AN ENQUIRY INTO THE
SOCIAL AND POLITICAL STATE OF SCOTLAND
AS REFLECTED IN
THE "BASILICON DORON" OF JAMES I.

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PART I.

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PREFATORY NOTE.

In the following pages the extracts from the Basilicon Doron are taken from the anglicized 1616 edition of Bishop Montagu and the references, unless otherwise stated, are to that volume, from which the speeches and other political writings of James are also taken. The references to the English State Papers have to be taken from three sources: "Calendar of Scottish Papers" refers to the printed volumes; "Scottish Papers" with volume and document given refers to the unprinted papers at present in the Record Office, London; while "Scottish Papers" should be taken as a reference to certain documents in the Edinburgh Register House which have been transcribed but not yet printed, and some of which are not noted in Thorpe's Calendar. Similarly, in the case of the Edinburgh Burgh Records, the references to "pages" are to the printed edition, those to "folios" are to the unprinted M.S.S. in the City Chambers.
AN ENQUIRY INTO THE
SOCIAL AND POLITICAL STATE OF SCOTLAND
Prior to the Union of 1603
as reflected in
THE BASILICON DORON OF JAMES VI.

INTRODUCTION

The Writings of James VI.

In 1616 there was published in London a complete edition of the ecclesiastical and political writings of James VI & I, edited by James Montagu, who that year had succeeded Dr. Bilsoun as Bishop of Winchester. In his preface, which is full of that ecclesiastical flat-tery which did so much to corrupt the character of James the bishop made a spirited defence of royal authorship, giving a long list of distinguished royal authors. Among all these James must surely stand supreme both for the extent and for the variety of his published writings.

Before he had reached his eighteenth year he had written "Essaies of a Prentise in Poesie" published in 1584, "Ane Schort Treatise containing some reulis and cautelis to be observit and eschewit in Scottis Poesie", 1584, and in 1591 he published "Poetical Exercises at Vacant Hours" which had been composed at "verie young and tender years." On account of their subject and the youth of the author - "Poetical Exercises" is a very fair
description of these early efforts - none of these are included in the 1616 collection.

That edition begins with meditations on and translations of various parts of the Scriptures, notably of the Apocalypse, written, it is asserted during 1588 and 1539, while the cloud of the threatened Spanish invasion hung over the land. While he was engaged on this work he found time to write a meditation on certain verses of First Chronicles, and also to make a start with a new metrical version of the Psalms, which are not included in the 1616 edition. The manuscript of this latter effort is preserved in the British Museum: and this translation is quite different from some later productions which James intended to be his own personal contribution to the Authorized Version of the Bible. Apart from this James did little in later life in the way of verse composition, except for occasional sonnets, and some interesting verse of a personal nature reprinted by R.S. Rait as Lusus Regius. In 1597 appeared the famous dialogue on Witchcraft, called Demonologie, on which subject James regarded himself as an authority. In September 1598 appeared anonymously the "True Law of Free Monarchies" in which the doctrine of the divine right of kings is proven by isolated texts and passages from Scripture, mainly from the Old Testament and often curiously contorted. This at the time was deemed a strong attack on the Kirk, but it is really a plea for absolute govern-
ment. One of the commonest phrases in the book is "a free
or absolute monarch", and a free monarchy really means a state where the king is free but nobody else. The preface hints that the book was written as an antidote to the works of Knox and Buchanan, "the archibellowses of sedition", especially to De Jure Regni Apud Scottos, and from some of the metaphors employed, may be regarded as a reply to the arguments of the church in 1596, and particularly to a sermon by Mr. John Welsh in which James was compared to the father of a family who has become insane and who may be rightfully seized by his children and servants and bound hand and foot.

In 1599, the Basilicon Doron was printed for private circulation. Other writings are the celebrated "Counterblast to Tobacco," "An Account of the Gunpowder Treason," "The Apology for the Oath of Allegiance," "The Premonition to All Christian Monarchies," "The Declaration against Vorstius," and a "Defence of the Rights of Kings" originally written in French. There are also several speeches given in Parliament and elsewhere, parts of which may be due to Francis Bacon if handwriting and style may be trusted. Later than the 1616 edition came such proclamations as the "Book of Sports," a meditation on the Lord's Prayer, 1619, and on St. Matthew XXVII in 1620.

THE BASILICON DORON.

According to contemporary gossip, the Basilicon Doron had an interesting origin. In 1594 James had born to
him a son and heir, Prince Henry, who first saw the light at Stirling on February 19th. There exists among the English State Papers a despatch from George Nicholson, the English agent at Edinburgh, undated but ascribed by Thorpe to October, 1598, which states that James had had a dream that Elizabeth would outlive him and that he had determined to bequeath his advice in King-craft to his son. The despatch, partly written in cipher, is as follows:— "I have heard but in great secrett, and so I beseeche your honour to kepe it, that 116 was troubled in his chamber in his slepe, and hath taken the conceipt that 200 shall outlive him, and thereon hath written an appolo-logy and rule how 116 his son shalbe brought to succeede 200 to that place and how all shalbe governed for the attayning thereunto, and government of 116 possessions also, but the particulars I know not. Allwaist this is given in trust to one to kepe. I like not of these conceipcts nor know not what they meane." This story is somewhat corroborated by the general tone of the book, which in several places has references to the shortness and uncertainty of life, and which assumes more or less throughout that before Prince Henry is old enough to study it, his father will be no more. This view is also held by an anonymous critic, J.B. who is of opinion that James wrote the book in anticipation of his son's
succeeding to the English crown "which he himself looketh not to enjoy." The fact that Nicholson's story is somewhat contradicted by a passage in the book itself will have little weight with those who remember how far the King's personal practice could diverge from his teaching. He writes to his son: "Take no heed to any of your dreams, for all prophecies, visions, and prophetic dreams are accomplished and ceased in Christ. And therefore take no heed to freets, either in dreams or any other things, for that error proceedeth of ignorance and is unworthy of a Christian."

Though much accused of indolence, James was a rapid worker once he set about a thing. For instance he is alleged to have written the Apology in six days, and the much longer Premonition in a week. Though he was taking a large share in the actual business of state, and spending a good deal of time in hunting, the work went on rapidly, and the book was apparently completed in some form or other by February, 1599; for on the 17th of that month Nicholson wrote to Sir Robert Cecil that he was now in possession of a copy of the "King's Testament" as the Basilicon Doron was commonly called at first. In his following letter written ten days later, Nicholson regrets that he dare not send on "the thing he wrote of" but would have fetched it as far as Berwick himself, had not a serious illness prevented him.
In spite of all attempts at secrecy, the contents of the book were thus becoming known, and were exciting interest among the little group of English Statesmen who kept such a watchful eye upon James and his doings. On the 30th of May, Sir William Bowes made the newly printed Basilicon Doron the subject of his official communication from Edinburgh. Writing to Cecil in a letter marked with much underlining, he stated: "The malcontentmants hitherto appearing unto me are those, that the king so earnestly prosequeth the principall ministers that he hath so bitterly defamed upon in his last book, which though it be secret, as whereof onely a fewe coppies were onely printed, yet as it is spreading, it is likely to grieve many, especially in these points: that he will not endure the church discipline, and that he is resolved to take none for faithfull to him who were not faithfull to his mother." By this time the book had been beautifully printed by Waldegrave in an edition of seven copies only, which were distributed among the King's trustiest servants: and by June 8, information to that effect was already on its way across the Border, together with a list of the persons to whom the copies had been entrusted. The writer of this letter is evidently an anonymous Scotsman, and his information, if authentic, would prove decidedly alarming. "The king has thus distributed the buikis of his last will to his sonne, ane to the queynis Majestie, another
to the prince's solemaster, ane to ather of the Catholicque erlis, and ane to the Marquiss of Hamilton. They are all sworne not to divulgate this buik during his lyfetyme and sall performe (preserve?) the same to their power after his death." This epistle, if accurate, only accounts for six of the seven copies, and does not mention Sir James Semple who, a few months later, was evidently in possession of one. The persons mentioned in it are hardly those whom one would expect from the King's expression "trustiest servants".

This amount of leakage, which shows how badly James was served by his "trustiest servants" and how well Cecil was served by his agents, is one unpleasant characteristic of Scottish political life at that time. A letter from the Earl of Essex, dated 1595, tells us that all the King's secrets were betrayed, mainly because his council were at variance one with another, and in going over the English State Papers one is struck by the number of Scottish documents of the most confidential nature, such as the instructions to ambassadors to foreign princes, which found their way, either in the original form or as verbatim copies, into the hands of the last persons whom James desired to see them. In the case of the Basilicon Doron, James had taken special precautions to ensure secrecy. This he explains in his Preface to the Charitable Reader. He
had written this book "for the exercise of my own engyne" and to be a secret counsellor to his successor, and therefore did not think it comely that its contents should be generally known. Therefore he had the printer sworn to secrecy, and the only seven copies printed were dispersed among "some of my trustiest servants to be keaped closely by them."

One of those seven copies is in the Library of the British Museum, and possibly another is still in existence. The original manuscript is also in the British Museum among the Royal Papers and forms a princely volume, being bound in purple velvet, with gold corners and clasps, with the covers adorned with a gold monogram and coat of arms. It is written with a brownish ink in the somewhat angular though very legible handwriting of the British Solomon himself, with numerous corrections and marginal additions.

It is introduced by the following sonnet not printed in any of the later editions intended for the general public.

"Lo heir, my sone, a mirroure vive and fair
Quhilk schawis the schadow of a worthie king:
Lo heir a booke, a paterne dois yow bring
Quhilk ye scould preas to follow mair and mair.
This trustie friend the treuthe will never spair
Bot give a guid advyse unto yow heir
How it scould be your chief and princelie care
to follow vertew, vice for to forbeare;"
And in this booke your lessoun will ye leire
For gyding of your people great and small:
Then, as ye aught, gif ane attentive ear
And parse how he thir precepts practise sall.
Your father biddis yow study heir and reid
How to become a parfyte king indeed."

Sir James Semple of Beltrees, one of the "trustiest servants", now committed a crowning act of indiscretion. He had been employed by the king as an amanuensis and had prepared the volume for the press; for the manuscript is written in a slightly broader form of Lowland Scots than is employed in the printed copies. "Upon old familiarity" he had permitted Andrew Melville of all men in the kingdom to see a copy and even to take extracts. Melville was naturally extremely alarmed, and perhaps even surprised, at what he read. He drew up eighteen heads of the contents as far as they affected the interests of the Kirk, and these were submitted to the Synod of Fife in October, 1599. (Calderwood says September but the later date is more likely to be correct, as the Privy Council did not take action until November though several sittings were held in October.) Melville, though bold enough when he deemed that occasion demanded it, was too cautious to move personally in the matter, but had the propositions brought forward by a "weill-meining" brother into whose hands
they had come accidentally, and who judged them to be "Anglo-pisco-papistical." The Synod, perfectly aware of the authorship of the offensive passages, affected to treat them as the work of some obscure author unknown to them, and "deeming such things should not be" submitted them to the King as treasonable. Though all the members of the Synod denied their complicity in the matter, there was never any doubt that the "weill-meining" brother was the Reverend John Dykes of Kilrennie, a colleague of James Melville in Anstruther, where he was officiating for Mr. Robert Durie, at that time serving as chaplain to the Fife Adventurers in the Lewis. James Melville states that the King "gettes knaulage of the brother that gaiff them in and sends to apprehend him: but God watched over him and saved him." Calderwood tells more simply how "the King, knowing that none durst exhibit the book itself, sent Mr. Francis Bothwell to apprehend Mr. Johne Dykes. But he escaped and fled as soone as he saw him." For non-appearance he was put to the horn. He remained an outlaw for about a year; but after the Gowrie Conspiracy, he composed what Spotswood calls some "eucharistic sonnets" attacking the Earl of Gowrie and celebrating the King's escape; and this, coming in the midst of so much clerical incredulity, together with the intercession of James Melville, earned him his pardon.
Tytler, in his History, states that the effect of this publication was "a paroxysm of indignation" and one of the causes of the general fast of June, 1599. This fast, however, had been ordered in May at a time when the contents or even the existence of the Basilicon Doron can hardly have been known to the clergy as a whole, and in the letter of Sir William Bowes to which Tytler refers there is no mention made of the book, though Calderwood states that the general drift of the King's policy towards the re-establishment of episcopacy was one of the main causes. The "King's Testament", however, was becoming known in the form of extracts, not always authentic, each party laying stress on the portion which seemed to them to be of special importance. Thus the clergy were annoyed at the King's declaration of war against "paritie" in the church, which as summarized by Andrew Melville was decidedly alarming. Statesmen were finding matter for reflection in the King's evident fondness for the old "Queen's Men" and in his determination to assert his right to the English throne. On 25th January, 1600, an account of the Basilicon Doron has reached France, and M. de Bossize gives a very brief outline of the book to Henri IV, mainly referring to the determination of James to be Elizabeth's successor.

In the English State Papers there is preserved an anonymous document of the approximate date, Novem-
ber, 1600, endorsed by Sir Robert Cecil as "A censure Scot. Pap. of the King's Booke of Basilicon Doron etc". This paper, however, hardly deserves this title as it is merely a transcript of the document printed in full by Calderwood and containing general reflections on the King's ecclesiastical policy. The preceding document in the series, however, is of more interest. It is a lengthy criticism of the book itself addressed by J.B. to Mr. H.O. From the expression which he uses, "For mine owne part I am persuaded that Christ his government and Lord Bishops cannot continue together", the writer seems to have been an English Puritan; he was also an intimate of the Bowes family, and friendly to the cause of James. The following are extracts from the latter, which is too long to be quoted at length.

"Sir, I have at last perused that long desired book of the Scots king his last will and testament and like it so well that I preferit (I will not say to Machiavel's Princeps so worthily odious but) to Zenophon's Cyrus so highly commended. For it is not a Platonical idea of a king only in conceipt but a treatise to good purpose and present use, manifesting the king his soundness in religion, wisdome by experience, and excellency of learning; so as far giftes of the minde I think verily, judging by this and other rare workes, that there hath not been the like king since Solomon. But
to come to the point wherein you desire my poor opinion whereunto I come so unwillingly that I would not come to it at all but that I know you heartily well affected to that worthy king by reason of the interteineiment you have had with the most honourable Lady Lennox.

You would gladly know whether (in mine opinion) there be such matters of offence as many (not of the worst sort either for judgment or affection) do take. Indeed I find more there of matter why good men conceive no little grief than I could wish for, for in more places than one, the king inveigheth bitterly against Puritans: and in sundry places (one especially) seemeth to discover a mind to revenge his mother's death, as it is understoode, for in that one place he pronounceth his mother's friends most faithfull to him, and judgeth otherwise of others. In another place he counseileth his sonne to begin his government with severity, and chargeth him in a third place to be avenged on his enemies. All which put together may peradventure seeme to most of our English nobility (who were consenting to his mother's death) to contain this counsell in effect, That as David forbeare Joab and the sonnes of Zeruiah (who were to hard for him) in his days but advised Solomon to take due vengeance, so his sonne succeeding in the Kingdom of England (which he himselfe looketh not to enjoy contrary to the liking and forces of our
The writer thinks it advisable for James to dispel this suspicion by a "protestation (publicly signified) to the contrary, expounding his meaning to be only of Scottishmen, and by shewing and procuring favour to some principall instruments in that action, as namely to Mr. Davison who is yet in disgrace for his forwardnes therein."

The book is also likely to give offence to the Puritans who comprise the great bulk of genuine English Protestants, as the king condemns Puritans far too indiscriminately. For this, however, there is much excuse. "If nurture in a childe and the provocation of some indiscreet ministers be indifferentely considered, for (to say nothing of that young man, who openly, yet not before the king's face, pronounced his Majesty guilty of all murthers by omission, remission, or commission) the good Lady Bowes telleth me the king protested to her patiently to endure the publique reproofe of God's ministers, if (having freer access to his Majesty than ministers in England have to noblemen) they would first try by private admonition what reformation they might obteine of apparaunt faults worthy the taking knowledge of. What can a wise minister desire more of the meanest man? Referring these things to your goode respecte, I bid you farewell.

Yours assured in the Lord, J.B.
It would almost seem as if this letter of J.B. in some way came into the hands of James for in the Preface to the 1603 edition James endeavours to answer these very objections. He had little difficulty in allaying whatever fears the English nobility may have had, but his clumsy attempt to explain his references to the Puritans must have deceived nobody. It was obvious, however, that this general discussion of a book which was supposed to be secret would do far more harm than good. Some, according to James, were even objecting to the title, "The King's Testament" on the ground that the word Testament had become sacred and to use it in any secular sense was verging on blasphemy. In self defence therefore he determined to publish the whole work. On 22nd September 1602, George Nicholson informed his government that the "King's Testament" is to be newly printed. On 15th October of the same year, John Chamberlain writing to Sir Dudley Carleton, states that the King is printing a "little book with a Greek title", the last will and remembrance to his son; and gives as the reason that the work had become widely known and was subject to misconstruction owing to faulty copies. Early in 1603 the first public edition made its appearance, printed at Edinburgh by Robert Waldegrave, in time for the King to make a triumphant reference to it in his valedictory address to his Scottish
subjects in the Great Kirk of Edinburgh, and for Prince Henry to receive, ere his father departed into England a special copy of the work which had been originally written for his peculiar benefit. There is in the Treasurer's accounts at this time an entry for books for Prince Henry, and one of these may have been this specially bound copy. In the meantime the printing-presses in London were already engaged in turning out copies of the work for the enlightenment of the King's new subjects, for Giovanni Carlo Scaramelli, Secretary in England to the Doge of Venice, reported concerning the new monarch: "His religion is not Calvinist as has been said, but Protestant, as may be gathered from a book published by his Majesty and sent to press here within an hour of the Queen's death."

From the frequency of his references to, and quotations from the Basilicon Doron, it is evident that the book was the favourite production of its royal author. He frequently cites it when he wishes to declare his settled policy in any matter. He reminds little Prince Henryof it in a letter of January 1604: "You may remember that in my book to you, I warn you to beware of this kind of wit." He refers to it in the House of Commons as in his speech of 1609: "I hope never to speak that in private, which I shall not avow in public, and
print it if need be, as I said in my Basilicon Doron."

In the following year he demands the severe punish-
ment of a defaulting officer, Thomas Dutton, and
assigns as his reason a maxim in the Basilicon Doron
that "faults in war are of all others straitest to
be looked into." In 1621 the officials in far-off
Scotland, and especially the members of the council,
get a reminder to mend their ways, "Because as we
have said in our Basilicon Doron, we will have re-
formation begin at our own elbow, which is the Privy
Council." Naturally he makes frequent references
to the book in his later politico-ecclesiastical
writings.

The second or public edition was slightly
modified from that which roused the ire of Andrew
Melville and the Synod of Fife. There is no re-
treat from the general position, but some of the
more violent statements are either omitted or toned
down. The marginal references to various classical
authors appear, but these are entirely general and
are most likely merely an after-thought designed to
impress the general reader with the soundness of the
sources from which the King drew his inspiration.
The first of the two introductory sonnets is with-
drawn, and there is added the long preface to the
reader in which James tries to disarm criticism on
certain points already referred to. There is, how-
ever, one very significant alteration - the language.
The first edition was written in the homely dialect of the Lowland Scot. Thus, the Puritan in his prayers is said to "crack with God", a king with an abundance of treasure laid up is said to have a "pose", and so on, which to the Scottish reader, at least, adds a touch of piquancy to the style. But the 1603 edition has been recast into something more nearly approaching standard English though there is still a very strong Scottish flavour. The Scriptural quotations also are taken from a different version. All this seems to indicate that James was thinking very much of the impression which the book might produce in England. In the opening of his preface, James points out that by the publication of a work originally intended for the eyes of his successor only, the Scripture is being fulfilled "that there is nothing so covered that it shall not be revealed." Gardiner holds that the book is specially valuable, because being intended for private circulation only, it gives a true picture of the mind of James. That is generally true; but throughout the book one has the feeling that James is trying to impress the reader with his good sense, piety, and learning. Indeed James had little to learn from any modern propagandist, and for about eight years before his accession to the English throne had recognized and made use of the printing press as a valuable ally. This was particularly so in the early months of 1598, when on February 2nd, an
anonymous writer, evidently a well-educated Scotsman, informed Lord Scrope "that be diverse warkes coming to light, dedicated to the King, sum in Lateine and sum in Inglish, concerning his matter of Ingland." A little later Nicholson was greatly worried over a book in Latin by Quin, an Irishman, concerning the King's title to England, which the King was urging Waldegrave to print "that it may be dispersed to forraigne princes." The printer sought the English agent in a state bordering on frenzy in his dread of offending Elizabeth on the one hand and James on the other and wished he could escape from his troubles by flight. A Frenchman, Monsieur D'Amont was also employed on this work, as well as an English school-master called Dixon. As time went on the output of propagandist literature increased, and the publication of the 1603 edition of the Basilicon Doron may well be regarded as the climax. Spotswood, a witness inclining to the King's side, hints that James was not loth to seize a pretext for publication, and asserts that the book did more to secure his peaceable accession to the English throne than any other literature written with that aim. M'Crie in his life of M'Crie II Andrew Melville affects to doubt this, but the evidence to the contrary is too strong to be set aside. Robert Gordon in his History of Sutherland repeats practically the same as Spotswood, emphasizing that the King's book came forth into print before the
king's going into England." Patrick Anderson closes his M.S. History of Scotland with a remark on the Basilicon Doron. After discussing the effect of John Colville's Palinode and similar books on the right of James to the English crown, he continues: "But far beyond all this went a book, written by the king himself." It was incredible how many men's hearts were won by it, for it "begat an expectation of him so rayshed amongst all men, even to admiration." What Queen Elizabeth thought thereof I find not." The testimony of Robert Johnston's Latin history is almost identical, allowing for the difference in the language: "Sed his commentariolis longe precellit liber quem ad Filium de optima principis institutione scriptum et Basilicon Doron, Graeco nomine, appellavit. Certe rex ab inani laude et vulgi sermone remotus, plebis animos inde sibi conciliavit et opem potentium."

Such English testimony as exists is in the same strain. The high estimate put upon the book by the unknown writer J.B. has already been seen. Camden states that it entered into and won the hearts of all men. On the entry of James into London it was already sufficiently well known for the Recorder to greet him with a flattering reference to his skill as an author, and a direct quotation from the Basilicon Doron itself. "Now are we fed with hopes and redress by imagination, as hungry men with a painted banquet..."
but by assurance of certain knowledge drawn out of observation of your Majesty's forepast actions, and sound books now fresh in every man's hands, being (to use your Majesty's own words) the vive idea and representation of your mind, whose excellent and wholesome rules your Majesty will never transgress, having bound your princely son by such heavy penalties to observe them after you." To this James replied by another reference to his "writs wherein I livelie express the affection of my heart." William Willy-mat, a Cambridge scholar, declared to his own subsequent profit that he was so ravished with the 1603 edition that he was compelled to make extracts of the book, and to translate them into verse for their more easy memorizing as "A Prince's Looking-Class." Short as must have been the space between the publication of the book and the accession of James, some effect must have been produced, as slightly later English writers do not hesitate to allege propaganda as the main motive of its publication. It was intended, one asserts, to placate three classes, the papists, the prelates, and the common people by a toleration of their favourite sports and pastimes. Calderwood also says somewhat bitterly, "The formalists might also gather matter of hope out of Basilicon Doron."

Immediately after the accession to the English throne came quite a number of editions in various
languages. Two were published that very year in London by Kingston and Norton. The King had already ordered its translation into French, and three separate editions appeared in France, one in Paris, one in Rouen, and one in Poitiers. In London itself thirteen booksellers got into trouble over an unauthorized edition printed by Edward Allded, and one bookseller, Edward White, who had already sold five hundred copies which could not therefore be confiscated was sentenced to a term of imprisonment. A copy of this edition is preserved in the Library of the British Museum. In 1604, there were editions in Paris, Stockholm, and London, the latter being in Latin. Later came a German edition in Frankfort on the Oder. In 1616 was published Bishop Montagu's collection of the prose writings of James, followed in 1619 by an even finer edition in Latin, which was reprinted as late as 1689 at Frankfort on the Main. Even after the death of James, the book or portions of it were resurrected in times of political excitement, as, for example, "A Puritan set forth in lively colours, being extracts from the Basilicon Doron" published in 1642, the eve of the Civil War. The same year saw also a separate issue of Book II with the title "The Dewtie of a King in his Royal Office" reprinted in Somers' Political Tracts, and a curious little pamphlet printed by
Thomas Cooke for Dr. Willet entitled "King James, his judgment by way of counsel and advice" consisting mainly of aphorisms selected from the Basilicon Doron. Another little book consisting of a free paraphrase of the King's work seems to have been enormously popular in the early part of the century and to have run through many editions. Of late years there have been various reprints of which the most important is Professor Mac Ilwaine's edition of the political writings contained in Montagu's 1616 collection. In addition James possessed a collection of seventy-eight water-colour drawings founded on his book, the work of Henry Peacham, a Cambridge poet and artist, each being accompanied by an elegiac quatrains, and in most cases an appropriate extract from the Basilicon Doron itself. Another copy of this in pen and ink, and dedicated to James, is found in the Hoxley M.S.S..

Catholic opinion generally was pleased with the book, a copy of which reached the Pope in 1603 and for the time gained his approval. A nameless Jesuit writing in 1604 also commends it and points out that the King is really trying to do something for the Catholics. The edition which won the approval of Clement VIII was the French version published in Paris which had been modified to suit Roman Catholic opinion. A year later, however, Clement on his own initiative, sent to London for a copy of the
the Latin translation, when learning the truth concerning his Majesty's sentiments, he promptly placed the book on the Index librorum prohibitorum. Arnold Oscar Meyer in his Clemens VIII und Jacob I von England gives in three parallel readings the passages as they were written in 1599, as they appeared in French after modification, and as they appeared in the more faithful Latin translation of 1604.

Beyond the first outburst of indignation, the book does not seem to have attracted much interest or to have had much circulation in Scotland. The Bannatyne Club has published a series of the inventories of the Edinburgh booksellers and printers about this time, and in none of these is there any mention of any of the works of James. On the other hand there are distinct indications of the continued popularity of Knox's History and the works of Buchanan, to which he meant to supply the antidote, and which he ordered his successor to destroy if by that time they had not found a well-merited oblivion.

At this point it might be well to attempt to discover the sources whence James derived his inspiration. To write a book concerning the education of a prince was a very common practice of the time. Indeed we find that James himself had in his library about a dozen books of this kind, some of them apparently duplicates. Had Prince Henry lived, he would have been even better provided with instruct-
ion in the art of governing than his father had been, for an even longer volume on the same lines as the Basilicon Doron was written for his benefit by Sir Walter Raleigh during his imprisonment in the Tower. Even Mary, Queen of Scots, wrote a volume of French verse on the "Institution of a Prince" and bound it in tapestry of her own sewing, which Bishop Montagu informs us her son preserved as a precious jewel. But James owed little or nothing to any predecessors in this department of literature. Even the marginal references in the public editions of his work only concern the text in the most general way, though he does constantly cite the Scriptures, Plato, Cicero, Isocrates, Quintilian, Sallust, Aristotle, and Julius Caesar. The book is very largely first-hand, the fruits of his own observation and experience. During his long stay in Denmark the time was not wholly devoted to "drinking and driving", for James seem to have had long discussions on the state of Scotland, and the young king returned full of good resolutions. Many passages in the Basilicon Doron seem to reflect these as far as they have been reported. He had also a habit, as Sir James Melville of Halhill tells us, of asking his advisers to set down their opinions in writing. Like many other contemporary statesmen, James had formed the habit of writing down any matters which he thought should occupy the at-
tention of his Council. So that when he did begin to write, he would not suffer from dearth of materials. Above all, in spite of the unkindly epigram reflecting on his want of wisdom, James was by no means a fool, and while he had an exaggerated sense of his rights as a king, he had also a lively sense of his royal responsibilities; and the evils which he saw around him, and which he discusses in his book, would have forced themselves on the attention of a less careful and interested observer.

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THE BOOK ITSELF.

The Basilicon Doron differs from the True Law of Free Monarchies written about a year before it, in not being mere theory, or a general treatise on the duties of a king and his relations with his subjects. It is entirely practical, being written by a King of Scotland for the personal benefit of his immediate successor. In it James lays down a
definite rule of conduct for a King of Scotland, and a definite policy for the government, which he declares he will adopt, and which he urges his successor to continue. It was regarded in this light by Andrew Melville of whom we are told, "As often as he took up the Basilicon Doron, which he frequently did, he could not refrain from tears when he reflected on the disclosure which it made of the King's designs against the church, and the crooked policy with which they had been carried into execution." Being at once a king and a scholar, James considered himself to be possessed both of "the theoricke and the practicke" unlike a simple scholar who knows only of government by "contemplation." He states clearly those doctrines of absolute monarchy and of his headship of the church as well as of the state, which James Melville asserts had been instilled into him partly by Captain James Stewart, and partly by Archbishop Adamson of St. Andrew's. He shows already that bitter hatred of "paritie" in the church which was to crystallize later into the famous "No bishop, no king." As the book was written apparently in some haste - it is the most natural and the least pedantic of all his writings - it may be supposed that James in describing the evils that beset Scotland should lay special stress on those pressing most sorely upon him at the moment. The most cursory examination shows this to be the case, and the royal author de-
elares that his admonitions to his son were the fruit of his own "owre dear soft experience".

The book is one of about fifty ffolio pages, and is divided into three parts. James had the type of mind that delighted in the formalities of logical division and subdivision, and his desire for accurate if somewhat pedantic arrangement affects the construction of all his works. His first part, treating of a king's Christian duty towards God, is of little historical interest, and as it will not be referred to later, a brief summary of it is here given.

The man who cannot rule his own appetites is unfitted to rule others. As a king you owe a double obligation to God: "first, for that he made you a man, and next, for that he made you a little God to sit on his throne and rule over other men."

(This idea of king being "little gods" is rather a favourite with James and is often referred to in his writings and speeches. It seems to be founded on a misinterpretation of a passage in Psalm 82.)

A king's dignity increases the effect of his shortcomings and enhances his virtues. A young king must govern his life by the Scriptures, must not seek to make good deeds a kind of compensation for evil, and must follow his father's example and not be a hypocrite. He must read the Scriptures diligently "and admire reverently such obscure passages
as he understand not." Prayer is of vital importance, and the best models of prayer are to be found in the Psalms of David, "in respect the composer thereof was a king, and therefore best behaved to know a king's wants." Private prayer is important, for public prayer is more for the sake of example than for any benefit to be derived from it. The young prince is not to pray out of books like the ignorant, nor yet to be too "homely with God like some of the vane pharisaical puritans." He is to store up in his heart instances when his prayers were answered to arm himself with the experience thereof against the next trouble. A habit of self-examination must be formed. He is not to judge rashly lest he himself may be judged. He is not to pray to be preserved from sudden death like the Papists, but rather to live so that he may be ready for death at any hour of his life. His faith must be grounded upon the "express Scriptures" and he must try to hit the happy mean between too much dependence upon the authority of the church as with the Papists, and too much confidence in his own conceits and dreamed revelations as with the Anabaptists. He must distinguish between points essential to salvation, and externals such as ceremonies. He must never do anything that is expressly forbidden in the Scriptures, but in externals must use his own judgment. His religion must be
shown to the world in his actions rather than in words, doing alms and praying secretly, so as to escape the suspicion of "filthie proud hypocrisy and deceitful dissimulation."

It is somewhat remarkable to find James priding himself on his freedom from hypocrisy and dissimulation. No doubt he refers here entirely to sincerity in matters of personal religion, and might hold that in this respect he had ever been perfectly honest, no matter how political difficulties had compelled him to dissimulate in that sphere. Nevertheless in 1594, the Rev. John Ross saw fit to conclude one of his sermons with this somewhat sweeping statement: "Of all the men in this nation, the King himself is the maist fynest and maist dissembling hypocriet." Although publicly James boasted of his continual sincerity — "My speeking, writting, and actions were, and ever are one, without anie dissembling or bearing uppe at anie tyme, whatever I thought" — yet in his speeches and letters to his intimates he candidly confesses that he was compelled to do so. In this connection a letter from Sir George Carey to Sir Robert Cecil is interesting. "Nor is the king at this instant (Aug 2, 1593) less subject to the loss of his liberty than when he was in ten years taken nine times by contrary factions, each time in danger of his life, whereby forced for the ransom thereof to pay good words and to please them that possessed him, until a new "welter" as they term it, freed him from danger and won him the
reputation of a cunning dissembler, as he himself hath heretofore confessed to me." To Huntly, James wrote, "I have been in such danger and peril of my life, as since I was born I was never in the like. Partly by the grudging and tumults of the people, and partly by the exclamations of the ministry, whereby I was moved to dissemble."

The second part of the Basilicon Doron treats of a king's duty in his office and merits the most detailed examination. It is not only the longest portion of the work, but also by far the most important intrinsically. Here, with certain reservations, one may agree with James when he says in his preface, "It must be taken of all men for the true image of my very mind, and form of rule which I have prescribed for me and mine."

The third and last part deals with a king's behaviour in "things indifferent" in which the soundness of the father's advice is often strangely at variance with what we know of his own practice, to an extent that reminds one inevitably of Polonius. "Indifferent things" consist of "things necessary, as food, sleeping, raiment, speaking, writing, and gesture: things unnecessary though convenient, and lawful, as pastimes and exercises and the use of company for recreation." Certain portions of this book will receive more detailed discussion later on.

The excellence of this advice so captivated certain contemporaries that an attempt was made to convert the
maxims from their special application to a young prince to a wider use, and a free rendering of the Basilicon Doron already referred to entitled "The father's blessing or counsaile to his son" had gone through six editions by 1630.

As the Basilicon Doron was written when the king was beginning to see some signs of victory in his struggle with the Kirk, it has received most attention on account of the light which it sheds on that dispute. To this matter James devotes a large part of the book, and expresses his opinions in most forcible language, so forcible indeed that he was compelled to make a not very successful attempt at explanation, which was quite unnecessary as he had already written in favour of Passive Obedience and Non-resistance, declaring that even Ahab was not resisted by Elijah, and that "prayers and tears are the true arms of the church." The authorities hitherto most relied on in writing the story of his reign were mainly ecclesiastics, and the story has been told mainly from their point of view. The close attention paid to ecclesiastical affairs has made many forget that these last years of Scotland's existence as a separate kingdom produced many interesting developments in social life. The main obstacles with which these developments had to contend are strongly reflected in the Basilicon Doron, and on these James expatiates in his own peculiar manner.
Whenever this book has been seriously studied, the effect has been to raise the reader's opinion of the ability of the King. It has received praise from Hume, Robertson, and of course D'Iseraeli, and from even so hostile a critic as M'Crie. James is writing here upon subjects which concerned himself deeply, and this personal feeling contrives to give the book a simplicity and directness which make it by far the best of his writings. It is emphatically, as he was wont to term it, "his book." Its general tone is best described in the words of Sir Walter Scott. "It is composed in His Majesty's best manner, an extraordinary mixture of learning and pedantry, sense and folly, reason and prejudice, vanity and prudence, which procured for James the character of the wisest fool in Christendom" Much of the unfavourable criticism seems to be purely second hand and echoes of the abuse of Osborne, and such prejudiced dissenting divines as Dr. Harris, who even tries to hint that the author of at least part of the Basilicon Doron was Dr. Balcanquhal, who in 1599 was probably about twelve years of age.

A careful examination of the Basilicon Doron and a comparison of its leading ideas with the principal acts of the government of Scotland, in legislature and administration, will serve to show that James played a much more important part in the actual government of the country than holders of the traditional view of his char-
acter are apt to imagine. Wherever the king expresses himself strongly in the Basilicon Doron there will be found a corresponding degree of persistency in the actions of the Parliament and the Council. It is safe to say that he was the main inspirer of the attempts to colonize Lewis, and succeeded in keeping the efforts going in spite of repeated failure and discouragement. He also can be seen urging the improvement of home manufactures, striving for the pacifying of those at deadly feud, and — for his own personal ends, it must be confessed — attempting at the same time to make his disorderly and bankrupt kingdom, a military power formidable in equipment, and discipline. This initiative on the part of James did not escape the notice of contemporary observers. Hudson wrote to Burghley as early as December 1591 that the king was "himself the very centre of the government, and moved the chancellor and all the rest as he turned, minions and all. Although he bestow great favour upon sundries, it doth not follow that he is directed by them. The chancellor is a great councillor and the king seeth that his gifts merit his place: but he followeth directly his Majesty's course in all."

The story of these attempts at social and political development will be the subject of the following pages.

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The period of Scottish History which James discusses in his book extends roughly from 1587 to 1599, the year in
which the book was written. In the former year the king had to face the storm raised in Scotland by the execution of Queen Mary and by declaring himself of full age on June 19, made himself directly responsible for the government. What exalted notions he had both of his responsibilities and of his privileges can be seen in his writings. In discussing the king’s duty in his royal office, James first draws attention to a favourite idea of his, the difference between a "lawful king" and a "usurping tyrant". Again and again he reverts to this favourite topic both in his speeches and his writings. Indeed there is extant a small pamphlet in which the difference between monarchs of these two types is portrayed by extracts from his speeches of 1603 and 1609 to the English Parliament. In his farewell address to the citizens of Edinburgh, he said, "You must put a difference between a king lawfully called to a throne and a usurping tyrant", and he delivered as part of his opening speech to the English Parliament a brief summary of his remarks in the Basilicon Doron on this subject.

James, with his mind firmly set on his claim to the English throne, had long regarded a lawful king as one who claimed a throne by hereditary right. As early as 1592 he had expressed his mind on this subject. In reply to the King's criticism of Buchanan's De Jure Regni, Andrew Melville had remarked that these men had set the crown on his head. James instantly retorted that the crown came by succession and not by any man.
On no pretext can hereditary right be set aside, and in the True Law of Free Monarchies, he declared that any attempt to exclude the rightful heir was as much rebellion as to attempt to drive from the throne the king who is in lawful possession. "For as he is their hereditary overlord; and so by birth, not by any right in the coronation cometh to the throne, it is alike unlawful (the crown ever standing full) to displace him that succeedeth thereto as to eject the former. For at the very moment of the expiring of the king reigning, the nearest and lawful heir entreteth in his place. And so to refuse him, or intrude another, is not to hold out uncoming in, but to expel and put out their righteous king."

The existing king has no right to alter the line of succession by will or by any other way. In the Bas-Dor. silicon Doron he wrote "But if God give you not succession, 173 defraud not the nearest by right, whatsoever conceit ye have of that person; for kingdoms are ever at God's disposition, and in that case we are but life-renters lying no more in the king's nor in the people's hands to dispossess the righteous heir." He warns his son that a usurper would commence his reign like a saint until he felt his footing secure, and then his true nature would disclose itself. The true king, on the other hand, may safely begin with a show of severity, and ought to do so, otherwise his fate will be that of James himself - "the offences would grow to such heaps, and the contempt of you grow so great, that when ye would fall to punish, the
number of them to be punished would exceed the innocent......But in this my over-deere bought experience may serve you for a sufficient lesson." In this case James is handing on to his son, the advice he himself had received from Queen Elizabeth through Bowes. Here she says: "The way not to be affronted with such persons is to be known resolute not to endure the least contempt, and the remedy for all such insolencies in subjects is to chastise them in the beginning."

With his characteristic delight in logical arrangement, James in discussing the evils that then afflicted his kingdom, tacitly divided it into three areas, the Borders, the "civil" portions, and the Highlands and Western Islands. In the first and last of these divisions the royal authority was exerted only spasmodically, sometimes by a raid on the unruly Borderers, usually resulting in a number of executions, sometimes by a commission granted to some Highland chief or neighbouring Lowland lord to punish some clan whose excesses had become intolerable. These districts, James decided, would require special attention; but even in the Lowlands of Scotland, which James had specially in mind when writing, law and order were only too often disregarded.

The inhabitants also are considered in three groups, according to their estates, placing the
clergy first, the nobility second, and the commons last. All three he anatomizes in a manner which he describes as "something satiric" protesting that he does it out of the fatherly love he owes them all, and hating only their vices.

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THE CLERGY.

Though perhaps too much has already been written on the warfare between James and the Kirk, his remarks on this subject in the Basilicon Doron are too emphatic and important to be passed unnoticed. The book itself was written at a time when James had definitely joined battle with the Kirk, and it was this aspect which first brought it into public notice. This conflict between James and the Presbyterian leaders was inevitable. A cool-headed and moderate king, and a body of clergy less inclined to magnify the importance of their office might have hit upon some tacit compromise which was the only solution possible, but neither side could lay claim to these qualities. James, as will be seen later, was peculiarly irritable where he considered his personal dignity to be affected. In their sermons and in the ministers their very prayers reflected on himself, his parents, and his officials. James in vain appealed to them to make their rebukes more private. Their criticisms aroused him to fury, and he made public and personal protests in St. Giles's Church, and exposed himself to insult in furious debates with the Kirk leaders. In 1597, on receiving an anonymous letter written by a minister on behalf of the Kirk, he was so enraged that he would eat no supper — the same symptom as he manifested on receiving news of his mother's
execution. They in their turn noted his every utterance, and every jest which he happened to make, or was alleged to have made, against them or their special tenets is solemnly recorded against him by Calderwood as evidence of his insincerity in religion. Thus we are told that he thought but little of Calvin's institutes - not quite blasphemy, but perilously near it: he gibed at certain good ladies of Edinburgh as "the halie sisters"; he mocked the logic of the lawyers by saying it was like that of the ministers and giving samples; and he spoke of them irreverently to his troopers. On many matters there was a complete lack of understanding. The unwillingness of James to drive the Catholics of Scotland, and possibly of England also to despair and desperate rebellion, was regarded by the Kirk as clear evidence of intended apostasy. On the other hand, they had equally little sympathy with him in his fear of Bothwell. Indeed their sympathies lay rather with the turbulent earl, in spite of his notoriously dissolute life. That quarrel, they pointed out to James, was a mere personal matter, and his overearnestness in "his own particular" was causing him to neglect "God's particular" namely, the utter overthrow of the Catholic lords and Catholicism in Scotland. Even if he were victorious, God would raise him up "new Bothwells," which James in his turn took for an admission of treason.
While the bulk of ministers who opposed James were supremely conscientious men, certain among them were mere fire-brands and stirrers-up of trouble. Such an one was Andrew Hunter, who took a leading part in the excommunication of Archbishop Adamson of St. Andrews, and afterwards threw in his lot with Bothwell. For this he was somewhat unwillingly deposed by the General Assembly as the first traitor in the Kirk of Scotland. Others were undoubtedly immoderate in their language, and though it has been suggested that in their sermons they were pandering to the tastes of their hearers, they had at least courage and attacked evil wherever they saw it, in King, courtier, or even among their own brethren. They spoke out fearlessly against the King's neglect of justice even at the very beginning of the reign. "Great blame" wrote Aston, in 1588, "is laid on the king, and the ministers cry out daily that he takes no greater care of his office." They denounced the profiteering that went on during the "Great Dearth" and it was noted by a superstitious age that their denunciations were followed by subsequent disaster to the miscreants. The sale of justice was a favourite theme, and legal decisions were criticized sarcastically in the pulpit. George Ramsay, the minister of Lasswade, when preaching in Edinburgh, boldly charged the Lords of the College of Justice with...
bribery. With the grim humour that characterized many of the utterances of these old preachers, he pointed out that the Tolbooth in which the courts were held well deserved that name, for it was the booth in which the judges took toll of the king's subjects, though the actual payment took place in their private residences. When summoned before the lords to answer for this, he, supported for the occasion by the ministers of Edinburgh, took the usual course of declining altogether to admit the competency of the court to try the case, especially as in this instance the plaintiffs and the judges were the same persons. On the King's asking if he would accept him as a judge, he replied guardedly that he would, "as far as concerned his office", — a qualification which practically meant, not at all.

This case was followed by a more serious attack. In 1593, the General Assembly had been requested by the King to pass an act prohibiting all and sundry of the ministers, under pain of deprivation, to declaim against his Majesty's or his counsellors' proceedings in the pulpit, promising ready access to certain of the ministers so that they might inform or complain either in their own names or in the names of any of their brethren. In anceding to this request the Clergy were careful to assert their right of criticism as they prohibited any rash or unreverent speeches by ministers in the pulpit, requiring that "all their
public admonitions proceed upon just and necessar
causes and sufficient warrant" leaving the Kirk still
in the position of deciding what causes were"necessar
and sufficient." In the following year, John Ross,
a young minister, preached a sermon before the Synod
of Perth for which he was admonished by that body
particularly as he had found fault with their own
proceedings. His main complaints against the King
were, that he was of the House of Guise, out of which
good had never yet come, that he was a traitor to
God, that he should die in blood for sparing the
shidders of blood, that the young prince recently
born would inherit the curse, and that of all men in
the land, the King was "the maist perfect and maist
dissembling hypocrite". For this he was summoned to
appear before the King and Council, but on his way
thither took care to consult with the Kirk leaders
at St. Andrew's. He intended to follow this up by a
conference with the ministers of Edinburgh but was
arrested at Kinghorn and warded in Edinburgh Castle.
In the meantime a conference of the ministers was
held in Edinburgh at which some of them thought that
Ross had gone too far, while others justified him.
In his appearance before the King and Council, Ross
practically admitted all the charges but at the same
time "refused to make them censurers of my doctrine,
but appealed to my ordinar judge." The matter was
then remitted to the Assembly who admonished Ross
"and all other young men of the ministrie" to speak more reverently in future; but at the same time expressed the opinion "that there is just cause of a sharp rebuke and threatening of heavier judgments furth of the grounds of that text (Jer. VI) than hath bene or might have beene uttered by him." At the request of the King, however, the Act of Assembly made at Dundee in the previous year against irreverent speeches was ratified.

The King now complained privately to the Commissioners of the Kirk that he regretted that he had not found that friendliness from them that he craved and wished. James Melville pointed out that the whole source of the trouble was suspicion on either side, a suspicion reflected in a sermon preached within a day or two by Robert Pont in which he said "We could not pray with David's people to fulfil the desire of the King's heart, because we suspected our King's heart not to be upright; which the countenancing of evil men, and unreverent hearing of the Word, declared."

Although James carried out the desires of the Clergy and drove the Catholic Earls from the Kingdom, his subsequent proceedings against them were so lenient that the suspicions of the Kirk leaders only were deepened, and their denunciations of his policy in turn strengthened his belief that in some way the more out-spoken spirits would have to be silenced.
In August, 1595, came the first warning of an open breach between the Kirk and the King. Mr. David Black had been appointed minister of St. Andrew's in 1593. He was a friend of Andrew Melville and was a good representative of the extremer type of the Presbyterians. During his brief pastorate of St. Andrew's he proved himself a man of singular energy and did splendid work in providing for the poor, and in raising the whole tone of public morality. In his dealings with offenders he was the very reverse of the King, and the salutary results of his severity can be seen in the practical disappearance of certain offences in the district. Such a reformer was bound to make many enemies, for he used what Calderwood calls a "plain form of doctrine" in which he spared neither king nor minister." A sample of his pulpit eloquence has been preserved. At an enquiry on the part of the kirk into the conduct of the ministers "the bredring answerit that thay fand sum of the Provintial Assemblie holdin at Dysart to have bene offended with the said Mr. David, be ressone of dyvers reportis qhilk had cum to thair eiris, namelie that Mr. David in his sermontis suld invay aganis ministeris, in his sermontis calling sum of them, 'Pynt-aill ministeris, bellie-fallowis, gentilmennis ministeris, leideris of the pepill to hell, and that a gritt part of them were worthy to be hangit.'"
He was finally reported to the king for having made reflections on Queen Mary, and called before the King and Council at Falkland. At the moment the King was uncertain how to act. Mr. Black was certain to decline the King's authority, as his colleagues had done, and accordingly the King asked him to appear before a number of ministers, taking care to select them from those whom Black had offended by his plainness of speech. Black, as had been anticipated, first entered his declinator of the King's right to be a judge of doctrine, and then refused to acknowledge the ministers as a legal court of the church, though he professsed himself willing to confer with them as private individuals. The informal trial came to an abrupt termination by the sudden intervention of Andrew Melville, "letting the King understand plainly, as he did diverse times before, that there were two kings in Scotland, two kingdoms, and two jurisdictions, Christ's and his" In private conference, however, Black succeeded in proving that his words had been exaggerated and distorted, and the matter ended for the time.

According to Calderwood the year 1596 opened with fair prospects for the Kirk. "She was now come to her perfection, and the greatest purity that ever she attained unto, both in doctrine and in discipline, "so that her beautie was admirable to forraine kirks."
At the very commencement of the year, however, the King was compelled to entrust the administration of his affairs to the Council of Eight known as the Octavians. There is no doubt that this step was taken for purely financial reasons; but it aroused the greatest suspicion in the minds of the Kirk leaders; for at least three of the number were suspected Catholics, and most of the remainder very lukewarm in the attachment to the Presbyterian discipline. In the words of Calderwood, it was feared, that "this change portended a great alteration in the Kirk; for some of the number were suspected of papistry, and all were counsellors, and swayed the affairs of the countrie as they pleased." The fierce animosity they aroused can be gathered from this contemporary description of four of the Octavians, "whose infamous names, I am sure, sall remaine to all posteritie and age, to their ignaminie; I meane that Romanist President, a shaveling and a preeste, more mete to say mass in Salamanca nor to bear office in Christian and reformed commonweales; Mr. John Lindsay, a plaine mocker of religioun; Mr. James Elphinstoun, a greedie and covetous man, a preeste, without God, religioun, or conscience, as his godlesse doings can testify, and the enternteament of that excommunicated, forefaulted, bloodie traitour Huntly in his hous; and Mr. Thomas Hammiltoun, brought up in Parise with
that apostat, Mr Johnne Hammiltoun, and men say the
dregs of stinking Roman profession sticke fast to his
ribbes." After the dispute had come to a crisis,
Robert Bruce and Walter Balcanquhal denounced the
wrath of God upon them. "We crave all that fears God,
to marke them; and to marke the course of God's judg-
ments following them; for if they be not speedie
spectacles of God's wraie, except they prevent by
speedie and unfeigned turning, his farther furie,
there was never none in the earth."

In March the General Assembly met in Edinburgh
full of zeal for the reform of abuses in all estates.
They proposed in the first place to acknowledge the
public transgressions of the ministers themselves,
and "nixt that this Assemblis agree upon the true
and right taking up the sinnes of our princes and
magistrats, superior and inferior, and on the sound
means to deal with them duitifullie and faithfully
without all flatterie, for their true amendm
according to God's command to the prophet, saying,
"Say unto the king and to the queene, Humble yourselves,
sitt doun; for the crowne of your glorie sail come
doun from your heads." On the following day, the
King appeared in person and adopted a conciliatory
attitude, particularly as he wished to get the Assembly's
support to a proposed taxation of the whole realm; but
again requested that no preacher should inveigh against
him or his council publicly. "His chamber door should
be made patent to the meanest minister in Scotland; there could not be anie meane gentleman in Scotland more subject to the good order and discipline of the kirk than he would be." At the close of the debate James repeated his offer to place himself, his house, and his council under the discipline of the kirk, "providing it be done privily, as said is." On this, John Davidson exhorted the Assembly to reject the offer, saying; "Put whether yonder way that his Majesty speeketh of, by admonishing privately for open sinne, and manifest continuing therin, if it be according to the Word of God, ye are to judge." The Assembly accordingly carried out their intended course and also ordered the Covenant to be renewed all over the kingdom. This was omitted in Edinburgh - a possible cause of the fearful results there at the end of the year.

In the meantime, the King was endeavouring to win over certain of the clergy to his side, and made a bid for sympathy from the others by pushing on the preparation of a "constant platt" or scheme for the regular payment of stipends. The bribe was a tempting one as the year was one of the periodical appearances of famine in the land and many of the clergy were in dire straits. Many believed such a scheme to be impossible; but John Lindsay, who was most probably the ablest financier among the Octavians, had prepared what was considered a workable scheme. The clergy,
however, were not to be bought, especially as they had doubts of the good faith of those to whom the preparation of the scheme would be entrusted, and the matter dropped.

Up to this time, it appears that the King was prepared to carry on the co-operation with the church which had been inaugurated by Maitland, but events were fast driving him in another direction. The clergy resented the slightest interference on his part, saying that it was as intolerable as for the deacon of one craft to interfere in the affairs of another. On the other hand, they arrogated the right to pass judgment on all his doings, and on those of every official in the land. Matters were brought to a head when Andrew Melville intruded himself into a meeting of Convention of Estates, and soon after at a private conference with the King, swept aside his nephew who was endeavouring to steer a conciliatory course, and seizing James by the sleeve, addressed to him the famous speech in which he called him "God's silly vassal".

The king now determined to have the limits of the ecclesiastical jurisdiction strictly defined and demanded that the church should accept four articles which would in effect make him supreme over the church. Put briefly these demands were as follows:—

(1) Ministers in preaching not to discuss affairs of state.
(2) That the General Assembly should not be called except by his authority.

(3) That all acts of Assembly must be ratified by the king in the same manner as an Act of Parliament.

(4) That none of the inferior church courts deal with anything forbidden by this law, but only with matters of general morality.

On the same day "sure intelligence was gottin of Mr. David Black's charging before his Majesty and Counsell, for certain unreverent, reproachfull, and infamous speeches uttered by him, in certain of his sermons made in the moneth of October last, and that his day was the Eighteenth of this instant." Calderwood so writes of this case as to make it uncertain what the unreverent speeches really were, and M'Crie in his Life of Andrew Melville casually refers to them in a garbled foot-note. From what has already been seen of Black's style of preaching, it would not be difficult to collect objectionable expressions from his sermons and he had made enemies who were eager to do so and report. It is evident that the first complaint came from Bowes the English Ambassador, who on October 31 had received a letter from Roger Aston reporting to him that Black had uttered scandalous words against Queen Elizabeth, calling her an atheist, and had made reflections on the religion in England. On the 1st November, he reported the
matter to Cecil, and demanded redress from the Scottish king, who, only too glad of the opportunity, took instant action, especially as Black was "notourlie knawne, repute, and haldin ane indiscreet, intemperat, and seditious calumniator and detractor of his Majestie." At the very outset it became evident that the king did not desire to proceed to extremities against the offending minister, if only by his means he could secure a tactical advantage over the church. To a deputation of ministers he replied in a most conciliatory manner, and told them that "he thocht not muche of that mater, onlie let Mr. David compeare, and if he was innocent, purge himself in judgement and he should satisfy the ambassador. 'But take heed, sirs,' sayeth he, 'that ye decline not my judicatour, for if ye doe so, it will be worse than any thing that has fallen out yet.'"

The clergy realizing by this that the King was now determined to put a stop to their practice of "declining," agreed that as hitherto all declinators had been made orally and might be forgotten or denied, this declinator on behalf of Black should be made in writing and signed by as many as possible. Accordingly on his appearance before the Council, Black, as the King had feared denied his jurisdiction and alleged that the proceedings were informal as the charge was a general one. This was instantly denied by the King, who produced the letter from the English am-
bassador and announced that the trial was on this specific point. Black, however, alleged that "nane sould be jugeis to materis deliverit in the pulpett but the precheouris and ministeris of the Worde." and claimed "that quhat evevir is spoken is spirituall and thairfore mon be reuled be the Worde of God," and "albrace the first of Timothie."

At this stage James found himself abandoned by an ally. Bowes, finding that he had committed an error in tactics, "swerved from his accusation." But the King was determined to settle this question of declinators once and for all, and had little in collecting other charges against Black, some of them going back as far as three years. He was now accused of saying that the Papist Earls were returned with the King's knowledge and consent; that all kings were devil's bairns; that after in his prayer he had lightly touched the King, he said "As far the Quene we must also pray for her for the fassion;" that Queen Elizabeth was an atheist; that he had criticized a legal decision in the pulpit; and that he had caused a convocation of men in arms. Black offered to stand trial on the last head, as being purely civil, but "declined" on the others, which if true at all, had been spoken in "doctrine". The Council swept his protest aside and having declared themselves competent judges on
all the questions, proceeded to consider the evidence against him. The Crown had collected no fewer than twenty-six witnesses against Black, who complained that these were mostly people who were prejudiced against him as having been under his ecclesiastical censure, and produced a testimonial on his behalf signed by some of the most eminent men of the district. In the end he was ordered to enter into ward, and to be banished north of the Tay until the King's further pleasure regarding him was known.

In the meantime efforts had been made to settle the matter by a compromise. Ever since October, the Commissioners of the General Assembly had been sitting in Edinburgh as a kind of vigilance committee to deal with any emergency that might arise through the return of the banished Catholic earls. This Committee sent a deputation in the first place to the Octavians who not only declared themselves innocent of all dealings with the Catholic earls or of instigating the King's attack on the church, but also that they were themselves so disgusted with the thankless treatment they were receiving from all parties that they were inclined to throw their commission into the fire. A deputation to the King met with a more favourable response. He was willing to drop the process against Black, if the Kirk in turn would withdraw the declinator, or even declare it to be particular to that case and not general.
The kirk leaders, however, failed to agree upon a formula which would be acceptable to the King, who at once issued a proclamation penned three days previously ordering the Commissioners to leave Edinburgh within twenty-four hours. This they refused to do. After the evidence against Black had been heard, the King made another effort at conciliation and declared that he would pardon him if he would come down and prove his innocence to the King personally. Such an act, however, would have been equivalent to Black's acknowledging the royal authority in spiritual affairs, and accordingly the offer was refused on the plea that the matter did not affect Mr. Black personally but the interests of the whole Kirk. A final attempt at conciliation was almost successful, and the Kirk held that the King would have dropped the matter entirely had not Seton, the President, put it into his head that unless the verdict of guilty against Black was followed by some kind of punishment, he would not be in possession of that undoubted jurisdiction over the clergy which he desired. At this, the ministers broke off negotiations, and ordering "the doctrine to sound mightily" betook themselves to "that spirituall armour givin to them, potent, in God, for overthrowing of these bulwarks and mounts erected and sett up for the expugning and sacking of the Lord's Jerusalem."
The King now issued orders for the calling of a General Assembly in February, and announced that in future stipends would only be paid to those ministers who showed their loyalty to him by subscribing a few lines which he would draw up for them. On the same day he issued another proclamation ordering the Commissioners of the Kirk to dissolve, and this they decided to obey "because other good brethren might succeed to such as were discharged and so the work go forward." In the meantime the courtiers took advantage of the passions which had been awakened to bring about the "Riot" of December 17th, 1596.

The King turned the full fury of his wrath, real or assumed, on the citizens of Edinburgh who made the best terms they could for themselves, so that the ministers finding themselves deserted by their "chief citie, which in tyme past was the onlie terour of the enemie" were forced to flee.

The King now issued the "band" which he wished the ministers to sign, in which they were required to acknowledge that the king was sovereign judge in all cases of sedition and treason, and that the fact of seditious expressions having been uttered in the pulpit, so far from being the ground of a declinator of the king's judgment, was rather an aggravation of the offence. This was condemned by the Kirk as superfluous and unlawful, and individual ministers likened the King's actions to the per-
esselion of Julian, Trajan, and Domitian.

When the Assembly did meet, which they did under protest, as the meeting had been summoned by royal authority and not by that of the previous General Assembly, they were expected to discuss a list of fifty-five questions which the King had instructed Mr. John Lindsay to draw up. The object of these was to demonstrate clearly that the claims of the extreme party would in effect reduce the civil authority in the country to a merely subordinate position, by making the king and the magistrates the mere agents of the church, and secondly by introducing controversial matters to breed dissension in the ranks of the ministers themselves. Nothing daunted by the late occurrences, the Presbyterian leaders took up the challenge and the series of answers prepared by the Synod of Fife under the influence of Andrew Melville shows how far they were prepared to go. In reply to the first query, whether the "externall gubernation" of the church in any point not vital to salvation might be discussed, they declared that it might not. The laws of God, the law of the land, and more than thirty years' possession had fixed that for all time. To the second question, whether the king alone, or the clergy alone, or both acting in concert should establish the acts "anent the Kirk's externall gubernation", they replied that the only judges in this matter were the pastors and doctors of the Kirk, and that the sole duty of
kings and princes was to execute what the Kirk declared to be the will of God. The third question dealt the appointment of ministers, a cause of vexation in the Church of Scotland until the Nineteenth Century. The Synod of Fife replied "The electioun of pastors should be made by them who are pastors and doctors lawfullie called, and who can try the gifts necessarily belonging to pastors by the Word of God. And to suche as are sochosin, the flocke and patron shouold give their consent and protectioun."

Once installed the clergymen became supreme in his parish. The election of the Kirk Session was carried out under his direction "and the congregatioun obeyeth and giveth their consent unto". Even a Session so chosen had no control over him, "the pastors and doctors are the onlie judge of his doctrine", and in matters of jurisdiction he could act in defiance of the majority, "For he, being the messenger of God, and interpreter of his Word, has more authority with a few than a great multitude in the contrare." On the vexed question of freedom of speech in the pulpit they were equally uncompromising. Any text in Scripture might be chosen and handled as the preacher desired, and the sermon might be preached for the benefit of the world at large as well as of his particular flock. Offences should be denounced in the pulpit, and the offenders named, particularly "if the publict sinne be in a publict person, bear-
ing public office and charge" and even a rumour of an offence might be a reasonable ground for a public rebuke, as commonly the truth "is muche worse nor the brute."

The ministers did not realize that in claiming a jurisdiction which they imagined to be parallel to that of the state, they were in fact placing themselves above the crown. Their ideal was the old one of a Christendom under two distinct jurisdictions, spiritual and temporal; which should work together in harmony each helping the other. But the age of toleration had not yet arrived, and at the instant when the civil magistrate differed from the Church, the clergy were bound to become no longer his fellow-workers but his denunciators and judges. To disagree with what they deemed right was to "fight against God" and Calvin had declared that earthly princes who fought against God abdicated their power, "ergo conspuere oportet in ipsorum capita."

In their answers to the King's questions the clergy were claiming as much for themselves individually as had been claimed for the Papacy in the Hildebrandine controversy of the Middle Ages, and probable many of them would have subscribed to the dogma of their arch-enemies, that the spiritual power transcended and ought to govern the merely temporal: "Potestas ecclesiastica, quae spiritualis
est, praeest potestati politicae temporali, et eam dirigere debet." It was this claim to supreme authority on the part of the Edinburgh clergy and their supporter which led the northern ministers in the Assembly of February 1597 to style them "the Popes of Edinburgh," and James repeated the idea conversely when he wrote "Jesuits are nothing but Puritan Papists".

Professor Mac Ilwaine in his introduction to the Political Writings of James VI quotes from a pamphlet by William Watson, an English Catholic, who, writing in 1601, states that the Jesuits are "wholly Puritane" and enumerates twenty-five points of similarity, among them being a seeking "to pulle downe king's and princes" and to bring "all kings and commonwealths to a popularitie and oligarchicall government."

Elizabeth, though she had written to James warning him in strong terms of the dangerous political tendencies of the Puritans and their teaching, now was compelled to write in their favour. She admitted that the kirk leaders were "foolish, rash, head-big, and brain-sicke" but pointed out that James might be sure of their ultimate fidelity as they had "no sure anchorage" if he failed them. This fact was also emphasized by Robert Bruce, "Surely the only band temporall that holds up the commonweill here, quhilk is ruinouse on all sides, and is like to fall down stands upon that prince. Suppose he be many ways abused, out of question an he war removed — I
look to see confusion multiplied on confusion." But the dispute had been too long and bitter, and neither the warnings of Elizabeth, nor the protestations of genuine loyalty from the offending clergy themselves, nor their record of past service, could bring James to look favourably upon the church as established in Scotland. To James there was a wide gulf between their words and their conduct. They would hold a meeting at which they would profess their own utter unworthiness, and they would fill the air with cries and sobs, and then, fortified by this experience, come straightway to him, and declare themselves to be the successors of the apostles, destined to sit upon the thrones and judge the tribes of Israel, and to be the only true interpreters of the will of God. As James wrote in his book:

"What is betwixt the pride of a glorious Nebuchadnezzar, and the preposterous humility of one of these vile Puritans, claiming to their 'paritie' and crying, "We are all but vile worms' and yet will judge and give law to their king, but will be judged and controlled by none? Surely there is more pride under such an one's black bonnet than under Alexander the Great's diadem, as was said of Diogenes in his tub."

The truth is that from the time when, as a young man of nineteen years of age he had scrawled "Nam eius est explicare, cuius est condere" across an
ecclesiastical document, he had been bent not only in being free from the rebukes of the clergy, but head of the church itself. It was pointed out to him that no ruler in Europe claimed this position except Queen Elizabeth, "and ye know, Sir, how King Henrie the Eight gott that stile!" But in the King's mind this position was strictly in accordance with the Scriptures, for "In the old Testament, kings were directly governors over the church within their dominions." He had never been in favour of the Maitland Church Settlement of 1592, and as early as 1593 had been talking of re-establishing bishops to curb the clergy; but it is probable that he would have been content with that settlement had he been allowed to play a decisive part in church affairs. There is a paragraph in Lindsay's "Constant Platt" which seems to indicate that as late as the commencement of 1596 those in authority regarded the Act of Annexation of 1587 ("that vile act") as an insuperable obstacle to revival of episcopacy in its old form, but by the end of the year, James, according to himself, had definitely determined to make the attempt. In the "Premonition" he wrote as follows: "That Bishops ought to be in the church, I ever maintained it as an Apostolique institution....And as I ever maintained the state of Bishops and the Ecclesiastical Hierarchie for order sake, so was I ever an enemie to the confused anarchie or paritie of the Puritanes, as well appeareth in my Basilicon Doron.
Heaven is governed by order...nay, Hell itself could not subsist without some order...how can any society, then, upon earth subsist without order and degrees?

How can it be said, "That I was a Puritane in Scotland and an enemie to Protestants: I that was persecuted by Puritanes there, I that in the year of God '84 erected Bishops and depressed all their popular paritie, .... I that in my said booke to my sonne, doe speak ten times more bitterly of them nor of the Papists; having in my second edition thereof affixed a long Apologetike Preface, onely in odium Puritanorum? and I that laboured for the space of six yeares before my comming into England, laboured nothing so muche as to depress their paritie, and re-erect Bishops againe?" These lines, written some years later, very plainly show the temper in which the Basilicon Doron was written.

In the eighteen heads which he drew up, Andrew Melville gave a clear indication of the King's future policy with regard to the Kirk. It is evident from them that Melville had had time to go through the book very thoroughly as some of the articles are collected from one part, and some from another, and in order to make the King's sentiments perfectly plain he sometimes divides a sentence into parts, so that each idea may stand out in all its nakedness. The whole of the articles are worth quoting.

1. The office of a king is a mixed office, betuixt the civill and ecclesiasticall estat.
2. The ruling of the kirk was no small part of the king's office.

3. The king should be judge if a minister vaig from his text in the pulpit.

4. The ministers should not meddle with matters of estat in the pulpit.

5. The minister that appeals from the king's judicature, in his doctrine from pulpit, should want the head.

6. No man is more to be hated of a king than a proud puritan.

7. Paritie amongst the ministers can not agree with a monarchie.

8. The godlie, learned, and modest men of the ministrie, should be preferred to bishopricks and benefices.

9. Without bishops the three estats in parliament cannot be established. Therefore bishops must be, and paritie banished and put away.

10. They that preach against bishops should be punished with the rigour of the law.

11. Puritans are pests in the common weale and Kirk of Scotland.

12. The principalls of them are not to be suffered to bruike the land.

13. For a preservative against their poysoun there must be bishops.

14. The ministers sought to establishe a democracie in this land, and to become Tribuni plebis themselves,
and lead the people by the nose, to beare the swey of all the governement.

15. The ministers' querrell was ever against the king, for no other caus but becaus he was a king.

16. Partie is the mother of confusion, and enemie to unitie, which is the mother of order.

17. The ministers thinke by tyme to drawe the pol•cic and civill governement, by the exemple of the ecclesiasticall, to the same partie.

18. No conventicouns or meetings of kirkmen to be suffered but by the king's knowledge and permission.

These doctrines the Synod of Fife pronounced "treasonable, seditious, and wicked" and it can only be imagined what their feelings would have been had they been favoured with a sight of the book itself. There the King's indignation and fury was expressed in terms so violent that he was forced to modify them before the book could be presented to the general public. He ascribed all his troubles to the manner in which the Scottish Reformation had been carried.

"But the reformation in Scotland being maid be a pop•lar tumulte and rebellicoune (as well appeared be the destruction of our policie) and not proceeding from the prince's ordoure as it did in England, some of our fyrie ministers gatt sicc a gyding of the peopill at that tyme of confusion as finding the guste of gouvernement sweit they begouth to fantasie to theme selfis a democraticke forme of gouvernement." They
were "verie pestes in the Church and Commonweale (of Scotland, in first edition) whom no deserts can oblige no oaths or promises bind, breathing nothing but sedition and calumnies, aspiring without measure, railing without reason." He becomes eloquent in his indignation: "I protest before the great God, and since I am here as upon my testament, it is no place for me to lie in, that ye shall never find with any Highland or Border thieves greater ingratitude and more lies and vile perjuries." In the published edition of the book, James earnestly enjoins his successor to banish their chiefs as he himself was to do within a few years, and to continue steadfastly the only policy possible in a monarchy, the establishment of a modified episcopacy -not proude Papall Bishops - which would enable the king to bring pressure to bear on the more outspoken spirits. "And the first that raileth against you, punish with the rigour of the lawe; for I have else in my days bursten them with over-muche reason." Ministers who "declined" as David Black had done were to have summary treatment. "If he like to appeal or decline, when ye have taken order with his head, his brethren may, if they please, poll his hair and pare his nails, as the King, my Grandfather, said of a priest."

In order to provide for the newly appointed bishops, the young King was to annul "that vile acte of Annexation, if ye finde it not done to your hand."
The Act of Annexation will be treated more fully later when the finance of the reign is considered, but it may be stated here that when James's successor did come to the throne, he found as James had hinted part of the work accomplished in the Bishop's Restitution Act of 1606, and the series of enactments spread over the following nine years, which restored to the Bishops of Scotland a great part of their possessions and power. The attempt of Charles I in his Act of Revocation to carry the process a stage further was one of steps which led him to Naseby and the window of the banqueting-chamber in Whitehall. One unfortunate result of this quarrel on James personally was that it made him incapable of comprehending the spirit of moderate English Puritanism, which he persistently confused with the extremest types of Scottish Presbyterianism, to his own and the nation's infinite loss.

Many modern writers on the ecclesiastical matters of the late Sixteenth Century fall into the error of tacitly assuming that the Kirk of Scotland was in every respect comparable to the organized modern church. They write as if the ministers represented the people as a whole, and were the spokesmen of an outraged nation. They were indeed the representatives of a very important, active, and voluble section, but it is very doubtful if the Kirk leaders, so far from representing the views of the majority of the people, even spoke for the majority of the
clergy, as the king was able to secure a majority in the Assembly itself, by which he was able, though not without much effort, to develop his plans.

On the Borders religion was practically dead, unless for a prayer muttered on the eve of a raiding expedition. The Highlands had not yet been affected by the Reformation to any extent, and were still Catholic in sympathy. Even in the Lowlands there were entire counties where Catholic opinion predominated. In a note on the state of Scotland in 1586 it is stated that while the Protestant party among the Commons are inclined to support England, "that number seemeth not great, especially after so long preaching of the Gospel and use of discipline"..."The best affected are of Edinburgh, and some of the greater towns of the south part." It was only from this very limited area and from some of the lesser barons that the clergy could look for whole-hearted support and there were limits even to that. On several occasions even the faithful of Edinburgh turned on their pastors when they thought that their material interests were being interfered with. Their own numbers were not great. In 1596 there were over four hundred parishes lying vacant, not including those of Argyle and the Isles, for want of competent ministers, and still more of money with which to pay them. Principal Lee in his Lectures on the Church of
Scotland says very truly: "The influence of the Presbyterian ministers is sometimes spoken of as if it were almost unlimited: they had not influence enough to keep themselves from starving." They were as a whole miserably underpaid, and often had the greatest difficulty in securing their stipends. Among the nobility the two religions were still fairly evenly divided. In one list prepared by an English agent about 1591, the Papist earls and their supporters number sixteen; while the Protestant party can only show eight of equal rank, though it is noted that many of the lesser barons and the burghs are well-affect ed in religion. A more detailed list prepared in the following year and endorsed by Burghley, gives 28 Protestant lords, 13 Papists, 5 neutral or doubtful, and one suspected papist. This list does not include any of the chiefs of the Highland clans who were at this period mainly Catholic. It will therefore be seen that any whole-hearted attempt on the part of James to carry out whole-heartedly the dictates of Andrew Melville and his colleagues would have led to the virtual proscription of perhaps the majority of his subjects, not to speak of its disastrous effects upon his very tortuous policy. Other and more beneficent aspects of ministerial activity will be treated later.
THE NOBILITY.

When James assumed the government of the country, one pressing problem which he had to face was the conduct of his nobles. At no time had the Scottish nobles been remarkable for obedience to the crown; but at this period their natural independence had been increased by a freedom from outside control which had lasted for well-nigh a generation. Not one of the greater nobles seems to have been a man of outstanding ability, or to have been possessed of any public spirit. The plain-spoken John Davidson in a sermon denounced them as "young and corrupt, plagues both to themselves and the land: the ancient and prudent men taken away, so that among the twenty-two or twenty-three earls and the thirty or thirty-four lords how many could be named on the good side?" In addition to these fifty earls and lords of importance, there were also the Highland chiefs, each with an exaggerated sense of his own importance, and generally so independent of all authority, and so turbulent that Fowler reported to England that the young king was weary of his life. An English observer had already drawn attention to the excessive number of nobles in Scotland, far more than so small and poor a country could support: and James himself after his English experience, pointed out the disproportionate number...
of barons in the smaller kingdom and refused for a time to create any more.

It has been suggested that the correct policy for James was to depress the power of the great barons, and to encourage the growth of a middle class, who, along with the lesser barons might be used as a counterpoise. This is exactly what James tried to do. As early as 1586 it was evident that he was "in the same mind with his predecessors, vgr., not content with the haumthe nobilitie hath over him," and was already showing a tendency to promote men of humble origin to positions of trust. Such was the power of the nobles, however, that James found that any process of this kind had to be carried out without giving offence to these haughtiest of mortals. After one or two experiences of this kind, he warns his successor to beware of "lightlying and contemning your nobilitie. Remember how that error broke the king, my grandfather's heart."

There is evidence that James keenly felt his weakness and isolation in such a struggle. This is strongly expressed in his list of five reasons for not avenging his mother's death. In his letter to his subjects on the eve of his sailing to Denmark, he refers to his loneliness in the world without father or mother, or any kin to
whom he might naturally look for support. That this was no isolated sentiment is shown by a poem on his destiny lately reprinted by Rait in Lusus Regius, where he dwells on the same thought. The feudal ties were still strong in Scotland, and though the events of the reign were to show that the nobles had lost much of their military power, the episodes which are celebrated in such ballads as the "Reidswire Raid", "The Bonnie Earl of Moray", "The Lads o' Wamphray", and "Kinmont Willie" all show that they had lost nothing in courage, audacity, and brutality. It was early clear that James, a reader of "authentique histories", and an applier of their lessons to himself, was somewhat afraid. Walshingham, criticising the condition of Scotland, wrote "Every great personage there pretendeth to be a king, and so committeth great insolencies on the weaker sort," and suggested that "the use of a Star Chamber myght worke a great redresse therein." Robert Bruce in a sermon urged the King to bestir himself. "Otherwise," sayeth he, "ye will not be suffered to bruike your crowne alone, but everie man will have one." There was no one upon whom James could depend, and as he feared to share the fate of so many of his ancestors, he determined to proceed with great caution.
Even at the outset, the nobles had placed him in a dilemma. The execution of Queen Mary had raised an outcry from those who regarded revenge as a sacred duty. Fowler reported that had James yielded to the desires of his nobles and declared war on England, the bulk of the people would have followed him, though more from hope of plunder than from any other motive; and had James been assured of foreign support, or had he possessed money, that "nervus belli" in which he was so sadly lacking, he might have done so. As it was, he determined to do nothing that might jeopardize his chances of succession to the English throne. Deference to excited public opinion — James ever believed in the policy of "Jouk and let the jaw gae by" — might lead him to listen, or appear to listen, to the angry demonstrations of his nobles; but on the other hand a breach with England involving plunder and bloodshed would be fatal to his dearest schemes. It must be confessed that the whole policy of James, though well-meaning to his country, was selfish and dynastic, and throughout all his reign as King of Scotland his position was complicated by the necessity of considering the effect of his measures upon opinion in England. This was the trump card of the English statesmen, who on account of the threatened danger from the Armada really desired peace with Scotland and it proved successful. Though not unwilling to let the English see that he could be a troublesome neighbour if he wished, James regarded the warlike tendencies of his
as the reverse of a blessing. Still, they were his natural associates and assistants. "Delight to be served with men of the noblest blood that may be had; for besides that their service shall breed you great goodwill and least envie, contrary to that of start-ups, ye shall oft finde vertue follow noble races, as I said before in speaking of the nobilitie." The various references made to Coch- rane and Lauder Bridge had not been lost on his Majesty. They are to adorn the court, and to be employed on all the greatest business, leaving the ordinary routine work to "meane men."

In his analysis of the weaknesses that beset the nobility, James says, "The natural sickness that I have perceived this state subject to in my time, hath been a feetlesse arrogant conceit of their greatnesse and power; drinking in with their nourish milke that their honour stood in committing three points of iniquitie: to thrall by oppression the meaner sort that dwelleth near them to their service and following, although they hold nothing of them: to maintain their servants and dependers in any wrong, ....and for any displeasure that they apprehend to be done to them by their neighbour, to take up a plain feid against him, and without respect to God, King, and Commonweale, to bang it out bravely, he and all his kin against him and all his.
Yea, they will think the king far in their common, in case they agree to grant assurance to a short day to keep the peace: where by their naturall dewtie they are obliged to obey the lawe, and keep the peace all the days of their life, upon the peril of their very craigges.... and rest not till ye root out these barbarous feids: that their effects may be as well smoared down as their barbarous name is unknown to any other nation; for if this treatise were either in French or in Latine, I could not get them named unto you but by circumlocution. And for your easier abolishing of them put sharply into execution my lawes made against Gunnes and traiterous pistolets, thinking in your heart, tearming in your speech, and using by your punishments all such as use them as brigands and cut-throats."

A large portion of this passage on the conduct of the nobility is merely a paraphrase in more dignified language of the speech made by James as early as 1591 (June) at the trial of Barbara Napier for witchcraft. He said then: "I must advertise you what it is that makes great crimes so rife in this country, namely, that all men set themselves more for friend than for justice and obedience to the laws. This corruption here bairns suck at the pap: and let a man commit the most filthy a crime that can be, yet his friends will take his part: and first keep him from apprehension, and after by fead or favour, by false assize, or some way or other, they find moyen for his escape." Note that even the same fig-
ure is used as in the book.

The "Deadly Feud" was then the greatest curse of Scotland, and the reference to the difficulty of getting the nobles to agree "to a short day" indicates the only practical method of settling feuds which James had up to that time discovered. If a feud broke out during the year, the king endeavoured to get the parties at variance to appear before either himself or the Privy Council, and either by threats or by cajolery to get them to "chop hands" and agree to observe the peace, say until the following first of January. Then a further attempt might be made to induce them to extend the period. In the later years of his reign, when he felt himself becoming stronger he also exacted hostages and security in money. Again and again even the latter method failed, and as James states it was by no means easy to get feudal enemies to agree even to a short truce, while the acceptance of "kin-bot" or compensation for a slain kinsman was accounted a kind of dishonour. It was a Lord of Session, himself who summed up the traditional Scottish view: "All is dishonorabell, quhair there is not an eie for an eie and a tuith for tuith." Sometimes he met with an absolute refusal. Sometimes the supposed honour of the parties is safe-guarded by a declaration that the agreement is only made out of deference to his Majesty Reg. P.C. VI and the Council, and sometimes there was even a reserve.
ation of the supposedly superior claims of the chief of the clan or the immediate overlord. Letters of assurance were even altered and exceptions made, thus giving occasion "of brek of the haill assurances", so that the king had to issue new papers with strict injunctions to the offenders to "eik nothing thairunto, nor insert na exception nor reservatioun thairintill." 230

After his accession to the English throne, James revised his methods of working. He declared that the whole system of taking assurances was wrong, because in the first place it is an admission that the law is incompetent to put down the feud, which ought never to be admitted; and in the second place, because when the day of assurance has expired, there is a kind of quasi-legal right to carry on the feud.

As James held the strong opinions expressed in his book on the subject of feuds, it is not surprising that he proposed as one great work of his reign, the "away-taking and pulling out by the root, the whole disordered deidlie feeds and bloodie inimiteis within our realm; a barbaritie wherunto this onlie countrie has ever beene miserable subject, as an abuse not knowne or named in anie other civili country of the world." Accordingly he began with a grand attempt at settling all feuds. His first parliament had been summoned for July 29, 1587, and prior to its assembly he held the famous banquet in Holyrood at which he succeeded in making most of the nobles who were known...
to be at feud with one another, swear amity, and walk hand in hand up the Canongate to the Cross of Edinburgh where they dined together and drank one another's healths to the delight of the assembled populace, and at a cost to the good town of £30: 10: 8.

It is impossible to give an exhaustive list of the feuds which then divided the great families of Scotland because old feuds were ever being settled only to break out afresh on the slightest provocation, and from time to time new quarrels arose between families hitherto at peace. The following list includes the more prominent of the factions which ever threatened to disturb the peace of the country.

Glamis v. Crawford
Angus v. Montrose.
Hume v. Fleming.
Lindsays v. Ogilvies.
Veitches v. Tweedies.
Scott v. Kerr.
Lennox v. Hamilton.
Mar v Livingstone.
Hay of Yester v. Stewart of Traquair.
Maxwell, and Nithsdale generally v Johnstone.
Argyle, Ochiltree, Moray and Athole v. Huntly and Errol.

The Cunninghams v. Montgomerries.

In addition to these great feuds there were lesser but no less bitter quarrels among the warlike border families.
and the inter-clan wars that only make an occasional appearance in our records.

It had been already noted by Fowler, the English agent in Edinburgh, that while the barons in all matters of importance took the law into their own hands, they were quite willing to humour the king in trifles. But such was the intensity of feudal hatred that not all the entreaties or threats of the king could prevail on William Hay, Lord Yester, to make even a pretended reconciliation with his adversary and local rival, Sir John Stewart of Traquair. For his contumacy he was R.P.C. IV ward in Edinburgh Castle, but to the king’s great indignation "he eschaiped and passed forth of the said castle in the most privy manner." The king continued his efforts; but at the middle of August the dispute was still unsettled and finally in desperation the king ordered the parties to come to an agreement within twenty-four hours.

The reconciliation of the others was, of course, only a sham, and the very good nature and bonhomie on the part of James which tempted him to try the experiment made him the less capable of carrying it out. He thus admonishes his successor: "And for their barbarous feuds, put the lawes in due execution made by me thereanent, beginning ever rathest at him ye love best, and is most obliged unto you to make him an example to the rest. For ye shall make all your reformation begin at your elbow, and so by degrees flow to the extrem-
ities of the land." James, however, at the moment was powerless, and the other nobles lacked even the fierce consistency of Yester. Even while the formalities of the opening of the Parliament were being discussed, Bothwell and Crawford fell out on a question of precedence, after which the former rode off in a temper, while Lord Hume and Lord Fleming challenged each other to mortal combat which would have taken place had not the town of Edinburgh interfered.

The great reconciliation proved a spectacle and nothing more. The feuds seemed to grow worse if anything, and the entries in the Register of the Privy Council and in such collections as Pitcairn's Criminal Trials show that the lesser gentry and even supposedly douce burgesses had their feuds as well as the great nobles. In 1592 a special act of Parliament had to be passed inflicting special penalties for the fearful crime of murder in the kirk or kirk-yard during divine service. We are told that "cruelty and bloodshed is come to such an height within this land that the house of the Lord and his sanctuary.....is filthily polluted because commonly all revenges of quarrels and deadly feuds are now executed in kirks and kirk-yairds at the time appointed to the service of God." The Robertland murder, referred to later, began with a chance affray in the parish kirk on the Sabbath. Even before this St. Giles's Church in Edinburgh had been the scene of such disturbances that on March 25, 1589...
the Town Council resolved that as in times past diverse people had created disturbances within St. Giles Church itself, drawing swords and shooting with pistols, in future such persons are to incur a double penalty and be warded for fifteen days "gif thai draw ony blwid."

At a later date the Register of the Privy Council records an assault made on the minister himself during divine service, while outstanding among the many tragedies of the time is the murder of two ministers, Mr. David Blyth and Mr. Aikman, by George Mure who afterwards paid the penalty of his crime. After the death of Maitland in 1595 James was disillusioned even more. Then he found out the facts in all their naked hideousness. In a letter to the Earl of Mar he bewails the prevalence of feuds. A letter from Colville to Bowes declares that feuds in 1595 have risen to such an height that no man may go safely one mile from his own door. About the time when James was actually engaged in writing the Basilicon Doron, he caused Parliament to pass, in 1598, yet another act devising fresh means of checking them, and its futility can be seen by the fact that another act had to be passed in 1600 threatening even greater penalties.

The existence of these deadly feuds and the resulting bloodshed and disorder was a constant of reproach from the ministers who did not hesitate to denounce James's negligence as the principal cause.

Patrick Anderson states that "his Majesty could journey..."
to no place in his progress for his pastime abroad where the pulpits did not publicly sound and ring of complaints for murder and bloodshed in all quarters of the realm." It was in vain that the king pointed out his isolation and the absence of a reliable armed force. Moses, he was sternly told, had even fewer to help him when he came down from the mountain. When at length he was goaded into action, the amount of support he received was ridiculously small. In his advance against Huntly and his powerful Northern confederacy, he had, including an Edinburgh contingent of two hundred musketeers, barely two thousand men. So many deserted on the march north that he faced the rebels with rather fewer than one thousand followers, being outnumbered by nearly three to one. The small guard which he raised in 1590 was unable to protect him from personal molestation, and for want of pay broke into open mutiny. The existence of a guard at all was regarded by some as an unnecessary luxury "vain, unprofitable, and unnecessary."

The fact is that James was incapable both from his own nature and from the circumstances in which he was placed, of carrying out his own advice. Even while he was devising schemes for breaking feuds, and solemnly declaring that manslaughter should never be remitted, there were in the royal household itself, men who had been guilty of crimes in circumstances too black even for the hardened stomachs of that day. Such a man was David Cunningham of Robertland. At the parish kirk on
the Sabbath day. An ancient feud between the Montgomeries and the Cunninghams had broken out afresh, and one of the latter, who seem to have been the aggressors, was slain. James Sexton's kinsmen re-opened the feud against the Montgomeries and swore to be avenged against "the fattest of that name." Accordingly Robertland made friends with his intended victim, and being a man of insinuating manners soon wormed his way into his confidence. He made use of the position of trust he obtained to surprise and slaughter the young earl in 1586 when very scantily attended. This was murder under trust which in the following year the Parliament declared to be equivalent to High Treason and to incur the same penalties. The outcry was so great that Robertland had to flee the country, his fortalice was handed over to his enemies, and the king swore "his great oath" that he would never pardon anyone who had had a hand in the deed.

Robertland fled to Denmark where he gained the favour of Queen Anna who interceded for him. The king in spite of his oath, pardoned him and he returned to Scotland in the train of the new queen as one of her master stablers and as sewer in her household. By an act of Parliament in 1592 Robertland was formally pardoned and his estates were restored to him. James endeavored to salve his conscience by the somewhat paltry excuse that this pardon extended to Robertland the chief criminal only and was not to be extended to the minor agents of the crime. This conduct seems to have...
excited more than usual disgust for in 1596 the General Assembly, while pointing out various public abuses, mention among them the presence of Robertland at Court and pray for his dismissal.

According to the author of the History of James Sext who tells this story at length as typical of James and his government, "These wicked examples of unpunished slaughter engendered such insolency in the hearts of the people, that, they finding the king and his officers so slothful and negligent in their duty, cruelty and murder increased as a popular seikness throughout the land."
The matter of course could not be permitted to end in this way, and a bitter feud commenced between the family of Montgomery and the Cunninghams which lasted for the next eighteen years. This was not because there were not persistent efforts made both by the king and by the kirk to patch up a peace. At last in 1599, the principals on both sides were summoned before the Privy Council "for the pacifing of the feud and controversy standing amangis theme."
This attempt at pacification failed and on the 15th March 1601, Nicholson writing to Cecil reports that the king has succeeded in getting the feud between the Lindsays and the Ogilvies settled, and that the "Mugowries" and the "Cunninghams" will come next. The hope of extinguishing the long-standing feud between the Lindsays and the Ogilvies, which was keeping all Forfarshire in an uproar, proved illusory for it continued for the next six years: but by 1604 there are
signs that the chiefs of the two Ayrshire families are becoming weary of the business. They were willing to come to terms but found their followers difficult to control, and there was a final outburst at the meeting of the Parliament in Perth in 1606, when the rival factions fought a regular battle in the streets. The matter was then taken in hand and finally disposed of by the Earl of Dunbar in 1607.

A curious side issue in this quarrel illustrates the ease with which justice might be evaded. When the Montgomerries received the royal command to occupy the tower of Robertland, they apparently swept down on it like a conquering army, oppressed the farm workers, and put in the authorized garrison. Hardly had they done so when a claim was lodged by Lord John Hamilton that he had a prior right to the property. This the Eglinton family hotly contested, pointing out that the claim was collusive, and put forward simply that Robertland might enjoy the fruits though not the actual possession of his lands. Collusion of this kind was so common an occurrence that an act of Parliament was required in 1587 to put a check to it. On a second appeal to the Privy Council, Hamilton won his case, but the Montgomerries were strong locally, possession proved to be more than nine points of the law, and they held the tower and lands until the passing of the Act of 1592.
The vendetta-like nature of some of these feuds is well illustrated by the fate of so note-worthy a man as Captain James Stewart, Earl of Arran, and once the uncrowned king of Scotland. He had been the main instrument in the death of the Earl of Morton in 1581. For his share in this he was slain by a nephew of Morton, James Douglas of Torthorwald, in 1596. Douglas in his turn was killed in the streets of Edinburgh eight years afterwards by Captain William Stewart, himself a nephew of the last victim. Men in a slightly lower station of life kept up their feuds with no less obstinacy and in defiance of all the efforts of the king to quell them. Such was the long-drawn quarrel between the Veitches and the Tweedies, two Tweedside families. Originally arising in a dispute over land, the ill-feeling had already lasted some years when matters were brought to a crisis by the treacherous murder of Patrick Veitch, son of the "Deil of Dawick" not far from Peebles. Blood called for blood, and in 1590 this crime was avenged by the slaughter in the High Street of Edinburgh of John Tweedie, Tutor of Drummelzier. This was followed two years later by the peculiarly treacherous murder of James Geddes, a son-in-law of the "Deil" in the Cowgate of Edinburgh. This was in December 1592 and for years the feud dragged on, until in 1600 James called the principals before him and compelled them to sign letters of assurance and reconciliation. In 1611, he was amazed to learn that whereas he had
supposed that feuds were things of the past, this dispute is still disturbing the country and peremptory orders were sent to the Privy Council to have it put an end to at once. It was such men and such passions that James had set himself the task of pacifying. He complains that some of them finding life too dull came into Edinburgh with armed companies, "pretending ane eirand whenas thai had nane, but porpoisely to brag and make provocation of trouble." It is well known that the very personal attendants of the king did not scruple to issue challenges and even to come to blows in his presence. One of these instances is gleely related by Calderwood as the sudden panic caused by the affray caused James to make a pitiful exhibition of cowardice. They committed outrages in the streets of the capital with impunity. Such was the successful abduction of the heiress of John Carnegie, Catherine Carnegie, from the strong house of Robert Gourlay, by James Gray, one of the Gentlemen of the king's bed-chamber, assisted by Lord Home, one of the principal courtiers, while the Duke of Lennox and others looked on with indifference. A similar case is the slaughter of Mr. John Graham, a senator of the College of Justice, by Sir James Sandi-lands, another of the king's attendants, on the highway between Edinburgh and Leith. This aroused the animosity of the Earl of Montrose, and two years later, in 1594, the rival factions came to blows in the streets of Edinburgh in the very presence of the Chancellor
who had to flee from the scene of violence he was unable to control. Sir James was severely wounded but "convalescit".

Once again we have the startling contradiction between what James wished and what he could achieve. He says concerning the authors of these and similar outrages: "Ye ought to have a double care for the ruling well of your own servants, since unto them ye are both a politic and an oeconomicke governor. And as the people will delight to follow the example of any courtier, as well in evil as in good; so what crime so horrible can there be committed and over-seene in a courtier that will not be an exemplare excuse for any other boldly to commit the like?" The best precepts for governing a court and a king's followers are to be found in Psalm 101. At least James twice says so. A little later in the book, he returns to this same point in which he was so weak himself: "Be a daily watchmen over your servants that they obey your lawes precisely: for how can your lawes be kept in the countrey if they be broken at your ear? Punishing the breach thereof more severely in a courtier than in the person of any other of your subjects, and above all, suffer none of them, by abusing their credit with you to oppress or wronge any of your subjects."

James, however, could better govern a country through a clerk and a council than he could manage men whom
he had personally to meet face to face.

From the time of the publication of the Basilicon Doron onwards, there is clear evidence that James and his advisers were making really great efforts to rid the country of the "deidly feid." The "taking up" of a feud was often a slow business. There exists in the Roxburgh papers an interesting series of letters in which the whole process can be traced. Robert Kerr, Lord Roxburgh, having killed William Kerr, father of Sir Robert Kerr of Cessford, wishes to express his regrets for the "accident" and in 1606 offers his apologies and 3000 merks as "kin-bot." He finds the Cessford family a little inclined to stand on their dignity, but on the appearance of the parties before the Privy Council, Cessford gives way, ostensibly out of deference to that august body, and the "letters of slains and assurance" are duly signed. The question of compensation was then submitted to arbiters, and in the end Roxburgh had to pay 10,000 merks. Many similar cases can be traced at intervals in the sixth volume of the Register of the Privy Council, which shows how persistent James could be. By 1603, several of the great feuds are happily terminated, and then in 1604 James in the light of his new English experience, issues a new order of dealing with the remainder. The great point is to begin at the beginning. After a complacent remark on the success which had attended his own persistent efforts, James ordered the Council to
take immediate action whenever an incident occurred which might give rise to a feud. Acting on the principle that it takes two to make a quarrel, the Council are to summon before them the injured person, and to cause him to swear that he will not pursue the offender otherwise than by lawful means. His nearest friends and kinsfolk are also to be summoned and made to swear by their "great oaths" that they harbour no grievance against any of the kinsfolk of the original offender who are otherwise innocent of the offence. Should the Council find them unwilling to do so, or suspect them of insincerity, they are to be warded, and if necessary "fynit under greit and huge sowmes." Had the state of things been as it was prior to 1603, such a course of action would have been merely playing into the hands of the guilty, but for the first time in its history, Scotland now possessed something like a rudimentary police for James in order to support the authority of his Council bereft as it now was of the moral support of his presence, had arranged for the raising of a flying squadron of forty armed horsemen under the leadership of the Comptroller, Sir David Murray of Gospertie. These were now ready to let loose on anyone who set the laws at defiance, and being put to the horn was no longer the mere form which hitherto it had too often been.

The prevalence of feuds made the administration of ordinary justice extremely difficult in many ways. James, in the Basilicon Doron, notes that a common man
when in difficulties usually sought out some noble or official whom he thought powerful enough to aid him, instead of applying to the fountain of justice itself. This conduct James compares to the invocation of the saints! Sir Richard Maitland, in one of his satires, seems to regard this as the natural and proper thing to do:

"To ane gret court-man I did speir; I trowit that my friend had bene, Because we were of kin sa near."

If a man were of kin to some powerful "court-man" and succeeded in enlisting his services, the case was as good as settled, although, as Maitland pointed out, that aid had frequently to be bought. It was naturally more difficult to try any case in which a noble or courtier was personally concerned. James speaks of "their monstrous backes" referring to their habit of appearing for trial at the head of a band of armed followers. Many times had a day of law to be cancelled because of the danger to the public peace, and the postponement of a trial sometimes meant its final abandonment. Even where trials were commenced in proper form the existence of feuds, and the fear of provoking new ones led to constant difficulties. Often it was difficult to get jurors or witnesses to appear. Even to act in an official capacity incurred serious danger. For instance, the long-standing feud between Angus and Montrose had its origin in the fact that the latter had
acted as Chancellor of the jury at the trial of the Earl of Morton and in that capacity had spoken the sentence of guilty against him. This difficulty was not confined to Scotland but was also found in the north of England where feuds among the Border gentry seem to have been as rife as in Scotland, —indeed Gray in his Chorographia in describing them simply borrows wholesale the corresponding paragraph from the Basilicon Doron. Musgrave writing to Burghley complains that it is very difficult to get any of the gentry to sit upon a jury of life and death, "as any of the justices of that circuit can testify." Indeed, the terror of the feud on the south side of the Borders was so great that the English gentlemen were afraid to interfere with raiders lest they might provoke a feud.

Even when witnesses appeared, the panel sometimes objected to them or to the assize on the plea that they were either at deadly feud with him, or were related to some one who was. Sometimes a case would be mysteriously deserted owing to the non-appearance of the pursuer, obviously influenced either by threats or bribery. On the other hand, when the jury consisted of friends of the accused, there would be unblushing cases of "wilful error of assize."

In private life, a feud sometimes proved a useful thing. It afforded a good excuse for the neglect of troublesome public duties, such as "raids" or wapenshawings" and even for non-attendance at kirk or
"But the greatest hinderance to the execution of our lawes in this countrie, are these heritable Shiref-
doms and Regalities, which, being in the hands of the
great men, do wracke the whole countrie: for which I
know no present remedy, but by taking the sharper ac-
count of them in their offices; using all punishment
against the slothful that the law will permit, and ever
as they vaile, for any offences committed by them, nev-
er to dispone them heritably again; pressing with time
to draw it to the laudable custom of England: which ye
may the easier do, being king of both, as I hope in God
ye shall." Here the difficulty and the method of cur-
ing it are most characteristically described. This
nettle is too tough to be grasped, and so caution is
needed, until in place of the Scottish confusion the
orderly English system is gradually worked in. As a
matter of fact the system of justices in ayre had for
the tyme almost died out in Scotland, and the king's
courts were practically confined to Edinburgh, with
spasmodic sittings elsewhere. Nearly every baron
clung tenaciously to his hereditary jurisdiction, and
strove to have his lands erected into a "Regality"
which made him to a large extent independent of the
Sheriff. The existence of all these hereditary offices
was used by James to calm his conscience when contemp-
lating his unruly kingdom, and to silence critics who
found fault with him. Thus he pointed out that dis-
to Mr John Davidson, that one man unaided could not keep order in the country, and that the hereditary sherifffdoms and similar posts made confusion inevitable.

The dangers of these posts had been long understood, and as early as 1567 an act had been passed to convert all such into holdings for life. In the troubled times that followed the act was ignored and regalities and sherifffdoms continued to be granted to powerful favourites. The ultimate effect of this upon the king's justice can be guessed by the fact that his arch-enemy Bothwell was actually hereditary sheriff of Lothian. The rivalry between the sheriffdom and the regality added to the confusion in the country. Offenders were forcibly rescued from the sheriff courts under the pre-R.P.C. IV tence that they belonged to another jurisdiction. Now 624, 696 and again, landowners who had failed in their duty put forward the plea that that particular function belonged R.P.C. IV of right to the sheriff. There is a hint of the intro-152 duction of regular courts of justice in the famous General Band and an act was passed in 1587 which may be regarded as an attempt to introduce the thin end of the wedge. By this act all committers of the most serious crimes are to be sent to be tried in his Majesty's own presence, and all local authorities are temporarily deprived of their jurisdiction in such cases, without prejudice to their rights in the matter of escheats. This is to be followed by a series of
Courts of Justice in Ayre. Unfortunately the whole plan was disorganized at the very outset by an outbreak of the "Pest".

The sheriffs appear also to have been very negligent in another part of their duties, namely the satisfactory collection of the king's revenues. In 1586 R.P.C. IV divers of the sheriffs are put to the horn for neglect in this, and finally in 1597 an act of Parliament is passed appointing collectors in their stead, "because his Majesty has been defrauded of a great part of his taxation by reason that the sheriffs who should be ingatherers of the said taxation... have neglected to collect the full amount, and in some cases have oppressed the lieges by overcharging." In many areas the office of sheriff was a very difficult one, and in R.P.C. VI December 1599, the sheriffs of the four eastern Border counties of Berwick, Roxburgh, Selkirk, and Peebles are summoned before the Privy Council to answer for specific cases of neglect of duty. They have permitted notorious "horners" to remain quietly at home, they have not collected certain items of taxation and feudal dues, while in Selkirk there have been no proper sheriff-courts held since 1586! Only four of the seven persons cited deigned to put in an appearance, and apparently gave as their excuse that their neglect arose solely from lack of power to execute their office due to the indifference of the subjects. The matter was referred to the coming meeting of the Estates in
March, 1600, but nothing appears to have been done. In December, 1601, however, Sir George Home having accepted the office of Treasurer determined for financial reasons to bring increased pressure to bear upon the sheriffs ascribing "this universal contempt of his Hienes authority and lawes in therie quarter of this realm" to the "grit oversight and negligence of the schireffis". The sheriffs are to display a new enthusiasm in the discharge of their difficult and dangerous duties. They are to pin up a list of all undischarged homers on the market crosses of all their head burghs, arrest all the persons themselves, confiscate all their moveables for the use of the treasurer, and find caution for all offenders according to a price list drawn up. The sheriffs themselves and their deputes, and clerks, with all their books and papers are to appear in relays before the king and council to give evidence of their activity.

After the Union the further step was taken of appointing Justices of the Peace to watch the sheriff and to report cases of collusion. In 1617, another attempt was made to get rid of some at least of the heritable regalities by act of Parliament. A commission was appointed to deal with all the hereditary sheriffs, bailies, and stewards of the kingdom, regarding the surrender of their offices, and "to give a competent satisfaction in honours or otherwise for the same." Apparently the idea was to barter titles in exchange for
solid privileges, but some at least of the sheriffs received payment in hard cash, as Sir William Murray of Philiphaugh received 20,000 merks for his surrender of the heritable office of sheriff–principal of Selkirk. The process, however, was but a slow one, and although in the General Act of Revocation of Charles I, all hereditary jurisdictions and regalities were threatened as well as kirk lands, these offices did not finally disappear until, after the 'Forty-five Rebellion, they were utterly abolished by the "Jurisdictions Act."

The complaint of the king that the nobility of Scotland made it a point of honour to coerce their neighbours into their service, even though they hold no land of them and owe them no legal duty is well illustrated by the numbers still extant of these curious documents known as bonds of man-rent. In the charter chest of the Earl of Huntly there are about one hundred and fifty of these, mostly signed by chiefs and lairds of considerable importance, very few of whom could have held anything of the Earl. It was customary in these documents to insert a clause safeguarding the signer's loyalty to the king, and sometimes, though very rarely, the prior claims of some legitimate feudal superior. This, however, was a mere form, as the very circumstances of the time would compel men of inferior position to give service partly in the hope of protection and partly to escape persecution. As James states in his book actual coercion was sometimes employed. Almost the
last case of this occurred in 1603 when the Lord Ochiltree was accused of holding Lady Cassillis and the Master of Cassillis prisoners until they had given them bonds of manrent, and promises of great sums of money. The Lords declared the bonds to be null as they had been extorted "be feire." The existence of these ties made the administration of justice still more complicated, and in 1594 an act of Parliament made the holder of a Bond of Manrent responsible for any outrages committed by the person who had given it. Even proof of being seen habitually in the company of any baron or land-owner was ultimately deemed sufficient to make him responsible, for many of the more turbulent spirits gave countenance to "broken men" and others, whom they could use for "hounding-out" against personal enemies, and for whose actions they could solemnly deny any responsibility.

Occasionally the contract was a mutual one, as the Bond of Manrent was given in exchange for a Bond of Maintenance, in which the superior gave a grant of land or some other consideration to his supporters. Several instances of these can be seen in the Eglinton papers, a result, no doubt of their long and bitter feud with the Cunninghams of Glencairn, which would lead the Earls of Eglinton to gather round them as many allies as possible.
In his letter which instructed the Privy Council in the new method of dealing with Feuds, James congratulates himself that, thanks to his own personal exertions, the pernicious practice of carrying pistols is practically "dishanted," though he regrets to observe that since his departure into England it seems to be reviving. As has been seen in his book, James had a special hatred of pistols, and particularly small pistols, which he regarded as peculiarly treacherous weapons, and his determination to put a stop to the practice of carrying them is reflected in a long series of enactments and proclamations. Finding that the laws against the bearing of firearms were receiving as much attention as most of the other laws, he got the Council to declare that no pistols were to be brought into Edinburgh, and that the gunners of the Castle and the magistrates were to search all strangers and to confiscate all forbidden firearms, keeping the same as a reward. At the same time all makers of firearms were to dispose of their stock of pistols within the space of one month, and thereafter to make none that were not "three-quarter length at the leist" under pain of confiscation of property and imprisonment during his Majesty's pleasure. In spite of this pistols continued to be worn openly and even in his Majesty's own presence, and in March, 1591, the magistrates were empowered to arrest any person wearing a pistol. This act also was ignored, as was one which stated that if any person was found bearing the obnoxious weapons within
ten miles of the King's presence, "he should be taken to the mercat place of the narrowst toun, and his richt hand dangled from him." According to the History of James Sext, this act had a somewhat tragi-comic sequel. The Council, perceiving it to be ignored, determined to make an example of someone. Three men were arrested in Edinburgh. As no names are given, it may be presumed that they were "kinless loons" against whom it would be easy to proceed to extremities. They were duly tried and condemned to suffer the extreme penalty of the law. Their hard case moved great sympathy as they were ignorant of the law, had no feud against any man, neither had any man feud against them. They were simply carrying their pistols as a mere matter of daily routine. The unfortunate men were taken to the scaffold where they stood for a long time "to the terror of others that should presume to be so hardy to contravene that law in time coming." Then the King judging that the object lesson had had its due effect, graciously pardoned them. The lesson, however, proved to be of no avail, and more acts had to be passed; and as many of the offenders pled in excuse that they had the King's special permission, or that they were acting as members of an armed band under royal commission, an act was finally passed in 1600 which made the mere carrying of a pistol on any pretext whatever, a serious crime.

This law was still generally broken, and it is evid-
ent that at times James was capable of turning it to his own personal advantage. There are several cases in Pitcairn where actions for this and similar crimes were dropped at the request of the King, either after an acknowledged payment of money, or in circumstances which indicate that something of the sort had been expected. In the case of unmoneyed men, however, there was no intervention; but they are banished the realm for merely bearing the objectionable weapons.

At the very end of the reign, an enquiry was made among the sheriffs as to how these acts were being observed. It is more than likely that this enquiry was intended to be the prologue to a series of wholesale actions for the sole purpose of raising money in fines. Many of the sheriffs tried to evade the question, but the more honest simply confessed that the act was a dead letter; one going so far as to say that it would be easier for him to say who did not carry fire-arms. It may be noted that in all criminal indictments, the possession of firearms is regarded as a serious aggravation of the offence, and the extreme commonness of the habit of carrying pistols can be gauged by the fact that there are over one hundred and thirty references to it in volume VI alone of the Register of the Privy Council.

Three years or so after James had written his Bas-ilicon Doron he made the acquaintance of another weapon which roused him to equal, if not greater, indignation. This was the petard, which he describes as "unlawful,"

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"detestable", and "divilische." This weapon seems to have been first employed by the Master of Ogilvie in an unprovoked attack upon Lord Spynie on November 26th, 1602, and in a week's time the Council issued a proclamation commanding all possessors of petards to hand them over under penalty of death and confiscation "without favour or mercie," and denouncing the same penalty upon anyone who dares to buy, borrow, import, make, or mend any of these destructive engines.

James not only objected to the bearing of dangerous weapons, but also to the wearing of armour in time of nominal peace, and especially at court and Conventions. In the third book of the Basilicon Doron he wrote: "Let yourselfe and all your court weare no ordinarie armour with your clothes but such as is knightly and honorable; I meane rapier-swordes and daggers. For tuilziesome weapons in the court betokens confusion in the country." Therefore not only must treacherous offensive weapons like pistols be rigorously banished, "but also all traiterous defensive armes, as secrets, plate-sleeves, and such like armour." The very wearing of such betokens an evil and suspicious disposition, and besides they do not serve the true use of armour, for they neither impress an enemy by their outward show nor do they afford any protection, but are rather an added danger in the case of shooting. Indeed, such arms are only suitable for men who contemplate murder under trust.

It was not long before James had an opportunity of
putting his ideas into practice. There are two acts of the Privy Council issued just after the Gowrie Conspicracy which from internal evidence are from the pen of the author of the Basilicon Doron. The first complains that "dyvers persons hes tane the libertie and bauldness this lang time bygane" to enter the palace "armit and furnist with jakis, secretts, corsletts, and other hid armour unfer their doublettis and coittis, sumtimes pretending the cause of their own defence, and uters sic-like frivolous causes"...."It is hereby ordained that any persons repairing within the palaces and places of his Majesty's residence carrying any arms than their swords and daggers shall incur the penalties due to "bereris, weirâsis, and schuiteris of haequbuttis and pistolettis." The crowning blow to the old custom now follows in a notice that his Majesty's master porter and ushers shall diligently seach all persons whom they suspect to be so armed and commit them to ward until arrangements are made for their punishment.

The other act is an effort to curb "the grite and monstrous backes and cumparnis commounlie waiting upon nobles and barons at Parliaments and Conventions. Not only had barons so invaded the towns where the Parliament was sitting, but taking advantage of that freedom of access to the king's presence which was the wonder of all Englishmen, they even appeared so accompanied in his Hiennes awin presence." In future this pract-
ice, "not only offensive and displeasing to his Majesty but were disgraceful to the nation" is to cease. An earl is to be limited to a train of twelve persons; a lord to eight; and a baron to four, unless he is himself in attendance on some greater lord, when he is limited to a single page. No person with a greater train will be admitted to the king's presence, and the Captain of the King's Guard has instructions to refuse admission. This effort to secure greater decorum at public meetings was followed up by regulations for a more formal ceremonial at the opening of the Parliament.

The general trend of all these enactments, futile though many of them were, serves to show that James, in spite of his alleged cowardice, sloth, and weakness, was gradually getting his kingdom reduced into something like order, even before the Union of the Crowns.
Troublesome though the conduct of the nobles might be, the day of the great feudal magnate was fast passing even in Scotland. The barons might still carry on their feuds in defiance of the law, hough cattle, burn crops and houses, and oppress the miserable commons in their neighbourhood; but their influence in most cases was entirely local. To this there were two great exceptions, the Earl of Huntly and the Earl of Bothwell. These carried on their intrigues on something like the old great scale. They aimed at the overthrow of the existing government, and attacked the person of the King. They drew up "bonds" among their supporters and corresponded with and received embassies from foreign princes. The story of their various plots is very largely the story of Scotland's foreign relations for the time, and between them they added tremendously to the difficulties of James. Huntly seems literally to have fascinated James who could believe no evil of his favourite. He embraced him, kissed him, and declared to Lord Hamilton that he would be desolated if compelled to part from him. This fondness for the avowed leader of the Catholic party was the main cause of the bitterness of the dispute between the King and the ministers, and also embittered the relations of James with Elizabeth. The ministers dreaded the daily apostacy of the King and the overthrow of the Protestant faith. Elizabeth's main dread was that a Spanish army might land somewhere in Scotland, and aided by the Catholic earls and their
sympathisers - who were reckoned to be the bulk of the Scottish nobility - might succeed where the Armada had failed. Accordingly both her ministers and the Kirk leaders kept urging James to proceed to extremities, which he as persistently tried to avoid.

It is possible that James estimated the danger from Huntly and his Spanish allies more accurately than his opponents. That danger is very far-off now, and possibly the modern reader is tempted to view it a little too dispassionately; but there can be no doubt that Huntly was not the type of man of which resolute revolutionaries are made. Young, with a liking for state and magnificence, and brave personally, he seems to have been lacking in determination and energy. At the Bridge of Dee he and his allies collapsed ignominiously before an inferior force, and it is clear that when matters came to a crisis, Huntly never wished to fight. His attitude as a prisoner excited the amazement and contempt of his adversaries, and at the slaughter of the Earl of Moray, he was only driven to strike a blow by the taunts of his own followers. Such a man was exactly the kind of noble that James wished - an ornament to society and a useful figurehead to command expeditions where abler men did the work. It was no doubt pleasing to his vanity to play the part of arch-conspirator and to receive and distribute Spanish gold, but in the light of Huntly's known conduct, it is very doubtful what he would have done had the Spanish forces actually landed.
While Huntly was long the darling of the King, the Earl of Bothwell was for some years the terror which haunted him. From the Scottish Papers we learn that James had never liked his cousin, and in spite of occasional efforts at reconciliation, this dislike grew the more James thought over it. In the Basilicon Doron James urges the young prince to read much, and next to the Bible to study the "authentic" histories of his native land. He had already drawn lessons from the sad fates of his mother and of James V, and in private life also the sad story of James V serves to point a moral. Although as the poor man's king, he was to be honoured and imitated, he was to be held as a warning against the results of loose living. Men, said James, were apt to treat this offence as trivial, but they had no right to make their own appetites their standard of morality, and to treat as venial what God has ranked among the deadly sins that exclude from Paradise. The young prince was to consider the punishment that befell that unfortunate king! He had to suffer first the deaths of two promising young princes, and died, "leaving a double curse behind him to the land, both a woman of sex, and a new-born babe of age to rule over them." James complacently contrasts this with the reward of his own greater continency in his own hopeful offspring which he hopes that God will both continue and increase. On the other hand his grandfather's illegitimate progeny flourished to be
the plague of his lawful posterity. In the first place James Stuart "unnaturally rebelled, and procured the ruin of his own sovereign and sister," and then "what good her posterity hath gotten sensyne of some of that unlawful generation, Bothwell's treacherous attempts can bear witness." These remarks in the Basilicon Doron go far to explain the animosity which James had for Bothwell whom he probably credited with schemes far beyond his thoughts. He feared that he would be tempted to play the part of the Regent Moray or even to go a step farther and lay claim to the throne. Hence his passionate insistence on the fact that Bothwell was illegitimate and had no claim to anything, and his repeated charges that Bothwell had sought his life; at first, indirectly through witchcraft, and then, directly by open violence.

The unhappy Earl of Bothwell, like James a grandson of James V, was one of those figures that appear from time to time on the stage of political life and arouse great but illusory hopes. He was Admiral of Scotland, Sheriff of Lothian, had great wealth and influence, especially on the Borders, and his great castles of Hermitage and Crichton must have been the finest edifices of their kind in Scotland. He therefore aspired to play the part of a great man in the country, for which he had all the qualifications except greatness. Still he had certain theatrical qualities that seized the imagination of the people. In a nation of desper-
ate men he was early noted for his desperate courage, and even Maitland, his arch-enemy, had hopes that he might be a useful counterpoise to the growing influence of Huntly. Fowler urged the English statesmen to secure him as an ally. "There is more wickedness, more valour, and more good parts in him than in any three of the other noblemen." Even the Kirk was inclined to look upon him with some indulgence as a nephew of the great Regent and a possible champion of Protestantism. He had a good deal of dash and bravado in his composition. His appearing in armour on the occasion of Mary's execution, his defiant riding up the High Street and casting a forty-shilling piece on the pavement at the Market Cross in challenge to the Chancellor, his dashing and successful charge at Woolmet Hill after the Raid of Leith all illustrate this side of his character. But it is doubtful if he ever had any definite plan except to unseat Maitland, get rid of the Homes, and rule the land in Maitland's place. Even had he succeeded he would not have been allowed to hold the position unchallenged, for contemporaries were of the opinion that Lennox who aided him up to a point would undoubtedly have made a bid for supreme power. His attempts to force forgiveness from James were actually grotesque, and on the one occasion on which he managed to get the King into his power, he suffered himself to be deceived and outmanoeuvred by his prisoner in a way that showed his incapacity for government. The final shifts to which he was re-
duced, his writing to the ministers while allying himself with Huntly, show his utter want of principal. At the same time he was sufficient to keep James, the most unheroic of our kings, for years in a constant state of apprehension, and the King's hatred grew to such a pitch of intensity that it is doubtful if he would have been allowed to live in peace even had he wished. The story of his relations with the King illustrates very vividly the combined weakness and strength of the royal position. James; with his scanty resources, is unable to secure himself from the danger of violent personal attacks; and yet by relentless persecution and persistency he is able to secure the utter ruin of their author.
THE MERCHANTS.

As it was only in the towns that private citizens had much freedom of action, James simply divides the Third Estate into two portions, the Merchants and the Craftsmen. The peasantry he might ignore as being entirely under the influence of their feudal lords. Although in a summary of the state of Scotland in the English State Papers the merchants and craftsmen are described as poor and of small account, the weakness was merely comparative. A merchant who might make a poor figure in London, could well be regarded as a financial magnate in a country where the King's patrimony was valued at about £5000 Sterling. As a matter of fact the two classes mentioned were becoming ever more important on account of their wealth, numbers and organization. The classification adopted by James is practically identical with that of Chambers in his slightly earlier Histoire Abregé and also with Lesley's. Chambers points out that the merchant class of Scotland was recruited mainly from three sources. Many of the most influential merchants, especially in Edinburgh, were the younger sons of landed gentry who had found an outlet for their energies in trade. Scotland was apparently free from the temper which existed in England for more than a hundred years later, where the gentry "had rather see their children starve like gentlemen, than thrive in a trade or profession be-
neath their quality." In Scotland the son who had gone into business was oftentimes regarded with envy by his brethren who had chosen less lucrative pursuits. An interesting illustration of this can be found in the Maitland collection of Scottish Poems, entitled the Lament of a Pure Court-Man. The fourth stanza states:

"My second brother bare the pak,
Ane lyttil quhyle upon his back:
Now he hes gold and warld's wrack,
Lyand him beside."

This arrangement proved an eminently satisfactory one in Scotland with its strong family ties. Frequently the money of the second son prevented the family estates from going to strangers. Three times the Purves estates were saved in this way. Even more frequently the successful merchant became in his turn the founder of a new county family. Such was Thomas Foulis, who in spite of serious financial troubles, left his lead mines to his grand-daughter who, who marrying James Hope became the ancestress of the noble family of Hopetoun.

James Murray, a younger son of Patrick Murray of Philipshaugh, prospered so well that according to his epitaph in Grayfriars he was able to set up all his three sons as Lairds. George Blair, another second son, purchased Lethendy in Perthshire, to which his son added Glasclune. John Trotter, another scion of the lesser gentry, became Trotter of Morton hall, while a little
later Foulis of Ravelston was acquiring lands to the west of Edinburgh, a district already well occupied by other members of that family. It is interesting to note how many of the estates round Edinburgh were acquired at this period by families who to a very recent date were still in possession of them; and a glance through the Register of the Great Seal about the year 1600 indicates how numerous were the smaller estates passing into the hands of Edinburgh merchants about this time. Even feuds helped on the process. Owing to a feud with the Homes and Cranstons, who burned the tower of Lauder and slew the second son and several other members of the family in 1598, the third son fled to Edinburgh. He had one son John, who became successively, a merchant, a bailie, a knight, and a baronet.

All the fortunes made at this time did not prove equally permanent. The story of John Arnot and his family is an interesting example of the rapid accumulation and disappearance of wealth. A scion of the ancient house of Arnot of the ilk, he amassed great wealth and as early as 1587 was Provost of Edinburgh. From time to time he advanced great sums of money to the king upon the security of the rental and feus of Cockburnspath, and royal lands in Orkney and Shetland. Portions of these and several other estates ultimately came into his possession, making him Sir John Arnot of Berswick. To his eldest son he left his lands,
and to the younger, James, a merchant, a "great stock of money". The latter became involved in the bankruptcy of James Dalziel, his brother-in-law and a great Edinburgh merchant. As security he paid 87,000 merks out of his own fortune, and that sum being insufficient to satisfy the creditors, he fled the country. About the same time the Arnot estates had to be sold, and the third generation of this once wealthy family was reduced to comparative poverty.

The connection of the moneyed men of the time with the gentry, besides adding to their social status, has sometimes rather curious results. It is not uncommon to find that in the Register of the Privy Council turbulent Border reivers find cautioners in the persons of Edinburgh Burgesses of the same name. For example when David Cunningham of Robertland was still in difficulties, a John Cunningham, burgess of Edinburgh, comes forward as surety for him. Tytler has noted in his History that English agents were able to communicate secretly with the Highland chiefs by means of this chain of relationship. John Cunningham of Edinburgh was a kinsman of Achanros, the confidential servant of M'Lean of Duart, and any information given by Bowes to Cunningham soon reached the Western Isles. By degrees the connection grew even more intimate and in March 1596 the worthy burgess ventured into the Isles himself. So well did these two agents do their work that they were recommended to Cecil "for a taste.
of her Majesty's bountiful goodness" which in the end took the form of £30 to Achinros, and £20 to John Cunningham. Cunningham, however, got other rewards than the scanty payment of an English agent for, when he had occasion to go to London on business, his friends at Edinburgh endeavoured to make things as easy for him as possible.

The second important class according to Chambers consisted of the descendants of old burgher stock. This is the class, he asserts, that supplied Scotland not only with most of its learned men, and many of its prelates, but also with many capable soldiers in time of war. He declares that the chief representatives of these two classes live often in a style equal to that of the great nobles, and are acquiring much power through their wealth, kin, and friends. A glance into the Book of the Commissariat of Edinburgh will show how closely the moneyed classes of that city were held together by intermarriage, and by having become cautions one for the other. In fact one of the new features of Scottish history at this time is the rise of a wealthy middle class able to make itself felt in public affairs. It was at this time that there began to arise these great mansions some of which still form notable features in the Old Town of Edinburgh, and the king himself was glad at times to escape from Holyrood to the safer and more comfortable, if less dignified abode of some wealthy merchant. Thus Robert Gourlay's
strong house in the High Street, now demolished, is frequently mentioned in the records and contemporary documents both as a place of refuge and as a prison for privileged malefactors. Huntly there underwent one of his nominal imprisonments, and James, himself, had to shelter within its walls when apprehensive of an attack by Bothwell at the time of the Raid of Leith. Ambassadors and distinguished strangers were commonly entertained in these new mansions of the wealthier citizens. Thus the Danish ambassadors who returned with James after his wedding were entertained in "Thomas Aitchison's lodging at Todrig's James VI Wynd Foot". The Danish ambassadors were lodged in John Kinloch's house adjacent to the palace, and the Vice-admiral in Robert Cunningham's house in the Canongate. Bailie M'Morran's house, still in existence, and Nicholas Uddert's at the lower end of the High Street were also in great demand, and the banquet prepared by Huntly for the King was to be given in Janet Flockhart's.

These old houses with their stout walls of stone four feet thick, and their steep narrow stairs, either straight or spiral, were easily defensible, and Birrel gives an interesting picture of the burghers of Edinburgh preparing to defend their property, when in revenge for the attack on the Tolbooth the king had threatened to spoil the city. The rumour indeed was spread that Kinmont Willie and other notorious Border thieves were already at the gates and then "the haill craftsmen and commons convenit themselves... as it were ten or twelve
households in ane, quhilk wes the strongest house, and might best be keepit from spulzeing or burning, with hagbut, pistolet, and other sic armour, as might best defend themselves. - Judge, gentill reider, gif this wes playing." But they were not only strong. Warrack in his Domestic Life in Scotland has pointed out that the connection of the merchants with abroad, and their less public manner of living, gave their houses a degree of luxury unknown to the feudal castle. Still even in the latter uncomfortable abodes a certain degree of refinement is becoming visible. One of the very few inventories giving an idea how these were furnished is in the Register of the Privy Council describing the contents of the humble fortalice of Little Cumbrae, looted by a gang of Montgomerries and others. Although shuttered windows were still in general use, nearly every room had one or more large windows of glass. There are also specified, beds of different types, linen table cloths, broad towels and long towels, and two dozen serviettes - most necessary in a time when forks were still a somewhat impious novelty. There were also various cooking utensils of iron and brass, a dozen and a half of plates, six covers, a dozen trenchers, and a folding "board." Characteristic of the times were "two cutthroat gunis of irne." There are also books and documents to the alleged value of £2000 indicating some advance in culture. A comparison of this with the house of even a second-rate citizen, shows that the latter had a considerable advantage in comfort and refinement. The inventory of James Reid, preserved in the Edinburgh Burgh Re-
cords, is obviously incomplete, but we find that he possessed such comparatively luxurious articles as nine cushions, three little "bakkit" stools, and two Flanders chairs. Certain other stools are described as "buffitt" or "buffill" meaning leather-seated and stuffed. He had also three "chandlers", one of them "bakkit" or provided with a reflector. His walls were hung with the "painted cloths" so often referred to in the contemporary drama, and he had two iron fireplaces with their equipment of roasting-iron, spit, crook, and tongs. He also possessed three "aumries" a characteristic article of Jacobean furniture. There was also a "knok" worth £5, and a growing interest in the fine arts is indicated by "ane payntet brod" - a panel picture - valued at 12 merks. It may be noted in passing that even at this early date, alarm clocks, "littil knoks with ane walkenar" were not unknown in Scotland.

The house of a Nesbit, Arnot, Courlay, or Herdut would be much more sumptuously furnished than the above, with glass and earthenware dishes, and silver spoons and salt-fatt. The aumries, too, of this period were veritable works of art, and together with the fine upholstered chairs were usually imported from abroad.

In the Basilicon Doron, in spite of or, perhaps, because of his personal obligations to the merchants, the king has but little good to say of them. Their special vice is that "they thinke the whole commonweale ordeyned for making themselves up; and accounting it their lawful
gain or trade to enrich themselves upon the losse of all the rest of the people." These somewhat bitter remarks had a certain justification. The whole attitude of the merchants is thus summed up by Davidson and Gray in their book on the Scottish Staple: "The merchants in their conventions and in their burgh councils never looked at trade questions except from their own class point of view. They were free importers and free exporters provided that trade passed through their hands. They stood for the divine right of middlemen to be middlemen. They persistently put obstacles in the way of industrial development at home....and were satisfied that the nation should remain the hewers of wood and the drawers of water for the more civilized peoples." Accordingly they struggled to keep the foreign trade entirely in their own hands, and no craftsman could engage in this without first resigning his craft. Ultimately they were compelled to give way upon this point, and also to admit the craftsmen to a larger share in the management of the burghs.

The third class of merchants noted by Chambers consisted of former craftsmen, such as those referred to, who through a combination of boldness, industry, and good fortune have succeeded in entering the ranks of this exclusive class. In connection with this third type of merchant Chambers notes that the fortunes amassed by the one generation were commonly dissipated by the next, and he deplores that more care was not taken in training the
rising generation in the preservation of wealth. He ascribes the frequent downfalls of the newly-risen families to their desire to emulate the state of these longer established and of greater resources.

As a matter of fact foreign trade was still a hazardous occupation. If the profits made were large, fortunes were as easily lost as won. Pirates not only swarmed at sea, but even sailed boldly up the Firth of Forth and cut out vessels lying at anchor in the roadsteads. Englishmen and Scotsmen preyed upon each other and the "Dunkirkers" under colour of the religious war in France preyed upon both. Injured merchants begged to be allowed to make reprisals, upon innocent fellow-countrymen of those who had injured them, and thus a state of affairs sprang up at sea somewhat analogous to the feuds on land. The State Papers abound in complaints, demands for redress, and inventories of plundered goods. The landed gentry were sometimes in collusion with the pirates and even burgh dignatories did not hesitate to purchase goods which they well knew had been unlawfully obtained. There is a strong suspicion that the more powerful of the Scottish vessels were deliberately intended to take part in this business where a fitting opportunity presented itself; because in the reign of Charles I the long peace is the reason ascribed for the striking decrease both in the size and force of the Scottish ships.

The merchants were unpopular, not only with the king, but also with most other sections of the community.
Indeed, in his charges he is only echoing the popular prejudice against them. From the pulpit the ministers treated them just as severely as the king did in his book, and with more justice. Many of the merchants could ascribe the foundation of their fortunes to the successful exploitation of some privilege or monopoly, such as permission to export or import in the face of a general prohibition. These privileges seem to have been granted fairly easily to favored persons, usually for a pecuniary consideration to the king or some influential courtier, and the practice continued throughout the entire reign though acts were passed from time to time in the effort to check it. The celebrated Bailie Macmorran owed both his wealth and his unpopularity to this means. He exported grain from Scotland, which seems to have been almost always on the verge of a famine, and sold it to Spain, thus jeopardizing not only the material but also the spiritual welfare of his countrymen. Had the ministers had their way the whole Spanish trade would have been prohibited. Money could also be made by a successful speculation in farming the customs — a common source of income with the Arnots, Poulises and Gourlays, and other financiers of the time, but one which would not tend to personal popularity. Outsiders grumbled at the monopoly of foreign trade, especially in time of dearth, pointing out that its only effect was to raise prices to an unreasonable extent. Thus when a ship laden with grain happened to arrive at
Leith, in 1600, another of the years of dearth, the local people made arrangements to buy up the cargo. In this, however, they were prevented by the Provost and Town Council of Edinburgh who bought it over their heads. The Leith people complain that the result of this will be that instead of buying direct from the foreigner - which James in his book describes as the ideal method - they will be "constraynit to by the samin at the hands of a second or third buyer, being ane merchant of Edinburgh, for ane dowbill caus, quha will cause girnell the samin, and will nawise sell na part thatirof without extraordinar and godles gayne, as in the late years of dearth wes fund to be owre mekle usit."

As in England during the same period, the gold-smiths played the part of bankers and the bankruptcy of Poulis and Jousie discloses the fact that in spite of the general poverty of the country there were some people who had money to invest at interest. Operations of this nature, however, were disconterenced by the laws against "okkar" or usury which limited the rate of interest to ten per cent. This maximum was actually demanded by James on the one occasion on which he had a large sum to invest, when he compelled the burghs to become borrowers of the £100,000 raised for his "tocher" in spite of the fact that they could borrow at much more reasonable rates if they desired it.
Another complaint made by James against the merchants is that "they transport from us things necessary, bringing back sometimes unnecessary things and sometimes nothing at all. Here James is giving utterance to the prevailing prejudice against export trade. There was throughout the whole period a constant struggle between producer and consumer, between those who were interested in the export of grain, coal, and raw materials, and those who wished them kept in the country. This struggle is indicated very clearly in the many conflicting entries in the Privy Council Register in which the coveted license to export is alternately granted and withdrawn on grounds of public policy. Scottish industry, as will be seen, was in a most primitive condition. The simplest objects had to be manufactured abroad. Thus in 1587, French workmen had to be specially imported for so ordinary a piece of work as "calsay-ing of the Kowgaitt" and other streets of Edinburgh.

Of necessity, exports had to consist almost entirely of such raw materials as so poor a country could produce. A document of the year 1614 gives a good summary of the value of Scottish trade at that period. The total export trade was valued at £736,986. "Victuel and vivers" consisting of beare, malt, wheat, and oats, account for £37,653; salted hides for £66,630 of which £1830 is due to deer-skin: sheepskins for £143,199 - by far the largest
item - total of all skins including goat, lamb, kid, fox, otter and rabbit, £172,082: wool, coal, lead ore, and feathers together account for £103,002. The fisheries lead to an export trade valued at £153,354, mostly accounted for by herring and salmon. The total value of manufactured and semi-manufactured goods is only £169,097. The most important single item here is 141,854 ells of cloth and plaiding, followed by salt, linen yarn, hose, and gloves.

Almost every item in this list gave offence to one class or another. The export of "vivers" of all kinds raised the price of food. The export of coal was alleged to press hardly on the poor though we learn from various sources that the poorer classes seldom used coal at all, but burned peat or turf instead. The export of hides roused the ire of the tanners and the cordwainers, and was put forward by them as a good excuse for the high price of shoes, though the Scottish tanning industry seems to have been in a very rudimentary condition. The linen weavers in the end petitioned successfully against the export of linen yarn, on the plea that the high prices obtained by the merchants for linen yarn abroad made it impossible for the native craftsman to obtain raw materials for his trade at reasonable prices.

The Shipping List of Dundee at this period throws more light upon the condition of the Scottish export trade. Dundee at this period would rank as the second
part of the kingdom, yet the entries are only some two or three ships a month, and the lists of the cargoes carried give a clear proof of the small size of most of them. The imports consisted for the most part of necessaries: wine from France and Spain, "drinking beer" from England - Queen Anna's favourite beverage -, a large quantity of timber, joists, deals, knapples, and even firewood from Norway, reflecting the treeless condition of the country which called forth Weldon's gibe at the barren Lothians, iron and copper from Sweden, madder, woad, soap, onions, wax, and apples from Flanders, salt from France and Portugal - Scottish salt was supposed to be lacking in preservative qualities. The table announcing the porterage dues at the Scottish Staple at Campvere gives a slightly fuller list of articles out of Flanders, such as crockery, gigs, raisins, little raisins of Corinth, and stiffing or starch. The list of dock dues at Leith mentioned in the Edinburgh Charter contains practically the same primitive imports, while the records of Campvere corroborate the list of exports given in the Mar M.S.S. by fixing toll on hides, cloth, oil and tallow, wool, salmon, and grain.

Considering the habits of the time, the accusation of James that the merchants brought back unnecessary wares does not seem too well founded. Among these he no doubt reckoned spices, the use of which was forbidden by Parliament to all who could not spend 2000 merks a year, an act which was reaffirmed with several others of the same nature in 1595. Wines also came under the ban, and these formed
an exceedingly large portion of the imports of Scotland. At the end of the reign of James VI the import duties on wine alone amounted to more than 160,000 merks; and the annual Bordeaux fleet at the end of the sixteenth century numbered eighty vessels, though most of these were very small as we learn from the Register of the Privy Council that they were employed for part of the year in the Orkney and Shetland fisheries. In the end Charles I prohibited the import of wines altogether, giving as his ostensible reason the impoverishment of the country as a whole by the unnecessary export of currency, and the impoverishment of the individual by over-indulgence in liquor. The true reason, however, was not economic or social, but rather political, Charles wishing rather to strike a blow at France than to pose as a temperance reformer.

On the whole, this accusation of James may be ascribed to the irritation of a habitual debtor towards his creditors, and his chronic impecuniosity is reflected in the following interesting passage: "They buy for us the worst wares, and sell them at the dearest prices: and albeit the victuals fall or rise of their prices, according to the abundance or skantnesse thereof, yet the prices of their wares ever rise but never fall." As a cure for this, foreign merchants are to be allured into the country, so that goods may be bought first hand and "not at the third hand", also every year certain fixed prices are to be set, and if the native merchants will
not supply the goods at that price then the markets are to be thrown open to foreigners. The charge against the importers that they were not particular as to the quality of the goods with which they supplied their fellow-country men seems to have had some foundation in fact. The mere poverty of the land would naturally tend discourage the import of the finer and more expensive goods. Nathanael Widert, in his petition to the privy council for a monopoly in the manufacture of soap hints that in Flanders it was thought that anything would do for Scotland; but Widert was in this case an interested party. The following instance from the Scottish Papers, however, is corroborative. Archibald Douglas begs from the English authorities license for David Walker to transport into Scotland certain quantities of "musty, unsavoury, and very coarse wheat" which he cannot sell in England.

The steady tendency on the part of prices to rise rather than to fall, was, however, not peculiar to Scotland nor due mainly to the cupidty of the merchants. Every country in Europe was suffering in the same way at the same time on account of the influx of the precious metals from America. Thus James Melville points out that the value of money had fallen sixfold within the century. The bushel of meal which once could be bought for forty pence now cost more than ten times that sum. This pressed very hardly in cases where stipends paid in kind had been commuted for a fixed annual payment in money. Harrison, in his contemporary account of Elizabethan England also notes

James Melville
Harrison's England.
the tremendous rise in prices, and, like James, lays the blame on the merchants. He says: "Whereas in times past we had sugar at fourpence the pound that now at the time of writing of this treatise is well worth half-a-crown; raisins or currants for a penny that now are holden at eightpence or tenpence the pound." He also points out, without realizing the significance of the fact, that the abundance of gold and silver in the houses of great English noblemen was causing them to prefer vessels made of fine glass. Round about the year 1595, the value of live stock practically doubled in one year. It is therefore small wonder that prices "ever rose and never fell."

The Scottish government did make some attempts to fix the prices of wine at intervals, and of the necessaries of life in times of dearth, but though backed by the acts against forestalling and "regrafting" and supported by fervid denunciations from the pulpit, all such regulations were in vain for the goods were sold at higher rates by private bargain and never reached the open market.

Another serious charge which James makes against the merchants is that "they are also a special cause of the corruption of our coin, transporting all our own and bringing in foreign upon what price they please to put upon it."

The first charge is almost inevitable in a country which was importing fairly large quantities of manufactured goods and had little to offer in exchange. The deficit would have to be met by cash payments. The frequent use of foreign coins and the uncertainty about their true
value led to law suits and without doubt to many lesser disputes that never came into court. To check this in some way the Council in 1597 set up a commission which included several Edinburgh goldsmiths, notably Thomas Foulis and George Heriot, Senior, to draw up a list of the proper rates of exchange. While he is on the subject of merchants James thinks it necessary to say something about the currency. His advice to his successors is, "Make your money of fine gold and silver: causing the people to be paid with substance, and not abused with numbers, so shall ye enrich the Commonwealth, and have a great treasure laid up in store, if ye fall into wars or any strait. For the making of it baser will breed your commodity, but it is not to be used but at a great necessity." This is no doubt one of the fruits of his own "owre deare bought experience" as when he was penning the lines, he had great difficulty in obtaining any money at all except by methods very similar to those he deprecates.

Various efforts were made to ensure that merchants did not carry money out of the country, and outward-bound ships were rigorously searched, and offenders summoned before the Council. In 1597 a law was passed ordering all exports to be paid for in bullion which was to be brought to Scotland to be coined, but an act of the Privy Council shows that such an interference with the natural channels of trade had been allowed to remain a dead letter. In 1603, however, the king in his desperate need of money
endeavoured not only to revive the act but even to collect the arrears. On the other hand, bullion was deliberately omitted from the A.B.C. of the Customs so that it might be imported duty free.

It is somewhat startling to find the making and passing of false coin included by James among the "horrible crimes" that a king is bound in honour never to forgive, but there is every evidence that in Scotland coining had reached terrible dimensions. At this time there was a regular industry in Flanders in making false money for export into Scotland, and some was also made in England. In December, 1599, two skippers were arrested for having in their possession a box containing twenty-five pounds weight of the false coins known as "tinklers". Somewhat earlier the Town Council of Edinburgh were occupied with the discovery of an enormous number of the coins called "hardheads" buried among some dirt in a cellar. But the most appalling evidence is not so much the numerous references to this crime in the Register of the Privy Council, as the trials for coining recorded in Pitcairn's Criminal Trials. They occur there in such incredible numbers that it is useless to give references - numbers incredible when one considers the paltry sums involved in many cases, and the sanguinary punishment which invariably followed detection. This crime is branded as a form of treason. The king's arms and superscription are forged and the punishment is either death by hang-
ing, or, at one particular period when the Council seem to have been driven desperate by the prevalence of the crime, the penalty is made the same as that for witchcraft: the offender is first "wirret" at a stake, and then the dead body is burned to ashes. The amazing thing is that so many chose to run the risk! Again foreigners, Flemings and Englishmen, are mentioned among the culprits, either as supplying the false coins ready-made, or as teaching the art to the native forger. Some of the attempts seem to have been sufficiently crude. One gang is noted as having very little success as their productions were "sa conspeck-ell". It did not save them from a hanging, however. Another set made imitation silver coins out of an old pewter plate by castings made in a wooden mould filled with chalk or plaster. In 1602, Alexander Reid, a cutler in Edinburgh, was hanged for making two false coins, but his crime was really serious. As an employee in the mint, he had been able to stamp two blanks of base metal with his Majesty's own imons, and "thereby he's committed treason." Even the good money could not be depended on, and burgesses of Edinburgh were detected in the act of "ringing and clipping" six pound pieces. So serious did the whole question of coinage become at times that the Town Council of Edinburgh were compelled to open a booth in the High Street at which a goldsmith would be in attendance to assay or weigh doubtful coins. Sir George Mackenzie writing on "Falsehood" regards this arrangement as a legal necessity. The bad quality of the currency, combined with the different types
of coins that were current must have added greatly to the difficulty of carrying on business. Johnston dates the beginning of this from the regency of Morton, who "first brought the detriment of brazen coin into the Commonwealth for the Scots before had nothing but gold and silver, which now was corrupted both at home and in the Netherlands by the merchants, who being slaves to their unjust gain, transported the sterling money into foreign parts."

Anyone glancing even casually over the acts of Parliament for this period must be struck with the number of "Acts anent the Cunzie". There is indeed hardly a meeting of Parliament or Convention at which some reference to this subject is not made. The ostensible motive of these acts was to simplify Scottish currency by limiting the classes of coins in circulation, but the true motive was an attempt to raise a little money by issuing a greater number of coins out of the old bullion. After several minor efforts a sweeping act was passed in 1591 ordaining that the entire gold, silver, and alloyed currency of the country should be called in, with the single exception of the rose noble. Those who delivered the old coins were to be paid in new at a fixed rate. In January of the following year the Council is informed that few or none of the lieges have brought in their money, and that the official rates of exchange for foreign money have been persistently ignored, "be the
quhilk the said reduction is and has been greatlie hinderit, and the former disorder and confusioun in the countrey is like to be continewit." The Council ordered a new proclamation to be made threatening that if the gold and silver were not produced quickly, the price would be reduced. At the same time, all unauthorized buying, selling, or exchanging of currency is forbidden.

One marked result of the differing values of coins is the manner in which those of good intrinsic value disappear from circulation, leaving current more or less worthless tokens. The Act of 1591 was an attempt to check this and at the same time to bring in a little profit to the king. It was a failure and was but the forerunner of several others. The disappearance of the good money was specially felt on the English side of the Borders, where the good English money disappeared as if by magic, and the inferior Scottish coins were tendered in their place. Sir John Carey sums the matter up in a complaint to Cecil in 1603: "The king of Scots every year changes and alters his coin from better to worse, calling in his ancient good money to be new minted, as for example, he lately coined those which I send you here." Here he evidently encloses some shocking specimens. A little later he complains that within a week after the garrison of Berwick have received their pay, all the English money has vanished, and constant disputes arise. He asks for advice; but Cecil, who is now thinking seriously about the possibility of the accession of James to the English
throne, does not think it politic to exclude Scottish money entirely, but to let it be accepted as equivalent to the sterling coinage, weight for weight.

In January, 1593-4, an act was passed which roused the ire of Calderwood. This leased the privilege of coining to the city of Edinburgh for the payment of 110,000 merks at the rate of 1000 merks weekly. As a preliminary, all coins in circulation are to be brought into the "cunzie house" before May 1st after which date it is to be no longer current. The old coins are to be valued at 42/- for the old 40/- pieces and the other gold and silver coins in proportion. The people once again refused to part with their money at the royal valuation, but demanded "extravagant and high prices." In 1597, another act was passed forbidding foreign coins to be accepted as legal tender, and ordering all foreign bullion to be brought into the mint to be recoined, but the amount of foreign money in circulation remained as great as ever, and in 1604 the act was renewed as far as concerned gold coins. When the old Scottish silver coinage was finally withdrawn after the Union of 1707, it was found that fully one third of the coins in circulation were foreign, mainly Dutch. We are told that awkward coins of small value were frequently disposed of on Sundays by means of the kirk plate. Early in the eighteenth century, the minister of the small country parish of Torryburn disposed of twelve pounds weight of bad copper money at the rate of ten shillings Scots per pound. In several parishes the non-current pieces were
melted down and new collection plates made of the alloy thus obtained.

The frequent laws recalling old coinage led sometimes to cases of legal oppression and injustice on the part of officials. Thus in September, 1561, an act was passed once again recalling all gold and silver coins to be restruck before the following first of January. The penalties for neglect were severe—the confiscation of all money presented in payment after that date, and a fine of £100 in addition. It was evidently very difficult to get the average Scotsman to believe that an act of Parliament meant anything, or that the threatened penalties were intended seriously, for in February 1602 an Edinburgh burgess had the temerity to offer to Robert Arnot, tacksman of the Cunzie House and of the Customs, seven decreed £5 pieces. The matter was reported to Sir George Home of Spott, who was then showing great energy as treasurer. The unfortunate burgess tried to make out that he only wished the money exchanged and not to be taken as the actual payment of his debt; but in vain. An example had to be made, and he forfeited his £35 and in addition was fined the statutory £100. Even this sharp example was without avail, and in December of the same year a further proclamation was made complaining that the old money was still in circulation and the prices "thairof reasit and hichtit at the appetite of the gevar out and the ressewear" Accordingly all officials are strictly forbidden to use any of the money in their
transactions, and all magistrates and others responsible for the holding of markets are to appoint officials to go round and discover cases of the contravention of the act and to report the transgressors to his Majesty and the treasurer. Various subsequent entries in the Register shows the determination of the Government that this act should not be allowed to become a dead letter like its predecessors, and also indicates that gradual tightening of grip which is characteristic of the last decade of James's Scottish period.

The Records of the Convention of Royal Burghs show that the Burghs regarded themselves as quite competent to arrange treaties on trading matters with foreign rulers. As late as 1599, through Thomas Fischer, a prominent Edinburgh merchant and bailie, they secured the recognition of their ancient privileges from the King of France, and made similar arrangements independently of the central government; but in this matter, too, James was beginning to assert more firmly the royal authority. The post of Conservator of the Staple at Campvere, which had hitherto been the gift of the burghs, was now made a royal appointment. This made the Conservator merely an agent of the king and distinct traces of hostility can be seen in all the dealings between him and the Burghs. At the same time it also gave the king a new mode of raising a little money on occasion, for it is quite clear that all the royal
conservators had to pay for their appointments.

It is interesting to note that in 1597, mere pressure of poverty so stimulated the king's inventive genius that he produced a quite new, and at the same time, a quite sound method of raising money. This took the form of a tariff for revenue purposes on imported goods. This is much more in conformity with modern ideas of trading than the fashion then in vogue of raising money by a tax on exports; but it was felt to be a most evil innovation. It moved the merchants to petition the king against it, describing it as "ane intollerabill custome of all guidis inwarts invented and set down, according to ane A.B.C. (List of dues alphabetically arranged) maid thereon." This innovation in finance threatened to introduce another novelty in the shape of a strike on the part of the merchants. The Burghs determine to use all lawful methods of bringing their alleged grievance before all persons in authority: and also "ilk burgh suld use all lawful meanes to stay all tred and handling, afield and hamewart, that everyone may feel their ain skayth and prejudice be sic kind of novations." The Burghs were to prosecute this course until the obnoxious duties were rescinded, "nochd doubting but that his Majestie at last sall be movet to haif better consideration of thair guid services, and of the lose and damage sustenit be his g race
subjects in gritter measure than the saids new customary can be steadabill to his Majestie." The said custom consisted of one shilling in the pound on certain classes of imported goods: but the main grievance was that there was also to be a general raising of the outward duties, and considerably lessened possibilities of evasion. In spite of their defiant attitude the Burghs showed a willingness to compromise and ultimately undertook the management of the objectionable innovations into their own hands, though Thomas Poulis and Jowsie farmed a portion of it until the crash at the beginning of 1598.

The M.S. of this A.B.C. signed by Êennox, Blantyre, Urquhart, Colluthy, Melville, and others is preserved in the Register House, Edinburgh; and is an interesting document, partly as it forms the basis of the much fuller A.B.C. drawn up in 1612, and partly because it gives some idea of the number of adds and ends that were being imported into the country with their approximate prices. It is entitled, "The valuation and prices of merchandise brought within this realm, quhairoff XIII. for ilk pond of the price thairof suld be takin up in name of custume. 22 Maii, 1597." The Lords of the "Chekker" had not only the task of drawing up the list of articles to be taxed, but also the more difficult one of fixing fair prices, for

Excheq.Rolls XXIII. 239, 316, 332 etc

M.S. A.B.C. of Inward Custom
articles which must have varied much in value. The task, on the whole, was left only half finished, for while many of the prices had to be altered, many articles were left unpriced altogether. There is a surprising number of drugs on the list; for the banquets of the day there are almonds, aniseed, figs, dates, raisins, and ginger. There are "nedlis and prenis", "passments" of gold, silver, and worsted, sewing gold, silk hose both long and short, buttons of silk, gold, silver, thread, and hair, seven different kinds of hats, and eight different kinds of belts. There is household furniture, "stullis coverit with leather and stuffit" and stools of "the common sort. There are drinking glasses, and mirrors great and little: and then in a marginal note "lytill keiking mirrors." The classification is most primitive. Horns, for instance, are divided into "blawing horns" and "scho horns." "Babies or puppettis for bairnis" may no longer enter duty free, nor golf balls and "racket balls" for their elders. The reports of the "customers" for the "New Inwart costumes" show, however, that Exch. Rolls many of these articles came in very small quant- XXIII, 315 ities.

A comparison of the import and export duties might have thrown great light upon the causes of the general poverty of the country, for it
is highly probable that the value of the imports about this time considerably exceeded that of the exports. Unfortunately, the records are in an extremely chaotic condition where financial matters are concerned. The Comptroller's accounts are extremely confused, possibly on account of the refusal of Wedderburn to continue his duties, and the failure of Foulis and Jowsie has left its mark on the "customers' accounts," which are summed up at very various dates. The accounts too of the Edinburgh 'Customer' which might have been taken as a fair sample of the country as a whole, have unfortunately a wide blank of many years extending over the most critical period.
THE King's chief complaints against the craftsmen are that the consumer is compelled to accept from them whatever quality of work they choose to give, and that they are exceedingly impatient of any attempts at controlling them or their trade. He evidently has in mind more particularly the trades of Edinburgh for he says that at the slightest interference "up goeth the blew blanket." One might have imagined that James might have remembered that he owed the crafts of Edinburgh and their blue banner a debt of gratitude for the way in which they had rallied round him in the famous Edinburgh riot of 1596; but kings have notoriously short memories for benefits, and John Watt himself who led the rescue party on that day, and who seems to have been a personal favourite of the king, was actually put to the horn among the rest for his alleged share in the day's proceedings. Since then, moreover, the Blue Blanke had again been unfurled and in dangerous proximity to the royal person, when on the occasion of a goldsmith of the city having been arrested for manslaughter, the whole craftsmen of the city assembled in arms, and forcing their way into the king's presence, demanded his release. The Scottish craftsman of that and an earlier day was by no means the timid subservient creature, whom writers of romance have delighted to picture. Robert Chambers remarks that it was from this class that Scotland drew her best fighting men. As a matter of fact, in the larger cities of Scotland trade was still organized on
mediaeval lines. Each craft was eager to secure the privileges it had, and to gain more usually at the expense of the merchants who were constantly striving to keep the management of the towns in their own hands. James had already compelled the merchants to admit a large proportion of craftsmen into the Town Council of Edinburgh, and Perth and other burghs had followed the example of the capital. Each craft, strongly organized under its "deacon", set itself out ruthlessly to crush all outside competition, whether by unfreemen within the burgh, or by craftsmen in too close proximity to it. In Edinburgh the situation was extremely complicated, as the Canongate was an independent unit, and the neighbouring regality of Broughton included a fairly densely populated suburban area. Accordingly there were constant disputes between the craftsmen of the two neighbouring burghs, which were separated only by the rather dilapidated city wall. Tradesmen of the Canongate, exposing their goods quite lawfully in the open market of the city, had them violently seized by their watchful rivals. Armed raids were conducted by the bellicose tailors of Edinburgh, headed by their deacon and boxmaster "all bodin in feir of weir" on their fellow-craftsmen of the barony of Broughton, in which the latter were ruthlessly evicted from their homes and had all their implements, materials, and the very keys of their houses confiscated. The bakers of St. Andrews were as belligerent as the Edinburgh tailors
and had a regular feud with the bakers of Crail, Anstruther, and Pittenweem, some of whom, in their turn had to be bound over not to hurt their arch-enemy, the Deacon of the Baxters of St. Andrews. Not only did the craftsmen assert their rights in a somewhat violent manner, but at times different trades would unite for some special object, or even form alliances with their fellow-craftsmen in different burghs, and must have caused no little apprehension to a king as badly equipped as James.

The disputes between the craftsmen of neighbouring burghs had sometimes an amusing side. For instance at a slightly later date, the craftsmen of the Canongate deliberately smashed up a coffin which had been made in Edinburgh for an in-dweller of the Canongate. The wrights of the city protested and threatened the aggressors with the wrath of their dean, only to receive a reply somewhat too characteristic of the manners of the time to deserve repetition.

Turbulence, in fact, seems to have been one of the chief characteristics of the Scottish worker and besides the riot of 1596 which proved so "wrackful" to the presbyterian church, Balfour in his Annales records another two years earlier. When mischief once got a-going the apprentices and the unfreemen willingly lent a hand. In the Burgh Records of Edinburgh, there is an account of an "insurrection"
of the younger folks of the crafts, aided by the un-
freemen on the night of May 1, 1588. We are told
that they riotously assaulted the house of John Rob-
ertson, one of the bailies, blaspheming the minister
of God who happened to be within the house; and,
smashing at the door with a beam of wood and a fore-
hammer, endeavour to enter the house and murder the
owner and plunder his goods. They even threatened
and insulted the provost and other magistrates who
endeavoured to preserve the peace. With a matter
of this kind, arising most likely from some civic and
ecclesiastical ban upon sports, the Town Council was
quite strong enough to deal, as none of the offenders
was a person of importance. But at times the worthy
bailies themselves would join the rioters. Calderwood
describes a general rising of this type to protest
against the changing of the Edinburgh market-day from
Monday to Wednesday, collections for the poor and for
new churches, and a general tendency of the kirk to
interfere in trade. "Such" says the Presbyterian his-
torian, "is and has been the religion of Edinburgh
when they are touched in their particular!" — a re-
gardless place.

Not only were the craftsmen a source of
danger to the public peace but their attitude to re-
forms served to keep the manufactures of Scotland few
in number and poor in quality. James determines to
remedy this by following the English plan of import-
ing foreigners both to break down the monopoly of the native craftsmen, and to increase the wealth of the country by introducing new methods. This was always a favourite scheme of James, though he anticipated a certain amount of resistance from the trades. Naturally in an age which laid so much stress on the retaining of actual bullion in the country, the exploitation of the gold and lead mines of the Glengonnar district of the Lead Hills proved most attractive. These mines had already been worked with some degree of success, and early in the reign a tack of all the minerals in the realm had been granted to a Fleming, Eustache Roche, with some Englishmen as his partners. This tack proved unsatisfactory to all parties concerned, as some of Roghe's workmen were killed, and he was unable to make any contribution to the royal exchequer. In 1588, however, he is given a new tack over all the minerals, and the right of erecting saltpans at Newhaven, with a monopoly of a new process of manufacturing salt which he said would produce a cheaper and finer article. At the end of the year he set his new industry going in some saltpans at Newhaven which had already been worked unsuccessfully by some English speculators. Roghe, who was originally a physician, and like many of the scientific men of the time was interested in the Philosopher's Stone, was rather well-pleased with his new bargain. He seems to have neglected the gold mines from which so much was hoped, but figures preserved
show that he did extract a fair amount of lead. A letter of his own, however, shows that he was pinning his faith not so much to his mining operations as to his new process for manufacturing coarse salt, concerning which he writes with great enthusiasm.

The new mineral tack, however, proved disappointing to the crown, and in 1592 an Act of Parliament was passed asserting that all the minerals in the country were crown property, and complaining of the system of setting them all in tack to the one person who could not possibly have the resources to work them, whereby the king was being defrauded of much revenue. All old tacks were cancelled and a new official, called Master of the Minerals, was appointed. These proceedings were vigorously contested by Roghe, who protested that the disorder in the country had been a great hindrance to him in his work, and that, so far from defrauding the king of any part of his dues, he had actually paid more than his fair share. His protest was over-ruled, but he continued with his other projects, and in 1599 received fresh privileges from Parliament in connection with improved furnaces for kilns and similar appliances.

Under the new regime, a fresh lease was granted to Thomas Foulis, a well-known Edinburgh Goldsmith, and one of the king's chief creditors, of all the minerals on the estate of Thomas Kirkpatrick of Closeburn. This was the beginning of extensive mining
operations on the part of Foulis. In spite of difficulties due to turbulent neighbours who set upon his carriers and workmen, he wrought the lead mines in the Lowther Hills with some success, and in spite of great financial troubles, left enough at the end of his career to make his grand-daughter one of the great heiresses of the time.

The gold mines, on the other hand, seem never to have paid; though for long they exercised a strong fascination over the government. One set of projectors after another took them in hand, only to retire sadly disappointed. After Foulis, came the Englishman, Bevis Bulmer, and then in 1609 a group of Saxon miners under Henry Starchy appear on the scene and disappear. In 1621, the gold mines are said to have been lying long neglected, and a new grant is given to a Dr. Mendlie. The discovery of a silver mine near Linlithgow raised the royal hopes, but whenever the king undertook the mining operations, the mine, which had been a success up to that time, suddenly ceased to pay, which suggests that the art of "salting" a mine was not entirely unknown in Seventeenth Century Scotland.

The introduction of new processes of manufacture and entirely new industries offered a surer if slower road to wealth, and in this work James played a really notable part. In 1590, he granted to a German named Peter Graet Heare a nine years' monopoly of the manu-
facture of paper, and this may regarded as the be-
ginning of Scotland's flourishing paper industry.

But James was thinking of something more ambitious
than the mere encouragement of individual adventurers,
namely, the introduction of foreigners on a large
scale. Something of the sort had already been at-
ttempted already, but evidently without much success.

In 1587, there was an act in favour of three Flem-
ings, John Gardin, Philip Fermand, and John Banko,
empowering them to import thirty Flemings skilled in
the making of serges, grograms, fustians, bombazines,
stemmings, etc., who are to stay at least five years
and instruct the lieges in their trade. This at-
tempt to improve the home woollen manufacture was due
to the fact that although Scotland was a great producer
of wool, and did export a fair amount of cloth, the
Scottish cloth was of poor quality, being very nar-
row in the web, and liable to shrink unduly. These
Flemings were to take Scottish youths and maidens at
a premium, and Nicholas Uddart, or Udwart, one of
the leading lights of Jacobean Edinburgh, was to
act as visitor and supervisor, being excused in re-
turn the irksome civic duties of watching and warding.

Provision is also made for the spiritual well-being
of the new-comers, for it is expressly stated that
when their numbers are sufficient they shall be allow-
ed a minister of their own, provided he submits to the
discipline of the Kirk of Scotland. Such a pro-
Vision was necessary, as the new-comers were most probably Lutherans, and hardly had they set to work than two of them incurred the wrath of the Kirk. There was apparently disagreement on some point of doctrine, and accordingly the Town Council ordered them to finish whatever work they were engaged upon within three months. During that time they were to confer with one of the Edinburgh ministers at least once a week, and if in that time they failed to satisfy him, they were to leave the kingdom. The Flemings do not appear to have met with much encouragement.

They arrived in Scotland in May, and apparently were met with a boycott, and by November, work was so scarce and they were reduced to such straits that the Town Council were compelled to intervene. The Council tried to interest the home merchant by attempting to secure partners for them among the townsfolk, but failed. The next that is heard of them is that Edinburgh advanced the strangers money on good security, and they departed to St. Andrews, after which no further trace of them can be found. By 1594, the scheme had been definitely abandoned as a failure, and the exemption of Nicholas Udwart from his civic responsibilities was accordingly withdrawn.

Whatever was the ultimate fate of this first band of Flemish weavers, the Scottish manufacture benefited little, and in 1599 the position of the home woollen trade was so hopeless, that the protective act
Forbidding the importation of foreign woollen cloth is withdrawn, because "there is no order taken for the working of the country wool for the use of the people."

The king, however, had set his heart on this matter and was only awaiting a suitable pretext to revive the whole scheme. This came on 1st April, 1600, when John Sutherland, a cloth maker, presented a supplication R.P.C. VI. to the Privy Council, deploiring the condition of the industry of cloth-making in Scotland. The Council at once appointed a commission to confer with Sutherland upon the matter and to report to the Convention of Estates meeting on the 20th of June. The result was the passing of an act introducing a more ambitious scheme for the importation of foreign wool-workers. It is proposed to bring over one hundred families to form a fairly stable and permanent colony, and all the privileges of the old act are to be offered to the new-comers.

The task of carrying out the arrangements was entrusted not to Sutherland, who was genuinely enthusiastic over the business, but to the Convention of Royal Burghs. In the meantime, the City of Edinburgh had been moving in a tentative way, and showed some dislike to the plan of wholesale importation of foreign craftsmen. Early in February, 1601, the Town Council instruct Thomas Fischer, one of the bailies, to bring home sufficient workmen to instruct the natives in the manufacture of broad-cloth. About the same time an Act of Estates compels the Burghs to do something, and their first
action is to appoint a committee to confer with "Robert" Sutherland, and to leave the Burgh of Edinburgh practically a free hand in the matter with liberty to incur twelve hundred merks of expenses which will be repaid by a general taxation on all the burghs. There are clear indications that the Burghs are taking up the scheme rather half-heartedly and propose limiting the number of strangers to twenty persons instead of one hundred families.

Edinburgh, however, lost little time, for only two days after the meeting, Alexander Hunter, a prominent merchant, was instructed to take steps for "the bringing of strangers" from England and the Low Countries. The Government were determined that the plan should not fail for want of pressure on their part, and at a meeting of the Privy Council on the 2nd of June they issued what sounds almost like a veiled ultimatum. They desired that the Burghs should inform them definitely by the 9th July exactly how far their arrangements had gone, and on what precise date they expected to have the new woollen industry set up. Fortunately the Burgh of Edinburgh could report a fair amount of progress. At the Convention held at St. Andrew's on 3rd. July, the Edinburgh representatives produced copies of the commission given to Hunter, and read the letters received from him. Alexander Hunter then gave his report in person. He had secured in "Norvage" (Norwich), then a chief seat of the English
cloth trade, a Fleming named Gabriel Bishop, who was even then in Scotland to make terms for himself and his six partners. Should there be any difficulty in getting him to agree to reasonable terms, Hunter promised that he would get plenty of others at an easy rate. Thomas Fijischar reported the complete failure of his attempts to secure workmen in France, while Hunter had been only moderately successful in Holland. After leaving Norwich he had gone to Veere, the Scottish Staple, and thence to Leyden, at that time famous for the manufacture of all kinds of cloth. He had at first great difficulty in getting any weavers at all to return with him to Scotland. At first, they held out for more remuneration than he was empowered to offer, and when at length that point was settled and some of them were willing to accompany him, the Guild Masters intervened and forbade any of the brethren to go. Hunter then tried to get the magistrates of Leyden to interfere but they refused. Eventually he returned with a little band of thirteen weavers, four of the number coming from Amsterdam, and some of the others being secretly smuggled out of the town of Leyden.

In the meantime a commission was arranged to interview Gabriel Bishop on the 9th July. The meeting took place on the 10th, and it was arranged that he should fetch his partners and their families from Norwich, and that they should take up their abode in Edinburgh. The other burghs are to send their crafts-
men turn about for one month's tuition. The order to be followed is that in which the burghs stand in the "extent roll" and any burgh that misses its turn is to forfeit it until its due time comes round again. On the same day the City of Edinburgh is instructed to pay Bishop twenty pounds Scots as the expenses of a messenger to be sent to summon his partners.

At the same meeting arrangements are made regarding the Flemings. One of these had refused to come at the last moment, and another has apparently rued his bargain, and the Burghs agree to pay his fare home with somewhat suspicious alacrity. Possibly, however, they were glad to be quit of Iurean Nickerin, for they stipulate that Hunter and not Nickerin shall bargain with the skipper about the passage money, and that Nickerin shall receive no money until he is actually on board the vessel, outward bound. In the meantime the other are to be divided out among the various burghs as follows:

            Cristian de Peill Weaver.
Perth.   Jaques de le RudgeComber and Spinner.
            Jacob Petinson. Shearer.
            Abigail Van Hort. Spinner woman.
Dundee.  Claus Losseir. Shearer.
            Cornelius Dermis. Spinner and weaver.
Henre de Turk. Spinner and Weaver.
Jaques Claers. Weaver.
Arane Iansoun. Shearer.

Ayr is to lend Arane Iansoun to Edinburgh for six months and Dundee is to lend Henre de Turk until the work at Edinburgh is properly settled. This arrangement seems quickly to have fallen through. Though the new-comers had clasped hands with the commissioners for the burghs in token of agreement, they did not like the idea of being so widely scattered one from another, and quickly appealed to the Privy Council who took their part. Particularly they pointed out that as yet they had done no work!

On the 24th July the Council ordered that the Flemings be not separated and that until work was found for them, they were to be maintained at the expense of the City of Edinburgh who could recoup themselves by levying a charge on the other burghs. There is a suggestion that the terms laid down by the commissioners were different from those agreed to with Hunter over in Holland. On the other hand the Burghs put forward their claims for special consideration. They desired that the king should grant them the four following conditions:

(1) That the prohibition of the export of wool should be maintained.

(2) That no duties should be levied on woollen
goods that were not exported.

(3) That full control of the industry should be vested in the magistrates of the burghs where it was being carried on.

(4) That Alexander Hunter, who was cautioner for the debts of Foulis and Jowsie, should be taken under the king's special protection and not injured; as much of the success of the scheme depended upon his own personal exertions.

As far as money was concerned, the Burghs kept their word with the Dutchmen and an account is given in the Records of their Convention of the sums paid individually to each of the new-comers. Hunter, however, is out of pocket to the extent of £235, which the Burghs promise to repay. The terms made with Bishop and his partners (the original contract is still extant) seemed sufficiently generous. They were to receive three thousand pounds payable in instalments, and over and above this, one hundred pounds as travelling expenses, payable within fourteen days of their arrival in Edinburgh.

James was evidently watching developments closely and was by no means satisfied with the progress that was being made. Accordingly a stiff letter was directed from the Privy Council to the Burghs complaining that they were not carrying out the scheme in the manner that had been expected of them. In the first place the number of strangers
brought over is hopelessly inadequate, and the manner in which they have been treated has been discouraging to them and dishonourable to Scotland. This letter is a result of the complaint on the part of Flemings; and the burghs agree to maintain all the strangers in Edinburgh at the joint expense of all the burghs. Some, however, seem to have drifted to Stirling for in the town records there, appears a series of entries referring to the arrival of Flemish weavers in July 1602, who are granted a house and 24 merks to buy wool.

In the meantime, early in October the Norwich contingent arrived, and the Edinburgh Burgh Records contain an entry regarding the payment of the £100 of travelling expenses. Soon, however, there are renewed bickerings between the Town Council, the Privy Council, and the Flemings and the Corporation is warned that unless they carry out all the conditions they will forfeit all their privileges in the matter of cloth-making. In the end the Corporation order the wool and implements to be sold, and the strangers get permission to purchase it, apparently with the intention of settling down as independent traders. Gradually however they seem to have lost heart and in a short time they have disappeared and the whole plan is definitely abandoned as a failure.

During the time of this experiment in cor-
porate action, the king had been trying one of his own which had ended in a fiasco. A Dutchman named Cornelius or George Dragg had represented himself as an expert in the art of weaving, and had received the king's permission to carry on that industry. The jealous native workmen soon discovered that Cornelius was a mere pretender, being in fact a lapidary with no knowledge of weaving whatever, and that his business was really a speculation carried out entirely by Scottish workmen. This was proved and the privilege was accordingly withdrawn.

After the Union of the Crowns there was a third attempt at the importation of foreign workmen on a large scale, and once more the proposal is made to the Burghs. They, however, will have nothing to do with it. They plead that they had tried before and failed, and partly "through the iniquitie of strangers had sustenit girt los." By the 15th. January 1602 the Burghs had indeed expended over four thousand pounds on the futile experiment of that and the previous year. Besides, they object, the chief men in the burghs are merchants, "negotiators" rather than manufacturers, and do not control the supply of the raw material which they will have to buy. Clothing-making moreover is not a characteristic-ally urban industry, and in point of fact there is more cloth woven in the country than in the towns.
However, if any person is willing to take up the plan, the Burghs will give all the protection and assistance in their power. The scheme was not allowed to drop, and John Sutherland, who had originally suggested it, was given the right to import up to one hundred families of strangers. Apparently private enterprise achieved some degree of success where corporate effort had failed because in 1609 there is a complaint by Sutherland to the Privy Council that the bailies of the Canongate are interfering with the work. Sutherland declares that he and his workmen have introduced successfully several new methods of manufacture and that now a large number of the country people have learned the art. This success has aroused the envy of certain persons who have instigated the bailies of the Canongate to make a daily persecution of his workpeople with a view to making them renounce their privileges, and become "freemen" thus shouldering their fair share of the burden of "common affairs." Sutherland gained his case, and apparently his efforts were deemed successful; because soon after an act was passed declaring that as the manufacture of cloth in this country had reached "such a reasonable state of perfection" the exportation of wool may now be prohibited. After this, however, there were other attempts at the importation of foreign weavers which seem to indicate that Sutherland's success was not so
sweeping as the preamble of the act would make it appear, but these belong to a slightly later period.

On the whole the failure of all these attempts to introduce foreign workmen and new methods is due to the fact that no one but the king was specially interested in them. In the Convention of Burghs the opinions of the merchants were predominant, and the merchants were rather exporters of raw material and importers of finished articles than manufacturers. A flourishing home industry would therefore be fatal to their own interests. The native craftsmen were naturally jealous of the new-comers, whose privileges were resented, and who would be regarded as unfair competitors. Abroad the Guilds were naturally adverse to their members going abroad to found a trade which would ultimately injure them. Possibly, too, the workmen themselves were not of the highest class. The Convention of Burghs lays the blame of the failure of their effort upon "the iniquitie of strangers" and had most likely some justification. The weavers who ventured to Scotland would most likely be those who had not been great successes at home, or men possessed of a wandering spirit which hindered them from settling down anywhere, and as has been seen, their reception in Scotland seems to have been very discouraging. None of them, as far as can be discovered, made Scotland a permanent home.

All these efforts had been to improve the man-
ufacture of woollens, but a slight effort was also being made to do something for the linen industry. In this case the initiative came from the linen weavers themselves, who revived the complaint that exporters could sell linen yarn abroad for a higher price than the weaver at home could afford to give, that therefore nearly all the yarn produced in the country was being exported, and that a flourishing industry was faced with absolute ruin. The Council found that the complaint was a reasonable one, and ordered the total prohibition of the export of linen yarn on any pretext whatever.

The practice of granting monopolies for a number of years to the introducers of new processes of manufacture naturally led at times to friction. For instance, one of the special articles imported in large quantities from Flanders was "stiffing" or starch. In 1599, by letters of gift under the Privy Seal, the king awarded the privilege of making "stiffing" for twenty-one years to a Fleming named Gilliam Van Marsome. The first trouble is a case of infringement of privilege. A Scotsman, named Thomas Fleming of Edinburgh, "haunted" Van Marsone's house in Montrose where the industry was first carried on, and having learned all the secret there was in the process, commenced the manufacture of starch on his own account. The matter was remitted to the judge ordinary by the Council to whom Van Marsone had ap-
plied for redress, and that judge decided in favour of the Fleming. This was in September 1601, but the victor in the litigation did not remain long undisturbed, for, in July 1602, the Royal Burghs took the matter up and appointed commissioners "to travell with his Majestie and all persons needfull" to have this and all other licences held by Van Marsone revoked, as being against the freedom and liberties of the Burghs.

During the period immediately succeeding the Union of the Crowns, the attempts to improve Scottish manufactures went on with great persistence, though the forces of privilege still proved a serious obstacle to any attempt to introduce outsiders. The most interesting episodes of this epoch are the attempts to improve the quality of Scottish leather and the disputes occasioned thereby; and the various projects of Nathanael, which form quite a romance in themselves. This ingenious person after an appalling description of the raw materials from which was made the soap which the Scots imported from Flanders, was able on production of suitable samples of a home made article to get a monopoly. This naturally roused against him the ire of the merchants who imported soap, and also of the inhabitants of the more outlying parts of Scotland who found it cheaper to import soap from overseas than to fetch it from Idwart's works in Leith. Having had his privilege
in this department seriously curtailed, he obtained concessions to enable him to commence a Greenland whale-fishery for the purpose of supplying his works with raw materials. About the same time he obtained a monopoly for twenty-one years of improved methods of manufacturing linen, bricks, and tiles, and still further roused against him the anger of his old enemies, the merchants, by an attempt to secure for himself the Conservatorship of the Scottish Staple at Veere, an attempt which was only unsuccessful on account of his own precipitancy.

For long after his departure into England, James pressed on his schemes for the improvement of Scottish manufactures, and any plan for the importation of foreign workmen was sure of his recommendation to the Council at Edinburgh. Sutherland's cloth-making project seems ultimately to have collapsed like the others, and the Town Council of Edinburgh embarked on one of their own. It was a comparatively modest effort, though they complain of the great expense incurred by them in importing five foreign weavers and in preparing "Paul's Wark" for their reception. The main idea here was that the foreigners were to instruct the Edinburgh workmen in the making of different kinds of cloth. In fact, Paul's Wark was to be a kind of primitive technical school. The entry in the Register of the Privy Council already cited is specially interesting as it enumerates all
the different kinds of cloth intended to be manufactured. There are named at least thirty-one different fabrics, including bombasines, grograms, seyis, and cotton fustians. Ultimately this municipal effort met with the same fate as the others. An attempt was made to introduce the making of glass into Fife, and this not proving very successful, the projectors obtained a licence to export clay for pottery into England. This was followed by a monopoly granted to Lord Kinclavin of the making of earthenware, because "the said traist cousin is to undergo the adventure of first bringing workmen within the kingdom." The coarse nature of the Scottish clay is indicated by the nature of the articles to be made out of it which include pots for glass-works and tobacco-pipes.

A few years before this saw the commencement of the Scottish iron industry. An Act of Parliament was passed in 1609 referring to the fact that certain persons had commenced the manufacture of iron and were using timber for smelting purposes. As this threatened the already scanty wood supply of the country, this—the only possible process of manufacture at that time—was prohibited under pain of the confiscation of the iron thus made. Very curiously this was followed on 24th December by a commission in which Hay of Nethercliffe was granted not only permission to work iron, but special rights of jurisdiction over
his workmen, as many of them were "strangeairs" brought over to teach the Scots the process. In the same year, Archibald Primrose, now Clerk of his Majesty's mines, received a similar commission for the manufacture of iron within the sheriffdom of Perth.

A considerable export trade was done in coal and this could have been developed without much difficulty. Yet coal was frequently forbidden as an article of export, sometimes on the plea that its export raised the price against the home consumer, and sometimes from the fear that over-production of coal would lead to the speedy exhaustion of the mines. A document in the Salisbury Papers shows that the same fear was entertained in England, and the same remedy suggested. The chief trouble seems to have been that only the upper seams were worked, and that the primitive appliances of the time were unable to cope with the inflow of water. The lot of the collier, however, was quite distinct from that of the organized craftsmen of the burghs, as he lived in a position hardly to be distinguished from serfdom.

The standard rate of wages was very low. In the accounts of William Shaw, his Majesty's Master of works, for the patching up of Holyrood in 1599 it appears that unskilled men got about five shillings a day.

"Item to twa workmen for yair wadges for the 4th and 5th of September, ilk ane of thame V s/ in the

See R.P.C.IV T36.
Act. Parl.IV 121.
Sal. Pap. XIV 330-1
M.S. Accts. of Master of W.
"Item for ane workman his wadges in aught dayis haiffing V s/ in the day, inde...XL s/." The skilled craftsman could demand about double. "Item to ane maison for his wadges the XV and XVI dayis of September and ane man to serve hdam. XXX s/." Other items in the account may serve to indicate the purchasing power of money. "Item for ane tub and ane bucket............XV s/- Item for twa schuills.........................X s/-" "And for drink gewin to ye wrichtis at thair idell houris XXXLIII s/-, ye quhilI I maaid difficiltie to allow quhill ye maister wracht sould let my Lord Threesaurer knaw the causis quhy it is gewin." In 1596, a year, however, of high prices the "Comptar" sold "twae bollis of aitmeil at £6 :13 : 4d the boll, so that the staple food of the people was not particularly cheap, £8 being asked in some places. It may be noted that in Edinburgh this decade, 1590 - 1600, saw firmly established what has ever since been one of its characteristic industries. In 1592 there were working in the city no fewer than seven printers, and a large number of booksellers, driving a large trade in books, both of home production and foreign. These were all dear in comparison with the rates of wages. For instance a small octavo Psalm-book cost four shillings, about a day's
pay for a working man.
THE BURGHS.

From his reference to the "Blue Blanket" and to the merchants as importers of unnecessary wares, it is clear that James in his remarks on the merchants and craftsmen had those of Edinburgh specially in mind. Not only were his relations with them specially intimate, but at that period the capital occupied a position of importance in the affairs of Scotland, which it was soon to lose, and which it has never since regained. On the West Coast of Scotland foreign trade was practically non-existent. Glasgow was even then the great market of the west; but its trade was in fat cows, herring and salmon, cattle-skins, hides, and wool. Its influence among the burghs was negligible. Its crowning glory, "the cathedral kirk" was in a "lamentable estate" and the bridge over the Clyde — the main reason for the town's existence — was ruinous. On the other hand Edinburgh had by far the largest share of the foreign trade. For instance, in 1593 the "customar's" receipts from Edinburgh's exports came to £4,668:2:5d, more than was collected from all the other burghs added together. Edinburgh's position on the stent roll of the royal burghs was almost as conspicuous. When a tax was levied on the burghs, the proportion paid by Edinburgh was about one third of the whole. When the king divided out his tocher among the burghs, of the £90,000
thus invested, Edinburgh took, or rather was forced to take £40,000.

The notables of Edinburgh fully realized this position, and when matters of common interest to all the burghs were being discussed, it was frequently left to Edinburgh to make the best terms possible. The magistrates, for instance, lent money to the King on the basis of a forthcoming taxation of the burghs from which they were allowed to recoup themselves; and it has been seen how in the matter of the Flemish weavers Edinburgh merchants were entrusted with the whole of the negotiations. The City paid all expenses and then collected from each burgh its due share according to its position on the stent roll. When in 1597, the Lords of the “Chequer” were to meet a deputation representing the burghs regarding the proportion of bullion which the merchants were to bring home, only a few Edinburgh officials and merchants appeared.

The internal condition of the burghs must nevertheless have been deplorable. The smaller burghs were mere villages, and though in Edinburgh many of the great houses were really fine buildings some of the lands were actually in ruins. Others were patched up with roofs of planking or were even thatched with straw or heather to the great danger of the surrounding property in case of fire. The bakers and brewers used heather, broom, and whin
for fuel - itself an indication of the state of the surrounding country - and piled great stacks of these combustibles near their places of business.

Ordinary sanitation there was none. Live stock were kept in the town; and it was apparently only on the approach of the Pest, or when a lane or vennel threatened to become absolutely impassable that the city fathers felt moved to do something in the direction of cleaning up the town. One passage near St. Giles, in the very heart of the city, is frequently mentioned in contemporary papers as "The Stinking Style." In addition to the odours arising from heaps of decomposing garbage, there were the effluvia arising from various unsavoury industries which were carried on in the midst of the crowded dwellings. His Majesty and his Lords of Council must have carried on their deliberations among the pungent odours from the tallow-melters' or candlemakers' shops. The butchers did all their slaughtering in the narrow closes in the heart of the town, and are accused of "tooming the filthe of slaughtered goods in such abundance that no passage can be had through the same." This and similar material lay rotting until a heavy rainstorm swept a portion of it away, and the Privy Council alleges that the condition of the streets "cariethe many disgraceful and shameful imputations against the said burgh as being a puddle of filthe and filthie-ness."
In connection with the Burghs, it should be remembered that in Scotland with its primitive feudal organization, many things were left to the burghs which would now be regarded as the work of the central government. The King had no buildings except his palaces and castles, and therefore the seat of Justice and the scene of many royal councils was the Tolbooth, a municipal building. The gallows also was a purely municipal concern; and the very "boots" used as an instrument of torture were the property of the Edinburgh Town Council. King James was not blind to the importance of the burghs, and endeavoured to secure his power over them by forcing the burgesses to accept his nominees as provosts. As recalcitrant burgesses were promptly warded or put to the horn, he was fairly successful in this, and in 1601 Edinburgh, Perth, Montrose, and Dumfries were all being governed by royal nominees.
The Commons in General.

In his survey of his people, James with his characteristic love of logical subdivision, follows the arrangement already used by Chambers and Leslie, the latter of whom he had probably read. However, all the classes mentioned by him in the Basilicon Doron, the Nobles, Clergy, Merchants, and Craftsmen — were powerful either as individuals or as organizations, and he is completely silent concerning the great mass of the people. How did the smaller farmers and their labourers in the country fare? What was the lot of the "unfreemen" in the burghs? This great silent mass has left but little mark on our national records, and yet they must have formed the bulk of the nation.

As far as can be gathered from indications here and there, their condition was miserable. In the country they were completely in the power of the barons. In cases where church lands had passed into the hands of laymen, and this meant at least one third of the kingdom, the Reformation was proving anything but a blessing. The new temporal lords, if Maitland's poems may be trusted, were anything but an improvement on their ecclesiastical predecessors. Rents were up, exactions of service ruinous, and the holders of tacks of the teinds were exasperating and unfair in their demands. The kirk, while it did really heroic work in preserving alive the spirit of liberty, seems only to have fulminated against the
loose living of the lower orders, and "Jock upon Land" Cal. V quoted by Calderwood is more concerned with the conduct of the Kirk Commissioners than with the condition of the real dwellers in the country. The simple peasant in certain parts of the country must have had a most miserable existence. Along the margin of the Highlands, deeds of "oppression" took place accompanied by bloodshed and outrages only worthy of the lowest barbarians. We read of infants torn from their mother's arms and cast into middens, of homeless wanderers seeking shelter in vain, and finally perishing of hunger among the mountains, and of many similar atrocities.

All along the Borders and over a great area of southern Scotland affairs were nearly as bad. The Moss-trooper riding "into England to drive a prey" seems a romantic figure; but unfortunately he did not confine his depredations to the "ancient enemy" or to the lands of his feudal enemies. In 1586 "the thieves of Annandale and Liddiddale committed reiff and spuilzie in all the parts of Lothian, even near to the king's palace of Holyrood House." On other occasions they plundered the greater part of Lanarkshire. On the occasion of Bothwell's raid on Falkland, they extended their depredations into what must have been the virgin soil of Fife, and the track of the raiders can be clearly traced in the records by the complaints of
the plundered people. These marauders were not content with driving off live stock, but stooped to more ignoble booty, and "Jock of the Side" and the "Laird's Jock" about whom have gathered a halo of romance appear somewhat unheroic figures when relieving old women of their household plenishing, or poor pedlars of the packs which constituted their sole means of gaining a livelihood. There is one thing, however, to be said in favour of the Border thieves, and that is that generally they were averse to bloodshed, and there must have been very few cases where violence was offered to women.

Agriculture was in a most backward condition as much of the Lowland area which is now the most fertile was then undrained bog. In many parts of Scotland there can be still seen the attempts at terracing by which crops could be grown on the steep slopes of the hills with natural drainage. For more than one hundred years after this there was no proper system of rotation of crops, so that the arable land speedily became exhausted. In many years grain had to be imported to tide the people over the late summer and early autumn until their own harvest could be gathered in; while a really bad harvest was a national calamity. Such disasters occurred about every five years, though some are outstanding in their terrible results. Such was the "grit dearth" of 1595. "The somer seasonal was sa rainy, that the maist part of the cornes ware
rottin on the grunde before that they was cut doun, and the rest that was cut doun was spilt for fault of dry weather. Thair was also a great decay of the bestial, and manie poor people deit for hungar: and some of better estait had no better conditioun; for they was constraynit to sell the best of thair geir to supply the gredynes of mercats." Calderwood states that the deaths from sheer starvation took place mainly in the north. This veritable famine receives frequent notice in the English State Papers where it is stated to have been specially severe round Dumfries. This dearth, the effects of which were felt on into 1597, & was particularly disastrous as in 1594 there was a "great mortalitie of bestiall." In 1600 was another bad year both for grain and cattle. "A sheaf of oat straw was sold for fourtie shillings in Edinburgh. There was also a great death of little children; six or seven buried in one day. In the midst of this scarcity there are complaints against the collectors of feudal dues and teinds that they, in their anxiety to secure what was due to them, obstructed the proper collection of the crops, compelling the farmers to leave them on the ground until all was wasted. Such a state of affairs explains the constant anxiety of the council to pass acts to check the processes of "forestalling and regrating" which were supposed to press most heavily upon the poor, and the general unpopularity of merchants as a class. (See supra p.81)
It is to the credit of the Reformed Church that almost from the very outset, it endeavoured to do something for the poor tenants and farm labourers, by attempting to modify the "merciless exaction" of the teinds, and in 1564 secured promises to that effect from some of its adherents who held tacks of the teinds. Next year it pointed out the necessity of a general scheme but at a time when the clergy "had not influence enough to keep themselves from starving" their efforts were practically useless. Rents too were generally paid in grain which the tenant was bound to deliver, thus wasting time which might have been put to more profitable uses, and tiring out his over-worked animals.

Besides this, the poor dweller in the country was liable to the daily annoyances caused by the vast numbers of sturdy beggars and "sorriers" who roamed the the kingdom, and who demanded food and shelter with threats. These have been estimated to have numbered about one hundred thousand persons, and this large number seems to have increased with every outbreak of famine. This evil, which was not confined to Scotland alone, gave the government great concern. In 1574 Parliament passed an act against all vagrants between the ages of fourteen and seventy. With the idea of driving all such wanderers back to their native parishes which might be regarded as responsible for their up-keep, indigency was treated as a crime. Scourging and branding on the ear was to be the penalty for a first offence: after a
reasonable time had elapsed during which the offender might make his way to his native parish, a second offence would be punished by death. This act was repeated in 1579 with the addition that any honest and responsible man who took a liking to a beggar's bairn between the ages of five and fourteen, might claim the child as a servant until a boy reached the age of twenty-four and a girl the age of eighteen. This act which gained the hearty approval of Fletcher of Saltoun was amended in 1597, when the period of servitude was made one for life. It is to be noted that these two acts were passed immediately after the country had passed through a period of dearth. The morality of these numerous vagrants gave great concern to the kirk, as can be testified by numerous resolutions in the General Assembly. No one knew where or when they were born, or how they died. Incest and murder were supposed to be common, and they endeavoured to forget their woes in drunken debauchery whenever the opportunity presented itself. The great mass of them had lapsed into sheer heathenism. They had no religion at all, and their infants were never baptised. The church endeavoured to second the efforts of the state by refusing alms to all such as did not conform in religion to a certain extent, but all efforts were in vain, and in spite of the deportations and forced enlistments in the early XVII Century the number of vagabonds actually increased.

The case of the respectable poor the Kirk ident-
ified with its own. In the early days of the Reformation the clergy demanded that "for sustentation of the poor all lands founded to hospitalitie of old be restored agan to the same use." Finding that the bulk of these lands were irrecoverably gone, the Kirk claimed the whole of the teinds which were to be devoted not only to the stipends of the ministers, but to the support of the poor, and the encouragement of education. Ultimately, the kirk received a theoretical third of its true patrimony, but still it endeavoured to do something for the helpless. It raised repeated protests to the King and Parliament, pointing out the scandal of the lands devoted to charity being seized while the aged and impotent were allowed to die of cold and hunger in the streets. It also contributed to their support in money. Nearly every church contained a poor-box. Fines levied by the Session on those guilty of offences against church discipline were often given to the poor; and when seat rents were instituted the money so raised was at least partly devoted to the same purpose.

The Town Councils also intervened in particular cases though there was a feeling that the work in general belonged to the church. Thus when in Edinburgh a certain man created a scandal by appearing absolutely naked in St. Giles's Church, the Edinburgh Town Council bought for him a suit of clothes, with the economical proviso that they must be made of a stark material. For another unfortunate they procured a musical instrument so that
he might be able to do something to earn a living. Other burghs also interested themselves in individual cases, were it only by giving them licence to beg, while certain of the smaller religious houses that had escaped the general spoliation were converted into hospitals for the aged and infirm. James, himself, made a grant to the poor of the income to be derived from a capital of £1000 in memory of his escape from the Gowrie Conspiracy; and in 1603 he granted the contents of the assay box at the mint "for relief and support of the distressed and indigent personis within the burgh of Edinburgh." This piece of royal generosity cost him little as the assay-pieces were not his own property but formed part of the perquisites of the master of the "cunzie-house."

The acknowledged cause of the failure of all the acts for the punishment of strong and idle vagabonds was the total absence of any police system in the country; but in 1600, the Government determined to bring pressure to bear on the Kirk Sessions, and passed an act making the Presbyteries responsible for the conduct of the Kirk Sessions, and the latter liable to a fine of twenty pounds in cases of reported negligence. As for the poor, they are given twenty days in which to betake themselves to their native parishes, after which they will incur the penalties prescribed in previous acts.
Various documents are extant which show us how the people commonly fared. The rations for the King's household are minutely laid down, but more instructive are the regulations drawn up in 1602 for the common table of Glasgow University. "Meat Days" and "Fish Days" - the latter being often three times in the week - were to be rigorously observed. Three meals a day were served: "disjoyne," denner, "and supper. For their breakfast, the five masters had the distinction of a pound of white bread in a "sowpe" with the remains of the beef or mutton from the previous day. For drink they had a pint (Scots) of ale among them them. For dinner and supper they were to have white bread, a "choppin" of superior ale each, a dish of brose and another of kale. Then came boiled beef or mutton, followed by the "second roast" consisting of poultry, rabbit or chicken, according to the season. The fare of the bursars would naturally approximate more to that of the ordinary people, the white bread on the masters' table being a mark of social distinction. The bursars' breakfast consisted solely of an oat-loaf "in a sowpe". For dinner and supper, they had two oat loaves between four. (The size of the loaves or cakes is specified - eight score to the boll) They had also a quart of ale, quality not specified, a dish of kale or brose, and a piece of beef. On "Fish-days" they had merely oat-cake and ale for breakfast, while at dinner and supper eggs and fish were substituted for the piece of beef.
PART II.

Thesis by W. Falconer for the Degree of Ph.D.
Degree conferred, 26th March, 1925.
JAMES as FINANCIER.

In the Basilicon Doron, comparatively little is said on the important subject of finance, not because he had no difficulties in that department, but probably because it was there that he candidly owned himself wanting. Moreover the book is obviously written for the benefit of a future king of England. Should the union not take place, the prognostications of James are gloomy enough. "I know," he says, "if ye enjoy not this whole ile, according to God's right and your lineall descent, ye will never get leave to brook this North or barrenest part thereof; no, not your own head, whereon the crown should stand."

After the union several things will automatically right themselves and poverty is among them. The South was ever to James the "Promised Land." His poverty in Scotland was so great as to evoke the sympathy of writers so uniformly hostile as James Melville, and the author of the Historie of James Sext; while his alleged shifts to procure suitable raiment for state occasions has provoked the amusement of so confirmed a royalist as Sir Walter Scott.

This constant lack of money and the constantly increasing burden of debt in all probability are the hidden causes of many of the troubles of the reign.

During the long minority in which the King as he himself expresses it, was "cowpit from hand
to hand, from neydie to neydie, from greydie to greydie" the royal patrimony had been shamefully wasted. James, as a mere child ever in terror for his very life, is in no way responsible for this. The ordinary revenue of the crown was divided into two branches managed respectively by the Comptroller and the Treasurer. The first of these officers looked after the "property" consisting mainly of the rents of lands actually in the possession of the king, the "mails" of royal burghs, and the proceeds from the customs duties levied on exports, and latterly on imports also. Out of this he had to maintain the royal household and pay the fees and pensions of the greater part of the officials and servants. The Treasurer had charge of the "casualty" or more variable income, consisting of the feudal dues payable from time to time by the king's vassals, compositions payable on royal charters, fines, compositions for escheats, and the product of any special taxes or grants. He was responsible mainly for the clothing of the royal household, upkeep of horses and hounds, the fees of certain officials and of all royal messengers. Neither of these two officers seems to have been able at any time in the reign to make this accounts balance, and the Treasurer in particular, whose income came from more variable sources, was frequently faced with a very large deficit indeed.
For instance, William, Earl of Gowrie, took over the treasurership in 1581 with Sir Robert Melville of Murdocaimy acting as his treasurer-depute and in 1582 the king is acknowledged to be in his debt to the extent of £45, 376:10:5. In order to put some check to what was deemed mis-management the Council held a meeting on 30th November, 1582 at which they proceed to put the King's house in order. They drew up a scheme which is specially interesting as it gives one the entire arrangement of his Majesty's household, and also forms the basis of the more elaborate scheme drawn up shortly after the King's marriage. It begins as follows:-

"The advise of us of your maiesteis counsale and utheris underscribed anent the estait, order, and provision of his Hienes houes.....

At halyruishous the last day of Novenber 1582......

---o---

Forasmeikle as upon your Maiesteis knowledge and experience had of sundry disorderis and abuis enterit in your hous and in the collectiou and distributioun of his rentis, proceeding on the occasioun that thair wes never yet unto this tyme ane estait and sowme of your hienes hous and expensis maid and put in executiou like to any of your forebearis, your Maiestie ordanit us to mak the soume of your hienes houshald and stabill havand respect to the order of the hous of his hienes guid sire,
King James the fift of worthie memorie and to the
possibilitie of his Maiestie present rentis, and also
to make the forme of an assignatioun how your hienes
hous in all expensis and the feallis of your ordinar
and neidfull officiaris and servardis as well of the
estait as household may be paite of their feis in tyme
comyng. Beginnand this instand moneth of November,
1582, and terme of Martymes last bypast, and to espy
sic abuisis and corruptiounis as hes bene in your said
hous in tyme bygane; and to mak overtures how the same
sallbe remedit in tyme cuming, and how the superex-
pensiis of your Hienes officiaris sallbe payit and to
reportoure faithfull and upright counsale to your
Maistie in write subscribed with our handis as we
wald answer to god and your maistie with all goodlie
diligence, quhilk your hienes intendeit to follow,
god willing, in tyme cuming.

We for obedience to your hienes ordinance ac-
cording to our bound dewtie aucth to your Maiestie,
and for your honour and weillfair and commonweill of
the realme, hes maid the forme and estait of his hie-
nes houshald and stabill and utherways anserit the
points of the said ordinance (sa far as the tyme wald
fit permit) upon the particular examinatioun of every-
thing contenit thairdn, and respect had to the estait
of the hous of your hienes guidaire and possibilitie
of your hienes present rentis, as follows:—

First we think that your Maiestie may be servit
in your houqhald with the officiariis and servandis
following, remitting the nominatioun and chois of the
personis to your hienes selff being in number_____

Twa masteris of houqhald.
Twa sewaris.
Twa copparis.
Twa carveris.
Twa maisteris of the stabill.
The maister ischeair.
Ane maister of the garderobbe.
Ane vallet in the garderobbe.
Ane taillyecour in the garderobbe.
The clerk of the expensis.
The maister of the wyne sellar.
Ane ayd horsman.
Ane ayd futeman.
The maister of the pantrie.
Ane ayd horsman.
Ane ayd futeman.
The maister of the aill sellar.
Ane ayd horsman.
Ane ayd futeman.
The maister cuke in his Maisteis kitchen.
The foirm an thair.
The porter and watterman thair.
The maister cuke in the court kitchen.
Twa aids in the court kitchen.
The porter and watterman in the court kitchen.
Poure turnebroches in baith the kitchens.
The writtair of the compts.
The baxter and patissier.
His ayd.
The kepar of the great lardner.
His ayd.
The kepar of the petit lardner.
The cator.
The pultrieman.
The maister of the spice-hous.
His ayd.
The kepar of the silver veschell.
His ayd.
The kepar of the tyn veschell.
His ayd. (conditionallie that he caus
The coilman. (the yetis of his Maiteis
The Maister poiittair. (utterclois to be sa at-
Three ayds to him. (tendit on as na beggaris
Twa ischeairis of his (nor vagabondis be permit-
bienes inner chalmer  ted to enter thair.
dure.
Twa .....................
...utter chalmer dure.
Four gentlemen in his hienes chalmer.
Four valettis in his hienes chalmer.
Twa dichtaris of his hienes chalmer and makaris of the fyre thairin.
The maister almonssar.
Twa ministeris to attend quarterlie.
Ane reider to be teichar of the paigis.
The medicinar.
The barber.
The armorair.
The isheare before.........
Four violeris.
Ane servand to thaim.
Ane musician.
Sæx paigis.
Ane servand to thaim.
Twa grumes in the houshald hall.
Twa copparis in the houshald hall.
Twa men for dichting of the clossis, hallis, and passagis.
The maister of requestis.
The thesaureir clerk.
The comptrollair clerk.
The clerk of the counsell.
The secretairis députe,rie.
The masar of the counsell.
The kepar of the tapestrie.
His ayd.
Ane sumptterman.
Ane lavendair for his Maiesteis person.
Ane court lavendair.
Averiman.
..........lacqueys.
..........of quhome the (........)? is ane.
..........of the cariage."

Having thus arranged the personel of the roya
al household, the Ruthven Raiders proceeded to put
them all on strict rations. "Of these per-
sions we think thair sould be sa mony daylie re-
sident as is heirafter speciallie expressit and dividit at tables, having estimated the furnissing of every table, and in common to the haill, cer-
tane particular quantities of provisions at cer-
tane prices, etc.." The whole household having been assigned to certain tables, the money value of the food for each table was then fixed, so that extravagance at one period of the year would have to be compensated for by abstinence during the remainder. In the latter part of the document it is pointed out from which portions of the royal domains suitable supplies may be obtained, so that the king might live as much as possible "of his own." That this rigid economy was having some effect is shown in the fact that during the remaining seven months of the "Raiders'" period of authority, the debt owing to the treasurer increased only to the extent of about £3000, and when Cowrie was executed the King was indebted to him to the extent of £48, 063 : 4 : 8.

During the remainder of the minority of James, all the various parties who had influence over the young king seem to have endeavoured to make the most of their opportunities. Thus when Arran passed into private life, he took with him most of the crown jewels, though, on January 10th, 1585-6 James recovered from him the famous "H" jewel, through the instrumentality of Sir William Stewart. Lands, escheats, remissions, and fines were freely granted to any favourite who cared to ask for them, and this amiable, though unbusinesslike trait in the King's character is usually blamed for much of
his poverty. Sir James Melville of Halhill gave in a written memorial to James the following reason for his master's chronic impecuniosity. "Also, your Majesty, of a noble and princely nature, disponit liberally unto divers greedy and importun persones, during your minority, divers landis and rentis, quhilkis wald have stand in gret sted to the entretainment of your house; and aye heapit gift upon gift till a sort of greedy cravers and that be the persuasions of such as had your ear, and not to the best deservers." This is the excuse invariably made, and it is interesting to set alongside this testimony some remarks by James himself on the same subject. A more complete contrast with his own conduct both before and after the time of writing would be hard to imagine:

"Use trew liberalitie in rewarding the good, and bestowing frankly for your honour and weal: but with that proportional discretion that every man may be served according to his measure, wherein respect must be had to his ranke, deserts, and necessitie: and provide how to have, and not cast away without cause. In special impair not by your liberalitie the ordinarie rentes of your crowne; whereby the estate royal of you and your successors must be maintained, 'ne exhaurias fontem liberalitatis': for that shoule be ever kept 'sacrosanctum et extra commercium'. Otherways
your Liberalitie would decline to Prodigalitie, in helping others with your and your successors' hurt. And above all enrich not yourself with exactions upon your subjects: but think the riches of your people your best treasure, by the sinnes of offenders where no prevention can avail, making justly your commodity. And in case necessitie of wars, or other extraordinaries, compel you to life subsidies, doe it as rarely as ye can, employing it only for the use it was ordained for, and using yourself in that case only as 'fidus depositarius' for your people."

It might be thought that, when James had penned such remarks as these, taught by his dearly bought experience, he had at length learned the error of his ways. Yet even after his accession to the English throne there was no limit to his prodigality. One of the acts which gave great offence to his new subjects was the manner in which he gave away at one sweep the whole accumulated wardrobe of Queen Elizabeth. Not only was this of great intrinsic value, but it had immense historical interest as it included the robes of many of the previous English kings. This was all handed over to the Earl of Dunbar who sold it in the Low Countries for £100,000. The extent of this collection may be gauged by the fact that the inventory in
the M.S.S. of the Earl of Ashburn occupies an imperial folio of over one hundred pages. At times James seems to have felt some qualms of conscience and in his speech before the English Parliament in 1607 he made an apology for his excessive liberality, and promised ample amends in the future. "My first three years were to me as Christmas. I could not then be miserable. Should I have been oversparing to them they might have thought Joseph had forgotten his brethren, or that the king had been drunk with his new kingdom. .... Now for my lands and revenues of my crown which you may think I have diminished, they are not so far diminished but that I think no prince of Christendom hath fairer possessions to his crown than yet I have." In this respect he was absolutely incorrigible.

During these early years James had also contracted the bad habit of borrowing to meet emergencies, sometimes from the goldsmiths, sometimes from wealthy merchants, and sometimes from the bailies of Edinburgh, usually pledging some of his jewels as security. He had embarked on this course as early as 1585, for in the treasurer's accounts for June 1590, we have the entry:

"Item be his Wienes precept to Thomas Foulis, Goldsmith, for certain New Year Gifts furneist .... in the month of January, 1585 year, when his
Matie wes in Innerleyth for quhilk he also had ane great table diamond; in pledge quhilk wes delyverit to his Hienes self at Leith at his Matie's passing to Denmark."

Foulis had evidently already taken the position of chief money-lender to the king, which he and his partner Robert Jowsie were to hold for the next ten years, for in the same accounts there are further items of jewels being redeemed from Foulis for cash, while he had already handed over others on promise of future payment. The Burgh of Edinburgh by way of a wedding gift to the king also returned to him a jewel which had been given as security, so the king was in debt in this quarter also.

January, 1587, saw the king's finances in a deplorable condition, for which he himself was largely blamed. Besides his own carelessness and prodigality in money matters there was also the general slackness in all departments of the kingdom. In the previous year it had been necessary to put certain of the sheriffs and stewards to the horn for non-payment of the royal dues and rents. Acts of revocation had been passed to try to recover some of the alienated patrimony of the crown but to very little effect. Finally on 26th January 1587 the financial officials got the Privy Council to issue an order that the reckless signing of
deeds of gift must cease, and that all infeftments, tacks, and gifts must be read and passed by the treasurer, comptroller, and collector before they are signed or sealed. This is followed up by an order that no escheats are to be granted away and "the treasurer is discharged from passing the said escheats, even though the gifts thereof should be signed by his Highness." Another ominous entry, appearing not for the last time in the reign, is an order dealing with the refusal of the merchants to supply the King with wine, and arresting all wines imported into the kingdom until the king's "symlier" had been satisfied. Payment for the wines so confiscated was to be had from the tacksmen of the customs. This method of payment is characteristic of the king's finance. When unable to pay cash, he would offer an order on "the first and readiest" of some future source of income, the customs, the mint, or the annuity from England, with the result that when he did receive the money of which he stood in such need, the greater portion of it had been absorbed by prior claims. Thus in May of that year, the Corporation of Edinburgh come to the rescue with a loan of £2000, which they were to deduct from the next taxation of the burghs. Sir Anthony Welldon notes in his character of James I, that a similar weakness betrayed itself in his English government. There, to get
money on the spot he would allow "farmers" of taxes, and similar people, to bribe him personally to grant them easier terms than they could get from the responsible officials. James, getting the money paid into his own hand, imagined that he was doing a good stroke of business whereas in effect he was cheating himself.

In August, 1587, the treasurer began the "Exoneration" in his annual statement with the following serious entry:

"In the first, the Comptair aucht to be dis-chargit and defaisit of the sowme of fourtie nyn thousand, sevin hundreth foir scoir eleven poundis ten schillingis fyve pennies qbolo, debursit and restand awand to him in the last compt maid, futtit, and endit at Ed\m the fyftene day of Au-gust the year of God 11\m 70 four scoir sevin yeare is, etc..." In September 1588 his debt stands at "fyftie thousand fyve hundreth three scoir aucht poundis foittene schillingis three pennies, obole."

In the same year the comptroller showed a deficit of £8749; and in his accounts there are four items which show that the King was still alienating lands in return for ready cash.

During these early months of the King's real personal government, his character was being subjected to close scrutiny from the Eng-
lish agents, and on no subject do they dwell so much as on his poverty. William Asheby writing to Walsingham on 30th November, 1588, states, "Certainly both the King and the Kirk here are in most miserable state, neither of them able to maintain their households, which must bring ruin to the whole state." Another letter a fortnight later tells how "He gives all from himself, and raises great taxations of his poor people which brings him in great contempt." Elizabeth at the moment was doing little to assist him financially, which moved the Master of Gray to write "I am sorry to know from Scotland that the King, our master, has of all the gooldin mountaines offerit receavit a fidler's wages" and to hint that James might drive a better bargain elsewhere. Still Walsingham must have felt that the parsimony of his mistress was in some degree justified on receiving the following from Fowler discussing the character of James.

"He is a virtuous prince, void of vice, and can see into and speak of all matters of government as well as any elder the wyssest here: but for execution of any good order profitable to himselfe or country there is no care had.

He geves to everyone that axes what they desyer, even to vayne youths and proud foie, the very landed of his crowne, or whatever fawles, leaving himselfe not to maintayn his smawle inkinglyke howshold. Ye, what he gets from England, if it were a million, they
would get it from him, so careless is he of any wealth, if he may enjoy his pleasure in hunting, the wether serving, or playing at the mawe, at which all he wins is for his more hurt. He is careless of his apparel, without pryde; and misses not the sermondes iii dayes in the weke; and sits for all this often in counsell; and assuredly doth detest the manors and natur of this his own people generally, save some that he lykes, and they that would fayne have part themselves, urges him to seke meanes to get muche from England, and to reyse taxes upon his own people: in truthe they have left him nothing of his owne."

In another letter Fowler writes: "He is not able to live like a king. He borrows often of his towns, and never pays. He takes the taxes every year for 3 or 4 years past, and hath answered that this now collected shall be the last. The whole is but .......... sterling, a hundred thousand pounds Scots. He hath neither plate nor stuffe to furnish one of his little half-built houses which are in great decay and ruin. His plate is not worth £100. He has but two or three rich jewels and his guards are unpaid. His saddles are of plain cloth. He has six or seven dishes of meat, but eats but of two, no bread but of oats, and cares not what apparel he wears." A week or two later, when James was thinking of seeking a wife, Fowler wrote in dismay, "I see not how a queen can be here maintained, for there is not enough here to maintain the king."
Fowler was inclined to ascribe this state of affairs to mere indifference on the part of the king: "I see that if he have maintenance for his house and pastime, he cares for little more; and that he may have of his own, if good order were taken."

In connection with the fondness of James for "the mawe" it may be noted that in the Basilicon Doron, he devotes a complete folio page to a spirited defence of games of chance, and particularly of cards. If cards and dice are to become a means of wasting money and time, he would side with the severer moralists and forbid them entirely; "but only I cannot condemn you at some times, Bas. Dor. when ye have no other thing ado (as a good king will be seldom) and are weary of reading, or evil disposed in your person, and when it is foul and stormy weather, then, I say, may ye lawfulllie play at the cardes or tables . . . . But in your playing, I would have you to keepe three rules; first, or ye play, consider ye doe it onely for your recreation, and resolve to hazard the losse of all that ye play: and next, for that cause play no more then he care to cast among pages: and last, play alwaies fair play precisely, etc." On the whole, circumstances forced James to observe that moderation in play which he enjoins upon his son, and though Fowler seems to hint that he was fairly successful, spells of bad luck can be traced from time to time in the treasurer's accounts when the impecunious monarch is com-
pelled to apply for small sums for cards. The winter of 1587 seems to have been a rather unlucky one for James, for in November he receives an allowance, which he apparently loses, and in December is compelled to make two further applications for money. Still, no one has ever ventured to suggest losses at play as a cause for the poverty of James.

The report concerning the ruinous condition of the royal dwellings was amply justified. Finis Moryson Hume Brown, in 1598 describes Falkland as being "in a ruinous condition and ready to fall." Linlithgow was in as bad a condition, and in 1607, after repeated warnings had been given to the government, a whole wing of the palace actually did collapse. Holyrood was also in a bad state of repair, and before it could be considered suitable for the residence of the new queen, £1000 had to be spent in patching it up, the sum being advanced by the city of Edinburgh on condition that they would "noch be burdynamit with any forder charges and expansis" in connection with the marriage.

The Act of Annexation.

The most glaring instance of the mismanagement of wealth in the whole reign arises out of the Act of Annexation of 1587, which afterwards so roused the wrath of James. Concerning the passage of this act a long tale of intrigue is told by the author of the Historie of James Sext, who declares that Maitland, the Chancellor, was the evil genius who deliberately mis-directed
all for his own gain. According to this writer the originators of this scheme were the ministers themselves. The Regular Clergy in Scotland had passed away with the abolition of the authority of the Pope, and their wide possessions had passed into the hands of laymen, either by direct erection into temporal lordships, or else by being held "in commendam" in which case the holders were regarded as the successors of the original ecclesiastics. The survivors of the Secular Clergy were still many of them alive, living upon two-thirds of their original benefices. There were still bishops in possession of Kirk lands, but they performed no ecclesiastical duties, "but levit at their pleasure." The "said bishoprics and prelacies had temporal lands annext unto them whereby either of them are called lords."

For these reasons the ministers preached much against them, and besides they thought that their own stipends were too small and irregularly paid. They had good cause to do so, "or Sir James Melville, who was no special friend of the church, in his memorial of advice to James, insisted on the necessity of a contented clergy. Stipends should not be "sa small as till mak them sa indigent as till cry out in all their preachingis of their poverty; in sic sort as they may have na occasion yearlie to leave their flok, to com and mak suit for their living with gret pain and expensis as they do presently."
This poverty of the clergy was, as has been seen, a weapon in the hands of the king. Thus in 1595, he tried to gain their support by dangling before them the promise of "the Constant Platt," and in 1597 when he had succeeded in securing the appointment of ecclesiastical commissioners after his own heart, he declared that a large part of their duty would be to see "a solide order tane anent a constant and perpetuall provision for the sustentation of the whole ministry within this realme, to the end that they be not (as in tyme bygane) to depend and wait upon the commissioner appointed for modifeing of their stipends, and so be forced to absent themselves the most part of the yeare from their flocke, to the great disgrace of their calling, dishanting of their congregations, and discontentment of his Majestie, etc".

By making in this way an effort to secure for the clergy "a sufficient provision for their sustentation" James was hoping to be regarded as "a loving nourish-father to the Church."

The clergy, being thus miserably poor, (In the following year they complain that many of them are "themselves beggerit and their families hungerit") are alleged to have striven to put into the head of the King that these temporal lands should really belong to him. This view, that the crown is the original and rightful possessor of the church lands is set forth in the Preamble to the Act of Annexation.
The plans of the ministers were entrusted to Maitland who was to persuade the king that the feus of the temporalities might be added to their stipends. By this means the ministers would gain two points: increased stipends for themselves, and the disappearance from bishops, especially from Parliament, for it was the prevailing opinion at the time that the bishops sat in Parliament as land-holders. James, however, in the Basilicon Doron, took the view that the bishops were there to represent the church as one of the three estates. He shows his successor that by repealing the Act of Annexation, he "shall also re-establish the olde institution of three estates in Parliament, which cannot otherwise be done," and this view was strongly insisted on in 1616, when episcopacy was revived. The wily Chancellor proposed to the King that the "temporalities" of the church should be annexed to the crown, then in direst poverty. "And he considerit weel that offers wald be made by every possessor wha wald bestow large money to have the gift to himself heretablacie, and that the king was frank in granting lands as he micht be persuaded, and thereby he thocht to make a gain of part of the offers made: and so it fell out indeed." He persuaded the holders to give way to his plans and the whole thing was carried out before the ministers had any idea that anything was being done. "Now the prelates, find-
ing their lands and rents apparently to be reft from them, came forward every man with his complaint and his offer of a sum of money to be made the heretableView to-be possessed and a temporal lord." If these lands had really been annexed to the crown, as the Chancellor had at first stated, then the crown would have been greatly enriched for all time coming; or even if the money received for the compositions had been invested it would have been almost as good. "The only profit and commodity that was obtainit, the prelates got it, for whereas before they were called men of benefices, now they be called temporal lords like to the rest of the common sort." This is the gist of the longest and clearest, though obviously very biassed, contemporary account of this important transaction, which has been treated exhaustively by Professor Masson in his Introduction to No. I of the New Series of the Register of the Privy Council.

As can be seen there were two cross currents at work. One party desired the passing of the act that "the kirk might be no more troubled with bishops" as the withdrawal of the temporalities would render valueless offices which otherwise offered no attraction, but rather incurred odium. The banished lords who had returned from England are said to have had this in view and to have considered that in assisting the passage of the act, they were
conferring a great favour on the church. The other party emphasized the great benefits that would accrue to the crown upon the bettering of its patrimony, and that the king would have means to "bear forth the honour of his estate and not burden his subjects with taxation." The king who was by no means hostile to the bishops was led to believe that if the act were passed there would be sufficient left for them to support the dignity of their position. In the Act the palaces and houses of the archbishops and bishops were expressly excepted from annexation, which shows that the framers of the act were by no means sure that it would produce the ultimate disappearance of that order. "Yet it was not long ere the king found himself abused, the temporalities which were formerly disposed being all in the same parliament confirmed, and those that remained, in a short time begged from him and given to the followers of the court." Accordingly both parties for whose ostensible benefit the act had been passed, soon found themselves disappointed and began to wish for its repeal. The king realized when it was too late that he had practically destroyed episcopacy without doing any good to himself: as Lindsay put it in his Constant Platt, "the prelacies were in effect before dissolved dissolved, the whole temporalities therof being annexed to the crowne." The ministers, on the other
hand, had been hoping that the act would lead to the
virtual disappearance of bishops, and to an improve-
ment in their financial position. The act did secure
the former, but the financial effect was to put the
"temporalities" for ever beyond their reach, and to
leave "the livings of the said ministers uncertainly
to be sought from yeere to yeere at his Hienesse'
exchequer, out of the thirds, with infinite processe
in law, by reasoun of the manifold dispositions of
the thirds to other laick persons." Accordingly in
less than a year the Presbyteries were moving for its
repeal, and in 1591, the General Assembly petitioned
the King for the removal of a number of abuses, among
them for the repeal of the Act of Annexation, and for
the forbidding of new erections of "lordships" out
of the kirk lands. Nothing came of this, but the
Kirk returned to the attack in the following year,
when the General Assembly held on 23rd. May, 1592,
sent in a four-fold petition as follows:

(I) That the Acts of 1584 should be annulled.
(2) That the Act of Annexation should be abolish-
ed and the patrimony of the Kirk restored.
(3) That abbots, priors, and other prelates
should not be allowed to sit in Parliament
as representatives of the spiritual estate.
(4) That the country should be purged of Idolatry.

Although circumstances compelled Maitland for that
time to strive to make friends with the Kirk, the
first of their requests was all that could be granted. The others were either too difficult or involved the expenditure of money.

The Act of Annexation and the subsequent attempts at revocation which James foreshadows in his book have not had quite the attention paid to them that they deserve from their effects on Scottish History. The contemporary accounts of the act are also meagre or biased. The Historie of James Sext clearly expatiates on the act mainly to expose the weakness of the King, and the alleged cupidity and corruption of Maitland. Spotswood is interested in it merely as it affected the bishops, and Calderwood as it affected the ministers. A very brief account of the act itself seems therefore called for.

At the time of the Reformation about one fourth of the total lands of Scotland were in the possession of the church. These lands were the "temporalities". Besides the income from these, the clergy drew their "spiritualities", the teinds, large and small, not to mention casual offerings and dues which in some parishes formed a large part of the income, and of which the Protestant clergy were deprived. The Temporalities and Spiritualities taken together brought in so much income that when a tax was levied by the Scottish Estates, it was thought fair that the proportion paid by the clergy should be one half the total amount. This shows
that the property affected by the various acts of Annexation and Revocation must have been extremely large, and must have caused corresponding anxiety and unrest among a very influential section of the community. During Pre-Reformation times, the patronage of the greater prelacies had belonged to the crown, and accordingly at the Reformation the arrangement had been come to, that the holders at the time were to retain possession of two thirds of the property which at their deaths was to revert to the crown which was regarded as the original owner. From the very outset of the Reformation these lands passed rapidly into the possession of members of the aristocracy, usually by the legal fiction of "commendatorships". The laymen took ecclesiastical titles and offices, and appropriated the emoluments. Thus we have throughout the whole period, laymen masquerading as the Parson of Menmuir, or the Prior of Pittenweem or Coldingham. These posts, however, being ostensibly ecclesiastical, were only life-rents: and from the financial point of view, less valuable than heritable property; though even these commendatorships showed a tendency to become hereditary. The great aim, then, of every commendator was to have the church estate which he was holding "in commendam" converted or "erected" into a temporal lordship. By 1587 the great bulk of the church lands had been
thus alienated. A new king between the ages of twenty-one and twenty-five years was held to have the right of issuing an act of revocation by which he had the privilege of recalling all portions of his patrimony which had been granted away during his minority. Such a privilege might lead at times to hardship and even to injustice, but in an age when the king was supposed to "live of his own" and not to trouble the lieges unduly with taxation it was necessary. Accordingly, acting on the theory that all church lands were originally and rightfully crown lands, the Act of Annexation was passed in 1587 recalling all grants of such lands.

Had James been able to regain and to retain even a large proportion of these lands, his financial position would have been stronger by far than that of any other previous ruler of Scotland; but the very men whom he was asking to pass the Act of Annexation were most of them the intended victims of the act. Accordingly in order to secure its peaceful passage, there had to be made such a list of exceptions that, at first, it seems that the act would simply be rendered null by them. The main class of lands exempted from the scope of the act consisted of all kirk lands which had already been erected into temporal lordships. The other exceptions occur in a somewhat confused order, as if they had been inserted just as they had been suggested to the framers of the
act working in rather a hurry, and were intended to conciliate powerful personages and so facilitate the passage of the act. Still, the amount of property affected must have been considerable, and great was the stir among its possessors. There was the struggle of the commendators to retain their lands, and then, to prevent further trouble of this kind in future, to have them converted into temporal estates.

Other courtiers joined in the scramble for new commendatorships, and patronages which might bring in money indirectly. The general effect of this on the Kirk is thus described by Lindsay. "The rents and patrimony which pertained of old to the kirk is greatly damnified and exhausted, by annexation of the whole temporalitie thereof to his Hienesse' crowne, and by erection of a great part of the said temporal lands ....into new temporal lordships, ....and by the pretended rights of so many pensiouns, lyferents, assignations, and other dispositiouns of the said tithes etc..." Accordingly this act seems to have done the king very little good financially. Yet one good effect of the existence of commendatorships may be noted. Over them, the king has now a powerful hold. As a reward, he can convert the holding "in commendam into a temporal lordship, and that important process went on all through the reign, somewhat slowly at first, but more rapidly after 1603. In 1602 John Colville drew up for Cecil's guidance a detailed
list of the Scottish barons, which he concludes as
follows: "Of new erected Barons or Lordes, be verteu
of dissolution of Benefices and Annexation tharofo
to the Croun, be about IO, viz.:-
The Abbacy of Arbroth, erected in a temporall lordship
to the Marquisesse of Kinneil.
The Priory of Pluscardy, nou callit the Lordship
of Orchart, to the First President.
The Abbacy of Dear, to Mr.Ro. Keith.
The Abbacy of Neubottill, to Mr. Marc Ker.
The Abbacy of Kinloss, to Mr. Eduard Bruce.
The Abbaceis of Drybrugh and Cambuskynneth, to the
Erll of Mar.
The Abbacy of Paslay, to the Lord Claud Hammilton.
The Abbacy of Culross, to Jo. Colville of Kinneddee.
The Priorat of Elcho, to the Lord of Vemess.
The Abbacy of Lendors, to Leslie, cadet of the Erll
of Rothes.
Thus when Charles I came to the throne, of the thirty
abbeyes of Scotland, twenty-one had been erected into
temporal lordships, six others, mostly of minor im-
portance, had been annexed to endow bishoprics on
the re-establishment of episcopacy under the part-
ial revocation of 1606, only two were held by com-
mandators, and only Dunfermline, shorn of one large
lordship and two baronies, was retained by the
crown.
Owing to the lay commendators regarding themselves as entitled to all the privileges of their ecclesiastic predecessors, the Clergy, as an estate, never quite disappeared from the Scottish Parliaments. For instance, in the Parliament held at Linlithgow, in December, 1585 there were present one archbishop, two bishops, and eight other titular ecclesiastics, mainly laymen. In the Parliament of 1587, there were two archbishops, three bishops, and thirteen commendators. In the Conventions of 1590 and 1591, the clergy as such disappear, though in the first case there is an innovation in the shape of the presence of three ministers. In the Parliament of 1592 which was to be marked by the establishment of Presbyterianism, there were present two bishops and six others. In 1593, there were three, and in 1594 there were three. The continuance of these people in Parliament nominally representing the church was noted by the clergy as one of the corruptions which were bringing a curse upon the country. "In Parliaments, sacrilegious persons, as Abbots, Pryors, Dum Bischopes B.U.K. 436 voting in name of the Kirk, contrare to the lawes of the country, whereby the cause of the Kirk is damned" In 1597 there was passed a law that Bishoprics as they fall vacant are to be given to actual ministers and preachers, but with too shadowy powers to be of much use. It was now that James was determined to annul the Act of Annexation sooner
or later. In 1600 there are still only two bishops but after 1606 there are present six bishops, and in 1612 nine, while the number of lay commendators has shrunk to two or three at most. The determination of James to repeal this act was purely in the interests of his church settlement, and his anger against it in 1598, shows that by that time the bulk of the annexed lands had passed beyond his control.

An examination of the Exchequer Rolls and the M.S. Treasurer's Accounts for the first two years of the King's personal government indicates that apart from the King's wholesale squandering of the sources of his income upon a "sort of greedy cravers" he was not guilty of any great personal extravagance. As Fowler's letters would lead one to expect, little was spent on dress, a fair amount on sport, on the upkeep of his Majesty's horses, hares and hound hounds, and his hawks. Besides the ceremonial gifts of blue gowns and purses of silver to the poor through the agency of Mr. Peter Young, the Elimosinar, he disbursed quite a creditable amount in casual charity - £466 : 13 : 4d. in 1589. To certain shipwrecked strangers he grants twenty crowns of the sun, and is heard of as making a grant out of his own poverty to two banished men who are destitute. He was also expected to give away fair sums as gratuities: £40 to the "sportar" of the Earl of Huntly, and various sums as "drink-silver" to servants and others who
brought him gifts of hawks. There is also an item which shows James in rather a pleasing light:

"Item to John Naysmith, chirurgien, be his hienes comand to by ane winding-scheit to a souldart that wes schot in the trinsches at Lochmaben, xls"

By August, 1589, however, the accounts begin to tell a different tale, as his Majesty is now becoming occupied with his intended marriage, and is making all the preparations he can for the becoming reception of his bride. No more shall it be said that his saddles are merely of plain cloth! He is having prepared two footmantles, one of purple and the other of "black velvet doubill-pyld," and saddles of velvet, trimmed with "40 elnes of braid passmenterie of silver, weand twa pund, thirteen unce and ane quarter at £5 the elne." He is also having three belts made of broad silver passmenterie, and one of gold "weand ane pund, vii unce and ane half; price of the unce £5." Having seen his steeds suitably caparisoned, in September, he turns his attention to those of "his hienes darrest bedfellow, the Quene, agane the tyme of her arryvell" whose saddles are adorned with "fortyeight elnes of braid passmenterie of gold and forty-eight elnes of braid passmenterie of silver." In the meantime, the pages and lackeys are all equipped with new clothing, the bridle-bits are regilded or plated at a cost of £15, artillery and ammunition are transported to
Leith from Stirling and Tantallon, and there is much running about of royal messengers with proclamations urging all the lieges to keep the peace and to abstain from disorderly conventions while the strangers are in the country, lest Scotland should be dishonoured in their eyes. In October, there is further purchasing of clothing for the household; and the King, possibly judging others by himself, is importing "great horses" from Flanders. Meanwhile Foulis and Jowisie, who managed the King's London business were at that city buying "abulziements and ornaments for the wedding." These preparations did not much impress the English onlookers who simply report, "He is repairing and augmenting his house in Edinburgh; but other provision there is none: all spoiled and decayed."

There is a lull in the extraordinary expenditure during the absence of James in Denmark, during which he had discussions with Maitland who reported to Bowes that "his Majesty had not only promised but solemnly vowed a frugalitie in his returning, whereof he sees a good example here in all estates." On his return, however, there was necessarily a great burst of expenditure. In May, 1590, there are no fewer than ten folios full of items concerning clothing alone, and Foulis is busy preparing the gold chains to be given as "propynes" to the distinguished visitors. More "great horses" are imported, and the treasurer
has the additional duty of providing sleeping accommodation for the Danish visitors, when they accompany the King and Queen on progress. These items, however, are small: 2/6 for beds for the strangers, and 6/8d. when a chamber has to be furnished with feather beds, coal, and light. It may be noted in passing that these distinguished strangers usually were given double-bedded rooms.

In the meantime, the Queen has evidently turned her attention to the neglected state of the household equipment, and is laying in stocks of sheets, serviettes, and tablecloths, so that the Treasurer ends the year with a deficit of £35,653:14:0. The Comptroller also is called upon to provide household gear: 14 ells of diaper dornick for table cloths, five-score ells of fine Scots dornick for serviettes, 90 ells of broadcloth for inferior tablecloths, and 37 ells of coarse Scots dornick for serviettes. The dishes are also being replaced on a wholesale scale. First the Comptroller provides "Fifteen dusane of tyn veschell" and soon afterwards "seven dusane and a half mair of veschell." An attempt at thrift is indicated by the reparation of the "park dyke" and the sending of lackeys to "divers barons and gentilmen requiring nolt and sheep for plenishing of the kingis parkis." As a result, at the end of the year the Lords Auditors have to order
the Clerk Register not to issue any writs for debt against the Comptroller seeing that he is superexpended to the sum of £8,115 : 7 : 5d. until such time as the king pays him. The Treasurer, too, has been reduced to borrowing to find ready cash and in his accounts we have the following entry:

"Item to Thomas Foulis, goldsmith, for the profit of twa thousand merks boorit fra him to his Matie's behuif of the twa termes of this compt...£133 6 : 8."

The King's marriage had in fact involved him in more expenditure than his depleted resources were able to bear. There is a printed account of the state of the King's household as it existed in 1590 on the same lines as that drawn up in 1582 by the Ruthven Raiders. In the later list, the King's own household numbers about one hundred and twenty-four persons, the Queen's is about 56, while in the stables there are seven officials and a number of underlings. The bulk of these got — or were supposed to get — both payment and their keep. Some of these, we learn from the Exchequer Rolls, compounded with the masters of the household and took an inclusive money payment in lieu of board. Some of the more menial servants were entitled only to their wages and an allowance of bread (oat-cake) and ale. The arrival of a queen meant additional expenditure on luxuries. Attached to the royal stables was her Majesty's coach, with its necessary horses. Another
characteristic touch, showing the influence of feminine taste, is the presence among the Queen's attendants of a Moor, who like her four pages, is clad in orange trimmed with white satin. In the Gardens of Holyrood there was also a miniature "zoo." containing "wild beasts and other pets." These included from time to time a lion, a camel, a "porcupine" and a "lucerve." There were also "Inglish cokkis" or "cokkis of the gam," and the King also possessed a bear, most probably for bear-baiting. The Queen's Majesty apparently did not appreciate Scottish ale, and put the Comptroller to some trouble to supply her with "English drinking beer" for the export of which he had to obtain a permit from the English government.

In 1591, his Majesty's finances were desperate. In his introduction to a reprint of Sir William Purves's Abbreviat of his Majesty's Proper and Constant Rent, D. Murray Rose gives an account of his financial position, which would be humorous if it were not so pathetic. The king's constant complaint was that since his marriage his expenses had augmented "in trine" and at length things became so desperate that the King asked the Lords of the Exchequer to meet and consider the matter. On the appointed day the King waited but no lords put in an appearance. When they did meet, however, they set about their
task with great enthusiasm. Instead of suggesting new methods of increasing the King's income, they followed the example set twenty years before by the Earl of Cowrie and his confederates, and commenced to recommend retrenchments which threatened to reduce the royal household to a state of starvation. They cut down the King's "disioun" and cut off the unfortunate master of the household's entirely, which caused that gentleman to offer to give up his post. We are told that the lower order of the servants received merely an allowance of bread and ale, but never got beef, mutton, or money. Free fights over the food were of daily occurrence, and some were so serious that the King's guards had to be called in to quell the disturbance. Food was stolen on its way to the court tables, and the master of the household is to secure better order and to put an end to "the shameful and dishonest reiving of meat between the kitchen and the table." If the king stocked his own parks properly and did not let them out at ridiculous rates, there need be no dearth of beef or mutton. They next criticized the King's and Queen's dress. "We see na possibilitie how your Majesty's and the Queen's clothing in the state the same is, and has been sen your return from Denmark, can be sustenit upon any rent that is to be found in Scotland, and therefore trust that baith your Majesties, etc., "
James, himself, in the Basilicon Doron has a good deal to say on the subject of raiment. "Be also moderate in your raiment, neither over-superfluous, like a deboshed waster, nor yet over base like a miserable wretch; not artificially trimmed and decked like a courtizane, nor yet over sluggishly clothed like a country clown." For a king he recommends a compromise between the gravity of a minister and the gaiety of a courtier "thereby to signify that by your calling you are mixed of both professions." He objects also to some of the sillier fashions which were in vogue, and to the wearing of long hair and nails. As far as he was himself concerned the complaints of the Lords of the Exchequer must have applied only to a passing phase. In reading the accounts of the treasurer one is apt to think the complaint well grounded, for the modern reader is amazed at the materials which were in request both for the dress and the "passmentis" which adorned it. There is a continual charge for silk, velvet, taffeta, and for embroidering materials. His Majesty even had silver braiding on one set of hunting socks and gold upon the other, and in spite of his poverty he could never overcome a love for jewellery, which we find him buying even when he was at his wit's end for money. The testimony of contemporaries, however, is to the effect that he was both conservative and careless in dress, and rarely desired to follow any new fashion.
The costliness of the materials is explained by the fact that the age was one of extravagance in dress. The young man of fashion had ample opportunity to wear a habit "expressed in fancy; rich and gaudy." Shakespeare's gibe at the "city woman" who bore the "cost of princes on unworthy shoulders" is well known, and there are several old songs preserved in the Maitland collection which point the same criticism at the ladies of Scotland.

"They spend their rents upon their weeds,
And banished is good cheer."

A full description of the dress of the citizen's wives of the period is contained in Sir Richard's own poem "A Satire on the Toun Ladies" which concludes with the remark:

"Sum landwart ladies are as vain,
As by their clothing may appear."

Even an Edinburgh burgess could cut a brave figure in scarlet hose, and silken belt bearing a purse knopped with gold and a furnished whinger. Towards the very end of his reign, in 1621, James personally endeavoured to repress extravagance in dress by a revival of the sumptuary laws followed by an edict by which he endeavoured to stereotype fashions in dress for all time coming, ordering "the faschioun of cloathes now presently used not to be changed by men or wemen" under penalty of confiscation of the offending garments.
For the next two years James was getting ever deeper into the mire. His appeals to England for more money were met by a note showing that in the four years from 1588 to 1592, Elizabeth had sent him £16,550. His income had never been able to support his household, and now he was borrowing from anyone whom he could induce to lend him money, from Maitland and Sir John Carmichael. His servants were unpaid, and James complains that when they accompanied him on his journeys they were charged extortionate prices for their board and lodgings by the inhabitants of the various towns. He endeavoured to remedy this by an order of the Privy Council demanding that his servants should be "well entertained at reasonable prices" to be drawn up by the master of the household within twenty-four hours after the King and his train arrive at any place. Those who are fed by the King are to pay for their beds"xii d. onlie." Those who pay the householders for their meat and drink are "to pay for their bedding na maner of way." This, of course, would hardly compensate for receiving no money at all, and in the end two of the royal household took matters into their own hands, and the Queen's Jeweller, a Dane, and the King's French footman stole some of the Queen's jewels and fled into England. "They could not get their wages, nor any money at any time to relieve their wants." They did not find
the safety in England which they had anticipated, for they were arrested and the jewels taken from them. Bothwell managed to get possession of some with which he intended to buy his reconciliation with the king, but the two culprits were handed over to the Scottish warden on a day of truce and within three days were hanged at Edinburgh. As Carey wrote to Burghley, "The pore men had verey quicke justes."

At this stage in his career, James seems to have lost all influence with his own officials and he wrote to Maitland on behalf of a hunter who could not have payment of a "meane debt" owing him by the Treasurer. Maitland might be able to do something, but James fears he knows only too well the explanation of the Treasurer's inability to pay. "Ye that are ane of the number of us huntairs soulde be helpfull to all the professoris of that craft, but in earnist I thinke all oure thesaurāsis are gane vealde" On August 31st. he is in such straits that he writes as follows to Maitland whom he was planning to recall to his old position at court:

"Richt traist cousing and counsellor, we greit you hartily weill.

We forgett not the pane and fasherie quhilk ye had in dealing with the partiners of the cunzie hous at the obteyning of the last silver fra thame. That hes relevit sum part of this strait, but yet the use that it was taken fra remains destitute, and we are
cassin of new in na less difficultie bot rather gret
ar nor afoir throw that and sundrie other occasionis
querof we have mait particularly informit the berar
and send him expresslie to you to burding you as afoir
in our name, that as ye have bene sa greit a further-
ance heirtfofore, ye will now crown your awin werk
and help this relief amangis the rest, quherupoun
dependis the honour and the necessitie of the furnit-
ure of our hous qhilk it wer mair nor dishonour to
let fall quhill the strangearis remanys heir amangis
us undeptit.

We can find na uther moyen or possedilitie
saulffing that qhilk we have communicat to the ber-
air, quhairanant we louke for your deliberat advice
and instant help, as we have not wanted it heirtfofore
in sic times of preuf. Stirling.

(sgdà James R.

Post Script. Helpe nou or never, for I assure you
that I am not idle for you in the meane tyme."

The financial officials too had not been agree-
ing among themselves, as happened again later in the
reign in another time of financial stress, and in
October, 1592, an act had to be passed to order the
comptroller, treasurer, collector, and secretary
"to agree among themselves what duly and properly
appertains to everyone of their offices." The wine
merchants again are disinclined to give credit and
an act of the Privy Council empowers the king's sim

R.P.C V.
leyer to "waill and intromet with the same" even though doors have to be forced in the process. A rumour was also spreading that though the King was poor, the officers were becoming rich, and an examination of the Exchequer Rolls shows that there was some ground for the suspicion, as the comptroller was always taking care to take large sums for his own expenses. At the same time neither his post nor the treasurer's was an enviable one.

In 1594 the King complains that his estate "is sparpillit be moyane of inordinat suitaris" and the royal income which at the best could never maintain the royal household was now inadequate to keep it for even three months. The king is now driven to desperate measures for raising money. There was first the manipulation of the coinage, which is now set in tack to the City of Edinburgh for two years and three months at 111,000 merks to be paid at the rate of 1000 merks weekly. This arrangement is sufficient to indicate the hand to mouth existence of the royal household. Calderwood declares that the new coinage was a mere money-making dodge, "By the raising of the money, the King gained out of the coine hous a thowsand pund everie weeke, but the poore were greatlie endammaged." This year the king was faced with two great emergencies either of which would have drained his treasury. The first was the christening of the young prince which was
to be done with great pomp and ceremony. To renovate the royal furniture and make suitable preparations for this great event, the King called in the £90,000 of his tocher which he had invested with the burghs. In May he tried another expedient. He despatched James Colville of East Wemyss, as ambassador to the Court of France. Ostensibly his mission was to renew the league with France, to announce the birth of a son, and to invite the King of France to be represented at the baptism. But there was another motive. James knew that there had been in France property belonging to his mother and debts due to her at the time of her death. The ambassador was tactfully to discover if none of this could be discovered for the rightful heir. The kirk helped him out in his military preparations but the ministers kept the bulk of the money in their own hands. At the same time the King is borrowing and at last his officers announce that they are unable to pay Thomas Foulis the "great sums of money restand awing by his Majesty." As some recompense Foulis, who is henceforward to figure as the King's chief creditor, is given his mining concessions in the Glengonnar District. On 10th September, the King once more applies to Foulis for a loan of £14,598, which he faithfully promises to repay on the 1st of November. He hands over his security in the shape of two drinking cups of gold
weighing 15 lbs. 5 oz., which seems somewhat inadequate security even when the coinage was at the rate of £30 to the ounce of gold, and when an English guinea was worth £12 Scots. In all likelihood these gold vessels were the christening gifts of the young Prince Henry, which were so much admired by the "greedy courtiers" who gaped for them in vain, and by Sir James Melville, who sorely regretted their speedy disappearance into the melting pot.

The hope of repayment on the 1st of November was merely a dream, for long ere that, by the 30th of September, the King has once more to apply to Foulis for the loan of £12,000 "to pay wages of horsemen and futemen" for his raid against Huntly's Catholic confederacy in the North. Having seen her commands carried out at enormous expense to the King, Elizabeth forgot her promises of assistance, declaring that since 1586, she had already spent £33,500 on James. The two gold cups disappeared into the melting pot to re-appear as five pound pieces, and the famous "H" one of the most treasured jewels of the Scottish Crown, which James had pledged to Foulis as security for the later loan, remained unredeemed.

James was also heavily in debt to other merchants. He owes John Arnot, "an honest and substantial man" according to Nicholson, and Provost of Edinburgh at various times, the sum of £6000 and gives him
also a drinking-cup as security. In addition, Arnot on the occasion of the christening had supplied wine and beer to the extent of £5000 or thereby at "his Majesty's very earnest suit and desire" and in addition had promised 6,000 merks when all "other moyen faillit." The whole debt is calculated by the Lords of the "Chekkar" at £11,500, and Arnot is given grants over the crown lands at Cockburnspath, and Orkney and Shetland for three years. The dues of the latter estates alone amounted to £2,073 6 8d, so that Arnot did not fare so badly as some of the King's other creditors did. Indeed, as has been mentioned before, parts of these estates finally passed into Arnot's possession.

The King had also been sending round begging letters to the barons, of which the one to the Laird of Dundas begging to be "propyned" with game and other "wild meit" and inviting the laird to partake of his own good cheer, is well known. He had also asked in November the advocates of Edinburgh to grant him a "benevolent" supply of £2,000, which was duly given.

In spite of this burden of indebtedness, James had been purchasing jewellery to the extent of £5,900, and had been compelled to give Foulis yet more of his jewels in exchange. This purchase would most likely be for the "propynes" which the King felt bound in honour to distribute among dis-
tnguished foreign visitors to his court. In any case the Ambassadors of Denmark and Brunswick had a festive time with the wines and ales so kindly supplied by John Arnot, for Carey reported to Cecil that they were "every daye almost drunke."

Besides the undoubted shortage of the precious metals in the country there was also a serious deficiency of coins of smaller value. In December of 1594, a commission was appointed to deal with this difficulty, but nothing was done in this direction for two and a half years.

A letter from John Colville to Bowes written in May, 1595, throws a vivid light upon the King's manner of transacting business. Colville, taken back into some degree of favour, had received a warrant for money from the King, but he pointed out that this would not take him far. "And for his Majesties recommendations for me, I lett him knaw no thing bot thai ar and willbe satisfeid thair, as thair can no man have good heir ( because his gentil natour is suche he can not refuss, and it wer to give one thing twenty times), except he that hes the credit with thame that ar to pay any thing to him, who is only serwed, and the rest frustrat." In his book, however, James ascribes the main portion of the blame for his financial troubles, not to his own prodigality but to his ministers. His advice to his son
But specially choose honest, diligent, meane, but responsall men to be your receivers in money matters: meane, I say, that ye may when ye please take a sharpe account of their intromission without peril of their breeding any trouble to your estate. For this oversight hath been the greatest cause of my mistrhaving in money matters." In another passage he wrote, "Establish honest, diligent, but few Searchers, for many hands make slight worke, and have an honest and diligent Thesaurer to take count of them." By the end of 1594, the King evidently began to manifest this disposition to get rid of his aristocratic officials and to put "meane men" in their places. On the 28th December, Colville writes "The Chancellor fearing if the King's chief officiaris (who ar by his procurraent brocht in) shalbe thrust out because thai have made thame self puissant and the King poor, that his awin decay must follow tharon. Marr, agane, hearing the King to complene of his povertie, vold wis him to be in that estat that he wer nether burth-inabill to yow nor his awin." On January 15th, 1595, Sheperson, the servant to Bowes at the time, sent up advices from Scotland. His most important piece of information is that "the King finding that his revenues and casualties have not been used and defrayed for his profit, has taken order for the reformation thereof. In this it is looked that the Comptroller shall be found guilty and hardly escape punishment.
It will suffice that he be brought to make amends."
Roger Aston writing three days later states: "The chief thing that is now in hand is the order-taking with the King's revenue, and for that purpose there are appointed twelve auditors of the "cheocar", that is to say, four noblemen, four barons, and four councillors, viz., for the noblemen, the Earls of Mar and Montrose, Lord Livingstone, and Lord Lindsay; for the barons, the Lairds of Lochinvar, Carlees, Bass, and the Provost of Edinburgh; for the Councillors, the Chancellor, the Clerk Register, the Prior of Blantyre, and the Laird of Colluthy. These are appointed to hear the officers' "countes"...to the end that the King may have sufficient rent to maintain himself and his house.....There is a determination to change the three officers, treasurer, comptroller, and collector, and to give the offices to "meane men, thatt the maye putt in and out as the ples. ' " Nothing came of all this at the time, but years afterwards Sir Anthony Welldon noted as a characteristic of James that "he ever desired to prefer meane men in great places, that when he turned them out again they should have no friend to bandy with them.

On the following 9th of January, the great change in financial administration took place, though hardly in the manner the King had planned.
"That winter the haill officiaris of esteat war alter- it, and the king's haill effeares concerning his pat-
trimony, property, and casualties war put in the hands
of aucht, and sa almaist the haill administration of
the realm, and thairfor named Octavians, the an half
whairof war suspected Papists and the rest little bet-
ter." James Melville thought that this change for-
boded evil to the church, and it has been noted earli-
er that throughout the entire year during which they
held office there was increased tension and suspicion
due to their supposed favouring of Catholics. As a
matter of fact the grounds of their appointment were
entirely financial. The story is told in "Adverte-
from Scotland" dated 7th January. "Her Majestie on
New Year Day presented to his Majestie a purs of
gold. His Majestie demanded how sche had it. Her
answer wes, that her Counsale, viz., the President,
Mr. Jo. Lindsay, Ja. Elphiston, and To. Hamilton had
preserved so much of her leving to that use. Whar-
upon he much commendit thair menaging and immediatelie
commandit his Collectour and Comptroller to dimit
thair offices, admitting the four forsaid to his Coun-
sale, laying the administration of the said offices
on thaim; and so thai four shall have other four of
his Majesties conjoincd with thame (viz., Blantyir,
Clerk Register, Colluthy, and Mr Peter Young, by
whome all shallbe governed."
The old officials displaced were:

Sir Thomas Lyon, Master of Glamis...... Treasurer
Sir Robert Melville of Murdocairny.... Treasurer Depute.
David Seton of Parbroath.............. Comptroller.

The Octavians were as follows:

Alexander Seton, Lord Urquhart, President of the Court of Session and afterwards Chancellor.
Walter Steward, Prior of Blantyre, who afterwards became treasurer himself.
David Carnegie of Colluthy, "a wise peaceable and sober man" who became secretary and died in 1598.
John Lindsay, the "financial genius" of the group who also died in 1598.
James Elphinstone of Innernaughty, one of the Senators of the College of Justice.
Thomas Hamilton of Drumcairn, (Tam o' the Cowgate) King's advocate, and afterwards Earl of Haddington.
Peter Young of Seton, colleague of George Buchanan as tutor to the King, now the master eleemosynar, and much trusted by James and employed by him on confidential missions. He followed James to England and became principal tutor to Charles.

Not only were the members of the Kirk alarmed at this change, but others suddenly discovered a new
zeal for the royal authority and protested that James was giving away all his power and retaining only the title of a king. Naturally there was great alarm among the "cubiculars", the gentry who surrounded the King and who together with their friends had taken chief place among the "importunit suitaris" who had so "sparpillit" the royal property. These indeed had much cause for alarm, as the new committee had been appointed for their benefit. As the Chancellorship was at the time in abeyance, since James in his liking for "meane men" had declared he would have no more chancellors and great men, but only such as were hangable, this committee soon acquired great power, as the "new brooms" began their work by making a clean sweep of all the existing officials in a manner which roused the ire of the author of the Historie of James Sext. He gives a doleful account of the way in which they bullied the poor old Lord Advocate until he died of a broken heart, of the ruthless manner in which they went into the accounts of the Treasurer and Comptroller, putting them to an unheard of scrutiny, and compelling them either to refund great sums of money or else resign, for the old officials had not accepted their dismissals quietly. The Master of Glamis "made some difficultie, wherupon he gott six thousand pund for contentation and so demitted."

That they submitted the accounts to a thorough
scrutiny can be seen from the Exchequer Rolls, where certain payments are only allowed to pass on the understanding that this sort of thing does not occur again, and where possible sources of leak are noted for further enquiries. Even his Majesty lost his wonted liberty of action, and there is in the Register House, Edinburgh, a series of letters of the King's authorizing payment, all of which are counter-signed by the all-powerful Octavians, who in some causes add notes or cautions as to when the payment referred to should become due. There is even one letter which seems to indicate that his Majesty had a little difficulty in getting it passed. The King writes to the Lords of Exchequer asking them to allow in the accounts the sum of £400 which he testifies has been applied to his own particular use. A marginal note by the King reads, "This was be my private direction," as if an explanation had been asked.

Believing in the proverb adapted by James, that "many hands make slight work", the Octavians for that year regard the King's income as a whole and appoint a single officer, the Receiver General, to collect the whole of the royal revenues.

The most terrible account of the King's money affairs is in the commission given to the Octavians, and their special instructions from the King. The principal difficulties are a general mismanagement
of the royal property, impoverishment and neglect of the royal forests and farms, difficulties with the coinage, palaces and castles all falling into ruin, steady diminution of customs duties in spite of an increase in the number of ships and sailors, gradual alienation of capital and loss of moveables; and on the other hand an enormous increase of expenditure. Indeed, things had come to such a pass that "effer trial tane, it is fundin' that thair is not quheit, nor beir, silver nor uthir rent to serve his Hienes sufficiently in breid or drink nor uthirways." The property when it was in its best condition was insuff-
cient to maintain the King's household -which required about £40,000 annually - but now it is in such a "wrackit" condition that it is not sufficient to main-
it for above a quarter of a year. The Octavians proposed drastic changes. Having a quorum of five, whose signatures were necessary to every document connected with finance, they were to sit weekly or twice weekly. The royal income had been wasted, as the Basilicon Doron hints, by a host of unprofitable minor officials, both in the royal household and scattered throughout the country. These are to be rigorously combed out and those who are allowed to remain must be diligent and just in their duties. The King's substance, as is alleged to be the case sometimes with public contracts, had been regarded as a kind of gold mine. All this was to be stopped.
Work for the King was to be regarded in the same light as work for "other provident subjects." The King must now get as much bread and beer out of a given quantity of wheat and malt as anyone else in the kingdom. William Craig, the King's brewster, in 1595, got over 66 chalders of bere for making ale for the King's household. This should make over 2000 barrels of the strongest beer, and it is doubtful if James's followers consumed as much even in that thirsty age. Pensions and fees, many of which were paid in kind, were all to be reduced to a cash basis, and those that proved immoderate were to be altered. Forfeited lands — a legitimate source of the royal income — were to be added at once to the royal estate, and the just and exact rental of them was to find its way into the royal purse. When sold they were to go to the highest bidder, and no gifts of them were to be given without the consent of the Council. The royal parks and forests were all to be restocked and the King's house is to be maintained as far as possible on the produce of his own estates. Any surplus is to be sold at the prices current in the sheriffdom where they are produced. (From the Exchequer Rolls it will be found that the surplus had been sold at sometimes quite nominal prices) Goods are not to be exported until it is evident that there is no shortage of them in the country and particularly in the royal household.
The Octavians held their posts for exactly a year, and whatever truth there may be in the repeated charges of self-seeking and unfair treatment of their predecessors, they were at least all men of ability and succeeded in getting the king's affairs into some kind of order.

An examination of the exchequer rolls shows that back claims have been cleared off, and that instead of court servants drawing their salaries largely in kind, these had been reduced to a cash basis and it was now possible to tell right away what every man or woman was getting. There is no evident effort to economize by reducing salaries of genuine workers. For example, William Murray, who is described as varlet to the king, in 1595 drew his salary from no fewer than six different sources, several of which were in kind. In the Exchequer Rolls for 1596 this has been commuted to an annual salary of £600 Scots. Helen Little, the chief nurse, is given a fixed salary of £800, and so on all through the royal household.

In the later issues of the Exchequer Rolls there are signs that the old evils were beginning to creep back again, and that favourites were getting grants out of the produce of various parts of the royal domain. An effort was also made to screw out of the sheriffs sums of money due which the comptroller had been disposed to treat more or less as bad debts, and an interesting effort at raising money was their treatment of the matter of "Blench Fermes."

In Blench Tenures lands had been granted either as a reward for some service rendered, or else for a lump pay-
ment: and the superior had either no wish or no right to expect any further profit from them. In order that the vassal might make at least an acknowledgment of his overlord's superiority, a nominal rent was fixed, usually some small article or a trifling some of money. So trifling was the amount that the idea was prevalent that the payment should only be made when demanded, and that if not demanded it lapsed. The Exchequer Rolls, however, show that James had been in the habit of exacting his blenches and selling them for what trifling sum they would fetch. At a slightly later date the "blenches" are exacted in the form of money equivalents, and on the 9th July 1596 the Octavians draw up a regular price list so that the "blenches" might be drawn in money by the sheriffs. This was not an innovation, as some have held, but a mere money-making dodge. The significance of the 1596 price list lies in the fact that there is in that list a great rise in value. The comparative lists would read:

<table>
<thead>
<tr>
<th>Blench Payment</th>
<th>1595 Value</th>
<th>1596 Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>For ilk pair of gilt spurris</td>
<td>6/8</td>
<td>One Rose Dobill.</td>
</tr>
<tr>
<td>For ilk pound of piper</td>
<td>8/-</td>
<td>30/-</td>
</tr>
<tr>
<td>For ilk pound of cummin</td>
<td></td>
<td>13/4</td>
</tr>
<tr>
<td>For ilk pair of gluffis</td>
<td>8d</td>
<td>£3</td>
</tr>
<tr>
<td>For ilk silver penny</td>
<td>10d</td>
<td>10d</td>
</tr>
<tr>
<td>For ilk braid arrow</td>
<td>8d</td>
<td>10/-</td>
</tr>
</tbody>
</table>

And so on for a list of thirty-two items.

As had been seen the Octavians had two sets of enem-
ies. The kirk suspected them of sympathy with the banished Catholic Lords, and the "Cubiculars" resented their attempts at economy and their inquiries as to where the king's money went to. Accordingly there arose the famous riot of 17th December 1596, instigated it is said by the court party, in which the ministers demanded the dismissal of Seton, Lindsay, Elphinstone, and Hamilton as papists and supporters of papists. According to Calderwood the chief intriguers were Sir George Home of Wedderburn, who was afterwards to have a disastrous attempt, which he regretted bitterly, at the comptrollership, David Murray, Patrick Murray, one of the king's gentlemen of the chamber, and a former master of the wardrobe, and mentioned specially by David Moisie as one particularly well informed in all court matters, and Sir Robert Melville of Murdocairny, late treasurer depute and a confidant of the king's. If Calderwood is to be trusted the crafty cubiculars took advantage of the zeal and impulsiveness of the clergy to stir up trouble out of which they might profit just as they had done about ten years previously in the case of the Act of Annexation. It was a revival of the old Scottish custom so graphically described by Sir James Melville as "fishing in drummy waters." The riot brought nothing but trouble to the church - according to James Melville, it was the most wrackful day for the commonwealth - unmerited anxiety and punishment upon the City of Edinburgh, and in the end brought about the downfall.
of the Octavians. Like many reformers they were already finding their task a thankless one. They had devoted their whole time and energy to it, sitting not once or twice weekly as they had originally intended but twice daily. They had done their best and without pay, "without respect to feid, friendship, or favour, or any particular whatsomevin". They had collected for the King £60,347:12:7d. But the work was now becoming "very burdynnable and fashous"; their own private affairs were being neglected; and they were incurring the causeless malice and envy of all sorts of persons. They therefore asked for an increase to their number of ten of the nobility which the King graciously granted. This, however, did not mend matters and on 7th January, exactly one year after they had assumed office, they resigned. According to Spotswood they had not been "according well among themselves for the Prior of Blantyre had been keeping in touch with both sets of enemies, the Cubiculars and the Ministers. Their main reason for resigning was the ill-will they had incurred. During their period of administration the income of the crown had been thoroughly and rightly used as never before;"but the king loved to have peace though with his own loss, neither did they like to be the cause of his trouble." The last quotation suggests an infinite amount of intrigue and backstairs at work.
The year during which the Octavians held office must have been one of extraordinary difficulty in finance. The harvest of 1595 had been an almost total failure, and the food shortage was only overcome by the importing of grain from other countries. "We wanted not a remarkable effect of this fasting. Thousands had died for hunger, if God had not extraordinarlie provided victualls out of other countreis in suche abundance, that by the estimation of the customers and men of best judgment, for everie mouth that was in Scotland there came in at least a boll of victuall." All this imported food, however, would have to be paid for, a task beyond the capacity of the Scottish exports, and so the country must have been badly drained of money. This is in all probability the explanation of the attempt made in 1597 to order all merchants to bring back a certain quantity of bullion proportionable to the value of the goods they had exported, and as one explanation of the light weight of the later Scottish coins, nicknamed "Atchisons" by the English Borderers, after the master of the Edinburgh "cunzie-hous."
The story of James's finances after the resignation of the Octavians is a chronicle of ever-increasing difficulties. The old methods were reverted to, and Home of Wedderburn became Comptroller. He soon found that he had attempted an impossible task. The King insisted on his performing his duties; while Wedderburn on his side protested that the King was not keeping his share of the contract. After mutual recriminations he was put from his post, but when after the lapse of two years his accounts were at length audited, it was found that the King was indebted to him to the extent of £24,000. In the meantime, the Prior of Blantyre had been acting as Treasurer, but had to retire as a result of the King's anger at his independent conduct in the case concerning Mr. Robert Bruce's pension. When his affairs were settled it was found that the King was about £8,000 in debt to him also. After James had cooled down a little, and in this case, he took some time to do so, he promised on the word of a prince that he would see his Ex-Treasurer repaid. This was in 1600, but it was not until 1603 that he was able to make some arrangements to do so by means of three instalments from the pension paid to him by Queen Elizabeth. In the meantime slack management had involved the King's officers in litigation with tradespeople to whom they had applied for materials for the King's household. In the royal letters to the Exchequer there
is preserved a bond dated 1597, which shows that the
King had borrowed 5000 merks from Sir John Hamilton
of Lelland. He was also in debt to George Heriot,
but the latter had ample security in the shape of
some of the crown jewels and managed to get his money.
In 1597 there was ordered a taxation of 200,000 merks.

In connection with this are some interesting side-
lights on the conduct of the sheriffs. They had ap-
parently been in the habit of letting their friends
escape all taxation, by the simple process of setting
them down in their accounts as defaulters, and if nec-
essary producing letters of horning against them. As
no action was intended to be taken on the letters of
horning, the friends of the ingenious sheriff were
perfectly safe. In future, it is ordered, all letters
of horning must be followed by poinding of the of-
fenders' goods. An exception will be made in the
case of one of two special sheriffs who may have de-
faulters who are too powerful for the sheriff to
proceed against. Another evil had also come to light
Several of the sheriffs had been adding a sum to the
true amount of taxation by way of commission to them-
selves for their trouble in collecting the impost!
Another act shows that Sir Robert Melville of Murdo-
cairny, the former Treasurer-depute, is still without
his money, and a special act is passed that he is not
to be pursued for his debts until the King has paid
him.

M.S.S. Letters
in Reg. House.

Act. Parl. IV
144.

ibid. 145.

ibid. 147
All these troubles, however, must have been eclipsed when the great financial catastrophe of the reign occurred in the bankruptcy of Thomas Foulis and Robert Jowsie, who were the King's principal creditors. For years they had been engaged in supplying the King with money on loan, and had also been his agents for collecting the English annuity upon which he so much depended. Indeed Jowsie had just been despatched to England on this errand and was in all probability still there when the blow fell. The general story of the day is given in Calderwood: "About the 17th of Januar, Thomas Foulis Cal.V. 673 goldsmith, fell in a shrenesie, because he was not able to satisfy his creditors for the debt he had contracted in furnishing the King. So his offices were taikin from him, and a precious jewel, called the "H" which he had in pledge from the King. But a supersedere was granted to him that his creditors might not trouble him till the King payed him."

Nicholson, writing to Bowes on 20th January, tells a somewhat similar story: "Thomas Foulis, lately made depute threasurer, fell madde sick this day, some thinck for care of his debtes, others because the king hath gotten from him the "H" which was pawned to him for money to furnish the kinges rode last against the papist erles, which "H" the king gave to the queen, who in geistes gave it to the
Lady Errol" telling her that it was only fair that she should wear it for one night in compensation for the burning of her husband's house. An entry in the Privy Council Register dated 13th. January, a "few days earlier" than the reported "phrenesie" of Foulis, throws more light upon this matter of the "H" and also upon the Foulis manner of doing business. To supply the King, Foulis had borrowed money from James Foulis of Woodhall in the neighbourhood of Colinton. The latter was only able to raise the money required by mortgaging parts of his estate to various persons, whose names and loans are given, and he in his turn received the famous jewel as his security. The King, hearing of this, now deals with him directly, regaining the pledge upon promise of speedy payment of the debt.

In the meantime the big crash led as usual in these matters to a host of smaller troubles. Like most Edinburgh merchants of the time, Foulis and Jowstie had asked others, men of good standing, to become cautioners for them. These were now involved. People who had lent money endeavoured to get repayment from them, since neither the King nor his creditors could find the gigantic sum of £145,000 to pay them. A full list of the creditors and the sums owing to them is printed in the Acts of Parliament: many of them...
are people of importance, quite a number being members of the King's own household. The supersedere made them desperate. They arrested Alexander Hunter, a famous merchant already referred to in connection with the attempts to import Flemish workmen, nominally for a previous debt, but really, he alleges, because he was a cautioner for Poulis. Others appealed personally to the King, pointing out that whereas they had been comfortably off they were now reduced to beggary. The King, anxious to help these hard cases, gave them an order on the "cunzie-house" but this only led to more trouble as the officers concerned either could not or would not pay the money.

Several of the debtors of Robert Jowsie, such as Sir William Stewart, the Commendator of Pittenweem, now found themselves in an awkward position. Jowsie in his efforts to raise money had induced him to become cautioner for him to a certain Jacob Barroun a merchant burgess of Edinburgh. The latter despairing of ever getting his money from his original debtor sued the cautioner, and not only for the principal sum of money borrowed and Sir William's original debt to Jowsie, which had been made over to him, but, treating the whole transaction as a money lending business, demanded excessively high interest, which Stewart declares to be a "maist uncouth forme of lurking oppression, exceeding fer the enormitie of any usurair, how extraordinair evir the sami
can be." In the meantime the Parliament and Privy Council took the matter up. Foulis was given charge of the "cunzie-hous" in order that he might recuperate his damaged fortunes by passing inferior money upon the people. To relieve his immediate distress a pension of £1,000 per annum was settled upon him and his children, which indeed was still being paid in the early years of Charles I. A strict account of all the jewels that Foulis had sold, was taken in the hope of reducing the King's debt to him.

Finally a declaration was made that the Estates will see the debts paid off with interest, though it is estimated that this will involve an expenditure of £180,000, and it was quite evident that nobody had the least idea where the money was going to come from. On the 1st of May 1601, Foulis announces to the Privy Council that he has a scheme by which the whole debt can easily be cleared off without prejudice to anyone. The Council considered this but it was evidently impracticable, and nothing was done. Two isolated references in the Register of the Great Seal show that some of those in close proximity to the King were able to get satisfaction by means of grants of land, on condition that the Foulis debt was allowed to drop.

In the meantime, Foulis and Jowsie were by no means ruined. They had their part tuck of the mint, and Foulis had his lead mines. In 1606 Robert Jowsie
is in London and evidently in a position of some importance as he is one of the witnesses to a state document. It seems that he and his partner have been drifting apart, for when a certain Thomas Johnston appeals for payment of his long-standing debt, Jowsie, who is on the spot declares that this is a private debt of Foulis who alone is responsible. The King then began to think that possibly Foulis was doing rather well out of his various speculations and at the same time was making use of the royal supersedere to evade his personal liabilities. Accordingly he wrote two letters to the Council in 1611 asking them to go into the whole matter of this debt and do what they could for Johnston, and above all to look closely into the accounts of Foulis in connection with his dues from the mines, his tack of the cunzie-house, and the proceeds arising from his Majesty's jewels "engaged by him in London for supply of the present necessity of the time,"

While all this had been going on, the King's own shifts for money were pitiful. Necessity sharpened his wits, and he proposed two different schemes of taxation to the Estates, both of which were rejected. Nicholson states that the baptismal expenses of his daughter Margaret had to be defrayed out of the pockets of the gentlemen of the bed-chamber, and that in the following year the King en-
deavoured to get private advances from members of the Convention, and describes one of his speeches as "a miserable declaration of his poore estate and wantes." A summary of the King's financial needs at this time is given in the English State Papers.

"The King's Extraordinary Charges which the Treasury, Comptrollery, and Collectory are not able to defray.

1) The entertainyning of his Maties barnes alreddy gotten, and whom God blesses (him with?)
2) The superexpenses of the Comptrollery of this last year.
3) The renewing of his Maties whole silverwork and moveables which are all worn and consumed.
4) The reparation of the Castells of Edinburgh, Dumbarton, and Blackness, with the ordinar, munition, and furniture of the same.
5) The reparation of the pallace of Hollyrudehouse which is altogether ruinouse.
6) The pallace of Lith quo whereof there is a quarter ruinouse, and the rest necessary to be repaired.
7) The entrtaynemoment of a resident Ambassador in England and France.
8) Thomas Foulis and Robert Jowsy with their partners wha hes furnisssed his Matie and are thereby wracked and undon.
9) How the King may be furnessed against the West Isles, the inhabitants whereof hes taken his Matie
Castle of Dunnoveg and laitlie joyned themselves against the king.

10) The superexpensës of all his Majës officers whereof the comptes are futed in the chequer and supersederes granted in prejudice of parties who of his Majës Princely honour should be relieved.

11) The Thesaurer's superexpensës sen his entering to the office.

12) The means to entertayne a warden at the west marche and L a garrison with him.

13) The means to entertayne a garde or at the least ane company for repressing of the great insolencies and many barbarous disorders so frequently committed in the land.

14) The moyen to entertayne intelligence and other secreit services in his Majës weighty causes."

One can hardly imagine what would have happened had not James succeeded to the English throne. When that great day arrived, both the Treasurer and the Comptroller had to advance large sums to pay the fees and allowances for his household officers to enable them to make preparations for their journey southwards. As a recompense, they are given first R.P.C. VI claim on the incomes of their respective departments and are not bound to pay anyone until their personal claims are fully satisfied.

Yet even this glad event brought gloom to certain of the humbler members of the King's household.
Wretchedly paid though they were, their positions in the household and even their arrears of salary were a kind of property; and they clung tenaciously to their posts in the Micawber-like hope of something turning up. Great was their distress when the King and his train moved off southwards leaving them behind without posts and still unpaid. The four turn-broaches in the royal kitchen were only entitled to £5 each per annum and yet the Comptroller owed these humble menials £80. The petition of James Ogilvie, the Queen's fireman, is illuminating: "I have servit her Grace continuallie sen her coming to Scotland....and albeit it be trew that thair was allowit to me yearlie ten dolouris of fie and twa stand of claithis or ellis fiftie pund to by the same, nevertheless I have never resavit na pay- ment of the same sensyne, except allane-lie the soum of three score of pundis expres again all equitie, reasone and good conscience." The Council on learning of this awarded Ogilvie a pension of 6/8 daily for life, and other forsaken servants in proportion. The King, however, objected to the pensions and by way of com- pensation granted a lump sum of £10,000 to be distributed among his late domestics.
THE COMMON VICE OF ALL ESTATES.

While each of the Three Estates had its own peculiar vice, there was one which, according to James, was common to them all, and that was "to judge and speak rashly of their prince." To a large extent, this charge is well founded. Scottish humour is of a mordant type, and frequently finds employment in the invention of uncomplimentary by-names, and the Scots had never spared their sovereigns in this respect. James himself had a strong desire for posthumous fame, and was now apparently feeling a somewhat belated interest in his mother's good name. Accordingly he would like to add "speaking ill of the king's predecessors" to the list of "unpardonable crimes," which a king is bound in honour never to forgive, and points out to his son the existence of laws against "unreverent speakers." Two of the most important of these laws had been passed in 1585, and in 1596 respectively. The preamble of the first shows that even in his minority extreme liberty of criticism had been taken. "Forasmeikle as in the troublous times bypast, divers of our soverane lordis liegis has taken on thame a licentious liberty and presumption to speak and write many things of his Majestie uncumlie and nawayis allowable in any Christiane realme ..... nane are to presume publicly to declame or privately to spek or wryit any terms of reproach or slander of his Majestie's person, estait, or government ....under the pane of
deid." According to Mackenzie's Observations on Scottish Statutes, this act was called forth by the reproaches of Mr. Nicol Dalgleish and some other Presbyterian ministers against his advisers and himself. The later act goes a step further and forbids "wicked and licentious public and private speeches and untrue calumnies to the disdain, reproach, and contempt of his Majestie... and to the dishonour of his Highness's progenitors upon the pain of death." This act again is aimed more particularly at the ministers, and was the outcome of the dispute with the Kirk over the case of David Black. This act gave orders to any official person present at the time of the offence to stop the slanderer or if that was not possible for any reason, to enter a protest.

James indeed had suffered much annoyance from the extreme freedom of criticism which the Scots of every class and every age used in speaking about their kings, and he most probably feared that the malicious suggestions against his mother's conduct might react prejudicially on his claim to the English crown. Lampoons and scurrilous writings about himself and his advisers were put where he could find them, and seem to have inflicted on him exaggerated and unnecessary suffering. His frame of mind on these occasions is best described in a letter supposed to be from David Moysie to Moysie?
Sir John Lindsay of Menmure. "I deliverit the copy of the cockalane to his Majesty quhilk almaist never cummis out of his hands. His Majesty is heichlie exasperate against the makaris. God send him knaulige for thai deserve severe punishment."

The height of his Majesty's exasperation can be gathered not only from this picture but from the proclamation he issued in order to get some of the "makaris" to inform on the rest. He offered a free pardon to any one who would reveal the secret, promising at the same time that the informer's name would be kept a secret "and besides he sal have ane sufficient recompense and reward that for the lestand well of him and his posterity thaireftir." Similar libels were found thrown in his chair, pinned to his chamber door, laid in his very bed, and calmly handed to the porter on duty with the unfulfilled promise that the writer would return for an answer! In his exasperation, James seems, as Moysie describes him, to have gone about showing the offending paper to others, seeking both sympathy and information concerning the writers. This in 1592 he actually sent for the ministers of Edinburgh to show them some contumelious verses made in contempt of him, calling him "Davie's son" and making other really infamous charges, and to implore their assistance. One of his main grievances against Mr. John Davidson, an extremely outspoken minister, was that he did nothing but make "placats
and ballads, whereof he had sindry to show."

James was not the only sufferer from anonymous attacks, from which no public man of the time was exempt. The anonymous satirists pursued Maitland even to the grave. The ministers themselves found objectionable verses pinned to the doors of their churches, or placed in the pulpits where they were to preach. Every event which powerfully moved public feeling produced its crop of ballads which were sung aloud in the streets. Thus the detestation of the slaughter of the Earl of Moray was kept alive by "commoun rymes and songs." Even the King himself was suspected at times of having a hand in the fabrication of "cocklands and verses." In fact, the state of Scotland might well have been described as an attempted autocracy tempered by anonymous letters. These letters were not always libellous in their nature, for sometimes they took the form of solemn warnings that could be given in no other way.

The extreme sensitiveness of James concerning what his subjects might be saying about him behind his back is delightfully revealed in the naive letter which he wrote to his subjects on the eve of his departure to seek his bride. There he is anxious lest he should be thought "a barrane stock", "led by the nose", or "sklanderit as ane irresolute asse quha can do nathing of himself." The extent
to which slander, real or imagined could rankle in
the mind of the King is well illustrated by his
relentless pursuit of James Gibson, minister of
Pencaitland, for comparing him to Jeroboam. The of-
fence happened when James was barely twenty years
of age, but for five years the attack was kept up in Council and General Assembly until the unfort-
unate minister was punished as the King desired.

The royal ill-will was to be handed down from
father to son. Just as James implored his successor
to show favour to his old dependents, so he command-
ed him to show "constant hatred to those I have
hated." He believed that "kindness" was hereditary
and that those who had been faithful to his mother
were also most loyal to him. While James was
writing his book he had been for some years put-
ting these ideas into practice, and it was a re-
flection on Queen Mary that first earned for Mr.
Black the ill-will of the King. According to James
Melville and others this fondness for the "Queen's
Men" dated from early youth, when those about him
gave him a false impression of the troubles of
Mary's reign.

The immunity which too often followed serious
crimes, contrasts strangely with the vindictive
way in which James dealt with trifling cases of
"laesa maiestas." These reveal the worst side of
his nature. Though naturally mild, he was very
sensitive to anything in the way of a personal insult, and his conduct in such cases, and especially where the comparative obscurity of the offender rendered his punishment easy, was ferociously vindictive. In August, 1596, just about the time of the "cockalane" incident, occurred the case of John Dickson of Lynn, an English skipper who was hanged for merely uttering disrespectful speeches against the king. Dickson seems to have been a rough old sea-dog, who when requested by the king's officer to veer his boat out of the way of the king's ordnance, replied that he would veer his boat neither for "King nor Kaisar" and after some disparaging remarks about the king's parentage and declared that he was unworthy to be obeyed. In the end he "came into the king's mercy" and pled that the offensive remarks had been made while he was under the influence of drink; but as happened in other cases of the same kind, neither his apology nor his submission availed to save his life.

Another case equally scandalous and throwing a lurid light on the character of James was that of Francis Tennant, an Edinburgh merchant. Although his name occurs but seldom in the records of the time except in connection with his trial, he was a person of some importance, a member of an old-established mercantile family, and at one time to have had a share of the king's favour. In 1591 James
himself had written to Lord Burghley in favour of Tennant and another, requesting that they might be permitted to make reprisals on ships and goods belonging to the town of St. Valerie and other places in favour of the League as a recompense for the heavy losses they had sustained through the action of French privateers. A little later Tennant was granted one of the coveted licences to export grain out of the kingdom, and has another letter written to Burghley in his favour. In October, 1600, however, we find him on trial for his life on the charge of writing libellous cockalanes and pasquils against his Majesty. Two letters were produced against him, which he confessed to be of his composition; but, as happened in other similar cases, they were destroyed and no trace of their contents was allowed to creep into the records of the case, so that there is now no indication of what the offensive matter was. Pitcairn suggests that the letters, judging by the date of the trial, may have had something to do with the Gowrie Conspiracy, but Tennant pled in his defence and as a protest against the summary nature of his arrest and trial that the libels had been written three or more years previously, and the indictment states that the offence was committed on the 17th January, 1597, at a time when all Edinburgh was excited over the result of the riot of December 17.
The trial does not seem to have been judged worthy of comment by any of Cecil's correspondents, but there are certain passages in other contemporaries that may throw some light on this strange case, and may even be put forward as extenuating circumstances on behalf of the king. A passage in Robert Johnstone's Rerum Britannicarum Historiae states under the year 1595 that the appointment of the Octavians caused great murmuring and intriguing against them, and "Franciscus Tenantus, quidam e plebe, ob maledicta mores et vitam convulnerantia, Majestatis poenis affectus est." The language is rather vague, but if "majestatis poenis affectus est" is not a reference to the trial and execution of 1600, it might indicate that Tennant was an old offender. In any case he would likely be a marked man, as he had been involved in business of a kind that the king was little likely to forgive or to forget. There is no mention whatever of the case in the other Johnstone's M.S. History of Scotland or in Patrick Anderson: but there is a passage in the Historie of James Sext which throws a little light on the business. "And because the king had conducit with a merchant of Edinburgh, callit Frances Tennant, wha had prevat familiaritie, that he should betray him, and this he promist secretly to the king to performe; but be the contrare, how sone he cam to Bothwell, he immediatelie revelit the caus of his
cuming unto him and shewed him what reward he had gotten afferming that he wald not betray him for all the golde in the warlde." Tennant advised Bothwell that "the best of all was to reteir him furth of Scotland, and the marchand should fraught a ship to transport him whither he list." This was done and Bothwell ultimately landed in France. This connection of Tennant with the turbulent earl is corroborated by passages in Colville's letters in which he is mentioned as being on the Continent in company of Bothwell. He was evidently an English agent as well, for Colville describes him to Bowes as "your awin man Francis" and he is the medium by which letters are being forwarded.

It is difficult considering the date of the offences alleged to account for the extreme fury with which the prosecution was urged. Possibly James had been keeping an eye upon Tennant, and then something had arisen over the Gowrie Controversy which decided the king to make use of the materials he already had in hand. The interesting point is that James is personally interfering in the case. Three of his letters are either produced or referred to in the course of the trial, the first of which bears every evidence of having been written in a blaze of fury. The unfortunate merchant, even though he has confessed his guilt, is to be tortured with the "boots", thereafter his tongue is to be cut out, and then he is to be hanged and all his goods escheated to the crown. A final letter shows that the royal fury
had somewhat abated: the torture and mutilation are to be remitted but the sentence of death and forfeiture must be carried out. Ignorant as we are and most likely must remain of the original cause of offence, the case looks somewhat like a judicial murder planned in order to fill a desperately impoverished monarch's pockets. The almost contemporary case of Kincaid is cited by Pitcairn as one obviously contrived for the same purpose. Soon after the execution of Tennant, there is an entry in the Edinburgh Register of Apprentices, where Francis Tennant, son of the late Francis Tennant is apprenticed to a goldsmith, an indication of the effects of the forfeiture upon the family fortunes.

The third case is that of Archibald Cornwall, which is mentioned by nearly all contemporaries. The important fact here is that no crime was committed, and it is really doubtful whether any crime at all was ever contemplated. Archibald Cornwall was the Town Officer of Edinburgh, and some of these duties made him necessarily somewhat unpopular. This is borne out by Birrel's Diary where he is called an "unmerciful greedy creature" and where he is stated to have pioned an honest man's goods. Unfortunately, in Scotland, little stress can be laid upon the word "honest" which has ever been used in a somewhat loose fashion. The stand upon which the impounded goods were exposed for sale stood near the gallows, and Cornwall, finding two portraits of the king and queen respectively, drove two nails into the gallows.
for the better displaying them to the public gaze. The by-standers refused to allow the pictures to be hung up, but Cornwall was nevertheless "warded". This was on the 15th April. On the 17th the Town Council met and passed a resolution that henceforth no portraits of the king or queen are to be "poyndet, rowpet, or compriset." This action shows that there now existed in Edinburgh a very hearty fear of his Majesty's resentment. In the meantime the king and queen have been informed, and apparently rumours of their wrath have reached the Council, for on the 22nd a deputation is appointed to go down to Holyrood and inform the king of the "trewth of the offence consavet by his Majesty against the officer." The trial took place on the 25th, and the unfortunate victim was hanged two days later "on the said gibbet, quhairupone he preissit to hing his Majesteis portratour." There he hung for twenty-four hours with ane paper on his fairheid containing that vyld crime committit be him." Thereafter the citizens, in a fit of loyal enthusiasm, tore down the offending gibbet and burned it.

The instigator of these crimes wrote in his Basilicon Doron: "Embrace true magnanimitie, not in being vindictive......but by the contrary, in thinking the offender not worthy of your wrath, emparing over your passion and triumphing in the commanding of yourself to forgive, husbanding the effects of your courage and wrath to be rightly employed upon the repelling of injuries within......And so when ye find a notable injury, spare
not to give course to the torrents of your wrath. The wrath of a king is like to the roaring of a lyon."

After reading of the subservient attitude of the Council of Edinburgh in this case it is refreshing to find that the citizens had not lost all their spirit, for only a few weeks before this savage exhibition of the royal temper, James Forman, a burgess of Edinburgh, had gone to Holyrood to interview the Comptroller about the new impost on wines. Having received what he regarded as a hard answer, he walked straight into the Queen's chamber, and there in the presence of the Chancellor and others uttered what were termed "vile and contumelious speeches against his Majesty." As a matter of fact, his remarks were mainly against the Queen's inefficiency as an intermediary, and against the corruption of the officials. He warned the Chancellor not to make "snalis" of the City of Edinburgh, for "gif we be strampit on, we will shoot out our horns," and also declared that his action was calculated to "gar the King tyne the hertis of the people, whilks neidit not, for it is evill eneuch ellis." The irascible Forman was summoned before the King at Linlithgow, but apparently no further action was taken.

Even after the Union of the Crowns the same vindictive punishments followed comparatively slight cases of "laesa maiestas." Thus in 1615, Fleming was hanged for abusive speeches against the King, uttered in a moment of irritation. He pled guilty and threw
himself upon the king's mercy, but found none.

James even kept a jealous watch on what was said abroad regarding him and his progenitors. The publication of the Faerie Queene caused him great offence by its allegorical references to his mother and himself, and the fact that the book was published "cum privilegio" caused for a time to suspect the complicity of the English Government in the attack. Even after Bowes had succeeded in dispelling this suspicion, he persisted, though happily in vain, in his demands for the punishment of Edmund Spenser. On April 15, 1598, Nicholson writing to Lord Burghley regrets that he has heard that the comedians of London are scorning the king and the people of this land in their play, and requests that this should be speedily amended lest the king and the country be stirred to anger. Already in 1590, the Presbyterian ministers of Scotland had complained that they were being scoffed at in the English stage-plays. The interesting question arises if Nicholson's complaint is not some reference to the anti-Scottish passages of the Merchant of Venice, which appeared on the stage shortly before this, and was licensed for printing on 17th July, 1598 with the unusual condition attached that neither James Roberts nor "any other whatsoever" should print it until the Lord Chamberlain had given his assent to the publication. On the other hand the proviso may be only a proof of the unwillingness of the players to allow their best acting plays to fall into the hands of the general public. In any case, Nicholson
request shows the extreme sensitiveness of the whole nation as regards ridicule.

At a later date, James constituted himself the guardian not only of the honour of himself and his progenitors, but of that of the whole nation. Even though he himself were not involved, any reflection upon Scotland was severely punished. Thus Welldon's satirical account of his visit to Scotland is said to have cost him his post. Others were less fortunate. An unhappy Pole, Stercovius, incensed at uncourteous treatment in Scotland, retaliated by a pasquil on the Scottish nation and though living abroad was hounded to death by the agents of James. Thomas Ross published in England a thesis attacking the Scots which cost him his life. The unfortunate man pled as the only possible defence that he was insane at the time, but his fate had already been fixed and no mercy was shown.

It is somewhat strange that James, who was so anxious about his personal reputation, should be the king who has suffered most severely from libellous attacks. Whatever insults he received from his Scottish subjects, and whatever pointed admonitions and rebukes he had to suffer from the Presbyterian ministers, they were as nothing to what he afterwards endured in England. Hallam states that in 1621 there were current about his person and administration "libels so bitterly malignant and so outrageous that they cannot be excelled by modern licentiousness." Specimens of these still exist preserved
in Somers' Political Tracts II, 470 "Tom Tell-troath" and summarized in the Report of the Historical Manuscripts Commission in "A Cat may look at a King." They allege the gravest and most unnatural vices against a king, who as we see in the Basilicon Doron, prided himself, and doubtless with sincerity, on the purity of his private life. These libels were repeated in more serious publications, such as Osborne's Traditional History of the Court of James I, and the writings of Sir Anthony Weldon, and Sir Edward Peyton. The latter is such a shocking travesty of the facts of history that not one single statement in it can be trusted, and is written with such malignity that the author will not allow to James the paternity of his own children. A fair sample of the charges made against James and of the evidence by which they were supported may be seen in Harris's Life of James I. These accusations have been echoed by Scottish writers of a later day, and Pinkerton in one of his notes on Maitland's poems suggests that one of the great causes of the poverty of James was that he ever lived under a species of blackmail. "One of his vices can refuse nothing." In the Calendar of Domestic Papers there are frequent references to libellous attacks on the king, not only at home but abroad. The Dutch published one in the form of a caricature of James with his pockets hanging out in derision of his poverty.
The seriousness with which James regarded all such attacks upon his good name is shown not only by the sanguinary punishments meted out to the authors, when he had the power to do so, but also by the pertinacity with which he endeavoured to track them down. This in 1600, the attempt to discover the authorship of an "infamous pasquel" arising out of a new impost on wines occupied the Privy Council from the thirteenth of March to the twenty-ninth. Luckily for the offender in this case he remained unknown, though many of the witnesses confessed that they had read it, and some were even in possession of copies.

Naturally, a strict watch was kept over any books that were published. By an act of Parliament of 1574, no books could be published unless first examined by the Chancellor and other persons deputed by the king, and passed by at least half of the examining committee. The penalty for evasion of the act is death and confiscation. This was followed in 1599 by another act forbidding the publication of "any book, libel, defamation, invective, chronicle, annuel, or history" without the king's consent. Two years later another act makes the importation of dangerous or defamatory books or writings punishable by the confiscation of the ship that brought them!
Occasionally suitors for justice endeavoured to make use of this sensiveness of the King to criticism, as when a complainer alleged that the accused "not onlie moked her, but utterit maist despoytfull and undecent language, altogidder to the contempt of his Majestie," which in view of the general contempt for the law is by no means unlikely to have taken case; and for the same reason it is equally unlikely that a favourable verdict would have the effect it deserved.
THE INFLUENCE OF SPORT.

In addition to enforcing the acts of Parliament for the silencing of evil tongues, the young king is advised in the Basilicon Doron to live a blameless life and so to present the slanderer with little occasion to speak. In addition something may be accomplished by occupying the minds of the subjects with innocent amusements and by promoting a general atmosphere of good fellowship. "Certain days of the year are to be used for delighting the people with publicke spectacles of all honest games, exercises of arms, and convening of neighbours." The king cannot see what greater superstition there can be "in making plays and lawful games in May, and good cheer at Christmas, than in eating fish in Lent and on Fridays.... So always the Sabbaths be kept holy and no unlawful pastime used." In his advocacy of the celebration of Christmas, James had travelled far from his position in 1590, when in the General Assembly, he had praised God with uplifted hands for making him king over a country with the purest kirk in the world, a kirk purer even than the church of Geneva, for they "keep pasche and yule. What have they for them? They have no institution!" Later on, we find him ordering the celebration of the great church festivals in Scotland, and in England issuing the famous proclamation called the "Book of Sports" decreeing which sports were to be deemed lawful upon the Sabbath day, e.g. dancing, archery, leaping, and wrestling.
To the modern reader it is strange to find that in Scotland the custom of fasting in Lent and on Fridays was regarded as a matter of course by the Presbyterian Church, whereas on the other hand the playing of an outdoor game on a Christmas afternoon was punished not as a desecration of a holy day but as a relic of a Popish superstition. Indeed both fasts and feasts had been condemned by the First Book of Discipline, and it is somewhat characteristic of the tendency to ascetism in the Scottish Church, that whereas the fasts were retained and enforced by law, the old-established anniversaries of the Christian Church were totally prohibited. In this respect, as we have seen, the Scottish Church went far beyond the practice of any of the Continental churches which are assumed to have the model. As early as 1566, the Calvinistic churches of Switzerland, including the church at Geneva, and the Reformed Churches of France sent over their confession of Faith, desiring to know if there was conformity of doctrine. The reply was "Wee agree in all points with these churches, and differ in nothing from them except that wee assent not in keeping festival days, seeing only the Sabbath day is kept in Scotland." Ten years later, the General Assembly of 1575 presented among other articles to the Regent, "That all days, which heretofore have been kept holy, besides the Lords day, towit, Yuleday, Saints-daies, and such others be abolished, and a civil pen-
alty be appointed against the keepers thereof by ceremonies, bancketting, playing, and such other vanities." The authority of Parliament, of the Kirk Sessions, and of the Town Councils was invoked for the suppression of the more festive aspect of these occasions, but the old customs died hard. In 1592, among a general revocation of all acts prejudicial to the Presbyterian church, an old law of 1551 giving licence for the holding of Yule and Pasche was abolished, but in 1596, the General Assembly are forced to complain of such relics of "superstition and idolatry" as "keeping of festival days, bone-fires, pilgrimages, and singing of carols at yuill." In justice to the kirk it should be pointed out that the suppression of these ancient holidays had a utilitarian as well as a religious motive. Apparently in times past these holidays had been marked by great drunkenness and immorality, and at a time when a large mass of the population seems to have been on the verge of starvation the wholesale abstention from work on these occasions was deemed a great loss to the community.

James, however, was conscious that the ban on Christmas and other festivities was a most obvious difference between the Scottish and English Churches, and such differences in inessentials he was anxious to remove. He had already postponed a meeting of the Border Commissioners lest it should clash with the "great solemnities commonly observed in England at Christmas, and in 1598, even while writing the Basilicon Doron, he
took the plunge, and observed Christmas at Holyrood "with great feasting and merriment" "which offended many, especially ministers."

There is something remarkable in the way in which the Scottish government endeavoured to force Lent and other fasting days upon an unwilling people. As early as 1562 an act was passed to this effect, giving as the main reason the extreme dearth of cattle at that time, and also that the flesh of all animals is unfit for food during the early spring. There is some truth in this allegation, because the condition of agriculture was so backward, that in the absence of all root-crops, the supply of winter fodder frequently ran short, and the preservation of cattle alive throughout a severe winter was sometimes a problem to the farmer. All through the early part of the reign of James proclamations enforcing the observation of Lent are of almost annual occurrence. Licence to eat meat during this period could be obtained on reasonable grounds but a proclamation of 1578 - 9 states that there are to be none granted as the privilege has been abused, while a further proclamation allows the granting of licences on the production of a certificate signed by a reputable medical man, and other two credible witnesses. After James had reached man's estate and taken the reins of government, these proclamations become fewer, but as can be gathered from his remarks in the Basilicon...
Doron, the observance of this and other fasts was assumed. For instance, when the baptism of his daughter had been fixed for a date within the period of the fast, James issued a proclamation shortening the duration of Lent. After the completion of the Basilicon Doron, James displays a new enthusiasm for fasting, and proclamations reminding the lieges of their duty are issued in 1600-01-02-03, most probably with the intention of bringing Scotland ever nearer to the English practice.

As has been seen, James was already attempting something of the policy he recommended to his successor. Monday was to be observed as a kind of weekly general holiday, possibly as a kind of recompence for the strictness with which the Sabbath was observed. In 1599, he attempted to revive the old-time May-day festivities by means of proclamation at the Cross of Edinburgh. In 1588 James had been amusing himself and the populace of Edinburgh with the feats of an English rope-dancer, who performed tricks upon a rope stretched from the top of St. Giles's Steeple to a stair near the Cross, "the like was never seen in this country."

Not long after the completion of his book, James was at least party to a more interesting innovation. A party of English "comedians" arrived at Edinburgh and were apparently enthusiastically welcomed by the king, who gave them licence to
perform in the city. This party was under the leadership of Laurence Fletcher and Martin Slater, and it has been suggested but without any reasonable foundation that Shakespeare may have been one of the company. Their first performances were before the king and the court and if the ministers are to be trusted in their witticisms they did not spare their royal patron. According to the Treasurer's accounts they were supplied with timber to the value of £40, and before their departure were rewarded with £333 - 6 - 8d.

To the ministers these were no welcome visitors and in their sermons they inveighed against their unruliness and immodest behaviour, though Nicholson, in his despatch of 12th Nov. 1599, states that they were careful not to mention individuals by name. At the next meeting of the kirk sessions of Edinburgh an order was issued prohibiting all members of the Kirk from attending the plays, —"not to come to or haunt profane games, sports or plays." This was regarded as a defiance of the royal authority, and the king called the ministers before him, and compelled them sorely against their wills to withdraw their prohibition, and on Nov. 8, the sessions of Edinburgh, convened by royal proclamation, rescinded the objectionable order.

Two years later Fletcher was again in Scotland and on his return to England made reference to his
royal patron by calling his company "His Majesty's Players." Fletcher had indeed some claim to this title for he was an old favourite of James before whom he had already performed in 1594, and on his return to England had suffered some persecution on account of his relations with the King of Scots. Indeed in 1595 there was a rumour that he had been hanged, and James who did not credit the report, jocularly threatened to hang the English mission at his court by way of reprisals.

The action of Robert Bruce and his brother ministers was not in this instance based upon any theoretical objection to the drama as a whole. They had been scandalized by the personal conduct of the actors, by their disregard of the Sabbath, and by the report that the performances were slanderous and offensive. At the same time the whole question of stage-plays had for them such objectionable associations that they could hardly have approved even of innocent performances. Plays were associated with the Roman Catholic regime. In Scotland, as in England, the first primitive dramas were performed in the church by the clergy themselves. They soon, however, passed into the hands of the guilds, and in Maidment's Analecta Scotica, there is preserved an elaborate account of the arrangements in Aberdeen for the performances on holy days, and of the portion for which each guild or craft was responsible. These plays and pageants were encouraged by those in
authority, and any craft that endeavoured to evade what sometimes proved a burdensome responsibility was compelled by the Town Council to do its fair share. With the Reformation, however, all these amusements came under the ban of the Church. "Clerk Plays" and "comedies and tragedies" on subjects taken from Scripture were strictly forbidden. Other dramatic performances might be tolerated after due cens-

oration, but must not take place on Sunday, which up to that time had been the usual day for them. Mayday sports were also forbidden for the same reason. This enactment had some force in the larger burghs where the influence of the church was strong; but in the country districts the old practices died hard, and in 1591, the General Assembly object that the Sabbath is being profaned by Robin Hood and other plays. Such vanities received little encouragement from the Town Council of Edinburgh at least. On their first suppression there had been riots among the lower orders, and from time to time efforts were made to revive them. Thus on May I, 1579, the Edinburgh mag-

istrates thought it expedient to make a proclamation "that ma inhabitant of this burgh presume to accompany any sic as are of the mind to renew the playes of Robene Rude." In January, 1582, a teacher in Edin-

burgh is solemnly warned against making "playes or sic-like vanities" on pain of banishment. But ap-
parently outside the burgh jurisdiction, the old plays still struggled on, for in 1588 the town drummer is put in irons for daring to go to the May Day Play at Kirkliston without permission. In 1598, several persons are summoned before the Kirk Session of the West Kirk (St. Cuthbert's) Edinburgh, for profaning the Sabbath by joining the inhabitants of the Water of Leith Valley in May Games. They were found guilty by the ecclesiastical court and handed over to the secular arm in the shape of the bailies of their respective districts. One result of this remorseless vigilance which was necessary before the Scottish Sabbath could be forced upon a mostly unwilling nation must have been to bring the drama as a whole into suspicion with the church, and it is to be feared that sometimes the punishments meted out to the offenders were not suited to the nature of the offence. Thus in Pitcairn's criminal trials one is surprised to find wedged in among among the records of murderers and traitors, the trial of a number of country fellows for the heinous sin of playing "Robin Rude."

According to James Melville, in 1600 James was compelled to try the effects of sports and spectacles as a method of silencing slanderous tongues. The Diarist records: "In Falkland I saw a Frenchman play strange and incredible pranks upon a stretched rope-tackle in the palace-close, before the king, the queen and the whole court." He adds, somewhat bitterly
"This was done to mitigate the queen and people for Gowrie's slaughter." This Frenchman was evidently Peter Brambill, a "French pavier" who found his Majesty in a generous mood and was rewarded with the handsome sum of £333 - 6 -8d. Anderson in his M.S. history also describes the performances in Scotland of a trained "English naig, Marocco" but says nothing of royal patronage.

The convening of neighbours for exercises in arms had a more serious motive than the mere promotion of good-fellowship and giving the Commons something with which to occupy their minds. It was actually part of the king's policy of being prepared for all eventualities, and will be treated later, when the military preparations of James are discussed.
JAMES as MILITARY REFORMER.

Although James delighted to pose as a peace-maker and has been consistently held up to ridicule as a Poltroon whose pen, according to Osborne, was "the sharpest weapon he ever wielded," he was by no means a pacifist in theory. On two occasions he had led an army into the field with credit. At the Bridge of Dee, he "went about lyike a gud Capitane encouragin us"; and had also conducted armed expeditions to the Borders as well as his chases after the elusive Bothwell. Accordingly he devotes a portion of his work to a few general remarks on the subject of war, leaving the minutiae of tactics and organization to the technical writers on military affairs.

Believing that he that hath his quarrel just is thrice-armed, he writes, "First let the justice of your cause be your greatest strength; and then omit not tu use all lawful means for backing the same." Even while he was penning these lines his thoughts were beginning to dwell on the advisability of an invasion of England, in support of what he considered his undoubted claim. Should any attempt be made to bring forward another claimant, then James was prepared to fight. This is a possibility in British History that has been too often ignored under the influence of exaggerated ideas of the
king's cowardice, for at this period James was much more bellicose than the bulk of his subjects.

In "backing" his just cause he was spending money he could ill afford on foreign embassies, the only effect of which was to irritate Elizabeth when she read of herself "quum iam ingravescentis aetatis sit ipsa regina et valetudinaria," and to draw upon himself a sharp remonstrance. In this, however, James gained one point as he extorted a promise that nothing would be done by her to prejudice any claim that he might put forward "after her time." In August 1598 Nicholson reported that James had been asking him questions about the influence of the Grays on the West Borders. One of them had been suggesting that the proper course was for James to raise an army and put an end to all the suspense by demanding from the English government an assurance of his title. "But he said that no advice should cause him to do so or do anything to offend her Majesty or any honest subject of hers."

Even had it been politic to follow this rash counsel, James knew he was in no fit state to do it. The wapenshaws of 1596 in anticipation of a descent by the Spaniards revealed a lamentable state of unpreparedness, and James at once proceeded to try to set matters right. The old style of warfare had become obsolete, and Scotland's half-armed levies would be a mere prey to trained troops. An act of
Parliament of 1598 proposed to put a stop to this unsatisfactory state of affairs by ordering all the lieges to provide themselves with suitable arms, and at the same time James, in keeping with his new idea of making all reforms begin "from his elbow" sent to Flanders for muskets for his own household. Like so many of the schemes he took up personally, this proved abortive. The muskets were seized by an English ship and taken to Hull. In vain did James storm and threaten the ships of Hull with reprisals, and in vain did Nicholson write that for the sake of peace the muskets which were only a few, should be given up. In 1598 James gave another proof of his lively interest in military affairs when part of the entertainment to the Duke of Holstein took the form of a review of the armed force of Edinburgh when the King was delighted with their martial appearance.

The year 1599 marks a further stage in the military preparations. A letter from Scotland addressed to the Earl of Essex in that year states that James is evidently arming. The writer, one Wenman or Weyman, declares that ever since Flodden and Pinkie the Scottish military power has been feeble. The Scots, on the whole, are a rude people lacking both the training and the equipment necessary to meet regular troops. Indeed, Scotland is
so badly off for munitions that it is doubtful if lately she could have put a force of one thousand completely armed soldiers in the field. But now a change is taking place. James had secured officers, among them a renegade Englishman, to train his people and a great improvement in skill and discipline is already visible. This letter was intentionally alarmist, but Sir Edward Coke writing to Cecil thought that James had too many secret supporters in England and suggested that "so many of the parties he hath named and be now in England, were in my opinion necessary to be examined quietly 'sine strenu.'" Colville writing on the 18th August, 1599, tells a somewhat similar tale. "The mustures and provisions of armes maid in Scotland be all preparatives againis you: and the King having money doth think he can have, out of his owne and your countrey, so many men as will serve his turn." In December James made a speech to the Convention which caused Nicholson such alarm that he underlined the most serious passage: "The King in his harangue said he knew not how soone he should have occasion to use armes: but whensoever it should be, he knew his right and would venture crowne and all for it, praying that the country might be furnished with armes according to his former order made this time a year, which is agreed unto, and the armes to be sent for with diligende, so as now on their faschion, which is little
worth, they wilbe shortly prepaired." About the same time he endeavoured to get his subjects to sign a general pledging themselves to uphold his undoubted right to the English throne. Nicholson reported that a great number demurred at it for various reasons, but Scaramelli, the Venetian agent, reflected the alarmist reports current in London and declared that James was sure of an army of 30,000 men pledged to follow him for six weeks at their own expense. This "band" was entitled "Ane generall band volunt-airlie maid be the guid subjectis of the Kingis Matie for the preservacioun of his Hienes persoun and the persuit of his undoutit right to the crownis of Ingland and Irland." In its preamble it gives a summary of the King's opinions on the divine appointment of all monarchs, and on hereditary right, as already expressed in the True Law of Free Monarchies and the Basilicon Doron. The following passages are taken from Nicholson's transcript, which is slightly anglicized.

"Forasmuche as the eternall providence of God hathe established kingdoms and monarchies, and hathe appointed kings and princes to bear rule over the same, representing his divine power in the administration of justice to their subjects, and honouring him by establishing true and Christian religion according to his words, in contemplation of which benefitts redounding to the people by the lawfull
authority of the Prince, they are bound to love, reverence, and obey their native soveraignes, to procure to their uttermost their standing and advancement, to resist and withstand all whatsoever practises and attempts which may be hurtful to their persons and estates".... "And because Almighty God amongst divers of his inestimable blessings which he multiplies upon our said Soveraigne Lord to his Glory and our great comfort, hath established the undoubted right of the crown of England in his Majesty's most royal person, next to his dearest sister, now Queen of England, Elizabeth, which notwithstanding divers persons upon frivolous and impertinent pretences, would go about to impugne, contrary to his birthright and the most ancient and allowed laws of both realms, whereupon we, upon bounden duties to our native soveraigne and moved in conscience to advance the righteous successor, solemnly swear and protest by the name of the Great God not only to our uttermost power and strength to maintain and defend our Soveraigne's undoubted right and title to the Crown of England and Ireland against all other pretenders whatsoever, but likewise without any drift or excuse upon whatsoever pretext, bestowe ourselves, our lives, children, servants, goods, friends, and geare whatsoever in persue thereof against whatsoever person that shall after the decease of the Queen of England hinder or impugne his Majesty, his heirs or successors
in the peaceable getting and enjoying or possessing of the said crown of England, etc." James, having done this, and remembering his own phrase in the Basilicon Doron that "money is nervus belli", endeavoured to induce his subjects to raise a new tax for warlike purposes, but here he met with a serious check. All that was done was to pass the act requiring all his subjects to purchase arms which were to be imported from Flanders by Sir Michael Balfour of Burley, who had obtained a monopoly for the importation of equipment for 3000 horsemen and 8000 foot. The principal burghs obtained an exemption from this act under promise to see to their own arms and to hold frequent wapenshawings. The four great burghs, Edinburgh, Perth, Dundee, and Aberdeen, were to hold their reviews in quarters at a time, while the smaller burghs, such as Glasgow, were to call out their whole manhood on the first Monday of every month. As was only to be expected, the nation showed no eagerness to buy the arms, many pleading that they were already sufficiently well-armed, or else, with commendable modesty, pleading that they were but "meane gentlemen." From the decisions in a long crop of cases arising from this act it can be gathered that Sir Michael was somewhat exacting in his demands, for in most cases they are considerably modified by the courts.

Once again in 1601 there was an attempt made
by some mischief-maker to force the hand of James. He was contemplating assisting the English in Ireland when a document was placed in his bed, urging him not to be a tool any longer, but to march into England and claim what was his by right. At the same period James was making friends with the English Border officials, and Musgrave, the Captain of Boscastle is reported to have caused his friends to drink the health of James in the "Crowne" at Penrith. 746.

All sorts of alarmist rumours came at times to London. ibid. 283

The Scots were over the Borders, the Spaniards or Irishmen were aiding them, and a Danish Fleet was in full sail for the Thames.

In his remarks on military affairs the King betrays that admiration for the Spaniards which placed such a barrier between him and his English subjects. As he repeatedly pointed out to his subjects, the great difficulty in Scotland was lack of discipline. "Be extremely strait and severe in martiall discipline, as well for keeping of order, which is as requisite as hardinesse in the warres, and punishing of slouth, which at a time may put the whole armie in hazard; as likewise for repressing of mutinies, which in warres are wonderful dangerous. And look to the Spaniard, whose great successe in all his warres, hath onely come through straitnesse of Discipline and order."
The prince is not to consult with soothsayers concerning the result of his military operations, as such conduct is directly against the Scriptures.

"Neither commit your quarrell to be tried by a duell: for beside that all duell appeareth to be unlawful, committing the quarrell as it were to a lot, whereof there is no warrant in the Scripture since the abrogating of the old law, it is specially most unlawful in the person of a king." This remark by James is interesting as giving his views on single combat. This was naturally most distasteful to him but he also holds that it was "unlawful" that is, forbidden by the Scriptures. It was not unlawful by the law of the land though James did his best to discounterence it. His declaration that the duello is against the law of God is a restatement of the views of John Major on this subject. "Laws and judges sin in allowing such encounters. The accuser sins and so does the defender if he can protect his life in any other way. Besides it has often been found that the vanquished had the just cause, for God wills not to reveal innocence in this bad way. It ought to be sought out by legitimate means." Major, however, was far in advance of his time, and the personal timidity of James in reviving fifty years later the lesson he had taught in vain. James states his position a little more fully thus: "As likewise by all good writers, as well theologues as other, the
duels and singular combats are disallowed, which are only made upon the pretence that God will kith thereby the justice of the quarrel; for we must consider that the innocent party is not innocent before God, and therefore God will make oftentimes them that have the wrong side revenge justly his quarrel."

During the King's troublous minority the practice of settling disputes by the sword had become too common. Mere private brawls had ever been illegal: only the indifference or the weakness of the central government had allowed them to pass unpunished. A challenge to mortal combat, however, was almost the recognised method of supporting or refuting a charge which did not admit of any clear proof. There are several cases of such in the decade 1590 to 1600. In 1592 Lord Spynie was accused by Sir William Stewart of being a favourer of Bothwell, and indignantly denying this offered to prove his honesty by fighting Sir William. The challenge was accepted, but the King intervened and the combat did not take place. In the same year the Master of Gray in order to clear his name of having falsely accused Mr. Robert Bruce, offered to fight any man in Scotland except the King. Five years later Lord Spynie is again a challenger, and writes to the Laird of Cluny concerning the slaughter of the Laird of Mencoffe, which Spynie asserts was "murder under trust". He declares Cluny to be perjured and
a liar, and wishes to know how, when, and where the matter betwixt them will shortly be tried by arms.

It is doubtful if any of these challenges except possibly the first would have been regarded as legal, for according to an ordinance of 1580 single combats were entirely forbidden except in matters of treason "whereanent na uther triall is to be had," in order to provide for these wild accusations of treason and mutual defiance, where there was no possibility of proof and there the evidence was limited to the words of either party. Of this legal trial by combat there are actually three cases in the reign of James.

The first of these took place in 1595. Neilson in his Trial by Combat states that the grounds of the quarrel are unknown, but the whole story is told circumstantially in Patrick Anderson's M.S. History of Scotland, and reprinted in Chambers' Domestic Annals. In the M.S. History the grounds of the quarrel are given in detail and may be summarized as follows:—

The Earl of Yester, being childless, was informed by his page George Hepburn that he had been approached by John Brown who pointed out that as he (Hepburn) had some knowledge of drugs he could do himself a good turn by poisoning the Earl and making way for Brown's patron. This allegation Brown strenuously denied and as there was no evidence beyond the statements of either party, a warrant was applied for. It was granted and the combat duly
took place at Edston Haugh near Neidpath. The Laird of Buccleuch acted for Brown and Cessford for Hepburn, assisted by Lord Yester and Newbattle, and the spectacle attracted thousands of spectators. The combatants fought in their doublets with sword and lance. Brown was wounded at the first encounter, but made a desperate effort to continue the fight, but Hepburn maintained his advantage and would have slain him had he not been halted upon by the marshals to stay his hand. Brown recovered, and as was only to be expected sought Hepburn's life for many years.

Two years later took place what is believed to be the last judicial battle fought in Great Britain. It created a great sensation at the time, and has since been made the subject of romance. Once again the quarrel is between private persons. Stephen Bruntfield had been killed by James Carmichael, and it was alleged by the former's brother Adam that unfair means had been employed. Adam accused him of this and on the charge being denied issued the inevitable challenge. The royal license was procured and the combat took place on Barnbougle Links under the personal supervision of the Duke of Lennox himself, and under the eyes of no fewer than five thousand gentlemen. The combatants entered the "barasse" clad in red and blue respectively, and in fight Carmichael who was a redoubted warrior was slain by
his younger antagonist.

The third case is even more extraordinary. Francis Mowbray of Barnbougle seems to have been rather an unsatisfactory person. He is referred to in some cases of "oppression" and is noted in Birrel's Diary as having on 16th April, 1596 struck a Mr. William Shaw "through the body with ane raper." Robert Johnston in his Latin History describes him as "homo turbidus, ferox, et manu promptus." He drifted to the Continent, and then back to Scotland where he was imprisoned as a suspected Catholic plotter. After his release he became a paid agent of Cecil. In 1602, however, Cecil was informed by an Italian fencing-master, Daniel Archideaquila, that Mowbray had revealed to him a plot for the assassination of the King of Scotland. After some diplomatic correspondence the two were sent to James, and as they both persisted in their charges and denials, a combat was arranged to take place in the great close of the Abbey of Holyrood, where the barasse was erected. Two or three days before the great event, news arrived that certain Scotsmen were coming from England with more evidence. These witnesses proved to be men of unsatisfactory character, and before further decision could be made, Mowbray attempted to escape from Edinburgh Castle by lowering himself from his window by a rope he had made from his blankets. He fell and was killed thus fulfilling two points of a threefold
curse he had invoked upon himself during his examination by the King. Deaquila was set at liberty and rewarded by a small pension.

Such combats as the preceding were regarded as legal, if undesirable, but a single combat or duel which had not been preceded by a licence from the King was wholly illegal. If information reached the government that such an affair was contemplated a discharge or prohibition was at once made out. Such a "discharge" is mentioned in the Register of the Privy Council, where two gentlemen who were parties to a feud and who had given and accepted a challenge, were forbidden to carry out their intention on pain of death. The old act, however, had been so consistently ignored that on the first of April, 1600, the Council issued a new edict forbidding the issuing of challenges to single combat. As the people of Scotland seem to have regarded such edicts more as a means by which the members of the Council relieved their fellings than anything else, no attention was paid to it, and the members of the Council soon had their hands full. Within a fortnight two of the Borthwick family were accused of sending cartels of defiance to Sinclair of Rosslyn, and were bound over under penalty of £200 to appear for examination. One of the two failed to appear and the cautioner had to forfeit the money. On the same day they had to con-
sider the case of Lockart of the Lea and a gentleman of Leith, Rutherford by name, who notwithstanding that the King was in residence in Holyrood, drew swords upon each other, in the High Street of Edinburgh. William Rutherford was found in this case to be the aggressor and was warded in the Tolbooth. Rutherford was apparently a choleric individual, as a later entry in the Privy Council Register finds him protesting against the amount of his caution in another quarrel on the grounds that "the said pane (£2000) is the pane of an earl, and not of a meane man, indweller of a town."

In less than three weeks from the issuing of their order they had before them the case of the first man to lose his life in Scotland by process of law for the killing of a man in fair fight. Two young men, Robert Auchmowtie and James Wauchope had had bitter words followed by a challenge, and the combat duly took place on St. Leonards Crags in rather close proximity to the royal residence. The fight seems to have been a savage one, Wauchope was killed, and the Council instigated by the King took the matter up. Auchmowtie took as his line of defence that Wauchope was a rebel at the horn and therefore not entitled to the protection of the law. The King, however, in a series of letters from Stirling and Falkland brushes aside all this defence as frivolous
and irritated by the long technical discussion practically accuses the judges of delaying justice. Possibly had Auchmowtie been a man of higher rank than a mere "chirurgeon and burgess" the pursuit would have been less keen, but an example was needed, and the victim was needed. Auchmowtie was duly condemned, and after an ingenious attempt to escape by eating away the iron bars of his prison with a corrosive acid, was executed. The Order of the Privy Council was then followed up by an Act of Parliament in which it was declared that both the challenger and the challenged would be put to death if the latter in any way responded. He had the satisfaction, however, of knowing that for the aggressor was reserved the more painful and degrading death of the two.

In his references to actual warfare, James recommends his son to make use of young and hardy soldiers, but of old and experienced leaders. The King's duty on a campaign is rather to inspire confidence. "Be homely with your soldiers as your companions, for winning their hearts, and extremly liberal, for then is no time of sparing...And once or twice in your owne person hazard yourselfe fairely; but having acquired so the fame of courage and magnanimitie, make not a daily soldier of your selfe, exposing rashly your person to every perill;
but conserve yourselfe thereafter for the weale of your people, for whose sake yee must take more care for your selue then for your owne."
The Six "Horrible" Crimes.

In his advice to his successor, James counsels him to avoid the error he made when he first ascended the throne. He tried, he says, by being gracious at the beginning to win all men's hearts to him; whereas his sole reward was disorder in the country, and contempt and ingratitude towards himself. Whatever may have been his motive, this is a very fair description of the early conduct of James, and his mistaken lenity is frequently noted by Ashby and other English agents.

"The lenity used by this prince can bring no good effect but draw himself into contempt, encourage the evil disposed to turn all upside down, and hazard his state and the lives of all his faithful servants." To avoid the repetition of this experience, his son must begin by reigning sternly so as to show all that he can strike, and then when all have learned their lesson, he can relax and show mercy. There are, however, certain horrible crimes that a king is bound in conscience never to forgive: these are, witchcraft, wilful murder, incest, sodomy, and false coin.

Sir Walter Scott, in his edition of Somers' Political Tracts notes as very characteristic of James that in this catalogue of heinous offences witchcraft is placed first. Somewhat too much has been made of the King's interest in matters supernatural, and some writers describe his conduct in such a way as to make it appear that a belief practically universal was a
peculiar folly of the king. Principal Lee in his Lectures on the Church of Scotland goes rather too far on the other side. In his attempt to prove that the death penalty for witchcraft in England was not an importation from Scotland due to King James, he almost makes out that James had other motives in his persecution of witches. He writes, "We firmly believe that his zeal against witchcraft like his attachment to episcopacy, was assumed for the purpose of ingratiating himself with the English nation, where a passion for the wonderful has always been much stronger than in this more frigid climate." He points out truly enough that long before the death of Elizabeth some of the most learned men in the English Church had been preaching and publishing elaborate discourses against witchcraft, and that the doctrines of Reginald Scot had been denounced as insane.

The truth is that in this matter James was neither behind nor in advance of his age, and the belief which he professed so strongly was well-nigh universal in all classes and in all countries. We read of persecutions urged on "by the conceit and timidity" of "the weak-minded king," but when one or all of the great kirk leaders show the same persecuting spirit, the fact is usually conveniently forgotten. In its periodical jeremiads on the evil condition of the country, the General Assembly
usually mentions witchcraft and the consulting of
witches among the terrible crimes which are rampant
in the country. There were executions for witchcraft
in Scotland before ever James took over the reigns
of government, and there were sporadic outbreaks of
witch-burning in Scotland and in other countries un-
til well into the VIII Century.

At the same time, in spite of Principal Lee's
arguments, James was firmly convinced of the exist-
ence of witches, that he would likely be a special
target for their attacks, and he had that busy in-
quisitive turn of mind that likes to interfere in
everything. He thought that a king ought to be
a "jack-of-all-trades" and a master of his own. He
addresses his son as follows: "But above all vertues
study to know ell your own crafte, which is to rule
your people. And when I say this, I bid you know
all craftes: for except ye know every one, how can
ye control everyone, which is your proper office?"
As he tells us in his preface to Demonologie, he was
specially moved to write that book by two facts;
first, "the fearful abounding at this time in this
country of these detestable slaves of the Divel, the
witches," and secondly against the "damnable opin-
ions of two principally in our own age" who had the
hardihood to deny in public print that there were
such beings as witches at all. These writers were
the Englishman, Reginald Scot, who in 1584 published
"A Discovery of Witcheraft" which James afterwards had burned by the common hangman, and a German physician, Johan Wierus, who in 1564 and again in 1577, had published books, "De Preadigiis Daemonum" and its continuation, deriding the possibility of witchcraft. The latter book was not without its effect for, half a century later, Mackenzie while dealing with witchcraft in his remarks on Scottish Criminal Statutes, summarizes his views with the caution that these considerations ought to make judges go warily in dealing with crimes of this nature.

There was no consideration given in the last decade of the Sixteenth Century, as the appalling stories of witch trials reported in Pitcairn's Criminal Trials give melancholy evidence. Some of the Kirk Session Records throw light upon the even more terrible antecedents to the officially inflicted abominations. We have the picture presented to us of the frenzied rising of a whole parish upon some unfortunate creature, her unavailing resistance, and all the barbarous methods of summary trial that cruelty, terror, and superstition could suggest. While the dread of witchcraft hung ever over the community like the fear of the plague - to which indeed, James compares it - There were periods when the supposed outbreaks assumed epidemic proportions. Thus there was the famous East Lothian outbreak, with its wild tales of witches' Sabbaths held in North Berwick Kirk,
which first called for the King's active intervention.

At the trial of Barbara Napier in June 1591, he describes his activities thus: "For witchcraft, which is a thing grown very common among us, I know it to be a most abominable sin, and I have been occupied these three quarters of a year for the sifting out of them that are guilty therein. We are taught by the laws both of God and man, that this sin is most odious: and by God's law punishable by Death!" This shows one difficulty which James and his contemporaries had to face. In those days of the belief in the verbal inspiration of the Scriptures, they were faced with the command "Thou shalt not suffer a witch to live" and with the story of the witch of Endor and Saul. To deny the existence of witchcraft was therefore practically to deny the truth of the Scriptures. It was considerations such as these which led such a comparatively advanced person as Joseph Addison, living more than a century later in an age inclined if anything to scepticism, to be unwilling to deny the possibility of witchcraft in general.

Another outbreak occurred in 1597, and a yet more terrible in the following year, in which dozens of innocent women were arrested and after unspeakable tortures put to a cruel death on the evidence of a mere look on the part of the supposed witch-finder Margaret Aitken. Some of her tales are reported in Anderson's M.S. History. "There was in May at ane
convention upon a hill in Atholl, to the number of 23,000, and the devill amongst them. The great witch of Balweary told all this." This was followed by relentless persecution all over the country. Many were condemned by Margaret Aitken's supposed power of finding the witch-marks in their eyes. "There was many of them tried by swimming in the water by binding of their thumbes and great toes together; for being then cast-en in the water they floated aye abune."

The discovery of Aitken's fraud led to a temporary halt in the infamous proceedings but failed to shake the general belief in the slightest, though some qualms of conscience appeared in the General Assembly of 1598. Up to that time, the Clergy had distinguished themselves as persecutors. It is melancholy to think of so generally lovable a person as James Melville scouring the coasts of Fife to scrape up evidence against a supposed witch lest she should escape, and only in 1597 the General Assembly had fulminated against secular magistrates who had ignored the decisions of the Kirk and set convicted witches at liberty. Now, however, they desire to know if this carrying about of conviceted witches is a legal method of trial, and on receiving the king's answer that the matter is presently being considered by a commission, they appoint two of their number to watch events and report.

As an illustration of the extent to which this
obsession was able to destroy all reasoning power, James himself can be quoted. "Further experience daily proves how loth they are to confess without torture, which witnesseth their guiltiness." In other words, unwillingness to confess a wholly imaginary crime except in the boots or the "pilniewinks" is a clear evidence of guilt. It is easy at the present day to pour ridicule upon James but it may be safely said that none of his writings won such universal agreement from his contemporaries and his successors for the next hundred years as "Demonologie."

There were other forms of superstition as common as the belief in witchcraft. Though the Catholic religion had been abolished, old practices did not die so easily, and the Clergy had great difficulty in putting a stop to the visiting of holy wells for the cure of certain diseases. Indeed the General Assembly complain that sometimes the very ministers near the spot, instead of reproving the superstitious persons, encourage them in their evil practice by offering food and hospitality. Another evil custom was that of leaving a part of the ground untilled and dedicated to the Devil under the name of the "Goodman's Croft." A belief in the efficacy of charms was well nigh universal. Calderwood states that it was believed that "the Chancellor (Maitland) had some tables and images around his neck, and that he was sure so long as he used them so."
packet with the strange characters found on the body of the Earl of Gowrie was believed to have had the power to check the flow of blood from his wounds and helped to spread the rumour that the unfortunate earl had studied the "Black Art" while abroad. As has been stated before there was a wide-spread belief in prophecy not always emanating from clerical sources, as for instance Sir James Stewart's alleged alarm when he found himself in the Cat Slack, a place which had been foretold to him as the place of his death.
In his denunciation of the two worst breaches of ordinary morality, James did not go quite so far as the Scottish Parliament, which in 1592 passed an act making "notorious and manifest adultery" punishable by death. The penalty was indeed awarded in particularly scandalous cases as can be seen from Pitcairn's Criminal Trials: but if it had been so in every case, there would have been a serious diminution of the Scottish population. The records of the Kirk Session of St. Andrew's and elsewhere give clear proof that sexual morality in Scotland was at this time at a very low ebb. This weakness is also referred to in Weldon's satirical account of Scotland as he found it in 1616, where he says that offences of this nature were treated as a jest. This was not due to an innate depravity on the part of the Scots but marriage customs seem all along to have been lax, and to have become worse during the troubles that attended the Reformation. Marriage of near relatives seems to have become common and early claimed the attention of the General Assemblies. Over a great part of the kingdom the Kirk strove hard to enforce some sense of the reality and sanctity of marriage and baptism as sacraments, with a varying degree of success. Where ecclesiastical control was strong much progress was made. In St. Andrew's the unflinching sternness of David Black led to a vast improvement in this matter in a very short time. Min-
isters and elders were empowered to adopt what were practically methods of espionage to discover cases to be reported to the session. The Assembly actually deposed ministers who dared to celebrate marriages or baptisms "inter parietes" but over nearly half the parishes in the land there was still very little or no ecclesiastical control. In the earlier days of the Scottish Church the exercise of the minister's powers as censor of morals demanded great moral and physical courage. Ministers who dared publicly to rebuke the originators of scandals had frequently to do so in the face of threats of violence which were sometimes carried out. It must be noted to the credit of the King that notwithstanding his general quarrel with the Kirk in this matter he supported the ministers very strongly, and punished any interference with remarkable severity. Still, in spite of all the efforts of minister and session, Scotland for long remained in a very unsatisfactory condition in this respect. Sir George Mackenzie, on the other hand, notes that the most degrading forms of sexual vice were very rare indeed.
Wilful murder and poisoning are by James regarded as two entirely distinct types of crime. Manslaughter was unfortunately only too common and does not seem to have excited any special feelings of horror. The extent to which it prevailed can be guessed by an entry in Calderwood in which he says that in one week there were five men killed within two miles of Edinburgh, and the inhabitants of the city were familiar with such sights as the bloody shirts or even the corpses of the slain being borne through the streets in a vain demand for justice. Murder under Trust, and most likely this is what James means by "wilful murder" was a very different business. By an act of Parliament this was regarded as a form of High Treason and the crown was bound to take the initiative in the prosecution, which might otherwise have been left to the feeble efforts of the next of kin. Poisoning, happily, seems to have been repugnant to the Scottish character, and although there were rumours from time to time there are practically no authentic cases. In the list of crimes drawn up for the advice of justices, poisoning is put far down in the list as if it were of very unusual occurrence. Mackenzie in his remarks on Laws and Customs in Matters Criminal states that in Scottish Law poison is punishable as treason but that he can find no instances of any poisoners who have been
treated as traitors, that is, the usual sentence has been simply execution not followed by confiscation. He points out that in the event of a case arising in which it was proved that a physician had deliberately poisoned a patient, the offence would then be not simple poisoning, but murder under trust. Possibly poisoning and witchcraft were sometimes confused. There is one case in which a witch is actually accused of administering poison—and acquitted! There is a curious irony in the fact that in Pitcairn's Criminal Trials the story of the judicial murder of Francis Tennant is followed by a trial for the poisoning of two hens, whose murderer was promptly banished.
JAMES and the HIGHLANDS.

James did not regard what he termed "oppression" as falling within the category of unpardonable crimes; but its great prevalence in the land, and the fact that it was regarded as almost a virtue by some, demanded the king's closest attention. The young prince is ever to embrace the quarrel of the poor and the distressed and to seek to earn the same honourable title as James V, the "poor man's king." James seems to have flattered himself that he also had some right to this honourable title, for speaking in Edinburgh early in 1597, he declares that he sat "in the house of justice, hearing only the poore man's cause, as his daily exercise was when he was not out on his lawfull recreations," and complains bitterly of the ingratitude of the Edinburgh citizens. The Highlands and the Borders are especially liable to this species of violence, and therefore require special treatment. The Highlands are inhabited by two sorts of people. Those on the mainland are barbarous for the most part, but "mixed with some shewe of civilitie." These can be dealt with easily by the steady execution of the laws made against them, mostly in the spirit of the General Band, whereby each landowner or chief is made responsible for the behaviour either of his tenants or of those who owe him allegiance. From these hostages and security could be taken, and James has little doubt that by persisting in this course "it will be little difficultie to danton them."
In this matter James was somewhat too optimistic, and even while writing his book, he was beginning to discover that the laws already passed were insufficient to check Highland depredations. The hostages and pledges were duly given, and then the chief seemed to imagine that the whole matter was at an end, and continued his evil courses, taking no heed of the fate of the unfortunate pledge. These hostages were frequently handed over to some Lowland baron or gentleman for safe keeping, and the latter finding the duty somewhat burdensome, allowed the pledge to escape. To prevent this somewhat, a more stringent regulation was drawn up in 1599, by which landlords and chiefs were made personally responsible for the misdeeds of their tenants or followers, and were compelled to find caution in the Lowlands that they would appear in person before the Council on six days' notice, and make good the damage. Even this proved ineffectual on account of that point in Scottish law which required the injured party to complain and act as pursuer. Many of the people most liable to plunder and violence endured in silence lest worse should befall them, and in 1601, the king declared his determination "to take purpose in his awin persone to hald hand to the dew execution of justice against malefactouris and maist-erfull oppressouris in sic partis of the countrie as his Majestie sall happin to repair in." Injured parties have simply to inform the King or Council by
"word, writ, or any other privat information."

The other inhabitants of the Highlands who dwell upon the Western Isles present quite a different problem. They are "alluterly barbarous, without any sort or shew of civilitie." Strong though this language is, it is mild to that of the first edition, where he writes: "Think no other of them but as wolves and wild beasts." This sweeping condemnation was really justified by the extent to which violence and treacherous murder held sway in the West. It must be remembered that at this time, an inhabitant of the Lowlands had great difficulty in conceiving of a Highlander, let alone a man from one of the extreme Western Isles as a fellow-countryman. The Hebrideans regarded themselves as a race apart, with interests more connected with Ireland than with the rest of Scotland. The efforts of James to secure order in the Highlands had increased this tendency, as Campbell of Lawers wrote to Colville on 7th April, 1595 "This lait ordour taen be the kingis Majestie for the quayetting off the Hielandis hes forceit the hail broken men in these countreis to be in reddines to depart." Their destination was Ireland where they proposed to assist the rebels against the forces of Elizabeth, a danger which the English agents in Scotland constantly strove to avert. So little sense had these western chiefs of Scottish nationality or of any allegiance to the Scottish king that on April 15th 1598, Donald Gorm of Sleat, styling
herself "Lord of the Isles of Scotland and chief of the
Clan Donnel Irishmen" sent through Nicholson a letter
to Queen Elizabeth offering to embrace her service, and
to persuade all the Isles to throw off allegiance to
the King of Scots. The document is a most interesting
one. It is beautifully written as becomes a state pap-
er of first rate importance, and is composed in the
stately tone of one independent sovereign seeking the
alliance and friendship of another. Part of it is as
follows:—

"Donald Gorme Makdonnall, Lord of ye Illis of Scot-
land and chief off the haiill Clandonnall Irischemen
quhairsoever, quhom the haiill cheiffis and captanes
c of the clannis undermentionat, ar faithfullie bond,
obleist, and suorne to follow, serve, obey, and assist
with all thair pouars and forces in quhatsomever his
attemptis and enterprisis. Thay ar to say, The Captane
of the haiill Clanrandell, the Laird of Glengarrie, "and
so on through a long list of his allies and vassals.
Having duly impressed Elizabeth with a sense of his
power, he informs her that he wishes employment "upon
worthie occasiouns and guid deserts." He is "aibill
and readye to move and persuade the Saidis Donald Gorme,
Makloythe of the Harreis, and Sir James Makdonnall,
with thair haiill associattis, followeris, and adherent-
is, ather to mak defectioun from his Majesteis obedience
and lawes, stire up rebellicoun and trubill within all
the boundis of the mayneland and incountreyis nearest
Thair hail boundis whairsoever, and thairby inquet the peaceable estate of the hail incountrey, and fasche his Majestie long gneuch thairanent, and wearie the whole estaitis of this land by raising new stentis and taxatioun-is for furnessing soldieris to be sent thair for taking ordour anent thir rebellione, whiche will not be gottin sattilled nor suppressed be sic forces as his Majestie is aibill to mak meit for that boundis, but muche adoe, spending of meikill tyme, and consuming greatt store of mony quhairoff his Majestie is very skarse."..."Thir men ar the rather and more easily to be inducit heir unto be reason of the great rigor and severitie used towards thame be his Majestie (throw the counsall of certain particular corruptit men and brybing courteours) anent the compositiones for the richt of thair landes and lev-inges." Besides all this, he is able to reveal all the secrets of the Irish rebels and the machinations of the Spaniards. At the close of his letter he once more hints delicately that there is a pecuniary side to the matter and until this is settled he will do nothing. Should the Queen desire a personal interview, Donald expresses his readiness upon "suddan advertaisment to repair towards her Majestie."

It is characteristic of Cecil's diplomacy that this offer though not accepted was not set aside for the next two entries in the State Papers are a query from Cecil for fuller information regarding the Western Isles and Nicholson's reply which is simply a summary of an
earlier document already in Cecil's possession. In
the lists of the Scottish nobility prepared by their
agents for the use of the English Statesmen, nearly
all the principal Highland chiefs are described as
"Yrische and a barbare", "Yrische" in this case simply
meaning Gaelic-speaking. As a cure for their barbar-
ity, James had meditated a descent upon the Western
Isles in 1596. This he ultimately abandoned; and in
1598 he had definitely adopted with regard to them
that policy of colonization which he recommends to
his son: "As for the other sort — the Islanders — follow
forth the course that I have intended of planting
colonies among them of answerable inland subjects
that may within short time reform and civilize the
best inclined among them, rooting out or transplant-
ing the barbarous and stubborn sort, and planting
civilitie in their rooms."

By June rumours of some such project had actually
reached the Islands. Thirty barons of Fife were of-
fering to conquer Lewis at their own expense, and to
pay the King a rental of 140 chalders of victual.
This was moving certain of the Lothian barons to make
similar offers for the Isle of Skye, and there was
a possibility of all the Islanders banding together
in a general revolt. An un-named Highland gentleman
who was seeking money from Nicholson on condition of
steering an English course was hinting that he might
make betters terms with the other side. James, in
fact, while he was penning the words above quoted, was already committed to a scheme of colonization in which he showed great pertinacity, though he had not the success he anticipated. It is however an interesting anticipation of the later and more successful Plantation of Ulster.

The main grievances of James against the Islesmen were that they were living in a state of virtual independence, refused to pay any rents or feudal dues, and by a complicated series of feuds kept all the west in an uproar. At the same time, the King and those about him held grossly exaggerated views of the possible resources of the Islands. Lewis was said to be fertile, with especially good grazing for sheep. Corn and bere could be raised in abundance; and there were valuable fisheries. This idea may be founded on a passage in Bishop Lesley's book, "De origine moribus et rebus gestis Scotiae" Lesley, published in Rome in 1578, in which he describes Lewis as "herbae, avenae, et hordei bene ferax atque populo denique numerosa." Moreover, among all the Western Isles, Lewis was in the most disturbed condition, owing to feuds and massacres among the rival sections of the Clan M'Leod, from whom it was vain to expect any contribution to the royal exchequer. Accordingly James in 1598 welcomed the overtures of that company of Gentlemen Adventurers, commonly called the Undertakers for the colonization
of the Western Isles. The leaders were Patrick, Commendator of Lindores, James Leirmonth of Balcolmby, Sir James Anstruther, Ewan of that ilk, Sir James Spens of Wormiston, Sir James Sandilands of Slammanno, Captain William Murray, John Forret of Fingask, William, Commendator of Pittenweem, David Home, apparent of Wedderburn, Sir George Home of Wedderburn, his father, and Ludovick, Earl of Lennox.

The avowed object of the company was to "plant policy and civilization" in the hitherto most barbarous Isle of Lewis, with Rona-Lewis, and Trouterness (Trotternish) and to develop the alleged extraordinarily rich resources of the same for the public good and the King's profit. Their charter was granted in Holyrood on the 29th June, 1508.

There was a great burst of energy. A summons was issued for the array of the western shires to meet at Dumbarton on 20th August. Meanwhile by 7th July the Gentlemen Adventurers had their plan of operations clearly marked out.

(1) The Highlanders were to be required to appear before his Majesty for non-production of their titles under a late Act of Parliament.

(2) On their failure to do so - which was taken for granted - they were to be denounced as rebels, and their estates escheated and conveyed legally to the Gentlemen Adventurers.

(3) In addition their lands and titles were to be
declared forfeit for various crimes, and a new right and disposition was to be made out to the said gentlemen and "na otheris."

(4) An ample commission of lieutenancy was to be given to the Earl of Lennox.

(5) To prevent all attacks on the colonists, all dwellers on the islands were to demolish their lymphads and birlings.

(6) The dwellers on the mainland were to hand over to the Adventurers all their lymphads and birlings, and to build no other boats but "sic as rowis with thrie airis in the side allanerlie."

(7a) The Gentlemen were to be freed from all raids and taxes for one year.

(8) That no part of the Highlands or Isles was to be granted at any time thereafter except to Lowland men or such as can find Lowland men to become cautioners for the payment of rent.

The policy of James was obviously to clear out as many of the natives as possible, and to place in their stead new-comers who would be more amenable to the laws and above all better contributors to the royal exchequer. There was some vague talk about ten kirks that were ultimately to be built, but as can be seen little attempt was to be made at civilizing the Highlanders, though James Melville had great hopes of the power of religion over them and praised the generosity of M'Intosh who offered to
endow kirks among his own people. Yet such was the state of the country that even M'Intosh confessed that it would be easier to build the kirks than to find the ministers willing to fill them.

Writers with a Celtic bias wax extremely bitter over this experiment, and ascribe to James the basest motives, usually declaring that the main cause of the whole enterprise was mere Lowland lust of money. On the other hand Fletcher in his Second Discourse on the Affairs of Scotland urges a revival of the plan on a wholesale scale: "It were to be wished that the government would think fit to transplant that handful of people, and their masters (who have always disturbed our peace) into the Low Country and people the Highlands from hence." Buckle considers the attempt to colonize Lewis as one of the most enlightened actions of the time; but omits to notice that by the King's plan, the unfortunate natives were to be civilized out of existence. The motives of James were in truth somewhat mixed, but a laudable desire for order and settled government was certainly one. He had formed the habit at this time of considering his policy as it would look in the eyes of the English, and the condition of the Western Isles was certainly a bad testimonial to his powers of government. In any case, the Adventurers themselves seem to have behaved considerately to the inhabitants, who made little effort to support
their former masters; and the entire affair is mildness itself compared with the later commission given to Huntly, requiring him to exterminate the inhabitants of some of the islands within a year and a day.

On the 5th August the King renewed his summons to the western counties and regretted that so few of his subjects had made any preparation to meet the day. In his history of the Outer Hebrides, Mackenzie, who is constantly hostile, uncharitably remarks that they knew the pusillanimous nature of James too well ever to imagine that he would undertake such a risky voyage and therefore did not trouble to obey the summons. On the 16th August the King is still at Edinburgh but has got the length of selecting a ship of Ayr belonging to Robert Jameson "being ane gallant ship" of 130 tons, and has ordered a crew of picked mariners to be ready to convey him to Cantyre. Next day, his Majesty has gone to Dalkeith, and considering the great expenses to be incurred and the "manifold dangers" to be encountered by the Duke of Lennox and his company, grants them the royal dues of the island for the five years 1600 to 1604 inclusive. On the 25th of August, his Majesty has moved as far west as Dumbarton and there at a council declares that notwithstanding the powers of lieutenancy granted to the Earl of Lennox it shall not be lawful for him to show favour to any of the islanders without the express consent of the Council. This is evidently planned to prevent any other method of securing the
possession of the islands other than that of actual colonization. By the 30th October, the Gentlemen Adventurers announce that they are ready to sail.

There is more than usual confusion about the dates of the various movements of the expedition. According to the Register of the Privy Council they were still in the neighbourhood of the Forth on the 30th October. David Moysie states in his memoirs that "about the twenty of October, the Gentlemen Interpryseris to conquis the Lewes past forward on the voyadge." Birrel's Diary and Patrick Anderson's M.S. History also state that the company set sail in October, but the evidence of the Privy Council Register would suggest a slightly later start somewhere in the first week of November. The Border Papers merely mention the enterprise as about to take place, and George Nicholson usually so voluminous is almost silent on this matter. Calderwood, though he gives some important details, is an entire year wrong in his dates, and his account follows almost word for word that given in Robert Johnston's M.S. History. As far as dates are concerned Fraser's Chronicle is hopelessly wrong, and in any case it is here largely a mere transcript from Spotswood.

The expedition consisted of some five or six hundred men and some gentlemen volunteers. After a voyage of about four days they arrived at the "Lake" of Stornoway where they larded. The season was late and cold; and soon many of the Lowlanders fell ill "of fluxes" on ac-
count of damp and exposure, but in the end they built a "pretty town" where they had encamped—the beginning of modern Stornoway. Murdoch M'Leod, a base-born son of old M'Leod, at first made some resistance but got little support from the inhabitants on account of his previous treatment of them. On the other hand many of the natives swore allegiance to the new comers and received a share of the lands when they were divided out. Having seen matters so far settled, James Leirmonth set sail for home in one of the company's ships, but while the ship was becalmed he was suddenly attacked by a small fleet consisting of one galley, two birlings and a boat, under the command of Murdoch M'Leod. The galley would be one of the lymphads referred to in the Register of the Privy Council—an undecked boat with one mast and from eighteen to twenty-four oars, a lineal descendant of the viking ship. From one to three men would be at each oar. The birling was slightly smaller and carried from twelve to eighteen oars. The boat would likely be one of the six-oared type still familiar on the Shetland coast as a "sixern." This happened on the 7th December, 1598, and the unfortunate James Leirmonth was kept a prisoner in the Isle of Ristol until 27th January, when he was released on ransom, either promised or paid, of 3000 marks for himself, 500 marks for Thomas Cunningham, Burgess of Crail, and a certain Thomas Mure. On his voyage home, Leirmonth died at
the Orkneys either of a fever due to exposure or from
the results of the ill-treatment he had received. His
death was made use of by James Melville to point a
moral. The Kirk was firmly convinced of the exist-
ence of direct "judgments" upon evil-doers, and that
preachers were at times endowed with something like
the gift of prophecy. The careers of those who were
denounced for any crime were carefully watched, and
any disaster that befell them was regarded as the
fulfilment of a prophecy. Such was the fate of the
unfortunate James Leirmonth. As a youth he had evid-
ently been a lively fellow with none too good a reput-
ation in some ways as the Records of the Kirk Session
of St. Andrew's testify. As far back as 1581 he had
roused the ire of Andrew Melville by affixing a
scurrilous "placard to the college yett" at St. Andrew's
and had been warned that "God shall bast on thee",
which thus duly came to pass only eighteen years lat-
er.

To avenge the death of Leirmonth, the rest of
the settlers plotted with Neil M'Leod, the brother of
Murdoch, that he should betray him into their hands.
Neil seems to have been piqued at not receiving a share
of the plunder, and laid an ambuscade into which his
brother and twelve others fell. The unfortunate
twelve were promptly put to death and their heads
sent south, while Murdoch was sent to St. Andrew's
where he was beheaded.
Before his death, however, he made some disclosures which complicated matters till farther. According to the author of the Civill Trowbells of the Lewis, the neighbouring chiefs viewed the Lowland settlement with great displeasure, fearing that if it were successful the scheme might be extended to their detriment. That astute schemer, Mackenzie of Kintail, who was raising himself out of a position of comparative insignificance into one of some power, was beginning to consider how he could turn the whole matter to his own advantage. At his execution, Murdoch M'Leod revealed that M'Kenzie had been instrumental in stirring up the M'Leods, and on hearing this the Adventurers lodged a complaint against the chief. He was actually arrested and confined in Edinburgh Castle from which he speedily escaped with the alleged connivance of the Chancellor.

In the meantime, M'Kenzie had released from imprisonment Norman M'Leod to stir up the islanders. This he did most effectually, surprising the colonists, who had apparently grown careless, and forcing them to agree to the following conditions:

(I) That they should procure for him from the king a pardon for all his past offences and crimes.

(2) That they should resign to Norman all the rights that they had acquired in Lewis.

(3) That Sir James Spence and his son-in-law, Thomas Monipenny of Kinkell should remain behind as
pledges.

Sir James Anstruther then departed with the survivors of the expedition. The conditions were duly carried out, and the pledges set free.

The total failure of this first attempt at colonization seemed to give M'Kenzie his opportunity, and he lost no time in grasping it. Thanks to his influence with the Chancellor, he endeavoured to get for himself a charter giving him power over Lewis. This scheme was defeated by the original Adventurers though they were heartily sick of their bargain from which the king was most unwilling to release them. In the end their rights were taken over by a new company under Robert Lumsden of Airdrie and Sir George Hay of Nethercliffe. This company had the assistance of M'Kenzie and Donald Gorm of Sleat, and forced the inhabitants to leave Lewis and give security never to return.

The new colonists held out successfully all winter, and in the spring began to till the land. Money, however, began to run done and the workmen diminished daily. The natives seized the opportunity, and aided by the other islanders began a guerilla warfare which so exhausted the settlers that they were glad to make over their rights for a small sum to the crafty Kintail. He was now able to assert his claim to the island of Lewis, and by methods of warfare only suited to the district and
the times he utterly overthrew the M'Leods, "one divil," as Fraser says, "being best fitted to dung out another divil." Neil M'Leod who had betrayed the Sassenach even as he had betrayed his brother, was caught and hanged in 1613. Young Norman was driven overseas, and so far the only result of this determined effort was a considerable loss of life on both sides, the financial ruin of several of the undertakers, the collapse of the Seil Torquil, one of the powerful branches of the M'Leods, and the aggrandisement of Kintail, who now becomes "Lord Mackingie."

The effort at colonization in Lewis encouraged others to make similar suggestions to the King. It has been seen that there was some talk of the Lothian gentry attempting the plantation of Skye, and even while the Adventurers were in Lewis, Sir James Macdonald came forward with a proposal that he should drive the "whole surname of Clan Donald" from Cantyre and Islay. A little later tentative proposals of the same nature were made on behalf of the Earl of Argyle, and indeed in the end Islay was seized and civilized by Campbell of Calder to the King's great satisfaction. This, however, together with the desperate commission given to the Earl of Huntly which would have resulted in the virtual extermination of a large section of the population of the Outer Hebrides, belongs to his later and English Period.

Although James professed in his book that it
would not be difficult to "danton" the clans of the Mainland, it must not be forgotten that this process had sometimes terrible results. It is during this period that there began what a contemporary would have called the "tragedy" of the Clan Gregor. For the previous hundred years the position of this tribe had been unsatisfactory. They were powerful in numbers but lacking in the cohesion of the great clans who were their neighbours and who were already casting greedy eyes upon territory which the M'Gregors held only by the sword. There is in the English State Papers a memorandum of the date 1593 written by some unknown Scotsman describing briefly, for the benefit of Cecil, the principal clans of the Western Isles and Highlands. In it, the Clan Gregor are described as "dependers on the Earl of Argyle, and dwellers on the maist part of all men's land betwix Dumbarton and Dunkeld," a circumstance which must have made them unpopular with all their Highland neighbours. They were particularly objectionable to the Lowlanders as the great bastion of hill country which they made their special haunt was thrust so far south as to take the central plain in flank. At the same time, they themselves were more liable to retaliation than were the remoter clans. Surrounded thus by foes on all sides, the clan developed a ferocity of disposition which their neighbours ascribed to an innate depravity of character. They are constantly styled in the Register of the Privy
Council and similar papers "the wicked Clan Gregor" or
"the wicked and unhappy Clan Gregor," and it is to be
feared that they justified both of these adjectives.
One of their exploits, the barbarous slaughter of Drum-
mond of Drummondernoch in 1589, supplied Scott with much
of the subject matter for his Legend of Montrose. As
their own chief was unable to secure adequate obedience,
the Earls of Argyle assumed responsibility, and frequently
used the unhappy clan as their tools, hounding them out
against their enemies and then disclaiming responsibility.
This process culminated in the great raid on the Colqu-
houns known as the slaughter of Glenfruin, which was
followed by the execution of many of the M'Gregors and
the proscription of the entire clan. The dying declara-
tion of their chief, Alistair M'Gregor of Glenstrae,
which bears every mark of truth throws a melancholy light
on the unhappy situation of the clan. "And now seing
God and man seis it is greidines of warldlie geir quhilk
causis him to put at me and my kin, and not the weill of
the realme, nor to pacify the samyn, nor to his Majesteis
honour, bot to putt down innocent men, to cause pure
bairnes and infants bege, and pure wemen to perishe for
hunger when they ar hereit of thair geir.....Quherfor I
wald beseik God that his Majestie knew the weratie,
that at this hour I wald be content to tak Baneismant,
with all my kin that was at the Laird of Lussis slaughter,
...and his Majestie of his mercie, to lat pure innocent
men and young bairnes pass to libertie, and lerne to
leif as innocent men. The quhilk I wald fulfil, not any kind of fail; quhilk wald be mair to the will of God and to his Majestes honour, nor the greidie cruell forme that is devysit, only for leif of geir, haveing neither respect to God nor honestie!” Such was one method of “dantoning” the Highlands.
OPPRESSION.

James, next to the Highlands, singles out the Borders as specially liable to the crime of "oppression", but does not trouble his successor with any instructions regarding their special treatment. Should the Union not take place there will be other things besides the Borders to give trouble: but should the Union take place the Borders will become the Middle Shires of the Realm and be as easily ruled as any other part of it. This remark discloses that James contemplated a much closer union than either of his two sets of subjects desired. He declared in his speech before the English Parliament in 1607, "I desire a perfect union of laws and persons, and such a naturalizing as may make one body of both kingdoms under me your king." In this wish he was in advance of his time. His hopes that Border troubles would disappear automatically were optimistic but it is true that these unruly neighbourhoods settled down in a wonderfully short space of time. Great numbers of the "broken men" were transhipped to Ireland, and ruthless tracking down of law-breakers by the Commissioners for the Middle Shires and their sleith hounds put a wholesome fear upon those who found it hard to give up the predatory habits of their ancestors. This process went on for more than a dozen years, and in 1616 one of the judges writes "It is
There was no need, however, to go as far as the Highlands or Borders for examples of oppression. In volume IV of the Register of the Privy Council there are fifty cases of this offence, in volume V, forty-nine, in volume VI, sixty-two. This does not include ordinary crimes of violence or robbery. Well might James say that "the over-common use of it in this nation, as if it were a vertue, .....requirith the King to be a sharp censurer thereof." In the feeble condition of the executive government, even ordinary burghers were only too apt to take the law into their own hands. Injured persons collected their friends and arrested the alleged culprits in the street often with scenes of great violence, and thereafter imprisoned them either in the burgh tolbooth or in some private house. Such a deed of violence is reflected in an entry in the Register of the Privy Council which relates how a certain James Watson, accompanied by four or five friends all armed with swords and gauntlets, set upon a certain Richard Moffat, "patt violent hands on his person, and efter mony bauch and bloody straikes given by thame to him" carried him to Watson's house where they took from him his cloak, sword, and purse.

The infliction of torture by private persons was not unknown. Only a few pages before the previous
extract, we read how a citizen of Edinburgh named John Frier was seized as near the city as House of Muir, by one, Patrick Fleming, who "patt him to tortour in ane instrument nameit the cashielawis, and held him therein the space of twa houris, drawing his body, nek, armes and feet togidder within the boundis of a span, straik wadges betwix his schallbanes quhill the bluid birsitoute" and reft from him his purse, sword, and bonnet. An even more horrible case is recorded in Pitcairn where an Edinburgh goldsmith, having missed his purse at a house, accused a girl there either of stealing it or of finding it and keeping it. As she denied this, he and two accomplies seized the unfortunate servant girl and carried her to a house in Edinburgh where they tortured her in a fiendish manner, breaking her fingers in the holes of a harrow and burning her under the arm-pits and on other parts of her body with red-hot tongs held there until they got cold. After this they carried her to a house in Liberton where they kept her bound for forty-eight hours with neither food nor drink. The conclusion of their trial shows the ease with which many could evade the consequences of their crimes. The maid was evidently bribed not to appear as a pursuer, and as the law stood then, the jury had no option but to return a verdict of "Not Guilty." These are merely three sample cases selected out of Edinburgh and its immediate vicinity within a space of about two years. More horrible
cases could easily be found in the more out-lying parts of the country. "Ravishing" was a very common form of oppression. This usually took the form of the abduction of some heiress or even of a wealthy widow, and appears to have been quite a recognized way of winning a bride. In extenuation of this practice it is alleged that frequently the abducted damsel offered little objection, and sometimes even knew in advance; and that in any case the marriage brought about in this manner were often as successful as those more normally arranged.
It is very characteristic of the royal mode of composition to find that while James devotes about three folio pages to the important matter of the choice of a wife and her management when chosen, he dismisses Parliament and all connected therewith in twenty-one lines. Yet in these lines he contrives to show how unfitted he was to govern in England where Parliamentary authority was rapidly developing, without danger of a serious collision. Briefly put, his position is that Parliament is the "honourablest and highest judgment in the land, being the King's head court." In other words, Parliament derives its authority and dignity from its connection with the King, and not as representing the people. Its main use is for making new laws, but "in this countrey wee have alreadie moe good lawes then are well execute." If Parliament be used for any other purpose it is liable to become "the in-iustest Judgement-seat that may be" as the dominant faction is apt to pass laws aiming at particular enemies under the colour of general laws, which the Estates may consent to, "not knowing themselves whom thereby they hurt." ...."And therefore hold no parliaments, but for necessitie of new Lawes, which would be but seldom; for few Lawes and well put in execution are best in a well-ruled commonweale." As has been seen, the great feature of the previous eight years 'had been the contrast between the King's intentions as embodied in legislation, and
his administration as shown in the state of the country. Parliament also has to deal with forfeitures, but "it is not good tigging with these things." The young prince is therefore advised to "forefault none but for such odious crimes as may make them unworthy ever to be restored again." James is writing this passage, as can be seen, in the light of his own experience, and his decision regarding the inadvisability of passing forfeitures through Parliament except in extreme and irrevocable cases, is no doubt the result of the infinite trouble he had experienced in the case of Huntly and the other Catholic lords.

He had already arrived at similar conclusions from the theoretical point of view which he had expounded in the Trew Law of free Monarchies. There he stated that Kings existed in Scotland "before any parliaments were holden or lawes made." ...."And according to these fundamental lawes already alleged we daily see that in the Parliament (which is nothing else but the head court of the King and his vassals) the lawes are but craved by his subjects, and onely made by him at their rogation and by their advice." The King can and does daily make laws and ordinances without any advice of Parliament or Estates, "yet it lies in the power of no Parliament to make any kind of law or statute without his sceptre be to it for giving it the force of a law." Moreover the King has dispensing-power: "general lawes made public-
King be mitigated and suspended upon causes onely known to him." These short passages summarise the opinions of James on the true relations that should exist between king and parliament, opinions which no subsequent experience could modify in the slightest.

In his first speech to the English Parliament in 1603, he emphasized his favourite topic of the advisability of having few laws and these well considered and well executed, because "in corruptissima republica plurima legis." Two years later he felt qualified to instruct the English Parliament as to its origin and its function, and did so in what is simply an expansion of the leading ideas expressed in his Basilicon Doron. "And as to the nature of the high court of Parliament, it is nothing else but the King's great Counsell, which the King doth assemble either upon occasion of interpreting or abrogating old Lawes, or making of new, according as ill maners shall deserve, or for the public punishment of evil-doers, etc." Once again he declared his preference for few laws, and said: "So doeth the life and strength of the Law consist not in heaping up infinite and confused numbers of Lawes, but in the right interpretation and good execution of good and wholesome Lawes....Nor yet is it -(Parliament)- a convenient place for private men under the colour of general lawes to purpose nothing but their owne particular gaine.....which many times under faire and pleasing titles are smoothly passed
over, and so by stealth procure without consideration that the private meaning of them tendeth to nothing but either to the wrecke of a particular partie, or else under colour of publike benefite to pill the poore people and serve as it were for a general Impost upon them for filling the pockets of some private persons." Here we have James obviously retailing his Scottish experiences for the benefit of his new subjects; but the freedom of speech adopted in the English Parliament made him sigh for the more primitive methods of the Scottish Assembly. "I can assure you," he informed his Parliament of 1607, "that the forme of Parliament there is nothing inclined to popularitie. About a twentie dayes or such a time before the Parliament, Proclamation is made throughout the Kingdome to deliver in to the Kings Clearke of Register...all bills to be exhibited that session before a certain day. Then are they brought unto the King and per- used and considered by him, and onely such as I alowe of are put into the Chancellor's hardes to bee pro- pounded to the Parliament and none others." Again he says, "For here I must note unto you the differ- ence of the two Parliaments in these two Kingdomes; for there they must not speak without the Chancellor's leave, and if any man doe propound or utter any sed- itious or uncomely speeches, he is straight interrupted and silenced by the Chancellor's authoritie; whereas
here, the libertie for any man to speake what hee list, and as long as hee list, was the onely cause he was not interrupted."

This description of the Scottish Parliament was happily intended merely for English consumption for James latterly had not been finding the Scottish Parliament the complaisant and servile body he described. In his account of the nobility James had dismissed the smaller barons with the remark that they were "but an inferior part of the nobilitie and of their estate." Such they were in the eyes of the feudal lawyer, but throughout the reign the smaller barons had been developing into a fourth estate, with interests diverging from those of the great feudal potentates. Of small military power they were coming more and more to desire law and order, and showed a tendency to ally themselves with the church and the burghs. There is in the Supplementary Parliamentary Papers a petition presented in November 1599 to the King in their name which is really a serious criticism of his government and almost an attempt to secure the initiative in Legislation, although it is entitled "The humble petitiounis of the small baronis and freehalderis to the Kingis Majestie and remanent estaitis."

Among other things they demand the institution of a resident council to assist his Majesty in all
things: that the religion of the country should be maintained in purity and beauty, and that the ministers be "certainly providet of their levings"; that the griefs of all classes be considered and remedies suggested; that the great multitude of laws made in recent parliaments be printed and made accessible to the public; that the proper duty of each of the King's officers be set down in writing so that in the case of neglect of duty the King may know whom to blame; to try the causes of the present universal poverty of the King, the kirk, and the whole country; how the exorbitant taxations being raised may be avoided and the King's ordinary expenses may be borne upon his own estate; how the multitude of cruel slaughters and "vyld odious crimes" may be punished and stayed; the free access of notorious offenders standing at the horn even to his Majesty's presence to be checked; and that something should be done to speed up legal processes.

When the Estates did meet, James found their temper loyal enough but that they were extremely determined to submit to no new schemes of taxation of which James had several to propose. The final discussion of these was to take place at a meeting in June 1600. This meeting seems to be the only Scottish Parliament of which we have a fairly detailed account, and it was by no means so subservient as James wished, or described later when he boasted he
could govern Scotland by the pen. The early part of the year had been spent by the King in preparing the ground so that his proposals should have a favourable reception. When the estates met, James "made a longe harangue tending to persuade them to grant him their reliefs of money for having men and money for his honorable entering to the Crowne after her Majestie whom God of his mercy long preserve to us over us." James affected to believe that the matter had practically been settled at the previous Convention at Perth, but met with strenuous opposition, "the barons and burrows not yealding thereto." The meeting was continued "till Tuesday, the next day from that day. It was continued till Wedden'sday and so to Thursday with ....daily metinges and reasonings (the King personally striving with himself and his instruments to draw them to his desire)." The opposition rather increased. "The Lord President upon rising said that it might be raised what would bigg a palace or a house, or rig out an army, but it could not be rased what would conquer England." The King's financial proposals were absurd "for sundry towns in England and the Low Countries could advance more money than this country could do." Edward Bruce was urgent on the King's side which caused the young Earl of Gowrie to speak on the side of the barons and burghs, who "in good wordes stuck out that they had said that the country was very poore
(and so it is in deed) and unable almost to do this — that they would when time served furnish the King as faire an army as ever good subjects did, and in the mean time give the King £40,000 Scottis, so as they should never be taxed again in his time and know it should be bestowed only upon the King's proper adois. (The italics are my own, and seem to indicate that the Estates are now beginning to assert their authority in financial matters.) The King refused this offer alleging that his scheme of 40,000 crowns to be raised by 1000 persons had been as good as accepted at the previous convention. To this Gowrie replied, and then James, "seeing on Thursday it could not be better... dismissed the convention with thank to the nobility in especial and prelates, assuring them and promising them his friendship and favour in all their adois, and threatening the barons and burrows (with words of exception that some of them were honest and loved him) that as their adois lay in his way, he should remember them and be even with them, and call a Parliament and displace them of vote in parliament and convention, saying he gave them votes in both and made them a fourth estate, which he should undo again." This ferocious attack — for fury is breathed in every syllable of the unconsidered utterance — was met by a dignified and spirited reply by the Laird of Easter Wemyss, and the convention separated.
In his Introductory Sonnet to the original edition James describes his book as a "mirrour vive and fair" in which one may see the image of a worthy king. In a later speech, he more truly compares his utterances to mirrors in which his own image can be beheld, and, in his pedantic later manner, warns his hearers and readers that even the reflection in a mirror may be altered and distorted in various ways. The mirror of the Basilicon Doron is mainly occupied by the figure of James himself, and there one may see him in all his various moods, now stately, now homely, now lachrymose, and now jocular, but ever moving towards his goal. Ludicrous though his conduct sometimes appears, it must not be allowed to obscure the fact that, judging by results, James was the most successful of the Stuart Kings. To a great extent, he subdued his opponents in the Kirk. In spite of the large amount of secret support and sympathy Bothwell received, he ruined him and drove him from the land. On the other hand, in spite of all opposition, he kept Huntly at home, promoted him, and at the same time reduced this powerful noble who had threatened the peace of two kingdoms, to the position of "a slight unmeritable man, meet to be sent on errands." He gained the throne of England, the one goal of all his tortuous policy, and by dying normally in
his bed, performed a feat of which none of his more dignified ancestors had been capable. Behind this central figure one can catch glimpses of his environment—greedy courtiers, proud and turbulent nobles, wild Highlanders, crafty merchants, riotous craftsmen, and stern inflexible clergy, who have all been the topic of the preceding pages.

But the Basilicon Doron has more than an historical interest. Above everything else James was a rhetorician, and from some of the expressions which he uses, such as "ink-horne terms" he had evidently studied the works of such contemporary English writers as Wilson. His remarks in the Basilicon Doron, Book III, "Of writing, and what style fitteth a prince" contain some sound advice, and his concluding sentence is of particular importance. "And I would also advise you to write in your owne language: for there is nothing left to be said in Greeke and Latine alreadie; and ynew of poore schollers would match you in these languages; and besides that it best becommeth a king to purifie and make famous his owne tongue, wherein he may go before all his subjects, as it setteth him well to do in all honest and lawfull things." James followed his own advice and by writing his first version of his book in the language of his country has achieved the distinction of being the last author in Scotland to compose a
work in vernacular prose with any claim to literary distinction.
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