning to Home that Albany was preparing for a final assault on the Eastern borders.⁹ The army itself was at Dunglass and Dunbar, (which was in the control of French troops) between 2 and 9 October.¹⁰ What followed was an episode of high drama which furnished many an exciting chroniclers' tale.¹¹ Prosaically, what happened was that Lord Home was persuaded to come to meet the Governor at Dunglass, where he was arrested and conveyed to Edinburgh Castle in the keepership of the Earl of Arran. Once there, Home persuaded Arran to renounce the trust which Albany had plced in him and they escaped together to the Merse where they met up with sympathisers, including the Earl of Angus. Angus, Home and Arran/

and Arran then formed a mutual alliance to exclude Albany from the Government.¹²

The motivation for this sequence of events is obscure. Home was probably facing the full might of Albany's support, alone, following the flight of Angus and Queen Margaret to England. His meeting with the Governor was out of character with the defiance he had so far shown. It is not clear if Albany made fair promises to Home to encourage him to put himself in the Governor's power. This was what the English observers, Dacre and Magnus, suggested. It was quite in character that Albany, seeking a genuine negotiation, offered a parley, without considering himself to be acting treacherously if he then arrested Home, unless he had been given a safe conduct. The major argument against Albany's treachery is the relative silence of Dacre and Magnus who would have been sure to highlight such manifest perfidy, if it had real foundation. Instead, they refer to Home having received a letter containing many promises and that to complete the articles and obtain a pardon, "at the inducement" of the French Ambassador, Monsieur De Plains, Lord Fleming, Sir Patrick Hamilton of Kincaivil and the Abbot of Holyrood, he "visited" the Duke. The description of events is completely in accordance with the view that this was a genuine attempt at negotiation, which foundered on the irreconcilable mutual distrust that Albany and Home held for each other. Home had sent warning to his brothers to remain at large and Albany would suspect that they were ready to make trouble. Home only did this because he suspected Albany's treachery.

That Home was arrested, is not surprising - he was just too dangerous to be allowed to go free without some surety for his good conduct, but that he should be placed in the custody of the Earl of Arran is a little surprising. So far, Arran had given no cause to doubt his commitment to Albany's government./

Albany's government. He had taken an active part in the Parliament of July, and in the Council in all of its decisions to proceed against Home and Angus and in extending Albany's powers. Indeed, he had appeared on the Council as late as 28 September. Nevertheless, he was not an inherently stable character and it was to him and not to Home that the English observers credit the idea of a quick escape from Edinburgh while the Governor was still preoccupied in the Eastern March. The decret of Council makes mention that Arran had been obliged under pain of treason: "...that he suld nothir assist nor tak part with Alexander, Lord Home, nor his complicitis, the kingis rebellis..."¹³

This obligation probably only refers to the placing of Home in Arran's custody, but it was hardly just a formal gesture. There must have been the perception that Arran might take part with Home (though, if so, why put him in Arran's custody at all?) and how did Arran come to revoke so completely his obligation? The English observers were anxious to blame Albany's bad government and suggest by implication that Arran disapproved of the Governor's intention to make Home's brothers prisoners as well, instead of accepting them as hostages for Home's good behaviour. Buchanan's anti-Hamilton prejudice has an opportunity to assert itself in describing Arran's treachery but the idea with which he has Home win Arran's support is at least a possibility which must have crossed Arran's mind. Basically, the argument was that Arran was more fit to enjoy the regency than his cousin. Although descended in the female line (son of Mary, daughter of James II) as against Albany's direct male descent (son of Alexander, Duke of Albany, son of James III), Albany "had been born in exile, and was in every respect a foreigner, not even understanding the language of the country..."¹⁴

Arran switched from having been a regular member of the Council supporting/

supporting Albany's government to being in outright opposition, a position which he maintained, despite negotiations in December, until after the failure of his supporters to oust Albany at the battle of Kittycrosshill in January 1516.

The defection of Arran at the very moment of Albany's apparent triumph in his attempts to obtain unity and strong government turned success into crisis. The bond made between the Earls of Angus and Arran and Lord Home at Coldstream on 15 October was specifically political. It was an agreement to deliver the King and his brother out of Albany's possession (and therefore end any claim he might have to legitimate government), and that in the meantime, none should come to an arrangement with Albany without the consent of the others. As a matter of course, the summons for treason against Arran followed. The small attendance at the Council¹⁵ on the day the decret against Arran was made should not be taken as an indication that Albany's power was severely weakened. The situation was very confused with probably a number of Albany's staunchest allies still in the Borders. Nevertheless, Arran had been a leading member of the political community - who had ties both in the locality¹⁶ and with other leading members of the ruling class. Albany had to defuse a crisis of potentially devastating amplitude. He acted swiftly to accomplish this and the grants which followed were made to those identifiably related in the past to Arran.

On 12 October, Hugh, Earl of Eglinton, was granted a tack of the whole of the King's lands and Lordship of Stewarton.¹⁷ On 26 October, Lennox was granted a general respite for himself and all his kin, friends, men, tenants and servants for all manner of actions, transgressions, crimes and offences whatsoever for five years provided that they "...abide faithfully at the opinion of the said governour in the kingis name and kepis lele and afald part to hym..."¹⁸

Lennox's attack on Dumbarton Castle the previous January had to be in his mind in deciding to stay on the right side of Albany, despite the fact that he was Arran's nephew. On the same day, John, Lord Fleming, was rewarded for his loyalty, receiving a great seal charter of the lands and baronies of Biggar and Thankerton in Lanarkshire, resigned by his former wife, Margaret Stewart.¹⁹ This was later challenged by Margaret Stewart because she alleged, and the Lords agreed, that her divorce from Fleming was of no avail. However, she did not pursue her case before the Lords.²⁰ For the moment, it served to assure Albany of the continued goodwill of Fleming. Other grants under the privy seal made at this time when Albany needed to prevent defections included a safeguard for the Bishop of Argyll, (who was Arran's illegitimate half-brother, David Hamilton) to remain at his benefices for all lawful business without molestation.²¹ The Earl of Cassillis received a letter of tack of the royal forest of Buchan in Galloway.²² Also there were remissions to the Earl of Argyll and other Campbells and their allies in Argyll, Lorne, Knapdale, Kintyre and Cowal for all depredations, including murder and rape, especially including such actions on the King's lands and lordship of Bute and castle of Rothesay and the tenants and inhabitants thereof.²³ Such widespread favours indicate two sides of the traditional problem in Scottish government - grant out lands and favours in return for aid, but only expect it from those so rewarded. In fact, Albany realised he was in a crisis, but one in which he could be assured of the backing of those Lords in Scotland who did not want to see a closer accord with England to the detriment of Franco-Scottish relations. It was only those whom he feared^{that} were liable to join Arran and the others in violent opposition to his rule that he needed to placate.

Albany also intervened in the domestic politics of Edinburgh. He had the election/

the election of Sir Patrick Hamilton of Kincavil (Arran's bastard half-brother) on 16 October 1515 as Provost of Edinburgh, overturned the next day in favour of David Melville.²⁴ The implications of this interference against the Hamilton interest can be overstated; although Melville received the favour of the Great Seal confirmation of his charter of the sale of lands from the late 5th Earl of Angus in the barony of Bothwell a few days later,²⁵ Sir Patrick Hamilton continued in office at that time as a Receiver-General of the King's property, acting in conjunction with James Kincragy, Dean of Aberdeen.²⁶ If the implication of Albany's interference in the election of the man entrusted with the summoning of the town to serve in the army was that a Hamilton could not be trusted any more to obtain support for the right side (i.e. Albany's cause), nevertheless the same Hamilton was still trustworthy enough to have control of the casualty and other royal profits.²⁷

All of these measures were designed to satisfy a real need on Albany's part to be assured not only of the support of the anti-English Lords on the Council who would have been a faction in opposition to Home and Angus and their allies, whether or not Albany had been present, but also to be assured of a wider support : to prove that his was a 'national' government and not just representative of factional interest. In that way he would prove that his government was better than Margaret's and than the chaos of the nine months before his arrival. To this same end, he continued to try to persuade Margaret to return to Scotland or at the least to give him her support in trying to end the damaging division between their two factions. At the moment when he appeared to have triumphed, on 13 October, just before Arran and Home absconded, (it may well have been on that day for Dacre reported that it took them two days to reach Wooler and the bond with Angus was signed on 15 October) he wrote to
Margaret/

Margaret exhorting her

"...[to] remain constant and disengage herself from the bad advice of those who serve their own interests only in sowing dissensions between the two kingdoms..."²⁸

Margaret was by now too enfeebled to act in any way. After crossing the border, she had not been able to ride as far as Morpeth and had had to stop at Harbottle Castle in Northumberland. There, on 7 October, her daughter by the Earl of Angus, Lady Margaret Douglas, was born. After managing to have Albany informed of the birth, Margaret lapsed into a serious post-natal illness from which she had not fully recovered by the end of the year.²⁹ It is not surprising that Albany's offers fell on deaf ears when Margaret was at the mercy of Lord Dacre to speak for her. English aid for Albany's opponents was still, however, confined to words of condemnation for Albany's suspect governance and Lord Dacre's tacit support and active encouragement. Despite the English disinclination for war, it was hardly politic of Albany at the end of such a troublesome month, to order public celebrations in recently-captured Border fortresses such as Dunglass and Fast Castle for Francis I's victory at Marignano over the Swiss.³⁰ It was a further propagation of the image Albany intended to portray - that he had right on his side and that the English were aiding traitors who did not accept the justice of his cause and the widespread basis of his power in Scotland.

That support was strong enough to allow a strike at Arran's heartland. This was dictated by the common-sense strategy of dealing a swift and demoralising blow to any who dared to raise the standard of revolt, thus discouraging others. The available manpower and weaponry had been divided into four parts on 20 October to ensure a more co-ordinated approach to the suppression of the rebels. Each of the four parts of the country were summoned consecutively to serve for a month and the first group, /

group, to serve their term beginning on the first day of the Parliament, was to consist of the men from the sheriffdoms of Dumfries, Nithsdale, Wigtown, the whole of Ayr (i.e. including Kyle and Cunningham), Renfrew, Dumbarton and Argyll, the stewartry of Kirkcudbright and the three wards of Edinburgh.³¹ This managed to combine the usefulness of some of Albany's closest supporters (people like the Earls of Argyll and Cassillis) with people from the west, ideally placed for a swift attack on Arran's heartland in Lanarkshire. Before swinging the attack on to Arran, Albany first had the opportunity to deal the final legal blow to Home. He had been summoned to appear on 22 October, to which day Parliament had been continued. There had been several calls for a large attendance at this Parliament, to demonstrate the unanimity of the condemnation of Home.³²

The record of the forfeiture of Home is now lacking, but there is no doubt that such calls had the desired effect, because on 24 October a sederunt of sixty Lords heard the Chancellor argue for clerical privilege against trial for treason except by the ordinaries in reference to Home's brothers, the Prior of Coldingham and Abbot of Jedburgh, who had been summoned with him.³³ Home had definitely been forfeited by the following day when his estate was pursued by Patrick Crichton of Cranston-Riddale and others for a debt of 2,000 merks, and it is stated that "...[he] is now forfaltit and dome gevin apone him..."³⁴ In order to ensure a good turnout to carry this new-found sense of purpose behind Albany into action in the field, certain Lords were deputed to take a roll-call of the men to be deployed under the quarterly system of summoning the country to arms. Interestingly, it was some of the recent recipients of favour who now demonstrated their gratitude by being in charge of this inquiry viz. the Earls of Argyll, Lennox and Eglinton, and Lord Fleming.³⁵ At the same time, any likely support for Arran was further sapped by the declaration that all

lairds/

lairds and headsmen of the outer and nether ward of Clydesdale (of which Arran had been sheriff) were to resort to Albany within three days or suffer the penalty of being reputed rebels and escheat of goods to be distributed to "the king's true lieges".³⁶

Within a week, Albany had made his move against Hamilton Castle - the Arran stronghold in Lanarkshire. While the siege of Hamilton began, the opposition took the opportunity to make some sort of arson attack on or near Dunbar, Albany's principal base in the East of Scotland.³⁷ Such diversionary tactics do not seem to have deflected the siege and Hamilton soon capitulated. The French Ambassador had brought up reinforcements by 3 November and although certain Lords proved sluggish in answering the call to arms (notably James Douglas, Earl of Morton and Patrick Hepburn of Bolton, Master of Hailes, who were threatened with escheat on 5 November³⁸) the Council was again meeting by 6 November. The business which they heard concerned an appeal by John Maxwell against his recent escheat for absence from the host at Dunglass (i.e. in August 1515) - an action which further indicates the support Albany had maintained for punishment of inactivity at time of national crisis. Maxwell now argued that he had not stayed away from the host because he gave tacit support to the rebels, but only because he was ill at the time. The Lords reserved their judgement, but in the meantime ordered the beneficiary of the escheated goods, Nicholas Ramsay of Dalhousie, to return them, while Maxwell found surety that they would remain untouched ("on the ground") until the Lords reached a decision.³⁹

By 8 November, Albany himself was back with the Council after his successful campaign against Hamilton Castle. His recent experiences had taught him once more that he had a great deal of verbal support from the Lords, although little enthusiasm was shown for active fighting. They were much/

were much less responsive to the need for swift action than he desired. This lack of urgency led to two measures designed to set precedents for future campaigns. People in Linlithgowshire ordered to supply oxen for the carrying of artillery, who ignored a lawful summons, were to be identified and have one ox per plough taken from them and given to recompense those who did answer the summons.⁴⁰ As for the Lords of the Constabulary of Haddington,⁴¹ their response had been so dilatory that in future, it was specially enacted that those who ignored a lawful summons for defence of the King's lieges and resisting of rebels and traitors should be identified. Then the Sheriff of Haddington and his assessors, Sir William Scott of Balwearie and Master James Wishart, Justice Clerk (two trusted officials) were to take inquisition of the defaulters' goods and take one-third of their goods for a first offence, two-thirds for a second offence and escheat all their goods if they refused a third summons. One-quarter of the goods escheated were to go to the Sheriff for his costs and expenses and the rest was to go to the royal casualty.⁴² This specific response to just one area of the country suggests that it was a precedent which could easily be extended to other areas. It is significant, however, that of the areas summoned in the first quarter,⁴³ it was those Lords nearest to the area of danger from the rebellious men of the Merse who had been slowest to respond. This suggests that they may have thought it would be more prudent to stay at home to defend their own lands than to join the Governor's punitive expedition against Arran's stronghold in Lanarkshire and leave their own estates open to reprisal attacks.

The actual expedition against Hamilton Castle has not been preserved in detail. Its surrender was said by Lesley to have been ordered by Arran's mother/

Arran's mother, "ane nobill greit lady, dochter to King James the Secund...and fader sister to the saide Duik..."⁴⁴ The examples of Stirling's surrender and the evacuation by Lord Home of Home and Dunglass and other castles when threatened with the artillery, together with the speed of the army's return⁴⁵ all point to an early surrender at Hamilton Castle as well.

Lesley goes on to claim that the old lady, Mary Stewart, aunt to Albany and mother to Arran, interceded on her son's behalf for his surrender to the Governor's will.⁴⁶ If such an intercession was made, it did not meet with an immediately favourable response, though Arran, still under summons of treason, appeared as a Lord of Council on the afternoon of 23 November.⁴⁷ His summons had been called for 17 December. On that day there was no mention of a treason trial (and the sederunt of only five Councillors was hardly sufficient for such an important occasion). What did happen was that the case brought against Arran by George Home of Spot was heard. He alleged that Arran had stolen certain goods and teind sheaves from him and personally appeared to present his case. Judgement was given against Arran because he had consistently failed to appear to answer the charges. He was ordered to restore all the goods he had taken from George Home of Spot. Not all of the rights therein were proved by the pursuer and part of the summons was continued, significantly to 24 January next to come.⁴⁸ Arran returned as a Lord of Council on the following day and was also present on 20 December.⁴⁹ The suggestion is that Albany had dropped the treason charge in return for an arrangement whereby Arran would go to France, and therefore remove his potentially disruptive influence from Scotland. A respite during his passage there had been granted by 20 December⁵⁰ (thereby negating the possible significance of his case with Home of Spot being continued to January - it would have been continued/

continued automatically until his return by the respite). An official embassy was currently obtaining finance⁵¹ and Arran may have been intended to form part of that embassy. He was eminently qualified by experience of his previous trip to France in 1513 with the fleet and his position of near relationship to the Royal Family, to fulfil such a rôle. Undoubtedly the decision to send him to France would have been more inspired by a desire to remove his influence from the rebel side in Scotland, than to reward or honour his position and experience. However, neither Arran nor an official embassy were sent yet. By the time an official embassy was ready to go to England in January 1516, Arran had proved himself persona non grata with the Governor and his position in such an embassy was unthinkable. Consequently, his name does not appear among those accredited.⁵² Nevertheless, at the same time that safeconducts were granted to the Ambassadors who were mentioned by James V, a similar safeconduct was granted to the Earl of Arran to come to England with twenty attendants.⁵³ This was probably granted in grateful recognition of the further efforts Arran had made to destabilise the Albany government and that such efforts had made it very difficult for Arran to remain in Scotland.

5. - **The Battle of Kittycrosshill and subsequent reconciliation**

The event which Albany had most feared since Arran's escape with Home from Edinburgh Castle in mid-October came to pass in January 1516. He faced an army raised by Arran from among the Lords of the West of Scotland, which actually appeared to seek battle against Albany to destroy his influence in Scotland. The actual dating of the encounter is difficult because a direct record has not been preserved. It took place between 10 and 22 January 1516, and the exact date is relatively unimportant. On 10 January the Prior of St Andrews renounced an obligation/

obligation which he had made to Robert Barton, wherein he had provided for "the furing of my Lord of Arane to Fraunce". Realising that such a trip was not now going to happen, the renunciation probably was an attempt by Prior Hepburn to avoid any implication in the opposition to Albany. Robert Barton for his part feared exactly the opposite - that if he did not arrange for Arran to go to France, he might be accused of implication in support for Arran's stand against Albany.¹ The following day, 11 January, Albany was at Hamilton again.² On 12 January he sent closed letters to Arran and his supporters: Lennox, Eglinton, Glencairn, Crichton of Sanquhar, Fleming (this is the only doubtful supporter, as Fleming had been so active in Albany's support previously) and Ross of Hawkhead - probably as a final appeal to avoid battle. At the same time, other letters were sent to people on whom Albany probably relied for active support: Huntly, Crawford, Erroll, Atholl, Lord Gordon (Huntly's eldest son), Oliphant, Ogilvy, Glamis, Forbes and Saltoun.³ The battle had almost certainly been drawn up and finished before further communications were sent, to Arran alone, on 22 January.⁴ Indeed, it was probably over by 18 January when letters patent discharging Glasgow, Linlithgow, Stirling, Rutherglen, Renfrew, Paisley and Dumbarton burghs of their freedom for their disobedience to legitimate letters commanding payment of tax were forwarded. This suggests their past unwillingness to support the Albany government by providing money to supply men of war to fight on Albany's behalf and is a sure indication that such unwillingness was now going to be politically inexpedient.⁵

More important than the date of the battle is the question of who was actually present. From the evidence of remissions a fairly full indication of the supporters of Arran can be built up and even allowing for exaggeration, /

exaggeration, the statement that Arran had between five and six thousand men in arms is not outrageous. This meant that Kittycrosshill was a major confrontation. What happened was that Arran and his supporters met Albany and his supporters at a place later identified as Kittycrosshill "besyde Glasgow" but there was no actual fighting. Albany had the royal standard clearly displayed and the implication was not lost on Arran's side that treason was being committed if the standard was attacked and the ensuing battle lost. That they perceived they ran the risk of attacking and being defeated (and hence did not attack in the first place) is a certain indication that Albany could rely on at least as large a force as the rebels and possibly a larger one. The remissions specifically for involvement in the

"...treasonable arraying of battle, insurrection and fielding against John Duke of Albany etc., tutor to the king's grace, protector and governor of his realm, coming with the king's authority and his Banner being displayed for the time, at Kittycrosshill beside Glasgow..."⁶

began in 1526 in anticipation of a crisis of that year which led to the battle of Linlithgow. Remissions continued until nearly a quarter of a century after the event itself.⁷ The leading names mentioned in these remissions on Arran's side were Hugh, Earl of Eglinton; Andrew, Lord Avandale; Sir Hugh Campbell of Loudon, Sheriff of Ayr; William Wallace, tutor of Craigie (who had been bound by a bond of manrent to Arran in July 1515⁸); Sir James Hamilton of Finnart (Arran's bastard son); Cuthbert, Earl of Glencairn; William, Master of Glencairn; William Livingston of Kilsyth and other Hamiltons, Cunninghams and Boyds. The Earl of Lennox may well have also supported his uncle, the Earl of Arran, but the political circumstances in which the 1526 remissions were given, meant that it was impossible to include Lennox in such forgiveness. (It was against Lennox that the Angus government was specifically seeking aid.)⁹

Albany/

Albany could rely on the already summoned Lords of the third quarter of the rotating system employed in October 1515. From December to January these were to be the men of the sheriffdoms of Perth, Forfar, Kincardine and Lanark.¹⁰ The closed letters sent to Huntly and the other Lords of the North-East almost certainly hastened their arrival at Albany's side.¹¹ He could also rely on a group of men who had been firmly committed to his government from before his arrival, including Argyll and the Lords entrusted with the keeping of the King at Stirling - Marischal, Borthwick and Ruthven. Another committed supporter, the Earl of Cassillis, remained on the Council throughout this crisis. Among the great seal grants in the immediate aftermath of the battle, there were special favours shown to Adam Wallace, brother of Hugh Wallace of Newton and to the King's familiar, Sir William Ogilvy of Strathearn, Treasurer, possibly reward for service recently given.¹²

That there was no struggle is a reflection of the new perception of Albany among the Lords of Scotland, a perception which was to grow stronger throughout the remainder of his first stay in Scotland. This was that Albany had made good his claim to represent the King's person as his Governor, Tutor and Protector. He could unfurl the royal banner and be assured that it would be respected after it had been so respected by the opposition at Kittycrosshill. No-one can have doubted that with all the arguments he had built up in favour of his position, and with all the legal precedents, a failed attack on him would be punished most severely as a heinous treason. Therefore, there was no battle. The field was arrayed and Arran and his supporters withdrew. Lennox and Eglinton at least made their peace very quickly and reappeared on the Council by 24 January.¹³

The failure of the opposition even to challenge Albany's position, immeasurably improved his security as Governor and it was not long before
overtures/

overtures for a renewed truce with England were moving. The safeconducts for the Scottish Ambassadors and for the renegade Earl of Arran were issued on 6 February 1516.¹⁴ Two days earlier, payments had been authorised for the furnishing of carts to move the artillery from Glasgow and Dumbarton back to Edinburgh.¹⁵ The crisis in the west was over. The desire to maintain good government is clear from the decret of 8 February by which the Lords of Council ordered all deliverances in criminal and civil matters to proceed from the Justice or Justice Clerk in the former cases and Chancellor or Chancery Clerk in the latter.¹⁶ This was also a further strengthening of Albany's hand in government since the Chancellor (James Beaton, Archbishop of Glasgow) and the Justice-General, (Colin, Earl of Argyll) were two of his closest supporters.

Where the Earl of Angus stayed during this rising is uncertain. He stayed reasonably near to the Queen while her life was in danger from her post-natal illness at Harbottle and subsequently at Morpeth. In fact, she was considered to be so in danger of a relapse in mid-December that the news of the death of her younger son, Alexander, Duke of Ross, was at first kept from her.¹⁷ When news was brought to Angus of the failure of the rebels at Kittycrosshill to damage Albany's authority in the slightest way, it must have been clear to him that active resistance to his Governorship was now futile without direct English intervention, which was not in Wolsey and Henry VIII's interest.

Angus may have sought to make his peace in mid-February with Albany and he may have gone as far as crossing the border into Scotland to sound out the possibilities. In his letter to Wolsey, Clarenceux, King at Arms, stated that Lord Home and George (sic David) Home of Wedderburn had met Dacre at Norham on 16 and 17 February 1516 to discuss the new situation, "now that Angus had entered with Albany".¹⁸ The doubt cast on the authenticity/

authenticity of the date of this letter¹⁹ need not be sustained. It follows an eminently plausible pattern that Angus left his erstwhile allies in England and sought a reconciliation with Albany (as referred to in the letter quoted above) but that before talks could get going, the last eruption of trouble in the west caused a delay. It then took nearly a month for Angus to achieve the reconciliation he had desired, fitting in with the known dates of that restitution - 28 March and 7 April.

The first indication of the renewed trouble is the closed letter sent to Lennox from Albany on 16 February, almost certainly appealing for help to put down the threat of a renewed uprising based on Glasgow.²⁰ The following day, letters were sent to the sheriffs and bailies of Ayr, Carrick, Kyle, Coldinghame (sic - a misreading for Cunningham) and Renfrew to have them convene in Glasgow. Similar letters were sent out to Lords Maxwell and Hay of Yester, to Stirling of Keir, and to Huntly and Oliphant.²¹ Albany was at Linlithgow on 18 and 19 February and munitions and stores were brought from Stirling on the latter day. On 20 February the Archbishop's Palace and Castle of Glasgow was attacked and sacked by John Mure of Caldwell and his accomplices. The Archbishop of Glasgow (Chancellor Beaton) was one of the most visible supporters of Albany's regime and an attack on his property (which had already been made a year before when Kilwinning Abbey's houses were attacked) was a means of declaring opposition to Albany in the more traditional Scottish manner than staking all on a battle with the royal standard. A quick sortie to cause maximum damage and visible opposition had formed the basis of Home's tactics throughout his opposition and the pitched battle remained very much a last resort when the stakes were at their highest.

The Archbishop of Glasgow later pursued John Mure of Caldwell before the Lords of Council for

"...the/

"...the wrangwis and violent ejection and furth putting of his servants out of his castell and palace of Glasgow, and taking of the samyn fra thame...and for the wranguis spoliation, intrometting, awaytaking and withhalding fra the said maist reverend fadir of thir gudis undirwrittin...[which are fully described]...and for the wranguis destruction of his said castell and palice, breking down of the samyn with Artalzery and uthir wais lykeas at mair lenth is contenit in the summondis maid therapoun..."²²

The defender compeared by a procurator to answer his case but was found by the Lords of Council to have done wrong and was ordered to make restitution. Although details of this attack on Glasgow are lacking, the destruction caused was extensive enough for that restitution to include a payment of 200 merks "for the scaith sustenit".²³ Later, in the wake of Home's execution and the genuine desire on Albany's part to establish some kind of political harmony in the Scottish ruling class, Thomas Hunter was given a remission for his part in these events of 1516, including the treasonable besieging and capture of the castle and palace of Glasgow and destruction of the artillery therein, adding the detail that the Glasgow attack was a surprise one because there were guns within to drive off the attackers, obviously unused.²⁴

Albany was in Glasgow on 21 February, the day after the attack, though presumably all he could do was examine the damage and vow to bring those responsible to justice. By 24 February he had returned to Linlithgow.²⁵

This attack, happening at the very moment when Angus may have been seeking reconciliation with Albany, put an end to any tentative negotiations for the moment. However, it was still to Albany's advantage to have a unified government in Scotland and it was still impossible for the rebels even to try to remove Albany from his position without active English intervention which was still not offered. There were cases heard at this time involving those who sought an accommodation with Albany. On 11 February Angus had been summoned to answer the tenants of the barony of Bothwell for his attempts to/

attempts to distrain them from their mails which they had paid to Janet Kennedy. Despite Angus's continued non-compearance at that stage, the case was continued to 1 March next, an indication that the Lords were willing to listen to Angus's defence and believed that he might soon be among them to present it.²⁶ However, Arran's non-compearance in a case brought by Adam Hopper, a Burgess of Edinburgh, and Margaret Baty, his wife, for wrongful withholding of 40 merks due to them, led to judgement against him. George Home of Spot was his accomplice, indicating a possible change in his support from the previous December.²⁷ The reconciliations were soon completed with Arran returning to the Council for the meeting of 13 March and the reconciliation for Angus being arranged on 28 March, with the full pardon to him and to Lord Home following on 7 April.²⁸

Angus came to an arrangement with Albany because the Governor had securely established his position after the failure to unseat him at Kittycrosshill. There is no indication that Angus and Margaret parted at this stage acrimoniously. Margaret, recovered from her illness, conceived a desire to return to the English Court where Angus's presence may have been slightly embarrassing, considering the pressure which had been applied to Henry's other sister, Mary and her husband, Charles Brandon, Duke of Suffolk, for marrying without his permission. Angus did not even have the advantage of having been a close friend of Henry, which Suffolk had had.²⁹ Looking back it is easy to see that the separation at this stage of their marital career was a mistake for it led to "irretrievable breakdown of marriage" (in the modern phrase). It allowed Margaret the time to realise how she had been disappointed by Angus's failure to give her the power and prestige she felt were justly hers.

Angus sought his restoration to lands and title in Scotland which Albany would be willing to approve in return for Angus's surety that he would not/

would not further challenge Albany's right to rule. It was far more satisfactory, from Angus's point of view, to base a future bid for power and importance in the government on his own landed influence in Scotland, rather than to base such a bid on aid from England, leaving him to be perceived as a puppet of Henry VIII.

After the abortive effort of mid-February to reach an agreement, and the continuation of cases against Angus, indicating a belief that he would return to Scotland and the Council soon, Margaret's correspondence further supports the view that she understood the above argument for Angus's reconciliation and that their estrangement had not yet taken place. In an undated letter, but which is definitely to be placed after 26 February 1516, Margaret wrote to Albany to inform him of her intention to travel south to her brother's Court. She acknowledged that she had often had good words from Albany's frequent correspondence, though his conduct had not always matched his promises, "...yet, as now matters are being accommodated, hopes he will reform it [i.e. his conduct]"³⁰

One sure way of showing his good intentions would be to release her husband's uncle, Gavin Douglas (Bishop of Dunkeld) and his grandfather, Lord Drummond. (They had now been over seven months in ward.) She also requested the restoration to Angus of his castles of Tantallon and Bothwell. This denies the validity of claims that they were already estranged and suggests that Margaret did not intend her husband to travel south with her but instead to return to Scotland to his estates. Although Dacre could write on 7 April of Angus and Home having "suddenly gone over to Albany, contrary to their promises made before Dacre and others",³¹ such a 'desertion' was neither unplanned nor without Margaret's approval.

The agreement which was reached between Angus and the commissioners, Monsieur Jean De Plains, the French Ambassador; James, Archbishop of Glasgow, /

Glasgow, Chancellor; and Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register, who acted for Albany, was remarkably favourable to Angus. All charges of treason were to be dismissed, and remission for all crimes granted with parliamentary ratification to him, his brothers, kin, friends, servants and parttakers. All of his castles and lands were to be restored to him and any charters which had been lost from his charter-chest at Tantallon were to be renewed. He was to have free licence to pass to the Queen in England and even if no peace could be obtained with England, he would still be able to go to her with the Governor's licence. The Governor and Council would not require him to renounce anything to which the Queen claimed a right and he would have an acquittance for all 'gere and gudis' with which the Queen intromitted in her widowhood.³² Such a comprehensive restoration could not fail to be attractive to Angus and was followed on 7 April by the formal pardon to him and to Lord Home by the Lords of Council. They were granted a remission for all manner of crimes committed before 6 April and Albany promised to restore all forfeited lands. All lieges were ordered not to molest Angus or Home (or their parttakers) in enjoyment of these and they were given licence to pass anywhere within Scotland to go about their lawful business without impediment as any other liege had the right to do. Any who did attack them would be rigorously punished.³³ In addition to being restored to his heritage, Lord Home was once more appointed as warden of the East March.³⁴

6. The failure of reconciliation - execution of the Homes

Margaret's complaints against her treatment at Albany's hands are hardly compatible with this spirit of reconciliation but she was intent on going to her brother's Court and Henry was still determined to use every opportunity to besmirch Albany's efforts to govern Scotland. These complaints¹ cover the period of this chapter and were all answerable by Albany./

Albany. For example: he had deprived her of the government bequeathed to her by James IV (answer: she had broken the terms of the testament by remarrying). One of the most serious charges against him was that he had ignored a papal brief in Margaret's favour for her exercise of the office of regency, (but the King's advocate, James Wishart, had appealed against this on the day of its delivery - and also against one for the promotion of Gavin Douglas to Dunkeld²). Another very serious charge which was to form the basis of most subsequent English condemnations of Albany was that he:

"...wears himself the robe royal and the cap of maintenance, has the sceptre carried before him, acts in all points like a king, and appropriates the revenues of the Crown, so that it is much to be suspected he will destroy the young King, now that her son, the young Duke is dead, most probably through his means..."

The former claims were undeniable because Albany had to act with the authority of a king if he was to be able to govern effectively and with respect. There is no evidence to suggest that the young Duke of Ross was maltreated in any way - all of Margaret's earlier children, except James V had died in infancy as well. It was the theme of Albany's 'suspect' governance because he pretended to be nearest heir to the kingdom which was taken up by Henry VIII himself.³ His entirely predictable solution was Albany's removal from Scotland to avoid the suspicions. The Lords in Parliament in early July replied that in the first place Albany had been unanimously elected to be Governor; that he had given up his living and his wife to come to Scotland and that he had behaved so well towards the young King that no-one could doubt his integrity. He was not, in any case, in a position to abuse his trust as the King was kept by others. Finally, they did not believe that Albany would be foolish enough to try to usurp the government and face the wrath of the kingdoms of Scotland, England and France.⁴ This document is preserved in the three sources - 'James V Letters' being the same as 'Letters and Papers of Henry VIII'. The

Parliamentary record gives the witness list of the Lords who defended Albany's rights as: the Earls of Eglinton, Cassillis and Atholl; Lords Home, Borthwick⁵, Maxwell, Hay of Yester, Crichton and Fleming; Sir James Colville of Ochiltree; Sir William Scott of Balwearie and Master James Wishart, Justice Clerk. The witness list from the Letters and Papers is: Archbishops of St Andrews and of Glasgow; Bishops of Galloway and Caithness; Abbots of Newbattle, Cambuskenneth, Holyrood and Orkney (probably a mistake for Bishop of Orkney); Prior of Dunbar (?); Dunbanen (=Bishop of Dunblane); Earls of Lennox, Arraul (probably Arran), Morpeth (probably Morton), Marischal, Erroll, Eglis (probably Eglinton), Cassillis, Atholl; Lords Home, Drummond, Bothvil (probably Borthwick), Maxwell, Hay of Yester, Crichton, Uthilace (?), Fleming, Ogilvy; Sir William Scott of Balwearie; Justice Clerk; and Lord Cespi (probably Kerr of Cessford). The correspondence between the two lists is obvious with only the different readings of Ogilvy and Ochiltree, easily confused, spoiling the appearance of all of the former in the latter list. The latter probably represents the full list, further attested to by the designation of the writers as Lords of Parliament - all three estates should be represented, not merely the temporal Lords.

While the two countries remained at peace (and the truce was continued to St Andrew's Day 1516⁶) the propaganda war of words had little practical effect. Albany's position had been secured by his survival of events which had placed his government under the severest pressure but had proved that it was not found wanting in support. His success was good enough to allow the release of Andrew Forman from his confinement at Pittenweem⁷ and the renunciation of his obligation not to take part with Angus or Home because they were no longer traitors.⁸ Lord Drummond was released from ward and returned as a Lord of Council on 29 April 1516.⁹ Gavin Douglas, Bishop of

Dunkeld, was also released from ward and eventually obtained the temporalities of the See after a compromise with the rival candidate, Andrew Stewart.¹⁰

All of these actions indicate the growing success of Albany in providing stability in government. He now felt strong enough to proceed against the Earl of Lennox, whom he could not have offended before without driving him openly to his uncle, the Earl of Arran's side. The recovery of Dumbarton Castle which Lennox and his accomplices had seized in January 1515, was necessary for two reasons. Dumbarton had been part of the royal patrimony and its seizure was an infringement of Crown privilege, which the whole of Albany's policies had been directed to preserving. Secondly, Albany was almost certainly already considering a return to his native France and the security of Dumbarton was essential to prevent a revival of the rebelliousness of January 1515 and January-February 1516 in the west of Scotland. Only by making Dumbarton a focus of pro-Albany interest, if necessary by putting in French troops (which proved necessary) could the west be held quietly. Dunbar Castle already served this function in the East of Scotland. Lennox was placed in ward in Edinburgh Castle and Lord Home was among those appointed to convey him there, a grim irony.¹¹ The price of Lennox's freedom was his surrender of Dumbarton Castle and that was soon paid.¹² Though there had been no long-term benefit for Lennox in his seizure of Dumbarton, the Captain he had put in, William Stirling of Glorat, at first retained his position.¹³ Before Albany's departure for France, however, he had been replaced by the more trustworthy Albany man, Allan Stewart (Captain of Milan).¹⁴

Almost the whole effort which Albany was required to expend in the first nine months was directed towards preserving his position as Governor and defending his right to give justice and grant offices, land and benefices.

The major disputes which have been so far discussed form a continuous theme in that they were specifically directed at destabilising Albany's regime in an effort to persuade him that the life he had enjoyed in France was infinitely preferable. His departure, in the scenario prompted assiduously by Lord Dacre, would be followed by the installation of a Scottish government which was more amenable to English influence. It was only through the energy and activity which Albany was willing to invest in trying to make his government a success that he managed to survive those nine months. His very success, however, made his government more stable and more assured. That he could think of going back to France in the summer of 1516 and tried to arrange the voyage home through England suggests a naive belief that he had achieved true reconciliation.¹⁵ The trip to England may have been no more than a diplomatic blind for he cannot have expected Henry VIII and Wolsey to let him go, free to return to Scotland and govern with still greater authority. On the other hand, he may well have been serious in his intentions. Throughout this period, he had always shown himself anxious to obtain reconciliation. His activity had been intense but the punishments meted out to his opponents had not been too severe. It is against the background of this desire to obtain faith from those he had restored which the execution of Home must be seen - all other options to obtain his loyalty and reconcile him to Albany's rule had been tried and failed.

Besides these major attacks by Home, Angus, Arran and their adherents, Albany also faced the problems of preventing private feuds from being fought out without reference to his central government. It is difficult to gauge the success or failure of his exertions but the number of major disputes which reached the Council chamber suggest that it was widely perceived as a place where justice really could be obtained. There are

three references/

three references from this period to letters being sent from Albany to try to prevent 'gatherings' - presumably efforts to stop private resolution of feuds. These were between the Earls of Huntly and Crawford;¹⁶ the Earl of Erroll and Lord Gordon¹⁷ (Huntly's eldest son); and the Earl Marischal and Lord Forbes¹⁸ - all in the North East of Scotland. None of them led to disputes before the Council. Among those which did come to the Council were several family disputes - notably between the 7th Earl of Crawford and his predecessor's (his nephew) illegitimate son and his mother, Malkin Duchar;¹⁹ between the 2nd Earl of Cassillis and his stepmother, Margaret Boyd, over Cassillis Castle²⁰ and between William, Lord Semple on the one hand, and his stepmother, Margaret Crichton and her own son, Sir John Stirling of Keir on the other.²¹ Most of these cases concerned disputed terces of lands removed from the patrimony in other settlements which caused quite acrimonious quarrels. Nevertheless, the real danger of disputes being carried out of the Council chamber came in cases typified by the quarrel between Douglas of Drumlanrig and Lord Crichton of Sanquhar; and between the Earl of Caithness and Keith of Inverugy. James Douglas of Drumlanrig obtained the backing of the Lords of Council to exempt him from the jurisdiction of Robert, Lord Crichton of Sanquhar as sheriff of Dumfries, because of the deadly feud between them.²² The backing of the Council in Edinburgh was one thing, but in Dumfriesshire would it count for anything? The answer was "yes", when the government was perceived to be strong, and the energy which Albany had brought to resolving attacks on himself, would give clear indications to potential malcontents of the treatment, contempt for the government was likely to entail. The Earl of Caithness had earlier protested by procurator that he could not compare before the Lords to defend himself in the cause pursued by Sir William Keith of Inverugy, only because he went in fear of his life from attack by Inverugy.²³ /

Inverugy.²³ The latter had already shown defiance of the government by refusing to abide by their decisions.²⁴ Nevertheless, Keith of Inverugy proved his case before the Lords despite allegations that his letters against Caithness and his allies (William Sutherland of Duffus and Robert Innes of Rothnakenzie) had been purchased from a small, prejudiced council.²⁵ The final ignominy for Caithness was when he was found guilty of stealing goods and land in Caithness from Inverugy - his case being decided against him because of his non-compearance.²⁶

In his handling of these disputes, Albany seems to have exercised a sound judgement - or rather the Council did. He personally made only one obvious blunder which was very quickly corrected. The Eglinton-Glencairn feud was one of the longest-running and most acrimonious contentions of the early sixteenth century. Albany decided that to try to prevent their rift disrupting Parliament, he would send letters charging them not to attend Parliament. The other Lords of Council must quickly have warned him of the possible consequences of such a denial of access to the government on the part of two leading noblemen. Later the same day, further letters were sent off countermanding the first orders and charging Eglinton and Glencairn specifically to attend the July Parliament.²⁷ Eglinton is named in the Parliamentary record as witnessing the Lords' answer to the charges of Henry VIII but Glencairn is not.²⁸ Their rivalry was shortly to be played out against the more spectacularly violent Hamilton-Douglas feud, to which they contributed in no small degree, but one of the principal arguments in favour of the tacit support of Angus for Arran's attack at Kittycrosshill, is the presence of Glencairn on the same side as both Arran and Eglinton. (Glencairn was Angus's uncle by marriage.) The Cunninghams must have been on the down-swing of the see-saw of fortune at this stage in the summer of 1516 for the master of Glencairn had to take refuge with Lord

Dacre who was only too willing to obtain the support of another pawn to raise dissent in Scotland.²⁹

The effect of Albany's presence on the government outside times of crisis will be more easily seen from subsequent discussion of the rest of his first period of regency, and is all the more apparent from a consideration of the government in his absence. This is in itself a testimony to his failure to subdue the rebels as opposed merely to obtaining their temporary recognition of his supremacy while he was there to enforce it. His failure to get to the root of the disaffection had serious consequences for those who tried to govern in his absence and especially in the subsequent disturbance and deaths which followed in the wake of the one final act which was intended to underline the severity with which the government could act - the executions of Lord Home and his brother.

The whole tenor of the efforts which Albany had made to obtain reconciliation and especially the wording of the pardon which Home had received along with Angus in April, deny the validity of Buchanan's claim that Home was not brought to trial on any new charge.³⁰ That Home did engage in new treasons is not identifiable but the probability that he did is overwhelming. Almost certainly such renewed treason must have taken the form of contact with his old ally, Lord Dacre. That Home alone engaged in the new treason is attested by the fact that it was he and his brother who alone paid the penalty. - Angus and Margaret had less reason just at the time to be disaffected. Angus, for his part, received a confirmation that justice would be offered him by the Chancellor and the Archdeacon of St Andrews in terms of a contract previously made at Coldingham, in all his disputes.³¹ Margaret was now safely settled at the Court of her brother, Henry VIII. She also had been given some measure of satisfaction to reduce her opposition/

her opposition to the Albany régime. Her commissioners had been sent into Scotland in August,³² and a month later her jewels and other goods had been delivered to them. This stuff had been left behind by Margaret at Tantallon Castle in her haste to escape from the prospect of arrest at Albany's hands in September 1515 and the inventory of the goods indicates that her flow of ready money may have been slow but she was still a wealthy woman.³³ She still had difficulties securing her rents from the lands of her conjunct fee; her commissioners had to pursue the Earl of Argyll, Lord Drummond and the tenants of Ettrick Forest for payments which had not been made.³⁴ One of the first indications of the estrangement between Margaret and Angus was his denial of 2 October that he had ever given an assurance not to intromit with the Queen's lands of conjunct fee as was a husband's right when he married a widow.³⁵ This further complicated the task of Margaret's commissioners who not only had to pursue defaulters for payment, but also deal with the claim that once they had done that, the rents pertained to Angus. Later in October, Dacre reported to Wolsey that of £14,334 2s 8d (Scots) due to Margaret in rents, only £114 (i.e. less than 1%) had been paid.³⁶

It was Home and his kin alone, therefore, who remained the most likely candidates for Dacre's persuasive schemes. The executions which followed their renewed arrest had strong short-term effects in bringing peace and stability to Scotland and even stronger authority to Albany's position as Governor. In the longer term, their use as examples was to cost the life of one of Albany's most trustworthy friends - the Seigneur De La Bastie. That there was no welter of blood-letting when the new treason of Home was discovered was a double-edged sword which Albany wielded well. On the one hand, the example was all the more effective - because it was not overplayed and the Lords could agree that justice had been done without being meted/

being meted out too rigorously to all and sundry. On the other hand, it proved that Albany's basic policy was one of trying to obtain unity and reconciliation in Scotland - only when Home had proved himself faithless twice in circumstances beyond dispute - was the final resort used.

For Angus it must have been a salutary shock. His involvement with Lord Home in the past fourteen months meant that his treason could be perceived by Albany as equally deserving of the ultimate fate. That he was not brought down does not necessarily mean that his involvement in this renewed treason was non-existent. Clarendieux, King at Arms, had written at the end of August that, "...Angus, the Chamberlain (Home) and their party, hang together, but are outwardly submissive to the Duke..."³⁷ It may have more to do with Albany's desire for reconciliation and continued peace with England which the execution of the Queen Mother's husband (and Henry VIII's brother-in-law) would have strained severely.

The deceptive appearances suggested by Clarendieux had been exposed by 22 September, on which day the Lords of Council³⁸ were informed that Albany had been:

"...sickirly informit that the lord chaumerlane had committit certane attemptatis aganis the king and my lord governour sen his last pardoun gevin to him, in contrar his band and obligatioun maid to the kingis grace and my said lord, tharfor thir lordis consalit my said lord governour to be souir of the said chamerlanis persone quhill he had sicker knowlege of the verite therof."³⁹

That Home had engaged in some new treason is fairly obvious and that it involved Lord Dacre's schemes for destabilising the Scottish government once again is suggested by a letter of Dacre's written in August.

He informs Wolsey that he:

"...labors to sow debate between the Duke and the Lords. For that purpose keeps secretly in his house the Master of Kilmawers ...Rewards 400 Scotch outlaws for burning in Scotland..."⁴⁰

It is/

It is on these grounds - conspiring with Englishmen to the detriment of the legally constituted government of Scotland - that Home's treason and downfall was based. The picturesque tales of later chroniclers of his supposed involvement in the death of James IV after the battle of Flodden are probably apocryphal and similar stories that Home's forces did not try their best to come to the aid of their beleaguered King in the struggle itself, are probably founded on their later complicity with England.⁴¹

Lesley, more prosaically, wrote that the Homes were convicted of the treasonable assisting and maintaining of thieves on the Borders (Dacre's 400 outlaws?)⁴² and this is borne out by the sending out of over two hundred summons to Lords and Lairds to assemble in Edinburgh by 9 October.⁴³ They were to pass thereafter to Melrose and Jedburgh and further as necessary, being needed

"... for gud reule to be maid apoun the bourdouris and for the expulsion of the thevis and putting of the kingis liegis to rest and quiet..."⁴⁴

Albany threatened to proceed with claims of treason against David Home, Prior of Coldingham, George Home, his brother, and David Home of Wedderburn. Lord Home seems to have gone back to Blackadder Castle as this was ordered to be surrendered by the Homes who had been summoned.⁴⁵ The Home family had recently suffered a blow in regard to their claimed wardship of the two Blackadder heiresses, Beatrix and Margaret. The Council had ruled against their claims in favour of Master Patrick Blackadder of Tulliallan, the nearest agnate, a decision reinforced in July 1517 by the failure of a claim of spuilzie by David Home of Wedderburn and Alison Douglas, his wife, against the servants of Master Robert Blackadder yconomus (that is, administrator of the rents in the vacancy) of the Priory of Coldingham who had taken Blackadder from them by force, the Lords agreeing that they had a right so to do.⁴⁶ This was a further cause for

Home discontent/

Home discontent with Albany's régime.

The capture or surrender of Lord Home and his brother, William, is not recorded in extant records. The chroniclers' stories of them being lured to a Parliament in Edinburgh⁴⁷ are not borne out by the records that are extant. If Home was already in ward when Parliament met on 24 September 1516 - the day when the Lords ordered him to be surely held until the verity or otherwise of the claims against him were known - then there would surely have been no need to continue the Parliament to 21 October,⁴⁸ or to summon such a large force - even were a force needed to quell sympathy risings in the Eastern March or to put down thieves as the official reason claimed. There were no payments recorded either for victualling the army or for transporting the artillery so that if it ever assembled, (and it had been called for 9 October, after which day both Home and his brother were dead) it must have disbanded fairly quickly. Similarly, the record of any trial, judgement or forfeiture of Home is not extant. The traditional dates for the executions are fixed by the sixteenth-century 'Diurnal of Occurrents' as 8 and 9 October: Lord Home first, his brother William on the following day.⁴⁹ There are no Council records for the days named but there was an unusually large Council attendance on 10 October when the business concerned the alleged spuilzie of Kelso Abbey by Master Thomas Kerr (who had enjoyed support from Queen Margaret and the Douglasses) from its Commendator, Andrew, Bishop of Caithness.⁵⁰ The unusually large turnout suggests that something more than just this case had been afoot and the drop on the following day to a more normal level makes it likely that the traditional dates are near enough accurate. The first grant under the Great Seal, from the forfeited lands of Lord Home, was made on 26 October.⁵¹

The executions of Lord Home and his brother mark the end of the first phase of Albany's governorship. He had come through the baptism of fire to

establish/

establish a secure and safe government based on the respect of all the Lords for Albany as a man of action and ability. A lesser man in either capacity would never have withstood such an onslaught. However, the Homes alone suffered the ultimate penalty for their opposition to Albany - everyone else was once more forgiven. Albany's tragedy was the extent to which his government came to depend on his personal presence and it was his trusted Lieutenant, De La Bastie, who would eventually pay the price of Home vengeance in Albany's absence.

CHAPTER THREE NOTES

1. Arrival and Intentions of Albany

- 1 A History of Greater Britain..by John Major ed. and trans. Archibald Constable (SHS 1892) 218-9. "...certain powerful Englishmen and Scots, who themselves aspire to the sovereignty and therefore are unwilling to have over them a king more firmly placed upon his throne, or who regard foreign kingdoms more with a view to their own private advantage than to that of the common weal, and feel that such a union would be to their own loss..."
- 2 ADCP 54, 22 August 1515.
- 3 APS ii 126; Macdougall, James III 130-3. Mar was not executed but died in mysterious circumstances after being forfeited.
- 4 Criminal Trials in Scotland from 1488 to 1624, ed. R Pitcairn (Edinburgh 1833) *227-*229; APS ii 434, 16 Aug. 1540; G Donaldson, Scotland : James V - James VII The Edinburgh History of Scotland vol. iii (Edinburgh 1978 edn.) 58-9.
- 5 M Levine, Tudor Dynastic Problems 1460-1571 (London 1973) passim especially chapters 2-3 for period 1485-1547.
- 6 Major, History 383-4.
- 7 George, 10th Earl of Dunbar and 3rd Earl of March was forfeited in 1400 : Scots Peerage iii 270-3 sub Dunbar.
- 8 John Macdonald, Lord of the Isles was forfeited of his title, Earl of Ross, in 1475 for his intrigues with England, but was in 1476 given formal title to his Lordship of the Isles. This was forfeited in 1493: Scots Peerage v 45-7; APS ii 111 for forfeiture of Ross. Ultimately, John made a voluntary surrender of the Lordship of the Isles in 1494 : Scots Peerage v 47.
- 9 William, 8th Earl of Douglas, was murdered 20 February 1452: Scots Peerage iii 175-8. The 9th Earl was forfeited in 1455: APS ii 75-6.
- 10 Pitscottie, Historie 290.
- 11 Buchanan, History ii 214.
- 12 ADC 27 f.3v.
- 13 Sir William Scott of Balwearie had been a prisoner in England after Flodden, probably until about July 1514. ER xiv 49, 56, 80, 91; cf RMS iii no.43, 28 Sep. 1515, Balwearie had to sell lands to help pay his ransom.
- 14 ADC 27 f.1 31 May 1515.
- 15 Buchanan, History ii 209,211.
- 16 e.g. Flodden Papers 57-58 no. xiii Instructions by the Duke of Albany to Jacques Maréchal 3 November 1512.
- 17 e.g. James IV Letters no. 347 James IV to [Duke of Albany] [5 February 1511].

- 18 ADCP 19, 26 August 1514.
- 19 APS ii 282-3, 12 July 1515.
- 20 ADC 27 f.41, 11 July 1515. The attendance on that day was forty - very large for a Council - and though no sederunt has been preserved for the Parliament on the following day, it can scarcely have been smaller. The forty were: John, Duke of Albany; James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; Robert Cockburn, Bishop of Ross; Andrew Stewart, Bishop of Caithness; James Chisholm, Bishop of Dunblane; David Hamilton, Bishop of Argyll; John Campbell, Postulate of the Isles; Archibald, Earl of Angus; James, Earl of Arran; Colin, Earl of Argyll; John, Earl of Lennox; William, Earl of Erroll; Hugh, Earl of Eglinton; Cuthbert, Earl of Glencairn; Gilbert, Earl of Cassillis; Alexander, Lord Home; John, Lord Erskine; John, Lord Fleming; John, Lord Drummond; Ninian, Lord Ross of Halkhead; Patrick, Lord Lindsay of Byres; William, Lord Borthwick; and William, Lord Ruthven; David, Master of Crawford; Patrick, Master of Hailes, and John, Master of Lindsay; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; James Hepburn, Postulate of Dunfermline; Patrick Paniter, Abbot of Cambuskenneth; Alexander Stewart, Abbot of Inchaffray; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; George Hepburn, Dean of Dunkeld; Thomas Halkerston, Provost of Crichton; Sir William Keith of Inverugy; Sir William Scott of Balwearie; Sir William Ogilvy of Strathearn and James Ogilvy.
- 21 L&PHVIII ii, pt. i, no. 779, Dacre to [the Lords of Council], 1 August 1515. Albany had been appointed Protector theoretically until 1530.
- 22 Ibid. ii, pt. i, no. 1098, [Jean De Plains to Wolsey], Oct. 1515.
- 23 James V Letters 26, James V and the Estates to Leo X and the Cardinals, 3 July 1515; [i.e. more than a week before the opening of Parliament]; ADCP 40, 3 July 1515; cf. L&PHVIII ii, pt. i, no. 777, James V to Leo X and the Cardinals, July 1515.
- 24 L&PHVIII ii, pt. i, no. 879, 5 September 1515. Declaration by Albany to answer to what the French Ambassador brought him on the behalf of Margaret, signed by Dacre, Angus and Alexander Home.
- 25 Ibid. ii, pt. i, no. 1098, [Jean De Plains to Wolsey], Oct. 1515.
- 26 There is no registered charter of Albany's restoration in the Register of the Great Seal, nor in any other record.
- 27 APS ii 283; RMS iii no. 111, 13 November 1516.
- 28 ER xiv 515-635. This record covers the years 1513-1520.
- 29 ADCP 27-8, 20 November 1514.
- 30 RSS i, no. 2821, 28 October 1516.

- 31 The lands forfeited from the late Alexander, Duke of Albany, which were subsequently confirmed to others in charters registered in the Register of the Great Seal, lay in the barony of Dunbar, (RMS ii, no. 1564); in the earldom of March in Berwickshire (*ibid.* nos. 1571, 1572, 1573, 1599, 1603, 1638 and 1745); in Annandale (*ibid.* no. 1603); and in the lordship of Galloway, (*ibid.* no. 1714); cf. ER ix 427-430, 516-523.

2. The practice of government before the opposition became active

- 1 ADC 27, ff.6v-48. The session was continued on 1 August until 26 October 1515.
- 2 *Ibid.* ff.25-25v, 4 July 1515. Janet Paterson was a joint Custumar of Edinburgh with Margaret Crichton in 1514-15 - ER xiv 52, 102. William Cockburn of Scraling Peeblesshire, had been granted sasine of his lands in February 1514 - *Ibid.* 538.
- 3 ADC 27, ff.7-7v, 5 June 1515; ff.58, 58v (when on 28 August, William Lindsay's right was proved but the lands and house were to stay in the keeping of those appointed by Albany); ff.63v, 89v, 148-148v, 182v, 204-204v, 205v-206. Final victory was won by the Lindsays on 3 March 1516.
- 4 *Ibid.* f.44v, 21 July 1515.
- 5 ER xiv 82, 131. Cassillis answered for the Ayrshire lands on 5 September 1515 and again in August 1516.
- 6 ADCP 39, 27 June 1515. Earlier, (*ibid.* 35, 8 June), Douglas had refused to accept that the Lords had any jurisdiction in the case as he had appealed to Rome. As Patrick Coventry had already had papal provision as Dean of Restalrig on 16 March 1514 (Regesta Leonis X, no. 7270, in L&PHVIII i, pt. ii, no. 3617), Douglas probably accepted the amicable settlement as the best deal which he could obtain.
- 7 ADCP 34-35, 6 June 1515. The Bishop of Argyll had the nomination of the Council in August 1514; see James V Letters 12-13, James V and Margaret to Leo X.
- 8 *Ibid.* 36-37, 12 June 1515.
- 9 *Ibid.* 66-68, 14 April, 16 May and 7 June 1516.
- 10 See above 17.
- 11 The Knights of St John of Jerusalem in Scotland edd. Ian B Cowan, P H R MacKay and Alan Macquarrie (SHS 1983), introduction xlv-1; ADCP 35-6, 9 June 1515, also 33, 37, 38, June 1515. The members of the commission were David Hamilton, Bishop of Argyll; Gavin Douglas, Postulate of Arbroath; Thomas Halkerston, Provost of Crichton; William Wawane, official of Lothian; David Seton, (Rector of Fettercairn); Thomas Hay, Provincial of the Dominicans (Black Friars) and the Provincial of the Franciscans (Grey Friars) in Scotland.
- 12 ADCP 64-5 Final judgement given 14 February 1516.
- 13 See above 13-16.

- 14 Regesta Leonis X, nos. 12687-12703 in L&PHVIII i, pt. ii, no. 3617.
- 15 The sederunt on 3 March 1515 was eighteen, including James Beaton, the Chancellor, viz: Alexander, Earl of Huntly; Alexander, Earl of Crawford; James, Earl of Arran; William, Earl Marischal; William, Earl of Erroll; James, Lord Ogilvy of Airlie; Patrick, Lord Lindsay of Byres; John Hepburn, Prior of St Andrews; Gavin Douglas, Postulate of Arbroath; Patrick Paniter, Abbot of Cambuskenneth, Secretary; Gavin Dunbar, Lord Clerk Register; George Hepburn, Dean of Dunkeld; Thomas Halkerston, Provost of Crichton; David Seton, Rector of Fettercairn; Sir William Scott of Balwearie; Sir Alexander Irvine of Drum and James Wishart, the King's Advocate - ADC 26, f.183v; ADCP 30.
- 16 The bulls were published by John Sauchie in Scotland on 16 Jan. 1515: L&PHVIII ii, pt. i, no. 44, Gavin Douglas to Adam Williamson, 21 Jan. 1515.
- 17 Registrum Episcopatus Glasguensis (Bannatyne Club 1843) ii 531.
- 18 James V Letters 18-19, 14 March 1515.
- 19 Herkless and Hannay, Archbishops of St Andrews ii 128. For Forman's willingness to seek compromise with England see L&PHVIII ii, pt. i, no. 261 Thomas Spinelly (English Ambassador in Flanders, at the Court of Margaret of Austria, daughter of Emperor Maximilian I) to Henry VIII, 23 March 1515.
- 20 L&PHVIII ii, pt. i, no. 576, Spinelly to Wolsey, 13 June 1515. Spinelly reported that Forman had left the continent ten days before his writing.
- 21 ADCP 32-3, 31 May 1515. This licence to purchase vacant benefices was granted on 15 October 1510: Herkless and Hannay, Archbishops of St Andrews ii 42.
- 22 St Andrews Formulare 1514-46 edd. G Donaldson and C Macrae (Stair Society 1942) i, no. 214. The appeal by Forman against the exemption obtained by Prior John Hepburn of St Andrews narrates the story of Hepburn's opposition and the moves to deny Forman admittance to his See. He was detained at Pittenweem for seven months.
- 23 ADCP 39, 28 June 1515. The Councillors who made this decision were: John, Duke of Albany; James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; James Chisholm, Bishop of Dunblane; Robert Cockburn, Bishop of Ross; David Hamilton, Bishop of Argyll; Archibald, Earl of Angus; James, Earl of Arran; John, Earl of Lennox; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Patrick Paniter, Abbot of Cambuskenneth; John Home, Abbot of Jedburgh; James Hepburn, Postulate of Dunfermline; John, Lord Fleming; William, Lord Ruthven; Patrick, Lord Lindsay of Byres; John, Lord Drummond; Gavin Dunbar, Lord Clerk Register; Sir William Scott of Balwearie; and George Hepburn, Dean of Dunkeld.
- 24 L&PHVIII ii, pt. i, no. 593. Spinelly to [Henry VIII], 17 June 1515.

- 25 Ibid. no. 707, Albany to Leo X [July 1515]; *ibid.* no. 776, James V to Leo X [July 1515]. The latter further intimates the sacrifice made by Forman in his effort to obtain his See. He had agreed to give up his own rights in the Bishopric of Moray and in the Abbey of Dryburgh, and those of his brothers, Robert, to the Bishopric of Aberdeen and John, to the Abbey of Kilwinning.
- 26 ADCP 59, 20 October 1515. Royal receivers-general were appointed to take in the profits pertaining to St Andrews, Dunkeld, Aberdeen, Arbroath and Dundremman during their vacancies; TA v 40, 20 September 1515, Letters directed to the Vicar-General of Dunkeld and the Provost of St Andrews.
- 27 Regesta Leonis X, in L&PHVIII i pt. ii no. 3617, 25 May 1515.
- 28 See above 49-50.
- 29 ADCP 40-50, 9 July 1515. The Lords who made this judgement were John, Duke of Albany; James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; James Chisholm, Bishop of Dunblane; Robert Cockburn, Bishop of Ross; Andrew Stewart, Bishop of Caithness; David Hamilton, Bishop of Argyll; Archibald, Earl of Angus; James, Earl of Arran; Colin, Earl of Argyll; John, Earl of Lennox; William, Earl of Erroll; Cuthbert, Earl of Glencairn; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; John, Lord Drummond; John, Lord Hay of Yester; John, Lord Fleming; Alexander, Lord Home; John, Lord Erskine; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; John Home, Abbot of Jedburgh; Alexander Stewart, Abbot of Inchaffray; James Hepburn, Postulate of Dunfermline; Gavin Dunbar, Lord Clerk Register; George Hepburn, Dean of Dunkeld; Thomas Halkerston, Provost of Crichton; James Ogilvy; George Dundas; Sir William Scott of Balwearie; Sir William Ogilvy of Strathearn and Sir Patrick Hamilton of Kincaivil - ADC 27, f.30. This list is an augmented version of that in n.23 showing that much the same people backed Albany against Gavin Douglas as did against Andrew Forman.
- 30 L&PHVIII ii, pt. i, no. 1830 [27 April 1516], written on her journey south to London.
- 31 ADCP 37, 12 June 1515. Robert Forman, Dean of Glasgow, was ordered to "empleis hir anent the fermis of Dunbar" which formed part of her conjunct fee.
- 32 James V Letters 26; ADCP 40, 3 July 1515.
- 33 See above 66.
- 34 ADCP 34, 37, 38, 39 and ADC 27 f.27v. for the final continuation to 10 July when there is a recorded sederunt but no recorded business.
- 35 R L Mackie, King James IV of Scotland, A Brief Survey of His Life and Times (Edinburgh 1958) 92-3.
- 36 Scots Peerage i 183; RMS iii, no. 1029, 21 May 1531. Dedication of a prebend in the collegiate Church of St Mary in the Fields, Edinburgh, to the memory of Archibald, 5th Earl of Angus by Janet Kennedy, "olim mariti sui".

- 37 RMS ii, no. 2434; 2457, 24 Jul. and 25 Sep. 1498.
- 38 This took place before 1500, see RMS ii, no. 2539, 30 Jun. 1500.
- 39 ADC 21 ff.41-4. This grant only referred to the Lanarkshire lands of the barony of Bothwell.
- 40 RMS ii, no. 3413, Feb. 1511.
- 41 ADC 26, f.5v, 29 September 1513; ff.7-7v, 3 Oct.
- 42 The 6th Earl of Angus had sasine of the barony of Bothwell on 1 February 1514 - ER xiv 535.
- 43 The latter instrument was almost certainly a reference to the crown charter of 1511; ADC 27 f.19v, 23 June 1515. However, Janet Kennedy was in occupation of Bothwell Castle when James IV visited her there in 1503 - TA ii 366.
- 44 ADC 27 f.29v, 7 July 1515. Other claims and counter-claims are recorded at ff. 28, 28v.
- 45 L&PHVIII ii, pt. i, no. 779, Dacre to [the Lords of Council] 1 August 1515. In an earlier report, Dacre had said that Gavin Douglas was held at Edinburgh Castle but that was probably a temporary step on the way to St Andrews: *ibid.* no. 705, Dacre to the Lords of Council, 14 July 1515.
- 46 ADCP 50-51. For the implications of Drummond's refusal of the forty days allowed to answer the charges see R. K. Hannay, 'On "Parliament" and "General Council"', S.H.R. xviii (April 1921) 159-60.
- 47 ADCP 39, 28 June 1515.
- 48 *Ibid.* 50; ADC 27 f.30, 9 July 1515.
- 49 APS ii, 283.
- 50 L&PHVIII ii, pt. i, no. 1830 [April 1516].
- 51 ER xiv 243; ADCP 50-51, 11 July 1515.
- 52 L&PHVIII ii, pt. i, no. 705 Dacre to the Lords of Council 14 July 1515.
- 53 APS ii 284, 22 November 1516.
- 54 Drummond did not reappear as a Lord of Council until 29 April 1516: ADC 28 f.10 (dated 30 July, but 29 April in text). He granted a discharge to John Campbell of Thornton, Treasurer, for all rents and profits which Campbell had received from Drummond's lands during his warding - 14 July 1516 : ADC 31 ff. 41-2 (at date 25 June 1518). He also discharged his daughter, Beatrix Drummond, from her intromission with his movable goods, etc., during his warding, on 20 October 1516 : SRO Castle Drummond Writs GD160 ,Box 2, Bundle 1.

3. Albany's seizure of the King : beginning of the active opposition

- 1 ADCP 51, 26 July 1515; cf L&PHVIII ii, pt. i, no. 779 Dacre to [the Lords of Council] 1 August 1515.
- 2 TA v 27, 31 July 1515.
- 3 L&PHVIII ii, pt. i, no. 779 Dacre to [the Lords of Council] 1 August 1515.
- 4 Ibid.; Ibid. no. 783 Dacre to the Council 4 August 1515.
- 5 Pitscottie, Historie 290.
- 6 L&PHVIII ii, pt. i, no. 783 Dacre to the Council 4 Aug.; *ibid.* no. 787 [Lord Home] to Dacre 6 Aug.
- 7 TA v 28, 2 August 1515.
- 8 L&PHVIII ii, pt. i, no. 783 Dacre to the Council 4 Aug.
- 9 Ibid. no. 788 Dacre to the Council 7 Aug.
- 10 Ibid; Dacre gave a warning about the imminent destruction of the children if they fell into Albany's hands - *ibid.* no. 779, 1 August. It was Gavin Douglas, Angus's uncle, who made the specific comparison between Albany and Richard III in Dec. 1521: *ibid.* iii, pt. ii, no. 1898; *see below* 295 and n.39.
- 11 ADCP 52-3, 6 August 1515. In Dacre's letter of 7 August (L&PHVIII ii, pt. i, no. 788), he stated that Fleming, Marischal and Borthwick had been appointed. Fleming was not at Stirling for long, if at all, for he was holding Home Castle in the Borders for Albany on 22 August 1515 - ADCP 55.
- 12 Ibid. 53, 6 August.
- 13 Ibid.
- 14 TA v 29.
- 15 ADCP 53.
- 16 TA v 29.
- 17 L&PHVIII ii, pt. i, no. 788: "Dacres meant to have spoken with him [i.e. Angus] but changed his purpose when he heard 'of the departing with this h ... and the childhood that he uses being young and few wise men of [his] Counsel'. Is sure Lord Home will never obey the Duke without Henry's assent..."
- 18 TA v 30.
- 19 ER xiv 17.
- 20 TA v 30.
- 21/

- 21 L&PHVIII ii, pt. i, no. 795 Albany to Dacre 10 Aug. 1515; *ibid.* no. 799 Dacre to Albany 12 Aug. 1515; cf. ADCP 53, 10 Aug. 1515, Andrew Kerr of Cessford made oath before the Governor and Lords of Council to execute the office of Wardenship in the bounds of the Middle Marches loyally and truly.
- 22 TA v 31.
- 23 L&PHVIII ii, pt. i, no. 808 Albany to Dacre 14 Aug. 1515.
- 24 *Ibid.* no. 819 xi. Dacre to Sir Anthony Ughtred (Captain of Berwick Castle) 16 Aug. 1515.
- 25 TA v 31.
- 26 ADCP 54, 22 August 1515.
- 27 L&PHVIII ii, pt. i, no. 885 iv Copy of an indenture made at Edinburgh, 14 Aug. 1515.
- 28 *Ibid.* no. 885 ii Dacre to Margaret, 1 Sep. 1515.
- 29 TA v 32. This was a part-payment of the sum of £582 13s 4d which had lately pertained to the Bishop of Aberdeen for Margaret's welfare and which came to the accountant from the Abbot of Holyrood.
- 30 L&PHVIII ii, pt. i, no. 832 Margaret to Henry VIII 20 August; see also *ibid.* No. 840 22 August; *ibid.* no. 871 31 Aug. For specification of her pleasure with Albany see Calendar of the State Papers relating to Scotland 1509-1603, ed. M J Thorpe (London, 1858) vol. i, nos. 24, 25, 27.
- 31 L&PHVIII ii, pt. i, no. 846 Alexander, Lord Home to [Dacre] 24 August 1515.
- 32 *Ibid.* i, pt. ii, no. 3468 Margaret to Henry VIII 23 November 1514.
- 33 Payments were made between the end of August and early September for the restoration of the iron gates - TA v 34, 37, 38.
- 34 L&PHVIII ii, pt. i, no. 850 Dacre to [Henry VIII] 25 August 1515.
- 35 ADCP 54; L&PHVIII ii, pt. i, no. 850.
- 36 The Council sederunt of 22 August was: James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; Robert Cockburn, Bishop of Ross; Andrew Stewart, Bishop of Caithness; David Hamilton, Bishop of Argyll; Alexander, Earl of Huntly; Colin, Earl of Argyll; James, Earl of Arran; William, Earl of Erroll; John, Earl of Atholl; Hugh, Earl of Eglinton; John, Earl of Caithness; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; James Hepburn, Postulate of Dunfermline; John, Lord Oliphant; John, Lord Erskine; Robert, Lord Maxwell; Patrick, Lord Lindsay of Byres; James, Lord Ogilvy of Airlie; William, Lord Semple; Thomas, Lord Fraser of Lovat; Andrew, Lord Avandale; Gavin Dunbar, Lord Clerk Register; Sir William Scott of Balwearie; Sir John Colquhoun of Luss; Sir William Keith of Inverugy and Sir William Ogilvy of Strathearn.

- 37 TA v 34.
- 38 ADCP 55, 22 August 1515.
- 39 ADCP 54-5, 22 Aug.
- 40 ADC 27 f.70v, 15 Sep. 1515.
- 41 L&PHVIII ii, pt. i, no. 50 James Inglis to Adam Williamson, 22 Jan. 1515; Angus fled to Somerville's Castle of Cowthally after the ambush by Arran in January 1515; Scots Peerage viii 14.
- 42 Ibid. no. 861 William Franklyn to [Wolsey] from Norham, 29 August 1515.
- 43 TA v 36. Albany sent letters ordering them to leave Blackadder on 4 September.
- 44 Ibid. 35, 29 August 1515.
- 45 Ibid. 36, 2 September 1515.

4. Margaret's flight to England; Arran joins the opposition

- 1 L&PHVIII ii, pt. i, no. 885 Dacre's correspondence vi : Margaret's credence is undated but follows a communication of 1 September.
- 2 Ibid. no. 879 Albany's declaration 5 September 1515.
- 3 ADCP 69-71; see below Section 6 n.33 for their restoration to her commissioners. The distortion of this event by Sebastian Giustinian, the Venetian Ambassador, probably reflects the beliefs current at the English Court : L&PHVIII ii, pt. i, no. 929 Giustinian to the Doge of Venice 20 Sep. 1515.
- 4 TA v 39.
- 5 Ibid. 40.
- 6 Ibid. 41.
- 7 ADC 27 f.70. The case was heard in the presence of Albany; ADCP 56 (no details).
- 8 ADCP 57, 28 September 1515.
- 9 TA v 42.
- 10 Ibid. 44; see also Edin. Recs. 1403-1528 157. 5 Oct. 1515 The city ports were to be guarded until Albany's return.
- 11 Diurnal of Occurrents 6; Lesley, History 104; Buchanan, History ii 212-3 (places in July 1516); Drummond of Hawthornden, History 155-6.

- 12 L&PHVIII ii, pt. i, no. 1044 Dacre and Magnus to Henry VIII 18 October 1515. This relates the events from the English point of view; ibid. no. 1027 v is the bond made between Arran, Angus and Home. ADCP 58-9 16 October 1515 relates the 'fait accompli' of Arran's treachery. TA v 47 Arran was summoned along with Andrew Kerr of Ferniehurst to answer for his actions on 49 days' notice (from 29 Oct. 1515) to appear 17 December 1515. This was evidently challenged because a further summons had to be made on 31 October, this time with sufficient witnesses - ibid. 48.
- 13 ADCP 58-9, 16 Oct. 1515.
- 14 Buchanan, History ii 213.
- 15 ADCP 58-9 sederunt: John, Duke of Albany; James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; Robert Cockburn, Bishop of Ross; Alexander, Earl of Huntly; Hugh, Earl of Eglinton; George Crichton, Abbot of Holyrood; John, Lord Fleming; James Ogilvy. On the following day: Andrew Stewart, Bishop of Caithness; Colin, Earl of Argyll; George, Earl of Rothes; John Hepburn, Prior of St Andrews; Alexander Stewart, Prior of Whithorn; and James Hepburn, Postulate of Dunfermline joined them. In addition, John, Earl of Lennox; William, Lord Borthwick; and Gavin Dunbar, Lord Clerk Register witnessed a Great Seal Charter in Edinburgh on 16 October - RMS iii no. 48.
- 16 J Wormald, Lords and Men in Scotland (Edinburgh 1985) 306 Hamilton no. 2. Arran had obtained a bond of manrent from William Wallace of Craigie, his kin and friends on 18 July 1515.
- 17 RSS i, no. 2639 12 October 1515.
- 18 Ibid. no. 2652 26 Oct.
- 19 RMS iii, no. 50, 26 Oct.
- 20 ADC 27 f.176 15 Feb. 1516.
- 21 RSS i, no. 2653, 28 Oct. 1515.
- 22 Ibid. no. 2655, 29 Oct.
- 23 Ibid. no. 2656, 30 Oct.
- 24 Edin. Recs. 1403-1528, 157-8, 16 Oct.
- 25 RMS iii, no. 49, 20 Oct.
- 26 ER xiv 116. Hamilton of Kincavil and the Dean of Aberdeen rendered their account on 2 Nov. 1515.
- 27 ADCP 59, 20 Oct. The profits of St Andrews, Dunkeld, Aberdeen, Arbroath and Dundrennan were paid to the receivers to be disposed at Albany's command. See above 73-4 and n. 26 of Section 2.
- 28 L&PHVIII ii, pt. i, no. 1027 ii Albany to Queen Margaret 13 Oct.

- 29 Ibid. no. 1011 i Queen Margaret to Albany, Harbottle 10 Oct.; *ibid.* no. 1350, Christopher Garneys to Henry VIII 28 December 1515. Margaret had been well enough to travel to Morpeth by litter in easy stages in mid-November.
- 30 TA v 47, 28 October 1515. Bonfires were also to be lit at Seton Castle in Midlothian.
- 31 *Ibid.* 44-5; ADCP 59-60, 20 Oct.
- 32 ADCP 59; TA v 45, 17 Oct.
- 33 The full sederunt was: John, Duke of Albany; James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; Robert Cockburn, Bishop of Ross; Andrew Stewart, Bishop of Caithness; James Chisholm, Bishop of Dunblane; James, Earl of Moray; Alexander, Earl of Huntly; Colin, Earl of Argyll; John, Earl of Lennox; Alexander, Earl of Crawford; James, Earl of Morton; William, Earl of Erroll; William, Earl Marischal; George, Earl of Rothes; William, Earl of Montrose; Hugh, Earl of Eglinton; John Hepburn, Prior of St Andrews; Alexander Stewart, Prior of Whithorn; George Crichton, Abbot of Holyrood; William Turnbull, Abbot of Coupar; John Turnbull, Abbot of Newbattle; Robert Beaton, Abbot of Melrose; Robert Foster, Abbot of Balmerino; James Hepburn, Postulate of Dunfermline; John Campbell, Postulate of the Isles; William, Lord Borthwick; John, Lord Erskine; John, Lord Oliphant; Patrick, Lord Lindsay of Byres; James, Lord Ogilvy of Airlie; John, Lord Hay of Yester; John, Lord Fleming; George Dundas, Lord St John's; William, Lord Sinclair; Patrick, Master of Hailes; William, Master of Saltoun; John, Master of Lindsay; Malcolm, Master of Fleming; Sir Robert Lauder of Bass; John Somerville [of Cambusnethan]; Robert Logan of Restalrig; George Home of Spot; Alexander Jardine of Applegarth; Robert Douglas of Lochleven; Sir John Stirling of Keir; Sir Patrick Crichton of Cranston-Riddale; Alexander Lauder of Halton; Sir William Scott of Balwearie; Sir Patrick Hamilton of Kincavil; Sir William Ogilvy of Strathearn; [the Laird of Wawane - identification from SRO RH2/1/8]; Gavin Dunbar, Lord Clerk Register; Thomas Halkerston, Provost of Crichton; George Hepburn, Dean of Dunkeld; Burgh Commissioners representing Edinburgh, Linlithgow, Stirling and Haddington [whose presence confirms that this was the sederunt of a parliament]; and James Colville of Ochiltree [identification from SRO RH2/1/8] - ADC 27 f.82v; ADCP 61 [where the case is described but sederunt not given] cf SRO RH2/1/8 (transcripts of sederunts from ADC).
- 34 ADCP 61, 25 October 1515.
- 35 See above 97; ADCP 60.
- 36 *Ibid.* 61; TA v 46.
- 37 TA v 48.
- 38 *Ibid.*
- 39 ADC 27 ff.85-85v. The sederunt did not include Albany himself. It consisted of the Chancellor (James Beaton); David Arnott, Bishop of Galloway; Alexander, Earl of Crawford; William, Earl of Erroll; Gilbert, Earl of Cassillis; Robert Shaw, Abbot of Paisley; Alexander Stewart, Prior of Whithorn; Patrick, Lord Lindsay of Byres; Gavin Dunbar, Lord Clerk Register; and James Wishart, the King's Advocate.

- 40 ADCP 61-2 8 November 1515.
- 41 The Earl of Morton and Master of Hailes - above n.38.
- 42 ADCP 62.
- 43 see above 99-100.
- 44 Lesley, History 104; cf Buchanan, History ii213 who states that the Castle surrendered two days after Albany "...opened his batteries..."
- 45 TA v 48-9. The Governor and his army passed and returned to and from Hamilton between 31 Oct. and 5 Nov. 1515.
- 46 This is rather unlikely. Arran's mother, Mary, daughter of James II, probably died in 1488 - ER x 113.
- 47 ADC 27 f.106.
- 48 Ibid. ff. 122v-123v. 17 Dec. 1515.
- 49 Ibid. ff.126; 128v.
- 50 ADCP 62.
- 51 TA v 50, 51, 53, 26 Nov., 4, 30 Dec. 1515.
- 52 L&PHVIII ii pt. i. no. 1442, James V to Henry VIII 27 Jan. 1516. The twelve men who were to receive credentials were among Albany's most regular supporters: David Arnott, Bishop of Galloway; James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness; James, Earl of Morton; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; Patrick, Lord Lindsay of Byres; Sir William Keith of Inverugy; Sir William Scott of Balwearie; James Ogilvy, Master of Requests; David Seton, Rector of Fettercairn; and Patrick Coventry, Dean of Restalrig.
- 53 Ibid. no. 1494 6 Feb. 1516.

5. The Battle of Kittycrosshill - and subsequent reconciliation

- 1 ADCP 63, 10 Jan. 1516.
- 2 TA v 67.
- 3 Ibid.
- 4 Ibid. 69; cf RMS iii, nos. 57-60. Charters were granted at Edinburgh on 14, 18 and 26 January 1516, though none has an independent witness list.
- 5 TA v 68-9.
- 6 RSS i no. 3409 1. July 1526.

- 7 See Appendix F.
- 8 Wormald, Lords and Men 306 - see above 96 and n.16 of Section 4.
- 9 See below 506.
- 10 ADCP 60.
- 11 TA v 67.
- 12 RMS iii, no. 62, 30 Jan. 1516; *ibid.* no. 63, 6 Feb. 1516.
- 13 ADC 27 f.154v.
- 14 L&PHVIII ii, pt. i, no. 1494, 6 Feb. 1516.
- 15 TA v 71.
- 16 ADCP 64, 8 Feb. 1516.
- 17 L&PHVIII ii, pt. i, no. 1350 Christopher Garneys to Henry VIII 28 December 1515.
- 18 *Ibid.* no. 1557, 18 February 1516.
- 19 Michael G Kelley, 'The Douglas Earls of Angus' (unpublished, Edinburgh PhD Thesis) i 276 and n.164.
- 20 TA v 72.
- 21 *Ibid.*
- 22 ADC 30 ff.219-221; William Mure of Caldwell, Caldwell Papers (New Society 1894) 54-8 (a complete transcription of ADC); ADCP 117 (no details given) 4 March 1518.
- 23 Earlier, an action had been brought by Albany and the Porter of Glasgow Castle, Matthew Hucheson, against Adam Stewart in Windylaw and John Pollok, his servant, for theft of a letter, obligations and money. The Porter won his case to be restored of this part of the booty of the attack made on 20 Feb. 1516. ADC 28 f.49 6 November 1516; Charters And Other Documents relating to the City of Glasgow AD 1175-1649 pt. 1 ed. J Marwick (SBRs 1897) 12-13 no. 307 (45b.).
- 24 RSS i, no. 2824, 31 October 1516. Similar granted to John McCleish - *ibid.* no. 2825.
- 25 TA v 73. The Council did not meet between 16 and 26 February.
- 26 ADC 27 ff.169v-170. See also *ibid.* f.187v. Isobel Gray's case against Angus was continued to 11 March despite his having ignored a summons at the Market Cross of Edinburgh - 26 February p.m.
- 27 *Ibid.* f.177. George Home of Spot had himself pursued Arran in another matter in December 1515 - see above 103 and n.48 of Section 4).
- 28 ADCP 66.

- 29 W C Richardson, Mary Tudor, the White Queen (Seattle 1970), 166-135.
- 30 L&PHVIII ii, pt. i, no. 1598 viii Queen Margaret to Albany (undated).
- 31 Ibid. no. 1759, Dacre to Henry VIII 12 April 1516.
- 32 Fraser, Douglas iii no. 184 28 March 1516.
- 33 ADCP 66.
- 34 Ibid. 69, 30 July 1516. He was not reappointed as Wardens of the other two Marches.
- 6. The failure of reconciliation - execution of the Homes**
- 1 L&PHVIII ii, pt. i, no. 1672 Complaints against the Duke of Albany.
- 2 ADCP 58, 13 October 1515.
- 3 L&PHVIII ii, pt. i, no. 1975 Henry VIII to the Lords and Commons of Scotland representing the Three Estates, 1 June 1516. Albany's household certainly used up considerable amounts of royal resources - ER xiv 118, 1 July - 1 Nov. 1515. Costs were £3403 17s 10d. Total income to the Crown in the same period was only £2,982 4s 5d.
- 4 APS xii 36-7, 4 July 1516; James V Letters 31-2 Scottish Lords in Parliament to Henry VIII; L&PHVIII ii pt. i no. 2128.
- 5 My reading of 'Bothvil' is as Borthwick. The Earl of Bothwell was only four years old and his tutor was always referred to as Master of Hailes, not as Master of Bothwell. Borthwick's loyalty to Albany had been approved by his appointment as one of the Lords to keep the King's person in July 1515.
- 6 L&PHVIII ii, pt. i, no. 1975 Henry VIII to the Lords and Commons of Scotland representing the Three Estates.
- 7 Charters of the Abbey of Crossraguel (Archaeological and Historical Collections relating to Ayrshire and Galloway 1886) no. 40. On 5 February 1516, Forman granted an exoneration to Paisley and Crossraguel from his special faculty to visit all Scottish monasteries to chastise excesses.
- 8 St Andrews Formulare i no. 106.
- 9 ADC 28 f.10.
- 10 RSS i no. 2807 16 Sep. 1516; James V Letters 32, 28 Sep. 1516.
- 11 ADC 28 f.10 under date 29 April in text (and taken out of order in ADCP 66) but following 30 July in chronological order. The others appointed were Morton, Marischal and Borthwick.
- 12 Fraser, Lennox i 88.
- 13 ER xiv 192.
- 14/

- 14 Ibid. 349-50.
- 15 L&PHVIII ii, pt. i, no. 2234 Scotland : report of news, undated (July); ibid. no. 2253 Scotland : Clarencieux's Instructions to be Declared to Albany undated (8 Aug.); ibid. no. 2313 i Scotland : Jacques Maréchal's (Secretary to Albany) Instructions to England, ii Demand for Security and Hostages, Aug.; ibid. no. 2611 Scotland : The Articles for an Agreement by which Albany is to pass through England, undated (30 Nov.) 1516.
- 16 TA v 52 24 December 1515.
- 17 Ibid. 75-6 18 March 1516.
- 18 Ibid. 80 3 June 1516.
- 19 ADC 27 ff.111-2, 115, 161, 185v-186; 28 f.2v 3 December 1515 - 6 July 1516.
- 20 Ibid. 28 f.2v 16 July p.m.
- 21 Ibid. 27 ff.210v-213; 225-7 5 March and 12 April (decret arbitral) 1516.
- 22 Ibid. 27 ff.190-190v. 27 Feb. 1516.
- 23 Ibid. 27 f.180v. 18 Feb. 1516.
- 24 Ibid. 27 f.53. 22 Aug. 1515.
- 25 Ibid. 27 f.71. 18 Sep. 1515.
- 26 Ibid. 27 ff.193v-194. 29 Feb. 1516; see also ff.194v-196, when another case against Caithness was won by his non-compearance.
- 27 TA v 80-1 30 June and same day p.m. 1516.
- 28 See above 115, APS xii 36-7; L&PHVIII ii, pt. i, no. 2128 4 July 1516.
- 29 L&PHVIII ii, pt. i, no. 2253 Clarencieux's Instructions to be Declared to Albany, undated (8 Aug. 1516). Henry denies knowledge of Glencairn or of his whereabouts; ibid. no. 2293. Dacre to Wolsey 23 Aug. 1516; Dacre admits to keeping secretly the Master of Kilmaurs (or Glencairn) in his house for the purpose of using him to destabilise the Scottish government.
- 30 Buchanan, History ii 214.
- 31 ADCP 69, 4 September 1516.
- 32 L&PHVIII ii, pt. i, no. 2273 Dacre to Wolsey 14 August 1516.
- 33 ADCP 69-71, Sep. 1516; SRO SP13/23 Inventory of Queen Margaret's goods received at Edinburgh by her Commissioners, 16 Sep. 1516.
- 34 Ibid. 71-2, 25 Sep. 1516.

- 35 Ibid. 72, 2 Oct. 1516.
- 36 L&PHVIII ii, pt. i, no. 2481 Dacre to Wolsey 26 Oct. 1516.
- 37 Ibid. no. 2314 Clarencieux to Wolsey 29 Aug. 1516.
- 38 Those present on 22 Sep. were: Andrew Forman, Archbishop of St Andrews; James Hepburn, Bishop of Moray; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; James Ogilvy, Abbot of Dryburgh; Alexander Stewart, Abbot of Inchaffray; Robert, Lord Maxwell; Patrick, Lord Lindsay of Byres; Patrick, Master of Hailes; Patrick Paniter, Secretary; Gavin Dunbar, Lord Clerk Register; Sir William Scott of Balwearie; Andrew Kerr of Cessford; Patrick Crichton of Cranston-Riddale, Captain of Edinburgh Castle; Sir Walter Scott of Buccleuch; and Mark Kerr of Dolphinton - ADC 28 f.37v.
- 39 ADCP 71
- 40 L&PHVIII ii, pt. i, no. 2293 Dacre to Wolsey 23 August 1516; cf ibid. no. 2329 [Wolsey to Henry VIII] [Aug. 1516]. Wolsey "has practised with Lord Dacres to make him (i.e. Albany) weary of staying there (in Scotland).
- 41 Buchanan, History ii 213-6; cf. J Pinkerton, The History of Scotland from the Accession of the House of Stuart to that of Mary, with Appendixes of Original Papers (London 1797) ii 159. The involvement of the Hepburns in Home's downfall is not so far-fetched, see above n.38 - three of sixteen Councillors were Hepburns - Bishop of Moray, Prior of St Andrews and Master of Hailes.
- 42 Lesley, History 107
- 43 TA v 85 29 Sep. 1516.
- 44 ADCP 71 24 Sep. 1516.
- 45 TA v 86 28, 29 Sep.; 2 Oct. 6 p.m.
- 46 ADC 28 ff.11v-13v 5 Aug. 1516. The rights to Blackadder belonged to Patrick Blackadder by reason of royal gift, it was decided; ff. 27, 28v-29v. 26 Aug.; 4 Sep. p.m.; 30 f.88 15 July 1517.
- 47 Pitscottie, Historiè i 295; Buchanan History ii 214 Drummond of Hawthornden, History 168.
- 48 ADCP 71
- 49 Diurnal of Occurrents 7
- 50 The sederunt on 10 October was: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow; James Hepburn, Bishop of Moray; David Arnot, Bishop of Galloway; Andrew Stewart, Bishop of Caithness; Archibald, Earl of Angus; Alexander, Earl of Huntly; Colin, Earl of Argyll; James, Earl of Moray; William, Earl of Erroll; William, Earl Marischal; Hugh, Earl of Eglinton; George, Earl of Rothes; William, Earl of Montrose; Gilbert, Earl of Cassillis; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot/

Abbot of Paisley; Alexander Stewart, Abbot of Inchaffray; Patrick Paniter, Abbot of Cambuskenneth; James Ogilvy, Abbot of Dryburgh; George Dundas, Lord St John's; Patrick, Lord Lindsay of Byres; John, Lord Erskine; Ninian, Lord Ross of Halkhead; Robert, Lord Maxwell; Robert, Lord Crichton of Sanquhar; William, Lord Semple; Richard, Lord Innermeath; John, Lord Hay of Yester; Patrick, Master of Hailes; Gavin Dunbar, Lord Clerk Register; Robert Forman, Dean of Glasgow; Thomas Halkerston, Provost of Crichton; Sir William Scott of Balwearie; Patrick Crichton of Cranston-Riddale, Captain of Edinburgh Castle. ADC 28 f.42.

51 See Appendix G for grants from the estates forfeited from Home.

CHAPTER FOUR

The Triumph of Albany's Government between the execution of the Homes and
the revenge killing of Seigneur De La Bastie

9 October 1516 - 24 September 1517

A contemporary tribute, paid to the Duke of Albany's success in bringing order and good government to Scotland, by the Venetian Ambassador at Henry VIII's Court was that Scotland, "...was as much under Albany's control as if he were King..."¹ The first sixteen months of Albany's visit to Scotland had been a troubled time in which the direction of his government had been dictated by the necessity of overcoming the opposition of a vociferous and active minority of the Scottish political community. After the expenditure of a vast amount of time and energy, Albany obtained a settlement and when Lord Home and his brothers had once again disturbed the peace, the removal of Home was the only possible way of keeping that peace. The next few months of Albany's first visit to Scotland saw his powers at their zenith, with an active Council dealing with a multitude of civil causes, a strong hand given to Albany to conduct international relations and a general perception of good government existing in Scotland - hence the testament of Sebastian Giustinian above.

The necessity of Albany's right to act in place of the King (or "as if he were King") being acceptable to the whole (or at least the majority) of the ruling class had instigated such measures as letters to the Pope requesting that Albany's letters be regarded as if coming from a fully adult king. Later, summons for treason proceeding from Albany were to be treated in the same way.

The Lords in July 1516 had sent to Henry VIII their arguments in favour of Albany's governorship: they were based on the unanimous acceptance of Albany's right as the nearest male agnate of the King, following the precedents set in the fifteenth century by earlier Dukes of Albany./

Albany. Their insistence on Albany's actions being treated as those of a fully adult king did not engender in those Lords the fear which Henry VIII professed to feel on the part of his nephew, James V, that it was but a small step for Albany to remove James altogether and become King in name as well as in effect. The Lords saw nothing unfit in the tribute which Sebastian Giustinian paid to Albany's success - they wanted him to be able to act as if he was a fully adult King. If he could, he could protect Crown privileges in the face of Papal provisions to Scottish benefices (hence letters to the Pope were to be considered as coming from an adult King). In the face of the extreme and irreconcilable opposition of Lord Home and his accomplices to the extent of treasonably dealing with the English warden, Lord Dacre, to remove James V from Scotland and Albany's control (hence summons for treason to be treated in the same way). These desires would have been of little avail if Albany had not been so able and energetic in overcoming the violent opposition of the first sixteen months of his stay in Scotland.

It was only after Albany had obtained a position of unqualified pre-eminence where his governorship could not easily be challenged that the doubt as to the validity of his title itself was allowed to be raised and quashed. His father, Alexander, Duke of Albany, had married firstly Catherine Sinclair, daughter of the Earl of Caithness, but because they were related within the prohibited degrees of consanguinity² he had obtained a sentence of divorce in 1477 from the Official of Lothian. They had had a son, Alexander, who was thus illegitimate. Albany, having gone to France in 1480, married Agnes De La Tour and their son John enjoyed the title of Duke of Albany and was now Governor. The Lords in Parliament³ raised and destroyed, only in November 1516, the doubts as to Albany's legitimacy on which his whole title to govern effectively rested. The record included/

record included the further supporting evidence that his half-brother, Alexander Stewart, now Commendator of Inchaffray, being personally present, had of his own free will declared that he had never had right nor mind to succeed his father.

The logical corollary of the proof of Albany's legitimacy was then explicitly stated. The Lords declared that John, Duke of Albany,

"... tutor to the kingis grace and governour of his realme, anarlie naturail and lauchfull sone of umquhile Alex. duke of Albany etc. and of ane nobill lady Dame Agnes of Bouloigne, is the secund persoun of this realme and anelie air to his said umquhile fader; and that failyeing of our Soverane Lord now present and his airis to be gottin of his body, the said Johne is nerrest of lyne and blude capable to succeid to the croun..."⁴

The engrossing of the definitive sentence of divorce of Albany's father and Catherine Sinclair in the Acts of Parliament and the books of all the officials of the realm⁵ was to be done, "... to provyde for the commoun weill of the realme witout scruple or dout ..."

This was a propaganda victory for the Duke's government. He was already engaged in negotiations to return to France and, if possible, to travel to France via the English Court in order to secure peace among all three countries. Though the proposed English trip never materialised and may never have been intended as more than a diplomatic blind, the underpinning of Albany's support by such displays of his authority and of the respect which he could command gave him a stronger hand with which to deal with a constantly hostile English government. Albany proved adept at these propaganda successes. He had already achieved one glorious moment of unanimity in the procession to his first parliament in July 1515⁶, this was another, and yet another was to follow in March 1517. Again, coming at a time when a display of pageantry would work far more wonders in convincing a potentially disaffected nobility, than a dozen letters of assurances of goodwill, the French King sent the collar of the Order of St Michael to Albany/

Albany as a signal of his especial goodwill toward the Governor and the Scots. Letters were sent all over the country to warn Lords and Barons to be in Edinburgh "at the colar of cokkylzeis taking quhen the franche ambassatour com".⁷ There are no further details of the ceremony but its effect in bolstering belief in Francis I's goodwill toward Scotland cannot be doubted.

Albany's government in the period between the execution of the Homes and his departure from Scotland (October 1516 to June 1517) enjoyed the support of the overwhelming majority of the ruling class. Whereas before the death of Lord Home, the opposition had been a force to be reckoned with, the executions helped largely to reduce the remnants of that opposition to silence. It is true that Home's brothers, George and David, Prior of Coldingham, remained renegades unwilling to submit to Albany, but with Queen Margaret absent at the English Court and both Angus and Arran reconciled to Albany's supremacy, the government was able to impose a political harmony which helped to improve its image as the ultimate source of justice in civil causes. The great number of cases which now came before the Council, especially in the period from January to June 1517, provide the greatest evidence of this perception of the government as being likely to provide satisfaction to litigants, a perception felt when Albany first arrived in Scotland in June-July 1515 but thereafter undermined by the necessity for the Council to devote much of its energy to overcoming the vociferous opposition of Home, Angus and the Queen. The period from the execution of the Homes to De La Bastie's murder covers well over five hundred folios of the record of the Acts of the Lords of the Council.⁸ This compares with the period before Albany's first arrival in May 1515 (185 folios covering the first twenty months after Flodden⁹) and with the period after his departure down to December 1519 (where the record breaks off - 464 folios/

464 folios covering twenty-seven months¹⁰). The contrast is even more striking in that the vast majority of the business which came before the Council in the period October 1516 to September 1517 concerned civil causes and not what can be loosely termed "public affairs", i.e. specifically complaints against recent theft of land or goods or disputed ownership of lands.

The effect of the personal presence of an active Governor empowered to give justice, devoted to doing so and perceived to be able to do so is quite plain. Yet the extent to which the political harmony necessary to the nurturing of such a situation was based on the "personality cult" of a vigorous Governor, is demonstrated by the severe difficulties which once more developed in his absence and were aggravated still further by the assassination of his chosen deputy, Seigneur De La Bastie in September 1517.

The background to the negotiations which continued for over a year from June 1516 between Scotland, France and England, in Scotland was a country more united behind Albany's governorship than at any previous time. The attendance at the daily Council gives an indication of the widespread appeal of involvement in good government among prelates and temporal Lords. Albany's distribution of patronage helped to secure a working support for his policies. Most notably in the share-out of the escheated estates of Lord Home, Albany not only rewarded those 'familiaris' on whom he would expect to rely in any crisis, men like Alan Stewart, Captain of Milan (who was later appointed to keep Dumbarton for Albany in his absence); the Portuguese Baron, Sebastian Ferres, who was De La Bastie's Lieutenant at Dunbar Castle, and De La Bastie himself, but also men who were particularly useful in providing support, such as the Earl of Huntly, Lord Maxwell and the Borderer, Mark Kerr of Dolphinton. This rewarding of potential allies in a crisis was not made at the expense of existing rights, e.g. lands over which/

which Home had only been superior, were granted to their occupiers, not indiscriminately given away to 'familiar' (e.g. Isobel Gray, Lady of Dudhope and Philip Nesbit of that ilk were granted the lands they had held of Lord Home). The most significant grant of all came at the end of Albany's stay in Scotland - already perhaps recognising the need to placate potential troublemakers. Albany granted the half lands of Manderston in Berwickshire to David Home of Wedderburn provided he rendered faithful service to the Warden of the East Marches, who was Albany's deputy, De La Bastie. The grant would presumably be revoked in the general escheat of Home of Wedderburn after he had completely transgressed the proviso by being the leading assassin of DeLa Bastie.¹¹ Albany had spent long months securing a workable government with him at its head and the executions of Home and his brother were the only ones in the minority of James V. In the months after the executions, most of the people who had been involved in the opposition were allowed to buy remissions for their actions.¹² Thus there was a profitable combination of financing the government and spreading a spirit of reconciliation and the perception of a new era of co-operation.

That was the background against which the international relations of the period June 1516 - August 1517 were negotiated. The majority of the Scots Lords wanted to forge closer formal links between Scotland and France, while at the same time Albany, in line with Francis I's foreign policy, sought to maintain the peace with England. This caused the negotiations to be long and complex because the Scots sought closer links with France, principally because of Henry VIII's constant and implacable opposition to the government of the Duke of Albany.¹³ The Scottish government was to a large extent dependent on the alignments of the European powers and at this time the single most important event was the accession of the Archduke/

the Archduke Charles, heir of the Habsburgs, already ruler of the Netherlands and Burgundy, to the kingdoms of Spain, through his maternal descent, in January 1516. With Charles needing time to establish his authority in his new kingdoms and Francis I having regained Milan by his spectacular victory at Marignano in September 1515, both sides had much to gain from a period of peace. The Treaty of Noyon between Francis and Charles of August 1516¹⁴ was followed by an arrangement between Francis and the Swiss cantons (the 'perpetual' peace of Fribourg¹⁵) and by an arrangement between Francis and the Emperor Maximilian (the peace of Brussels¹⁶). With the certain knowledge of a contest for the Empire after Maximilian's death, underlying all diplomatic activity in 1516-17, a general peace between Maximilian and the two potentially strongest rivals to be his successor: his grandson, Charles, and Francis I, not surprisingly followed in March 1517.¹⁷ With Francis I eager for peace and Henry VIII suffering from thwarted ambition, but without the prospect of allies to support any move he could make against France, the Scottish commissioners who worked for Scottish benefit from the situation sought to obtain a workable peace with Henry VIII on the one hand while also securing concessions from Francis I to safeguard the Scots from a second *déba*cle like Flodden, if the former were to prove to be unobtainable.

The demands which the Scots had made through their Ambassador to Francis I, Robert Cockburn, Bishop of Ross, for closer links with France are recapitulated in Francis's instructions to Monsieur François De Bordeaux, Lord of Poussinière dated 3 November 1516.¹⁸ Besides the conventional exhortations to peace, there were four specific points on which the Scots needed an answer.

Firstly, there was the desire for a marriage between James V and one of Francis I's daughters. Marriage alliances were a traditional way of binding allies/

binding allies closer together, though marital harmony was never assured and betrothals tended to be easily broken. Francis informed the Scots that at this time, because of the recently-concluded Treaty of Noyon with Charles of Spain, the French King's daughters had been promised to him, so that a Scottish marriage was not yet possible.

Secondly, the Scots had raised their old claim to the French county of Saintonge once more.¹⁹ Francis pointed out that he could not grant out parts of his patrimony, that he had never heard of the grant of this county, but that he would investigate "and take what measures the law permits", an answer dismissed by the Scottish Clerk who copied the documents as "empty and characteristically French"; at least one Scot was not fooled by Francis's promises.

Thirdly, the Scots wanted a definite commitment by Francis to answer calls for aid against English aggression. The Scots had castigated him for his failure to send any aid, let alone adequate aid against English backing for the Homes in 1515. Francis's answer was that he had heard through spies that England never intended war and aid would therefore have been both expensive and unnecessary and would only have served as a provocation to conflict. This missed the basic point of what the English were trying to do in 1515-16: that is to destabilise the government of Albany either to remove him permanently or to force him into retirement in France, without having to resort to actual warfare to instal a friendly government in Edinburgh.

Fourthly, the Scots sought a ratification of the recent Treaty concluded by the French Ambassador in Scotland, Jean De Plains.²⁰ Francis was not anxious to provoke England or provide any cause for the destruction of the peace, and this necessitated a very cool response to this request also. He promised to go as far as his honour and his oath permitted to help Scotland/

Scotland and to provide whatever was necessary or expedient. Effectively, this meant that unless England actually invaded Scotland, which was highly unlikely, the Scots could not expect aid.

The negotiations which led nine months later to the Treaty of Rouen were tortuous but the Scots eventually got little better satisfaction in any of their wishes. It is not inappropriate to suggest that this period of coolness by Francis was part of the reason for the new Scottish realism of the 1520s.

Albany's position was difficult in trying to answer these instructions, because he knew of the French desire to maintain the peace, and believed himself in the necessity, at this stage, of peace with England; being prepared to contemplate going to England himself to secure it, if necessary.

On the other hand, he felt a definite duty to the Scots and knew that if the desires of the majority of the ruling class went completely unsatisfied, then French influence would soon wane and the pro-English Lords such as Angus would soon swing the neutrals round to a belief that England would offer a better deal. While accepting that peace with England between 1513 and 1515 had been due to French influence on the Scots behalf, Albany made clear that the points raised before were matters about which the Scots felt very strongly. A marriage alliance with another daughter of Francis, if one became available, was sought, Albany fully backed the claim to Saintonge, and if Francis knew nothing of it, somebody had certainly informed Albany of it. He wrote that the grant had been bought with the lives of Scotsmen in the battles of the 1420s - Baugé and Verneuil as well as by more recent sacrifices at Flodden - all undertaken in the French interest. He also supported the Scots' desire not to be treated as mere pawns, thrown a bribe to go to war or ordered to make peace at the command of the/

of the French King. Albany, on behalf of the Lords, complained that neither Louis XII nor Francis I had directly informed the Scots of their taking truce with England. While the Scots adhered to the peace, they had only broken their former treaty with Henry VIII because of France.²¹

The negotiations which followed reflect to some degree the prestige which Albany had been able to build up in the Scottish government. The Scots Lords showed considerable perseverance in continuing to seek a formal treaty with France in the face of continued vague promises and no action. That the Scots wanted action and not peace is reflected in Dacre's report to Wolsey of 1 December 1516 that, "... the Scots are very ill pleased with the new league between the King, the Emperor and the King of Castile..."²²

In the same letter, he reported that Albany was still hopeful of travelling through England to France²³ "... if he might have the Lords of Scotland..." (i.e. if he might have their whole-hearted acceptance of such a journey). Given that the latest English remarks on the possibility had insisted on Albany waiving the style of 'Governor' to avoid prejudicing Queen Margaret's position, it is all the more remarkable that Albany was able to extract a grudging acceptance from the Scots Lords.²⁴ This grudging acceptance is a tribute to Albany's authority. It cannot simply be explained by the Francophile nature of the leading members of the Council nor by the memories of the divisions of the period before Albany's arrival. There had been divisions after his arrival and he had shown himself able to overcome them and bring order and good government. Albany thus persuaded the Scots Lords to ratify the peace formula worked out by their commissioners with those of England. This formula provided for an abstinence from war until St Andrew's Day 1517 (subsequently renewed for two years to 30 November 1519²⁵). Margaret's possessions and dowry were to be restored to her and she was to be allowed to return to Scotland with all of her/

of her friends and kin through her husband (the Douglasses) provided that they behaved as loyal subjects. Meanwhile, the Earl of Angus was allowed to visit Margaret in England with the permission of the Scottish government. The Scottish Commissioners included a sop to the protests of Henry VIII against Albany's care of James V and the alleged possibility that he would soon take the opportunity to remove James altogether. One clause provided that "the Council and estates shall arrange for the safety of James, and no other shall interfere", but the arrangements made for the keeping of the King in Albany's absence indicate that no real change in policy had taken place. The abstinence included the conventional promises to make redress for outrages committed by Borderers and called for rebels from both sides to be delivered up.²⁶

The greatest difficulty in making the peace work, was found in the conventional attempts to make redress for Border raids, for neither side was prepared for outright invasion. While Albany's lieutenant in the Marches, Seigneur De La Bastie, soon to enjoy an official position there, did attend a day of truce in December 1516, one of the prominent borderers, John, Lord Hay of Yester, had to be summoned to answer for his non-compearance. The Sheriff of Haddington and others were also summoned for the same cause.²⁷ The Lords later accepted Yester's claim that he had not been given enough warning to attend the day of truce,²⁸ but the case illustrates the difficulties of obtaining satisfaction for a raid. Nor was there any better success once the truce was fully operational in the summer of 1517, for the alleged raid by Scots on goods held in the Debateable Lands of the Western March was the subject of a long and ultimately unfruitful correspondence.²⁹

Further difficulties in the way of a closer understanding between Scots and English were the harbouring of the last serious renegades holding out against/

out against Albany's government by Lord Dacre. These were the brothers of the executed Lord Home, George and David, Prior of Coldingham. The English Warden, Lord Dacre, had certain knowledge of their whereabouts on 1 December 1516 when he wrote to Wolsey that, "... the Lord Home's brother and the others shall be kept according to the King's [Henry VIII's] pleasure..."³⁰

On 3 January 1517, an officer was sent to Coldingham, Duns and Lauder in the Eastern March to execute 'our sovereign Lord's letters on George Home'.³¹ The likelihood that he was not to be found in the Merse is confirmed by the further order of 9 January to the officer "to cers and sek George Howme with souerties undir payne of hornyng".³² By the time the Treasurer's account was completed and accepted on 7 September 1517, George Home's movable goods had been escheated. Part were sold to a Burgess of Edinburgh, Alexander Carkettle, and the composition in payment for this grant occurs almost at the beginning of the roll of such compositions.³³ Since the account began on 17 January 1517, it is likely that George Home's forfeiture occurred within a month of the summons mentioned above. David Home was deprived of the administration of the Priory of Coldingham on 27 January 1517, at which time he was accused of having fled to England.³⁴

Subsequent efforts by Albany to use the terms of the truce with England to obtain the return of these renegades were hampered by Dacre's denial of knowledge of their whereabouts. His duplicity is clear from a letter of June 1517 from Dacre to Wolsey detailing the aid which the Homes were then receiving from him and the money necessary to continue to furnish support for them against the loyal Scottish garrisons at Wedderburn, Blackadder and Coldingham. They were still receiving English support in the following September when Margaret was trying to obtain a foothold in the Government once more in the aftermath of De La Bastie's murder. She wrote to/

wrote to Dacre that this was the best time for the return of the Prior of Coldingham and George Home, but Dacre once more reverted to his former policy of officially denying all knowledge of them or their whereabouts.³⁵

The Homes were not the same force for opposition which they had been before October 1516. Although the truce was only grudgingly accepted, and its effectiveness in securing redress for cross-border raids was minimal, nevertheless neither the Scots nor the English were yet prepared for war. The Scots wanted a closer arrangement with France before acting and when it became clear that only by allowing Albany to return to France would they get a closer link, the desire for war waned considerably. On the English side, Dacre and Magnus conducted a regular policy of planting the seeds of doubt in Wolsey's mind (and hence also in Henry VIII's mind), as to the likely success of an invasion of Scotland if truce was abandoned.³⁶ Thus the renegades in England were far less of a threat in the period October 1516 to September 1517 than they had been earlier.

If Albany's prestige was improved by being able to persuade the Scots to a truce with England, it was paradoxically far more threatened by his dealings with France. The trouble was that the Scots believed they were entitled to expect far more friendly treatment from the French King than they ever obtained in this period of general peace. The Lords were forced to accept the departure of Albany from Scotland as the only way to obtain a better deal from Francis. They paid tribute in their commission to Albany to represent them abroad, to his "faith and integrity" and remarked on the safety of the Scottish interests in his hands, belonging there both by right of blood and by authority of Parliament. They then authorised Albany to speak with the voice of all the Lords in his negotiations with the Pope, Francis I, the Emperor, Charles, King of Spain and others. "Unanimously and after mature deliberation", they gave their assent "to his supreme authority"/

authority".³⁷ The Lords of Scotland could not have expressed any greater confidence in Albany's leadership - a further tribute to the prestige which he had earned in the years 1515-17. The basis of this prestige remained very much Albany's personal presence and it is hard not to consider the Treaty of Rouen as a poor return for the disorder which flourished once more when Albany's guiding hand was removed. If Albany spoke with the one voice of all the Lords, then they did not feel constrained to act with that same degree of unanimity in arranging the Scottish government in his absence. Contemporary judgements on the poor return of the Treaty of Rouen cannot have been greatly dissimilar. It was ignored by the Scottish government until Albany's return and then it did not inspire the Lords to a strong invasion of England when it was in Francis's interests for such an attack to take place, in 1522 and 1523, despite the arrival of French troops.

Albany kept the project of going to France via Henry VIII's Court open up to March 1517. Clarencieux reported to Wolsey that Albany had stated "... nothing should grieve him more than that the project should fail..."³⁸ but it came to nothing. After Albany's safe arrival in France he wrote to Wolsey of his regret "... that the Estates would not permit him to do Henry reverence", and, later, of his gratitude that Henry VIII understood that it was not his fault that such a meeting could not take place.³⁹ It is difficult to believe that Albany could ever seriously have entertained the idea of going to the Court of the most implacable and vociferous opponent of his rule in Scotland, even if some arrangement over hostages satisfactory to both sides could have been reached. Yet the evidence is there in the correspondence that the project was talked about for months. The clearest indication of the incredulity with which the idea could be met is found in Queen Margaret's reaction of September 1516:

"... the King's grace tells me of the Duke of Albany, that he will come hither, which I beseech God may be true, but I dread it be not..."⁴⁰

Albany must have believed he could obtain some good from such a visit. If it was simply to ensure good terms for the Scots in their negotiations with England for a truce, or even to ensure the peace between England and France, then the talk may have been never any more than a diplomatic blind. He cannot seriously have believed that Henry would allow him to go freely from his Court, his prestige still further increased by approbation for his government having been implicitly obtained from its severest critic. The Lords of Scotland certainly could imagine all too easily the sequence of events which would have followed Albany's arrival on English soil and which would have led to his detention or the extraction of a forced oath never to return to Scotland. If Albany's integrity can be taken at face value, it is in marked contrast to the faithlessness of most rulers at the time. The Scottish clerk who made comments in the margin of the French instructions to De Bordeaux had remarked on the deviousness of Francis I, who was supposed to be Scotland's friend.

"Francis I cannot honourably refuse to ratify the treaty solemnly made with De Plains at the altar of St Giles and sworn on the word of a king, and then, after promptly making truce with England [the common enemy] ask for Scottish ambassadors to fix new terms. Some unprecedented security must be devised for Francis, over and above the royal oath and writs sealed and subscribed. Would that Scotland were not the evidence for the fact..."⁴¹

Surely those Scots who were in favour of the renewal of close ties with France - the vast majority at this stage - would all the more readily believe the same of Henry VIII's word in regard to the acquisition of Albany's person. Albany's attitude can further be contrasted to this faithlessness from a report by the English Herald, Clarencieux King-At-Arms to Wolsey of a conversation he had had alone with Albany's secretary. Jacques Marèchal reported that the Duke had said that:

"... he would rather have his head cut off than sign a bond [to say he would go to England] and not fulfil it..."⁴²

Albany's integrity/

Albany's integrity may have been a contrast to the unscrupulousness of other rulers, but it may have been a diplomatic façade. The principal argument against this is the apparent lack of motive in mooting a visit to England for so long and then not going. That Albany saw the governing of Scotland as a duty to be endured and not as an opportunity to make personal gains is suggested in the same letter, where the Herald conveys the impression that if Albany was allowed to leave Scotland, he would not easily be persuaded to return. He had stated that he had faced so many problems since his arrival that, "... he wishes he had broken both his arms and his legs before he set foot in Scotland...". Knowing that the Herald would report home even such apparently off-the-cuff remarks, Albany and his secretary may have fed him an approved story. It was in Albany's interests to encourage English belief that he would not return to Scotland, if he fully intended to return by the end of 1517 fortified by an improved treaty. The duplicity of Albany's policy eventually rebounded on the Scots since international considerations meant that Francis I retained Albany's services outside Scotland from 1517-21.

The final stage of the direct involvement in international relations of the Scottish government in the period 1516-17 came with the conclusion of the negotiations with France. Before Albany himself went to France, the Scots commissioned the Bishops of Dunkeld and Ross and the Abbot of Cambuskenneth to go as ambassadors to Francis I. Once more the Scots emphasised their desire not to diverge from a French alliance, though they also stressed that it was only the hope of closer alliance which held them fast. Despite threats, invasions contrary to the inclusion of Scotland in the Anglo-French peace and the probability (so they suggested) that the Scots could come to advantageous terms with England, they still sought a French alliance and urged Francis I to answer them quickly.⁴³ Scottish attempts to play off/

to play off England and France had not worked well at the most propitious times, as in the run-up to the Flodden campaign, 1513, and at this stage Francis had little to fear from the prospect of an Anglo-Scottish alliance. Further instructions referred to the proposal for a marriage alliance which would be in the best interests of all concerned because by such a marriage, the Scots could more easily believe in Francis's affection and forget the evils suffered in France's quarrels. They still wanted the cession of the county of Saintonge. The Ambassadors were ordered to urge Francis that he should be willing to give it to the Scots without the need for a trial of their rights, for even if they had no legal right to it, they deserved it.⁴⁴ The third set of instructions referred to the various possibilities which faced the negotiators. Ideally, the Scots wanted an alliance with France, similar to previous treaties which would provide French aid in case of war with England (i.e. answers for their third and fourth demands of pre-November 1516).⁴⁵ At the least, Scotland needed inclusion in a further peace between England and France. If Francis was not prepared to make such a further peace, nor to make war on England, then he was to be warned not to be surprised if the Scots made the best way they could to secure peace.⁴⁶

The earlier Scots' demands which De Bordeaux's instructions answered were virtually repeated therefore in these instructions. Basically the Scots' position had not altered between November and May. A comparison with what the Scots actually got from Francis I in the Treaty of Rouen of August 1517 is very interesting. The Treaty of Rouen was promulgated on 26 August 1517 by Albany on behalf of Scotland, and Francis's brother-in-law, Charles Duc D'Alençon on behalf of France.⁴⁷ To a certain extent, interest in its provisions is only academic since it was not ratified until 1522 by both sides and, even then, its terms were not fully implemented, but it certainly helped to account for Scottish indifference to French demands for aid in the/

aid in the early 1520s. The problem was that of the four (or three since this treaty was designed to supersede the offers which De Plains had made at St Giles Kirk). basic demands of the Scots, none was satisfactorily answered.

As in the past, the provisions of the treaty included a Scots' promise to attack England if she should make war on France, while France would not only send aid in those circumstances but also if England attacked Scotland in which case France would also make war on English possessions on the Continent. France would do everything to induce England to make peace. If the current treaty between France and England was breached, either side (Scotland or France) could renew it on intimation thereof to the other and with comprehension of the ally. In the meantime, former treaties between France and Scotland would continue in force. As to a marriage alliance, the Scots were given the prospect of an as yet hypothetical third daughter of Francis I; years of negotiations followed before that daughter, Madeleine, eventually became James V's bride in 1537. Of the county of Saintonge, there was no mention at all.

The Scots had obtained a defensive alliance but with truce concluded with England for two years in October 1517, the necessity for such an alliance receded considerably. As to a marriage alliance, Madeleine was not born until 1520 (she was included in the subsequent ratifications) and the claim to Saintonge seems to have been finally forgotten. The correlation between periods of internal peace and interest in foreign relations in the Scottish governmental consciousness was very strong and with the development of internecine faction fighting in the absence of the Governor, the Treaty of Rouen was poor return for the loss of Albany's personal presence.

The contrast between the period of Albany's presence and his absence can be seen/

can be seen most clearly in the amount of business brought to the Council. The further enhancement of his prestige by his dealings in foreign affairs provides another aspect of the apparent success of the period 1516-17. Another aspect of this success is Albany's efforts to put the financial affairs of the government on to a sounder footing.

Ever since Flodden, the royal revenue, especially from Crown lands, had been drastically curtailed, both by Margaret's conjunct feoffment rights and by non-payment. Offset to a certain degree by the low costs of an infant's household, the arrival of Albany had cost the government dearly. Athol Murray's figures for 1516 show that the Governor's household cost more than eight times as much as the King's household.⁴⁸ Even with the appointment of Robert Barton of Overbarnton as Comptroller in October 1516,⁴⁹ the account of the year to 1517 still showed expenditure outrunning income by over £500 Scots.⁵⁰ A regular way of increasing revenue from the reign of James IV had been by 'setting' Crown lands. This was either putting them to feu-ferme which brought in an initial large lump sum and then a larger but fixed annual grassum, or granting them out to long leases. This was the idea behind the measures approved by the Lords on 1 December 1516. All royal lands in the lordships of Galloway, Fife, Strathearn, Kinclevin "and all uthiris his landis" were to be 'set' from 2 January 1517.⁵¹ This decree was effective. The records of the receipts from these royal lands include specific mentions of the results of these activities in Fife, Galloway and Strathearn. In the Comptroller's account rendered on 3 September 1517 by Robert Barton, the extra money raised from the grassums of lands 'set' by the Commissioners and the Comptroller was £98.⁵² In Fife the increase was £139 9s 6d.⁵³ In Galloway the rise was the most dramatic with just under £500 being raised by the 'setting' from 27 April 1517 with terms to run from the beginning of the following Whitsunday.⁵⁴

From the King's Rental Book, it is interesting to see who was able to benefit/

benefit most from this chance to obtain long-term benefit from royal lands while helping the government in the short-term. Most of these beneficiaries were local lairds such as Ninian Adair of Kinhilt and Robert Chalmer of Gaitgarth. Surprisingly, very few burgesses are named and those involved mostly seem to have been of the lairdly class (not higher up the social scale). The most frequently occurring beneficiaries were Thomas McLellan of Bombie, John Dunbar of Mochrum, whose father had been killed at Flodden, and one of the Commissioners, William Wardlaw, Rector of Dalry.

There is no evidence for the decree having been carried out in Kinclevin as the Chamberlain, Andrew Wardropar, died about February 1517 and his account rendered in July 1517 covered only the Martinmas term. The next account rendered by his widow, covering the arrears, makes no mention of increased income from 'setting'.⁵⁵

Other methods were used by Albany to raise finance and at the same time give rewards for political support. The grant of Great Seal Charters to Gilbert, Earl of Cassillis, creating Maybole a free burgh of barony,⁵⁶ and Alexander Ogilvy of Deskford's lands into a free barony of Ogilvy⁵⁷ may not have raised much capital but helped to assure support, while feu-ferming in general was a good way to obtain a good, short-term return - e.g. the setting of the free burgh of barony of Auchtermuchty in Fife,⁵⁸ and also ensuring goodwill. Although the sale of remissions for involvement in treason or serious crime was usually disapproved of by the Council, when the Governor had shown himself willing and able to use the ultimate penalty on Lord Home and his brother, his moderation in simply allowing former opponents to buy their peace was both acceptable and desirable. It raised money for the government and it helped to calm tensions. Albany's success in being seen to provide good government even helped to ease possible discontent over the amounts of money his government actually cost. Although/

Although the grant of £1000 to his personal use in 1517⁵⁹ could no doubt be justified in the costs of travelling around the country and payments to entertain foreign Ambassadors and so on, such expenses as the payment of £60 for four Italian actors to entertain the Court⁶⁰ were the sort likely to engender rebellion if the government was not seen to be providing value for money. It is only conjecture to suppose that the hefty sum which Albany took with him to France helped to cause the resentment which led to the breakdown of Scottish government but certainly Albany was no longer personally present to soothe the irritation. Although it was a traditional expense to raise a tax to pay for Ambassadors going abroad,⁶¹ and the tax for the Ambassadors had raised £1320 6s from the spirituality and £1302 1d from the temporality,⁶² the payment of £2250 to Albany at his departure, in addition to the £617 spent on furnishing the ships for the journey, including supplies,⁶³ represented a large percentage of the income of the government. The total received by the Treasurer in the eight months to September 1517 was only £4751 12s 1d and he was superexpended by more than £1000.⁶⁴ That Albany had made determined efforts to improve the financial situation of Scotland cannot be doubted but this legacy of debt which continued to hang over the country in his absence provided more problems for the regents left to rule in his stead to counteract.

Another fundamental aspect of the financial difficulties which Scotland faced and one tied in with the political difficulties of the vacuum left by Albany's departure, was the continuing necessity to provide for Queen Margaret's rights to the lands of her conjunct feoffment. In her absence at her brother's Court, there was little encouragement to those owing rents to her actually to pay up, but the negotiations which formed a large part of the attempts to secure the peace between England and Scotland had hinged on the provision which the Scots would make both for Margaret's return to/

return to Scotland and for her living once she had returned. Dacre reported back to Wolsey that the Commissioners sent to Scotland in August 1516 had waited ten weeks after obtaining summons on the Chamberlains and others who had intromitted with Margaret's lands, but had received no answer.⁶⁵

While Margaret was left in the invidious position of having to beg Wolsey for loans at Christmas 1516,⁶⁶ her Commissioners continued to try to raise her rents.⁶⁷ The main defaulters whose cases reached the Council's hearing were Lord Drummond (her husband's grandfather), the Earl of Argyll and the Master of Crawford. On 21 February 1517, Drummond was ordered by the Lords to make account and payment immediately to the Queen's Commissioners for the rents of the lands of Drummond.⁶⁸ At the same time, the Lords heard Argyll's instrument denying that he was the Queen's Chamberlain in the Lordship of Balquhider.⁶⁹ Argyll, who was being very well supported by Albany in his relationship with the Islands,⁷⁰ was also the best-supported of these Lords in his efforts to avoid having to answer for these intromissions. On 5 March 1517,⁷¹ the King's Advocate, James Wishart, brought to the Council's attention the fact that Margaret's charter of her conjunct fee did not specifically mention Balquhider, thus casting doubt on her right to rents thereof. Argyll was forced to admit on 11 March,⁷² that he was responsible for having collected the rents of Balquhider. His defence had now changed to the claim that he had been acting solely at the command of Albany, and that he had Albany's acquittance thereof, invalidating the need to pay the rents to the Queen. This seems to have been the end of the matter, at least as long as Albany was in Scotland, a further indication of the strength of his position.

David, Master of Crawford, had already been called to account for his intromissions with the castle and lands of Methven in 1515 when Albany first arrived/

first arrived but the case had not been heard by the time Margaret and Angus's actions made its continuation impractical.⁷³ Margaret's rights were, however, undeniable in this case and the Master of Crawford's first line of defence in March 1517 was to deny that he had ever intromitted with the grassums of the Lordship. The Commissioners representing Queen Margaret were not impressed by this so he next claimed to have had "lettres of assedaciom of bailliery" empowering him to intromit with the rents as bailie, offering at the same time to give an account therefor with an allowance to be made to him for executing this office. The Commissioners were still determined to force him to pay up in full, alleging that he had "bound and obliged himself to the queen's grace by his 'lettres obligators' under certain conditions" which he had failed to fulfil. The case was assigned to 16 March for the Commissioners to prove that David, Master of Crawford, had intromitted with the grassums of the Lordship of Methven and to what value such intromissions amounted.⁷⁴ The case was not heard on 16 March and in fact had still not been heard by the time of Margaret's return to Scotland in June.

Margaret wanted to return to Scotland from at least the early part of 1517. On 29 January Dacre and Magnus reported to Wolsey that they believed there would be no opposition among the Scots to such a move.⁷⁵ She may have been convinced by all the diplomatic activity that Albany was sure to leave Scotland at least for a few months and she could quite easily imagine the opportunity arising for her and Angus to take over leadership of the Scottish government. Her letters to Albany of late February⁷⁶ had expressed the wish not only for her restoration to her conjunct fee, but her desire to have Angus permitted to visit her. Albany offered in reply to do the best he could for her in every way. The first indication of the failure of Margaret and Angus's marriage came with the clear statement by Albany of Angus's rejection, /

Angus's rejection, for whatever reason, of a chance to visit his wife. As Angus had already been given leave to visit Margaret, Albany believed he would not wish to make the journey. The Scots Lords, whether worried about the possibly successful pursuit by Margaret for payment of her rents from her conjunct fee lands, or concerned that she would be determined to influence her son and meddle with the government again, provided stumbling blocks in the way to acceptance of the truce with England. While Albany placated Henry VIII with claims that the Lords

"... have granted all that he demanded in the name of his sister, the Queen of Scots, and never had any other intention than to honour her..."⁷⁷,

Clarencieux Herald was reporting to Wolsey that the confirmation of the truce had not been delivered to him because of Scots opposition to the provision made therein for Margaret.⁷⁸

By April, the Scots' reluctance had been overcome and the arrangements were all set, with the Lords having discussed the possible claims which might arise out of the wording of the agreement with England and decided that no prejudicial interpretation could arise from her demand to be answered after the form of the contract of "Marriage convencionis". They also decided that Margaret could be admitted fully accompanied as proposed, provided that those who came with her "did na hurt, tresoun nor practyk aganis the kingis graice, the realm, nor commoun wele of the samyn".⁷⁹ In return for this, Margaret and her company were to be free from arrest, injury or impediment.⁸⁰

With such assurances, Margaret made the journey to the North once more. She had been out of Scotland since September 1515 and at her brother's Court in London for a whole year from May 1516. She reached York on 3 June, but only after she had heard of Albany's departure from Dumbarton did she finally re-enter Scotland. She was met on 15 June at Lamberton Kirk by her husband, Angus, together with De La Bastie, Lieutenant of the Marches, /

of the Marches, the Earl of Morton and a company of Borderers.⁸¹

In order to try to ensure a stable government following the same basic policies which Albany himself had pursued, carrying on during his absence in France, there was not one single vice-regent to represent his authority but no fewer than seven. The necessity for balance among the temporal Lords as well as the desire to maintain the same policies which Albany had followed, were the determining factors in the composition of this inner Council. The four most influential Earls - Argyll, Huntly, Arran and Angus, had irresistible claims to membership if the government was to be a success. They were joined by the leading members of the spirituality: Andrew Forman, Archbishop of St Andrews and Legate; and James Beaton, Archbishop of Glasgow and Chancellor. The balance was to be weighted in the middle by the appointment of a Frenchman as an impartial representative of Albany - and for this rôle, the Governor chose his most trusted Lieutenant in Scotland - Antoine D'Arces, Seigneur De La Bastie. His hand was to be strengthened by his appointment as Royal Lieutenant within the bounds of the Merse and Lothian and Warden of the Eastern March.⁸² One month after he had been appointed to this powerful position in the Borders, he became the chief arbiter of the vice-regents on the basis on which Albany had first been welcome to Scotland - that of providing impartiality and an outside referee to internal Scottish disputes. The appointment of these Lords as Regents was approved by the Lords in Council who swore to support them in their office. The Lords chosen to act as Regents swore to administer justice to all lieges during the time of their office. At the same time, the Council accepted the granting to Albany of parchment sealed with the Great Seal to be used for a treaty with France and refused him their permission to go to France via England.⁸³

This inner Council of Regents was intended to work together and in company with/

company with the rest of the Lords to prevent a repetition of the virtual state of anarchy which had prevailed in the period immediately preceding Albany's arrival in 1515. It had been the desire of Queen Margaret to enjoy the most influential voice on the Council which had served as a springboard to the ambitions of her husband, Angus, and their party then, and there was no reason to doubt that her return to Scotland now that Albany was leaving, would quickly be followed by her attempt to regain lost ground in influencing her son, the King. The Lords had recognised all too clearly the consequences of Margaret being allowed too free access to James V and had tried to reconcile her wishes to the expediency of preventing James's kidnap in their arrangements for his sure keeping. On 30 March the Lords accepted that Margaret had a right to Stirling Castle as part of her conjunct fee, so if pestilence drove the Lords to protect the King by removing him from Edinburgh Castle, which was to be henceforth his normal lodging-place, some other sure place than Stirling would have to be used. Patrick Crichton of Cranston-Riddale was appointed Captain of Edinburgh Castle with a yearly pension of 400 merks (which was double the normal rate, presumably to guard against him becoming susceptible to bribery) with control of the whole castle except David's tower (here called the "gret toure") where the King was to be lodged.⁸⁴ The Abbot of Holyrood was to reside with the King, with his household and the Lords Borthwick, Ruthven and Erskine were to remain four months each with the King also for his sure keeping, at a rate of payment of £200 per four-month period.⁸⁵ Further, Robert Borthwick and six soldiers were to man the cannon and a guard of twelve foot-soldiers with halberds were to guard the royal chamber, under the command of Alan Stewart (Captain of Milan) at the rate of 200 merks annually.⁸⁶

On 2 May further arrangements for the safeguarding of the King's presence in /

presence in David's Tower included the provision of ushers at the gates by the Keeper of the King's grace and his holding of the keys to the Tower.⁸⁷

With the certain knowledge of Margaret's imminent arrival in Scotland, the Lords were finally forced specifically to acknowledge what rights of entry she could have to her son on 24 May. The Lords ordained that she could have entry to anywhere in Edinburgh Castle with up to twelve of her company, except David's Tower itself where she was only to be allowed entry with four others. She was not to be allowed to stay overnight with her son.⁸⁸

The four temporal Lords and De La Bastie were chosen by the Governor not only to form a Council of Regency, but also to try to bring effective government to the whole of Scotland. While De La Bastie, as King's Lieutenant in the Merse and Lothian, had extensive powers of administration in the south-east of Scotland, Angus and Arran, besides being the two most politically active Earls at Court, had, through their family connections, extensive influence in southern and eastern Scotland. For the north and west, Huntly and Argyll already had strong power bases but these were given further boosts in March 1517. For Argyll in particular, the appointment as Lieutenant of the northern and southern Isles, except Bute and Arran, for three years, gave him extensive powers over a wide range of territory.⁸⁹

To help him to try to bring that territory under effective control, he was allowed to grant remissions to all former rebels in the Isles except Sir Donald of the Isles and the Clan Donald.⁹⁰ The way to make progress was to win over one group and use them to destroy the influence of others. Lauchlan McLean of Duart and his allies were given remissions for their previous crimes, notably the assistance they had rendered to Donald of the Isles of Lochalsh and to Alexander, sometime Lord Home,⁹¹ and then McLean of Duart was granted a long tack of royal lands on Mull and Morvern and the fees of/

fees of . Tiree for his aid in bringing in other rents from royal lands. He was even granted a letter empowering him to raise the lieges in his just quarrels except against the King, the Governor and Argyll.⁹²

The Lords appointed to act as Regents in Albany's absence never all appeared at the Council together. In fact, Argyll, having been presented with the opportunity to act virtually as King himself in the western isles, never came to Edinburgh at all to work in harmony with the other Regents. De La Bastie, being based nearest to Edinburgh and charged by Albany with acting as impartial arbiter, appeared the most regularly on the Council.⁹³ The Chancellor, whose official position kept him regularly in Edinburgh, was the next most frequent.⁹⁴ The Archbishop of St Andrews appeared quite regularly in the first month but rarely thereafter, while Angus appeared occasionally throughout the period.⁹⁵ The other temporal Lords appeared very rarely. Arran sat on the day on which he was named a Regent in May and a couple of days later, then again on the day on which he was named principal Regent in September, and the Earl of Huntly appeared only on the two former occasions.

This lack of unity demonstrably affected the perception of the government's effectiveness - or perhaps the removal of Albany would have had the same effect even on a clearly united government. On 14 July the Council was informed of an attack on the Chancellor in Edinburgh. There are no details given of this attack and no indication as to whether it was a private grievance or an attack aimed at the Chancellor as representative of the government or of the pro-French interest in Scotland. The Chancellor and the Lords spiritual did not want vengeance - no blood was to be spilled. Instead, the Regents advised that the Provost and Bailies of Edinburgh be put in ward and others named to fill their place temporarily. More importantly, the hearing of the case had to be delayed until the end of July/

of July because there were not enough temporal Lords present to give judgement on such an important case.⁹⁶ The removal of Albany's physical presence brought an extraordinarily quick response from some people to go against his decisions. On 13 June, just five days after his departure,⁹⁷ the Council had to issue instructions to inhibit those people who were releasing others warded on Albany's order for non-payment of rents. The Council, with the authority of a letter under the signet from Albany, ordered that no-one be released from the horn or from wardship at that time.⁹⁸

On 23 June, Dame Elene Shaw, Lady of Dirleton, brought to the Council her complaint against Andrew Kerr of Ferniehirst. This was that since the Governor's departure (just fifteen days before) Kerr had seized the chance to throw out the tenants of the lands of her conjunct fee: that was the lands and barony of Haliburton and the third part of Dirleton; and despoil and take away her goods from these lands. Kerr of Ferniehirst subsequently alleged and proved that he had an assignation of the late Alexander, Lord Herries of the terce and third part of Dirleton Mains. It is the timing of the case rather than the content which is of great interest - Kerr of Ferniehirst waited to try to exercise his rights until Albany had left and chose to exercise them in the first instance by force without resort to the Council.⁹⁹

The problem with bringing disputes to the Council was the often lengthy delays involved in obtaining satisfaction. The Council recognised this problem and in order to try to hear all cases in a reasonably short time, they decided on 20 June to relieve the pressure by dividing the country into four parts with cases referring to each part to be summoned together. In the first instance, each area was allowed just under three weeks with the session to run from 22 June to 30 October 1517.¹⁰⁰ The time allowed was/

allowed was found to be vastly insufficient to deal with the numbers of cases - that is to say that the Council was being too successful in promoting its image as the place where justice could be obtained - the delays would encourage the hot-headed with grievances to seek a quicker solution. The chances of the scheme ever actually working as intended were further hindered by the reservation of privileged cases on 3 August. The Council was empowered to hear immediately cases pertaining to the King, the Queen, strangers, retreat of processes, recent thefts, and entries to superiority of lands and property.¹⁰¹

The specific grievances which affected Scotland's government to the greatest degree were those of the Homes against Seigneur De La Bastie, which culminated in his assassination on 17 September 1517. De La Bastie's high profile in Border affairs through his appointment as Royal Lieutenant in the Merse and Lothian an area which had been the centre of Home power, and in the central government through his consistent attendance on the Council in the summer of 1517, made him one of the most obvious targets to represent the "establishment". His personal position as a trusted confidant of Albany and his French nationality further helped to make him the man most odious to the Home family. To them, he represented the people who had been responsible for the executions of Lord Home and his brother, the exile of two other brothers, George and David, Prior of Coldingham, and who kept the Home family from enjoying their traditional pre-eminence on the Eastern March.

Home interests had been attacked by the government in various decisions they had made. David Home of Wedderburn had claimed a right to the wardship and marriage of the heiresses, Beatrice and Margaret, of the lands and lordship of Blackadder. In furtherance of his claim, he had seized the lands and Blackadder Castle. At the beginning of August 1516, this claim/

this claim was challenged by Patrick Blackadder of Tulliallan who claimed to have a royal gift of the same rights of wardship and marriage.¹⁰² Home of Wedderburn's right had been based on the fact that he had married their widowed mother, Alison Douglas, after the death at Flodden of Robert Blackadder of that ilk.¹⁰³ He was thus defended in his claim by Gavin Douglas who was his wife's uncle, and was also great-uncle to the heiresses. The Home claim was rejected by the Lords who found for Patrick Blackadder of Tulliallan on 4 September 1516 but Home of Wedderburn was evidently still in occupation of the castle at the end of the month, for Albany's letters were sent to him, to the Prior of Coldingham, and to an unnamed Captain to secure the deliverance of the castle.¹⁰⁴

The traditional Home interest in the Priory of Coldingham¹⁰⁵ was disregarded by central government only at very great risk of provoking dissent and open conflict. Albany, having been unable to secure possession of the person of David Home, brother of the late Lord Home, because he was protected in England, was able to secure the provision of Robert Blackadder as administrator of the vacant Priory. David Home was degraded from office on the grounds of his flight to England.

"Spendand apoun thaim the fructis and rentis of the said priory to be of his evill and perversit opinioun contrare the king and wele of the realm...106

Robert Blackadder was a son of the former Archbishop of Glasgow, Robert Blackadder.¹⁰⁷

There are two threads to be disentangled at this stage. These are the motivation for the murder of De La Bastie by David Home of Wedderburn in September 1517 and the motivation for the murder of David Home, Prior of Coldingham by Ninian Chirnside of East Nesbit and his accomplices, which occurred sometime in the autumn or winter of 1517.¹⁰⁸ The connection between these two murders is made closest by Pitscottie. Having described the assassination of De La Bastie by David Home of Wedderburn and his accomplices,/

accomplices, he turns shortly after to that of David Home, Prior of Coldingham:

"In the meane tyme the Maister of Haillis and the laird of Neisbett callit Chirnesyde and ane Haittlie throw consall of the Hepburnes cruellie betraissit and murderst ane zoung innocent man pryour of Coldingham, thinkand to do the Duike of Albanie ane plesour to be ane revenge and satisfaction of the slaughter of Tillabattie."¹⁰⁹

The later evidence against the Hepburns is not as strong as that against Ninian Chirnside of East Nesbit. He was summoned together with William Cockburn, tutor of Langton, to pay compensation of £20,000 Scots to George, Lord Home; John Home, Abbot of Jedburgh and the sister of the murdered Prior, Janet Home, the lawful daughter of the late Lord Home and her illegitimate brothers and sisters for their cruel slaughter of the late David Home, Prior of Coldingham. These letters of summons were dated at Edinburgh 10 January 1534.¹¹⁰ Chirnside had offered four and half years earlier in May 1529 to pay a composition when he had first been accused of the crime.

To connect the Prior of Coldingham's murder to that of DeLa Bastie as a revenge killing, it is necessary to prove that Ninian Chirnside of East Nesbit, whose guilt seems to be undeniable in the face of the above evidence, had a reason to be supportive of the government and opposed to Home power. This is difficult to prove, especially as William Cockburn of Langton, who was accused with Chirnside in 1534 of the Prior's murder, was also involved in the plot to murder De La Bastie. There is a tenuous connection between the family of Home of Wedderburn and Chirnside to suggest that in the summer of 1517 they were at loggerheads. Elizabeth Martin of Medhope, widow of Cuthbert Home of Fastcastle, settled her dispute with Patrick Home, the father of David Home of Wedderburn.¹¹¹ Two days later, Elizabeth successfully pursued her case against Ninian Chirnside of East Nesbit/

of East Nesbit for wrongful and violent ejection of the servants, cattle and goods of Elizabeth and her daughters from their lands of Nisbetshiels and other crimes which followed therefrom - principally illegally profiting from occupation of the land.¹¹² Putting the two together, it is reasonable to assume that Elizabeth Martin would rely on the Homes of Wedderburn to protect her and her daughters from the efforts of Ninian Chirnside to retain illegal control of the land.

In the other case - the murder of DeLa Bastie, it is not difficult to find motivation on the part of David Home of Wedderburn. In addition to his grievances over Albany's treatment of Lord Home and his brothers and his treatment of Home of Wedderburn himself with regard to the Blackadder heiresses and the Home family in general over Coldingham Priory, Home of Wedderburn failed in a final attempt to remove Robert Blackadder legally. He alleged before the Council that various servants of Robert Blackadder 'yconomus' (or administrator) of Coldingham Priory had raised a force of forty lieges, including an Englishman, Henry Tailor, to attack Wedderburn's house illegally. All the interested parties were personally present and the Lords decided that the defenders were innocent of the charge of illegal attack. On that day, De La Bastie was the principal temporal judge.¹¹³

The chroniclers are all agreed on one aspect of the death of De La Bastie. The tradition was that he was lured to the scene of a supposed attack on Langton Tower, but realising at the last moment that it was an ambush, he tried to escape on horseback to Dunbar, where he would find sanctuary with the French troops left by Albany. He did not reach his sanctuary, however, and, having caught him, Home of Wedderburn killed him and cut off his head.¹¹⁴ There are no details in official sources or in the English correspondence to confirm or deny this story. Only the Treasurer's Accounts include an uncharacteristic reference to non-accounting events: /

non-accounting events: On 17 September 1517 "obiit la Bastye"¹¹⁵. Both Lesley and Buchanan (followed by Drummond of Hawthornden in his derivative 17th century chronicle¹¹⁶) have references to the rôle played by William Cockburn, uncle (and tutor¹¹⁷) to the Laird of Langton in drawing De La Bastie into the trap. Credence is lent to this ambush having taken place as described by the inclusion of William Cockburn in the denunciation of Home of Wedderburn by the headsmen of the Merse.¹¹⁸

The death of Albany's trusted Lieutenant, DeLa Bastie, brought about the virtual collapse of the edifice of strong government which Albany had been able to construct while he was in Scotland. The jealousies of the Scottish ruling class were allowed greater licence by the removal of the leading impartial French influence. An even stronger indictment of Albany's failure to penetrate to the roots of the governmental structure is that the English Warden, Lord Dacre did not consider DeLa Bastie's death to raise too great a prospect for the immediate restoration to power of Queen Margaret and Angus, and of the English influence. The collapse of the stabilising influence of Albany and De La Bastie did not lead to a new stability under pro-English leadership. Instead, there was a gradual decline from instability into anarchic stalemate, such as had prevailed before Albany had first come to Scotland. Dacre wrote to Queen Margaret shortly after the death of De La Bastie suggesting that:

"... Angus should not 'lose himself in the taking of a light way with the said laird of Wedderburn' unless some men of substance would take his part, and have with him and the Queen, the keeping of the King, in which case England will support her and make peace with her son..."

He thought that, "... the slaughter of Dela Bastye is of a 'sodendy'".¹¹⁹

There were enough 'men of substance' willing to back another claimant, James, Earl of Arran, to make the prospect of Margaret's restoration to the regency without a struggle virtually non-existent. As he had proved in the years/

years 1515-1516, Dacre was not a man to miss an opportunity for successful interference in Scottish government and this lends weight to his judgement of this case. It is therefore extremely unlikely that Home of Wedderburn's action had been part of a grand English design to install a favourable government in Scotland to counteract the potential closeness of Scotland and France suggested by the Treaty of Rouen. With the Governor still in France and the leading Regent dead, there was a need for a new settlement of the government. A General Council was summoned to meet just a week after the death of De La Bastie, on 24 September 1517.

The Lords in the General Council agreed to a further prorogation of the peace with England for two years (that is to 30 November 1519)¹²⁰ while also arranging safe-conducts for Commissioners to go to England to determine the case of the alleged crimes of Robert Charteris of Amisfield and others across the border.¹²¹

The Lords then unanimously chose James, Earl of Arran, as the man to replace De La Bastie as Governor of the Merse, to keep good rule and administer justice as his predecessor had done, and principally to restore order there by pursuing De La Bastie's murderers. The delicate judgement involved in choosing Arran over Angus for this task was probably based on the general mistrust of Angus over his past record of pro-Home sympathies but the snub could hardly be forgiven lightly. The choice of either of the other two temporal Regents, Argyll or Huntly, would have been impracticable given their preference to stay and maintain order in the West and North respectively. The Douglas-Hamilton rivalry had not as yet manifested itself too seriously but this choice of Arran over Angus was to fan the flames of resentment which smouldered for many years afterwards. Arran was to have the same payment for expenses for undertaking the position of Regent and Lieutenant which had been granted to De La Bastie.¹²²

All the/

All the heads of the families of the Merse were ordered to come to the Lords within twenty-four hours after they were charged to do so, except the Laird of Wedderburn and his brothers and William Cockburn, son to the late Laird of Langton. All who failed to respond were to be presumed to have taken the part of the Homes and to be treated accordingly. A Parliament was ordered to be proclaimed at Edinburgh for 9 November 1517 (forty days' notice from 30 September) in order to hear the murderers of De La Bastie answer the charge of treason - summons of treason were to be sent out on them at the same time. Support in terms of gunners, artillery and powder was sent to the vulnerable Blackadder Castle to defend Patrick Blackadder's control of it against Home of Wedderburn. On 30 September, Arran was ordered to summon up all the men of importance from the Merse within fifteen days to take stock of the situation and find out who was willing to provide active support for Arran and the government.

Only two other cases concerning 'public affairs' were aired at this General Council. These were a protest by the Prior of Whithorn against Albany's alleged infringement of his rights by appointing Patrick Hamilton, son of Hamilton of Kincaivil as Abbot of Ferne; and the relaxing from the horn of Alexander, son of the Earl of Sutherland.¹²³ This indicates that the main preoccupation of the government at this stage was the situation on the Borders and the preservation of peace with England to prevent their interference.¹²⁴

As at other moments of crisis, the attendance at this General Council was considerably larger than the average for the daily Council. On 24 September, the first day of the General Council, the attendance was thirty-nine. In addition, over the next six days, a further ten appeared at least once.¹²⁵ (Not all of the original group attended consistently but their appearance at least once is indicative of support for the government as it was/

as it was to be now constituted). The composition of this Council shows just how strong the appeal of good, effective government was to the Lairds. Admittedly, those who turned out were mostly from the neighbourhood of Edinburgh or the troubled southeast of Scotland but with more than a third of the original thirty-nine, they were easily the best represented group at the Council. The question is just how much influence did they bring to bear on the decisions of that day in the General Council, that is to accept peace with England; to appoint Arran as ruler of the Merse, and to denounce headsmen of the Merse who refused to appear before the Lords to condemn Home of Wedderburn and his accomplices. It is tempting to believe that the relative absence of Earls and even Lords of Parliament meant that already they were thinking of personal gain to be made from the altered situation but the appointment of Arran with full powers was certainly intended to provide for the continuation of exactly the same policies and good government which had prevailed up to Albany's departure, fortified by the lengthy truce with England.

The Duke of Albany reached the zenith of his power and prestige in governing Scotland in the few months after the execution of Lord Home. Before that, his whole energy had, of necessity, been directed towards achieving a settlement of the government which was broadly acceptable to every member of the Scottish political community. When Lord Home and his brothers had proved themselves irreconcilable to any settlement involving Albany's continued governance, the only recourse available to Albany had been the execution of Lord Home and of his brother as dangerous traitors. The patiently constructed success of the government in early 1517, which had allowed him the freedom to negotiate a possible visit to England, to obtain Scottish approval for his proposed return to France in exchange for a treaty with the French King, safeguarding the old alliance in the face of the new-found amity between France and England, was based to a dangerously large extent/

large extent on the personal presence of the Governor. This 'personality cult' had improved the image of the Council as the place to obtain justice without the need to resort to private vengeance, and without such justice being perceived as partial or subject to the whims of a prejudicial ruler. In fact, this alteration of image was so successful that by the summer of 1517 the Council could no longer successfully deal with the amount of business being brought to it, leading to schemes to speed up the hearing of cases which went all too quickly awry leaving complainers frustrated by interminable delays. Albany's personal magnetism was recognised by the Scots' reluctance to let him go at all and at first he was only allowed three to five months in France.¹²⁶ Even before De La Bastie's murder, the Venetian Ambassador in London had heard rumours that his return would not be nearly so prompt as that.¹²⁷

However able or energetic Antoine D'Arces, Seigneur De La Bastie was - and he certainly showed the same willingness as Albany to become involved in the day-to-day running of affairs through his regular attendance on the Council - he was only a deputy - a substitute for the real thing. The decision to entrust him with the control of the Merse and Lothian was eminently sensible in a way. It was desirable to have a trustworthy servant keeping control of the scene of much of the recent disaffection and he did have Dunbar Castle - an excellent base stocked with French troops - to back him up. Angus was unacceptable because he was not trustworthy and Arran's preferment would have raised just the sort of jealousies which it did when he replaced De La Bastie after September 1517. On the other hand, the bringing of De La Bastie into close contact with Home territory, when he was the most visible and obvious representative of the Duke of Albany, and most closely identified with the policies which had brought about the opposition and death of Lord Home, was a high risk which did not/

did not come off. Home of Wedderburn was sufficiently motivated by the Council's decisions in regard to the Blackadder heiresses and to the Priory of Coldingham and sufficiently nearly related to the late Lord Home in the absence of his brothers in exile in England, to make his adoption of the rôle of avenger unsurprising. Despite the shelter which Dacre afforded to those renegade Homes, which he denied to the Scots' government and even to Queen Margaret in the aftermath of De La Bastie's murder, the English Warden does not seem to have been involved in the murder plot and did not think that English interests could be directly furthered by it.

Against the background of the gradual decline of the Scottish government into the anarchic stalemate which Albany's personal presence had averted in 1515, the Treaty of Rouen of August 1517 seems a fairly poor return for the Scots for their surrendering of Albany to the whims of the French King's foreign policy. The promise of a hypothetical daughter for James V (who was still aged only five) to marry and the terms of the agreement to supply fully paid soldiers to the Scots and attack English possessions on the continent in the event of English aggression against Scotland rings rather hollow compared to the continued amity of France and England in the autumn of 1517 which forced the Scots into an acceptance of a lengthy prorogation of truce with England. At this stage in the minority, the future looked rather bleak. The King was still many years away from being of age, the Governor was at the mercy of Francis I's foreign policy and the direction of the Scots' government was in the hands of the Earl of Arran, an unstable and inconstant character and the one most guaranteed to be unacceptable to the Earl of Angus, his fellow-Regent. The General Council may have spoken "all in ane voce" but it was unlikely that that voice could be sustained for long.

CHAPTER FOUR NOTES

- 1 Cal. State Papers (Venice) ii no. 839 Sebastian Giustinian to the Signory, 10 Feb. 1517.
- 2 Alexander, Duke of Albany was Catherine Sinclair's second cousin. His paternal grandfather, King James I and her maternal grandmother, Margaret, were brother and sister.
- 3 There is no recorded sederunt for this Parliament which lasted at least from 13-22 November 1516. The record mentions "the prelati, baroni and commissaris of burrowis representand the thre Estatis of the Realme". The only indication of some of those present is the Council meeting of 19 November 1516 which had a sederunt of twenty-three viz: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; Gavin Douglas, Bishop of Dunkeld; James Hepburn, Bishop of Moray; James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness; David Hamilton, Bishop of Argyll; Archibald, Earl of Angus; Alexander, Earl of Huntly; James, Earl of Arran; Colin, Earl of Argyll; James, Earl of Morton; William, Earl Marischal; Gilbert, Earl of Cassillis; William, Lord Borthwick; John, Lord Erskine; Patrick, Lord Lindsay of Byres; John, Lord Fleming; John, Lord Forbes; Thomas Halkerston, Provost of Crichton; Gavin Dunbar, Lord Clerk Register; Sir William Scott of Balwearie; and James Wishart of Pitarrow, King's Advocate - ADC 28 f.49. The incompleteness of this list is clear from the failure to mention Alexander Stewart, Abbot of Inchaffray.
- 4 APS ii 283, 388.
- 5 RMS iii no. 111 13 November 1516.
- 6 See above 65-6.
- 7 TA v 115 22 March 1517. The description of the collar of the Order of St Michael, (TA v introduction xlvi-xlvii) corresponds to the visual depiction of the arms of Albany in Francisque-Michel, Les Écossais En France, Les Français En Écosse (London 1862) i 343; cf. L&PHVIII ii pt. ii no. 3138 Dacre to Wolsey 17 April 1517.
- 8 ADC 28 f.42-30 f.165v. 554 folios covered eleven months.
- 9 ADC 26 ff.1-185, Sep. 1513 - May 1515.
- 10 ADC 30 f.166 - 32 f.199 Sep. 1517 - Dec. 1519.
- 11 For all grants from the forfeited estates of Lord Home see Appendix G.
- 12 RSS i no. 2824 in favour of Thomas Hunter 31 Oct. 1516. The remission cost 10 shillings; *ibid.* no. 2832 in favour of Thomas and John Alan 12 Nov. This remission cost 20 shillings.
- 13 L&PHVIII ii pt. i no. 1975 Henry VIII to the Lords and Commons of Scotland 1 June 1516. Efforts were made to destabilise the government by offers of English shelter to Home's brothers and by bribes to disaffected Scots: *ibid.* ii pt. ii nos. 3385, 3383 Dacre to Wolsey undated (approximately 21 June 1517).

- 14 The Treaty of Noyon was concluded on 13 August 1516; Knecht, Francis I 67; Francisque-Michel i 348; Teulet, Inventaire Chronologique 64. Henry VIII was offered the chance to adhere to this treaty - L&PHVIII ii pt. i no. 2340 3 September 1516, but no such inclusion was subsequently ratified.
- 15 The peace of Fribourg was concluded on 29 November 1516 - Knecht, Francis I 67.
- 16 The peace of Brussels was agreed on 3 December 1516 - *ibid.* 68.
- 17 *Ibid* 68-71, 11 March 1517; G R Elton, England Under The Tudors (London, 1974) 90-1.
- 18 James V Letters 32-4 Instructions to François De Bordeaux 3 November 1516.
- 19 The Scottish claim to Saintonge dated back to a treaty of 1428 between the Scots and the hard-pressed Charles VIII of France. The county had been granted in return for troops which were never sent. The claim had been resumed by James II in 1458 and James III in 1473. MacDougall, James III 45, 95, 114-5; Francisque-Michel i 157, 348.
- 20 Flodden Papers no. xxv, Commission to De Plains dated March 1515; L&PHVIII ii pt. i no. 248 Instructions to Jean De Plains. De Plains was definitely in Edinburgh on 6 July 1515 - ADCP 41.
- 21 James V Letters 35-6; L&PHVIII ii pt. i no. 2612 Scotland and France 30 November 1516.
- 22 L&PHVIII ii pt. i no. 2620 Dacre to Wolsey 1 December 1516. The league was only formalised in March 1517.
- 23 The possibility of a visit by Albany to England had first been raised in a letter attributed to July 1516 - L&PHVIII ii pt. i no. 2234.
- 24 *Ibid.* no. 2611 - articles for an agreement by which Albany is to pass through England - undated but placed 30 Nov. 1516. For the Scots' acceptance see *ibid.* ii pt. ii no. 2855 undated (Jan. 1517). Credence to Wolsey from Albany - England and Scotland have "no difference ... saving the matters of the Queen of Scotland, which may be left to the Duke's discretion..."; cf Clarendieux's remarks on Albany's persuasive ability in the Council, in *ibid.* ii pt. ii no. 2741 1 Jan. 1517. Objections were raised, but "... the Duke ... persuaded all of them, except the Archdeacon of St Andrews, who at last consented..."
- 25 Prorogation of abstinence of war to St Andrew's Day 1519 - APS xii 37-8, 17 October 1517. Negotiations had been in progress since 1 June 1516 - L&PHVIII ii pt. i no. 2494, Commission to Dacre and Magnus to treat with the Scots for peace. Until the fully authorised abstinence was ratified, temporary abstinenes from war were granted, e.g. *ibid.* ii pt. ii no. 2828 Copy of a 'Recess' made at Carlisle prolonging abstinence to 18 Feb. 1517, from 26 Jan. 1517.
- 26 James V Letters 37 - Confirmation of these terms by Henry VIII 31 Dec. 1516; confirmation was given by Albany on 8 Jan. 1517 - L&PHVIII ii pt. ii no. 2757; and confirmation by the Three Estates in Scotland was given on 20 Jan. 1517 - *ibid.* no. 2799.

- 27 TA v 97 17 Dec. 1516.
- 28 ADCP 73 20 Dec. 1516.
- 29 L&PHVIII ii pt. ii no. 3393, a series of letters dated between 24 June and 18 July 1517.
- 30 Ibid. ii pt. i no. 2620 Dacre to Wolsey 1 Dec. 1516.
- 31 TA v 97.
- 32 Ibid. 98.
- 33 Ibid. 104.
- 34 RSS i no. 2859; see above 173-4 and n.108
- 35 L&PHVIII ii pt. ii no. 3124 Albany to Dacre 15 Apr. 1517; ibid. no. 3129 Dacre to Albany (in reply) 17 Apr.; ibid. no. 3385 Dacre to Wolsey [21 June]; ibid. no. 3712 Queen Margaret to Dacre; ibid. no. 3713 Dacre to Queen Margaret (in reply) [undated but after 17 Sep.].
- 36 e.g. Ibid. ii pt. ii no. 3028, 18 Mar. 1517, "... cannot break with the Scots now as they would be ready first..."; ibid. no. 3138, 17 April, in a letter mentioning preparations at the least expense for an invasion, Dacre subtly adds, "... No guns or armour have arrived in worrying quantities...", i.e. war preparations need not be too extensive.
- 37 James V Letters 38-9 Commission to Albany 1 Mar. 1517; L&PHVIII ii pt. ii no. 2976 The Lords of Scotland.
- 38 L&PHVIII ii pt. ii no. 3021 Clarencieux to Wolsey 17 Mar. 1517.
- 39 Ibid. nos. 3409, 3517 Albany to Wolsey 28 June, 26 July 1517.
- 40 Ibid. ii pt. i no. 2400 Queen Margaret to Wolsey [Sep.] 1516; ibid. no. 2476 is similar. The project of Albany's visit to the English Court is mentioned in ibid. nos. 2234, 2235, 2253, 2313, 2326, 2610, 2620; ii pt. ii no. 3021 July 1516 - March 1517.
- 41 James V Letters 32-4 Instructions to De Bordeaux 3 Nov. 1516. See above 149-51.
- 42 L&PHVIII ii pt. i no. 2610 Clarencieux to Wolsey 30 Nov. 1516.
- 43 Flodden Papers no. xxvi Instructions to the Bishops of Dunkeld and Ross, and the Abbot of Cambuskenneth, Ambassadors to Francis I, May 1517.
- 44 Ibid. no. xxvii Instructions to the same, May 1517.
- 45 see above 150-1.
- 46 Flodden Papers no. xxviii Instructions to the Bishops of Dunkeld and Ross and the Abbot of Cambuskenneth, Secretary, Ambassadors to the King of France, May 1517.

- 47 The Treaty of Rouen is preserved in an eighteenth century copy of unknown origin in SRO SP7/25A, printed in A Teulet Papiers D'état, pièces et documents inédits ou peu connus relatifs à l'histoire de l'Ecosse au XVIème siècle (Bannatyne Club 1852) i 4. The French ratification of the Treaty, dated at Lyon 13 June 1522, is preserved in SRO SP7/30. For the Scots' ratification of the Treaty, see L&PHVIII iii pt. ii no. 1910 28 Dec. 1521, and ibid. no. 3557 24 Nov. 1523, both times in Albany's personal presence.
- 48 Athol Murray, 'Financing the Royal Household', in I B Cowan and D Shaw (edd.), Renaissance And Reformation in Scotland, Essays in Honour of Gordon Donaldson (Edinburgh 1983) 43; ER xiv 214-25.
- 49 ER xiv 279.
- 50 Ibid. 284, 292.
- 51 ADCP 72.
- 52 ER xiv 281-2. The Commissioners (from ADCP 72) were James Beaton, Archbishop of Glasgow, Chancellor; Gavin Dunbar, Archdeacon of St Andrews; James Kincragy, Dean of Aberdeen; Thomas Halkerston, Provost of Crichton; Sir William Scott of Balwearie and Robert Barton of Overbarnton, the Comptroller. All were loyal servants of Albany's government.
- 53 ER xiv 244-5. A detailed breakdown of the feuing is given in ibid. 494-500.
- 54 Ibid. 481-7. The Commissioners in Galloway were James Kincragy, Dean of Aberdeen; Robert Barton of Overbarnton, Comptroller; William Wardlaw, Rector of Dalry, and Nicholas Crawford of Oxgangs.
- 55 Ibid. 225-6 (account for Martinmas term only); 295-6 (account by Margaret Melwyng, widow of Andrew Wardropar).
- 56 RMS iii no. 112, 14 Nov. 1516.
- 57 Ibid. no. 166, 22 May 1517.
- 58 Ibid. no. 168 25 May 1517.
- 59 ER xiv 286.
- 60 Ibid. 285.
- 61 APS ii 219, 230, 233-4 etc. for embassies concerning James IV's marriage and to France.
- 62 TA v 109-10.
- 63 Ibid. 130.
- 64 Ibid. 110, 131.
- 65 L&PHVIII ii pt. i no. 2481 Dacre to Wolsey 26 Oct. 1516.

- 66 Ibid. nos. 2701, 2729 Queen Margaret to Wolsey undated but placed Dec. 1516.
- 67 Ibid. ii pt. ii no. 2751 Dacre and Magnus . to Wolsey 5 Jan. 1517.
- 68 ADCP 77 21 Feb., 5 Mar. 1517.
- 69 ADC 29 f.37 21 Feb. 1517.
- 70 See above 169-70 and below 211, 228.
- 71 ADCP 77.
- 72 ADC 29 f.77v 11 Mar. 1517.
- 73 See above 76 and Chapter 3, Section 2 n.34.
- 74 ADCP 77-8. For fuller details see ADC 29 f.63v 5 Mar. 1517.
- 75 L&PHVIII ii pt. ii no. 2845, Dacre and Magnus to Wolsey, 29 Jan. 1517.
- 76 These letters are not preserved but are referred to in Albany's reply of 6 Mar. - L&PHVIII ii pt. ii no. 2990.
- 77 Ibid. no. 3019, Albany to Henry VIII, undated (17 Mar. 1517).
- 78 Ibid. no. 3021, Clarencieux to Wolsey 17 Mar. 1517.
- 79 ADCP 83 5 Apr. 1517; cf L&PHVIII ii pt. ii no. 3105, undetailed copy of the safeconduct issued to Margaret at her last coming into Scotland.
- 80 James V Letters 40-1 'Letters patent for the reception of Margaret' [1516-17].
- 81 L&PHVIII ii pt. ii no. 3335 Queen Margaret to Henry VIII 3 June 1517; ibid. no. 3365 Magnus to Wolsey 16 June 1517.
- 82 RSS i no. 2898 25 April 1517. DeLa Bastie's interest in the Borders is demonstrated by two entries linking him to Border affairs - TA v 120 23 April; ibid. 122 5 May. The extensive powers which his office enabled him to wield are discussed in T I Rae Administration of the Scots Frontier 1513-1603 (Edinburgh, 1966) 104, 110, cf 26-7; the appointment was considered to be an emergency measure and not intended to replace Home permanently, although the remaining leaders of the Home family would not have accepted this.
- 83 ADCP 92. The Council sederunt on that day was: John, Duke of Albany; Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; James Hepburn, Bishop of Moray; Archibald, Earl of Angus; Alexander, Earl of Huntly; James, Earl of Arran; John, Earl of Lennox; James, Earl of Moray; Alexander, Earl of Crawford; Cuthbert, Earl of Glencairn; Hugh, Earl of Eglinton; John Hepburn, Prior of St Andrews; Robert Blackadder, Prior of Coldingham; James Hay, Abbot of Dundrennan; John, Lord Erskine; Robert, Lord Maxwell; William, Lord Carlyle of Torthorwald; John, Lord Forbes; Thomas, Lord Fraser of Lovat; Robert, Lord Crichton of Sanquhar; John, Lord Gordon; Patrick, Master of Hailes; /

Master of Hailes; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Robert Forman, Dean of Glasgow; Thomas Halkerston, Provost of Crichton; Patrick Blackadder, Archdeacon of Glasgow; Gavin Dunbar; Alexander Ogilvy of Deskford; Sir William Scott of Balwearie; James Wishart of Pitarrow; Andrew Kerr of Cessford; Walter Scott of Buccleuch; Patrick Crichton of Cranston-Riddale; Patrick Hamilton of Kincavil; Alexander Jardine of Applegarth; Robert Logan of Restalrig; David Melville, Provost of Edinburgh; George Home of Spot and Simon Carruthers of Mouswald. In the margin 'Lindsay' (i.e. Patrick, Lord Lindsay of Byres) is also discernible. There were originally others, probably George Learmonth, Prior of Pluscarden; Ninian, Lord Ross of Halkhead; and George Dundas, Lord St John's.

- 84 Payments for repairs to David's Tower in April 1517 in preparation for the King's arrival are recorded at TA v 120-1.
- 85 William, Lord Borthwick served as guardian from May to 1 Sep. 1517 and received his £200 due for this service - ER xiv 285. Apparently he handed over to William, Lord Ruthven because necessary goods such as beds were delivered to Ruthven on 28 Aug. 1517 - TA v 129.
- 86 ADCP 82-3 30 Mar. 1517.
- 87 Ibid. 85-6 2 May 1517.
- 88 Ibid. 91 24 May 1517.
- 89 Ibid. 78-82 Mar. 1517; RSS i no. 2873 8 Mar. 1517.
- 90 ADCP 79; RSS i no. 2871.
- 91 Ibid. 80; RSS i no. 2878.
- 92 RSS i nos. 2869, 2876; *M^cLean of Overt also received a great seal confirmation of the lands of Scalpa in the lordship of the Isles on 10 Mar. 1517: RMS iii no. 134.*
- 93 ADC 30 ff.6v-166. DeLa Bastie appeared 61 times in 82 meetings, see Appendix E. He did not witness any of the Great Seal Charters during this time, see Appendix D.
- 94 James Beaton appeared 51 times on the Council.
- 95 Andrew Forman appeared 21 times; Angus 14. Forman and Angus did not witness any of the Great Seal Charters.
- 96 ADCP 98-9. De La Bastie; John, Lord Fleming; Patrick, Lord Lindsay of Byres; Robert Lauder of Bass; William Scott of Balwearie; James Wishart and Adam Otterburn were present. The case was not heard on 28 July because De La Bastie was the only temporal Lord present and it was not called again.
- 97 Albany was at Dumbarton from 29 May 1517 and a boat was paid for on 30 May which rowed him to his ship - TA v 125. 8 June was given as the date of his departure by the English Ambassador, Dr Magnus, in his letter to Wolsey - L&PHVIII ii pt. ii no. 3365 16 June 1517.
- 98 ADCP 94.
- 99/

- 99 ADC 30 ff. 34v; 39-39v; 54; 60, 23 June - 4 July 1517; *see also below 204 and n.52.*
- 100 ADCP 95, 20 June 1517. The divisions were, firstly: Berwick, Roxburgh, Selkirk, Peebles, Edinburgh, Linlithgow and Haddingtonshire; secondly: Dumfries, Wigtown, Ayr, Renfrew, Stirling and Lanarkshire with the Stewartry of Kirkcudbright; thirdly: Dumbartonshire, Bute, Argyll, Perth, Clackmannan, Kinross and Fife; and fourthly: Forfar, Kincardine, Aberdeen, Banff, Elgin, Forres, Nairn and Inverness-shire.
- 101 *Ibid.* 99. On 18 July the second diet was put off to 24 October, (by which time all four should have been nearly completed), which was deleted and 2 November inserted.
- 102 ADC 28 ff.11v-13v. 8 August 1516; f.27: heiresses named as Beatrice and Margaret; ff.28v-29v : final judgement in the case - 4 September 1516.
- 103 Scots Peerage i 189; cf Fraser, Douglas iii 203, Alison Douglas had married Robert Blackadder of that ilk 13 Mar. 1511. The Blackadder heiresses eventually married Robert and John Home younger brothers of David Home of Wedderburn : Scots Peerage iii 281; RMS iii no. 2417, 27 July 1541; *ibid.* no. 2862, 29 Jan. 1543.
- 104 TA v 86 28 Sep. 1516. One year later on 30 Sep. 1517 in the aftermath of De La Bastie's murder, Patrick Blackadder of Tulliallan requested aid to maintain his control of Blackadder Castle, which was granted - ADCP 104; in 1518 he was still in control of it and received 200 merks as payment for its keepership - ER xiv 351.
- 105 MacDougall, James III 103; 235-8.
- 106 RSS i no.2859 27 Jan. 1517; St Andrews Formulare i 11-13; 13-15; 49-51.
- 107 Robert Blackadder was legitimated on 2 Feb. 1510 - RSS i no. 1996. cf L&PHVIII iii pt. i no. 480
- 108 M Dilworth, 'Coldingham Priory And The Reformation: Notes on Monks and Priors' in Innes Review xxiii (1972) 120-1. Robert Blackadder's bull appointing him as Prior in succession to David Home was dated 1 May 1518. He was himself murdered by David Home of Wedderburn in 1519, *ibid.* 121; *see below* 231.
- 109 Pitscottie, Historie 300-1, 303; cf Lesley, History 111; Buchanan History ii 216.
- 110 HMC 12th report Appendix pt. viii MSS of the Earl of Home no. 255 16 Jan. 1534; ADCP 353 - 20 Mar. 1531; Ninian Chirnside had confessed his part in the murder of David Home and was under the censures of the church for it.
- 111 ADC 30 ff.73-4 8 July p.m.
- 112 *Ibid.* ff.81-2 10 July; and ff.131v-132 3 Aug. 1517.
- 113 *Ibid.* f.88 15 July.
- 114/

- 114 John Law 'De Cronicis Scotorum Brevia' (Edin. Univ. MSS Dc7 63) f.139; Adam Abell 'The Roit And Quheill of Tyme' (NLS MS 1746) f.116; Pitscottie, Historie 299-301; Lesley, History 110 (dating 19 Sep. 1517); Buchanan, History ii.217-8. (dating 20 Sep. 1517).
- 115 TA v 149.
- 116 Drummond, History 171.
- 117 RSS i no. 3349 21 July 1522: remission to William Cockburn, son 'and heir' (deleted) of William Cockburn of Langton for 'art and part' of the killing of De La Bastie; cf HMC 12th report Appendix pt. viii MSS of the Earl of Home no. 255 16 Jan. 1534.
- 118 ADCP 104 30 September 1517.
- 119 L&PHVIII ii pt. ii no. 3713 [Dacre] to Queen Margaret Sep. 1517.
- 120 James V Letters 53 Representatives of the Estates to Albany 7 Oct. 1517; T Rymmer (ed.), Foedera ... xiii 599-600.
- 121 The Commissioners chosen by the Scots were James Hay, Postulate of Dundrennan; Alexander Jardine of Applegarth and Sir Patrick Hamilton of Kincavil. On 30 Sep. James Heriot, Official of Lothian and the Laird of Holmends replaced Dundrennan and Kincavil: ADCP 102-3; 103-4.
- 122 This payment is not detailed in ADCP 104 but the normal annual fee for a Warden was £100 - TA v 98. De La Bastie's widow and Captain St Jacques were paid £184 9s 4d for their expenses at Dunbar Castle from the death of De La Bastie to the coming of Captain Morris - ER xiv 351. That the payment might be insufficient for Arran to pursue the Homes is recognised in ADCP 104 where "better provision" is promised later.
- 123 Two civil cases were also heard. On the afternoon of 25 Sep. a French merchant from Rouen's case against another Frenchman was heard. On 26 Sep. the case concerning the disputed ward, marriage and non-entry of Margaret Mowat, daughter and heiress of John Mowat of Stonehouse was heard. In the latter case, letters of gift subscribed by Albany in favour of James Hamilton of Finnart were upheld. These cases came under the privileged categories (see above 172 and n.101) which were to be heard immediately as they arose.
- 124 ADCP 102-4, 24-30 Sep. 1517. The General Council was superseded by a privy council appointed on 3 Oct. - see below 192.
- 125 The sederunt of the General Council on 24 Sep. 1517 was: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; Archibald, Earl of Angus; James, Earl of Arran; (four of the six remaining Regents); Cuthbert, Earl of Glencairn; John Hepburn, Prior of St Andrew; Alexander Stewart, Prior of Whithorn; Robert Blackadder, Prior of Coldingham; John, Lord Erskine; Andrew, Lord Avandale; John, Lord Hay of Yester; George Dundas, Lord St John's; Patrick, Master of Hailes; Malcolm, Master of Fleming; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Robert Forman, Dean of Glasgow; Patrick Blackadder, Archdeacon of Glasgow; Thomas Halkerston, Provost of/

Provost of Crichton; Patrick Coventry, Dean of Restalrig; Sir William Scott of Balwearie; John Campbell of Thornton, Treasurer; Patrick Crichton of Cranston-Riddale; Patrick Hamilton of Kincavil; Alexander Jardine of Applegarth; Andrew Kerr of Cessford; David Bruce of Clackmannan; James Colville of Ochiltree; Gilbert Wauchop of Nudry; George Home of Spot; David Wemyss of that ilk; George Ormiston of that ilk; William Cockburn of Scraling and Thomas Kerr. In addition, nine others appeared at least once up to 30 September 1517: James Wishart of Pitarrow, Justice Clerk (25 Sep.); Adam Otterburn (25 Sep. p.m.); George Crichton, Abbot of Holyrood (26 Sep.); Robert Beaton, Abbot of Melrose; (26 Sep.); Gavin Douglas, Bishop of Dunkeld (28 Sep.); Gilbert, Earl of Cassillis (28 Sep.); George Hepburn, Dean of Dunkeld (30 Sep.); Robert Lauder of Bass (30 Sep.); and Robert Logan of Restalrig (30 Sep.).

- 126 L&PHVIII ii pt. ii no. 3365 Magnus to Wosley 16 June 1517 (suggesting five months); *ibid.* no. 3550 'News from France' 1 Aug. 1517 ("... he has but three months leave...").
- 127 *Ibid.* no. 3665. Sebastian Giustinian reported on 31 Aug. 1517 to the Venetian Council that it was unlikely that Albany would return that year.

CHAPTER FIVE

The Government under the Earl of Arran

24 September 1517 - October 1519

The death of Antoine D'Arces, Seigneur DeLa Bastie gave the Earl of Arran his chance to run the Scottish government. This chance did not ultimately result in success because the stalemate which had ensued in 1514-15 was repeated in 1520-21. Lord Dacre, the English Warden, was not indulging either wishful thinking or political rhetoric when he wrote that:

"... If Albany can be kept out of Scotland, it will go to ruin for lack of justice, as the Scottish Lords cannot agree to be governed by one of themselves..."¹

Arran's success in the period up to 1519 was based on an appeal to 'national' interest, to a certain extent, though most of his support undoubtedly depended on his distribution of lucrative patronage. The final recognition in autumn 1519 that the Duke of Albany would not return to Scotland so long as the peace continued between France and England, caused the breakdown of Arran's firm control. Arran's temporary rule was tolerable while he was seen to be the short-term deputy of Albany; his full-time control was unacceptable to Angus and his allies. By October 1520, Queen Margaret was complaining to Lord Dacre, "... Scotland was never like to be so evil ruled. Every lord prieth who may be the greatest party and manyest friends..."²

This is not a story of steady moral or social decline as presented by the chroniclers³. Arran did have the opportunity to succeed in providing good, effective government. Although Angus had been snubbed by the Council in their choice of Arran as Lieutenant of the Merse and Lothian, the opportunity to work more closely together was presented by an expedition of 1518 against the Homes. Arran not only neglected this opportunity, perhaps fearing that a reconciliation would increase Angus's authority at his expense, /

expense, but the assistance offered by Angus was positively rejected. The Queen was a further complicating factor. Needless provocation of England at the time of peace was not desirable and Margaret's complaints had to be placated as best as possible. Arran's supporters distrusted Margaret's assertions of her desire to obtain a divorce from Angus, being unable to overlook the fact that they were still married in name.

The crisis which followed the murder of DeLa Bastie ensured widespread representation at the General Council on 24 September, but the appointment of Arran was followed by the delegation of authority by the Lords to a secret Council, which was principally under Arran's guidance.⁴

Despite appearances, there was no great activity in the attempts to bring De La Bastie's murderers to justice. It took more than four months before David Home of Wedderburn, the man principally responsible for De La Bastie's death, was forfeited by Parliament. He remained on the Borders thereafter causing disruption for some time before Arran actually led an expedition to the Borders which achieved some success in occupying castles formerly belonging to Homes and their allies.

The Secret Council was initially concerned to prevent an attempt to kidnap the King. On 4 October, the day after it was set up, the Lords provided for the removal of George Douglas, Angus's brother, from ward in Edinburgh castle to the keeping of the Earl of Morton at Dalkeith. The Lords had been warned by the Captain of Edinburgh Castle that if an attempt was made (implicitly by Angus) to free George Douglas from ward, then kidnap of the King would prove too tempting a possibility. The one member of the Douglas family still appearing on the Council, Angus's uncle, Gavin, Bishop of Dunkeld, agreed to this arrangement and the Chancellor had this agreement recorded as a failsafe against the Bishop's possible later involvement in a Douglas conspiracy.⁵ The exclusion of Angus from the Secret Council/

Secret Council indicated the distrust which the majority of the Lords who were arranging the government felt for him. He was summoned by the Lords to present himself before them in Edinburgh on 6 October, "under all pain and charge". Their suspicions had been heightened by their lack of knowledge of Angus's whereabouts.⁶

On 6 October 1517, further provisions were made for security in the Borders. The Lords received George Kerr, brother of Andrew Kerr of Cessford as a pledge to remain in ward in Edinburgh Castle. In return, Mark Kerr of Dolphinton, who had presumably agreed to co-operate with the government, was allowed to return to Teviotdale by Arran's licence. The intention was to persuade all headsmen of the Merse (in particular) and the Borders (in general) to furnish their castles with food and weapons to resist the King's 'rebellis and untrew liegis'. If active opposition to this was manifested, then a possible expedition of the army against the rebels was mooted.⁷

This was not a 'normal' time for government, when ordinary business occupied the attention of the Lords. The Session was put off to November and later to 20 February 1518.⁸ The Lords proclaimed by their activity their preparations for a possible raid by Angus to free his brother and, more seriously, for a full-scale revolt led by the renegade Homes in the Borders. Thus the call on the Lords to attend the Council on 16 October went out on 7 October,⁹ and the following day, the Lords ordered George Douglas to be transferred to the keepership of Patrick Hamilton of Kincavil, in whom more trust was placed than in Morton, who was after all himself a Douglas.¹⁰ On 16 October, 165 letters were sent throughout the country, summoning a Parliament which would deal with the threat on the Borders, and in particular with David Home of Wedderburn.¹¹ There was no need for this rush of activity and it was followed by a lull which implies that the immediate/

the immediate threat was not accomplished. In November, the need to be ready to act against the Homes outweighed the need for a full-scale governmental attack. The Parliament was continued to February and it was only then that the forfeiture of David Home of Wedderburn took place.¹²

The Council met again on 19-23 November 1517 and once again a large turnout can be taken as a strong testimony to a continuing crisis in the government. The traditional pattern was followed, of a strong initial response, falling over the course of a few days, followed by delegation to a much smaller body: in this case the leading Regent, Arran, and a very small group of his supporters.¹³ The first day's business dealt with the disputed case of the Laird of Amisfield's activities in the Debateable Land - any Scots Lord who crossed that territory was liable to English suspicion and the desire to keep the peace with England was evidently one of the Scottish government's main considerations. The assistance rendered by Lord Dacre in the past to the Homes, after the execution of Lord Home, made it imperative for the Council to try to maintain good relations with England.¹⁴

On the following day, Arran was again charged to carry out his duty in bringing to justice the rebels in the Borders, "... for keeping of the kingis previlege and cesing of misreule within the realm in tyme tocum..."¹⁵ a formula which probably only represents Arran's desire to have full support from the Council for any actions he might take which might risk his being accused of criminally overstepping the bounds of his commission. George Douglas was also ordered to remain in ward and Patrick Hamilton was granted £50 to help cover the 'great charges' of keeping the ward within Blackness.¹⁶

The Council still wanted to have Angus in a position where his activities would cause less suspicion. The fact that he had failed to respond to their earlier overtures is obvious from the renewed call to him to come/

to come to Edinburgh and join the rest of the Regents.¹⁷ The threats for his non-appearance are however so mild as to induce the belief that they wanted him to ignore them so that his position as a Regent could be forfeited. The charge was to warn him that if he refused to join the other Regents,

"... the kingis graice, the regentis and lordis of consell will reput him as ane persoune nocht assistand to the commone weile of [the] realm nor to excers the office the quhilk he has acceptit and sworn to and forthir with intimatioun at the lordis will provyde for remeid thairintill.."18

Angus was not offered an official position to induce him to accept the offer. In addition to this, Arran's occupation of the office of Lieutenant of the Merse and Lothian was a potential threat to Angus's hegemony in the south-east of Scotland and would have been more of an actual threat if Arran had been as willing and able to prosecute his charge as Albany and De La Bastie had been.

There was no repeat of the delegation of authority to a Secret Council at the end of the November meeting and the government was carried on by the previously-appointed Regents charged to govern in the absence of Albany, i.e. principally Arran with the backing of the Legate and Chancellor and with Argyll and Huntly as Lieutenants in the west and north. There is a further indication on 21 November of the people on whom Arran was relying for support. Parliament had been continued to 15 February 1518 and to cover the likely absence of the hereditary officers of Parliament,¹⁹ a commission was granted to allow Arran and seven others, of whom the minimum was to be three, to create the necessary officers and depute ministers to allow the Parliament to be properly constituted. Those seven were: Lords Erskine and Ruthven; the Abbot of Holyrood (George Crichton); the Commendator of Dryburgh (James Ogilvy); the Postulate of Dundrennan (James Hay); the Captain of Edinburgh Castle (Patrick Crichton of Cranston-Riddale)/

Cranston-Riddale) and John Hamilton, President of Edinburgh.²⁰

On 23 November, the Council gave two contrary indications of the success they were having in regard to the dangers they still faced. On the one hand, Arran had had some success in attracting support from Borderers for his stand against the Homes. Earlier, Mark Kerr of Dolphinton had shown his willingness to co-operate with Arran's government and Cessford's brother, George Kerr, had been put in ward as a pledge for his good faith. That good faith had materialised and now all pledges and surety relating to Mark Kerr were released. Cessford's brother returned to the custody of the Chancellor as before - he did not go free, but the inference is that Mark Kerr had been fully converted to peace with Arran and that there was no longer a high risk of his deserting to the rebels.²¹ A contrary indication of the success which Arran was achieving was given by the complaint of Patrick Blackadder of Tulliallan, Archdeacon of Glasgow, which indicates that the danger from the Homes was still very apparent on the Borders. Patrick Blackadder complained that he was unlikely to obtain any profit from the wardship and marriage of the Blackadder heiresses nor to defend Blackadder Castle successfully, "... owing to traitors and conspirators who hold the heirs from him and involve him in exorbitant expense for keeping the house..."²² Arran's government was achieving some success but what was really necessary was action on the Borders.

The only obvious explanation for the slowness of the government to proceed with its avowed intentions against the Homes was that they did not feel so whole-hearted about such an attack as they proclaimed themselves to be. In fact, the parliament of February 1518 discussed a political decision on how far to cast the net in looking for accomplices. It was clear enough that Home of Wedderburn was the guilty man who actually perpetrated the crime, but his accomplices may well have included some who now thought/

now thought it best to support Arran.²³ It was Home of Wedderburn alone who was summoned on 26 December 1517 with the summons only having mentioned his accomplices and not naming names. He was charged to compear at Edinburgh on 18 February 1518, giving him fifty-four days' notice. Messengers also carried summons on witnesses who could prove the summoning of David Home and his accomplices to avoid any possible escape through a legal technicality - claiming not to have had the summons delivered properly.²⁴

The parliament was scheduled to meet on 15 February and it was preceded by a renewed attempt to persuade the Douglasses to join the Council.²⁵ In preparation for the possibility of an expedition to the Borders which Arran's Council would not want to cause English suspicions of attack across the Border, the peace with England was rehearsed on 12 February and all lieges were enjoined to observe it.²⁶

Although there is no direct evidence that a Parliament met on 15 February as planned, there is incontrovertible indirect evidence. The Council, which is recorded as meeting on 20 February, included Commissioners for three burghs, and the third estate was only represented at a Parliament or when one was expected. Further evidence is provided by letters written at the end of March including one subscribed by the Legate and Chancellor on behalf of the Scottish Estates to Francis I declaring that, "... nothing has pained them more since the death of James IV than [the slaughter of De La Bastie]..." to which they added the definite statement that "...the perpetrators were summoned on a charge of treason before a parliament called at Edinburgh and were forfeited..."²⁷ There would be no doubt that a Parliament had actually been held in February 1518 were it not for the confusing inclusion of notes for discussion when parliament should be held as part of the record for 22 February. This must be taken as an earlier discussion which was only now included in the record.²⁸

The basic/

The basic point which this confusion does not mask is that it had taken Arran's Council nearly six months to take action against Home of Wedderburn but now the action was going to be both vigorous and effective. The Lords who attended the Council/Parliament of 20 February make an impressive list, totalling forty-seven.²⁹ Two days earlier (the day to which Home of Wedderburn had been summoned but which he certainly ignored) the host had been summoned for an expedition to the Merse based on Lauder to expel the rebels and traitors and take control of their castles to prevent them being a threat to stability and good rule in the Borders. Again the scope of the summons was very impressive with the whole of the country south of the Mounth being summoned. This summons extended not only to freeholders or tenants, but also to the lands in the control of Ladies "of terce and conjunctfee landis" who were to supply men from their households passing to the host with the heirs or tutors of these Ladies.³⁰ Besides all the lieges, the host was to include 500 footmen provided and paid for by the Treasurer. It is, as usual, uncertain exactly how successful the summons to the feudal levy was, but there is no doubt that the paid footbands actually turned out on the raid itself and that they would form the core of the army on which Arran could rely in his attacks on rebel strongholds.³¹

In the interval between the parliament of February 1518 when Home of Wedderburn was forfeited and the expedition of March which set out to enforce that decision, the Council tried to provide for the necessity of good day-to-day government. They ordered the Treasurer to provide for the "wagis, help, supple, assistance and all maner of uthir prerogatives" for Arran as Lieutenant in the East Borders to the same amount which DeLa Bastie had received.³² They had to meet the urgent need to provide for Queen Margaret in regard to her conjunct fee lands. Already one case in which she/

which she was involved had begun to be heard by the Council. She had left the keepership of Newark Castle in Ettrick Forest to the Laird of Bonjedburgh,³³ when she fled to Tantallon and subsequently to England, but his right therein had been challenged by James Murray of Falahill. The Queen's pursuit of Murray of Falahill was ultimately unsuccessful, the Lords choosing to disregard her rights to leave the keepership of such a sensitive stronghold in the Borders to such a suspect man. Murray of Falahill was cleared of the charge of having,

"... masterfully be way of deid in contempcioun of oure soverane lordis auctorite come with convocacioun of oure soverane lordis liegis to the nomer of iic personis and umbesett the way before the said laird abone Jedworth..."³⁴

Such decisions hardly placated Margaret and her latest piteous complaints to England, which Dacre relayed to Wolsey on 5 March 1518, followed the standard form of pleading for money as she was near to "extreme poverty". These complaints are so similar to her earlier claims of 1515 and 1516 after her flight to England which were demonstrably false, that it is difficult to believe she was now in such dire financial straits. The Lords were still anxious to find the best way to keep extraneous matters from interfering with the raid on the Borders and that especially included preventing English aid from helping the Homes and, therefore, the Lords were anxious to hear Margaret's pleas.³⁵ For the same reasons, it was necessary to deal with civil causes which had mounted up with the continuation of the session. Parliament was to appoint sufficient Lords to hear the 'long-deferred' cases immediately after the dissolution of the parliament. It was not simply rhetoric (though it had that primary purpose to induce a sense of obligation in the Lords) to add the warning that "... in defalt tharof the kingis subjectis and leigis ... stand undir daily truble and vexatioun..."³⁶

The/

This combination of needs - to provide civil justice and to provide for the Queen Mother - led to the hearing of several cases which concerned the non-payment of her conjunct fee. Besides the case of Murray of Falahill's prevention of her chosen bailie occupying Newark, there were a further eight cases in which Margaret was the pursuer, all of which included her husband, the Earl of Angus, as a co-pursuer for his interest. It should be emphasised, however, that Angus never appeared in person and that Margaret was not working in anyway at this stage to provide support for Angus's cause. In fact, she made clear in her letter to Dacre, which was passed on to Wolsey on 5 March, that she was relying on the agreement which Angus had made not to interfere in her possession of her conjunct fee despite this being a husband's right.³⁷ Therefore, she did not expect a penny of what she won back through these cases to go to Angus. In part, Margaret was pursuing her tenants of Ettrick Forest simply for non-payment of their dues,³⁸ but in part, also, she was pursuing some of the leading Lords in Scotland: the Earl of Atholl;³⁹ Lord Borthwick, Sir Robert Lauder of Bass, Sir Patrick Crichton of Cranston-Riddale, William Carmichael of Crookston⁴⁰ and the Earl of Crawford.⁴¹ Margaret eventually agreed to continue all her claims in return for an interim payment by the Treasurer or Comptroller of the duties of the Lordship of Dunbar for the Martinmas term bypast.⁴²

With the prospect of the raid approaching in a few weeks' time, there was not yet a general return to hearing civil cases after the form of the division of the country into four parts. In practice it was privileged cases like those involving the Queen Mother and cases of political significance which were heard.⁴³

After a period of virtual hibernation, therefore, the government of the Earl of Arran was beginning to make an impact on the Scottish ruling class./

class. This impact was even felt by the Earl of Angus who had been out of tune with the government since Arran's appointment. He now saw the opportunity to make his way back into a position of influence by involvement in the raid on the Borders. On 23 February 1518, Angus sent in a supplication to the Lords of Council mentioning that he had heard of the forfeiture of David Home of Wedderburn and his accomplices and that Arran proposed to make an expedition to the Borders to destroy the influence of the rebels. Angus wanted to become involved in the attack,

"... desiring to counsale him [i.e. Arran] quhat he suld do tharto [in regard to the proposed expedition] sen he was and is redy at all tymis at his power to do onything that the Lordis wald consale him for the common wele of the realme..."⁴⁴

The offer was firmly rejected by Arran and his supporters - a snub which seriously exacerbated Arran's later problems. The Council had spent a long time calling on Angus to resume his position as a Councillor in Edinburgh, without success. Now their direct rejection of Angus's promise of support makes it clear that Arran's government had only wanted Angus to come to Edinburgh to remove his potential threat to them, by keeping his activities under close surveillance. They never intended Angus to participate in the government and chose to regard his offer of help as being an insincere attempt to divert the expedition from its true purpose of attacking the rebels. The Lords ordained,

"... that letters be writin to the said erle thankand him of his gude mynd that he schawis to do service to the kingis grace and the realme, prayand him to continew tharin, and tharfor counsalis and ordanis him to byd and remane on the north syd the water of Forth in quhat place he pleis and als to cum to Striveling quhen the queyn resortis thar and na ferrar onto the hame cuming of my lord of Arane furtht of the Mers with his army..."⁴⁵

Angus's brother, George Douglas, who was already in ward at Blackness Castle with Arran's brother, Sir Patrick Hamilton of Kincavil as his Keeper, was threatened at the same time with exile to France because of the threat/

threat he posed to the security of the government.⁴⁶ There was a further attack perpetrated on the Douglas interest at this stage of preparations for the raid on the Merse. The Lords had decided on 1 March that all cases before the session should only be heard if both parties were present, i.e. if either defender or pursuer was absent preparing to go to the Borders, the case was to be continued.⁴⁷ Only a week later, the Lords ignored that ruling in a renewed attack on the Earl of Angus. They found that he had wrongfully intruded his brother in the profits of the parsonage of Duns and pronounced the decret against him without his having any chance to reply. Angus's procurator protested for his rights because he had no place to reply since he was ordered to remain north of Forth but despite this protest and their own ruling of a week before, the Lords thought that "for na causis allegit as yit that thai may supersede the pronounciation of this decret".⁴⁸

The preparations for the raid had already begun and the Lords sought to use a traditional method of isolating the rebels from their more half-hearted supporters. On 25 February, the Council offered respites to everyone in the Merse, until the feast of St John the Baptist (Midsummer's Day), provided they came in to the government's will by 7 March to ask for their respite and deliver sufficient pledges as security for their good behaviour. The threat for non-compliance with this offer was of being reputed "art and part" of the treasonable killing of De La Bastie and suffering punishment accordingly. The response to this offer/threat was quite obviously negligible as the offer was changed on 5 March to complete remission for all crimes except De La Bastie's murder provided that pledges were entered before 15 March. Again non-compliance was to be answered by those involved being reputed as accomplices in the death of De La Bastie. This in turn met with little response because the Council gave Arran full powers on/

powers on 16 March to grant remissions during his trip to the Borders, the day after pledges were to have been entered.⁴⁹

It was one matter to declare David Home of Wedderburn a traitor in a parliament which he and his accomplices did not attend, but quite a different matter to remove his threat from the Border castles of those who supported the government. By 6 March 1518, the Lords of Council were aware that George Home (brother and heir of the late Lord Home), David Home of Wedderburn, and other rebels were besieging or were expected shortly to be besieging Blackadder Castle, having already taken East Nesbit. The Home control of the Blackadder heiresses and their claims derived from that control made Blackadder one of their principal targets: it was held for Arran's Council by Patrick Blackadder of Tulliallan. Arran was now about to ride to the rescue and, to help in the effort, letters were to be written to the Abbot of Kelso to provide supplies. The appeal was based firmly on his duty to the 'national' interest: "... and this he will do as he lufis the common wele of the realme and deserve thankis of the kingis grace and my lord governour..." Meanwhile, letters were also to be sent to the freeholders, vassals and others of the Border shires of Roxburgh, Peebles, Lauder and Ettrick Forest to be ready on an hour's notice to join Arran in stopping the siege of Blackadder. The previously-proclaimed full expedition was still to meet at Lauder on 20 March.⁵⁰

The Lords were very hopeful of Arran's success in the expedition although the inclusion of the wildly optimistic phrase, "... quhen he has pecifyt the said cuntrie of the Mers..." was reduced to the slightly less impossible nuance of "...eftir he hes gottin the housis of the Mers and returnit haim to Edinburgh...", in reference to the delivery of pledges from Lords seeking remission after the expedition had reached a conclusion.⁵¹

The Lords/

The Lords even believed that they could induce George Home to surrender and come into the government's will, being content to live only on the heritage of his wife,⁵² i.e. forsaking any possible inheritance from his brother, Lord Home. This may not have been a vast overrating of the chances of Arran's raid on the Merse. If Arran was able to mobilise all the men who had been summoned to the expedition, he would control a large 'national' army only lacking the men from the north of the Mounth who were expected to be engaged with Huntly in keeping the men of the Isles quiet during this raid. The idea of the repetition of a 'national' army in the mould of that which had gone on the Flodden expedition is reinforced by the renewal of the strong incentive to fight to the death encapsulated in the 'Act of Twizelhaugh'⁵³:

"... that gif ony man hapnis to be slane or hurt to deid now in the army to pas in the Mers apoun the kingis rebellis and tratouris be the said rebellis or be Inglismen, that thar aieris sall have the samyn privelege and eftir the tenour of the act maid at Tuisilhauch in Northumbirland..."⁵⁴

The main objectives of the raid on the Merse were to take control of Home and Wedderburn Castles, to protect Blackadder and other castles held by loyal friends of the government, and, if possible, to obtain the surrender of George Home. Ostensibly it also set out to capture Home of Wedderburn and his accomplices but this was not seriously pursued once the army was in the field and Wedderburn sought refuge in England. The Legate and Chancellor in their report to Francis I of 29 March stated that only one of the traitors had actually been found but that he had suffered the extreme penalty - death by hanging, drawing and quartering.⁵⁵

The actual composition of the army is less certain than its intended size. Despite the inducements offered, there is evidence that the appeal to duty in the 'national' interest did not register in all quarters. On the very day that the Lords ordered the Act of Twizelhaugh to be renewed, they also/

they also recorded the fact that certain people charged to provide oxen to transport the artillery had failed to do so and letters were directed to sheriffs empowering them to escheat the movable goods of those found guilty of neglect.⁵⁶ The impressive summons⁵⁷ to the whole country south of the Mounth was certainly not answered by the sheriffs of Wigtown and Kirkcudbright in the south-west of Scotland and other unnamed 'westland' Lords also ignored the call.⁵⁸ They could presumably try to use some plausible excuse about keeping the western border safe from a possible English retaliatory raid, but in any event they didn't come.

The raid did take place and Arran relied on the companies of foot soldiers who received wages for attendance,⁵⁹ but he probably did have assistance from a number of Lords.⁶⁰ It was to a certain extent successful in achieving some of the aims set out above. The artillery was drawn to the south, passing by Soutra on 17 March, to Edrington, within 5 miles of Berwick on 18 March.⁶¹ Arran was at Lauder as planned on 21 March⁶² and by 26 March, Home Castle had fallen to the government army.⁶³ There were two raids in all, lasting nine and seven days⁶⁴ - therefore to early April, but by 29 March the Legate and Chancellor in their letter of news could inform Francis I that Arran had captured the strongholds of the rebels responsible for De La Bastie's death but that the perpetrators themselves had fled to England where they were allowed to remain in contravention of the truce.⁶⁵ The Chancellor, in a further letter to Francis I, complained that Henry VIII had ignored the terms of the truce by refusing either to deliver the rebels to Arran's forces or to turn them out of England (leaving them at the mercy of the Scots' army anyway).⁶⁶ Allan Stewart, one of Albany's principal deputies in Scotland and Keeper of Dumbarton Castle in his absence,⁶⁷ further confirmed this story of the raid's lack of success in bringing the murderers to book.⁶⁸ Arran's own letter on the subject to Francis I/

Francis I simply bombarded the French King further with complaints about the easy access which the traitors had had to England and the ease with which the English broke the truce. Arran tried to convey unanimity of the Scots Lords in asking that the traitors be delivered up to Scots officials "... with a view to the justice which all the Scottish Lords desire to see done..."⁶⁹

In determining the success or failure of the raid on the Merse, one of the factors which must be taken into consideration is the return for the cost of the expedition. The expenses involved are fairly minutely detailed and, given the fact that all that was really achieved by the raid was to put loyal troops in key strongholds where they were vulnerable to attack by the Homes, who continued to be free agents, the raid's value for money must be questioned. The costs of paying the foot soldiers, guns and other basic expenses came to over £1000.⁷⁰ The cost of maintaining a garrison in Home Castle of 24 men for the six months from its capture to the time of rendering of the account on 29 September 1518 was another £180.⁷¹ The cost of maintaining a garrison at Wedderburn Castle was £230 3s 4d, including payments for food⁷² and the Constable of Edrington received a further £19 6s 8d,⁷³ though the costs at Wedderburn were partly offset by the Lords' decision on 20 June 1518 to allow George Tait, Constable of Wedderburn, to force the tenants to pay their dues for the lands pertaining to David Home 'umquhile' of Wedderburn.⁷⁴ Arran's own fee as Warden and Lieutenant amounted to £150 per month and was paid from his appointment at the end of September 1517 by the General Council. By mid-May 1518 he had received £1125.⁷⁵

All of this expense was justifiable in terms of what the Scottish political community expected from the government. As Albany had found out in 1515-16, it was not enough to sit in Edinburgh and dictate any number of sensible decrees/

sensible decrees - what was necessary was to be seen to be actively prepared to conduct government in the field. The supine nature of the early part of Arran's government may have been determined by their need to be certain of support before going into the battle arena but by the spring of 1518, even the parliamentary forfeiture of Home of Wedderburn was not enough - the raid was a political necessity. The capture of the rebel strongholds was more than worth their costs as symbolic propaganda victories than the capture or destruction of Home of Wedderburn himself. For Albany's close ally in Scotland, Alan Stewart, this activity represented a much better move for the government, even though its achievements were limited at the time when he wrote: "things are, thank God, in a satisfactory state, if one considers the troubles which supervened upon Albany's departure..."⁷⁶

In the summer of 1518, the rewards for this burst of activity were an ability to pursue active government in Edinburgh. The session resumed and many cases which had long been put off were finally brought before the Lords at Edinburgh. There was no serious threat from either the Homes in England or Angus in Scotland. Arran had won by his activity a degree of acceptance for the time. Negotiations with England were resumed in May 1518 over the Charters of Amisfield case and within Scotland itself, concern to prevent private feud disrupting public affairs manifested itself in a very significant decree of 12 June. This decree concerned the bearing of weapons in the town of Edinburgh and was repeated several times in the following months, presumably in response to a need for something to be done to prevent private feud having an unwholesome influence on public affairs. Its significance in relation to the fight in the high street of Edinburgh in April 1520 is obvious - by then the development of feuds had outrun considerations of public duty and 'national' interest. No man was to bear weapons in the town of Edinburgh without a licence, on pain of loss of weapons/

weapons for a first offence and loss of life at the will of the Regents for any further offence. There was to be no "...occasioune of discord for auld feid..."⁷⁷

The seeds of those later problems in government for Arran continued to be sown by the campaign which the Council was waging against the Douglasses. The Legate, Andrew Forman, obtained papal briefs of denunciation of Gavin Douglas, Bishop of Dunkeld. On 30 June, Gavin's brother, Archibald Douglas, presented a supplication to the Lords to allow Dunkeld to go to Rome to defend himself but the Lords did not reply, denying him licence to go and he certainly remained in Scotland over the following year.⁷⁸

Arran's attempt to hold the Border castles was hampered by the lack of promised aid. No doubt the threat of resignation would produce effective results,⁷⁹ but the problems of his government's hold on the Borders were clearly exacerbated by the continued non-cooperation of the English with regard to the Homes.

The Ambassador from the Danish King presented his credence on 10 June. Christian II faced trouble from the simmering resentment of his Swedish subjects and sought Scottish aid, in particular Scottish troops. The Scots had long had kin ties with Denmark (since James III married Margaret of Denmark, the Royal Houses were closely connected) and their mutual ties with France laid an obligation on the Scots to help. However, there could be no active assistance at this time because,

"... Henry and his officers receive and aid Scottish rebels contrary to the peace. The constant incursions of these rebels and of Englishmen make serious hostilities daily more likely..."⁸⁰

On the other hand to their difficulties of maintaining control of the Borders, the Council was successful in clearing some of the backlog of judicial cases. The session began on 10 June and continued to 24 July 1518, /

1518, resumed on 13 November and continued to 15 December 1518.⁸¹ One aspect of Arran's government was therefore immensely successful - it was seen to be capable of providing justice in civil causes and so the session was packed with cases which were finally heard after nine months, and it is a tribute to his control and acceptance that difficulties were largely confined to the Borders and the Isles.

The Master of Hailes had been given a certain amount of time to pass to Liddesdale and bring in pledges from the clans of that area to maintain good rule. His friends - principally James Hepburn, Bishop of Moray - had to argue for more time, on 12 July 1518, to deliver the pledges and avoid the Council's threat to take over the garrisoning of Hermitage Castle, the principal stronghold of Liddesdale, themselves to provide for good rule there. Liddesdale was geographically one of the best areas of the Borders for rebels or reivers to use to raid either Scotland or England and it had been a regality in the control of the Hepburn family since 1491.⁸² With the earl of Bothwell being a boy of only six years old in 1518, the Master of Hailes, his uncle and heir-male, had every right to its control. In fact, the Bishop of Moray refused to assent to Hermitage Castle being handed over to anyone else until Albany's return. Although the Prior of St Andrews, John Hepburn, was principal tutor to Bothwell,⁸³ he supported Arran's Council against his own family's interests, and the Prior does regularly appear on the Council at this time and in later crises on Arran's part. It is probable, therefore, that he had used his influence as principal tutor to argue for Arran to put in a more favourable friend to try to control Liddesdale. On the following day the Lords allowed the continuation of the case at Moray's request to 19 July.

On 19 July the Lords registered a letter received from the Master of Hailes sent from Hermitage Castle stating that he had got pledges from the families/

families of Elwald of Redheugh, the Elliots, except those in Teviotdale serving under Mark Kerr, the Croziers, Nixons, Hendersons and Forsters. He was continuing his efforts to obtain pledges from the Armstrongs but they stayed in the Debateable Land with help from the English. He promised to keep them out of Liddesdale, if they remained as stubborn in their refusal to co-operate, but the Lords remained unconvinced that he was doing all that he could to provide good rule in Liddesdale and ordered him to compear by 28 July, giving him a twenty-day respite to travel to Edinburgh and return to the Borders in safety. They wanted him to find sufficient surety that the country would remain 'harmeles and skaithles' of the clans entering their pledges, suggesting that there was a lack of confidence in the use of the pledge system with regard to the Border clans - i.e. that they might well attack and ignore the possible consequences of their actions to their pledges or else attack to free the pledges.⁸⁴ The case was still outstanding when the session was continued in July. On 21 July the Lords ordered letters to be written especially summoning a group of Lords to be present in Edinburgh for their advice to be taken on 29 July with the proviso, to encourage attendance, that their presence would be required "... bot [tua] or thre dayis at the ferrest..."⁸⁵

In fact, only six of those summoned answered the call but sixteen others, including the Earl of Angus, who made a rare appearance at the Council table but whose interest in the Borders probably led to this occurrence, did compear to hear the case on 29 July. The Master of Hailes was assured that his respite would allow him to go back and forth from Edinburgh without hindrance. On 31 July the Bishop of Moray protested to a larger group of twenty-five Lords that the other people having responsibility for keeping the peace on the Borders should be treated exactly the same as the Master of Hailes, thus trying to avoid his use as a scapegoat for/

scapegoat for continued disturbances in the Borders. Both Maxwell and the Laird of Cessford, Wardens of the west and middle Marches respectively, pointed out that they were ready to answer to any legitimate inquiry about anybody living within the area covered by the bounds of their offices.⁸⁶

Liddesdale was not the only problem the government had because Arran had been finding difficulties in continuing his control of Wedderburn Castle. The Treasurer pointed out that if certain people who owed sums of money to the Crown, paid them then he would be better able to supply the necessary victuals to the garrison.⁸⁷ In a similar case, the Comptroller successfully had a decret enforced by which the monks of Dryburgh could no longer delay providing the food which their commendator had sold to the Lords for the garrisons at Home and Wedderburn.⁸⁸

Other problems brought before the Lords concerned the Isles and the Bishop of Argyll protested on 14 July that his stronghold at Sawdane [Saddell?] was threatened by rebels who had killed the men sent with victuals.⁸⁹

Why did Arran's government not face greater attempts to destabilise its authority by rebels like the Homes or by Angus? The Douglasses had been the victims of many of the attacks and snubs handed down by the Council. The answer lies in the continued expectation of the Lords of all sides that the Duke of Albany would return to Scotland to resume his authority as Governor. This was fuelled by speculation about troop movements in France such as was reported in a letter of 'intelligence' included among the English correspondence, and which gave the startlingly definite news that Albany would arrive in Scotland on 4 August 1518.⁹⁰ However, the implacable opposition of Henry VIII to Albany's return to Scotland,⁹¹ made his return unlikely, especially in the wake of the renewed expression of Anglo-French amity which incorporated all the major powers of Europe and many of/

many of the lesser ones in a grand design for European peace - the Treaty of London of October 1518.⁹² In fact, the early draft of the Treaty during the negotiations had included specific provision that Albany was not to be admitted to Scotland nor allowed to have the government there.⁹³ Instead the English decided that Margaret should be restored to the position she had formerly enjoyed in 1513-14 as Governor in terms of James IV's will. Despite these excellent reasons why Albany was unlikely to return to Scotland, it was only in the late summer of 1519, a year later, that the leaders of the Scottish political community accepted the fact that he was not going to return in the near future, with disastrous consequences for government stability.

With the session continued from July to November, the cases which were heard in August 1518 involved privileged groups, notably Border problems again and the Queen's conjunct fee lands again. On the afternoon of 11 August the Lords considered the case of the King and the Sheriff of Roxburgh against certain Borderers, including the Warden of the Middle Marches, Andrew Kerr of Cessford. The Sheriff, James Douglas of Cavers, had tried to seize certain lands to recover the money due in castle ward from them but his duty had been repulsed by George Rutherford of Hunthill and others.⁹⁴ That these Lords had not paid the dues in the first place is interesting, but even more so is the fact that they were willing to take action to prevent the seizure of their land in compensation against a properly-appointed royal official. Not surprisingly, the Council condemned them in their absence but could they then obtain the lost dues and retain the loyalty of these men in regard to future campaigns against the Homes? In this regard it is worth noting that Kerr of Cessford was one of the active Douglas supporters against the Hamiltons in 1520. Margaret had successfully obtained a resolution to her dispute with the Abbot and Convent of/

Convent of Holyrood over the 'acres of Linlithgow' and the port of Newhaven. She obtained a liferent interest in the Linlithgow lands while giving up her claims to Newhaven which had become linked by an 'excambium' of lands (a straightforward exchange) after James IV's gift of Linlithgow to her. This presumably suited the burgesses of Edinburgh, on whose behalf Adam Otterburn had protested for their interest in the port of Newhaven, and with Holyrood retaining a right of return to the Linlithgow lands, the settlement suited all sides.⁹⁵

Margaret was successful in a further case heard in August 1518 when she, with Angus again as a co-pursuer for his interest, brought an action against Sir Thomas Home of Langshaw for his illegal taking up of the profits of the lands of Cockburnspath in the Earldom of March, Berwickshire. The Lords ordered Home to cease his occupation of those lands and assigned a further day for Margaret's advocate to prove the number of years over which he had received the profits in order to make correct repayment of the money owed.⁹⁶

Such small victories helped Margaret to regain the confidence of her former convictions and begin to work towards her restoration to a position of influence over the government and her son, the King. She made clear in her letter of 13 September 1518 that she had sought to use the twin foreign influences of Henry's friendship and knowledge that Albany would not return while the Anglo-French amity continued, to form a new party of supporters around her. Though the Lords of Council were willing to say that they would do their best for the weal of the King, they emphasised that this did not necessarily involve taking her advice or trusting to Henry's friendship. Despite Margaret's further statement that they had "... made no band unto the Governor since the day be broke with them, nor will make any...", the clear impression is given that the Lords were still relying on Albany to/

Albany to return and that the peace with England was only temporary.⁹⁷

Margaret's standard reproach throughout the whole period of her political importance from 1513-25 was that she was badly treated by the Lords of Scotland who would not keep promises made to her, would not provide her with the funds which were hers by right, nor provide assistance to her to obtain those rights. Dacre's relaying of this renewed diatribe on 30 October 1518 was not an unusual occurrence.⁹⁸ At this time Margaret's claim to have no money is unsupportable because of the evidence of her success in raising funds from various sources. Not only had she received the mails of the Mains of Dunbar⁹⁹ and begun to win the cases brought against the Lords and men who had wrongfully seized the profits which were due to her, of her conjunct fee lands,¹⁰⁰ but also the Comptroller had provided for her household expenses to a total sum of over £1500 for a period of just under a year.¹⁰¹ This proves conclusively that Margaret's use of financial complaints was as a political lever rather than as a statement of fact. At this time in autumn 1518 and further emphasising the expectations of Albany's return, she could gain no advantage on any side from her efforts.

The Council met again on 13 November 1518 and the session resumed on 15 November. The situation had not changed in that the Council were still concerned to provide security for good rule in the Borders. Lord Maxwell had originally been ordained to rebuild the castle of Wauchop, the destruction of which had imperilled the inhabitants of Eskdale and Ewesdale, in return for a payment of the rents thereof during the minority and a grant in heritage when James V reached his majority.¹⁰² This was cancelled with the Lords' agreement - presumably Maxwell had felt he would be getting a poor return for his expense and that Eskdale and Ewesdale would not be so imperilled that protection could not otherwise be given. This acceptance is another/

is another significant step in the building up of supporters and opponents of Arran's government - Maxwell was obviously trustworthy and loyal. The provost, president and burgesses of Edinburgh pursued the Comptroller, Robert Barton and other residents of Leith, whom it was alleged had illegally interfered in the buying and selling of goods arriving by sea at their port to the detriment of the privileges and dues of Edinburgh. Although Barton was ordered to desist from such practices, in effect he was not severely punished because, for example, he was not ordered to make any repayments. The implication is that his support was worth having and maintaining, and significantly for Arran's later relations with Edinburgh that it was worth having at the price of infringements of the burgh's privileges.¹⁰³

The taking of pledges to keep the Borders quiet was still a policy actively engaging the Council's attention, indicating that it had not yet been wholly successful but had apparently achieved enough to make it worthwhile persevering. On 17 November, the Bishop of Moray, on behalf of the Master of Hailes, called for the release from ward of Archibald Armstrong and his replacement by pledges. The point raised by Moray was that without the head of their clan to keep them in check, the Master of Hailes could not be responsible for the Armstrongs keeping the peace in Liddesdale. In order to try to keep the Lords satisfied with Hailes's efforts, the Bishop also offered in his name to restore all stolen goods taken by Liddesdale men since they were ordered to give pledges at the end of July.¹⁰⁴

On 22 November, Sir Walter Scott of Buccleuch promised to assist John, Lord Hay of Yester, Sheriff of Peebles, in obtaining restitution for goods stolen by the Scotts of Teviotdale and to take the Sheriff's part against any break on the part of the Scotts of Eskdale or Ewesdale,¹⁰⁵ again an indication of/

indication of loyalty to the existing government taking precedence over possible kin claims in a rebellion, though from potential to actual revolt there may have been a great difference in attitude. Nevertheless, such documents show that Arran's government did have some success in obtaining support in the Borders. This success was obviously seen by certain Councillors as being directly dependent on the removal of Angus's influence from the whole region. As had been decreed previously during the expedition to the Merse in the spring of 1518, on 6 December the Lords presented Angus with a direct choice. Either he was to appear before the Council within four days to join the other Regents and Lords of Council and act with them for the provision of justice, or else to pass within that time north of the river Forth, to remain there as long as the Lords deemed necessary. The pain for failure to comply with the Lord's decree was for the first time stated to be treason. The shift to a more serious condemnation indicates a new seriousness in the position of Arran's Council vis-à-vis Angus and this was made quite explicit in the order for the summons to be made:

"... becaus it is thocht expedient that the said erle sall nocht remain neir the bordouris for suspicioum and brek of the cuntre as is presomyt for his awin wele for dreid of intercomonyng with brokyn men...106

At the same time, the castle of Newark in Ettrick Forest was ordered to be surrendered to the keeping of a nominee of the Council because of its strategic importance.¹⁰⁷ This gives a new slant to the relations between Arran's Council, Angus and Queen Margaret. The Queen Mother had not lived in the same harmony with her husband, the Earl of Angus, since their flight to England in September 1515 and the birth of their daughter. Although it was only in early 1519 she finally mentioned a desire to divorce Angus,¹⁰⁸ their marital relations had not been happy throughout the period after Margaret's return to Scotland in June 1517. In fact, on her return, she had obtained/

had obtained the obligation from Angus not to interfere in her rights, profits or dues of her conjunct fee, as was his right to do as her husband, on which she had relied in the cases she had raised earlier in the year.¹⁰⁹ Their relations had obviously reached a new low when she had that promise copied into the record of the Court of the official of St Andrews in the Archdeaconate of Lothian on 9 November 1518,¹¹⁰ a renewed attempt to obtain the profits of the cases she was pursuing for herself and not for her husband. The involvement of Newark in this complex relationship is important because it was an important stronghold for keeping the Middle March in order. Margaret's later complaints against Angus not keeping the bond he had made not to interfere in her lands include the advice given by his uncle, the Bishop of Dunkeld and other Douglasses to Angus, to ignore the bond, and to support his claims he "... took away what she was living upon, and her house of Newarke, in the forest of Etryk..."¹¹¹

Margaret was then pressurised by the Council into agreeing to hand over her conjunct fee to their guiding in return for a fixed payment from the Comptroller. The pattern of control of the strategic strongholds is upheld by the Council's actions concerning Newark. Angus was ordered to remain north of Forth, to surrender Newark and then Margaret's claims were bought out by the Council.

Margaret had agreed to the deal by which she handed over her conjunct fee after the latest hearing of the cases still undecided from February-March 1518. A large convocation of men were found guilty of deforcing the messenger sent to point the lands of the Earl of Atholl on Margaret's behalf for the four hundred crowns of weight which had been adjudged to be owed by him to the Queen for intromission with the goods of the late Andrew, Bishop of Caithness.¹¹² In other words, Margaret still had not received the money which had been decided was owed to her.

At the/

At the same time her case against James Murray of Falahill, Andrew Kerr of Ferniehurst, Walter Scott of Buccleuch and Andrew Kerr of Cessford (and others) for wrongful occupation of tacks of her lands of Ettrick Forest, was continued to 9 December not to be heard again.¹¹³

In the face of Margaret's continuing failure to be assured of an income from her conjunct fee and to prevent Angus from intruding any claims, she sold her conjunct fee for a fixed income.¹¹⁴ The deal allowed the Lords of Council to control all of her lands except Linlithgow and Stirlingshire, but including the Ettrick Forest and the Earldom of March - strategically advantageous to control of the Borders. In return, Margaret received a fixed payment.¹¹⁵ This arrangement was to continue until the Governor's return or as long as the prorogation of peace with England lasted (that was, at least, to 30 November 1519).¹¹⁶ With such an opportunity to extend its influence in the Borders, it was not surprising that the Council wished to have Angus well out of the area to stop him interfering.

On 23 December 1518, a commission to raise the Queen's duties by authority of Angus's renunciation was made at Kirkoswald in Cumberland. This might have been suspiciously like an attempt by Angus to regain some control over the revenues of the lands of Margaret's conjunct fee were it not for the Scots Lords who were named to have the authority to "... let and receive all the profits of her lands to her use, hold courts for her tenants, dispose of benefices and conduct suits for her..."¹¹⁷ These men were all regular attenders on Arran's Council¹¹⁸ at this time and this fits into the pattern of Arran's Council taking control of the Borders at Angus's expense. This commission was in fact empowering the Lords of Council, in concurrence with the agreement made with Margaret, to raise her rents and dues, in her name but for the benefit of the Council directly (and Margaret/

(and Margaret only indirectly through her fixed sum payments) in keeping order in the Borders.

The potential dispute with Angus which had simmered for some time was not the only one which Arran's Council had provoked and which raised the opposition to them in 1520. Other private feuds had taken up the Council's time and their decisions to support one side or the other helped to store up resentment which led to Lords taking their part or Angus's in 1520 when the latter became a figurehead for an alternative order in government. The most serious of these feuds was undoubtedly that between the Montgomeries and Cunninghams in the west of Scotland. Raised to the peerage as Earls of Eglinton and Glencairn respectively, their spheres of influence clashed in Ayrshire with both families being ambitious and anxious to establish their authority in the same area. In particular, the appointment of the Earl of Eglinton as Bailie of Cunningham with the result that Glencairn had to answer in the Bailie Court to Eglinton was a serious clash of interest.¹¹⁹ The Montgomeries had an unacceptable position of superiority through this office and the Cunninghams sought every method to free themselves from their inferiority. Now at this time of comparative weakness of the government, Glencairn, who was Angus's uncle, saw the chance to wring concessions from the government to remedy this apparent inferiority. On 25 June 1518 Glencairn had taken an instrument to record his willingness to resolve his dispute with Eglinton by the Lords' advice but sought in the meantime exemption from the necessity of answering in Eglinton's court for himself and his servants, kin and friends "... becaus thai durst nocht cum to the samin without it war with gret convocatioune, quhilk mycht grow to ane gret inconvenient and brek of the cuntre..."¹²⁰ The Lords granted this exemption, ordering Eglinton to appoint George Ross of Hanyng, son and heir of the late George Ross of Hanyng, and Hugh Campbell of Stevenston as his deputies/

deputies to act together as judges to Glencairn and his men in the bailiary of Cunningham.¹²¹ By the summer of 1518 the case was still rumbling on and an indication of its importance is given by the need to continue it on 2 August to 8 October because there were too few Lords in town to give a proper judgement in such an important debate.¹²² After a further continuation from November to December, an attempt was made by Arran's Council to resolve the dispute amicably. In fact, what was suggested was a 'love-day' at St Mungo's Kirk in Glasgow under the supervision of James Beaton, Archbishop of Glasgow, who was one of Arran's staunchest allies: "... and ilkane of yame tak be ye handis and stand in affald and hertlie kindnes in tyme to cum..."¹²³ The proposal did not remove the basic problem and the sympathy which the Council appeared to show to Eglinton's position - he appeared to have finally won on 13 December when the Lords decreed that William Cunningham of Craighs, in whose name the exemption suit had been brought, had not shown sufficient proof of his right to claim exemption from answering to Eglinton in the bailie court. Nevertheless, Eglinton continued to exempt the Cunninghams until 6 February 1519 at the request of the Chancellor and Lords.¹²⁴ The case was not heard again by the Council in 1519 but again the simmering resentment of Glencairn and his family ensured that they supported Angus (who was also Glencairn's nephew) while Eglinton, whose cause had met with sympathy from Arran, supported his side.

The Earl of Argyll, who was lieutenant of the west, also remained loyal to Arran's Council and one of the reasons may have been the agreement which he obtained with Arran's kinsman, David Hamilton, Bishop of Argyll¹²⁵ on 2 December 1518 over their mutual jurisdiction. In taking rebels into the King's will, the Earl agreed to stipulate that the men make obedience to the Holy Church and to episcopal rights.¹²⁶ This picture of Arran's government being successful in providing justice and trying to resolve disputes is/

disputes is proved by such cases which make clear that there was not a continuous slide into anarchy from the murder of De La Bastie. Yet the blindness with which Arran's Council pursued its vendetta against Angus was continuing to stack up the resentment which caused them such problems in 1520.

On 6-7 December, the Lords heard the case of Elizabeth, Countess of Huntly¹²⁷ against Lord Glamis and the Earl of Angus concerning her right to the lands of Balmaketis and Ballinhome, Forfarshire. Glamis had received the profits of these lands when they rightfully belonged to Elizabeth because of the grant of their wardship to her by the 5th Earl of Angus. Glamis was declared innocent of wrongful intromission because he produced an instrument of sasine proving that he had rights to the said lands, but Angus was left to repay the sums which Elizabeth had lost because she had not been properly warranted in her rights by the Earl of Angus. Justice may have been done but the harsh judgement on Angus was just one more example of their vendetta against him.¹²⁸

The image of a Council going about its business successfully without problems is a little tarnished by the need to repeat the earlier decret against bearing weapons in Edinburgh. The Lords recognised that a possible escape clause was to claim that in bringing weapons to Edinburgh, Lords were only protecting themselves against the possibility of attack because of ancient feud. Now that escape clause was blocked: "...nain persew uthiris in the samin [burgh] for auld feid or for new undir the pane of escheting of thair wapinnis and punising of thair persounis at the regentis will..."¹²⁹

Although the leading Lords of Council believed fervently that, despite the current Anglo-French amity, Albany would return in 1519, his own views on the position in which he found himself, indicate that he had less hope. In a letter/

In a letter purporting to come from the Scottish Estates to Leo X, but which originated with Albany, he tried to use Papal influence, through the connection of the papal family to Albany's wife's family,¹³⁰ to secure his return. As the clerk who copied the letter noted, this suggests that Albany wanted to return to Scotland to do his best to help the Scots since the English disregarded the comprehension anyway in assisting and harbouring the Scottish rebels. As yet, however, his influence which was strong with Francis I¹³¹ was not enough to make Francis break his oath to Henry VIII not to allow Albany's return to Scotland. The best which Albany could do for the Scots was to beg the Pope to take James V under his special protection.¹³²

The events of the first two months of 1519 inside Scotland can be inferred from the Council's actions on the renewal of the session in late February. On the one hand, the Homes had advanced into Scotland once more and had retaken Edrington, near Berwick, which had been captured by Arran in the spring of 1518. This led to preparations for a second expedition to the Borders a year after the first, though initially the Lords relied on the landed men of the Merse to support their government against the rebels. If they failed to return to their castles to defend them, the Lords were empowered to put other 'true lieges' into those places to secure their safety.¹³³

At this time also the Lords took the ultimate step in their vendetta against the Earl of Angus by summoning him to answer for treason. The sequel to this summons indicates that neither side was as yet ready to support outright confrontation. Angus submitted and, as with the summons of December 1518, had to give up all claims on Newark Castle and pass and remain north of Forth. The Lords had raised the summons against him "... traistand that he had disobeyit the saidis chargeis and lettres past tharapon",/

tharapon", the summons having been enforced "as thai belief". Nevertheless the Lords now excused the dismissal of the action on the grounds that they knew for certain that Angus had always meant to obey their commands and therefore they charged that all the points of the summons of treason be annulled and ceased. The summons was to be destroyed in Angus's presence.¹³⁴

The confrontation may have been avoided because Arran's strength was needed to combat the continuing problems posed by the Homes. The sensitivity of the Council to the threat of the Homes was indicated by Adam Blackadder's denial that he had set up a secret meeting with David Home and his accomplices, claiming that this was a malicious invention of "certane persouns his ill willaris".¹³⁵

The backdown from confrontation in the dispute with Angus may also have had a great deal to do with the reliance of the Lords of Council on the fact that Albany was going to return. At the start of the session, Walter Malin had presented his credence and informed the Lords that Albany would return by the end of summer 1519. This was followed by the Lords' decision to do nothing in the matter of a further comprehension with England without Albany's advice or until his return.¹³⁶ The implication was that either Albany's return would signal an alteration in French policy towards England or, if peace was to be continued, that Albany would be a better bargaining counter in Scotland than in France.

Arran and the Council at the same time appointed Andrew Kerr of Ferniehurst to take over control of Wedderburn Castle from George Tait, Arran's deputy, thus freeing Arran to take responsibility for overall command of an expedition while putting one of the prime targets for the rebels into the hands of a man who must have been regarded as a staunch ally.¹³⁷

On 26 February, Angus himself rejoined the other Regents in the Council/

Council for the first time in more than six months;¹³⁸ the principal reason for this return being the case pursued against him by Elizabeth, Countess of Huntly. He had his protest registered against apprising of his lands to pay the sums which he had been found to have to pay to Elizabeth. Further, Angus had become concerned about the possible political ramifications for his position if Margaret should divorce him. He also obtained registration in the books of Council of his request to the Legate, Andrew Forman, to cause Margaret to 'anneird' to him [that is to live with him as his wife] or show reasonable cause why she should not do so.¹³⁹

With the inevitable jockeying for the best position on Albany's return going on, Angus further tried to press home the advantage he had found by submitting to the Council. On 28 February he denied the validity of the Queen's disposition of her conjunct fee lands to the Lords of Council in return for a fixed yearly payment. His advocate, Gavin, Bishop of Dunkeld, produced records of the Laws of Scotland relating to the fact that a wife accepted her husband on their marriage as "... lord of hir persoun, dowry and all uthir gudis pertenyng to hir..." Angus argued that in the particular case of his wife, Margaret, that

"... quhatsummaner of decrete or lettres has bene gevin or happinis to be gevin be my lordis of counsale to obey the quene in hir rentis, dowry or deviteis be na wyse prejudiciall to my lord of Anguse in his richt and profittis tharof pertenyng to him be resoun forsaid, bot that he may haif full regres tharto quhenevir he ples to call or challandis tharfor..."¹⁴⁰

Queen Margaret replied to this by relying on the obligation which Angus had made to her not to interfere in her conjunct fee. Procurators named on Margaret's behalf refused to take the office and Dunkeld added that Angus did not agree to the validity of the procuratory and that none of the Lords would then accept the office of procurator to pursue Angus. This surprising turnabout in the Council's attitude to Angus was not based on a political decision but on a social one. By appealing to traditional laws governing a/

governing a husband's right to his wife's property, Angus relied on the concern of all the temporal Lords not to interfere in those rights. Even though Margaret may have been a special case, she could not raise any support among men who feared their own wives could use similar tactics to their husbands' disadvantage, especially as it was such a regular occurrence for Lords to marry or remarry to widows with terce lands of their own.

In a sequel to these events, another four cases concerning Margaret's claim to the lands and profits of her conjunct fee with Angus as a co-pursuer were heard on 2 March with favourable judgements being given on 22 March 1519. All four concerned the earldom of March lands which Margaret had included in her resignation of the previous December.¹⁴¹

Throughout this chapter, emphasis has been placed on the potential problems which Arran's Council faced in the Borders, but that was not the only place where rebels needed to be dealt with. The Earl of Argyll's decret arbital with the Bishop of Argyll gave some indication of the state of the West and Western Isles but it was in this early part of 1519 that Huntly's problems in the North of Scotland began to draw the Council's attentions. Huntly brought a case against the Earl of Caithness who had denied the validity of Huntly's claims that the office of Lieutenant of the North allowed him free access to pursue rebels across Caithness' lands. Huntly had protested that this was an infringement of his rights and asked Caithness to provide surety that he was not simply raising this problem in order to harbour rebels. Caithness offered his son as a pledge of his good faith but this was not acceptable to Huntly because he was only a child of three years old. The ultimate sanction which Huntly offered to use in order to obtain the Council's support was to tender his resignation as Lieutenant, in defiance of the charge laid upon him as such by Albany and that he would after that raise the lieges against Caithness as best he could./

could. This was his threat if the Lords allowed Caithness to go home to his own territory without either providing pledges or remaining in person at Dunnottar, Dunbar or Dumbarton on pain of denunciation as rebel, putting to the horn and escheat of goods to the Crown. Though Caithness submitted and offered pledges on 1 March, he remained intractable on the point of his fear that Huntly might "... destroy his country under pretext of pursuing rebels..." In the face of Huntly's threats to make the north of Scotland ungovernable by resigning as Lieutenant, such fears were of no avail. In the first place, the Lords of Council were disposed to maintain Albany's appointed Regents and, secondly, there was a recognition that no-one could replace Huntly with the same authority in the north-east of Scotland. On 11 March, Caithness was put to the horn but in order that agreement might be reached, the decree was suspended - a Hobson's choice to make him agree to Huntly's terms.¹⁴²

Caithness obviously made terms when the choices facing him were explained because that was the end of the matter but later, on 7 May 1519, Huntly received further confirmation from the Lords of Council that he was invaluable to their government. The Lords found that letters purchased by the Earl of Erroll freeing him from the necessity of assisting the Lieutenant in the forthputting of justice in that area, were invalid. Erroll was the most important rival to Huntly's authority in Aberdeenshire and this refusal to assist was tantamount to a challenge to Huntly's rights. The Lords denied Erroll's right to be exempt from rendering assistance to Huntly and, therefore, further expressed their confidence in Huntly's lieutenancy. In order to maintain the spirit of co-operation which was sought, Huntly, through his procurators 'exemed' Erroll, Alexander Hay of Ardendraucht and Mawnys Mowat of Bowlee and their 'actuale houshald men and servantis beand in houshald with thaim the tyme of purchessing of the saidis lettres ... and dischargis thaim tharof...' ¹⁴³

The Council had held to the letter of the commission granting lieutenancy to/

lieutenancy to Huntly and this insistence on ability to call on anyone to assist and to ride into any land where rebels were suspected (or likely to be) was the basis of Arran's power in 1517-20. The possibility of building up resentment had to be accepted and combatted by building up support at the same time but the nature of Arran's support¹⁴⁴ did not necessarily signify unity of purpose.

The problem of Liddesdale resurfaced at this time with a renewed spate of 'robbing, burning and slaying' by the Armstrongs.¹⁴⁵ The Master of Hailes, who had been involved before with government attempts to use Hermitage Castle to impose order but who had proved incapable of doing so, now admitted to the Lords that this was because he had no following in Liddesdale and very little in Teviotdale. The other chief members of the Hepburn family - James, Bishop of Moray and John, Prior of St Andrews - agreed to allow Hermitage now to be put in the keeping of someone who could bring good order. In the meantime the Council received assurances from the Lairds of Cessford (Warden of the Middle Marches), Ferniehirst (still favourably disposed towards the Council) and Mark Kerr of Dolphinton that they were ready to do their utmost to bring good rule to Liddesdale, and with the help of Lord Maxwell and "uthir cuntre men nixt adjacent" they might provide similar service for Eskdale and Ewesdale.¹⁴⁶ Lord Hay of Yester was the one who seemed to be in the best position to get pledges for the Armstrongs and the head of that clan, Archibald Armstrong, was delivered to him from ward.

After Arran had set out on his second expedition to the Borders,¹⁴⁷ the government's supporters recorded some success in their fight to remove the threat of the Armstrongs and their allies. William Elwald and John Gledstanis were taken by Lord Maxwell who received the escheat goods of Sir Robert Gordon of Glen worth about £2000 as a reward on 22 March. The likelihood/

likelihood that the capture of traitors would lead to violent deaths caused the Bishop of Aberdeen's protest about the blood of the Liddesdale men not being on the heads of the spiritual Lords who could not pronounce judgement of death in such cases "anent their conscience".¹⁴⁸ Dunkeld renewed a protest for Angus's rights regarding the keeping of the tower at Newark which Margaret had surrendered to the Lords at the end of 1518 without Angus's consent, but with Arran in the Merse trying to impose renewed order by a second burst of activity comparable to the expedition of Spring 1518, it was not likely that Angus would receive a favourable reply to his protest. Despite the expedition apparently being in progress on 1 March,¹⁴⁹ the renewal of the substance of the 'Act of Twizelhaugh' (granting the wardship, relief, non-entries and marriage of heirs of those slain in the King's service to the heirs themselves) did not take place until 30 March. Further, Arran was declared ready to depart with "... his kyn, frendis, landit men and uthiris for resisting of our soverane lordis rebellis and pecifying of the cuntre and common weile of the samin..."¹⁵⁰

Although Huntly received full support in the north, the problems which Argyll faced in the west in trying to deal with the last of the MacDonalds who was a serious threat to stability, Donald of the Isles, were not helped by the Council's preoccupation with the Borders. The Lords had raised a summons of forfeiture against Donald MacDonald of the Isles but had failed to proceed with the forfeiture, leading Argyll to protest on 12 March that neither he nor his heirs should be held responsible if his advice was not followed as Lieutenant in those parts, nor if he was not supplied in money and men as promised by Albany, to help cope with the "... evill gyding and rebelling of the Ilis..."¹⁵¹

One method of removing the influence of some of the rebels was to offer them respite to go to fight in Denmark in the army of Christian II. He had sent repeated requests through 1518 and 1519 for aid from Scotland but these/

but these requests had all received little response, the excuse being always problems in the Borders and the Isles. Now at the end of March 1519 the Lords ordained that all men fugitive from the law or banished could accept remission in return for going to fight against the Swedes, except, "... alanerlie the person convict, fugitive or delatit for the slauchtir of Schir Anthone Derces senzeour of La Bastie and art and part tharof..."¹⁵²

The whole raison d'être of Arran's policy towards the Borders was to attack the Home interest but the removal of that interest to Denmark would not satisfy the international outrage at the murder of De La Bastie - hence the exclusion of those involved from the remissions.

The lack of details about the expedition of 1519 to the Merse and Borders means that its success can be measured only by the subsequent activity of the summer and autumn of 1519. Home and Wedderburn Castles did not fall into the hands of the rebels at this time but remained under control of Arran and his deputies, including his son, Sir James Hamilton of Finnart.¹⁵³ David Home of Wedderburn and his accomplices remained free both to cause trouble for the Scottish government in their attempts to control the Borders, and to cause embarrassment to the international political community through the kidnap of an ambassador.

Despite the confusion in the 'Letters and Papers of Henry VIII', there can be little doubt that David Home of Wedderburn's seizure of the French Ambassador, Denis Poillot, took place in 1519 and not in 1518.¹⁵⁴ Even in these early years of the diplomatic service, the seizure of an ambassador to be held as a hostage against political demands was an activity which could not be tolerated even by governments nominally supporting the rebels. Poillot's mission had concerned the renewal of the comprehension of the Scots in the Anglo-French treaty, which comprehension was due to expire on 30 November 1519.¹⁵⁵ Poillot was a member of Francis I's Council and his capture/

capture outraged not only the Scottish and French governments, but also, it is quite clear, Cardinal Wolsey and Lord Dacre too.

The earliest intimation of the kidnapping is in a letter dated 8 June: Dacre related that David Home had seized the ambassador in order to get a safeconduct to pass to France with a pardon for his actions. He held the ambassador just five miles from Arran's base in Wedderburn Castle and Poillot apparently wanted for no pleasures except liberty because his servants were allowed to travel daily to Edinburgh. Dacre made it clear in his letter dated 8 June that Wolsey had already expressed his desire to have the ambassador set free and had in no way condoned the kidnap, even for the possible political advantage that could be gained against the Scottish government. In fact, David Home was determined to use the kidnap either to obtain a complete remission for all his crimes (which he must have realised was unlikely even if he held the ambassador for a long time) or else, more likely, to obtain a safeconduct for himself and his six brothers to come to England for two years, by which time a new Scottish government might have changed its attitude towards him. Any question of going to France seems to have been dropped.¹⁵⁶

David Home of Wedderburn himself wrote to Wolsey on 25 July expressing his anxiety to obtain a pardon and that this was the reason for his action in seizing the ambassador. In fact Dacre had already persuaded him that his best course of action would be to release the ambassador: then the English could intercede for his pardon. This was what David Home of Wedderburn wanted and he expressed his lack of confidence in Albany's governorship and the possibilities which he could expect in Scotland without English assurances of friendship, because

"... Wolsey is aware that there is no relying on the Duke of Albany as was seen in the slaying of my Lord Home, his chief, under trust... (he needs a pardon,) ... without it, he dare not enter Scotland again..."¹⁵⁷

On the following day, 26 July, Dacre wrote to Wolsey to tell him that he had obtained the deliverance of the ambassador whom he proposed to entertain honourably on his return to England. Again, the English warden was keen to emphasise the need for Wolsey to intercede on behalf of the Homes for a pardon.¹⁵⁸ The Scottish government at this stage was still too evidently reliant on Albany's backing and influence. Wolsey was in fact impatient to receive news of the ambassador because he wrote again before Poillot's return to London stating that he had received no answers from Dacre. He referred in the letter to the Scots' refusal to accept the comprehension in the peace treaty which had been the main purpose of Poillot's visit, a state of affairs further reflecting reliance on Albany's return.¹⁵⁹ Poillot had reached London by 23 August 1519¹⁶⁰ and had returned to France by 24 September, reporting well of his reception in England by Wolsey and of his gratitude to Henry VIII for procuring his freedom.¹⁶¹ A second embassy to try to persuade the Scots to accept comprehension had been prepared and Francis I begged Wolsey to "... prevent any inconvenience such as happened to his ambassador Poillot...", indicating that from Francis's point of view, Wolsey had the ability to influence the rebels of Scotland, if not its government.¹⁶²

This episode availed Home of Wedderburn and his allies nothing and more desperate measures must have been deemed necessary. In October 1519, Home of Wedderburn, together with a company containing up to fifty Englishmen ambushed and murdered Robert Blackadder, Prior of Coldingham.¹⁶³ Angus may not have been actively involved in this action, but the first major indication that the country had now definitely split into two recognisable factions is given by Dacre's remarks on the aftermath of the murder. The ensuing vacancy was challenged by supporters of Angus, on the one hand, who nominated William Douglas, Angus's brother and also brother to Alison Douglas/

to Alison Douglas, wife of David Home of Wedderburn, and on the other hand, by supporters of Arran who were said by Dacre to have nominated a brother of the Earl of Lennox to the same priory. This was a misapprehension on Dacre's part as there was no possible near-relative of Lennox available. The candidate of the Arran faction was later Sir Patrick Blackadder of Tulliallan, Archdeacon of Glasgow.¹⁶⁴

The summer of 1519 also saw the playing out of the conflict between Queen Margaret and her husband, the Earl of Angus, against the background of the conviction of most of the leading members of the Scottish political community that Albany would return. On 18 May 1519, before the problems with Home of Wedderburn reached crisis, Dacre had had a meeting with Arran at Coldstream for reformation of disputes between Scotland and England in accordance with the terms of the comprehension. In reporting this meeting to Wolsey, Dacre stated that he had said that he "... wondered they showed so much respect for the Duke and so little for their king's security [since the truce expired in such a short period of time]..."

He continued that the Lords of Council intended to send to France to insist on the return of Albany before Lammas (1 August).¹⁶⁵ A new weight in the political balance deciding whether or not Albany should return to Scotland was the astonishing volte-face of Queen Margaret. As Dacre reminded her in his letter of 10 July, it had been at her principal request that the English had made such great endeavours to keep Albany out of Scotland:

"... seeing that his father had usurped for a time the crown of Scotland and had called his elder brother a bastard; and considering the suspicions touching the death of her son the prince..."¹⁶⁶

Now Dacre understood that Margaret had herself written to the French King adding her voice to those clamouring for his return to Scotland. In fact, despite/

despite Margaret's duplicity in suggesting that she only did this because she was forced to write in such a way, she did come close to giving reasons which probably did underlie her motives for writing in favour of Albany's return and, given her selfish character, they represent not so much 'an astonishing volte face' but a logical progression of her mind to try to obtain the best of everything for herself. She pointed out in her reply to Dacre that she had believed that she would be better answered of her conjunct fee and living, in Albany's absence, but this had not proved to be the case. In fact, things had become so bad in the wake of the failure of Arran and his Council to proceed with action against Angus in February 1519 that she now was actively pursuing her divorce.¹⁶⁷ Margaret's support for Albany at this crucial moment brought her support in verbal, if not practical terms.¹⁶⁸ The fact that Albany was willing to help Margaret at this stage goes a long way to explaining why the reunion with Angus of 1519-20 was only temporary and why, to the disgust of the English, she was so close a supporter of Albany in his second period of rule in Scotland from 1521.

CHAPTER FIVE NOTES

- 1 L&PHVIII iii pt. i no. 396, Dacre to Wolsey, 26 July 1519.
- 2 Ibid. no. 1024, Queen Margaret to Dacre, 17 Oct. 1520.
- 3 Pitscottie, Historie, i 305; Lesley, History 113-4; Buchanan, History ii 220: "In this manner, during the whole five years from the regent's departure till his return, the whole country was one scene of confusion, rapine and slaughter..."
- 4 See above 177-9 ; the privy councillors appointed were: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; Gavin Douglas, Bishop of Dunkeld; Colin, Earl of Argyll; James, Earl of Arran; William, Earl of Erroll; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; James Ogilvy, Abbot of Dryburgh; James Hay, Abbot of Dundrennan; John, Lord Fleming; George Dundas, Lord St John's; Gavin Dunbar, Archdeacon of St Andrews; Robert Forman, Dean of Glasgow; Thomas Halkerston, Provost of Crichton; John Campbell of Thornton, Treasurer; William Scott of Balwearie; "togidder with uthir temporale lordis quhen thai cum as the lordis forsaid thinkis expedient..."; ADCP 105. The most notable absentee from this list is the Earl of Angus. Huntly's exclusion can be more easily explained by his involvement in the north of Scotland and the distance involved. Angus's exclusion is much more likely to have reflected a distrust of his ambitions by the other Lords.
- 5 Ibid. 105 4 Oct. 1517; cf TA v 150 Letters sent to Morton (and Borthwick) to compare in Edinburgh, 4 Oct. 1517.
- 6 TA v 150. The messenger was commanded to seek him at his castles of Bonkle and Tantallon.
- 7 ADCP 105-6, 6 Oct. 1517
- 8 Ibid. 107 19 Nov. 1517; 108 21 Nov.
- 9 TA v 151. Those summoned included the Lords from the bounds of the Bishoprics of Galloway and Argyll, the Earls of Eglinton and Glencairn "and that cuntrie", and Lord Drummond. Despite the reference to these letters being summons for the session, this had been continued on the previous day to January. It is much more likely to have represented an attempt to raise support from sympathisers with Arran to combat anticipated difficulties in the Borders.
- 10 ADCP 106-7; ER xiv 351; see above 194, 201-2 and below nn. 16, 46.
- 11 TA v 151
- 12 ADCP 108: the Parliament was continued to February.
- 13 ADC 30 ff.177v, 178v, 179v, 182. The sederunts were 31 on 19 Nov. [A]; 26 on 20 Nov. [B]; 21 on 21 Nov. [C] and 20 on 23 Nov. [D]. Andrew Forman, Archbishop of St Andrews [ABCD]; James Beaton, Archbishop of Glasgow, Chancellor [ABCD]; David Arnott, Bishop of Galloway [ABCD]; James Chisholm, /

Chisholm, Bishop of Dunblane [ABCD]; David Hamilton, Bishop of Argyll [ABCD]; James, Earl of Arran [ABCD]; Hugh, Earl of Eglinton [ABCD]; Gilbert, Earl of Cassillis [ABC]; George, Earl of Rothes [ABD]; John Hepburn, Prior of St Andrews [BD]; George Crichton, Abbot of Holyrood [BCD]; Robert Shaw, Abbot of Paisley [ABCD]; James Ogilvy, Abbot of Dryburgh [ABCD]; James Hay, Abbot of Dundrennan [ABCD]; John, Lord Fleming [ABCD]; Robert, Lord Maxwell [AB]; John, Lord Lyle [BD]; Ninian, Lord Ross of Halkhead [ABC]; John, Lord Cathcart [AB]; George Dundas, Lord St John's [BCD]; Thomas Halkerston, Provost of Crichton [ABCD]; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register [ABCD]; George Hepburn, Dean of Dunkeld [ABC]; James Heriot, Official of Lothian [A]; Patrick Coventry, Dean of Restalrig [AB]; Sir John Lindsay of Pitcreavie, Master of Lindsay [A]; Malcolm, Master of Fleming [A]; Sir William Scott of Balwearie [AB]; Sir John Colquhoun of Luss [A]; Patrick Hamilton of Kincavil [A]; James Wishart of Pitarrow, Justice Clerk [ABCD]; Adam Otterburn [ABCD]; Robert Blackadder, Prior of Coldingham [A].

- 14 ADCP 107; for Dacre's assistance to the renegade Homes see L&PHVIII ii pt. ii no. 3385 [June 1517].
- 15 ADCP 107, 20 Nov. 1517.
- 16 ER xiv 351
- 17 TA v 151. The Lords still did not know of Angus's whereabouts. A messenger was sent to search for him at Bonkle on 19 Nov. (obviously on his failure to compear with the rest of the Council), and another went to look for him at Newark in Ettrick Forest on 21 Nov. (after the charge by the Lords of Council).
- 18 ADCP 108 21 Nov. 1517.
- 19 The two principal hereditary officers of Parliament were the Earl Marischal, hereditary Marshal of Scotland, and the Earl of Erroll, hereditary Constable of Scotland. Their likely absence does not mean that they were directly opposed to Arran's government, since they were regularly replaced by deputies in the Parliaments of the mid-1520s, e.g. APS ii 285, 16 Nov. 1524.
- 20 John, Lord Erskine, and William, Lord Ruthven were two of the guardians of the King and, as such, must have been trustworthy to Arran: ER xiv 349. Similarly, the Captain of Edinburgh Castle (Patrick Crichton of Cranston-Riddale) held a position of trust incompatible with a suspicion of disloyalty. For the Abbot of Holyrood's later support of Arran at a critical juncture, see below 259-60 and chapter 6 n.52. James Ogilvy had been a trusted representative of the Scottish government in France in 1513-14: James V Letters 10-12 Instructions by Albany to Master James Ogilvy 13 June 1514.
- 21 ADCP 109. Andrew Kerr of Cessford, who remained Warden of the Middle Maches (TA v 160), was obviously still suspect, because his brother did not go free. The Kerrs were not a united family - see below 249, 257-8.
- 22 ADCP 109.

- 23 Ibid. 111-2 22 Feb. 1518. This impression is given by the fourth in a series of items to be discussed at Parliament: "Ferdlie, to avis sadlie gif thair be ony persouns that war art and part of the tresonable slauchtir of monsieur Labasty uthiris than ar summond of tresoun, and gif thar be ony fundin that war art and part of the said slauchtir uthiris than ar summond, to avis how justice sal be execut apoun thame", [in margin: 'continuatur usque adventum dominorum et post primum processum.'] No subsequent decision is recorded in this matter.
- 24 TA v 152 26 Dec. 1517.
- 25 Ibid. Royal letters were sent to Gavin Douglas, Bishop of Dunkeld, (Angus's uncle); Archibald, Earl of Angus; and John, Lord Drummond (Angus's maternal grandfather).
- 26 ADCP 110; cf ADC 30 f.187.
- 27 James V Letters 56-7 29 Mar. 1518.
- 28 ADCP 111-3; In the original ADC 30 ff.189-189v, this record precedes that of the meeting of the Council on 20 February, though under the date, 22 Feb. 1518. This suggests that the latter date is either wrongly appended or that folio 188 has been misplaced in the manuscript.
- 29 The sederunt of 20 Feb. 1518 - ADC 30 f.190 was: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; Gavin Douglas, Bishop of Dunkeld; James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; James Chisholm, Bishop of Dunblane; David Hamilton, Bishop of Argyll; Alexander, Earl of Huntly; James, Earl of Arran; David, Earl of Crawford; James, Earl of Morton; William, Earl Marischal; William, Earl of Erroll; John, Earl of Atholl; Gilbert, Earl of Cassillis; George, Earl of Rothes; Adam Gordon, Earl of Sutherland; William, Earl of Montrose; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Thomas Kerr, Abbot of Kelso; Robert Shaw, Abbot of Paisley; David, Abbot of Crossraguel; Alexander Stewart, Prior of Whithorn; Robert Blackadder, Prior of Coldingham; George Learmonth, Prior of Pluscarden; James Hay, Abbot of Dundrennan; John, Lord Fleming; Robert, Lord Maxwell; John, Lord Hay of Yester; Robert, Lord Crichton of Sanquhar; Ninian, Lord Ross of Halkhead; William, Lord Semple; Andrew, Lord Avandale; John, Lord Lyle; George Dundas, Lord St John's; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Robert Forman, Dean of Glasgow; George Hepburn, Dean of Dunkeld; Thomas Halkerston, Provost of Crichton; James Heriot, Official of Lothian; Sir William Scott of Balwearie; James Wishart of Pitarrow; Adam Otterburn; John Hamilton, Commissioner for Edinburgh; John Mar, Commissioner for Aberdeen; and David Learmonth, Commissioner for St Andrews; note that this list includes Marischal and Erroll, for whose relationship to Parliament see above n.19. The Council does not yet show the marked preponderance for Lords of the West of Scotland which it exhibited in 1519, see below 250 and chapter 6 n.18.
- 30 ADCP 111 22 Feb. 1518; TA v 153. The summons extended to Angus, Fife, Kinross, Clackmannan, Strathearn, Menteith, Berwickshire, Roxburgh, Peebles, Annandale, Dumfries, Kirkcudbright, Wigtown, Carrick, Kyle, Cunningham, Ayrshire, Renfrew, Dumbarton, Lanark, Stirling, Linlithgow, Edinburgh/

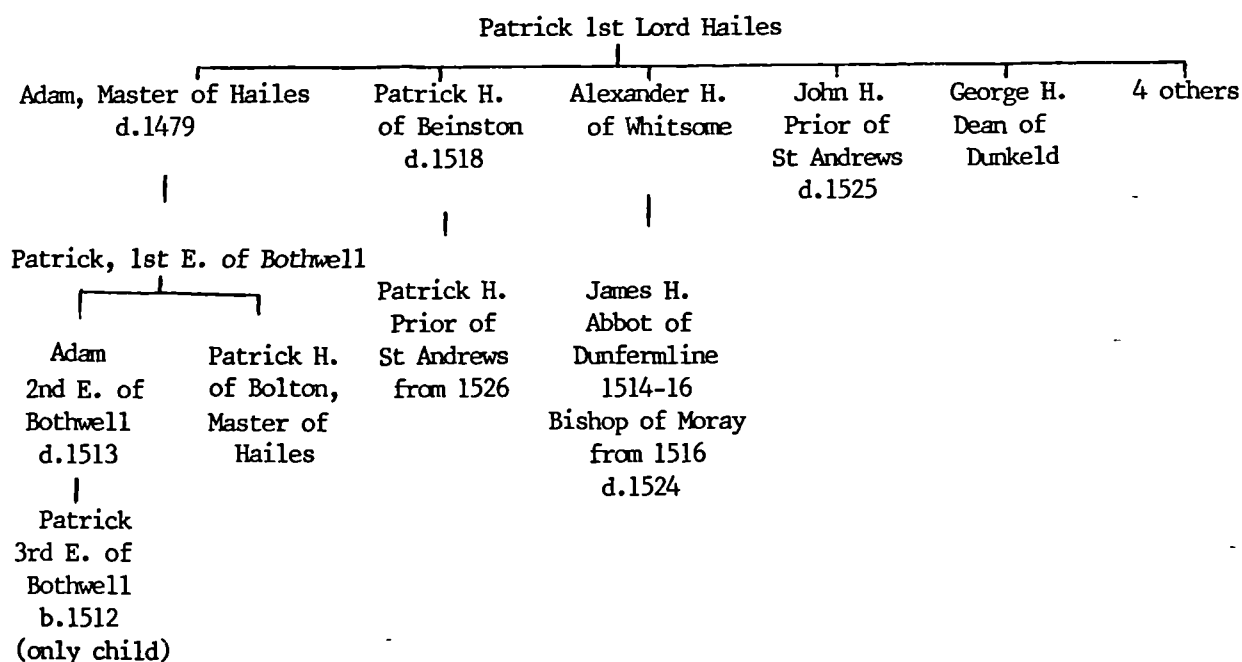
Edinburgh and Haddington shires. Effectively the summons covered the whole of southern Scotland. T I Rae, Administration of the Scottish Frontier 1513-1603 (Edinburgh, 1966) Appendix 6, 261-2, makes clear the fact that this was an unusually large summons.

- 31 There are two footbands mentioned in TA v 155: 309 men under Sir John Hamilton and 102 men under Captain Glen. They were paid £1 each during the raid, but this was spent before their return home and extra money had to be provided at their return to Soutra, proving their actual presence on the raid - ibid. 157. For Captain Glen, see RSS i no. 2970 1 Mar. 1518; Robert Glen, Burgess of Edinburgh, also provided 50 culverins (hand-guns) to the King's service.
- 32 ADCP 111-2.
- 33 For George Douglas of Bonjedburgh, see Scots Peerage vii 352. He was described as the 'lard abone Jedworth' and elsewhere as 'Bonjedward' e.g. TA v 122 5 May 1517.
- 34 ADCP 109-10 10 Feb. 1518; ADC 30 ff.186-186v, 12 Feb.; ibid. f.225v, 5 Mar. when judgement was given in favour of Murray of Falahill.
- 35 L&PHVIII ii pt. ii no. 3986 Dacre to Wolsey 5 Mar. 1518; ADCP 112 and 112-3, letters to be written to Henry VIII informing him of David Home, formerly of Wedderburn's treachery - all show this anxiety to placate England.
- 36 Apart from a handful of privileged cases, there were no civil causes determined in ADC from before De La Bastie's murder in Sep. 1517 until 23 Feb. 1518: ADC 30 ff.166-193; ADCP 112.
- 37 L&PHVIII ii pt. ii no. 3986 Dacre to Wolsey 5 Mar. 1518; HMC 9th report Appendix Elphinstone Muniments 191 no. 38. Transumpt of Angus's obligation to Margaret not to interfere in her conjunct fee originally given 15 June 1517; transumpt dated 9 Nov. 1518.
- 38 Queen Margaret and Angus vs. Peter Turnbull (who was ordered to pay back £24 p.a. for 4 years bypast), ADC 30 f.197; Queen Margaret and Angus vs. Patrick Crichton of Cranston-Riddale, James, David and William, his sons, and Andrew Kerr of Ferniehirst (continued without satisfaction), ibid. ff.197v-198v; Queen Margaret and Angus vs. Luke Kerr (ordered to repay dues at rate of £30 p.a.), ibid. f.206v; Queen Margaret and Angus vs. Thomas Kerr of Mersington, (also to repay at rate of £30 p.a. for 4 years), ibid. ff.206v-207; and Queen Margaret and Angus vs. Philip Scott (who was ordered to repay dues at rate of £26 p.a. for 2 years bypast), ibid. f.208.
- 39 John, Earl of Atholl had been the receiver of the goods of the late Andrew Stewart, Bishop of Caithness, to whom Queen Margaret claimed to have been an executor, and hence entitled to receive the goods instead. The case was deferred to 15 April. ADC 30 ff.194v, 202-202v. See below n.112.
- 40 Lord Borthwick and the others were sureties for the sum of 2000 merks owed by Lord Home to Queen Margaret (and Angus) for the composition of the wardship of Dirleton, ADCP 113; ADC 30 ff.214-214v, further added the fact that Borthwick and the others claimed to have paid Peter Carmichael 1000 merks which he had not paid over to Queen Margaret.
They/

- They were pursuing him for proof of this, but this case was also continued to 15 April.
- 41 Crawford had been pursued in the past for seizing the lands and lordship of Methven. On 1 Mar. 1518 he was ordered to desist, but the Queen did not get any satisfaction - ADC 30 ff.213-213v.
- 42 TA v 154. On 15 Feb. 1518 she had received £183 6s 8d for the mails of Dunbar.
- 43 Another example of a political case being heard at this time is John Grant of Freuchie's pursuit of Donald MacDonald of the Isles for wrongful and violent theft; ADC 30 ff.205-205v.
- 44 ADCP 113, 23 Feb. 1518.
- 45 Ibid. 115, 27 Feb. 1518.
- 46 Ibid. 115-6, 27 Feb. George Douglas was sent to France probably after the conclusion of the raid in early April, and certainly before August 1518 - ER xiv 351.
- 47 ADCP 116, 1 Mar.
- 48 The Lords who perpetrated this attack on Douglas interests were: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; David Hamilton, Bishop of Argyll; John Hepburn, Prior of St Andrews; Robert Blackadder, Prior of Coldingham; James Hay, Abbot of Dundrennan; Robert Forman, Dean of Glasgow; Thomas Halkerston, Provost of Crichton; John Campbell of Thornton, Treasurer; George Dundas, Lord St John's; Sir William Scott of Balwearie; James Wishart and James Heriot, Official of Lothian; ADCP 119; ADC 30 f.231, 8 Mar. 1518.
- 49 ADCP 114, 25 Feb. 1518; ibid. 117-8, 5 Mar.; ibid. 120, 18 Mar.
- 50 Ibid. 118-9, 6 Mar. There is no indication from the Treasurer's Accounts as to whether or not Arran went to relieve Blackadder Castle in early March, but he was absent from the Council between 6 and 15 March, (ADC 30 ff.226v-237v). The guns were drawn at the start of the full-scale expedition towards Home and Wedderburn Castles, not to Blackadder, of which nothing more was heard at this time - TA v 154.
- 51 ADCP 120, 18 Mar.
- 52 George Home, (later 4th Lord Home) was married to Mariota Haliburton, one of the coheiresses of Haliburton of Dirleton. The wardship and marriage of these coheiresses had been bought by Alexander, 3rd Lord Home in 1513 - RSS i no. 2565, 14 Dec. 1513 for 6000 merks - cf above n. 40.
- 53 The original version of the 'Act of Twizelhaugh' is at ADC 26 f.1 24 Aug. 1513.
- 54 The privilege was that the heir should enjoy his own wardship, marriage and relief, greatly easing the financial burden of inheritance of an under-age heir, ADCP 120-1, 20 Mar. 1518.

- 55 James V Letters 56-7, the Scottish Estates to Francis I, 29 Mar. 1518. The one man captured was not one of the principals involved in De La Bastie's death.
- 56 ADCP 120, 18 Mar. 1518.
- 57 See above n.30.
- 58 TA v 158, 12 May 1518.
- 59 See above n.31
- 60 The temporal Lords who were with Arran on the Council on 20 Mar. 1518 were John, Earl of Atholl; Gilbert, Earl of Cassillis; George, Earl of Rothes; John, Lord Erskine; Andrew, Lord Gray; Robert, Lord Crichton of Sanquhar; Sir William Scott of Balwearie; and Sir Patrick Crichton of Cranston-Riddale. At least some of these Lords probably accompanied Arran to Lauder on the following day.
- 61 TA v 156 .
- 62 Ibid. 155
- 63 ER xiv 352. The keepers appointed by Arran were paid from 26 March.
- 64 TA v 154; 156. There are several references to two raids, e.g. Albany and Islay heralds remained with Arran "at both the raids".
- 65 James V Letters 56-7. James Hamilton was the bearer of this letter and he left Scotland at the end of March 1518 - TA v 158. It is probable that George Douglas, *who went to France in his company*, went at this time - ER xiv 351.
- 66 James V Letters 57, 29 Mar. 1518.
- 67 ER xiv 349.
- 68 James V Letters 57-8, 30 Mar. 1518.
- 69 Ibid. 58, 31 Mar.
- 70 TA v 154-7. Other basic expenses included paying for carts to transport the artillery and for a new royal standard.
- 71 ER xiv 352.
- 72 TA v 163. Payments for suppliers of wheat, malt and mutton.
- 73 Ibid.
- 74 ADC 31 f.29 The text is very badly mutilated but the sense is preserved.
- 75 TA v 162-3; cf Rae, Administration 107, who talks of Arran's fee outweighing the cost of the operation. This expedition contributed greatly to the fact that the Treasurer was superexpended in his account of 1517-18 by over £2500 - TA v 164 (£2585 13s 1d).

- 76 James V Letters 57-8 Alan Stewart to Francis I, 30 Mar. 1518.
- 77 ADCP 121, 12 June 1518; *ibid.* 122, 28 June: the President of Edinburgh protested that any action following from this decree should not result in prosecution for the men of Edinburgh, i.e. if the government changed, they wanted continued protection.
- 78 *Ibid.* 121,122. The original manuscript is badly mutilated, 19 June 1518.
- 79 *Ibid.* 121, 18 June 1518.
- 80 James V Letters 61. Answers to Christian II by the Regents, Chancellor and Council of Scotland, 20 June 1518. It was not until May 1519 that a small force went from Scotland to Denmark, *ibid.* 70, 27 May 1519.
- 81 ADC 31, ff.1-15lv. The Exchequer followed in August, ADC 31, ff.15lv-177; ER xiv 314 ff. Nov.-Dec.; ADC 31 f.177 - 32 f.72. The session was then continued to 15 Feb. 1519.
- 82 Rae, Administration, 35-6.
- 83 The Hepburn family tree (partial)



- 84 ADCP 124-5, 19 July 1518.
- 85 The Lords summoned (ADCP 126) were: Andrew Forman, Archbishop of St Andrews**; John Hepburn, Prior of St Andrews; George, Earl of Rothes; David, Earl of Crawford*; Alexander, Earl of Huntly, (if he was in the county of Angus); George, Earl of Morton**; John Lindsay of Pitcreavie, Master of Lindsay; John, Lord Erskine; William, Lord Ruthven; Andrew, Lord Gray; John, Lord Fleming; Robert, Lord Crichton of Sanquhar; Robert, Lord Maxwell+; John, Lord Hay of Yester**; John, Earl of Lennox+; William, Earl of Erroll**; Gilbert, Earl of Cassillis; Cuthbert, Earl of Glencairn+; Hugh, Earl of Eglinton; Andrew Kerr of Cessford; Andrew Kerr of Ferniehirst; Thomas Kerr, Abbot of Kelso**; Robert Beaton, Abbot of Melrose.

In addition/

In addition to those asterisked, the sederunt of 29 July (ADC 31 f.154) actually contained: James Beaton, Archbishop of Glasgow, Chancellor; James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; Archibald, Earl of Angus; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; James Hay, Abbot of Dundrennan; John, Lord Drummond; William, Lord Semple; George Dundas, Lord St John's; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Thomas Halkerston, Provost of Crichton; James Heriot, Official of Lothian; Sir William Scott of Balwearie; James Wishart of Pitarrow; Adam Otterburn.

In addition to those crossed, the sederunt of 31 July (ADC 31 f.156) actually contained: James Beaton, Archbishop of Glasgow, Chancellor; Archibald, Earl of Angus; James, Earl of Arran; James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; Robert Shaw, Abbot of Paisley; James Hay, Abbot of Dundrennan; John, Lord Drummond; George Dundas, Lord St John's; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Thomas Halkerston, Provost Crichton; James Heriot, Official of Lothian; Patrick Coventry, Dean of Restalrig; Sir William Scott of Balwearie; Patrick Hamilton of Kincavil; James Wishart of Pitarrow; and Adam Otterburn.

Significantly, John, Prior of St Andrews ignored the summons while James Hepburn, Bishop of Moray who was not summoned specially, attended. For their rivalry, see above 209-11.

- 86 ADCP 126-7.
- 87 Ibid. 123 14 July p.m.
- 88 Ibid. 124 15 July
- 89 Ibid. 123 14 July
- 90 L&PHVIII ii pt. ii no. 4356, undated but placed July 1518. The reference to Albany's return gives the day as Wednesday, 4 August. The only year between 1513 and 1524 which had that day-date coincidence was 1518.
- 91 This was reported, for example, by Sebastian Giustinian, Venetian Ambassador in London, *ibid.* ii pt. ii no. 4009 15 Mar. 1518.
- 92 Rymer, Foedera xiii 624-31.
- 93 L&PHVIII ii pt ii no. 4357 undated but placed July 1518, when Cardinal Campeggio reached London; Scarisbrick, Henry VIII 71-2.
- 94 ADC 31 ff.162-3. The men involved, none of whom appeared to defend their action, were: George Rutherford of Hunthill; Andrew Kerr of Cessford; Andrew Kerr of Greenhead; David Turnbull of Wauchop; William and James Tait; Andrew Curror; Thomas Younger in Yetholm; Thomas Dun in Old Roxburgh; Dick Jameson; George Hoppringle; Robert Younger; John Palmer; and John Tailor in Clifton.
- 95 ADC 31 ff.104v-105, ADCP 123-4 (14 July p.m.); ADC 31 ff.109v-110 (15 July 1518).
- 96 ADC 31 ff.165-165v, (14 Aug.); *ibid.* f.184 (16 Nov.) continued to 7 Dec. but not heard thereafter.

- 97 L&PHVIII ii pt. ii no. 4430 Queen Margaret to Henry VIII, 13 Sep. 1518.
- 98 Ibid. no. 4541 Dace to Wolsey 30 Oct. 1518; cf ibid. iii pt i no. 166 Queen Margaret to Henry VIII (April 1519); ibid. ii pt. i no. 2481 Dacre to Wolsey 26 Oct. 1516 etc.
- 99 TA v 154, 15 Feb. 1518; ibid. 159, 23 June 1518.
- 100 See above 200 and n.38.
- 101 ER xiv 348; during the period 1 Sep. 1517 - 25 Aug. 1518 she received £1538 10s 1d.
- 102 ADCP 127-8, 15 Nov. 1518.
- 103 Ibid. 128-30, 16 Nov. 1518; see W Stanford Reid, Skipper From Leith, The History of Robert Barton of Over Barnton (London 1962) 146-7.
- 104 ADCP 130, 17 Nov. 1518.
- 105 Ibid. 22 Nov. 1518.
- 106 In other words, the Council chose to believe that Angus would communicate with men whom he would not regard as rebels, but whom the Council might regard as such. This was the most vigorous attack on Angus so far and one from which he could not proceed without either submitting or actively rebelling: ADCP 132, 6 Dec. 1518.
- 107 Ibid.
- 108 L&PHVIII iii pt. i no. 166 Queen Margaret to Henry VIII. Undated, placed April 1519, probably incorrectly: see below n.114 "... will part with [Angus], if she may by God's law, and with honor to herself, for he loves her not...". She tried to make Henry favourable to the idea by promising not to marry again except by his advice.
- 109 See above n.37.
- 110 HMC 9th report, Appendix, Elphinstone Muniments 191 no. 38. Transumpt dated 9 Nov. 1518.
- 111 L&PHVIII iii pt. i no. 166 Queen Margaret to Henry VIII; see below n.114.
- 112 ADC 32 ff.7-8 19 Nov. 1518. See above n.39.
- 113 Ibid. ff.8v-9 19 Nov. 1518.
- 114 This is the major reason for believing the letter mentioned above, n. 108 and n.111 should not be dated April 1519. Margaret had sold her conjunct fee and received reward for this, yet the letter stated that she had taken Henry's advice and not done this. Despite her looseness with facts in general, it is hard to credit Margaret with a bare-faced lie. The letter probably dates from November 1518.

- 115 ER xiv 459. This agreement brought Margaret an income of £6408 1s 4d over the next four years, "... in defectu solutionis conjuncte infeodationis propter disturbium patrie..." [in defect of the payment of her conjunct. fee on account of the disturbance of the country]. Account rendered 31 May 1522.
- 116 ADCP 133. Approximately 13 Dec. 1518.
- 117 The Lords appointed were: Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; Robert Barton of Overbarnton, Comptroller; Thomas Halkerston, Provost of Crichton; James Wishart of Pitarrow, Justice Clerk; and Adam Otterburn.
- 118 e.g. ADC 32 f.1 17 Nov. 1518; f.36 3 Dec. etc. - see Appendix E.
- 119 Eglinton was appointed Bailie of Cunningham in 1448 - see W Fraser, Memorials of the Montgomeries Earls of Eglinton, (Edinburgh 1859), i 31.
- 120 ADCP 121-2 25 June 1518.
- 121 Hugh Campbell of Stevenston was probably a close friend of the Cunninghams, see RMS iii no. 541, 22 Jan. 1528, when the barony of Stevenston was granted to William Cunningham, heir of the Earl of Glencairn. Hanyng was also in Ayrshire and was later granted to Sir James Hamilton of Finnart - *ibid.* no. 1543, 8 Feb. 1536.
- 122 ADCP 127. The sederunt which was too small consisted of eight Lords: James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; Gavin Dunbar, Archdeacon of St Andrews, Lord Clerk Register; John, Earl of Lennox; Cuthbert, Earl of Glencairn; Gilbert, Earl of Cassillis; John, Earl of Atholl, and Robert, Lord Maxwell.
- 123 ADC 32 ff.26v-27, 27 Nov.; f.35, 2 Dec.; ff.40-41v, 4 Dec. when the 'love-day' was proposed.
- 124 *Ibid.* ff.62v-63, 13 Dec.; f.69v, 15 Dec.
- 125 David Hamilton was Arran's illegitimate half-brother. He was made Bishop of Argyll in 1497 - Watt, Fasti 27.
- 126 ADCP 131, 2 Dec. 1518; ADC 32 f.132v, 16 Mar. 1519 proves that there were still matters of dispute between the Earl and the Bishop.
- 127 Elizabeth Gray was the daughter of Andrew, 2nd Lord Gray, and widow of John, 4th Lord Glamis. She had married Alexander, 3rd Earl of Huntly, as his second wife in 1511. Scots Peerage iv 277, 532.
- 128 ADC 32 ff.47v-49v. 6, 7 Dec. 1518.
- 129 ADCP 133, 15 Dec. 1518.
- 130 Albany's sister-in-law, Madeleine De La Tour married Lorenzo De Medici, duke of Urbino, nephew of Pope Leo X on 16 Jan. 1518: J N Stephens, The Fall of the Florentine Republic 1512-1530 (Oxford 1983), 96.

- 131 L&PHVIII iii pt. i no. 100 Sir Thomas Boleyn to Wolsey, 28 Feb. 1519, gives the English Ambassador's insight into the closeness of Albany and Francis I.
- 132 James V Letters 67-8 Scottish Estates to Leo X, 4 Jan. 1519; *ibid.* 69 Albany to Leo X, 20 Jan. 1519.
- 133 ADCP 134, 22 Feb. 1519.
- 134 *Ibid.* 134-5, 23 Feb. 1519. Although the record refers to "the thre estatis of this present parliament", and only a parliament was competent to deal with treason cases, there were no representatives of the burghs present at any time in Feb. 1519 in the surviving records.
- 135 *Ibid.* 135, 25 Feb. 1518.
- 136 ADC 32 f.74v. The heading 'Receptio ambassiatoris Cristianissimi regis' is not followed by any details. These are partially supplied by L&PHVIII iii pt. i no. 110 Dacre to Wolsey, 5 Mar. 1519.
- 137 ADCP 136. Kerr of Ferniehirst did not obtain control of Wedderburn, but he was an ally of Arran's faction in 1520, see below 257-8.
- 138 ADC 32 f.83, 26 Feb. 1519. He had last appeared in a sederunt on 22 June 1518 *ibid.* 31 f.32v.
- 139 ADCP 136.
- 140 *Ibid.* 137, 28 Feb. 1519.
- 141 *Ibid.* 138, 143; 2, 22 Mar. 1519.
- 142 *Ibid.* 135, 25 Feb.; 136-7, 28 Feb.; 138, 1 Mar.; 139-40, 11 Mar.; 143, 16 Mar. On the last occasion the Lords declined to extend the period of grace from 20 to 30 or 40 days without Huntly's express agreement.
- 143 *Ibid.* 145-6, 7 May 1519.
- 144 See below 249-50
- 145 L&PHVIII iii pt. i no. 110 Dacre to Wolsey, 5 Mar. 1519.
- 146 ADCP 141-2, 14 Mar. 1519.
- 147 ADC 32 f.94, David, Bishop of Argyll, protested for the rights of Robert Bruce because he was with Arran in the Merse in the King's service. 1 Mar. 1519.
- 148 ADCP 143, 22 Mar. 1519. Sir Robert Gordon of Glen had had a long-running dispute with the Bishop of Galloway (in his capacity as commendator of Tongland) over his failure to pay the teinds due to Tongland Abbey - ADC 32 ff.18-19v, 23 Nov. 1518; f.57v, 10 Dec.; ff.61-2, 13 Dec.; intercalated folio and f.84 - the decret arbitral; ff.132v-133, 16 Mar. On the last occasion Gordon was found guilty of illegally deforcing a royal messenger.
- 149 See above n.147.

- 150 ADCP 144; cf Rae, Administration, 261 (no details of personnel on this expedition).
- 151 Ibid. 140-1, 12 Mar. 1519. Despite the failure of Argyll to obtain support at this time because of problems on the Borders, the rebellion lost a lot of impetus with the death shortly afterwards of Sir Donald Macdonald, the last male heir of the family, except Donald Dubh, who was held in captivity. See Donald Gregory, The History of the Western Highlands and Isles of Scotland, from AD1493 to AD1625, with a brief introductory sketch, from AD80 to AD1493 (2nd edn. Glasgow 1881) 125-6.
- 152 ADCP 144-5, 7 May 1519; James V Letters 69, James V etc. to Christian II, 7 Mar. 1519; ibid. 70 same to same, 27 May. James Stewart of Ardgowan was to be the King's Captain in charge of the Scots auxiliaries; ibid. 72, 73, same to same, 22, 29 June 1519. ER xiv 459-60 records a payment of £1894 16s for the expenses of sending an expedition to Denmark to help fight the Swedes.
- 153 ER xiv 460. £878 was spent over the period 1 Oct. 1518 - May 1522 in keeping Home and Wedderburn Castles. See also below 249 and chapter 6 n.10.
- 154 The correspondence between letters placed in 1518 and in 1519 and the fact that the Ambassador was back in France by September 1519 (but only then) make it almost certain that the whole incident belongs to 1519. See especially L&PVIII iii pt. i no. 396 Dacre to Wolsey, 26 July 1519.
- 155 James V Letters 82-3. Instructions to Aubigny and De Plains (Oct. 1520) summarises recent negotiations. The Scots refused to accept the comprehension in line with their previous intimation not to do so until Albany returned - see above n.136.
- 156 L&PHVIII ii pt. ii no. 4217 8 June [1519] Dacre to Wolsey.
- 157 Ibid. no. 4338 25 July. This letter was sent from Cawmills, the Home base in the north of England after their flight in 1516.
- 158 Ibid. iii pt. i no. 396, Dacre to Wolsey, 26 July 1519.
- 159 Ibid. ii pt. ii no. 4547, Wolsey to Dacre, undated but placed Oct. 1518, in fact dating end of July - early Aug. 1519.
- 160 Cal. State Papers (Venice) ii no. 1279 Antonio Surian, Venetian Ambassador in England to the Signory, 12 Sep. 1519. - under date 23 Aug. in text. Poillot is wrongly identified in the footnote as Jean De Plains.
- 161 L&PHVIII iii pt. i no. 454 Sir Thomas Boleyn, English Ambassador in France, to Wolsey, 24 Sep. 1519.
- 162 Ibid. no. 453, Francis I to Wolsey, 24 Sep. 1519.
- 163 Ibid. no. 480, Dacre to Wolsey, 19 Oct. 1519. This refers to a previous letter (no longer extant) having already intimated the news of Blackadder's death. This places it in early October at the latest - cf. Lesley, History 114 dating 6 Oct. 1519.

- 164 Dacre said that the candidature of William Douglas, Angus's brother, was the choice of the Homes as opposed to Arran's choice (thus placing Angus firmly in the opposite camp to Arran). Lennox had one brother and two surviving paternal uncles, all of whom were in French service. For Blackadder of Tulliallan see Watt, Fasti 173 ; M Dilworth 'Coldingham Priory And The Reformation : Notes on Monks and Priors' in Innes Review xxiii (1972) 122-5.
- 165 L&PHVIII iii pt. i no. 238 Dacre to Wolsey, 18 May 1519; cf James V Letters 72, James V etc. to Christian II: "They have already told Christian ... how they are compelled to insist on the governor's return from France..." 22 June 1519. On 20 June, the Council continued Parliament to 17 Aug. 1519 in the belief that Albany would have returned by then - ADCP 146.
- 166 L&PHVIII iii pt. i no. 373 Dacre to Queen Margaret, 10 July 1519.
- 167 Ibid. no. 381 Queen Margaret to Dacre, 14 July 1519; *ibid.* no. 396, Dacre to Wolsey, 26 July; *ibid.* ii pt. ii no. 4547 [Wolsey to Dacre] for date see n. 159; *ibid.* iii pt. i no. 481 Angus to Henry VIII, 19 Oct. 1519.
- 168 Ibid. no. 416 Sir Thomas Boleyn to [Wolsey], 14 Aug. 1519.

CHAPTER SIX

Arran versus Angus: "Cleanse The Causeway"

October 1519 - 18 November 1521

It was only when the Lords of Scotland were certain that Albany was not going to return in the immediate future that the factional anarchy, which had developed in 1514-15 resumed its force. Arran's rule had been acceptable to a greater or lesser degree because he had been perceived to be acting as head of a group of Regents who were only empowered during the temporary absence of Albany. Any claims to legitimacy on behalf of Arran's government were open to challenge from October 1519, when Queen Margaret was able to reveal that not only was Albany not coming back, but also he had decided to entrust the government of Scotland to her.¹ The Lords of Council who had been so insistent on Albany's return, (headed by Arran himself) could not accept his advice to restore Margaret to her former position of pre-eminence, because of the vendetta which they had pursued over the previous two years against Angus. For those Lords, the equation of Margaret and Angus was unshakeable. Arran, in particular, felt himself vulnerable to the political consequences of accepting Albany's advice and he was the leader of the opposition to Margaret's restoration - at this stage Margaret stated that the Lords were against her and with Arran.

Margaret's "legitimist" argument was nullified by the Lords on Arran's side. They declared that even if Margaret had a "legal" right to the government, through Albany's nomination, they would not accept her restoration. Margaret was forced to turn again to her estranged husband, Angus, and his supporters in the face of such determined rejection by Arran. Her final attempt at compromise foundered on this determination of Arran's supporters to allow no power to pass to Angus: they were "utterly bent on Angus's destruction..."² The factional rivalry regained its former intensity in this way.

Another factor which probably influenced the change from general acceptance of Arran's government to the renewal of factionalism was the intimation of mortality which struck Edinburgh in the late summer of 1519. Dacre reported on 19 October that,

"... the sickness has been so sore in Edinburgh that the Lords could not meet. The young king is conveyed to Dalkeith. His master cook, and four servants are dead..."³

The possibility that the young King himself might sicken and die cannot have been ignored by Arran or Angus. In such circumstances Arran could have made a reasonable claim to the throne itself, as Albany was not a free agent. This made Angus's reunification with his wife, in control of the government, essential, if they were to combat the critical consequences of such a calamity. Angus's gratitude to Henry VIII for securing his reunion with Margaret through the influence of Friar Henry Chadworth knew no bounds: "... even if Henry commanded him to go on foot to Jerusalem and fight with the Turks..." he would do it.⁴

There is no doubt that the government was now irreparably divided into two factions but who supported Arran and who supported Angus? In October 1519, Lord Dacre gave the divisions as he perceived them as, on the one hand: James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; David Hamilton, Bishop of Argyll; the Earls of Arran and Lennox; Lords Fleming, Semple and Maxwell - these were the Lords who negotiated with Margaret at Stirling and Linlithgow, but who refused to be reconciled to Angus. Margaret moved to Edinburgh where she was met by Angus and his supporters: Andrew Forman, Archbishop of St Andrews; Gavin Douglas, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen; James Hepburn, Bishop of Moray; the Earls of Huntly, Argyll, Morton, Glencairn, Marischal and 'Ruthain' (possibly Rothes rather than Ruthven); Lords Glamis, Hay of Yester and Gray.⁵ Angus had been successful in persuading most of the surviving Regents /

Regents (four - Angus himself, Huntly, Argyll and the Archbishop of St Andrews to two - Arran and the Chancellor) to support his case - an indication that Arran had lost the 'legitimist' argument.

Many of the motives deciding which faction a particular Lord supported, derived from the actions of the Council in 1517-19 discussed in the previous chapter. The Lords of Arran's Council had been sympathetic to Eglinton in his dispute with Glencairn,⁶ so Eglinton supported Arran while Glencairn, who was Angus's brother-in-law, opposed Arran. The Lords had been unwilling to provide adequate support for Colin, Earl of Argyll, and had forced him to compromise with Arran's half-brother, David Hamilton, Bishop of Argyll, over power in the West of Scotland. While the Bishop was a natural Hamilton supporter, the Earl was not.⁷ Alexander, Earl of Huntly, had faced a long struggle to have his rights as Lieutenant recognised and in so doing, had raised the enmity of his main rival in Aberdeenshire, William, Earl of Erroll. Huntly was an opponent of Arran, while Erroll supported him.⁸ Arran had aroused the opposition of many Borderers as a result of the tactics he had used during his lieutenancy of the Merse and Lothian.⁹ Local feuds played their part in determining this support as well - for example Kerr of Ferniehirst's rivalry with Angus over the office of Bailie of Jedburgh Forest and with Kerr of Cessford, brought him onto Arran's side, despite Arran's failure to make good his appointment as Keeper of Wedderburn Castle.¹⁰

Arran's government had used the distribution of patronage to secure support over the period 1518-20. In many cases gifts of lucrative wardships and marriages, given either as rewards for past service or inducements to future service, succeeded in their primary purpose of retaining support for Arran in a crisis. Among those who benefited in this way were John, Earl of Atholl;¹¹ Robert Barton of Overbarnton, the Comptroller;¹² Alan Stewart, Captain of the French troops in Dumbarton Castle;¹³ Sir James Hamilton of Finnart, /

Finnart, Arran's illegitimate son;¹⁴ and James Colville of Ochiltree.¹⁵ It did not work in every case - e.g. William Cunningham of Craighs¹⁶ and John, Lord Hay of Yester.¹⁷

Arran's support is clearly defined because of the control which his supporters exercised over the offices of State and hence the books of the Council. The "official" Council reconvened at Stirling on 25 October 1519, for its first meeting outside Edinburgh since before Albany's first visit. The Lords who assembled were almost exclusively from the West of Scotland and the others can be explained in terms of the support raised by Arran discussed above.¹⁸ The Council was still trying to ensure its control of the Borders through continuing the policy of obtaining pledges for good behaviour. On 25 October, Mark and Thomas Turnbull were delivered from Edinburgh Castle to the keeping of Andrew Kerr of Cessford, still warden of the Middle Marches, and not yet suspect to Arran's allies. Cessford was obliged in turn for the good rule of all the clan of the Turnbolls.¹⁹

Compromise was still sought and on 27 October the Council was joined by eight representatives of Angus's party.²⁰ The business began with the formal continuation of Parliament to 24 November, by which time the Lords hoped to have reached mutual agreement. There was an election of Lords to decide "ad causam immediate sequentem". Thus the large body delegated the actual negotiations to a smaller group which would then present their answers for approval by the full Council. Those elected were almost entirely from the 'official' Council: the Chancellor; Bishops of Aberdeen, Galloway and Argyll; the Earls of Lennox, Crawford, Erroll and Eglinton; the Prior of St Andrews; Lords Erskine and Fleming, and Sir William Scott of Balwearie. Angus was represented by the legate: the Bishop of Dunkeld and the Earl of Huntly. This imbalance, while reflecting the overall composition of the Council on 27 October, set the tone for the failure to achieve compromise. Arran was/

Arran was clearly confident of his support - enough to make extravagant and unreasonable demands.

The first problem was to obtain a resolution in the debate between Arran and the town of Edinburgh. Arran's Council had not been over-anxious to protect Edinburgh's privileges and despite the close Hamilton connection with the provostship, the antipathy which the burgesses had recently shown to Arran had led to his leaving the town and convening the Council at Stirling.²¹ Arran's demands in the negotiations for compromise were more likely to provoke greater resentment than to obtain a settlement.

Robert Logan, John Ireland, William Carmichael and Adam Otterburn were to be put in ward in Falkland until freed by the Regents. Archibald Douglas of Kilspindie, Angus's uncle, who had been elected recently as Provost of Edinburgh, and all the Bailies elected with him were to demit their office and the burgesses were to choose Arran as Provost, allowing them a free election of a President, although persons billed by Arran were to have no vote in the election. Arran was to be guided by the Regents in executing his office - his only obvious concession. After the four named above were freed from ward, they were to come, together with Archibald Douglas and twelve others,²² in all humility to the parish church of Edinburgh to submit before the Lords Regents and of Council. This, it was explained, was not done to prejudice the rights of action of other parties, but only for the good of peace and concord.²³

William, Lord Ruthven, protested to the Lords that he was Keeper of the King for the time and had to take him to Dalkeith, a place where he could not guarantee the King's safety, to avoid the plague in Edinburgh.²⁴ He wanted the Lords to provide some surer haven for him when Edinburgh became unsafe. The Lords ordained that the castle of Alway (Alva?) "or ony uthir unsuspect castell" should be provided instead.²⁵

The main/

The main theatre of conflict was likely to include the Borders. Arran's powers there were widened to allow him to order the Keeper of the Signet to send letters of summons on whoever could provide assistance in the event of Blackadder, Wedderburn, Newark or any other houses in the Merse or Borders being besieged by David Home of Wedderburn or any other rebels.

The Queen Mother was also apparently present at this meeting,²⁶ and she received a belated recognition that she needed to be provided with an income - an obvious attempt to buy her support away from Angus. The Lords ordered the Comptroller, Robert Barton, to furnish her "in her necessaries" until Christmas 1519, by way of a refundable advance and further on 24 November, extended that period indefinitely until the next exchequer.²⁷

Finally, William Cockburn of Henderland was released from ward after eighteen months, where he had been placed, "be sinister informatiounes". The release was tempered to ensure his continued support - he needed to find a cautioner as security for his re-entry into ward if that proved to be necessary.²⁸

Few of Arran's supporters appeared on the day allotted for Parliament - 24 November 1519,²⁹ and in the absence of the remainder, the Lords decided on only two matters. They had to put their trust in the French Ambassador, Lafayette, to secure all the best ways for peace to be extended with England, (it was due to expire on 30 November) and the Lords had put faith in Albany's return to reject further extensions in the past. They also extended the Queen's credit with the Comptroller indefinitely, and in the same vein of buying support, there was a Great Seal confirmation of a grant of land to the daughter of Andrew Kerr of Ferniehirst given on 26 November.³⁰

Despite the failure of the attempted compromise in October, two days after the Linlithgow meeting of 24 November, a group from Arran's side met in a council with Angus and his supporters at Edinburgh.³¹ The main business was a/

was a renewal of the proposals of 27 October concerning Arran's dispute with the Provost, Bailies and Burgesses of Edinburgh. This issue had become the cardinal point of the conflict which developed in the wake of its failure to be resolved. In order to avoid the anticipated confrontation, the legate on behalf of Arran's side, asked that Archibald Douglas resign his office as Provost of Edinburgh and that those people contained in the Act made on 27 October go into ward while the remainder of those named asked Arran's forgiveness. This was not an option which cut any ice with Angus or his supporters; "... the said provest in presens of the lordis aboune writtin refusit to ceid the said office..." The realisation that this would lead to conflict is all too apparent from the legate's final protest:

"... tharfor my said lord legat protestit solempnitlie that quhatevir happin to follow tharthrow in the law or by the law, be rycht or wrang, be misreule or uthirwayis within the said toune or ony uthir part of the realme, that na thing tharthrow suld be input to the saidis lordis sen thai have done thar exact deligence for concord and unite and had tane pane and travale tharapon as said is..."³²

In the face of the Douglas family solidarity as expressed by the Bishop of Dunkeld, who declared that he refused to help his brother, Archibald (the Provost of Edinburgh) in any unjust actions but that he would help him now because this cause was just; the legate decided it was best to find the most expedient way for himself and protested for the upholding of the bond made by his predecessors with the town of Edinburgh. Adam Otterburn argued that the election of Archibald Douglas had been done in conformity to the privileges of the town of Edinburgh and that to remove him from office would damage the town's privileges. The attempt was to make Angus's position seem reasonable and Arran's unreasonable, and this is certainly the impression given by the record:

"... and attour [they - Angus and his supporters] offerit thame to make ony securite that my lordis wald divis that my lord of Arane mycht cum surelie to this town, and that thai suld assist to my lordis in the furthbering of oure soverane lordis auctorite, and tharfor/

tharfor protestit gif my lordis wald nocht cum and to do justice to our soverane lordis liegis that thai mycht be chargeles of ony cryme that mycht be imput to thame tharthrow."³³

The position at the end of November 1519 was therefore that Angus and his supporters had a stranglehold on the town of Edinburgh, the most important political centre in Scotland, and especially on the office of Provost which was held by Angus's uncle, Archibald Douglas. They did not control the King, however, who was in the keeping of Lord Ruthven in Edinburgh Castle, but Arran could not control the king either since he could not come to Edinburgh without a fight nor safely conduct the King to the West of Scotland.

In an attempt to re-emphasise his claim to form the 'legitimate' government of Scotland, Arran went ahead with the meeting of Parliament on 15-18 December 1519. The sederunts of these meetings show that it was attended by the Lords of the West of Scotland but by very few others and it met at Stirling - on 16 December at the Chapel of the Observant Friars in that town.³⁴ The first day's record merely stated the fact that they had assembled to receive the Ambassadors from France and hear their writings and credence. They had come in the company of the English herald, Clarencieux, and the Lords who assembled on 16 December allowed themselves another day to deliberate on the terms for peace with England which was the purpose of the embassy. On 17 December, after a protest by the Justice Clerk for the continued authority of Albany as Governor not to be infringed by the Scots' acceptance of peace with England, which was endorsed by the Lords, the Council then accepted a further year's peace with England in similar terms to those of the peace which had already extended since St Andrew's Day 1517.³⁵

While the problems of Scotland's foreign relations could be settled without too much dispute, the internal problems were highlighted in the record of 16 December. The Chancellor wanted to know if the Treasurer had done his duty/

done his duty in delivering the summons to the current parliament at Stirling to the legate, Bishops of Dunkeld and Aberdeen and the Earl of Angus, to which the Treasurer replied that he had, but despite his warning that they were royal commands to attend, the said Lords had rejected them: "... the saidis Lordis answerit to him that he nedit nocht to present the saidis lettres to thaim becaus thai wald nocht kep the said diett..."³⁶

This implacable division in the country's political community left the French Ambassadors and Clarencieux in the rather difficult position of having to meet and raise answers from two different sets of councillors. Having met Arran's supporters at Stirling, they apparently had an encounter with Angus and his supporters as well.³⁷

One other way of ensuring support not mentioned above was to distribute vacant benefices to supporters and in December 1519, Arran's supporters reached their final decision in these matters. David, Bishop of Argyll, was to have Dryburgh Abbey as a commend (thus extending Hamilton influence in the Borders and denying Douglas influence). Walter Malin, Secretary to the Duke of Albany, was to have Glenluce Abbey. Gavin Dunbar, who was Dean of Moray, and nephew to that Gavin Dunbar who had just been promoted to the bishopric of Aberdeen,³⁸ was to have Whithorn Priory rather than Scone Abbey. In an agreement of 18 December, Alexander Stewart, Albany's half-brother and already commendator of Inchaffray, was to give up his claims to Whithorn in return for the Scone appointment.³⁹ Although it took some further negotiations by Albany in 1520 before the Cardinal of Cortona, whose claim to Whithorn had caused much controversy in regard to Scottish privileges, was satisfied,⁴⁰ Scottish privileges were maintained and could be exercised for the young King by a government constituted in his name - at this time by Arran's government.

The only surprising omission was Coldingham, vacant since the murder of Prior Robert/

Prior Robert Blackadder by David Home of Wedderburn and his accomplices in October 1519. It is likely, however, that the facts that the Home interest in this Priory was very strong, the murder had been followed by a Douglas bid on behalf of William Douglas, Angus's brother, and that the Priory was so palpably beyond the control of Arran's supporters, reduced its significance for them. Despite Dacre's report of the nomination by Arran's side of a brother of Lennox, there was no such person and a similar claim did not reappear.⁴¹

After December 1519, the official record preserved in the 'Acts of the Lords of Council', breaks off and the records of the period thereafter down to November 1522 are no longer extant. There were no Treasurer's accounts rendered between 1518 and 1524 (the latter covering only the period after 1522), and the exchequer rolls were audited in 1522 for a four-year period from 1518. This means that the rivalry between Arran and Angus over the next two years (1520-21) before Albany's return to Scotland is not covered in detail in official sources. Nevertheless, the fight in the High Street of Edinburgh on 30 April 1520 was very well covered by chronicle sources and has become the most famous single incident in the minority of James V.⁴²

There is no necessity, however, to place an undue reliance on the records of men writing their chronicles half a century after the events of the minority of James V had happened, for not only did the contemporary John Law mention the fight "in publica via",⁴³ but also confirmations can be obtained in other contemporary sources.

The problems which the division of the country had caused to the French Ambassadors were evidently relayed by them to Albany and they obviously blamed the Douglas stranglehold on Edinburgh for not allowing a united Council to meet there. On 21 February 1520, Walter Malin, Abbot of Glenluce, and Thomas Hay, Secretaries to Albany, declared Albany's will to the Provost, /

the Provost, Bailies and Council of Edinburgh. This was that none of the name of either Hamilton or Douglas should hold the provostship for that year, at least until Albany's return. This was to avoid the troubles which arose from having factions in the town and to allow both sides free access to the town. The Provost of Edinburgh, Archibald Douglas, who had earlier refused to cede his office at Arran's request, now did so at Albany's and Robert Logan of Coitfield was elected Provost in his place.⁴⁴

About this time also, the focus briefly switched from the conflict over Edinburgh back to the Borders. The 'raid of Jedwood Forest', as described by Lesley is stated to have taken place in January 1520 and it was almost certainly a preliminary to the street fight in Edinburgh.⁴⁵ Andrew Kerr of Ferniehurst, who had received several marks of favour from Arran's government, evidently supported Arran in the dispute because he was a rival of Angus in a local dispute over Angus's right to hold a court as Bailie of Jedforest. On the one hand Kerr of Ferniehurst was assisted by Sir James Hamilton of Finnart, while on the other Angus was assisted by (more likely represented by) Andrew Kerr of Cessford, Warden of the Middle Marches. Andrew Kerr of Cessford was assisted by a force of Englishmen and the two sides fought out an inconclusive struggle in which an Englishman (named as Ralph Kerr by Lesley) was killed.⁴⁶ Further confirmation of this incident is given in a later decret arbitral between, on the one hand, Arran, his brother David, Bishop of Argyll, his son, James Hamilton of Finnart and his nephew, James Hamilton of Kincavil and also Robert Dalzell of that ilk and, on the other, Andrew Kerr of Cessford, Mark Kerr of Littledean, John Hoppringle, Andrew Kerr of Gradane, Andrew Kerr of Greenhead, Thomas Kerr of Lintalee and Lancelot Kerr of Gateshaw.⁴⁷ The judges arbiters they had chosen were to make reformation of their differences,

"... specialy/

"... specialy apone the slauchter, persut and following of the said Erlis and Regentis frendis and servitouris being witht the said Schir James his sone at the raid of Jedwood Forest, and the invading and persewing of the said Schir James thereftir till his slauchter as apperit..."⁴⁸

They were also to arbitrate between Cessford and the others and Kerr of Ferniehirst, especially with regard to the bailiary of Jedburgh Forest. The penalty for infringement of this arbitration was fixed at £6,000, one third each to go to the King, Glasgow Church and the party observing the bond. The first meeting between the two sides to negotiate was on 10 July 1520 and the decret arbitral itself was dated at Glasgow, 19 August 1520.⁴⁹

The fight over the disputed bailiary of Jedforest did not defuse the tension on the national scale nor was this achieved by the replacement of Archibald Douglas as Provost of Edinburgh by a neutral Burgess, even though the Chancellor, staunchly pro-Hamilton, expressed approval of the town having a free choice of Provost. This was a contrast to the demand of October 1519 that Arran be made Provost with only the lesser office of President open to free election. With Arran's government still basing its claim to rule on its legally constituted position as representative of Albany in his absence, it was necessary to follow the advice which he had given, i.e. that neither a Hamilton nor a Douglas should be Provost. The Chancellor further intimated that Arran still would not enter Edinburgh until he [the Chancellor] had made 'ane finall concord' between the Hamiltons and the town of Edinburgh.⁵⁰

This 'finall concord' was not reached and when Arran and the Hamiltons came to Edinburgh, they had probably decided to brazen out their 'legitimist' claims because John Law stated they were coming 'ad iustitia': to administer justice. The ensuing battle in the High Street of Edinburgh has gained the popular title of 'Cleanse the Causeway' from Pitscottie's exciting and detailed narrative of the events. Most of the sources agree that it took place on/

place on 30 April 1520 and all agree that it was a victory for the Douglasses over the Hamiltons in which the latter were driven out of the town and a number of Hamilton supporters, including Arran's illegitimate half-brother, Sir Patrick Hamilton of Kincavil and the Earl of Eglinton's son, John, Master of Montgomery, were killed.

The events are detailed in chronicle sources but confirmation of their essential accuracy can be obtained from three contemporary sources. Firstly, there was an indication of the approaching menace on 26 April 1520 when the Provost, Bailies and Council of Edinburgh ordered James Baron, the Treasurer of Edinburgh, to furnish four men weekly until Michaelmas, at the rate of 16d a day, to pass with the Provost with halberts "...for stanching of inconvenientis that may happin within this town this troublis tyme..." This was converted into a permanent grant from October 1520.⁵¹

Secondly, there is proof that even though the Hamiltons were defeated in the fight, they did not lose cohesion as an effective Council for any length of time afterwards. The Keeper of the Privy Seal (George Crichton, Abbot of Holyrood) had been a supporter of Arran and must have remained both willing to support Arran in the immediate aftermath of the street fight and have been in a position to receive instructions from Arran or the Chancellor or both, for on 4 May 1520, a very significant grant was made under the Privy Seal. This grant involved a diversion of the Act of Twizelhaugh from its original intention to provide for the heirs of those killed at Flodden with their own wardship, relief, etc. freely, and which had subsequently been used by Arran to refer to any man killed in the King's army under the royal banner, on his two expeditions against the Homes in the Merse. Now it was used to give a similar freedom from ward to James, son and heir of the late Patrick Hamilton of Kincavil.

The grant spuriously alleges that the heirs of all those who had been killed in/

killed in royal service were entitled to benefit by having free disposition of their own ward and marriage. They applied the Act, therefore, to James Hamilton of Kincavil "... havand consideratioun of umquhile our lovit Patrick Hammiltoun of Kincavill, knyght, quhilk decessit now latelye in our service and fortifying of our autorite..."⁵²

This evidence does not add much beyond the facts that Patrick Hamilton of Kincavil was dead, that he had died fighting for the legitimate government of the young King (as he would have claimed) and that Arran's party remained cohesive after the fight on 30 April. The third source reinforces the last point and long after the events themselves were past, the 'official' version of the events of 30 April 1520 was recorded.

By the summer of 1525, the Earl of Angus had regained the initiative in government which he had lost on Albany's return to Scotland after November 1521, and had once more regained it at the expense of Arran, who had been the closest supporter of Queen Margaret during her second regency from August 1524 to February 1525. In the parliament of July-August 1525, Angus's control of the King (and hence of the government) was guaranteed by a system of a rotating Council governing the King, of which Angus's period of control was first. The time was propitious for his ally, John Somerville of Cambusnethan to pursue Arran, Sir James Hamilton of Finnart, Lord Somerville and Adam Otterburn (on behalf of the King) to have the doom of forfeiture which had been passed on him in April 1522, reduced and annulled. The forfeiture had been pronounced because John Somerville had incurred the crimes of lese-majesté through his activities in 1520:

"... That is to say in art and part of the cruel and treasonable invasion of the persons of a most Reverend father in God, James, then Archbishop of Glasgow, Chancellor, and of James, Earl of Arran, Lord Hamilton, two of the regents of the realm in the absence of the said John, Duke of Albany, governor; they being passing from their houses in the said town of Edinburgh to the tolbooth of the same for administration of justice upon Monday the last day of April in the year of God 1520. Against whom, the said John/

John with his accomplices arrayed battle upon the public street treasonably with weapons invasive. And for the treasonable art and part of the expulsion of the said regents and the laif of the lords forth of the said town, they being deputed for administration of justice..."53

Arran's reliance on the righteousness of his cause in brazening out his differences with the town of Edinburgh and the Earl of Angus, bore fruit in 1522 during Albany's administration, but rebounded to his misfortune when Angus was once more at the head of the government.⁵⁴

It must be emphasised that John Somerville was only 'art and part' of these crimes and was not the principal mover of them. There is no doubt that Angus and his family were the men responsible for the release of tension in a public battle. Significantly, the 'official' description of events goes on to emphasise the point made above that the Hamiltons were not scattered when they were driven out of Edinburgh on the last day of April 1520. For on 1 May, the next day, John Somerville was,

"... art and part of the convocation of certain traitors and rebels of the realm as David Home of Wedderburn and his brothers with a multitude of thieves and other ill-doers ... arraying battle in the sight of our said sovereign lord upon the Boroughmuir of Edinburgh..."55

There is one further possible reference to these events but owing to the continuing Douglas-Hamilton antipathy, it cannot be stated definitely to refer to the end of April 1520. Lord Dacre wrote to Cardinal Wolsey on 10 December 1520. In discussing the disputes between the two parties in Scotland and how Edinburgh had supported the Douglasses because Archibald Douglas was Provost, he added:

"... and when the said lieutenant [i.e. Arran] would have comen in the town, they [i.e. the Douglasses] stopped him, and a great saute [sortie?] was made betwixt them and divers hurts of both sides..."56

It is clear from the foregoing evidence that the famous 'Cleanse The Causeway' incident was not decisive or conclusive in terms of the continued government of Scotland by one side nor the other. It has caught the imagination/

imagination of all who have studied the minority of James V because in the hands of Pitscottie and his flowing narrative, it became the supreme symbol of the lawless times in Scotland - two principal nobles with their factions fighting between themselves in the High Street of Edinburgh for control of the government. In fact this was just one of a series of incidents which continued down to the return of Albany in November 1521, in a long-running struggle which was unresolved before Albany's return because neither side had an advantage. The change which happened between the spring and autumn of 1519 was due to the final acceptance that Albany was not going to return in the foreseeable future, and to the forced consideration of the succession to the throne which the deaths of men close to the King from plague in that summer brought on. These factors caused a change in attitude from grudging acceptance of Arran's government because he was only ruling temporarily for Albany, to a need to consider their best position with regard to the continued government of Arran either indefinitely (while Albany awaited French favour to return) or permanently (if James V died). This led directly to the polarisation of factions behind Arran and Angus, the two principal nobles with claims which could be regarded as legitimate to govern - Arran in continuance of the position he had held since September 1517 and Angus on behalf of his wife, the Queen Mother, who had had Albany's written support for her restoration to the headship of the government.

This period of stalemate in the Scottish government was marked by the continued strife within Scotland, mentioned by a variety of sources but with only one more spectacular incident after 'Cleanse The Causeway': the removal of the heads of Lord Home and his brother from the tolbooth of Edinburgh during a raid by Angus, Home of Wedderburn and their accomplices. Nevertheless, the interest in Scotland exhibited by both France and England continued to be very strong with decisions over the possible return of Albany becoming/

Albany becoming very clearly dependent on the state of peace or the likelihood of war between the two. So long as Francis remained anxious to please Henry VIII and keep the peace, there was no likelihood of him agreeing to send Albany to Scotland because that would inevitably bring war.⁵⁷ In an unusually candid exposé of his foreign policy motives, Henry VIII revealed a desire in March 1521 not to get involved in a war with Scotland and that there was no chance of his doing so as a result of a desire for petty revenge for the raids made by the Scots or their breaking of the comprehension of peace.⁵⁸ The Scots themselves, though divided over internal government, were nevertheless united in a desire to keep the peace with England. For Arran's supporters, war was perceived as being the excuse for an English army to enter Scotland and support Angus in his claims to government. The possible attractions which this might have had for Angus and his supporters were outweighed by their belief that in such an event, the Duke of Albany would return at once to Scotland and would be a very much more formidable opponent to their schemes than Arran. Therefore, the period 1520-21 saw a great deal of interest in the negotiations for peace.

The actual state of the internal government as Albany found it on his arrival in November 1521 can be pieced together despite the lack of a formal Council record usually preserved in the 'Acts of the Lords of Council'. There is no doubt that Arran and people who supported him remained in control of the main apparatus of government. The Privy Seal was still in the control of Arran's allies.⁵⁹ Further, Chancellor Beaton, who had been one of Arran's closest political allies, retained control of the Great Seal. There was no successful attempt to create a rival Chancellor.⁶⁰

Continued references to internal strife in Scotland in a variety of sources confirm that the battle on the High Street of Edinburgh had solved nothing. Arran's supporters retained control of the apparatus of government, /

government, though not without challenge. There was a stalemate because neither side was strong enough to impose its will on the other. The rumours and news of these internal noble disputes in Scotland had reached the French Court at St Germain-en-Laye in August 1520.⁶¹ They were repeated by Francis I himself in replying to specific news of the troubles brought by Lord Fleming from Scotland;⁶² and they were further reinforced by the cynical remarks passed by the English Ambassadors at the French Court, who declared that the Scots were the most 'meshent'⁶³ people ever known to them, because "... whereas all Christian princes as now be in peax [and] tranquility, yet that notwithstanding they daily [seek] one to destroy another, amongst themselves".⁶⁴

It is not necessary to rely solely on testimony which may have been based only on exaggerated rumour or in the case of Lord Fleming's report to Francis I, on a desire to exaggerate the situation to persuade him to allow Albany's return. Queen Margaret, herself, wrote to England in one of her customary letters of complaint about her failure to obtain her rents or the respect due to her position that this was partly due to the fact that "... Every lord prieth who may be the greatest party and monyest friends..."⁶⁵ This caused her particular concern with regard to their possible attempts to control the government through kidnapping her son, the King.

The general point to be taken from these statements is that Scotland did not have a strong, unified government. Despite the bond with Edinburgh, Arran's control did not run through the whole country and though it may have appeared strong enough for the Kerrs of Cessford and Littledean and their friends to seek reformation of their differences with Arran and his friends in the summer of 1520 after the 'raid of Jedwood Forest' early in the year;⁶⁶ it was not strong enough to prevent Angus and the Homes raiding Edinburgh in July 1521 and taking down the Homes' heads and giving them decent burial.⁶⁷

The/

The divisions in Scotland cannot clearly be characterised as pro-French or pro-English, although it is true that Arran and his supporters were keen to have Albany return to Scotland while Angus and the Homes regarded him as their mortal enemy and were close friends of England.⁶⁸ This was the time, however, of the great amity between England and France which was expressed in the most graphic form of the early sixteenth century by the meeting of Henry VIII and Francis I at the 'Field of Cloth of Gold', an event in which the Scots of both parties had an abiding interest.⁶⁹ A memorandum sent to France prior to that meeting had empowered Albany to represent the Scots at the talks. This made clear that the English had no reason to believe that his return to Scotland would be to the young King's detriment. Not only was the young King to be surely kept by trustworthy Lords and Albany not allowed to see him alone, but also resident Ambassadors were invited from England, France, Denmark and the Pope to watch over James. In addition, the Scots wanted a treaty of reciprocal defence with England or at the very least a truce for a long period during which Albany's authority would not be diminished. Going on to list English outrages against the current comprehension, including their involvement in the deaths of De La Bastie and the Prior of Coldingham and the kidnap of Poillot, the memo concluded with a warning of the true English motivation in keeping Albany out of Scotland. This was in order to "... foster civil strife, undermining affection for France and Albany and compelling a peace which will give England the control..."⁷⁰

The Scots received no satisfaction in these claims. The meeting was cordial enough to suggest that Francis and Henry could remain at peace for a considerable time and that Francis would not lightly endanger that peace by allowing the one event to happen which was most guaranteed to displease Henry. Equally their mutual suspicion, especially over Henry's contacts with the/

with the Emperor Charles V both before and after the meeting with Francis meant that no defensive alliance could be concluded. This would have violated English policy of playing off France and the Empire against each other to keep the peace in Europe and was never a seriously viable proposition. All that the Scots did obtain was a promise of French aid in concluding a permanent peace with England as opposed to continuing the temporary truce. This, it was agreed, would be more to the Scots' advantage. The terms of such a peace were discussed by Wolsey and Louise of Savoy, Francis I's mother.⁷¹

Therefore, Francis I's answers to the Scots not surprisingly contained bland exhortations to 'try to compose their quarrels' and disapproval of the prolonged strife amongst the nobles. *He made it quite clear that there was no prospect of Albany's return but that instead he was sending a new embassy so that the Scots would be persuaded to conclude an honourable peace with England.*⁷²

This new embassy consisted of Robert Stuart, Seigneur d'Aubigny, Captain of the Scots Guards in France and a member of the Lennox family, so many of whom regularly served in France; and secondly of the councillor, Jean De Plains. There was a great deal of suspicion evinced by the English as to the nature of the mission which Aubigny and De Plains were to undertake, reflecting on the renewed atmosphere of distrust generally between France and England from the autumn of 1520. The rumours which were picked up by the Venetian Ambassadors in England and France suggested that they were going not simply as Ambassadors to negotiate a peace but that, in the case of Aubigny, he was going to serve as a Vice-Regent for Albany in a similar position to that held by De La Bastie.⁷³ Thus the sending of Aubigny was equated with the sending of Albany as if it would have the same consequences.⁷⁴ These rumours ignored the fact that what was sought by Albany's return/

Albany's return was not simply proof for Arran's supporters that Francis I would not allow the English to install a favourable government in Edinburgh but rather an impartial judge able and willing to regulate the internecine strife in Scotland. For this, Aubigny could not have the same desired effect of impartiality because he was the uncle of the Earl of Lennox and a kinsman of Arran.⁷⁵ These family ties would have made him suspicious to Angus and his supporters even disregarding their hostility to his coming from France. These rumours did carry weight in England, however, because the English Ambassadors in France were instructed to inquire into the sending of Aubigny into Scotland 'as Albany's lieutenant'.⁷⁶

Francis I attempted to dispel English suspicions by declaring that his Ambassador had been sent "against his own will ... in order to advise the Scots to send an embassy to England for peace..." This was further reinforced by the extreme declarations of the Admiral of France, Guillaume Gouffier, Seigneur de Bonnivet, that he hoped to lose both of his eyes if he spoke falsely when he stated that there was no truth in the rumour that Aubigny had gone as governor for Albany, intending to renew the amity between Scotland and France and promising a marriage alliance as had been provided by the Treaty of Rouen. In fact, the Admiral assured the English Ambassador, Sir William Fitzwilliam, that Albany had only gone to fulfil the terms agreed between Wolsey and Louise of Savoy "... and would not remain in Scotland if the King gave him 40,000 francs a year..."⁷⁷ Such vehemence is instructive, since it was probably directly proportional to the extent of the suspicions which the English felt. Those suspicions were evidently directed towards preventing a renaissance of support for Albany in Scotland encouraged indirectly from France. Yet the French were evidently concerned to placate these suspicions and give the lie completely to them because the instructions which had been given to Aubigny and De Plains were duplicated and communicated/

and communicated to the English.⁷⁸

These instructions contained little comfort for the Scots of either party. Basically they enlarged on the earlier theme propounded by Francis I that the best way for the Scots to achieve unity and end their internal strife was not by the return of Albany, which would only lead to still greater trouble from England. Instead reconciliation was to be nurtured in the better atmosphere of peace with England, relying on Francis's continued affection and using the good intentions of Margaret. The alternative only spelled disaster:

"...Wolsey said that Albany's return did not please Henry: the duke's claim to be next the throne was suspicious: if he returned Henry would make war, and hold the strongest part of the realm against him ... he would see that [Albany] did not prevail and was not personally safe..."⁷⁹

This clearly left Arran's supporters with little comfort, but to Angus and his supporters the English could give little enough overt aid without provoking the very conflict which was to be avoided by Albany's non-return. Angus had continually to be aware of what Albany and the French were likely to do in any circumstances where he tried to obtain overall control of Scotland.

The arrival of Aubigny and De Plains in Scotland on 27 November 1520 followed a long-deferred and arduous journey.⁸⁰ They arrived just as the Scots were making last-minute arrangements with the English to prolong the truce which expired on 30 November 1520. The Abbot of Kelso, Thomas Kerr, had been chosen to replace the Treasurer, John Campbell of Thornton, as the Scottish Commissioner to meet Dacre and on 29 November a further abstinence was agreed, keeping the peace until 1 January 1521.⁸¹

This was only a temporary measure, and the French embassy was intended to persuade the Scots to send an embassy of leading councillors to conclude a firm peace. The difficulties of getting a reasonable balance for such an embassy are/

embassy are immediately apparent from Dacre's protest against the Scots' desire to have large numbers of nobles encompassed in the safe-conduct for the embassy. The Scots had asked for one hundred horsemen to be listed but Dacre suggested two Bishops, two Lords and two clerks or temporal men as sufficient. The Treasurer's rejoinder was to press for the safe-conduct for the numbers previously suggested.⁸² The best way for the two parties to be reconciled, since both wanted peace with England, was for both to be involved in a large way in an embassy. The subsequent failure of any embassy to go to England at any time in 1521 shows that these difficulties were irreconcilable.

There were two sets of Ambassadors involved in the attempt to persuade the Scots to peace. Aubigny and De Plains arrived at Dunbar and travelled from there to Leith,⁸³ being met at Edinburgh by Lafayette and Cordelle who had travelled in company with the English Herald, Clarencieux King-At-Arms, arriving by 1 December.⁸⁴ The intention was to summon a General Council of the Lords and that it was to involve all sides is clear from the fact that the Chancellor was expected to meet the Lords in Edinburgh on 9 or 10 December.⁸⁵ This General Council was to be conducted under the auspices of the French Ambassadors⁸⁶ and yet it proved to be impossible to arrange the meeting. Angus, the Provost of Edinburgh, (who was still Robert Logan of Coitfield) and others, met the Ambassadors who had travelled from England, three miles from Edinburgh and conveyed them to the capital to join the other Lords.⁸⁷ The Chancellor, Arran and Lennox stayed away with the result that:

"... the ambassadors can get no audience of the whole of the lords. Some would be at Edinburgh, some at Stirling, some at St Johnston's..."

Further attempts were to be made to compose their differences.⁸⁸ The main purpose of the French mission was not yet accomplished and a further temporary abstinence/

temporary abstinence of war was granted extending the truce to 9 April 1521 and further to 30 June, provided that a suitable Scots' embassy had travelled to England before the former date.⁸⁹

Although De Plains later wrote in February 1521, that neither he nor Aubigny (especially not the latter, since he was so suspicious to the English) had interfered in the internal affairs of the Scots,⁹⁰ the need to obtain some kind of compromise between the factions of the Earls of Arran and Angus was recognisable after the failed Council in December 1520. This meant that it was almost certainly their influence which was brought to bear in the settlement of the dispute between the community of Edinburgh and the Earl of Arran. It can hardly be pure coincidence that after supporting Angus so clearly, even down to December 1520, in mid-January the Burgesses of Edinburgh reversed their position and reached compromise with Arran.

The Provost, Bailies, Council and community of the Burgh of Edinburgh bound themselves to Arran in a bond of manrent for unity and concord and for pacifying of trouble. Thus they would take his part in all actions against his regency and in putting the King's authority into practice within Edinburgh, being loyal and true to him as lawful lieutenant during the period of his office (i.e. until Albany's return),

"... and specialie sall nocht thoile nor permyt the Erle of Anguse, John Somervill Lard of Colbintown, Archibald Douglas, Maistir William Douglas, brothir to the said Erle of Anguse, now beand in Coldinghame, Hew Douglas nor nane takand thare part, resort nor entir within the said towne of Edinburgh, the said Erle of Arrane beand tharein, quhill the mater be adressit betuix the Erle of Anguse and him and unite and concord maid amangis thame..."

If Angus and his kin ignored this development, the townsmen were bound to support Arran's men against them; and also if any host was raised against the traitors in the Borders, then they would do their part as any burgh was expected to do in providing help against them.⁹¹

The important/

The important phrases in this bond are not necessarily the ones in which the townsmen agree to back up Arran against Angus, but the ones which suggest that compromise was sought. The townsmen would not allow Angus and his kin to enter Edinburgh if Arran was there already, and the Great Seal Charter evidence suggests that Arran was only there for a week after the signing of the bond before departing again, not to return until Albany was once more in Scotland.⁹² They would only fight against Angus and his kin if they were provoked by an armed entry by Angus in contravention of this agreement. Above all, they wanted Arran and Angus to compromise and make unity and concord between their factions. This echoed a theme which Albany had been propounding in the immediate aftermath of 'Cleanse The Causeway'. This was to use a standard component of compromise, the marriage alliance to unite Arran and Angus's kin "... *thai wil mary the erl of Angus dauchter and the lord Hamiltoun son...*"⁹³ Such a compromise was evidently becoming a real necessity. Not only was government of the whole country impossible by one faction or the other, but it was thought necessary, for example, by a group of no fewer than eighteen Fife Lairds to band together against both factions to resist the possible incursion of the national dispute into their area.⁹⁴

While the idea of the bond of Edinburgh to Arran may have been to precipitate compromise, it still shows that the initiative in government was on Arran's side. His friendship was worth cultivating while Angus's was not. Arran, as the need for the Fife bond shows, however, did not have the necessary strength to outweigh Angus and his supporters completely. The fact that he stayed for only a week in Edinburgh before moving back to be nearer his power-base in the west of Scotland, preferably at Stirling, is significant in adding weight to the belief that the stalemate continued and was not resolved by the attempted compromise. Edinburgh may have been bound to be/

bound to be a haven for Arran so long as he was there, but other incidents of 1521 show continued Douglas strength in regard to Edinburgh.

In March 1521, Dacre wrote to Queen Margaret marvelling at the fact that she had once more reverted to supporting the return of the Duke of Albany despite the manifest reasons why such a move should be anathema to her. Albany had deceived her with fair words while claiming a quarter of the lands of her conjunct fee as his own (i.e. the earldom of March); he was also under suspicion with regard to the death of her son, the Duke of Ross, in 1515 while she was out of the country. Thirdly, Dacre pointed out the record of Albany's father who had attempted to usurp the Scottish crown for himself and finally added that James IV had never actually restored Albany as Duke and, therefore, had never formally acknowledged him. For all of these reasons, Margaret should be unwilling to give any voice in support of the return of Albany to Scotland. Nevertheless, Margaret had left her husband, Angus, contrary to her agreement with Friar Henry Chadworth,

"... and the talk is, her grace left Edinburgh by night, and was met outside the town by Sir James Hamilton,⁹⁵ her lord's deadly enemy, and conveyed by him to Linlithgow..."

The letter concludes with grave injunctions to Margaret to remember those who are her true friends.⁹⁶

The inference from the letter is quite clear. Within a couple of months of the town of Edinburgh signing the bond with Arran, Angus was once more in effective control of the town, to the extent that Margaret, wishing to escape from his influence, felt safer going to her own palace of Linlithgow in the company of the Hamiltons.

The mission of Aubigny and De Plains was just ending at this time. Aubigny had sent to England for a safe-conduct to allow them to travel home to France from Scotland through England rather than face another hazardous sea voyage.⁹⁷ Their success had been limited. If, truly, the only point of their journey/

their journey to Scotland had been to secure peace with England, then they only succeeded in obtaining agreement to a temporary truce, with the Scots unwilling or unable to send a suitable embassy to England to conclude a full, long-standing peace. If, on the other hand, as so many of the rumours had it, they had gone as impartial Regents to remind the Scots of the authority of Albany, then these later incidents reveal the complete failure of that part of their mission. Not only had they not reconciled the two factions during their presence in Scotland, but also within a couple of months of their return to France⁹⁸ there had been another demonstration of Douglas power in Edinburgh.

On 20 July 1521, Angus and his supporters, including David Home of Wedderburn and George Home, finally took down the heads of Lord Home and his brother from the tolbooth at Edinburgh, where they had been placed as a reminder to others of their treasons, after their executions in October 1516. This action, or at least their raid on Edinburgh, had evidently been anticipated by the Provost and Council of Edinburgh, and, probably mindful of their bond to Arran, on 20 July they made a record of their opposition to any action which Angus and the others might take. They stated their willingness to,

"... resist the kingis rebellis and tratoris with thair bodys at thar uttar powar for saiftie of the kingis person, his castell and toun..."

and they expected help in this resistance from Lairds in the surrounding area, notably the Lairds of Congleton, Bass, Waughton, Restalrig, Craigmillar and Inverleith.⁹⁹ The attack had also been anticipated by some of Arran's supporters because they had managed to send out royal letters summoning Bass and Waughton to the King's defence in Edinburgh. They had feared an attack on the castle and an attempted kidnap of the King but nothing like this occurred on 20 July, when Angus and the Homes merely removed the/

removed the heads of the Homes, symbolically defying the authority of Albany, by whose order they had been placed there.¹⁰⁰ They were also symbolically stating their belief in the innocence of the Homes by giving the heads a proper burial.¹⁰¹

This possible disruption which could be caused by Angus, the Homes and other irreconcilable elements against Albany's authority had been recognised by De Plains at the end of his mission. His letter is significant when taken in conjunction with the actions which Albany did take on his return to Scotland when he banished Angus and his brother to France. De Plains stated that the English supported the rebels in order to keep the Scottish government divided and weak, to prevent them mounting an attack on England, while at the same time allowing English raids to pass more easily into Scotland. The advice which he and Aubigny sent to Albany was that "... the banished and the rebels..." ought not to have a pardon unless Albany insisted on their leaving Scotland. "...They have announced their intentions of awaiting their opportunity when James is old enough..."¹⁰²

Thus the dangers of war with England were clearly recognisable to those Scots who wished to maintain Albany's authority. However, a full peace with England was unacceptable as it would almost certainly guarantee the non-return of Albany and the continuance of the status quo of stalemate in Scotland. The time for the arrival of the embassy (9 April) had almost passed before a further commission was issued to the Abbot of Kelso, Andrew Kerr of Cessford and Adam Otterburn to extend the abstinence from the beginning of April to the end of June.¹⁰³ The excuses made for the non-arrival of Scots' Ambassadors were the indisposition of those appointed and the death of the Archbishop of St Andrews, the Legate Andrew Forman.¹⁰⁴

Once again the primatial see in Scotland was thrown open to competition which, because of the disunited state of the government was expected to be just as/

just as intense as that which had followed the death of the previous incumbent, Alexander Stewart, at Flodden. Andrew Forman died on 11 or 12 March 1521 and by 10 April Prior John Hepburn had once again taken over the Bishop's castle at St Andrews as Vicar-General of the vacant see.¹⁰⁵ The death of Forman also released the Abbey of Dunfermline and this was apparently a bone of contention between Arran and Lennox who were in the same anti-Douglas faction. In fact, the Scots' privilege of having eight months to make the royal nomination known to the Papacy, seems to have been respected and it was only after Albany's return to Scotland that James Beaton, the Chancellor and then Archbishop of Glasgow was approved as the Scottish government's candidate for St Andrews and to have Dunfermline as a perpetual commend, in December 1521. The main competition to Beaton's provision came from Gavin Douglas, Bishop of Dunkeld, who had English support but was an exile at the English Court from December 1521 until his death in 1522; and from Prior John Hepburn, but once again the latter commanded no support and had to give way to Beaton. The matter was not complicated this time by the intervention of any Italian Cardinals.

It is important to stress not only that neither faction in Scotland wanted war with England, Arran's supporters desiring temporary truces until Albany returned and Angus's supporters looking to a full peace to prevent such a return, but also that England wanted to have peace, not war, with the Scots. The failure of the Scots to send a proper embassy in the allotted time could easily have offended greatly Henry VIII and induced renewed preparations for war, but we have a rare insight into Henry's policy aims in regard to Scotland from a letter which he wrote expounding the thought behind the instructions which his Ambassador in France, Sir William Fitzwilliam, was to convey to Francis I. This dated from March 1521.¹⁰⁶ Henry had no desire to make war in Scotland because of the critical juncture which relations/

which relations between Francis I and the Emperor Charles V had reached by that stage. War seemed likely to break out between the two in that summer and Henry was committed, or chose to think himself committed by the 1518 Treaty of London,¹⁰⁷ to assist the party which was attacked. Henry realised that given his resources, it would be insupportable for him to have to maintain armies in Scotland, Ireland and on the Continent as well. It was acceptable and, in fact, necessary to his belief that the Continent mattered more than Scotland, to arrange peace or truce with the Scots - even right up to St Andrew's Day 1521, putting any campaigns in the summer of 1521 out of the question. By the end of November 1521, the European situation could be expected to be clearer as one of three courses would have been followed: war would have broken out in the summer of 1521; war would be certain to break out in 1522; or else the peace would have been preserved, at least temporarily. At the same time, the English Ambassador in France was to convey no hint that Henry did not want at any cost to attack the Scots, otherwise they would be encouraged to abandon their efforts to secure a truce. The best way to persuade the Scots to keep the peace was to keep Albany in France, which Henry believed it would be easy enough for Francis to do,

"... for albeit, it is said he [i.e. the Duke of Albany] is not subject, yet he is and always hath been at the French King's commandment, as he will ever be..."

This reluctance on the English part to become entangled in a war on the Scottish frontier ensured that temporary truces would keep being agreed. It was one matter for Dacre to put men into Wark, prudently guarding the Middle March against Scottish incursions,¹⁰⁸ but a very different matter to raise and furnish an army with which to mount a full-scale attack. The truce which had been continued to the end of June, was superseded by its extension from May 1521 to 2 February 1522. Henry VIII stated that he agreed to this at the/

at the request of Francis I, in order that the Scots should have time to send the long-deferred embassy to sue for a full peace before the expiry of this abstinence. In fact, this was exactly as Henry had planned in the proposals he had made to his Ambassador in France.

This was one of the last occasions on which Henry and Francis's interests coincided over foreign policy. In August 1521 Wolsey went to Calais and began the negotiations which brought about a new Anglo-Imperial treaty, providing for English entry into the conflict between Charles V and Francis I by May 1523 if peace had not been secured by November 1521, which it wasn't. Before Wolsey's return to England, the Duke of Albany had set sail for Scotland.¹⁰⁹

The significance of the return of Albany at this stage in late 1521 after four years of absence, lay in the fact that it so clearly indicated the change in French foreign policy. All the arguments which had been used by Francis I in 1520-21 to persuade the Scots to accept that Albany wasn't going to return had been based on the certainty of war with England if he did return. Therefore, the return itself was tantamount to a declaration of war with England. This had been suspected by the English Ambassador in France, Sir William Fitzwilliam, in September 1521 following an interview which he had had with Louise of Savoy, Francis I's mother,

"... I said to her, 'Madame, is not the King your son, bound by treaty that the Duke of Albany shall not go into Scotland'? [And she sailed plainly, 'No'. 'He promised,' she said, 'to do what [he could to keep him here, as he had done hitherto which put] him [to] a great charge; but he was not bound to keep [him] from thence'..."¹¹⁰

Albany had left the French Court by 30 August 1521 and, apart from a brief visit to the Court, presumably to finalise arrangements for his return to Scotland, at the end of September, his movements are unrecorded. He returned to Scotland on 18 November 1521, arriving at Gareloch near Dumbarton in the west of Scotland.¹¹¹ Wolsey had already warned Dacre to be prepared/

prepared for Albany's descent into Scotland and arranged that he would not have a straightforward task in reconciling the factions in Scotland:

"... Dacre must tell Angus and the Homes that, as they value their lives and the safety of their prince, they must make ready against their mortal enemy [i.e. Albany]; that he doubts not that Henry will uphold their cause, and endeavour to excite the nobles and commons of Scotland against the Duke, 500 or 1,000 marks may be politicly spent in stirring up dissension in Scotland..."¹¹²

The period October 1519 to November 1521 can be summed up as a very disturbed period in Scottish government when faction fighting reached a peak and stalemate in government ensued. The apparatus of government remained in the hands of Arran as Regent and Lieutenant for Albany but his control over the country was very limited. The task ahead for Albany was even more difficult than in 1515 after the stalemate of September 1514 - May 1515 because now he was no longer urging the Scots to peace, but to war and a war which was so clearly perceived as being ~~only~~ in the French interest after all their arguments to keep Albany out of Scotland up to November 1521.

CHAPTER SIX NOTES

- 1 L&PHVIII iii pt. i no. 467, Queen Margaret to Dacre, 13 Oct. 1519.
- 2 Ibid.
- 3 Ibid. no. 480, Dacre to Wolsey, 19 Oct. 1519.
- 4 Ibid. no. 481, Angus to Henry VIII, 19 Oct. Angus wrote from Dalkeith.
- 5 Ibid. no. 482, Dacre to Wolsey, 22 Oct.
- 6 See above 219-20; Eglinton had made a marriage alliance and bond of kindness to the Earl of Lennox on 16 Feb. 1519 - HMC 10th report, Appendix Part 1, MSS of the Earl of Eglinton no.63.
- 7 See above 220-1.
- 8 See above 226.
- 9 See above 196, 201-6, 209-11, 215-7.
- 10 See above 223 and n.137.
- 11 RSS i, no. 2977, 20 Mar. 1518.
- 12 Ibid. no. 3016, 27 June 1518.
- 13 Ibid. no. 3041, 22 June 1519.
- 14 Ibid. no. 3043, 24 June 1519; no. 3060, 18 Dec. 1519; no. 3062, 14 Feb. 1520.
- 15 Ibid. no. 3061, 22 Dec. 1519.
- 16 Ibid. no. 3058, 18 Dec. 1519. There is no indication if he did or did not continue to support Glencairn - see above 219-20.
- 17 Ibid. no. 3063, 15 Feb. 1520. John, Lord Hay of Yester was Angus's brother-in-law.
- 18 ADC 32, f.184, 25 Oct. 1519, sederunt: James Beaton, Archbishop of Glasgow, Chancellor; Gavin Dunbar, Bishop of Aberdeen; David Arnott, Bishop of Galloway; David Hamilton, Bishop of Argyll; James, Earl of Arran; John, Earl of Lennox; James, Earl of Moray; David, Earl of Crawford; William, Earl of Erroll; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis, John Hepburn, Prior of St Andrews; James Hay, Abbot of Dundrennan; Robert Shaw, Abbot of Paisley; John Campbell of Lundy, Treasurer; Robert Barton of Overbarnton, Comptroller; John, Lord Erskine; John, Lord Fleming; Robert, Lord Maxwell; Ninian, Lord Ross of Halkhead; William, Lord Semple; Andrew, Lord Avandale; Alexander, Lord Livingston and George Dundas, Lord St John's.

The Bishop of Aberdeen, as Lord Clerk Register, was probably included erroneously by Dacre against Arran and the Chancellor. He was in charge of the books of Council. James, Earl of Moray was James IV's illegitimate son./

illegitimate son. He had just returned from France - see L&PHVIII iii, pt. i no. 480, Dacre to Wolsey, 19 Oct. 1519. David, Earl of Crawford's case against Patrick, Lord Gray (who was identified by Dacre as an Angus supporter) was heard and won on 25 Oct. William, Earl of Erroll had no reason to favour Huntly, but the increasing frequency of Huntly's appearances with the 'official' Council hereafter probably caused a realignment: Lesley, History, 114 includes Erroll on Angus's side. John Hepburn, Prior of St Andrews was a rival of James Hepburn, Bishop of Moray, identified by Dacre as an Angus supporter, see above 209.

19 ADCP 146.

20 ADC 32, f.185. The eight representatives of Angus's party were: Andrew Forman, Archbishop of St Andrews; Gavin Douglas, Bishop of Dunkeld; Edward Stewart, Bishop of Orkney; Alexander, Earl of Huntly; William, Earl of Montrose; Malcolm, Master of Fleming; John, Lord Forbes and John Heriot, Official of Lothian. The total sederunt on that day was 36. This included those mentioned above n.18 except for George Dundas, Lord St John's, the eight representatives of Angus's party and five others: James Chisholm, Bishop of Dunblane; George Crichton, Abbot of Holyrood; Patrick Coventry, Dean of Restalrig; Robert; Lord Crichton of Sanquhar; and Sir William Scott of Balwearie.

21 See above 250.

22 The other twelve named were: Robert Bruce; John Carmichael; Francis Bothwell; Adam Hoppa; Henry Wilson; Nicholas Cairncross; James Haliburton; Walter Scott; George Leith; James Baron; Thomas Foular; and William Lauder.

23 ADCP 146-7. The demands were written into the books of Council at ADC 32, f.185v, but cancelled and repeated at f.186.

24 Angus could frequent Dalkeith too easily - see above n.4.

25 ADCP 147-8. The Master of Ruthven added a similar protest and after the Lords had replied, Lord Ruthven promised to fulfil the act by which he was charged to keep the King. Eglinton and Lord Crichton made clear that they would only stand surety for the Captain of Edinburgh Castle's responsibility for the King's safety while he was in Edinburgh Castle. The whole debate probably stemmed from Arran's desire to remove the King from Edinburgh to a place where he could more easily be controlled away from Angus's influence. Any attempt to transfer James V to the west of Scotland laid him open to the possibility of kidnap by Angus, hence the fears of the Ruthvens who were charged with the keeping of the King.

26 ADC 32, f.187v in text, though not in the sederunt.

27 ADCP 148, 149.

28 Ibid. 148.

29 ADC 32, f.188v. Sederunt: Andrew Forman, Archbishop of St Andrews; James Beaton, Archbishop of Glasgow, Chancellor; James, Earl of Arran; Gavin Dunbar, Bishop of Aberdeen; Edward Stewart, Bishop of Orkney; David Hamilton, Bishop of Argyll; William, Earl of Montrose; John Hepburn/

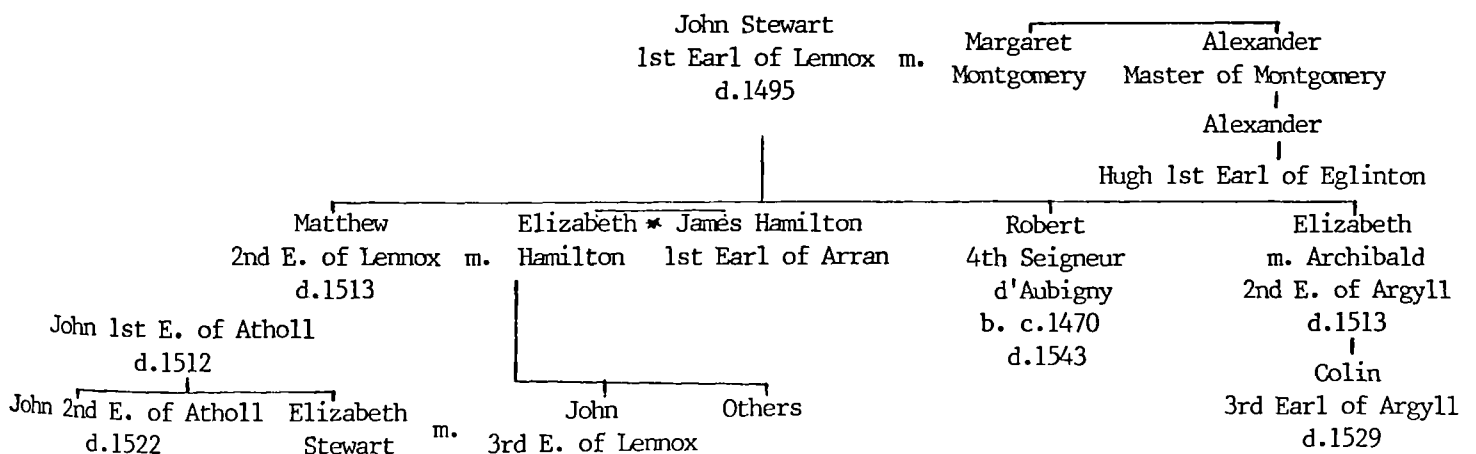
Hepburn, Prior of St Andrews; Thomas Halkerston, Archdeacon of St Andrews; John, Lord Fleming; George Dundas, Lord St John's; and Patrick Coventry, Dean of Restalrig. The Parliament actually met in Dec. 1519 - see above 254.

- 30 RMS iii no. 187. Janet Kerr was granted the liferent of lands in Roxburghshire which belonged to George Turnbull of Bethroull. Witness list: James Beaton, Archbishop of Glasgow, Chancellor; James Hepburn, Bishop of Moray; David Arnott, Bishop of Galloway; James, Earl of Arran; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood; Thomas Halkerston, Archdeacon of St Andrews.
- 31 ADC 32, f.189, 26 Nov. 1519. Sederunt: Andrew Forman, Archbishop of St Andrews*; Archibald, Earl of Angus; Gavin Douglas, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen*; Edward Stewart, Bishop of Orkney*; Thomas Kerr, Abbot of Kelso; Thomas Nudre, Abbot of Culross; Thomas Halkerston, Archdeacon of St Andrews*; Gavin Dunbar, Dean of Moray; Patrick Coventry, Dean of Restalrig*; John Brady, Archdeacon of Lothian; and Sir William Scott of Balwearie. Those asterisked are named in the text as coming from Arran's side. Significantly, with regard to Pitscottie's version of the events which followed swiftly afterwards, it was the Legate and not the Chancellor who seemed the more willing to attempt to compromise: Pitscottie, Historie i 281-2.
- 32 ADCP 149.
- 33 Ibid. 149-50.
- 34 ADC 32, ff.190-192v, 15-18 Dec. 1519. Sederunt: James Beaton, Archbishop of Glasgow, Chancellor; David Arnott, Bishop of Galloway; James Chisholm, Bishop of Dunblane; David Hamilton, Bishop of Argyll; James, Earl of Arran; John, Earl of Lennox; James, Earl of Moray; Cuthbert, Earl of Glencairn; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; William, Earl of Montrose; John Hepburn, Prior of St Andrews; Robert Shaw, Abbot of Paisley; James Hay, Abbot of Dundrennan; Walter Malin, Abbot of Glenluce; Alexander Stewart, Prior of Whithorn; Robert, Lord Maxwell; John, Lord Erskine; John, Lord Fleming; Robert, Lord Crichton of Sanquhar; Andrew, Lord Avandale; Alexander, Lord Livingston; William, Lord Semple; Gavin Dunbar, Dean of Moray; William, Master of Glencairn; Malcolm, Master of Fleming; James Wishart of Pitarrow, Justice Clerk; Patrick Hamilton of Kincavil; James Colville of Ochiltree. In addition, on 16 Dec. (17 Dec. was an exact repeat): Alexander Myln, Postulate of Cambuskenneth; George Dundas, Lord St John's; Patrick Blackadder, Archdeacon of Glasgow; Sir John Colquhoun of Luss; John Campbell of Lundy Treasurer; Robert Barton of Overbarnton, Comptroller; Ninian Seton; James Douglas of Drumlanrig; John Stirling of Keir; Alexander Jardine of Applegarth; Gavin Kennedy of Blairquhan; Nicholas Crawford of Oxfangs; Adam Wallace, Provost of Ayr; and George Crichton, Provost of Stirling. On 18 Dec. only the following stayed on: Chancellor; Bishops of Galloway, Dunblane, Argyll; Earls of Arran, Lennox, Moray, Glencairn, Eglinton, Cassillis; Prior of St Andrews; Abbots of Paisley, Dundrennan; Lords Maxwell, Crichton of Sanquhar, Avandale; John Campbell of Lundy, Treasurer; James Wishart of Pitarrow, Justice Clerk.

- 35 ADCP 150-1, 15-17 Dec. 1519. It is evident from later references that it was to last for twelve months to St Andrew's Day 1520: James V Letters 82-3, Instructions to Aubigny and De Plains [Oct. 1520] and 82n.; L&PHVIII iii pt. i no. 1072, Jean De Plains to Dacre, 27 Nov. 1520, ["truce will end Friday next..." (i.e. 30 Nov.)]
- 36 ADCP 150.
- 37 Lesley, History 114, "And in the returning of the saidis ambassadouris towart Ingland, the Erle of Angus with ane greit power of men mett thame at Carlaverock..." This statement is supported not only by the fact that Lesley accurately describes the Stirling meeting, but also by the close similarity of this statement to a later description by Dacre, L&PHVIII iii pt. i no. 1091, Dacre to Wolsey, 10 Dec. 1520. "In consequence of these feuds, the ambassadors can get no audience of the whole of the Lords. Some would be at Edinburgh, some at Stirling, some at St Johnston's..." It would be in Angus's interest to know in Dec. 1519 if Arran and his supporters had accepted the truce since the possible intervention of an English army would depend on this.
- 38 Gavin Dunbar Sr. received the temporalities of Aberdeen on 2 July 1518 - RSS i no. 3018.
- 39 ADCP 150-2. The debates over Dryburgh (e.g. James V Letters 61-2, Albany to Leo X [June-July 1518]), and more so, Whithorn Priory, were the subjects of a great deal of correspondence involving Albany's attempts to prevent infringements of Scottish privileges: James V Letters 63-73 [Autumn 1518] - [after May 1519]. Albany corresponded with Leo X and the Cardinal of Ancona; Gavin Dunbar with his Italian challenger for Whithorn, the Cardinal of Cortona.
- 40 Ibid. 74, Albany to the Cardinal of Cortona, 17 Mar. (1520); 75 same to same (1520); 80 Cardinal of Cortona to Albany, 12 Aug. 1520.
- 41 See above 231-2.
- 42 Lesley, History, 115, 30 April 1520; Pitscottie, Historie i 281-3, misdated completely to May 1515; Buchanan, History ii 218-20, 30 April 1520; Diurnal of Occurrents 8, 30 April 1520. For a fuller discussion of the chronicle treatment of this incident, see below chapter 14. The secondary sources almost all follow Pitscottie, e.g. G Donaldson, Scotland : James V - James VII, (Edinburgh 1965), 35.
- 43 John Law, De Cronicis Scotorum Brevis (Edin. Univ. MSS Dc 7 63) f.140: "hoc anno [1520 in margin] consilium dominorum apud Edinburgh vocatum fuit in mense maio ... in publica via Mgr. de Montusgomerie e dominus Patricus Hamilton frater regentis e miles ... interfecti ... ad iustitia ... per dominum johannem [sic] douglas comitem Angusie e sponsam reginae..."
- 44 Edin. Recs. (1403-1528) 194, 21 Feb. 1520.
- 45 Lesley, History, 115.
- 46 Ibid; James V Letters 77-9, item 14 refers to English transgressions of the truce including the death of De La Bastie, the kidnap of Poillot and death of Blackadder, Prior of Coldingham; adding "... they were numerous [i.e./

- [i.e. the English] in the pursuit of the border warden when an Englishman was slain", [June 1520].
- 47 Gradane is 4m WNW of Yetholm in Roxburghshire; Greenhead is 1½m SSE of Hownam, Roxburghshire; Lintalee is 1½m S by W of Jedburgh and Littledean is 1½m NE of Maxton. Gateshaw is unidentified.
- 48 Sir James Hamilton was not himself killed but four of his servants were killed according to Lesley, History, 115.
- 49 HMC 11th report Appendix pt. 6 MSS of the Duke of Hamilton 32, no. 66.
- 50 Edin. Recs. (1403-1528) 195-6, 30 Mar. 1520. The 'finall concord' was achieved only in January 1521 when the town of Edinburgh (the Provost, Bailies and Burgesses) gave a bond of manrent to Arran in return for his bond of maintenance, promising to serve him in all causes: HMC 11th report Appendix pt. 6 MSS of the Duke of Hamilton 33 no. 67; Charters And Other Documents relating to the City of Edinburgh (SBRS 1871) 204-5 no. lxxv.
- 51 Edin. Recs. (1403-1528) 196, 26 April 1520; *ibid.* 201, 6 Oct. 1520.
- 52 RSS i no. 3066, Glasgow, 4 May 1520. The grant is described as being made "with advice, consent and authority of the Lords regents of his realm in absence of my Lord governor...", (i.e. by Arran or Arran and the Chancellor's advice).
- 53 APS ii 298, 3 Aug. 1525. See above 207-8 and n.77, for acts against bearing weapons in Edinburgh; 'laif' = rest of, others.
- 54 *Ibid.* ii 293, 11 Jul. 1525. Arran, Finnart and Lord Somerville had all benefited from the escheat of John Somerville's goods in 1522 - hence their inclusion in the process, led by John Somerville for restoration of his heritage. John Somerville was restored by parliament in 1525 when Arran and Finnart were not present to hear all the Lords, "in one voice without variance" agreed that Somerville's respite passed after the summons had been led on him but before forfeiture had been pronounced, meaning that the latter could be annulled.
- 55 *Ibid.* 292, 293, 298-9, 10, 11 July, 3 Aug. 1525. There is no record of the forfeiture of Somerville at a parliament in 1522, but there is a Great Seal confirmation of the grant to Finnart, on that forfeiture, which was originally made on 14 Apr. 1522; RMS iii no. 276, 25 Sep. 1524. This confirmation was given at the time when Queen Margaret was attempting to ensure Hamilton support for her government.
- 56 L&PHVIII iii pt. i no. 1091, Dacre to Wolsey, 10 Dec. 1520.
- 57 James V Letters 82-3, Instructions to Aubigny and De Plains (Oct. 1520); Francis had already stated his excuse that he believed if Albany returned "internal conditions might become worse...", (*ibid.* 81).
- 58 L&PHVIII iii pt. i no. 1212, Henry VIII to Sir William Fitzwilliam, English Ambassador in France: Instructions to be declared to the French King, (Mar. 1521).
- 59 See above 259-60 and n.52.

- 60 RSS i no. 3066; RMS iii nos. 188-209. Beaton and Arran were witnesses to most of the Great Seal Charters in the register between Feb. 1520 and Nov. 1521. In addition, George Crichton, Abbot of Holyrood was described as Keeper of the Privy Seal on frequent appearances as a witness; and the Lord Clerk Register appeared occasionally - see Appendix D.
- 61 L&PHVIII iii pt. i no. 966, Hector de Vicquemare to ? (Aug. 1520).
- 62 James V Letters 80-1, Francis I to the Scottish Estates (Sep.-Oct. 1520)
- 63 'meshent' (= méchant) means bad, wicked.
- 64 L&PHVIII iii pt.i no. 1157, Sir William Fitzwilliam and Sir Richard Jerningham to Wolsey, 6 Feb. 1521.
- 65 Ibid. no. 1024, Queen Margaret to Dacre, 17 Oct. 1520.
- 66 See above 257-8 and n.47.
- 67 See above 273-4.
- 68 L&PHVIII iii pt. ii no. 1761, Wolsey to Dacre (Nov. 1521)
- 69 These events are well described in Scarisbrick, Henry VIII 74-9; but for greater detail see J G Russell, The Field of Cloth of Gold : Men And Manners in 1520 (London 1969) passim.
- 70 James V Letters 77-9. Scottish memorandum prior to the Field of Cloth of Gold (June 1520).
- 71 L&PHVIII iii pt. i no. 1183, Fitzwilliam (English Ambassador in France) to Wolsey, 27 Feb. 1521.
- 72 James V Letters 80-1; 81, Francis I to the Scottish Estates (Sep.-Oct. 1520).
- 73 Cal. State Papers (Venice) iii no. 128, Venetian Ambassador in France to the Doge and Signory, 8 Oct. 1520.
- 74 Ibid. no. 136, Antonio Surian, Venetian Ambassador in England to the Signory, 10 Nov. 1520.
- 75 Aubigny's brother, Matthew, 2nd Earl of Lennox, had married Arran's sister, Elizabeth Hamilton: Hamilton-Stewart family tree (partial):



* Arran and his sister, Elizabeth, were children of Mary Stewart, daughter of James II of Scotland.

- 76 L&PHVIII iii pt. i no. 1126, Sir Richard Jerningham and Sir Nicholas Carew to Wolsey, 8 Jan. 1521.
- 77 Ibid. no. 1183, Sir William Fitzwilliam to Wolsey, 27 Feb. 1521.
- 78 Ibid. no. 1127, Duplicate of instructions to Aubigny (Jan. 1521). These are not misplaced as stated in James V Letters 82-3 but were copied for English consumption after they had been originally issued in Oct. 1520.
- 79 James V Letters 82-3, Instructions to Aubigny and De Plains (Oct. 1520).
- 80 The reference in ibid. 82-3 to the truce expiring in six weeks places their instructions to 14-20 Oct. 1520. De Plains excuses their late arrival as due to 'various obstacles and stormy weather': L&PHVIII iii pt. i no. 1072, Jean De Plains to Dacre, 27 Nov. 1520.
- 81 Ibid. nos. 1068, 1069, John Campbell to Dacre; and the commission to the Abbot of Kelso, 24 Nov. 1520; ibid. no. 1071, James V to Dacre, 27 Nov.; ibid. no. 1075, indenture for the abstinence of peace, 29 Nov.
- 82 Ibid. no. 1071 (one hundred horsemen); ibid. no. 1078, Dacre to Treasurer of Scotland, 30 Nov.; ibid. no. 1084, Treasurer to Dacre, 6 Dec.
- 83 ER xiv 463 - payment for their expenses.
- 84 L&PHVIII no. 1091, Dacre to Wolsey, 10 Dec. 1520; Francisque-Michel, Les Ecosais en France... i 369-70.
- 85 Ibid. no. 1089, John Campbell, Treasurer of Scotland, to Dacre, 6 Dec.
- 86 Ibid. no. 1088, De Plains to Dacre, 6 Dec. 1520.
- 87 These Lords were: Andrew Forman, Archbishop of St Andrews; Gavin Douglas, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen; Edward Stewart, Bishop of Orkney; Archibald, Earl of Angus; William, Earl of Erroll; David, Earl of Crawford; James, Earl of Morton; John, Lord Glamis; John, Lord Fleming; William, Master of Glencairn; William, Lord Borthwick; Patrick, Lord Lindsay of Byres; George Crichton, Abbot of Holyrood and John Hepburn, Pretor of St Andrews. Only Holyrood was demonstrably an Arran sympathiser - see above 259-60.
- 88 L&PHVIII iii pt. i no. 1091, Dacre to Wolsey, 10 Dec. 1520.
- 89 Ibid. no. 1143, truce, 30 Jan. 1521; this followed a commission to Thomas Kerr, Abbot of Kelso, Andrew Kerr of Cessford and Adam Otterburn to treat for peace - ibid. no. 1138, 22 Jan.
- 90 James V Letters 85, Aubigny and De Plains to the Chancellor of France, 20 Feb.
- 91 HMC 11th report Appendix pt. 6 MSS of the Duke of Hamilton 33 no. 67; Arran's bond of maintenance in return is at Edin. Chrs. 204-5 no. lxxv.

- 92 RMS iii nos. 195-197 are signed at Edinburgh 20, 23, 27 Jan. 1521; none thereafter until no. 210, 6 Dec. 1521.
- 93 James V Letters 76-7. Instructions to John, Lord Fleming for France (April-May 1520). These came from the pen of Albany himself - see 77n.
- 94 W Fraser, Memorials of the Family of Wemyss of Wemyss (Edinburgh 1888) i 108: David Wemyss of that ilk; James Lundy of Balgonie; William Forbes of Reres; John Melville of Raith; John Multrar of Markinch; David Myreton of Cammo; Thomas Meldrum of Segie; Robert Durie of that ilk; Andrew Seton of Parbroath; John Beaton of Creich; John Wemyss of Lathockar; John Lumsden of Ardre; John Traill of Blebo; John Hackett of Pitfuren; Robert Ayton in Dinmuir; Robert Arnott of Pinkerton; John Seton of Balbyrne; William and James Lundy. The bond was signed at Scone where Albany's half-brother, Alexander Stewart, was Commendator - 13 Feb. 1521.
- 95 Dacre regularly refers to Arran (also James Hamilton) by his title and so this is almost certainly a reference to Sir James Hamilton of Finnart.
- 96 L&PHVII iii pt. i no. 1190, Dacre's correspondence, v, instructions from Dacre to be shown to Queen Margaret.
- 97 *Ibid.* no. 1175, Robert Stuart and Jean De Plains to Dacre, 22 Feb. 1521. The safe-conduct would be necessary because Aubigny had been born in Scotland.
- 98 Aubigny had returned to the French Court by 4 June 1521: Cal. State Papers (Venice) iii no. 230, Giovanni Badoer, Venetian Ambassador to France, to the Signory, 4 June 1521.
- 99 These Lairds were: Henry Congleton of that ilk; Robert Lauder of Bass; Patrick Hepburn of Waughton; Robert Logan of Restalrig; Simon Preston of that ilk (who held Craigmillar from 1505 - see RSS i no. 1124) and Alexander Towers of Inverleith.
- 100 Protocol Book of John Foular 1514-28, ed. M Wood (SRS 1953) nos. 227, 228 and 230, 20 and 21 July 1521; cf Edin. Recs. (1403-1528) 205-7, 20 July 1521.
- 101 This detail is added by Lesley (History 115-6), who dates the incident 21 July 1520 but follows immediately with Albany's return; cf the preferable date 20 July 1521 in Diurnal of Occurrents, 8.
- 102 James V Letters 85, Aubigny and De Plains to the Chancellor of France; De Plains to the same, 20 Feb. (1521).
- 103 Francis I regretted the Scottish failure to send Ambassadors by the end of March: L&PHVIII iii pt. i no. 1206, Fitzwilliam to Wolsey, 29 Mar. 1521; *ibid.* no. 1217, commission to Kelso et al. 1 April.
- 104 Andrew Forman, Archbishop of St Andrews died on 11 or 12 Mar. 1521 - Watt, Fasti, 297.
- 105 Calendar of the Laing Charters 854-1837 ed. J Anderson (Edinburgh 1899), no. 337, 11 April 1521.

- 106 L&PHVIII iii pt. i. no. 1212, Henry VIII to Sir William Fitzwilliam, including instructions to be declared to Francis I (Mar. 1521).
- 107 Rymer, Foedera xiii, 624-31, 2 Oct. 1518.
- 108 L&PHVIII iii pt. i no. 1199, Dacre to Wolsey, 17 Mar. 1521.
- 109 Scarisbrick, Henry VIII 88-94; cf L&PHVIII iii pt. ii no. 1462 [Wolsey to Henry VIII] (Aug. 1521), item 2: The Scots would be incited to invasion by Francis I, if Henry aids the Emperor, and Francis will send Albany.
- 110 L&PHVIII iii pt. ii no. 1581, Fitzwilliam to Wolsey, 15 Sep. 1521, mutilated.
- 111 Ibid. no. 1521 [Fitzwilliam to Wolsey] 30 Aug. 1521; *ibid.* no. 1613, Fitzwilliam to [Wolsey], 29 Sep. 1521; *ibid.* no. 1631 [Fitzwilliam to Wolsey], 4 Oct. 1521. Albany himself stated that his return took place on 18 Nov. 1521 - *ibid.* no. 1851, Albany to Henry VIII, 10 Dec. 1521. Albany's household expenses were paid from 3 Dec. 1521 - ER xiv 473.
- 112 L&PHVIII iii pt. ii no. 1761, Wolsey to Dacre, (Nov. 1521).

CHAPTER SEVEN

The Second Visit of Albany to Scotland

18 November 1521 - 27 October 1522

Albany's second visit to Scotland was marked by a continued success in domestic policy: he ended the stalemate in the Scottish government between the supporters of the Earls of Arran and Angus. It was equally marked, however, by his failure in foreign policy. He was well-supported in his swift determination to bring the Douglases into his will, an active policy which showed that he had learned from his first period of governorship, the value of speed and efficiency in knocking out potentially disruptive elements of opposition to his government. He did not enjoy the same support when he raised the host to perpetrate an attack on England. All the available evidence suggests that the Scots had come to perceive Albany as the agent of an ungenerous French King. He had come to Scotland at Francis I's request to encourage an attack on England in a complete reversal of his rôle in 1515-17 and in defiance of the reasons for his continued absence during 1517-21. Francis I, however, continued to argue that the attack was not strictly covered by the Treaty of Rouen, and to prevaricate about providing the necessary French troops and money to aid the Scottish attack.¹ This standard view of the events of the second period of Albany's regency is the only one which fits the available evidence.² Thus the failure of the host to do anything significant during its trip to Solway in 1522 was explained in rumours which came back to Scotland that the ill-defended city of Carlisle had had to buy its safety from attack.³

In reality, Albany's inquiries about the powers Dacre might have to make a truce before the host had even mustered,⁴ indicate that he was less than confident about his ability to inspire a spirit of attack. The deference of/

deference of both sides to Queen Margaret's entreaties for peace reflects the inability of either to feel certain of success in battle. The rumour which had been relished in England, before the Scots host had marched anywhere, was that there was no man, woman or child "...which crieth not a vengeance on him [Albany] and would fain have him gone..."⁵ Albany departed soon after the failed raid had caused the disbanding of the host. He went back to France to persuade Francis I that unless a large body of French troops was sent to form the backbone of an army to attack England, then any hope of diverting English attention from continental adventures to its northern frontier could be forgotten.

The second period of Albany's direct regency was a time when foreign policy came to dominate the government's attention, after the brief early months which were spent knocking out the Douglas challenge. This was also helped by the fact that Albany now enjoyed the complete confidence of Queen Margaret for the only time during the minority of James V. He was in a position not only to further her divorce from the Earl of Angus, through his family connection with Pope Leo X, but also to help her obtain payment of her conjunct fee. The chance to be closely involved in government again was a prospect in which Margaret could not refrain from delighting.⁶ The support which she rendered to Albany was evidently too easily given for English sensibilities, and produced the shocking charge of Margaret's adultery with Albany, which was repeated around the Courts of Europe.⁷ This charge is unproven though it seems scarcely in character for Albany, and the importance of the claim lies more in the proof it provides of English desperation to be rid of Albany.

Albany returned to Scotland in mid-November 1521 and, landing on the west coast, he rode to Stirling to join forces with Queen Margaret.⁸ Together, they travelled on to Edinburgh,⁹ where Margaret gave a public indication of/

indication of the new relationship between Albany and herself. James V was still being kept in Edinburgh Castle. The Captain of Edinburgh Castle was commanded by Albany and Margaret to bring out the keys of the castle, symbolising control of the King. Albany handed the keys to Margaret, signifying that she had free disposition of the control of her son; Margaret immediately gave them back to Albany, symbolising her trust in his rule.¹⁰ This ceremony set the tone for the government during the next few months.

Angus and his supporters had already fled from Scotland to seek the protection of Lord Dacre, who was accused of granting them refuge at Wark, though in fact they stayed in Scotland at the Kirk of Steel.¹¹ This allowed Dacre to deny any knowledge of the rebels,¹² but the Kirk of Steel was near enough to the Bishop of Durham's castle of Norham to allow Dacre to give them protection. Angus, himself, was undoubtedly at the Kirk of Steel on 13 December 1521, from where he wrote to Wolsey asking him to give credence to his uncle, Gavin Douglas, Bishop of Dunkeld. The latter wished to travel to the English Court to put the case against Albany before Henry VIII.¹³

Albany had brought back from his visit to Rome in 1520, not only the good wishes of his kinsman, Pope Leo X,¹⁴ but also a summons on Gavin Douglas, Bishop of Dunkeld to force him to answer before the Pope for his conduct in taking part with the rebels, including David Home, formerly of Wedderburn, contrary to the interests of peace.¹⁵ This summons was first mentioned only in December 1521, suggesting that Albany had held it in reserve as an aid to attacking the Douglas influence. It was mentioned just at the time when Dunkeld departed to take the complaints of Angus and his allies to the attention of Wolsey. Albany could not possibly have obtained the summons between his arrival in Scotland and the first mention of its/

of its existence less than a month later. The implication is that Albany returned to Scotland already prepared to attack the Douglas influence. Albany wrote to Henry VIII to protest against any English reception of the Bishop, who had left Scotland without the proper authority.¹⁶

Wolsey and Henry VIII were not predisposed to listen to Albany's protests nor equally to listen to Margaret, whose name was already linked with Albany. She had written to Dacre stating that Albany had come to Scotland only for the good of the realm and to help her be answered of her conjunct fee. She felt unable to do anything without Albany's advice but knew only too well that Dacre spread malicious reports against her. It was Margaret's determination to be separated legally from Angus which allowed so many of these rumours to flourish, and her accusation to Dacre of helping Angus to the detriment of her cause was not a point calculated to sway his opinion in her favour.¹⁷ She further argued in a letter to her brother, Henry VIII, that Albany had come to remedy the deficiencies in good rule and justice within Scotland which had flourished while Angus had remained at large.¹⁸ The malicious rumours continued to spread, however, and the Bishop of Badajoz passed on the gossip from Rome to the Emperor Charles V which expressed the view that since Albany had been so accommodating in trying to procure Margaret's divorce, it was only natural to suspect that he intended to marry her himself, get rid of James V and make himself King.¹⁹ These rumours evidently originated with Dacre and his spies. Dacre asserted in mid-December 1521 that Albany betrayed his ambition for the crown by referring to 'our' warden, and 'our' parliament, and added the juicy rumour that Albany had expressed a wish to see him [Dacre] killed.²⁰ This fear had evidently subsided by the time the two men met face to face at Solame Chapel to conclude a truce in September 1522. Nevertheless, the English continued to supply such rumours to their allies and Charles V's/

and Charles V's Ambassadors in England reported that it was believed Albany aimed not only at the Scottish crown, but also at the English throne, in Margaret's right, should Henry die without male heirs.²¹

By mid-December Albany's actions since his arrival in Scotland had already shown that he had learned from his first experience of government in 1515-17. He had obtained the support of the Hamiltons and their allies by appointing Arran as Lieutenant-General of Scotland, second-in-command to Albany.²² He had moved straight to an attempt to divide the opposition. Margaret, who was very close to him at this stage, had written to the Homes offering to have George, brother of the executed Lord Home, restored to the title and lands. This remarkable offer was rejected at this stage, but it was during his second regency that this restoration was carried out. Angus and the Homes were still offered shelter by Dacre who promised Wolsey that it would take only 400 men together with the disaffected Scots Lords to invade and take the East and Middle Marches as far as the gates of Edinburgh, despite Albany and his supporters.²³ This was the sort of bravado which was guaranteed to win favour from the English Court in London but in practice would have proved impossible. The truth was that Angus and the Homes had been successfully isolated in Scotland as Albany was able to demonstrate in the months after February 1522.

Gavin Douglas, Bishop of Dunkeld, reached the English Court at Christmas 1521 and presented his instructions from Angus, Home and Somerville. These had been subscribed at the Kirk of Steel on 14 December, and they brought to the English attention principally the long-standing suspicion of Albany as nearest heir to the throne having control of the King and making pretensions to the crown. To this was added the new suspicion of Queen Margaret who was so close to Albany that she was always in his company either in the morning or afternoon. She had obtained favour, /

favour, through their intimacy, for clerics she wished to have promoted - especially James Beaton (a vehement opponent of the Douglasses), to the Archbishopric of St Andrews. Albany had written in his favour for this promotion as soon as he landed in Scotland.²⁴ Finally, Angus, Home and Somerville swore before Dacre and the Bishop of Dunkeld not to take any part with Albany because of the suspicions which pertained to his intentions. Dacre in his added remarks, called for £1000 to be spent on making raids into Scotland, to disrupt Albany's rule; another example of the bravado which he found it impossible to match when the reality was forced on him in September 1522.²⁵

Gavin Douglas then added a full list of complaints against Albany and the fifteen points enumerated in his charges represent the basis of the entire English case against Albany. In many cases the actual facts of the charges are indisputable; it is the interpretation which was put on Albany's reaction to them which could suggest that his rule was bad for Scotland. As the charges represent the basis for all of the arguments which the English used throughout Albany's governorship of Scotland, it is worthwhile discussing them in detail.

1. Albany had no inheritance from his father in Scotland or France. His father died, banished, as a rebel to the crown. Therefore, he is incapacitated from being the King's tutor or holding any office.

The fact that Albany's father had been a rebel did not alter the basis on which Albany had been accepted as Governor, viz. that he was the King's nearest male heir. In addition, he was implicitly restored to his father's estates in Scotland in 1516.²⁶

2. He is a vassal of the French King and Scottish interests will therefore be subjected to French interests.

Due to the estates which his wife held in the Auvergne, Albany was a vassal of/

vassal of the French King.²⁷ The Scots Lords preferred his rule to that of the Douglasses in 1521-4 but the failure to attack England twice, shows that they were not blind to what were Scottish interests and what were merely French interests.

3. His removal of James V from Stirling to Edinburgh endangered the King's life, and now he intends to return him to Stirling in order to control that castle, along with Dunbar, Dumbarton and Inchgarvie.

4. His financial affairs are ruining the Scots' Treasury, specifically by paying French 'wagers';²⁸ by paying DeLa Bastie and Arran as Lieutenants;²⁹ by appropriating French money sent to Scotland; by making livery clothes out of royal gowns and hangings; by having control of the minting of money;³⁰ and by selling royal ships and jewels worth over 300,000 francs.³¹

Albany's governorship did cost a lot, but again it was only a matter of interpretation as to whether or not he provided value for money.³²

5. and 6. Albany enjoys free disposition of lands fallen to the crown by wardship or forfeiture, e.g. Drummond,³³ Crichton of Sanquhar,³⁴ Barnbogle,³⁵ and Inverugy.³⁶

This was an obvious point to make but whoever had control of the government always enjoyed this privilege. It was the perennial cry of those 'out of favour' with the government of the day to claim that their patronage was going to the wrong people.

7. Albany's presence in Scotland impedes justice, as appears by the slaughter of Lord Home, and the fact that he maintains the Queen against her husband.

A comparison of the 'Acts of the Lords of Council' for the period 1515-17 to that of 1517-19 proves that Albany's physical presence fostered justice in civil causes. Lord Home was executed for renewing opposition to Albany after giving an oath to be loyal. Albany's undeniable support for Margaret against/

Margaret against Angus could only be said to impede justice if she had no just cause to be separated from Angus. This was again a matter for political interpretation.

8. Albany sells benefices and has taxed the whole realm for £25,000 Scots.³⁷

9. The appointments of Barton as Comptroller and John Campbell as Treasurer had led to a royal debt of £12,000. The King was not properly clothed and it was rumoured that his brother, the Duke of Ross, died from want of necessities, or was poisoned.

Debts certainly mounted up but these were due to failure of effective government ensuring payment of royal dues. The Treasurer's Accounts give ample records of expenditure on royal clothing.³⁸

10. All of the foregoing charges ought to remind everyone of "the cruel example of King Richard", and prevent the rule of the next heir to the crown.³⁹

11. Even if Albany's father had not died a rebel, Albany had an older brother able to marry and therefore able to succeed his father as heir.

Alexander Stewart had voluntarily given up his rights in 1516, accepting his illegitimacy.⁴⁰ He may have been able to marry because he was not in full religious orders, but in order to do so, he would have had to surrender his rights as Commendator of Inchaffray and Scone.⁴¹

12. Even if Albany had been properly authorised as Governor in the past, he had been given until Lammas Day (1 August), 1521, to return to Scotland or forfeit his authority, a promise which he had not fulfilled.

Albany again failed to return by the specified time in 1523,⁴² but the general perception on both occasions was that Albany clearly would return within the foreseeable future.

13. James Beaton, Archbishop of Glasgow, intended the crown to go to his great-nephew, /

great-nephew, son of James, Earl of Arran,⁴³ because he made reference to seeing a crown on the child's head when he baptised him.

This is the only authority for this statement, but if it was true, it was not necessarily, nor even probably, treasonable, because all of James V's brothers and sisters had died young; Albany had been married for several years and had still had no children. These were the only lives between Arran and the crown.

14. and 15. In the reign of Alexander III and after, the King of England interposed himself in person in Scottish affairs. The same should be done now.

Dunkeld obviously hoped that Henry VIII would be moved by all of his complaints to sanction an invasion force to drive Albany from Scotland and impose a friendly government of Homes and Douglasses in Edinburgh. Henry may have felt that such a change was desirable, but he had already expressed his fears about overextending his resources at a time of war on the Continent.⁴⁴ Certainly no active steps were taken to mount such an invasion.

The whole thrust of these charges can be summed up by saying that in the opinion of Gavin Douglas, Albany was unfit to be Governor, because his rule was illegitimate; conducted in the French interest; to the financial detriment of Scotland, and to the detriment of good government. All of the charges, however, stand on political interpretation. Dunkeld's complaints form a classic litany of the 'outs', trying to rewrite the rules of government, which once they became 'ins', they would do their best to uphold. He may have been welcomed at the English Court, but only because it was politically advantageous for Henry VIII to have arguments to use against Albany. The practical effects of these complaints were minimal since Albany retained control of the Scottish government, while Dunkeld never returned/

never returned to Scotland, but died in exile in England, deprived of his See for his treachery.⁴⁵

Albany's supporters at this time are known from Great Seal Charter witnesses, and from those entrusted in a safe-conduct to go to England as his representatives. This gives a total of twenty leading councillors who supported the Albany régime, and there seems to be little doubt that this was only a small proportion of the overall support which Albany could command.⁴⁶ A representative sample of this support replied to Henry VIII's demands that Albany be deprived of authority and forced to leave Scotland. The Chancellor and three estates of the realm stated their belief that Albany was the lawful tutor of their King. He had never acted with impropriety and the Lords wondered that Henry should believe Albany.

" 'quha hes bene nuryst with sa grete honor, and had sa tender familiarite with Popis and gretest princis', could imagine any harm against their sovereign's person or induce the Queen to leave her husband..."

They praised his virtue and diligence and stated that since Henry apparently preferred to believe sinister reports of Scottish traitors (i.e. Gavin Douglas), they did not see what love could exist between Henry and his nephew. They refused to dismiss Albany unjustly.⁴⁷

Such a spirited defence of Albany's rights reflected the spirit of the Lords who had become so active in the early part of 1522 in trying to destroy any influence which the Douglas opposition still maintained. On 1 January 1522, Gavin Douglas complained to Wolsey that the Duke sought, 'his destruction and the extermination of all his kin'.⁴⁸ This was true in the metaphorical sense of destroying their influence, though not literally in the sense of execution. Gavin Douglas was likely to be deprived of his benefice for treason. Margaret informed Wolsey on 6 January that Albany had granted her the disposition of the nomination of the man to succeed Gavin Douglas/

Gavin Douglas at Dunkeld. Margaret blamed Gavin Douglas as the cause of all dissension in the realm and stated that, "... sen I helped to get him the benefice of Dunkeld, I sal help him as viel fre the sam..."⁴⁹

The Parliament which was held in February 1522 not only defended Albany's right to be Governor, but also the Lords showed their determination to give full support to Albany in his campaign to extirpate the Douglas influence. They proposed the forfeiture of the traitors who had opposed Arran's rule as the deputy of Albany in 1519-21. The Lords ratified the decret which deprived Gavin Douglas of the bishopric of Dunkeld on 21 February 1522.⁵⁰ Next, they ordered that the Earl of Angus and his brother, William Douglas, whom he had intruded into the Priory of Coldingham, should be sent into exile in France, to join their brother, George, who had been sent to France in 1518.⁵¹ On 7 April 1522, the three estates proceeded to the forfeiture of John Somerville for his part in the battle in the High Street of Edinburgh and the crimes which followed therefrom.⁵² Unless Albany had actually been able to gain control of these people, such forfeitures would have counted for little, except in the case of Gavin Douglas who could not have collected the dues of his bishopric from England. In Angus's case, only exile would remove his influence from the Borders.

The Lords had been ready to move by 15 January⁵³ and had reached Dunbar by 21 January.⁵⁴ Dacre's fears of an attack on Berwick were allayed on that day by the departure of some of the Scots Lords but, in fact, it seems very probable that the raid had never been intended to reach England as the Captain of Berwick, Sir Anthony Ughtred, made clear to Wolsey in a letter of that date (21 January).⁵⁵ Albany had used the support of the Lords to seize Tantallon Castle which was one of the principal Douglas strongholds near Dunbar. In this action he had been supported by the Earls of Arran, Lennox, Huntly/

Lennox, Huntly and Argyll.⁵⁶ Besides this, Albany issued a threat to do great harm to Angus's supporters and this position of strength induced Angus to surrender himself into Albany's care. The figurehead of the opposition was thus knocked out of prominence and the early burst of activity saved Albany a great many difficulties later in planning an attack on England. The surrender of Angus was followed by the summoning of the February Parliament to decide what to do to end his potential threat to any Scots government's border policy. Although Dacre suggested that all was not lost for the English as the Homes would never be reconciled to Albany, this was both a vain hope and an ineffectual prop for Dacre's policy so long as it lasted. Effectively it had been the combination of Douglas support and stalemate in Scottish government which had allowed the Homes their limited successes in 1520-21 and with the loss of that support and in the face of a newly-strengthened Scottish government, their chances of seriously disrupting or preventing the gathering of a Scottish host on the Borders were severely curtailed.⁵⁷ The loss of the Douglas figurehead by Angus's defection was greeted by Gavin Douglas with remarks to the effect that Angus had no doubt been deceived by fair words from Albany, but nevertheless he was condemned as a "young, witless fool" for thus playing into Albany's hands.⁵⁸

The events which followed the surrender of Angus were recorded by the English Herald, Clarencieux, who had come to present Henry VIII's letters of displeasure against the Scots for allowing authority to Albany and against Margaret for supporting him.⁵⁹ One of Henry's ideas for getting rid of Albany had been to call on Francis I to forfeit the estates which Albany held in France in order to prove that Francis really had not sent Albany to Scotland as he claimed.⁶⁰ While Francis continued to prevaricate,⁶¹ the English Herald was left in no doubt of the affection which the/

which the Scots felt for Albany as the letters to Henry VIII confirmed. Nevertheless, Albany felt it necessary to repudiate any question of a desire on his part to procure Margaret's divorce in order to marry her:

"... he swore by the sacrament that he saw between the priest's hands that day, and prayed he might break his neck if ever he minded to marry her. He had enough of one wife..."⁶²

The parliament assembled on 3 February and it was made clear at the start that the raid on Tantallon had just been a preliminary to a more serious raid which would cross the Border. Clarendieux knew that at that stage, Albany's ordinance was at Dunbar⁶³ and the attack was confidently expected on the East March where Wark and Norham would need better defence.⁶⁴ Even if peace was maintained in the Merse, Dacre suggested that a garrison of 500 men would be needed for the Eastern March to be safely protected.⁶⁵ The estates gave a clear indication of their support for Albany by their spirited defence of his position as Governor on 11 February⁶⁶ and Dacre confidently expected this support to extend to active mustering when the Parliament rose at the end of February for an attack on the Marches to destroy the last vestiges of Home opposition. In order to obviate the danger to the English defence of Wark, Norham and Berwick if Home and other castles fell into Albany's control once more, the Homes agreed to destroy the weakest of their own castles and to allow English garrisons to man the stronger, and more easily defensible castles. Their influence over Coldingham Priory was also at this stage strong enough to allow them to talk of surrendering it to Dacre as well.⁶⁷

The first slight indication comes at this time that, although the Scots would defend the right of Albany to govern, to the last drop of ink in letters to Henry VIII, they were not so willing or prepared to follow him into needlessly aggressive war. The efforts made by Albany, Arran and Maxwell against the Borders in late February and early March were unable to secure a/

secure a conviction on the part of the Scots Lords in general that they were necessary, and certainly this ruled out any possibility of an early attack on England. Ironically, the removal of Angus to France would only serve to undermine further the Scots' belief that war with England was necessary since her own borders could now be safely and securely defended.⁶⁸

It was still in the best interests of the Scots, however, to be prepared to meet and repulse English raids into Scotland and one in April 1522 led to the sending of a strong body of Lords to guard the Borders. The leaders were Lords Fleming, Erskine, Seton, Hay of Yester, Livingston, Somerville, St John's, Avandale, the Master of Borthwick, the Master of Hailes and Sir James Hamilton of Finnart.⁶⁹ These men all represented the anti-Douglas interest except Lord Hay of Yester (who was related to Angus by marriage) but he had not been one of the most closely identified with Angus in the period 1520-21 and his home area was near enough the Border to ensure his interest in its defence. This adds still more to the list of supporters on whom Albany could count in his successful moves to destroy the opposition in Scotland to his rule.

Angus had surrendered and with his brother, William Douglas, who had been trying to obtain rights as Prior of Coldingham, was sent to France in March 1522.⁷⁰ It seems unlikely that the parliament actually forfeited Angus because there was no division of his lands nor was it deemed necessary for there to be a formal restoration on his return to government after February 1525.⁷¹ His exile in France was reckoned to be safe enough to remove his influence. The Lords later in April 1522 proceeded against John Somerville of Cambusnethan who had been one of those most closely identified with the Douglas interest in 1520-21. His forfeiture and the division of his lands among Arran, Lord Somerville and Sir James Hamilton of Finnart brought his influence to an end.⁷² Others were obviously more easily reconciled/

easily reconciled to the new government of Albany and they received remissions. William Cockburn of Langton had been one of the principals involved in the murder of Seigneur De La Bastie in 1517 but whatever desire for revenge Albany may have felt at the time was long forgotten in the necessity of achieving successful government in 1522, and Cockburn obtained his remission.⁷³ Another whose support had been less visible in the earlier records but who evidently sought to give his support to Albany quite early in 1522 was Nicholas Ramsay of Dalhousie.⁷⁴

In the face of all this success in winning backing for his campaign to rid Scotland of the irreconcilable elements opposing his government, the difficulties which Albany was in fact facing in pursuing a policy of clearing the Borders to facilitate an attack on England, can be only dimly perceived through the reports of others. Albany seems to have been either ill or in seclusion to decide his future from the end of April to mid-May 1522, for it was reported that he "... kept his chamber" and saw only a favoured few of the Privy Council including especially the Chancellor, James Beaton. After that, Albany had renewed preparations for war which once again provided unfounded fears for the Captain of Berwick.⁷⁵ The Bishop of Carlisle went on in a further communication to suggest that Albany was dispirited by the failure of his ability to instil a martial spirit in the Scots Lords and that he would use the host merely to make some small attack on Home castles in the Eastern March, and then leave Scotland.⁷⁶

This failure on Albany's part to persuade the Scots Lords that war was in their best interests was not completely his blame. On returning to Scotland, he had in December 1521 confirmed the Treaty of Rouen,⁷⁷ and Francis I added his own confirmation under his Great Seal on 13 June 1522.⁷⁸ Yet the Scots were left in all too little doubt that the use by Francis I of 'realpolitik' and the prevarication and lack of aid which this produced meant that/

meant that the Treaty, as a useful offensive alliance against England, was practically worthless. Francis I sent small amounts of aid and nothing near the agreed terms of the Treaty of Rouen,⁷⁹ excusing his actions in August 1522 on the grounds that the present conflict between England and Scotland did not come under the terms of the Treaty of Rouen.⁸⁰ This mean-spirited interpretation of a conflict which would have been to no small advantage to Francis in keeping some of the English forces on the northern frontier, meant that it was little wonder the Scots were wary of making an attack. At the same time that Francis was confirming the Treaty of Rouen, he was offering a truce to Charles V in Italy provided that England agreed to a truce with Scotland, following which he would force Albany to leave Scotland. This proposal foundered on the English insistence that Albany go from Scotland first.⁸¹ Henry VIII's continuing belligerent postures⁸² could not persuade the Scots that attack was the best form of defence and Albany was working to raise an attack under overwhelming odds against his success.

The stage had been set by mid-June 1522 for a conflict which both sides earnestly sought to avoid. Indeed, the Scots sought an abstinence from war as early as the end of June after their manoeuvres of that month had seen the host muster at Haddington, though again without threatening to move to an attack on England.⁸³ Dacre's reply to this offer of abstinence maintained the stock English reply - that there could be no peace between the two countries while Scotland retained Albany's personal presence. Dacre dropped a hint to those who might more easily be persuaded by personal interest and future prospects of success, than by any unshakeable loyalty to the French alliance, that it would be wise for them to remember,

"... not only the nighness and proximity of blood betwixt them, but also, for lack of issue of my said sovereign [Henry VIII] ... your sovereign [James V] is heir apparent to this realm..."⁸⁴

This was an argument which would be amplified and renewed in 1523.⁸⁵

Nevertheless/

Nevertheless, Albany remained determined to persevere in keeping the Scots prepared for war. Renewed calls were made for the making of 'wappin schawings' throughout the country and further evidence is provided by the discussions of the renewed Parliament which followed in July and early August 1522.⁸⁶ It seems evident from the reports of this Parliament that Albany delivered an ultimatum to the Lords of Scotland, that he would abandon the Scots for good if they did not agree to be guided by his recommendations in preparing for an attack on England, a threat which he backed up by beginning to build up stores on his ships in the west of Scotland.⁸⁷ The ultimatum evidently worked because the Lords voted for a tax to fund the war and agreed to have the host convene on Roslin Moor on 1 August, with special commandments to everyone in Scotland to attend on pain of loss of life, lands and goods.⁸⁸ In order to encourage attendance, the now usual custom of renewing the provisions of the Act of Twizelhaugh which provided safety for heirs of those killed from the need to suffer wardship or relief, was enacted.⁸⁹ A slight indication of the fact that Albany may have enjoyed support from men lower down the social scale, as opposed to the principal Lords of Scotland, is given by the fact that this time the provisions of the Act were also extended specifically to vassals and tenant landholders whose wives and children would be allowed to 'brook' their lands for five years without paying the 'grassum' or principal rent, only the mail dues and services owed, if the vassal or tenant landholder died under the royal banner in the host against England.

Shortly afterwards, the attack was postponed until the beginning of September but this probably only signifies a need on the Lords' behalf to have more time to prepare for the host,⁹⁰ rather than a renewed obstacle in the path to raising the host - the ultimatum seems to have worked because the Scots Lords did not want Albany to leave Scotland again at this stage, even if/

even if they did not fully support his plans. The Lords agreed also that the King should be removed from Edinburgh Castle, as being too vulnerable to attack from the Borders, and placed once more in Stirling Castle in the keeping of Lord Erskine.⁹¹ The plan to put him in Stirling had long been aired,⁹² and although the English report stated that it was suspicious for the King to be left in the sole charge of Lord Erskine, this was not the case. The ordinance for the keeping of James V made provision for the guarding of the King not only by Erskine, but also by a body of guards headed by the Captain of the Royal Guard, Alan Stewart (though he, too, being so completely indebted for his advancement to Albany would not be considered either safe or impartial as a guard for the King by the English). In addition, James was to have a regular household including a priest, a cook and all other necessary supporters and elaborate precautions were to be taken by Erskine to ensure against the possible attempted kidnap of the King.⁹³

The Lords went further in their backing of Albany's authority by accepting and authorising the attack made by the Earl of Arran on the lands belonging to Sir John Somerville of Cambusnethan which had been assigned to him after the forfeiture of Somerville in April. Somerville himself had retired to Wedale (to the north-east of the Merse) in July and to Blackadder by the beginning of August.⁹⁴

Finally, Philip Dacre's informant also told him that the Scots Lords had agreed to do as the Duke of Albany advised concerning the Homes. David Beaton was to be sent to them with an offer and Philip Dacre says no more beyond the fact that the Homes would never trust Albany. There had been earlier talk of an offer to restore George to the lordship of Home forfeited by his brother.⁹⁵ Also, nothing had been done through the spring and summer of 1522 either to remove the Home influence by capturing them or to give them/

give them remissions, when all other principal recalcitrants had been dealt with. Now it is quite clear that the Lords had been persuaded by Albany that any attack on England would have to be safeguarded by a preliminary removal of the possibility of a Home counter-invasion of Scotland. Thus the way to separate the Homes from their English allegiance - at least long enough to safeguard an attack on England - was to offer the restoration of George Home to those lands and offices which his brother, Alexander, the late Lord Home, had held before his forfeiture, and remained in royal hands. This included restoration for George Home as Bailie of the Nunnery of Eccles;⁹⁶ Bailie of the Priory of Coldingham⁹⁷ and as tenant of the lands of Greenwood under the superiority of William Turnbull of Minto.⁹⁸ Further, in September, Lord Borthwick was directed to accept George, Lord Home, as tenant of the lands of Hoscote, Roxburghshire.⁹⁹ Although 'Lord Home' was not confirmed in his restored title by parliament until long after,¹⁰⁰ the restoration had been accomplished 'de facto' in time to prevent a Home attack in the East Border while the army had been strategically diverted to the western March. The restoration of Home interest in Coldingham was of particular significance since it gave recognition on the part of the other Lords and Albany, that Home influence in the area had remained strong enough to prevent any successful entry for a Prior who was not in their interest.¹⁰¹

The English were not going to allow such useful troublemakers to be bought so easily, however, and letters patent from the English Chancery at Westminster recorded English gratitude to them for their allegiance to the King of Scots and for taking his part against Albany. These letters promised that England would not make peace (and the letters are included with formal commissions relating to the outbreak of war between England and Scotland), unless Albany was out of Scotland and the Homes restored to their former honours.¹⁰² This ploy did not succeed in preventing the rapprochement of/

rapprochement of George Home with Albany.

Relations between England and Scotland had reached a critical juncture by the end of August 1522 with the Scots preparations for war going ahead as planned. All culverinars and hagbutters (i.e. people capable of using guns) were summoned to be with Albany on 31 August from the Borders and Central Scotland.¹⁰³ In addition, there were general letters of inhibition proclaimed at Haddington, Selkirk, Lauder, Kelso, Roxburgh, Edinburgh, Peebles and Dumfries to prevent any intercommuning between Scots and English under pain of death.¹⁰⁴ There had, however, already been another small indication, to add to the extension of the Act of Twizelhaugh to all vassals and tenant landholders, that all was not going to plan for Albany. The Governor offered a general respite to anyone willing to serve in a footband, charged to pass in the 'west land' where Albany was a few weeks later to take the host (that is to the Western March). This was to apply to anyone coming from north of the River Tay or Fife, Menteith, Perth, Strathearn and Clackmannan. Reliance on such a footband adds weight to the belief that Albany did not feel he could trust the Lords who would form the bulk of the host to attack as directed.¹⁰⁵

Nor surprisingly, in the few weeks before the armies were mustered, it was the diplomatic negotiations between England and Scotland which provided a focus for their tensions. Albany had already sought a truce on 26 August, just a few days before the army was due to muster. However, relations were strained by the English treatment of Carrick Herald, one of the Scottish messengers. Dacre had apparently caught the Herald in some fairly amateurish attempts at spying - he had opened letters addressed to the English messenger, Clarencieux, with whom Carrick had travelled, which related to the state of fortifications at Berwick. Dacre had, as a result, detained Carrick and threatened to make the Scots pay a ransom for his release/

release though he eventually let him go without payment.¹⁰⁶

The indications that Albany was in a difficult position if war became certain - or rather if it became certain that he would have to try to lead an attack across the Border - were further reinforced, therefore, by the fact that Albany sought to know what powers Dacre had to make an abstinence of war before the Scots' host had even assembled. The Scots had not received a great deal of aid from France, the Douglas opposition was broken, and even the Homes were on the point of being reconciled to Albany's rule - it may well have been difficult for them to see any advantage in attacking the north of England.

Despite the statement by the Captain of Berwick, Sir Anthony Ughtred, on 29 August, that Lord Dacre had full powers to make abstinence of war on behalf of England, the convoluted statements of Dacre himself on the subject boil down to the basic facts that he had no formal power to conclude a truce but that if the situation demanded it, he would undertake to prevent any attack on the English side and be personally responsible for the maintenance of truce on England's part.¹⁰⁷

The course of the events of the next two weeks is clear enough. The answer from Dacre had originally been too equivocal to prevent the actual mustering of the Scots' army at Roslin Moor on 2 September.¹⁰⁸ On the following day, Albany gave answer to Queen Margaret, who had joined the voices calling on him to prevent war with England as not being in the best interests of Scotland, that if no further aid arrived from France, he would agree to a truce for up to two months during which time a sufficient embassy would be sent from Scotland to take a full peace with England.¹⁰⁹ The Scots army advanced to Home Castle with Arran as leader of the vanguard, but this move to the eastern border was just a strategic feint on their part and the Scots army wheeled instead towards the west, intending to attack Carlisle.¹¹⁰ Albany himself/

Albany himself was at Dumfries on 7 September and by that time Dacre, realising what was happening, was in Carlisle.¹¹¹ He was evidently aware that he had been outmanoeuvred and was in trouble if the Scots attacked. George Talbot, 4th Earl of Shrewsbury, the English Lieutenant-General was only at York on 8 September, from where he informed Henry VIII that Carlisle was defenceless and, although he had been able to send some men to help Dacre, he could not afford to send his ordnance from Nottingham nor pay for the men still with him at York to go forward. He begged that he might not be condemned for negligence because he fully intended to advance when he received the money to pay for such a move. The fear of being accused of negligence was very pertinent because a successful Scots' attack would have reflected badly on him when he had the means to remedy the fact that Carlisle was a "town and castle ... weak in walls and ditches and wanting in ordnance..."¹¹² Dacre himself explaining the moves he had made to avert a Scots attack described the certainty which he felt that if the Scots had persisted in their attack, Carlisle and all Cumberland would have been destroyed.¹¹³

Of course, Dacre had every incentive to magnify the Scots' ability to cause great damage to England since he had been forced to accept a truce because the English troop preparation was in total disarray.¹¹⁴ Also, Shrewsbury had the incentive to do the same to avoid a charge of negligence. Therefore, there are less grounds than usual for taking their statements at face value, especially when Dacre rated the relative strengths of the two armies at 80,000 Scots against 16,000 English. Although the rumour which the contemporary, Adam Abell, picked up was that Albany was bought off with promises of money to avoid an attack on Carlisle,¹¹⁵ the facts of the situation seem to be fairly straightforward. On the one hand, the English were ill-prepared for a full Scottish attack and had been tactically beaten by Albany's/

by Albany's decision to switch to the West March. The rivalry between the men of Cumberland and those of Northumberland and Durham proved to be too great to allow a swift English redeployment of forces. On the other hand, the Scots Lords were unwilling to follow Albany in an attack across the border which was perceived to be an action taken solely in the interest of keeping English forces occupied on the northern frontier to relieve the pressure on France, on the Continent.¹¹⁶

It was standard for truces to be concluded at the behest of Queens¹¹⁷ and Margaret had soon begun to lose her enthusiasm for Albany's presence in Scotland when it became clear that he wished to attack England. She believed that such an attack was not in Scotland's best interests and in the circumstances she was used by both England and Scotland as an excuse to conclude the truce which both earnestly sought as the two armies drew near Carlisle on the western border.¹¹⁸ The final negotiations for the truce were made on 10 September, just over a week after the Scots army had marched from Roslin Moor and on the following day, Lord Maxwell and John Campbell of Lundy, the Scottish Treasurer, came as hostages to Carlisle while Dacre went to meet Albany and the Scots at Solame Chapel.¹¹⁹ The two men met at 7 a.m. and concluded an abstinence from war for one month (that is to 11 October) with Sir Christopher Dacre and Lord Maxwell standing as mutual sureties for the maintenance of the truce.¹²⁰ Dacre's account of what followed is necessarily deserving of close scrutiny because it was part of his overall justification for having acted contrary to all Henry VIII's earlier statements that there would never be peace with Scotland while Albany was present and in a position of authority, but the sense behind it again concurs with the overall impression of reluctance on the part of the leading Scots Lords to go forward with the attack. Dacre said that after taking the truce he had said to the Scots Lords and Albany:

"... My Lord,/

"... My Lord, what displeasure has my sovereign done unto you, that ye with this great army comen hither to invade his realm? Marvelling that all ye my Lords will be aiding to the same..."

This, he stated, caused Huntly, Argyll, Arran and others (being the principal members of Albany's Council) to state that they would rather have peace than war with England.¹²¹

The lateness of the season by the time the initial abstinence ran out made it more than likely that no campaigning could be done during that winter but conflict was not yet beyond all bounds of possibility. Albany had dissolved the feudal Scots host immediately after taking the peace with Dacre,¹²² and he must have decided at that time to return to France for a short while in order to convince Francis I of the necessity for a larger French force coming to Scotland if anything was to be done against England in the following year. Wolsey, however, far from viewing Dacre's action with displeasure for taking peace without the formal authorisation of Henry VIII, thought it a 'felix culpa' and a most 'politic' plan. He argued that, on the one hand it had removed the immediate threat of a Scots' invasion from the northern frontier of England, while on the other, it allowed England a free rein to attack Scotland at any time which Henry chose (since Dacre had had no authority to conclude or guarantee a truce). Wolsey percipiently also noted that it left Henry free to attack France because Albany's authority with the Lords had been seriously weakened.¹²³ Wolsey did not miss the opportunity to crow to the Earl of Surrey that the French would take little comfort from the news of Albany's exploits.¹²⁴

The retreat of the Council and Margaret to Edinburgh led to renewed efforts by Margaret on behalf of continued peace. On 24 September, she wrote to Henry asking him to agree to an abstinence from war for several months - in fact to St John the Baptist's Day (24 June 1523).¹²⁵ This would allow enough time for a sufficient embassy to come from Scotland to conclude a full peace/

a full peace with England. The reply to this was very slow and in fact on 9 October, two days before the original month-long abstinence was due to run out, but with neither side prepared for war,¹²⁶ Dacre agreed to prevent all hostilities for a further twelve days to allow an answer to be returned.¹²⁷ The answer was mostly negative since Albany had asked for a comprehension of France in the truce to St John the Baptist's Day, which was not acceptable to the English because it reduced their options on an early attack on the Continent. Wolsey instead offered a truce, without comprehension of France, for three months to 31 January 1523, but agreement was far from certain even up to the time when Albany was about to leave Scotland.¹²⁸

The movements which Albany made in the middle of October, confused the English spies who half suspected a renewed attack across the border, this time on Berwick. In fact, these movements were almost certainly preparations for Albany's early departure from Scotland to France.¹²⁹ He was out of step with the leading members of his Council at this stage, and a further hint of this is given by Lord Dacre in a letter to Wolsey of 20 October. In this, Dacre proposed to extend the truce for a month in order to find out whether or not the Lords of Scotland were 'in league' with Albany.¹³⁰ The fact of Albany's hasty departure at the end of October 1522 gives the clearest suggestion that he felt he could do nothing more of value in Scotland at that time and that his best move was to go to France to raise extra forces. Albany was still at Edinburgh on 15 October,¹³¹ but had moved to Glasgow by 16 October, presumably to oversee the loading of stores on to his ships.¹³² On 24 October, he was at Stirling, where he met the Chancellor (James Beaton), the Bishops of Galloway, Argyll and Caithness, the Earls of Huntly, Argyll, Moray, Lennox and Arran and Lords Borthwick and Erskine.¹³³ From this Council he once more appointed four of the previous six Regents: the Chancellor, Arran, Huntly and Argyll, Andrew Forman, Archbishop of St Andrews/

Andrews having died and Angus being in exile in France. They were to act as his deputies in his absence together with the Frenchman who had become a naturalised Scot, Antoine Gonzolles.¹³⁴ He had been appointed the Captain and Keeper of St Andrews Castle on Albany's behalf¹³⁵ after the death of Forman. Albany gave a promise to this Council that he would return to Scotland to resume his governorship in person by 15 August 1523 (the 'Assumption Day') or forfeit all his claims to authority. Lord Erskine and Alan Stewart were confirmed as Keepers of the King at the same time. The Lords were also summoned to begin a Parliament on 9 November and a Session at the same time, in order to maintain the active working of government in the early absence of Albany.¹³⁶ On 25 October, Albany travelled on to Glasgow again, reaching Dumbarton on 26 October. Albany left Scotland at the end of his second visit on 27 October 1522.¹³⁷ All transactions undertaken by the Treasurer from 1 November were declared to be by authority of the Regents acting for Albany in his absence.¹³⁸

In summing up the achievements of Albany's second visit to Scotland, it is necessary to remember that there are no extant records of the Acts of Lords of Council for this period, so it is difficult to say how well civil justice functioned during this time. This had been one of the great successes of his first period in Scotland, especially after the government had been fully established in the wake of the Home executions. It is fair to point out that his second visit was not a success in terms of foreign policy because the potential existed for a limited but valuable campaign against the English city of Carlisle. Advantage could, in theory, have been taken of the disarray in the English defences but, in practice, Albany did not miss a golden opportunity because the Scots Lords could see no practical advantage in attacking England. The small indications that Albany hoped to raise a host which would be more amenable to his wishes, by extending the terms of/

terms of the Act of Twizelhaugh specifically to include vassals and tenant landholders for the first time, and by offering a general respite to men from the north of Scotland for coming to fight in the footband in the west of Scotland, did not produce a body which was willing to defy the opposition of the major Lords, named by Dacre as including Arran, Huntly and Argyll, the three Earls who were appointed Vice-Regents in Albany's absence from October 1522. Anglo-Scottish relations had become tense as a result of Albany's physical presence in Scotland and his return could not be perceived in terms other than that, after being kept out so long, he was now back only to serve French interests in the face of renewed aggression by Charles V and Henry VIII on the Continent.¹³⁹ Though at first Albany was welcomed by Margaret, he was unable to maintain her support when he declared his policy of war with England and her voice became one of the loudest in trying to maintain the peace; indeed, it was her face-saving intervention which was used by both Dacre for England and Albany for Scotland to take truce at the last moment before conflict became inevitable. On the other hand, Albany's second visit to Scotland was successful in ending the stalemate which existed in Scotland from 1519-21, with the Hamilton and Douglas families and their supporters having paralysed the uppermost reaches of government and without any prospect of either side gaining the upper hand. Albany swung the balance by securing the support of most of the anti-Douglas Lords to attack the Douglas strongholds - notably Tantallon - forcing the Earl of Angus to compromise and enabling Albany to remove the threat of his presence in Scotland by exiling him to France. Albany attacked some of Angus's supporters - especially John Somerville - but later he agreed to the restoration of George Home as Lord Home, as a means of reducing the probability of attack in the eastern border while Albany sought to make a strategic attack on the less-well-defended western border. This policy was not inconsistent/

inconsistent but merely practical in dealing as best as he could with the problem of leaving a stable government in Scotland; and these activities show a positive, successful side to Albany's second stay in Scotland. He left the country in a far more settled state than when he had arrived, but it was a country which had sent a clear message to the King of France. The Treaty of Rouen may have been ratified and confirmed by both sides, but an attack on England would have to be far more obviously to the Scots' advantage than it had been in 1522 before they would risk another advance onto English soil.

CHAPTER SEVEN NOTES

- 1 James V Letters 91, Instructions to M François Le Charron for Scotland (from Francis I), 13 Aug. 1522.
- 2 Donaldson, James V - James VII, 20, 35-6; D Head, 'Henry VIII's Scottish Policy: A Reassessment' in SHR vol. lxi (April 1982), 5-6.
- 3 Adam Abell, 'The Roit and Quheill of Tyme' f.116: "... about yis time ye Duke wyt a gret host passit to Carlill and myt haif had ye cite with litill laubor Bot ye inglis in subtill promiss and gret soum of gold to ye gubernatour and sa yai euaidit..."
- 4 L&PHVIII iii pt. ii no. 2468 [Albany] to the Captain of Berwick (Sir Anthony Ughtred), undated but reply is dated 26 Aug.
- 5 Ibid. no. 2328 [Bishop of Carlisle] to Wolsey, 17 June 1522.
- 6 Ibid. no. 1847 Queen Margaret to Henry VIII, 9 Dec. 1521: "... Albany has done her great honour since his arrival, and will do nothing without her voice..."
- 7 Cal. State Papers (Venice) iii no. 528 Richard Pace, English Ambassador at Venice, to the Signory. English reasons for making war on France, item 5 - 21 Aug. 1522.
- 8 James V Letters 85 Albany to the Cardinal of Ancona, 1 Dec. 1521, Stirling.
- 9 L&PHVIII iii pt. ii no. 1832 Albany to Dacre, 3 Dec. 1521, Edinburgh.
- 10 Ibid. no. 1897 Gavin, Bishop of Dunkeld to Wolsey : Instructions by Angus, Home and Somerville, item 5 - 24 Dec. 1521.
- 11 Ibid. no. 1832 Albany to Dacre, 3 Dec. 1521. The Kirk of Steel (Ladykirk) is on the Scottish side of the River Tweed, directly opposite Norham Castle.
- 12 Ibid. no. 1844. Dacre to Albany, 7 Dec. 1521 dated at Norham.
- 13 Ibid. no. 1864, Angus to Wolsey, 13 Dec.
- 14 Albany had arrived in Rome on 17 May 1520 - Cal. State Papers (Venice) iii no. 48, Alvise Gradenigo and Marco Minio, Venetian Ambassadors at Rome, to the Signory; cf James V Letters 79-80. Bull of Pope Leo X, 19 June 1520, confirming Albany's lawful government.
- 15 L&PHVIII iii pt. ii no. 1872, Albany to Dacre, 15 Dec. 1521; ibid. no. 1873, Dacre to Wolsey, 15 Dec.
- 16 Ibid. no. 1857, Albany to Henry VIII, 12 Dec.
- 17 Ibid. no. 1833, Queen Margaret to Dacre, 4 Dec.
- 18 Ibid. no. 1847, Queen Margaret to Henry VIII, 9 Dec.
- 19/

- 19 Ibid. no. 1858, Bishop of Badajoz to Charles V, 12 Dec.
- 20 Ibid. no. 1883, Dacre to [Wolsey], 19 Dec.
- 21 Further Supplement to Letters, Despatches and State Papers, relating to the Negotiations between England and Spain ... ed. Garrett Mattingly (London 1947) 16-19, The Ambassadors in England to Charles V 9 Jan. 1522.
- 22 L&PHVIII iii pt. ii no. 1886, Dacre to Wolsey, 20 Dec. 1521.
- 23 Ibid.
- 24 James V Letters 85-6, Albany to the Cardinal of Ancona, 1 Dec. 1521.
- 25 L&PHVIII iii pt. ii, no. 1897, Gavin, Bishop of Dunkeld to Wolsey, 24 Dec. 1521. On that day, he was at Waltham Cross in Hertfordshire, 16 miles from London.
- 26 APS ii 283, 388; see above 67.
- 27 Marie W Stuart, The Scot Who Was a Frenchman, (London, Edinburgh and Glasgow 1940), 98 and Appendix A, 295.
- 28 Although there are many references to payments to individual Frenchmen in service in Scotland, e.g. TA v 71, there are none to any communal group of 'wagers' before 1521 when Gavin Douglas wrote this.
- 29 Douglas correctly states that De La Bastie and Arran were paid £5 per day (£150 per month) - TA v 162-3.
- 30 Arran had this right in March 1519: ADCP 144.
- 31 The sale of the ship, 'Great Michael' took place on 2 April 1514 and was confirmed on 28 June 1515 - ADCP 39; James V Letters 26, (28 June 1515).
- 32 The costs of Albany's governorship are discussed in ER xiv introduction lxvi - lxxiv.
- 33 RSS i no. 3059, 18 Dec. 1519.
- 34 Ibid. no. 3104, 16 Oct. 1520.
- 35 Ibid. no. 3016, 27 June 1518. Barnbogle is 3m east of South Queensferry in Dalmeny parish, Midlothian.
- 36 Ibid. no. 3198, 1521.
- 37 TA v 202, 18 July 1522; ibid. 204, 6 Oct. 1522.
- 38 The Treasurer was 'superexpended' (i.e. in debt) in 1518 by over £2,500 Scots - TA v 164. For expenditure on royal clothing see ibid. 111-2; 192-6.
- 39 The reference is to England's King Richard III, uncle (and nearest male heir) to King Edward V and Richard, Duke of York (the Princes in the Tower), from whom he usurped the throne in 1483. Gavin Douglas's use of this analogy is surprising, although the History of Richard III later attributed to Thomas More had been written about 1514 - G R Elton England Under The Tudors (2nd edn. London and New York 1974) 434.

- 40 APS ii 283, 388.
- 41 M Dilworth, 'The Commendator System in Scotland', in Innes Review xxxvii (1986) pt. 2 : 59-61; 64-5.
- 42 L&PHVIII iii pt. ii no. 2645, 31 Oct. 1522, promising to return by 15 Aug. 1523; ibid. no. 3360 [Surrey to Wolsey] 24 Sep. 1523 - Albany returned on 23 Sep. 1523.
- 43 Arran had married, as his second wife, Janet Beaton, niece of the Chancellor, James Beaton in 1516 Scots Peerage iv 360. Their son was for many years heir apparent to Mary, Queen of Scots after 1542. He was known by his French title as Duke of Châtelherault.
- 44 See above 275-7.
- 45 Dowden, Bishops 85. Gavin Douglas died at London between 10 and 19 Sep. 1522. J Small, The Poetical Works of Gavin Douglas, Bishop of Dunkeld (Edinburgh 1874) i preface cxvii.
- 46 RMS iii nos. 211, 219 and 232 have independent witness lists (8 Dec. 1521 - 31 Aug. 1522). In addition, an unregistered charter dated 28 Mar. 1522 is preserved at Calendar of the Laing Charters 854-1837, ed. J Anderson (Edinburgh 1899) no. 333. Witnesses to these charters were: James Beaton, Archbishop of Glasgow, Chancellor; Gavin Dunbar, Bishop of Aberdeen, Lord Clerk Register; David Arnott, Bishop of Galloway; David Hamilton, Bishop of Argyll; Alexander, Earl of Huntly; James, Earl of Arran; Colin, Earl of Argyll; Hugh, Earl of Eglinton; John Hepburn, Prior of St Andrews; George Crichton, Abbot of Holyrood, Keeper of the Privy Seal; Robert Shaw, Abbot of Paisley; John Campbell, Treasurer.
- In addition, the safe-conduct, L&PHVIII iii pt. ii no. 1856, James V to Henry VIII, 12 Dec. 1522, names: James Hepburn, Bishop of Moray; John, Lord Fleming, Chamberlain; Thomas Hay, Parson of Ruthven, Secretary; Patrick Coventry, Dean of Restalrig; Alexander Hay, Rector of Turreff; Sir John Colquhoun of Luss; Sir William Scott of Balwearie; and Sir Alexander Ogilvy of Findlater.
- 47 APS xii 38-40; L&PHVIII iii pt ii no. 2039, The Chancellor and Three Estates of Scotland to Henry VIII, 11 Feb. 1522, in reply to his letter: James V Letters 86-7, Henry VIII to the Estates of Scotland, 13 Jan. 1522.
- 48 L&PHVIII iii pt. ii no. 1930, Gavin, Bishop of Dunkeld to Wolsey, 1 Jan. 1522.
- 49 Ibid. no. 1938, Queen Margaret to Wolsey, 6 Jan. 1522.
- 50 James V Letters 88, c.21 Feb. 1522.
- 51 ER xiv 351. There is no evidence that George Douglas had returned from France after 1518.
- 52 See above 260-1 and nn.53-55.
- 53 L&PHVIII iii pt. ii no. 1949, Dacre's correspondence, ii, Dacre to Albany, 15 Jan.

- 54 Ibid. no. 1949 v, Dacre to Sir Anthony Ughtred, Captain of Berwick, 21 Jan. Dacre was at Norham, not far from Berwick.
- 55 Ibid. no. 1976, Ughtred to Wolsey, 21 Jan.
- 56 Ibid. This adds John, Earl of Lennox to the list of Albany's active supporters - see above n.46. All of these Earls had been prominent Hamilton supporters before Albany's return.
- 57 Ibid.; *ibid.* no. 1986, Dacre to Wolsey, 24 Jan.; *ibid.* no. 2068, Dacre to Wolsey, 26 Feb.
- 58 Ibid. no. 2007, Gavin, Bishop of Dunkeld to Wolsey, 31 Jan.
- 59 See above n.47.
- 60 L&PHVIII iii pt. ii no. 1991, Henry VIII and Francis I undated (Jan.)
- 61 Ibid. no. 1992, Francis I's replies, 26 Jan.
- 62 Ibid. no. 2054, Clarencieux to Wolsey, 15 Feb.
- 63 Albany had "30 pieces of faucons of brass and 4 bombards", served by 160 craftsmen and artificers according to Dacre in Dec. 1521: L&PHVIII iii pt. ii no. 1883, Dacre to [Wolsey], 19 Dec. 1521.
- 64 Ibid. no. 2054, Clarencieux to Wolsey, 15 Feb. 1522.
- 65 Ibid. no. 2055, Dacre to Wolsey, 15 Feb.
- 66 See above 297-8.
- 67 L&PHVIII iii pt. ii no. 2068, Dacre to Wolsey, 26 Feb.
- 68 Ibid. : "The Lords of Scotland will have no war..."; *ibid.* no. 2085, Sir Anthony Ughtred to Wolsey, 6 Mar.; *ibid.* no. 2182, Dacre to Wolsey, 22 Mar.; *ibid.* no. 2184, a letter attributable to Albany states the Scots had perceived that war would only be in the French interest and would not stir for that, 17 April.
- 69 Ibid. no. 2186, Sir Anthony Ughtred to Lawson, 18 April.
- 70 Ibid. no. 2106, Dacre to Wolsey, 14 Mar.; *ibid.* no. 2135, John, Lord Berners to Wolsey, 26 Mar.
- 71 See below 411-2, 455-7.
- 72 APS ii 297-9. Somerville was forfeited on 7 April.
- 73 RSS i no. 3249, 21 July 1522. Specifically it included remission for art and part of the murder of De La Bastie and assiting to the committers of the crime 'red-handed' ['sanguinea manu']; as well as assistance to the late Alexander, Lord Home.
- 74 SRO GD1/65/1. Remission to Nicholas Ramsay of Dalhousie for support given by him to Archibald, Earl of Angus and to David Home, formerly of Wedderburn in their treasons, 4 Feb. 1522. (cf. RSS i no. 3235, no details given).

- 75 L&PHVIII iii pt. ii no. 2271, John, Bishop of Carlisle to Wolsey, 22 May 1522.
- 76 Ibid. no. 2328, same to same, 17 June. Bad weather was also a factor at this stage.
- 77 Ibid. no. 1910, 28 Dec. 1521.
- 78 James V Letters 90, 13 June 1522.
- 79 Three ships reached Scotland in May 1522 - L&PHVIII iii pt. ii no. 2271. 500 foot soldiers arrived on Trinity Sunday (15 June 1522) - Diurnal of Occurrents 8.
- 80 James V Letters 91, instructions to François Le Charron, 13 Aug. England had not actually attacked Scotland.
- 81 Cal. State Papers (Venice) iii no. 465. Gasparino Contarini, Venetian Ambassador with the Emperor Charles V to the Signory, 5 June 1522.
- 82 Ibid. no. 507, same to same, 31 July. Apparently, Henry had let it be known that he might "... render himself master of Scotland, making that country his fief ... (i.e. ending its sovereignty)".
- 83 L&PHVIII iii pt. ii no. 2347 ii Hay (Scottish Secretary) to Dacre, from Melrose, 30 June 1522; TA v 200-1 : the muster of the sheriffdoms of Fife, Kinross, Clackmannan, Linlithgow and Stirling and others, was for Haddington on 28 June.
- 84 L&PHVIII iii pt. ii no. 2347 iii reply to ii (above n.83). This was an extraordinary argument for Dacre to use, considering that Henry's daughter, Mary, was the heir presumptive to the throne. Dacre was presumably referring to a lack of male issue of Henry VIII, or perhaps a possible marriage of James V and Mary Tudor.
- 85 See below 327, 421, 459.
- 86 TA v 202; L&PHVIII iii pt. ii no. 2402, Philip Dacre to Lord Dacre, 23 July 1522. Philip Dacre's informant stated that the parliament began on 18 July. The same informant later stated that it ended on 8 Aug: ibid. no. 2428, same to same, 8 Aug.
- 87 L&PHVIII iii pt. ii no. 2402, Philip Dacre to Lord Dacre, 23 July.
- 88 TA v 202, 18 July.
- 89 APS ii 284, 24 July.
- 90 L&PHVIII iii pt. ii no. 2428, Philip Dacre to Lord Dacre, 8 Aug: "The Duke invades England, 2 September."
- 91 Ibid.
- 92 See above 294 item 3 and also 251 and n.25.
- 93/

- 93 HMC - MSS of Mar And Kellie, 11-12, Ordinance for the keeping of James V, 3 Aug. 1522.
- 94 L&PHVIII iii pt. ii no. 2402, Philip Dacre to Lord Dacre, 23 July; ibid. no. 2428, same to same, 8 Aug.
- 95 See above 292 and n.23.
- 96 HMC 12th report Appendix pt. 8, 119, Home Charters no. 130, Aug. 1522.
- 97 Ibid. 179 Home Charters no. 305, Aug.
- 98 Ibid. 141, Home Charters no. 178, Aug.
- 99 Ibid. 145, Home Charters no. 197, 26 Sep. Hoscote is near Hawick, Roxburghshire.
- 100 APS ii 308, 20 June 1526.
- 101 See above 300 and n.67, and also 255-6.
- 102 L&PHVIII iii pt. ii no. 2439, War Against Scotland, v, July 1522. The items included the commission to George Talbot, 4th Earl of Shrewsbury as Lieutenant-General of the army against Scotland.
- 103 TA v 203, 25 Aug. These letters were sent to the sheriffs of Haddington, Berwick, Lanark, Roxburgh. and Peebles and were also to be proclaimed in Edinburgh, Linlithgow, Stirling and Glasgow.
- 104 Ibid. 30 Aug.
- 105 Ibid. 202-3, 17 Aug.
- 106 L&PHVIII iii pt. ii no. 2468, [Albany to Sir Anthony Ughtred] undated; ibid. no. 2469, reply by Ughtred, 26 Aug.; ibid. no. 2470, Albany to Ughtred, 27 Aug.; ibid. no. 2474, Ughtred to [Albany], 29 Aug.; ibid. no. 2525 i Albany to Dacre, 8 Sep.; ibid. no. 2525 iv, Dacre's answers to i, explaining reason for Carrick's detention, 9 Sep.
- 107 Ibid. no. 2474, Ughtred to [Albany] 29 Aug.; ibid. no. 2476 i, Queen Margaret to Dacre, 30 Aug.; ibid. no. 2476 ii, Dacre's reply to i, 31 Aug.; ibid. no. 2476 iv, Queen Margaret to Dacre, 3 Sep.; ibid. no. 2476 v, Dacre to Queen Margaret, 6 Sep.; ibid. no. 2525 i, Albany to Dacre, 8 Sep.; ibid. no. 2525 iv, Dacre's reply, 9 Sep. (sent at 10 p.m.). The facts of the matter that Dacre could stop the army but had no formal power to do so, are finally clearly stated in ibid. no. 2537 [Wolsey to Henry VIII] undated (later in Sep. 1522).
- 108 Ibid. no. 2536, Dacre to Wolsey, 12 Sep.; ibid. no. 2503, Shrewsbury and others to Wolsey, 9 Sep. (naming Roslin Moor); cf Diurnal of Occurrents 8 at date 1 Sep.
- 109 L&PHVIII iii pt. ii no. 2501, Answers by Albany to Queen Margaret, 3 Sep.
- 110 Ibid. no. 2536, Dacre to Wolsey, 12 Sep.

- 111 Ibid. no. 2518 i, Dacre to Albany, written at Carlisle, 7 Sep.; *ibid.* no. 2523, Shrewsbury to [Henry VIII], 8 Sep. (referring to Albany lodging at Dumfries on 7 Sep.).
- 112 *Ibid.*; *ibid.* no. 2524, Shrewsbury to Wolsey, 8 Sep.
- 113 *Ibid.* no. 2536, Dacre to Wolsey, 12 Sep.
- 114 *Ibid.* no. 2531, William Franklyn to Thomas Ruthal, Bishop of Durham, 10 Sep. which relates the rivalry between the men of Cumberland and Northumberland.
- 115 Adam Abell, The Roit and Quheill of Tyme f.116 - See above n.3.
- 116 Lesley, History, 119-123. This is the longest chronicle account propounding the view that the Scots were unwilling to attack in the French interest. His reported speeches cannot be regarded as accurate accounts but their sense is surely correct: "... It apperis to be sufficient aneuche for us, sa lang as the King our soverane is within aige, to defend our awin realme and nocht to invaid. Uthir wayis we may putt the hail cuntry and nobilitie in hazard of tinsall..." (120); Albany's reply was : "I think it ajust querrel gif we might conqueis the realme of England and annex it to our awin realme, for the gret injurys and wrongis done be that natione to us and oure predecessouris..." (121). This is highly improbable, even as a last ~~desperate~~ plea for help by Albany, since few Scots can have seriously contemplated winning control of large areas of England. Wolsey chose to believe that the Scots had been influenced by the trauma of Flodden: L&PHVIII iii pt. ii no. 2538, Wolsey to [Spinelly], the Ambassador with the Emperor, undated (Sep. 1522).
- 117 For example, the Peace of Cambrai of 1529, between Francis I and the Emperor Charles V, was called the 'Peace of the Ladies' : Knecht, Francis I, 219.
- 118 L&PHVIII iii pt. ii no. 2564, Queen Margaret to Henry VIII, 24 Sep. 1522.
- 119 *Ibid.* no. 2532 i, Albany to Dacre, 10 Sep.; *ibid.* no. 2536, Dacre to Wolsey, 12 Sep. Solame Chapel is probably at the site of the battle of Solway Moss, see A M Armstrong et al., 'The Place Names of Cumberland' in English Place Name Society xx, (Cambridge 1950), i 40.
- 120 L&PHVIII iii pt. ii no. 2532 ii, Indenture made between Dacre and Albany at Solame Chapel, 11 Sep.
- 121 *Ibid.* no. 2536, Dacre to Wolsey, 12 Sep.
- 122 *Ibid.* no. 2537 [Wolsey to Henry VIII] undated.
- 123 *Ibid.*
- 124 *Ibid.* no. 2551, [Wolsey to Surrey], 17 Sep.
- 125 *Ibid.* no. 2564, Queen Margaret to Henry VIII, 24 Sep.; *ibid.* no. 2571, Albany's articles by De Barbon, 27 Sep.

- 126 The Scottish host had been disbanded and Dacre informed Wolsey that he had discharged all the garrisons except one knight and one petty captain with 100 men by 7 Oct. This was because he anticipated no danger: *ibid.* no. 2598, Dacre to Wolsey, 7 Oct.
- 127 *Ibid.* no. 2565 vi, Dacre to Albany, 9 Oct.
- 128 *Ibid.* no. 2573 [Wolsey] to Albany undated, but a reply to *ibid.* no. 2572 dated 27 Sep.; cf. *ibid.* no. 2489 misplaced to early Sep. [Wolsey to Albany], which is written in exactly similar terms.
- 129 *Ibid.* no. 2609, Ughtred, Captain of Berwick to George, Earl of Shrewsbury, 12 Oct.
- 130 *Ibid.* no. 2621, Dacre to Wolsey, 20 Oct.
- 131 ADCP 152, Letter from Albany calling on the Lords to proceed in the case of Janet Wood vs. Patrick, Earl of Bothwell, 15 Oct.
- 132 *Ibid.* 153, Letter from Albany extending special protection to Robert Forman (Dean of Glasgow) and John Roull (Prior of Pittenweem), 16 Oct.
- 133 *Ibid.* 152, Letter from Albany calling on the Lords to proceed in the case of Ellen Stewart vs. Crichton of Roslin, 24 Oct.; L&PHVIII iii pt. ii no. 2645, Dacre to Wolsey, 31 Oct.
- 134 E Bapst, Les Mariages De Jacques V (Paris 1889) 31 n.4
- 135 ER xiv 461.
- 136 TA v 204. Parliament was to begin 9 Nov. and Session on 10 Nov. : ADCP 152.
- 137 L&PHVIII iii pt. ii no. 2645, Dacre to Wolsey, 31 Oct.
- 138 TA v 205.
- 139 Charles V and Henry VIII had concluded the Treaty of Bruges, directed against France on 24 Nov. 1521 : L&PHVIII iii pt. ii no. 1816, the Calais conference (Imperial account); *ibid.* no. 1802, Treaty with Charles V against France, 24 Nov. During Charles V's visit to England, they concluded an openly offensive alliance against France on 19 June 1522: *ibid.* no. 2333, Treaty of Windsor, 19 June; *ibid.* no. 2360, War with France, 2 July; see Scarisbrick, Henry VIII, 88-96; 125.

CHAPTER EIGHT**The War Against England****27 October 1522 - 24 September 1523**

The period of Albany's absence from Scotland, after his second visit, marked the first part of the final phase of the Anglo-Scottish wars of the 1520s. The winter and summer of 1522-3 were marked by English overtures for peace alternating with successfully destructive raids across the border: at times a gentle approach (the use of diplomacy to gain their desire for an end to Albany's governorship); at times a severe approach (the use of force to achieve the same end). The failure of either of these approaches to induce the desired result came about because the major English condition for peace was the complete rejection of Albany's government. This complete break with Albany and the French alliance which he symbolised was difficult to accept for many Scots Lords because of a deep-rooted mistrust of the sincerity of the English offers. Paradoxically the time which was most propitious for the success of schemes fostered particularly by Queen Margaret to further her private ambition to be restored to the highest position of authority which she had been forced to relinquish in 1514, was the time when that mistrust could most easily be credible. The presence of the English army under the Earl of Surrey on the border in August-September 1523, inhibited support for the setting up of James V as King with full ability to choose his own Council. This was because of an expectation that Henry VIII's army would simply move in to Scotland anyway to "protect" James V's new position. The government of Scotland was certainly subjected to considerable tensions in these months. Internally, there were divisions among the leading Lords which the record of the Session shows reached the Council's attention and occupied it fully for much of the/

much of the period of truce with England over the winter months. The necessity of maintaining the country in a state of vigilance to meet a sudden invasion in force for several months from April to September 1523 also caused a great strain on the cohesion of the Council. The Scots proved to be incapable of mounting successful reprisal attacks in retaliation for English raids or even, in September, of defending their own country successfully. The expectation of Albany's arrival with French auxiliary forces apparently paralysed Scottish initiative since the army was mustered at Threipwood between Stow and Lauder while Surrey's forces burned Jedburgh and remained for two days and nights on Scottish soil without being directly attacked. If there was a general feeling among many Scots, especially the ordinary Borderers, it was that peace with England was definitely desirable. For those councillors who mattered, however, the aura created by Albany on previous visits, ably helped by French pensions, meant that the English price for peace was still too high. The fear, which was expressed in a royal letter, reflecting the views of the Council to Christian II of Denmark, of the insincerity of English offers for peace, was strong enough to advocate prudence in not lightly abandoning the "Auld Alliance". It reflected not a little of the traditional fear of those in government of becoming "outs" under a changed régime.¹ The complaints made by ordinary men and women on the borders who were in the forefront of the damage done by English raids are recorded principally in the correspondence of the time. The Abbot of Kelso related to the English Warden, Lord Dacre, the fear that English attacks might go too far in alienating the voices which were then universally raised against Albany and the French alliance.² Queen Margaret chose to believe that those voices counted for little with the Council anyway when she advised Surrey that another raid on the Borders in September 1523 would have little effect in bringing about a rejection of Albany/

Albany unless Surrey could advance all the way to Edinburgh, "... for the lordes set not by the hurt of the pore foulkes, but lawhis at the same..."³ Margaret had her own private reasons for wanting the English army to go to Edinburgh, or so Surrey believed,⁴ but the sentiments cannot be ignored. It was from these seeds of discontent that grew the problems which Albany faced during his third and final stay in Scotland, the final stage of the Anglo-Scottish wars of the 1520s.

Albany left Scotland at the end of October 1522, without having achieved his stated objective of obtaining a truce between England and Scotland, comprehending France, until St John the Baptist's Day - 24 June.⁵ The English could never have contemplated acquiescence in his casual comprehension of France, since Francis I was the chief opponent of English arms. The truce would also have been unacceptable without that clause: it would have given too great an advantage to the Scots in preparations for further war later in the summer of 1523. For Cardinal Wolsey, the prospect of the absence of the Duke of Albany, the disunity of the Scots Lords and their consequent inability to assemble a strong force to resist English raids, appealed too much to allow more than a month to month truce to be concluded through the winter while the weather did not permit raids to be undertaken on a large scale.⁶ Thus the truce taken initially by Dacre and Albany in September 1522⁷ was continuously prorogued until March 1523. An active state of war between England and Scotland only resumed in April 1523.

During this period of truce, the English tried the gentle, politic approach to the problem of Albany's continued governorship. Clarencieux Herald travelled to Scotland in December 1523 to put the English offers to the Council. There was the usual vilification of Albany's character with Henry VIII being presented as acting solely in the best interests of his nephew, /

nephew, "... against the designs of that person who had aspired to the crown at the suggestion of the king of France..."⁸ In addition, the English Council conveyed through Clarencieux the fervent hope that the Scots would not be deceived by Albany's fair promises in the future. Behind this attack which had been repeated so often by now, as to become standard in any English reference to Albany, there were specific offers being made, calculated to win over support against the French influence. The hand in marriage of Princess Mary, Henry VIII's only child, was a not inconsiderable offer, since by that time it was unlikely that Henry's Queen, Catherine, would produce any more heirs. In addition, the English offered a peace for sixteen years and the cession of Berwick, the best defensible stronghold on the Borders. The conditions for English adherence to such terms were straightforward. The Scots had to renounce Albany's government and refuse to allow his return to Scotland, and to give no more aid to France. Effectively, the English demanded that the Scots break the Treaty of Rouen.⁹ Clarencieux arrived in Scotland in mid-December and met the Chancellor of Scotland, James Beaton,¹⁰ on 17 December, with Arran and other Lords at Stirling.¹¹ They gratefully accepted the offer of a continued prorogation of the truce until the end of February and took time to deliberate on their reply to the substance of Henry's offers. There had been French Ambassadors present at the meeting of Clarencieux with the Scots and they lost little time in informing Albany of this new and possibly quite damaging turn of events for the French influence in Scotland. Albany sent instructions to be relayed to Wolsey excusing the Scots' failure to answer readily to the English offers, stating that this was due to his absence. Any business to do with the peace of the two kingdoms should be dealt with through his intervention as Governor.¹² The Lords in their own reply accused Clarencieux of not dealing honestly with them, /

them, and they needed to know for certain the sincerity of the English offer. In true diplomatic style, the Scots Lords rejected the English 'gentle' approach to peace while earnestly protesting that peace was all that they desired. This prepared the way for attempts during the rest of the summer of 1523 by the English army to bully the Scots into abandoning Albany by raids across the border.¹³

The allusions made by Dacre to a division in Scotland between the Chancellor, Arran and other Lords at Stirling on the one hand, and the Lords at Edinburgh on the other, almost certainly reflects no more than that Clarencieux wished to meet with Queen Margaret at the same time as the Council and she was too ill to travel from Stirling at that time.¹⁴ The records of attendance at the Council do not bear out any suggestion that the Chancellor and Arran were not in tune with other Lords of Council. The Session began on 6 November 1522 and a renewed attempt was made at the start to ease the pressure of business by dividing each week into certain days for the privileged table of cases and others for the King's table and the common table.¹⁵ Attendances varied from fourteen to sixteen councillors on average which was not unusually high or low for the Session and Arran and the Chancellor attended regularly; the Chancellor ceased to attend from 16 December because he was away at Stirling meeting Clarencieux. The Session continued to 19 December, on which day the Earl of Arran attended at Edinburgh, so no question of a divided Council on the models of 1514-15 and 1519-20 can be entertained.¹⁶ Despite Albany's absence, civil cases were heard in large numbers, with the Council seen to be carrying out one of its primary functions, the dispensation of justice. The Session continued from 6 November to 19 December and 15 January to 17 February. It was only the renewal of the active state of war which disrupted further hearings intended for May, then June and subsequently put off until/

off until October.¹⁷

There may not have been the problem of a physically divided Council, but the cases which were heard do begin to give some indications of the continued disruption of life which was affecting some of the most important men in Scotland. This situation was described in the terms of "daily increasing enormities",¹⁸ but the clichéd phrase was not exaggerating the necessity of the Council doing something to alleviate the disputes which had particularly brought danger and disruption to the west of Scotland.

The Cunningham-Montgomery feud in Ayrshire, which had simmered for a long time and had already flared in 1520 causing them to support opposite sides in the fight in Edinburgh High Street, where the Master of Eglinton (John Montgomery) was killed,¹⁹ was now at a new pitch of bitterness. The principal dispute between them was over the Earl of Eglinton's position as Bailie of Cunningham which was perceived by his rival, the Earl of Glencairn, as giving him an unwarranted advantage in local politics by being able to summon Glencairn or his men to answer in the bailie courts.²⁰ There had been bloodshed as a result of the feud and now, in December 1522, the Earl of Glencairn and his son were accused of being principally involved in the death of John Montfoid. This family had been closely associated with the Earl of Eglinton and one of that name had been murdered before June 1510 (perhaps this John's father).²¹ The Earls of Arran and Moray and Sir James Hamilton of Finnart offered themselves as sureties that Glencairn and his son would answer this accusation wherever it was called. They did this, they claimed, "... because thai desir justice alanerlie within the realm and na truble..."²² This was an admirable sentiment but the problem had attracted a much wider interest and had a very deep root. The Earl of Lennox accused the Lords of Council of ignoring the manifest faults of Eglinton and his family while pursuing the Cunninghams too rigorously for theirs.^{23/}

theirs.²³

On 19 December, the Lords of Council made an attempt to restrict the spread of the dispute by discharging all the sureties found by either side and concentrating the resolution on the principals themselves - the Earl of Glencairn and his eldest son, the Master of Glencairn, the Earl of Eglinton and his third son, Neil Montgomery of Langshaw.²⁴ However, the disorder continued in the new year and it was a fear of the dispute escalating and once again reaching the streets of Edinburgh which prompted the repetition of previous statutes against the bearing of weapons in the town, except by the Provost and Bailies in their enforcement of the law. It was ordered that no old or new feuds be pursued in Edinburgh and a curfew of 10 p.m. was imposed on all non-residents of the Burgh.²⁵

Distrust was so fundamental to the characters of the Lords and men involved in a feud that the illness of the Earl of Eglinton at a crucial moment in January 1523 prevented a successful resolution by the Council of their disputes.²⁶ It was impossible to know now whether or not the illness was genuine but obviously the Cunninghams could not lightly accept it as such. Helen Campbell, Countess of Eglinton (and the Earl of Argyll's aunt²⁷) offered to put as great a Lord as her husband together with as many of her sons as necessary in ward if Glencairn and his eldest son would also enter ward.²⁸ This was unacceptable because it departed from the principle of restricting the spread of a feud beyond the leaders of the families involved. There was the same prospect with the counter-proposal offered by the Cunninghams to put Glencairn's nephew and Eglinton's nephew in ward.²⁹

Although Arran, as one of the Regents, had been seen to be seeking the best way for peace in the previous month, he was unable or unwilling to stop his Hamilton supporters from continuing their previous aid to the Montgomeries. On 22 January, Arran declared that he was not involved in the trouble/

the trouble raised by his men on Glencairn's men and offered to remedy the damage.³⁰ The Lords decided that the only answer was the fulfilment of their original decision to put both Glencairn, and Eglinton's son, Neil, and his grandson, Archibald, the young Master of Eglinton, in ward. The difficulty about the Council's determination to resolve the feud in this way, as Glencairn was quick to point out, was that it was a complete contrast to usual Scottish practice in such circumstances. Usually pledges were taken for the nobles and they, not the principals of the families involved, were put in ward.³¹ The Lords were determined to go through with this, however, and the Master of Glencairn asked the Council to grant a respite to him and his kin for the time he was in ward and unable to defend them. The Lords consented to this except in regard to civil cases against either family or brought by one on the other.³² On the following day, Eglinton's son and grandson entered ward.³³ Suspicion of foul play continued, however, as the Master of Glencairn did not compare before the Council, threatening to ruin the whole process. On 28 January, he wrote to the Lords from Glasgow offering to remain north of Forth or go to France until the Governor's return, refusing in peril of his life to enter ward in Edinburgh Castle.³⁴ Finally, in mid-February, a peace formula, which seems to have had some chance of success, was tried. The Master of Glencairn was to pass with Huntly and the Master of Eglinton with Argyll to their lands, well away from the centre of dispute, to remain there until freed by the Regents and Council, on pain of loss of life, lands and goods by the Earl of Eglinton and Master of Glencairn. The parties were to give reciprocal assurance on pain of £10,000.³⁵

The effects which this bitter wrangle had on Scotland's response to the English threat in 1523 can be seen from the note in May from the Earl of Glencairn protesting that the *Montgomerys* should return Auchinharvie Castle, /

Castle, one of the centres of dispute between the two families, so that both sides could then happily serve in the host and fight on the same side against the English.³⁶

The dispute between the Eglinton and Glencairn families formed one of the major preoccupations of the Council in the months of peace, but the Lords dealt with other potentially damaging cases in a bid to bring justice to Scotland prior to facing the renewed onslaught of the English army. There were many cases heard concerning the failure of certain Lords to pay teind sheaves, the dues to the church from its lands. The frequency of these cases shows the dermination of the Chancellor (James Beaton), who was principally involved in bringing these cases, to obtain payment at this time. Thus leading Lords such as Fleming,³⁷ Avandale³⁸ and Saltoun of Abernethy³⁹ and others, including Lachlan McIntosh,⁴⁰ Alexander Ogilvy of Findlater⁴¹ and Patrick, Master of Hailes⁴² were all pursued to make payments. The success of some at escaping the consequences of their actions bears further witness to the difficult task which the Council had of trying to maintain unity in the face of such potentially damaging disputes. The disturbances to daily life must have been proportionately more likely with even the greatest Lords of the Council becoming involved in bringing their quarrels to the attention of their peers. At the height of the attempts to find a resolution to the Eglinton-Glencairn dispute, the Earls of Moray and Huntly were appearing before the Council to argue about who had rights to Darnaway Castle.⁴³ Moray had been granted the castle by James IV,⁴⁴ but during his lesage, Huntly had evidently taken it over. No resolution was reached when the case was first heard, leaving a cancer of enmity between the two. The indications were clear that Moray, the King's illegitimate half-brother, was beginning to flex a political muscle which threatened Huntly's domination of northern Scotland. In fact, their dispute/

dispute did not have time to gain momentum because Alexander, 3rd Earl of Huntly, died in January 1524, leaving an under-age heir.⁴⁵

The Liddesdale men had always been reckoned to be the least disciplined of the Borderers and without an adult Earl of Bothwell to keep good order from Hermitage Castle, the problems which they could cause, had been exacerbated.⁴⁶ On 8 December 1522, the leading men of Teviotdale, Andrew Kerr of Cessford, Warden of the Middle Marches, and Sir Walter Scott of Buccleuch, Andrew Kerr of Ferniehirst and Mark Kerr of Dolphinton were all charged on pain of treason to put the Liddesdale men out of Teviotdale.⁴⁷ Particular acts such as the robbery perpetrated against the Dean of Haddington were singled out for action, but the problems continued in 1523 when it was necessary to summon fifty-two lairds and gentlemen from Peeblesshire to appear before the Council in Edinburgh on 28 January.⁴⁸ Buccleuch had used his new position of necessary trust to obtain from the Lords a confirmation of the remission granted to him by Albany for treasonable assistance rendered to George Home, David Home sometime of Wedderburn, his brothers and their accomplices.⁴⁹ His effectiveness in his new rôle can be questioned because of his protest on 28 January that he would only take responsibility for the Liddesdale men in Teviotdale in regard to restitution of goods and not in regard to criminal action for trespass. This does not indicate a high degree of confidence in his own ability to achieve their ejection.⁵⁰

The problem of doing justice and being seen to be doing it fairly was faced by all governments but the Regency Council of 1522-23 had a particular problem with regard to Buccleuch and other borderers, including the Warden of the Middle Marches, Andrew Kerr of Cessford. Their equivocation over the failure of Buccleuch, Cessford and others to pay their dues of Ettrick Forest lands which they held of Queen Margaret, helped to compromise their efforts fatally./

efforts fatally. Margaret's earlier love for Albany's government had evaporated with her realisation that he was determined to take Scotland into war with England. Nevertheless, he had continued his concern that she should be answered of her lawful dues and an act of parliament of October 1522 had ordered the payment of a tax, which had been raised to prosecute the war, to be made to Margaret in part payment of sums owed to her by the Treasurer.⁵¹ It is extremely doubtful that any payments were made⁵² and Margaret pursued the chief borderers on whom the government was relying for defence and in regard to keeping the Liddesdale men in check, for non-payment of their dues of Ettrick Forest lands. These payments had been so long deferred that Margaret's advocate now called for the warding of Andrew Kerr of Cessford, Walter Scott of Buccleuch, David Hoppringle in Galashiels, the Laird of Cranston and the Captain of Edinburgh Castle, Patrick Crichton of Cranston-Riddale for contempt of the Lords' decreets.⁵³ This put the Lords of Council in a dilemma which an offer of sureties for payment did little to allay.⁵⁴ Arran and Huntly found the solution in a reference to usual custom - it was not usual for Lords who had lands to be apprised for payment of debt to be put in ward and so on 19 January, Margaret instituted proceedings to apprise the lands of the Borderers. At the same time, Arran proved the government's indispensable need for Cessford by ordering him away from the dispute in Edinburgh to hold a day of truce with the English for reformation of criminal attacks - in other words, to continue the normal business which his position as Warden entailed.⁵⁵ The matter was not mentioned again as the war with England became more serious shortly after, but it is significant that when Margaret regained control of the government in 1524, both Scott of Buccleuch and Kerr of Cessford were put in ward.⁵⁶

The Wardens/

The Wardens of the Marches were of great importance at all times but especially so in times of cross-border tension. It was no mere coincidence that at this time, Lord Maxwell, Warden of the West March, was able to extend further his influence on south-west Scotland. Recipient of a grant from the tax raised by Albany,⁵⁷ he sought the Lords' backing to ensure payment was made to him, and throughout the period October 1522 to September 1523, processes were in train which gave him control of all the lands of Holywood Abbey in feu-ferme, as well as making him Bailie of that Abbey.⁵⁸ His brother, John, soon to become Abbot of Dundrennan, was the Abbot of Holywood in 1522-23.⁵⁹

Church appointments had always been a source of dispute because of the important revenues which they commanded and it was almost certainly the promotion of James Beaton from Glasgow to St Andrews and the resultant vacancy at Glasgow which prompted the attack on Glasgow Palace by the Earl of Lennox in the midst of preparations for the defence of Scotland against English attack.⁶⁰ Lennox had been involved in earlier efforts which had included its attack by John Mure of Caldwell,⁶¹ and the greatness of the prize distracted Lennox from the need for national unity. In addition, the Council faced a dispute over the provision of a pension from the fruits of Coldingham for Robert Forman, being opposed by Patrick Blackadder, the Administrator of the Abbey,⁶² which was followed by a dispute over the dues of the kirk of Ednam and Stichel and the lands and town of Kelso which John Forman claimed as a pension from Coldingham Priory and to which he proved his right.⁶³

These disputes taken as a whole do not represent an unusual cross-sample of the problems which any of the minority governments between 1513 and 1528 had to face. There were always feuds threatening to cause havoc on a national scale through involvement of the great Lords, as with the Eglinton-Glencairn/

the Eglinton-Glencairn feud, or merely on a fierce but local scale, as with the deadly enmity of John Crawford of Drongan and Gilbert, Earl of Cassillis in Ayrshire.⁶⁴ There were always men willing to make capital out of their value to the government, like Buccleuch, Cessford and Maxwell, or to cause disruption in the hope of obtaining success, like Lennox. It is the very fact that the Regency Council of 1522-23 was unable to do anything to bring about an unusually peaceful situation in the face of the darkest danger from England since Flodden, which helped to keep the aura of Albany's government and the French alliance alive, with a strong hold on the Scottish national consciousness. Many of those at the Council table may have felt that France was just using Scotland for her own interests and that an English alliance was not so treacherous to the spirit of all those who had fought and died in the past centuries to prevent English domination of Scotland.⁶⁵ Yet the ability which Albany had demonstrated to achieve successful government in the dispensation of justice and in preventing civil strife and anarchy contrasted so strongly with the inability of any other government to achieve such success that the French influence, expressed through the personal prestige of Albany himself, could overcome even such unpopular decisions as the grant of all casualties to Albany's deputy Monsieur Gonzolles⁶⁶ and the billeting of French troops at Scottish expense.⁶⁷ It is not difficult to understand, given this consciousness, why Surrey came to believe that the Lords had practised a deception on Queen Margaret, whose private ambitions had raced ahead of her practical achievements in the period August to September 1523, when she believed that the Council was on the point of repudiating the French alliance.⁶⁸ The Lords were willing to do so, but only when they were finally sure that Albany was not going to return and the French Ambassadors continued to charm and persuade those who mattered, i.e. the leading councillors: Beaton, /

Beaton, Arran, Lennox, Argyll and Huntly, that Albany's arrival was imminent.⁶⁹ If he had left it any later than September, the repercussions of the raid on Jedburgh would have produced a more hostile reception. As it was, Albany faced many problems in persuading the Scots to mount an attack on England.

One of the reasons for the failure of the Regency Council to persuade the Lords of its abilities was its own apparent disunity. The Earl of Argyll made a rather despondent plea on the afternoon of 29 January for the Chancellor to return to the Council table and carry out his duty as a Regent.⁷⁰ After the meeting with Clarendieux at the end of December, Beaton had not returned once to the Council throughout January, leaving Huntly, Arran and Argyll working for the most part together to cope with the Council's deliberations on Eglinton and Glencairn and the Queen's vehement decrials against Cessford, Buccleuch and the others.⁷¹ The following day, the Lords received word from the Chancellor protesting that he was willing to fulfil his obligations as a Regent to the best of his abilities so far as any churchman could.⁷² Nevertheless, it was not until the afternoon of 16 February that he attended once more at a Council meeting, which was held in his own house in Edinburgh. The business was a case against Eglinton which was found to be proved by the Lords. Eglinton's advocate protested that the case had not been properly tabled and the Session itself had been continued to May so that the judgement could not prejudice his client.⁷³ The underlying reasons for the Chancellor's absence are obscure but he was certainly later described by Dacre as willing to do anything to abate the war⁷⁴ and Margaret later regarded him as one of the chief hopes for the raising of the King to his full royal estate in her scheme for ending Albany's governorship.⁷⁵ It is possible that his absence was more to do with disapproval of the treatment of Glencairn/

Glencairn (suggested by the case of 16 February), though the way to influence that would have been to be present on the Council. It may have been simply to do with his translation to St Andrews which only became effective in June 1523, although it received papal blessing in October 1522.⁷⁶

The English preparations for war began at the end of February 1523. The Scots had sent an equivocal reply which was tantamount to a rejection of the offer of a sixteen-year peace, the hand of Princess Mary and the cession of Berwick in return for the ending of Albany's governorship.⁷⁷ The English allocation of £20,000 to be used in prosecuting the war⁷⁸ was followed by the confirmation in early March of the Earl of Surrey's appointment as Lieutenant-General in the north. He was to be particularly aided by Thomas, Marquess of Dorset, Sir William Bulmer and Sir William Evers.⁷⁹ Soon after the English recorded a curious document which contained the confession of Kate Ormiston, a woman who claimed to have been sent to England to spy on Albany's behalf.⁸⁰ It consisted of the news that Albany was disliked in Scotland, especially by the commons, and that the spy was connected to Lord Borthwick, who had been one of the King's Keepers⁸¹ and Monsieur Gonzolles, the French Regent, Albany's deputy, which increased English suspicion of Albany's motives regarding James V's life. The only piece of 'news' which was not specifically designed to be pleasant to English hearing (apart from the necessary well-wishing of Albany's enterprises) was the specific linking of Walter Scott of Buccleuch, Mark Kerr and David Home of Wedderburn to Albany's cause. Wedderburn had not previously shown any great inclination to support Albany but the Council certainly seems to have trusted him in the summer of 1523.⁸² The English continued to try to make him revert to his old allegiances, especially at the time of the raid on Jedburgh and the likelihood of Albany's return, but without/

without notable success.⁸³ The restoration of Lord Home to title and estates and the English attacks on Wedderburn's sphere of influence may have convinced him to support Albany, as that was now in his best interests.

The 'confession' included the news that the Scots intended to pack the Nunnery of Coldstream with soldiers which must have made Margaret's immediate request for protection for the Prioress of Coldstream rather suspect.⁸⁴ Surrey promised to give protection to her provided that she did not harbour any Scots men of war, but such a plea was scarcely necessary, since the Prioress was one of the most capable English spies.⁸⁵

The first cross-border raids by the English took place at the end of March 1523 under Sir William Bulmer, Lieutenant of the Eastern Marches,⁸⁶ and the Scots mobilisation on that frontier was ordered on 2 April. Royal letters were to be proclaimed at Haddington, Dalkeith, Dunbar, Selkirk, Lauder, Roxburgh, Ettrick Forest, Linlithgow and Peebles and wherever else was necessary for all men to be prepared to resist an English invasion when warning beacons were lit.⁸⁷ This covered the area of the East and Middle Marches - the front line of attack for the English raids. The English, however, were not yet at full strength,⁸⁸ and this allowed the Scots time to formulate a response. The fact that ships left Dumbarton on 10 April for France with straightforward orders to bring Albany back to Scotland⁸⁹ indicates the extent of the government's reliance on French aid in this immediate reaction to the crisis. Consultations took place on 12 April between the Chancellor (Beaton), Monsieur Gonzolles (Albany's deputy and one of the Regents, and of great importance at this stage as controller of the French troops already in Scotland and much of the artillery which was stationed in Dunbar Castle⁹⁰), and the French Ambassador in Scotland, Monsieur De Langeac.⁹¹ De Langeac spent most of his time assuring the Scots that Albany would come at once⁹² and Surrey certainly anticipated his arrival by/

arrival by mid-May.⁹³

The Scottish response was to turn to Albany for the aid he was fully expected to bring from France but the tone of letters sent to Christian II of Denmark to explain the failure of the Scots to aid him, in his time of crisis, when he was being driven out of his kingdom,⁹⁴ leaves no doubt that the Council expected the long summer of danger that lay ahead. The Lords excused their own failings in not having prepared for war against England on the grounds of the 'insincere overtures for peace' made by Henry VIII. The gloomy outlook for southern Scotland was, "bloodshed, constant devastation and raiding ... and invasion in force will come very shortly..."⁹⁵ These are not the usual diplomatic rebuffs when aid was requested and surely reflect a sense of low morale.

The English strategy was to conduct a war of attrition, and although the Scots Lords in their letter to Christian II had hoped for battle to vindicate their just cause, Surrey believed that the best way to achieve success was to have the Scots chase an English army or raiding parties until their provisions were exhausted without ever having given them a battle.⁹⁶

The English did not only rely on raids by the army, as a fleet was fitted out and put into service in the North Sea. This had its most active period in early May, bombarding Leith, but it was frustrated in attempts to destroy the Earl of Angus's strong seaboard castle of Tantallon and had become involved in a fight at Kilkhorn.⁹⁷ The English Commander, William Sabin, excused his failures with a boast that if he had had two good ships and five hundred soldiers, he could have done much more - the usual rhetoric of a Captain who had achieved little of value in a campaign. Soon after, storms put an end to hopes of greater damage being done to the Scottish east coast.⁹⁸

In fact, the bad weather in the early part of the summer of 1523 also affected Surrey's/

affected Surrey's plans for the raids on Scotland because the ground was not dry enough for the effective use of artillery - even if this had been prepared in time. In the meantime, attacks were not confined to the Eastern March and, in April, Dacre took a force into the west of Scotland, successfully carrying out a raid which destroyed Annan and some small villages, including Tronok and Dordof.⁹⁹

At the end of April the situation seemed to have taken an even more serious turn for the Scots and word was taken through the night to Arran that the English forces in the east intended to cross the border again, this time to besiege Blackadder Tower. David Home of Wedderburn was promised aid by the Council for his defence against this attack. On the following day, Arran was at Haddington and the royal banner was ordered to be brought from Dundee - a signal of the determination of the Lords to rally support for Scotland's defence.¹⁰⁰ The possibilities of such a siege of Blackadder taking place at that time were limited by the fact that Surrey wrote to the Council complaining that no raid could remain in Scotland overnight due to lack of fodder.¹⁰¹

The main reason for Francis I's sanctioning of Albany's return to Scotland in 1521-22 had been to divert some of the English forces which had been intended to go to fight on the Continent, to the northern frontier instead. This was precisely what Surrey now urged the Council to do. Based on an estimate that Albany would return to Scotland by the end of May 1523 with a force of 15-16,000 men, including pikemen, Surrey desired some 8,000 English and 4,000 German soldiers to be diverted from the Continent to the north.¹⁰² In fact, there is no evidence that Surrey received these extra forces and for the raid on Jedburgh in September, the largest raid on Scotland in the summer of 1523, he was relying principally on Yorkshiremen.¹⁰³

The Scots Lords, having been warned of the seriousness of the situation at the/

at the end of April, in the General Council on 15 May showed their determination to take no chances on being caught unaware, too dependent on the arrival of Albany with French auxiliaries. The attendance at this Council meeting belies to a certain extent the usual tendency for there to be a large turnout at moments of crisis. Sixty-one letters summoning attendance from nobles and prelates produced an attendance of only twenty-four, including officials and the Regent Gonzolles who had not been specifically summoned.¹⁰⁴ The conclusion to be drawn is that the war with England was neither universally popular nor considered sufficiently serious to merit a greater concern.

Firstly, the Council heard how James Glen, the Edinburgh Burgess to whom the keeping of Inchgarvie had been entrusted for a pension of £100 p.a., had neglected his charge to the peril of the defence of the Forth. The Chancellor was to take over responsibility, either naming another or putting his own servants in to defend the castle. A warning from the President of Edinburgh, Francis Bothwell, of the dangers to the town from the English army on the Borders, caused the Lords to institute measures to secure a defence force.¹⁰⁵

The form that this civil defence force took was to appoint Captains-General - the Earls of Morton and Arran, Lords Borthwick, Hay of Yester, Somerville and the Master of Hailes who were to appoint Petty Captains in every parish at least - in fact a Captain responsible for every set of twenty men to maintain discipline and inhibit desertion or criminal actions, if the emergency provisions needed to be turned into a full-scale summons of the host. Beacons were to be used to give the warning of invasion after the spies had ascertained that such was under way. The whole country was then summoned to answer the warning - the south parts on four days' warning, and the north parts on eight days' warning. All those who ignored the summons/

ignored the summons to the convention were ordered to attend instead on 25 May (southern Lords and Prelates) or 1 June (northern Lords and Prelates) under severe penalties: loss of temporality for Prelates; warding and escheat of moveable goods for temporal Lords. Thus the Council tried to ensure a strong national response if invasion should come and meanwhile had made provision for an emergency force to defend the Eastern March. The French forces already in Dunbar were ordered to release the artillery, and the Treasurer, John Campbell of Lundy, was made Master of Artillery for life. Parliament and Session were then continued until June.¹⁰⁶

These measures were very appropriate because just days later, the English forces, under Surrey, made their strongest raid so far across the border. After casting down Loch Tower¹⁰⁷ and Linton¹⁰⁸ under cover of darkness, the English army moved on to Cessford before 7 a.m. and spent virtually all day on 18 May trying to win it in vain. Only when Andrew Kerr of Cessford, the Warden, appeared nearby and sent to Surrey offering to surrender it, in return for being allowed to depart with bag and baggage, were the English able to claim their victory. There may have been nothing sinister in Kerr's surrender but it is at least interesting, and possibly significant, that he was later involved in the exchanging of bonds with Lord Dacre and his son.¹⁰⁹ Surrey, in his report, believed that without the surrender, there would have been no way to take control of Cessford. At the same time, another tower at Whitton¹¹⁰ was cast down. The English retired to Alnwick where, on 21 May, Surrey made his report to Wolsey.¹¹¹

Coming after all these destructive raids, Francis I's bland exhortations to remain true to his cause and promises that aid was on its way, can have had little comfort for many of the Lords of Council.¹¹² De Langeac, the French Ambassador, was evidently having a difficult time in keeping the/

keeping the Scots favourable to France and there may have been others like Chancellor Beaton who "... would do anything to abate the war..."¹¹³ The English forces had not been augmented as Surrey desired and the English commanders may well have begun to feel that the chances of raids forever avoiding Scottish retaliation and pitched battle were slim. Thus the ground was laid for a renewed offer of truce. When Surrey was called away to confer with the Council in early June, Dacre, who had been appointed as his deputy,¹¹⁴ acting on his own authority, immediately contacted Chancellor Beaton with a view to exploring the possibilities for a renewed truce. It was obvious to both sides that Albany was the stumbling block to peace but in his continued absence, there was no reason for the war to continue. Dacre suggested that through Queen Margaret's mediation, an abstinence from war until Michaelmas could be obtained, with the provision that if Albany returned, war would resume within twenty days unless Albany made specific offers for peace. Dacre advised the Chancellor to disclose his offer to no-one except the Queen.¹¹⁵

Dacre's offer may not have been made entirely without the consultation of Surrey for the later revelation to Surrey of his offer, suggested that an attack in force on Scotland would have more effect if it was carried out after Michaelmas, when all the harvested corn could be destroyed.¹¹⁶ Dacre was a shrewd man, well-versed in the intricacies of cross-border politics and at the same time he assured Queen Margaret that he believed Henry would be moved by her desires for peace in Albany's absence.¹¹⁷

In fact, the offer seems to have lost any hope of success because the continued English raiding once again cast doubt upon the sincerity of the English offers and the retention of an army under Surrey just across the border cannot have inspired much confidence that it would not be used to "help" James V once Albany's governorship had been repudiated. Despite a lack of/

lack of artillery, Dacre, his son and his brother had carried out successful raids, and on 10 June the English destroyed Ednam and Stichel and other places in the vicinity of Kelso.¹¹⁸

The French influence in Scotland survived not only because it had formed a secure place in the national consciousness but because at crucial moments it did provide the necessary aid. Francis I's promises of help became a little more plausible with the arrival of a new force of five hundred French soldiers at Leith on 16 June.¹¹⁹ This brought the total to eight hundred, the numbers who had been sent that summer to join those already under the command of Gonzolles at Dunbar Castle. The Lords reassembled at Edinburgh on 18 June and the succour brought by these new forces stiffened their resolve to resist the English attacks, something the Scots had singularly failed to do at Cessford and more recently at Ednam. The Council was joined in its deliberations by the French Ambassador¹²⁰ and they ordained that the host should assemble on ten days' warning, or that the emergency civil defence force provided for in the statutes of May should still stand ready. In addition, letters were sent to the whole of Scotland south of the Mounth, except Argyll, the north-west and the south-west of Scotland, commanding attendance at 'Deridounlaws' on 23 June.¹²²

Lord Maxwell had already been making arrangements for the resistance to the English in south-west Scotland, including associating his brother-in-law, James Johnstone of that ilk, in the defence as Depute Keeper of the West March on 15 May.¹²³

The Scottish response to the English raids had been rather sluggish. An attack on an English force at Wedderburn Castle by Patrick, brother of David Home of Wedderburn, resulted only in the capture of Carlisle Herald and Lyon King of Arms immediately ordered his release as being against the diplomatic freedom of Heralds. The Lords refused to accept this but it was not a notable/

not a notable triumph.¹²⁴ The Scots had daily assembled a small force near Wark, in the days following the raid on Ednam on 10 June but the failure of an ambush carried out by this force before 24 June, which left twenty-five men dead and more than sixty captured by the English, was another damaging blow to morale.¹²⁵ The decision to employ a solely defensive strategy by the Scots seems to have worked poorly since their national response was slow and unwieldy in answer to the successful English speed in raiding. All too typical of this response was the Scots' decision to postpone the assembling of the host at Deridounlaws because the expected English invasion of the end of June was a false alarm.¹²⁶ It may have been sensible to preserve provisions for when they were more seriously needed but this mentality probably accounts for the later failure of the Scots to do anything either to prevent the English raid on Jedburgh, or, more seriously, to back up Albany in his attack on Wark in October.

Surrey had raised the expectations of Wolsey and Henry VIII of satisfactory results from these expeditions against Scotland but Wolsey's letter to Dacre asking for his opinion on English hopes of turning the Scots from their French allegiance brought a withering, but very honest reply. While Dacre believed that many Scots had been disappointed by French manipulation of Albany, nevertheless he believed that the feeling of those who mattered in the Scottish government had not yet been strained too far:

"... for though they grudge the loss they suffer for Albany, still, as they have deputed him governor, and have given him the revenues during the king's minority, without making him responsible for them, and as he is the heir apparent, they would not leave him, if he keeps the day of his return, as he promised, which they do not doubt. Much has been said to the noblemen about Albany's feigned overtures and illusions, but it has taken no effect ... has been told by many of the nobles that they will not leave France for they reckon they cannot live without aid from thence..."¹²⁷

Wolsey had gone on to propose an invasion of Scotland which would go right on to/

right on to Edinburgh and impose a change of régime by force. This also attracted Dacre's scorn:

"... As to the proposed invasion ... the country could not be destroyed in 16 or 18 days ... they could not impoverish the Scots sufficiently to prevent them from joining Albany, at his coming, in an invasion of England..."

Even an attack on Dunbar Castle, where the artillery was based and the French troops were billeted, would have little chance of success, Dacre believed, since he called it "in manner impre[g]nable".

These reasons were quite percipient as explanations for the English failure to achieve by either policy or force the change of allegiance in the Scottish government which they had so desired. One of the other reasons was mentioned by Dacre in another letter, and that was the use of French pensions to those Lords who mattered. The Regents and the Queen were believed to have been paid 1,000 crowns each in June 1523.¹²⁸

Although the Scots had disbanded the host, believing that a general invasion was not imminent, English raids continued. At the end of June, another attack in the Kelso area destroyed the gatehouse tower of Kelso Abbey and the men from Berwick were reported to have thrown down towers at Folden and Haddington.¹²⁹

The failure of decisive action by the Scots to meet this threat irked at least one Lord: the Earl of Moray decided that the time for sitting around waiting in Edinburgh for Albany to arrive while the English destroyed Border towers with impunity had passed. On 11 July, he came to the French Captain at Dunbar Castle and in the Regents' names demanded that they hand over the artillery which was kept within the castle. This request was refused until Albany had directly authorised the transfer.¹³⁰

This rebuttal was apparently regarded as the final decision, for the Council, meeting on 14 July, when Moray was present,¹³¹ confined the business to an ordinance forbidding, under severe penalties, the sale of weapons or/

weapons or armour to the English. Those who continued to hold previous statutes condemning this practice in contempt would be guilty of manifest treason.¹³² The Council's generally passive response to the continuing threat is clearly reflected in their command of 16 July to all Prelates to "make general processions for the welfare of the realm, prosperity of the king and sure homecoming of the governor..."¹³³

Dacre's advice concerning the benefit to be gained from waiting for another serious attack on Scotland until after the corn had been harvested was followed from July. There was no formal truce but the raiding ceased to be a regular occurrence. This allowed preparations to be made for the greatest offensive so far undertaken in 1523 - a combined attack by Surrey and Dacre with the men of both Marches.

On 1 August, Dacre first gave formal expression to the plan which for the next month and a half occupied the second phase of the English 'politic' approach to the removal of Albany's influence.¹³⁴ The plan was a straightforward attempt to capitalise on the disaffection of many of the Lords with the French alliance. Despite the arrival of the French troops, there had been no indication of the arrival of Albany himself and the time by which he had promised to return or forfeit his authority was fast running out.¹³⁵ The earlier reassurances of the French Ambassador and Francis I himself now seemed a little hollow.¹³⁶

Dacre advised Surrey to write to Margaret suggesting that, if Albany did not return by the promised date, she should gain over all the Lords whose support she could win and bring about the setting up of James V as King, without needing a Governor any more, and able to choose a new Council and policies of his own.¹³⁷ This plan did not work in 1523 and yet it did in 1524. To say that it never had any chance on the former occasion is to deny the very real feeling of discontent in Scotland with the war and with the French alliance. It can principally be put down to the personal charisma/

charisma of Albany. The contrast between his government and the anarchy, especially of the years 1517-21 was powerful testimony in his favour; and yet it was impossible to have Albany without the war, therefore the war was necessary. The question which really needs to be answered is whether or not Margaret was actively deceived by the Lords into delaying the English attack to buy time for a Scottish response. Given that Margaret relied most on the conversion of the Chancellor, the Bishop of Aberdeen and the Earl of Argyll to her cause,¹³⁸ (three of those who were later to be active against the same scheme in 1524, and in the case of Beaton and the Bishop of Aberdeen, because they supported Albany¹³⁹) the answer is that they probably did successfully play up vague declarations by most Lords that if Albany did not keep his promise to return, they would set up the King in his full royal estate and choose a new Royal Council. Some may even have made positive statements, but the awe which all felt for Albany, and which Margaret herself recognised,¹⁴⁰ meant that everyone wanted to wait and see whether or not Albany would return. This was probably the extent of the deception practised on Margaret whose private ambitions to be restored to the leading position she had enjoyed in 1513-14 encouraged a great deal of self-deception on her part.

While the English were seeking a peaceful end to the conflict, the Scots continued to prepare as if war was expected and could not be averted. Despite the poor state of the record, the Council ordinances of early August are unequivocal in noting the gathering of oxen to transport artillery to the borders and the furnishing of provisions for an army.¹⁴¹ On the English side also, preparations were being made for a renewed effort which it was recommended should attack and destroy Jedburgh. Originally planned to take place in mid-August, (immediately on the failure of Albany to accomplish his promise to return) this was postponed on 15 August for up to twenty days by Surrey for lack of ammunition. It was delayed for a further twenty days on 27 August because the moon had waned and much of the marching/

marching was to be done by moonlight.¹⁴²

The position of James V personally, in this story of intrigue, offer and counter-offer, became noticeable for the first time in August 1523. Queen Margaret proudly adds in a letter to Surrey that her son had no love for the French alliance and now, at the age of eleven, perceived himself to be held in unwarranted thrall:

"... And, as to his commyng furth at fredom, he will not bide in no langar than Monday com eight days [31 Aug.] without he be holden perforce be the Lordes; and that he saith playnly, that no good Scottisman will hold hym in ane house against his will..."¹⁴³

James, she declared, put all his trust in his uncle, Henry VIII. The story was amplified by an English spy in Scotland writing to Sir John Bulmer, who had passed the story on to Surrey. Surrey himself doubted the truth of this story, despite the claim that the spy was a man of credit and substance in Scotland. He stated that,

"... the young king saith, that for noo man he wolbe any lenger kept within a castell, bot wolbe at his libertie, and that one realme sall not kepe hym and the Duke; and that with a dagger he hath striken a gentilman aboutes hym thorough the arme because he ded contrary his opinion; and wold have striken the porter with his dagar, because he wold not suffre hym too goo oute at his libertie..."¹⁴⁴

The voice of Margaret filling the young King's head with a sense of his own self-importance echoes in the news of another spy that James V had answered the Lords in Council who wanted to give Albany more time to return to Scotland by saying that former Kings of Scotland had governed well when they were as young as he was and that with good advice he hoped to do as well as any of them.¹⁴⁵

The Parliament which met at the end of August and early September was occupied principally with deliberating about the immediate conduct of government. Albany had not returned by the time he had promised but despite the counter-arguments put forward by James V as above, the Lords agreed to/

agreed to allow Albany one more month to return: that is until the end of September. They had been persuaded to adopt such a course in the wake of renewed French assurances by Albany's Secretary, Walter Malin, Abbot of Glenluce, that Albany would have returned by then.¹⁴⁶

The Lords decided on 2 September to commit James V to a further period of guardianship at Stirling Castle in the keeping of David Arnott, Bishop of Galloway; Alexander Myln, Abbot of Cambuskenneth; Gilbert, Earl of Cassillis and John, Lord Fleming, together with John, Lord Erskine and the other captains and guards appointed before in 1522.¹⁴⁷

The King was to be allowed to go out hunting and riding in the company of these Lords, but had always to return into Stirling Castle each evening. The ordinance clearly indicates a desire to prevent the kind of influence which his mother appeared to have exercised over him in that it further ordained that, apart from those commanded to be constantly round the King's person, no others were to have access to the King, "... specialie to persuade him to any insolence or vices, but in presence of the said Lords..."

The Prioress of Coldstream reported to the English that Margaret wept bitterly when she knew that her plans had come to nought¹⁴⁸ but she soon formulated an extension of the plan begging Surrey to come to Edinburgh in the great raid, then being prepared on the border. She argued that the Lords cared little for damage done on the Borders because it did not harm them personally, but Surrey believed that she only urged this impossible course to allow her own escape from Edinburgh.¹⁴⁹

By 16 September, the Council knew of the English intention to invade Scotland in strength, but they also knew that Albany was at last on his way. The expectation of the Lords of Council in refusing to bring James V to his full royal estate had been that acceptance of English promises of peace while/

peace while a large army was still assembled on the border would have led to that army entering Scotland anyway to "protect" Henry VIII's nephew in his new position.¹⁵⁰ Despite Margaret's spiteful scorn that French assurances of Albany's return were only "tidings of the Canongait" (stories of no veracity¹⁵¹), there must have been some certain belief among the Lords that Albany's arrival was now imminent. There seems to be no other possible explanation for the fact that the Scots army was mustered, in anticipation of the English invasion, at Threipwood, between Lauder and Stow and yet did nothing to meet Surrey's forces during the two days and nights they were on Scottish soil, attacking and destroying Jedburgh less than twenty miles to the south.

Only a few Lords were in Edinburgh on 16 September to issue the order that all Lords, both spiritual and temporal, be in Edinburgh by 20 September at the latest, because the English invasion was expected on 21 or 22 September.¹⁵²

On 17 September, letters were sent to raise the whole of the south of Scotland, with every man to be ready at twenty four hours' notice.¹⁵³ On the following day, they were specifically directed to muster at Threipwood, between Lauder and Stow on 22 September with eight days' provisions, to pass from there to the resistance of the English. The Lords who had to come from further afield were given grace for a day or two and were directed to catch up with the army wherever it would have advanced.¹⁵⁴ Thus the expectation was that this host was going to go somewhere. On 22 September, all cases before the Lords of Council were postponed until eight days after the return of the army, and all small artillery was directed to be sent from Dunbar Castle to the host. The Earl of Argyll was made Lieutenant-General of the army.¹⁵⁵

In the last few days before the invasion, Surrey was seeking urgent advice about/

advice about the eventuality of the Homes joining the English side. If their aid was obtained, Surrey wanted to know if he was to desist from casting down Home Castle and other strongholds in the vicinity.¹⁵⁶ On 17 September, Surrey received confirmation that George, Lord Home, David Home of Wedderburn and the Earl of Angus's brother, George Douglas, had offered hostages to come to England in person and work for the English influence in Scotland, if Albany returned.¹⁵⁷

Surrey had deep-rooted fears about the possible success of a Scottish counter-attack even if he did not go as far as Edinburgh, or the success of an ambush on Dacre's force before it could join the main force in the East March.¹⁵⁸ The counter-attack could only have been delayed by the physical arrival in Scotland of the Duke of Albany for a third stay in Scotland. It is much more likely that he did arrive in Scotland on 20 September as stated by the Treasurer's Accounts and not as stated by later chroniclers on the day that Jedburgh was destroyed, i.e. 23 September.¹⁵⁹ News from an unknown spy to the Prioress of Coldstream on 21 September confirms that on that day, Albany sent a message to the Lords at Edinburgh to meet him on Michaelmas Day (29 September) which means that he was already at least off the Scottish coast and more probably had already landed.¹⁶⁰ Only the news that Albany was back in Scotland with a French force, ready to assume command of the counter-attack can explain the Scots' inactivity.

Dacre joined Surrey in the invasion which began on 23 September and successfully destroyed Jedburgh.¹⁶¹ The only immediate blot on the success of this mission was the loss of a large number of the horses which Dacre had brought.¹⁶² Whether or not this was the result of Scottish action to induce panic in the English ranks, it was a small gesture in the face of the success of the English attack as a whole.¹⁶³ The English reported that only eight or ten men had been killed and a small number wounded, when they reached/

reached the safety of Berwick at 10 p.m. on 25 September.¹⁶⁴

It was now the turn of the English to go from an active to a passive phase with a sense of anticipation of the Albany-directed counter-attack uppermost in Surrey's mind. The English had done their damage, now they had to sit and wait for the Scottish retaliation. The Scottish host was already mustered while Albany had brought French auxiliary forces with him ready to move straight to the offensive. In the midst of his triumph at Jedburgh, Surrey was already worrying about how long Wark, Etal, Ford, Fenton and Wooler and other towns thereabout would be able to resist the Scottish attack.¹⁶⁵ In fact, the retaliation took a month to prepare and execute and the failure of the Scottish-French attack dealt a fatal blow to Albany's prestige in Scotland. There had undoubtedly been a movement with the potential to deprive Albany of his authority in August-September 1523 and a groundswell of opposition had only been overcome by assiduous promises and bribes by the French Ambassadors. Yet at the same time, Albany's personal magnetism had not yet lost its potency and the desire to have him in control of government outweighed all desires to have peace, since the two were incompatible at this time. The future did not look so certain, however, and the Franco-Scottish alliance now very much depended on the events of Albany's third stay in Scotland.

CHAPTER EIGHT NOTES

- 1 James V Letters 92-3, James V to Christian II, 23 April 1523: "... England, the inveterate foe, maik insincere overtures for peace..."
- 2 L&PHVIII iii pt. ii no. 3313 [Abbot of Kelso] to Dacre, 8 Sep.
- 3 State Papers of King Henry the Eighth. Correspondence Relative to Scotland and the Borders, 1513-1534 (London 1836) iv part iv no. xv Queen Margaret to Surrey, 18 Sep.
- 4 These private reasons were to facilitate Margaret's escape from Scotland because of her fears of Albany's government being to her detriment for having advocated its rejection: SPHVIII iv pt. iv no. xvii Surrey to Wolsey, 21 Sep.
- 5 L&PHVIII iii pt. ii no. 2571 Albany's articles by De Barbon, 27 Sep. 1522; ibid. no. 2619 Albany to De Barbon, 17 Oct. 1522; ibid. no. 2765 Albany's instructions to George Hay, sent to Wolsey, 10 Jan. 1523.
- 6 Ibid. no. 2649 [Wolsey to Henry VIII] undated (Nov. 1522). The Scottish Council advised Arran to accept truce from month to month as such was not contrary to the terms of the Treaty of Rouen: ADCP 153, 13 Nov.
- 7 L&PHVIII iii pt. ii no. 2532: 2 10 Sep. 1522, see above 310.
- 8 Ibid. no. 2666 Clarencieux's Instructions for Scotland, 12 Nov. 1522.
- 9 Ibid. no. 2765 Albany's instructions to George Hay, sent to Wolsey, 10 Jan. 1523.
- 10 James Beaton had not yet completed his move from Glasgow to St Andrews although the papal bull for his translation had been issued on 10 Oct. 1522 - Watt, Fasti 298.
- 11 L&PHVIII iii pt. ii no. 2717 Beaton to Dacre, 18 Dec.; ibid. no. 2725 Queen Margaret to [Wolsey]. The latter specifically states that the meeting of the Lords with Clarencieux took place on 17 Dec. 1522.
- 12 Ibid. no. 2765 Albany's instructions to George Hay, sent to Wolsey, 10 Jan. 1523.
- 13 Ibid. no. 2788 Reply of the Lords of Scotland to the articles shown by Clarencieux, 21 Jan. 1523. Despite the rejection of peace, Clarencieux received a very large payment from the Lords of Council of £61 - ER xiv 92.
- 14 L&PHVIII iii pt. ii no. 2723 Dacre to Wolsey, 24 Dec. 1522; ibid. no. 2725 Queen Margaret to [Wolsey] 26 Dec. Margaret was suffering from smallpox.
- 15 ADCP 152 6,7 Nov. : Monday, Tuesday and Thursday were assigned for privileged cases; Wednesday for royal cases, and Friday and Saturday for the common table.

- 16 Ibid. 158. For the model of a physically divided Council, see above 250, 254-5, and ~~above~~ 24-8 for 1514-15.
- 17 ADC 33 ff.1-113v. (Nov.-Dec. 1522); *ibid.* ff.114-190v. (Jan.-Feb. 1523); *ibid.* f.190v. (continuation to 20 May); *ibid.* f.200 (continuation to 15 June); *ibid.* f.207 (continuation to 20 Oct.).
- 18 ADCP 155, 3 Dec. 1522. Arran, Argyll and Huntly, the Regents, were recalled to Edinburgh to give their advice.
- 19 See above 258-62. The Montgomeries had supported the Hamiltons and the Cunninghams had supported the Douglases.
- 20 TA v 205. On 1 Nov. Eglinton and Glencairn were ordered to cease their gathering of supporters to disrupt the holding of the bailie courts of Cunningham.
- 21 RSS i no. 1193 associates a 'John Montfoid' with Lord Montgomery, 4 Jan. 1506. Respites for the deaths of John Montfoid and Robert Scott were granted in 1510: *ibid.* no. 2081, 12 June; *ibid.* no. 2212, 24 Feb. 1511. The latter includes a reference to the involvement of the Cunninghams; cf. *ibid.* ii no. 4148, 3 Aug. 1541 respite to John Cunningham in Auchtermany for involvement in the death of John Montfoid.
- 22 ADCP 156-8, 18 Dec. The Council had already delayed the hearing for nearly a month as summons on Glencairn had first gone out on 14 and 29 November for him to answer the charges: TA v 205-6.
- 23 ADCP 158, 18 Dec.
- 24 *Ibid.* 19 Dec. On 21 Dec. letters in the strongest terms were issued calling on Eglinton and Glencairn to enter their sons in ward and relax their men from the horn : TA v 207.
- 25 ADCP 160, 21 Jan. 1523.
- 26 TA v 208, 15 Jan. Both Earls were given respites to come to Edinburgh and attend the Council. Glencairn attended in person on 21 Jan. p.m. and 22 Jan: ADC 33 ff.120, 121v. Eglinton did not attend because he was ill.
- 27 Scots Peerage i 335, iii 435.
- 28 ADCP 160, 21 Jan.
- 29 *Ibid.*
- 30 *Ibid.* 22 Jan. A later undated note indicated Arran's readiness to punish his men for their disorder against the Cunninghams: *Ibid.* 176. The note occurs at the end of ADC 33 f.216 after the meeting of 20 July 1523.
- 31 ADCP 161, 22 Jan.
- 32 *Ibid.* 163-4, 26 Jan.
- 33 *Ibid.* 164, 27 Jan. Glencairn was again present in person on the Council on that day: ADC 33 f.128.

- 34 ADCP 165-6. The letter was read and engrossed in the Council record on 30 Jan. Eglinton was put to the horn on 31 Jan. presumably because his son and grandson had withdrawn from ward, suspecting treachery.
- 35 *Ibid.* 167-8, 16 Feb. Argyll, Huntly, James Beaton (the Chancellor), Arran and Lennox all agreed to this formula.
- 36 *Ibid.* 174, 15 May. Auchinharvie Castle is in Ayrshire, 4 m WSW of Stewarton.
- 37 ADC 33 f.63 4 Dec. 1522 Alexander, Abbot of Cambuskenneth vs. John, Lord Fleming and Sir Ninian. Seton of Tullibody. Case continued to 10 Feb. and not called again.
- 38 *Ibid.* f.64 4 Dec. Same vs. Andrew, Lord Avandale. Case continued to 10 Feb. and not called again.
- 39 *Ibid.* f.70 8 Dec. James Beaton (Chancellor), as Abbot of Arbroath vs. Alexander, Lord Saltoun of Abernethy. Defender lost case and was ordered to pay.
- 40 *Ibid.* f.31v. 20 Nov. Same vs. Lachlan McIntosh concerning the teinds of the parsonage of the kirk of Inverness. Defender lost case.
- 41 *Ibid.* ff.73, 73v. 8 Dec. p.m. Same vs. Alexander Ogilvy of Findlater. Defender lost case.
- 42 *Ibid.* ff.42-43, 27 Nov. Edward, Abbot of Newbattle vs. Patrick, Master of Hailes for wrongful withholding of dues. Defender lost case; cf *ibid.* ff.102-109v, 18 Dec. which includes 10 further cases of a similar nature.
- 43 *Ibid.* ff.128-128v, 27 Jan. 1523.
- 44 RMS ii no. 2586, 12 June 1501.
- 45 Scots Peerage iv 532, Huntly died on 16 Jan. 1524. His grandson and heir was then aged no more than 14.
- 46 See above 209-11, 227-8; Rae, Administration 161.
- 47 ADCP 155, 8 Dec. 1522.
- 48 TA v 206, 18, 30 Nov.; *ibid.* 209, 24 Jan. 1523.
- 49 ADCP 155-6, 15 Dec.
- 50 *Ibid.* 160, 21 Jan. 1523.
- 51 *Ibid.* 154, 14 Nov. 1522.
- 52 *Ibid.* 167, 12 Feb. 1523. Failure to obtain any money from the grant of the tax was to lead to apprising of the sheriffs to force payment to Margaret.
- 53 *Ibid.* 158, 17 Jan. 1523.
- 54 *Ibid.* 159, Crichton of Cranston-Riddale offered surety for Cessford; Douglas of Drumlanrig for Buccleuch and Hoppringle; Lord Borthwick for Cranston, and the Abbot of Holyrood for Crichton of Cranston-Riddale.

- 55 Ibid. 159-60, 19 Jan. No charge was to be accepted against the Borderers unless Margaret proceeded to try to apprise the lairds as was the normal custom.
- 56 W Fraser, The Scots of Buccleuch (Edinburgh 1878) i 70; see below 423-4.
- 57 ADCP 164, 28 Jan. 1523.
- 58 HMC 15th report Appendix pt. 8 MSS of Buccleuch and Queensberry 71-3: Charters Relating to Holywood Abbey nos. 170-3, 17 Oct. 1522 - 16 Sep. 1523; cf St Andrews Formulare i 78-84 nos. 77, 78, 79.
- 59 James V Letters 109 James V to Clement VII Nov. 1524. M Dilworth, 'The Commendator System' in IR xxxvii:2 (1986) 64, nos. 31 (Holywood); 32 (Dundrennan).
- 60 TA v 214, 10 June 1523. Gavin Dunbar, Beaton's successor at Glasgow was only provided on 8 July 1524 and consecrated in Feb. 1525: Watt, Fasti 149.
- 61 See above 109-10.
- 62 ADCP 156, 17 Dec. 1522.
- 63 ADC 33 f.130, 27 Jan. 1523; *ibid.* ff.140v.-142, 31 Jan.
- 64 *Ibid.* f.164v, 7 Feb.
- 65 This was the time when John Major, one of the earliest writers to propose that the union of England and Scotland would be of mutual benefit, was writing his history: John Major, A History of Greater Britain, (SHS 1892) preface lxxix.
- 66 ADCP 154, 13 Nov. 1522.
- 67 500 French troops arrived in June 1523 to join 300 sent earlier: L&PHVIII iii pt. ii no. 3110 Dacre to Surrey, 16 June.
- 68 SPHVIII iv pt. iv no. xix Surrey to Wolsey, 22 Sep. 1523; *ibid.* no. ii Queen Margaret to Surrey, 24 Aug.
- 69 L&PHVIII iii pt. ii no. 3300 News out of Scotland, Sep. 1523. The French Ambassador, Monsieur De Langeac had been doing his best to maintain the Scots' allegiance to France: James V Letters 93, Francis I to De Langeac, 30 May.
- 70 ADC 33 f.137, 29 Jan. p.m.
- 71 *Ibid.* f.96, 16 Dec. 1522 was Beaton's last appearance during this period down to Feb. 1523. Sederunts of 15, 19, 21 Jan. 1523 show Arran, Argyll and Huntly all present together: *ibid.* ff.114-137. At least one of these three appeared at each meeting until the end of this Session.
- 72 ADCP 166, 30 Jan.

- 73 ADC 33 ff.189-190, 16 Feb. p.m. 'in domo cancellarii'. Sederunt: James Beaton, Chancellor; Gavin Dunbar, Bishop of Aberdeen; David Arnott, Bishop of Galloway; John, Earl of Lennox; William, Earl of Montrose; Robert Shaw, Abbot of Paisley; James Hay, Abbot of Dundrennan; John, Lord Fleming; Ninian, Lord Ross of Halkhead; John, Lord Lyle; and Sir William Scott of Balwearie. The defender, Hugh, Earl of Eglinton, did not attend but was found guilty in his absence.
- 74 L&PHVIII iii pt. ii no. 3079 Dacre to the Chancellor of Scotland, 5 June 1523.
- 75 SPHVIII iv pt. iv no. ix Queen Margaret to Henry VIII, 13 Sep.
- 76 Watt, Fasti 298.
- 77 See above 327-8.
- 78 L&PHVIII iii pt. ii no. 2852, 24 Feb. 1523; cf *ibid.* no. 3177, 13 July 1523 when the money was actually paid.
- 79 *Ibid.* no. 2875, 6 Mar.
- 80 *Ibid.* no. 2911, 24 Mar.
- 81 William, Lord Borthwick received £150 in the account of April 1524 for keeping the King until Aug. 1522: ER xv 90-1.
- 82 TA v 212, 29 Apr.; ADCP 175, 20 June: Wedderburn's brother defended their castle against the English.
- 83 L&PHVIII iii pt. ii no. 3333 Surrey to Dacre, 14 Sep.; SPHVIII iv pt. iv no. xiv Surrey to Wolsey, 17 Sep. Albany commanded their allegiance on his arrival: L&PHVIII iii pt. ii no. 3350 (Unknown) to the Prioress of Coldstream, 21 Sep.
- 84 *Ibid.* no. 2912 pts. 1 and 2: Margaret's request and Surrey's reply, 25 Mar.
- 85 *Ibid.* no. 2963 Dorset to Henry VIII, 16 April; *ibid.* no. 3305 Prioress of Coldstream to Sir John Bulmer, 5 Sep.
- 86 Calendar of the State Papers relating to Scotland 1509-1603, ed. M J Thorpe (London 1858) pt. ii no. 4 placed March 1523. Bulmer had received royal congratulations by 15 April: *ibid.* no. 7.
- 87 TA v 211, 2 April.
- 88 L&PHVIII iii pt. ii no. 2930 William Franklyn to Wolsey. The men of the Bishopric of Durham had not turned out in full to a muster on 31 March; cf G Bernard, The Power of the Early Tudor Nobility (Brighton 1985) 115, for the effect of bad harvests and plague on the mobilisation of the men of the Bishopric of Durham.
- 89 *Ibid.* no. 2937 Surrey to Wolsey, 10 April.
- 90 ER xv 90; L&PHVIII iii pt. ii no. 3179 Dacre to Surrey, 15 July.

- 91 TA v 211, 12 April.
- 92 James V Letters 93 Francis I to Monsieur De Langeac, 30 May.
- 93 L&PHVIII iii pt. ii no. 2937 Surrey to Wolsey, 10 April.
- 94 Christian II of Denmark was driven from his throne and kingdom by his uncle, Frederick, Duke of Holstein in April 1523: Michael Roberts, The Early Vasas : A History of Sweden 1523-1611, (Cambridge 1968) 22.
- 95 James V Letters 90 James, Archbishop of Glasgow, Chancellor, to Christian II; *ibid.* 90-1, James V to Christian II, 20, 22 April.
- 96 L&PHVIII iii pt. ii no. 2960 Surrey to Wolsey, 15 April. Surrey, who was then at Newcastle, planned to entice the Scots by lying at Berwick and, after wasting all the Scots supplies, to make a devastating counter-attack.
- 97 I have been unable to identify Kilkhorn on the East Coast of Scotland. A tentative suggestion is Kinghorn in Fife.
- 98 Cal. State Papers (Thorpe) pt. ii no. 8 William Sabin to Surrey, 10 May.
- 99 L&PHVIII iii pt. ii no. 2974 Surrey to Wolsey, 23 April. Tronok and Dordof were probably both in the vicinity of the modern village 'Dornock', 3 miles east of Annan in the coastal parish of Dornock.
- 100 TA v 211-2, 29 April 10 p.m.; 30 April.
- 101 L&PHVIII iii pt. ii no. 2995 Surrey's instructions to Nicholas Harvey to be shown to the King and Council, (May).
- 102 *Ibid.*
- 103 *Ibid.* no. 3242 Surrey to Dacre, 15 Aug.
- 104 TA v 212-3 The summons went out on 5 May for 13 May when a convention of the Lords did meet. Excuses for non-attendance were accepted from the Bishop of Aberdeen, Robert, Master of Marischal and James, Earl of Moray: ADCP 173. The attendance on 15 May: ADC 33 f.195, repeated f.199v. was: Alexander, Earl of Huntly; James, Earl of Arran; John, Earl of Lennox; Cuthbert, Earl of Glencairn; Monsieur Gonzolles; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; John Home, Abbot of Jedburgh; Alexander Myln, Abbot of Cambuskenneth; James Hay, Abbot of Dundrennan; Thomas Niddrie, Abbot of Culross; John, Lord Fleming; William, Lord Borthwick; Hugh, Lord Somerville; George, Lord Seton; John, Lord Hay of Yester; Ninian, Lord Ross of Halkhead; John, Lord Lyle; George Dundas, Lord St John's; Sir William Scott of Balwearie; John Campbell of Lundy, Treasurer; Robert Barton of Overbarnton, Comptroller; and Adam Otterburn.
- 105 ADCP 168-9. At the same time, the Captain of Edinburgh Castle warned that it was indefensible if attacked by an invading force. The Provost of Edinburgh was Allan Stewart at this time: see Edin. Recs. 1403-1528, Appendix 282, probably Provost until Nov. 1523.

- 106 ADCP 169-73, Acts for the resistance of England, now lately carrying out destruction in the Merse.
- 107 Loch Tower, like Cessford, belonged to the Kerrs. It lay 2m west of Yetholm village in north-east Roxburghshire.
- 108 Linton stood 4m west-south-west of Yetholm and 6½m south-south-east of Kelso.
- 109 L&PHVIII iii pt. ii no. 3170 Dacre to the Laird of Cessford, Mark Kerr and David Pringle, 8 July 1523.
- 110 Whitton Tower was approximately 1m from Linton, 7½m south-south-east of Kelso.
- 111 L&PHVIII iii pt. ii no. 3039 Surrey to Henry VIII, 21 May; see also A T M Maxwell-Irving, 'Early Firearms and their Influence on the Military and Domestic Architecture of the Borders' in Proceedings of the Society of Antiquaries of Scotland vol. 103, 196-8.
- 112 James V Letters 93-4 Francis I to the Scottish Estates, and to Monsieur De Langeac, 30 May; cf. L&PHVIII iii pt. ii nos. 3114-5 (two parts of the same letter), [Wolsey] to Dacre, June 1523.
- 113 L&PHVIII iii pt. ii no. 3079 Dacre to the Chancellor of Scotland, 5 June.
- 114 Ibid. no. 3072 Appointment of Dacre on 3 June.
- 115 Ibid. no. 3079 Dacre to the Chancellor of Scotland, 5 June.
- 116 Ibid. no. 3110 Dacre to Surrey, 16 June.
- 117 Ibid. no. 3085 Queen Margaret to Dacre, 10 June; ibid. no. 3086 Chancellor Beaton to Dacre, 10 June; ibid. no. 3104 Dacre to Queen Margaret, 14 June; ibid. no. 3105 Dacre to the Chancellor of Scotland, 14 June.
- 118 Ednam lay 2½m north-north-east of Kelso; Stitchell 3¼m north-north-west of Kelso; Nenthorn (Aynthorne in the English letter) was 4m north-west of Kelso; Newton was probably on the same site as the 19th century mansion of Newton-Don, 3m north-north-west of Kelso; Eccles (Akles in the English letter) was the seat of a nunnery 5¾m north-north-east of Kelso, and Mersington is in Berwickshire, a few miles north-north-east of Eccles.
- 119 L&PHVIII iii pt. ii no. 3110 Dacre to Surrey, 16 June.
- 120 ADCP 174, 18 June. Sederunt (ADC 33 f.200) was: De Langeac, the French Ambassador; James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; John Hepburn, Bishop of Brechin; James Chisholm, Bishop of Dunblane; Alexander, Earl of Huntly; George, Earl of Rothes; William, Earl of Montrose; George Crichton, Abbot of Holyrood; Alexander Myln, Abbot of Cambuskenneth; Henry Orme, Abbot of Lindores; Thomas Niddrie, Abbot of Culross; Robert Foster, Abbot of Balmerino; William, Lord Borthwick; John, Lord Fleming; George, Lord Seton; William, Lord Semple; George Dundas, Lord St John's; Robert Forman, Dean of Glasgow; Thomas Hay, Parson of Ruthven, Secretary; John Lindsay/

Lindsay of Pitcreavie, Master of Lindsay; Patrick, Master of Hailes; Richard Bothwell; Patrick Coventry, Dean of Restalrig; Sir William Scott of Balwearie; James Wishart of Pitarrow, Justice Clerk; Adam Otterburn.

- 121 Great and Little Dirrington are two of the Lammermuir Hills in Berwickshire, $1\frac{1}{2}$ m south-south-east of Longformacus.
- 122 TA v 214-5, 19 June. The letters were sent to the Sheriffs of Linlithgow, Stirling, Dumbarton, Renfrew, Fife, Perth, Forfar and Kinross; the Stewards of Menteith and Strathearn; the Earls of Eglinton, Glencairn, Lennox, Crawford and Morton; Lords Semple, Ross, Lyle, Livingston, Gray, Ogilvy of Airlie, Glamis, Fleming, Sommerville, Borthwick, Seton, Hay of Yester, and to the burghs of Edinburgh and Haddington.
- 123 W Fraser, The Annandale Family Book (Edinburgh 1894) i 38-9.
- 124 ADCP 175, 20 June.
- 125 L&PHVIII iii pt. ii no. 3130 Magnus to Dacre, 24 June; *ibid.* no. 3158 Surrey to Wolsey, 3 July.
- 126 ADCP 175, 23 June.
- 127 L&PHVIII iii pt. ii nos. 3114, 3115 [Wolsey] to Dacre, June 1523; *ibid.* no. 3134 Dacre to Wolsey, 26 June.
- 128 *Ibid.* no. 3138 Dacre to Wolsey 28 June; cf James V Letters 93 Francis I to Monsieur De Langeac, 30 May 1523 for reference to French pensions.
- 129 *Ibid.* no. 3147 Dacre to Surrey, 1 July; *ibid.* no. 3158 Surrey to Wolsey, 3 July. Folden's location is 5m WNW of Berwick-Upon-Tweed.
- 130 L&PHVIII iii pt. ii no. 3179 Dacre to Surrey, 15 July 1523.
- 131 ADC 33 f.212v. Sederunt of 14 July: James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; James, Earl of Moray; George Crichton, Abbot of Holyrood; James Hay, Abbot of Dundrennan; Thomas Niddrie, Abbot of Culross; Gavin Dunbar, Prior of Whithorn; John, Lord Fleming; John, Lord Hay of Yester; George Dundas, Lord St John's; Robert Forman, Dean of Glasgow; Patrick Coventry, Dean of Restalrig, and John Campbell of Lundy, Treasurer.
- 132 ADCP 175-6; cf TA v 217, 11 July.
- 133 TA v 216-7, 16 July.
- 134 L&PHVIII iii pt. ii no. 3215 Dacre to Surrey, 1 Aug.
- 135 Albany had originally promised to return by the Day of the Assumption (15 Aug): *ibid.* no. 2645 Dacre to Wolsey, 31 Oct. 1522.
- 136 James V Letters 93-4 Francis I to Monsieur De Langeac and same to the Scottish Estates, 30 May. Francis had promised in these letters that Albany and a French force would be despatched by 24 June at the latest.

- 137 This plan lasted from 1 Aug. until 22 Sep.: L&PHVIII iii pt. ii no. 3222 Surrey to Queen Margaret, undated (3 Aug.); *ibid.* no. 3224 Dacre to Queen Margaret, 4 Aug.; *ibid.* no. 3241 Surrey to Wolsey, 15 Aug.; SPHVIII iv pt. iv no. ii Queen Margaret to Surrey, 24 Aug.; *ibid.* no. iv [Surrey to Queen Margaret] 26 Aug. The failure of the plan was known in early Sep.: L&PHVIII iii pt. ii no. 3305 [Prioress of Coldstream to Sir John Bulmer], enclosed in a letter of 5 Sep. Nevertheless, Margaret tried to keep it going: SPHVIII iv pt. iv no. ix Queen Margaret to Henry VIII, 13 Sep.; *ibid.* no. x Queen Margaret to Surrey, 13 Sep.; Surrey kept all his options - *ibid.* no. xi Surrey to Wolsey, 14 Sep.; *ibid.* no. xiii Surrey to Queen Margaret, 16 Sep. Surrey believed that the Lords had deceived Margaret and the desire which she evinced for an English army to come to Edinburgh was intended only to facilitate her escape to England: *ibid.* no. xvii Surrey to Wolsey, 21 Sep. and *ibid.* no. xix Surrey to Wolsey, 22 Sep.
- 138 SPHVIII iv pt. iv no. ix Queen Margaret to Henry VIII; *ibid.* no. x Queen Margaret to Surrey, 13 Sep.
- 139 See below 414-7.
- 140 SPHVIII iv pt. iv no. ii Queen Margaret to Surrey, 24 Aug.
- 141 ADCP 176-7, 3 Aug. The first four folios of ADC 34 are damaged; cf. TA v 216-7, 11 July; *ibid.* 217 for carriage horses, 1 Aug.; Edin. Recs. 1403-1528, 216, carriage horses sent from Edinburgh to the army, 30 July; TA v 218, 11,12 Aug.
- 142 L&PHVIII iii pt. ii nos. 3240, 3241 Surrey to Wolsey 14,15 Aug.; *ibid.* no. 3242 Surrey to Dacre, 15 Aug.; SPHVIII iv pt. iv no. xi Surrey to Wolsey, 27 Aug.
- 143 SPHVIII iv pt. iv no. ii Queen Margaret to Surrey, 24 Aug.
- 144 *Ibid.* no. vii Surrey to Wolsey (reporting news received from Bulmer), 4 Sep.
- 145 L&PHVIII iii pt. ii no. 3300 News out of Scotland, Sep.
- 146 *Ibid.*; *ibid.* no. 3313 (Abbot of Kelso to Dacre), 8 Sep.
- 147 SRO GD 124/10/8 (MSS. of Mar And Kellie). The Lords of articles who subscribed this act were: James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; John Hepburn, Prior of St Andrews; Alexander, Earl of Huntly; Colin, Earl of Argyll; John, Lord Fleming; Francis Bothwell, President of Edinburgh; Adam Otterburn and John Mar, Provost of Aberdeen. This Parliament is not recorded in either APS or ADC but see also L&PHVIII iii pt. ii no. 3305 (Prioress of Coldstream to Sir John Bulmer) enclosed in a letter of 5 Sep. and *ibid.* no. 3313 (Abbot of Kelso to Dacre), 8 Sep.
- 148 L&PHVIII iii pt. ii no. 3305 (Prioress of Coldstream to Sir John Bulmer) enclosed in a letter of 5 Sep.
- 149 SPHVIII iv pt. iv no. ix Queen Margaret to Surrey, 18 Sep.; *ibid.* no. xvii Surrey to Wolsey, 21 Sep. See above 149.

- 150 Buchanan, History ii 226-7; L&PHVIII iii pt. ii no. 3313 (Abbot of Kelso to Dacre), 8 Sep. Thomas Kerr, Abbot of Kelso claimed not to know whether or not the Lords accepted the French assurances because of generous bribes. Walter Malin had promised Albany's return in 6 days.
- 151 Ibid. no. 3313.
- 152 ADC 34 f.7. The attendance was seven: James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; Colin, Earl of Argyll; James, Earl of Moray; George Crichton, Abbot of Holyrood; Thomas Niddrie, Abbot of Culross and John, Lord Fleming; ADCP 177-8.
- 153 TA v 221-2, 17 Sep.
- 154 Ibid. 222, 18 Sep.; ADCP 179-82, 19 Sep.
- 155 ADCP 180, 22 Sep.
- 156 SPHVIII iv pt. iv no. xi Surrey to Wolsey, 14 Sep.
- 157 Ibid. no. xiv Surrey to Wolsey, 17 Sep.
- 158 Ibid. no. xvii Surrey to Wolsey, 21 Sep.
- 159 TA v 223 states that he arrived at Dumbarton on 20 Sep. Buchanan, History ii 224 gives date 24 Sep.; Lesley, History, 124 gives date 21 Sep. and that he landed at Kirkcudbright.
- 160 L&PHVIII iii pt. ii no. 3350 Unknown to the Prioress of Coldstream, 21 Sep.
- 161 Ibid. no. 3360 (Surrey to Wolsey), 24 Sep.
- 162 Ibid. no. 3364 Surrey to Wolsey, 27 Sep. Surrey stated that the Englishmen had seen the devil six times among the horses causing them to stampede.
- 163 Buchanan, History, ii 223-4. This overestimates the extent of the English panic.
- 164 L&PHVIII iii pt. ii no. 3364 Surrey to Wolsey, 27 Sep.
- 165 Ibid. no. 3360 (Surrey to Wolsey), 24 Sep.

CHAPTER NINE

**Disillusionment : The Conclusion of the Active War Against England
and of the Active Governorship of Albany****27 September 1523 - 31 May 1524**

Albany's third stay in Scotland was marked by a long period of tension in Anglo-Scottish relations which never seemed likely to erupt into an active state of war after the failure of Albany's initial response to the English attacks of the summer of 1523. Albany had not arrived in time to prevent the most destructive of these attacks, on Jedburgh on 23-25 September, needing time after his arrival to disembark the French soldiers whom he had brought with him, and to marshal the Scottish host under his command. He faced a major problem in calculating his retaliatory attack because of the lateness of the season, and the bad weather which attended the effort against Wark in November 1523 contributed in large measure to the failure of that effort.

The preparations which were made for the Scottish response were thorough and took more than a month. The soldiers who were brought from France to help the Scots in terms of the Treaty of Rouen (under which the French King was obliged only to send 500 lansquenets, 500 infantry and 200 archers, together with 100,000 'crowns of the sun'¹) amounted probably to about 5,000 infantry and 100 lansquenets.² Although Margaret had not seen the force personally, the fact that she reported that this brought the total French forces in Scotland to 6,000, and it is known that some 800 had arrived during the summer to join those left behind by Albany before to keep Dunbar and Dumbarton Castles,³ make these figures probable. The Earl of Angus, who was in exile at the French Court, but not confined, and likely to know the situation, later confirmed that Francis I had sent Albany back to Scotland in September 1523 with 4,000 "adventurers" and 100 lansquenets.⁴ Angus added that Albany had been given 3,000 francs and although Albany/

although Albany himself received payments from the Scots for his expenses in undertaking the attack on Wark,⁵ his master of household, on 9 October, paid 2,400 crowns of the sun (the equivalent of £2,400 Scots⁶) to the Edinburgh commissioners for raising provisions, to pay for supplies to be sent to the host.⁷ It is clear from all of this that the French response to the Scottish need was strong enough to overcome the possible waverers who felt that peace with England was more desirable than the war which Albany's personal presence would inevitably bring. The English had used in the past, and continued to use, the argument that war was only waged against Albany and that as soon as the Scots ended his authority, the war would be ended.

The initial fear which Surrey expressed was that Albany would be able to mobilise very quickly and raise all of the men of the Merse, Teviotdale, Ettrick Forest and the Lothians for a peremptory strike, which the English could scarcely resist because of their poor state of preparation.⁸ His only comfort was that Albany would be persuaded to attack Wark Castle which had already been well fortified along with Norham to withstand a Scottish siege.⁹ In fact, there are indications that Albany did not want to make such a peremptory strike because of a desire to try to secure peace with England, or at least an abstinence before any attack had even taken place. Communications with Clarencieux, the English King-At-Arms, at Dumbarton led to secret letters being taken from Albany to Dacre.¹⁰ These overtures were dismissed by Dacre as being feigned to obtain time.¹¹ Albany must have been aware of the difficulties of persuading the Scots to attack England given two overriding factors - their reluctance to attack Carlisle in 1522, and the lateness of the year and the consequent bad weather. His position would surely have been strengthened by putting off any attack until the springtime. It is one of the most important points of the relationship between the Duke of Albany and the Scots trying to explain whether he stood for a/

for a strong Scotland, doing his best for her national interests or whether he was solely concerned with French foreign policy and doing his part to benefit Francis I. Its importance at this stage lies in the fact that Albany fatally compromised any possibility of peace by trying to link a truce between England and Scotland to one between England and France,¹² at the very time when the Duke of Suffolk had led an English army into France in pursuance of the Anglo-Imperial accords which sought to destroy Francis I's influence in Italy.¹³ It can be argued that Albany, by including this clause which had no chance of acceptance, merely ensured that war between England and Scotland would continue - that it was a strategic manoeuvre designed to force the Scots into active war. This is unlikely because Albany continued to use the same argument throughout the winter and spring of 1523-4 that peace between England and Scotland should 'comprehend' France.¹⁴ This suggests that Albany was concerned primarily in his foreign policy decisions in the 1520s with the position of Francis I to whom he owed a great debt of loyalty. On the other hand, the Scots were prepared to accept his decisions and, indeed, would not let him leave Scotland in December 1523 or February 1524 because of his success in domestic policy arrangements in providing civil justice and excellent internal administration. The foreign policy was an acceptable price for the domestic policy so long as Albany remained in Scotland. Only with his departure did that price begin to be regarded as too high by enough of the Lords who mattered to put an end to Albany's government.

There was no lack of activity on Albany's part after his arrival in Scotland but the question of mutual trust between the Lords of Council and the Governor was now a prime consideration. During his first stay in Scotland, it had been his constant industry which had been the hallmark of his governorship. This had earned him a position of trust and the respect of the/

of the majority of the Lords in Scotland. The absence of 1517-21 and the antipathy to the campaign of 1522 had turned that trust into reservation. Now Margaret claimed at the very start of the Scottish campaign of 1523 that this mutual trust had vanished completely: "I here say [the French] schal be put in the vanguard be cause he gyfyth not gret trast to the Scotys men."¹⁵ It is true that this was what happened in the attack on Wark, but Margaret was not giving full credit to the Scots who favoured the French alliance. They had resisted all the temptations of Margaret's pro-English policy in the summer of 1523 and had extended the time allowed for Albany's return by a month, convinced that he would return to prosecute war with England, fortified by French support in men, money and arms.¹⁶ There was no question, therefore, of abandoning Albany without being certain of his plans. The Council which met in Glasgow on 1 October 1523 had the largest attendance since the meeting held in the presence of the French Ambassador in June which had confirmed preparations for the war against England.¹⁷ Significantly absent, however, were the Earls of Huntly and Lennox, two of the four Earls specially entrusted with raising the Scots lieges on Albany's behalf.¹⁸

Huntly was to raise the men of the north of Scotland, Lennox those of the west, Argyll, the Highlanders and Arran the men of the Merse and Lothian, an equitable and sensible division of the country in terms of areas of influence. Yet Huntly failed completely to do his duty. This is probably explicable on account of the illness of which he complained¹⁹ and the fact that he died in January 1524 adds weight to that argument, but the rumours which the English spies heard associated him with Lennox in a definite gesture against the war, refusing to raise the men whom he had been charged to bring to the host, because of the winter season.²⁰ There was certainly no enthusiasm for the war in the north of Scotland with later remissions/

remissions for failure to attend the host at Wark granted on a northern tour by James V in Angus's company in 1527, being granted on a widespread and probably lucrative scale. In all, some two hundred people received remissions in the north of Scotland, including twenty-three named Lairds who included the leading men of their community.²¹ Lennox's reluctance may have been the result of politicking because it reaped benefits for him in the nomination of Dryburgh Abbey and the office of Warden and Lieutenant of the East and Middle Marches after the campaign was finished.²²

The first half of October saw the Scots make serious efforts to secure a convention of the whole country on 19 October, well-provisioned and provided with oxen to drag the artillery to the Border.²³ To facilitate this, all actions in civil and spiritual courts were continued until six days after the return of the army, and on 2 October 1523 the Act of Twizelhaugh, as amended in 1522²⁴ to include men who had only held tacks and not land in heritage was passed once more.²⁵

The English spies were able to report on all of this activity but they could not tell whether Albany intended to repeat the 1522 campaign and attack Carlisle again or, instead, attack the eastern border.²⁶ Surrey passed on the report to Wolsey that Albany was very wilful and took no man's counsel, presumably because he had already worked out his strategy in advance. The first hint that the eastern border was to be preferred comes in letters to Lord Hay of Yester and to the ~~Numeries~~ Numeries of Coldstream and Eccles to cause all roads used before for passage of the guns to the border to be repaired.²⁷ Surrey had already expressed the hope that Albany would attack Wark or Norham because of their better defensible positions compared to either Berwick or Carlisle where larger English forces could be stationed but where their ability to hold out without battle was more questionable. Surrey was advised by Wolsey not to come to battle with the Scots but to contain Albany's/

contain Albany's advance until his provisions were exhausted and then his return to Scotland would be necessary,²⁸ a standard response because the risk of engaging in battle was just too great. Further raids were made by the English Deputy Lieutenants, Sir William Bulmer, Sir William Evers, Ralph Fenwick and Sir William Heron, but the English preparations were now being affected by the increasing bitterness of their commander, Thomas, Earl of Surrey, who was desperate to be relieved from his post on the Borders.²⁹ His references to the bad weather meant that it was not only affecting his own health, but also was making it difficult for Albany to drag the artillery to the border across rain- and snow-softened ground.³⁰

The English had always been keen to emphasise the greater dissatisfaction of the commons, compared to the Lords, with Albany's government. This resentment of the French influence became acute when it was necessary to provide food, fuel and lodging for the French soldiers in Scotland, and it undoubtedly contributed to the failure of the expedition against Wark. There had always been trouble amongst the Scots with indiscipline in the army and on 12 October the Council reminded the commanders of the trouble which had occurred on the journey to Solway in 1522. This had caused great damage to the Scots living in the West March. To prevent this from happening again, the Captains³¹ were made responsible for the entering of all troublemakers to be pursued both civilly for restitution of goods destroyed and criminally as oppressors of the realm. If they failed to enter those responsible to answer for their crimes, then they were to be pursued themselves as if they were principally responsible.³² These ordinances did not prevent the same accusations being raised in the mutual recriminations which followed the failure of the expedition. The charge was levelled against the host that it merely succeeded in destroying what Surrey and the English raids of the summer had left in Scotland.³³

Certain/

Certain Scots felt a more intense animosity against the French soldiers. This is evident from a number of petty incidents which should have caused few problems but helped contribute to the atmosphere of mutual distrust and resentment. In the first place, there was an influx of French money into Scotland which was irritating to Scots traders and led to claims that French soldiers were not paying properly for the supplies which they bought at the market in Edinburgh.³⁴ A shortage of small Scottish coinage exacerbated the problem and led on 20 October to an Act ordering acceptance of French coinage as legal tender in Scotland. Any traders or others who refused to accept the French money were to be punished by death, an indication of the seriousness of the issue.³⁵

While still in the west of Scotland, some French soldiers were involved in the killing of a burghess of Glasgow and two women on 8 October. Those responsible were put in ward to await execution but when Albany left Glasgow to visit Lord Fleming at Cumbernauld, a band of eighty Frenchmen rescued those in ward, arousing the Governor's wrath. Two of those involved were summarily executed, others were injured and some were put back in ward.³⁶ The French soldiers were mustered at Linlithgow on 13 October³⁷ and had moved to Edinburgh by 17 October when they were accused of wasting fuel laid in as winter provisions by their Scots hosts.³⁸ This is probably another indication of the coldness and dampness of the autumn but it was not explicable to the Scots and had caused some disorder in Edinburgh.³⁹

All of these factors were involved in the failure of the summons to the host on 19 October. At a time when Scotland had suffered merciless invasions throughout the summer of 1523, it should have been inconceivable that the Scots would not be willing to answer the musters, at least to defend their own borders against further English attacks. Nevertheless, the Council/

the Council heard on 21 October that the responses at the four muster points, Stirling, Glasgow, Lanark and Lauder had been so bad that it would be necessary to send out messengers to repeat the call and remain in the areas of the muster points to ensure that those who did not answer this time would be brought to justice and have their goods escheated.⁴⁰ On the following day, Albany set out for Newark in Ettrick Forest with orders being sent to the sheriffs to bring the host on after him.⁴¹ The widespread area covered by this second call indicates that a countrywide disinclination for the war had definitely manifested itself. The situation was so bad for Albany that special ordinances had to be enacted twice forbidding the ferrymen of Leith, Kinghorn or Queensferry from taking any deserters back to the north side of the Forth before the return of the army and similarly charging Lord Erskine not to allow anyone to return by crossing over Stirling Bridge.⁴² Tenants of royal lands who had been charged to send carriage horses had contemptuously disobeyed their orders.⁴³ At the very last moment, with the army having already left Edinburgh at noon on 27 October, there were still commands being issued on 28 and 29 October, to raise carts for carriage of provisions and food as well, particularly fish from Musselburgh, Gullane, North Berwick and Dunbar, and also bread, ale, fish, butter and cheese from St Andrews and Dundee.⁴⁴ The explanation for this general lack of the will to fight lies in the factors outlined above. The bad weather, the lateness of the year and the resentment felt against the French 'wageouris' who received payment for what the Scots had to do as a duty were much more potent morale-sappers than some defined political ideology of belief in war or peace. Yet some Scots evidently did answer the call, impelled either by a sense of duty, by a desire for revenge against the English for the attacks of 1523, or, in the case of the leading Lords, by a desire to keep Albany in Scotland. An attack on/

attack on England was a necessary evil in order to have the physical presence of Albany in Scotland because of the attitude adopted by Henry VIII and Wolsey that the war was not waged against James V and his realm but against the government of Albany which imperilled both King and country.

Albany seems to have scouted around the Borders for some time before the main army came forward. Reports of his advance towards Newark on 22 and 23 October⁴⁵ were countered by another suggesting that he had only reached Haddington by 24 October.⁴⁶ Surrey stated in a dispatch of 28 October that Albany had been in the vicinity of Melrose and Dryburgh with at least part of his army for seven days.⁴⁷ The report was that Albany had contemplated a second attack on the town of Carlisle through the West March but that a council of war had advised him on account of the poor weather to attack Wark and Norham, if the River Tweed was not running too high, or else Berwick.⁴⁸ This contradicts the probability that Albany had worked out a strategy before he had left Edinburgh and always intended to attack the eastern border. Yet the period of scouting may indicate a certain flexibility which only served to confirm Albany's belief that an attack on Wark would be the best opportunity to achieve a significant objective. This would be based on a consideration of the strength of the castle, its closeness to the Tweed and the likely low level of enthusiasm which he could expect from the Scots. At the time when the host was first assembled on 19 October, Surrey reported that Albany had exhorted the Scots with the assurance that Wark and Norham would not dare to shut their gates against his army and that Berwick would only hold out for six hours.⁴⁹ He had added that the pretender to the English throne, Richard De La Pole,⁵⁰ who had enjoyed French patronage would not fail to join him in an attack on England - presumably trying to encourage a belief that an attack would help to end the influence/

the influence of Henry VIII and Cardinal Wolsey and that England would thereafter be favourable to a grand alliance of England, Scotland and France. DeLa Pole wisely never set out for England and Albany's boasting proved to be little more than political rhetoric. As a result, the failure of the attack on Wark, the smallest of the three targets, assumed a disproportionate appearance of fiasco.

The main army advanced on 27 October,⁵¹ and on the following day it had reached Melrose where it was reported to have crossed Melrose Bridge heading towards the eastern border.⁵² On 30 October, Surrey received news that the attack was definitely going to be directed against Wark,⁵³ and the siege began on 1 November after a preliminary raid by David Home of Wedderburn on Cornhill, Branxton and Learmouth to prevent assistance easily being rendered to the besieged garrison at Wark on 31 October.⁵⁴

The Lords, who were still meeting in Edinburgh,⁵⁵ were still trying to raise the fullest support possible on that day and the Provost of Perth offered to send another fifty carriage horses to join the host by 2 November in return for the burgesses of Perth not having to pass in person to the host.⁵⁶

The siege of Wark, which formed the only active campaign of the Anglo-Scottish war of 1523-4, lasted only for three days. Albany did not succeed in capturing the castle and when news of Surrey's approach with the English army reached him, he retreated to the Scottish side of the River Tweed and on 4 November disbanded the army altogether. The account of this attack given by the chronicler, George Buchanan, who was personally present at the battle, is interesting but not necessarily reliable for it was written many years after the incident took place.⁵⁷ However, his description of the attack does match that given by the Earl of Surrey in his despatches of 3 and 4 November, on which dates the English commander was within a few miles of Wark.⁵⁸

Wark/

Wark consisted of a central tower surrounded by an inner courtyard and wall and beyond, an outer courtyard. Albany had brought his artillery up to the siege by 31 October,⁵⁹ and on 1 and 2 November had fired the guns at Wark, probably from the Scottish side of the river, which resulted in the outer courtyard falling to the French soldiers in the first attack. There was nothing surprising about the French leading the attack - they were after all professional soldiers and the numbers easily accommodated in a full-frontal assault on the castle would militate against the whole of the Scots host being needed. It was the success of the defending garrison of one hundred men under Sir William Lisle which prevented the castle from falling into Albany's hands at once. When the initial assault had been beaten back without winning either the inner courtyard or central tower, the potential for success must have been minimised in Albany's mind by two factors. In the first place, the bulk of the army was still in Scotland and Surrey mentions in his despatch of 3 November that the Tweed was running too high to ford, after the recent rain and snow.⁶⁰ Bishop Lesley, in his chronicle, makes much of the point that the attack was intended to be continued on 4 November but the rising water induced a fear of being cut off on the English side.⁶¹ The second factor was the awareness of the approach of Surrey's army. Surrey had contacted the Lords of Scotland, presumably offering peace terms in return for the exclusion of Albany from all authority before they came to battle. The Scots' answer on 2 November was a rejection.⁶² The army which Surrey had put together was unlikely to have been 'much more numerous' than the combined Franco-Scottish force⁶³ but neither side would have actually sought a battle in the prevailing circumstances. In particular, Albany was aware of the reluctance of the Scots to risk a battle. It is unlikely that any sophisticated theory of a "Flodden complex" was involved.⁶⁴ No strategist would have welcomed a situation where battle/

where battle would have been joined in bad weather, on ground of Surrey's choosing near Wark, with the Scots having their backs to a rising River Tweed. Albany retired to the Priory of Eccles on the night of 3 November and on the following day, with snow and sleet falling, the Scottish host was disbanded and marched back to the north.

The reactions of both the English and the Scots to this whole affair were utterly predictable. Surrey crowed in the immediate aftermath of the failed attack about Albany's "shameful departure" and about "how cowardly he fled". Surrey eagerly reported the Scots' reaction to Albany's jibe that he did not attack because he had 'no convenient company so to do' which had the Scots unanimously swearing "By God's blood, we will never serve you more, nor never will wear your badges again..." and adding "would to God we were all sworn English!" This was what the English wanted to hear, but the Scottish reaction was not so straightforward. Despite Surrey's desire to believe that Albany's reputation in Scotland had gone for ever, the majority of the Lords in Scotland retained two separate images of their Governor. The one image of Albany as the martial representative of French foreign policy, anxious to do all in his power to aid Francis I by leading an attack on England's northern frontier, had been dealt a mortal blow. Even this recovered slightly when news of the English withdrawal from France reached Scotland.⁶⁵ The other image was much more potent and was of Albany, the Governor of Scotland, strong enough in terms of personal influence to ensure the imposition of justice and good government on an unruly and tendentious governing class. The contrast between the periods of his personal presence, particularly the memory of 1516-17 after the overcoming of the Home opposition, and the anarchy and confusion, especially of 1520-21, was just too great. The dilemma which faced those Scots who saw the best future for government in Albany's continued/

continued personal guidance was that it was no longer possible to keep Albany and have the peace with England which was necessary to allow him to devote all his energies to civil justice and administration.

Shortly after the retreat from Wark, on 9 November, letters were taken around the country to summon a new Parliament to begin in Edinburgh on 17 November.⁶⁶ Margaret immediately began renewed negotiations to achieve peace between Scotland and England, at least over the winter when no actions could take place without great difficulty, and on 14 November, she intimated to Surrey her view of Albany's credit in Scotland.⁶⁷ She stated that Albany felt no shame at the result of the expedition, blaming its failure on Arran, Lennox and others who would not pass into England. This is the clearest indication of disaffection amongst commanders on whom Albany was relying after the host had actually moved forward,⁶⁸ and Lennox had already been tardy in replying to the call to the host.⁶⁹ Albany's fear of the treachery of his commanders made him reluctant to remain in Scotland after the campaign was finished,⁷⁰ and before the end of the year, 1523, he was seeking licence of these Lords of Council to return to France. The record of the meeting of the Parliament of November 1523 comes only from Margaret's correspondence on the subject, but there is no doubt that she was well informed of the proceedings since these were principally concerned with changing the Lords who had been appointed to remain in constant attendance on James V.⁷¹

In September 1523, the Bishop of Galloway (David Arnott), Abbot of Cambuskenneth (Alexander Myln), Earl of Cassillis and Lord Fleming had been appointed to remain with the King, together with his long-standing Keeper, Lord Erskine.⁷² The Earl of Cassillis, at least, had been closely involved in the military operations of October 1523 and could not have fulfilled a daily attendance on the King.

Now, /

Now, with Albany back in control of the government and with a majority of the Lords anxious to persuade him to stay in Scotland, he was able, in November, to change the Lords keeping the King. He chose Lords whom Margaret had particularly noted were more in favour of the French alliance and who had protested against the sending home of the French 'wagers'. That had been a move calculated by Albany to save money and trouble, without affecting his own position adversely since no action could reasonably be expected before spring and he intended to be gone by then.⁷³ These Lords were the Earl of Moray, who had been Lieutenant of the French forces⁷⁴ and Lord Fleming,⁷⁵ together with the Earl of Cassillis and Lord Borthwick. Margaret, herself, was now too influential with the King and had continued to cherish plans to have James brought to Court and placed, nominally at least, in charge of running the country, which she had pursued by pleading with the English for a peace on her authority to establish her position and weaken the Lords' resolve to keep Albany in Scotland.⁷⁶ Margaret was especially discomfited by the appointment of Lord Fleming, raking up the old story of the deaths of three daughters of the first Lord Drummond (grandfather of Margaret's husband, the Earl of Angus) who had been poisoned in 1502, one of whom had been Lord Fleming's wife.⁷⁷ The implication was clear that James V's life was in jeopardy and Margaret claimed to know that the Governor wanted the King dead "... for [he] hath his sister now to paramour..."⁷⁸

The rest of the activities of the Parliament of November 1523 were concerned with Albany's personal presence in Scotland. In return for agreeing to send the French 'wagers' home, Albany obtained the Lords' agreement to a payment for his expenses in mounting the expedition to Wark, out of royal casualties.⁷⁹ Although the indications were clear that the majority of the Lords refused to support Margaret's schemes and insisted on the retention/

the retention of Albany as Governor, Margaret still noted that Huntly, Argyll, the Chancellor and the Bishop of Aberdeen were all unhappy about the failure to secure peace with England. In particular, James Beaton, Archbishop of St Andrews had fallen from favour with Albany and Margaret believed that his continued occupation of the office of Chancellor was in doubt.⁸⁰

After the end of their meeting, the explanation of their activities was taken from the Lords to Margaret by the Earl of Moray, one of those newly-appointed to remain continually with the King, the Bishop of Moray (James Hepburn), Gonzolles and Albany's Secretary, the Abbot of Glenluce (Walter Malin). The inclusion in the list of signatories⁸¹ of Arran, Lennox, the Chancellor and the Bishop of Aberdeen suggests that those on whom Margaret may have been relying were not so opposed to Albany as she liked to think. Only Huntly and Argyll, who were mentioned as unfavourable to Albany by Margaret, are missing from the Council and their absence is not really significant.⁸²

Albany had been able to reclaim so much of his lost prestige in the few weeks since Wark that he was able to obtain the Scottish Estates' confirmation of the Treaty of Rouen on 24 November 1523. This act more than any of the others signified the price which the Lords were willing to pay to keep Albany in Scotland. They were tied to French foreign policy in so far as if Francis I continued at war with Henry VIII, Scotland would also remain at war. The provision of French troops to aid the Scots could scarcely have been the most desirable part of the Treaty and its ratification was more a symbolic gesture than a considered acceptance of its actual clauses.⁸³

Margaret's reply to the Lords' intimation of the changes in the keeping of James V reverted to her standard formula. She had been illegally deprived of her living since James IV's death, and had suffered the odium of her brother, /

her brother, Henry VIII, because of her accommodation to Albany for the King's sake. Effectively it amounted to a straightforward refusal to give her blessing to the change and to protest her innocence to the world if any harm came to James V as a result.⁸⁴

Scotland and England had now entered a stage of passive hostility during which the possibilities for truce or peace were fully explored, while for the most part a de facto abstinence without official sanction continued. Wolsey confirmed on 26 November that there was no possibility of the Scots getting a favourable truce while Albany continued to be Governor. Any truce without mentioning him at all would not be acceptable to England or her allies and otherwise the only acceptable truce would not include a recognition implicit or explicit of Albany's continued position as Governor.⁸⁵ In fact, throughout the negotiations which followed, Albany chose to ignore this obstacle to peace and to include an even more insuperable one, which was the continued link of Anglo-Scottish peace to Anglo-French peace, particularly after the withdrawal of Suffolk's army from France. Surrey, on behalf of Henry VIII, rejected this outright.⁸⁶ Even Dacre, who had always taken a realistic view of the English need for peace with Scotland, unperturbed by Wolsey's posturings against any necessity to appear to need peace,⁸⁷ while recognising a strong desire on both sides for peace, could not countenance the comprehension of France.⁸⁸

Tied up with these negotiations was the question of Albany's departure from Scotland, having not been able to accomplish his mission exactly as had been intended. The English forces on the Continent disengaged because of the failure of their allies, not on account of actions on the Scottish frontier.

In his instructions sent to England in December 1523, Albany offered to leave Scotland never to return while the truce was in effect, even if the truce was/

truce was then continually prorogued until James V reached his majority. This was the most explicit indication that Albany would be happy not to return to Scotland. The only condition was that the truce was to include comprehension of allies (i.e. that England would be at truce with France as well as Scotland).⁸⁹ This condition was, as before, totally unacceptable to the English and Surrey intimated this in his answer which reached Albany on 27 December.⁹⁰

In the meantime, Albany had summoned the Lords and sought their licence to leave Scotland. The Council meetings in early December dealt with some of the most pressing civil causes, notably the disputed tacks of Coldingham Priory between Patrick Blackadder of Tulliallan, Administrator of the Priory, and George Douglas of Bonjedburgh. Blackadder used Albany's influence in his favour to overturn an original decision in favour of his rival, but Douglas had not waited for confirmation of the original letters he had obtained, relevant to the profits of the lands of Sawnes and with Robert Haig of Bemersyde had forcibly obtained these profits.⁹¹ There is no record, however, of the meeting of a General Council or Parliament other than in the reports by Margaret and Dacre. Margaret reported that the initial business had involved an appeal to her by Albany to explain her opposition to his arrangements for the keeping of James V. She said that she replied by informing him of her fears for the safety of her son's life in the keeping of such suspect Lords, and that their denial of her free access to the King added to her disquiet and displeasure. Albany then tried to soften her resistance by taking an instrument that if any Lords did not fulfil their obligations in regard to her conjunct fee, he would hold them responsible for any trouble which ensued. Thus Albany did not give way on the basic issue and offered a calculated ploy which effectively cost him nothing to give. Margaret was not convinced and secretly swore an oath before witnesses/

before witnesses revoking any appearance of agreement to the status quo she may have given, being only granted to obviate greater difficulties.⁹²

Once Margaret had left the Council, the business turned to Albany's desire to go to France, in which he made no mention of his return. Dacre added details of the Lords' reply to this, given by the Bishop of Aberdeen on their behalf. They would give him no licence to pass, and if he went regardless of their opposition, he would be rejected from all position of authority in Scotland. In addition, they would demand that he should surrender Dunbar and Dumbarton Castles from the care of Frenchmen into the care of the Lords.⁹³

This was not the action of a majority of Lords anxious to be rid of the Governor and the French influence, because he personally, and his demands, could be seen to be the major obstacle to peace with England.⁹⁴ It is necessary to look, as the Lords must have done, to the bleak future which awaited Scotland in his absence. The likelihood of Margaret controlling James V as she had done in 1513-14, raised prospects not only of English interference in Scottish government, all in the name of peace and friendship, but also of a divided and factious Council, even without considering the possible return to Scotland of the Earl of Angus. The need for strong government to ensure the proper functioning of civil and criminal justice was to become the rallying cry of Albany's supporters - and the contrast of his successes in the first few months of 1524 and the actuality of what happened when he had gone was as startling as that between 1516-17 and 1519-21.

Albany had been thwarted in his initial desire to return to France before the end of 1523, despite having had his ships already prepared at Dumbarton,⁹⁵ before meeting the Lords. He counted on being able to raise support for his personal decisions by once again raising the disposition of benefices to obtain the support of certain key temporal Lords. Thus John Maxwell,/

Maxwell, brother of Lord Maxwell, was nominated to Dundrennan Abbey.⁹⁶ William Kennedy, Abbot of Crossraguel, brother of the Earl of Cassillis, was nominated to replace Maxwell as Administrator of Holywood Abbey in addition to Crossraguel.⁹⁷ Dryburgh Abbey was given to the gift of the Earl of Lennox and led to the nomination of James Stewart, a canon of Glasgow.⁹⁸ The Governor also approved of a scheme proposed by the Chancellor whereby Beaton would resign the commend of Arbroath Abbey to his nephew, David Beaton, the later Cardinal Archbishop of St Andrews.⁹⁹ Through such appointments, Albany was able to raise support and, having agreed to stay until Candlemas 1524, he hoped to persuade the Lords then that he could be of more use arguing on their behalf with Francis I in France.

In the new year, negotiations for a truce occupied the thoughts of Albany, Margaret and Dacre, with Margaret in particular, wanting agreement to peace at least until Midsummer's Day.¹⁰⁰ Albany chose to ignore the repeated English references to his presumption in trying to comprehend France in an Anglo-Scottish truce to which there would never be agreement. Though Dacre promised to pass on Albany's requests, he stated that he had no authority to agree to his proposals.¹⁰¹ Albany wanted to be able to leave Scotland without imperilling his authority and felt that he could do this by convincing the Scots of the English threat. Dacre reported on 28 January that Albany was fully determined to depart from Scotland when the time agreed in December was concluded (Candlemas was on 2 February).¹⁰² Letters had already been taken to Dumbarton, Glasgow and other west of Scotland burghs to inquire what provisions they could supply to the ships lying off Dumbarton ready to transport Albany to France.¹⁰³ In fact, the Lords still would not agree to give licence for Albany to depart and on 30 January word of his return to Edinburgh reached Dacre; the strength of his surprise at the news is testimony to the strength of his belief in the earlier report of Albany's imminent/

Albany's imminent departure.¹⁰⁴ The main reason for the Lords threatening Albany's governorship if he left without their licence was the continued need for peace and good government within Scotland.

On 5 February, Albany sent his envoy, De Barbon, once again to Dacre, offering to do anything reasonable to achieve a general peace, continuing to ignore the fact that his insistence on a 'general' peace and not one specifically between England and Scotland, was the only reason for a continued state of hostility.¹⁰⁵ As in 1517, there was some diplomatic talk about Albany travelling back to France via the English Court but the vehemence of English opposition to the inclusion of France would have rendered such a journey not only foolhardy - for Albany's personal liberty was at stake - but also futile since it had no chance of achieving its primary objective. In fact, while Wolsey was chastising Dacre for again making it appear that England was anxious for the truce,¹⁰⁶ the Scots were slowly recovering some of their confidence in border raids. The Earl of Lennox had been appointed Warden of the East Marches and Lieutenant of the Merse and Lothian, and the disposal of Dryburgh Abbey had been given to him not only to keep him favourable to the Governor, but also to encourage him to undertake such an arduous office.¹⁰⁷ The raid which Lennox carried out, successfully attacked Ford, Branxton and Cornhill and was reported to have been very demoralising to the English by Sir John Bulmer.¹⁰⁸ Dacre was unimpressed by those who would not help to defend their country and expressed the belief that this attack meant that Albany and the Scots were insincere in their desire for peace.¹⁰⁹ This was the crux of the matter. Albany's continued insistence on the inclusion of France in an Anglo-Scottish truce was the practical result of his policy of aiding France by using Scotland. Unable to carry out the initial plan of using French troops to lead the Scots into a glorious and successful campaign against northern England, /

northern England, he could now best serve Francis by preventing the Scots from accepting a peace with England, which would allow England to concentrate all of its forces against France in the summer of 1524. Why, then, did the Scots go along with this insincerity, when so many of the Lords had given Margaret cause to hope for a rejection of Albany in August 1523 which betokened acceptance of peace with England? The answer lay in the other main area of reasoning - the continued need for Albany's physical presence in Scotland because of its important effect on the success of justice and administration.

Lord Home and David Home of Wedderburn had been restored to their former lands and powers in the Merse in August-September 1522¹¹⁰ and worked for Albany throughout the campaign of 1523 against England. Wedderburn was the Captain responsible for leading the preliminary attack on Learmouth and other places near Wark to ensure that they could not give aid to the besieged castle. By mid-January 1524, however, relations between the Governor and the Homes had deteriorated again. Believing himself to be about to leave Scotland, Albany warned Wedderburn to remain loyal in Albany's absence or else suffer severe consequences.¹¹¹ Unusually, there were excuses presented not only by Wedderburn but also by Lord Home and Angus's brother, George Douglas, for their recent behaviour. Lord Home claimed that he was kept out of lands to which he had been restored, and what he did control had been destroyed by the English and the Scots host in the previous summer.¹¹² Wedderburn claimed to have been co-operating with Lennox, the Warden, in attacking across the border and to have been "so grateful for his pardon that he has no thoughts of doing anything against Albany's wishes.": Albany was relying too much on the enemies of the Homes.¹¹³ George Douglas, brother of the Earl of Angus, had tried to obtain redress for his cousin, the Laird of Dalhousie, for an attack on him by Sir James Hamilton/

Hamilton of Finnart but he could get no impartial judgement. He could not compear before Albany through fear for his personal safety while Albany was in the heart of Hamilton country (and Albany was in Dumbarton when these letters were taken to him¹¹⁴). Douglas requested that his brother be allowed to return soon from France.¹¹⁵

This renewed illustration of the rivalry between the Douglasses and the Hamiltons and the difficulty of acceptance of the Homes as trustworthy meant that Albany's task in Scotland involved more than just securing Scottish adherence to Francis I and explains much more substantially why the Lords of Council feared what would happen to the government in his absence. The problems continued, however, with the necessity for several calls to be sent out to several Lairds of Teviotdale and to George Douglas, Lord Home and David Home of Wedderburn to provide pledges to the Council to secure their continued goodwill.¹¹⁶ The difficulties may have been exacerbated rather than the government's position strengthened by Albany's reliance on an outsider like the Earl of Lennox, though far less so in the climate of 1523-4 than a reliance on a Frenchman would have done.¹¹⁷ Andrew Kerr of Ferniehirst and Walter Scott of Buccleuch were given grants by Albany which promoted their power,¹¹⁸ but they were still required to provide pledges - this mixture of support and mistrust caused disaffection with Albany. Eventually, with the season for renewed activity in the war approaching, on 12 March, all civil actions concerning the Merse and Teviotdale were continued until May.¹¹⁹

This rather heavy-handed approach to solving the problems of keeping good rule in the Borders was redressed by the success of the government in bringing to a satisfactory conclusion the division between the Earls of Eglinton and Glencairn and their families. Even to achieve the agreement of both sides to the terms of a decret arbitral where both sides compromised was a vindication/

was a vindication of Albany's continued personal presence in Scotland, regardless of whether or not the terms were subsequently kept. Both Earls came to the Council on 26 February 1524, when they promised to obey the Governor's command in the 'debate' between them. Eglinton went further and "thankit his grace hertfully of his rycht honorable desir of concord amangis thame..."¹²⁰ The agreement between them was concluded on 14 March 1524 and its main provisions were for a marriage between the Master of Glencairn's heir and the Master of Eglinton's sister. Glencairn was to give the lady lands to the value of £100 Scots per year in liferent, as her conjunct fee, and was to infest the Earl of Eglinton in land worth 80 merks p.a. Most importantly, all bygones were to be forgiven and forgotten with compensations equalled out leaving Glencairn to pay £481 Scots. Both parties were bound over to keep the agreement on pain of £3,000 Scots.¹²¹

The possible advantage in morale which could have been gleaned from the Warden's raid by Lennox in February 1524 was minimised by Dacre's continued preparations for the war, in the certain belief that Albany would leave Scotland shortly without getting a peace arranged.¹²² Despite the reports of complaints by local Lords and the failure of payments to the regular English soldiers, which was causing resentment and difficulty in resisting the Scots, there is no doubt that the English were well-prepared for the start of the campaigning season. On 13 March letters were sent to be proclaimed in all necessary places in Lothian, Teviotdale, the Merse, Lauderdale, Linlithgowshire, Tweeddale, Eskdale and Nithsdale for the lieges to be ready to defend their country on just one hour's notice.¹²³ On the following day, the Council ordered all spiritual and temporal Lords to pass home to raise their defences, the only exemption being granted to Ninian Chirnside of East Nesbit whose castle had been destroyed in 1523 and, therefore, had no defensible place.¹²⁴ This state of readiness was in fact premature, /

premature, for the English, as Dacre had already revealed, were not in as hostile a mood as the Scots believed. Dacre offered to hold off from any raids if Albany would prevent Lennox from making any, while Albany's Secretary, De Barbon, continued his mission.¹²⁵ There was a genuine attempt to secure peace between England and Scotland and in pursuance of it, De Barbon had gone on to the French Court at Wolsey's request,¹²⁶ but the possibility that Albany was playing a dangerous game of duplicity in order to delay the English attack, without being sincere in his desire for peace, cannot be entirely dismissed. He still pressed for the French to be included in any truce or peace negotiations and ignored all English objections.¹²⁷ He pointed out that the English pressed for truce simply between England and Scotland to cover the whole summer campaigning season because inclusion of France needed to be referred to Henry VIII's ally, the Emperor Charles V - which would be a difficult and long-term project. As England could do nothing for a general peace without Charles V, so, Albany claimed, the Scots could agree to nothing without Francis I.¹²⁸

These negotiations dragged on through charge and counter-charge of delaying tactics,¹²⁹ passing through phases of near-hostility,¹³⁰ until by the end of April, Dacre was convinced that Albany had indulged in double-dealing, dissimulating merely in order to gain time and to obtain the agreement of the Scots Lords to his departure from Scotland.¹³¹ The sum effect of this stage of Scottish foreign policy was totally negative. Active hostility did not break out but peace was never achieved. The Lords who were influential on the Council in persuading Albany to stay in Scotland wanted him to improve domestic policy in the field of administration and civil justice. The price for this had been acceptance of the Treaty of Rouen and the inconclusive dealings with England, but there was no possibility of the situation continuing indefinitely in the face of Albany's determination to/

determination to leave Scotland. Despite English raids on Scotland, undertaken at Wolsey's instigation to destroy Albany's reputation, when the season improved in April,¹³² and English attempts to deal with certain Scots Lords without Albany,¹³³ it was ultimately an internal Scottish decision to allow Albany to leave, not one prompted by fear or bribery. The English campaigns, both physical and verbal, against Albany in 1515-17 and in the 1520s singularly failed to persuade the majority of the Lords in Scotland actively to reject Albany as Governor. The crux of his rejection later in the summer of 1524 lay in very different circumstances when it was not generally believed that Albany would, or even could, come back to Scotland.

Internally, Albany's achievements were more impressive in this first few months of 1524. Besides his success in persuading Eglinton and Glencairn to agree to a document setting aside their differences at least in principle, there were a number of administrative improvements made. In January, at the time when Albany's early departure had seemed likely, he caused the Lords to pass a decree ordering the Justice-General or his depute to sit continually at Edinburgh for the administration of criminal justice, specifically to deal with cases of premeditated murder.¹³⁴ In mid-February, hearings of all cases of killings in Fife, Perthshire, Menteith, Strathearn and Forfarshire committed since Flodden were ordered to be held from 15 March, to which day all defendants and their sureties were called.¹³⁵ The Session was held from 18 January until 2 March, when it was continued until May, with many cases being heard and decided.¹³⁶ When the Exchequer sat after the end of the Session, attempts were also made to improve its efficiency with certain sheriffs ordered to be apprised for dues remaining unpaid which had been recorded in the Exchequer Roll and for them to pay their unlaws due for failing to compear in the Exchequer.¹³⁷

The questionably/

The questionably practical success of the taking of pledges from the Borders was a sign of good intentions and an attempt to deal with the problems, even if the calls for pledges had to be repeated on several occasions,¹³⁸ but the administrative activity which was undertaken was what the Lords wanted from Albany. It was this activity which strengthened his hand and enabled him to obtain backing for his most amazing coup de théâtre.

Margaret had regularly used as an excuse to Dacre the necessity of doing what she could to make life tolerable for herself in Scotland, but her agreement to the terms of a contract of April 1524 can scarcely be conceived in terms other than that she was given no choice whether to agree or not. Margaret promised that she would do nothing herself, nor allow anything to be done by others, contrary to Albany's authority during her son's minority, and would inform Albany of any such action while hindering it to the best of her power. It continued in a similar and predictable vein to extract her promise not to contemplate peace or even truce with England without inclusion of allies (i.e. France) and not to consent to anything which was contrary to the Treaty of Rouen. Equally surprising was the corollary in which Albany promised to secure her an honourable reception by Francis I if she incurred the enmity of her brother, Henry VIII, and was forced to leave Scotland as a result of any assistance which the English King afforded to Angus or other ill-disposed Lords. At the end of the document it was stated that both parties swore to keep these promises on the Holy Gospels.¹³⁹ There was a possibility, raised by Wolsey, that the document was an outright forgery, designed presumably to ruin any credit Margaret might have won from England.¹⁴⁰ This is unlikely because it was not in Albany's interest to promote Angus who would be more virulently anti-French than Margaret and as the document itself recognised, the probability of his patronage by Henry VIII would be likely to force Margaret out of power. It was, therefore, in Albany's interest/

Albany's interest to promote Margaret's chances in his absence at the expense of Angus's. The alternative and more likely explanation of the document is that Margaret was persuaded by Albany to agree to it. Subsequent references to this bond all suggest that Margaret did agree to it. Her denial to Dacre consisted only of a denial that she would do anything to her dishonour or that was not in the best interests of James V - a failsafe formula which could easily exclude the bond.¹⁴¹ Dacre did not believe that her assent had been either refused or hard to obtain, claiming that she had received gifts from Albany to persuade her to consent.¹⁴²

Dacre had become acquainted with the fact that Margaret had been given the wardship of the young Earl of Huntly, whose grandfather, the previous Earl, had died in January 1524.¹⁴³ In addition, Margaret certainly received at least £150 by mandate of Albany at some time between March 1524 and his departure from Scotland.¹⁴⁴ At his departure, Albany put forward to the Lords and Margaret a number of points for their consent and one which was accepted without reservation was that Margaret should be obeyed in all her rights.¹⁴⁵

Margaret was sufficiently encouraged by all of this to bring a protest against the intrusion of the Earl of Crawford into her lands of Cockburn, part of her conjunct fee, on 11 May. The Lords decided, however, that since Crawford had been given sasine of the lands, the proper course of action was for Margaret to use the system and bring a summons of error against the inquest which had accepted Crawford's right to the lands - scarcely a victory.¹⁴⁶ On 26 May, however, Margaret's complaints about the non-payment of her dues led to the Lords accepting that she had been wronged and ordering the Treasurer and Comptroller to pay her £200 a month until Albany's return, over and above what she could raise from her conjunct fee.¹⁴⁷ Thus Margaret could easily have overcome any conscientious scruples by taking the gifts and telling/

and telling herself that she was only acting in the best interests of her son, which were best served by agreeing to anything in order to be rid of Albany from Scotland. She had agreed for the period of James V's minority but she had already entertained plans to end that minority early and her later actions in 1524 could be claimed not to be in breach of her bond since she had the Lords declare James to be of an age to govern for himself - effectively declaring his minority to be over.

There is no reason to doubt the reports which reached Dacre that there was little agreement between Albany and the Lords at his departure.¹⁴⁸ It was probably exaggeration to claim that Albany was no longer "obeyed, loved or feared" in Scotland,¹⁴⁹ though some of the Lords certainly did not want him to stay. On the one hand, Albany's foreign policy had not been conducted in Scotland's best interests which would almost certainly have been better-served by a peace with England. Albany left a Council facing the expectation of an imminent English invasion on 27 May so the auguries for future Franco-Scottish co-operation were not good.¹⁵⁰ In another field of foreign policy, his consistent support for Frederick I, Duke of Holstein, uncle to Christian II of Denmark and usurper of his throne, ran directly counter to the known sympathies of the Scots Lords for Christian II; a support which was to be revived after Albany's departure.¹⁵¹ It was the success and popularity of his internal administration in Scotland which caused many Lords to want him to stay in Scotland and this prompted their last-ditch offer that if he would remain, they would use their bodies and goods to the utmost to help him prosecute the war against England. Dacre's report of this action is confirmed by the instruments taken by Gavin Dunbar, Bishop of Aberdeen, Robert Shaw, Abbot of Paisley, Alexander Stewart, Abbot of Scone and Lords Ross, Borthwick and Hay of Yester that their agreement to allow the Governor to depart from Scotland should not hurt their conscience and oath/

and oath because they believed it was wrong to agree to this.¹⁵²

Nevertheless, Albany obtained their agreement to certain articles - principally the granting of three months' licence to depart to France, that is, giving him until the last day of August 1524 to return or be excluded from all authority in Scotland. He also obtained their agreement to adhere to the terms of the Treaty of Rouen which they gave on two conditions viz. that Francis I maintain his part of the agreement and, secondly, providing that the English did not compel its renunciation by a full invasion force. The Lords also agreed to the keeping of the King in Stirling with those Lords appointed in November, though the Queen refused to give any further guarantees about what she would do and the Lords also agreed, as stated above, to the maintenance of Margaret's rights. The Lords refused two points: they felt that Gonzolles, Albany's deputy, was unfit to be Treasurer, and they refused absolutely to countenance the payment to Albany of 40,000 crowns of the sun (i.e. £40,000 Scots) even as a loan from Scottish merchants. The spiritual Lords had already been taxed to pay for the war and had seen little valuable return, while the temporal Lords declared that they were willing to serve in person in the army in lieu of any payment demanded from them. The English spy, an observant friar of Jedburgh, believed that once Albany had left Scotland, no payments would be made to him anyway, even if the Lords had agreed.¹⁵³

Albany had obtained his two principal objectives, however, licence to depart from Scotland for a three-month period, and the backing of the Lords for the Treaty of Rouen, and so he went to Glasgow on 28 May,¹⁵⁴ and Dumbarton on 30 May.¹⁵⁵ He sailed away from Scotland on 31 May 1524 and never thereafter returned to the land he had governed in person or in name for a decade. The news that he had gone was confirmed by Dacre's spies on or before 4 June¹⁵⁶ Albany was accompanied by David Beaton, the government's nominee/

government's nominee for Arbroath Abbey, who had been appointed as the Scottish Ambassador to France and was given £1,000 for his expenses, but by none of the Lords who, it was suggested by English reports, all found excuses to avoid going at the last minute.¹⁵⁷

The French connection had been loosened but not as yet destroyed. For all the English efforts and their continual reports of the commons crying vengeance against Albany, his government had weathered the storms, both literal and metaphorical, of the expedition to Wark. Thanks to the ability of those Lords who mattered, to separate their images of Albany, the law-giver and administrator, from Albany, the representative of French foreign policy, his popularity remained only slightly dimmed at his final departure. The new circumstances which pertained after 1524, principally the early end to the anarchy and stalemate in 1524-5 in comparison to that of 1513-15 and 1519-21, and the French reversal through the defeat and capture of Francis I at Pavia in February 1525 meant that there was no renewed call to Albany to return for a fourth term as Governor, though he continued to employ the title of Governor until 1528.¹⁵⁸ The hints which had already been given of the possible return of the Earl of Angus to Scotland with the powerful patronage of Henry VIII¹⁵⁹ turned to reality from February 1525 with his hugely successful accretion of power. After June 1524, and increasingly so after the battle of Pavia and Angus's first re-entry into government in February 1525, Scottish foreign policy became very much subordinate to the interests of internal government.

CHAPTER NINE NOTES

- 1 The terms of the Treaty of Rouen are preserved in G Donaldson, Scottish Historical Documents (Edinburgh 1970) 98-100; cf Teulet, Rélations Politiques i 4-8.
- 2 L&PHVIII iii pt. ii no. 3368 Queen Margaret to Surrey, 29 Sep. A further 3,000 Germans were expected by the first fair wind, but these never arrived. The Prioress of Eccles, who acted as an English spy, confirmed to Sir William Ogle that Albany brought 4,000 foot soldiers but claimed he had 500 men at arms (lansquenets); *ibid.* no. 3403, 7 Oct.; cf *ibid.* no. 3404 Oct. for further confirmation of the numbers by the Prioress of Coldstream. For 'lansquenets' see J R Hale, War and Society in Renaissance Europe, 1450-1620 (London 1985) 67, 150-2; cf Catalogue des Actes de François I^{er}, i, no. 1649, cited in M N Baudoin-Matuszek, 'Henri II et les expéditions françaises en Ecosse'; Bibliothèque de L'École des chartes, t. 145 (1987) 341-3.
- 3 See above 345.]
- 4 L&PHVIII iv pt. i no. 315 Angus to Henry VIII, 8 May 1524.
- 5 ER xv 90, Albany received £1,297 14s 9d from the Comptroller.
- 6 ADCP 181, 2 Oct. Coinage changes were enforced due to the Scots' reluctance to accept French money, cf *ibid.* 186, 16 Oct. A crown of the sun was made equivalent to 20s Scots.
- 7 *Ibid.* 184, 9 Oct.
- 8 SPHVIII iv pt. iv no. xxi Surrey to (Wolsey) 27 Sep. Albany certainly contacted the leading men of these communities, including Lord Home and David Home of Wedderburn in the first few days after his arrival: TA v 223-4, 25 Sep.; *ibid.* 224, 29 Sep.
- 9 SPHVIII iv pt. iv no. xxiii Surrey to Wolsey, 1 Oct. Surrey had fortified Norham and Wark in the hope that by the time Albany had won either of them, both provisions and available time would have been used up.
- 10 TA v 224, 25 Sep. Carrick Herald brought Clarencieux to Dumbarton; *ibid.* 1 Oct. Carrick was paid for his expenses in taking Clarencieux through the West March to Lord Maxwell; and *ibid.*, 26 Sep. for taking Albany's letters to England.
- 11 L&PHVIII iii pt. ii no. 3438 Dacre to Surrey, 18 Oct.; cf *ibid.* no. 3443 Queen Margaret to Surrey, 19 Oct.
- 12 *Ibid.* no. 3449 Surrey to the Chancellor of Scotland, Earls of Arran, Argyll, etc., undated. Surrey dismissed Albany's attempt to comprehend France as "a presumptuous folly".
- 13 R J Knecht, Francis I, 154-5; J J Scarisbrick, Henry VIII, 127-131.
- 14 See above 380.
- 15 L&PHVIII iii pt. ii no. 3368 Queen Margaret to Surrey, 29 Sep.

- 16 See above 350-1.
- 17 ADC 33 f.200, 18 June - sederunt of 27; ADC 34 f.12v., 1 Oct - sederunt of 28: John, Duke of Albany; James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; James, Earl of Arran; Colin, Earl of Argyll; James, Earl of Moray; David, Earl of Crawford; William, Earl of Montrose; Hugh, Earl of Eglinton; Cuthbert, Earl of Glencairn; George Crichton, Abbot of Holyrood; Alexander Stewart, Abbot of Scone; Robert Shaw, Abbot of Paisley; James Hay, Abbot of Dundrennan; Thomas Niddrie, Abbot of Culross; Walter Malin, Abbot of Glenluce; John Home, Abbot of Jedburgh; John, Lord Fleming; Alexander, Lord Livingston; Andrew, Lord Avandale; Ninian, Lord Ross of Halkhead; William, Lord Semple; George Dundas, Lord St John's; Robert Forman, Dean of Glasgow; Thomas Hay, Parson of Ruthven, Secretary; John Campbell of Lundy, Treasurer; Robert Barton of Overbarnton, Comptroller; James Wishart of Pitarrow, Justice Clerk.
- 18 L&PHVIII iii pt. ii no. 3368 Queen Margaret to Surrey, 29 Sep.
- 19 Ibid. no. 3434 Surrey to Dacre, 17 Oct. Huntly had complained of a sore leg.
- 20 Ibid. no. 3451 Bulmer to Surrey, 20 Oct.
- 21 RSS i nos. 3900-3961 passim, all dated at Aberdeen between 30 Jan. and 13 Feb. 1527. The total of 205 men included Thomas Fraser of Stonywood, (cf RMS iii no. 594, 22 May 1528); Patrick Chene of Essilmont (cf RMS iii no. 207, 3 Oct. 1521); and James Crichton of Fren draught (cf ER xv 417 associating him with the lands of Kinclevin). Further confirmation of their status as leading men in the community can be found in their being named on an assise to decide the extent of apprising of John Forbes of Pitsligo (cf RMS iii no. 211, 8 Dec. 1521), on 9 Aug. 1532 : RMS iii 272-3n. no. 1247, 18 Dec. 1532.
- 22 SRO GD86/88 Fraser Charters, 19 Dec. 1523. Lennox having the right of nomination gives Dryburgh Abbey to James Stewart, Clerk of Glasgow diocese. Lennox's grant of the office of Warden and Lieutenant of East and Middle Marches was also made in December 1523 - TA v 237. His warden fee was paid in April 1524.
- 23 ADCP 180-5, 1-10 Oct. passim; TA v 225-7, 1-9 Oct. passim. The arrangements were for all of the men of the north to meet Huntly at Stirling; the Highlanders to meet Argyll at Glasgow; the men of the Lennox, Kyle, Cunningham and Carrick to meet Lennox at Lanark; and the men of Lothian and the Borders to meet Arran at Lauder on 19 Oct. and to advance thereafter under Albany, and Argyll as Lieutenant-General.
- 24 APS ii 284, 24 July 1522. See above 304.
- 25 ADCP 181, 2 Oct. 1523.
- 26 L&PHVIII iii pt. ii no. 3404 Bulmer to Surrey, (after 3 Oct.)
- 27 TA v 226, 8 Oct.
- 28/

- 28 L&PHVIII iii pt. ii no. 3379, Wolsey to Surrey, 1 Oct.
- 29 Ibid. no. 3384, Surrey to Wolsey, 1 Oct.; ibid. no. 3387, Surrey to Wolsey, 3 Oct.; on 7 Oct. Wolsey promised to relieve Surrey of his command by All Hallows Tide (31 Oct.) : ibid. no. 3400.
- 30 Ibid. no. 3405, Surrey to Wolsey, 8 Oct.
- 31 It was intended that there should be one captain for every twenty men in a further attempt to maintain discipline: ADCP 172, 15 May. See above 342.
- 32 ADCP 185, 12 Oct.; TA v 227. On the night of 13 Oct. letters were taken to Arran, Argyll, Huntly and Lennox to intimate in clear terms that those responsible for causing trouble would be forced to restore what they had destroyed from their own goods.
- 33 ADCP 190-1 11 Nov. Inquisitions were to be set up to determine the perpetrators of the damage, either Scots or French, in order to obtain compensation.
- 34 Ibid. 186, 16 Oct.
- 35 Ibid. 187, 20 Oct.
- 36 L&PHVIII iii pt. ii no. 3431, Dacre to Surrey, 16 Oct.
- 37 Ibid. no. 3426 Unknown to the Prioress of Coldstream, 13 Oct. The musters were taken on that day in the presence of James V; cf. ibid. no. 3424, Queen Margaret to Patrick Sinclair, undated.
- 38 ADCP 186-7, 17 Oct.
- 39 Ibid. 187, 17 Oct. The president and bailies were to have a guard of 24-30 halberdiers to end the trouble.
- 40 Ibid. 187-8, 21 Oct. The messengers were sent to Forfarshire, Perth, Fife, Clackmannan, Kinross, Strathearn, Menteith, Stirling, Linlithgow, Edinburgh, Haddington, Berwick, Roxburgh, Selkirk, Peebles, Annandale, Kirkcudbright, Lanark, Wigtown, Carrick, Kyle, Cunningham, Ayr, Renfrew and Dumbarton.
- 41 TA v 229, 22 Oct.
- 42 Ibid. 230, 26 Oct., repeated ibid. 231, 28 Oct. "on pain of death".
- 43 ADCP 188, 22 Oct.
- 44 Ibid. 188-90 24, 27 Oct.; TA v 231 28, 29 Oct.
- 45 TA 229, 22 Oct.; L&PHVIII iii pt. ii no. 3460 Sir Anthony Ughtred, Captain of Berwick, to Surrey, 23 Oct.
- 46 L&PHVIII iii pt. ii, no. 3468 Sir William Bulmer to Surrey, 24 Oct.
- 47 Ibid. no. 3477 Surrey to Wolsey, 28 Oct.

- 48 Ibid. no. 3468 Sir William Bulmer to Surrey, 24 Oct.
- 49 SPHVIII iv pt. iv no. xxvi Surrey to Wolsey, 19 Oct.
- 50 G.E.C. The Complete Peerage xii pt. i 453-4 and Appendix I 24-5. Richard De La Pole was killed at the Battle of Pavia in February 1525, cf Knecht, Francis I 147. He had a claim to the throne because he was the son of John De La Pole, Earl of Suffolk and Elizabeth, sister of Edward IV and Richard III.
- 51 ADCP 189-90, 27 Oct.
- 52 L&PHVIII iii pt. ii no. 3478 Dacre to Surrey dated Thurs. 28 Oct. (in 1523, Thurs. was 29 Oct.)
- 53 Ibid. no. 3486 Surrey to Dacre, 30 Oct.
- 54 Ibid. no. 3489 Dacre to Surrey, 31 Oct. Spies had confirmed that both Lord Home and David Home of Wedderburn were going to support Albany on 22 Oct.: *ibid.* no. 3456 Sir William Bulmer to Surrey.
- 55 ADC 34 f. 24v. Sederunt of 31 Oct.: James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; James Hay, Abbot of Dundrennan; James Wishart of Pitarrow, Justice-Clerk; and Adam Otterburn.
- 56 ADCP 190, 31 Oct.
- 57 I D McFarlane, Buchanan (London 1981) 23. The 'Rerum Scoticarum Historia' was written in the 1560s and 1570s: *ibid.* 416-40. An example of Buchanan's unreliability is his dating of the retreat from Wark to 11 Oct., one week after it really took place: Buchanan, History, ii 228.
- 58 L&PHVIII iii pt. ii no. 3506, 3 Nov. from the camp 2 miles from Wark; *ibid.* no. 3508, 4 Nov. from Lowick.
- 59 L&PHVIII iii pt. ii no. 3489 Dacre to Surrey, 31 Oct. Dacre stated that Albany had 8 cannons, 2 double cannons and 24 falcons and serpentines. Surrey called this a "great puissance": *ibid.* no. 3506, 3 Nov., but there is no Scottish confirmation of this.
- 60 *Ibid.* no. 3506. In his despatch of 3 Nov. Surrey stated that Albany had sent 2,000 Frenchmen across the Tweed in boats. The use of boats would have made any hasty evacuation impossible if the whole army had crossed.
- 61 Lesley, History, 126.
- 62 TA v 232, 2 Nov.: "The Lords' answer to Surrey's letter taken to Albany in the camp."
- 63 L&PHVIII iii pt. ii no. 3482 Surrey to Wolsey, 30 Oct. This gives a list of the leaders on whom Surrey was relying, which suggests an impressive force, but other letters reveal the problems which the English had in securing adequate responses: *ibid.* no. 3412, Surrey to Wolsey, 10 Oct.; *ibid.* no. 3415, Surrey to Wolsey, 11 Oct.

- 64 All writers on this subject have referred to the Scots' reluctance being based on memories of Flodden, e.g. Donaldson, James V - James VII 21: "an almost superstitious dread..." Apparently Albany was not afraid to use the memory of Flodden to try to incite a desire for revenge: "... the Duke ... had told the Lords he had made much costs to help them. He bid them remember their King and the nobles, their fathers, who were slain at Flodden, adding that the Borders were destroyed, their towers and kirks cast down and burned, and it was but an earl of England and his father who had done them all the mischief. On his asking if they could find it in their hearts to meet these same men in battle that had done them all that displeasure, they kneeled on their knees, and said that they would do anything that he would command them...", L&PHVIII iii pt. ii no. 3441 Sir William Evers to [Surrey] 19 Oct. 1523.
- 65 L&PHVIII iii pt. ii no. 3576 Surrey to Wolsey, 29 Nov; Knecht, Francis I, 154-5.
- 66 TA v 232 9 Nov. On 11 Nov. Lord Home, Dave Home of Wedderburn, Mark Kerr and Walter Scott of Buccleuch were specially summoned to be present on 17 Nov. The last continuation of Parliament mentioned in ADCP was on 3 Aug. to an unnamed date later in Aug. of which no record survives: ADCP 176-7. There were 78 days from 1 Sep. to 17 Nov. so the continued Parliament almost certainly had some notice beyond one week.
- 67 L&PHVIII iii pt. ii no. 3538 Queen Margaret to Surrey, 14 Nov.
- 68 Ibid. no. 3487 Dacre to Surrey, 31 Oct., 4 a.m. Arran, Argyll, Lennox, Marischal, Maxwell, Ruthven and Lyle, together with the Homes, Kerrs and other borderers, were reported to be leading the Scots vanguard. Arran and Lennox had been two of those charged with raising the host - see above 368.
- 69 Ibid. no. 3451 Bulmer to Surrey, 20 Oct.
- 70 Adam Abell, 'The Roit And Quheill of Tyme' f.116v.: "... ye haill power of England wes gadderit quharefore ye Duke dredand falsat and dissait of Scottismen he lousit ye sige and returnit ham. The zere folloand ye Duke considerand ye falsat of Scotland he returnit in France..."
- 71 L&PHVIII iii pt. ii no. 3551 Queen Margaret to Surrey, 22 Nov.
- 72 SRO GD 124/10/8 MSS of Mar And Kellie : Act of Parliament of 2 Sep. 1523.
- 73 L&PHVIII iii pt. ii no. 3551 Queen Margaret to Surrey, 22 Nov. It was intended that they were to return immediately with the French Ambassador.
- 74 Ibid. no. 3404 Bulmer to Surrey, news from the Prioress of Coldstream up to 3 Oct.
- 75 Lord Fleming had also been involved with Albany in the early stages of preparations for the attack - see above 371.
- 76 L&PHVIII iii pt. ii no. 3521 Queen Margaret to Henry VIII, 10 Nov.; ibid. nos. 3538; 3551 ask for English remedies without specifically mentioning peace.

- 77 R L Mackie, King James IV of Scotland (Edinburgh 1958), 100-1. Euphemia Drummond was the wife of John, Lord Fleming; Elizabeth Drummond was the wife of George Douglas, Master of Angus and the mother of Archibald, 6th Earl of Angus; and Margaret Drummond had borne King James IV an illegitimate daughter: Scots Peerage vii 44-5; cf ER xii preface xlvi.
- 78 The implication of Margaret's claim is that Albany loved one of the King's half-sisters who would also be half-sisters to James, Earl of Moray, to whom the text refers. These half-sisters were Catherine, Countess of Morton (from 1507), who was alive until 1543; Margaret, widow of John, Lord Gordon (who was the illegitimate daughter of Margaret Drummond); and Janet who married Malcolm, 3rd Lord Fleming in 1525 (see RMSiii no.1119 31 Jan. 1532). There is no other proof of this accusation by Margaret.
- 79 ER xv 90. Albany was paid £1297 14s. 9d. for his expenses at Wark.
- 80 L&PHVIII iii pt. ii no. 3552 Queen Margaret to Surrey, 23 Nov. 1523.
- 81 The signatories of this communication of the Lords' decisions regarding the keeping of James V were: James, Earl of Arran; John, Earl of Lennox; Gilbert, Earl of Cassilis; John, Lord Fleming; William, Lord Borthwick; James Beaton, Archbishop of St Andrews, Chancellor; Gavin Dunbar, Bishop of Aberdeen; Robert Cockburn, Bishop of Ross; John Hepburn, Prior of St Andrews and George Crichton, Abbot of Holyrood: SPHVIII iv pt. iv 57 n.2; L&PHVIII iii pt. ii no. 3556 The Lords of Scotland to Queen Margaret.
- 82 Both Huntly and Argyll had sent excuses for not attending the Parliament - L&PHVIII iii pt. ii no. 3551 Queen Margaret to Surrey, 22 Nov.
- 83 Ibid. no. 3557, 24 Nov.
- 84 Ibid. no. 3564 Queen Margaret to the Lords of the Council of Scotland, 26 Nov.
- 85 SPHVIII iv pt. iv no. xxxiii Wolsey to Surrey, 26 Nov.
- 86 L&PHVIII iii pt. ii no. 3576 Surrey to Wolsey, 29 Nov.; cf Knecht, Francis I 154-5.
- 87 SPHVIII iv pt. iv no. xxxiii, Wolsey wrote that he was concerned that a truce taken at the time of Albany's being in the field of war would have been seen by those abroad who only heard generalities of affairs to have been desired by England: "... in folkes judgementis [truce would be] taken as the thing wherein the Kinges Grace was fayn and glad to condescend..."
- 88 L&PHVIII iii pt. ii no. 3624 Dacre to the Captain of Berwick, 10 Dec. 1523.
- 89 Ibid. no. 3626 ii Copy of the Duke of Albany's instructions taken to Dacre, 11 Dec.
- 90 Ibid. no. 3667 iii Dacre to Albany, 27 Dec.

- 91 ADC 34 ff.27v - 28 1 Dec. : judgement in favour of Douglas; ff.28v - 29 3 Dec., overturned in favour of Blackadder: ff.30-30v. 4 Dec., pursuit of Douglas and Haig for spuilzie continued to 21 Jan. and won on 1 Mar. - ff.134v., 135.
- 92 L&PHVIII iii pt. ii no. 3643 Queen Margaret to Surrey, Dec. 1523. There is no mention of this General Council in any surviving record source. It was probably a continuation of the November Parliament.
- 93 SPHVIII iv pt. iv no. xxxv Dacre to Wolsey, 27 Dec.
- 94 The Lords still backed Albany in this stand on 14 Jan. 1524, when the Council accepted that peace, truce or abstinence with England was only acceptable if confederates were included without conditions: ADCP 191.
- 95 L&PHVIII iii pt. ii no. 3626 Dacre to Wolsey, 11 Dec.
- 96 James V Letters 94-5 Albany to Pope Hadrian VI, 13 Dec. (Hadrian VI had already been succeeded by Clement VII who carried out the promotions.)
- 97 Ibid. 95 Albany to Pope Hadrian VI, 13 Dec.
- 98 Ibid. 95 Albany to the Cardinal of St Eusebius, 13 Dec.; cf SRO GD86/88 Fraser Charters, 19 Dec. 1523.
- 99 James V Letters 95-7 James V to Pope Clement VII, the Cardinals, etc. 31 Dec.
- 100 L&PHVIII iv pt. i no. 5 Queen Margaret to Dacre, 3 Jan. 1524.
- 101 Ibid. no. 9 Dacre to Wolsey, 8 Jan.; SPHVIII iv pt. iv no. xxxviii Dacre to Albany, 8 Jan.
- 102 SPHVIII iv pt. iv no. xxxix Dacre to Wolsey, 28 Jan.
- 103 TA v 233, 9 Jan.
- 104 L&PHVIII iv pt. i no. 75 Dacre to Wolsey, 30 Jan.
- 105 Ibid. no. 92:2 De Barbon's Instructions, 5 Feb.
- 106 Ibid. no. 108, Wolsey to Dacre, 18 Feb.
- 107 Lennox was appointed warden in Dec. 1523 and received £50 per month as his fee - TA v 237, April 1524. The sheriffs of Dumbarton and Renfrew, and the Steward of Menteith were instructed to assist him as warden by royal letters - HMC 3rd Report Appendix, The Muniments of the Duke of Montrose: Lennox Muniments (2nd report) no. 135, 22 Jan. For Dryburgh Abbey see above n. 98.
- 108 L&PHVIII iv pt. i no. 117 Sir John Bulmer to Dacre, 24 Feb.
- 109 Ibid. no. 123 Dacre to Sir John Bulmer, 27 Feb.
- 110 See above 305-6.
- 111/

- 111 ADCP 192, Letter from Albany to the Laird of Wedderburn, 18 Jan.
- 112 Ibid. 193-4 George, Lord Home to Albany, from Home Castle, 22 Jan.
- 113 Ibid. 194 David Home of Wedderburn to Albany, from Wedderburn, 21 Jan.
- 114 TA v 234, 23 Jan.
- 115 ADCP 194-5 George Douglas to Albany, from Tantallon, 19 Jan.
- 116 TA v 234, 16 Jan. - Walter Scott of Buccleuch; Andrew Kerr of Ferniehirst; Mark Kerr (of Dolphinton); George Douglas of Bonjedburgh; the Browns; and Douglas of Cavers, Sheriff of Roxburgh; ibid. 235, 18 Feb. - 30 headsmen and lairds of Teviotdale; ibid. 3 Mar. - all the headsmen in Teviotdale; ibid. 17 Feb. - George Douglas; ibid. 236, 8 Mar. - David Home of Wedderburn, Alexander Home of Polwarth and other Lairds of Lothian; ibid. 21 Mar. - Lord Home, David Home of Wedderburn; ibid. 237, 1 April - Lord Home, Home of Wedderburn and Home of Polwarth.
- 117 The experience of De La Bastie's murder in 1517 and the earlier anti-French murmurings of Oct. 1523 militated against reliance on Gonzolles or another French supporter of Albany - see above 172-6 and 371.
- 118 RMS iii no. 249 - Andrew Kerr of Ferniehirst; ibid. no. 252 - Walter Scott of Buccleuch 17, 27 Jan. 1524.
- 119 ADCP 198, 12 Mar.
- 120 Ibid. 197, 26 Feb.
- 121 HMC 10th Report Appendix, Eglinton MSS no. 64 13, 14 Mar.; ADC 34 f.146 begins to register the agreement but breaks off after the heading. This agreement was not kept for very long - see below 506-7 for its difficulties in 1526. Eglinton was formally adjudged to have broken the agreement in May 1528 - see below 548-9.
- 122 SPHVIII iv pt. iv no. xli Dacre to Wolsey, 4 Mar.: "... by all the knowledge that I can haif, he purposes to goo away and not remaigne in Scotland..."
- 123 TA v 236, 13 Mar.; cf ibid. 236-7, 27 Mar. (Easter Day): men of war were to be prepared all over the country to go to the Borders and the sheriffs were instructed to report how many men they could raise.
- 124 ADCP 198, 14 Mar.
- 125 L&PHVIII iv pt. i no. 159 Albany to Dacre, 14 Mar.; ibid. no. 164 Dacre to Albany, 17 Mar.
- 126 Ibid. no. 137 Albany to John De Barbon, 1 Mar. The headings for the discussion of peace are recorded in ibid. no. 135 undated (Feb.) and included: the sending of ambassadors by Scotland and France to England; discussions on homage, and reparation of injuries (which were to be left to discussions between Wolsey and Francis I's mother, Louise of Savoy); Scottish treatment of Queen Margaret; and the keeping of James V.

- 127 An example of Albany's insubstantial letters regarding peace is L&PHVIII iv pt. i no. 199, 27 Mar.; cf *ibid.* no. 178 Dacre to Albany, 23 Mar.; *ibid.* no. 267 Dacre to Albany, 21 April.
- 128 *Ibid.* no. 200 Albany to Wolsey, 28 Mar.; *ibid.* no. 215 [Dacre] to Albany, 1 April.
- 129 E.g. *ibid.* no. 225 Albany to Dacre, 5 April; *ibid.* no. 231 Dacre to Albany, 9 April; *ibid.* no. 240 Albany to Wolsey, 13 April; *ibid.* no. 242 Albany's instructions to Unicorn Herald for Dacre, 13 April; *ibid.* no. 251 Dacre to Albany, 16 April; *ibid.* no. 253 Dacre to Wolsey, 17 April.
- 130 *Ibid.* no. 257 Albany to Dacre, 18 April. Albany warned Dacre that he was quite prepared to defend Scotland; *ibid.* no. 259 Albany to Dacre, 18 April.
- 131 *Ibid.* no. 267 Dacre to Albany, 21 April; *ibid.* no. 275 Wolsey to Dacre, 24 April; *ibid.* no. 291 Dacre to unknown; *ibid.* no. 292 Dacre to Albany, 30 April.
- 132 *Ibid.* nos. 278, 279 Dacre to Wolsey, 25 April; *ibid.* no. 275 Wolsey to Dacre, 24 April.
- 133 Wolsey ordered Dacre to continue working for peace through Margaret and the Lords but no mention of Albany or France was to be considered: *ibid.* no. 275 Wolsey to Dacre, 24 April. On 19 May, before Albany's departure from Scotland, Dacre wrote to Arran as principal Regent to send ambassadors for peace to Henry VIII - *ibid.* no. 341.
- 134 ADCP 191, 14 Jan.
- 135 TA v 235, 21 Feb. There is no record of these ayres actually taking place from the principal sources.
- 136 ADC 34, ff.46-137. Among the principal cases decided were those involving Chancellor Beaton vs. John Ogilvy, Agnes, Lady Bothwell and Lachlan McIntosh of Dunnaughton concerning payments due to him as Abbot of Arbroath: ff.68v-69v. 28 Jan.; ff.87-87v 11 Feb. - all with favourable results for Beaton.
- 137 TA v 236, 7 Mar.; ER xv 84-5. The comptroller's account for March 1524 from March 1522 recorded payments by only eight sheriffs, of £87 7s. 3d. in total. (The eight were: Peebles, Linlithgow, Lanark, Renfrew, Perth, Stirling, Clackmannan and Kinross.) In Aug. 1525 payments were made by eleven sheriffs (only four of whom had rendered accounts in 1524, adding Bute, Elgin, Forres, Fife, Kincardine, Ayr and Forfar). The total payment on this latter occasion was £411 10s. 3d. - a rise of over 400%.
- 138 See above 386 and n.116.
- 139 L&PHVIII iv pt. i no. 260, headed 'Agreement between Queen Margaret and the Duke of Albany.'
- 140 Wolsey sought confirmation of its authenticity because, he said, it appeared that the seals had been tampered with - *ibid.* no. 275 Wolsey to Dacre, 24 Apr.

- 141 Ibid. no. 342 Queen Margaret to Dacre, 19 May; *ibid.* no. 381 Queen Margaret to Dacre, 31 May: "... It shall be known indeed that she has done and will do nothing for profit, that is not to her honour and the weal of her son..."
- 142 Ibid. no. 346 Dacre to Wolsey, 20 May; *ibid.* no. 371 Dacre to Queen Margaret, 27 May.
- 143 Scots Peerage iv 534; Queen Margaret had received the gift of the wardship of the Earl of Huntly on 3 May: W Fraser, The Elphinstone Family Book (Edinburgh 1897) i 61.
- 144 ER xv 198. This payment of £150 'de mandato gubernatorem', was separated from other payments to Margaret in the period Mar. 1524 - Mar. 1525.
- 145 L&PHVIII iv pt. i no. 382 Dacre to Wolsey, 31 May.
- 146 ADCP 199, 11 May.
- 147 *Ibid.* 200, 26 May.
- 148 L&PHVIII iv pt. i no. 406. Dacre to Wolsey, 11 June.
- 149 SPHVIII iv pt. iv no. xlii Sir William Bulmer to Wolsey, 24 May.
- 150 ADCP 201, 27 May.
- 151 James V Letters 98-9; 99-100; 101; 101-2, all reveal Albany's support for Frederick I, including the sending of an envoy, Sir John Smith, and Ross Herald. The support shown by the Scots for Christian II is seen from *ibid.* 92 James, Archbishop of Glasgow to Christian II, 20 April 1523; *ibid.* 92-3 James V to Christian II, 22 April. This support is repeated in *ibid.* 103-4 James V to Christian II, 8 Aug. 1524.
- 152 L&PHVIII iv pt. i no. 382 Dacre to Wolsey, 31 May 1524; ADCP 200, 25 May.
- 153 L&PHVIII iv pt. i no. 382 Dacre to Wolsey, 31 May; *ibid.* no. 346 Dacre to Wolsey, 20 May; SPHVIII iv pt. iv no. xlii Sir William Bulmer to Wolsey, 24 May.
- 154 RMS iii no. 264 is dated at Glasgow on 28 May.
- 155 *Ibid.* no. 265 is dated at Dumbarton on 30 May.
- 156 Dacre stated that Albany left Edinburgh on 27 May, took leave of James V and Queen Margaret at Stirling on 29 May, determining to reach Dumbarton by 31 May: L&PHVIII iv pt. i no. 382 Dacre to Wolsey, 31 May.
- 157 *Ibid.* no. 406 Dacre to Wolsey, 11 June; ADCP 200-1, 27 May. £500 of the cost of the embassy to France was met by the comptroller: ER xv 199.

- 158 James V Letters 147, Instructions by Albany to Seland King of Arms for Frederick I, King of Denmark, 18 Sep. 1528: Albany, "who describes himself as Governor of Scotland...".
- 159 L&PHVIII iv pt. i no. 315 Angus to Henry VIII, 8 May 1524; cf *ibid.* no. 372 Knight, English ambassador in the Low Countries, to Wolsey, 27 May from Antwerp. Knight had seen William Douglas, Angus's brother, and heard from him of Angus's determination to escape from France and go to Henry VIII; see also above 390 for the inclusion of an expectation of Angus's return in Queen Margaret's bond to Albany.

CHAPTER TEN

Queen Margaret's Second Regency

June 1524 - 23 February 1525

The departure of the Duke of Albany from Scotland on 31 May 1524 reduced substantially the practical help which the Scots could expect from their French alliance. Increasingly, those Lords who had been most actively committed to that French alliance became aligned with a policy which was less pro-French than anti-Angus and, in essence, anti-English. This meant in practice an alignment with Queen Margaret. The concept was so alien that it was rejected out of hand at foreign Courts but the pragmatism with which Margaret approached her second regency led her inexorably to rely on a coalition which opposed the exercise of English influence in Scotland through the Earl of Angus. This was largely dictated by her personal antagonism towards her husband from whom she continued to seek a divorce. For the Lords with whom she was to become identified, Angus represented not merely a personal inconvenience, but a policy of active English alliance which negated so much of what Albany had stood for, during his nine years of governorship. The continental Courts could not believe that Margaret did not represent the English interest in Scotland and in as much as she personally did not represent the French interest until the very last moments of desperation; this was true, but it was only so in that limited context.

Scotland had played an important secondary rôle in the international politics of Anglo-French-Imperial relations in the period after 1519 and the election of Charles V as Emperor, but now a greater insularity developed. This stemmed largely from the French designs on Italy which left Scotland unaided and, to a large extent, abandoned to the English interest. Their divergence was to be increased still further by the culmination of/

culmination of that French campaign in Italy in ignominious defeat and the capture of FRANCIS I himself at the battle of Pavia on 25 February 1525.¹ By that time, Scotland had run through the whole development of government, confrontation and compromise which telescoped what had taken four years to accomplish between 1517 and 1521 into a mere nine months.

The departure of Albany left a vacuum which Margaret had already sought to fill by declaring James V of age and able to choose his own Council, in August-September 1523. The mood had been changed by the experiences of 1523-4 and Albany's third term of office to make his abandonment more acceptable to more members of the Council. The abandonment of Albany was followed by the sham declaration of James V as of full age to govern himself. The traditional revocation carried out by Kings at their coming of full age - usually 25 years old - was not carried out, though all officers appointed by Albany were asked to resign. In effect, this raising of James V's status brought about the renewed regency of Queen Margaret who "made assurance double sure" by obtaining confirmation of the powers granted to the new Council, by the August parliament, (before the time which had been legitimately granted to Albany to return to Scotland had run out), at another parliament in November which this time laid far greater stress on Margaret's own personal control. The reintroduction of Angus, however, into the spectrum of Scottish politics after his two-year exile in France, was the single most potent factor in hastening the confrontation which his ambition had taken two years to provoke after Albany's first departure in 1517. From being the leader of a movement which enjoyed widespread support and much passive acceptance, Margaret shifted perceptibly to being representative of a coalition of interests which ranged from people who had actively benefited under her rule, such as Lord Maxwell and Lord Avandale, to those who supported her because of her opposition to/

opposition to Angus and to the English influence with which he was clearly identified, such as the Earl of Moray and the Archbishop of Glasgow. Her most prominent supporter throughout the period, the Earl of Arran, falls into both categories since his early commitment was amply rewarded, while his traditional antagonism to Angus and the Douglasses did not raise awkward problems of loyalty.

Ultimately confrontation was the outcome because of the failure of Margaret's policies both at home and abroad. Her internal administration was lamentable and the opportunity of using the gifts of office to wield a national coalition was wantonly abandoned in the interests of ensuring that Angus obtained no influence. Similarly, her foreign policy, which was governed by the active desire for peace and close co-operation with England, was hamstrung by the active English interest in promoting the Earl of Angus. The judgement of Cardinal Wolsey, that "... it would be folly to detain Angus [in England] merely for Arran's pleasure, when he can do better service in Scotland than five earls of Arran..."² was no mere idle boast. Any discussion of the rise and fall of Margaret's government depends also on an understanding of the English interest in Scotland, for the English influence was paramount. The involvement of Wolsey in helping to establish Margaret and James V and then in undermining their authority, showed clearly the activity which that influence could produce. The situation of the first two months of 1525 - one of utter stalemate - lasted a much shorter period than in 1520-1, largely because of the greater imbalance on the latter occasion as Margaret's writ eventually contracted to Edinburgh alone and finally not even to the town, but merely Edinburgh castle. The only solution to the stalemate was compromise, but the fact that what followed in the immediate aftermath of the end of Margaret's second period of regency was compromise and not the takeover of the government/

government by Angus and his closest supporters is an important warning against suggestions that Margaret's mismanagement had cost her all support.

It had lost her many potential supporters, but the strength of anti-Angus feeling had provided a new fund of support which ensured that Margaret retained at least nominal control of the new Council and considerable rights in government. However, subsequent development of the government of James V's minority is clear testimony to the fact that Margaret had lost the initiative and drive which had secured her government in August 1524, to the awakening ambition of her husband, the Earl of Angus.

As soon as Wolsey heard of Albany's departure from Scotland, he suggested the commissioning of an English herald to go to James V "with peremptory admonition and exhortation to the young king to take upon him the rule of the kingdom...", accompanying this with a threat to continue the war unless the King was set at liberty.³ English raids were continuing at this time⁴ and Dacre's impression that they were necessary to change the opinion of the Lords, who had promised to adhere to their league with Albany until the last day of August, only then agreeing to his exclusion from authority,⁵ confirms that French influence did not collapse overnight after Albany's departure. Undoubtedly the Chancellor, James Beaton, Archbishop of St Andrews, was the leading figure on the Council,⁶ and he had been a close supporter of Albany, owing his advancement to St Andrews to Albany's influence. Margaret, however, had already begun the process of winning over support for the rejection of Albany's government which had been cut short the previous year by the strength of French influence and the continued war with England. Sir William Bulmer, one of the leading English captains on the border, heard the news of her first efforts to raise support on 26 June, when Margaret had gone to Galloway, ostensibly on pilgrimage to St Ninian's shrine, but in fact to win over the chief Lords in that area to her project of setting the King up in his full royal authority/

authority and ending the regency. Significantly, one of her closest supporters was to be Lord Maxwell whose influence and power-base in this area she was to help extend.⁷

Margaret's plans were already known to her brother, Henry VIII, by 6 July, when he commended her desire to throw off the "governance usurped by Albany". His news was hardly welcome to Margaret, however, for he went on to tell her that her husband had finally succeeded in escaping from his exile in France and had reached the English Court on 28 June.⁸ The stage was now set for the playing out of the rivalry between Margaret and Angus. Outside influences on Scotland became limited to the English concern because, as Francis I was to write explaining in September, there was no possibility of sending Albany back to Scotland before the summer of 1525 at the earliest.⁹ The arrival of this news in Scotland just before Christmas time helped towards the final polarisation of the former Albany supporters which ensured the stalemate of January and early February 1525.¹⁰ There were English suspicions that Angus's escape might have been aided by Francis I and Albany to further their own aims in a more obscure way than Albany's own return.¹¹ These concerns were fuelled by reported contacts between Angus's brother, William Douglas, who was trying to establish his claim to Coldingham Priory, and Antoine Gonzolles, the French Commander of Dunbar Castle, who was appointed as Francis I's Ambassador to Scotland later in 1524.¹² However, there is no doubt that such suspicions were totally unfounded. Francis I in his instructions regarding Albany's non-return, informed the Scots that Angus had fled without either his knowledge or Albany's and that no faith was to be accorded to him as he was a rebel and partisan of England and Angus's own reaction to the news of this letter in Scotland was to suspect that it had had a greater influence than the English Ambassador, Dr Thomas Magnus, had given it credit in raising opposition/

opposition to him and doubts in his English supporters.¹³ He gave no reason to suggest any truth in the allegations by any of his words or actions in Scotland in 1524-5.

The principal question on foreign influence in Scotland was, therefore: what was England's interest in Scotland and what did Wolsey and Henry VIII hope to establish in Scotland? The evidence comes from several documents which provide important evidence, not only of English actions in supporting the Earl of Angus, but also of their attitudes to the Scottish government. What England had sought from 1515 onwards, and especially in the period 1515-16 and again after 1519, was the ending of Albany's authority as Governor of Scotland and the breaking of the Franco-Scottish amity which had achieved its strongest definition in the Treaty of Rouen. The question of what to replace Albany's government with had always been answered with reference to Margaret's place as the King's mother and Henry VIII as his natural protector and guardian - though they did not hope seriously for an actual physical control. It was the development of Margaret's extreme antipathy to her husband, Archibald, 6th Earl of Angus, which began to call such a scenario into doubt. The fact that Angus had already shown his credentials against Albany and in favour of English alliance made his rôle increasingly vital to Wolsey's plans. By the time Angus came to England in mid 1524, the plan had developed to the stage of accepting that Margaret should carry through the initial revolution by obtaining the general support which was felt to exist in favour of ending Albany's authority. Her reconciliation to Angus and his reintroduction into the higher echelons of the Scottish political community would swiftly follow.¹⁴

Angus played his part exactly as expected, despite the speculation about his possible influence on behalf of Albany, which was raised by the resentful Margaret./

resentful Margaret. On 6 July, Wolsey wrote to Dacre informing him that Angus had perceived Henry VIII as "the only refuge and comfort of his sovereign...[i.e. James V]". The theme which continued throughout the rest of the minority down to 1528 was that English alliance would bring far greater benefits to Scotland than the French alliance had ever done, while continued enmity towards England would ensure ruin and destruction for the Scottish realm. Wolsey referred to the time being at its most propitious for the anti-French influence with French aid impossible, given the stretched resources of Francis I coping with the Italian campaign.¹⁵ Before Wolsey allowed Angus leave to return to Scotland, after investigating the mood of the Lords in regard to his return to Scotland, Angus gave his promises to certain articles drawn up by Wolsey. In themselves these articles are not treasonable. After all, their basic purpose was to ensure the continuance of James V in authority, and allegiance to James V was excepted from Angus's promise of allegiance to Henry VIII. However, the tone was naturally pro-English with Angus promising to rely on Henry's advice and to do his utmost to prevent a continuance of the amity with France. The clearest indication of the English realisation by this time - (4 October) - that the possibility of reconciling Margaret and her chief supporter, Arran, to Angus was slight, is given in the seventh article where Henry VIII undertook to support Angus if the Queen and Arran "incline the contrary way".¹⁶ Wolsey's basic objective was to prevent a renewal of the Anglo-Scottish wars of the early 1520s at a time when further continental ambitions were still being considered. Since the expense and difficulty of securing actual conquest of Scotland prohibited that line from being seriously pursued, the installation of a friendly government in Edinburgh would achieve the same ends by more subtle and less costly means. "The success of these matters will be as honourable and profitable to the king/

king as the conquest of a good portion of Scotland..." wrote Wolsey in July.¹⁷

The English control of Scotland may not have been so strong as Wolsey desired before February 1525 but, because of their inability to distinguish between Margaret as representative of England and Margaret as antagonistic to her husband, Angus, English control appeared supreme at foreign Courts.

The news of the change of government was known in Rome by 3 October, when the Imperial Embassy there firmly believed that the ending of Albany's authority and arrest of some of his closest supporters meant that the English interest in Scotland was fully satisfied.¹⁸ The Imperial Ambassador in England was clearly not privy to Wolsey's machinations, nor was the rumour at Court anti-Margaret for in January 1525 he reported that Angus had to be acting in Albany's interests since it was inconceivable that Margaret was not acting in the English interest and the two were in confrontation.¹⁹ The Venetian Ambassador in England, Gasparo Contarini, had similar difficulty in believing that the French and English were not agreed in settling influence in Scotland between them because he could not conceive that Angus, as Henry VIII's brother-in-law, had escaped from France without the connivance of Francis I.²⁰ Thus the expectation of the foreign Courts was that England was inclining once more to an amity with France which their use of Angus and Margaret replacing Albany in Scotland did not justify. The reality was more complex than they imagined.

One of the earliest appeals for the reconciliation of Angus with Arran was sent by Dacre to Arran.²¹ The English must have been well aware of the differences which had existed between the Hamiltons and the Douglasses and this move to end their strife was one of the principal themes of the English attempts to influence Margaret's government. While it is probable that Arran became so closely identified with Queen Margaret's second period of regency/

of regency because of their common antagonism to Angus, his notorious inconstancy continually threatened to undermine one of the foundation stones of Margaret's authority. Her mistrust of one of her closest allies extended to refusing to allow Arran a private audience with Henry VIII's Ambassadors, Dr Thomas Magnus and Roger Radcliffe, when they first came to Scotland, afraid that they would seduce him into agreeing to a reconciliation with Angus.²² Their relationship remained firm and Arran, not unnaturally, saw his Hamilton kin benefit from his close association with the new order in Scotland. This was already evident by 16 July, when Arran replied to Dacre's proposals, offering diplomatically to labour for the desired reconciliation with Angus but effectively renouncing the possibility of any satisfactory answer being given by pointing out that Arran could conclude nothing without Margaret's advice.²³

The Chancellor, James Beaton, Archbishop of St Andrews, was one of the principal members of the Council in Albany's absence and one of the triumvirate controlling the Scottish government. With Arran and Angus perpetually opposed, despite English efforts to win over Arran, the Chancellor's position assumed the strongest force, and became another aspect of the English effort to impose friendly rule in Scotland. At first the English proposed a straightforward meeting at the Borders for peace to be concluded between the two realms. The English specifically asked for the Chancellor to be the principal Scottish representative.²⁴ The backfiring of the plan because the Chancellor refused to go, on the grounds of being advised by the Council not to go - they preferred to send Arran, Lennox, Fleming, Sir William Scott of Balwearie and Thomas Hay, the King's secretary²⁵ - led to the revelation by an irate Wolsey that the only purpose intended by the meeting was the kidnap of the Chancellor to facilitate the raising of James V to his full royal status,²⁶ which it was expected/

expected the Chancellor would oppose, despite the flattery of Dacre²⁷ and the exhortations of Wolsey.²⁸ When this resistance materialised in mid-August, Margaret's imprisonment of the by then ex-Chancellor, James Beaton, Archbishop of St Andrews, for opposition to the new régime, led to a renewed flurry of English letters seeking to persuade her to send him to England, further confirming the English fears not that he would oppose the raising of James to power, but that he would be a formidable opponent to the ambitions of Angus to dominate the Council.²⁹

In fact, the Chancellor did not vigorously oppose the early stages of the transfer of power from Albany as Governor to James V as King. On 11 July, Margaret was in a position of strength from the support of Arran and the Lords whom she had met in Galloway, which motivated her to put her case to the Chancellor. They met at Alloa, a convenient meeting place, symbolically giving way on both sides (since the Queen had to travel from Stirling and the Chancellor from Dunfermline) and the Chancellor did not raise any overriding objections to the plan.³⁰ This probably means that a sense of realistic appraisal had manifested itself, suggesting that further aid from Albany was unlikely in the immediate future, and that Margaret's plan had considerable appeal. The Chancellor's goodwill to the project was tempered by the desire to have convincing evidence of this general approval and hence the call for a convention to meet from 20 July.³¹ The English Lieutenant in the north, Norfolk,³² was particularly concerned by the possible duplicity employed by the Chancellor to controvert the English plans and preferred to rely on the promotion of Angus to a position of influence.³³ Wolsey was more cautious and ordered that Angus be restrained until the outcome of the events in Scotland was clear.³⁴ There is no necessarily inherent contradiction in the position which the Chancellor subsequently adopted which would need duplicity or forgery to explain it. He could have/

could have agreed to the raising of the King because the general mood of the Lords in Scotland was in its favour and it was unlikely that Albany would return before the time he had been allowed had run out, with the safeguard that the action needed parliamentary approval. Beaton hoped that Albany would return before the estates met. When this failed to happen, Beaton's support was no longer available because he felt himself bound, as others did not, by the terms of the oath he had agreed with Albany. This led to his imprisonment.

With the Chancellor's qualified approval, therefore, the prospects for ending Albany's regency had never been more favourable. Henry VIII wrote on 21 July both to the young King and to Margaret, repeating the standard vilification of Albany's government. He was suspicious because he claimed to be heir apparent to the throne and to have control of the King; because he had himself restored to the titles and lands which his father had forfeited by rebellion; because he used crown patrimony and revenues for his own personal gain; and because of his proximity to the French King which affected his judgement of Scotland's best interests. Henry now exhorted James V to "take upon him his estate and governance ... to prevent the danger in which his life would be if Albany returned from France with aid before he had done so..."³⁵

The main lever which Margaret sought to use to obtain the overall support of the Lords in the convention at Edinburgh was the assurance of an end to English raiding and the positive support of Henry VIII after the severing of the links with France. This was successful because the dissatisfaction with the final period of Albany's government made the prospect of peace and security much more appealing. The Scots, unaware of the double-dealing of Wolsey, appointed Arran, Lennox, Fleming, Sir William Scott of Balwearie and Thomas Hay, the King's secretary, to go with an embassy of/

embassy of one hundred to meet Norfolk in early August at either Kelso or Coldstream, meanwhile causing the Wardens to stop any attacks across the border.³⁶

By 26 July, Dacre was confident of the success of the plan, assuring Margaret that he had been informed "if she will say Yea, there will no man say Nay".³⁷ The scheme was put into effect by the bond of the Lords of Scotland to their King of 30 July 1524. The Lords, understanding that the King had come to Edinburgh from Stirling, made profession to be true and faithful to their King, support his administration and disavow the authority of the Duke of Albany. The support which this bond attracted is a convincing demonstration of its widespread appeal both in terms of the political spectrum and in geographical distribution. Only a small minority of those who had attended the convention from 20 July did not sign the bond (four out of twenty-five) and only one man who had not signed the bond arrived in the Council on 1 August. The only persons of any political significance not to sign were the Earl of Argyll and the Bishop of Aberdeen, Gavin Dunbar.³⁸

One of the traditional public methods of demonstrating that the King was now of full age to govern for himself was to revoke all of the principal officers of state as a token of the fact that they had been appointed by an authority which no longer existed. Thus the Chancellor, Keeper of the Privy Seal, Treasurer, Comptroller, Secretary, Chamberlain, Clerk of the Expenses (i.e. keeper of the household books) and all other offices were vacated, including the commission of Lieutenancy on the Borders granted to Lennox and the keepership of the King which was discharged by Lord Borthwick. The Council record then gave the full format of the bond by which the Lords had given their faiths and obedience to the King. They especially revoked all authority previously granted to the Duke of Albany "sua that/

"sua that nochtwithstanding the samin our said soverane Lord may use his awin auctorite and have fre administratioune tharof in all tymis cuming as said is..."³⁹ It was recognised that a more formal revocation should be carried out at a parliament and the earlier calculations of the Chancellor were overturned when that parliament was held on 20 August in a bid to preempt a possible return by Albany. This parliament could be challenged both from the point of view of illegality in being held before the time for the return of Albany had run out under their earlier bond to him at his departure (which had allowed him until the last day of August), and further illegality in not allowing forty days for the assembling of the parliament. This would explain the renewed confirmation of the ending of Albany's authority at the parliament of November which was incontrovertible on either ground.

These formal legal expressions of what had been achieved on 30 July added 'de jure' right to the 'de facto' position of the new regime. As such, they were important in trying to consolidate the support which Margaret had used to achieve the revolution. While there is no doubt that James V and Margaret⁴⁰ and Cardinal Wolsey⁴¹ all regarded the bond as having achieved the end of Albany's authority, there is less certainty that all of the Lords who signed the bond felt the same.⁴²

There were still important decisions to be taken and one of the most important was shelved on 3 August until the meeting of parliament. This was to provide a new Council to advise James V and Margaret. The Lords decided to send Marchmont herald to France to tell Francis I of the change in the Scottish government, although this was not carried out until December.⁴³ Above all, the Scots, who had now assumed control of the country, needed to obtain clarification of their relations with England. Margaret desired support in terms of pensions from Henry for herself, and her principal/

her principal allies, Arran and Lennox, and the continuance of the most visible symbol of the closeness of the new regime to English policy, the royal guard of two hundred 'wageouris' paid for by England.⁴⁴ The Lords, on 3 August, had desired that a conference for peace be held as planned by the English but that had been intended by Wolsey only as a ruse to kidnap Beaton. On 4 August, the Keeper of the Great Seal (that is, Beaton, who is not referred to as Chancellor, the office he had resigned on 1 August), was ordained to make a commission to Arran to treat for peace with Norfolk⁴⁵ and Wolsey was at this stage content to allow peace talks for a truce of between six and twelve months to proceed.⁴⁶ There remained the problem of Angus. Margaret felt that the best way to keep him out was to assure the English that all those who had supported her would take the opposite side if she were reconciled with Angus and that jealousy of him would end the fragile authority which had been vested in James V.⁴⁷ This worked for a time with Wolsey's caution never being more clearly demonstrated. The basis for the claims made by Margaret may have been unsound, however, for at that time, with no possibility of help from outside, the combined forces of the new Council could probably not have withstood English threats in Angus's favour. In fact, it was Margaret's own personal antagonism to Angus which infected her close personal supporters and not, as Beaton was later to demonstrate, a fear of Angus's domination in the Council which supported her statements at this time.⁴⁸

The fragility of the government was rectified to a large extent by the acts of the parliament of 18-20 August 1524.⁴⁹ These established the new government: cap. 2 The three estates decreed that Albany had "tynt his office of tutorie and governance" and that the King should use his own authority. They then laid down what was expected from the new government: cap. 3 no remission for premeditated murder; cap. 5 reinforcing previous statutes against/

statutes against plurality of benefices; cap. 6 ordering the holding of justice ayres; cap. 7 making it lawful for persons accused of treason to be warded. The other statutes concerned regulation of the value of French money, gold coin and the working of the gold mine.⁵⁰

James V had reached his majority in name but the real change which had taken place was the transfer of power from Albany to Margaret. Nevertheless, the style assumed by James in the preamble to Great Seal Charters did reflect this new nominal control and also the influence of Margaret. On 9 August, after the bond to put James V to full royal estate had been signed, but before it had received parliamentary sanction, the style was still "King, with consent of the lords of council, in absence of the governor..."⁵¹. By 28 August this had changed to "King, with consent of his mother and the lords of his council..."⁵²

There may seem many loose ends in attempting to explain why Margaret's second period of regency was even briefer than the first - not merely the opposition of a few important Lords in Scotland such as Argyll and the Bishop of Aberdeen, and the possible opposition of others such as Beaton, but also the position of Angus and, consequently, the English interest in Scotland. One of the most potent factors in the explanation, however, was the exercise of power by Margaret herself while she had control. Margaret was not a shrewd politician and her government was partial and inefficient. It failed to carry out the wishes of the lords expressed in the parliamentary acts of August and, above all else, Margaret relied too great an extent on an inner circle of advisers. This inner circle benefited considerably from Margaret's generosity but it did not build a united support behind Margaret's government which it had the potential of doing; this is clear from the widespread backing which the initial move to bring James V out of tutory enjoyed - not all of it from Lords who had been identified/

identified pro-English before 1524. Margaret did not enjoy the same respect as Albany, nor did she do anything to earn it as Albany had done in 1515-16, and this was not, by any means, solely because she did not have the time to try to achieve it.

The policy objectives which Margaret pursued during her time in power were fairly limited and almost entirely affected by her relationship with her husband. They were first made clear in the articles sent to Henry VIII on 31 August. Ambassadors had been appointed by the parliament to sue for peace with England, viz. Gilbert, Earl of Cassillis; Sir William Scott of Balwearie, and Adam Otterburn of Auldhame.⁵³ Margaret instructed them to request a closer relationship with England than had ever been mooted before. They were to ask for a marriage alliance between James V and Mary Tudor, Henry VIII's only daughter and heir with a guarantee of its conclusion to be given by the English Lords in parliament because of the further implications which this involved. James V was to be recognised as the second person in the English realm and to have lands assigned to him accordingly, (that is asking for his recognition as Prince of Wales). Finally, should James be removed from the direct succession by the subsequent birth of a son to Henry VIII, then Berwick should be handed over as a recompense for his lost inheritance.⁵⁴ This was a bold proposition by Margaret - not the marriage itself, which had already been discussed before,⁵⁵ but in the working out of its implications so strongly in James's favour. If Margaret could have carried it out, the plan would have ensured her a principal and unassailable place in the government of both England and Scotland.

The first part of the policy was achieved on 4 September when an indenture for peace between England and Scotland ended the war which had been going on in name only since before the campaign on Wark, eleven months earlier. The abstinence was to last, in the first instance, three months to 1 December 1524/

1 December 1524, by which time the Scots were to send a renewed embassy with powers to treat for a full peace.⁵⁶ This period of only three months was already a defeat for Margaret, however, since Wolsey had originally written of six-twelve months' peace and the shorter period reflected the uncertainty of English acceptance of the new situation in Scotland and Wolsey's undaunted desire to have Angus returned to prominence.

The first casualties of Margaret's control of the Scottish government were James Beaton, Archbishop of St Andrews and Gavin Dunbar, Bishop of Aberdeen. The former had agreed to the bond putting James V to full royal estate as an emergency measure, trusting to Albany's return before it could be firmly established,⁵⁷ while the latter had never agreed to it at all. When the parliament, held on 20 August had finally given its sanction to the ending of Albany's authority, there were still nearly two weeks left of the time allowed to Albany to return according to bonds made when he departed in May. This was the pretext used by Beaton and Dunbar for opposition, calling for the time allowed to Albany to be fully elapsed before they would give their oaths to James V.⁵⁸ Margaret, faced with their intractability and knowing the powerful support which Beaton might attract, used the statute of the August parliament allowing warding of those suspected of treason,⁵⁹ to have Beaton and Dunbar arrested and imprisoned on 22 August.⁶⁰ Soon afterwards, the other Lords who had agreed to the change in government sent a request to Pope Clement VII to send them a legate who could try the Archbishop of St Andrews and other prelates accused of treason. They were accused of planning an armed uprising against the lawful government and if that failed, of planning to leave Scotland to raise support for their conspiracy abroad.⁶¹

The assiduousness with which Margaret rewarded her supporters marks out this period of her control. Of course, she had the opportunity to dispense patronage/

patronage on a grand scale because of the revocation of offices which had taken place on 1 August, but there was a difference between the granting of essential offices which could not easily have been granted to others - for example, the confirmation of Colin, Earl of Argyll, as Lieutenant of the Isles and John, Earl of Lennox as Lieutenant of the Merse and Teviotdale - and the scale of the prodigality with which she dispensed offices and pensions to those connected to her principal supporters. Throughout September and October 1524, grants, especially of household offices which carried pensions and brought their holders to Court and close dependence on James V and Margaret, were liberally dispensed to the Stewarts of Avandale,⁶² Hamiltons,⁶³ Maxwells,⁶⁴ Kennedys and their Ayrshire supporters.⁶⁵ In addition, Margaret directly interfered in the burghal privileges of Edinburgh to secure the election of her supporter, Robert, Lord Maxwell, who had not even been a burghess until the day of his appointment, as Provost.⁶⁶ This was a lesson in management of the capital learned from the havoc of 1519-20 and its success was vindicated by Edinburgh remaining true to Margaret's cause almost until the end in February 1525.

One of the first major problems which forced its attention on the Council was the need to have order in the Borders if the truce and peace with England were to be safeguarded. The ill-discipline of the men of Liddesdale was seriously affecting royal control of Tweeddale and Teviotdale. The reappointment of Lennox as Lieutenant of the Merse and Teviotdale and Warden of the Middle Marches on 6 September was ineffectual because the Council failed to impose its authority on the leading lairds in those areas. The call for pledges to be given to secure good orders seems to have been ignored with impunity.⁶⁷ The situation was complicated by the feud which existed between Sir Walter Scott of Buccleuch and Andrew Kerr of Cessford. The Council called on both to lay aside their differences at this time of/

time of national need, but the Queen's response was at first to put both in ward. She had personal grudges against both of them for non-payment of her conjunct fee.⁶⁸ Yet this burst of impartiality did not last and despite the injunction of Norfolk to keep both Buccleuch and Cessford in ward until pledges were given to keep good rule in the Borders,⁶⁹ the Council had already agreed on 12 September to release Cessford from ward. On the following day, they found against Buccleuch in a case where he was accused of illegally collecting church teinds, against which charge he was not allowed to be present to offer a defence.⁷⁰ Buccleuch was a close ally of the Earl of Lennox.⁷¹ The Council was unable to prevent Buccleuch's escape and the opposition of both Lennox and Buccleuch was added to that of Angus.⁷² Lennox had, at the same time, failed to obtain the support of the Council for his position as Lieutenant and left Court on 12 September.⁷³ The planned raid on the Borders to expel the thieves and traitors of Liddesdale in mid-October was entrusted to Arran, Moray, Maxwell and the wardens of the Marches - a formula which left the door open for Lennox's return and that of Cessford, (the other two wardens beside Maxwell) but in the event, the raid which took place on 16-18 October achieved nothing of any substance.⁷⁴

The Council had failed to do anything constructive in the Borders and it was similarly lacking in initiative with regard to its imprisonment of Beaton and Dunbar. They were beyond reach of support for Albany's cause but that itself was lost by the non-return of Albany. By October, it must have been clear to all of his erstwhile supporters that Albany was not going to come to Scotland during that winter 1524-5. In fact, Francis I had already informed the Scottish Ambassador in France, David Beaton, Abbot of Arbroath, in instructions of 15 September, that it was impossible to foresee Albany's return before the summer of 1525 at the earliest; while exhorting the Scots to be wary of English influence and to keep true to their French alliance.⁷⁵

This message/

This message was relayed to Scotland, arriving in December,⁷⁶ but the circumstances of the Scottish government at that time prevented any renewed fervour for a French alliance. Margaret needed support from any source to overcome the mounting opposition to her rule, which was bred by failures like the October raid on the Borders.⁷⁷ In this context, the release of Beaton and Dunbar on 20-21 October marked an important compromise by Margaret.⁷⁸ They were not actively opposed to Margaret's government but, as Beaton told the English Ambassadors, Magnus and Radcliffe at their first interview in early November, they were, significantly, concerned to obtain a reconciliation between Angus and Arran.⁷⁹ Margaret had blithely ignored English appeals to send the Chancellor to Berwick either as a "free" ambassador or as a prisoner, where he could be used to advance the influence of Angus, by default.⁸⁰ In fact, Beaton was not dogmatic about his support for Albany⁸¹ and the support which he gave to Angus after December 1524 was based on a sincerely held belief that Margaret's government did not represent Scotland's best interests.

Despite English claims about the active popularity of Angus, there were no signs of his attempt to use this independently of English support. Thus he endured months of waiting for English approval before finally going back to Scotland in the aftermath of the release of Beaton and Dunbar. This had finally convinced Norfolk and Wolsey that there was no possibility of a reconciliation between Margaret and Angus which would bring about a peaceful reintegration of Angus into the government. In fact, the support on which Angus came to rely in the period November-February 1524-5 was as much anti-Margaret as it was pro-English and it relied to a large extent on the unwillingness of many to defend Margaret's regime without giving active backing to the efforts made by Angus to change it.

Angus gave his bond to Wolsey to follow a pro-English line on 4 October, /

October, but it was only after Beaton and Dunbar's release that he returned to Scotland, going first to his own castle at Bonkle in Roxburghshire.⁸² The support which he enjoyed came from Lennox, Argyll, Glencairn and others, and there had already been an attempt to ambush the Earl of Arran at Holyroodhouse by Lennox and the Master of Glencairn which had not succeeded.⁸³ In themselves these Lords represented only an active and important minority; it was the disillusionment of the majority with Margaret's government which undermined her control.

One of the principal concerns of the Lords was to have a government which provided justice. This had formed the bulk of the concerns of the August parliament⁸⁴ and similarly figured largely in that of November, when it was ordained that the Justice-General or his depute should remain continually administering justice in criminal actions to clear the backlog.⁸⁵ The concern of the Lords who attended the November parliament for justice was so marked that it led to a remarkable rider being added to the recommendation that the Lords appointed to the Session carry out their duties. They called on the Lords who sat on the Session to "be impartial even when the king or queen ask them otherwise".⁸⁶ In the immediate aftermath of the setting up of the new régime, civil causes did not feature as a major concern, and on 3 August, the Session was continued to 20 October with the result that few cases reached the Council.⁸⁷ The concern grew, however, and on 15 September a group of prominent Lords was appointed to sit on the Session, with a daily Council to be drawn from their numbers at the Queen's discretion.⁸⁸ The failure of Margaret's government to provide justice either in civil or criminal cases, however, was remarked on by English commentators⁸⁹ and was most evident in the treatment of the murderers of Lord Fleming.

Lord Fleming's murder was a classic example of a local feud assuming national significance/

national significance at a time of crisis. The Tweedies of Drumelzier were determined to obtain control of the heiress Catherine Fraser, Lady Frude, whom the Flemings held. The killing of Lord Fleming, probably at the tolbooth of Edinburgh⁹⁰ by the Laird of Drumelzier and his son was followed by the capture of the Master of Fleming and the enforced surrender of Catherine to the Tweedies.⁹¹ Since Lord Fleming had been closely associated with Albany, while Tweedie of Drumelzier was an ally of Angus,⁹² the killing assumed a national significance which was also evident from the impunity with which the attack was made. On 14 November 1524, James Tweedie, son and heir apparent of John Tweedie of Drumelzier, and seventeen others were granted a year's respite for the killing of Fleming and unlawful imprisonment of Malcolm, Master of Fleming.⁹³ In this case, private justice seems to have prevailed, rather than the intervention of the Council. On 23 November an interim agreement was made between the Laird of Drumelzier and Malcolm, Lord Fleming, whereby the said Laird and his friends came to the cross of Peebles in their shirts and offered their swords to Fleming as a token of being in his will. They also paid for a chaplain to pray in the church of Biggar for John, Lord Fleming's soul.⁹⁴ The decret arbitral between the two was eventually agreed on 4 March 1530.⁹⁵

Margaret's administration could only be forgiven such failings if it had a widespread appeal but, as indicated above, Margaret's lack of shrewdness lost her government its appeal because she relied too much on the Earl of Arran, Lord Maxwell and Henry Stewart, brother of Lord Avandale, the man who was eventually to become her third husband in 1528.⁹⁶ Arran and Maxwell were already prominent Councillors and were, by comparison with Henry Stewart, already of influence without needing Margaret's patronage. Henry Stewart, however, was the recipient of a startling series of grants. First mentioned as enjoying Margaret's affection on 14 September 1524,⁹⁷ he was appointed/

appointed about this time to be master carver to the King, an office which carried an annual pension of £40.⁹⁸ This household office gave him a prominent place in James V's Court and the grant made on 3 September, of the office of director of chancery for life gave him an important office in government as well.⁹⁹ This gift was ratified by Parliament on 16 November.¹⁰⁰ Nor was the Queen's generosity exhausted at that, for on 10 September he was appointed Master of the King's Artillery during both peace and war.¹⁰¹ By the time the English Ambassadors, Magnus and Radcliffe, arrived in Scotland, they believed that Henry Stewart's influence over the Queen was paramount,¹⁰² but it is difficult to know how much of his influence depended merely on agreeing with Margaret's will and how much he actually persuaded her to any particular course. The stubbornness of Margaret's consistent opposition to any reconciliation with Angus does not suggest that she was much open to influence to do things which did not accord with her own viewpoint. However, Wolsey was able to make a serious misjudgement of the influence of the leading councillors on Margaret in late October. Despite being told by Norfolk, Dacre, Magnus and Radcliffe that Margaret's vehemence against Angus kept Arran in line with her thinking,¹⁰³ Wolsey appeared to believe that it was Arran's refusal to compromise his traditional antagonism to the Douglasses which prevented the Queen from being reconciled with her husband.¹⁰⁴

Margaret's position after the release of the Archbishop of St Andrews and Bishop of Aberdeen was described succinctly by George Douglas: "... Arran and the Queen lean to France. They have few friends in Scotland, to be reduced to set him at liberty, whom they have accused of favouring Albany..." He believed that if Angus were back in Scotland, and no longer detained in England like a prisoner, then the Lords who were alienated by Margaret's government would more readily support the English cause.¹⁰⁵ This event: the return of Angus at the start of November, certainly had the principal polarising/

principal polarising effect, but Margaret's support did not wither away immediately, or completely. She no longer represented the primary English interest and those who favoured peace with England increasingly became identified with Angus. By the time of his arrival in Scotland, in fact, Margaret was threatening to impede the peace negotiations by refusing to send the Ambassadors from Scotland.¹⁰⁶ The new fund of support which Margaret obtained was from people who had previously been closely associated with Albany, such as James, Earl of Moray, who had earlier been granted the lands of the earldom of Ross and lordship of Ardmannoch, but apparently only as a means of raising funds.¹⁰⁷

Margaret was intractable in her opposition to Angus and despite her fair words to Henry VIII's Ambassadors, Magnus and Radcliffe, at their first interview, her resolve was as determined as ever, on the following day warning the English that, "... she would make friends for herself, and trusted her son would be able to protect her against Angus..."¹⁰⁸ As a first measure of that protection, Margaret was able to command Angus not to travel around Scotland with a larger company than forty horsemen on pain of treason - a clear attempt to inhibit any attempted armed insurrection.¹⁰⁹

As yet, however, the legitimacy of Margaret's government was open to question because of the arguments which could be raised against the validity of the August parliament. A new parliamentary sanction for her rule would not only benefit her, it would demonstrate to the English the power of her support, and her success in making "friends of her unfriends" as she had earlier warned she would do.¹¹⁰ The dilemma which the English faced was that neither of the two factions in Scotland was inherently unfavourable to their influence. Magnus and Radcliffe dined at St Andrews with Beaton, who professed himself to be very favourable to the English alliance, and also met others who were identifiably in favour of peace with England, but not necessarily/

necessarily of the return to prominence of Angus, such as Robert Cockburn, Bishop of Dunkeld,¹¹¹ the Earls of Cassillis and Eglinton; Alexander Stewart, Abbot of Scone (Albany's half-brother), and other abbots; Andrew Kerr of Cessford and Mark Kerr; and the Bishop of Aberdeen was also of a like mind.¹¹² Thus the English were uncertain of the wisdom of continuing to pay for the royal guard about James V, especially as Margaret wanted it increased from two to three hundred troops. Would she not then use it to intimidate parliament into passing measures which were in her favour and actively anti-Angus?¹¹³ Nevertheless, the English were persuaded that the intervention of Angus would be detrimental at this stage and he was ordered to remain at Berwick during the parliament.¹¹⁴ In addition, Margaret received a personal payment and the guard of two hundred continued to be funded.¹¹⁵ This is significant in that too sudden a switch of tactics was felt to be counter-productive and in showing once more the extent to which Angus, although reportedly enjoying the support of people such as Lennox, Moray, Glencairn, Montrose, Morton and Argyll, was unable to act independently of his English backers.¹¹⁶

The parliament began on 14 November and fully assembled on the following day. The sederunt of forty-four was an entirely reasonable response and demonstrates that Margaret's authority had not yet alienated the representatives of any of the factions within the Scottish government because such disparate men as the Archbishop of St Andrews and Bishop of Aberdeen; close Margaret supporters such as Arran, Avandale and Maxwell; those inclined to peace, but not Angus, such as Cassillis and Eglinton; previous Francophiles such as Gavin Dunbar, postulate Archbishop of Glasgow; previously uncommitted Lords such as Home and the Earl of Rothes and even Angus supporters such as Argyll and Montrose, were all present.¹¹⁷ On 16 November the Lords of the Articles and Lords Auditors of Causes were appointed.^{118,}

appointed.¹¹⁸ In addition, an important secret Council was appointed consisting of the Archbishop of St Andrews, Bishop of Aberdeen and the Earls of Arran and Argyll. This Council never functioned.¹¹⁹ It was, as usual at parliament, the Lords of the Articles who formed the most important committee of parliament; the subsequent legislation was clearly in favour of Margaret and ignored Angus completely.

The dereliction of his duty as Governor by failing to return by the time he had promised formed the main charge by which Albany was now deposed from his governorship. It was declared that James V "shall use and exercise his own authority and have the full rule and governance of the realm..." This formed the main substance of the subsequent letter sent in James V's name to Albany and of the instructions sent to Francis I by Marchmont herald. These enlarged on Albany's dereliction of his duty by stating: "The governor's repeated absences have brought about English incursions, civil discord, more frequent cessations of supreme justice than have been known for many a day..."¹²⁰

The subsequent acts of parliament made the position of Margaret at the head of affairs even more apparent than the August parliament, especially as the secret Council to advise her never materialised. She had the very important advantage of control of the King - her "natural love for him being the most trustworthy". She had disposal of all casualties and benefices - confirming her ultimate control of all sources of patronage. However, the concern for justice, and especially impartial justice,¹²¹ and the concern for good rule in the Borders to be obtained by taking pledges for good faith indicate that there was no blank cheque for Margaret to govern entirely without regard to what the Lords expected of good government. The Lords were also concerned to bring under control debts to the Exchequer, and the granting out of royal lands in feu-ferme and in assedation. The weakness of the government/

the government in not being able to insist on these being recalled peremptorily and reset at the highest profit, suggests that the control which it could exercise beyond *Edinburgh* was limited. Peace with England was considered desirable and the first article of discussion was to be redress of the Scots grievance over the seizure of a Scottish ship called the 'Katherine' by the English, in Flanders. The Bishop of Dunkeld and Earl of Cassillis were to treat for a perpetual peace, or for one of limited duration - preferably at least three years, and for the hand in marriage of Mary Tudor. Parliament also endorsed grants to Margaret's favourites, James Hamilton of Finnart and Henry Stewart, and another to John Beaton of Creich, probably at the insistence of the Archbishop of St Andrews. Parliament was then continued to 15 February 1525.¹²²

English hopes had not been realised by keeping Angus away from the parliament. Although the Scots were anxious to have peace with England, the position of Margaret had been considerably strengthened and that of Angus not helped at all by allowing her parliamentary sanction for her continued control of the King, and hence of the government. For Wolsey, only one question was now of any importance - would the Queen and the Lords cause James V to seek amity and close understanding with England or with France? For despite the general recognition of the desirability of peace with England, Margaret's power was now firmly based on an anti-Angus coalition consisting increasingly of former associates of Albany. Beside this basic question, all the petty concerns of Magnus, Radcliffe, Norfolk and Dacre about the sending of Ambassadors, pacification of private quarrels between Arran and Angus, or payments for James V's royal guards, paled into insignificance. Margaret could not be regarded, as the foreign Courts saw her, as the representative of the straightforward English influence in Scotland, and Wolsey now recognised that there was "no evidence ... that [Angus] is so well beloved/

well beloved [in Scotland] as was reported..."; a judgement which was borne out by the immediate sequel to the closing of parliament.¹²³

Angus had been restrained at Margaret's request, with English compliance, from coming near Edinburgh during the parliament. On 23 November, he came with Lennox, the Master of Glencairn, Sir Walter Scott of Buccleuch and a force reported to number four hundred men, to Edinburgh and entered by force, making a proclamation at the market cross that they came as faithful subjects to serve the King.¹²⁴ Margaret seems to have been prepared for this attack, probably fearing it for some time. Messages were taken to Edinburgh Castle to train the guns on the town of Edinburgh itself ready to fire on the insurgents. Angus and Lennox went to the Lords of Council at Holyrood - the Archbishop of St Andrews, the Bishops of Aberdeen and Dunkeld, Earl of Argyll and the Abbots of Holyrood and Cambuskenneth, and claimed that they were faithful subjects of James V desiring no other authority than their ancestors had done as barons of the realm. Aberdeen and Cambuskenneth were deputed to go with Magnus and Radcliffe who, as Englishmen, were "supposed to be better heard than Scotchmen", to reason with her and induce her to countermand her orders to fire on the town. This seems to have had no effect and one shot was fired causing several casualties but there was no end to the stalemate as yet. Throughout the day, Angus's forces had control of Edinburgh while Margaret had her supporters with her in the Abbey or in Edinburgh Castle with the King. A royal commandment to Angus eventually persuaded him to retire to Dalkeith but the threat posed by Angus could no longer be ignored. Conversely, Angus had proved that he still did not possess the strength, even with the support he already had, to overcome Margaret's opposition.

On 27 November, the Estates confirmed their goodwill for peace between England and Scotland,¹²⁵ but on the same day a letter was written in James V's name/

V's name to Henry against Angus, claiming that he had "assembled broken men and rebels, and brought them into the King's presence, causing great damage to his true subjects..."¹²⁶ On the following day, Margaret wrote herself threatening Wolsey that she would openly make friends with France and even go there herself to Henry's great dishonour if the English continued their support for Angus.¹²⁷ Articles were still sent for peace, revealing the basic dilemma of Margaret's position. Her initial stand had been on peace with England and that was undoubtedly popular. The Queen was willing to abandon alliance with France only on condition that the marriage alliance between James and Mary Tudor was firmly agreed.¹²⁸ The Ambassadors finally left Scotland on 29 November,¹²⁹ and on that day a renewed abstinence took effect until 26 January 1525.¹³⁰

Angus had retired to his own castle at Tantallon by 28 November, when he wrote to complain against the partiality of the Ambassadors, since Cassillis was a close relation of Henry Stewart¹³¹ and the Bishop of Dunkeld was a partisan of the French. Angus's insecurity in the aftermath of the failed raid on Edinburgh pervades this letter, indicating a strong fear of being abandoned by Wolsey in return for the security of a perpetual peace.¹³² In early December he moved to Lennox's heartland in the west of Scotland, staying at Paisley Abbey to the displeasure of its Abbot, Robert Shaw, one of Margaret's partisans, who was with the Lords in Edinburgh.¹³³ The Ambassador, Magnus, was persuaded to write to Angus remonstrating with him for this illegal intrusion,¹³⁴ but Angus replied that he had come to confer with Lennox and that he had thought the Abbot would be well-pleased - indeed, if he returned to his monastery he might well be won over to Angus's cause.¹³⁵ Angus was continuing to rally such support and his cause soon received an important boost - the support of James Beaton, Archbishop of St Andrews, who was not acting in concert with Margaret's government any more - at least not/

at least not over his attempt to secure the promotion of his nephew, Andrew Durie, to be Abbot of Melrose in contravention of the royal nomination of John Maxwell, Abbot of Dundrennan.¹³⁶

It is probable that the definite news of the impossibility of support coming from France in the near future, brought straight to James Beaton at St Andrews by his nephew, David, Abbot of Arbroath, on his return from France,¹³⁷ convinced the Archbishop that reconciliation with Angus was the only possible way to resolve the divisions in Scotland and obtain better government. Meanwhile, the increasing reliance which Margaret appeared to be placing on former French supporters led Magnus to speculate wildly that David Beaton had brought back an offer to procure Margaret's divorce from Angus so that she could then marry the Duke of Albany, who was now a widower.¹³⁸ This speculation is scarcely borne out by the instructions sent to France with Marchmont Herald, as mentioned above, which show that the apparent warming of Margaret to former associates of Albany did not signify a serious alteration of her policy of desiring a closer relationship with England.¹³⁹ This was an alliance of convenience between a group of people who supported Margaret because she was Queen, and another group who supported her only as a means of preventing the return of Angus. For the Scottish political community in December 1524 - February 1525, the choices lay not between a closer accord with France or a closer accord with England, but very narrowly between the personalities of Margaret and Angus. For this reason, Margaret's mismanagement of government may have alienated some support but it is not the principal reason for her downfall, except in so far as it helped to persuade James Beaton, Archbishop of St Andrews, that the best interests of Scotland lay in a renewed admittance of Angus to the Council.

The final stage of this coalescence of the political community around one or other /

one or other figurehead took place in the last week of December and early January. The withdrawal of Beaton and the Bishop of Aberdeen to St Andrews where they attracted some support¹⁴⁰ helped to reduce the effective control which Margaret exercised to Edinburgh¹⁴¹ and ultimately to Edinburgh Castle alone. The French ships had brought supplies to Dunbar which had been steadfastly defended by Gonzolles, Albany's deputy, and now French Ambassador in Scotland,¹⁴² against pleas to surrender its command and its artillery to one of Margaret's supporters. Margaret became even more suspicious of Beaton's growing authority when even Gonzolles and the former Scottish Ambassador to France, David Beaton, went to St Andrews before coming to her. Gonzolles' excuse that he went to prevent a union between Beaton and Angus and Lennox did not quell Margaret's discomfort.¹⁴³ Magnus wrote again to Beaton on 27 December begging him to consider the weal of his King and support an English alliance, but there were no grounds to the Englishman's fears of renewed French influence in Scotland.¹⁴⁴ Beaton was, however, now the lynchpin of the successful attack on Margaret's government.

Faced with this powerful coalition of interests against her government, Margaret's desperation finally became evident. On 9 January, Magnus reported to Wolsey that Margaret had offered to be reconciled with Angus provided that he agreed to their divorce. The English Ambassador naturally questioned the sincerity of the offer and pointed to friction within Margaret's own support, especially between Arran and Moray. Margaret attempted to use a strategy which was so familiar that Magnus did not even need to give it half-serious consideration. She tried to wring new promises of support out of Wolsey by pointing to the offers made to her by the French of a large pension (though the initial figure of 30,000 crowns was later admitted to be a gross exaggeration¹⁴⁵) and the confirmation of the provision of the Treaty of Rouen for the marriage of James V to a daughter of Francis I./

of Francis I. Magnus cynically pointed out that "these matters are mere words".¹⁴⁶

The breakdown of negotiations with England over the peace after a renewed truce had been taken on 4 January,¹⁴⁷ led to the return of Cassillis, one of the three Ambassadors, with news of the English reactions to the Scottish desires.¹⁴⁸ These were not unfavourable but Margaret's problems seem finally to have soured her relations with England, where Wolsey could at last see the furthering of his long-cherished plan to reintroduce Angus into the Scottish government succeeding. There was no chance of Wolsey or Henry VIII believing that Margaret's opponents were trying to win over control of James V in order to restore the French alliance.¹⁴⁹ Wolsey wrote to Beaton expressing confidence in his leading rôle on a new Council for James V's sake and that of good government, in a message carried by the Ambassador Cassillis.¹⁵⁰

Margaret tried to get Beaton and Gavin Dunbar to come to Edinburgh where no doubt a renewed spell in ward awaited them and they excused themselves, Dunbar on the grounds of illness.¹⁵¹ Beaton expressed a more political reason for his refusal which was based on the grounds that reasonable conditions had all been denied. By this he meant a good assurance between parties and the taking of pledges; the removal of James V from Edinburgh Castle and his freedom to travel about Scotland by advice of the Lords; no assurance against artillery being shot from the castle or on the abandonment of the royal guard of 'wageouris' about the King who were merely wasting royal revenue (and helping to protect the King from kidnap). Beaton declared that in the opinion of the Lords on their side, no privy seal or signet grants were valid.¹⁵² Then, together with Gavin Dunbar, Patrick Hepburn and the Earls of Angus, Argyll and Lennox, claiming to represent at least forty Lords, Beaton wrote to Henry VIII from St Andrews calling on his support for/

support for them against the Queen, claiming that James V was being badly guided and kept in an unwholesome place (i.e. Edinburgh Castle).¹⁵³ They took the bold move of calling a convention of the Lords, in direct contravention of royal privilege (since the King was now formally of age), which seemed, by no means, a universally popular move.¹⁵⁴ The declaration that Beaton, the Bishop of Aberdeen and Patrick Hepburn, Prior of St Andrews, were traitors for failing to come to Edinburgh on safe conduct and instead keeping private councils with Angus, Lennox, Scott of Buccleuch and Argyll, was an open invitation to confrontation but it also made the Lords supporting Angus wary, for so long as Margaret retained control of the King, they were technically rebelling against him, and the penalty for treason could be death and forfeiture.¹⁵⁵

There was a renewed attempt made by these Lords to offer terms to Margaret on 26 January. They called for an assurance to be taken between Angus and Lennox on their side and Arran and Eglinton on Margaret's side because of the feuds between them. No-one was to be imprisoned or hurt, whatever their opinions, nor weapons borne, nor gathering of people allowed except by advice of Margaret in concert with Beaton, Gavin Dunbar, the Earls of Arran and Argyll. The Queen was to bring James V to Holyroodhouse and order the Captain of Edinburgh Castle not to fire on the town without an order agreed by all the Lords of Council. If she refused to leave the castle, then hostages were to be exchanged between Margaret's and Angus's supporters. Avandale, his brother James Stewart, Sir James Hamilton of Finnart, and the son and heir of the Captain of Edinburgh Castle (James Crichton of Cranston-Riddale) were the pledges required on behalf of Margaret and her supporters. The Queen's supporters were now fully committed to her cause and issued a defiant reply denying all these requests as unreasonable and unbecoming "true subjects".¹⁵⁶

Angus was/

Angus was seeking support in Fife at this time while his brother, George Douglas, was in the Borders.¹⁵⁷ Margaret tried to raise an army also, probably to try to deal a mortal blow to the coalition against her before it achieved the cohesion of a convention. Magnus tried to dissuade her from such a course, not, he added, that it had much chance of success, for Margaret's authority no longer ran beyond the gates of Edinburgh.¹⁵⁸

The convention met at Stirling on 6 February, though beyond the principals - Angus, Lennox, Argyll, Buccleuch, Beaton, Dunbar and the Prior of St Andrews - the attendance is uncertain. Certainly it was well enough attended to make it worth a move to Dalkeith to be nearer the Queen and King, but the key point which explains what happened later in February at the parliament in Edinburgh was that neither side was preponderant - stalemate continued. Thus the Lords on Angus's side still sought accommodation with Margaret and her party.¹⁵⁹ On 7 February, Margaret received an enormous boost when those of her supporters still with her in Edinburgh made a renewed bond to the King supporting the authority granted to Margaret by the November parliament and promising to uphold royal authority against those who sought to usurp it.¹⁶⁰

Nevertheless, Angus and Beaton could not be ignored and negotiations continued on 11-12 February, but the Queen refused to accept the diminution of her personal authority - the very factor which was vital to Angus and Beaton - and the talks broke down. On 12 February, the Queen, Arran and their supporters withdrew into Edinburgh Castle. The burgesses then sent for Angus, saying that the gates of the town would be thrown open to his supporters and soon after Angus and Lennox entered at the head of a force estimated by Magnus at 600-700 men, leaving 2,000 others at Dalkeith.¹⁶¹

Parliament, which had been continued from November to 15 February, was now due to meet/

due to meet and Angus intended to go ahead with it. Margaret finally recognised that compromise was necessary and offered secret terms through Magnus that she would take Angus into favour if her authority was largely preserved.¹⁶² Margaret wanted to keep control of James V, with other Keepers appointed by a Council with her advice, which was agreed in terms of her being "one principal" in a Council of Lords about the King, provided he was brought out of Edinburgh Castle. She wanted unrestricted control of disposal of benefices worth less than £1000 p.a. and principal control of others as well as principal control of the disposal of wards, marriages and reliefs - in other words, of the major sources of patronage - which was agreed. Thirdly, she wanted principal control of foreign affairs and appointments to important offices, to which the Lords also agreed, but only in terms of her being one of a Council in control of these important facets of government. In addition, Angus bound himself personally not to interfere in Margaret's goods or lands (as her husband, he had a claim on her conjunct fee), or with her personally, for at least four months until Whitsun. Grants made by Margaret would be ratified by the parliament - an important concession since Angus's supporters had decried all grants under the privy seal as invalid.¹⁶³

On these terms, Margaret sold her regency. All the initiative which had lain with Margaret in July and August 1524 had been swept away from her to Angus and Beaton by the failure of her government. The downward spiral of control stemmed from her reliance on England while the English were determined to promote Angus, and her consequent willingness to seek help wherever she could obtain it in a desperate bid to prevent the return of Angus. The failings of her internal administration seemed hardly to matter in the face of this vicious circle. The ambition of Angus had barely been awakened and the expectation that he could willingly be a tame councillor, while his/

while his wife, who hated him, had principal control was not easy to entertain.

On 17 February, Cassillis and Eglinton left the other Lords with Margaret in Edinburgh Castle, having been given assurances of their safety, and their acceptance of the terms outlined above led to an allowance for all the Lords to leave Edinburgh Castle freely.¹⁶⁴ Margaret gave a clear indication of the determination she still felt not to be humbled for long before her husband by sending on 22 February, John Cantlie, Archdeacon of St Andrews, to Albany with letters in which she denied ever wanting to reach an agreement with Angus and asking what help could be expected from France. She promised to band with Albany against all but her son.¹⁶⁵ This desperate measure brought her nothing but dishonour when the letter fell into English hands,¹⁶⁶ for on 25 February 1525, Francis I suffered the humiliation of seeing his army destroyed and himself captured by the Imperial forces at the Battle of Pavia, ending any hope of assistance for the Scots from France.¹⁶⁷

On 23 February, the King, the Queen and all of the Lords came from Edinburgh Castle to the Parliament and later to Holyrood. Angus carried the crown, Arran the sceptre and Argyll the sword of state.¹⁶⁸ A new start was to be made in a parliament designed to reconcile the differences of the Scottish political community. Whatever it decided, the compromise meant the end of Margaret's brief second regency.

CHAPTER TEN NOTES

- 1 L Casali, M Galandra, La Battaglia di Pavia (Pavia 1984) 71 ff.
- 2 L&PHVIII iv pt. i no. 767 Wolsey to Magnus and Radcliffe [24 Oct.] 1524.
- 3 Ibid. no. 405 Wolsey to Dacre, 11 June.
- 4 Ibid. no. 406 Dacre to Wolsey. Sir William Evers made a raid on 8 June with 1000 men and a similar force went with Dacre's son and brother; cf ibid. no. 409 Sir William Bulmer to Wolsey, 12 June.
- 5 Ibid. no. 406 Dacre to Wolsey, 11 June.
- 6 RMS iii no. 267, 14 June. The charter employs the style: 'granted by the King "with consent of the Archbishop of St Andrews in the absence of the Duke of Albany".' Beaton was also in constant attendance on the Council in June 1524 and was named principally in a case of 2 June, ADC 34 f.178: "The Chancellor and Lords of Council commanded Robert Knollis not to leave [Edinburgh] until he had found sufficient security."
- 7 SPHVIII iv pt. iv no. xliv Bulmer to Wolsey, 26 June 1524. Maxwell was granted the castles of Threave and Lochmaben as hereditary patrimony on 9 Sep. - RSS i no. 3277.
- 8 L&PHVIII iv pt. i no. 473 Henry VIII to Queen Margaret, 6 July; ibid. no. 469 Angus to Dacre, 4 July.
- 9 James V Letters 105-6 Answers by Francis I to James V and the Estates, 15 Sep.
- 10 L&PHVIII iv pt. i no. 935 Magnus to Wolsey, 22 Dec.
- 11 Ibid. no. 662 Wolsey to Norfolk, 15 Sep.
- 12 Ibid. no. 656 Queen Margaret to Norfolk (12 Sep.)
- 13 Ibid. no. 1040 Angus to [Magnus], 27 Jan. 1525.
- 14 Ibid. no. 473 Henry VIII to Queen Margaret, 6 July; ibid. no. 486 Dacre to the Chancellor of Scotland; ibid. no. 489 Dacre to the Earl of Arran, 12 July.
- 15 Ibid. no. 474 Wolsey to Dacre, 6 July.
- 16 Ibid. no. 707 Articles agreed between Wolsey and Angus, (and signed by Angus and his brother, George Douglas), 4 Oct.
- 17 Ibid. no. 474 Wolsey to Dacre, 6 July.
- 18 Cal. State Papers (Spain) ii 670 no. 688 Juan Perez, first secretary to the Imperial Embassy in Rome, to the Emperor Charles V, 3 Oct.
- 19 Ibid. iii 17 no. 3 Louis De Praet, Imperial Ambassador in England to the Emperor, 15 Jan. 1525.

- 20 Cal State Papers (Venice) iii 378 no. 865 Gasparo Contarini to the Council of Ten, 1 Sep. Contarini understood that this indicated that the Councillors who favoured an Imperial alliance were alienated in England. This surmise was probably true but it was based on a false premise.
- 21 L&PHVIII iv pt. i no. 489 Dacre to James, Earl of Arran, 12 July.
- 22 Ibid. no. 817 Magnus and Radcliffe to Wolsey. Dr Thomas Magnus was Archdeacon of the East Riding of Yorkshire from 1504 and served on frequent embassies and positions on the Council of the North in the 1520s. His companion, Roger Radcliffe, is more obscure.
- 23 Ibid. no. 499 Arran to Dacre, 16 July.
- 24 Ibid. no. 498 Dacre to the Chancellor of Scotland - instructions by John More and William Hetherington, 16 July.
- 25 Ibid. no. 529 Chancellor of Scotland to Dacre, 23 July.
- 26 SPKVIII iv pt. iv no. xlix Wolsey to Norfolk, 1 Aug.
- 27 L&PHVIII iv pt. i no. 520 Dacre to the Chancellor of Scotland, 20 July. Dacre assured Beaton that Henry VIII would want him to have the chief ruling of James once he was in full control.
- 28 Ibid. no. 526 Wolsey to the Chancellor of Scotland (21 July). Wolsey also flattered Beaton by hinting at the possibility of Beaton being made a Cardinal. "... [Henry VIII] may be able to make his honor and authority greater than any prelate in Scotland has enjoyed for many years..."
- 29 SPKVIII iv pt. iv no. lviii Wolsey to Norfolk, 2 Sep; L&PHVIII iv pt. i no. 687 Wolsey to [Norfolk], 28 Sep.
- 30 SPKVIII iv pt. iv no. xlvii Dacre to Wolsey, 17 July.
- 31 L&PHVIII iv pt. i no. 514 The Chancellor of Scotland to Dacre, 18 July.
- 32 Thomas Howard, Earl of Surrey, inherited the title 3rd Duke of Norfolk on the death of his father in May 1524.
- 33 SPKVIII iv pt. iv no. xlviiii Norfolk to Wolsey (19 July).
- 34 L&PHVIII iv pt. i no. 523 Wolsey to Dacre, 21 July.
- 35 Ibid. nos. 524 Henry VIII to James V, and 525 Henry VIII to Queen Margaret (21 July).
- 36 Ibid. no. 528 Queen Margaret to Dacre, 23 July (mutilated); ADCP 204, 23 July; L&PHVIII iv pt. i no. 529 Chancellor to Dacre, 23 July.
- 37 Ibid. no. 532 Dacre to Queen Margaret, 26 July.
- 38 For a table of signatories, see Appendix H.
- 39 ADCP 204-5, 1 Aug.

- 40 SPHVIII iv pt. iv no. li James V to Henry VIII, 5 Aug.; James V Letters 103-4 James V to Christian II of Denmark, 8 Aug.; L&PHVIII iv pt. i no. 563 Queen Margaret's credence for Norfolk by Thomas Hamilton undated (Aug.).
- 41 SPHVIII iv pt. iv no. l Wolsey to Queen Margaret [2 Aug.].
- 42 L&PHVIII iv pt. i no. 563 Queen Margaret's credence "... They have many lords' bonds, but cannot firmly trust them..."
- 43 James V Letters 112-3 Instructions to Marchmont Herald for Francis I, 11 Dec.; ADCP 205-6, 3 Aug.
- 44 SPHVIII iv pt. iv no. xlix Wolsey to Norfolk, 1 Aug. This is the first mention of the 200 soldiers of the Royal Guard being paid by England; *ibid.* no. lii Wolsey to [Norfolk], 9 Aug.
- 45 ADCP 206, 4 Aug.
- 46 SPHVIII iv pt. iv no. lii Wolsey to [Norfolk], 9 Aug.
- 47 L&PHVIII iv pt. i no. 562 Queen Margaret to Norfolk, undated (5 Aug.) : "... Norfolk is but abused in supposing that [Angus] would do good..."; *ibid.* no. 573 Queen Margaret to [Norfolk], 13 Aug.
- 48 *Ibid.* no. 535 Dacre to Wolsey, 26 July gives some indication of the position of strength from which Margaret was working: "... if the king were once at liberty ... all the Lords and the Chancellor also, would take his part for fear of the enmity the King might feel against them..." Despite some exaggeration, this is basically a valid point.
- 49 John Law's MS ff.144v.-145 : 1524 'In the same year King James V called a Parliament in Edinburgh on 18 August'; ADCP 206, 19 Aug. All feuds were to be suspended during the holding of the parliament. No bearing of weapons was to be allowed in Edinburgh, except at royal command.
- 50 APS xii 40-1, 20 Aug.; L&PHVIII iv pt. i no. 584 Scotland, 20 Aug.
- 51 RMS iii no. 271, 9 Aug.
- 52 *Ibid.* no. 272, 28 Aug.
- 53 L&PHVIII iv pt. i no. 593, 30 Aug. Commission to treat for peace.
- 54 SPHVIII iv pt. iv no. lvi Queen Margaret to Henry VIII, 31 Aug.
- 55 E Bapst, Les Mariages De Jacques V (Paris 1889) 32 and n.2 gives November 1522 as the earliest mention of a proposed marriage between James V and Mary Tudor. There is no factual evidence for this, but cf above 303 and n.84, June 1522.
- 56 L&PHVIII iv pt. i no. 621, 4 Sep.; *ibid.* no. 629, 5 Sep. - bond by the Commissioners committing James V to send Ambassadors for a longer peace before 2 Dec.; cf ADCP 208, 7 Sep. - ratification of this by the Council.

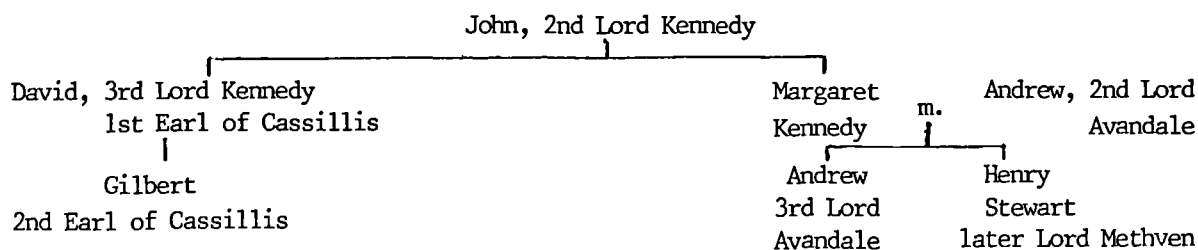
- 57 Ibid. iv. pt. i no. 817 Magnus and Radcliffe to Wolsey, 10 Nov. Beaton told the English Ambassadors he had agreed to the bond only if it would take effect after St Giles's Day (i.e. 1 September 1524).
- 58 Ibid. no. 665 Istringi, parson of Glaistre to David Beaton, Abbot of Arbroath, Scottish Ambassador to France, 15 Sep. Istringi was reporting rumours at first-hand since he was in Edinburgh at that time.
- 59 APS xii 40-1 cap. 7.
- 60 Diurnal of Occurrents 9 gives the date of the arrest of Beaton and Dunbar as 22 Aug.; L&PHVIII iv pt. i no. 665 Istringi to David Beaton, also gave date as 22 Aug. The arrest was carried out by Lord Maxwell, James Hamilton (of Finnart) and Andrew Kerr of Cessford.
- 61 L&PHVIII iv pt. i no. 602 undated (Aug. 1524); the text is given in full at SPHVIII iv pt. i 114-5n.1.
- 62 RSS i no. 3267, 26 Aug. Andrew, Lord Avandale made master usher; *ibid.* no. 3275 undated, his brother James Stewart, made gentleman in the king's household; *ibid.* no. 3283 undated, the same James made lieutenant of the royal guard; *ibid.* no. 3280 undated, his brother Henry Stewart, made master carver for life; *ibid.* no. 3288, 15 Sep., his brother William Stewart made gentleman of the king's household.
- 63 *Ibid.* nos. 3273, 3274, 8 Sep. William Hamilton of McNariston made purse master to the king and granted certain mails and profits in Carrick and Wigtownshire then in royal hands; cf. ER xv 159, when he received £148 13s. by letters under the signet from James V and Queen Margaret dated 22 Dec. 1524; RSS i no. 3292, 15 Sep., Archibald Hamilton, made squire in the king's household; *ibid.* no. 3301, 10 Oct., Thomas Hamilton made yeoman in the king's spicehouse.
- 64 *Ibid.* no. 3277, 9 Sep., Robert, Lord Maxwell, granted Lochmaben and Threave Castles as a hereditary gift and the office of steward of Kirkcudbright for 19 years; *ibid.* no. 3283 also made principal Captain of the royal guard; *ibid.* no. 3287, 15 Sep., his brother Edward Maxwell made gentleman in the king's household.
- 65 *Ibid.* no. 3285, undated, Hucheon Kennedy made gentleman in the king's household; *ibid.* no. 3289, undated, Hugh Kennedy of Girvanmains made gentleman in the king's household; *ibid.* no. 3291, undated, Thomas Corrie, son of Thomas Corrie of Kelwood, made gentleman in the king's household. (For the connection of the Corries and Kennedys, see RMS iii no. 59, 18 Jan. 1516 and RSS i no. 3365, Mar. 1526).
- 66 Edin. Recs. 1403-1528, 218-9. Attempts to avoid the control of the Provost in matters concerning the town were quashed on 6 Sep. - *ibid.* 219-20.
- 67 ADCP 207-8, 6 Sep.; *ibid.* 207, 5 Sep.; *ibid.* 209, 10 Sep.
- 68 *Ibid.* 209, 10 Sep.; see above 334.
- 69 L&PHVIII iv pt. i no. 657 Norfolk to Queen Margaret (14 Sep.)

- 70 ADCP 210 12, 13 Sep.
- 71 L&PHVIII iv pt. i no. 656 Queen Margaret to Norfolk (12 Sep.). She stated that Lennox had passed away because Buccleuch "was his man".
- 72 Ibid. no. 739 Norfolk to Wolsey, 16 Oct. Norfolk expected an armed clash at Peebles between Arran and Lennox.
- 73 Lennox last appeared on a Council sederunt on 10 Sep. - ADC 34 f. 201; cf ADCP 207, 5 Sep. and *ibid.* 208, 6 Sep., also above n.71 for Queen Margaret's belief about Lennox's reason for deserting her.
- 74 ADCP 211, 15 Sep. The raid was planned for 12 Oct. but actually took place on 16-18 Oct. : L&PHVIII iv pt. i no. 739 Norfolk to Wolsey, 16 Oct.; *ibid.* no. 750 same to same, 20 Oct.
- 75 James V Letters 105-6 Answers by Francis I to James V and the Estates, 15 Sep.
- 76 L&PHVIII iv pt. i no. 935 Magnus to Wolsey, 22 Dec.
- 77 Even allowing for understandable English exaggeration, the reliance which she placed on Arran and Henry Stewart did cause a degree of alienation of support from Margaret - L&PHVIII iv pt. i no. 672 Norfolk to Wolsey, 19 Sep.: "... The Queen is very unpopular for taking so much upon herself, and being ruled only by Arran and Henry Stewart..."
- 78 Ibid. no. 754 Magnus and Radcliffe to Wolsey, 20 Oct.; *ibid.* no. 768 George Douglas to Norfolk, 24 Oct.
- 79 Ibid. no. 817 Magnus and Radcliffe to Wolsey, 10 Nov.
- 80 SPHVIII iv pt. iv no. lviii Wolsey to Norfolk, 2 Sep.; L&PHVIII iv pt. i no. 637 Queen Margaret to Norfolk (6 Sep.); *ibid.* no. 656 Queen Margaret to Norfolk (12 Sep.); *ibid.* no. 657 Norfolk to Queen Margaret (14 Sep.); *ibid.* no. 662 Wolsey to Norfolk, 15 Sep.; *ibid.* no. 674 Queen Margaret's answers to English articles: Chancellor Beaton cannot be sent unless Angus is detained.
- 81 This is true despite the judgement of Norfolk's servant, William Hals, on 1 Sep. recorded in *ibid.* no. 613 William Hals to Norfolk: "... If [Beaton] get his liberty, as he is a man of great wisdom, he will undoubtedly do much harm..."
- 82 Ibid. no. 792 Angus to Queen Margaret, 1 Nov.
- 83 Ibid. no. 762 Norfolk, Dacre, Magnus and Radcliffe to Wolsey, 23 Oct.
- 84 APS xii 40-1 capita 3, 6, 7 and 8.
- 85 Ibid. ii 285 cap. 8
- 86 Ibid. cap. 7
- 87 ADCP 206, 3 Aug.
- 88/

- 88 Ibid. 210-11, 15 Sep. For a list of the Lords named to sit on the Session, see Appendix H.
- 89 L&PHVIII iv pt. i no. 727 Norfolk to Wolsey (10 Oct.); *ibid.* no. 729 Magnus and Radcliffe to Wolsey, 10 Oct.
- 90 Edin. Recs. 1403-1528, 224-6, 27 Jan. 1526. Respite to the community of Edinburgh for allowing the bearing of weapons which led to Fleming's death. John, Lord Fleming, was killed on 19 Oct. 1524 - see L&PHVIII iv pt. i no. 762 Norfolk, Dacre, Magnus and Radcliffe to Wolsey, 23 Oct.
- 91 Charter Chest of the Earldom of Wigtown 1214-1681; Charter Chest of the Earldom of Dundonald 1219-1672, ed. F J Grant (SRS 1910) 59, nos. 463, 464 and 465.
- 92 James Tweedie of Drumelzier married Marion Stewart (of Traquair) whose brother later married Angus's niece, Christian Hay (of Yester): Scots Peerage viii 434-5. An alleged sister of Stewart of Traquair is said to have borne Angus an illegitimate daughter - *ibid.* 399-400.
- 93 RSS i no. 3317, 14 Nov.
- 94 Wigtown Charter Chest, 59, no. 466.
- 95 *Ibid.* 61 no. 478, 4 Mar. 1530. Fleming had already been granted control of Drumelzier lands in Peeblesshire in Aug. 1525 - RMS iii no. 334, 12 Aug. 1525.
- 96 L&PHVIII iv pt. i no. 637 Queen Magaret to Norfolk (6 Sep.): "... Is not well assured of any Lords except Arran, Maxwell and their friends..."
- 97 *Ibid.* no. 658 Norfolk to Wolsey, 14 Sep.
- 98 RSS i no. 3280, undated.
- 99 HMC 9th report Appendix, Elphinstone MSS 188 no. 41, 3 Sep.
- 100 APS ii 286, 16 Nov.
- 101 HMC 9th report Appendix, Elphinstone MSS 188 no. 42, 10 Sep.
- 102 L&PHVIII iv pt. i no. 800 Magnus and Radcliffe to Wolsey, 3 Nov.: "... [The Queen] is more guided by her own will than by the counsel of any one, except it be Harry Stewarte, a young man about her, who keeps all the seals [in his capacity as Director of Chancery, not, as later stated, because he was Chancellor], and orders everything..."
- 103 *Ibid.* no. 762 Norfolk, Dacre, Magnus and Radcliffe to Wolsey, 23 Oct.
- 104 *Ibid.* no. 766 Wolsey to (Norfolk), 24 Oct.
- 105 *Ibid.* no. 768 George Douglas to Norfolk, 24 Oct.

- 106 Queen Margaret's irreconcilable opposition to Angus is evident in *ibid.* no. 713 Queen Margaret to Henry VIII, 6 Oct.; *ibid.* no. 715 Queen Margaret to Norfolk, 6 Oct. In the latter she warned Norfolk that even if Angus enjoyed English help for his return to Scotland, nothing could make her favour him. Her threats to hinder the peace negotiations are mentioned in *ibid.* no. 727 Norfolk to Wolsey (10 Oct.); *ibid.* no. 728 Norfolk to Queen Margaret, 10 Oct.; and *ibid.* no. 750 Norfolk to Wolsey, 20 Oct.
- 107 RSS i no. 3296, 17 Sep.; cf ADCP 211, 15 Sep. Moray's tack to be null and void unless he paid the rents of Ross and Ardmannoch within 20 days.
- 108 L&PHVIII iv pt. i no. 797 Magnus and Radcliffe to Wolsey, 2 Nov.; *ibid.* no. 800 same to same, 3 Nov.
- 109 *Ibid.* no. 808 Norfolk to Angus, 7 Nov.; *ibid.* no. 818 Magnus and Radcliffe to Norfolk, 10 Nov.
- 110 *Ibid.* no. 528 Queen Margaret to Dacre, 23 July.
- 111 Robert Cockburn was translated from Ross to Dunkeld on 27 April 1524 : Watt, Fasti 99. He was only granted the temporalities of his new See on 14 Sep. - an indication of favour from Margaret - RSS i no. 3286.
- 112 L&PHVIII iv pt. i no. 817 Magnus and Radcliffe to Wolsey, 10 Nov. The Ambassadors told the Chancellor that the English had never favoured his imprisonment and instead wanted him sent on embassy to England, a neat twist in their real plans. Beaton was reported to be very pleased but whether he was deceived or not is unclear.
- 113 *Ibid.* no. 804 Norfolk to Wolsey, 5 Nov.; *ibid.* no. 805 Norfolk to Magnus and Radcliffe; - rejection of a proposed increase in the guard to 300 soldiers, 7 Nov.
- 114 *Ibid.* no. 808 Norfolk to Angus, 7 Nov.; *ibid.* no. 818 Magnus and Radcliffe to Norfolk, 10 Nov.
- 115 *Ibid.* no. 817 Magnus and Radcliffe to Wolsey, 10 Nov.
- 116 *Ibid.* no. 830 Magnus and Radcliffe to Wolsey, 15 Nov.; *ibid.* no. 835 (Wolsey) to Magnus and Radcliffe, (19 Nov.).
- 117 For a full list of attenders at the Parliament, see Appendix H.
- 118 Elected Lords of the Articles were: James Beaton, Archbishop of St Andrews; Gavin Dunbar, Bishop of Aberdeen; Robert Cockburn, Bishop of Dunkeld, or James Chisholm, Bishop of Dunblane; David Arnott, Bishop of Galloway; James, Earl of Arran; Colin, Earl of Argyll; James, Earl of Moray; Hugh, Earl of Eglinton; David Learmonth (Commissioner of St Andrews); Nicholas Crawford (Linlithgow); James Preston (Edinburgh); and Alexander Forrester (Stirling). The Lords Auditors of Causes were: John Hepburn, Bishop of Brechin; James Hay, Bishop of Ross; George Crichton, Abbot of Holyrood; Robert Shaw, Abbot of Paisley; Thomas Kerr, Abbot of Kelso; Gavin Dunbar, postulate of Glasgow; Gilbert, Earl of Cassillis; George, Earl of Rothes; William, Earl of Montrose; Robert, Lord Maxwell; George, Lord Home; Sir Alexander Ogilvy of Findlater; Adam Otterburn, Francis Bothwell, Patrick Charteris and Edward Spittal for the burghs.

- 119 Beaton and Dunbar went to St Andrews shortly after, while Argyll remained active in Angus's support. Gavin Dunbar, Bishop of Aberdeen, was the only one of the four present when the Council met on 7 Dec. - ADC 34 f.208. It is difficult to prove whether this Council was intended to check Margaret's authority or was a blind which she intended to fail even before it was appointed. Certainly Beaton, Dunbar and Argyll felt that they could gain nothing from trying to make the secret Council function as an instrument of government; for appointment see APS ii 286 cap. 5.
- 120 James V Letters 111-2 James V to Albany; 112-3 Instructions to Marchmont Herald for Francis I.
- 121 APS ii 285-6 cap. 7. Other clauses concerning justice called for the secret Council to set justice ayres, (cap. 5); the Justice-General or his deputy was ordered to remain in Edinburgh at all times to judge criminal actions (cap. 8). This may have had some benefit because the record of criminal trials begins from Nov. 1524 (see Pitcairn Trials 126*). All Lords and heads of clans were to be bound to keep good rule (cap. 9); and no remissions were to be given for premeditated murder for three years unless on the advice of the three estates, (cap. 13).
- 122 APS ii 285-6 16, 19 Nov.; L&PHVIII iv pt. i no. 834 Commission to Robert, Bishop of Dunkeld; Gilbert, Earl of Cassillis, and Alexander, Abbot of Cambuskenneth, to treat for peace and a marriage alliance.
- 123 L&PHVIII iv pt. i no. 835 [Wolsey] to Magnus and Radcliffe, (19 Nov.).
- 124 Ibid. no. 854 Magnus and Radcliffe to [Wolsey], 26 Nov. Magnus and Radcliffe were in Edinburgh and eye-witnesses to these events.
- 125 Ibid. no. 863 The Estates And Council of Scotland to Henry VIII, 27 Nov.
- 126 Ibid. no. 865 James V to Henry VIII, 27 Nov.
- 127 Ibid. no. 876 Queen Margaret to Wolsey, 28 Nov.
- 128 Ibid. no. 870 Scotland : Articles by Queen Margaret to Cassillis for Henry VIII, (27 Nov.).
- 129 Ibid. no. 889 Magnus and Radcliffe to Wolsey, 29 Nov.
- 130 Ibid. no. 892 Scotland, 29 Nov. 1524. Indenture for the continuation of the abstinence from war.
- 131 Cassillis and Henry Stewart were first cousins:



- 132 L&PHVIII iv pt. i no. 878 Angus to Wolsey, 28 Nov.

- 133 Shaw's favour with Queen Margaret was confirmed by his promotion to be Bishop of Moray on 11 Jan. 1525 - James V Letters 113 James V to Clement VII.
- 134 L&PHVII iv pt. i no. 927 (Magnus) to Angus, 14 Dec.
- 135 Ibid. no. 928 Angus to Magnus, 15 Dec.
- 136 James V Letters 110-1 James V to Wolsey, 4 Dec. Andrew Durie was later confirmed as Abbot on 6 Oct. 1525: W M Brady, The Episcopal Succession in England, Scotland and Ireland 1400-1875 vol. i (Rome 1876) 199.
- 137 L&PHVIII iv pt. i. no. 943 Magnus to Wolsey, 27 Dec.
- 138 Ibid. no. 935 Magnus to Wolsey, 22 Dec. Anne De La Tour, Duchess of Albany, died in June 1524, Stuart, Scot Who Was A Frenchman 172.
- 139 James V Letters 112-3 Instructions to Marchmont Herald for Francis I, 11 Dec. Phrases such as "... How their hope has been disappointed..." and "... how long they have suffered themselves to be deluded...", do not suggest attempts to secure a closer alliance with France. See also above 431.
- 140 L&PHVIII iv pt. i no. 1004 Magnus to Wolsey, 9 Jan.: "... [Beaton] has kept a great and solemn Christmas at which many Lords were with him..."
- 141 Ibid. no. 947 James, Archbishop of St Andrews to Magnus, 29 Dec., "... ilk cuntre will say of thame selffis..."
- 142 James V Letters 112-3 Instructions to Marchmont Herald for Francis I, 11 Dec.: item 5 deals with the long detention of Dunbar by the French; L&PHVIII iv pt. i no. 943 Magnus to Wolsey, 27 Dec.: "... They have a commission from Francis I, of which Gonzolles, Captain of Dunbar, is principal to treat with the Queen and Lords..."
- 143 L&PHVIII iv pt. i no. 943 Magnus to Wolsey, 27 Dec.
- 144 Ibid. no. 944 [Magnus] to the Archbishop of St Andrews, 27 Dec.; Beaton replied to Magnus on 29 Dec. denying foreknowledge of the coming of the French and assuring him of his goodwill to reconciliation, *ibid.* no. 947.
- 145 Ibid. 943 Magnus to Wolsey, 27 Dec. for Margaret's claim to have been offered 30,000 crowns; *ibid.* no. 1004 Magnus to Wolsey, 9 Jan. 1525 for her admission that the offer had really been worth only 5,000 crowns.
- 146 Ibid. no. 1004.
- 147 Ibid. no. 988, 4 Jan. 1525.
- 148 Ibid. no. 1019 Cassillis to Wolsey, 16 Jan. (by which date he had reached Felton in Northumberland).
- 149 Ibid. no. 1026 1. and 2. Articles sent by Margaret to Henry VIII.
- 150 Ibid. no. 1028 2. Copy of Credence for Cassillis to Beaton sent from Wolsey, 24 Jan.

- 151 Ibid. no. 1027 1. Bishop of Aberdeen to Robert Barton, Comptroller, 24 Jan. He added that he was glad he did not go because, "... he would not be where good counsel is not heard..."
- 152 Ibid. no. 1031 Proclamation by the Lords at St Andrews, 25 Jan.; cf ibid. no. 1027 2. George, Earl of Rothes to the Comptroller, Robert Barton: "... They have cryit down the kyngis selis that nane obey to thame..." 24 Jan.
- 153 Ibid. no. 1033 James, Archbishop of St Andrews and others to Henry VIII, 26 Jan.
- 154 Ibid. no. 1027 2. Rothes to Barton, 24 Jan. Rothes personally declined to go, and warned Barton that the Lords on Angus's side were "bound with ropes of sand", an indication of the loose confederation of anti-Margaret support on which Angus and Beaton were relying.
- 155 Ibid. no. 1030 James V, Jan. 1525.
- 156 Ibid. no. 1035 i and ii. The Lords at St Andrews to Queen Margaret, signed by Beaton, Dunbar and Patrick Hepburn, Prior of St Andrews, on behalf of forty Lords; and the reply from Queen Margaret.
- 157 Ibid. no. 1040 Angus to [Magnus] 27 Jan. Angus was visiting his brother-in-law, John, Lord Glamis at Glamis Castle on 20 Jan.; George Douglas was at Coldstream on 31 Jan. - ibid. no. 1047 George, Master of Angus to Sir Christopher Dacre.
- 158 Ibid. no. 1056 Magnus to Wolsey, 2 Feb. "... The gates are sore barred up that justice cannot ne may have power to issue forth and pass abroad..."
- 159 Ibid. no. 1088 Magnus to Wolsey, 14 Feb.
- 160 SRO Dalhousie Muniments GD45/1/2 - see Appendix I for full document. Signatories to this bond were: Gavin Dunbar jr., Archbishop of Glasgow; James Hay, Bishop of Ross; David Arnott, Bishop of Galloway; Alexander Stewart, Abbot of Scone; George Crichton, Abbot of Holyrood; Thomas Kerr, Abbot of Kelso; James, Earl of Arran; James, Earl of Moray; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; David, Earl of Crawford; Hugh, Lord Somerville; Robert, Lord Maxwell; Andrew, Lord Avandale; William, Master of Saltoun; David Wemyss of that Ilk; George Home of Spot; John Charteris of Amisfield; James Douglas of Drumlanrig; Mark Kerr of Littledean; Andrew Kerr of Cessford; Hugh Campbell of Loudon, Sheriff of Ayr; James Lundy of Balgonie; George Hoppringle (?); James [Hamilton of Finnart?]; and the Rector of Herries (?). In addition, there is one unidentified name. See also Appendix H for comparison with earlier support for Margaret.
- 161 L&PHVIII iv pt. i no. 1088 Magnus to Wolsey, 14 Feb.
- 162 Ibid.
- 163 Ibid. no. 1114 1, 2 and 3. Queen Margaret to the Bishop [sic] of St Andrews, and of Aberdeen, Earl of Argyll, etc.: answers by them and others to Queen Margaret; further offers made by Queen Margaret after the answer made before, undated (prob. c.22 Feb.).

- 164 Ibid. no. 1113 Magnus to Wolsey, 22 Feb.
- 165 James V Letters 115-6 Credence by Queen Margaret to John Cantlie for Albany, 22 Feb.
- 166 L&PHVIII iv pt. i no. 1446 1 June 1525.
- 167 Knecht, Francis I 167-72.
- 168 L&PHVIII iv pt. i no. 1170 Magnus to Wolsey, 9 Mar.

CHAPTER ELEVEN**Angus's Legal Control of the Government****23 February - 2 November 1525**

The parliament which met in February 1525 was concerned with the need to provide a workable framework to put into practice the compromise worked out between Queen Margaret and her supporters on one side and the Earl of Angus - James Beaton, Archbishop of St Andrews coalition on the other. The crisis was temporarily resolved by placing power in the hands of a secret Council around the King which contained members of all of the factions with the Queen Mother to have the leading rôle on the Council. This solution did not work satisfactorily and the enthusiasm for involvement in daily government quickly waned, leading to the renewed settlement of government laid down by parliament in July 1525. The concern was then to provide a stable government for the foreseeable future (at least one year in the first instance), instead of the temporary compromise of a crisis. The decision to commit power into the hands of a Council about the King which would rotate in membership after each three-month period, was a positive measure designed to relieve the necessity of all the Lords, with a close interest in government, from the burden of daily attendance. It was used by the Earl of Angus, however, to provide a platform for his legitimate control of King and government, a control which as his ultimate reluctance to relinquish in November 1525 demonstrates, was more than welcome to his ambitions. It is significant, however, that the control exercised by Angus in this first period of legitimate government was not absolute. There are two contrasting views which can be taken about Angus's decision, in November 1525, to put himself once more beyond the law by simply refusing to abide by the terms of the parliamentary settlement, thus beginning the period of gilded captivity which formed the latter two and half years of James V's minority. It is possible to/

possible to argue that Angus intended from the moment he received English permission to recross the border into Scotland at the end of October 1524, to re-establish himself at least as the pre-eminent Lord of the Council about the King, or as an effective sole Regent for James V, using the English backing which he had assured for himself to win this position. Alternatively, and more probably, he returned with great ambitions of this nature, but the decision to risk everything by going beyond the law and forcing a confrontation with his enemies was forced on him by the circumstances of the conciliar government of February-November 1525. The first period of Angus's influence over the Scottish government was no more successful in either foreign or domestic policy than previous governments over which Albany had not exercised personal control. It was not so chaotic as that which had tried to exercise control at Arran's bidding in 1519-21, nor that which preceded it under the influence of Queen Margaret in 1524-5. There were no great breakthroughs in achieving peace with England at a time when Scottish foreign policy was severely circumscribed by the French disaster at Pavia and the captivity of Francis I in Italy and Spain. Nor were the major problems of internal government - the need to bring good government to the Borders and to provide justice in general - tackled successfully, and royal finances remained in a seriously depleted state. These failures generated opposition, while the continuing implacable hatred of Queen Margaret for her husband provided a focus for that opposition. Her departure from the political scene had at first facilitated Angus's control but by November 1525, the realisation of the peril that this time he faced permanent ruin, prompted his decision to risk everything he had - influence, office, lands, goods, even life, on a showdown with his enemies. The handover of power due on 31 October was, therefore, ignored and the return of James V to Edinburgh on 2 November initiated the new phase of challenge to/

challenge to the pattern of government established by the February and July parliaments of 1525.

A spirit of reconciliation pervaded not only the opening of parliament in February 1525, but also its decisions. The opening was marked by the procession of rivals, the King and Queen Margaret, being preceded by Angus bearing the crown, Arran bearing the sceptre and Argyll the sword of state.¹ The concern of the Lords who attended this parliament and represented all of the factions which had been contending for power,² was to provide primarily for a secret Council which would control the direction of the government and would consist of the most important of the Lords, spiritual and temporal, in Scotland,³ and secondarily for the policy which that Council was to follow. The compromise with Queen Margaret which had allowed the resolution of the stalemate necessitated her position at the head of the secret Council, though the phrase, "as principal and one of the same as odd person", suggested that she would only have a veto or casting vote if the Council was evenly divided. This secret Council differed from that proposed in November because it included Angus and its practical effect was intended to replace Margaret, not enforce her authority. In general, the desire of the Lords was for unanimity.⁴ The unprecedented dispute over the election of the Lords of the Articles reflects an attempt by the former supporters of Margaret to increase their influence over the direction of policy to be pursued by the new government. Arran and Eglinton led the protest in favour of the election of the Abbot of Scone (who was elected), and James Hay, Bishop of Ross (still described in Eglinton's protest as Bishop-elect) and the Abbot of Holyrood, all of whom had been close to Margaret in the period just prior to the compromise. For Angus's side, the Earl of Argyll defended the election to the committee as it stood. A further indication that the balance on the committee of Lords of Articles was against/

was against Margaret was her need to register an immediate protest that she had always had the best will for her son's welfare.⁵

In fact, the statutes of the February parliament provided a moderate and conciliatory programme for government. The King had to leave the fortress of Edinburgh Castle to be more easily accessible at Holyrood House. The Queen was to remain his principal Keeper, though she was now to be joined by others to be named by the Lords of secret Council. The recent troubles over control of Edinburgh were to be prevented by a statute forbidding the firing of guns from the castle and the removal of powder or bullets from the arsenal there.

The provision of government was placed entirely in the hands of the secret Council, who were to have disposal of major benefices (those valued at less than £1000 p.a. were to be at Margaret's sole nomination - another item of the compromise which had induced Margaret's capitulation); disposal, also, of all casualties and offices. Margaret's grants in these areas were to be confirmed except her gifts from the King's property which were cancelled in order to provide for the royal household. The secret Council was to make early decisions about the principal offices of state, notably the chancellorship, keepership of the privy seal and the office of royal secretary, and while they deliberated, the seals were all to be delivered to the Bishop of Aberdeen, Lord Clerk Register.

Statutes also revealed the Council's immediate concerns for the provision of good rule in the Borders where Arran's expedition of October 1524 had failed to have any effect; the prevention of illegal trade with England and of the illegal export of salt - both measures designed to prevent the loss of valuable income to the government and to prevent aid to Scotland's enemies to her detriment. No reconciliation could have been completely effective without an indemnity clause. The Earl of Morton was exempted from/

exempted from the charge of treasonable aid given to the Homes of Wedderburn and, more significantly, the Earls of Angus, Lennox and others were exempted from the charge of treason proceeding from their occupation of Edinburgh on 23 November, in defiance of Margaret's government.⁶

This spirit of co-operation and determination to provide a stable format for government was mentioned by the Treasurer, John Campbell of Lundy, in his letter to the English Ambassador, Dr Thomas Magnus, on 2 March. He believed that all lingering disputes would be settled within eight days.⁷ The reinforcement of the Secret Council into a General Council or Convention on 6 March was a further indication of the widespread feeling that the compromise should be made to work and that attention needed to be given to some of the most important immediate issues.⁸

The principal issue to concern the Council was the direction of foreign policy. Under Margaret, the obstacles to a peace with England were insuperable because of her refusal to be reconciled with Angus and her consequent reliance on a failsafe French alliance if no good way could be found with England. The mission of Cassillis, the Bishop of Dunkeld and Abbot of Cambuskenneth, to England to treat *for peace had not met with any success before the disaster at Pavia, in which many of the French captains lost their lives and Francis I himself was captured, overtook any other negotiations involving Scotland, England and France.* At this early stage, the Council felt that the best chance which they could get was an English agreement to an abstinence for eight months which would exclude the possibility of any fighting taking place in 1525. The weakness of their case, bereft of possible aid from France, induced, however, a recognition that preparations for war had to be made to meet with the rebuff which Henry VIII might feel strong enough to deal them.⁹

Other matters of immediate concern were the need to provide solutions to long-running/

to long-running disputes, such as those between the Archbishop of Glasgow and the Flemings over the Priory of Whithorn, and between the Lord Fleming and the Tweedies of Drumelzier, murderers of his father. An investigation by two of the Lords of the Secret Council, the Bishops of Aberdeen and Dunblane, was ordered into the former, while Lord Fleming, himself, subscribed an assurance of personal safety for James Tweedie of Drumelzier.¹⁰ On 8 March the Council met in the presence of James V and Queen Margaret and the principal officers of state were reappointed. James Beaton, Archbishop of St Andrews, was restored as Chancellor, an office from which he had been deprived on his imprisonment in August 1524; George Crichton, Abbot of Holyrood, also resumed office as Keeper of the Privy Seal, while Patrick Hepburn, Prior of St Andrews, was appointed as Royal Secretary in succession to Thomas Hay, Parson of Ruthven, who had demitted office with the introduction of James V's personal rule on 1 August 1524.¹¹ The delivery of the seals and signets of office took place on 9 March.¹²

The fact that the English Ambassador, Magnus, expressed surprise that the new Council did not show itself to be immediately more favourable to peace with England than the outgoing Council dominated by Margaret, is the clearest indication that the re-entry of the English protégé, Angus, into an official position in government was expected to signal an immediate change of policy. In fact, Angus maintained a cautious approach in these early stages and did not want to risk the opposition of his erstwhile coalition partners, Beaton and Dunbar, who had long been in favour of continuing close links with France while trying to get an accommodation with England which would preserve the peace. Magnus could write of Angus openly speaking before the Council of his support for England and the aid which he could expect from his brother-in-law, Henry VIII, but this was not yet enough to swing the whole governmental policy.¹³

Magnus brought/

Magnus brought forward four arguments in favour of the Scots accepting a perpetual or temporary peace with England, abandoning their French alliance and breaking off the Treaty of Rouen. Firstly, Scotland and England shared the same island, and the same language; secondly, the proximity of blood between James V and Henry VIII should induce a closer love of a nephew for his uncle; thirdly, the consequent expectation of James V to inherit the English crown if Henry had no male heirs and, fourthly, the probability of a marriage alliance between James V and Mary Tudor being concluded. The Scots, headed by the Bishop of Aberdeen, were only interested in the last of these arguments and refused to alter the line which Cassillis, Dunkeld and Cambuskenneth had first taken to the English before Christmas 1524. The perpetual peace would follow the marriage alliance and not vice-versa. The wariness of Beaton and Dunbar and the caution of Angus, together with the positive favour which such an approach would elicit from Margaret and her supporters, dictated this line. The Scots would not easily forego their French alliance, despite the difficulties in which France was placed and despite the threats by Magnus that Henry VIII would not accept the eight-month abstinence without guarantees for the safety of James V (i.e. for the continuance of Angus in government) and the continued denial of influence to the Duke of Albany (for whose return, Magnus began to suspect, Beaton was working¹⁴). The Lords of the Council wrote to Henry VIII on 12 March requesting him to heed their views and grant the eight-month abstinence, stating that they were not "dissimulating to help outward realms..." nor deliberately seeking Henry's displeasure.¹⁵

On 10 March the Council made a new commission to Cassillis, Dunkeld and Cambuskenneth to try to obtain English agreement to the truce until 31 October.¹⁶ Cassillis, however, was worried by the possibility of counter-instructions being/

instructions being sent by a group of Councillors which would undermine his efforts and he had it made clear that all of the Lords of Council wanted him to go again to England with the commission he had been given.¹⁷

The compromise of February 1525 had been intended to reconcile the disparate factions in the Scottish government and not specifically to replace Margaret's government and supporters by Beaton and Angus and their supporters. Although Magnus reported to Wolsey that Angus and Arran had settled their differences amicably, there were several indications that the re-entry of Angus into the front rank of government was not universally acceptable. Magnus reported that the Queen's closest confidant, Henry Stewart, had passed away to her castle at Stirling with his two brothers (Lord Avandale and James Stewart) while the Earls of Moray and Eglinton and the Bishop of Ross had also departed from the Council.¹⁸ In fact, Arran, himself, did not attend the Council after 6 March until 16 June and then only to conduct what proved to be abortive negotiations for a settlement of his differences with Angus and Lennox.¹⁹

The gradual rejection of governmental interference in domestic affairs carried out by Margaret led to the Council quashing her appointments: James Lundy of Balgonie, as Sheriff of Fife, in preference to Sir John Lindsay of Pitcreavie, son of Lord Lindsay of Byres;²⁰ and of Henry Stewart as Director of Chancery, replacing him on 13 March with James Colville of Ochiltree.²¹ On 10 March Henry Stewart, James Stewart, Sir James Hamilton of Finnart, William Hamilton of McNariston and Mark Kerr of Dolphinton, were all suspended from the King's service (all of them close supporters of Queen Margaret) with Argyll leading the call for them to be replaced by others immediately.²² Besides being a way of strengthening Angus's control over the people closest to the King and reducing Queen Margaret's influence, this may also be connected to a reported attempt by Mark Kerr and unspecified others to kidnap the King on 6 March with the rumours being that he was to be taken to sea/

taken to sea (and hence to France); or to Dunbar (and hence to French control) or else to Stirling (returned to Queen Margaret's control). The attempt was a failure but reflected genuine unease on the part of former supporters of Queen Margaret at the return of Angus to government.²³

The Council had to carry on its attempts to provide stable government, however, and the appointment of the Session to begin on 16 June was a positive measure designed to inspire confidence in the new regime. A parliament was ordered to be set for 24 July with proclamations to be made, giving forty-five days' notice.²⁴ The news that the English had agreed to a further prorogation of the abstinence from war for two months until 15 May to allow further negotiations for peace²⁵ was tempered in early April by the definite rejection of the eight-month abstinence which would have ruled out any possibility of war in 1525.²⁶

As yet, Angus had undertaken no formal office or duties beyond his membership of the Secret Council itself, which provided him with a position at the core of the government. One of the most important problems which needed to be tackled, and with which Margaret's government had proved totally incapable of dealing, was the need to secure order and good rule on the Borders to end the counter-productive attacks by Scots on England which threatened any progress towards peace.²⁷ The stage for Angus's rising influence in the Scottish government was to be the recreation of a strong power-base for him in the Borders. On 15 March, Angus was appointed as Warden of the East and Middle Marches and on the same day, Lord Maxwell was reappointed as Warden of the West March. Maxwell had been a close ally of Queen Margaret but his success in raising his fortunes since Flodden was such that no other appointment to the West March could have functioned effectively. Angus and Maxwell accepted their commissions of wardenry on 16 March.²⁸

On the/

On the same day, letters were sent to the headsmen of the East and Middle Marches to come before Angus and swear to aid him in the execution of his office.²⁹ This meeting took place on 27 March when Angus swore before the Lords to serve in office as Warden and Lieutenant of the Borders, having secured a wider jurisdiction than was usually regarded as the East and Middle March, incorporating Clydesdale, Tweeddale and Ettrick Forest, Lauderdale and the sheriffdoms of Edinburgh and Haddington.³⁰

Angus obtained a bond from the leading men of both Marches on 27 March to help him bring a new stability to the Borders.³¹ In the first place they promised to serve him, going at his command to execute justice and carry out the royal authority and, secondly, they bound themselves to rise with their kin and friends to pacify the country, putting out the worst troublemakers - inhabitants of Liddesdale, Eskdale and Ewesdale from their lands.³² They also agreed to take personal responsibility for crimes if they failed to apprehend and bring to justice the actual criminals within twenty days. The final touch was the extension of this bond's effects to all of the landed men of both Marches³³ whether they had come in to swear to it or not. In this way, royal authority over the Borders was to be reintroduced through the medium of a reliance on the success of Angus in building up his power and influence. Angus went personally to the Borders less than two weeks later for a preliminary reconnaissance of the task which he faced.³⁴

The troubles which the English wardens were experiencing in trying to keep order on their side of the border, and the decision by Wolsey to work for a closer understanding with France (rather than to pursue unlikely plans to attempt the complete dismemberment of the French kingdom³⁵), helped to keep the English willing to renew the abstinence from war. These problems overcame Wolsey's desire to achieve the long-term objective of getting the Scots to agree to a perpetual or temporary peace which would end the French alliance or influence/

alliance or influence at least until James V was fully of age. Beaton tried to smooth over the differences between the Scottish and English positions in a letter to Wolsey of 29 March. He repeated the assertion made in the letter of the Lords of Secret Council to Henry VIII, that the instructions to Cassillis had not been intended to deceive England into a temporary truce while Scotland sought a closer understanding with France. The Scots needed more time to agree on the terms of a full peace. Beaton then tried to buy the time needed by stating that any alteration to the instructions, which had not secured agreement, would need parliamentary approval and parliament was due to meet in July.³⁶ The Ambassadors, Dunkeld and Cambuskenneth, were recalled to give their advice at this parliament.³⁷

This marked the end of the negotiations dominated by the refusal of the majority of the Lords with influence on the government to abandon completely their long-standing alliance with France. They had sought the most positive assurance of English goodwill in return, which could only be proved to them by the marriage alliance of James V and Mary Tudor. The fragility of English promises in this field was a fear played on by the French Regent, Louise of Savoy, mother of Francis I, in her instructions of June 1525, since Henry had already promised the marriage of Mary both to the Dauphin of France and to Charles V. There was no sign from the English of a willingness to make definite promise on her marriage to James V.³⁸

Despite the realisation that the disaster at Pavia meant that no aid could be expected from France during the summer of 1525, at least, the Scots despatched Patrick Wemyss to France to convey the expectation of the Council that the French Regent, Louise of Savoy, and her government would agree to help Scotland. They could either provide aid for Scotland by attacking English lands on the Continent and sending men, money and arms to Scotland (i.e. abiding strictly by the terms of the Treaty of Rouen), or agree that the Scots/

the Scots would be free to conclude peace for themselves without reference to their French alliance.³⁹ The answer to these alternative propositions took a long time to reach Scotland and, in fact, was overtaken by events outwith Scottish influence. By the time of the arrival of French Ambassadors in Scotland to urge the continuance of the French alliance and restoration of authority into Albany's hands, in September 1525, the French and English had already signed a treaty of amity which comprehended Scotland in the peace and, in a secret clause, provided for the continued exclusion of Albany from Scotland.³⁹

This reduction in options for the Scots in foreign policy severely restricted the possibility of Margaret using outside influence to obtain renewed control of the government. The offer by Louise of Savoy of a safe refuge in France if it was necessary for Margaret to leave Scotland was a diplomatic blind,⁴⁰ and her rejection of the rôle envisaged for her by the Council ensured that she would have little chance of support from Henry VIII or Wolsey. She wrote to her brother in March 1525, protesting that all she had done in the period of her second regency from July 1524 - February 1525, had been for England's sake and that Henry listened too closely to those who did not love her or him.⁴¹ At first she carried out her formal rôle in the Secret Council, and she was still travelling around Scotland with the King in March,⁴² but her desire for a divorce remained uppermost in her mind. Denied the chance to play off English and French offers of support, her brother's severely critical letter brought to her by Magnus made her realise the need she would have to rely solely on those Scots who did not want to see accretions to Angus's power and influence. Magnus's belief that the only favour shown to her in Scotland was due to her relationship with Henry VIII underestimates the potential opposition of Moray, Eglinton, Arran and others, who had been her supporters and who continued to believe that she represented the/

represented the only alternative claim to legitimate authority in Scotland able to resist Angus.

All of the advantages in terms of foreign policy which the Scots could pursue lay with England, especially as Magnus reported that the Scots were not even prepared for war if matters turned out for the worst.⁴³ The dangers of this eventuality were recognised by the Council on 21 April when the secretary was ordered to write letters to all of the Lords summoning their attendance on 1 May to provide resistance in case the truce could not be prorogued beyond 15 May and war ensued.⁴⁴ The gap between what was desirable in diplomatic terms and what was necessary in reality was sufficiently wide, however, to ensure that a new commission to treat for peace was delivered to the Chancellor on 6 May.⁴⁵

Prior to this time, Angus had been able to carry out a successful raid against the thieves of Liddesdale, one of the actions specified in the bond of 27 March. In May, the raid achieved a temporary pacification to be preserved by the holding of twelve pledges for good behaviour, although the English wardens, Sir William Bulmer and Sir William Evers, were complaining as late as 16 May that the Armstrongs of Liddesdale and the thieves of Ewesdale were consorting with the English rebels from Tynedale.⁴⁶ The problem of rebels from both sides of the border supporting each other against the legitimate governments had already been noted by Magnus in connection with the East March,⁴⁷ and action was certainly needed, especially if war became likely.⁴⁸ About this time also, the Archbishop of Glasgow agreed to curse the thieves of Tynedale, which brought down every possible malediction on the rebels.⁴⁹ This was an attempt by Gavin Dunbar to secure favour with Wolsey as part of his long-running dispute with James Beaton over the exemption of Glasgow and its suffragan Sees from the metropolitan authority of St Andrews, a major cause of friction within the Council at this time.⁵⁰

The reality/

The reality on the English side was equally clear and despite Wolsey's bullying, the English were not anxious to have war again on their northern frontier. Magnus was authorised to agree on 24 May to a further prorogation of the truce for forty days, despite the few days' lapse which had been allowed to occur.⁵¹ The Queen had proved herself also willing to listen to reason and had written to the Council at Magnus's request arguing that no aid could be sent at that time from France.⁵² Though the excuses of Louise of Savoy did not reach Scotland until September, it must have been clear even to the few Lords who still supported Albany's return to Scotland, e.g. Beaton, that such a move could not be expected while Francis I remained a prisoner.

While the possibilities of foreign policy were contracting, the internal situation of Scotland had renewed the fertile ground of division. Margaret, still governed by her passionate desire for a divorce from Angus (in favour of which Albany wrote to the Pope at the end of June, claiming that she had a good case⁵³), had left Court and travelled to her conjunct fee castle of Stirling. Angus, who was seeking the freedom to interfere once more in her jointure lands after his obligation not to interfere ended at Whitsun, claimed that she plotted against him there with his enemies.⁵⁴

The failure of the conciliar government to put an end to the financial chaos which it had inherited, further damaged its capability to unite the factions. Gifts of casualties and offices to secure support were impossible because those already made by Margaret's government had been honoured as part of the February compromise. On 19 May, the Treasurer, John Campbell of Lundy told the Lords that he was in debt to the sum of £3000, not including the loan made by the Chancellor from his personal funds.⁵⁵ Ambassadors to England and France had to pay their own expenses and claim them back later, despite attempts to secure a tax of £3000 in September 1524.⁵⁶

On the/

On the same day the Council ordained that while its authority continued, no casualties were to be granted to anyone, all having to be sold on the best terms available. Rewards for good service were also not to be made from casualties in order to improve royal finances. The burden of debt could therefore be raised and the Treasurer undertook to repay £860 to the Chancellor, in two instalments on 1 August 1525 and 1 January 1526.⁵⁷ This was not the end of the financial difficulties for on 14 August 1525, James Colville of Ochiltree, tried to resign from the office of Comptroller to which he had just been appointed because the burden of debts on the Customs meant that he would be unable to furnish the expenses of the household without mounting up further debts. The auditors of exchequer put off a decision by claiming that the whole Council needed to agree to the installing and removing of Comptrollers from office.⁵⁸ There is no doubt that there were far fewer letters of gift under the Privy Seal during 1525,⁵⁹ but the problem was still serious because the superexpenditure mentioned in the Exchequer Rolls matches that in the Treasurer's Accounts. Colville's accounts for 1525-6 showed 97% of royal income (excluding income in kind, part of which was sold to pay off some of the debt), was spent on royal expenses.⁶⁰

The Council was also concerned to be seen to be providing justice. On 19 May they ordered the speeding up of criminal justice, with no requests for delays to be considered. Their concerns were amply demonstrated by the decision to make those who ignored this ordinance liable to a fine to be paid towards the Treasurer's debt to the Chancellor, suffering pinding, if necessary, to obtain the fine.⁶¹ On 12 June 1525, the Session began again for the first time since March 1524.⁶² Cases were heard with a frequency which suggests that the neglect of the Session must have been a matter of grave concern to those who had actions to be brought before the Lords of Council.^{63/}

Council.⁶³ These involved some of the foremost Lords in Scotland as well as the usual petty disputes over wrongful occupation of land and theft of the goods thereof. Lord Fleming was successful in obtaining the Lords' backing to annul the respite granted by Margaret's government to the Tweedies of Drumelzier.⁶⁴ Lord Borthwick failed to prove satisfactorily his rights to the profits of the kirk of St Mary of Wedale in Stow over those of David Hoppringle in Galashiels (also called David Hoppringle of Smailholm), George Hoppringle of Torwoodlee, David's wife Margaret Lundy and George's mother, Elizabeth Lawson.⁶⁵ George, Lord Home, successfully pursued James Murray of Falahill to prove that Murray had not restored ownership of certain lands to which Lord Home had been rightfully restored as heir to his late, forfeited brother.⁶⁶

In addition, Angus, having been freed from the obligation he had made not to interfere in Queen Margaret's lands and goods, decided to pursue his legal rights before the Council to obtain control of certain of Margaret's castles. Angus was not acting in a merely vindictive manner, for the Queen's determination to obtain her divorce and implacable opposition to Angus, made her a potent symbol for opposition to Angus to gather round. Thus, Angus tried to obtain the surrender of Stirling, Doune, Linlithgow and Methven to his control.⁶⁷ He had already initiated proceedings against Ninian Home for illegal detention of the lands of Cockburnspath and its tower in the Earldom of March, again claiming a right thereto from the fact that he was Queen Margaret's husband. (His extension of the boundaries of his lieutenantry in the Middle March to include Ettrick Forest had already challenged Queen Margaret's rights in that area.) Ninian Home was further pursued in the King's name for wrongful resistance to a royal officer in the course of his duty in poinding the mails of the Earldom of March.⁶⁸

At the same time, Angus was strengthening his personal friendships in anticipation of/

anticipation of a new settlement of the government of Scotland in the July parliament. On 18 June, Angus signed a bond, which had a specifically political purpose, with the Earls of Argyll and Lennox. Angus, Argyll and Lennox had been associated since the previous September when Lennox and Argyll withdrew their support, or toleration for, Margaret's government, to promote the re-entry of Angus into public affairs. Now the three Earls swore to maintain the royal authority of James V, to take each others' parts in quarrels, to give each other their best counsel and keep secret advice received and, perhaps most significantly, they promised to help each others' friends and kin to "offices, rowmes and benefices".⁶⁹ The association of Argyll and Lennox with Angus was noted by Magnus on 31 May and he did not doubt their good will to English interests in Scotland.⁷⁰ Despite the financial restraints on gifts of casualties, Angus was able to help both Lennox and Argyll to offices of profit. In May, Lennox was granted a commission as King's Justice in the island of Bute, with a confirmation of a further tack of the lordship of Bute for five years, continuing a grant first made by Albany in 1521.⁷¹ On 6 July, Argyll was commissioned as King's Justice within the bounds of Breadalbane, Rannoch and Glenlyon.⁷² About this time also, the escheat goods of William, Lord Semple, his son, and John Semple in Lochbank were sold to Lennox.⁷³ All of these grants helped to prove that Angus could be in a position to help his confederates if they were willing to help maintain his power.

Angus definitely needed support to maintain his power, according to a letter by Magnus to Wolsey of 23 June. English suspicions of Scottish duplicity over their sending of Patrick Wemyss to France had been partially allayed by the assertion of Magnus's close confidant, Sir William Scott of Balwearie, that the Council did not believe that the French could fulfil the Scottish demands, allowing the Scots a pretext for breaking off the French alliance.^{74/}

alliance.⁷⁴ The different nuances which could be put on the same action by different councillors probably mean that for at least some of those who agreed to send Wemyss, this was true. Beaton had given no indication, as yet, that all possible avenues of support were still being utilised. English concern had been further induced by the failure of Angus to make good his promising start in the Borders. Magnus relayed the complaint that Angus had failed to keep an effective watch on the activities of the Armstrongs,⁷⁵ while Evers, the English Warden of the Middle March, made consistent complaints throughout June that Angus had failed to keep days of truce.⁷⁶ When one was finally held on 27 July,⁷⁷ a new continuation of truce had already been agreed⁷⁸ and throughout the critical few weeks before the July parliament, the English were faced with the inescapable conclusion that the backing of Angus was their best hope to get a sympathetic government in Scotland, and that any actions such as failure to preserve the peace would quite clearly undermine what authority he had built up within the Secret Council in Scotland. There was sufficient opposition which would not be so favourable to the English alliance, to suggest that war with England would raise their hopes of ousting Angus again.

The parliament began to meet on 6 July and the election of the Lords of the Articles took place on 10 July.⁷⁹ A comparison between those elected in February and those elected to this committee in July shows that its composition was little changed except with regard to the burgess members.⁸⁰ Significantly, the Abbot of Scone, whose election had been so favoured by Margaret's supporters in February, was now dropped, as was Lord Maxwell, another prominent supporter of Margaret, while the former Ambassadors to England, the Bishop of Dunkeld and Abbot of Cambuskenneth were now brought in; their advice on foreign relations would be invaluable. James, Earl of Moray, who had been the most prominent dissident against the régime instituted in/

instituted in February, was at first elected as a Lord of the Articles, but despite a call for him to be summoned again on 18 July,⁸¹ he continued to remain outside the government and was replaced by Lord Erskine. The first business of the parliament concerned provision for Queen Margaret, now that her rights to her conjunct fee were being challenged by Angus. On 10 July she entered a request to be allowed expenses by the Lords because she was seeking a divorce at Rome from Angus and he was taking up her living. The indications were favourable for Angus from an early stage, with the process for the reduction of the forfeiture against John Somerville of Cambusnethan for the aid he had given Angus at 'Cleanse The Causeway' on 30 April 1520 likely to be successful (and ultimately this was carried, to the detriment, particularly, of Arran and Sir James Hamilton of Finnart who had benefited by being granted the forfeited lands which were now restored⁸²). Angus was confident enough to promise Margaret and her household free passage to and from Edinburgh during the parliament and three days after.⁸³

The main business concerned the form of the government and the policy which it was to pursue. The decision was taken to appoint a Council of twenty-four Lords, six of whom would keep the King with them constantly for a period of three months each,⁸⁴ having during that time, principal guidance of the government. This was a sensible move, which would theoretically provide stable government for at least a year to Lammas (1 August) 1526. The order in which the keepership was to rotate is significant, and Angus's growing prestige was confirmed by the decision to appoint him as principal temporal peer in the first period of three months from July to 31 October. His period of appointment was to be shared with the Archbishop of Glasgow, John Beinston, Bishop of Orkney; James Douglas, Earl of Morton; George Crichton, Abbot of Holyrood; David Beaton, Abbot of Arbroath and George, Lord Seton. The significance of the addition of a seventh member to this group/

group (when all the others had six) suggests that probably Arbroath was added to continue the influence of his uncle, James Beaton, the Chancellor. Apart from him, Orkney, Morton and Seton were of little political significance.⁸⁵ Holyrood had been favourable to the Queen and Glasgow was more predisposed to favour whoever could give him aid in his dispute with St Andrews over the question of exemption from the metropolitan authority of St Andrews.⁸⁶ The other point of major significance in the rotation order was the appointment of some of Angus's principal enemies - Arran and Eglinton and the Abbot of Paisley (Robert Shaw who was now Bishop-elect of Moray) - and the hostile Bishop of Aberdeen with the Bishop of Brechin and Lord Forbes who were not of political significance (nor closely attached to Angus) - for the second quarter, to whom power was to be handed on 31 October.⁸⁷

The aim of domestic policy was to try to maintain stable and efficient government. This meant the reduction of the Queen's influence so long as she remained obstinate and refused to co-operate. Thus royal nomination to ^{major} benefices was to be upheld without any reference, as in February, to Margaret's rights to lesser valued benefices. The need to cope with a rising level of criminal activity caused the statute calling on the laws to be upheld and extending liability to all accomplices as if they were principally responsible for crimes unless they revealed the truly guilty parties. Problems over the ease of forgery of seals led to the statute which proves beyond all doubt the rising literacy of the Lords of Scotland, for no longer were any bonds or obligations to be valid unless they were signed as well as sealed - and any Lords who could not write had to obtain the signature of an authentic notary. The Council ordered that measures should be taken to prevent the spread of Lutheran ideas in Scotland, while renewed warnings were also made about the lack of success of royal finances in coping with/

in coping with the rising costs of the royal household.⁸⁸ These were all, to a large extent, standard policies expected of any Scottish government and it was in the area of foreign affairs that the new authority of Angus was first seen to be having effect.

On 31 July the Lords finally altered their view that peace with England was absolutely dependent on the position of France. They declared that peace was thought expedient because of the dangers which would ensue from an invasion by an English force when the Scots were divided among themselves. Although they continued to seek a clause in the peace allowing French aid in terms of men, ships and supplies, which perhaps rendered their altered stand less radical than it might have been, they did agree to seek a temporary peace - for three years, with comprehension of France if it could be agreed - as opposed to either temporary truces until the aid available from France could be known for certain, or else a full offensive and defensive alliance with England dependent on a pre-arranged marriage alliance with Mary Tudor. The Scots further sought, to use Henry VIII's influence with Charles V to have Scottish trading rights in Spain and Flanders restored. On 3 August a commission to treat for peace on these new terms was granted to the Archbishop of Glasgow, the Earl of Angus, the Abbots of Holyrood and Paisley, Sir William Scott of Balwearie and Adam Otterburn.⁸⁹

Finally, the Lords returned to the questions of good internal government and ordered improvements to the exercise of justice by allowing the apprising of the goods of excommunicates; speeding up the process of trial and consequently the redress for victims of criminal actions; extending the death penalty to attempted murder by ambush, and extending the need for accused persons to provide surety in arson and rape cases on the same basis as for those accused of murder and mutilation. The Lords approved all gifts and donations made by the outgoing Secret Council of February-July 1525, /

February-July 1525, even though these had been subject to Queen Margaret's approval, which she had not given. They formally deprived Queen Margaret of all the authority granted to her by the February parliament, although they suspended this statute for twenty days to allow her to "come in the meantime and use the counsel of the lords", which if she did would result in the rehabilitation of her position in the government. Parliament was then continued to 15 January 1526.⁹⁰ The overall impression given by the records of this parliament is of the growing influence of Angus and the weakening of that of Queen Margaret and her allies, Arran and Moray (who didn't even attend). Angus was, however, not yet unfettered in his exercise of government and his legal control was only to last for three months, a very short period in which to establish his indispensable influence.

The attitude of the Council to the peace with England changed too late to prevent Scottish desires being overtaken by the new rapprochement between England and France marked by the Treaty of the More - 30 August.⁹¹ This comprehended Scotland in a new agreement for peace between England and France, ending the state of war between them which had existed since 1521. In a secret clause, Louise of Savoy, the French Regent, again agreed to keep Albany from returning to Scotland. The French confirmation of the Treaty was signed at Lyon on 27 September.⁹² Thus the long-awaited arrival of the French Ambassadors in Scotland, headed by Pierre De La Garde, Councillor of the Parlement of Toulouse,⁹³ in early September came too late to benefit the Scots to whom they could offer pensions, aid, even the return of Albany, none of which was relevant to the new circumstances. The *raison d'être* of the instructions had been to prevent negotiations between Scotland and England prejudicial to French interests and this was scarcely possible once England and France were at peace.⁹⁴

The reception of the French Ambassadors was very muted, as Magnus reported on/

reported on 9 September, and the small regard which James V now officially showed to Albany was evident from the haste with which Albany's gift of a dagger to the King was publicly given away.⁹⁵ On 25 September, Magnus further added that James V continued to avoid the French Ambassador.⁹⁶ The Scots' disfavour to France was hardly surprising since Angus was in a stronger position vis-à-vis his opponents, who could no longer look to French aid against the English backing of Angus. Angus personally took control of the peace negotiations by having himself commissioned to negotiate by parliament on 3 August, increasing the likelihood of his being able to reap the political benefits of the conclusion of a stable peace between Scotland and England.

A further commission to Angus, Glasgow, Holyrood, Paisley, Balwearie and Otterburn to treat for peace was issued on 28 September in anticipation of a meeting with the English commissioners on 6 October at Berwick. Negotiations had broken down, however, by 16 October, although not without a renewed truce for forty days being concluded and a second session appointed for Martimas (11 Nov.).⁹⁷ In a very unusual move, the troubles on both sides of the Borders had given such cause for concern in the summer of 1525 that the three-year truce was proclaimed by both sides even though it had not actually been agreed, in order to prevent renewed violence. Insistence on the clause allowing Scotland the freedom to assist France with men and equipment while continuing peace with England remained the stumbling block which Angus did not yet have the complete influence to overcome. Although the clause was ineffective because England and France were currently at peace, Magnus emphasised to Beaton that it was "moore naturall, moore beneficiall and moore reasonable for the said yong King rather to aide his uncle and the realme of Englande ... thenne to assiste Fraunce..."⁹⁸

The result/

The result of this breakdown of negotiations was that Angus had not achieved the breakthrough to peace with England by the time that his legitimate term of office was due to end on 31 October. The failures of his government to achieve successful control of royal finances, rewarding supporters while not depleting the resources providing for the royal household, and the continuing concern of the Council to deal with delays and obstacles in criminal justice, provided ample grounds for the opposition to accuse Angus of mismanagement of the government during his term of office. It was now of relevance that the people to whom Angus was supposed to hand power, Arran and Eglinton, were two of those Lords who had been most lukewarm in their support for Angus since February and most likely to try to exploit the situation to their advantage and Angus's permanent detriment. The special responsibility which Angus had taken for Border negotiations made him particularly vulnerable. His failure to provide a strong degree of governmental control was clear from the need to proclaim peace before it had been formally agreed, in order to prevent renewed violence. Angus had even threatened his own support from England by his inability to provide adequately for days of truce on the Borders.⁹⁹ Magnus, who had hoped for so much from Angus's return to the government in February was writing in a despairing vein on 28 October that he could not "...commende thErle of Anguise naither for his wisdome nor conveying in counsaill..."¹⁰⁰ Magnus was concerned that Angus had made enemies all over the country - Moray in the north (to whom Queen Margaret had gone), Arran and Eglinton in the west, and the Homes in the south.¹⁰¹ The Homes had been squeezed in their traditional interest in the Borders by the attempt of Angus to build up his power-base in the area, especially in the Earldom of March, part of Queen Margaret's conjunct fee.¹⁰² The Douglas interest in Coldingham Priory threatened Home interests,¹⁰³ and the murder of Patrick Blackadder/

Patrick Blackadder of Tulliallan by the Homes of Wedderburn in September¹⁰⁴ was probably an act of frustration to try to clear the path to a Home being made Prior. The situation in the Borders was reported by Magnus to be so bad in September 1525 that Angus could not risk travelling to the Borders without a very large retinue and even then, he risked ambush if he stayed overnight at Coldstream or in the Merse.¹⁰⁵ At the very moment when Angus was planning to carry off his coup on 28 October, Magnus reported that Angus dared not go to the Borders to do justice because he believed that if he once let go of the King out of his control, he would not be able to regain power.¹⁰⁶

Angus's decision to take the King to the west of Scotland in October 1525, to the heartland of Lennox control in Glasgow and Dumbarton, and to Stirling which the Queen had long since abandoned to Angus's control,¹⁰⁷ marks the point of no return for Angus.¹⁰⁸ The decision had been taken to risk everything on a new coup d'état, abandoning the rule by a rotating Council appointed by parliament. Angus could not afford to allow Arran and Eglinton to take up the government while it was so easy to find grounds to destroy Angus's influence. Despite the financial restraints placed upon him, Angus had been able to secure the support of Argyll and Lennox and he retained the goodwill of the citizens of Edinburgh. This chain of support across central Scotland was powerful enough to convince Angus that he could prevent a coalition of his geographically dispersed enemies - Moray in the north, Arran and Eglinton in the south-west and Home in the south-east - and take them out one by one. The return of James V to his capital on 2 November in Angus's continued company marked the end of Angus's legitimate control of government and initiated the struggle to keep that control by force of arms.

CHAPTER ELEVEN NOTES

- 1 SPHVIII iv pt. iv no. cxvii Magnus to Wolsey, 9 March 1525.
- 2 APS ii 288. The sederunt can be split into four groups:
 - (a) Margaret's supporters: Gavin Dunbar, Archbishop of Glasgow; James Hay, Bishop of Ross; George Crichton, Abbot of Holyrood; Alexander Stewart, Abbot of Scone; James, Earl of Arran; James, Earl of Moray; David, Earl of Crawford; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; Robert, Lord Maxwell; Hugh, Lord Somerville; and Andrew, Lord Avandale.
 - (b) Beaton/Dunbar group: James Beaton, Archbishop of St Andrews; Gavin Dunbar, Bishop of Aberdeen; Patrick Hepburn, Prior of St Andrews; David Beaton, Abbot of Arbroath.
 - (c) Angus's supporters: John Campbell, Postulate of the Isles; Donald Campbell, Abbot of Coupar; Archibald, Earl of Angus; John, Earl of Lennox; Colin, Earl of Argyll; Cuthbert, Earl of Glencairn; James, Earl of Morton; John, Lord Hay of Yester; John, Lord Lyle; John, Master of Lindsay and possibly John, Lord Forbes.
 - (d) Neutrals or others: James Chisholm, Bishop of Dunblane; John Philip, Abbot of Lindores; Edward Stevill, Abbot of Newbattle; Thomas Niddrie, Abbot of Culross; Malcolm, Lord Fleming (whose father had been pro-France [group (b)] but who was opposed to Angus unlike the rest of the Beaton/Dunbar group because of his father's murder by the Tweedies); George, Earl of Rothes; Sir William Scott of Balwearie and the commissioners for the burghs of Edinburgh, Haddington, Linlithgow (Nicholas Crawford of Oxgangs) and St Andrews (James Learmonth).
- 3 *Ibid.* 289 cap. 1: The Secret Council was to consist of Beaton, Dunbar (Bishop of Aberdeen); Dunbar jr. (Archbishop of Glasgow) and the Bishop of Dunblane for the spirituality; and Angus, Arran, Argyll and Lennox for the temporality.
- 4 ADCP 214, 13 Mar. Reaffirmation of the desire of the Lords to have unanimous agreement on disposition of wards, benefices, etc.
- 5 APS ii 288-9; cf R S Rait, The Parliaments of Scotland (Glasgow 1924) 366. Those elected to the committee as Lords of the Articles were the eight members of the Secret Council (see above n.3), together with the Abbots of Arbroath and Scone; the Earl of Cassillis; Sir William Scott of Balwearie; Lord Maxwell, as Provost of Edinburgh; Sir John Stirling of Keir (for Stirling); and the commissioners for Linlithgow (Nicholas Crawford of Oxgangs); Cupar (David Grundiston); St Andrews (James Learmonth), and Dundee (James Rollok). A comparison with the divisions as in n.2 above gives Margaret's support less than one-third of the places on the committee (5 out of 18). Angus's supporters obtained 6 places, and a seventh, Stirling of Keir, was a close ally of Lennox (cf. RSS i no. 3340, 29 May 1525 grant to Stirling of Keir of superiority of lands by Lennox). The rest were neutrals.
- 6 *Ibid.* 289-90, 25 Feb. See above 433. Angus and Lennox had been accompanied by the Master of Glencairn and Sir Walter Scott of Buccleuch among others, in the raid on Edinburgh.
- 7 L&PHVIII iv pt. i no. 1146 William (sic: John) Campbell of Lundy to Magnus, 2 Mar. 1525.

- 8 ADC 35 f.1 Sederunt: Lords of the Secret Council, together with the Earls of Crawford, Cassillis, Eglinton, Glencairn, Rothes; Abbots of Holyrood, Scone, Arbroath, Culross, Coupar and Crossraguel (William Kennedy); Lords Fleming, Forbes, Hay of Yester, Avandale, Somerville and St John's. All except Crossraguel and St John's had sat in the Parliament. Burgess members of the parliament did not attend General Councils - see Rait, Parliaments 142.
- 9 ADCP 212, 6 Mar. On 7 Mar. Cassillis wrote to Wolsey offering to prorogue the abstinence from war for one month from its end on 23 Mar. if the English would do likewise : L&PHVIII iv pt. i no. 1162, 7 Mar.
- 10 ADC 35 f.lv, 6 Mar. p.m., 7 Mar. For the dispute over Whithorn Priory, see James V Letters 109, James V to Clement VII, November 1524. John Maxwell had the crown nomination and obtained a precept for his admission to the temporalities on 5 October 1524: RSS i no. 3299. For Fleming and the Tweedies, see above 426-7.
- 11 ADCP 212, 8 Mar.
- 12 Ibid. 212-3, 9 Mar.
- 13 SPHVIII iv pt. iv no. cxvii Magnus to Wolsey, 9 Mar.
- 14 Ibid. no. cxxxiii Magnus to Wolsey, 8 June - cf L&PHVIII iv pt. i no. 1396 ii Memorandum by Patrick Sinclair of a matter touched on by the Bishop of Dunkeld, that Albany should be sent again to Scotland with troops in terms of the Treaty of Rouen; SPHVIII iv pt. iv no. cxlv Magnus to Wolsey, 28 Oct. Beaton had made clear to Magnus that if Albany returned as a private subject, no-one could stop him, and he would still remain second person of the realm.
- 15 L&PHVIII iv pt. i no. 1182 The Lords of the Secret Council of Scotland to Henry VIII, 12 Mar.
- 16 ADCP 214, 10 Mar; L&PHVIII iv pt. i no. 1171 Beaton to Wolsey, 9 Mar. The Queen and Council were seeking a truce to All Hallows (31 Oct).
- 17 Ibid. no. 1183 James V to Henry VIII, 12 Mar.
- 18 SPHVIII iv pt. iv no. cxvii Magnus to Wolsey, 9 Mar.
- 19 ADC 35 ff.1-42; SPHVIII iv pt. iv no. cxxxiv Magnus to Wolsey, 23 June.
- 20 ADCP 213, 10 Mar.; 225, 14 July (restoration of Lindsay); cf ibid. 209, 9 Sep. 1524; 210, 13 Sep. and 211, 16 Sep. - appointment of Lundy as Sheriff.
- 21 Ibid. 213, 10 Mar.; ibid. 215, 13 Mar. - appointment of Colville of Ochiltree.
- 22 Ibid. 214, 10 Mar.
- 23 SPHVIII iv pt. iv no. cxvii Magnus to Wolsey, 9 Mar.
- 24 ADCP 215, 13 Mar.

- 25 Rymer, Foedera xiv 35; L&PHVIII iv pt. i no. 1206, 23 Mar.
- 26 SPHVIII iv pt. iv no. cxxiv Dunkeld and Cambuskenneth to Wolsey, 6 April.
- 27 Sir William Evers reported an attack by the Scots in the summer of 1525 which disrupted an attempt by the English to deal with rebels on their side of the border; L&PHVIII iv pt. i no. 1482 Evers to Wolsey, 8 July.
- 28 ADCP 215-6, 217, 15-16 Mar.
- 29 Ibid. 217.
- 30 Ibid. 215, 218-9, 27 Mar.; cf Rae, Administration 23 for the usual extent of jurisdiction of East and Middle Marches.
- 31 Pitcairn, Trials *127-*129. For the Middle March, the signatories were: to the first part, Andrew Kerr of Cessford; Walter Scott of Buccleuch; Andrew Kerr of Ferniehurst; Mark Kerr of Dophinton; George Rutherford of Hundalee; Andrew Rutherford of Hunthill; George Turnbull of Bethroule; the Laird of Wells (Roxburghshire); James Kerr of Mersington; James Murray of Falahill; William Kirkton; William Haldane of that ilk; Walter Scott of Sinton, and Robert Scott of Allanhaugh; and to the second part, the above together with David Hoppringle in Galashiels; Adam Scott in Tushielaw; and Robert Scott, tutor of Howpaslot. For the Eastern March: to the first part, George, Lord Home; John Home of Coldenknowis; Alexander Home of Polwarth; John Cranston of that ilk; the tutor of Wedderburn; William Cockburn, tutor of Langton; the Laird of Swinton (Berwickshire); and to the second part, the above together with the Laird of Crosbie; cf L&PHVIII iv pt. i no. 1221 Beaton to Robert, Bishop of Dunkeld calling on Dunkeld (who was an Ambassador in England) to request Wolsey to instruct the English borderers to take similar bonds.
- 32 This clause was only included in the bond by the men of the Middle March, as they were troubled by raiders in Teviotdale and Ettrick Forest.
- 33 This included all landed men in Teviotdale, Selkirkshire, Ettrick Forest, the Merse and Lauderdale.
- 34 SPHVIII iv pt. iv no. cxxvi Magnus to Wolsey, 10 Apr.
- 35 Scarisbrick, Henry VIII 136-9; Mackie, Earlier Tudors 315-6.
- 36 SPHVIII iv pt. iv no. cxxi Beaton to Wolsey, 29 Mar.
- 37 Ibid. no. cxxiv Dunkeld and Cambuskenneth to Wolsey, 6 Apr. They were back in Scotland on 16 April - *ibid.* no. cxxvii Dunkeld, Cambuskenneth and Cassillis to Wolsey, written from Coldstream Priory.
- 38 Bapst, Mariages 90-2. Bapst believed that Henry VIII did not intend marrying his daughter, Mary, to any of the potential suitors at this time. She was only nine years old, the French dauphin was seven, James V thirteen and Charles V was twenty-five.

- 39 Instructions to Scotland by Louise of Savoy: James V Letters 122 (June); and through De Sagnes 123-5, 5 June. Arrival of the French Ambassadors in Scotland: SPHVIII iv pt. iv no. cxli Magnus to Wolsey, 9 Sep. Treaty of 'the More' between England and France: L&PHVIII iv pt. i no. 1600, 30 Aug; Scarisbrick, Henry VIII 140-1.
- 40 Answers to John Cantlie, Scottish Ambassador - James V Letters 125 (June). The offer included a pension of 4000 livres and an estate in France worth 4000 livres in rent. Margaret's communication with France fell into English hands in June 1525 - L&PHVIII iv pt. i no. 1446i. The French used the discrepancies between Cantlie's letters (representing Margaret's free will) and those of Wemyss (representing the compromise Council of February 1525) to excuse giving definite aid: SPHVIII iv pt. iv no. cxli Magnus to Wolsey, 9 Sep.
- 41 SPHVIII iv pt. iv no. cxxv Queen Margaret to Henry VIII (Mar.)
- 42 On 21 March she was at Perth with James V - *ibid.* no. cxxiii Magnus to Wolsey, 31 Mar.
- 43 *Ibid.* no. cxxviii Magnus to Wolsey, 19 April.
- 44 ADCP 219, 21 April.
- 45 *Ibid.*, 6 May.
- 46 L&PHVIII iv pt. i no. 1338 Bulmer and Evers to Wolsey, 16 May.
- 47 SPHVIII iv pt. iv no. cxxviii Magnus to Wolsey, 19 April.
- 48 L&PHVIII iv pt. i no. 1438 Magnus to Evers, 19 June: "... If war is likely, Tynedale must not be enemies to England..."
- 49 St Andrews Formulare i nos. 228, 229; SPHVIII iv pt. iv 416 n.1.
- 50 The variation in governmental policy on this matter can be seen in James V Letters 113-4, James V to Clement VII, 13 Jan. 1525, (in favour of Dunbar); *ibid.* 117, same to same, 1 Mar. 1525, (in favour of Beaton). The dispute had continued with greater or lesser intensity since Glasgow was made an Archbishopric in 1492 - D Easson, Gavin Dunbar (Edinburgh 1947) 24; SPHVIII iv pt. iv no. cxxx Magnus to Wolsey, 31 May. Magnus described their rivalry as "... these two Archbishops sing not one song..." See below n.86 and above 472.
- 51 L&PHVIII iv pt. i no. 1354 i Magnus to Queen Margaret, 24 May.
- 52 *Ibid.* no. 1342 i Magnus to Queen Margaret, ii Queen Margaret to the Council, 16 May; *ibid.* no. 1362 Beaton to Dacre, 28 May.
- 53 James V Letters 126 Albany to Clement VII, (24 June). On 23 June Magnus stated that the basis for Margaret's divorce claim was that James IV had been alive for three years after his supposed death at Flodden: SPHVIII iv pt. iv no. cxxxiv.
- 54 SPHVIII iv pt. iv no. cxxxii Angus to Henry VIII, 8 June.

- 55 ADCP 221, 19 May. In his account of August 1526 from August 1525, Campbell stated that the superexpenditure of the account ending in August 1525 was £456l 15s 1d - TA v 269.
- 56 David Beaton's expenses as Ambassador to France were paid by his uncle, James, Archbishop of St Andrews - ADCP 200-201, 27 May. The Comptroller repaid £500 owed for half the expenses in his account of 14 Aug. 1525 - ER xv 199. Repayment had been ordered by the Council on 10 Mar. 1525 - ADCP 213. Cassillis was promised repayment of his expenses as Ambassador to England from the mails of Galloway, of which he was Chamberlain - *ibid.* 213-4, 10 Mar., ER xv 159. This suggests that the tax levied for this purpose - ADCP 208, 7 Sep. 1524; *ibid.* 209-10, 12 Sep. 1524 had not been successfully collected in. Patrick Wemyss only received repayment of £200 for his expenses in going to France in Aug. 1527 - TA v 330.
- 57 ADCP 221, 19 May.
- 58 *Ibid.* 227, 14 Aug.
- 59 RSS i nos. 3339-3356 cover the period Feb.-Nov. 1525. There were only three gifts from casualties: Sir John Stirling of Keir was granted the profits of the Wardship of William Menteith of West Kerse (no. 3339, 16 Mar.); Adam Otterburn was given the mails of certain lands in Carrick, Ayrshire (no. 3342, 20 June); and William, Lord Sinclair was granted the gift of his own marriage and the barony of Newburgh, Aberdeenshire (no. 3350, 10 Sep.).
- 60 ER xv 285-6 Income: £8556 4s 1d. Royal Expenses: £8328 19s. 11d.
- 61 ADCP 221-2, 19 May.
- 62 ADC 34 f.137. The Session had been continued from 2 Mar. 1524 to May but did not meet again in 1524.
- 63 ADC 35 ff.38v-95v, 12 June - 15 July. Cases were heard at least three days every week and frequently more, for five weeks.
- 64 ADCP 223, 19 June. The Lords later ordered Tweedie to repay the value of his son's marriage - ADC 35 ff.77, 77v, 5 July p.m., and as a result, Fleming obtained control of Drumelzier and other lands by apprising - RMS iii no. 334, 12 Aug.
- 65 ADC 35 ff. 49-49v, 20 June; ff. 86-89v, 13 July.
- 66 *Ibid.* ff. 55v-56v, 26 June p.m.
- 67 ADCP 224, 13 July; 225, 15 July.
- 68 ADC 35 ff. 58, 58v, 27 June; ff. 64, 64v, 30 June and f.66, 30 June p.m. See above 213. The lands of Cockburnspath had been illegally seized in 1518 by Sir Thomas Home of Langshaw, who was the 5th son of the 1st Lord Home. His only known son was called Nicholas, not Ninian: Scots Peerage iv 451.

- 69 Fraser, Douglas iii no. 186, 18 June. The arbiters named to settle any disputes between the three Earls were: by Angus - George Douglas, his brother; Archibald Douglas of Kilspindie, his uncle; and John Somerville of Cambusnethan; by Argyll - John Campbell of Lundy, Treasurer; Donald Campbell, Postulate of Coupar Abbey, and Colin Campbell of Ardkinglass; and by Lennox - William Cunningham, Master of Glencairn; Robert Maxwell, Provost of the collegiate church of Dumbarton, Clerk of Expenses (cf. ER xv 189, 198, 200 etc.) and Ninian Crichton. See also J Wormald, Lords and Men 403 Appendix C no.5.
- 70 SPHVIII iv pt. iv no. cxxx Magnus to Wolsey, 31 May.
- 71 HMC 3rd report Appendix, Lennox Muniments nos. 136, 137, 31 May. The grant of the keepership of Dumbarton Castle, dated 21 Aug. 1525 in Fraser, Stirlings of Keir no. 112 is dubiously dated since the grant was said to be given by advice of Queen Margaret and signed by her and the King. This suggests Aug. 1524 as a more suitable date.
- 72 HMC 4th report Appendix, Argyll MSS no. 276, 6 July.
- 73 TA v 251.
- 74 SPHVIII iv pt. iv no. cxxxiii Magnus to Wolsey, 8 June.
- 75 Ibid. no. cxxxiv same to same, 23 June.
- 76 L&PHVIII iv pt. i no. 1438 Magnus to Evers, 19 June; ibid. no. 1448 Evers to Wolsey, 23 June; ibid. no. 1469 same to same, 1 July; ibid. no. 1482, 8 July same to same.
- 77 Ibid. no. 1527 Evers to Wolsey, 30 July.
- 78 Ibid. no. 1505 Magnus to Evers, 18 July - the continuation was to last for 20 days from 22 July.
- 79 APS ii 291: sederunt on 10 July was - James Beaton, Archbishop of St Andrews; Gavin Dunbar, Archbishop of Glasgow; Robert Cockburn, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen; John Hepburn, Bishop of Brechin; James Chisholm, Bishop of Dunblane; John Beinston, Bishop of Orkney; Andrew Stewart, Bishop of Caithness; George Crichton, Abbot of Holyrood; David Beaton, Abbot of Arbroath; Robert Shaw, Abbot of Paisley; Alexander Myln, Abbot of Cambuskenneth; Thomas Niddrie, Abbot of Culross; Walter Malin, Abbot of Glenluce; Thomas Wawim, Abbot of Kinloss; John Philp, Abbot of Lindores; Robert Foster, Abbot of Balmerino; William Douglas, Prior of Coldingham; Robert Forman, Dean of Glasgow; Patrick Hepburn, Prior of St Andrews, Secretary; Archibald, Earl of Angus; James, Earl of Arran; Colin, Earl of Argyll; James, Earl of Morton; John, Earl of Lennox; Cuthbert, Earl of Glencairn; William, Earl of Montrose; Gilbert, Earl of Cassillis; Alexander, Earl of Menteith; George, Earl of Rothes; Robert, Lord Maxwell; John, Lord Erskine; Malcolm, Lord Fleming; John, Lord Hay of Yester; Alexander, Lord Livingston; George, Lord Seton; Ninian, Lord Ross of Halkhead; George Dundas, Lord St John's; John, Master of Lindsay; Sir John Colquhoun of Luss; Sir William Scott of Balwearie; John Campbell of Lundy, Treasurer; James Sandilands of Calder; William Cockburn of Scraling; Commissioners for Edinburgh: James Preston, Adam Otterburn and Francis Bothwell; the Provost of St Andrews; the Provost of Stirling (Alexander Forrester); and the Commissioners for Dundee, Haddington and Linlithgow (Nicholas Crawford of Oxgangs).

- 80 Those elected as Lords of the Articles in July (* in Feb. also) were: James Beaton, Archbishop of St Andrews*; Gavin Dunbar, Archbishop of Glasgow*; Robert Cockburn, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen*; James Chisholm, Bishop of Dunblane*; David Beaton, Abbot of Arbroath*; Alexander Myln, Abbot of Cambuskenneth; Patrick Hepburn, Prior of St Andrews, Secretary; Archibald, Earl of Angus*; James, Earl of Arran*; Colin, Earl of Argyll*; James, Earl of Morton; John, Earl of Lennox*; James, Earl of Moray (whose non-participation led to his replacement by John, Lord Erskine); Gilbert, Earl of Cassillis*; Sir William Scott of Balwearie*; Adam Otterburn; Provost of Edinburgh (sic - President) - James Preston; Provost of Stirling (- Alexander Forrester), Nicholas Crawford of Oxgangs for Linlithgow*; Francis Bothwell; Alexander Chambers for Perth; Provost of St Andrews (- James Learmonth)* and Edward Spittale. See above n.5 for comparison.
- 81 ADCP 226, 18 July.
- 82 See above 301; . APS ii 298-9, 3 Aug.
- 83 Ibid. 291-4.
- 84 Ibid. 294-5. In the first quarter, seven Lords were appointed making a total of 25.
- 85 Morton was of the same Douglas family as Angus, though he was not a close relative. Seton married Angus's niece, Elizabeth Hay in 1527 - Scots Peerage viii 583. Neither Morton nor Seton attended to their duties assiduously and they had to be specially warned to attend on the King on 24 Aug. - TA v 258.
- 86 See above 465 and n.50 The official attitude to Gavin Dunbar's claims had swung back to his favour by 28 May 1525 - L&PHVIII iv pt. i no. 1361 James V to [Henry VIII]; SPHVIII iv pt. iv no. cxxx Magnus to Wolsey, 31 May.
- 87 The Lords appointed for the third quarter [from Candlemas (2 Feb.) to Beltane (1 May)] were James Beaton, Archbishop of St Andrews; Colin, Earl of Argyll; Robert Cockburn, Bishop of Dunkeld; Alexander Myln, Abbot of Cambuskenneth; John, Lord Erskine and Malcolm, Lord Fleming. Those appointed for the fourth quarter [Beltane to Lammas (1 Aug.)] were James Chisholm, Bishop of Dunblane; Andrew Stewart, Bishop of Caithness; John, Earl of Lennox; Cuthbert, Earl of Glencairn; William, Earl of Montrose and Alexander Stewart, Abbot of Scone.
- 88 APS ii 295-6.
- 89 Ibid. 296-7.
- 90 Ibid. 297-8, 3 Aug.; cf L&PHVIII iv pt. i no. 1545, 3 Aug. - English copy of the main provisions of the parliament. Magnus reported that the Act against the Queen's authority was temporarily suspended at James V's request - SPHVIII iv pt. iv no. cxxxvi Magnus to Wolsey, 9 Aug.
- 91 L&PHVIII iv pt. i no. 1600, 30 Aug.; cf Scarisbrick, Henry VIII 140-1; Knecht, Francis I 183-7.

- 92 Cal. State Papers (Venice) iii no. 1122, 27 Sep.; L&PHVIII iv pt. i no. 1663, 25 Sep.
- 93 Bapst, Mariages, 96.
- 94 James V Letters 123-5 Instructions for Monsieur De Sagnes, 5 June. The arrival of the Ambassadors in Scotland took place on 9 Sep: SPHVIII iv pt. iv no. cxli Magnus to Wolsey, 9 Sep.
- 95 Ibid.; L&PHVIII iv pt. i no. 1638 i Magnus to [Tuke?], 9 Sep.; ii Albany to James V.
- 96 SPHVIII iv pt. iv no. cxliii Magnus to Wolsey, 25 Sep.
- 97 ADCP 228 (the commission of 28 Sep.); L&PHVIII iv pt. i no. 1668; breakdown of the negotiations at Berwick, but a further meeting appointed - SPHVIII iv pt. iv 409-10 n.2 Magnus to Beaton, 16 Oct.
- 98 Ibid. 409-10 n.2.
- 99 L&PHVIII iv pt. i no. 1636 Henry VIII to James V (Sep. 1525) - complaint against failure of days of truce.
- 100 SPHVIII iv pt. iv no. cxlv Magnus to Wolsey, 28 Oct.
- 101 Queen Margaret was reported by Magnus to have travelled north on 9 Sep. - SPHVIII iv pt. iv no. cxli Magnus to Wolsey; she wrote to Henry VIII from Elgin on 7 Dec.: L&PHVIII iv pt. i no. 1810.
- 102 Angus won his case against Ninian Home to deliver the castle of Cockburnspath to him on 30 June - ADC 35 ff. 64-64v. On 23 Aug. several payments were made in relation to the transport of artillery towards Cockburnspath - TA v 237.
- 103 M Dilworth, 'Coldingham Priory And The Reformation' in IR 23, 120-5.
- 104 SPHVIII iv pt. iv no. cxli Magnus to Wolsey, 9 Sep., cf Rae, Administration 160, 162.
- 105 Ibid. no. cxli.
- 106 Ibid. no. cxlv Magnus to Wolsey, 28 Oct., "... doubting to be putte from the King he kepeth contynually aboute his person..."
- 107 On 3 Aug. Angus had appointed Walter Cunningham to be forester of the King's park at Stirling. "...in the name and behalf of the queen's grace...": HMC Report on the MSS of Mar And Kellie, 14 3 Aug.
- 108 Excerpta E Libris Domicilii Domini Jacobi Quinti Regis Scotorum (Bannatyne Club 1836), 14-16. James V was at Stirling on 12 Oct., Glasgow on 14 Oct., and Dumbarton on 15 Oct. He returned to Edinburgh on 2 Nov.; SPHVIII iv pt. iv no. cxlv Magnus to Wolsey, 28 Oct.

CHAPTER TWELVE

Angus's Struggle to Maintain his Control of the King and Government

2 November 1525 - 4 September 1526

Although Archibald, Earl of Angus, was supposed to give up his legitimate authority on 2 November 1525, he did not give up control of the King and, as a result, faced continuous and serious opposition to his government from then until 4 September 1526. During this time, he did not lose control of the King, because he retained the support of a substantial number of Lords in his illegal maintenance of power, which was only regularised once again by the parliament of June 1526. This support allowed Angus to overcome the challenges made by an attempted coalition of geographically and politically disparate opponents. These ranged from the Earl of Moray, King's Lieutenant in the north, to Scott of Buccleuch and other Borderers. The motivation which led the Lords to make these challenges ranged from personal control of the King and government, which Lennox and Queen Margaret sought, to dissatisfaction with Angus's policy of co-operation with England which threatened the self-interest of the Borderers. At this time, Angus did not enjoy the goodwill of the King, who could no longer be regarded as a passive pawn in the hands of ambitious and manipulative Lords. James V had already been raised to his full royal status in 1524, and was to be so raised again in 1526, but it was in the summer of 1526 that the first real signs were shown of an independence of will on his part. In particular, the bond which Lennox used to justify his attack on Angus could not have been granted in the terms which it uses unless the King had been actively determined to be rid of Angus.

The ultimate destruction of the party of opposition, and the continued rule of Angus is a testament to his success. He used all of the traditional methods of patronage to divide his opponents and build up his own following. He demonstrated/

He demonstrated a shrewd skill in preventing the unification of the opposition. The ultimate battle at Linlithgow proved the military prowess of his support, for the death of Lennox demonstrated finally and terribly the folly of opposing Douglas rule, and ensured that no similar battle would be needed again. The seeds of independence of action had, however, been planted in the young King's mind, and these were not killed with Lennox's death. The future pattern of Angus's government showed that he failed to take this into consideration.

Angus was assured of support from the time when he first seized the government, illegally, in November 1525. Attendants at the earliest Council meetings after his defiance of the rotating Council scheme of July 1525 included his fellow councillors appointed under that scheme - Gavin Dunbar, Archbishop of Glasgow; George Crichton, Abbot of Holyrood; James, Earl of Morton; and Angus's sworn ally, John, Earl of Lennox.¹ These Lords, together with Glencairn (Angus's brother-in-law), Cassillis and Otterburn were just the first of the majority who accepted Angus's coup d'état and carried on the government as if nothing had happened. This idea of 'no change' was reflected in the continued use of the style, "... granted by consent of the Lords of privy Council elected as such by the three estates in parliament..." for royal confirmation of charters under the great seal.² Angus's ability to convince Beaton, the Chancellor; Dunbar, Bishop of Aberdeen and other principal officials, including the Secretary (Patrick Hepburn, Prior of St Andrews), Treasurer (John Campbell of Lundy) and Comptroller (James Colville of Ochiltree)³ to support him suggests that he argued a very persuasive case for the abandonment of the rotating Council set up in July 1525 in favour of the continuance of government in the hands of those already in office. Paradoxically, Angus, who carried out a coup d'état, stood for stability, while the introduction of Arran and Eglinton into the/

into the government, as envisaged by the July parliament, would have caused chaos and confusion. The rivalry which simmered between Arran and Eglinton on the one hand, and Angus on the other, could not have been contained if Arran had occupied the principal position on the Council and had attempted to use that position to deny influence to Angus, especially in south-east Scotland. Angus could have made Scotland ungovernable, and yet could scarcely have been deprived legitimately of his office of Warden of the East and Middle Marches, and Lieutenant of the Merse and Tweeddale, if the rotating Council scheme had continued. The recognition of this argument of stability versus confusion persuaded many to support Angus in his illegal seizure of government.

Another important factor in this persuasion was the recognition of the need to secure peace with England. The confidence which Angus enjoyed from his brother-in-law, Henry VIII, put him in an advantageous position to secure the best terms for Scotland; the Scots were not content with the mercurial benefits of comprehension in the Anglo-French amity. Despite the failure of the intended meeting of English and Scottish councillors arranged for Martinmas (11 Nov.),⁴ the temporary truce was renewed on 18 November until 25 January 1526.⁵ The Scots who were on the Council which agreed to this abstinence included a number of previous councillors who had been actively in favour of the peace with England, but who had not immediately concurred in the Angus takeover.⁶ These Lords gave Angus full power to conclude further temporary truces, and intimated their acceptance of the Articles sent by Magnus concerning the peace.

There were no objections to the theoretical right of Queen Margaret to be paid her conjunct fee rents, despite her current opposition to the government of Angus, and her desire to be divorced from him. Nor were there any who favoured the return of Albany to Scotland to a position of influence, /

influence, a possibility which was remote, anyway, since the French had agreed in a secret clause of the Treaty of the More (Aug. 1525) not to allow Albany's return.⁷ Nevertheless, the Scots continued to seek peace with England on terms which would allow them to give aid to France of men, ships and provisions without breaking the accord. Such aid, they claimed, had not been proscribed by even the closest treaty between England and Scotland, the 1502 Treaty of Perpetual Peace.⁸ If this clause was unacceptable to the English, then the Scots were willing to give it up in favour of a broader inclusion of aid to all confederates (allowing England to aid Charles V as well) or a narrower peace allowing no outside aid. The Scots rejected English requests which went against Scottish custom, suggesting that the Scots were still not willing to buy peace at any price. No change was to be made in the use of the Debateable Ground in the West March, and the Scots would not introduce 'conservators of the peace', responsible for seeing that the Wardens of the Marches carried out redress, because there was no tradition of such officers in Scotland. Peace was sought for a three-year term.⁹

These Articles formed the basis for peace between England and Scotland. The intimation that they were acceptable to England was acknowledged by the Scots' Council on 31 December 1525.¹⁰ Renewed meetings to put the finishing touches to the agreement were arranged for 13 January with Angus's ratification of the peace to be carried to the Borders by commissioners acting on behalf of Angus because the opposition to his government prevented him from attending in person.¹¹

English concern for the introduction of 'conservators of the peace' to ensure redress for border raids, stemmed from a frustration with the continued failure of Angus to provide adequately for days of truce at the Borders. Magnus reported the latest failure on 15 December, although Angus excused this/

excused this failure on the grounds that his Council's control of Teviotdale was still weak.¹² In a further report of 1 January 1526, Magnus specifically referred to Lord Home and Andrew Kerr of Ferniehurst as the cause of the trouble.¹³ Angus claimed in a letter of 31 December 1525 to Henry VIII that the Lords who opposed him, threatened the peace with England,¹⁴ but Magnus later reported in March that the Kerrs and Homes were not opposed to the policies being conducted by the Council - principally the conclusion of peace with England - but were instead opposed to the policy of personal aggrandisement being pursued by Angus.¹⁵ Angus begged Henry VIII not to pay attention to the malicious lies and rumours put about by the Lords who opposed him, but he needed to have few worries on this account. The English policy of the mid-1520s was for peace to secure the best advantage from the humiliation of Francis I at Pavia and his subsequent year-long imprisonment by Charles V. The English did not intend to provoke the Scots needlessly and had little cause to do so while their favourite, Angus, had an influential voice in the government, in their favour.

Despite the guarantees offered to her by the terms of the peace, Queen Margaret remained obstinately opposed to Angus's continued rôle in government. She wrote to Henry VIII on 7 December from Elgin, where she had gone to raise support for her cause from sympathetic Lords in the north. She stressed that it was not enough for her to be restored to her conjunct fee: she wanted more than that - to be restored as "... principal with her son, and have the keeping of his person and realm..."¹⁶

James, Earl of Moray, was Margaret's foremost supporter in the north and he was anxious to prevent the potential threat to his authority there from the control which Angus could exert through his control of the wardship of the young Earl of Huntly. This had been granted to Margaret, but Angus, so long as he remained her husband, had the right to interfere.¹⁷ Moray was protecting his/

protecting his own interests by backing Queen Margaret's return to power and, in particular, her divorce from Angus.

The other opponents of Angus - Home, the Kerrs and other Borderers, and, more especially, Arran and Eglinton, did not support Margaret's restoration to power. The Borderers wanted to see a check placed on any further growth of Angus's power and influence in south-east Scotland. The conclusion of peace with England ended the prospects of lucrative raids on England being carried out without fear of being called to account, and the prospect of using English disaffection to play off against the Scottish government. Arran and Eglinton were motivated by the prospect of their own return to power as leaders of a Council about the King as envisaged by the July parliament in 1525.

Angus and his government faced the imperative task of preventing the coalition of these disparate elements. On 2 January, there was an attempt made to secure a solution to the differences between Angus and Arran.¹⁸ Their negotiations were to be guaranteed by Beaton, the Archbishop of Glasgow, the Bishop of Aberdeen and the Earl of Argyll. If the assurance was broken, the cautioners were obliged to take the part of the injured party. The necessity for making redress for border raids could adversely affect some of Arran's supporters (notably Home, Kerr of Cessford and Kerr of Ferniehurst), so it was specifically excluded from the negotiations. On 8 January, both sides were granted respites for all actions which might later be construed as illegal in order to achieve a compromise,¹⁹ but no progress had been made by 10 January when Angus, Argyll and Lennox wrote to the English Lieutenant in the north, Ralph Neville, Earl of Westmoreland,²⁰ promising to surrender their lives rather than yield to those "evil-minded persons" who were trying to prevent the peace with England taking place "by getting up unlawful assemblies".²¹

Angus successfully/

Angus successfully insinuated into the English consciousness that opposition to him was opposition to England. Magnus reported on 11 January that Home, Cessford and Ferniehirst were principally motivated to join Arran and the other rebels at Linlithgow by the imminent compulsion to make redress for past border raids, by the conclusion of peace with England.²²

Magnus later heard reports that this was not the prime motive of these Borderers and certainly tensions within the opposition could have fractured its unity if it was true because Margaret had worked consistently for peace with England, even during her recent reliance on Albany to further her divorce from Angus at Rome.²³ In order to try to strengthen their position with the neutral Lords and any potential vacillators from Angus's party, the opposition put out rumours that Angus, Argyll and Lennox intended to use the peace as a cover to send the King to England and govern Scotland as a quasi-colonial régime dictated to by London. This was a potentially damaging claim but it cannot have been widely believed as Magnus never professed to any secret doubts about Angus's success.²⁴

Angus had taken other steps to ensure that the opposition did not unite. Magnus confirmed to Queen Margaret that provision had been specifically made in the peace to assure her of undisturbed control of her conjunct fee lands. Angus had further offered the encouragement that, although the idea of their divorce did not find favour with him, if she could find any lawful cause of divorce between them, Angus would not fight the decision. If no lawful cause could be found and their marriage not be annulled, he was willing to use the services of the Archbishop of St Andrews and Bishop of Aberdeen as arbiters in their disputes over what rights he was entitled to claim as her husband.²⁵ Angus was confident that no legal grounds existed for Margaret to obtain the divorce and further that the Lords would confirm a husband's right to enjoy his wife's conjunct fee as if the lands were/

lands were his own.

Attempts were also made to detach James, Earl of Moray, from the opposition. On 2 January, he was threatened with trouble for failing to answer in the Exchequer for the dues of Ross and Ardmannoch. This rather oblique warning was followed by a direct ordinance of Council commanding him not to travel south with more than a small company of his own household on peril of loss of office as Lieutenant of the North, with a further command to the lieges not to answer his call to arms.²⁶ On 9 January he was summoned to come in person to the King to answer for his conduct.²⁷

Angus had made some very shrewd moves in his attempts to avoid the coalition of all his enemies into a single force, but one of the most important factors in his continued support from a substantial number of Lords was his physical control of the King, and the generally-held belief that he was not afraid to bring him to the battlefield. This meant that any attack on Angus could be construed as a treasonable attack on the King. As a result of this, the confrontation between Angus²⁸ and the opposition, which took place on 17 January 1526 near Linlithgow, passed over without any real incident.²⁹ Arran and the other Lords with him were unwilling to risk an attack on the King in person and began to withdraw from the confrontation before Moray and the men of the north had joined them. This checked their advance and when Arran persuaded Queen Margaret to defect from Moray's forces and await more favourable circumstances, retiring in the meanwhile to Arran's castle at Hamilton, Moray was left feeling deceived and ready to find a better arrangement with Angus. Moray surrendered to the King, offering his services to Angus.³⁰

The opposition had been temporarily worsted but not yet crushed. Angus had no more legitimate claim to be the King's Lieutenant than Arran did, except that Angus had physical control of the King. In the short term, Angus had/

Angus had to be content with sapping the morale of his opponents by formally concluding the peace with England.³¹ Angus had won a vital breathing-space to consolidate his position, even though the January parliament had to be abandoned without any business being concluded and parliamentary sanction was what his government really needed.³²

The resentment which defeated members of the opposition felt towards Angus was expressed by Kerr of Cessford to Magnus when he stated that the Borderers, whom Magnus claimed to have stalled from joining Arran by a threatened English cross-border raid, were not motivated by a desire to avoid making redress for past raids, but by their own concern at the evident reserve of power and influence which the terms of peace would allow Angus to wield.³³

Angus had the opportunity to overcome this resentment because of the very influence about which Cessford complained. He had control over the extensive sources of patronage, which could allow him to bring in support if distributed wisely. Angus started well by sanctioning the buying out of the Earl of Moray's claim to Arbroath Abbey, which brought the erstwhile rebel a promise of £3,000 to be paid in instalments over the year to March 1527.³⁴ Moray was confirmed as Lieutenant General of the North only much later, after his continued allegiance to the new order was confirmed in the wake of the renewal of the threat to Angus's supremacy. In addition, he was then given a remission for an action which probably dated back to the early challenge he had made to the Huntly predominance in the north in 1524. This was an attack at Perth made in the company of William, Earl of Erroll against Alexander, 3rd Earl of Huntly.³⁵

The political realism exhibited by Moray and by Arran later in the summer of 1526 meant that they could be won over at an affordable cost. The principal irreconcilable opponent of Angus was Queen Margaret who could show no favour to/

no favour to Angus while she was still undivorced. Magnus was not averse to criticising her past conduct in a letter of 11 February, but he explicitly accepted at this time that she had "sufficient reason" to be divorced from Angus. Magnus claimed that it was generally agreed that Margaret had influenced the young King too greatly with her opinions while she had been in power and had not counselled him to love his subjects.³⁶ The parallel with Angus's present conduct was conveniently ignored by Magnus, perhaps because the King had already made clear his own disaffection for his stepfather. Margaret was not predisposed to listen to criticism of her past failings and sought an assurance from Angus for her safety and freedom of movement on 13 February.³⁷ Angus fuelled the controversy between them by appealing before the Council against the bulls and processes of his divorce from Margaret, on 14 March. He further improved his image by accepting the Council's reserved judgement on the question of his right to enjoy the profits of his wife's conjunct fee, freely granting that he would not interfere in the lands until Whitsun, since the Lords' judgement was due on 4 June.³⁸ This was easy for Angus to accept because the Council had just voted him a grant of 2400 merks out of the casualty on 9 March, although the Treasurer's Accounts do not bear witness to its being paid.³⁹ Margaret was an important opponent of Angus but her cause was not prominent in the subsequent attacks on Angus after the failure of the January coalition. The Homes and Kerrs had the potential to do more serious short-term damage to Angus's government but their political ambitions seem to have been limited at this stage to confining Angus's impact on the Borders.

Magnus and the English commanders in the north believed that Angus should use the newly-concluded peace to obtain quiet and good government on the Borders and to make redress for past attacks. As soon as the danger at Linlithgow had been averted and the peace concluded, Angus set about raising an impressive/

an impressive force for a show of strength in the Borders. At the same time, Lord Home and Andrew Kerr of Ferniehurst were required to deliver pledges that they would make redress.⁴⁰ Similar requests were sent to Teviotdale and the Merse, and 26 February was set as the final date for the entry of pledges at Edinburgh.⁴¹ Already Magnus had been complaining to the Scottish government about the interference with justice which Angus's disputes with the Homes and Kerrs was causing.⁴² Despite the Council's encouraging reply informing Magnus of the demand for pledges,⁴³ Magnus remained unconvinced about the chances of the government complying with English calls for redress.⁴⁴ His report to Wolsey in March, after another failed day of truce, makes clear that the call for pledges to maintain good order had been successfully ignored. Angus explained the latest failure in terms of the encouragement of the opposition by news from France of promised aid while Angus could rely only on Lennox and the Archbishop of Glasgow.⁴⁵ The selection of two Kerrs (Thomas, Abbot of Kelso, and his brother, George, Provost of the collegiate church of Dunglass) to carry the royal confirmation of the peace treaty between England and Scotland was surprising, because they were able to advocate the opposition's cause to Magnus; that is, that they were opposed to Angus's personal influence and not against making redress to England.⁴⁶ At this stage, Angus was unable to pursue a policy of good government in the Borders and this was the prompt for the royal visit of July 1526 to Melrose and the justice-ayre at Jedburgh which was afflicted by the attempt of Sir Walter Scott of Buccleuch to remove the King from Angus's control.

James Beaton, Archbishop of St Andrews and still, until June 1526, Chancellor of Scotland, was also now in the ranks of the opposition. At first willing to acquiesce in the 'fait accompli' of Angus's seizure of power in November 1525, Beaton had not been so closely identified with Angus as to/

Angus as to make him unacceptable as a cautioner for both sides during the abortive negotiations before the confrontation at Linlithgow in January 1526. However, the support which Angus had begun to show to the Archbishop of Glasgow in the dispute over the extent of the metropolitan authority of the Archbishopric of St Andrews, caused a rupture in the united front of Angus and Beaton which had prevailed since January 1525. Beaton had enjoyed English support in the past, but Angus's support for Gavin Dunbar was beginning to make a difference.⁴⁷ Gavin Dunbar had been mentioned in March 1526 as one of only two Councillors on whom Angus could rely, and he had been amongst the earliest Lords to declare support for Angus's continued government by appearing on the Council.⁴⁸ The last straw for Beaton was the deliberate interference of Angus to stop a request from Beaton to the Pope, to be made a Cardinal on the grounds of his administrative record, a promotion which the English had previously been disposed to favour.⁴⁹ This English favour was lost and he was also reported to have lost favour with the French as well, making his chances of achieving his desired promotion negligible.⁵⁰ The seal was set on Beaton's transference of loyalty from Angus to the opposition by his loss of all credence with Angus's government in April, and then the final ending of his Chancellorship in June, after an interrupted term of nearly thirteen years.⁵¹

Despite Angus's efforts to win over individual members of the opposition after the failure of the first armed attempt to deprive him of control of the King, Arran, Eglinton and the Queen were not yet reconciled. The Homes and Kerrs kept the Borders in a state of tension and now Archbishop Beaton had been made an enemy of Angus. His government recognised their need to secure a new legitimacy for their ordinances. On 14 March the Council declared the government should remain in the hands of the privy councillors who had been exercising 'de facto' authority since November, until the/

until the June parliament.⁵² This continued Angus's authority with the sanction of those who already accepted his exercise of government. The next move would be to end any possible rival claims which Arran, Queen Margaret, Beaton or even Albany could advance. Summonses were sent out on 14 March and all of the precepts for parliament had been delivered by 20 April.⁵³

The Borders remained the main source of disquiet in Scotland before the opening of the June parliament. The English Warden, Sir William Evers, complained to Wolsey on 13 May that the Armstrongs of Liddesdale had not been subdued, and Angus was either unable or unwilling to make the necessary effort to obtain a satisfactory conclusion against them.⁵⁴ In the west of Scotland, the Hamiltons had turned their venom against Lord Ross of Halkhead, one of the Lords who had supported Angus during the recent crisis.⁵⁵ The Council ordered letters to be sent to Arran and Sir James Hamilton of Finnart to leave Ross untroubled.⁵⁶ Action was being taken and a royal trip to Melrose in the middle of May was the forerunner of the July trip to carry out justice ayres. Angus was depending for the bulk of his support on the men of areas which had close association with his own lands - East Lothian, Midlothian, Perthshire and County Angus; and on those associated with Lennox in the west.⁵⁷

Before parliament met, Angus tried to persuade Arran and Moray to surrender the royal artillery which was in their control, and to obtain the Great Seal from Beaton, preparatory to his deprivation from office as Chancellor. In the latter case success was certainly not immediate because Beaton had to be requested again on 6 June to surrender the Great Seal, but Angus soon gained control of these symbols of the authority he now possessed.⁵⁸

The attendance at the parliament of June 1526 which legitimised Angus's control of the government, did not produce any major surprises.⁵⁹

Most of/

Most of these Lords had already given clear indications of their support for Angus, while Beaton, Eglinton and Home stayed away as Arran did at first.⁶⁰

The unusually large attendance from commissioners of burghs (thirteen were represented⁶¹), can be explained by the concern of this parliament to reach a final decision on the question of the setting of the Staple port at Middelburg.

The main business of the parliament was to sanction the continued exercise of power by Angus and his supporters, and the method used to achieve this was the general revocation. Although the King was still far short of his legal majority of twenty-five years old, the revocation now that the King had 'come of age' at fourteen was a useful way to cast all previous authority granted in the minority into oblivion and start again with a Council named by the King, in which Angus and his allies could expect to have great influence over the youthful royal mind. This method had already been used by Queen Margaret to end the Duke of Albany's government in August 1524, although Albany did not recognise that revocation, and had continued to style himself 'Governor' - he similarly ignored this 1526 revocation. The Lords ordained that all offices were to be taken into royal hands on 13 June, and that all the seals were to be formally delivered to the King. On the following day the Lords declared that James V had come of age and that all authority previously granted to anyone on his behalf was abrogated. Most of the officials were reappointed, e.g. James Colville of Ochiltree as Comptroller, and Gavin Dunbar, Bishop of Aberdeen as Lord Clerk Register. The opportunity was taken by Angus, however, to end Beaton's Chancellorship, an office which was left vacant for a year before Angus himself filled it. In addition, William, Master of Glencairn, was appointed Treasurer in place of John Campbell of Lundy;⁶² and Thomas Erskine of Halton succeeded the Prior of St Andrews as Secretary.⁶³

The control/

The control which Angus now exercised over the Great Seal and, by the continuance of his ally George Crichton (now promoted to be Bishop of Dunkeld⁶⁴), as Keeper of the Privy Seal, over the Privy Seal as well, is reflected in the style, content and numbers of Charters. The style of granting Charters under the Great Seal by consent of a Council was ended since the King was now 'of age'.⁶⁵ Meanwhile, a sudden rush of over a hundred grants under the Privy Seal between June and September 1526 record the exercise of patronage to which Angus now had an uninhibited right. Approximately half of these grants were gifts of office or place in the royal household, gifts of wards or nonentries fallen to the crown, or pensions, particularly to clerics until they could be promoted to more valuable benefices. On the other hand, a further forty per cent approximately were concerned with threatening Lords who were more reticent in supporting the new régime with trouble for past crimes unless they were respited or remitted - for a price. Other grants included tacks of royal lands and gifts of free customs, which were reserved for Angus's close family and allies - notably Archibald Douglas of Kilspindie, Provost of Edinburgh.⁶⁶

Angus not only exercised financial control of the government - this was based on his political control of the Council. The Lords appointed to be members of the Royal Council on 21 June consisted solely of trusted and loyal Angus supporters, except for the newly-reconciled Arran, who was not yet, however, trusted with a place on the inner, Privy Council.⁶⁷ The anomalous position of the deeds done in the period March to June 1526 was also tackled. All of the acts of the Council ruling during that period were retrospectively confirmed, although the government had not then had legitimate sanction, nor had the Secret Council operated effectively to its terms of appointment.⁶⁸ The King also confirmed all gifts and remissions granted since/

granted since his fourteenth birthday (12 April), despite the Act of the Parliament of 14 March which was retrospectively abrogated. No-one was to suffer for the failure of the Council to co-operate in agreeing to grants - thus indemnifying Angus.

The programme which was set out by the new government on 21 June was, in essence, no different from the policies which earlier governments had sought to pursue. This suggests a lack of success which the successive governments of Queen Margaret, the compromise Council of February 1525, the rotating Council and Angus, during his illegal control of power, had so far enjoyed. Justice was to be pursued more effectively (cap. 12); all Acts on penal matters were to be strictly enforced (cap. 14); no respites or remissions were to be given for murder or other serious crimes (cap. 17), though this was altered before the end of the Parliament to allow Angus freedom to give respite for all crimes except treason. The need for a solid financial base for the government had been expressed regularly but, despite previous threats of resignation by the Treasurer and Comptroller, nothing had been done to relieve the pressure on royal income. Provision was now to be made for the Comptroller (cap. 1) and the Treasurer (cap. 8): the statute against export of money was reaffirmed (cap. 11). In order to set the standard for better financial management, and coincidentally provide Angus with an opportunity to dispense patronage on a grand scale, all gifts, donations, pensions, etc. previously granted at any time since James V's accession were revoked, "so that his whole property shall be brought into our said sovereign lord's comptroller for the honourable furnishing of his house as accords for the estate royal." (cap. 10). Continuing records of pensions from burgh customs (especially Edinburgh) and of grants of feuferme on royal lands indicate that this policy had little impact.⁶⁹

Financial considerations also played a major rôle in the question of the setting up/

the setting up of a Staple, over which no decision was reached. The burgesses of Middelburg paid £1000 to the Scottish Crown in the period August 1526 to August 1527, and the Lord of Veere paid a further 1000 merks (£666 13s 4d).⁷⁰ Another potentially lucrative source of extra revenue would be the prospect of James V's marriage for which Ambassadors were to be sent to England and France (cap. 13). The Lords of Privy Council⁷¹ were given full control over the guidance of the King and country and Angus was strengthened further by being given the power to grant respites. Angus received official forgiveness for the attack which he had perpetrated in company with Lennox, Fleming and the Master of Glencairn on the Master of Hailes (who had been one of Arran's supporters) in January 1526. By the close of the June parliament, no-one in Scotland could have doubted the potential power which had been placed in the hands of Angus. Following the reconciliation with Arran, the opposition seemed to have lost its principal focus, both in terms of leadership and legitimate reason for overthrowing Angus.⁷²

The opposition to Angus continued at this time in the summer of 1526, only because a new conspiracy was aroused among a group of Lords who were already at Court and already close to the King. The motivation of Arran, Eglinton, Home and others is discussed above,⁷³ but the motivation of Lennox, the Master of Glencairn and their fellow conspirators who now took up the challenge of opposition also needs discussion. The central question about this new conspiracy is the degree to which James V was exercising independence of mind. Which of the two motives - the ambition of Lennox, and the volition of the King to be rid of the control of his stepfather, Angus - was stronger is difficult to say, but certainly elements of both were involved. The timing of the renewed opposition to Angus cannot have been coincidental. If James V sincerely looked to opposition Lords to rescue him/

rescue him from the misgovernment perpetrated by Angus, there was no time of greater need than in the aftermath of the June parliament. The Royal Council was dominated by loyal Angus allies and despite the declaration of the King being old enough to choose his own Council, he was constrained to act by Angus's advice. The reconciliation of Arran to the new régime removed one of the principal bulwarks of opposition. Angus had shrewdly moved to win over not only Arran, but also Home and Kerr of Ferniehirst, against whom charges of treason had been laid for failure to aid Angus as Warden and Lieutenant of the Marches and incitement of the lieges to sedition, which were now dropped.⁷⁴ Home was confirmed shortly after in possession of all of the lands and goods restored to him after the forfeiture of his late, executed brother, Alexander, Lord Home.⁷⁵ He signalled his acceptance of the new circumstances by making a bond of manrent with Angus and Lennox before the end of June 1526.⁷⁶ Archbishop James Beaton and Queen Margaret had become figures in the wilderness of Scottish politics,⁷⁷ and no party with reasonable hope of success could be founded on them, even if they could have made contact with the King. Eglinton was still no friend of Angus, having been specifically excluded from any possibility of remission by the parliament and accused of treason, together with William, Lord Semple, Neil Montgomery, (Eglinton's son), and Sir John Stirling of Keir. Eglinton remained friends with Arran, however, and, as a result, soon reached an understanding with Angus's government.⁷⁸

It is likely that the mutual realisation of the volition of the King to be rid of Angus and the ambition of Lennox, who stood next in line of succession to the throne after Albany and Arran, prompted the new conspiracy. Lennox had originally been intended to be the principal Lord of the rotating Council at this time, had that scheme continued,⁷⁹ and his sphere of influence in the west of Scotland was threatened by Arran's reconciliation/

reconciliation to Angus. His ambition alone, however, could not have induced an unwilling King to execute the bond of 26 June in Lennox's favour.⁸⁰ The bond promised Lennox the position of chief counsellor to the King, controller of all grants of office and benefices - in effect, offering Lennox the same position which Angus enjoyed at that time, but with the added security of royal blessing. This was an astonishing offer and prompts the immediate belief that the King never intended to honour its terms. There had been a sufficient inducement for Lennox to risk life, lands and goods in an attack on Angus but if it achieved its aim, the King could have escaped from its terms by suggesting that he was constrained to agree and did not grant it of his own free will. Lennox probably recognised this, and the bond included the remarkable phrase binding James V to maintain the agreement "... as we war ane privat person, bot reclamatioun of the samyn, be ony wertu of privelegis of soverantye..."

The conspiracy included William, Master of Glencairn, who had just been appointed Treasurer, Ninian Crichton of Bellibocht and Patrick Houston of that ilk.⁸¹ Among those who were later noted as having been involved were Walter Scott of Buccleuch and Robert Stewart of Minto who were also Court officials, confirming that this was a conspiracy of those near to the King and government.⁸²

Throughout the period of the illegal maintenance of power by Angus, his government was bolstered by the support of the English. Henry VIII conveyed to the Scots his concern for the personal safety of James V and for the maintenance of his authority (i.e. the status quo in the Scottish government - continuing Angus's dominance of the Council⁸³). The Scottish Council had sent instructions to England on 1 July to inform Henry VIII of the new settlement and to solicit English aid to prevent the possible disruption which the return of Albany to Scotland would cause. Wolsey noted that this/

that this should be prevented by the secret clause of the Anglo-French Treaty of the More, committing France to prevent Albany's return. English aid was sought to confirm promotions to benefices, at Rome, and Wolsey claimed that no promotions would be admitted without Henry VIII's approval. Concerning the question of James V's marriage, Wolsey recommended that no French marriage be considered, opening the door to further negotiations for the hand of Mary Tudor.⁸⁴ Angus's supporters also intimated to the English Warden, Henry, Earl of Cumberland,⁸⁵ their desire for closer co-operation between the Wardens of the Marches to destroy the power-base of the thieves and rebels of Liddesdale. They also asked Wolsey to make provision not to admit Scottish rebels.⁸⁶

The English encouragement of Angus was confined to verbal support: there were no records of English troops being sent to his aid, as such a move would probably have proved counter-productive. However, there is little doubt about the extent on which the English depended on the influence of Angus's supporters remaining paramount at this stage. There was no adverse comment on Angus's retention of the King in November 1525 and later there was positive rejoicing at the success with which Angus overcame his enemies. Magnus believed that James V should be advised to 'lean to' the two Earls (i.e. Angus and Arran), "... as the men of most power in Scotland..."; and Sir Thomas More reported to Wolsey Henry VIII's advice that the English should exhibit great pleasure in Angus's success in September 1526 in order to prove that James V and the Scots "... may have cause to rejoice at the late victory against those who were assembled against him..."⁸⁷

The conspiracy led by Lennox did not attract the support of Arran. Arran recognised that the difficulties involved in raising sufficient support to overcome Angus after he had been given the legitimate sanction of parliament for/

parliament for his government were greatly increased. In fact, Arran was given a major incentive by Angus, who continued to display a great deal of political shrewdness in preventing the unification of all of his enemies at once, to remain loyal. It was a measure of how important the Battle of Kittycrosshill had been in the implications of the rebels' defiance of legitimately constituted authority, that now, ten years later, Angus could rake up the possibility of charges and persuade Arran, in particular, to support his government by offering the prospect of remission. Not only Arran but also Eglinton, and later Glencairn, were bought off by this scheme and the remissions provide a major source of knowledge about who was involved at Kittycrosshill.⁸⁸ The astonishing volte-face by Arran is noted by Magnus on 30 August⁸⁹ and there is no doubt that Angus had been able to convince Arran of the material benefits of being 'in' with his government and probably had also subtly played on the family rivalry of Arran with Lennox who was his nephew and also near to the throne. On 12 July, one of the Hamiltons, William Hamilton of McNariston, gave a bond of manrent to Angus, and the first of many grants to Hamiltons for their now-faithful service was made to William Hamilton (probably the same William Hamilton of McNariston) on 17 July.⁹⁰

The remissions for Kittycrosshill were probably the inducement to reconciliation on Arran's part, but Eglinton was once again concerned with his dispute with Glencairn. Parliament had ordained that Eglinton was not to be respited from a charge of treason for the murder of Robert Douglas of Lochleven. Just a few days after the remission for Kittycrosshill had been granted to several Lords, including Eglinton, Glencairn obtained the further backing of the Lords to put Eglinton to the horn (i.e. outlaw him), together with his son, Neil Montgomery of Langshaw and others, for the murder under trust of Edward Cunningham of Auchinharvie.⁹¹ The protests which followed this action/

this action, made by the Master of Glencairn and the Countess of Eglinton, made clear that any possible reconciliation of Angus with Arran and Eglinton would severely strain the loyalty of the Cunninghams;⁹² (the Master of Glencairn was already intriguing with Lennox against Angus). Eglinton was forced to find surety that he would answer the charges brought against him in the case of the death of Cunningham of Auchinharvie.⁹³ The personal feud of the Cunninghams and Montgomerys proved more durable than their concern for who actually wielded control of the government.

Angus also sought to detach William, Lord Semple, from the opposition,⁹⁴ by granting him a respite from his involvement in the murder of a Dutchman, Cornelius De Machetema.⁹⁵ The Dutchman had been killed during the June parliament, presumably while negotiating about the setting up of Middelburg or another Dutch port as the Staple for Scottish goods. The principal Lord involved in his death was Gilbert, Earl of Cassillis, who also received respite for this action, together with 233 men of his retinue.⁹⁶

There is no definite proof that Angus knew of the Lennox conspiracy before the attack made by Walter Scott of Buccleuch on him and his supporters at Melrose in July. There is a significant addition to the catalogue of old crimes raked up by Angus to hound potential allies into line which suggests that he may have suspected Lennox earlier. On 11 July respites were granted to John Logan of Balvey, George Buchanan of that ilk and Sir John Colquhoun of Luss (among others), for their involvement in the illegal seizure of Dumbarton Castle in January 1515, an action which had been led by Lennox, to whom they were all close friends. No renewed mention was made of the respite to Lennox himself and the implication of the silence of the records after Lennox's conspiracy had been exposed is that these Lords too were bought off by Angus's shrewd policy.⁹⁷

The conspiracy had remained inactive for a month during which time Angus had/

Angus had used all the access to patronage at his control to confirm support for his government. Earlier trips to the Borders had not yet been successful in bringing good order and a new royal trip, originally intended to be followed by a pilgrimage to St Ninian's shrine at Whithorn,⁹⁸ was planned for late July. This provided the opportunity for Scott of Buccleuch to strike at Angus's supporters in the area near to his home-base while the King was relatively free to move around, and not confined in an easily-defensible place like Edinburgh Castle or Holyrood House.

This royal trip to the Borders began on 17 July, on which day the King went to Peebles. The royal party reached Melrose on 19 July and Jedburgh on 21 July.⁹⁹ The attack by Buccleuch and his supporters took place after the royal party had moved back towards Melrose on 23 July at Darnick.¹⁰⁰ The action seems to have been confined to a skirmish between Buccleuch and his supporters on the one hand and Kerr of Cessford and his supporters on the other, while Angus, Lennox and the rest of the royal entourage spectated with the King. Buccleuch may have fatally compromised his own cause by relying in this attack on men from Liddesdale, whom the Angus government had long-condemned as rebels and tried to remove from the Merse and Tweeddale. In his chronicle, Bishop Lesley specifically stated that reliance on these men was mistaken because they didn't have the mettle for a fight.¹⁰¹ However, the Armstrongs and their allies were still capable of mounting a raid into England just two weeks later¹⁰² - or was this possible because they had not given their full energy to Buccleuch's cause? Certainly the whole Lennox conspiracy was not yet ready to reveal its secret and the result of the skirmish at Darnick was a victory for Angus who retained control of the King, though at the cost of the death of Andrew Kerr of Cessford, further fuelling the already existing feud between Scotts and Kerrs.¹⁰³ Buccleuch seems to have escaped from the field and remained at large until after the battle at/

battle at Linlithgow in September.¹⁰⁴

Specific involvement in this attack was the subject of only one subsequent action for treason when James Elwald was convicted on 9 August of treasonably coming with Walter Scott of Buccleuch and the "traitors and thieves of England and Scotland" against the King and his Lieutenant (i.e. Angus) at Melrose, for which crime Elwald was hanged.¹⁰⁵ This was not the end of the conspiracy, however, because Lennox himself had still to reveal his involvement.

The former closeness of Scott of Buccleuch with the Earl of Lennox must have raised suspicions about Lennox's loyalty in the immediate aftermath of the failure of Buccleuch's attack on Angus.¹⁰⁶ There was no time to be lost in mobilising the conspirators to a more organised attempt to rescue the King. Nothing more could be lost by a straightforward appeal to other former allies of Angus to end his domination of the government. On 2 August, Angus revealed to the Council how Lennox had written to those councillors whom he had presumed would be sympathetic to his cause, stating that Angus held the King in captivity against the royal will. Angus offered to answer that charge before a properly-constituted court and asked for his request to exempt himself from the consequences of actions which might follow from this revelation of conspiracy to be recorded. He stated that he only remained to serve the King and by his command, while Lennox made it clear that "... he wald expone himself and his frenndis at thar utir power to put our soverane lord to fredome..."¹⁰⁷ This open challenge does not seem to have inspired the intended sympathisers to any action other than revealing the ~~con~~spiracy to Angus. Perhaps James, Earl of Moray, had been the target of Lennox's appeal, since he had been in the forefront of the opposition up to January; certainly he was present to hear Angus's denunciation of Lennox and he remained loyal.¹⁰⁸ There was a contrast between Angus's/

between Angus's position as head of a government which had evidently mismanaged royal finances and failed to achieve internal stability in Scotland or secure redress for border raids, and his position as an individual leader with access to vast reserves of patronage and the wisdom to distribute that riches shrewdly. Angus was indulging in a dangerous juggling act but he persuaded enough people to believe that their best interests lay in his continued control to enable him to meet Lennox's challenge.

Lennox was able to draw support from three main areas of the country. Firstly, there were his own vassals and allies from the Lennox in the west of Scotland, principally Stirlingshire and Dunbartonshire. Secondly, he enjoyed the support of James Beaton, Archbishop of St Andrews, who was able to swing a large number of Lairds from Fife and Forfarshire (county Angus) from their support of the government,¹⁰⁹ to the specific support of Lennox once he had left that government; and thirdly, there were the remaining Borderers from the force which had failed to rescue the King at Melrose.¹¹⁰

The later respites and remissions for involvement with Lennox are all in favour of lesser Lairds but, besides Beaton, Lennox also received support from some of the leading Lords. Angus referred in his letter informing Wolsey of his success at Linlithgow to Beaton and Lennox having the support of Gavin Dunbar, Archbishop of Glasgow; William Chisholm, Bishop of Dunblane; Robert Maxwell, Bishop of Orkney; David, Earl of Crawford; Gilbert, Earl of Cassillis; Patrick, Lord Lindsay of Byres; Ninian, Lord Ross of Halkhead; William, Lord Semple; John, Lord Lyle and Andrew, Lord Avandale. The clerics may have been, more probably, go-betweens to try to prevent an armed conflict but the temporal Lords all represent the areas already identified as giving Lennox strong support.¹¹¹ Of these, Cassillis, certainly, was astute enough to keep his support tacit. The Angus government/

government did not proceed later with charges against Cassillis of favouring Lennox.¹¹² Argyll and Moray were later mentioned as being favourable to the conspiracy by Albany,¹¹³ although there is no other proof of this. For once, Magnus did not have a good source of information naming several people as being killed when they were not - but they were all people with reason to support Lennox: Sir John Stirling of Keir; James and William Stewart, brothers to Lord Avandale; and Beaton's nephews, Andrew and George Durie, Abbots of Melrose and Dunfermline respectively.¹¹⁴

The people who gave unqualified support to Angus were all mentioned in a parliamentary Act indemnifying their actions in November 1526 and consisted of a mixture of newly-reconciled ex-rebels (notably Arran, the Master of Eglinton, Home and Kerr of Ferniehirst) and long-standing Angus supporters.¹¹⁵ Angus was also assured of English verbal support and could probably have counted on active intervention if the battle had been lost.

Magnus believed that Archbishop Beaton was the architect of the conspiracy, aided and abetted by Queen Margaret, with their aims being the restoration of Beaton to the Chancellorship and of Margaret as principal counsellor to her son.¹¹⁶ This was inaccurate - the price of Beaton's support for Lennox would probably have been his restoration as Chancellor, but there was no question of the restoration of Queen Margaret to a form of quasi-regency. The real origin of the conspiracy lay with Lennox and with the King himself. If there is doubt about the extent of the King's independence of will concerning the bond to Lennox, there is no doubt that James V still had favourable contact with the rebels through his mother in the few days before the conflict at Linlithgow. The remarkable letter sent from James V to Henry VIII on 30 August was "... subscrivit withoure hand and closit with the signet of oure dearest moder, becaus oure selis and signetis are/

signetis are withholding". He condemns letters formerly written in his name against Beaton as having proceeded from the solicitation of the Earl of Angus "... in whose keeping he then was..." (this suggests a premature hope that Lennox would triumph). James now praises Beaton for his aid in helping the King to be free of "... partial keeping..."¹¹⁷ This is clearly an appeal on behalf of the conspirators but it seems improbable that it was a forgery. It is one of a collection of four letters on behalf of the conspirators who were acting against Angus who kept the King in "thraldom". The Queen wrote to Wolsey and Henry VIII further complaining that James V only agreed with Angus because he was in fear of his life.¹¹⁸ The Queen, who was not necessarily an impartial witness, also stated that James V had written to her, Beaton and Lennox concerning this fear of Angus. Nevertheless, this adds significant evidence of the King's willingness to co-operate with those who were trying to bring about a radical change in the Scottish government.

There was an attempt made by Lennox, aided by the Treasurer, William, Master of Glencairn, to spirit the King away from Angus's control even before any fight could take place. This attempt was foiled by the vigilance of Angus and his supporters who stopped the King's escape at Holyrood. Lennox obviously escaped but the English report suggested that the King was kept thereafter in close physical confinement - at least during the night. This also suggests that the King was at least willing to escape with the conspirators if he had the chance, and that he had to be closely watched to prevent that chance occurring.¹¹⁹

Armed conflict took place on 4 September between the supporters of Angus and those of Lennox's conspiracy at Manuel Priory near Linlithgow.¹²⁰ It is probable that around 3000 men fought on *each* side,¹²¹ but the conflict was not a wholehearted battle, and when Lennox himself was killed, the combatants/

combatants disengaged and the Angus supporters had won. Apart from Lennox, only two other men of note were killed - Patrick Houston of that ilk and Andrew Sibbald of Letham.¹²²

The question which fascinated later chroniclers was the exact circumstances of Lennox's death. Did he surrender (reportedly to William Hamilton of Pardowan) when it became clear that his forces were not going to prevail? Was he thereafter murdered by Sir James Hamilton of Finnart?¹²³

This story certainly circulated soon after the battle and Hamilton of Finnart needed to deny specifically such rumours that he had been personally responsible for the death of Lennox in the 1531 contract of amity between Matthew, Earl of Lennox (son of the dead Earl) and James, Earl of Arran and their kin and supporters.¹²⁴

The fact of Lennox's death was more important than the cause of it. Hamilton of Finnart was never directly accused of murder in a court of law, even when he lost the favour of James V in 1540.¹²⁵ The death of Lennox destroyed the last possibility of successful opposition to Angus's continued domination of the government. All previous malcontents were reconciled. Beaton found it politic to retire from public life for a while and Margaret had few friends to comfort her while she waited for news of her divorce from Angus.

It had been proved by battle that Angus could not be dislodged from supremacy in Scotland despite the relative lack of success which his government had so far enjoyed in putting its stated programme of policies into effect. The difference between Angus and Margaret, and between 1526 and 1524-5, was that Angus exercised a shrewd wit in dividing his opponents and winning support from some of them. The problems had been shelved until the opposition had been dealt with and Angus now needed to provide the good government which alone could preserve his policies into the King's adulthood.

Angus benefited from having the support of the English, which Margaret had not had during her second regency, but it was a much more formidable task to train the King to a love for England than to overcome the armed opposition of certain disaffected Lords. This task of winning James's confidence for a close relationship with his uncle, Henry VIII, had been made more delicate by Douglas intransigence in the September crisis.

It is not necessary to accept the literal truth of Buchanan's story that the King, attempting to slow up George Douglas and his forces' progress to the battle of Linlithgow, provoked Angus's brother to a comment of infuriated indiscretion: "... Before the enemy shall take thee from us, if thy body should be torn to pieces, we shall have a part..."¹²⁶ This is said to have rankled the King's mind and to have developed in him the extreme hatred of the Douglasses and George Douglas in particular which characterised his adult reign. The sentiment behind the story was to become self-evident. No Earl, however ambitious, could have persuaded an unwilling King to give such a bond as James V gave to Lennox in June 1526. The desire of James to be free from the tutelage of his stepfather was real and remained unsatisfied by Lennox's death and the ending of active opposition to Angus.

CHAPTER TWELVE NOTES

- 1 See above 468-9 and n.69.
- 2 RMS iii 340-357, 6 Nov. 1525 - 13 June 1526. The style remained unaltered until the King was declared of age by the June parliament in 1526.
- 3 All of these were witnesses to a Great Seal Charter granted at Stirling, 16 Nov. 1525: Charters And Other Documents relating to the Royal Burgh of Stirling 1124-1705 (SBRS 1884) 195-6 no. 22, cf Appendix D.
The sederunt of 16 Nov. in ADC 35 f. 160 described Beaton, the Chancellor; Glasgow; Aberdeen; the Earls of Angus, Argyll (also a signatory to charter mentioned above) and Lennox; the Abbots of Holyrood and Cambuskenneth; Sir William Scott of Balwearie and Adam Otterburn as 'Lords of the secret council'. These were the privy councillors to whom reference was made in the style of Great Seal Charter confirmations.
- 4 Magnus only referred to this failure on 1 Jan. 1526: SPHVIII iv pt. iv no. c1 Magnus to Wolsey. See also above 475 and n.97.
- 5 ADCP 229, 18 Nov. 1525.
- 6 ADC 35 f. 161, 21 Nov. p.m.; *ibid.* f. 161v., 22 Nov., sederunt: James Beaton, Archbishop of St Andrews, Chancellor*+; Gavin Dunbar, Archbishop of Glasgow*+; Gavin Dunbar, Bishop of Aberdeen*+; John Campbell, Postulate of the Isles; Archibald, Earl of Angus*+; Colin, Earl of Argyll*+; John, Earl of Lennox*+; David, Earl of Crawford; Cuthbert, Earl of Glencairn+; Gilbert, Earl of Cassillis*+; David Beaton, Abbot of Arbroath*; George Crichton, Abbot of Holyrood*+; Thomas Kerr, Abbot of Kelso*; Alexander Myln, Abbot of Cambuskenneth*+; Donald Campbell, Abbot of Coupar; Andrew Durie, Postulate of Melrose; John, Lord Erskine; Malcolm, Lord Fleming*; John, Lord Hay of Yester*; John, Lord Lyle; Sir William Scott of Balwearie*; John Campbell of Lundy, Treasurer+; James Colville of Ochiltree, Comptroller+; and Adam Otterburn*+. (* appeared in both sederunts; + already favourable to Angus's continued government)
- 7 See above 474 and n.91.
- 8 Rymer, Foedera xii 793; R L Mackie, James IV 98-9.
- 9 ADCP 229-232, 22 Nov. 1525.
- 10 L&PHVIII iv pt. i no. 1847 Council of Scotland to Henry VIII, 31 Dec.; James V also acknowledged Henry's goodwill - *ibid.* no. 1844 James V to Henry VIII, 30 Dec.
- 11 SPHVIII iv pt. iv no. c1 Magnus to Wolsey, 1 Jan. The commission to Angus and others to treat for peace was made on 6 Jan. - L&PHVIII iv pt. i no. 1870, on which day a mandate to continue the abstinence from war was given - APS xii 41-2. Angus's ratification of the peace on 10 Jan. took place in the presence of Argyll, Lennox and others at Kirk O'Field - L&PHVIII iv pt. i no. 1873.
- 12 SPHVIII iv pt. iv no. cxlviii Magnus to Wolsey, 15 Dec.

- 13 Ibid. no. cl Magnus to Wolsey, 1 Jan. 1526.
- 14 Ibid. no. cxlix Angus to Henry VIII, 31 Dec. 1525.
- 15 Ibid. no. clvii Magnus to Wolsey, 20 Mar. 1526; cf L&PHVIII iv pt. i no. 1910 Magnus to Wolsey, 20 Jan.
- 16 L&PHVIII iv pt. i no. 1810 Queen Margaret to Henry VIII, 7 Dec. 1525.
- 17 ADCP 219, 6 May 1525 Queen Margaret enjoyed the wardship and marriage of Huntly by gift from the royal casualty; cf RSS i no. 3538, 29 Oct. 1526 when Angus was granted the wardship of Huntly. Margaret formally renounced her claim to the control of Huntly's marriage in favour of Angus in Nov. 1527 - ADCP 252-3.
- 18 ADCP 234-5, 2 Jan. 1526. Arran was supported by Hugh, Earl of Eglinton; George, Lord Home; William, Lord Semple; Hugh, Lord Somerville; Andrew, Lord Avandale; Patrick, Master of Hailes; John Home, Abbot of Jedburgh; Hugh Campbell of Loudon, Sheriff of Ayr; Patrick Hepburn of Waughton; Andrew Kerr of Cessford; Andrew Kerr of Ferniehirst and William Wallace of Craigie. Angus was supported by John, Earl of Lennox; David, Earl of Crawford; James, Earl of Morton; Cuthbert, Earl of Glencairn; William, Earl of Montrose; John, Lord Forbes; John, Lord Hay of Yester; John, Lord Glamis; Ninian, Lord Ross of Halkhead; John, Lord Lyle; William, Lord Borthwick; John Somerville of Cambusnethan; James Douglas of Drumlanrig; Robert Lauder of Bass; John Gordon of Lochinvar; Alexander Stewart of Garlies; Hugh Kennedy of Bargany; Walter Scott of Buccleuch; Mark Kerr of Dolphinton; John Mure of Caldwell; Ninian Crichton of Bellibocht and Alexander Home, Tutor of Wedderburn.
- 19 Ibid. 235, 8 Jan.
- 20 Ralph, Earl of Westmoreland was the chief commissioner on the English side to conclude truce with Scotland in January 1526. He was vice warden in the East and Middle Marches and Deputy Captain of Berwick in September 1526: GEC The Complete Peerage xii pt. ii 553-4.
- 21 L&PHVIII iv pt. i no. 1874 Angus, Argyll and Lennox to Ralph, Earl of Westmoreland, 10 Jan.
- 22 SPHVIII iv pt. iv no. cli Magnus to Wolsey, 11 Jan.
- 23 James V Letters 126 Albany to Clement VII (24 June 1525). Margaret had been ready to prevent peace when at her most desperate in Feb. 1525 - ibid. 115-6 Credence by Margaret to John Cantley for Albany, 22 Feb. 1525. For the motivation of the Borderers see above n.15.
- 24 SPHVIII iv pt. iv no. cli Magnus to Wolsey, 11 Jan.
- 25 Ibid.
- 26 ADCP 234, 2 Jan.; ibid. 235, 8 Jan.
- 27 TA v 261, 9 Jan.

- 28 Besides the Lords already noted as Angus's supporters (above n.18), Angus sought support from the Lords and Lairds of Fife; Co. Angus; Lanarkshire; Linlithgowshire; East and West Lothian; Perthshire; Strathearn and from certain Borderers. All of these were areas where Angus had lands or identifiable support - TA v 262 9, 11, 12 Jan.
- 29 L&PHVIII iv pt. i no. 1908 Adam Otterburn to Magnus, 19 Jan.; *ibid.* no. 1910 Magnus to Wolsey, 20 Jan.; SPHVIII iv pt. iv 438 n.5 Angus to Magnus, 20 Jan., Excerpta E Libris 23 - the King rode from Edinburgh to Linlithgow against Arran on Wednesday, 17 Jan. Of the chroniclers, only Lesley deals with the incident in detail and he states the reason for the failure of the opposition to be the hazard of attacking the King in person - Lesley, History 133.
- 30 ADCP 236-7, Moray's offer was noted by the Council on 22 Jan.
- 31 L&PHVIII iv pt. i no. 1893, Treaty of peace between England and Scotland, 15 Jan. 1526.
- 32 APS ii 299, 15 Jan. This was the day to which the July 1525 parliament had been continued.
- 33 L&PHVIII iv pt. i no. 1910 Magnus to Wolsey, 20 Jan.; cf above notes 15 and 23.
- 34 ADCP 240 5, 7 March. Moray was to be paid £3000 in three instalments of £1500 at Whitsun, £1000 at Martinmas and £500 on 31 Mar. 1527. Moray sold his claims to the existing Abbot, David Beaton, promising to renounce all such claims at Rome.
- 35 RSS i no. 3465, 2 Aug.; *ibid.* no. 3469, 8 Aug.
- 36 L&PHVIII iv pt. i no. 1968 i Magnus to Queen Margaret, 11 Feb.
- 37 *Ibid.* no. 1974 Robert Logan to Magnus, 13 Feb.
- 38 ADCP 241, 14 Mar.
- 39 *Ibid.* 9 Mar. TA v 267; the account rendered in June 1526 only mentions the payment of £200 as Angus's fee as Warden of the East and Middle Marches.
- 40 TA v 263, 24 Jan. The letters were sent to raise forces from the Earl of Morton; Lords Borthwick and Seton; the Abbot of Newbattle; East Lothian, Roxburgh, Selkirk, Jedburgh, Peebles, Kelso, Stirling, Kinross, Clackmannan, Menteith, Dunblane, Perth, Paisley, Dumbarton, Renfrew, Carrick, Cunningham, Kyle, Fife, the Abbots of Cambuskenneth, Lindores and Balmerino, and all of the burghs.
- 41 *Ibid.* 263-4, 24 Jan., 3 Feb., 22 Feb.
- 42 L&PHVIII iv pt. i no. 1968 iii Magnus to the Privy Council of Scotland, 11 Feb.
- 43 *Ibid.* no. 1978 Lords of the Secret Council of Scotland to Magnus, 15 Feb.

- 44 SPHVIII iv pt. iv no. clvi Magnus to Wolsey, 1 Mar.
- 45 Ibid. no. clvii Magnus to Wolsey, 20 Mar.; L&PHVIII iv pt. i no. 2031 i Angus to [Magnus], 15 Mar.
- 46 L&PHVIII iv pt. i no. 2019 Commission from James V to Kelso and the Provost of Dunglass, to deliver his ratification of the peace, 7 Mar. The peace had been formally accepted by James V on 12 Feb. - *ibid.* no. 1971; SPHVIII iv pt. iv no. clvii Magnus to Wolsey, 20 Mar.
- 47 SPHVIII iv pt. iv no. cl Magnus to Wolsey, 1 Jan.: "... letters from Rome state that the English ambassadors oppose the suit of the Archbishop of Glasgow for exemption from the Archbishop of St Andrews. This should be attended to for the former is much about the young king, and can sway him as he pleases..."
- 48 See above 487, and also n.45.
- 49 L&PHVIII iv pt. i no. 1974 Robert Logan to Magnus, 13 Feb.
- 50 Adam Otterburn reported that Beaton had lost favour with Albany and the French, to Magnus - *ibid.* no. 1980, 16 Feb. Magnus passed this report on to Wolsey - SPHVIII iv pt. iv no. clvi, 1 Mar. Nevertheless, Henry VIII wrote to the Pope in Beaton's favour as late as 10 April - James V Letters 132.
- 51 L&PHVIII iv pt. i no. 2080 Patrick Sinclair to Magnus, 9 April. Beaton had first been appointed Chancellor in Sep. 1513 - see above 7. He was deprived by the June Parliament - APS ii 300.
- 52 ADCP 241; APS ii 299 14 Mar. Sederunt in the King's presence: James Beaton, Archbishop of St Andrews; Gavin Dunbar, Archbishop of Glasgow; Gavin Dunbar, Bishop of Aberdeen; Archibald, Earl of Angus; Colin, Earl of Argyll; John, Earl of Lennox; James, Earl of Morton; George Crichton, Abbot of Holyrood; David Beaton, Abbot of Arbroath; John Campbell of Lundy, Treasurer; and Adam Otterburn.
- 53 TA v 264, 20 April.
- 54 L&PHVIII iv pt. i no. 2176 Sir William Evers to Wolsey, 13 May.
- 55 See above n.18.
- 56 TA v 264-5, 11 May.
- 57 *Ibid.* 265-6, 12-24 May. James, Earl of Morton; Alexander, Lord Livingston; John, Lord Hay of Yester, and George, Lord Seton were summoned to accompany the King, together with several Lairds from Midlothian and East Lothian. The King rode to Melrose on 16 May, but returned on the same day to Edinburgh.
- 58 TA v 266. Beaton, Patrick Hepburn, Prior of St Andrews (who as secretary controlled the King's signet) and Sir William Scott of Balwearie had already been summoned to surrender the seals on 16 May.

- 59 APS ii 300 Sederunt: Gavin Dunbar, Archbishop of Glasgow*; Gavin Dunbar, Bishop of Aberdeen; David Arnott, Bishop of Galloway*; James Chisholm, Bishop of Dunblane*; Patrick Hepburn, Prior of St Andrews*; George Crichton, Abbot of Holyrood; Alexander Myln, Abbot of Cambuskenneth*; Edward Stevill, Abbot of Newbattle; Robert Foster, Abbot of Balmerino; George Dundas, Lord St John's*; Archibald, Earl of Angus*; Colin, Earl of Argyll*; John, Earl of Lennox*; James, Earl of Morton*; Cuthbert, Earl of Glencairn*; William, Earl of Montrose; James, Earl of Buchan; John, Lord Erskine*; George, Lord Seton; Robert, Lord Maxwell*; Patrick, Lord Gray; Patrick, Lord Lindsay of Byres; James, Lord Ogilvy of Airlie; John, Lord Hay of Yester; Alexander, Lord Livingston; Hugh, Lord Somerville; William, Lord Carlyle of Torthorwald; Commissioners for the burghs of Edinburgh*; Aberdeen*; Dundee; Stirling*; Linlithgow*; Lanark; Irvine; Haddington; Cupar; Dumfries; Perth; Peebles; and Dunbar. * - Lords of Articles: *also James, Earl of Arran; Sir William Scott of Balwearie; and the Provost of Methven.
- 60 Arran was elected a Lord of the Articles and, as such, probably attended from the third day of the parliament - 14 June.
- 61 The representation of the 13 burghs compares to 8 in Nov. 1524 (APS ii 284); 6 in Feb. 1525 (ibid. 288); 6 in July 1525 (ibid. 292) and 9 in Nov. 1526 (ibid. 309).
- 62 RSS i no. 3398, 25 June. The appointment was intended to be for four years.
- 63 Thomas Erskine of Halton appears for the first time as secretary in RMS iii no. 358, 15 June. He was probably the 'James' Erskine to whom Patrick Sinclair referred as coming into favour with Angus in April - L&PHVIII iv pt. i. no. 2080 Sinclair to Magnus, 9 April.
- 64 George Crichton was promoted to Dunkeld on 21 June - APS ii 305, and was provided by Pope Clement VII on 25 June - Watt, Fasti 99.
- 65 The last charter granted 'with consent of the council' was RMS iii no. 357, 15 June. See above 487 and n.2.
- 66 RSS i nos. 3384-3487, 15 June - 1 Sep. 1526. The grant of free customs to Archibald Douglas of Kilspindie was made on 30 June - ibid. no. 3407. This grant saved Douglas from the need to pay more than £20 tax on the export of goods in the short period to Aug. 1526 - ER xv 272.
- 67 APS ii 304. The Lords appointed to the Council were: Gavin Dunbar, Archbishop of Glasgow*; Gavin Dunbar, Bishop of Aberdeen*; Henry Wemyss, Bishop of Galloway*+; William Chisholm, Bishop of Dunblane+; Robert Maxwell, Bishop of Orkney+; George Crichton, Bishop of Dunkeld k.p.s.+; secretary (probably still refers to Patrick Hepburn, Prior of St Andrews, because of place in list); Alexander Myln, Abbot of Cambuskenneth; William Douglas, Prior of Coldingham; George Dundas, Lord St John's; Robert Forman, Dean of Glasgow; Archibald, Earl of Angus*; James, Earl of Arran; John, Earl of Lennox*; Colin, Earl of Argyll*; James, Earl of Morton*; Cuthbert, Earl of Glencairn* (or in his absence, his son, William, Master of Glencairn, Treasurer); Gilbert, Earl of Cassillis; Robert, Lord Maxwell*; John, Lord Erskine; Archibald Douglas of Kilspindie, Provost of Edinburgh; Sir William Scott of Balwearie; Patrick Houston of that ilk; and Adam Otterburn. * - privy councillors. + - the Bishops of Galloway, Dunblane, Orkney and Dunkeld had all been promoted during Angus's influence over the government.

- 68 Ibid. 21 June a.m. Angus had evidently been forced to act on a day-to-day basis without the co-operation of the Council agreeing to every measure designed to secure peace on the borders.
- 69 ER xv 270-3. Walter Maxwell was granted a pension of £40 p.a. from the burgh customs just three days later on 24 June; cf ibid. 272 n., 362-5. Grants of feu-ferme were made to Henry Dingwall on 21 Aug. - RMS iii no. 373; and to Henry Kemp on 23 Dec. - ibid. no. 410 - both on royal lands in Ardmannoch.
- 70 ER xv 377.
- 71 See above n.67 - asterisked councillors.
- 72 APS ii 303-8, 12-25 June. Angus was granted a gift of £1600 on 25 June for his good services on the borders.
- 73 See above 487-8 and 490-1.
- 74 APS ii 303, 20 June.
- 75 Ibid. 307, 25 June.
- 76 Fraser, Douglas iii no. 189, June 1526.
- 77 Beaton was clearly out of favour with the new régime because he was ordered to stop proceeding against any who had tacks of the lands of Dunfermline Abbey or the Archbishopric of St Andrews: APS ii 308, 25 June.
- 78 APS ii 305, 21 June; ibid. 306. They were accused of the murder of Robert Douglas of Lochleven. See below n.115 for Eglinton's support of Angus and Arran against Lennox at Linlithgow in Sep. 1526.
- 79 See above chapter 11 n.87.
- 80 Fraser, Lennox ii, Lennox Charters no. 138, Bond by James V to Lennox, 26 June.
- 81 These three were witnesses to the above Bond to Lennox. William, Master of Glencairn had been appointed Treasurer on the previous day - RSS i no. 3398, 25 June. Patrick Houston of that ilk was a councillor - see above n.67 - and had been appointed as Director of Chancery on 19 June - RSS i no. 3390. Ninian Crichton of Bellibocht was the tutor to the young Lord Crichton of Sanquhar - see RSS i no. 3104, 16 Oct. 1520.
- 82 ER xv 289: Buccleuch was the King's cipher and Minto was one of the royal Marshals. Both were replaced in their offices after Sep. 1526 - ibid. 380-1.
- 83 James V mentioned Henry's concern in a letter of 23 July - L&PHVIII iv pt. i no. 2335.
- 84 SPHVIII iv pt. iv no. clviii Instructions to England carried by Patrick Sinclair marked with Wolsey's answers (1 July).

- 85 Henry Clifford, Lord Clifford, was created Earl of Cumberland, 18 June 1525. He was Warden of the West March and Captain of Carlisle 1525-8: GEC, Complete Peerage iii 566-7.
- 86 L&PHVIII iv pt. i no. 2299, the Council of Scotland to Henry, Earl of Cumberland, 4 July.
- 87 Ibid. iv pt. ii no. 2483 Magnus to Wolsey, 13 Sep.; *ibid.* no. 2500 Sir Thomas More to (Wolsey), 21 Sep.; *cf.* *ibid.* iv pt i. no. 1725 Magnus to Wolsey, 28 Oct. 1525; *ibid.* no. 1862 same to same and *ibid.* no. 1878 i same to same for lack of criticism of Angus's defiance of legitimate authority and English co-operation with the Scottish Council.
- 88 RSS i no. 3409 1 July 1526. For Kittycrosshill, see above 104-7, 506 and Appendix F.
- 89 L&PHVIII iv pt. i no. 2442 Magnus to Wolsey, 30 Aug.
- 90 Fraser, Douglas iii no. 190, 2 July - bond by William Hamilton of McNariston to Angus. A gift of wardship fallen to the crown was made to Hamilton on 17 July - RSS i no. 3446. He later obtained another grant - *ibid.* no. 3484, 26 Aug.; and he was one of the immediate beneficiaries from the failure of the opposition to dislodge Angus on 4 Sep. - *ibid.* no. 3488.
- 91 ADCP 244-5, 5 July. For earlier discussion on the Glencairn-Eglinton dispute, see above 386-7.
- 92 *Ibid.* 245, 9 July. The Master of Glencairn protested that the Lords could have no power to relax Eglinton from the horn (showing his suspicion of Angus's favour to the Montgomerys), while the Countess of Eglinton claimed that the process against her husband proceeded merely on the grounds of party politics and not in the interests of justice.
- 93 Pitcairn, Trials i 132*-3*, Eglinton and his family had been denounced as rebels on 26 June, but found caution on 1 Aug. and stood caution for others on 4 Aug.
- 94 William, Lord Semple, had been associated with Eglinton in the attack on Douglas of Lochleven and was still reported to be in the opposition in Sep. 1526, see above 503.
- 95 RSS i no. 3444, 17 July.
- 96 *Ibid.* no. 3386, 18 June. All 233 members of Cassillis's retinue are named individually in the respite.
- 97 *Ibid.* nos. 3423-7, 11 July. All except the respite to Logan of Balvey were taken from a previous general respite to Lennox and his followers. These respites were granted to John Logan of Balvy; Walter and Robert, his sons; John and William Logan; Walter Galbraith; James Norie; Patrick Ure; Thomas Buchanan and Patrick Laing (no. 3423); John Syme (no. 3424); George Buchanan and 22 others, unnamed (no. 3425); Patrick Laing (no. 3426); and Sir John Colquhoun of Luss and Patrick Colquhoun (no. 3427).
- 98 TA v 276 1, 3, 17, 22 July: Lords and Lairds of Fife, Angus, Lothian and Clydesdale summoned to attend the King at Whithorn.

- 99 Ibid. 279; Excerpta E Libris 65.
- 100 The engagement took place on 23 July on which day James wrote to Henry VIII from Jedburgh Abbey to inform him of the suppression of the insurrection - L&PHVIII iv pt. i no. 2335, 23 July.
- 101 Lesley, History 134-5; cf Pitscottie, Historie i 313-5; Buchanan, History ii 232-3.
- 102 L&PHVIII iv pt. ii no. 2374 William, Lord Dacre to Wolsey, 4 Aug.
- 103 The wardship and marriage of the heir of Andrew Kerr of Cessford was granted to his brother, George, on 24 July - RSS i no. 3451. The heir, Walter Kerr of Cessford, replaced Scott of Buccleuch in his office of royal cipher - ER xv 380; cf ibid. 289. See above 334 and 423-4 for the Scott-Kerr feud. An indenture of friendship made in March 1531 was intended to resolve the feud and the Scotts were found more culpable in relation to the fight at Melrose - SRO Newbattle College Manuscripts GD40 portfolio xvi/Ad. 1 (copy) - Wormald, Lords And Men Appendix B no. 34.
- 104 Scott of Buccleuch was, however, summoned for treason on 20 Aug. on an unnamed charge, along with other Borderers - Ninian Crichton of Bellibocht (cf above n.81); John Cranston of that ilk; William Turnbull of Minto; Robert Scott of Allanhaugh; David Hoppringle of Smailholm; Alexander Hoppringle of Torsons; John Scott of Bordhaugh; William Scott of Hassendean; and Robert Scott of Howpaslot. The legality of this summons was challenged by Lord Hay of Yester, who stated that he did not consent to it unless royal or parliamentary advice thereon was explicitly given - ADCP 252.
- 105 Pitcairn, Trials i 133*, 9 Aug.
- 106 Fraser, Scotts of Buccleuch i 73 and ff.
- 107 ADCP 250-1, 2 Aug. p.m.
- 108 ADC 36 f.70 sederunt on 2 Aug. p.m.: Gavin Dunbar, Archbishop of Glasgow; Gavin Dunbar, Bishop of Aberdeen; William Douglas, Abbot of Holyrood; Alexander Myln, Abbot of Cambuskenneth; James, Earl of Moray; John, Lord Erskine; Robert Forman, Dean of Glasgow; Nicholas Crawford of Oxgangs, Justice Clerk and Adam Otterburn. None of these were known sympathisers with Lennox.
- 109 As late as the trip to the Borders in July, the Lairds of Fife and Angus were among those on whom the Earl of Angus was principally relying: ADCP 244, 27 June.
- 110 Definite supporters of Lennox were:
- (a) Stirlingshire and Dumbartonshire: Sir John Stirling of Keir (APS ii 311 forfeited 19 Nov.); John Buchanan in Arnprior and Andrew Gourlay in Scheirgartan in Kippen (RSS i no. 3764, 14 May 1527); William Marshall in Kippen and John Allanson in Garscube (ibid. no. 3774, 20 May 1527); Andrew Galbraith of Culcreuche (ibid. no. 3754, 2 May 1527).
- (b) West of Scotland: Sir Patrick Houston of that ilk (also killed at Linlithgow - nonentries of lands of Houston granted to William Hamilton of McNariston - RSS i no. 3488, 4 Sep.); James Stewart of Tweedie (ibid. no. 3732, 17 April 1527. Tweedie was a tenant of Lennox, cf RMS iii no. 864 - Tweedie was in the barony of Stonehouse, Lanarkshire).

(c)/

- (c) Fife: Andrew Sibbald of Letham (also killed - RSS i no. 3502, 10 Sep. 1526); Sir John Melville of Raith; James Kirkcaldy of Grange; James Forsyth of Nydie; Thomas, James and William Melville; William Wemyss; David Wemyss of that ilk and James Bruce, (Fraser, Melville iii no. 69, 14 Aug. 1527); Walter Heriot of Burnturk (RSS i no. 3564, 3 Dec. 1526); George Dishington of Ardross (ibid. no. 3577, 15 Dec.); Robert Durie of that ilk (ibid. no. 3578, 15 Dec.); Thomas Meldrum of Segy (ibid. no. 3580, 15 Dec.); Robert Affleck of that ilk (ibid. no. 3652, 17 Feb. 1527); Thomas Clark in Fernie (ibid. no. 3655, 17 Feb.); David Balfour of Burleigh (Kinross-shire) (ibid. no. 3623, 10 Jan.) and Walter Arnott of that ilk (ibid. no. 3581, 15 Dec. 1526).
- (d) Forfarshire (Co. Angus): Andrew Balfour of Monikie (ibid. no. 3576, 15 Dec.); James Cairncross of Balmashenar and his son, David (ibid. no. 3651, 17 Feb. 1527); Robert Maule of Panmure (ibid. no. 3653, 17 Feb.); John Fife in Caraldston (ibid. no. 3654, 17 Feb.); James Cramond in Melgund (ibid. no. 3656, 17 Feb.); and Alexander Wellem of Woodway (ibid. no. 3658, 17 Feb.)
- (e) Borders: Walter Scott of Buccleuch (Fraser, Buccleuch ii 136, 3 Dec. 1527); Robert Scott of Howpaslot; Robert Scott of Allanhaugh, and John Scott of Bordhaugh (APS ii 311, 19 Nov. 1526 - see also above n.104); Robert Stewart of Minto (RSS i no. 3527, 18 Oct. - see also above n.82); Andrew Heriot of Traprain and William Douglas of Whittingham (ibid. nos. 3745-6, 28 April 1527).
- 111 L&PHVIII iv pt. ii no. 2487 Angus to Wolsey, 16 Sep. 1526. Of these Lords, only Lindsay demonstrably supported Lennox - Pitcairn, Trials i 134*, 19 Dec. 1526. He was summoned for treasonably convoking the lieges at Stirling and being art and part of the invasion on Arran at Linlithgow.
- 112 See below 539 and n.90.
- 113 James V Letters 132-3, Autumn 1526 Instructions for Francis I by Albany.
- 114 Sir John Stirling of Keir was forfeited for his involvement at Linlithgow: APS ii 311, 19 Nov., and was restored on 10 May 1527 - ibid. 320. James Stewart, brother of Lord Avandale was still alive on 14 July 1528 - RMS iii no. 612; and his brother, William, was still alive on 21 July 1548 - ibid. iv no. 230. For Andrew and George Durie, see M Dilworth, 'The Commendator System In Scotland' in IR xxxvii 2 (1986) 64-5.
- 115 APS ii 312, Angus's supporters were: James, Earl of Arran; James, Earl of Morton; Robert, Lord Maxwell; George, Lord Home; Hugh, Lord Somerville; Archibald, Master of Eglinton; George Douglas of Pittendreich (Angus's brother); Archibald Douglas of Kilspindie, Provost of Edinburgh (Angus's uncle); Sir James Hamilton of Finnart; Andrew Kerr of Ferniehirst; James Douglas of Drumlanrig; James Gordon of Lochinvar and William, his brother; Mark Kerr of Dolphinton, and Andrew Kerr in Greenhead. Angus also had a bond of amity from the Earl of Rothes dissociating Rothes from the other Fife Lairds - Fraser, Douglas iii no. 191, 17 Aug.
- 116 SPHVIII iv pt. iv no. clx Magnus to Wolsey, 30 Aug.
- 117 L&PHVIII iv pt. ii no. 2425 James V to Henry VIII, 24 Aug.
- 118/

- 118 The other three letters were *ibid.* no. 2414 Queen Margaret to Wolsey, 21 Aug.; *ibid.* no. 2415 Queen Margaret to Henry VIII, 21 Aug.; and *ibid.* no. 2430 James Beaton, Archbishop of St Andrews to Henry VIII, 25 Aug.
- 119 SPHVIII iv pt. iv no. clxi Sir Christopher Dacre to William, Lord Dacre, 1 Sep. See also below 555-6 for the King's charges against Angus after his ultimate escape in the summer of 1528.
- 120 Diurnal of Occurrents 10 - 4 Sep.; L&PHVIII iv pt. ii no. 2487 Angus to Wolsey, 16 Sep.: Angus stated that Lennox had reached Linlithgow on 3 Sep. and that thereafter Arran and Angus met and defeated Lennox's force; Pitcairn, Trials i 134*, the summons on Lord Lindsay of Byres referred to the date of the battle as 3 Sep.
- 121 L&PHVIII iv pt. ii no. 2487 Angus to Wolsey, 16 Sep. Angus claimed that Lennox had 3000 supporters against only 300 for Angus but this is unlikely. The two sides were probably evenly matched.
- 122 The wardship of the lands of Houston and Letham were granted out on 4 and 10 Sep. respectively - RSS i nos. 3488, 3502.
- 123 Pitscottie specifically stated that Hamilton of Finnart murdered Lennox after he had surrendered to Hamilton of Pardowan - Historie i 319. Buchanan stated that the Hamiltons used their victory cruelly, especially Finnart, without accusing him of the murder of Lennox - History ii 235. Drummond of Hawthornden accused Finnart of killing Lennox "unnaturally", and, "in cold blood" - History 191-2. For a discussion of the prejudices of these writers see below chapter 14.
- 124 Fraser, Lennox ii 236-40. Agreement between Matthew, Earl of Lennox and James, Earl of Arran and their friends concerning the slaughter of John, Earl of Lennox 13 Feb. 1531.
- 125 Pitcairn, Trials i 227*-229*, 16 Aug. 1540.
- 126 Buchanan, History ii 234. Lesley is less explicit but has the same story, History 136: "... George Douglas callit his horse verray schortlie and causit him ryde, and gaif him mony injurious words quhilk wes remembrit eftirwart..."

CHAPTER THIRTEEN

"Than durst no man com neirhand the king
Bot the surname of the dochtie Douglas
quhilk so royallie in this regioundid ring..."¹

4 September 1526 - 14 December 1528

1. The Douglas Domination

Archibald, 6th Earl of Angus, maintained his dominance over the Scottish government for twenty-one months after the failure of the rebellion by John, Earl of Lennox and his allies at Linlithgow on 4 September 1526. This dominance did not take the form of a close physical restraint of the King, who was moved around the country on several occasions, showing the royal standard in the Borders,² and at justice ayres in Cupar, Perth and Dundee.³ Instead, Angus based his dominance on control, principally within his own family, of offices of state and patronage. Angus or his allies were always present on the daily Council - exercising control over the apparatus of government. This was a similar pattern to earlier faction-dominated governments in the minorities of James II and James III.

Angus may have been faced with limited options in November 1525 concerning his survival in politics,⁴ but the commitment which he made at that time was carried through to its logical conclusions in the period after Lennox's death. The later charges which James V used to justify his actions against Angus when he was free, are an exposition of the traditional aims of factional governments in the minority of Scottish Kings. Angus had used the appropriation of offices of state, particularly the promotion of his uncle, Archibald Douglas of Kilspindie, as Treasurer, solely to his benefit without regard for the good of the realm. He had applied all casualties to his singular profit and advancement. He had used the guise of raids against thieves and broken men in the Borders to harry those lieges who would not give him bonds of manrent; as a result, justice was not exercised properly.

The poor/

The poor reception of certain Amabssadors from foreign Courts adversely affected Scotland's international relations.⁵ This personal condemnation of factional government by James V formed no part of the charges laid against Angus in the summons for treason which was eventually debated by parliament in September 1528.⁶ The King was then concerned to secure the conviction of Angus with the minimum of irritation. A discussion of the detail of his actual exercise of government could only have provoked uncomfortable thoughts in the minds of those who had so quickly transferred their allegiance from an unquestioning acceptance of Angus's control to support for James V.

There is no doubt that Angus maintained a control of the major offices of state which was highly visible and which had culminated in his own appointment as Chancellor in August 1527.⁷ The recognition that Angus himself was so dominant that only he could fill this premier position came, however, rather late in his programme of government and may suggest that the Douglasses already had cause for disquiet at that stage. Until then, Angus had fulfilled no more official rôle in government than having been one of the Regents appointed to govern in July 1525,⁸ and he had occupied the important office of Warden of the East and Middle Marches.⁹ Significantly, twenty out of thirty-four Lords who attended Angus's investiture as Chancellor in August 1527, were also present at the parliament which forfeited him thirteen months later. Those who did not attend on both occasions were mostly his family or wards, or officials who did not usually appear in parliament. They certainly did not form the nucleus of a pro-Douglas party.¹⁰

This failure to win the hearts of the Lords of the Scottish political community explains the relative ease with which James V assumed free government, although Douglas support did not crumble completely at once. Failure to/

Failure to broaden the base of his administration, while retaining an extremely visible concentration of the most important patronage in the hands of his own family and closest allies, severely weakened the general willingness to prop up Angus's régime, particularly when he lost the ultimate sanction for his government - control of the King. This failure prompts the question of how Angus intended to perpetuate his power through James V's early adulthood. His government may have begun as an ambitious play for power before being forced by political circumstance into control of the King as the only potentially successful base for power. Once he had overcome the challenges of the opposition, however, Angus retained an ambition to govern 'royally' or, in the words of James V's later charge, "... be sa stark of power yat we suld nocht be habil to regne as his Prince, or haif dominatioun aboun him or our lieges..."¹¹ Angus sought to perpetuate his control on the basis of making himself an indispensable plank of an indispensable policy for James V and Scotland - peace with England. Angus exploited the happy circumstance of the renewal of peace between England and France¹² which maintained the impotence of any pro-French party in Scotland. He pursued the advice which Magnus had given to him after the defeat of Lennox to train James V to a love for the policies which Angus and Arran represented.¹³ Unfortunately, Angus was unable to keep up with the complex progress of international relations and believed himself to be so necessary to the stability of Anglo-Scottish relations that the English would risk war with Scotland to maintain his power. By 1528, however, Henry VIII's concern for general peace meant that he was willing to countenance almost any peace terms which James V could propose.¹⁴ The very fact that a pro-French party was so impotent in Scotland meant that James V's escape in 1528 could in no way be construed as an Albany-inspired plot to bring about his restoration as Governor and return to Scotland - a scenario which would previously have been guaranteed/

been guaranteed to bring an instantly favourable response from Henry VIII and Wolsey.¹⁵ The vehemence expressed by the régime which followed Angus's fall against Albany's return proves that this was not just diplomatic guile.¹⁶

It is unlikely that the memory of earlier minorities, those of James II and James III in particular, when families who dominated the administrations of those years, failed to prevent their complete overthrow when the Kings grew up, formed a major influence on the consciousness of either the Douglasses or the King.¹⁷ The signal failure of the Douglasses to secure their long-term future co-existing with the adult James V, calls into question the wisdom of the policies which they pursued when secure in government. Following on from the success with which Angus forced his way to the top in 1524-6 and maintained that position against the challenges of 1526, this lack of wisdom suggests that Angus had excellent ideas to preserve short-term success but that his long-term strategy for maintaining power was poorly-conceived. An examination of the practical effects of Angus's policies on justice, peace, both internally and internationally, and royal finances reveals the fundamental flaws in the coherence of that long-term strategy. Ultimately his rule became dispensable when enough people could perceive that their futures would be better placed under the King than under Angus when the two were no longer compatible. James V was able to offer the prospect of a broad-based government (no repeat of the bond to a single Lord like Lennox¹⁸ seems to have been contemplated) to replace the small, partial Douglas Council. This mutual rapprochement between a King anxious to be free of tutelage, and a large number of Lords anxious to exercise greater influence over the government with commensurate rewards was only allowed to happen because of Angus's failure. The subsequent obsession of James V with the Douglasses had little to do with irrational fear of their return to dominate him, but a lot to do with the need to/

need to dissociate himself from their failed policies. In foreign relations, Angus had accurately calculated that co-operation with England was a necessity, and the Treaty of Berwick of December 1528 confirmed the peace for a further three years between James V and Henry VIII, despite the potential provocation of English harbouring of Angus and his forfeited friends.¹⁹ Angus only miscalculated in believing that he was essential to that policy of co-operation.

Angus made determined efforts throughout his period of dominance to secure support for his continued exercise of power. These efforts were handicapped by a probably conscious decision not to make grants of offices of state or in the royal household to people outside his own family and closest associates. Angus left the Chancellorship vacant for over a year after Beaton's suspension in June 1526 before taking up that office himself. His uncle, Archibald Douglas of Kilspindie, was appointed Treasurer and perhaps also exercised the functions of Keeper of the Privy Seal;²⁰ his brother, George Douglas of Pittendreich, was the King's carver;²¹ James Douglas of Drumlanrig was master of the wine cellar;²² and James Douglas of Parkhead was master of the larder.²³ The close co-operation of the Douglasses and Hamiltons after their reconciliation in 1526 led to the appointments of Sir James Hamilton of Finnart as master of the stable,²⁴ and William Hamilton of McNariston as deputy master of the household.²⁵ Other families had other reasons to be close to the Douglasses - the Kerrs were rivals of the Scotts and Andrew Kerr of Cessford had died in July 1526 fighting on Angus's behalf.²⁶ His son and heir, Walter Kerr, was appointed master coppar.²⁷ The Crichtons were connected by marriage to the Kerrs and had served loyally as Keepers of Edinburgh Castle for several years;²⁸ Sir Peter Crichton of Naughton was Master of the Wardrobe.²⁹

This pattern of patronage being exercised to the benefit of a relatively narrow/

relatively narrow minority of the Scottish political community is reinforced by grants made throughout the period from the casualty. Overall wardship of the lands of the Earl of Lennox and the marriage of the heir, Matthew, 4th Earl, was granted to Angus himself and Arran, jointly.³⁰ This lucrative grant was later transferred to Sir James Hamilton of Finnart to share with his father, Arran,³¹ and subsequently Avandale obtained Finnart's half.³² Finnart also recorded an agreement with Avandale promising to induce his father, Arran, to resign his half of Lennox's wardship in Avandale's favour so that he would then have complete control.³³ Privy Seal confirmation of this resignation having taken place is recorded less than a month later.³⁴ Avandale further benefited by being named Sheriff of Dumbarton - an office which Lennox had formerly occupied.³⁵ The favour shown to Avandale is surprising given the closeness of Angus's estranged wife, Queen Margaret to Avandale's brother, Henry Stewart, but it may reflect the necessity of obtaining the support of a local Lord to maintain peace on the former Lennox lands.

More than a dozen other grants were made of ward, nonentry and relief on individual lands of the Lennox patrimony, notably in the barony of Tarbolton in Ayrshire.³⁶ Among the beneficiaries of these grants were Sir James Hamilton of Finnart; William Hamilton of McNariston; George Douglas, Angus's brother; Cuthbert, Earl of Glencairn, Angus's uncle; John, Lord Erskine and Sir William Stirling of Glorat. The efficacy of these grants can be questioned, however. The grant of Lennox's wardship to Arran did not mean the automatic transference of the loyalty of the Lennox affinity either to Arran personally or to Angus's government in general. By 22 May 1527, just a month before he gave up overall control to Avandale, Arran had to obtain from the Council registration of letters granted to him to force tenants of lands in Lennox's wardship to pay their dues, because all previous attempts/

previous attempts to obtain satisfaction had failed.³⁷ Despite being a local Lord, Avandale had no more success in this matter. On 2 September 1527, he too obtained Council backing for his suit to be answered of the profits of Lennox's wardship. Sir John Colquhoun of Luss and others had not paid their dues which the Council agreed rightfully belonged to Avandale.³⁸ The grants from the barony of Tarbolton provoked a protracted dispute over whether or not they actually pertained to Isobel Stewart, the widowed Countess of Lennox as part of her conjunct fee. Her case against Angus, Arran and the others was hampered by her inability to secure the services of an impartial advocate. She claimed that the one provided for her by the Council was unacceptable because he had already given counsel in the disputes, against her.³⁹

This inability to make grants secure in the knowledge that the Council's sanction was effective points to a general failing of the Angus régime. People in the localities were allowed to let their disaffection simmer without effective redress being given either to win the support of the tenants or confirm the power of the grantees. This helped to store up resentment, which burst out when the King was free.

Grants from Lennox's wardship were accompanied by the granting of respites and remissions to lesser men involved in Lennox's conspiracy of 1526. The restraint shown towards almost all of these conspirators, most notably to Sir Walter Scott of Buccleuch⁴⁰ and Sir John Stirling of Keir,⁴¹ was commendable in the aspiration which it showed to unite the country behind Angus. In Buccleuch's case, in particular, Angus had every reason to pursue Buccleuch with the utmost vigour since he was responsible for Kerr of Cessford's death. The support which Buccleuch later showed for James V in 1528 demonstrated that his gratitude was felt towards the King rather than Angus. Another example of the limited success with which Angus pursued a policy of/

policy of reconciliation is that of Robert Stewart of Minto. Minto lost the office of Chief Marshal of the King's Household because of his association with the rebels.⁴² Nevertheless, he received a respite⁴³ and, by October 1527, was serving as Provost of Glasgow. The bond which he executed at that time to Arran was unusually limited in time scale - only to endure for Minto's term as Provost.⁴⁴ This marks a link between a known royal sympathiser, who was to be restored to his former position as Chief Marshal of the King's Household as early as 6 July 1528,⁴⁵ and Arran, who was to defect from Angus's support as soon as the royal conspiracy was revealed. Respites for involvement in Lennox's conspiracy continued to be given down to November 1527.⁴⁶

The most lucrative grants from those who suffered for their support of Lennox were reserved for Angus's closest allies. His brother, George Douglas of Pittendreich, enjoyed the lands forfeited from Sir John Stirling of Keir until his restoration.⁴⁷ Arran and his son, Finnart, were given control of the ransom of Gilbert, Earl of Cassillis, against whom charges of treason were dropped by the November 1526 parliament.⁴⁸ Avandale obtained ultimate control of Lennox's wardship,⁴⁹ and Angus himself intended to enjoy the profits of the forfeiture of Patrick, Lord Lindsay of Byres, or to turn them over to his uncle, Archibald Douglas of Kilspindie.⁵⁰ James Douglas of Drumlanrig benefited from the surrender of Ninian Crichton of Bellibocht.⁵¹ This same group benefited from the need of Archbishop Beaton to buy himself out of trouble for the support he had given to Lennox. Payments of 2000 merks to Angus and 1000 merks each to George Douglas, Archibald Douglas of Kilspindie and Sir James Hamilton of Finnart, were accompanied by the surrender of Kilwinning Abbey to Arran, who appointed Alexander Hamilton as Abbot on 2 February 1527.⁵²

For a brief period at the end of 1526 and in early 1527, it seemed possible that/

possible that Angus's necessary pursuit of reconciliation could undermine his supremacy because of a misplaced trust in the reliability of Beaton and Queen Margaret. The English spy who reported to Sir Christopher Dacre about the distribution of patronage added that Beaton refused to return to the Court until changes were made to the composition of the government. These changes seemed likely to be brought about by the return of Queen Margaret to Court on 20 November 1526.⁵³ The King made no attempt to disguise his filial affection for his mother, who could deliver him from Angus's captivity, a path which the English spy believed that James V planned because he "... loved not Angus nor Arran..."

Margareth had to pay a price for her return to favour, granting away her lands of Cockburnspath in tack to George Douglas,⁵⁴ and handing over her control of the wardship of the Earl of Huntly and the rights to his marriage to Angus.⁵⁵ This price was not considered to be enough by Angus's brothers, George and William, Abbot of Holyrood, who thought Margaret too dangerous at any price. In contrast, Angus and his uncle, Archibald, the Treasurer, were reported to be satisfied that the rewards to them, for her return to favour, outweighed the potential damage which she could cause.⁵⁶ By January 1527, the former Lords (George and William Douglas) seemed to have been justified because the King's envoy, Patrick Sinclair, reported that James V was "much counselled" by his mother who had persuaded him to give royal assent to the return of Beaton to Court (who presumably would now wish to return). Sinclair believed that a change was likely as their combined influence (King, Queen and Archbishop) could outweigh Angus and his supporters.⁵⁷ Despite Queen Margaret's renewed control of Stirling Castle,⁵⁸ and her closeness to potential rebels, the timing was not right for an assault on Angus's power because important Lords such as Arran, Moray and Eglinton could not be assured against Angus, whose military success at Linlithgow/

Linlithgow in the previous September deterred a renewed reliance on battle to free the King. On 26 March 1527, Magnus reported to Wolsey that the Queen had retired to Stirling to meet with Beaton and both had left Court, resigning "the whole rule" to Angus by default. Angus's refusal to allow Margaret's request to have her lover, Henry Stewart, return to Court, was believed to be too much for her to bear. This rather melodramatic explanation probably conceals a showdown between Angus and Margaret which her supporters had been unable to answer.⁵⁹

The Queen had been, however, temporarily very close to the government, receiving payments at the King's command for her household expenses.⁶⁰ The principal hope for her future was the divorce from Angus which would also please the King since it would end the unpleasant situation of having Angus as his stepfather and as Henry VIII's brother-in-law. The divorce which Albany had striven for on Margaret's behalf was pronounced on 11 March 1527,⁶¹ but word of its conclusion did not reach Scotland until near the end of the year because of the chaotic situation at Rome in 1527.⁶² The attested copy of the sentence of divorce was not received in Scotland until 2 April 1528.⁶³ Although the Queen was still with the King in early February 1527,⁶⁴ she was reported to have left Court on 26 March⁶⁵ and on the same day her rights were attacked by the Council. The Lords ordered that in a case of alleged wrongful occupation of the Queen's lands, one of the defendants was innocent because he had Angus's tack of those lands. By this action, the Lords supported one of Angus's long-term contentions that as the Queen's husband, he had the right to enjoy her conjunct fee lands as if they were his own. Since the divorce was not yet known in Scotland, the Queen had no redress against the Council's decision.⁶⁶

The attempts which Angus made at reconciliation were all concerned with the periphery of power. The choice which faced him was whether to push that reconciliation further/

reconciliation further to broaden the base of his administration by delegating power more widely, or to attempt to dominate the government through a narrow cabal of supporters fully committed to his cause. The former was the way to propagate Angus's control beyond the end of the minority, but he did not see this, being blinded by the high risk that a renewed royal conspiracy would end his political career completely. Angus was in an insoluble dilemma since his appeal could not broaden while he could not inspire trust and since he had none himself in any dilution of his control, there could be no give and take. In these circumstances the programme of government which Angus now pursued was dangerously inept. He proved himself incapable of providing the answers to the fundamental problems of the Scottish government - the need to be seen to be providing justice, the need to cope with the excessive demands on financial resources and even in his strongest hand, Anglo-Scottish relations - which would have been his only hope of solving the dilemma of raising and maintaining support for his government.

The financial crisis under which the government laboured is amply demonstrated by the superexpenditure of the Treasurer, Archibald Douglas of Kilspindie, in his account for October 1526 - August 1527. This amounted to a debt of more than £3,500.⁶⁷ The Three Estates had already deliberated over the question of whether or not to ~~reestablish~~ a Staple port through which all Scottish goods exported to the Continent had to pass.⁶⁸ Sums of money had already been received in Scotland from the burgesses of Middelburg,⁶⁹ the intended Staple port, and from the Lord of Veere,⁷⁰ in attempts to persuade the Scots to make a firm contract. Angus was aware by November 1526 that the opportunity existed to strike a more lucrative deal with the Scottish burgesses if it was agreed that there would be no Staple. Thus a tax on the burghs to prevent the setting of the Staple brought in almost £2,000/

£2,000 to the Comptroller,⁷¹ who had faced similar financial difficulties as the Treasurer. This tax brought in much-needed income to help him cope with the fact that the total income to the Comptroller barely offset the royal expenditure and the paying off of outstanding debts before payments of pensions and fees had been made. In 1527-28, total income did not even offset these two principal outgoings because of outstanding debts of over £1000 from August 1527.⁷²

The arguments used in November 1526 to declare that no Staple was to be secured, reflect only the calculation by Angus that, for the moment, the potential income from the burgesses of Middelburg could not match the actual income from a tax on the Scottish burghs. As a result, the contract with Middelburg was annulled because it was declared to have been given without the authority of the Three Estates, having been a plan agreed by the Duke of Albany before his final departure.⁷³ The contract, it was stated, detracted from the King's dignity by subjecting Scotsmen to the Emperor's jurisdiction; escheated goods would have had to have been pursued in Imperial Courts while the use of a Staple adversely affected ships driven ashore elsewhere by storms. Finally, the Three Estates added the all-encompassing but extremely vague rider that the setting of a Staple "offended against the common weal". Scottish burgesses had paid dearly to free their ships to trade where they pleased.⁷⁴

Specific abuses of the financial system by Angus's government took the form of the grant of pensions or exemptions from custom dues which prevented the collection of full income due to the Comptroller to pay for royal expenses. In 1527 the income from burgh customs amounted to £2,500 approximately out of an expected income of nearer £4000. Edinburgh paid only about two-thirds of anticipated income to the Comptroller, while others such as Dundee, Perth and Montrose paid about a half, and Aberdeen only about a third./

about a third. The rest of the income due to the Comptroller was granted away in pensions and exemptions from burgh customs to the benefit of Angus's close allies.⁷⁵ In the accounts of bailies of burghs, only four towns rendered the total income due and less than 30% was paid over in total.⁷⁶ In addition, the records reveal inexplicable payments such as the money received by the Treasurer from the burgesses of Middelburg which was handed over to the King's familiar, Henry Kemp - such gifts apparently intended as rewards for loyal service to Angus seriously detracted from royal income.⁷⁷

The government did make several attempts to reform this situation. In July 1527 the Comptroller threatened to resign at Lammas (1 Aug.) unless the Council took action to alleviate the imbalance between royal income and expenditure. This produced a decision by King and Council to revoke all pensions and fees from casualty and all letters of free customs recently granted.⁷⁸ This decision was repeated in the ordinances passed by the Council which attended Angus's investiture as Chancellor in August. The King promised that in future, no manner of gift nor disposition of royal property or casualty was to be accepted without the consent of the King, Comptroller and the Commissioners appointed to investigate the best way to raise royal income.⁷⁹ The seriousness of the situation was emphasised by the order of 19 August to produce all letters of pension and fee for examination to determine their validity on pain of their being declared null and void. At the same time, however, the confirmation that the Comptroller's right to free customs was to continue, indicated that the attempt to improve the financial situation was not going to be undertaken with sufficient vigour to affect the most politically sensitive beneficiaries.⁸⁰ In fact, the Council only registered one case where the auditors of exchequer refused to accept letters of pension and livery (that of Master William Stewart), on 27 August,⁸¹ and the renewal of measures intended to/

intended to curb the granting of pensions to the detriment of royal revenue in April 1528 gives an indication that the first campaign had a limited impact.⁸² Also in April 1528, Henry Wemyss, Bishop of Galloway; Alexander Myln, Abbot of Cambuskenneth and John, Lord Erskine, who were all closely associated with Angus's government already, were appointed as special compositors to work with the Treasurer in selling the royal casualty for the highest profit.⁸³ The financial situation in September 1528 after Angus's fall was still giving cause for concern⁸⁴ and the implication of all of these measures is that Angus singularly failed to stabilise one major area of government which needed an active and successful policy.

The second major area of concern for the Scottish political community was to have a government firmly committed to the visibly impartial dispensing of justice. The laudable decision of the Three Estates to provide for justice by sending out justice ayres on a northern circuit, intended to be followed by the southern circuit, was undermined by the extent of the granting of remissions for serious crimes, including murder. It was acceptable for governments to deal with rebellions with moderation and Angus had no shortage of previous activity in the minority which could be construed as needing to be respited, and this was one method of raising finance and securing support.⁸⁵ This needed to be balanced, however, by the taking of a hard line in terms of serious crimes which did not necessarily have an overtly political motive - principally murder. Angus's government, however, did not make every effort to be seen to be taking such a hard line.⁸⁶

In particular, the failure of the government to pursue Hugh Campbell of Loudon, Sheriff of Ayr, for the murder of Gilbert, 2nd Earl of Cassillis at Prestwick in August 1527,⁸⁷ illustrated the extent to which Angus's government again succumbed to the failing of being seen to be partial in providing justice. The subsequent closeness of Hugh Campbell of Loudon to the King,⁸⁸ adds another/

adds another dimension to this case and suggests a greater possibility on James V's part to influence the government than might at first appear. Cassillis had been employed regularly as an Ambassador to England, especially in 1524-25,⁸⁹ and could be regarded as favourable to the policy of close co-operation with England for which Angus stood. Despite the question marks raised by the alleged involvement of Cassillis in Lennox's conspiracy in 1526,⁹⁰ he had sunk his differences with Angus to become a very regular attender on the daily Council.⁹¹ His dispute with Campbell of Loudon concerned a local quarrel over the lands of Turnberry in Ayrshire, of which Cassillis claimed to have assedation. The letters proving this were unacceptable to the Council because they dated from the period of Margaret's authority in November 1524.⁹² The Council took a long time to reach a judgement and eventually offered a compromise which Cassillis refused to accept. Council favour for Campbell of Loudon ended in August 1527, however, when he failed to appear before the Council to pursue claims against Cassillis.⁹³ The Earl's obstructiveness evidently called for more drastic measures from the frustrated Campbell of Loudon and shortly afterwards, Cassillis was murdered. The grant of the wardship of Cassillis was made to Angus's uncle, Archibald Douglas of Kilspindie and his wife, Isobel Hopper, on 31 August.⁹⁴ Thus Angus intended to exploit the murder to the benefit of his kin although there is no suggestion that he instigated it.

Subsequent proceedings against Hugh Campbell of Loudon were completely ineffective. He was declared a rebel and put to the horn on 6 October 1527 and a host was summoned for the end of that month to pursue him.⁹⁵ Nothing was done, however, and the commissioning of James Hamilton of Finnart to meet Loudon and his accomplices⁹⁶ on the King's behalf to enter into negotiations for justice to be done brought active proceedings against him to an end.⁹⁷ /

to an end.⁹⁷ Loudon was still not outlawed on 12 December, though a final attempt was ordered on 10 January 1528, when the men of Kyle, Carrick and Cunningham were directed to co-operate in bringing Loudon and other rebels to justice.⁹⁸ The remissions to Loudon and his accomplices followed on 1 July 1528, shortly after the King was free to act of his own accord.⁹⁹

The failing of Angus's government to be ready to take steps against prominent members of the political community who were known murderers is clear from other examples also. The informant who told Sir Christopher Dacre about events in Scotland which took place up to November 1526 added that John Gordon of Lochinvar went freely about the Court in contempt of all justice, since it was notoriously known that he was responsible for the murder of Gilbert McLellan of Bombie.¹⁰⁰ Any connection with the Douglasses was a valuable asset during Angus's supremacy and later reports suggested that Lochinvar's accomplice in the murder had been James Douglas of Drumlanrig.¹⁰¹

Despite the carrying out of Parliament's order to set up justice ayres in January-February 1527, in practice the records reveal that the intention of providing impartial justice was subverted by the granting of remissions on a grand scale in order to bring in much-needed revenue. More than £1000 was paid to the Treasurer for remissions granted at these ayres, though this income was subject to deductions for Eglinton's fee as Justice-General for continually remaining at the ayres from 4 January - 23 February; for the Bishop of Galloway's fee as Compositor, and for the costs of entertaining the King during his visit to the ayres.¹⁰²

As with the precarious financial situation, so with regard to the need to be seen to be giving impartial justice, the Council did not hesitate to express the desire for improvement. The King used fine words to theorise about the position of justice: "...that justice, and administration thereof,/"

thereof, is the principal upholder and sustentation of his grace's realm and lieges, without which they may no way stand long in good state..."¹⁰³ Perhaps he was anticipating a general uprising against Angus's incompetence in government - certainly the practice did not meet the necessary standard of impartiality for justice to be seen to be done.

Efforts were made to keep the Council chamber clear of extraneous influences: only judges, the parties involved and their advocates were now to be allowed to attend. This suggests that 'packing' the Court with supporters to intimidate opponents had been an acceptable occurrence.¹⁰⁴ The King also promised to stop giving letters to impede justice but this basic problem of the use of royal influence certainly continued, showing the gap between fine theories and their practical implementation.¹⁰⁵ There were even more severe restrictions placed on the people who could attend at the hearing of cases before the Council. Now each party was to be allowed a maximum of two advocates who would be allowed time to argue their case and would then have to leave the Court so that the judges could freely speak their minds. Apart from them, a maximum of eight or nine people were allowed to be present, together with the macers, and they were to be sworn not to reveal any of the discussions to either party. Despite a renewed realisation that the number of cases to be heard would outrun the available time during the Session, and that the remaining cases should be continued to 'expedient times', nevertheless royal actions, those involving foreigners and those involving recent thefts and retreat of letters, were all exempted. This retaining of privileged actions gave renewed scope to Angus to interfere in the progress of justice.¹⁰⁶

Cases of royal interference in justice which benefited known favourites certainly continued. This is clear not only from the case of the claims to the barony of Tarbolton disputed between the Countess of Lennox on the one hand/

the one hand and Arran and Hamilton of Finnart on the other,¹⁰⁷ but also from another case of January 1528. Letters formerly granted by James IV to William McLellan of Bombie to sell the lands of Middlechord in the Stewartry of Kirkcudbright without incurring any potential process of forfeiture or recognition, were set aside by the Council on 8 January 1528 in order to benefit William Hamilton of McNariston, recipient of a gift of the nonentries of the said lands for 20 years (because the sale was now regarded as illegal).¹⁰⁸ An earlier case had shown the limits of this judicial and financial chicanery. Gilbert, Earl of Cassillis, was summoned before the Lords of Council with other men who had served on an assize which had found Thomas Corrie of Kelwood to be heir to the lands of Knockquhan, Kyle, Ayrshire,¹⁰⁹ when the true heir was later proved to be Alexander Cunningham of Laglan.¹¹⁰ Cassillis and Corrie of Kelwood faced the prospect of having their goods escheated, which was the usual penalty for the wilful serving of an erroneous brief. On 20 December 1526, they alleged, however, that the case against them should not proceed to this extremity because they had been specially named in a respite granted to Arran and covering all crimes, dated 18 June 1526.¹¹¹ This was unacceptable to the Council but Cassillis did not suffer because two days later he was granted his own escheat. The catch in this was that Cassillis had to pay a composition of £80 to the Treasurer for this¹¹² - an example of how the government could offend potential allies because of the severe financial straits in which it was placed.

The third strand to the policy which Angus represented was his foreign policy - principally Scotland's relationship with England. Angus depended on the continued goodwill of England to maintain his position of supremacy into James V's adulthood. Throughout the period after Angus's escape from French exile in 1524, he had enjoyed consistent English support.¹¹³ This had led to the conclusion of the three-year peace between England and Scotland in October 1525/

in October 1525 and its ratification in January 1526.¹¹⁴ Angus had been able to rely at that stage on the belief which Wolsey and Henry VIII entertained that the only hope for stability in Scotland which did not involve hostility to England lay with the perpetuation of Angus's power. This explains the fulsome rejoicing of Henry VIII at the news of Lennox's defeat.¹¹⁵ Angus was unable to capitalise on this position after 1526, however, both because of his own failings and because of the international aspect of England's relations with the Continent.

Every one of the governments of James V's minority had referred to a desire to bring good rule to the Borders, but the successive repetition of this aim indicates the equal lack of success which each government had been able to bring to the problem. Angus's government was no exception and in June 1527, Maxwell and Angus were made responsible for the safety of the inhabitants within the bounds of their wardenries and for ensuring that thieves and murderers were brought to justice.¹¹⁶ The Council had already expressed support for Angus's continued exercise of the office of Warden of the East and Middle Marches by overriding the Queen's tacks to Walter Scott of Buccleuch of Newark Castle in Ettrick Forest and approving its delivery to Angus. Primarily they stated it was necessary to help in the restoration of good order in the Borders, though incidentally it further confirmed the Council's backing for Angus's right to the disposal of the Queen's conjunct fee as her husband.¹¹⁷ As late as 27 May 1528 the Council had expressed such concern for the need to deal with the rebels of Liddesdale that Patrick, Earl of Bothwell, was advised to release his tenants in Liddesdale from his obligation to protect them because their crimes had put them beyond his protection.¹¹⁸

The Armstrongs of Liddesdale were the most notorious family on the Scottish side of the border and when they combined with the English rebels - Sir William/

Sir William Lisle and his son, Humphrey, and their followers in July 1527, the embarrassment to the government of both England and Scotland was severe.¹¹⁹ Angus was incapable of satisfying English demands that the Lisles and their adherents be arrested. This caused a growing disenchantment among the English Wardens of the Marches who had already experienced his repeated failures to come to the Borders and execute days of truce.¹²⁰ The English even accused Angus of giving aid to the Lisle rebels but the probability is stronger that Angus was unable to prevent the Armstrongs being aided by Lord Maxwell. This visible lack of control on the Borders prompted Angus to risk alienating Maxwell by supporting his rival, John Johnstone of that ilk.¹²¹ The Johnstones were denounced rebels on 14 October 1527 for the murder of Simon Armstrong but no efforts are recorded to apprehend them.¹²² In the parliamentary charges laid against Angus in September 1528, the accusation was specifically made that Angus had helped Johnstone in treasonable attacks on the lands and Lordships of Annandale because Johnstone was bound in service to him. The defence alleged that both sides in the Johnstone-Maxwell feud were equally guilty of crimes which is almost certainly true.¹²³ The point to be drawn from this, however, is that Angus's government failed to prevent such feuds affecting governmental policy or to provide an impartial forum for the resolution of feuds.

Angus attempted to excuse these failings to Henry VIII's illegitimate son, Henry Fitzroy, Duke of Richmond, who had been appointed Lord Warden of the Marches and nominal head of the Council of the North in 1525 (he was aged only 6 at the time).¹²⁴ Angus claimed that the rebels did not remain on Scottish soil but instead always retired to the Debateable land where neither country had firm jurisdiction,¹²⁵ but the English deputy warden, Sir William Evers, suggested that this was a deliberate lie.¹²⁶ This incident, coming after two expeditions by Angus to put good rule in the Borders, calls into question/

into question the effectiveness of those raids. In March-April 1527, several of the alleged thieves of Liddesdale were hanged and others, taken as pledges, were later executed. In June 1527 an impressive muster was summoned from eastern Scotland but the practical achievements of the raid were negligible.¹²⁷ The Lisles were able to carry on a successful campaign of raiding for six months from July 1527 until the demoralisation of their band by personal losses in January 1528.¹²⁸ The capture and execution of Nicholas Lisle confirmed in English minds that Angus's government was far less effective in this important area of their relationship, than they expected. Before his death, Nicholas Lisle was stated to have confessed that the rebels were maintained throughout their campaign of action by Maxwell, Angus and Bothwell, the Scottish wardens.¹²⁹ Despite the lack of record, the ending of the Lisles' campaign may have had something to do with a loss of support in Scotland as James V later claimed.¹³⁰

The Lisles' campaign strained relationships between Angus and his government on the one hand and the English border commanders under the Earl of Northumberland on the other.¹³¹ *Magnus expressed the feelings of the latter when he was asked to take a leading rôle in working for Angus's reconciliation to the English in 1528. He stated that, "... it would be a pity to alienate the King of Scots for the sake of Angus..."* and that very few of the English Borderers volunteered to go to aid Angus, the rest only being willing if they were specially commanded to aid him. No answer was possible when the Scots taunted the English commanders asking, "... what redress [the English] ever obtained from Angus these 3 years..." He concluded that, "... the English borderers do not praise [Angus's] administration..."¹³² The strain did not affect Angus's popularity with Henry VIII and Wolsey, who were concerned about renewed rumours of Albany's return to Scotland. Alternative Scottish governments were, almost uniformly, anathema/

uniformly, anathema to the English King and Wolsey since no-one else embodied the spirit of close Anglo-Scottish co-operation so visibly as Angus.

Despite the secret clause in the Treaty of the More of August 1525, committing the French to the prevention of Albany's return to Scotland,¹³³ the Duke had retained an interest in the country of which he still claimed to be nominally Governor.¹³⁴ He complained to Francis I in the autumn of 1526 about the actions of Angus in bringing about the death of the Earl of Lennox,¹³⁵ and later proposals to return to Scotland were probably encouraged by Robert Stewart, Seigneur d'Aubigny, who was Lennox's uncle and the current representative of a long line of Stewarts of Darnley who had found favour and high position at the French Court.¹³⁶ Albany's involvement in helping to secure Queen Margaret's divorce from the Earl of Angus¹³⁷ made his possible return to Scotland even more galling to Angus and his reply to the proposal in January 1528 vehemently denied either a desire or a legitimate excuse for Albany's return.¹³⁸ In this matter the King's own desires matched those of Angus, and the letter which was sent in his name at the same time to Francis I probably expressed truly-felt sentiments.¹³⁹ James V had probably already begun to plan his escape from Angus's power,¹⁴⁰ and the resumption of Albany's regency would have been no more welcome to him than the continued exercise of power by Angus. There was no possibility of an officially-sanctioned return by Albany, anyway, so long as England and France remained allies. The mutual recognition of common interests against the Emperor, Charles V, ensured that this rapprochement continued during the period between the Sack of Rome by Imperialist troops in May 1527 and the general peace concluded at Cambrai two years later.¹⁴¹

Northumberland had hoped to use Scottish fears about the return of Albany to force an advantage over them and make the government more submissive to/

submissive to English intentions.¹⁴² No such stratagem was attempted, however, during the critical period for James V's governmental freedom in June-December 1528 when Angus hoped to be able to resume a leading position in the Scottish government through English aid. The contrast is very marked between the misplaced estimation of his own value shown by Angus, and James V's practical wisdom in maintaining peace with England and disclaiming any intention to renew Albany's governorship. In terms of what the English government expected from their relations with Scotland, a Scottish government headed by the young and still inexperienced King, and maintained by advisers who were not avowedly anti-English, was preferable to one headed by Albany or by other Scots who could seek to exploit anti-English feelings. The opportunity to influence James V weighed more with Henry VIII than the cost of maintaining Angus in power which would have drained English resources of men, money and arms. The potential for isolation from all the Continental powers which such a decision would entail was sufficient to make it unthinkable. Henry VIII temporarily saw a rôle for Angus in providing guerrilla resistance in south-east Scotland, but the lack of vindictiveness displayed by James V at this early stage of his freedom even put that rôle into abeyance when the English King agreed that no problem should imperil the Anglo-Scottish treaty arising from the reception of Angus as an exile in England.¹⁴³

The view that Angus governed without challenge to his rule is basically correct. Important grants of patronage can all be traced to the Douglasses or their closest supporters. People who had given assistance to Angus at a time when it was not politically expedient to do so, received remissions in December 1526. Among these, William Edmonstone of Duntreath received further favour because the Council was curiously slow to press for action when he illegally occupied Queen Margaret's castle of Doune in Perthshire.¹⁴⁴ Angus himself/

Angus himself was appointed Chamberlain of Fife and Keeper of Falkland Castle in September 1526 for a term of seven years. He was later granted the disposal of all benefices until he had been repaid a debt of 1100 merks.¹⁴⁵

These grants confirm a close control by the Douglasses over the outlets for patronage, but there is also evidence that the grants were not effective in converting support to Angus. He did not render any accounts as Chamberlain of Fife (a position held in 1526 and 1527 by Laurence Alexander, according to the Exchequer Rolls), nor did he receive any payments from the mails of Fife for the keepership of Falkland.¹⁴⁶ The tenants of Lennox's lands did not support the Douglasses or Hamiltons who had control of Lennox's wardship. Angus was unable to control feuds which disturbed the peace in certain localities and restricted the extent of royal government - as with the Maxwell-Johnstone feud in the West March.¹⁴⁷ The Council records not only mention the progress of the Cassillis-Campbell of Loudon dispute which resulted in Cassillis's death, but also adds details to those between Eglinton and Glencairn, the Scotts and Kerrs and between Hugh, Lord Somerville and John Somerville of Cambusnethan.

Angus was unable to prevent the escape from justice of Campbell of Loudon and Scott of Buccleuch, both of whom were to be closely identified with the royal conspiracy of 1528. He was unable to offer protection to the Countess of Cassillis from impetrations by other Kennedies of her husband's family, who were probably conscious of her connection, however distant, to Campbell of Loudon.¹⁴⁸ Lord Somerville and John Somerville of Cambusnethan had been in dispute over possession of the barony of Carnwath, and despite a compromise between them, the Council later continued to support Cambusnethan in a perpetuation of the dispute.¹⁴⁹ The most serious trouble in the south was between Eglinton and Glencairn.¹⁵⁰ The Lords gave judgement in favour of Glencairn that he had properly abided by the terms of their 1524 decret arbitral,/

arbitral, while the Montgomeries were responsible for breaking it by the murder of Edward Cunningham of Auchinharvie. They ordered Eglinton to pay £1000 to the Cunninghams for the breach of the Contract.¹⁵¹ The subsequent destruction of Eglinton Castle by the Master of Glencairn was probably a consequence of non-payment of this debt.¹⁵²

These failings on the part of the Angus-dominated government came to light because they were sufficiently serious to be heard by the Council. The triumph of Angus over all other factions did not lead to the exclusion by force or inclination of all nobles or prelates from the daily Council, but its sederunts reflect the basic reliance of the administration on lesser men who carried on government because the law was coming to be recognised as their profession. Altogether about thirty Lords were named to sit continually upon the Session on 13 March 1527, together with prominent outsiders such as James Beaton, Archbishop of St Andrews; Gavin Dunbar, Bishop of Aberdeen; and Colin, Earl of Argyll when they came to Court. In practice, however, the attendance was much smaller, averaging less than fifteen, apart from a burst of enthusiasm in late November and December 1527.¹⁵³ The people who formed the core of administrators were men such as Adam Otterburn, the King's Advocate; Nicholas Crawford of Oxfangs, the Justice Clerk; Archibald Douglas of Kilspindie, Treasurer; Sir William Scott of Balwearie and John Dingwall, Provost of the collegiate church of Holy Trinity, all of whom, with the notable exception of Douglas, were to retain their prominence in legal affairs and served as four of the original fifteen Senators of the College of Justice at its institution in 1532.¹⁵⁴ The traditional rights of all Lords to come to the Council and act as judges had been eroded by successive attempts to define who were to be judges on the Session.¹⁵⁵ In 1526-28, apart from Cassillis, who appeared frequently until his murder, Angus (latterly as Chancellor) and Rothes, the other Earls appointed in 1527/

appointed in 1527 as daily councillors attended less than a dozen times each. In fact, Arran only appeared twice after the Battle of Linlithgow and Gavin Dunbar, Archbishop of Glasgow attended with reasonable frequency until Angus's assumption of the office of Chancellor in August 1527, whereupon he left the government completely.¹⁵⁶ Both Arran and Glasgow were prominent early supporters of James V after his escape from Douglas control.

The smaller numbers attending Council testify to an absence of crisis; the largest attendance was thirty-seven on the day after Angus's assumption of office as Chancellor.¹⁵⁷ New statements were made on long-running themes of importance - receipt of unauthorised writings contravened visible justice and the need to end the dilapidation of royal finances by excessive grants from the casualty, but the absentees contribute to this air of postponed crisis because the Hamiltons, Lords formerly associated with Lennox's conspiracy such as Ross and Semple, Eglinton, Glencairn, the Scotts, the Kerrs, Lord Home and the Earls of Moray and Argyll did not attend. The potential force for a new conspiracy had been motivated by Angus's failings and it only needed the visible leadership of the King to switch it from passive hostility to active conspiracy.

The examination of Angus's control of offices of state, the household, the daily Council and patronage, all points to a domination of the Scottish government by Angus and his family. This is unquestioned, but the extent to which this domination can be called tyranny has formed an important consideration for all writers on the minority of James V. Adam Abell used a neutral phrase, "... [Angus] tuik hail cayr of the king and gidit ye kinrik..."¹⁵⁸ Pitscottie used a more emotive description suggesting despotism: "... And nane at that time durst stryve with ane Douglas nor zeit ane Douglas man...", and later, "... the Earle of Angus and the rest of the Douglassis rulit all as they lykit and no man durst say the contraire..."¹⁵⁹

The modern view/

The modern view expressed by Professor Donaldson is more in tune with Pitscottie than Abell: "... the king was secluded from lords who might have served him, and, constantly under observation was really a prisoner..."¹⁶⁰ Others have suggested that Angus "... ruled by fear of the harm he might do the king..."¹⁶¹

This goes too far in attributing control to Angus which he used cruelly or arbitrarily. Domination is a justifiable word, but not tyranny. Angus could have been expected to use that sort of arbitrary power far more widely than he did if he had really possessed it. In September 1526, after the Battle of Linlithgow, he cannot have anticipated that within two years he would again be an exile from Scotland, this time without prospect of revival of his political career while James V lived. A feared return of Albany (and hence of a pro-French and anti-English party in Scotland) on which Angus concentrated in repeated warnings to the English, and Francis I,¹⁶² replaced in his political calculations the possibility of an alternative pro-English party emerging in Scotland. This blindness stemmed in part from Angus's belief in his own indispensability and in part from the complete destruction of Queen Margaret as a credible alternative. Her marriage to Henry Stewart in April 1528 had been the final confirmation of this in Angus's mind.¹⁶³ Angus failed to understand that he had made as many enemies as friends by the policies he had pursued in Scotland and that many of his apparent friends only supported him on the basis of his continued control of the King. He had failed to maintain good relations with the English Border commanders and clearly over-estimated his own importance in the English world-view.

2. The End of the Minority of James V

There had been sufficient indications in 1526 that the King would not easily accept the yoke of dominance of his government by his stepfather Angus/

Angus for Angus to have realised that another attempt would eventually be made by James V. As the months went by, however, Angus appeared to secure his position by his dominance over the established outlets of patronage. The end of James V's minority proves that this domination did not secure Angus. Any explanation of the exact timing of the new conspiracy relies heavily on the King's own 'ex post facto' declarations.

In a special credence sent by James V to the former English Ambassador to Scotland, Magnus, the King stated that at the previous Easter, he had called Angus and his friends before five or six unnamed members of the King's Council and had then urged them to reform the abuses of the government. The reaction of Angus and his friends was to take fright at such a threat to their continued supremacy and lay preparations to put to death those of the King's closest advisers who most threatened the Douglas position. These deaths were to be disguised by the convocation of the host for a supposed raid on the thieves and outlaws in the Borders. When the King realised Angus's intentions, he withdrew to Stirling for his own safety until a convention could be held at Edinburgh to undertake reform of the government.¹ This explanation is not a convincing account of the known series of events. Even if the King had been capable of contact with a body of five or six councillors favourable to him, how did Angus and his party allow them to depart and then take around two months to make preparations for their murders? The actual mechanics of the King's escape² suggest a much more confused and unpremeditated series of events. The following account is based on the evidence of record sources, not solely on Pitscottie's romantic version.

There is evidence that a raid was intended to take place against the Borders in June 1528, and this raid was cancelled by James V at the time of his earliest known freedom.³ The reference to this being intended as a cover for/

cover for Angus's attack on the King's supporters in the credence of James V suggests that a plausible story had been invented by the King which would demonstrate the moderation and reasonableness of the King and his advisers, giving Angus the opportunity to reform, but because his government was so degenerate, only an attack on the King's party could relieve the pressure on his party. The idea that James V wrote the truth is loaned some plausibility by the fact that a raid was apparently planned very shortly after the failure to achieve anything with a similar attack in March 1528, when local opposition from the Kerrs and Maxwells prevented any successful attack on the Armstrongs.⁴

The King's reference to Easter 1528 is also significant since that was the time of the King's sixteenth birthday.⁵ The planning of his escape was already in motion at that time. The Queen received her divorce absolutely from Angus on 2 April 1528 and within a very short time she married Henry Stewart. It is logical to assume that Angus bore little love for his supplanter and there was no question of Stewarts being allowed to return to the King's service during Angus's control.⁶ The King therefore had leverage over Margaret and Henry Stewart to persuade them to active support for his conspiracy. It is notable that one of the earliest grants made under the Great Seal when the Douglas domination was broken, was the gift of the newly-created Lordship of Methven to Henry Stewart.⁷ In return, Margaret gave the King free use of her castle at Stirling, a strongly defensible castle strategically well-placed for destroying Angus's influence. In a credence from Margaret to which no precise date can be attached, she begged her brother, Henry VIII, to take no offence at the loss of her control of Stirling, part of her conjunct fee, since she gave it up to the King voluntarily. She stated that her son rode in secret from Edinburgh to Stirling with five or six horsemen to be met by the principal opponents of Angus/

Angus - Arran, Eglinton, Moray, Argyll, Avandale, Sinclair, Maxwell and the Sheriff of Ayr. The phrase "... by this forsaid aperance in the countrey it is supposed that ther wolbe a change in the courte of Scotland..." places this credence at the earliest time after the King's escape.⁸

There is little reason to doubt that the King was at Stirling on 9 May 1528 when a Great Seal Charter was witnessed there.⁹ This was an unusual occurrence as only one other charter had been dated at Stirling since Albany's governorship had been terminated and none had been since October 1525.¹⁰ This marked an awakening of royal interest in the possibilities of Stirling but no mention is made as yet of the King's freedom. Angus was almost certainly still with the King during this visit to Stirling.¹¹

The physical removal of the King from the presence of *the Douglases* took place at some point between 27 May, when the King was at Edinburgh and in the Douglas power,¹² and 23 June, on which date James V wrote from Stirling to Henry VIII, declaring that the estates were dissatisfied with the administration of justice by Angus as Chancellor, and that a General Council was summoned to meet on 10 July.¹³ There can be no absolute certainty about the specific date within that period, although the greatest probabilities are 30 May,¹⁴ 13 June¹⁵ and 19 June.¹⁶ The confusion itself points to an unpremeditated action.

The King could rely on a known body of supporters, such as Scott of Buccleuch, Stirling of Keir and Campbell of Loudon, rallying quickly to the royal banner, but the leading nobles would have hedged their chances by waiting to see a royal standard set up before actively engaging in anti-Douglas rhetoric or action. Contrary to the impression given by Pitscottie and Buchanan in their chronicles, it was not a foregone conclusion that the King's raising of his standard immediately resulted in the complete collapse of the Douglas party. The facts that the Council ceased to meet/

ceased to meet on 28 May (until 15 June) and that the privy seal register breaks off on 31 May until 1 July, mean that the breakdown in the machinery of government occurred at that time and the revelation of the royal conspiracy is the most likely explanation for this breakdown. It is unlikely that the summons for treason on Angus dated from as early as 3 June,¹⁷ and even after the proclamation commanding the Douglasses to avoid Stirling and stay at least seven miles from the person of the King on 19 June, their party was not completely disheartened. During the last eight days of June (23-30 June), the Douglasses at Edinburgh were able to raise an army with the intention of seizing the King back from the opposition at Stirling.¹⁸ This had no success, however, and James V, together with his new entourage, returned to Edinburgh on 6 July after the Douglasses had vacated that city.¹⁹ The growing power of the new government is reflected in the meeting on that day of the Exchequer, which confirmed the loss of office in the household of several Douglasses,²⁰ the beginning of grants of office and patronage to men of the new régime,²¹ and the resumption of the daily Council.²²

James V ordered Angus to go to ward north of Spey, and his brother and uncle (George Douglas and Archibald of Kilspindie) to surrender and pass into ward in Edinburgh Castle on 7 July. Their allies were warned not to come within twelve miles of the King.²³ Despite this, the King still required to post watches at the town gates each night to avoid the possibility of an ambush or kidnap attempt by Angus and his friends.²⁴ Angus was given six days to ward himself and on 13 July, James V wrote a justification of his deposition of Angus to be shown to Henry VIII.²⁵ James complained that Angus had returned from exile in France in 1524 at Henry's request and had been restored to high office in Scotland to please the English King. Angus, however, had abused his office, conducting raids against Borderers/

against Borderers simply to induce them to give him bonds of manrent. He now refused to enter ward and James wanted Henry to refuse help to Angus.

These charges were amplified later when the King had more reason to attempt a justification - after Angus's departure into exile in England. This was especially necessary because the parliamentary forfeiture of Angus had not criticised his handling of the government and Angus clearly held the support of Henry VIII. James now complained that Angus had removed the other regents who did not agree with him and then appropriated major offices, without providing either justice or good foreign policy. He held the King in thrall against his will and was able to force him to battle twice (at Melrose and Linlithgow in 1526). In addition, and without producing any proof, James accused his stepfather of having conspired to kill him. The other complaints were either matters of fact or interpretation with at least some justification, but this last suggestion is out of character with the rest. Angus had no claim to the throne himself and the removal of the young James V only to raise Albany or Arran to the throne would have been extreme folly.²⁶

Angus did not enter ward as commanded by the Council and a summons of treason was ordered to be made against him on 13 July, and also against his brother, George, uncle, Archibald of Kilspindie and Alexander Drummond of Carnock, whose relationship to the Douglasses is uncertain.²⁷ This summons was subsequently confused in the parliamentary record and stated as 13 June, not July. This confusion formed the basis of the revocation of the dooms of forfeiture against Angus and his close kin in March 1543, because the charges on which he was convicted at parliament all occurred after 13 June 1528.²⁸

The charges on which Angus was found guilty of treason at parliament on 5 September 1528 form a piece, together with his failure to enter ward, which makes/

which makes clear that Angus was convicted on the basis of James V's need to be rid of him with the minimum of fuss and irritation. Angus had raised an army against the King during the eight days before 1 July and had treasonably attempted to hold the castles of Tantallon and Newark against the King's will. He had assisted John Johnstone of that ilk in illegal attacks on Maxwell lordships in Annandale; he had held the King against his will and treasonably exposed his person to battles.²⁹ There was no mention of Angus's illegal or mismanaged government because James V did not enjoy the same confidence in securing a conviction on those grounds - the net would have been cast too widely and many of his supporters would have been distinctly uncomfortable in looking at their own records during Angus's supremacy. Only the action of direct defiance of royal orders was safe ground for conviction. Angus's procurator had offered a defence. If he had gone to ward, Angus's life would have been endangered. Any force raised by Angus was done so in royal service. The Johnstone-Maxwell feud was so bitter that both sides were equally guilty of crimes and it was not usual to pursue accomplices for a crime and not the principals involved. Any provision made for Tantallon and Newark had also been to do the King service. The King had not been detained against his will since it was notoriously known that he was free to travel about as he pleased with as many or as few in his company. . . . As for their actions at Melrose and Linlithgow in 1526, they had parliamentary acquittances from any possible charges arising from those events. This defence was unacceptable because the King wanted Angus convicted - he was too dangerous to set free in Scotland. Despite this, James could never have secured a sentence of death against Angus on those charges and the best course was for him to be removed for good from Scottish politics - thus the apparent leniency of the King in permitting Angus to go to exile in England.³⁰

An offer of/

An offer of lands worth 100 merks for the capture of Angus, dead or alive, on 7 September, the day after the forfeiture had been pronounced, marked the only attempt made to have Angus apprehended, although the Lyon King at Arms had actually delivered the summons for treason on Angus on 18 July in his personal presence. The reward was never claimed.³¹ James V was willing to acquiesce in Angus's exile because he had secured a stable relationship with England through the Treaty of Berwick. It was only in later years that James V developed that obsession with the Douglasses which led to many grants of remission or respite for aid given to Angus after his fall,³² which brought about the death of Angus's sister, Janet, Lady Glamis in 1537,³³ and which provided the charges against the King's erstwhile favourite, James Hamilton of Finnart, on his fall in 1540.³⁴ This obsession was based on a calculated need to dissociate himself from the misgovernment of Angus and on the leverage which it gave him in his relationship with the magnates.

The people who benefited from Angus's forfeiture were people who had rallied to the King's standard in the immediate period of danger in the summer of 1528.³⁵ The extent of Angus's isolation by the end of his period of control was defined not by claims that he had no support at all, but that the only support he could raise was based on his own tenants and household, people whose fortunes rose and fell with their Lord in any situation.³⁶ Angus failed to broaden the base of his administration and so build up a coalition of Lords with vested interests in his continuance in government. Angus was slow to attempt to regain control of the King in the confusion of the first few weeks of his freedom and that cost him the backing of any realistic support. With every day that passed after July 1528, and even more so after his forfeiture in September, Angus was facing an impossible struggle to regain control. While it was true that James V failed to mobilise his army into taking/

into taking over control of Tantallon Castle, and that Angus was still able to raise forces to harry Lothian in November 1528, the initiative in government had slipped away.³⁷

The departure of Angus and his kin for England in the wake of the signing of the Treaty of Berwick in December 1528, marked the final end of the hopes which he had entertained of being restored to favour in the short-term. His potential return, mentioned in March 1529,³⁸ was not acted upon until after James V's death. The final removal of Angus left James V, at the age of sixteen, free to govern for himself, in his own name, with no more regency councils to impose their will over his.

CHAPTER THIRTEEN NOTES

- 1 Pitscottie, Historie i 413 quoting, with alterations, from Sir David Lindsay's 'The Testament and Complaynt of the Papingo'.
- 2 TA v 320-1; cf L&PHVIII iv pt. ii no. 2964 James V to Henry Fitzroy, Duke of Richmond, 14 Mar. 1527. James apologised for lack of promptness in arranging an expedition to the Borders because of a journey to the north of Scotland.
- 3 TA v 331; L&PHVIII iv pt. ii no. 2964.
- 4 See above 476-7.
- 5 SPHVIII iv pt. iv no. clxxxiv James V's credence by Patrick Sinclair, 13 July 1528 and *ibid.* 547 n.1 James V to Magnus, undated (but dating from after the parliamentary forfeiture of Angus in September 1528).
- 6 APS ii 324-6.
- 7 ADCP 263, 6 Aug. 1527. Beaton had ceased to exercise the office of Chancellor in June 1526 following the parliamentary revocation of all offices on 14 June - APS ii 300-1.
- 8 APS ii 294, 17 July 1525.
- 9 Angus was appointed Warden of East and Middle Marches on 15 March 1525 - ADCP 215-6. He was still in office in August 1527 - TA v 330.
- 10 The twenty Lords who attended both Angus's installation as Chancellor (ADCP 263) and his forfeiture (APS ii 321-2) were: Gavin Dunbar, Archbishop of Glasgow; George Crichton, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen.; Henry Wemyss, Bishop of Galloway; William Chisholm, Bishop of Dunblane; Patrick, Earl of Bothwell; George, Earl of Rothes; William, 4th Earl Marischal; Patrick Hepburn, Prior of St Andrews; David Beaton, Abbot of Arbroath; Andrew Durie, Abbot of Melrose; Malcolm, Lord Fleming; John, Lord Lindsay of Byres; James, Lord Ogilvy of Airlie; Alexander, Lord Saltoun of Abernethy (who died in 1527 and was succeeded by his son, William, Master of Saltoun); Hugh, Lord Somerville; Thomas Erskine of Halton, Secretary; Adam Otterburn; and Nicholas Crawford of Oxfangs. The six Lords who were related to Angus or were his wards, were, besides Angus himself: William Douglas, Abbot of Holyrood; Archibald Douglas of Kilspindie, Treasurer; James, Earl of Morton; John, Lord Hay of Yester and George, Earl of Huntly. The four officials who would not necessarily have attended parliament anyway were: James Hepburn, Dean of Dunkeld; Robert Forman, Dean of Glasgow; James Colville of Ochiltree, Comptroller, and Sir William Scott of Balwearie. See also addendum on page 573 below.
- 11 SPHVIII iv pt. iv 547 n.1 James V to Magnus, undated.
- 12 L&PHVIII iv pt. i no. 1600 - Treaty of the More, 30 Aug. 1525.
- 13 *Ibid.* iv pt. ii no. 2483 Magnus to Wolsey, 13 Sep. 1526.

- 14 Mackie, Earlier Tudors, 317-21; Scarisbrick, Henry VIII ch.8 passim.
- 15 This impression is given by several despatches - e.g. L&PHVIII ii pt. ii no. 4547 [Wolsey to Dacre] Oct. 1518; *ibid.* iii pt. i no. 110 Dacre to Wolsey, 5 Mar. 1519; *ibid.* no. 1091, 10 Dec. 1520; and *ibid.* no. 1190 v Instructions from Dacre to be shown to Queen Margaret, Mar. 1521 criticising her open reliance on Albany at that stage and stating reasons why his return to Scotland would not be beneficial.
- 16 *Ibid.* iv pt. ii no. 4700 Scotland and France, minute of petitions presented by Francis I to Scottish Ambassadors, 4 Sep. 1528.
- 17 For the minority of James II see Christine McGladdery, 'Crown-Magnate Relations, 1437-60' (St Andrews PhD thesis 1988) 102-10; for the minority of James III see MacDougall, James III, ch.4 'The Rise and Fall of the Boyds 1466-1469'.
- 18 See above 504.
- 19 Rymer, Foedera xiv 278-82, 14 Dec. 1528.
- 20 Archibald Douglas of Kilspindie was Treasurer from 15 Oct. 1526, see TA v 281; for his alleged Keepership of the Privy Seal see APS ii. 354, 18 July 1539: "... anent his office of thesaurarie, of the custumarie of the burgh of Edinburgh & of priveyseal..."
- 21 ER xv 380.
- 22 *Ibid.* 381.
- 23 *Ibid.*
- 24 *Ibid.* 380
- 25 TA v 308, Hamilton of McNariston was granted livery clothes for that office. He is described there as Hamilton of Sanquhar, but cf RMS iii no. 908, 11 Mar. 1530.
- 26 RSS i no. 3451, 24 July 1526.
- 27 ER xv 380.
- 28 Sir James Crichton of Cranston-Riddale was Captain of Edinburgh Castle in 1524 - TA v 237; and in June 1526 - *ibid.* 267, Andrew Kerr of Cessford had been married to James Crichton's aunt - Scots Peerage vii 333.
- 29 ER xv 380; TA v 308. Sir Peter Crichton of Naughton was the brother of Patrick Crichton of Cranston-Riddale and George Crichton, Bishop of Dunkeld (from 1525): J Campbell, Balmerino And Its Abbey (Edinburgh 1899) 498.
- 30 RSS i no. 3506, 11 Sep. 1526.
- 31 *Ibid.* no. 3742, 27 April 1527 (Angus's half to Finnart, Arran retained other half.)
- 32 *Ibid.* no. 3782, 24 May 1527 (Finnart's half to Avandale, Arran retained other half.)

- 33 HMC 11th report, Appendix pt. vi, Hamilton MSS no. 72, 1 June 1527.
- 34 RSS i no. 3824, 27 June (Arran's half to Avandale.)
- 35 Ibid. no. 3819, 18 June.
- 36 Ibid. nos. 3490-3, 3496-8, 3500-4, 3518 and 3566.
- 37 ADC 37 ff. 124v-125, 22 May. The guilty parties were John Semple of Foulwood, his brother, Robert and others.
- 38 Ibid. ff. 236-7, 2 Sep.
- 39 Ibid. ff. 74v,76, 2 April; ibid. f.131, 29 May; ADCP 258 (partly). Arran and Finnart agreed in the end to cease pointing the lands of Tarbolton of their own free will and not because they were forced to do so.
- 40 Buccleuch was free to join the Court in December 1526 - SPHVIII iv pt. iv. no. clxiii Sir Christopher Dacre to Lord Dacre, 2 Dec. 1526. Buccleuch lost his office in the Royal household to Walter Kerr of Cessford, see above ch.12 n.103, and later had to seek remission for his actions on 7 Dec. 1527 (ADCP 272), when the Council ordered him to find caution for his good rule under pain of £10,000. He was ordered to go to France but was not pursued for not going. He was with James V at least as early as mid-July 1528 in his conspiracy against Angus - L&PHVIII iv pt. ii no. 4531 William, Lord Dacre to Wolsey, 18 July 1528.
- 41 Sir John Stirling of Keir was forfeited by parliament in Nov. 1526, but was completely restored by parliament in May 1527 - APS ii 310-2, 17-21 Nov. 1526; ibid. 319-20, 10 May 1527. In Sep. 1528 after James V's assumption of government independent of Angus, Stirling of Keir received recompense specifically for this false doom through being granted all of the lands forfeited from Angus's brother, George Douglas of Pittendreich - RMS iii nos. 635-7, 5 Sep. 1528.
- 42 ER xv 203, 289 and 381 where he is missing - i.e. present 1525-6, out of office 1527.
- 43 RSS i no. 3527, 18 Oct. 1526.
- 44 HMC 11th report, Appendix pt. vi Hamilton MSS no. 68, 18 Oct. 1527.
- 45 ER xv 460 - account of 6 July 1528, after the fall of the Douglasses.
- 46 See above ch.12 n.110.
- 47 RSS i no. 3520 (6 Oct. 1526); see above . n.41.
- 48 APS ii 317.
- 49 See above 530 and nn.32, 34.
- 50 RSS i no. 3534, 25 Oct. 1526.
- 51/

- 51 All of these above grants were mentioned in a despatch by Sir Christopher Dacre to Lord Dacre - SPHVIII iv pt. iv no. clxiii; 2 Dec. 1526. The despatch was based on information provided by an English spy present in Scotland up to 30 Nov. 1526.
- 52 Ibid.; Alexander Hamilton was promoted to Kilwinning in 1527 - Brady, Episcopal Succession i 196; he was admitted to the temporalities of the Abbey on 21 May 1527 - RSS i no. 3777.
- 53 SPHVIII iv pt. iv no. clxiii Sir Christopher Dacre to Lord Dacre, 2 Dec. 1526.
- 54 SRO Calendar of Charters RH6/994. The grant was made with the full consent of Queen Margaret's husband, Angus.
- 55 APS ii 313 Act concerning the delivery of Huntly's person to Queen Margaret cancelled 17 Nov.; ADCP 282-3 Queen Margaret grants marriage of Huntly and his wardship to Angus, undated (Nov. 1526).
- 56 SPHVIII iv pt. iv no. clxv Magnus to Wolsey, 10 Jan. 1527.
- 57 L&PHVIII iv pt. ii no. 2777 Patrick Sinclair to Wolsey, 3 Jan. 1527.
- 58 Ibid. no. 2575 Patrick Sinclair to Wolsey, 21 Oct. 1526.
- 59 SPHVIII iv pt. iv no. clxviii Magnus to Wolsey, 26 Mar. 1527.
- 60 TA v 307, 13 Dec. 1526; ibid. 317, 9 Jan. 1527.
- 61 James V Letters 136-7 John Duncan to Albany, 29 Mar. (1527). Albany had influence at Rome through his wife's family connections to the Medici, and had tried to use it on Margaret's behalf in 1525 - ibid. 126 Albany to Pope Clement VII (24 June 1525).
- 62 Ibid. 142 Protestation by Margaret concerning her divorce from Angus pronounced at Rome on 11 Mar. last - 8 Dec. 1527. For the chaos at Rome after its sack by Imperial troops on 6 May 1527 see Mackie, Earlier Tudors 317-8.
- 63 SPHVIII iv pt. iv 490-ln. - sentence of divorce given in full, 2 Apr. 1528.
- 64 TA v 307, 4 Feb. 1527.
- 65 See above n.59.
- 66 ADC 37 ff.48v-49 Queen Margaret vs. Patrick Charters of Cuthilgurdy, Andrew Rattray and their accomplices for wrongful occupation of her lands of the Lordship of Methven, 26 Mar. 1527. Cuthilgurdy is in Perthshire - RMS iii no. 1628, 31 Oct. 1536.
- 67 TA v 332. The total superexpenditure was £3,654 8s 1d.
- 68 ADCP 164-5, 29 Jan. 1523; ibid. 174, 18 June; ibid. 177, 13 Sep.; ibid. 222, 30 May 1525; ibid. 236, 15 Jan., 1526; APS ii 305, 21 June; ADCP 243, 26 June; ibid. 246, 12 July; ibid. 247, 16 July; ibid. 253, 1 Dec. 1526.

- 69 ER xv 377 - a payment of £1000 was recorded in the account of 27 Aug. 1527. In addition, the Treasurer recorded the payment of £333 6s 8d - TA v 294 (29 Aug. 1527).
- 70 ER xv 377 - a payment of £666 13s 4d (1000 merks) was made in the name of the Lord of Veere.
- 71 Ibid. : £579 8s 6d from north of Forth; £795 1s 8d from south of Forth; £572 15s 8d from the bailies of Edinburgh : total £1947 5s 10d.
- 72 Ibid. 378-9. After the payment of royal expenses and outstanding debts only £9 12s 4d remained; ibid. 456, in 1527-8 the Comptroller was already superexpended by £665 6s 2d after these payments.
- 73 See above n.68.
- 74 APS ii 314-5, 24 Nov. 1526.
- 75 ER xv 357-366, Linlithgow, Ayr, Irvine, North Berwick, Cupar, Inverness, Inverkeithing, Banff and Dysart paid their full dues. Haddington (98 %); Stirling (61 %); Perth (56 %); Dundee (52 %); Montrose (48 %); Kirkcudbright (82 %); Edinburgh (68 %) and Aberdeen (35 %) did not. There is no distinct geographical reason for these latter burghs being the ones from which pensions were granted - rather they were the wealthiest ports. The Comptroller received £2508 11s 8½d from an anticipated revenue of £3886 15s 9½d. *Kirkcudbright was no longer one of the wealthiest ports, but was a favoured venue for granting pensions because of a long connection with the Douglases.*
- 76 Ibid. 367-377. Only Renfrew, Lauder, North Berwick and Inverkeithing paid in full and the total was £186 7s 4d from an expected £657 6s 8d.
- 77 TA v 332. Henry Kemp received £333 6s 8d. He held office as a servant in the King's Chamber - ER xv 380, but if the payment had been intended for royal use, it would have more usually been made to the Comptroller, the Clerk of Expenses or possibly the Master of the King's Household.
- 78 ADCP 260, 11 July p.m., 1527.
- 79 Ibid. 263, 7 Aug.
- 80 Ibid. 264, 19 Aug.
- 81 ADC 37 f.221, 27 Aug.
- 82 ADCP 274, 16 Apr. 1528.
- 83 Ibid. 275, 19 Apr.
- 84 APS ii 328, 5 Sep.
- 85 The principal examples are over sixty grants of respite for failure to answer Albany's calls to the host at Solway in 1522 and at Wark in 1523 during the justice ayre at Aberdeen in Feb. 1528 - RSS i nos. 3900-1, 3903-59, 3961.

- 86 Examples of respites or remissions for murder include those to George Tait in Glenkill and others for the murder of Walter Stewart, alias Humphreyson - *ibid.* no. 3619; to Nicholas Ramsay of Dalhousie - *ibid.* no. 3529; and to John Blackadder of Tulliallan for the killing of a Frenchman, Jacques De Greiff - *ibid.* no. 3560, 29 Nov. 1526, though in this case the matter was not finished by this and summons to underlie the law for De Greiff's death were sent out on 1 June 1527 - TA v 321.
- 87 Scots Peerage ii 465; Protocol Book of Gavin Ros (SRS 1908) edd. J Anderson, F J Grant 137, no. 775.
- 88 L&PHVIII iv pt. ii no. 4531 William, Lord Dacre to Wolsey, 18 July 1528; *ibid.* no. 4718 Angus to Northumberland, 11 Sep. 1528.
- 89 Rymer, Foedera xiv 27-8, 18 Nov. 1524; *ibid.* 30-1, 4 Jan. 1525; *ibid.* 35-6, 23 Mar. 1525.
- 90 APS ii 317, 27 Nov. 1526.
- 91 See Appendix E.
- 92 ADCP 258, 14 May 1527. The letters were dated 26 Nov. 1524.
- 93 ADC 37 f.213, 23 Aug. 1527.
- 94 RSS i no. 3878, 31 Aug.
- 95 ADCP 266, 6 Oct. 1527; Pitcairn, Trials i 136*, 5 Oct. - Arran was fined £100 for the non-appearance of Loudon for whom he was surety.
- 96 Loudon's accomplices according to the later remissions were: John Crawford of Drongan; John Clerk; George Campbell of Glasnock; David Cathcart of Dochray and Alan Cathcart of Drumjowan; George Crawford of Lefnoris and Patrick Logan of that ilk; William Cunningham of Polquharn; Bartholomew Crawford of Kerse; John Campbell of Cessnock; Hugh Crawford in Thirdpart and 12 others; William Crawford, younger of Lefnoris and George Crawford, his brother - RSS i nos. 3971-9, 1 July 1528.
- 97 ADCP 269-70 11, 22 Oct. 1527.
- 98 ADC 38 f.60, 12 Dec. Eglinton's case against Campbell of Loudon and others made no reference to his inability to answer through being outlawed. The case was, however, continued to 4 May 1528, ADCP 274, 10 Jan. 1528.
- 99 See above n.96.
- 100 McLellan of Bombie was dead by 13 July 1526 - RSS i no. 3435; SPHVIII iv pt. iv no. clxiii Sir Christopher Dacre to Lord Dacre, 2 Dec. 1526.
- 101 Diurnal of Occurrents 10.
- 102 TA v 294, Cupar (for Fife) £334 13s 4d; Perth (for Perthshire) £866; Dundee (for Forfarshire) £181 7s 8d. Most of the remissions noted in the Privy Seal Register at St Andrews, Perth and Dundee in Jan.-Feb. 1527 were for 'political' crimes such as aiding and abetting Home of Wedderburn when he was a traitor, not answering summons to the host or supporting Lennox's conspiracy at Linlithgow, but 'serious' crimes such as murder, arson, theft of goods and 'oppression' were also respited: RSS i nos. 3625-63 *passim*.

- 103 ADCP 256, 13 Mar. 1527.
- 104 Ibid.
- 105 Ibid. 255-6 Letters had been granted on 12 Mar. to force the Council to answer a case brought by the Treasurer, Archibald Douglas of Kilspindie at once without waiting for it to be tabled legally. These letters were retracted on 14 Mar. as prime examples of illegal, royal interference, but see ibid. 272-3 undated (Dec. 1527) for repetition of the problem in similar circumstances.
- 106 Ibid. 272-3 undated (Dec. 1527).
- 107 See above 531 and n.39.
- 108 ADC 38 ff.88v-89, 8 Jan. 1528.
- 109 See RMS iii no. 865, 16 Dec. 1529 for confirmation of the location of the place (although here called Knockgulrene).
- 110 ADC 36 ff. 134v-135, 12 Dec. 1526; ff 158v-159, 19 Dec.; f 160, 20 Dec. Originally Corrie of Kelwood had alleged that he had a right of 'blenchferme' to the said lands, but he did not compear to prove this on 19 Dec.
- 111 ADC 36 f.160, 20 Dec.
- 112 RSS i no. 3589, 22 Dec.
- 113 This formed one of the accusations against Angus in articles sent by James V in July 1528 to England - L&PHVIII iv pt. ii no. 4505, 13 July. See above chapters 10, 11, 12 *passim*.
- 114 Rymer, Foedera xiv 114-20, 10, 15 Jan. 1526.
- 115 L&PHVIII iv pt. ii no. 2500 Sir Thomas More to [Wolsey], 21 Sep. 1526.
- 116 ADCP 258-9, 16 June 1527.
- 117 Ibid. 257-8, and also further at ADC 37 ff. 112v-113, 18 Apr. 1527.
- 118 Ibid. 276, 27 May 1528. Bothwell had previously been summoned to answer for good rule in Liddesdale in March 1527 at the time of the first expedition there - TA v 318, 23 Mar. 1527.
- 119 L&PHVIII iv pt. ii no. 3230 Magnus to Wolsey, 4 July 1527. On 12 Aug. it was reported that Lisle had proclaimed himself captain of all the thieves in Scotland and England. This spoiled the otherwise harmonious relations on the borders which had allowed Magnus to state that the best rule for a long time was prevailing in the East and Middle Marches - SPHVIII iv pt. iv no. clxx Magnus to Wolsey, 17 Aug. 1527; see also R G Eaves, Henry VIII and James V's Regency (London 1987) 135-43.
- 120 e.g. SPHVIII iv pt. iv no. clxiii Sir Christopher Dacre to Lord Dacre, 2 Dec. 1526; L&PHVIII iv pt. ii no. 3004 Angus to Northumberland. Angus's failure to come to Berwick or Norham as requested to make redress.

- 121 SPHVIII iv pt. iv no. clxxii Duke of Richmond's Council to Henry VIII, 7 Sep. 1527; L&PHVIII iv pt. ii no. 3404 (2) Richmond to Angus, 7 Sep. 1527.
- 122 Pitcairn, Trials i 137*, 14 Oct.
- 123 APS ii 323-5.
- 124 Henry Fitzroy 1519-36; Duke of Richmond 1525, Lord Warden of the Marches and Lord High Admiral 1525. See G.E.C. Complete Peerage x 829-30.
- 125 L&PHVIII iv pt. ii nos. 3558-9 Angus, James V to Richmond, 18, 19 Aug. 1527.
- 126 Ibid. no. 3421 Sir William Evers to Richmond, 12 Sep. Henry VIII wrote to James V on 10 Sep. asking for permission for English Wardens to enter Scotland and destroy the Lises if the Scottish Wardens failed to do this - *ibid.* no. 3407. The Scots made no reply to this threat to their sovereignty and no English army entered Scotland.
- 127 Rae, Administration 262; TA v 318, 23 Mar.; L&PHVIII iv pt. ii no. 2964 James V to Richmond, 14 Mar.; TA v 320-1 20, 22, 25 May, 1 June. The host was in the Borders from 17-22 June; *ibid.* 322-3.
- 128 L&PHVIII iv pt. ii nos. 3383, 24 Aug; 3501, 16 Oct.; 3552, 3 Nov.; 3631 [Dec,]; 3795, 12 Jan. 1528; 3869, 28 Jan. - their surrender; 3914 Northumberland to Wolsey, 11 Feb. 1528 - the end of the Lises.
- 129 Ibid. no. 3914 Northumberland to Wolsey, 11 Feb. 1528.
- 130 Ibid. no. 4101 James V to Henry VIII, 27 Mar.
- 131 Henry Percy, Earl of Northumberland was commissioned as Warden General of the East and Middle Marches in Dec. 1527 - *ibid.* no. 3628, 2 Dec. 1527. His accusations against Angus are in a letter to Wolsey - *ibid.* no. 3795, 12 Jan. 1528.
- 132 SPHVIII iv pt. iv no. cxcviii Magnus to Wolsey, 14 Nov. 1528.
- 133 Rymer, Foedera xiv 48-57 (Treaty of the More); *ibid.* 75-6 (Special article concerning Albany).
- 134 James V Letters 126 Albany to Clement VII (24 June 1525): "... Albany is governor and his authority should be maintained..."; cf *ibid.* 147 Instructions by Albany to Seland, King of Arms for Frederick I, King of Denmark, 18 Sep. 1528: Albany "... who describes himself as Governor of Scotland..."
- 135 Ibid. 132-3 Memorandum by Albany to Chancellor Du Prat for Francis I (autumn 1526).
- 136 Scots Peerage v 349-50. The reference to Aubigny's influence on Albany is in James V's complaint to Francis I - James V Letters 143-4, 10 Jan. 1528.
- 137 James V Letters 136-7 John Duncan to Albany, 29 Mar. 1527.

- 138 L&PHVIII iv pt. ii no. 3704 Angus to Henry VIII, 29 Dec.; SPHVIII iv pt. iv no. clxxvi Angus to Wolsey, 29 Dec.; James V Letters 143 James V to Albany, 8 Jan. (1528); *ibid.* 143-4 James V to Francis I, 10 Jan. 1528.
- 139 *Ibid.* 143-4 James V to Francis I, 10 Jan. 1528.
- 140 In order to secure favour from her son for her marriage to Henry Stewart, Queen Margaret had surrendered Stirling Castle to James V (certainly by 26 April when James V wrote to Wolsey from there - L&PHVIII iv pt. ii no. 4205). She had already written to Henry VIII against Angus - *ibid.* no. 3394, 31 Aug. 1527.
- 141 England and France concluded a treaty of perpetual peace on 18 Aug. 1527 - Rymer, Foedera xiv 218-227. English antipathy to the Emperor stemmed from Henry VIII's desire, now openly expressed, to be divorced from his aunt, Catherine of Aragon - see Scarisbrick, Henry VIII 145-6, 152n.2 and 153 ff.
- 142 L&PHVIII iv pt. ii no. 3816 Northumberland to Wolsey, 18 Jan. 1528.
- 143 *Ibid.* no. 4892 Commission for Scotland by Henry VIII - undated (Oct. 1528).
- 144 RSS i nos. 3591-3609, 27 Dec. 1526; ADCP 260, 11 July p.m.; *ibid.* 262, 27 July; *ibid.* 265, 28 Aug. 1527. Among many grants to Douglases or their relatives by marriage were RSS i no. 3622 - George Douglas of Pennyland; *ibid.* no. 3671 - James Douglas of Drumlanrig; *ibid.* no. 3735 Archibald Douglas of Glenbervie; *ibid.* no. 3753 Beatrice Douglas, widow of the Earl Marischal; *ibid.* no. 3833 Archibald Douglas of Tympanene; *ibid.* nos. 3866-7 Alison Douglas, widow of David Home of Wedderburn; RMS iii no. 574 Andrew Murray of Blackbarony, stepson of Archibald Douglas of Kilspindie, 11 Apr. 1528.
- 145 RSS i no. 3509, 11 Sep. 1526; *ibid.* no. 3552, 1526 (year only given).
- 146 ER xv 221-36, 346-56, 391-403.
- 147 See above 532, 544.
- 148 ADC 38 ff.91v-92, 10 Feb. 1528, Isabella Campbell, Countess of Cassillis was the sister of the 3rd Earl of Argyll. The Campbells of Argyll and Loudon had no more direct relationship than the eighth generation in the early 14th century. Nevertheless, she was a Campbell; in addition, John Kennedy of Gaultre, a brother of Cassillis, was escheated in July 1528 for a murderous attack on Robert Campbell in Lochfergus and others - RSS i no. 3981, 9 July, cf Pitcairn, Trials i 138*.
- 149 ADC 36 f.137, 12 Dec. 1526; *ibid.* 38 ff.1-2, 4 Nov. 1527; *ibid.* ff.85v-86 and intercalated folio, 20 Dec. 1527; *ibid.* ff. 103-103v, 22 May 1528.
- 150 ADC 37 ff.25-25v, 18 Mar. 1527; *ibid.* ff.131-132v, 29 May 1527; *ibid.* 38 f.52, 9 Dec. 1527; *ibid.* f.109, 25 May 1528; *ibid.* f.110v, 26 May 1528.
- 151 ADCP 276, 28 May. For the decret arbitral see above 386-7.

- 152 Fraser, Montgomery i 31 : RMS iii no. 602, 27 June 1528 - sale of lands to Master of Glencairn to pay off part of a debt; ibid. no. 708, 16 Nov. 1528 - castle described as "recently destroyed".
- 153 ADCP 256, 13 Mar. 1527. Those named to sit on the Session were Gavin Dunbar, Archbishop of Glasgow as President (or in his absence, George Crichton, Bishop of Dunkeld or Henry Wemyss, Bishop of Galloway), together with William Douglas, Abbot of Holyrood; Alexander Stewart, Abbot of Scone; Thomas Kerr, Abbot of Kelso; Alexander Myln, Abbot of Cambuskenneth; William Kennedy, Abbot Crossraguel; George Dundas, Lord St John's; John Dingwall, Provost of Trinity College; Thomas Coutts, Official of Lothian; Henry White, Official of Dunblane; William Gibson, Dean of Restalrig; George Kerr; Archibald, Earl of Angus; James, Earl of Arran; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; George, Earl of Rothes; John, Lord Erskine; Malcolm, Lord Fleming; Archibald Douglas of Kilspindie, Treasurer; Thomas Erskine of Halton, Secretary; James Colville of Ochiltree, Comptroller; Sir William Scott of Balwearie; Adam Otterburn, King's Advocate; Nicholas Crawford of Oxgangs, Justice Clerk; James Lawson and Francis Bothwell. For attendances, see Appendix E and ADC 36 f.161v-38 f.119v, 5 Jan. 1527 - 28 May p.m. 1528.
- 154 Dalrymple's Historical Accounts of the Senators of the College of Justice... (Edinburgh 1849) 1-30; R K Hannay, The College of Justice (Edinburgh 1933) 27-41.
- 155 One of the first Acts of the General Council in September 1513 had been to name Lords to be of the 'daily Council' - ADCP 1. Specific references to Lords of the Session are made at ibid. 210-1, 15 Sep. 1524 and ibid. 238, 12 Feb. 1526.
- 156 Glasgow appeared up to 16 Aug. 1527 (ADC 37 f.202). Arran's two appearances after Linlithgow were on 19 Oct. 1526 (ibid. 36 f.98) and on 29 May 1527 (ibid. 37 f.128v).
- 157 The sederunt was: James V; James Beaton, Archbishop of St Andrews; Gavin Dunbar, Archbishop of Glasgow; George Crichton, Bishop of Dunkeld; Gavin Dunbar, Bishop of Aberdeen; Henry Wemyss, Bishop of Galloway; William Chisholm, Bishop of Dunblane; Archibald, Earl of Angus; George, Earl of Huntly; William, Earl Marischal; Patrick, Earl of Bothwell; James, Earl of Morton; George, Earl of Rothes; Gilbert, Earl of Cassillis; Patrick Hepburn, Prior of St Andrews; William Douglas, Abbot of Holyrood; David Beaton, Abbot of Arbroath; Andrew Durie, Abbot of Melrose; John Maxwell, Abbot of Dundrennan; Malcolm, Lord Fleming; Robert, Lord Maxwell; John, Lord Lindsay of Byres; James, Lord Ogilvy of Airlie; John, Lord Hay of Yester; Alexander, Lord Saltoun of Abernethy; Hugh, Lord Somerville; George Dundas, Lord St John's; Robert Forman, Dean of Glasgow; James Hepburn, Dean of Dunkeld; Archibald Douglas of Kilspindie, Treasurer; Thomas Erskine of Halton, Secretary; James Colville of Ochiltree, Comptroller; Sir William Scott of Balwearie; Adam Otterburn; Nicholas Crawford of Oxgangs, together with John, Earl of Buchan; John, Lord Erskine and Alexander Myln, Abbot of Cambuskenneth - see above n.10 for comparison of this list with attendance at the parliament which forfeited Angus in Sep. 1528.
- 158 Adam Abell, 'The Roit or Quheill of Tyme' f.116v.
- 159 Pitscottie, Historie i 307, 313.

- 160 Donaldson, James V - James VII, 40.
- 161 W C Dickinson, rev. by A A M Duncan, Scotland From The Earliest Times to 1603, (3rd edn. Oxford 1977), 304.
- 162 Angus's insistence that Albany was planning an imminent journey to Scotland is clear from: L&PHVIII iv pt. ii no. 3704 Angus to Henry VIII, 29 Dec. 1527; SPHVIII iv pt. iv no. clxxvi Angus to Wolsey, 29 Dec. 1527; L&PHVIII iv pt. ii nos. 3773-6 James V and Angus to Henry VIII and Wolsey, 7 Jan. 1528; *ibid.* no. 3794 James V to Wolsey, 12 Jan. 1528; *ibid.* no. 3294 (1) Henry VIII to James V, 13 Feb. 1528; James V Letters 143 James V to Albany, 8 Jan. (1528); *ibid.* 143-4 James V to Francis I, 10 Jan. 1528.
- 163 SPHVIII iv pt. iv 490-1 n.1 Sentence of divorce between Margaret and Archibald, Earl of Angus - 11 Mar. 1527; *ibid.* no. clxxix Dacre to [Wolsey], 2 Apr. 1528 - reporting the marriage of Queen Margaret to Henry Stewart.

2. The End of the Minority of James V

- 1 SPHVIII iv pt. iv 547 n.1, 5 Feb. 1529.
- 2 In Pitscottie's famous account of the King's escape, the King, disguised as a yeoman of the stable, rode from Falkland to Stirling, taking advantage of the absence from Court of Angus and the other leading Douglases: Historie i 323-35 His description receives some backing from the contemporary John Law Chronicle, whose author stated that James escaped while Angus was absent from Court and Archibald Douglas of Kilspindie was visiting his mistress at Dundee. No mention is made of the place from where the King escaped - John Law's MS f.146. The only evidence that the King was at Falkland at any time in the critical period comes from the tentative identification of a letter from the King to Robert, Lord Maxwell concerning the marriage of Maxwell's son to Morton's daughter, dated 17 June and placed by William Fraser in 1528. The original is in Registrum Honoris De Morton (Bannatyne Club 1853) i 1 dated 17 June at Falkland, year unidentified; cf W Fraser, The Book of Carlawerock (Edinburgh 1873) ii 1 dated 17 June 1528 at Falkland.
- 3 SPHVIII iv pt. iv no. clxxxix Angus to Sir Christopher Dacre, 27 May 1528.
- 4 L&PHVIII iv pt. ii no. 4134 William, Lord Dacre to [Wolsey], 2 Apr.
- 5 The King was born on 10 Apr. 1512. Easter Day 1528 fell on 12 Apr.
- 6 L&PHVIII iv pt. ii no. 2575 Patrick Sinclair to Wolsey, 21 Oct. 1526 - Stirling Castle regranted to Queen Margaret on condition of her relinquishing his company. SPHVIII iv pt. iv no. clxviii Magnus to Wolsey, 26 Mar. 1527. There is no record evidence for Henry Stewart's imprisonment for his presumption in marrying the King's mother, except for the rather ambiguous statement in a letter from Dacre to Wolsey, "... James caused Lord Arskyn [Erskine] to lie about Stirling Castle to attach him [i.e. Henry Stewart]; on which the Queen delivered him up..." Adam Abell is unusually uncertain about it, f.117r : "... at first [James V] was aperandlie commovit aganis Hare Stewart..." Lesley, History, 140 stated that, despite being forgiven, Henry and James Stewart were warded in Edinburgh Castle, "during the King's pleasure..."

- 7 RMS iii no. 614, 17 July 1528.
- 8 The original document is given in Andrew Lang, A History of Scotland from the Roman Occupation (Edinburgh 1900) i preface xiii and mentions Arran and Eglinton who are not included in L&PHVIII iv pt. ii no. 4532.
- 9 RMS iii no. 586, 9 May 1528.
- 10 Ibid. no. 338, 13 Oct. 1525; previously the last charter dated at Stirling was ibid. no. 245, 15 Dec. 1523.
- 11 Despite the lack of independent witness list to RMS iii no. 586, 9 May 1528, it is likely that Angus, his brother William Douglas, Abbot of Holyrood, and his uncle, Archibald Douglas of Kilspindie, Treasurer, were all present with the King at Stirling.
- 12 SPHVIII iv pt. iv no. clxxxi Angus to Sir Christopher Dacre, 27 May.
- 13 Ibid. no. clxxxiii James V to Henry VIII, 23 June.
- 14 On 30 May, a Great Seal charter was issued from Stirling - RMS iii no. 597, although Angus was still apparently a witness (cf above n.11). The Council ceased to meet on 28 May - ADC 38 f.119.
- 15 There are several references in parliamentary records to summons of treason against Angus being dated 13 June - APS ii 326, 5 Sep. 1528 - the original trial; ibid. 415-9 several times in the reasons for Angus's restoration on 19 Mar. 1543, it is mentioned that the original summons against him was dated 13 June, but see above 556.
- 16 The King wrote to Northumberland on 19 June from Stirling referring to a "... disturbance in the inland of our realm..." Northumberland reported that on 19 June the King, by advice of Queen Margaret, James Beaton, Archbishop of St Andrews and the Earls of Arran, Argyll, Eglinton, Moray and others, issued a proclamation forbidding the Douglases to come near the royal presence - L&PHVIII iv pt. ii no. 4397, 19 June; ibid. no. 4457, 2 July.
- 17 This date is given in only one source - ibid. no. 4701, 5 Sep. 1528.
- 18 This is also the subject of confused dating. The reference in the parliamentary record to this plot by the Douglases to regain power, eight days before 1 June, puts the King's escape too early, while the same record later refers to eight days before 1 July. This would fit in with a royal escape on or about 19 June and is more plausible - APS ii 324-6, 5 Sep. 1528; ibid. 331, Dec. 1528.
- 19 RMS iii no. 604, 3 July; SPHVIII iv pt. iv no. clxxxv William, Lord Dacre to Wolsey, 18 July.
- 20 ER xv 459-463.
- 21 Colin, Earl of Argyll was appointed Justice General of Scotland on 8 July 1528 - HMC 4th report Appendix Argyll MSS no. 242.
- 22 ADCP 276 ff.

- 23 Ibid. 277-8.
- 24 SPHVIII iv pt. iv no. clxxxv Dacre to Wolsey, 18 July.
- 25 Ibid. no. clxxxiv Credence by Patrick Sinclair, 13 July.
- 26 Ibid. 547 n.1, 5 Feb. 1529.
- 27 ADCP 279. John, Lord Drummond was Angus's maternal grandfather and so Angus's connection to the Drummonds stems from that. Why Drummond of Carnock and no other supporter of Angus should have been singled out in this way is unknown.
- 28 APS ii 415-9, 19 Mar. 1543.
- 29 Ibid. 324-6, 5 Sep. 1528.
- 30 This was one of the terms of the truce between England and Scotland - Rymer, Foedera xiv-276-7, 12 Dec. 1528.
- 31 ADCP 283, 7 Sep.
- 32 See Appendix J.
- 33 Pitcairn, Trials i187* - 198*.
- 34 Ibid. 227* - 229*.
- 35 i Sir John Stirling of Keir was recompensed for having been unjustly forfeited after Linlithgow - RMS iii nos. 635-7, 5 Sep. Keir was named as one of Angus's chief enemies on 11 Sep. - L&PHVIII iv pt. ii no. 4718 Angus to Northumberland.
- ii Andrew Kerr of Ferniehirst had refused to aid Angus during a raid on Liddesdale in March 1528 - ibid. no. 4134 Dacre to [Wolsey], 2 Apr. Ferniehirst was given the superiority over his own lands in Jedforest - RMS iii no. 639.
- iii Sir Walter Scott of Buccleuch was also named as one of Angus's principal enemies (L&PHVIII iv pt. ii no. 4718). He too benefited from Angus's forfeiture - RMS iii no. 640. The Kerrs and Buccleuch were also entrusted with control of the Borders in company with Bothwell - ADCP 279, 14 July.
- iv George Home of Wedderburn - RMS iii no. 641.
- v Robert, Lord Maxwell : also named as one of Angus's principal enemies (L&PHVIII iv pt. ii no. 4718); appointed Provost of Edinburgh on 26 Aug. 1528 - Edin. Recs. 1403-1528, Appendix 282; RMS iii no. 642.
- vi Eglinton, together with Bothwell, Home, the Kerrs, Buccleuch, Maxwell, Ninian Crichton, the Sheriff of Ayr (Campbell of Loudon) and Arran, were charged to make efforts to get knowledge of Angus's plans for insurrection on 18 July 1528 - ADCP 280; Eglinton received a grant from the forfeiture of Archibald Douglas of Kilspindie - RMS iii no. 643.
- vii James, Earl of Moray - RMS iii no. 665.
- 36 See Appendix J.
- 37 L&PHVIII iv pt. ii no. 4728 Sir Roger Lassels to Northumberland, 13 Sep.; SPHVIII iv pt. iv no. cxci Northumberland to Wolsey, 9 Oct.; L&PHVIII iv pt. ii no. 4892 The Commission for Scotland undated (Oct.); SPHVIII iv pt. iv no. cxcviii Magnus to Wolsey, 14 Nov.

- 38 L&PHVIII iv pt. iii no. 5253 James V confirms in a letter to Henry VIII that Angus refused a royal pardon - cf ibid. iv pt. ii no. 5086 Angus undated. The King had offered Angus his life, honour and heritage in return for the King's free disposal of Tantallon, and all his other lands and goods; see also SPHVIII iv pt. iv no. cciv Magnus to Wolsey, 13 Feb. 1529 - no chance of James V agreeing to a reconciliation.

Addendum to n. 10 on page 560 above:

The twentieth Lord who attended both Angus's installation as Chancellor and his forfeiture was Robert, Lord Maxwell. The other four unaccounted for in the comparison were: James Beaton, Archbishop of St. Andrews (who was no friend to Angus, but whose rivalry with Gavin Dunbar, Archbishop of Glasgow, and by Sep. 1528, Chancellor of Scotland, may have kept him away); Gilbert, Earl of Cassillis (who was killed in the intervening period); John Maxwell, Abbot of Dundrennan (whose Maxwell kinsman, Lord Maxwell was present) and George Dundas, Lord St. John's.

CHAPTER FOURTEEN

The Chroniclers Record of the Minority of James V

The overall view of the minority of James V which has been propagated by most nineteenth and twentieth century writers on the subject, is based on an acceptance of the value of chronicle evidence as being equivalent to that of contemporary record sources.¹ The search for detail and examples with which to illuminate the arid ground of the fragmented and incomplete records of Treasurer's Accounts, Acts of Parliament and similar contemporary sources, led these nineteenth and twentieth century writers to the wealth of additional material provided by the chroniclers of the later sixteenth century. These were notably Bishop John Lesley, Robert Lindsay of Pitscottie and George Buchanan. Acceptance of this circumstantial illumination was uncritical. No questions were asked as to how these chroniclers came to know so much about the events which had happened as much as half a century before being written down, or whether in their selection of events to record, they were exhibiting a bias for the audience of their own day. This chapter sets out to ask those questions in an attempt to put the proper perspective on the value of the chronicle evidence.

Lesley, Pitscottie and Buchanan are the three most important writers whose works need to be considered, since their accounts presented the basis for all of these later interpretations of the minority, but a contrast with contemporary writers of similar material: John Major, John Law and Adam Abell is instructive. The annalistic 'Diurnal of Occurrents' of the later sixteenth century was probably a compilation of earlier material and the summation of these materials provided by William Drummond of Hawthornden and David Hume of Godscroft in the seventeenth century place important alternative characterisations on the people who were at the hub of political life in the period after Flodden.

The/

The Historia Majoris Britanniae... by John Major (1469-70 - 1549-50) was first published in 1521.² At the very moment when the Anglo-Scottish wars were about to be resumed as part of the wider European conflict between France and the Empire, Major was giving a detailed exposition of the reasoning behind his belief in the greater good to be derived from an Anglo-Scottish union under the neutral terminology of 'Greater Britain'.³ This exposition did not entail any effort to bring his history of England and Scotland down to his own day. Thus Major dedicated his work to James V with conventional hopes for his future goodness and fitness: ("... from whom too we all of us hope the best and greatest things...").⁴ His intention was that the young king should "... read to good purpose this history of your ancestors now dedicated to your felicity, and may you live happy to the years of Nestor!..."⁵ Thus the events of Flodden are ignored and the marriage of Margaret Tudor to James IV is mentioned only in the very last sentence of his work.⁶ This is surprising when the basic theme of his work, the eventual union of England and Scotland, is considered. Evidently Major entertained few great hopes of the fulfilment of his beliefs being brought about in the near future by the heirs of this Anglo-Scottish marriage alliance. The prospect of a potential marriage between James V and Henry VIII's daughter, Mary,⁷ was, for Major, overshadowed by the involvement in Scottish affairs of the French-born Regent, John, Duke of Albany. The eventual accession to the Scottish throne by the heir presumptive as a representative of the hostile French influence would have provided a severe blow to prospects of a peaceful Anglo-Scottish union in the short term.⁸ The reticence about the recent past which Major exhibits, therefore, suggests a lack of real expectation on his part that the further spell of governorship in Scotland by Albany would be other than inimical to the thesis he had put forward.

Major was/

Major was not in tune with the general opinion of Scotland at that time, and his dark hints about the character and intentions of Albany were not to be taken up again by other writers until David Hume of Godscroft.⁹ Contemporary with Major was John Law, who had also studied at Paris and came to St Andrews via Ayr, where he was compiling his history in 1521, though a later continuation took the chronicle down to 1541.¹⁰ Its title 'De Cronicis Scotorum Brevia' indicates its close relationship to the fourteenth century 'Scotichronicon', abbreviating and extending the account given there. For the first time the basic prominent events of James V's minority are recorded in a chronicle which does not go in for the imaginative, circumstantial details which the later writers were to employ. Although there is a certain amount of character judgement, as in the respectful obituary for William Elphinstone, Bishop of Aberdeen (d.1514),¹¹ the main events are recorded without apparent bias. Here, shorn of any imaginative accompaniments, is the story of the departure of the Duke of Albany in 1517 for France, leaving the Frenchman, Antoine D'Arces (Sieur De La Bastie) as Lieutenant, and the subsequent murder of D'Arces by David Home of Wedderburn.¹² This is placed directly after the story of the arrest and execution of Lord Home and his brother and the idea of revenge for this is the clear implication. The pattern of killings in contempt of justice is further demonstrated by the subsequent killings of David Home, Prior of Coldingham, by Patrick Hepburn, Master of Hailes and of Patrick Blackadder, also Prior of Coldingham, by David Home of Wedderburn.¹³ Here is the high drama of the minority presented in a straightforward and remarkably accurate way. Law is concerned principally to lament the violence being done at this time to churchmen since the death of Alexander Stewart, Archbishop of St Andrews in arms at Flodden.¹⁴

Here also is the first straightforward account of the meeting of the Lords of Council/

Lords of Council in Edinburgh which degenerated into a brawl in the public street, in which the Master of Montgomery (John Montgomery, son of Hugh, 1st Earl of Eglinton), and Sir Patrick Hamilton (of Kincavil) were killed by men loyal to the Earl of Angus (who is unaccountably called 'John', not Archibald Douglas). For this, we are told, Angus was subsequently forfeited by the three estates.¹⁵ The continuation to the chronicle adds material concerning Albany's two failed expeditions to the Borders, to Carlisle¹⁶ and to Wark.¹⁷ Angus returns to Scotland via England, after Albany had gone to France, and the King (through his mother) had assumed power.¹⁸ The Douglas domination of the government and their subsequent fall from power is given the same treatment.¹⁹ Facts relevant to the King's 'escape' such as the absence of Angus on business and of his uncle, Archibald Douglas, the Treasurer, at Dundee visiting his mistress,²⁰ are included, but the drama evinced by Pitscottie, especially, of the later writers is totally absent. John Law's chronicle is valuable in providing an insight into rumours and 'known facts' of the minority of James V, almost at the very time of their happening. The general accuracy of these jottings and the bases which they formed (in terms of confirming the outlines of what was considered to be worth mentioning about James V's minority), make them particularly interesting.

Almost certainly Law had no political connection with the events he was recording. He had been a chaplain at Ayr and subsequently became a student at St Andrews, but his chronicle is clearly not based on personal involvement at Court. In this respect, he is not more valuable as a contemporary source than Adam Abell, an Observantine friar at Jedburgh. Abell wrote his chronicle in 1533, shortly after the end of James V's minority.²¹ The fact that some of the more important political events took place in the Borders, at or near Jedburgh, gives Abell's account a sense of immediacy/

immediacy which enhances his overall perception of the period. In one passage (his report of the attempted rescue of James V from the control of the Douglasses at Melrose in 1526 by Sir Walter Scott of Buccleuch), Abell explicitly states that the evidence he relays came to him from eye-witnesses.²²

Abell was the first of the chroniclers to think of himself as a continuator of the history written by Hector Boece which was published in 1527. This had extended the historicity of the Scottish kingdom back through the lives and reigns of forty imaginary kings, continuing until the death of James I in 1437.²³ Thus, for Adam Abell, James V was Scottish King number 106 [sic: in fact number 105 by this reckoning], the latest to uphold the centuries-old traditions of Scottish kingship.

Praise had already been given by Abell to the father of the Duke of Albany, Alexander, brother of James III, at the expense of that King,²⁴ and similar praise could therefore be expected of the son as Governor of the kingdom. This is not disappointed by the explicit statement that Albany was able to overcome the rebellions of 1515-16 because he was "sa prudent in his doings..."²⁵ The basic theme which has struck Abell is the biblical maxim "woe is the kinrik quhen the king is a bairn for then nowthir peace nor justice rangis".²⁶ This is how he begins his account of the minority and the subsequently unfolding tale concentrates on the violence of the times: the execution of the Homes, death of De La Bastie, the contempt shown for justice in displaying De La Bastie's head in place of those of the Homes, the ability of Angus to return from exile without licence and gain full control of the King, the rule he exercised against challenges to his establishment of the government and his ultimate fall.²⁷ Even in this account, the chronology is unclear because Abell places Albany's attack on the western March of England (of 1522²⁸) in 1516,²⁹ while the appointment of four rotating/

four rotating Keepers for the King of 1517 is wrongly ascribed to 1522.³⁰

It is clear from his writing that Abell was disenchanted with the times in which he was living. The idea which permeates his brief treatment of the minority is 'falsehood'. Lord Home obtained grace from Albany in 1516 but abused his second chance and was executed. Albany was unable to make progress as Governor because of the 'falsat and dissait of Scottismen' and this eventually caused him to retire to France. The return of Angus even led to the King indulging in duplicity in his attempt to escape from the power of his stepfather.

Abell's value lies principally in his record of contemporary rumour and gossip. The eye-witnesses to the fight at Melrose in 1526 gave him ideas and on another occasion he presents us with the 'common voce' opinion of the pride of Archibald Douglas of Kilspindie's wife, Isobel Hopper "My Lady thesaurar" which cost Angus support and helped to ensure his downfall.³¹

Abell's chronicle remains in manuscript to this day and it is unlikely that any of the later chroniclers were aware of his version of events. It presented a straightforward annalistic account of events which interested Abell as an Observantine, not just within Scotland. There is no particular bias shown, since Albany is to an extent criticised for 'giving up' on the Scots, having failed to win over their hearts, while Angus was not without support from the Observantine Order, whose intercessions Angus often used after his fall to try to obtain his return to Scotland, "bot he hes nocht obtenit it yit..."³²

The annalistic tradition of these earlier chronicles was continued in the compilation known as the 'Diurnal of Occurrents' which was printed by the Bannatyne Club in 1833 from a manuscript of the 16th century.³³ In an additional note to his history, Patrick Fraser Tytler expounded the view that the author (if there was only one) was a contemporary of the events of the middle/

the middle decades of the 16th century and not of the culminatory point of the manuscript in 1575.³⁴ Whichever view is more acceptable, the treatment of the early period, i.e. 1513-28, is undoubtedly the work of a compiler from another source. Thus a confusion of Margaret Tudor, widow of James IV, with Margaret of Denmark, wife of James III is only understandable in terms of a later writer making a slip in repeating his sources.³⁵ Despite some blatant confusions, the 'Diurnal' is useful in giving certain dates to events which seem indubitably accurate. Thus the executions of Home and his brother are placed on 8 and 9 October (1516);³⁶ 'Cleanse The Causeway' is placed on 30 April 1520³⁷ and the battle at Linlithgow in 1526 when Lennox made his bid to rescue the King from Angus's domination is placed on 4 September in that year.³⁸

There are relatively few independent ideas brought forward by the 'Diurnal'. We have the idea that Angus, appointed to control the King, at first by general consent in 1525, "wald on na wayis pairt with him", a position to be taken up later by Pitscottie and Buchanan, though reversed by Lesley and later Hume of Godscroft.³⁹ Also, the idea is expressed that it was "slicht" which was employed by James V to escape from the power of the Douglasses. There is no mention of escape by a physical ride to freedom or any other hint of how this guile was employed.⁴⁰

The chronicles of the later sixteenth century were very much affected by the political upheavals which followed the reign of Mary, Queen of Scots, and the reformation. The greater detail with which they are filled is a reflection of their concern to be useful as a "miroir des princes", explaining the standpoints of their own day through the medium of historical writing, wherein ample precedents could be found.

The first of these later sixteenth century chronicles to be completed was the vernacular history of Bishop John Lesley, which was written in the period 1568-70.⁴¹

Lesley was born in 1526 at Cults, Aberdeenshire and could scarcely be expected to have any personal memories of the minority of James V. He had found favour and promotion at the hand of Mary, Queen of Scots, during her personal reign from 1561-7, culminating in his appointment as Bishop of Ross in 1565. Lesley remained a Catholic and chose to follow Mary into exile in England, serving as her defender at her first trial and, after a brief imprisonment, as her apologist to the Courts of France, the Empire and Rome in the later 1570s.⁴² During this period he rewrote the vernacular history in Latin, for a wider audience on the Continent, and the Latin history was published in 1578 at Rome. This was subsequently translated back into Scots by Father James Dalrymple in 1596 and republished.⁴³ The vernacular history was not published until the Bannatyne Club edition of 1830, but the Latin history had no new Scottish sources, (Lesley had not returned to Scotland after 1568) and the vernacular history is preferred as the earlier version.⁴⁴

Lesley's chronicle is imbued with a much greater sense of authority than that of his contemporary Lindsay of Pitscottie, because Lesley does not take an anecdotal approach to the material he is using. He had been one of the editors of the first printed edition of the Acts of the Parliaments of Scotland and his knowledge of record sources is evident in the greater concern which he displays to mention parliament whenever one met.⁴⁵ His dating and chronology of events are generally accurate also, adding to this impression of authority, but overall, the desire of a modern historian for impartiality in presentation of this material is not satisfied. Lesley was seeking to advise his sovereign, Mary, Queen of Scots, through the events of the recent history of Scotland (i.e. the period after Boece) of the unscrupulous depths to which some Scots were willing to stoop in restraining the power and ambition of their monarchs. It provides indubitably pro-Catholic, pro-monarchical authority, pro-French bias. For example, this is reflected/

is reflected in praise for Francis I,⁴⁶ and for Albany,⁴⁷ and for the Earl of Huntly⁴⁸ in (rather mild) condemnation of Patrick Hamilton who was burnt at the stake as a Lutheran heretic in 1528⁴⁹ and implicitly throughout in a lack of criticism of the Hamilton family. The Hamiltons had provided a bastion of support for Mary, Queen of Scots, and the relationship of the later sixteenth century writers to their religious standpoint after the Reformation, determined their treatment of the Hamiltons in the earlier period. Arran's chronic vacillations between support for Albany and being convinced by Home to break the trust placed in him by Albany in 1516; later, between being the principal opponent of Angus in 1520, and giving him support by means of men and arms against Lennox in 1526; and between willingness to support Queen Margaret in 1524, and desertion of her cause in 1526; all laid Arran open to condemnation from an impartial standpoint. There is no mention of this unreliability in Lesley's account.⁵⁰ In addition, there is no repetition of the accusation which was current at least as early as 1531 that James Hamilton of Finnart had been responsible for the death of John, Earl of Lennox in cold blood after the battle at Linlithgow in 1526.⁵¹ For most of these chroniclers the concomitant to their standpoint on the Hamiltons is their standpoint on the Douglas family. Thus in Lesley's chronicle, the Douglases are criticised for attempting to subject the King to their own will - the prototypes of just the sort of subjects who had brought about Mary's fall.⁵² This is more clearly brought out by the even greater degree of vehemence against the Douglases in the Latin history of 1578: at the time of its writing, the Earl of Morton (nephew of the 6th Earl of Angus and son of Sir George Douglas of Pittendreich) served as Regent in Scotland and he represented the group which had successfully ended any hope of Mary's restoration to Scotland in 1573.⁵³

The overall/

The overall presentation by Lesley is useful, therefore, for its general accuracy so long as its bias is remembered. The lack of an anecdotal approach, generally, makes the one instance in which Lesley does go off into imaginative 'reported' speech all the more interesting. This was concerned with Anglo-Scottish relations, and Lesley presents the arguments for and against the invasion of England by the Scots in 1522, when Albany took the host to the west March and was then forced to abandon an invasion across the border because of an unwillingness to fight on the part of the Scots. Lesley puts the emphasis on the duty of Kings, noblemen and commonalty to defend their native land and then counter-balances any suggestion that attack is the best means of defence by recognising the sheer numbers of men on which England could count. Thus the Scots might record one or two victories, but only at the expense of being so weakened that eventually the English, by means of superior numbers, not courage or strategy, could overcome them and conquer them completely.⁵⁴ A comparison of Lesley's view to Major's, taking into account the pro-French beliefs of Lesley and his experience at the hands of Elizabeth I, shows a moderation which nonetheless clearly defines the English as the enemy. Unlike Major, Lesley did not view the union of the two nations as being certainly preferable to the evils of war per se.

Throughout his work on the minority, Lesley condemns the failure of the Scots to avoid factionalism. In his venture into reported speech, he puts into Albany's mouth a text which sums up his overall feeling that the Scots could enjoy a much happier existence if only they could unite - and the plea to the subjects of Queen Mary in his own day is equally valid. Albany is made to say that he came to Scotland in the first place to "... bring yow to a unitie quhen ye war in divisione, be reasson of quhilk divisione your realme was likelie to haif bene conquered and distroyet..."⁵⁵ This theme of division/

division and factionalism formed the underpinning of all the events of the minority for Lesley. Thus the events of 1513-15, before Albany's arrival in Scotland, were explained by the comment that "... every one pressed to take sic possessiounes as thay mycht obtaine, principallye of that was lyand nearest unto thame..."⁵⁶

The close connection between this excessive factionalism and church patronage, not surprisingly, met with Lesley's disapproval also:

"In the quhilk [i.e. disposition of benefices] thair was greittar respect had to the satisfeing to the averice of the warld, nor to the plesour of God, in promoving of godly men to have used thair office according to thair calling."⁵⁷

If the factionalism was, for Lesley, an evil course which brought Scottish government to a low ebb, nevertheless he does not give a convincing explanation either for how Angus came to exercise sole control of the King or for why this was an equally bad state of affairs as the factionalism. In his narrative, he does not connect the parliamentary scheme of rotation in 1525⁵⁸ to the subsequent coup by Angus when he unilaterally refused to follow that scheme and hand over the King. Instead, the events are portrayed as an act of withdrawal from government by the Queen (and her supporters, by implication), leaving the King in Angus's sole control.⁵⁹

Lesley thought that the precipitating event for this withdrawal was the gift of the Bishopric of Dunblane to Master William Douglas, brother of Angus. The idea may be valid, that excessive generosity in patronage to a small circle of close allies alienated many Scots from Angus's government, but the factual basis of this statement is inaccurate. The Bishopric of Dunblane passed in 1526 to William Chisholm, the brother of the former incumbent, while the Bishopric of Dunkeld passed to George Crichton, who resigned his former position of Abbot of Holyrood, to which William Douglas was promoted.⁶⁰

For Lesley, Angus was the more to be condemned because his intemperance in government led to renewed and more bitter factionalism. No credence was given to/

given to an idea that pressure of circumstances was involved in Angus's seizure of power in 1525-6.⁶¹

The account of the minority of James V which has found the most widespread acceptability is that given by Robert Lindsay of Pitscottie. While Lesley's known contacts with Scottish record sources show through his narrative in his concern to mention parliament meeting regularly and what Acts they passed, the tradition which Pitscottie followed was avowedly the oral tradition and this accounts for the anecdotal style of his history.

Robert Lindsay of Pitscottie was born, probably in 1532, a member of a cadet branch of the Lindsay of Byres family.⁶² He is not writing the history of his family on a national scale, but at the same time, his use of his paternal grandfather, Patrick, 4th Lord Lindsay of Byres, as one of his sources, does reflect an interest in the Lindsay family involvement in government which gives Pitscottie an avid interest in the period of Lindsay's active involvement at Court under James IV. This interest was not confined to the Lindsay family, but was generally concentrated in Fife. All of the other sources cited by Pitscottie were Fife Lairds, except John Major (who had lived at St Andrews from the 1520s until his death in 1550).⁶³ There is no evidence that Pitscottie himself went to university, nor indeed that contact with any of his sources was made in person. Sir William Scott of Balwearie, Sir David Lindsay of the Mount, later Lyon King-at-Arms, Sir Andrew Wood of Largo and his son, Andrew Wood of Largo, were all prominent in the events of the minority of James V,⁶⁴ and the tales which they would have passed on to their descendants were written down by Pitscottie and thus preserved for us. Two other sources were named by Pitscottie. Andrew Fernie of that ilk was involved in some way with the King's liberty being fully established in 1528 and was almost certainly the source for the King's escape by riding through the night from Falkland to Stirling as recounted by Pitscottie.^{65/}

Pitscottie.⁶⁵ The other was William Bruce of Earlshall, who was not prominent in the events of the minority, but was said by Pitscottie to have written "werrie justlie" of all "the deidis sen flowdane feild".⁶⁶

The overall interest of Pitscottie is concentrated on the exploits of the 6th Earl of Angus. Undoubtedly Angus is one of the principal leaders of the political community in the minority and this could justify an interest in him above others. However, Pitscottie's own personal concerns at the time of writing his history in the early 1570s are made clear in the dedication and early history of the manuscript of his work and this involved committed opposition to the government of the Regent, James, Earl of Morton (who was the nephew of the 6th Earl of Angus).⁶⁷ His account of the period 1565-75 was too politically dangerous to be published at the time of Morton's ascendancy. Pitscottie was also a Protestant and his criticisms of Mary, Queen of Scots, rendered the earlier part of his history unacceptable to the King after Morton's fall. Thus the stories which Pitscottie had to tell of the minority of James V were only published for the first time in 1724. Their 'racy' anecdotal style has ensured that the stories would enjoy a prominent place in discussions of the minority since then.

Pitscottie's interests are therefore in Fife, his own family, the Lindsays, and in Archibald, 6th Earl of Angus. The potential bias against the Douglasses is not realised in a malicious way. The accusation that the Douglasses had plotted to kill James V during the period 1526-28 is mentioned,⁶⁸ but Pitscottie adds that although they "war cowetous and gredy, and oppressouris of thair nichtbouris zeit thay war ever trew and kind and serveabill to the king in all his affairis and oftymes offerit thair bodyis in ieoparde ffor his saik..."⁶⁹

Pitscottie's treatment of the minority is affected by his complete lack of knowledge of the chronological order of the events he is relating, giving no clear/

no clear indication, therefore, of cause and effect. The placing of 'Cleanse The Causeway', the fight in the High Street in Edinburgh between the supporters of the Hamiltons and the Douglasses, in May 1515, is one example. Pitscottie makes the fight a consequence of an attempt by Arran to secure the regency for himself, at a time before Albany had come to Scotland.⁷⁰ This, in itself, is an indication of the Protestant inclination of Pitscottie which allowed him a much greater leeway in criticising Arran's inconstancy than Lesley could sustain. Arran and his supporters, in Pitscottie's story, seized the opportunity of the marriage of Queen Margaret to Angus, to attempt a takeover of the government by verbal reasoning, and when the convention hesitated to sanction such a course, to try force instead.⁷¹ Efforts made by Gavin Douglas, Angus's uncle, a famous poet and translator of Virgil's Aeneid into Scots,⁷² to argue with James Beaton, Archbishop of Glasgow, to secure a compromise between the Hamiltons and Douglasses came to naught. Beaton, in his anxiety, revealed that he was wearing armour underneath his vestments in contravention of priestly conduct.⁷³ The fight began when Sir Patrick Hamilton (of Kincavil) was goaded into precipitate action by the rage of Sir James Hamilton of Finnart (who is condemned at this point, by Pitscottie, as "... that bluddie bouchour ewer thirstand for blude..."⁷⁴) The fight was an unqualified success for the Douglasses who killed Sir Patrick Hamilton, the Master of Montgomery, and seventy-two others. Arran was forced to flee through the north loch away from Edinburgh and Beaton to take refuge in the church of the Friars.

There is no doubt that this event really took place, though its date was in 1520 and almost certainly, 30 April.⁷⁵ The story had already been told in less detailed and far less sensational accounts, in John Law's chronicle and in the 'Diurnal of Occurrents'. Sir Patrick Hamilton and the Master of Montgomery/

Montgomery were killed.⁷⁶

This one example can serve for a multitude of the tales Pitscottie tells: the rivalry of Lord Home and Prior John Hepburn over the Archbishopric of St Andrews;⁷⁷ the killing of the Lieutenant in the Marches, Antoine Darces, Sieur De La Bastie, by David Home of Wedderburn;⁷⁸ the trial and execution of Patrick Hamilton, the protestant martyr;⁷⁹ the fights at Melrose and Linlithgow in 1526⁸⁰ and the King's escape from the Douglasses at the end of his minority.⁸¹ All of these stories are demonstrably based on real events in James V's minority which have been turned into a dramatic narrative from their basis in the oral traditions of the time which loaned a certain licence for the glorification of the individuals involved. This is particularly true of the story of the King's escape from the domination of the Douglasses.

Pitscottie had already made clear the extent of the power which the 'subjects' had claimed over their 'king', a point which he emphasised in the brief summary of the reign in the appended verses imitating Sir David Lindsay's 'Testament of the Papyngo'.⁸² The considerably-altered verse condemning the Douglasses had an equal application to the exalted position which Morton claimed in the 1570s, but the warning was evidently too close to the bone to allow contemporary publication.

The 'moral exemplum' at the end of the chapter in the main text which deals with the fall of the Douglasses is unusually explicit:

"... Thairfor lat everie man that desyris to be hie in court witht king or quen or to ring in autoritie abone his nichtbouris, lat ws [i.e. him] tak exampill of this forsaid buke that we have writtin befoir, and in spetiall of this man (the erle of Angus), the haistie change and deprevation that came sudenlie on him by the consideratioun of man. Thairfor lat all courteouris I say serve first god and syne thair prince and do to thair nichtbouris and brether as they wald be done witht all..."⁸³

The need is evidently felt by Pitscottie to explain what many people may have found inexplicable in looking back to that period, namely the continuing obsessional/

continuing obsessional hatred of the Douglasses in James V's mind which never admitted their reconciliation before his death. Pitscottie referred to the "great rage and furrie and malice that [James V] buire towartis the Earle of Angus and his kin and friendis..." and to the killing of David Falconer, a royal captain, after the siege of Tantallon in October 1528 by Angus and his supporters.⁸⁴

The story of the King's escape from Douglas domination is based clearly on the reminiscences of Andrew Fernie of that ilk, one of Pitscottie's named sources. Fernie was at one time Chamberlain of Fife and Keeper of Falkland Palace⁸⁵ and his involvement in the ending of Douglas power has led Pitscottie to place the dramatic ride to freedom to Stirling Castle by James V from Falkland Palace.⁸⁶ It is impossible now to determine whether or not such a dramatic ride took place. Although there was a time when the King was clearly and unequivocally 'free', the length of time involved between the raising of an anti-Douglas coalition and the parliamentary forfeiture of Angus, his brother and uncle (and still longer to their exile in England) argues against a dramatic 'moment' of high drama. Nevertheless, the question of physical control of the King was important to the maintenance of Angus's domination. A comparison with the position in November 1525, when the need clearly existed to prevent the King coming into the physical control of Angus's enemies, Arran and Eglinton, suggests that there was no opportunity for the King to entrust himself to enemies of Angus. Free choice in his Council and household was not permitted.⁸⁷

Rumours of escape noted by John Law and Adam Abell dwell on two factors. Firstly, this absence of physical restraint - in Abell's account the King "expellit ye erle fra him"⁸⁸; and secondly, the royal control of Stirling Castle as a refuge strong enough to withstand Douglas attempts to resume physical control of the King. The involvement of Andrew Fernie of that ilk/

that ilk in some kind of trick by James V to elude Douglas control has come down to Pitscottie, who adds circumstantial details such as the King's early retiral to bed, supposedly to prepare for a hunt on the following day which the earlier and later writers do not mention.⁸⁹ It is not to be doubted that some kind of trick did take place and not unreasonable to accept Fernie's involvement, but the story as told to us by Pitscottie is just that - dramatic narrative - and should not be treated uncritically as absolute fact.

This is the basic problem with Pitscottie's whole work - not his lack of accuracy (allowing for the extreme confusion of his chronology), nor the fundamental improbability of his stories, rather the uncritical acceptance of his stories as of equal value to contemporary record sources and of his selection of events that were important enough to merit inclusion. The belief that the minority of James V was a time of extreme misgovernment when feuds, factionalism and battles destroyed the cohesion of the Scottish political community derives principally from the selection of 'action highlights' by these later chroniclers. Hidden away in a very brief passage in Pitscottie's chronicle is the statement that after Queen Margaret's return to Scotland from her sojourn at the English Court (i.e. June 1517⁹⁰),

"... thair continewit pace and rest in Scotland, the space of thrie zeiris ... the realme stude in great tranquillitie and peace and the nobillis obeyit thair prince as they aught to do in all civill matteris godlie and honest, quhair throw the common weill flurischit ane lang quhill..."⁹¹

This passage can be taken to refer to the period of Albany's greatest success in Scotland: after the Home executions (October 1516 - June 1517), and the period which succeeded it, which, despite the assassinations of De La Bastie and the Prior of Coldingham, did not see the breakdown of government until 1519-20.⁹² The fact that government could, and did, flourish during the lesage of monarchs was not expressed by any of the other chroniclers. For example, the setting up of the College of Justice in 1532 is separated/

is separated from the reality that almost all of the senators first appointed to it, had been active in running the daily Council and legal 'Session' in the period 1526-28.⁹³

Pitscottie's character judgements were not free from bias. He praises Lennox (the great-grandfather of King James VI), who was killed at Linlithgow in 1526 with no consideration given to the possibly darker, personal motivation which Lennox may have had in challenging Angus for control of the King.⁹⁴ Every opportunity is taken to vilify the Hamilton family, particularly James Hamilton of Finnart.⁹⁵ In addition, Pitscottie's predisposition to criticise the position of Angus and the Douglasses, because of his own opposition to Angus's nephew, the Regent Morton, colours his judgement of them. The moral 'exemplum' of their rise to dizzying heights at Court and in government and subsequent (inevitable) fall is the basic point of the whole narrative. There is no blanket condemnation of Albany (and by implication of the French alliance). In common with most of the writers, Pitscottie recognised that Albany played an important rôle in composing the differences of the factions when he was physically present in Scotland, especially during his first visit when he was not too obviously seen as the agent of Francis I.⁹⁶

George Buchanan was the only one of the three principal, later-sixteenth century chroniclers to have any personal experience of the events of the minority of James V. He was present in the Scottish host which went to the Borders in 1523.⁹⁷ The attack on Wark Castle was carried out by the French troops at Albany's command when the Scots refused to cross the Tweed.⁹⁸ This personal experience should not be regarded as conferring any greater authority on Buchanan's account of the minority as a whole. It is most likely that he began writing his history only in the 1550s and 1560s and his memory of one particular event could not cover earlier or later events.⁹⁹

The/

The Rerum Scoticarum Historia was published in Latin in 1582, the year of Buchanan's death.¹⁰⁰ The whole work was in fact coloured by his concern to justify the fact of the deposition of Mary, Queen of Scots. From having been a Catholic humanist in the 1540s and 1550s, Buchanan was converted to become the foremost voice of Protestant revolution in the 1560s and later he became tutor to the young King James VI as well.¹⁰¹ There has been some argument over the extent to which Buchanan deliberately included material which he knew to be false in order to point the moral of his story - the justification of the deposition of Mary. While the inclusion of Boece's fictitious forty kings proves that he did use some of his material to this end, the same basic point is also valid with regard to his treatment of the minority of James V.¹⁰²

As much as Lesley, on the opposite side in the question of Mary, Queen of Scots, and more so than Pitscottie, Buchanan's treatment of the minority of James V is flawed by his political bias. No opportunity is lost to criticise the Hamilton family.¹⁰³ The collective lack of experience among the leading lay members of society after Flodden is blamed for allowing a domination of government by the higher clergy, whose greed and factiousness (and family connections to the nobility) caused the decline in effective government.¹⁰⁴ It was necessary for Buchanan to sustain his thesis that all female government was ineffective to condemn the regency of Margaret Tudor, who, we are told early in his account of the minority, performed only one action worthy of memory: securing the non-intervention of Henry VIII in the immediate aftermath of Flodden.¹⁰⁵ The Douglasses are not condemned outright for their attempt to raise themselves higher than their sovereign, though Angus is said not to have been a good ruler because he allowed the young James V too much licence.¹⁰⁶ In Buchanan's account, the King's intemperate opposition to any possible reconciliation of the Douglasses after 1528 is put down to/

down to the hasty and ill-conceived remark made by George Douglas on trying to force the King to move his forces at a faster pace to the support of the Hamiltons against Lennox at Linlithgow in 1526. This remark was that before Lennox and the opposition could take the King from Douglas control, they would prefer to tear the King's body in two and keep one piece themselves as a symbol of their continued authority.¹⁰⁷ This lack of moderation has been taken by some writers to refer to the whole Douglas ascendancy - that only by such circumstances could the King be confined - though here its context is quite narrowly defined.¹⁰⁸ This is another attempt to explain the reasons behind James V's life-long hatred for the kin of his former stepfather.

Buchanan's political thesis called for a King to be willing to respect the laws and, if under age, be governed by Regents under the same conditions. This thesis came into trouble with the minority of James V because the choice of Regents lay among a small group of people, none of whom was suitable to govern. Queen Margaret was unacceptable to Buchanan because she was a woman. The Duke of Albany's position as representative of a French alliance did not lend him a position of benevolent neutrality. The Earl of Arran was not only unacceptable because he was a Hamilton, but principally because his chronic vacillation made him too many enemies; while Angus proved himself unacceptable when he did obtain power by failing to respect the laws, holding power only by corrupting the King. Archbishop Beaton was unacceptable as a cleric and, as his involvement in 'Cleanse The Causeway' demonstrated, he was too partisan to be able to govern without creating factiousness.¹⁰⁹ Thus, in Buchanan's text, the "kinrick" is clearly "forlorn" as personal greed forms the basis of all attempts to govern. Factionalism brought about murders, battles and general moral decrepitude. The decline and fall of the Homes;¹¹⁰ the recent killing of De La Bastie/

La Bastie;¹¹¹ 'Cleanse The Causeway';¹¹² the attacks on England in 1522 and 1523;¹¹³ the second regency of Queen Margaret;¹¹⁴ the accession of Angus;¹¹⁵ the battles at Melrose and Linlithgow;¹¹⁶ the murder of the Earl of Cassillis;¹¹⁷ the martyrdom of the Protestant Patrick Hamilton¹¹⁸ and the King's escape from Falkland,¹¹⁹ form the basis of this picture. Once again, the criticism to be levelled against Buchanan's account, is not in a lack of accuracy or basic truth in what he does say, but in an uncritical acceptance of his selection of the important events of the minority, which makes no allowance for any stability or peace during the period. Buchanan adds his own particular brand of popular sovereignty and searches around to justify the concept of the strength of nobility per se as guardians of the "common weal".¹²⁰

In this context, the decision of Albany to remove the keeping of the King's person from Margaret Tudor in 1515 is condemned as the action of a Governor acting against what Buchanan believed was the general will of those who had the King's best interest in mind. The country was evidently in a poor state when government was entrusted to,

"... an exile, born and educated in a state of banishment; whose father's ambition had nearly deprived his elder brother of his kingdom and who, himself, as next heir, it was evident, only waited till every thing else was settled according to his wishes, to remove the innocent child, assume the crown and complete what his father had impiously projected..."¹²¹

The placing of these words into the mouth of Lord Home, who was thereafter hounded into exile, given pardon, abused this second chance, and subsequently was executed, gives them the appearance of words from a voice crying in the wilderness, but the implication of Buchanan's thesis of moral decline of a nobility who should never have tolerated such a threat is brought out more strongly by the comparison with the successful determination of a united nobility whose collective wisdom prevented foolhardy attacks into England in 1522 and 1523 solely for French benefit.

For/

For Buchanan, the argument that fulfilment of duty by the youthful King consisted only in preserving the ancient boundaries of their kingdom was compounded by the general possibility of disgrace which proceeded from the "envy, hatred, or their yet recent quarrels"¹²² which could prevent a unity of purpose. The rhetorical device to express his own views was common in Buchanan's history, but the incorporation of oral tradition of the period warns against too strong a condemnation of Buchanan's speeches. He adds that the Scots felt they might be regarded as blameworthy in the eyes of their contemporaries for bringing the expedition to a summary conclusion, and therefore they let it be known that Lord Dacre had offered the payment of money to buy off an intended invasion; money which was never paid. This closely parallels the report given by Adam Abell that the English feared the destruction of Carlisle Castle and promised a "gret soum of gold" to end the threat, which they later reneged on paying.¹²³

In 1523, Buchanan concentrates on the bribery and corruption of the nobles who favoured the French alliance in order to discredit their arguments against closeness with England. Thus the suggestion is made that English guile was being employed to deprive the Scots of outside assistance in order to weaken their resistance to English dominion. Also, these bribed and corrupt Scots argued, there was no substance to the belief that alliance was more secure with near, rather than distant states, while everyone knew that the English did not honour the sanctity of their oaths. The point of this for Buchanan was to convince the Scots of his own day that the common bonds of language, customs and manners should ensure a close relationship with England and that the eventual prospect of a Scottish King on the English throne would end any violations of treaties of friendship by the English.¹²⁴

Buchanan was capable of twisting facts which should have been clear to him to suit/

him to suit his basic message. The fate of Gilbert, Earl of Cassillis, is recounted in order to show the unyielding pride and arrogance of the Hamilton family. Cassillis is said to have replied to their offer of "protection" by saying that he would not

"... so far degenerate from his forefathers as to voluntarily put himself under their [i.e. the Hamiltons'] patronage - the next step to slavery - the chief of whose family, when entering into a bond on equal terms, was content with second place..."¹²⁵

Cassillis was freed from any question of complicity in the Lennox uprising but the evil-intentioned Hamilton of Finnart procured his murder at the hands of Hugh Campbell [of Loudon], *Sheriff of Ayr*. The connection may be valid, but the time scale was a full eleven months between Linlithgow and Cassillis's death, not 'a few days'.¹²⁶

In the seventeenth century, the chronicle tradition continued in the hands of writers strongly influenced in particular by the works of Lesley and Buchanan. The events of the minority of James V were at ever-increasing removes from the consciousness of these writers and the reliance on the principles set out by the later sixteenth century chroniclers is not surprising. The work of William Drummond of Hawthornden (1585-1649) is probably the best summation of the various ideas put forward by the earlier chroniclers.¹²⁷ Drummond's political concerns were not directed to the justification or vilification of Mary, Queen of Scots, but his avowedly royalist stance in the period after 1638, at the time when he was writing his history, gives it a political intent of its own concerned with the promotion of royal prerogative and condemnation of parliamentary interference.¹²⁸ The historical value of his chronicle lies not in what he adds to the story, for the few occasions where he does that are demonstrably factually inaccurate,¹²⁹ but in his 'distillation' of the ideas which had been put forward by Lesley, Buchanan and Pitscottie. There is no surviving evidence from/

evidence from his library that he possessed copies of the books of Lesley or Buchanan, or the manuscript of Pitscottie,¹³⁰ but there is such a clear correlation of his work to theirs that he must have seen them and worked closely from them. Drummond's biographer, David Masson, discounted the History as "... a performance of very little value..." because he made no critical enquiry into his sources which he was content to rework into his own style without altering the framework.¹³¹ The preface of the 1655 edition gives a suggestion that historical accuracy was not Drummond's principal motive for writing: "... his Descriptions lively and full, his Narrations clear and pertinent, his Orations eloquent and fit for the persons that speak..."¹³²

In his character judgements, Drummond is not hampered by the need to criticise either Hamiltons or Douglasses per se. Thus the more positive condemnations of Buchanan and Pitscottie in stating that Angus seized power in 1525-6 are watered down to the idea that Queen Margaret and her supporters withdrew from joint arrangements for government.¹³³ His treatment of the lead up to 'Cleanse the Causeway' emphasised the blame to be attached to the covetousness of Arran and the Hamiltons in plotting to overthrow the influence of Angus in Edinburgh (a plot which goes awry when Angus drives Arran and his supporters into flight) at a time when Angus's uncle had already yielded the Provost's chair to the neutral Robert Logan.¹³⁴ The former point follows the line propounded by Lesley, the latter that of Buchanan. Later, Drummond found the account of the Battle of Linlithgow in 1526 as recounted by Pitscottie, most congenial to his point of view and followed Pitscottie's story that the Master of Kilmaurs was saved from death by the intervention of the King's envoy, Sir Andrew Wood of Largo.¹³⁵

Drummond's most interesting addition to the character judgements of the leading people/

leading people in the Scottish political community is his discussion of the Earl of Lennox. Buchanan was constrained by a need to praise Lennox as the great-grandfather of James VI, but Drummond cast much more sinister aspersions as to Lennox's motivation for obtaining the favour of the young King in 1526. The grant of a bond to Lennox was made in terms which would have given him widespread powers and authority over the King and cannot have diminished his ambition. He was a near cadet of the royal family and probably felt that it was more appropriate to Scottish tradition for him to exercise the authority which Angus had usurped. Drummond suggested that he obtained the favour of the King "for his own ends".¹³⁶

The fact that Drummond cast no doubt on the framework established by the later sixteenth century writers gave confirmation to the belief continued by later writers that a generally high level of political violence was visible through the events of the minority of James V. Once again, the set pieces of the execution of the Homes,¹³⁷ the murder of De La Bastie,¹³⁸ the rivalry of the Hamiltons and Douglasses,¹³⁹ their subsequent mutual jealousy of Lennox,¹⁴⁰ and the murder of Cassillis,¹⁴¹ give an impression of what was important in Scotland not wholly consistent with the contemporary evidence. There was no mention of the good government exercised by Albany, nor the growing development of the 'Session'. The consequence was to provide writers of general histories with a limited number of definably exciting "action highlights" on which to hang the theme expounded first by Adam Abell in 1532, that the accession of a child to the throne brought nothing but ill for a kingdom.

The History of the House of Douglas and Angus by David Home of Godscroft was first published in 1644, and it was reissued in 1648 and 1657.¹⁴² There is no doubt that Angus is one of the few figures in the minority of James V about whom a reasonably well-informed biography could be constructed.

Godscroft/

Godscroft, however, was not concerned any more than his contemporary, Drummond of Hawthornden, was, with critical analysis of the sources of the history which he prepared. His avowed intention, made clear in the author's preface to the reader in the 1657 edition, was "... to honour that name, [i.e. Douglas/Angus] and in, and by it, our King and country..."¹⁴³ What we have is a paean of praise to the family of the Douglasses. For this approach to be successful, the traditions established by Buchanan were naturally more conducive than the criticisms of Pitscottie. It is not surprising that Godscroft openly refers to Buchanan in his text, though when necessary, the line propounded by Lesley or Pitscottie was used as well.¹⁴⁴

The framework of events was not altered by Godscroft who concentrated on the events in which Angus had been particularly prominent - 'Cleanse The Causeway' in 1520 and Angus's climb to power, after his exile in France, in the period 1524-8.¹⁴⁵ The tone, however, is immediately different, and is completely favourable to Angus. The later approval which Henry VIII undoubtedly gave to Angus is projected back in time to suggest that Angus's marriage to Henry's sister, Margaret Tudor, was done "... with the allowance, desire and exhortation of her kinsfolks, of King Henry the 8..."¹⁴⁶ later adding that this approbation was intended as a counterpoint to the influence of the "French Party",¹⁴⁷ In dealing with 'Cleanse The Causeway', Godscroft portrays Angus as the injured party, victim of a conspiracy raised by the jealousy of the Hamiltons, forced to fight merely to defend his honour rather "... than to meekly go to the block..."¹⁴⁸ Angus's supporters are worthy men and overcome the tremendous odds against them, leaving Arran and his bastard son, James Hamilton of Finnart, to escape in ignominy.¹⁴⁹ The substance of the tale is similar to Pitscottie, down to the repetition of the tale of Gavin Douglas, Bishop of Dunkeld, seeking a compromise with James Beaton, Archbishop of Glasgow, only to discover Beaton so far from being willing/

being willing to compromise as to have put on armour beneath his vestments. Dunkeld's reply to Beaton's vehement statement regarding his conscience was to rebuke him mildly, saying, "How now my lord, me thinks your conscience clatters..."¹⁵⁰ This misquotation of the words Pitscottie puts into Dunkeld's mouth represents the beginning of a long series of misinterpretations of Pitscottie's statement that the plates of armour clattered, emphasising that Beaton's conscience was not clear enough to avoid putting on the armour forbidden to a priest.¹⁵¹

All of the previous writers, and notably Drummond of Hawthornden, had given at least limited praise to the Duke of Albany for the attempt he made to govern the Scots with equanimity.¹⁵² Godscroft reinforced the dark hints voiced by John Major concerning Albany's true character and condemned the rule of Albany who "... misgoverned the space of nine years, of which he spent in journeying and in France, 5-6 of these nine years..." He thus left Scotland, "... a prey to forreiners and civill ambition and dissention, and when he was at home he abused and oppressed the nobilitie by slaughter or banishment..."¹⁵³

Godscroft had stated at the beginning of his History, that he intended to be impartial as far as truth would permit, but that he had "... in many places interposed [his] judgement of men's actions..."¹⁵⁴ It is clear from the 'judgement' of Albany that Godscroft had found no clear, relevant statement from his earlier sources to provide a plausible explanation for the seizure of power by Angus. If thereafter Angus had governed wisely, he would not have been banished, or contrarily, if he had been the victim of a coup by jealous but misguided counsellors, then there would have been no reason for James V to determine never to allow his return. It was necessary for Godscroft to blacken Albany's government in order to explain the factionalism which arose in Scotland, so that this theme could then be developed/

developed into a lust for power by various groups of nobles. Naturally, Angus was the most pure-hearted of these nobles. He had come to power in 1525 through the aid of Lennox and Argyll and had instituted a quarterly rotation of keepership of King and government.¹⁵⁵ Angus was first principal chosen "either by lot or by consent" (thus emphasising that Angus did not suffer from boundless ambition and force himself into that position).¹⁵⁶ During his leadership, he obtained the promotion of his brother, William Douglas, to the position of Abbot of Holyrood, which offended Lennox and Argyll, who withdrew from his government.¹⁵⁷ Godscroft suggested that Argyll and Lennox were too lustful for power to await their turn and thus abandoned their charge: "... Now they abandon their charge, and thereby give him [i.e. Angus] occasion to administer all alone, which is imputed to his ambition..."¹⁵⁸

This is closer to Drummond of Hawthornden's aspersions against Lennox's motivation than the praise of Lennox made by Buchanan. Godscroft is concerned only to portray the Douglasses in a good light and Lennox's attempt to seize the King from their control, thereby endangering the body politic of the community, could not be justified.¹⁵⁹

The escape story was told by Godscroft in terms of a dramatic night ride from Falkland to Stirling after a pretence over hunting.¹⁶⁰ Once again Angus and his kin are censured only from the positive light of over-confidence in not securing Stirling Castle, being

"... neither so greedie as men would have them appear,...; neither so circumspect as wise men should have been, to secure themselves, knowing the fitness of the place for such a purpose, the disposition of the owner [i.e. Queen Margaret, referring to her opposition to Angus after their divorce] and the inclination of the king toward themselves..."¹⁶¹

This paean of praise to the 6th Earl of Angus concluded with an epitaph which bore scarce resemblance to the man whose historical character was exhibited through/

exhibited through contemporary record sources. To Godscroft, he was a man (besides other virtues) of greater wisdom than he made show of, or than appeared to other men, strong in brotherly love and in winning men's favour.¹⁶² This view of Angus did not find a ready audience and certainly did not gain ascendancy over the more measured praise of Buchanan, the suspicion of Pitscottie or the criticism of Lesley.¹⁶³

The chronicles are a useful source of rumour and oral tradition concerning the minority of James V. The stories related in their pages do much to add circumstantial detail to the otherwise arid record sources. The broad brush strokes of clerical domination because of noble losses at Flodden, political violence to such an extreme degree that even the High Street of Edinburgh was not free of trouble, and the ultimate domination and fall of the Douglas kin, is not specifically contradicted by the record sources. Caution needs to be employed in giving acceptance to the polemical writings of the later sixteenth century without awareness of the nature of the audience and purpose for which they were written. Allowing for the vagaries of the chronology of events, the basis of these stories is demonstrable in fact, but the stories remain dramatic narrative illuminating the bare bones of contemporary evidence without adding to that evidence.

CHAPTER FOURTEEN NOTES

- 1 This approach has been used in P F Tytler, History of Scotland, vol. v (Edinburgh 1834) 86-220; J Hill Burton, History of Scotland from Agricola's Invasion to the Extinction of the Last Jacobite Insurrection, vol. iii (Edinburgh 1876) 87-139; P Hume Brown, History of Scotland vol. i (Cambridge 1899) 352-374; Lang, History of Scotland i 392-418. Modern writers who have followed the same line include R L Mackie, A Short History of Scotland (Oxford 1930) 209-13; Fitzroy Maclean, A Concise History of Scotland (London 1970) 75-7; R G Eaves, Henry VIII's Scottish Diplomacy 1513-24 : England's Relations with the Regency Government of James V (New York 1971) passim, and Patricia Buchanan, Margaret Tudor, Queen of Scots (Edinburgh 1985) esp. 230-1.
- 2 A History of Greater Britain ... by John Major, ed. and trans. A Constable (SHS 1892).
- 3 R A Mason, 'Scotching the Brut : Politics, History and National Myth in 16th Century Britain' in R A Mason (ed.) Scotland and England 1286-1815 (Edinburgh 1987) 65-66.
- 4 Major, History, preface, cxxxiii.
- 5 Ibid. cxxxv.
- 6 Ibid. 394 "... Now Arthur [son of Henry VIII] had no issue; but his father had left two daughters, of whom the elder, Margaret, married James the Fourth, King of Scots, and Mary, the younger daughter, was married to Lewis the Twelfth, king of the French; but, on the death of Lewis, she was given in marriage to the duke of Suffolk." [End of the history.]
- 7 This was first mentioned only in 1522 see 303 and ch.7 n.85 but it was a readily-acknowledged possibility.
- 8 Major, History 218-9, "I do not forget there are crafty men, more bent upon their private advantage than on the common weal, who will deny what I now affirm ... [i.e. that the evils of warfare far outweigh the potential accession of English power over Scotland] ... Such, for instance, are certain powerful Englishmen and Scots, who themselves aspire to the sovereignty, and therefore are unwilling to have over them a king..."
- 9 See above 600.
- 10 John Law, 'De Cronicis Scotorum Brevia' (Edin. Univ. MSS Dc7 63) ff.138-140; 143-6. For details of John Law's career, see John Durkan, 'St Andrews in the John Law Chronicle', in D McRoberts (ed.), The Medieval Church of St Andrews (Glasgow 1976) 137-8.
- 11 John Law Chronicle f.138.
- 12 Ibid. f.139
13. Ibid. ff.139-139v.
- 14 Ibid.

- 15 Ibid. f.140
- 16 Ibid. ff.143v-144v.
- 17 Ibid. f.144v.
- 18 Ibid. ff.144v-145.
- 19 Ibid. ff.145-146.
- 20 Ibid. f.146.
- 21 Adam Abell, 'The Roit or Quheill of Tyme' (NLS MS 1746). For a full record of what Abell wrote, see Appendix K. For brief details of what is know about Abell, see A M Stewart, 'Adam Abell's "Roit or Quheill of Tyme"', in Aberdeen University Review xliv (Aberdeen 1972) 386-393.
- 22 Abell, f.117: "... Secondlie ye Lard of Baclanth [sic. Buccleuch] and he came yare to beside Melross. Ye King wald haif passit to him hes yai schew to me at stude besyde..."
- 23 The Chronicles of Scotland compiled by H Boece, translated into Scots by J Bellenden 1531, Edited in continuation of the work of ... W Seton by R H Chambers, E C Batho (STS 1938, 41).
- 24 Abell ff.110v-112r; see MacDougall, James III 280-2; 314.
- 25 Abell f.116.
- 26 Ibid.
- 27 Ibid. ff.116-117.
- 28 See above 307-12.
- 29 The execution of the Homes, placed correctly under 1516, is immediately followed by: "... about yis time ye Duke wyt a gret host passit to Carlill..." (f.116).
- 30 Under 1522 (in margin) "... Secondly ye Duke returnit fra France and sone eftir he institut wyt consale of ye lords 4 keeparis of ye King..." (F.116v). See above 168-9.
- 31 Abell f.116v.
- 32 Ibid. f.117. For Angus's use of the Observantines, see L&PHVIII iv pt. ii no. 4987 James V to Magnus, undated (Nov. 1528).
- 33 A Diurnal of Remarkable Occurrents That Have Passed Within the Country of Scotland Since the Death of King James IV till the Year 1575, from A MS of the 16th Century in the possession of Sir John Maxwell of Pollock, Bart. ed. T Thomson (Bannatyne Club 1833), 1-11.
- 34 Tytler, History v 433-443; cf David and Wendy B Stevenson, Scottish Texts And Calendars (SHS 1987) 26-7.
- 35 Diurnal of Occurrents, 4.

- 36 Ibid. 7; the first grant from Home's forfeited estate was made on 26 Oct. 1516 - RMS iii 98 and see above 124.
- 37 Diurnal of Occurrents 7; see above 259-261 for confirmation of this dating.
- 38 Diurnal of Occurrents 10; see Pitcairn, Trials, i 134* 19 Dec. 1526, charges against Patrick, Lord Lindsay of Byres.
- 39 Diurnal of Occurrents 10; Pitscottie, Historie, i 306-7; Buchanan, History, ii 230-2; Lesley, History, 132; Hume of Godscroft, History, 250-1.
- 40 Diurnal of Occurrents 10.
- 41 John Lesley, History of Scotland from the death of King James I, in the year MCCCCXXXVI to the year MDLXI [Ed. T Thomson] (Bannatyne Club 1830).
- 42 For details of Lesley's career see, The Historie of Scotland written first in Latin by the Most Reverend and worthy John Leslie Bishop of Rosse and translated in Scottish by Father James Dalrymple religious in the Scottish cloister of Regensburg, the zeare of God 1596, ed. Rev. Father E G Cody O.S.B. (STS 1888) vol. i preface xv-xxi; Dowden, Bishops 229-31.
- 43 Ibid.
- 44 Among the sources cited in the Latin history (ibid. i preface xxi) were previous histories, annals kept in public archives, the oldest codices religiously preserved at Paisley, Scone and other monasteries, as well as classical sources.
- 45 e.g. Lesley, History, 97 (in the immediate aftermath of Flodden); 102-3 (Albany's first parliament of July 1515); cf ADCP 1-3; APS ii 282-3.
- 46 Lesley, History, 100.
- 47 Ibid. e.g. 102, 116-7, etc.
- 48 Ibid. 110.
- 49 Ibid. 139.
- 50 Ibid. e.g. 113-5, treatment of the Hamilton-Douglas feud 1519-20.
- 51 Ibid. 135 "... the Erle himself was slane." For the contemporary rumour see HMC 11th report, Appendix pt. 6, no. 73 Agreement between Matthew, Earl of Lennox, son of the slain Earl, and the Hamiltons. 29 April 1531.
- 52 Lesley, History, 133-6.
- 53 Dalrymple, Historie, ²³⁻⁹ 177-80; for Morton, see G R Hewitt Scotland Under Morton 1572-80 (Edinburgh 1982).
- 54 Lesley, History 120-2.
- 55 Ibid. 121.
- 56 Ibid. 101.

- 57 Ibid. 106.
- 58 APS ii, 294-5.
- 59 Lesley, History, 132.
- 60 Dowden, Bishops 207 (Dunblane to William Chisholm); 87 (Dunkeld to George Crichton).
- 61 Lesley, History 132-3, 135-6. For the idea of pressure of circumstances being involved in Angus's seizure of government, see above 476-7.
- 62 For details of Pitscottie's life, see The Historie And Cronicles of Scotland from the slauchter of King James the First to the Ane Thousande fyve hundreith thrie scoir fyftein zeir ... written and collected by Robert Lindesay of Pitscottie ed. Aeneas J G Mackay (STS 1899) vol. i introduction xxxiii - lviii.
- 63 For John Major, see above 575-6.
- 64 For Sir William Scott of Balwearie, see Appendix E - Council sederunts. For Sir David Lindsay of the Mount, see TA v 37, 58 etc.; for the Woods see ER xv 151, 569, TA v 267, 328, 371, 382, 384.
- 65 For Andrew Fernie of that ilk see RMS iii no. 549, 12 Feb. 1528.
- 66 Pitscottie, Historie i introduction xliii.
- 67 Ibid. liv-lvii.
- 68 See above 556 for James V's own accusation that Angus had plotted to kill him.
- 69 Pitscottie, Historie i 321.
- 70 Ibid. 281-3.
- 71 Ibid. 280-1.
- 72 Dowden, Bishops, 82-5, cf. Virgil's Aeneid translated into Scottish Verse by Gavin Douglas, Bishop of Dunkeld, ed. David F C Caldwell (STS 1957-64)
- 73 Pitscottie, Historie i 281-2.
- 74 Ibid. 282.
- 75 The date of 30 April 1520 is confirmed in APS ii 298 3 Aug. 1525, rescinding of the forfeiture of John Somerville of Cambusnethan for support of Angus; see above 259-61.
- 76 Particular details of these deaths are lacking but see above Chapter 6 n.52 and above 577 and n.15.
- 77 Pitscottie, Historie i 285-7; see above 62-3.
- 78 Pitscottie, Historie i 298-301; see above 172-6.
- 79 Pitscottie, Historie i 308-12; see St Andrews Formulare i 145; Herkless & Hannay, Archbishops iii 170-188, esp. 185-6, the sentence against Hamilton from Foxe's Book of Martyrs.

- 80 Pitscottie, Historie i 312-20; see above 508, 512.
- 81 Pitscottie, Historie i 323-9; see above 551-4.
- 82 Pitscottie, Historie i 411-4; see above Chapter 13 title.
- 83 Pitscottie, Historie i 329.
- 84 Ibid. 328, 331.
- 85 RMS iii no. 549, 12 Feb. 1528.
- 86 See above 554. There is no evidence to prove whether Pitscottie's story is true or false.
- 87 See above 476-7, 553-5. The changeover in personnel in the summer of 1528 indicates the previous extent of Douglas domination.
- 88 Abell f.117r.
- 89 Pitscottie, Historie i 324.
- 90 See above 165-7.
- 91 Pitscottie, Historie i 298.
- 92 See above Chapters 4 and 5.
- 93 See above 549 and chapter 13 notes 153, 157, and also Appendixes D and E.
- 94 Pitscottie, Historie i 315-6.
- 95 Ibid. e.g. 280, 282, 319, etc. Sir James Hamilton of Finnart is called a tyrant and cruel murderer for his callous killing of Lennox at the Battle of Linlithgow in 1526.
- 96 Ibid. 290, 295, 305. The contrast is explicitly drawn at the final departure of Albany from Scotland when Pitscottie writes that this was immediately followed by the outbreak of great trouble and feuds.
- 97 I D McFarlane, Buchanan, (London 1981) 23.
- 98 See above 374-6.
- 99 McFarlane, Buchanan 416-8.
- 100 All references to Buchanan's text are based on the 1845 edition of the translation by J Aikman of Buchanan's Latin text of the Rerum Scotticarum Historia : G Buchanan, The History of Scotland, trans. J Aikman (Glasgow 1845) vol.ii.
- 101 McFarlane, Buchanan 320, 354, 445-6, 468.
- 102 Ibid. 418-29; compared with H R Trevor-Roper George Buchanan And The Ancient Scottish Constitution (EHR Supplement 3, London 1966).
- 103 Buchanan, History ii 213, 218, 235, etc. referring to Arran's inconstancy; his failure to provide justice; the cruelty of Hamilton of Finnart, etc.

- 104 Ibid. 201.
- 105 Ibid. 202-3.
- 106 Ibid. 230-1.
- 107 Ibid. 234.
- 108 Donaldson, James V - James VII 40; Burton, History iii 138; Hume Brown, History i 372; Lang, History i 410; Tytler, History v 204.
- 109 Buchanan, History ii 202-3 (Queen Margaret); *ibid.* 213, 230 (Arran); *ibid.* 230-2 (Angus); *ibid.* 218-9 (Beaton); *ibid.* 205-6, 214-5, 228-9 (Albany).
- 110 Ibid. 209-16.
- 111 Ibid. 217-8.
- 112 Ibid. 218-20.
- 113 Ibid. 220-9.
- 114 Ibid. 229-30.
- 115 Ibid. 230-2.
- 116 Ibid. 232-5.
- 117 Ibid. 235-6.
- 118 Ibid. 238.
- 119 Ibid. 238-41.
- 120 e.g. the Council which forced the abandonment of the campaigns against England in 1522 and 1523 shows this concept of popular sovereignty most clearly - *ibid.* 221-2, 225-9.
- 121 Ibid. 211.
- 122 Ibid. 221.
- 123 Ibid. 222; Abell f.116r.
- 124 Buchanan, History ii 224-7.
- 125 Ibid. 235-6.
- 126 See above 548.
- 127 William Drummond of Hawthornden, The History of Scotland from the year 1423 until the year 1542 containing the lives and reigns of James I, II, III, IV, V and several memorials of state during the reigns of James VI and Charles I, (London 1655)
- 128 David Masson, Drummond of Hawthornden : The Story of his Life and Writings (London 1873) 223 (History begun); 469-71 (Reasons for Writing).

- 129 Drummond stated that Moray was made an Earl on Albany's arrival in Scotland - History 160; cf RMS ii no. 2586 12 June 1501; he stated that the Provost of Edinburgh appointed in 1520 after Albany's interference was the Laird of Roslin when, in fact, it was Robert Logan of Coitfield - History 174; cf Edin. Recs. 1403-1528 280; he stated definitely that Richard De la Pole came to Scotland with Albany in 1523 - History 180; cf Cal. State Papers (Venice) iii no. 676 Antonio Surian (Venetian Ambassador in England) to an unknown correspondent, 14 May 1523, for rumours that Richard De la Pole 'White Rose' intended to come to Scotland with Albany. No other source contemporary or chronicle states that he actually made the journey.
- 130 Robert H MacDonald (ed.), The Library of Drummond of Hawthornden, (Edinburgh 1971) 49.
- 131 Masson, Drummond, 470.
- 132 Drummond, History preface.
- 133 Ibid. 188.
- 134 Ibid. 174; compare Lesley, History, 132 and Buchanan, History, 218.
- 135 Drummond, History 191-2; compare Pitscottie, Historie 318-20.
- 136 Drummond, History 188; the Lennox bond is in Fraser, Lennox ii 226-7, Lennox Charters no. 138.
- 137 Drummond, History 162-9.
- 138 Ibid. 171.
- 139 Ibid. 173-6.
- 140 Ibid. 188-92.
- 141 Ibid. 192.
- 142 All references made here are to the 1657 edition: David Hume of Godscroft, History of the House of Douglas and Angus (London 1657).
- 143 Ibid. preface 1.
- 144 Ibid. 248 for the direct reference to Buchanan. The 'Cleanse The Causeway' story is similar to Pitscottie - ibid. 244-7. Godscroft also follows the line that the King was left in Angus's control in 1525 because of the abandonment of their charges by the other Lords - a similar idea to Lesley - ibid. 250-1.
- 145 Ibid. 244-7, 250-1.
- 146 Ibid. 239.
- 147 Ibid. 240.
- 148 Ibid. 246.

- 149 Ibid. 247. He stated that Arran and Finnart had to escape from Edinburgh on a coal horse.
- 150 Ibid. 246.
- 151 Pitscottie, Historie 282.
- 152 Drummond, History, 182; Buchanan, History 229; Pitscottie, Historie 290, 295, 305; Lesley, History 102.
- 153 See above n.8; Godscroft History 249.
- 154 Godscroft, History, preface 2.
- 155 Ibid. 250.
- 156 Ibid.
- 157 Ibid. 250-1.
- 158 Ibid. 250.
- 159 Ibid. 253-5.
- 160 Ibid. 256.
- 161 Ibid.
- 162 Ibid. 275.
- 163 George P Johnston, The First Edition of Hume of Godscroft's History (Edinburgh 1901) passim.

CHAPTER FIFTEEN

Conclusion

The minority of King James V of Scotland lasted for fourteen years and ten months from 9 September 1513 until June 1528. It is comparable to the minorities of earlier Scottish kings, notably James II (1437-49) and James III (1460-69). Attempts were made to find a workable solution to the problem of reconciling a surviving Queen Mother, with political ambitions, to the traditional guardian of king and realm, the late king's nearest adult male relative. The solution was invariably the elimination of the influence of the Queen Mother. This settlement was then overturned by the seizure of the king, and hence the government, by members of one family, who enjoyed a brief dominance thereafter, basing their success on control of the outlets of patronage, and their physical control of the king. In James V's minority, the characters of greatest importance in this scenario were Margaret Tudor (James V's mother); John, Duke of Albany (James V's nearest adult blood relative); and Archibald Douglas, 6th Earl of Angus (James V's stepfather), who seized the King in November 1525 and perpetuated his control of the government until James V escaped from the physical domination of the Douglas family in the summer of 1528.

The Scottish situation was complicated in the early 16th century by the significance which Scotland had assumed on the international stage. The problems of the successive minority governments were not just the concern of the Scots, because Margaret Tudor was the sister of King Henry VIII of England, while John, Duke of Albany had been born and brought up all of his life in France, and had never visited Scotland until he came in 1515 to assume the Regency. English and French interest in Scotland was not based on friendly confraternity, but on the very real advantage to be gained for their own international position from having Scottish friendship.

The dilemma/

The dilemma which was faced by every Scottish administration was whether or not to seek friendship from England or France, and the response to this dilemma was conditioned in most cases by the battle of Flodden. There was a general perception in Scotland that Flodden had been fought principally to bring advantage to the hard-pressed French in an attempt to persuade Henry VIII to return to England and end his active campaign in France. At appalling cost in terms of men's lives, it failed to do this; yet within six months, England and France had concluded a truce, and within a year were united by a mutual friendship pact sealed by a marriage alliance which the French King Louis XII concluded without reference to the Scots. A new determination on the part of the leading Scots peers is visible from the earliest stages of the minority, not to be used as a pawn in international diplomacy again. They exhibited their doubts about the sincerity of offers both from England and France and sought to obtain the best deal by playing off one against the other. Only when this was not possible, for example in 1518-21 after the Treaty of London, and again after the Treaty of The More, 1525, did the Scots relapse into bitter internal faction fighting.

The minority of James V is not just the tale of endemic political violence and the collapse of central government, which the later sixteenth-century chroniclers portrayed by their selection of events worthy of mention. That it is not so, is largely due to the outstanding success of John, Duke of Albany, in overcoming the odds stacked against him, and proving his ability to be reckoned as one of the most successful governors of the Scots.

The long-term effect of Flodden was to raise to prominence a new generation of counsellors who did not have the same opportunity to learn by experience as their predecessors. The general pursuit of self-interest by these men can be offset against the fact that they were successful in maintaining an/

maintaining an independence of action for Scotland which was called into question several times during James V's minority. Henry VIII never at any time in the minority exercised even nominal influence over the Scottish government, although he may have appeared to have had influence over Angus who achieved dominance from 1525, because of the signing of the three-year Anglo-Scottish peace. In practical terms, this influence did not extend very far because of the failure of co-operation between the English and Scottish Border Wardens over the cases of the Lises, the Armstrongs and other border troublemakers.¹ Despite the English sentiments to the contrary, Albany did not stand, at any time, as a mere cipher for French wishes. He came closest to this in 1523-4, and the Scottish rejection of his campaign against England is further proof of their independence of mind.²

The self-interest pursued by the majority of Scots was allowed to flourish because of the absence of a strong adult king. There was no substitute for the royal power, although the period of Albany's and, later, Angus's greatest success coincided with the time when they had arrogated the majority of royal privileges to themselves. Crown-Magnate relations were not seriously disturbed by the imbalance caused by the loss of an effective king. No attempt was made to replace James V with either an adult ruler of the Stewart family (e.g. Albany, Arran or Lennox), or a king from another family (e.g. Angus, who was married to Margaret Tudor from 1514 and was, therefore, the King's stepfather). The recognition was present from the very start that James V, if he lived, would grow up and one day enter into government on his own account.

The recognition of Queen Margaret as Regent in the immediate aftermath of Flodden was a practical response to an emergency situation. The King was only seventeen months old and hardly of an age to be kept away from his mother. In fact, the whole direction of the minority might have been very different if/

different if Margaret had proved to be amenable to manipulation. What the Scots wanted was a figurehead to rally round, but one without political independence. Her renewed pregnancy (with Alexander, Duke of Ross, born in April 1514) kept Margaret out of the limelight until the summer of 1514, at which time there continued to be a general acceptance of her position. It was only when she embarked on the dangerous path of seeking to exercise power, more than in name only, and, more importantly, to base that claim on marriage to Archibald Douglas, 6th Earl of Angus, that the depth of feeling against her drove her from power.³

The Lords who declared Margaret deposed (in September 1514), by reason of her second marriage, really envisaged the continuation of power in their own hands, ruling for an absentee governor, who would also wield power "in name only". In a very real sense there was no expectation that Albany would come to Scotland to undertake the Regency. The Anglo-French amity of 1514 seemed likely to prevent this happening, even if the Scots had been sincere in their calls. It was just one of the examples of the new realism in Scotland, of the determination to exploit the international situation as surely as Scotland had been exploited in September 1513. Despite attempts at compromise in 1514-15, a stalemate continued because of the unacceptable ambitions of Queen Margaret. The impasse was only broken when Albany arrived in person in Scotland in May 1515. His arrival was ultimately made possible only by the change in Francis I's attitude, rather than any new intensity of desire by the Scots. The renewal of the Italian wars, which was to lead to Francis's spectacular victory at Marignano in September 1515, caused him to have less regard for the desire of Henry VIII to keep Albany out of Scotland.

Albany made a great success of his rule in Scotland because he proved his skill, his energy and his capability for governing from the very start. He displayed all of the positive characteristics necessary to win support from those/

from those uncommitted to his rule, by his success in overcoming the opposition. This was particularly demonstrated by his showdown with Arran at the Battle of Kittycrosshill in January 1516, where his success was based on his displaying of the royal standard, and the implied threat of treason against the King's person, for any who dared to transgress its authority. The importance of this initial act of magnate defiance can be judged by the fact that it was considered to be worth obtaining remissions for involvement at Kittycrosshill ten years afterwards and, in one case, twenty-four years afterwards, during James V's adult rule.⁴

Albany displayed his considerable energy and devotion to his task of governing by travelling all over Scotland. It was never enough for any ruler to sit in Edinburgh and dictate any number of sensible decrees. Albany showed his face in the west of Scotland, in the Borders and in Fife, and in many cases disputes were resolved by his personal presence. The capability which Albany showed for government might seem remarkable for a man who had never visited Scotland before he came to take up office. He was probably ignorant of the traditional workings of the Scottish government and possibly even of its language. Yet it was this very unfamiliarity which worked to Albany's advantage. It meant that Albany alone had no personal motivation. Margaret had started out that way, but all too soon had developed political ambitions. Albany acted as the embodiment of the will of the estates, building on a platform of co-operation with the most powerful and amenable magnates. The majority of the Lords wanted Albany to exercise the powers and privileges of a king. This brought advantages, especially in dealing with the Pope, maintaining the Crown privileges granted to James III by Innocent VIII of eight months' respite before provision should be made to important benefices in order that the Crown nomination could be decided. This privilege had been challenged by Leo X, who had given the Archbishopric of St Andrews to the/

Andrews to the Italian, Cardinal Innocenzo Cibó, in the immediate aftermath of Flodden. Leo X was persuaded by Albany to regrant Innocent VIII's indult as a sign of favour to Scotland and France while Cibó was bought off by an exchange of Sees with Andrew Forman's French See of Bourges going to Cibó in return for the dropping of Cibó's claim to St Andrews.⁵ Albany's international prestige, particularly with the Papacy, was further enhanced by the marriage alliance of his wife's family and the Medici, and the raising of Giulio De Medici to the Papal throne in 1523 as Clement VII. The period of Albany's greatest success was that of 1516-17, after he had succeeded in providing strong, stable, central government, and which was emphasised in the parliamentary declaration that he was the second person of the realm.

Later, Angus based his success after 1526 on the fact that he claimed to be acting on behalf of an adult king, in whom all the powers and privileges of the Crown were concentrated. The declaration of age of the king served the dual functions of abrogating all authority previously granted to Albany, Margaret or Arran, and empowering Angus, in whose physical care the King remained.⁶

The level of political violence which was induced by the opportunities of the minority can be overstated. The executions of Alexander, 3rd Lord Home, and his brother in October 1516 were the only examples of extreme justice being carried out on anyone of consequence among the political community. This emphasises the shock which must have been felt in the wake of their deaths, that Albany not only had the power to do this, but was willing to use that power.⁷ The compromises which are recorded frequently in contracts of agreement settling feuds were much more typical of the norm in Scotland, and it was only after Home had proved himself to be an irreconcilable opponent of Albany's that extreme justice was considered. Nevertheless, the murders of Antoine D'Arces, Seigneur De La Bastie (1517); David Home, Prior of Coldingham/

of Coldingham (1518); Robert Blackadder, Prior of Coldingham (1519); John, Lord Fleming (1524); and Gilbert, Earl of Cassillis (1527); and the deaths of John, Master of Montgomery, and Sir Patrick Hamilton of Kincavil at 'Cleanse The Causeway' (1520); and of John, Earl of Lennox, and Patrick Houston of that ilk at the Battle of Linlithgow (1526) are sufficient indicators of the possible penalties for active participation on the political stage.⁸

The two over-riding concerns of the Scots were for the government to provide defence and justice. The former was undertaken with a lack of apparent enthusiasm. The attempt to play off England and France succeeded only while they remained at enmity. The Treaty of Rouen was the culmination of the high price which the Scots had to pay for Albany's presence. Concluded in 1517, it was not ratified by either side until 1522, and proved of little consequence in the wars of the 1520s. Potential Scottish remuneration, for example, through the revival of the claim to the county of Saintonge, was never forthcoming.⁹ With regard to England, the defence of the realm against English attacks in the summer of 1523 was definitely dilatory, while the practical working of the Anglo-Scottish peace in 1525-26 did not result in protection for either side from raiders, such as the Armstrongs or the Lisles. Defence was dependent on political attitudes to foreign affairs, and on at least one occasion, Queen Margaret recognised that the only concern some Scots would have was if an English army marched into Edinburgh.¹⁰

On the other hand, the government did successfully provide justice - in fact, in 1516-18, too successfully - with a multitude of cases forcing frequent postponements of the Session. Not only was this success evident in central government, but also, through the provision of justice ayres, in the localities. Feuds threatened on several occasions to affect national politics. The most notable example was the Hamilton-Douglas rivalry in 1520, which resulted/

which resulted in a public fight in the High Street of Edinburgh, immortalised by the chronicler, Robert Lindsay of Pitscottie, as 'Cleanse The Causeway'. Support on that occasion was clearly dictated by other rivalries. The Cunninghams and Montgomeries had acted together at the Battle of Kittycrosshill in the showdown with Albany, but their mutual rivalry over land in Ayrshire meant that such co-operation was rare. Cuthbert, Earl of Glencairn, head of the Cunningham family, was related by marriage to Archibald, Earl of Angus, and the Cunningham support for the Douglases in 1520 brought out the Montgomeries on the Hamilton side. On that occasion, John, Master of Montgomery, lost his life. Thanks to the influence of Albany, a settlement was agreed between the Cunninghams and Montgomeries in 1524, but its effectiveness was already in doubt by 1526-27. Other rivalries such as that between the Earls of Huntly and Moray did not become so serious - the death of the 3rd Earl of Huntly, leaving an under-age heir, allowed Moray to step into his rôle as Lieutenant of the North.¹¹

The system of government did not change greatly from that operating in the latter years of James IV. Earlier attempts to separate the judicial council from those same councillors dealing with political matters (what Hannay referred to as "Public Affairs"), were allowed to lapse. It is clear from an examination of the personnel of the Council from 1526-28 that government was being carried on principally by those Lords of Council who were later to be appointed as the first Senators of the College of Justice in 1532. As with the latter years of James IV, the importance of parliament had clearly declined, and its primary function was the pronouncement of forfeitures and falsing of dooms. In 1524 and 1526, its competence to provide legitimate sanction to changes in government does not mean that such changes were openly debated and freely voted. The most explicit demonstration of the factionalism in parliament was shown in 1514, when both Margaret and Angus,

Margaret and Angus, on the one hand, and the Chancellor, Arran and their supporters, on the other, summoned Lords to rival parliaments. Both sides argued over the competence of each other's summons to these parliaments.¹² The arrival of Albany did not alter this perspective of parliament. His assumption of government did not, at any time, even retrospectively, involve a parliamentary rescinding of the forfeiture of his father. A group of counsellors, long after his arrival and establishment of authority, simply declared Albany to be the second person of the realm.

Unlike the rest of the Scottish nobility, Albany did not have any landed possessions from which to raise revenues, not even those whose formal titles he bore (i.e. Duke of Albany, Earl of March, Mar and Garioch). His expenses were paid from extraordinary revenues set aside from the royal casualty. This lack of connection to a landed power-base added to the success of Albany as a disinterested outsider, but also makes his ability to raise an army to fight at Kittycrosshill very remarkable indeed. The royal standard could scarcely have protected a much smaller army against the forces of three Earls and 5000 of their followers. Albany had no tenants to form the basic core of his strength, nor had he any 'friends' committed by bonds of manrent to support him. He did not have any large numbers of French troops until 1523. He was able to raise a 'national' army committed to his continuance as Governor. This was a renewed manifestation of the intense conservatism of the Scottish political community - many were willing to support Albany, once he was in Scotland, simply because he was the Governor.

The influence which Albany could exert both internally and in relationships with England, France and the Papacy, provided more than value for money. The constantly-expressed desire for his return to Scotland after his departure in 1517 gives proof of this perception among the Scots. It was only the ultimate realisation in 1519 that the international situation was going to prevent/

going to prevent Albany's return in the immediate future, which caused a change in the attitudes of the Scottish Lords. They began to take action to secure for themselves as good a position as was possible in the new circumstances. The destabilisation of government, so apparent in the 'Cleanse The Causeway' incident, took place at this time.¹³

Another aspect of the continuity between the pre-Flodden years and the minority of James V was the reliance on a 'national', feudal army. Despite the decimation of that 'national' army in conflict with the paid soldiers of Surrey's force, there was no general acceptance of a need to employ 'wageouris'. Albany was to find to his cost that this reliance gave great opportunity to the Scots to make clear the limits of their support. Albany had no trouble raising support for the Kittycrosshill campaign, but the attempts to persuade the Scots to invade England at Solway in 1522 and Wark in 1523 foundered on the Scottish perception that the invasion was not only unnecessary, but also that it would bring little material advantage to Scotland. The failure of the attack on Wark was the final indicator that Albany had completed his most useful years in Scotland. In the tense hostility of the early 1520s, Albany could not divorce his relationship with France from his position as Governor of Scotland. Domestic stability was sacrificed to a vigorous foreign policy and the Scottish rejection of him was based not on a 'Flodden complex', nor the stirrings of a general desire to have peace with England at any price, but rather a need to enjoy the stability which Albany had secured in 1516-17. Albany's basic policy during his first visit, of trying to obtain unity and reconciliation, had been helped to success by the departure of Queen Margaret to England, and the convincing support for his strong central government which his energy and his activity won him. These had masked the potential difficulties of his close association with France.¹⁴

The national/

The national army was still willing to muster for Albany in 1522 and 1523, proving the widespread admiration for him. The contrast is striking with the efforts made by Arran, as Albany's deputy in 1518, to do the same. That campaign was ostensibly directed against the murderers of Albany's close friend and deputy Antoine D'Arces, Seigneur De La Bastie. Arran's supporters had declared David Home of Wedderburn forfeited for his part in this murder. However, the campaign of 1518 had to rely on paid soldiers and the relative failure of that campaign - Home of Wedderburn was not captured - only served to emphasise the ineptitude of Arran's rule.¹⁵

The nature of Scottish politics meant that the localities were always of very great importance, and to many areas the absence of an adult king made little difference. Argyll, in the west of Scotland, and Huntly, before his death in 1524, in the north of Scotland, enjoyed virtually viceregal powers. Divisions of the country in 1517, and on all subsequent occasions, always recognised their predominance. To a lesser extent, the same was true of Lord Maxwell, as Warden of the West March. The very sensitive East March was the base of successively influential statesmen - Home to 1516, Arran in 1518-20 and Angus from 1525. Angus was able to rely on obligations from the Borderers to assist him and on powers to allow him to ride into any land where rebels were suspected of being harboured. Home's early influence was based on his family lands in Berwickshire and the Merse, his control of Ettrick Forest and his wardenship of all three Marches. Threatened by the rise of Angus through his marriage to Margaret, Home's support for Albany can be seen in terms of seeking the best opportunity to prevent Angus's dominance of south-east Scotland, a particular possibility if peace continued with England. Home probably never expected Albany to come to Scotland in person, despite later tales by chroniclers of his offer to bring him over even if the other Lords would not agree to this. Albany's personal presence forced Home into a/

into a hasty reconsideration of where his best interests lay. Home power in south-east Scotland had been built on a base of lands forfeited from the Albany estates of the Earldom of March. It is not surprising that Home was forced into active opposition which only his death brought to an end.¹⁶

After 1524, when Albany's position was no longer tenable, in terms of giving the Scots what they wanted, a reappraisal of the Scottish situation with regard to England was necessary. There was never any trust on the part of the majority of Scots for the sincerity of offers made by Henry VIII. Although the English blustered so long and so ineffectively against Albany, their charges are neatly encapsulated in one document: the complaints which Gavin Douglas, Bishop of Dunkeld, laid before Henry VIII in December 1521, after his exile to England. He pointed out that Albany was especially unsuited to rule Scotland because of the suspicions raised by his father's attempt to seize the Crown for himself; because of his closeness to the French King; because of the extraordinary expenditure which was needed to keep him in Scotland; and because of his repeated failures to keep his promises. The Scots in general declined to pay any attention to the charges against Albany because none of them made him unsuitable when set against the practical experience of his success in 1515-17.¹⁷

Peace with England was ultimately brought about in 1525 because the Francophiles in Scotland no longer had any opportunity to exploit the international situation to their benefit. French willingness to accept secret clauses in the Treaty of the More, promising to prevent Albany's return to Scotland after 1525, and their earlier reluctance to honour the Treaty of Rouen, until it became politically advantageous to do so, induced a Scottish 'Machiavellian' reaction. The Scots were unwilling to wait for a new change of fortune in 1525, especially as Francis I had been captured by Imperial troops at the Battle of Pavia. It was the very reasonableness of Albany which/

Albany which made his influence so pervasive even when he was not in Scotland. Although he still claimed the title of Governor of Scotland in September 1528, he was indulging his rights benevolently. His influence was still so strong at that time that James V was forced into renewed assurances to Henry VIII that the actions which he was taking against Angus were in no way designed to destroy the English alliance (which was renewed by the Treaty of Berwick), nor was there anything being done by his supporters to encourage Albany's return. The peace with England raised no great enthusiasm in Scotland, any more than closeness to France did, and there was, as yet, no added complication from the religious issue.¹⁸

The passage of an Act against the import of heretical books in 1525, and the martyrdom of Patrick Hamilton at St Andrews in February 1528, were exceptions to the norm. The majority of promotions to benefices, aided by Albany's influence at the Papal Curia, were undertaken to the benefit of the principal families in Scotland. There was no great outcry against use of the Church as another source of lucrative patronage, probably because there were no outrageous promotions - even of the scale of James IV's successive appointments of his brother, and illegitimate son, as Archbishop of St Andrews. Andrew Forman was a time-served diplomat, and although his promotion to St Andrews owed more to his having an 'extra' French See with which to bargain, he was not out of tune with Albany's government. The promotions of James Beaton, the arch-politician who served as Chancellor from 1513-26, who was translated from Glasgow to St Andrews on Forman's death; and Gavin Dunbar, the King's preceptor, who replaced Beaton at Glasgow, excited little comment.

The realignments which took place in Scottish politics after 1524 and Albany's departure, for what proved to be the last time, were not perceived by outsiders who regularly reported on Scottish affairs. It was inconceivable to them/

inconceivable to them that Queen Margaret was no longer acting in the sole interest of her brother, Henry VIII of England. In fact, the English were actively engaged in destabilising Margaret's government. It is open to question how many Scots were ever won over to a different opinion by bribery, although the English and French both sent considerable sums to Scotland on various occasions. In 1524 the English were actively raising support for Angus against Queen Margaret, even at the same time as Henry was paying an English guard of 200 men to preserve Margaret's control of James V. Although Albany had left Scotland and was unlikely to return, there was not yet a perception in English governmental opinion that Albany's influence was too weak to allow his restoration to power. They were faced with the dichotomy of needing to preserve Margaret's precarious control against Beaton and any other pro-French sympathisers, while, at the same time, seeking to improve their influence over the Scottish government through the promotion of Angus, who was actively in favour of peace with England. There was only a dichotomy in this situation because of the extreme antipathy of Queen Margaret towards her husband, Angus, and her determination to be divorced from him.¹⁹ The fact that support was forthcoming for Angus from within Scotland probably owed far more to disenchantment with Margaret than enthusiasm for her estranged husband. The reliance which Margaret placed on James Beaton and Gavin Dunbar, Bishop of Aberdeen, men whom she had confined in ward for their initial opposition to her rule, proved the paucity of talent on which she could rely during her second Regency. Besides Beaton and Dunbar, her closest allies were the mercurial Arran, and the political lightweight, Henry Stewart, son of Lord Avandale, later to become husband number three. Margaret did have an enormous fund of goodwill at her disposal, which helped to end Albany's rule in July-August 1524, and raise Margaret to a position of pre-eminence at the King's side, but she squandered that goodwill through her obsession with/

obsession with divorce from Angus. The failure of even a modest attempt at even-handedness in distributing patronage, which was not yet completely used up by the increasing royal expenses of a growing King, made the fall of Margaret a strong probability from the end of 1524. The contraction of her authority to Edinburgh, and eventually to Edinburgh Castle itself, does not prove that she had no support, but that she failed to inspire the same degree of loyalty which Albany had won. Margaret's vision was blinkered and her eventual capitulation was all the more humiliating when it was forced upon her.

Angus took power in February 1525, at the head of a broad coalition which once again promised stability. This position was clearly defined by the parliamentary scheme of rotation of the Keepers of the King in July 1525.

All of the Keepers appointed represented the broad spectrum of political opinion in a scheme which, if it had been followed through, would have provided stable government for a year. In fact, Angus was the principal Keeper in the first period, and the threat to his very survival in Scottish politics from the handover of power to Arran and Eglinton, in the terms envisaged in July, prompted him to stake his career on the retention of the King in a coup d'état in November 1525. He was adept at maintaining that power, based on control of the King, in the short-term, preventing the unification of his opponents while relying on a sufficient base of support. Ultimately, however, Angus did not have the capacity to broaden the base of his administration as the Hepburns had done in the early years of James IV's reign, winning over opponents by bringing them into government. Although the Douglas domination of public office, benefices, household office and patronage was not so exclusive to their own family as is sometimes suggested, the overall distribution was not widespread. The twin planks of effective government were defence and justice: Angus's government was clearly unsuccessful in/

unsuccessful in providing the former, despite the Anglo-Scottish amity, while the latter suffered from such abuses as the failure to pursue the murderers of Gilbert, Earl of Cassillis (known to be Hugh Campbell of Loudon, Sheriff of Ayr, and his accomplices) in September 1527.²⁰

What Angus's long-term aims were is difficult to ascertain. The initial impetus to complete control of the government in November 1525 was political survival, but once in power, there could be no easy surrender of authority except to an alternative which would not attack Angus for his actions. This impelled Angus to short-term success in overcoming the challenges mounted by Queen Margaret, Arran and Moray; by Scott of Buccleuch, and, most seriously, by Lennox during 1526. The long-term dependence of James V was in doubt from the time that he signed the bond in favour of Lennox, in terms which were unmistakably aimed at destroying the Douglas influence. Angus relied on a misplaced confidence in his own indispensability to English foreign policy. There was, for Angus, no conceivable scenario which would permit Henry VIII to remain at peace with Scotland if James V annulled Angus's authority. The escape of James V from Douglas domination in 1528 may not have been made in the precise terms popularised by the chronicler, Pitscottie, but there must have been a moment at which the King was known to be no longer acting in the Douglas interest. Within a very short time, opposition had materialised from among those who saw better futures from backing the now sixteen-year-old King than from perpetuating the Angus government. The English were quickly placated by the Scottish insistence on continued peace (secured by the Treaty of Berwick in December 1528), and confirmation that the young King had no intention of recalling as Governor, John, Duke of Albany, who had originally been appointed to serve until the King was eighteen years old, and who still employed the style of Governor in his correspondence. The price of English acquiescence may have been allowing them to harbour the fugitive Angus as a security for/

security for the peace, a potentially considerable threat which probably prompted James V's negotiations in the first year after his escape, to allow Angus's return.

The developing centralisation and autocracy of the royal government in the later 15th and early 16th centuries was curbed by the absence of an adult king. The minority of James V, like earlier minorities, caused a renewed reliance on traditional Scottish methods of government, particularly in the localisation of government. What was new in 1513-28 was the importance of the international dimension. Scotland's relationships with England and France had a major effect on the course of government, because of the interest awakened there by Margaret and Albany respectively. Judgements on the personalities of the leaders of the Scottish government have an important part in explaining the key questions of what the Scots expected of the government and how that government developed in the aftermath of the traumatic Battle of Flodden.

John, Duke of Albany, brought a vigour, a determination and an ability to his rule which overcame the challenge of the opposition, and brought about the provision of the impartial Council, perceived to be providing justice, which formed the ideal all later governments of the minority strove to emulate. It was only when Albany could no longer separate his image of successful agent of Scots' needs in domestic policy from his other image as the representative of a bellicose French foreign policy, which had proved so costly both at Flodden and thereafter, that his government became unacceptable. Albany's influence was such that it stretched far beyond the time he actually spent in Scotland. Intended at first as the distant cipher to be used to deny authority to Queen Margaret, he proved himself to be the best Governor for whom the Scots could have hoped - and, as such, he was the bane of English foreign policy. Not just a figure of importance in Scotland, however, /

however, his connections in France and at Rome made him an international figure who threatened English interests at every turn. Within Scotland, it was only with the perception that this international dimension was going to prevent his return in the foreseeable future, that the divisions so popularised by the chroniclers arose - in 1519 and again in 1524.

The other 'international' figure, Queen Margaret, was politically inept. Impulsive, greedy and lacking in sound judgement, Margaret had few saving graces, except for her determination to carry on the fight to secure her ambitions in the face of a multitude of adversities. It was these very ambitions which cost Margaret the Regency in the period after Flodden, because it was her determination not to be manipulated as a mere figurehead which led to her second marriage, to Angus. This marriage had many potential attractions, but it satisfied none of Margaret's hopes and, in fact, caused her rejection in Scotland, involving her in serious disruption for the remainder of the years of her marriage. Her whole political life was devoted after 1515 to securing her divorce from Angus. Her second Regency from 1524-25 was initially acceptable, because of the departure of Albany in the wake of the failure of the Wark campaign. In the resulting political vacuum, Margaret was in the best position to benefit, but her leadership was called into question when it was known that her sole policy was the prevention of Angus's return to Scotland in any position of authority. In this policy her reliance on the support of James, Earl of Arran, was a mistake.

Arran had proved himself to be unacceptable to the political community during the period when he acted as leader of the privy council, deputising for Albany after the murder of De La Bastie. Arran was the most mercurial of supporters for any of the regimes of the minority. He had staked his political career on failed rebellions in 1515 and 1516, when he attempted, unsuccessfully, to inspire the forces opposed to Albany to attack at the Battle of/

Battle of Kittycrosshill. Arran's resourcefulness was recognised on more than one occasion. His rivalry with Angus had brought the country to stalemate in April 1520, and led him to support Margaret in 1524-25 and again in 1526. Once again on the latter occasion, he evaded the finality of a battle, and by the summer of the same year he had sunk his differences with Angus to support him against Lennox. It is hardly surprising, given this record, that Arran was among the first Lords to switch to support of the freed James V in 1528.

Archibald, 6th Earl of Angus, has the most difficult personality to analyse. Particularly ambitious for his own advancement, and head of a family which had been notoriously involved in the major political events of the previous fifty years, Angus sought power and influence by his marriage to Queen Margaret. This did not bring the advantages which either had hoped for, and Angus spent several years in the political wilderness as a result. The opportunity to exercise renewed control in 1520 was seized by Angus. He exploited the inability of Arran to attract widespread support, but did not prove capable of retaining similar support himself while there was the least possibility of Albany's return. After a period of enforced exile in France from 1522-24, Angus showed the shrewd, determined nature which brought him back to power and kept him at the top through a series of short-term crises in 1526.

There are contradictory views of Angus's character. He was a shrewd politician, able to manipulate his way to success in Scotland. On the other hand, his uncle characterised him as "... yon young witless fool...", and he was undoubtedly more interested in preserving his position as just one of the Lords in Scotland, for most of the minority, rather than risking everything - life, lands and goods - on a gamble for sole power. In fact, this sense of preservation, which had caused his surrender to Albany in 1515-16, after Margaret's flight/

Margaret's flight into England; and again to Albany in 1522, leading to his exile in France, was operating in a similar vein when he seized the King in 1525. The alternative to continued illegal control of James V was the probability that Arran would end Angus's political career for good. Ultimately, it was James V himself who did this, because Angus had little success in planning for the long term although he had the kind of character which reacted vigorously to crisis. James V's later obsession with the Douglasses and Douglas supporters was more calculated than irrational, and Angus himself was able to return to Scotland and be restored to his heritage only after James V's death in 1542.

James V exhibited signs of an independence of will for the first time in the summer of 1523 if his mother's reports can be believed. His opposition to Albany's return was clearly influenced by Margaret's desire to be restored to the Regency and was repeated in 1524 when the Queen Mother was successful in raising the King to his full royal status, a formula which paved the way for Margaret's control of the Council in 1524, and subsequently similarly for Angus's control in 1526. James V was clearly acting on his own behalf when supporting Lennox against Angus in 1526 - the bond by the King to Lennox promising to use his counsel before that of any other Lords was given in terms which unmistakably confirm James V's independence of mind and his determination to be free of Angus's domination. After Lennox's death, the King had few opportunities for expressing this unrestricted attitude, though perhaps the leniency shown towards Scott of Buccleuch and Campbell of Loudon reflects a royal interest on their behalf. James's conspiracy in 1528 certainly seemed to gain momentum after a spontaneous and opportunist escape by the King from the physical control of the Douglasses. Angus's failure to act decisively to regain that control in the first few confused weeks after James's escape meant that his family's fortunes were to continue at a low ebb for the/

for the rest of James V's life, for the King never forgave the Douglasses for thwarting his first attempts to express freedom of action.

CHAPTER FIFTEEN NOTES

- 1 See above 488-9, 543-5.
- 2 See above 369-77.
- 3 See above Chapter One, especially 20, 23-4.
- 4 See above 104-7, 506 and Appendix F.
- 5 See above 13-16, 71-4.
- 6 See above 498-9.
- 7 See above 62-3, 120-5.
- 8 See above 172-6, 231-2, 258-62, 426-7, 512-3, 538-40.
- 9 See above 148-52, 155-60, 379.
- 10 See above 325-6, 351.
- 11 See above 119-20, 386-7, 506-7, 548-9, 331-3.
- 12 See above 25-8, 38-40.
- 13 See above Chapter Six, especially 258-62.
- 14 See above 307-10, 369-77.
- 15 See above 194, 198, 200-6.
- 16 See above 62-3, and Chapter 3, Sections 3, 4 and 6.
- 17 See above 293-7.
- 18 See above 527-8, 551-9.
- 19 See above Chapter Ten
- 20 See above Chapters Eleven, Twelve and especially Thirteen, 538-42.

APPENDIX A

The Flodden Death-Roll

Among the principal sources for compiling the Flodden death-roll are:

ADC - heirs inherit under Act of Twizelhaugh and the widows of men killed appear before the Council to secure this inheritance.

ER - record of sasines granted to heirs.

RMS - occasional charters refer to deaths at Flodden.

Less reliable are contemporary or near-contemporary lists of the dead preserved in:

Pinkerton, History ii 456-8 Gazette of the Battle of Flodden.

M Erler and N Gutierrez, 'Print Into Manuscript : A Flodden Field News Pamphlet' in Studies in Medieval and Renaissance History viii (New York 1986).

The contemporary black-letter tract 'Hereafter ensew the trewe encountre... : in PSAS vii (1866-7) 141-152.

Cal. State Papers (Venice) ii no. 341 names of Scots killed at Flodden.

J H Stevenson, 'The Flodden Death-Roll' in Scottish Antiquary xiii (Jan. 1899) 101-11.

In many of the cases of peers killed, the appearance of their heirs in the Council and in all record sources and the recording of their names on one of the contemporary or near-contemporary lists is taken together as sufficient proof.

The dead:

King James IV

Archibald,	2nd Earl of Argyll	
Adam,	2nd Earl of Bothwell	
William,	2nd Earl of Caithness	- <u>ER</u> xiv 529
David,	1st Earl of Cassillis	
John,	6th Earl of Crawford	
William,	4th Earl of Erroll	
Matthew,	2nd Earl of Lennox	
William,	1st Earl of Montrose	
[James,	2nd Earl of Morton	d. between 1511 and 1515]
William,	3rd Earl of Rothes	
Andrew,	2nd Lord Avandale	
[William,	4th Lord Borthwick	named in the 'Trewe Encountre']
[Robert,	2nd Lord Crichton of Sanquhar	d. between July and Nov. 1513
		- <u>ER</u> xiv 523, 531 sasine of heir]
Alexander,	1st Lord Elphinstone	
Robert,	4th Lord Erskine	<u>ER</u> xiv 520, 521
John,	2nd Lord Hay of Yester	<u>ER</u> xiv 521
Andrew,	2nd Lord Herries of Terregles	ADC 26 f.86 25 Feb. 1514
Thomas,	2nd Lord Innermeath	
John,	4th Lord Maxwell	

[James, 3rd Lord Ogilvy of Airlie d. 1513 at earliest, prob. d. 1524 as heir succ. 1524; see Appendix E]

John, 2nd Lord Ross of Halkhead
 John, 1st Lord Semple
 George, 3rd Lord Seton
 Henry, Lord Sinclair ER xiv 610

George, Master of Angus,
 Sir William Douglas of Glenbervie, sons to 5th Earl of Angus
 Thomas Hay of Logie brother of 4th Earl of Erroll
 William Gordon brother of 3rd Earl of Huntly
 William Keith of Troup son of 3rd Earl Marischal
 Alan, Master of Cathcart
 Robert Cathcart
 John Cathcart of Glendowis sons of 2nd Lord Cathcart
 David Lyon of Baky
 William Lyon
 Geoge Lyon sons of 3rd Lord Glamis
 Robert Gray of Leitfie son of 2nd Lord Gray
 David Lindsay of Kirkforthar son of 4th Lord Lindsay of Byres
 Colin, Master of Oliphant son of 2nd Lord Oliphant
 William, Master of Ruthven son of 1st Lord Ruthven ER xiv 571
 John Somerville of Quothquhan son of 2nd Lord Somerville ER xiv 468

Alexander Stewart, Archbishop of St Andrews
 George Hepburn, Bishop of the Isles
 Laurence Oliphant, Abbot of Inchaffray
 William Bunch, Abbot of Kilwinning
 Thomas Dickson, Dean of Restalrig

Source: ADC (SRO CS5/26)

David Allardice of Scatoquhy
 Alexander Annand of Milton
 David Auchinleck of that ilk
 Duncan Balfour of Ballindean
 David Balfour of Pitmillo
 John Ballingall of that ilk
 John Blair of Balgillo
 Thomas Boswell of Auchinleck
 William Buchan of Auchnatoy
 Thomas Burnet of Gask
 Adam Crichton of Ruthven
 Robert Cunningham of Cunninghamhead
 Robert Cunningham of Westbarns
 William Dempster of Caraldstone
 George Douglas of the Borg
 James Douglas of Stanespeth
 Patrick Dunbar of Kinenquhar
 William Dundas of that ilk
 John Erskine of Dun
 Alexander Forsyth of Nydie
 George Gaddes of Rawchamer
 Roger Grierson of Lag
 James Guthrie of Glensauch
 James Haldane of Gleneagles
 David Hering of Glaschon
 George Ireland of Burntbard

Thomas Kennedy	of Craigshiels
George Kennedy	of ?
Uchtred McDowell	of Drummerrow
Patrick McLellan	of Galston
Edward Maxwell	of Tynwald
Andrew Murray	of Abercairnie
Andrew Murray	of Ogilvy
John Park	of that ilk
Henry Pitcairn	of Ferchar
Robert Ramsay	of Balmouth
Robert Rollo	of Duncrub
Adam Shaw	of Craigrossie
John Spreule	of Coldon
	of Auchindrain
	of Cessnock
Richard Edgar	
Gilbert Fergusson	
James Kincaid	
Hucheon Neilson	
James Orrok	
John Williamson	
Archibald Wilson	
Alexander Johnston,	Burgess of Ayr
William Harvey,	Burgess of Dundee
Andrew Bog,	Burgess of Edinburgh
John Carratill,	Burgess of Edinburgh
John Elphinstone,	Burgess of Glasgow

Source: ER xiv

William Adair	of Kinhilt
Florentinus Admulty	in Fernie
John Balfour	of Denmiln
Alexander Bannatyne	of Lowpas
Buntyne	of Ardoch
George Campbell,	principal gardener of the great garden of Stirling

James Cramond of Fullerton and Cramond-Regis
 Robert Douglas of Almornes
 Archibald Douglas of Craigmoy
 James Dunbar of Dumboy
 John Dunbar of Mochrum
 William Edmonstone of Duntreath)
 William Edmonstone of Redinach) prob. the same
 Fleming of Barlogan
 David Forsyth of Cadintoun
 of Glenquhoun
 Robert Gordon in Ardee
 Sir Alexander Gordon of Knockenshene
 George Gordon in Schevis
 George Halkerston, Burgess of Edinburgh
 Hare of Bold
 Robert Heris of Laggan
 John Inch of Parkhill
 Inglis of Douchlas
 Thomas Inglis of Murthocarney
 Kennedy of Ballathis
 Simon Kirkcaldy in Hill of Lumquhat
 Alexander Lauder of Blyth, Provost of Edinburgh
 George Lauder, brother of Lauder of Blyth
 Herbert Lindsay of Barskeauch
 Aula MacAulay of Doune
 Thomas McDowell, younger of Garthclone
 Uchtred McDowell of Garthclone
 John Melville, younger of Carnbee
 Rankine Menteith of Bothkennar
 William Moncreiff of Estercolsie
 Mowat of Stonehouse
 John Multrar of Newton of Markindie
 Muir of Torrous Muir
 John Muirhead of Bully
 Nelson of Madinpap
 Henry Ramsay of Cotland of Bondhalf
 Nicholas Ramsay of Foulden
 Sir John Ramsay of Trerinzean
 Rattray of Rattray in Murthley
 Rorison of Dunragane
 Ross of Craigie
 Rutherford of Swinside
 Patrick Scott, farmer in Strathearn
 Alexander Seton of Touch
 Andrew Simson of Grange of Bothkennar
 William Simpson of Logie
 John Stirling in Milton of Creauch
 Archibald Vallanche in Burgeswalls, nr. Selkirk
 Henry Wardlaw of Kilbaberton
 William Wood of Raik
 George Graham of Kinkellis
 Source: RMS
 George Graham of Calendreth iii no. 1120 1531-2
 John Melville, younger of Carnbee iii no. 3355 9 June 1546

APPENDIX B

English Border Officials, 1513-28

1. Thomas Dacre, Lord Dacre of Gilsland (1467-1525)
Lieutenant, then Warden of the West Marches from 1486 until death.
See especially L&PHVIII ii pt. i no. 514 and *ibid.* no. 1494 ii.
2. William Dacre, Lord Dacre of Gilsland (1500-1563) (son to 1.)
Captain of Norham Castle 1522-3. Warden of the West Marches from 1527.
3. Sir Christopher Dacre fl.1523
4. Philip Dacre fl.1522
5. Thomas Ruthal, Bishop of Durham from 1509 (d.1523)
Active in Border affairs 1513-15.
6. Thomas, Lord Darcy of Darcy (c.1467-1537)
Captain of Berwick 1498-1515 and former Warden of the East and Middle Marches, 1505-13 (at least).
7. Thomas Magnus, Archdeacon of East Riding (d.1550)
Active 1515. Permanent Ambassador in Scotland 1524 - Oct. 1525.
Member of Duke of Richmond's Council in the North thereafter.
8. William Franklyn, Chancellor of Durham, 1514. Archdeacon of Durham, 1515.
Director of operations against Scotland 1515 from Norham Castle as HQ.
Counsellor with Richmond 1525. Commissioner to treat for peace with James V, Oct. 1528.
9. Sir Anthony Ughtred, Captain of Berwick (d.1534)
Captain of Berwick from 1515-1528.
10. Henry Percy, Earl of Northumberland (1478-1527)
Counsellor in the North July 1522.
11. Henry Percy (younger), Earl of Northumberland (1502-1537) (son to 10.)
See especially L&PHVIII iv pt. ii no. 3628, 2 Dec. 1527.
Appointment as Warden-General of the East and Middle Marches.
12. John Kite, Bishop of Carlisle from 1521 (d.1537)
Commissioner to treat for peace in 1524 and 1526.
13. George Talbot, Earl of Shrewsbury (1468-1538)
Appointed Lieutenant-General of the North, July 1522. See L&PHVIII iii pt. ii no. 2412, but retired in the following September because of ill-health.
14. Thomas Howard, Earl of Surrey, Duke of Norfolk from 1524 (1473-1554)
Lieutenant-General of the Army against Scotland 1522-23 - see L&PHVIII iii pt. ii no. 2875 6 Mar. 1523.
- 15./

15. Thomas Grey, Marquess of Dorset (1477-1530)
Warden of the Scottish Marches 1523-30.
- see L&PHVIII iii pt. ii no. 2875 6 Mar. 1523 for his appointment as Warden of the East and Middle Marches.
16. Sir William Bulmer fl.1523
See especially L&PHVIII iii pt. ii no. 2875 6 Mar. 1523 for his appointment as Lieutenant of the East Marches.
17. Sir John Bulmer (eldest son to 16.) fl. 1523
see L&PHVIII iii pt. ii no. 3299 4 Sep. 1523.
18. Sir William Evers fl.1523
See especially L&PHVIII iii pt. ii no. 2875 6 Mar. 1523 for his appointment as Lieutenant of the Middle Marches.
19. Henry Clifford, Lord Clifford, Earl of Cumberland from Nov. 1525 (1493-1542)
Warden of the West Marches and Captain of Carlisle 1525-28.
20. Roger Radcliffe
Permanent Ambassador to Scotland Sep.-Dec. 1524 (with Magnus - no. 7)
21. Ralph Neville, Earl of Westmorland (1498-1549)
Knighted during Scottish campaign 1522-23. Chief Commissioner to treat with the Scots 27 Aug. 1525. Deputy Captain of Berwick and Vice-Warden of the East and Middle Marches under Richmond Oct. 1525 - Sep. 1526.
22. Henry Fitzroy, Duke of Richmond (1519-1536)
Warden General of the Marches of Scotland from 1525 but too young to act in any capacity other than figurehead.

APPENDIX C

French Ambassadors to Scotland 1513-28

1. Jean De Plains
 - March 1515 - cf. James V Letters 20
 - to April 1516 - cf. L&PHVIII ii pt. i no. 1757 11 April 1516 (went on in embassy to England)

and again

 - Nov. 1520 - cf. L&PHVIII iii pt. i no. 1072 27 Nov. 1520
 - to Feb. 1521 - cf. Ibid. no. 1175 22 Feb. 1521
2. Antoine D'Arces, Seigneur De la Bastie
 - May 1515 - cf. L&PHVIII ii pt. i no. 421 7 May 1515
 - Deputy for John, Duke of Albany and member of the Council of Regency from June 1517 until his assassination on 17 Sep. 1517.
3. Mathieu Villebresme
 - May 1515 - cf. L&PHVIII ii pt. i no. 421 7 May 1515
4. Monsieur Lafayette
 - Aug. 1516 - cf. L&PHVIII ii pt. i no. 2253 (8 Aug.) 1516
 - Dec. 1520 - with Monsieur Cordelle, cf. L&PHVIII iii pt. i no. 1091 10 Dec. 1520.
5. François De Bordeaux, Sieur De la Poissonière
 - Nov. 1516 - cf. James V Letters 32-4 and 35-6.
6. Denis Poillot
 - June - Sep. 1519 - cf. L&PHVIII ii pt. ii nos. 4217, 4338, 4547
 - June-July 1518 (misdated)
 - ibid. iii pt. i no. 396 26 July 1519 and no. 454 24 Sep. 1519.

Poillot's mission was abortive since he was kidnapped by David Home of Wedderburn.
7. Robert Stewart, Seigneur d'Aubigny
 - Nov. 1520 - cf. L&PHVIII iii pt. i no. 1072 27 Nov. 1520
 - to Feb. 1521 - cf. ibid. no. 1175 22 Feb. 1521.
8. François le Charron
 - Aug. 1522 - cf. James V Letters 91.
9. Monsieur De Langeac
 - May 1523 - cf. James V Letters 93.
10. Pierre De La Garde, Seigneur De Sagnes, Counsellor of the Parlement of Toulouse
 - June 1525 - cf. James V Letters 123-5
 - and see above 474 and n. 94.
11. John De Barbon
 - Albany's Secretary served in Jan. 1524 as a go-between in England on the Scots' behalf but was not strictly an Ambassador to Scotland - cf. L&PHVIII iv pt. i nos. 55, 59, 65 23-25 Jan. 1524.
12. Antoine Gonzolles
 - Served as a Vice-Regent in Scotland in 1522-3 - see Appendix E, and was Captain of Dunbar Castle - see L&PHVIII iv pt. i no. 630 5 Sep. 1524; and see above 410 and n. 12.

APPENDIX D

RMS Witness Lists**Key:**

A :	2 Oct. 1513 - 18 July 1514	(Queen Margaret's First Regency)	5 lists
B :	20 June 1515 - 2 June 1517	(Albany's First Regency)	20 lists
C :	25 April 1518 - 30 Oct. 1521	(Period of conflict during Albany's absence)	10 lists
D :	8 Dec. 1521 - 27 Oct. 1522	(Albany's Second Stay in Scotland)	4 lists ¹
E :	2 May 1523 - 16 July 1523	(During Albany's second absence)	2 lists
F :	6 Dec. 1523 - 30 May 1524	(Albany's Third Stay)	6 lists
G :	9 Aug. 1524 - 14 Jan. 1525	(Queen Margaret's Second Regency)	11 lists
H :	16 Mar. 1525 - 7 Oct. 1525	(the compromise Councils)	7 lists
I :	2 Nov. 1525 - 20 May 1528	(Angus's dominance of government)	22 lists ²

1 Includes one unregistered charter: Laing Chrs. no. 333 28 Mar. 1522.

2 Includes one unregistered charter: Stirling Chrs. no.22 16 Nov. 1525.

A total : 5 lists 2.10.13 - 18.7.14	appearances	%
James Beaton, Abp. of Glasgow, Chr. ¹	5	100
William Elphinstone, Bp. of Aberdeen kps	5	100
Andrew Stewart, Bp. of Caithness, Tr. ²	4	80
Edward Stewart, Bp. of Orkney	1	20
David Hamilton, Bp. of Argyll	1	20
Gavin Dunbar, Archdeacon of St Andrews, lcr ³	4	80
John Hepburn, Prior of St Andrews	3	60
George Crichton, Abbot of Holyrood	3	60
Robert Shaw, Abbot of Paisley	1	20
James Hepburn, Post. of Dunfermline	1	20
Patrick Paniter, Abbot of Cambuskenneth, ⁴ Secretary	3	60
James Ogilvy, Master of Requests	2	40
Colin, Earl of Argyll, m.k.h. ⁵	4	80
John, Earl of Lennox	3	60
Alexander, Earl of Huntly	3	60
Hugh, Earl of Eglinton	2	40
James, Earl of Arran	1	20
Alexander, Lord Home, Chamberlain	3	60
Andrew, Lord Gray, Justiciar	2	40
William, Lord Borthwick	1	20
William, Lord Ruthven	1	20

Notes:

- 1 4 appearances as Chancellor
- 2 3 appearances as Treasurer
- 3 2 appearances as Archdeacon of St Andrews, others simply as lcr.
- 4 1 appearance as Abbot of Cambuskenneth
- 5 2 appearances as Master of the King's Household

B total : 20 lists 20.6.15 - 2.6.17	appearances	%
James Beaton, Abp. of Glasgow, Chr.	20	100
David Arnott, Bp. of Galloway	20	100
David Hamilton, Bp. of Argyll	7	35
Andrew Stewart, Bp. of Caithness	9	45
Robert Cockburn, Bp. of Ross	1	5
James Hepburn, Postulate of Dunfermline, Postulate and Bp. of Moray	14	70
Gavin Douglas, Bp. of Dunkeld	1	5
Gavin Dunbar, Bp. of Aberdeen lcr ¹	19	95
John Hepburn, Prior of St Andrews	20	100
George Crichton, Abbot of Holyrood, kps	20	100
Robert Shaw, Abbot of Paisley	2	10
Patrick Paniter, Abbot of Cambuskenneth, Secy.	2	10
James Ogilvy, Commendator of Dryburgh, Master of Requests ²	16	80
Thomas Hay, Parson of Ruthven, Secy.	1	5
Colin, Earl of Argyll, Justice-General, m.k.h. ³	17	85
John, Earl of Lennox	11	55
James, Earl of Arran	7	35
Hugh, Earl of Eglinton	18	90
Alexander, Earl of Huntly	16	80
Gilbert, Earl of Cassillis	2	10
William, Lord Borthwick	8	40
William, Lord Ruthven	4	20
John, Lord Fleming	3	15
John Campbell of Lundy, Treasurer	1	5
Notes:		
1 2 appearances as Bp. of Aber. : 1.4.1517 and 22.5.1517; thereafter only lcr again.		
2 2 appearances as Commendator of Dryburgh		
3 1 appearance as Justice-General; 1 appearance as m.k.h.		

C total : 10 lists 25.4.18 - 30.10.21	appearances	%
James Beaton, Abp. of Glasgow, Chr.	10	100
David Arnott, Bp. of Galloway	10	100
David Hamilton, Bp. of Argyll	8	80
James Hepburn, Bp. of Moray	2	20
John Hepburn, Prior of St Andrews	10	100
George Crichton, Abbot of Holyrood k.p.s.	10	100
Robert Shaw, Abbot of Paisley	5	50
Gavin Dunbar, l.c.r	2	20
Alexander, Earl of Huntly	8	80
James, Earl of Arran	8	80
Colin, Earl of Argyll	5	50
Hugh, Earl of Eglinton	8	80
Gilbert, Earl of Cassillis	2	20

D total : 4 lists 8.12.21 - 27.10.22	appearances	%
James Beaton, Abp. of Glasgow, Chr.	4	100
David Arnott, Bp. of Galloway	4	100
David Hamilton, Bp. of Argyll	3	75
Gavin Dunbar, Bp. of Aberdeen, l.c.r.	1	25
John Hepburn, Prior of St Andrews ¹	4	100
George Crichton, Abbot of Holyrood, k.p.s.	4	100
Robert Shaw, Abbot of Paisley	1	25
Alexander, Earl of Huntly	4	100
James, Earl of Arran	3	75
Hugh, Earl of Eglinton	3	75
Colin, Earl of Argyll	2	50
John Campbell of Lundy, Treasurer	1	25
Note:		
1 1 appearance as Vicar-General of the vacant See of St Andrews		

E total : 2 lists 2.5.23 - 16.7.23	appearances	%
James Beaton, Abp. of Glasgow, Chr.	2	100
Gavin Dunbar, Bp. of Aberdeen, l.c.r.	2	100
David Arnott, Bp. of Galloway	2	100
John Hepburn, Prior of St. Andrews	2	100
Alexander Myln, Abbot of Cambuskenneth	1	50
George Crichton, Abbot of Holyrood, k.p.s.	1	50
Colin, Earl of Argyll	2	100
Hugh, Earl of Eglinton	2	100
James, Earl of Arran	1	50
Alexander, Earl of Huntly	1	50
John Campbell of Lundy, Treasurer	1	50
James Colville of Ochiltree, Director of Chancery	1	50

F total : 6 lists 6.12.23 - 30.5.24	appearances	%
James Beaton, Abp. of St Andrews, Chr.	6	100
Gavin Dunbar, Bp. of Aberdeen, l.c.r.	6	100
David Arnott, Bp. of Galloway	4	67
Gavin Dunbar, Abp. of Glasgow	1	17
John Hepburn, Prior of St Andrews	6	100
George Crichton, Abbot of Holyrood, k.p.s.	6	100
Archibald, Earl of Angus ¹	1	17
Alexander, Earl of Huntly	1	17
James, Earl of Arran	4	67
Colin, Earl of Argyll ²	6	100
John, Earl of Lennox	2	33
Cuthbert, Earl of Glencairn	1	17
Hugh, Earl of Eglinton	3	50
Richard Bothwell, Director of Chancery	2	33
John Campbell of Lundy, Treasurer	1	17
Robert Barton of Overbarnton, Comptroller	1	17
James Colville of Ochiltree, Director of Chancery	1	17
Notes:		
1 This is certainly a mistake as Angus was in exile in France at this time.		
2 1 appearance as m.k.h.		

G total : 11 lists 9.8.24 - 14.1.25	appearances	%
Robert Cockburn, Bp. of Dunkeld	10	91
David Arnott, Bp. of Galloway	11	100
Gavin Dunbar, Abp. of Glasgow	10	91
James Beaton, Abp. of St Andrews	1	9
Gavin Dunbar, Bp. of Aberdeen, l.c.r.	1	9
George Crichton, Abbot of Holyrood	11	100
Robert Shaw, Abbot of Paisley	11	100
James, Earl of Arran	11	100
John, Earl of Lennox	1	9
Colin, Earl of Argyll	11	100
Hugh, Earl of Eglinton	10	91
Gilbert, Earl of Cassillis	1	9
Robert, Lord Maxwell	4	36

H total : 7 lists 16.3.25 - 7.10.25	appearances	%
James Beaton, Abp. of St Andrews, Chr. ¹	7	100
Gavin Dunbar, Abp. of Glasgow	4	57
Gavin Dunbar, Bp. of Aberdeen, l.c.r. ²	7	100
David Arnott, Bp. of Galloway	1	14
Henry Wemyss, Bp. of Galloway	1	14
James Chisholm, Bp. of Dunblane	2	29
John Hepburn, Prior of St Andrews ³	5	71
Patrick Hepburn, Prior of St Andrews ⁴	2	29
George Crichton, Abbot of Holyrood, k.p.s.	7	100
James, Earl of Arran	5	71
Colin, Earl of Argyll	5	71
John, Earl of Lennox	4	57
Archibald, Earl of Angus	4	57
Gilbert, Earl of Cassillis	1	14
Hugh, Earl of Eglinton	1	14
Malcolm, Lord Fleming	1	14
Notes:		
1 5 appearances as Chancellor		
2 6 appearances as Lord Clerk Register		
3 1 of these appearances is unlikely		
4 1 appearance as Secretary		

I total : 22 lists 2.11.25 - 20.5.28	appearances	%
Gavin Dunbar, Abp. of Glasgow	17	77
James Beaton, Abp. of St Andrews ¹	15	68
Gavin Dunbar, Bp. of Aberdeen, l.c.r.	21	95
Henry Wemyss, Bp. of Galloway	6	27
George Crichton, Bp. of Dunkeld ²	15	68
William Douglas, Abbot of Holyrood	17	77
Alexander Myln, Abbot of Cambuskenneth	3	14
William Kennedy, Abbot of Crossraguel	1	5
Patrick Hepburn, Prior of St Andrews ³	20	91
Thomas Erskine of Halton, Secy.	15	68
Archibald, Earl of Angus ⁴	21	95
Colin, Earl of Argyll ⁵	9	41
John, Earl of Lennox ⁶	2	9
James, Earl of Arran	18	82
James, Earl of Moray	3	14
Gilbert, Earl of Cassillis	2	9
Hugh, Earl of Eglinton	2	9
George, Earl of Rothes	3	14
Robert, Lord Maxwell	2	9
Malcolm, Lord Fleming	2	9
John Campbell of Lundy, Treasurer ⁷	1	5
Archibald Douglas of Kilspindie, Treasurer ⁸	19	86
James Colville of Ochiltree, Dir. of Chancery ⁹	20	91
Sir William Scott of Balwearie	1	5
Adam Otterburn of Auldhame, King's Advocate	1	5
Notes:		
1 2 appearances as Chancellor		
2 3 appearances as Abbot of Holyrood k.p.s.; 1 appearance as k.p.s.		
3 2 appearances as Secretary		
4 9 appearances as Chancellor		
5 1 appearance as m.k.h.		
6 d. 4 Sep. 1526		
7 res. 24 June 1526		
8 13 appearances as Provost of Edinburgh		
9 17 appearances as Comptroller; 1 as Master of Rations		

APPENDIX E

ADC Sederunts

Key:

A	19 Sep. 1513 - 26 Aug. 1514	Queen Margaret's First Regency
B	17 Sep. 1514 - 4 May 1515	The divided Council
C	31 May 1515 - 20 Dec. 1515	Albany in control
D	3 Jan. 1516 - 4 Oct. 1516	Albany challenged
E	10 Oct. 1516 - 28 May 1517	Albany unchallenged
F	10 June 1517 - 16 Sep. 1517	De La Bastie deputy for Albany
G	24 Sep. 1517 - 20 Mar. 1518	Arran deputy for Albany
H	10 June 1518 - 16 Nov. 1518	Arran unchallenged
I	17 Nov. 1518 - 18 Dec. 1519	Arran challenged
J	6 Nov. 1522 - 22 Sep. 1523	Council in absence of Albany
K	1 Oct. 1523 - 30 May 1524	Albany's Third Stay in Scotland
L	1 June 1524 - 7 Dec. 1524	Queen Margaret's Second Regency
M	6 Mar. 1525 - 30 June 1525	The Compromise Council
N	1 July 1525 - 10 Oct. 1525	The Rotating Council
O	4 Nov. 1525 - 31 May 1526	Angus's illegal control
P	17 June 1526 - 31 Aug. 1526	Angus challenged
Q	12 Sep. 1526 - 22 Dec. 1526	Angus unchallenged
R	5 Jan. 1527 - 30 Oct. 1527	Angus's dominance
S	4 Nov. 1527 - 28 May 1528	Angus's dominance continued
T	15 June 1528 - 31 July 1528	James V's escape (for comparison)

N A M E	Period		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
	Total	Possible																					
	Art	Art																					
Andrew FORMAN Abp. of St Andrews from 1515 d.1521			109	13	96	93	139	82	39	79	72	115	103	31	46	57	70	49	28	131	88	28	
James BEATON Abp. of Glasgow to 1522 Abp. of St Andrews from 1522 Chancellor 1513-26	88 (81)	12 (92)	77 (80)	77 (80)	67 (72)	70 (50)	51 (62)	38 (97)	38 (97)	56 (71)	66 (92)	-	64 (56)	71 (69)	15 (48)	37 (80)	23 (40)	53 (76)	0	0	7 (5)	0	0
Gavin DUNBAR Canon of Aberdeen Dean of Moray 1518-24 Prior of Whitburn Dec. 1519-1524 Abp. of Glasgow from 1524 Chr. from 1528		-	4 (4)	17 (18)	2 (1)	0	0	0	0	3 (4)	16 (22)	5 (4)	1 (1)	-	27 (59)	30 (53)	53 (76)	19 (39)	20 (71)	52 (40)	0	20 (71)	
William ELPHINSTONE Bp. of Aberdeen k.p.s. d.Oct. 1514	87 (80)	4 (31)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Gavin DUNBAR Archdeacon of St Andrews (to 1518) Bp. of Aberdeen Lord Clerk Register	97 (89)	11 (85)	77 (80)	83 (89)	123 (88)	64 (78)	39 (100)	72 (91)	22 +	44 (92)	108 (94)	93 (90)	4 (13)	38 (83)	27 (47)	58 (83)	45 (92)	21 (75)	62 (47)	58 (66)	26 (93)		
David HAMILTON Bp. of Argyll d. Dec. 1523	21 (19)	8 (62)	43 (45)	2 (2)	18 (13)	4 (5)	26 (67)	38 (48)	59 (82)	66 (57)	-	-	-	-	-	-	-	-	-	-	-	0	
Robert MONTGOMERY Bp. elect of Argyll (from 1525)																				1 (0)	0	0	
John HEPBURN Bp. of Brechin (from 1516)				-	9 (6)	2 (2)	0 (2)	0 (2)	0 (2)	0 (2)	0 (2)	24 (21)	22 (21)	0	2 (14)	23 (40)	0	0	0	0	0	2 (2)	0

N A M E	Period		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
	Total	Possible																					
	Att																						
Andrew STEWART Bp. of Caithness d. June 1517	36 (33)		0	44 (46)	23 (25)	6 (4)	-																
Andrew STEWART jr. Bp. of Caithness (from 1517)										1 (1)	0	1 (1)	0	0	0	0	0	1 (2)	0	0	0	3 (11)	
James CHISHOLM Bp. of Dunblane res. 1526	39 (36)		0	32 (33)	0	3 (2)	0	8 (20)	0	8 (11)	2 (2)	6 (6)	0	14 (30)	20 (35)	0	-	-	-	0	13 (10)	5 (6)	3 (11)
William CHISHOLM Bp. of Dunblane (from June 1526)																							
George BROWN Bp. of Dunkeld d. Jan. 1515	4 (4)		0	-																			
Gavin DOUGLAS Provost of St Giles (to 1514)	4 (4)																						
Postulate of Arbroath (1514-15)	26 (27)		2 (15)	14 (15)	5 +																		
Bp. of Dunkeld (from 1515 d. 1522)					5 (11)	10 (7)	0	9 (23)	0	36 (50)	0	0	-										
Robert COCKBURN Bp. of Ross (to 1524)	0		0	35 (36)	1 (1)	2 (1)	0	0	0	0	0	0	38 (37)	14 +									
Bp. of Dunkeld (from 1524 d. Apr. 1526)																							
George CRICHION Abbot of Holyrood (to 1526)	34 (31)		11 (85)	22 (23)	21 (23)	74 (53)	8 (10)	19 (49)	25 (32)	27 (37)	62 (54)	39 (38)	21 (68)	26 (56)	25 (44)	35 (50)	1 +						
Bp. of Dunkeld (from 1526) k.p.s. from 1514																							
David ARNOTT Bp. of Galloway (res. 1526)	51 (47)		8 (61)	65 (68)	42 (45)	56 (40)	45 (55)	27 (69)	27 (34)	44 (61)	84 (73)	0	19 (61)	1 (2)	0	-							

N A M E	Period		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
	Total	Possible																				
		Att	109	13	96	93	139	82	39	79	72	115	103	31	46	57	70	49	28	131	88	28
Alexander MYLN Abbot of Cambuskenneth (from 1519)										-	2 (3)	9 (8)	37 (36)	14 (45)	14 (30)	25 (44)	21 (30)	17 (35)	0	43 (33)	38 (43)	24 (86)
David HOME			1 (1)				-															
Prior of Colidingham (to 1516)							2 (1)	0 (51)	4 (5)	3 (4)	-											
Robert BLACKADDER Prior of Colidingham from 1517 murdered 1519																						
William TURNBULL Abbot of Coupar (to 1525)	3 (3)	0 (3)	0 (3)	3 (2)	0 (2)	0 (2)	0 (2)	0 (2)	0 (8)	0 (1)	0 (1)	0 (4)	0 (2)	0 (2)	-							
Donald CAMPBELL Abbot of Coupar (from 1525)															2 (4)	0 (1)	1 (1)	0 (1)	0 (1)	1 (1)	2 (2)	9 (32)
David CHALMER Abbot of Crossraguel (to 1519)	6 (5)	0 (5)	0 (5)	2 (2)	1 (1)	0 (1)	0 (8)	3 (8)	1 (1)	0 (1)	-											
William KENNEDY Abbot of Crossraguel (from 1520)													3 (3)	0 (2)	1 (2)	0 (14)	0 (7)	0 (7)	4 (14)	33 (25)	6 (7)	0 (0)
Thomas NIDRE Abbot of Culross (1515-27)	0	0	1 (1)	2 (2)	0 (2)	0 (2)	0 (54)	0 (44)	0 (44)	0 (44)	2 (3)	51 (44)	64 (62)	18 (58)	9 (20)	8 (14)	5 (7)	0 (7)	0 (7)	0 (7)	0 (7)	0 (7)
James OGILVY Master of Requests (1515-16)		-	19 (20)	3 (20)	+	12 (16)	27 (19)	44 (54)	17 (44)	-												
Abbot of Dryburgh (from 1516 d. 1518)																						
James STEWART Abbot of Dryburgh (from 1523)																		-	5 (18)	6 (5)	6 (7)	0 (0)
John MAXWELL Abbot of Dundrennan (from 1524)													-	6 (19)	0 (3)	0 (3)	0 (3)	0 (3)	0 (3)	4 (3)	0 (3)	0 (3)
George DURIE Abbot of Dunfermline (from 1526)																						
Walter MALIN Abbot of Glenluce (from 1519)			1 (1)	1 (1)	?	1 (1)				-	1 (1)	2 (2)	7 (7)	0 (7)	0 (7)	2 (3)	9 (13)	0 (13)	0 (13)	0 (13)	0 (13)	0 (13)
William DOUGLAS Abbot of Holyrood (from 1526)																	-	23 (47)	6 (21)	20 (15)	17 (19)	0 (0)

N A M E	Period		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
	Total	Possible																				
	Art																					
James SIMSON Official of St Andrews (from 1524)			109	13	96	93	139	82	39	79	72	115	103	31	46	57	70	49	28	131	88	28
William WAWANE Official of Lothian (1513-14)	3 (3)	-												-	1 (2)	1 (2)	6 (9)	-				
James HERIOT Official of Lothian (1516-1521 x 2)						-	35 (25)	24 (29)	9 (23)	27 (34)	27 (37)	-										
Thomas COUTIS Official of Lothian (from 1524)																		-	11 (39)	20 (15)	61 (69)	2 (7)
Patrick COVENRY Dean of Restalrig (from 1514-1526) (frequently not accorded title)	0	4 (31)	3 (15)	14 (36)	80 (58)	57 (69)	14 (36)	44 (56)	48 (67)	19 (16)	7 (7)											
William GIBSON Dean of Restalrig (from 1526)																		-	1 (4)	17 (13)	41 (47)	3 (11)
David SETON Rector of Fettercairn	1 (1)	4 (31)	9 (9)	17 (18)	16 (11)	-		2 (2)	0 (4)	3 (4)	-											
James WHITE Rector of Petcocks																						
Thomas HAY Rector of Ruthven, Secretary 1517-24												37 (32)	4 (4)	6 (19)	-							
Alexander HAY Rector of Turreff															2 (4)	2 (3)	0 (3)	0 (25)	7 (25)	0 (25)	0 (25)	0 (25)
Richard BOTHWELL Canon of Glasgow		-	1 (1)	17 (18)	2 (1)	0 (1)	0 (1)	0 (1)	0 (1)	0 (1)	0 (1)	47 (41)	5 (5)	7 (33)	1 (2)	-						
Rector of Ashkirk Director of Chancery (appears frequently without designation)																						
James Cockburn						1 (1)	-															
George KERR Provost of Dunglass (from 1521)	-	3 (23)	0																0	1 (1)	-	-
James LAWSON																			9 (32)	38 (29)	57 (65)	2 (7)

N A M E	Period																						
	Total Possible	Art	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
Alexander GORDON	5	7	29	5	20	6	15	29	72	115	103	31	46	57	70	49	28	131	88	28			
3rd Earl of HUNTLY (d. 1524)	(5)	(54)	(30)	(5)	(14)	(15)	(19)	(40)	(16)		0	-											
John, Lord GORDON (Master of Huntly) (d.1517)	2	0	0	1	1	2	-																
George GORDON	(2)	(2)	(1)	(1)	(2)																		
4th Earl of HUNTLY (from 1524)																							
John STEWART	36	0	24	7	17	0	9	24	14	24	17	31	33	51	15	-	1	4	1	0			
3rd Earl of LENNOX (killed at Linlithgow 4.9.1526)	(33)		(25)	(7)	(12)		(11)	(33)	(12)	(23)	(55)	(67)	(58)	(73)	(31)		(4)	(3)	(1)				
William KEITH	6	7	9	5	2	0	5	0	0	2	0	0	0	0	0	0	0	2	-				
3rd Earl MARISCHAL (d.1527)	(5)	(54)	(9)	(5)	(1)	(13)																	
Robert KEITH	1	2	-							7													
Master of MARISCHAL (d.v.p.)	(1)	(15)								(6)													
William, 4th Earl MARISCHAL (from 1527)																							
William GRAHAM																							
2nd Earl of MONTROSE	-	1	0	2	1	2	0	20	11	2	1	0	8	0	0	0	0	11	4	6			
James STEWART			(1)	(1)	(5)	(28)	(10)	(2)	(3)	(14)								(8)	(4)	(21)			
Earl of MORAY	-	6	8	5	0	0	7	25	14	0	6	6	11	0	2	3							
James DOUGLAS		(6)	(9)	(4)		(10)	(62)	(24)	(45)	(9)								(39)	(2)	(11)			
3rd Earl of MORION	8	1	6	7	33	4	8	4	0	2	2	0	16	5	0	0	6	0	0	0			
George LESLIE	(7)	(8)	(6)	(7)	(24)	(5)	(3)	(10)	(6)	(2)	(6)	(28)	(7)					(5)					
4th Earl of ROTHES	8	2	21	3	12	1	9	3	4	2	12	0	2	1	0	8	21	29	11				
Adam GORDON	(7)	(15)	(22)	(3)	(9)	(1)	(23)	(4)	(6)	(2)	(12)	(4)	(2)	(16)	(29)	(16)	(33)	(39)					
Earl of SUTHERLAND																							
Andrew STEWART	2	7	11	1	2	0	11	2	8	21	3	5	2	0	0	1	1	0	2				
3rd Lord AVANDALE	(2)	(54)	(11)	(1)	(1)	(28)	(2)	(11)	(18)	(3)	(16)	(4)				(4)	(1)		(7)				
William BORTHWICK	12	5	13	7	47	1	5	2	4	18	11	15	0	0	0	0	0	0	0				
5th Lord BORTHWICK	(11)	(38)	(14)	(7)	(34)	(1)	(13)	(2)	(6)	(16)	(11)	(48)											
William CARLYLE																							
2nd Lord CARLYLE of TORRHORWALD																							
John CAITHCART	8	0	1	4	2	0	4	0	19	1	4	0	0	0	0	0	0	0	1	0			
2nd Lord CAITHCART	(7)		(1)	(4)	(1)	(10)		(26)	(1)	(4)									(1)				

NAME	Period		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
	Total	Possible																				
	Art	Art																				
Robert CRICHTON (d.1520)	4 (4)	109	7 (7)	1 (1)	7 (5)	0 (15)	6 (10)	8 (14)	10 (14)	-	-	-	-	-	-	-	-	-	-	-	-	-
3rd Lord CRICHTON of SANQUHAR	20 (18)		7 (7)	5 (5)	20 (14)	10 (12)	18 (23)	40 (56)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
John DRUMMOND	11 (10)		22 (23)	4 (4)	29 (21)	7 (8)	10 (26)	7 (9)	21 (29)	0	0	0	9 (9)	11 (35)	6 (13)	20 (35)	16 (23)	7 (14)	3 (11)	31 (24)	47 (53)	15 (54)
John ERSKINE	5 (5)		23 (24)	4 (4)	14 (10)	22 (27)	21 (54)	8 (10)	12 (17)	16 (14)	16 (14)	33 (32)	3 (10)	-	-	-	-	-	-	-	-	-
5th Lord ERSKINE			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
John FLEMING	4 (4)		8 (8)	0 (4)	6 (4)	0 (4)	0 (4)	0 (4)	3 (4)	1 (1)	1 (1)	0 (3)	0	1 (3)	0	0	4 (6)	0	5 (18)	0	5 (6)	0
2nd Lord FLEMING (murdered Nov. 1524)			5 (5)	0 (4)	10 (10)	27 (27)	54 (54)	10 (17)	12 (17)	16 (14)	16 (14)	33 (32)	3 (10)	-	-	-	-	-	-	-	-	-
Malcolm FLEMING			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
Master of FLEMING			5 (5)	0 (4)	6 (4)	0 (4)	0 (4)	0 (4)	3 (4)	1 (1)	1 (1)	0 (3)	0	1 (3)	0	0	4 (6)	0	5 (18)	0	5 (6)	0
3rd Lord FLEMING (from 1524)			5 (5)	0 (4)	10 (10)	27 (27)	54 (54)	10 (17)	12 (17)	16 (14)	16 (14)	33 (32)	3 (10)	-	-	-	-	-	-	-	-	-
John FORBES			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
6th Lord FORBES			5 (5)	0 (4)	6 (4)	0 (4)	0 (4)	0 (4)	3 (4)	1 (1)	1 (1)	0 (3)	0	1 (3)	0	0	4 (6)	0	5 (18)	0	5 (6)	0
Thomas FRASER			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
2nd Lord FRASER of LOVAT (d.1524)			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
John LYON			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
6th Lord GLAMIS (d. Apr. 1528)			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
Patrick GRAY			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
3rd Lord GRAY (from 1514)			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
John HAY			6 (5)	1 (8)	19 (20)	6 (6)	15 (11)	2 (2)	7 (6)	5 (17)	12 (15)	17 (15)	27 (26)	2 (6)	3 (6)	22 (39)	30 (43)	13 (26)	5 (18)	23 (18)	14 (16)	6 (21)
3rd Lord HAY of YESTER			6 (5)	1 (8)	19 (20)	6 (6)	15 (11)	2 (2)	7 (6)	5 (17)	12 (15)	17 (15)	27 (26)	2 (6)	3 (6)	22 (39)	30 (43)	13 (26)	5 (18)	23 (18)	14 (16)	6 (21)
Alexander HOME			13 (12)	11 (85)	6 (6)	4 (4)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3rd Lord HOME (ex. 1516)			13 (12)	11 (85)	6 (6)	4 (4)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
George HOME			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
4th Lord HOME (restored 1522)			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
Richard STEWART			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
3rd Lord INNERMEATH			1 (1)	0 (1)	0 (3)	0 (3)	1 (3)	0 (6)	4 (2)	2 (2)	2 (2)	0	0	16 (35)	6 (13)	16 (28)	9 (13)	7 (14)	4 (14)	30 (23)	17 (19)	2 (7)
Patrick LINDSAY (d.1526)			22 (20)	8 (61)	54 (56)	33 (35)	80 (58)	14 (17)	0 (17)	0 (1)	0 (1)	0 (3)	1 (1)	-	-	-	-	-	-	-	-	-
4th Lord LINDSAY of BYRES			22 (20)	8 (61)	54 (56)	33 (35)	80 (58)	14 (17)	0 (17)	0 (1)	0 (1)	0 (3)	1 (1)	-	-	-	-	-	-	-	-	-
Sir John LINDSAY of PITCREAVIE			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
Master of LINDSAY (d.1525)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
5th Lord LINDSAY of BYRES (from 1526)			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0 (3)	2 (3)	0 (3)	2 (3)	0 (3)	0 (3)	0 (3)
John LINDSAY			0 (8)	1 (3)	3 (3)	0 (1)	2 (1)	1 (1)	0 (3)	0 (3)	0 (3)	3 (3)	1 (1)	2 (6)	0 (3)	0						

N A M E	Period		Total Possible																			
	Art	109	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Alexander LIVINGSTON Master of LIVINGSTON and 5th Lord LIVINGSTON (from 1514)		1 (1)		0	0	0	0	1 (1)	0	11 (14)	9 (12)	10 (9)	8 (8)	3 (10)	2 (4)	9 (16)	2 (3)	0	0	2 (1)	5 (6)	0
John LYLE 4th Lord LYLE								- (13)	5 (13)	0	0	2 (2)	2 (2)	0	5 (11)	0	3 (4)	-				
Robert MAXWELL 5th Lord MAXWELL		5 (5)		0	5 (5)	6 (6)	8 (6)	0	8 (20)	12 (15)	10 (14)	5 (4)	2 (2)	6 (19)	5 (11)	4 (7)	8 (11)	10 (20)	2 (7)	10 (8)	0	8 (29)
James OGILVY 3rd Lord OGILVY of AIRLIE (d.1524)		7 (6)		2 (15)	4 (4)	0 (4)	10 (7)	0	1 (3)	0	0	3 (3)	-									
James OGILVY 4th Lord OGILVY of AIRLIE (from 1524)																				- (1)	2 (1)	
John OLIPHANT 2nd Lord OLIPHANT (d.1516)		14 (13)		3 (23)	3 (3)	1 (1)	-															
Ninian ROSS 3rd Lord ROSS of HALKHEAD		4 (4)		1 (8)	3 (3)	4 (4)	5 (4)	1 (1)	6 (15)	5 (6)	10 (14)	13 (11)	6 (6)	0	0	3 (5)	0	5 (10)	0	6 (5)	5 (6)	1 (4)
William RUTHVEN 1st Lord RUTHVEN (d.1528)		29 (27)		5 (38)	20 (21)	0 (1)	1 (1)	6 (7)	6 (15)	0	1 (1)	-										
William RUTHVEN Master of RUTHVEN												2 (2)	1 (1)	2 (6)	0	0	0	0	0	1 (1)	0	2 (7)
Alexander SALTOUN 4th Lord SALTOUN of ABERNETHY (d.1527)		0		4 (31)	1 (1)	0 (1)	1 (1)	0	0	0	0	0	0	0	0	0	0	0	0	2 (1)	1 (1)	-
William SALTOUN Master of SALTOUN				-	1 (1)	-																
William SEMPLE 2nd Lord SEMPLE		1 (1)		2 (15)	2 (2)	11 (12)	5 (4)	0	2 (5)	4 (5)	20 (28)	12 (10)	4 (4)	0	0	0	0	1 (2)	1 (4)	0	6 (5)	8 (9)
George SETON 4th Lord SETON											-	3 (3)	0	0	2 (4)	0	1 (1)	2 (4)	1 (4)	0	2 (2)	3 (11)
William SINCLAIR 4th Lord SINCLAIR		0		6 (46)	3 (3)	1 (1)	0	0	0	0	0	0	1 (1)	-								
Hugh SOMERVILLE 4th Lord SOMERVILLE (from 1522)											-	12 (10)	2 (2)	1 (3)	1 (2)	1 (2)	7 (10)	8 (16)	12 (43)	18 (14)	16 (18)	0
Robert BARTON of OVERBARTON Comptroller 1516-25				-			2 (1)	7 (8)	1 (3)	9 (11)	8 (11)	4 (3)	14 (14)	1 (3)	-	0	-					

APPENDIX F

Remissions for involvement at the Battle of Kittycrosshill, Jan. 1516

Source	Date	Names
<u>RSS</u> i no 3409	1 July 1526	James, Earl of Arran, Hugh, Earl of Eglinton Andrew, Lord Avandale Hugh Campbell of Loudon William Wallace, tutor of Craigie James Hamilton of Finnart 5-6,000 others to be named by Arran
ibid. no 3440	16 July	Cuthbert, Earl of Glencairn William, Master of Glencairn James Cunningham, his brother Robert Cunningham of Aikhead and others of the surname Cunningham and Boyd Mungo Mure of Rowallan
ibid. no. 3708	1 April 1527 11 April	Donald Richmond James Hamilton of Innerwick John Hamilton of Newton and 4 others
ibid. no. 3787	14 May 29 May	William Livingston of Kilsyth Mathy Thome his sons Robert, John, Thomas and William
ibid. ii no. 504	15 June (Jan. 1530)	Alexander Campbell of Blairskeith George Hamilton of Bordland and 19 others
ibid. no. 1581	4 Aug. 1534	James Hamilton of Stonehouse
ibid. no. 1984	18 Mar. 1536	Andrew Bowe
ibid. no. 3322	7 Feb. 1540	George Kneland

APPENDIX G

The beneficiaries from the forfeiture of Lord Home, October 1516

Source	Date	Name	Notes
<u>RMS</u> iii no. 98	26 Oct. 1516	Alexander, Earl of Huntly and his heirs	for good service. Lands of the Lordship of Gordon. Berwickshire to be reunited in a single barony for Huntly.
ibid. no. 100	1 Nov.	Robert, Lord Maxwell and his heirs	for services done and to be done, grant of lands in Ewesdale, Dumfriesshire.
ibid. no. 103	4 Nov.	Sebastian Ferres ¹ and his heirs	for service as Lieutenant, Keeper and Constable of Dunbar Castle, grant of lands in the Constabulary of Haddington, part of the lordship of Thornton.
ibid. no. 104	5 Nov.	Alan Stewart ² and his heirs	for services done and to be done, grant of the lands and barony of Upsetlington, Berwickshire.
ibid. no. 105	8 Nov.	Adam Dundas ³ and his heirs	for services to King and Governor, and to help him undertake the office of Lieutenant-Captain of Dunbar Castle, grant of lands of Oxmure, Berwickshire.
ibid. no. 108	8 Nov.	William Brown alias Albany Herald ⁴ and his heirs	for services rendered and to be rendered, grant of lands in the lordship of Thornton, Constabulary of Haddington.
ibid. no. 110	13 Nov.	James Wishart of Pitarrow, his heirs and assignees	for good service, grant of lands in the barony of Home, Berwickshire.
ibid. no. 114	18 Nov.	James Sinclair and his heirs	for services rendered and to be rendered, grant of lands of Todrig, Berwickshire, owing accustomed services plus service to the Lieutenant of Dunbar Castle.
ibid. no. 115	18 Nov.	Isobel Gray ⁵ Widow of Adam Crichton of Ruthven, and her heirs	grant of superiority over half lands of Inverallon, Stirlingshire.
ibid. no. 116	22 Nov.	Mark Kerr of Dolphinton and his heirs	for services rendered and to be rendered, grant of half of the lands and barony of Broxfield, Roxburghshire.
ibid. no. 121	21 Dec.	James Lundy and his heirs	for services done and to be done, grant of the lands of Bogend, Berwickshire, and others in the barony of Hassendean, Roxburghshire

Source	Date	Name	Notes
ibid. no. 122	31 Dec.	John Beaton, ⁶ son & heir of David Beaton of Creich, and his heirs	grant of the lands and lordship of Kello, Berwickshire, partly in compensation for lands recognised, and in dispute with the Homes, partly as remuneration for service.
ibid. no. 123	2 Jan. 1517	George Home of Spot and Katherine Halkerston, his wife	for service by said George, grant of lands of Sisterpath, Hill and Chesters, Berwickshire, to be held by them in conjunct fee and by their legitimate heirs, failing whom by the nearest legitimate heirs of George.
ibid. no. 126 ⁷	19 Jan.	Andrew Mirron	Grant of the lands of Falside-Hill, near Home, Berwickshire.
ibid. no. 127 ⁷	19 Jan.	Clement Lencilloun	Tenantry of the lands of Greenlaw, Berwickshire.
ibid. no. 137 ⁷	19 Jan.	Clement Lencilloun Frenchman	Grant of the ploughlands in the dominical lands of Hawsinton, Berwickshire.
ibid. no. 141 ⁷	28 Mar.	John Campbell Treasurer	Grant of lands of Thornton, with the mills, tower and fortalice thereof, in the Constabulary of Haddington.
ibid. no. 143 ⁷	30 Mar.	Sir Anthony Darceys ⁸	Grant of the mains of Home, Home Castle, mills and other buildings in the barony of Home, Berwickshire.
ibid. no. 158 ⁷	2 May	Philip Nesbit of that Ilk	Grant of half of the lands of Manderston, Berwickshire, which he already held in liferent.
ibid. no. 159	2 May	David Home of Wedderburn, his heirs and assignees	Grant of half of the lands of Manderston, Berwickshire, subject to his performing faithful service to the Warden of the East Marches, without prejudice to his other rights.
ibid. no. 160	3 May	Michael Scott, son & heir of the late Robert Scott in Aikwood and his heirs	Grant of feu-farme on the lands of the forest of Aikwood in the Lordship of Ettrick Forest, Selkirkshire at a feu duty of £26 13s 4d.
ibid. no. 161 ⁷	6 May	James Sinclair	Grant of the lands of Todriklades and Fulshotlaw, Berwickshire.
ibid. no. 169	25 May	John Liddell of Halkerston and his heirs	Grant of feu-farme on the lands and place of the forest of Timnis with a tower and fortalice in the lordship of Ettrick, Selkirkshire, at a feuduty of £50.

APPENDIX G FOOTNOTES

- 1 Sebastian Ferres is described as a baron of Portugal cf ER xiv preface cxliv.
- 2 Alan Stewart, 'Captain of Milan', see ibid. and ibid. 214, 231, etc.; TA v 85.
- 3 Described as a familiar servant of the King. Adam Dundas was a messenger who appeared several times in the records - TA v 8, 53, 384.
- 4 Albany Herald took the news of Home's execution to the English on 25 Oct. 1516, TA v 93.
- 5 Isobel Gray was the daughter of Andrew, 2nd Lord Gray and later married John Campbell of Thornton, the Treasurer - ADC 27 ff. 187, 187v. 26 Feb. 1516. She had been troubled in her possession of these lands earlier - ibid. ff. 112-112v. 3 Dec. 1515.
- 6 John Beaton was the nephew of James Beaton, the Chancellor, who was his Tutor Testamentary.
- 7 Recorded as a memorandum in the Register which also states that after the revocation of the forfeiture, the lands were restored to George Home (4th Lord Home), brother of the executed Lord Home.
- 8 Sir Anthony Darceys = Seigneur De La Bastie.

APPENDIX H

Supporters of Queen Margaret during her second Regency

July 1524 - 23 Feb. 1525

Sources:

- A : Attendants at a convention before the signing of the bond to put James V to his full royal estate: ADC 34 ff. 182v, 183, 188, 188v, 189v, 20, 21, 23, 27, 28 July.
- B : Signatories to the bond of 30 July ending Albany's authority and raising James V to power : L&PHVIII iv pt. i no. 540 30 July.
- C : Signatories recorded in the notarial copy of the bond¹: L&PHVIII iv pt. i no. 561 5 Aug.
- D : Attendants at the convention on 1 August and 3 August which gave practical effect to the new régime : ADC 34 f.191 and f.191v (identical).
- E : Independent RMS witness list before Aug. parliament : RMS iii no. 271 9 Aug.
- F : Attendants at the Council after 3 Aug. : ADC 34 f.193 9 Aug., 19 Aug., f.193v. 25 Aug.; f.194 25 Aug. p.m.; f.194v 2 Sep.; f.197 5 Sep.; f.197v 6 Sep.; f.198 7 Sep.; f.200 9 Sep.; f.201 9 Sep. p.m., 10 Sep.; f.203 12 Sep.; f.204 13 Sep.; f.204v 15 Sep.; f.206v 16 Sep.; f.207 17 Sep.; f.208 7 Dec.
- G : Lords named to sit on the Session 15 Sep. : ADCP 210-1
- H : Independent RMS witness lists after Aug. parliament : RMS iii nos. 272 28 Aug.; 274 15 Sep.; 275 19 Sep.; 276 25 Sep.; 280 1 Nov.; 281 19 Nov.; 288 21 Dec.; 289 22 Dec.; 291 2 Jan. 1525; 294 15 Jan.
- I : Attendants at the parliament of 16 Nov. 1524 : APS ii 285-6.²
- J : Signatories to special bonds in favour of Queen Margaret³ : SPHVIII 114-5 n.l.
- K : Signatories to the bond of 7 Feb. in favour of Queen Margaret's continued exercise of government (for bond itself see Appendix I): SRO Dalhousie Muniments GD 45/1/2 (two names unidentified).

1 Witnesses to the notarial copy itself were: James Preston, Bailie of Edinburgh; Edward Little, Dean of Guild of Edinburgh; Alexander Nenthorn, Treasurer of Edinburgh; Edward Kincaid and James Halliburton.

2 Commissioners for holding Parliament were: James Beaton, Archbishop of St Andrews; Gavin Dunbar, Bishop of Aberdeen; David Arnott, Bishop of Galloway; Hugh, Earl of Eglinton; Gilbert, Earl of Cassillis; Robert, Lord Maxwell; James Wishart of Pitarrow; Adam Otterburn; James Preston Provost (sic - President) of Edinburgh and Nicholas Crawford.

The/

The attendants included Gilbert Keith as deputy for the Earl Marischal, David Wood as deputy for the Earl of Erroll and the Sergeants-at-Arms Andrew Dalmahoy and John Anderson.

See above Chapter 10 n.118 for list of Lords elected Lords of Articles and Lords Auditors of Causes.

3 Cuthbert, Earl of Glencairn was scored out from this list.

James Beaton,	Archbishop of St Andrews	A B C D F H I
Gavin Dunbar,	Postulate Archbishop of Glasgow	B C D E F G H I K
Gavin Dunbar,	Bishop of Aberdeen	F H I
John Hepburn,	Bishop of Brechin	I
James Chisholm,	Bishop of Dunblane	I
Robert Cockburn,	Bishop of Ross (to Sep. 1524) and Dunkeld (from Sep. 1524)	A B C D E F G H I
David Arnott,	Bishop of Galloway	B C D E F G H I K
James Hay,	Abbot of Dundrennan (to Sep. 1524) and Bishop of Ross (from Sep. 1524)	F G I K
Alexander Myln,	Abbot of Cambuskenneth	A B C D F G
Thomas Niddrie,	Abbot of Culross	A B C D F G I
George Crichton,	Abbot of Holyrood	A B C D E F G H I K
John Home,	Abbot of Jedburgh	A B C D F I
Thomas Kerr,	Abbot of Kelso	F I K
John Philp,	Abbot of Lindores	I
Edward Stevill,	Abbot of Newbattle	I
Robert Shaw,	Abbot of Paisley	A B C D E F G H I
Alexander Stewart,	Abbot of Scone	A B C D F G I K
(?)	Abbot of St Columba's	I
George Hepburn,	Dean of Dunkeld	F G
Robert Forman,	Dean of Glasgow	A B C D F G
John Cantlie,	Archdeacon of St Andrews	B F
Patrick Coventry,	Dean of Restalrig	G
Thomas Hay,	Parson of Ruthven, Secretary	A B C D
(?)	Vicar of Herries	K
Queen Margaret		B C F
Colin, Earl of Argyll		E F H I
James, Earl of Arran		A B C D E F G H I J K
Gilbert, Earl of Cassillis		A B C D F G I J K
David, Earl of Crawford		A B C K
Hugh, Earl of Eglinton		F G H I J K
Cuthbert, Earl of Glencairn		F
William, Master of Glencairn		B C D
John, Earl of Lennox		A B C D E F G J
William, Earl of Montrose		F I
James, Earl of Moray		C F G I J K
James, Earl of Morton		B C D
George, Earl of Rothes		I
Andrew, Lord Avandale		A B C D F G I J K
William, Lord Borthwick		B C D F
John, Lord Erskine		A B C D F G
John, Lord Fleming (murdered Nov. 1524)		A C
John, Lord Forbes		F
John, Lord Glamis		I J
George, Lord Home		F I

John Lindsay of Pitcreavie, Master of Lindsay	B C
Alexander, Lord Livingston	A B C D J
Robert, Lord Maxwell	F G H I J K
Ninian, Lord Ross of Halkhead	I J
William, Master of Ruthven	B C D
William, Master of Saltoun	K
William, Lord Semple	I J
George, Lord Seton	I
Hugh, Lord Somerville	A I J K
George Dundas Lord St John's	A B C D F
David Lindsay of Edzell	C D
Robert Barton of Overbarnton, Comptroller	F G
Francis Bothwell, Provost of Edinburgh	C D
Richard Bothwell (Director of Chancery)	A E
Hugh Campbell of Loudon, Sheriff of Ayr	K
John Campbell of Lundy, Treasurer	A F G
John Charteris of Amisfield	K
William Cockburn of Scraling	B
Nicholas Crawford of Oxfangs	A B C D F G I
Patrick Crichton of Cranston-Riddale	B
Peter Crichton of Naughton	B C D
James Douglas of Drumlanrig	K
Thomas Hamilton	G
James Hamilton (of Finnart)	B K (both conjectural)
James Hamilton of Kincavil	B
George Home of Spot	K
George Hoppringle	K
Patrick Houston of that ilk	C D
Alexander Jardine of Applegarth	B
Andrew Kerr of Cessford	K
Mark Kerr of Dolphinton (also of Littledean)	B C D K
David Learmonth	F G
James Lundy of Balgonie	B K
Adam Otterburn	A B C D F G
William Scott of Balwearie	A B C D F G
Henry Stewart of Rosyth	B
John Stirling of Keir	C D
Alexander Towers of Inverleith	C D
David Wemyss of that ilk	B K
James Wishart of Pitarrow, Justice Clerk	C D F G
Commissioners of the burghs of	
Edinburgh (James Preston)	I
Stirling (Alexander Forrester)	I
Aberdeen	I
Perth	I
Haddington	I
Irvine	I
Ayr	I

APPENDIX I

SRO Dalhousie Muniments GD45/1/2

We Lordis undirwrittin having God befor us the weile of our soverane Lord now being of less age and his realme and lieges seying and considering the gret enormiteis, slauchteris, reiffis and herschippis within his Realme and als ye gret divisiouns and discrepance now instantlie amangis his estatis and Lordis And in speciale of ane part of yaim usurping aganis his autorite Riall gevin till hym and his derrest moder in his last parliament And he hafand consideration of ye gret scaithis, and dampnages forsaid quhilkis apperandlie may grow and it be nocht wyslie and hastelye remedit. Anent ye sur honorable observing & keeping of his mast noble person furthbering and maintenyng of his autorite common weile of his realme universale and ministracioune of justice to be maid amangis his liegis Promittis faithfullie be the faithis and treuthis in our bodyis, the haly evangellis tuichit under ye panis of perjury [insanity?], and inhabilite that we sall in all tymes cuming tak ane trew place and ans[wer] with our said soverane Lord and his derrest moder ye quenis grace

In ye autorising furthb[ering a]nd maintenyng of his mast noble person and his derrest moder ye quene In all poyntis and articullis gevin and grantit till his grace and to his said derrest moder be ye thre estatis of yis realme in ye last parliament. And gif ony of our soverane Lordis liegis of quhatsumevir degre spirituale or temporale wald usurpe or attempt incontrar ony thing aganis his autorite riall or ony poynt, artikle, acte, or privelege grantit and gevin till our said soverane lord and his said derrest moder ye quene in his last parliament. In yat case we promit faithfullie and oblis ws as said is to resist ye samyn with our personis, gudis and lyffis, our friends, parttakers and assisters and sall never tak utheris partis in ye resisting of ye samyn furthbering of our said soverane Lordis/

Lordis autorite and maintenyng of his said derrest moder in maner forsaid. Under ye panis to spirituale men tynsell of yair benefices and temporale men tynsale of yair heretages. In witness of ye quhilk thing we have subscrivit yir our presentes with our hand at Edinburgh the vij day of ye moneth of Februar the yeir of God ane thousand five hundreth twenty and four zeris etc. (i.e. 1525).

Signed by:

Gavin Dunbar, Postulate of Glasgow
 David Arnott, Bishop of Galloway
 James Hay, Bishop of Ross
 George Crichton, Abbot of Holyrood
 Thomas Kerr, Abbot of Kelso
 Alexander Stewart, Abbot Scone
 Vicar of Herries (?)

Hugh Campbell of Loudon, Sheriff of Ayr
 John Charteris of Amisfield
 James Douglas of Drumlanrig
 James (Hamilton of Finnart?)
 George Home of Spot
 George Hoppringle
 Andrew Kerr of Cessford
 Mark Kerr of Dolphinton
 James Lundy of Balgonie
 David Wemyss of that ilk

James, Earl of Arran
 Gilbert, Earl of Cassillis
 David, Earl of Crawford
 Hugh, Earl of Eglinton
 James, Earl of Moray
 Andrew, Lord Avandale
 Robert, Lord Maxwell
 William, Master of Saltoun
 Hugh, Lord Somerville

(2 unidentified)

APPENDIX J

**People granted remissions specifically for aid rendered to Angus or the
Douglases after the end of the minority**

Source	Date	Name
<u>RSS</u> i no. 4005	1 Nov. 1528	Robert and James Gray, friends and servants to Patrick Charters.
ibid. no. 4011	6 Dec.	George Wedderburn, brother of James W. senior, Burgess of Dundee.
ibid. no. 4015	28 Dec.	John Dunlop
ibid. no. 4016	28 Dec.	William Stewart of Traquair and 2 others.
ibid. no. 4047	25 Jan. 1529	Martin Wood in Woodhall and 2 others.
[ibid. no. 4072	4 Feb.	Patrick, Earl of Bothwell as Lieutenant was given full powers to grant remissions to Angus's accomplices]
ibid. no. 4088	26 Feb.	Hugh Douglas in Longniddrie and his brother, James.
ibid. no. 4089	27 Feb.	William Matheson in North Berwick.
ibid. no. 4103	5 Mar.	Adam Boyd and Robert Kirkwood 'ejus famuli'
ibid. no. 4111	8 Mar.	William Carmichael of that ilk.
[ibid. no. 4123	23 Mar.	Paul Home's goods escheated for assistance to Angus were granted to Cuthbert Home]
<u>RSS</u> ii no. 7	31 Mar.	Alexander Drummond (of Carnock)
ibid. no. 9	2 Apr.	Thomas Liddell
ibid. no. 13	4 Apr.	Hector McIntosh, Captain of Clanchattan and Alan Keire.
ibid. no. 30	7 Apr.	William Douglas of Whittingham and James Douglas, his servant
ibid. no. 31	7 Apr.	Robert Lauder of the Bass and 11 others.
ibid. no. 32	7 Apr.	Patrick Wolf and 7 others.
ibid. no. 33	7 Apr.	The Burgh of Dunbar.
ibid. no. 34	8 Apr.	John, Lord Hay of Yester and 4 others.
ibid. no. 35	8 Apr.	William Hay of Tallo
ibid. no. 39	11 Apr.	Alexander Home of Polwarth and 16 others.
ibid. no. 56	26 Apr.	Master John Bannatyne and William Fleming his servant.
ibid. no. 75	9 May	John Kincaid in Leith
ibid. no. 102	20 May	Michael Nicholl
ibid. no. 117	26 May	James and William White, brothers.
ibid. no. 133	3 June	John Matheson, son to William Matheson in N. Berwick (see above i no. 4089).
ibid. no. 137	3 June	Alexander and James Baillie and John Jameson
ibid. no. 147	8 June	Patrick Lindsay
ibid. no. 149	8 June	John Bald
ibid. no. 154	11 June	Hugh Kennedy of Girvanmains
ibid. no. 184	21 June	Sir James Melwing and 7 others.
ibid. no. 191	24 June	David Lindsay of Edzell and 4 others.
ibid. no. 194	26 June	Richard Waite
ibid. no. 195	26 June	James Douglas in Hardrig
ibid. no. 197	28 June	William Barclay of Touch

Source	Date	Name
RSS ii no. 202	1 July	Robert Ramwiche
ibid. no. 209	10 July	James Cunningham in Coldingham
ibid. no. 239	24 July	Andrew Bickerton
ibid. no. 242	25 July	John Waugh
ibid. no. 243	26 July	William Kay
ibid. no. 253	26 July	John Chaip (or Chair) in Halhill
ibid. no. 378	21 Oct.	John Home of Blackadder
ibid. no. 478	31 Dec.	William Lawrenson
ibid. no. 529	1 Feb. 1530	James Lindsay, son to William Lindsay in Artnoch
ibid. no. 593	19 Mar.	Thomas Douglas 'coci'
ibid. no. 713	2 Aug.	George Nesbit of Dalzell
ibid. no. 742	3 Oct.	John Charters, son of late John Charters of Cuthilgurdy
ibid. no. 883	27 Apr. 1531	John Douglas, called 'Bald Johnne'
[ibid. no. 932	5 June	Richard Douglas, Burgess of Jedburgh's goods escheated for assistance to Angus were granted to Andrew Kerr of Ferniehirst]
ibid. no. 934	7 June	John Boyd, 'Chalmerchild' to Archibald Douglas, and John Boyd, son to Gilbert Boyd
ibid. no. 950	26 June	Simon, John and George Turnbull
ibid. no. 985	13 Aug.	Roger, Alexander and John Charters and James Aikman
ibid. no. 1109	8 Jan. 1532	Wilking Turnbull, Bernard Smith & William Bruce
[ibid. no. 1293	10 June	goods escheated from John Charters granted to his mother, Janet Gray, Lady Wemyss]
ibid. no. 1396	1 Sep.	John Home of Blackadder, John Nesbit in 'Lespittale', Hector Ford and John Focart
[ibid. no. 1494	8 Feb. 1533	Isobel Hopper, wife of Archibald Douglas of Kilspindie had then been at the horn, fugitive, for 1 year and 1 day]
ibid. no. 1580	20 July	Thomas Morton, 'Commorantis' in the Sheriffdom of Lanark
ibid. no. 1581	4 Aug.	James Hamilton of Stonehouse
ibid. no. 1610	20 Mar. 1535	Robert Dawscheill
ibid. no. 1666	12 May	Lancelot Kerr
ibid. no. 3255	3 Jan. 1540	Thomas Hunter
ibid. no. 3846	8 Feb. 1541	Donald McAnevkneill
ibid. no. 4141	25 July	John Lindsay of Colvinton; Robert Lindsay, his brother; John Carmichael; George Bell; George Rattray; James Fisher; Andrew Greirson and Herbert Johnson.

APPENDIX K

'The Roit and Quheill Of Tyme', by Adam Abell of Jedburgh

f.116r

- 1513 Scottis king 106 wes James at now is ringand quhom God conserf. He is sone to forsaid James quhom Christ assolze. He wes skant thre zere quhen he wes crownit. Than wes wersit ye word of ye wisinar. (?) ubi puer est rex, wa is ye kinrik quhar ye king is ane barne for yan nowthir pece nor iustice rangs. That sam zere his moder mariet
- 1514 ye erll of Anguss to hir gret desolatioun eftirwert hes now is sene. Paip Leo [in margin: he confirmit ye order of ye salutacy on maid be brother Gabriel of our order (?)] is sat 9 zeris. He confermit all our privilegis before grantit and gaif mony mair. That sam zere ye lords of Scotland sent to France for Johne Stewart Duike of Albane to be gubernator of ye kinrik. And yot he resistit in ye begynnyng at ye last he condescendit and come to Dunbertane quhilk wes eftirwert deliverit to him. Suyne eftir ane certane lordis rebellit aganis him bot yai prevalit not he wes sa prudent in his doings. He exilit ye erll of Anguss & ye lord Hwym. The lord Hwym wes eftirwert resaifit in grace. Bot for causis eftirwert occurrand he and Maister Wilzem wes iustifeit in Edinburgh. About yis tyme ye duke wyt a gret host passit to Carlill and myt haif had ye cite with litill laubor. Bot ye Inglis in subtile promist a gret soum of gold to ye gubernator & sa yai evadit. Bot quhen ye message come for it yai cauld it down to him. Bot yai let him not haif ane penny awa.
- 1520 The duke wyt leif of ye lords passit to his lady in France and left Delabaute ane nobill knyht behind him qulk wes eftirwert slane be ye lards of Weddirburn and his breder. Romain Impryor wes and is Charlis/

Charlis 4 sone of Duke Philip forsaid arche duke & king of castell.
 Wes religait in Ingland come home in Scotland and syne wyt ye sowth
 lands men com to Edinburgh and tuke down ye Hwmemis heid of ye heacht
 of ye towbuth. Before ye Hwmemis heid put Delabautes heid on
 f.117v Weddirburn at now is cassin downe be ye inglismen. Secundlie ye duik
 1522 returnit fra France and sone eftir he institut wyt consall of ye
 lordis 4 keparis of ye king be zerlie quartaris viz ye erll Marchell
 lord Erskin lord Borthik and ye lord Rothven [in margin: about this
 tyme mastir Patrik Hamilton wes brunt for erresy viz. anno 1521.]
 Bot in ye tyme of his cuming fra France ye erll of Surre wyt ye arme
 of Ingland cast down our housis of fenss on ye border abone ye nowmer
 of 30 and birnt ye towne of Iedburgh. And gret othir skaith had yai
 done & yai had not hard of ye cuming of ye gubernator quhom gretumlie
 yai drede & yit dreds. Paip Hedrian sat a zere. He wes chosin in
 his absence beand in Spanze. He wes ane verra iust man and proponit
 to reforme halie kirk and mak pece in all stait. Bot God tuik him
 haistelie awa at malice suld not change his thot [in margin: Clement
 sat 12 zeris.] That sam zere ye duik sigit ye castell of Wark quhare
 ye Franche men excellandlie yen facht and quhen ye houss wes narrest
 won ane lard of Tewidaill desirand ye spulze of ye houss and sen he
 cuth not get it exhortit ye inglis men to persewer in yare defence
 and sa yai did. In ye toder part ye haill power of Ingland wes
 gathirit quharefore ye duik dredand falsat and dissait of Scottismen
 1523 he lowsit ye sege and returnit hame. The zere folloand ye duik
 considerand ye falsat of Scotland he returnit in France. His men of
 weir passit before him. Yare come wyt him vii thousand men of weir.
 Than ye erll of Anguss at wes exilit to France wytout leif he come
 hame in Scotland. And soyn be consall of evill avisit kynnismen at
 considerat/

considerat not perell eftirwert to cum he tuik haill cayr of ye king and gidit ye kinrik be Archibald his eym and George his broder. And sa ye laif of ye lordis deput to him be ye duik passit fra him. The king's moder remanit in ye castell of Striviling for before ye erll of Anguss wyt his complices had segit ye castell of Edinburgh quhar wes ye king as said is before. He maid Archibald his fathir broder thesaurar and his pridfull wife Dik Opparis douchter of Edinburgh wes callit my lady thesaurer and it is said sche wes ane compositor in ye iustice airis.

And ye comon voce is yat had not been hir heauchness ye noble erll of Anguss had been peceable now in Scotland. The king yot he was zoung he dissimulit and falsit yare directioun yot his hart wes far fra yame. Diverss tymes he previt [i.e. tried] subtilie to pass [added at bottom of page: about this tyme ye apostat and heresyarch Martyn Luther lost his haly relegyon & begutht his herese sa yat he & his wikkit discipalis hes infeltrat a gret part of al europp viz. anno f.117r 1520] fra yame bot he myt not. First quietlie he inducit his broder 1525 the erll of Moraif and ye lord Hamilton to cum wyt yare power bot yai 1526 prewalit not. Secundlie ye lard of Baiclanth and he come yare to beside Melross. Ye king wald haif passit to him hes yai schew to me at stude beside. The erll said na & sa yai struke ye feild of Melross quharin wes slane ye lard of Cesfurd. Thridlie be ye erll of 1527 Lennox his eym confiderat wyt ye erll of Anguss met him be west Lithquhow and gaif him feld quhare in he wes slane. And ye lard of Hustoun & othir diverss. At ye last quhen he grew to manis age first he wes aperandlie comowit aganis Hare Stewart at mariet his moder eftir divorss betuix ye forsaid erll and hir. And be his moderis request/

request eftir he wes forgewin sche deliverand ye castell of Striwiling. Than quhen he had yat howss to duell in wyt consall of lords and his moder he expellit ye forsaid erll fra him. He held ane parliament and callit ye forsaid erll & maid yare his accusatioun and forfautit him and exilit him out of his ring. In ye sam parliament he maid Hare Stewart lord of Methquhen. Eftirwert yis forsaid erll fabulatioun gevand him understanding he forthocht at he had him sa he be ye forsaid consall and oft tymes wyt meik proferris he hes askit forgifance at ye king be ovr breder bot he hes nocht optenit it zit. Heir all man and principallie lordis may tak documents: ane is at ane lord or ony noble at leiffs at hes in his awne lordschip or bownds he is not wiss to nigh him to ye kingis court and maist of all to reull ye court. For ane king natralie hes desir to reull and not be rewlit... [Abell goes on to cite biblical and classical sources for his contention.]

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