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KING CAMPBELL

The Public Career of the
Marquis of Argyll (1607?-1661)

by

Hilary Louise Rubinstein

A Thesis
Submitted for the Degree of
Doctor of Philosophy of the
Australian National University,

July 1980
I certify that this dissertation is entirely my own work and that it does not derive from, nor does it paraphrase, any other source except as acknowledged in the work.

(signed)

Hilary L. Rubinstein

Hilary L. Rubinstein
He was much set on raising his own family to be a sort of King in the Highlands

- Gilbert Burnet

He was conveyed with nobles, barons, burgesses [who were] bare-headed for the most part, so highly was he in those days exalted, little inferior to a king.

- John Spalding

I entered not upon the work of reformation with any design of advantage to myself, or prejudice to the King and his government

- Marquis of Argyll
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knowledge of the political history of Britain in the Civil War period. Professor George Yule, formerly of the University of Melbourne, kindly acted as my joint supervisor after my move to Victoria in 1978, prior to his departure to the University of Aberdeen; thereafter Professor Francis West, of Deakin University, has undertaken this task with his erudition and courtesy.
This dissertation is a study of the political career of Archibald Campbell, eighth Earl and first Marquis of Argyll (c. 1607-1661) who was arguably the most important Scottish nobleman to figure prominently in the events of the English Civil War and Interregnum.

Chapter One describes the territorial possessions, historic role and national influence of the Campbells and places Argyll within his familial heritage. Chapter Two describes his dispute with his half-brother over possession of Kintyre and his pursuance and arrest, on behalf of the central government in the tradition of the Campbells, of Highland rebels and outlaws, notably Gilderoy. The chapter introduces the religious crisis in Scotland which erupted as a result of Charles I's liturgical "innovations", and examines Argyll's efforts on behalf of two controversial opponents of those "innovations" and of Episcopacy, the Laird of Earlstoun and Samuel Rutherford. Chapter Three describes his movements during the prelude to the National Covenant (1638) and examines his avowed sympathy for the Covenanters at the Glasgow Assembly. Chapter Four considers his emerging role as leader of the Covenanting movement and his constitutional aims in the wake of the Glasgow Assembly (1638) and the Edinburgh Assembly (1639). Chapter Five describes the fomentation of unrest in the Highlands against Argyll's increasing predominance in the state. In Chapter Six it is argued that with the Scottish constitutional settlement of 1641 Argyll had achieved his aims, and there is a comparison between his political outlook and that of the English "middle group". Chapter Seven examines Argyll's role in the prologue to the Solemn League and Covenant (1643) and ends with the Campbells' defeat at the Battle of Inverlochy (1645). Chapter Eight describes Argyll's increasing isolation from the nobility, his political reliance on the barons and burgesses, his attitude to the disposal of
Charles I in 1646 and his opposition to the Treaty of Carisbrooke (1647). In Chapter Nine Argyll's policy in the wake of the Battle of Preston (1648) is considered, as are his efforts on behalf of Charles II, and the worsening rift between him and his radical allies. Chapter Ten examines his relations with the Cromwellian regime and addresses the question why, at the Restoration, he was tried and executed. Finally, the Epilogue briefly evaluates his career and his importance as a political leader. This dissertation also includes (in an Appendix) the six letters which Monck supplied to the court which tried Argyll to "prove" his complicity with the Cromwellian authorities, as well as two maps and two genealogical tables.
Archibald Campbell, eighth Earl and first Marquis of Argyll (c.1607-1661) was an important and influential figure of the front rank in the crowded and complex period of the English Civil War. It can be argued that he was the most important Scottish nobleman to figure prominently in the events of the English Civil War and Interregnum, and hence, given the significance of Scotland in the events of the period, one of the leading political figures in Britain at that time.

Despite Argyll’s intrinsic importance, however, he has been neglected by recent historians. As far as I am aware, no work has been published on his career since 1903, when the Rev. John Willcock’s biography of him appeared, and he has been generally treated by scholars only fitfully and indirectly. Indeed, the larger history of Scotland and its leading figures during the English Civil War period (the very name is significant) has been ignored by most recent historians, or treated in a segregated, residual manner which has not fully illuminated its wider importance for the course of events in Britain. Argyll himself was both an ambiguous figure and one whose beliefs appear incomprehensible to the modern temperament. Although he was a significant figure in the Scottish Lowlands, he was first and foremost the scion and leader of a powerful Highland clan. The manpower he commanded in an age (possibly the last time in British history) when the command of military manpower in Britain swayed events accounts for much of his influence on the national scene. His Calvinistic beliefs, derived from the Scottish Reformist heritage, caused him to embrace the cause of the National Covenant, and his position as a prominent Scottish nobleman and privy councillor meant that he was eagerly regarded by the bulk of the Covenanters as a natural leader of their movement.
A number of points concerning this dissertation need, I think, to be made explicit. This is primarily a political biography of Argyll. For that reason the underlying and broader social and economic factors influencing the course of British events - and which form so important a part of the modern historiography of the period - have necessarily played a minimal role in the discussion. However, I touch upon them whenever they are relevant either to Argyll's career or to the larger train of events.

Considerations of space have meant that Argyll's trial has not been described in detail, although, wherever relevant, the charges brought against him and his refutation of them have been mentioned in the text. It is important to stress that the trial itself lacked drama. It was very lengthy, tedious and repetitive in its conduct, and its ultimate verdict was in all likelihood a foregone conclusion. Moreover, it occurred nine years after he had ceased to be a truly powerful figure. I have, therefore, focussed in my discussion of this matter on the more important issue of why Argyll was virtually singled out among Scotsmen for trial and execution at the Restoration.

Finally, I should note that I was unable to consult the unpublished papers relating to Argyll's life which are in the possession of the Duke of Argyll at Inveraray Castle. In 1976, before I began research, Inveraray Castle was struck by a major fire which compelled the Duke to close his archives to all historical researchers, without exception, and hence, regrettably, I was unable to use these manuscripts for my work. However, I have carefully consulted the Inventory of Argyll's papers at Inveraray, and I am quite certain that there is little held there which is directly relevant to a purely political biography of the marquis. The great bulk of the relevant papers there concern the management of his estate and family matters, and would be of greater interest to the economic and
social historian, or to the historian of the Argyll family, than to me. My opinion was confirmed by Mr. Edward Cowan, lecturer in History at Edinburgh University, during a conversation I had with him in 1978. I have, however, utilised the extensive Breadalbane Muniments collection in the Scottish Record Office, which is the major source for the public affairs of the Campbells during this period.
Chapter One

Campbell's Kingdom: the Marquis of Argyll and his Highland heritage.

In the early weeks of 1607 - the exact date is uncertain - Lady Anne Douglas, daughter of the seventh Earl of Morton, presented her husband, the seventh Earl of Argyll, chief of Clan Campbell, with an heir. The child, like his father, was given the Gaelic name Gillesbuig, meaning (ironically, as events turned out) "a bishop's servant", which for some reason was rendered into English usage as Archibald, a name of Teutonic origin already fairly popular in Scotland, especially amongst the Campbells. By that name he was known outside the Highlands.

The clan he came to head was the most powerful in Scotland. The Campbells exceeded in numbers and in wealth every other Highland clan except for the Marquis of Huntly's Gordons, and could provide their chief (known, from generation to generation, as McCailein Mor,


or "son of the great Colin", the founder of the House of Argyll)\(^3\) with between two thousand and five thousand fighting men.\(^4\) These clansmen were known in Gaeldom as the "sons of Diarmiad", from the name of their supposed common ancestor, Diarmiad Duibne ("Black Dermot").\(^5\) Their surname is thought to derive from the Gaelic caine ("mouth") and beul ("crooked"), presumably the facial characteristic of an early chief, and, judging from his portraits, of the


4. Estimates of the number of men the Marquis of Argyll could put in the field vary. See infra, Chapter 5. In 1648 he had under his command 5000 men, but these included general levies as well as personal followers. See A Great Victorie obtained in the Kingdom of Scotland by the Marquis of Argyle, with 5000 Horse and Foot, against the Rebellious Army under the command of the Lord Lanerick (n.p., 1648), passim, hereafter cited as A Great Victorie. The Scot Tobias Smollett, in his novel The Expedition of Humphry Clinker, first published in 1771, estimated that the then Duke of Argyll "can assemble five thousand men in arms, of his own clan and surname, which is Campbell", not counting the Earl of Breadalbane's followers. "The MacDonalds are as numerous, and remarkably warlike . . . . So that if all the Highlanders, including the inhabitants of the Isles, were united, they could bring into the field an army of forty thousand fighting men, capable of undertaking the most dangerous enterprise". For estimates of population see T. M. Cooper, "The Numbers and Distribution of the Population of Medieval Scotland", Scottish Historical Review, vol. 26 (1926), pp. 1-9. During the lifetime of the Marquis of Argyll the population of Scotland was almost certainly less than one million. See T. C. Smout, A History of the Scottish People, 1560-1830 (London, 1970), p. 117 and passim. In 1755 the total number of fighting men in Argyllshire was estimated to be 13,257, of whom 550 resided in the burgh of Inveraray. See Scottish Population Statistics, including Webster's Analysis of Population, 1755 (ed. J. G. Kyd, Edinburgh, Scottish History Society, 1952), pp. 33-35.

5. Kermack, loc. cit.
What bound the Campbells, like the members of any clan, together was a belief in their real or imagined ties of blood through a shared descent, and their loyalty to their chief. At the beginning of the eighteenth century, when the clan system was flourishing still, an English observer neatly described this relationship, with scarcely a trace of exaggeration. "The ordinary Highlanders", he wrote 
estem it the most sublime virtue to love their chief, and pay him a blind obedience, although it be in opposition to the government, the laws of the kingdom, or even to the law of God . . . . Next to this love of their chief is that of the particular branch from whence they sprang: and, in a third degree, to those of the whole clan or name, whom they will assist, right or wrong, against those of any other tribe with which they are at variance, to whom their enmity, like that of exasperated brothers, is most outrageous."

It was precisely this situation which made the Highlands so difficult to rule from Edinburgh.

In return for their manpower and rent (usually paid in kind) the Campbells and the septs* who placed themselves under their aegis

6. This facial characteristic is most noticeable in the portrait painted in 1651 by David Scougal, now in the Scottish National Portrait Gallery, Edinburgh. Anna Ramsay, Challenge to the Highlander (London, 1933), p. 51, believes that he was a victim of infantile paralysis, but this would appear to be far-fetched. There is certainly no evidence to support such a suggestion.

7. Edward Burt, 1726, quoted in Sir Robert S. Rait, History of Scotland (London, 1915), pp. 103-4. See also John Home, The History of the Rebellion (London, 1802), p. 9: "The most sacred oath to a Highlander was to swear by the hand of his chief. The constant exclamation, upon any sudden accident, was, may God be with the chief, or, may the chief by uppermost". Quoted in A. J. Youngson, Beyond the Highland Line (London, 1974), p. 17.


*A sept was a subdivision of a clan. See infra.
and control expected the protection of the chief, the personification of the clan. As a rule chiefs, ennobled or not, maintained a certain state, being surrounded by personal attendants including a bard and a piper, who sang and played ballads and laments, a genealogist, who maintained awareness of the clan's descent, a bearer of the chief's broadsword, a guide who led the chief safely through dangerous passes, and a gillie who carried him over fords when he was on foot. He was thus a person of considerable importance among his own people.

As well as the cohesiveness engendered by kinship, the clan system was fostered by the nature of the Highland terrain, where mountains divided glens from one another, making the inhabitants of each small area isolated and self-sufficient and encouraging a sense of community. Not all clans, however, enjoyed territory marked by such definite boundaries, and this made them easy prey for enemy forays.

In addition to this geographical factor there was a political one - the constant weakness of monarchical government in Scotland, which had not yet succeeded, as in England, in subordinating the various local interests to the Crown. The king has been called "the keystone of the arch of Scottish society". He was the Ard-righ, or "high chief",


a clan leader on a national scale, a symbol of unity. Allegiance to the monarchy was one of the few features in Scottish life which transcended the regional (Highland versus Lowland), racial (Celt versus Saxon or Norman) and linguistic (Gaelic versus Inglis*) divisions of the country. It was sustained by attachment to a long and largely mythical line of monarchs which by the opening of the seventeenth century was said to number well over one hundred. Scottish kings since David I in the twelfth century had attempted to impose feudalism on the country, which entailed the gradual replacement of the Highland "law of Gavel" (by which the property of the clan was apportioned in specified amounts between its male branches) with feudal law (whereby the next heir normally assumed control of the entire property). Feudal law was passionately resisted in many parts of the Highlands, though it was fairly universal by the fifteenth century. In the fifteenth and sixteenth centuries several sovereigns, including James V, experienced the difficulty of ascending to the throne as minors, fair game for the rival interests of strong, squabbling factions of feudal nobles.

*Inglis was the name given to the Scottish English which developed in the Lowlands in the sixteenth century.


As we shall see, Clan Campbell benefitted from the royal policy of establishing feudalism in the Highlands, and cooperated closely with the Crown in bringing it about. The fortunes of the clan, and in particular its ruling branch, that of Argyll, were laid in the thirteenth century by Great Colin, who defended Robert the Bruce's claim to the throne, and was rewarded with a royal grant of lands in Lochow, and what is now Kilmartin. The barony of Lochow (or Loch Awe) comprised the whole of mid-Argyll - or Earr a' Ghaideal, the "Border of the Gaels", which had been an ancient kingdom colonised by the Irish in the fifth century - between Lorne and Loch Fyne, except for two small districts. These beginnings of Campbell aggrandisement took place at the expense of clans and groupings which had supported John Balliol, Bruce's defeated rival. Some of these, such as the Lamonts in Cowal and the Mac Sweyns in Knapdale, had been more important than the Campbells, and the dispossessed never forgot the wrong.

Having acquired this much, the Campbells forged ahead. A kind of Highland _lebensraum_ outlook directed their actions, and their dynamic ambitions proved compatible with the royal aim of "policing the Highlands". Bruce himself placed the royal fortress of Dunstaffnage (divided by the Firth of Lorne and Loch Linnhe from the territories of troublesome MacLeans, Maclains and MacDonalds of Clan Ranald) in their care, and subsequent monarchs continued to entrust it to them. It symbolised the peculiar function the Campbells held in the west of Scotland, that of state policemen. The Marquis of Argyll can be appropriately characterised as part Highland chief, part feudal baron.

17. _Ibid._
and this phrase also describes previous chiefs of Clan Campbell, which was never properly Highland. As the Crown's agents they maintained law and order in the Western Highlands and protected the Lowlands from the incursions of Gaelic marauders such as the MacDonalds, their traditional enemies. This enabled them, under the guise of acting solely on the Crown's behalf, to expand their territory at the expense of other clans. Whenever they suppressed a Highland revolt, always on the sovereign's behalf, they received the rebels' forfeited lands as compensation, either expelling the vanquished from the area, or forcing them to become feudal tenants dependent on the Campbells. In severe instances the defeated clansmen were outlawed and compelled to assume the name of Campbell. 19

Under feudalism - which existed in Scotland well into the seven­teenth century - the king was the ultimate source of land tenure, and the Campbells procured from successive monarchs feudal charters which accorded them superiority, with all which that entailed in the way of judicial powers and military service, over the territories of neighbouring clans. The victims could either forswear allegiance to their chief and follow the Campbell, or resist Campbell hegemony. The latter was a dangerous course, since in the circumstances defiance of the Campbells was interpreted as rebellion against the Crown, which had issued the charter, and the Campbells could, again in the king's name, defeat the rebels, and obtain their forfeited lands. It was put about by the Campbells' many enemies that they were not above surreptitiously instigating other clans into rebellion against the Crown in order to quell the rising and add to their own fortunes, 20 but whether there was any truth in this assertion cannot be ascertained.


The only way a clan might retain its lands in the face of the Campbell threat was for its chief to accept the feudal system and have himself declared feudal overlord of his traditional clan lands. Even so, because of their great military power, the Campbells sometimes forced a weaker neighbouring chief who held his lands as a feudal vassal of the king to surrender his tenure to them, and receive back the lands as a Campbell vassal. In this way - which came to be favoured by the future marquis himself in the 1620s and 1630s - the Campbell chief became the direct feudal superior of his weaker neighbour. The Earl of Seaforth's MacKenzies, the Earl of Sutherland's Gordons, and the Marquis of Huntly's Gordons, played similar roles in the north, far north, and north east. Like the Campbells, the MacKenzies and the Gordons were semi-Lowland in their spheres of influence, and acted as buffers between the central government and the other Highland clans. None of the other clans enjoyed effective power outside their own territories, let alone outside the Gaelic speaking Highlands, nor were their chiefs great nobles.


22. See Scottish Record Office (hereafter abbreviated S.R.O.), Breadalbane Muniments, hereafter cited as Breadalbane MSS, GD 112/39/640 and passim; S.R.O., GD 201/5, Documents regarding the transactions between Clan Ranald and the Argyll family, folio 902 and passim; R. C. MacLeod, The MacLeods of Dunvegan (Edinburgh, 1927), pp. 146-47; Isobel F. Grant, The MacLeods: the History of a Clan (London, 1959), pp. 272-73; "Contract between Lord Lorne and M'Lean of Ardgour, dated 19 December 1631" and "Letters of Certification and Assurance by James, Marquess of Montrose, Captain-General and Lieutenant-Governor of Scotland, 1 September 1645", Highland Papers vol. 1, pp. 323-34. The latter document exemplifies the methods by which clans such as the MacLeans attempted to recover their position as tenants having the king as direct feudal overlord.

Campbell territory was sufficiently close to the Lowlands to absorb the main trends of Scottish civilisation, which flourished there. (Indeed, their lands in Ayrshire and Clackmannanshire were actually in the Lowlands). A notable example is the Reformation of 1559-60. The fourth Earl of Argyll, regarded as a tool of the English interest, became the first Scot of great rank and note to embrace Protestantism.24 Clan Campbell followed his example, but many clans either remained Catholics, having at their head a powerful Catholic chief such as Huntly, or were reconverted to the old faith owing to the courageous exertions of Jesuit priests from the Scots College at Douai.25 The Catholic clans included many of the Gordons, and their Aberdeenshire neighbours, the Farqharsons, inhabitants of various Invernesshire districts, specifically the Chisholms of Strathglass (oddly, in contrast to their chiefs), the MacDonal dis of Glenmoriston, Glengarry, Keppoch and Knoydart, and the Clan Ranald of Morar. In the Hebrides there were the MacDonal dis of South Uist and the MacNeills of Barra, while in Argyllshire - in the thick of Campbell country, on both banks of Loch Fyne the MacLachlans held out for Rome.26

By the close of the fourteenth century the Campbells possessed the lands and baronies of Ardkinglas, at the upper end of Loch Fyne, and Foerlings (now Ardgartan) on Loch Long. A junior branch acquired the barony of Strachur on Loch Fyne, and held lands in Perthshire, and on the Rosneath peninsula in Dumbartonshire, and elsewhere.27

25. Smout, op. cit., p. 70; see Mathew, op. cit. Chapter 14, for an examination of Catholicism among the Lowland noble houses.
27. Kermack, loc. cit.
The following century witnessed further territorial gains, such as the barony of Kinlochruel in Cowal, the Lordship of Lorne (formerly belonging to the MacDougalls) and the superiority of Glenorchy, marching with Lorne on the east, Breadalbaine, Lawers, and Calder, where cadet branches were established. The MacNaughtons of Dunderave and the MacNabs of Bovain became their reluctant vassals, and they acquired lands in the Otter neighbourhood from the MacEwens. A notable accession was the barony of Knapdale (which the MacDonalds, Lords of the Isles, had surrendered to the Crown) including the northern part of Kintyre. The Earls of Argyll were given the Keepership of Castle Sween on Knapdale, and in the sixteenth century they acquired custody of Skipness Castle on Kintyre, together with neighbouring lands. 28

Royal charters in the fifteenth century granted them Inveraray in Lochow and Kilmun in Cowal, which they erected into burghs of barony in 1474, founding a collegiate church at Kilmun, where an ecclesiastical establishment had existed since the seventh century. These grants added materially to Campbell fortunes. 29

The Campbells were ennobled in 1445, when the immediate ancestor of the House of Argyll, Sir Duncan Campbell of Lochow, was created Lord Campbell by James I, entitling him to take his place in the Scottish Parliament as a baron. He married Robert the Bruce's grand-daughter, Lady Marjory Stewart, and their son, the second Lord Campbell, became first Earl of Argyll in 1457. He was appointed Master of the King's Household in 1464 and was made Lord High Chancellor of Scotland in 1483,

28. Ibid., p. 74.

beginning the House of Argyll's holdings of some of the greatest offices of state. Early in his reign, King James V bestowed upon the Earls of Argyll the hereditary Justiciary-Generalship of Scotland, which gave them supreme juridicial powers.\(^{30}\) In addition, the Campbell chiefs held, also on a hereditary basis, the combined offices of sheriff, coroner and chamberlain of Argyll and Tarbert (which included the districts of Lorne, Knapdale and Kintyre), and the office of justiciary for both these areas and the Western Isles.\(^{31}\) At that time juridicial officers and sheriffs were largely independent of the Crown in the exercise of their duties.\(^{32}\) Little wonder that a contemporary described Lorne's grandfather as "regal within himself",\(^{33}\) and that Lorne came in time to be known as "King Campbell".\(^{34}\) The territories under McCailein Mor's command were virtually a kingdom in miniature.

\(^{30}\) See R. K. Hannay, "Judicial Administration in Session and Judiciary", in An Introductory Survey of the Sources and Literature of Scots Law (Edinburgh, Stair Society, 1936), p. 407; cf. Willcock, Great Marquess, p. 5, in which it is stated that the office of Judiciary-General was given to the first Earl of Argyll in 1457 and became hereditary in the family from that date.

\(^{31}\) Mathew, op. cit., p. 223; Andrew McKerral, Kintyre in the Seventeenth Century (Edinburgh, 1948), p. 19; George Hill, An Historical Account of the Macdonnells of Antrim (Belfast, 1873), p. 244.

\(^{32}\) King James VI considered such "heritable sheriffdoms and regalities" to be "the greatest hindrance to the execution of our laws in this country" and that these offices "being in the hands of the great men, do wrack the whole country". Basilicon Doron, vol. 1, p. 85.


\(^{34}\) See infra, Chapter 5.
At the beginning of the seventeenth century over thirty non-Campbell groupings, a large number, seem to have been under the clan's domination, although for territorial reasons - depending upon whose lands they inhabited and whose feudal tenants they were - some of them were divided between the Campbells and another clan. Occasionally their loyalties were split three ways. This division of interests sometimes meant that members of the same family could be pitted against each other in times of conflict between their respective overlords, a fact which they understandably resented. The MacIsaacs, for example, were split between the Campbells and their hereditary enemies the MacDonalds, while those MacVicars who were not Campbell dependents found themselves bound to the chief of the MacNaughtons - and the MacNaughtons, as the century progressed, became increasingly hostile to the House of Argyll. The MacIvers were divided in loyalties between the Campbells, the Robertsons and the MacKenzie.35 This situation complicated the Highland scene, especially in times of clan warfare.

Throughout the Earl of Argyll's domains, consisting of some three thousand square miles, were upwards of fifty Campbell lairdships,36 all owing allegiance to McCailein Mor, and keeping order in his territories. The most important of these tended to be lairds with lands on the peripheries of Campbell country, who protected the heartland from enemy raids. These were the lairds of Glenorchy, whose territory, Breadalbane on the east of the Grampians and Glenorchy on the west, contained

35. Adam, op. cit., pp. 299-302, lists fifteen definite septs of the Campbells of Argyll, one of the Campbells of Breadalbane and one of the Campbells of Calder. He claims that the Mclvers did not become officially a sept of the Campbells until 1688, until which time they were a clan in their own right. However, they had been allies of the Campbells of Argyll before that date and were staunchly Protestant. For another estimate of the number of groups associated with the Campbells see The Tartan Map (Edinburgh, John Bartholomew, n.d.)

pockets of hostile MacGregors and MacNabs; Lawers, whose influence lay in eastern Breadalbane between Glen Lyon and Loch Tay, bounded by Robertsons, Menzies and Murrays; Auchinbreck, in southern Cowal, keeping watch on the unfriendly Lamonts; Ardkinglas, whose sphere lay between Loch Eck and Glen Fyne, separated from Glenorchy's lands by MacNaughton country. The old Campbell branch of Calder formed a far-flung pocket in Nairnshire, on the south shore of the Moray Firth, divided from the main Campbell lands by MacKintoshes, MacPhersons, Stewarts, Menzies, Gordons and Robertsons. The Campbells of Lundie formed an isolated pocket in Angus, north west of Dundee, surrounded by Lowland families including the Ogilvies of Airlie. The Clan Campbell was a tightknit, efficiently organised entity, its various branches well disposed to take orders from Inveraray. 37

Nestling on the banks of the little River Aray at the head of Loch Fyne, Inveraray was not the beautiful place it became in the nineteenth century. The castle had stood there since 1432, but the town itself, huddled haphazardly beneath its walls, was little more than "a dirty, ill-built village". 38 The Earl of Argyll attempted to improve it, however, and brought craftsmen there from Ayr and Renfrew.

37. For the exact boundaries of Campbell territories, and the territories of other clans and families, see Sir Iain Moncrieffe, Scotland of Old [map] (Edinburgh, John Bartholomew, 1975).

38. James Smollett of Bonhill to Sir John Clerk of Penicuik, 13 May 1741, quoted in Scottish Field, vol. 72, (1974), p. 33. Thomas Pennant, describing in his Tour in Scotland, published in 1771, a visit made in 1769, wrote that Inveraray was still "composed of the most wretched hovels that can be imagined". Quoted in Youngson, op. cit., p. 161. Thomas Thornton, describing in 1804 a tour made in the mid-1780s, wrote that Inveraray was "hardly worth notice, being a small, inconsiderable fishing place, it chiefly dependent upon the castle". Quoted in ibid., p. 245. See also p. 242 for Thornton's description of the countryside surrounding Inveraray, which he found exceptionally beautiful. See also Ian G. Lindsay and Mary Cosh, Inveraray and the Dukes of Argyll (Edinburgh, 1973), pp. 2, 19-23 and passim.
Schools were established and well-reputed Calvinist ministers came to preach. Trees - oaks, firs, larches - were deliberately planted on the surrounding hillsides.  

The immense seacoast the Campbells commanded, extending from the mouth of Loch Linnhe to Dunskeig Bay (and, after 1607, to the Mull of Kintyre)* had commercial implications as well as strategic ones. It meant that the leading members of the various branches could import, fairly readily and cheaply, luxury goods from the Continent. Such commodities as French wines and silks and Flemish velvets were not generally enjoyed by Highland chieftains'.

The Campbells were enviably self-sufficient. While their lands were less fertile than the Lowlands, the hills provided suitable grazing pasture for thousands of black cattle, and Loch Fyne abounded with large herrings. Hundreds of farms and shielings existed in the glens. The clan commanded not only a network of waterways but, if and when they chose to use it, the overland route through Cowal to Dumbarton, the royal stronghold in the western Lowlands. Given these natural advantages, it is not surprising that the Campbells regarded their region as a self-governing principality, and, secure in their almost impenetrable fastness (particularly in wintertime, when roads and passes were snowed under), they could well boast - and they often did - that "it's a far cry to Lochow!".

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It was at Inveraray that Lorne spent his childhood, although he probably spent time at his father's other principal seats, Rosneath House in Dumbartonshire, on the southeastern tip of the promontory separating Loch Long from Gare Loch, and Dunoon Castle, in Cowal, on the western shore of the Firth of Clyde. He had five elder sisters; four of whom wed. Lady Anne married George Gordon, Viscount Enzie, heir to the Marquis of Huntly, with whom her father had been reconciled by James VI after years of strife. Lady Annabella married Robert Ker, second Earl of Lothian; Lady Jean married Sir Robert Gordon of Lochinvar; and Lady Mary married Sir Robert Montgomery of Skelmorlie. Thus Lorne had a double connection with Clan Gordon.

Lorne was about three months old when his mother died on 3rd May 1607, and when he was nearly four, his father, who was deeply in debt, took a second wife. She was Anne Cornwallis, daughter and heiress of a wealthy Suffolk knight. They were married in London - where the earl is said to have repaired in a bid to eschew his creditors - on 30th November 1610. She brought him the manor of Kensington as part of her dowry, which must have been welcome to a man who, although his

*As Argyll was known until November 1638.


43. Willcock, Great Marquess, pp. 341-43.

44. Ibid., p. 11; Scots Peerage, vol. 1, p. 349.

45. The wedding was at St. Botolph's Church, Bishopsgate. Willcock, Great Marquess, p. 342; cf. note 46, infra.
rent-paying lands seem to have covered some five-hundred square miles, had over-reached himself financially. The precise details are unclear, but perhaps his various schemes for improving his estates failed to recoup the initial outlay. Shortly before this marriage Argyll conveyed the freehold ("fee simple") of his estates to Lorne - effectively an irrevocable action (though he still enjoyed the income from them as a life rent) because the power of selling or alienating any part of the estates was forfeited by this step. 47

The new countess had a marked influence on events. She was a devout Catholic, spoke Spanish fluently, and had a serious interest in Spanish literature and culture. 48 Her children by Argyll - a son, James, born at the close of 1611, twin sons born in 1615, and four daughters - were raised as Catholics, unlike Lorne and his sisters, who had Protestant upbringings befitting their membership of a great Reformist House. The two sets of children, the one in Scotland, the other in England, seem to have been virtually strangers to each other, and it seems clear that Lorne, as he grew older, found himself bitterly resenting his half-brother, whom he imagined his father preferred to himself. His relations with Argyll were never amicable, while he appears to have disliked and distrusted his stepmother. She was alleged to have treated him badly, coming close to killing him, but this assertion is impossible to verify and almost certainly originated in gossip. 49

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47. Gregory, op. cit., p. 401.


In the tradition of his House, Argyll cooperated with the Crown's policy of pacifying the Highlands, aggrandising his clan in the process. In 1607, in conjunction with Huntly, he inflicted severe losses upon the MacGregors, a wild marauding clan whose turbulent behaviour brought parts of the Western Highlands close to anarchy. In 1610 a campaign of extirpation was launched: the MacGregors were outlawed and forbidden to use their name. Then, in 1614-15, Argyll crushed a MacDonald uprising, to the consternation of Andrew Knox, Bishop of the Isles, who was anxious to promote the church's influence in the Isles as a counterweight to that of the Campbells. Argyll had been settling his followers in the former MacDonald territory, which he gained by infeftment on 30 May 1607, and the Bishop believed that Sir John Campbell of Calder was planning a similar move in Islay. "Neither can I", wrote the Bishop, "or any man who knows the estate of that country [the Western Highlands] think it either good or profitable to his majesty or this country to make that name [Campbell] greater in the Isles [than] they are already, nor yet to root out one pestiferous clan and plant in one little better..." 50

By 1617 Argyll was at the zenith of his career, for his lordship of Kintyre was ratified by the Scottish Parliament, but whereas in 1607 the remainder was to go to his heirs male, now it was to pass to his second wife's son, James, to the exclusion of Lorne. 51


His wife had transmitted her Spanish interests to him, and the following year, having received permission from King James to go abroad for the benefit of his health, he hastened to Flanders, publicly disavowed the Protestant religion, embraced Catholicism, and entered the service of Philip III of Spain.  

These extraordinary events astonished and scandalised the king and the Scots, and on 16 February 1619 the Earl was denounced as a traitor and a rebel at the Mercat Cross, Edinburgh. As a Scottish rhymester put it:

Now Earl of Guile and Lord Forlorn thou goes,
 Quitting thy Prince to serve his foreign foes,
 No faith in plaids, no trust in Highland trews,  
 Chameleon-like they change so many hues.

Young as he was, Lome was deeply disturbed by all that had happened - by his father's depriving him of the Kintyre inheritance, by going abroad and leaving the estates under inadequate management, and especially his conversion and disgrace. On 13 November 1618 he had confided to the Laird of Calder his fear that Argyll "so kindled His Majesty's wrath against him and his house, that it shall not miss presently to be endangered, if not altogether ruined . . .". He did not expect to inherit anything. However, Calder and other

influential men were working to ensure that the estates (except Kintyre) would pass to Lorne in due course. His maternal uncle, William Douglas, eighth Earl of Morton, Sir James Campbell of Lawers, the Earl of Mar, the Marquis of Hamilton and Lord Binning, Secretary of State for Scotland, interceded with the king on the boy's behalf, averting the dire consequences he feared. It is, though, unlikely that the astute monarch ever seriously considered ruining a House upon whom he depended so much for executing his avowed policy of keeping law and order in the Highlands.  

In the meantime Lorne had been placed under the guardianship of Morton, who acted as one of the fourteen curators chosen to represent him until he came of age. Morton, a friend and former courtier of King James, took his nephew to reside with him and his family at Dalkeith, south of Edinburgh, bringing him even more into contact with Lowland influences. Later Lorne would write warmly of the "accustomed goodness and care that ye [Morton] have had of me since I came [into] this world...".

The other curators were men whose families had kinship ties or historic connections with the House of Argyll: the Earls of Mar and Moray, Lord Keith, Lorne's brother-in-law, Lothian and Enzie, and eight Campbell chieftains - the lairds of Ardkinglas, Auchinbreck, Calder, Glenorchy, Lochnell, Lundie, Lawers, and the last-named's son, the Master of Loudoun.


58. Lorne to Morton, 8 May 1627, National Library of Scotland (hereafter abbreviated N.L.S.), MSS. 79-81, Morton Papers, folio 16.

59. Willcock, Great Marquess, p. 11. For Loudoun, whose public career was destined to be closely involved with that of the Marquis of Argyll, see infra, Chapter 2.
Lome's close companion during his childhood was his tutor, Robert Barclay, scion of a prominent family from strongly Presbyterian Ayrshire, who would always remain his associate. Lome's education under Barclay consisted of theology, Scottish constitutional history and the classics. In later life he drew on a store of Latin aphorisms with which to embellish his speeches. It is not clear whether he was taught any French, but certainly, years later, he could not speak that language. This was strange, in view of the history of alliance and cultural exchange between France and Scotland. Moreover, unlike many young noblemen of the day, including his kinsman Loudoun, he undertook no Grand Tour. Lome would never be cosmopolitan, and a contemporary later wrote that he was "in the highest degree intelligent in all that relates to Scotland, but knows nothing of anything beyond his own country".

On 15th January 1622, when he was just fifteen, he was sent to St. Leonard's College, a constituent of the University of St. Andrews. Very little is known of his stay there, apart from the fact that in 1623 he won the annual Silver Arrow archery contest, which his future enemy, Montrose, won five years later. From the slender evidence available it seems likely that he studied there for at least two sessions.

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60. See N.L.S., MSS. 79-81, Morton Papers, folio 16. Barclay became Provost of Irvine.

61. Examples of his Latin aphorisms will be encountered during the course of this thesis. They were particularly evident during his defence testimony at his trial. See Infra, Chapters 9 and 10.

62. J. G. Fotheringham (ed.), The Diplomatic Correspondence of Jean de Montereul, 2 vols. (Edinburgh, 1898-99), vol. 2, p. 337, hereafter cited as Montereul Correspondence. During his public career Argyll received Tertets in French from such people as Queen Henrietta Maria and Anne of Austria.


64. I owe this information to Mr. Robert N. Smart, Archivist, University of St. Andrews.
but there is no record of his having taken a degree. Presumably he followed courses similar to those of any student of the period - grammar, logic, theology, ethics, physics and mathematics. The man with immediate responsibility for him was his regent, John Cornwall, who a few years later became minister at Linlithgow. It is probable that his education at St. Leonards strengthened in Lorne the attitudes toward religion and politics begun by Barclay.

Not long after he came down from university he experienced his first Highland campaign. In March 1625, just before he died, James VI granted the Campbells, who had long held the feudal superiority of lands in Ardnamurchan traditionally belonging to the Maclains, further lands in the region. The Maclains promptly rebelled, becoming a menace on sea and land. On 21st April, shortly after the accession of Charles I, the Scottish Privy Council issued a commission of fire and sword, with full powers of judiciary, against the Maclains, to Lorne (as the effective head of Clan Campbell in Argyll's absence), and to the Campbell lairds of Ardkinglas, Auchinbreck, Calder and Lochnell, "or any three of them". It guaranteed them, and anyone assisting them, lifelong immunity from civil or criminal prosecution.

65. Marjorie Bingham, op. cit., pp. 214-15, gives the typical Scottish university curriculum. In view of Lorne's subsequent association with the Covenanters, it is interesting to note that St. Leonards, founded in 1511 by Alexander Stewart, Archbishop of St. Andrews, was a strongly Reformist college. In the sixteenth century, "to have drunk of St. Leonards well" signified that one had assimilated Protestant doctrines. See Murray's Handbook for Scotland (1894), (London, 1894; repr. Newton Abbot, 1971), p. 186. See also J. D. Mackie, A History of Scotland (Harmondsworth, 1964), pp. 124, 151. Furthermore, George Buchanan, the Scottish Reformer and political theorist, whose works were to influence the Covenanters, was its Principal after 1569. See infra, Chapter 3. It might be added that Argyll's regent, John Cornwall, was the son of a zealously anti-Catholic minister, whom he succeeded in the living of Linlithgow. See Hew Scott, Fasti Ecclesiae Scoticanae: The Succession of Ministers in the Church of Scotland from the Reformation, 9 vols. (Edinburgh, 1915-50), vol. 1, p. 215, hereafter cited as Fasti Ecclesiae Scoticanae.

if, in the exercise of their commission, they indulged in "slaughter, mutilation, fireraising", or any other violent punitive measures against the Maclains, for "the same shall not be imputed as a crime nor offence".\(^{67}\)

At the same time, the Council urged John MacDonald, Captain of Clan Ranald, Sir Rory MacLeod of Harris, and the Earl of Seaforth, to cooperate fully with Lorne. It also authorised the Archbishop of Glasgow and Sir William Livingstone of Kilsyth to go to Ayr to arrange for the fitting out of a ship and pinnace to aid Lorne against the Maclains. The required vessels shortly put to sea, made short work of the rebels in their sea-haunts, and recovered from them two pirated ships.\(^{68}\)

But the Council's great fear was that other clans, particularly the MacDonalds, might join the revolt, and on 27 May they wrote to Lorne emphasising the urgency of the situation and offering additional aid if needed. "If the service now miscarry, ... His Majesty will have very just reason for him to think that the service has not been so well carried out as the importance thereof for His Majesty's honour and credit requires", they warned.\(^{69}\) Rebukes were sent to MacLeod of Harris and to the Captain of Clan Ranald, for failing to play their parts; the latter was believed to be actually protecting the Maclains, who were his kin.\(^{70}\)

The letter irritated Lorne, who by return assured the Council that he was about to strike. The Council replied that, should he be successful, "your lordship may rest assured that you have done the same

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68. Ibid.
69. Ibid., pp. 33-34.
70. Ibid., p. 27.
to a king who will neither be unmindful or unthankful thereof, and it will be a beginning for more honourable and worthy employment hereafter to your lordship." King Charles was anxious to harness Lorne to royal service in the tradition of his ancestors.

The Macleans had been forced to fall back upon Ardnamurchan, where the joint forces of Lorne and MacLeod of Harris fell upon them and put them to rout. Lorne, with fifteen hundred men, slew six leading Maclean rebels and took another fourteen to Edinburgh to be tried and convicted. Because of his actions, the Macleans ceased to exist as an independent clan and in future the survivors of Lorne's expedition followed Clan Ranald.

On 28 June, Lorne was relieved of his commission by a grateful Council, which wrote to Charles the following day, recommending Lorne to him, since he had performed his duty "with great resolution and dexterity", and "with his own proper friendship [the Campbell lairds] and forces, without any trouble or burden to the country. They added that in the event of future outbreaks of lawlessness in the Isles or Highlands, Charles "may be assured of one who is both able and willing to serve [you]."

Lorne was still under age, and the king wrote to his curators on 24 March 1626, expressing pleasure at what had been accomplished against the Macleans, and promising to reward Lorne at some appropriate time.

72. Ibid., pp. 42-43.  
74. Charles I to the friends of the Lord Lorne, 24 March 1626, Stirling's Register, vol. 1, p. 29.
The occasion was not long in coming, for almost immediately Charles confirmed the Campbells in possession of the Maclains' lands. Sir Donald Campbell, husband of Lorne's illegitimate half-sister, became heritable proprietor, with Lorne as superior, of Ardnamurchan and Sunart. Once again, the Campbells had been aggrandised by a grateful sovereign.

Charles sought to bind the Campbells even closer to the royal interest. He conceived the idea of marrying his ward and cousin, Lady Elizabeth Stewart, to Lorne. Her brother, the Duke of Lennox, a favourite of the king, owned vast estates to the south of Campbell country. This grand match, however, was thwarted by the intended bride, who, in defiance of Charles, eloped with and married the Earl of Arundel's eldest son.

This must have disappointed Lorne, but shortly afterwards, in August 1626, he married his cousin, Morton's daughter, Lady Margaret Douglas, aged sixteen. The marriage appears to have been a happy one, and it produced six children: Archibald, born in February 1629, Neil, born in 1630 or 1631, and four daughters. Anxious to preserve the special

75. Highland Papers, vol. 1, pp. 323-33; ibid., vol. 2, p. 102. Lorne's illegitimate half-sister was Anna Campbell, for whom see Stirling's Register, vol. 1, p. 703.


77. Lady Margaret Douglas was described by a contemporary as "a lady of singular piety and virtue". Robert Law, Memorials, or the Memorable Things that fell out . . . from 1638 to 1684 (ed. C. K. Sharpe, Edinburgh, 1818), p. 10. For Lorne's family see Willcock, Great Marquess, pp. 341-44; The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, extant or dormant, 13 vols. in 14, (London, 1910-59), vol. 6, passim, hereafter cited as Complete Peerage; Highland Papers, vol. 2, pp. 72-111.
relationship which had long existed between the House of Argyll and the Campbells of Glenorchy, the most powerful of the branches, Lorne fostered his heir with Sir Colin Campbell of Glenorchy at Balloch. The Campbells of Glenorchy appear to have had a more distinctly Highland sphere of influence than the other branches, and at Balloch Archibald learned Gaelic, the tongue of thousands of his father's ordinary clansmen, not heard in Lorne's immediate circle.  

In the late autumn of 1627, the Earl of Argyll, who had been pardoned six years earlier, indicated his wish to return to Britain. Offering himself "in all dutiful obedience" to Charles, he arrived the following spring, and settled into a quiet life with his countess in Drury Lane, Covent Garden.  

Shortly after his father's return, Lorne was appointed, on 23 May 1628, along with Seaforth, to the Exchequer and the Scottish Privy Council, the body responsible for administering the nation, though becoming increasingly a rubber stamp for policies already decided at Whitehall. Now twenty-one, he took his seat on the Council on 12 June 1628: he had entered the national arena.  

78. For the House of Glenorchy's Highland sphere of influence see S.R.O., Breadalbane MSS., GD 112/39/640 and 646. They were at times on bad terms with the Campbells of Lawers. See, for instance, ibid., GD 112/39/434. For Archibald's fosterage at Balloch see ibid., GD 112/39/708 and passim.  


Three years later, in 1631, his father resigned to him the life rent of the family estates, and passed to him everything belonging to the earldom except the title. It would seem that he did so only under pressure from the King. He is alleged to have warned his royal master that he knew Lorne's true nature: "You have brought me low, that you may raise him, which I doubt not you will live to repent, for he is a man of craft, subtlety and falsehood, and can love no man, and if he ever finds it in his power to do you a mischief he will be sure to do it."\(^81\) It was another instance of the King's favour to Lorne, and made him chief of Clan Campbell in all but name.

In some ways his appearance and personality belied this great position. "For all his external and outward disposition, he was of a homely carriage, gentle, mild and affable, gracious and courteous to speak to", wrote a generally hostile contemporary historian. "Naturally he had a large and understanding heart, a jealous and a far-reaching apprehension, and yet his presence did show him of such plain and homely aspect, as he seemed rather inclined to simplicity than in any ways tainted with a lofty and insatiable ambition".\(^82\)

Several writers, perhaps confusing his appearance with that of his son, have described him as small and slight, but he seems in fact to have been tall and well-proportioned.\(^83\) Apart from a disfiguring cast

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83. "He was of stature something exceeding the mean, like his own countrymen the Highlanders, with a bigness proportionate to it". Harleian Miscellany, vol. 8 (London, 1811), p. 31.
in his grey-blue eyes - he came to be known as "the gley'd marquis", his most distinguishing physical characteristic was his red hair, a common Campbell trait. He was softly-spoken, good humoured and genial - even Clarendon, who came to hate him, acknowledged this. "Though by the ill-placing of his eyes he did not appear with any great advantage at first sight, yet he reconciled even those who had aversion to him very strangely by a little conversation.

However, in Campbell fashion, he possessed a dynamic quality which few were foolish enough to underestimate. "That power is vain which never exerts itself forth into act", he wrote, and in the tradition of his House he committed himself to Campbell expansion, particularly in the Western Isles. A poignant instance of this was his excitement, in 1633, at a rumour of an island beyond the Hebrides chain, as yet uncharted. Believing it would give the Campbells a far-western flank from which to intimidate MacLeods and MacDonalds, he commissioned a sea-captain to embark upon a discovery voyage, and procured from Charles a legal title to it, together with its "castles, towers, fortalices, manor-places, houses, buildings, burghs of regality, burghs of barony, towns, seaports, havens, harbours, mills, woods, and the fishings of salmon and other fishes, with the lochs, rabbits, rabbit warrens, coal, coal heughs, parts, pendicles, and pertinents ... with the mines and minerals of gold and silver, tin, lead, brass

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84. Ibid. The anonymous writer was a contemporary, though, it seems, not a Scot. The style is reminiscent of Clement Walker, the English Presbyterian leader, who, as will become evident, disliked Argyll. For Walker's life and publications see D.N.B., vol. 20, pp. 504-05.


87. Instructions to a Son (London, 1689), p. 9. This work, first published in 1661, went through several editions. It was written by the Marquis of Argyll while in prison awaiting execution in the Spring of 1661, and addressed mainly to his heir, Lord Lorne.
El Dorado did not exist. * 

Lorne's interaction with other clans, particularly the MacLeods and MacLeans, during the 1620s and 1630s was mainly confined to his role as Highland chief, and did not extend into his wider political career, which is the primary concern of this study. Owing to considerations of space, they will not, therefore, be examined here: suffice it to say that he drove a hard bargain, always to the material benefit of his clan, and embittering other clans who, if ever organised into unified armed resistance, could pose a viable threat even to Campbell power.  

During the late 1620s and early 1630s Lorne's public relations with the royal house seemed generally cordial. In the official royal documents of the period the theme of his "great affection to our service" recurs. 91 As we have seen, the King proved willing to do him a favour. There were, however, aspects of royal policy which ran contrary to his personal interests, and which engendered in him the seeds of resentment against Charles I. These will be examined in the following Chapter.

88. H.M.C., Sixth Report, Appendix, p. 631.  
89. Ibid.  
90. For the threatened breakdown of the centrally imposed "law and order" in the Highlands, known as "King James's peace," during the 1620s and 1630s, see C. V. Wedgwood, "Anglo-Scottish Relations, 1603-1642", in T.R.H.S., 4th series, vol. 32 (London, 1950), pp. 31 - 48. For the development of King James's policy see Smout, op. cit., pp. 99-106 and Donaldson, Scotland, pp. 216 et seq.  
91. The phrase concerning Lorne occurs in Charles I to the Earl of Mar, 7 November 1628, Stirling's Register vol. 1, p. 317. See also ibid., passim, and R.P.C.S., 2nd series, vols. 1 - 6, passim.
On 12th February 1626 Lorne's half-brother James was created Lord of Kintyre, and in the spring of the following year the King, resolving to help him out of the financial difficulties into which his lands, like those of his father, were plunged, absolved Kintyre from the debts of Argyll's estate, and, further, from having to pay the earl any income from it. Charles, informing Lorne of this, wrote that he hoped he would afford fraternal "advice and assistance" towards Lord Kintyre "in all things tending to your brother's peaceable enjoying of that estate".

Lorne, however, was enraged, for he believed that Kintyre should bear its proportion of Argyll's debts, which was the view of his curators and also of the Scottish Parliament. He himself had now to bear more than his fair share of the family debts, as well as paying his father's income. He blamed the situation on the earl and the king: "how busy they are to my prejudice", he wrote to Morton, upon whose "fatherly counsels" he greatly depended.

2. Charles also wrote to Sir George Erskine of Innertill, who had assumed from the Earl of Argyll the escheat and life rent of the estate. See Charles I to Lorne, 2 April 1627, ibid., 153 and Charles I to Lorne, 31 May 1627, ibid., 178.
4. Lorne to Morton, 16 April 1627, N.L.S., MSS. 79-81, Morton Papers, folio 15.
withheld some of the life-rent from Argyll in retaliation.  

Not only did he feel robbed of his birthright, and overburdened by his father's financial embarrassments, but he believed that Kintyre was too crucial for the security of Clan Campbell to be entrusted to anyone but the chief (or acting chief), much less a sixteen year old younger son. 

Settled, as we have seen, by Lowlanders loyal to the House of Argyll, it was a key defensive outpost in the Western Highlands. It was a potential launching base for Campbell fighting men bound for Antrim (headquarters of the Irish MacDonalds, the MacDonnells), and for attacks upon hostile or errant clans in the Isles. The coast of Ulster was just twelve miles away. Because of its proximity it also threatened Arran, belonging to the great Lowland family of Hamilton, though at this time that was not as significant as it later became. Not unnaturally, Lorne determined to recover Kintyre for himself. 

He had other troubles with kinsmen in 1627, for in that year, too, Campbell of Calder, who had obtained Islay after the 1615 MacDonald uprising, converted to Catholicism - possibly owing to the influence of his MacDonald wife - and undertook to sell Islay to the Irish MacDonnell leader, the Earl of Antrim, providing Charles consented. It is likely that Calder had Argyll's blessing on the proposed sale, and that the earl expected a share in the purchase price. Details evade us, but the 

5. See:  
Lorne to Morton, 8 May 1627, ibid., folio 16;  
Lorne to Morton, 4 July 1627, ibid., folio 17;  
Lorne to Morton, 30 August 1627, ibid., folio 18;  
Lorne to Morton, 3 September 1627, ibid., folio 19;  
Lorne to Morton, 13 September 1627, ibid., folio 20;  


transaction failed to materialise, owing to the King's opposition, which
in turn probably resulted from pressure exerted by Lorne and his friends. 8

These cracks in the ranks of the generally cohesive Clan Campbell
naturally alarmed Lorne, and they were exploited by the Earl of Antrim.
Although a clause in the grant of Kintyre to Lorne's half-brother prohibited
the alienation of any of the peninsula to anyone bearing the name
MacDonald (this included the MacDonnells), Lord Antrim appears to have
been given reason to believe, from sources close to the King, that Charles
might nevertheless permit him to buy Kintyre and Jura. 9 It is likely
that Charles's favourite, the third Marquis of Hamilton, who held lands
in Kintyre from Lorne, and who had his own territorial disputes with him
concerning Bute and Arran, encouraged Antrim's hopes. 10

None of this was calculated to make Lorne trust the King and Court,
whatever favours he had been accorded in the past. "It is possible a
man may get an estate at Court, but it is more probable he may lose one",
he observed sourly years later. 11 The Kintyre dispute raged for several
years, making Lorne's relationship with his half brother very bitter.
"I will rather be free abroad than ane slave at home", he wrote, implying
that he would rather a self-imposed exile than tolerate Kintyre remaining

8. See "Artickles condescended unto by the Right Honorable the Erle of
Antrin concerning the bargane of the ille of Islay in Scotland at
Dunluce, 16 September 1627", in Thanes of Cawdor, pp. 270–71.


of the Parliament of Scotland, 12 vols. (ed. Thomas Thomson and Cosmo
Innes, Edinburgh, 1814-75) vol. 5, pp. 78-79, hereafter cited as A.P.S.;

11. Instructions to a Son, p. 57.
in young James's hands. ^12 He claimed that although he offered the boy schooling and a generous allowance his half-brother "carried himself to me as ane stranger". ^13 Appointing the Master of Loudoun and Robert Barclay to press his claims to Kintyre upon the King and upon anyone else who would listen, he set about trying to force his brother's hand.

He bought up lands in Kintyre which James held from the Church, and on which unpaid taxes were overdue, and he exploited James's debts in an attempt to cajole him into a cheap sale. ^14

However, these tactics backfired upon him for in January 1635 he learned, to his chagrin, that James was arranging to sell Kintyre and Jura to Antrim's heir, Viscount Dunluce. "I know I have law and reason on my side", he wrote to Morton, "they [the MacDonnells] shall be stronger than I before they get it". ^15 Hastening to Edinburgh with some of the leading Campbell lairds, including Loudoun, he tried - but failed - to persuade James to change his mind. ^16

Accordingly, he informed the Scottish Privy Council that if the sale went through, the Campbells would be so outraged, they would spontaneously rise in arms against the MacDonnells. He also incited his half-brother's creditors to proceed against him, and sent a contingent

13.  Lorne to Morton, 5 December (c. 1627-35), ibid., folio 33.
14.  Ibid.
to seize Kintyre's main stronghold by force. He then went to Court, and prevailed upon Charles to cancel the sale, and in the following year, 1636, after further persuasion, the King granted him Kintyre and Jura. James was dispossessed, causing great bitterness between them.

Thy only brother, Lord Kintyre,
His means thou took, and for a hire,
A title vain, Irvine him call'd*
Where he had neither house nor hauld.

recalled a renegade clansman over two decades later. The MacDonnells' hopes were dashed, for they realised they would never, now, gain their former lands by anything but force. Again, Lorne had wrung a favour from the King, but only after years of controversy which left him at odds with his father and his half-brother and suspicious of Charles's real intentions towards him, while yet acting out the traditional Campbell role of policing the Highlands for the Crown.

19. "Account of the villanous actions of Archbald Marquis of Argyle", in Ane Brief Explanation of the Life, or a Prophecie of the Death of the Marquis of Argyle, with diverse verses thereupon . . . composed in Scottish Rhyme by C C his Lordship's old Servitor, and is to be sung according to old Graysteel (Inverlochy, 1656). It will become apparent (Infra, Chapter 7) that the imprint "Inverlochy" is almost certainly a joke.

* Lord Kintyre was created Earl of Irvine in 1642.
During the 1620s the son of the late McGregor chief, John Dow McGregor, whose power had been broken by Argyll and Huntly, made a determined effort - including the lobbying of King James VI - to regain his forfeited ancestral lands.\textsuperscript{20} At the same time John Dow's nephew attempted to secure the clan lands for himself and be named chief.\textsuperscript{21} The possibility that the wild McGregors might be restored to their former possessions alarmed not only the Campbells but many in the Western Highlands. On their behalf the Earls of Montrose, Menterth, Perth and others warned openly of the danger of fresh outbreaks of McGregor lawlessness, and sought to remind the King "what great evil will follow the setting up of a chief or chieftain over [this] people".\textsuperscript{22}

The McGregors' attempts at restoration failed, but roaming bands of them continued to pillage and terrorise the Western Highlands. Notorious among these was Patrick McGregor, known, from the colour of his hair, as Gillie Roy or Gilderoy ("The Red Lad"), who in the 1630s roamed the lands of the Stewarts of Atholl with a number of followers, mainly Forbeses.\textsuperscript{23} In 1636 eight of these were captured by the Stewarts and seven of them were hanged in Edinburgh, and Gilderoy and his followers retaliated by burning Stewart property. Lorne, acting in his capacity as justiciary of the Isles and sheriff of Argyll, was sent against him, and on 31st March 1636 he and a posse of Campbells apprehended Gilderoy and a number of accomplices and took them to Edinburgh.\textsuperscript{24}

\textsuperscript{20} S.R.O., Breadalbane MSS., GD 112/39/344.

\textsuperscript{21} Ibid., GD 112/39/377.

\textsuperscript{22} Montrose et al to [Scottish Privy Council ?], n.d. [c. 1623-24], ibid., GD 112/39/382.


On 7th July the Scottish Privy Council passed an act warmly complementing Lorne for his part in the capture of the outlaws, "which being a service considerable, and which in the consequence thereof will greatly induce to the peace and quiet of the Kingdom". Lorne had "behaved himself as a generous and loyal subject" and the Council recommended that he be an assessor to the judges at the trial of Gilderoy and his accomplices, which was so. They were found guilty, sentenced to death and hanged on 26th July. John Dow McGregor remained at large, a wanted man, but the immediate threat to order had been removed.

Again the Campbells had brought calm to the Highlands and again they earned the grateful thanks of the central government. Yet, despite the havoc he had wrought and the panic he had provoked, Gilderoy seized the popular imagination and quickly passed into legend as a folk-hero wronged by an over-zealous and bloodthirsty Lorne:

If Gilderoy had done amiss
He might have banished been;
Ah! What sad cruelty is this,
To hang such handsome man!
To hang the flower of Scottish land,
So sweet and fair a boy! . . .
Of Gilderoy so 'fraid they were,
They bound him mickle strong,
To Edinburgh they led him there,
And on a gallows hung;
They hung him high above the rest,
He was so trim a boy . . . . "

27. David Herd, Ancient and Modern Scottish Songs, Heroic Ballads, etc. 2 vols. (Edinburgh, 1973), pp. 73-76. There are altogether thirteen stanzas in the "Gilderoy" ballad. Gilderoy and one John Forbes were hanged on higher gibbets than were the rest of the condemned. Amelia MacGregor, op. cit., vol. 2, p. 58.
Gilderoy was viewed, posthumously, by many Highlanders as a gallant resister of Campbell domination. Such was the unpopularity of the Campbells and their chiefs.

However, although Lorne was viewed by his fellow-Scots as a prop of the established order and a tool of the royal government, there occurred in the 1620s and 1630s events which served to gradually alienate him from Charles I's Scottish policy and which set him on the road to open opposition.

Regarding the administration of Scotland, his native land which he had left at the age of four and of which he knew and cared little, Charles had three considerations. These were that the crown would be aggrandised both in terms of influence and of material wealth; and would exercise its dominance over both great nobles and lesser subjects, and, perhaps predominantly, that the Church should enjoy material security. 28 The first two considerations were inherited from James; the third was peculiar to Charles.

In October 1625, just one month before he turned twenty-five, Charles followed the tradition of his predecessors by revoking all grants of gifts made prior to the sovereign's twenty-fifth birthday, but his Edict of Revocation was unprecedented in its far-reaching nature. It cancelled all grants of Crown property made during the previous two reigns, from

28. Stevenson, The Scottish Revolution, p. 35; Donaldson, Scotland, p. 295. See Clarendon, Rebellion, vol. 1, p. 145: "There was so little curiosity either in the Court or the country to know anything of Scotland, or what was done there, that . . . no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in any page of any gazette, so little the world heard or thought of that people".
1542, and it repealed all dispositions of Church property which had been erected into temporal lordships by James VI. 29

Charles's intention was to increase the Crown revenues and restore Church property to the Church. This obviously alarmed the Scottish nobility, many of whom - though not Lorne - enjoyed former Church property. 30 Although Charles planned to graciously return much of the property they surrendered (his motive was first to demonstrate his authority, then his generosity), he failed to explain this to the nobles, and his high-handed and tactless behaviour ensured their resentment.

This Revocation "bred great fear of a great alteration to come . . . " 31 Every landowner in Scotland, including the lairds, was afraid that, by its comprehensive nature, it might eventually affect himself. So widespread was the fear that on 17th November Lorne and the other Privy Councillors advised Charles that "nothing has at any time heretofore occurred which had so far disquieted the minds of your good subjects and possessed them with apprehensions and fears of the consequences thereof, as if all their former securities granted by your majesty and your royal progenitors were thereby intended to be annulled." 32


30. For a list of holders of abbeys, see ibid., pp. cxliv-cxlvi.


32. R.P.C.S., 2nd series, vol. 1, p. 193. Feu-ferme and ward-holding were the two commonest forms of land tenure in Scotland. Feu-ferme, the more recent of the two, entailed cash, not the more feudal concept of personal military or judicial obligation. It was obtained by paying to a superior a large sum as down payment followed by a rent known as "feuduty" which had come to be regarded as fixed in perpetuity. It normally conferred perpetual hereditary occupation and the nobles appreciated its cash-basis to such an extent that during the seventeenth century it spread throughout southern and eastern Scotland replacing wardholding. See Smout, cp. cit., pp. 127-28.
As the Revocation turned out, the nobles were deprived of their teinds and, if the Crown should think fit, could stand to lose their feu-duties as well. Although monetary compensation would be given in such cases, they would still lose the power and influence they enjoyed over heritors and ministers, a fact to which they could not reconcile themselves. Charles later summed up the situation with deadly accuracy:

The nobility and other lay patrons seemed herewith likewise fully to rest satisfied, and so indeed they were in point of profit, for, according to the rates of purchasing in that our kingdom, for their titles they were satisfied to the utmost farthing. But they fretted privately amongst themselves, for being robbed, as they conceived, of the clientele and dependence of the clergy and laity, and of that power, command, and superiority over them, which by that tie of titles they had enjoyed ... 33

Little evidence exists regarding the Revocation and of the royal plans to endow the bishoprics with abbatical lands. As of 1625 none of the "temporal lords", the so called "Lords of Erection", were Campbells. 34 Yet Lorne did hold the benefices of eight parish churches which, before the Reformation had belonged to the priory of Ardchattan. 35 It is therefore likely that he did lose to some extent as a result of Charles's policy.

In addition to the Revocation, Charles determined upon another measure aimed at undermining the influence of the nobles, by some reckless extensions of James VI's policy. In 1625 he announced his intention of "drawing back into our Crown all the heritable offices". 36 Charles aimed to make the Scottish judicial system more efficient and

33. Walter Balcanquall, A Large Declaration concerning the Late Tumults in Scotland, from their first originals .... By the King (London, 1639), p. 9, hereafter cited as A Large Declaration.


more responsible to the Crown. This entailed an end to the great hereditary justiciarships held by the magnates. He therefore ordered Lorne to relinquish the office of hereditary Justiciar General, which Lorne did on 11 July, the Earl of Menteith being appointed in his place for the rest of the year. Lorne was permitted to retain his other juridical offices, though perhaps, not without Morton's intervention. Whatever the true reason, Charles ostensibly granted this favour "in regard of the proof already given" of his sufficiency and affection to our service, being in this respect the more fit that charge, which is desired to be reserved for him... It meant that the offices of Justice of the Isles, except Orkney and Shetland, and of the Sheriffsdom of Argyll and Tarbet, was confirmed to him and his male heirs. The King, however, took steps to prevent him from profiteering from the office: he was to pay into the exchequer all fines taken at the law-courts. Thus the national field of jurisdiction, source of so much Campbell pride, prestige and power, was removed and Lorne's judiciary powers restricted.

Also as a result of this aspect of royal policy, Lorne's kinsman Loudoun was deprived of the Sheriffsdom of Ayr and of the Bailie and Regality of Kilsmure. This rankled bitterly with Loudoun, who, since his marriage, had established himself as a major figure in Ayrshire and south-western Scotland. The eldest son of Sir James Campbell of

37. Ibid., p. 397.
39. Ibid.
40. Ibid.
41. Ibid.
42. See Charles I to Loudoun, 22 July 1628, ibid., pp. 304-05.
of Lawers, he had married Margaret Campbell, heiress of Loudoun, about 1619 or 1620, and had been advanced to that barony in 1623, his wife's grandfather having made it over to him at the time of the wedding. Theirs was a marriage of convenience; he neglected her from the start, and so notorious was his taste for prostitutes that he was rumoured to be a syphilitic. Sordid stories surrounded his name, and a woman said to be pregnant by him disappeared mysteriously. 43

But his lascivious life, so very different from Lorne's own, was belied by a certain dourness of manner. He had been trained in the law, and his shrewd analytical mind commended itself to Lorne, whose political outlook in the years ahead was similar to his own. Furthermore, he was an impressive orator - he was said to be "the eloquentest man of his time, for he had a copiousness in speaking that was never exhausted", 45 and this again was a gift which, in the future, Lorne did not hesitate to employ to his advantage. As time went by he was regarded increasingly as Lorne's spokesman and deputy.

The diminution of the Campbell sphere of legislative influence - from the national to the regional - caused Lorne to jealously guard his


44. For the Marquis of Argyll's (i.e. Lorne's), piety, attested by his chaplain, see infra, Chapter 4. See also Gilbert Burnet, History of My Own Times, 2 vols., with Supplement (ed. O. Airy, Oxford, 1897-1900), vol. 1, p. 43, hereafter cited as Burnet, Own Times: "Argyll was a more solemn sort of man, grave and sober, free of all scandalous vices, of an invincible calmness of temper, and a pretender to high degrees of piety . . ."

rights over the areas remaining to him. His control was resented by the hundreds of non-Campbell clansmen in those districts, as well as by rivals for power such as the Earls of Atholl and Moray, and he retained his offices in the face of growing opposition.

A source of irritation to him, which again brought him temporarily into conflict with the King, concerned the execution of these judicial functions. On 10 July 1628 the Scottish Privy Council received a letter from Charles, desiring that the inhabitants of the Isles should name the places where they would prefer the ayres (courts of justice) to sit. This coincided with the islanders' own wishes, but not with Lome's, and he immediately objected. On 1st August the issue was taken before the Council, which ruled that neither the ayres, nor Menteith, the new Justiciar General, were to infringe upon any of Lome's hereditary powers, though he was to concur with the judges of the circuit courts, something he found most unsatisfactory, as it subordinated him to their decisions.

As with the Kintyre dispute, the controversy persisted over a number of years. The islanders objected to the King's concession that Lome's regional jurisdictions did in fact empower him to hold the ayres wherever he pleased. They claimed that this breached an act of 1504 which specified that the ayres were not be "indefinitely holden in any place at the humour of the Lord of Lorne". On 16th December 1628 the Council informed the islanders that the case would be heard at its first meeting the following June, and in the meantime Lome was forbidden to hold courts in the north isles, or take legal proceedings against their inhabitants.

46. See Cunningham, op. cit., passim, for hostility towards the Campbells and their political attitudes.


48. Ibid., p. 631; R.P.C.S., 2nd series, vol. 3 (Edinburgh, 1901), pp. 164, 272-73. The Council's request was dated 12 June 1629, the King's reply 16 July 1629.
In May 1629, shortly before the planned Council meeting, the King advised the Council that they should proceed in the dispute as they thought fit. Accordingly, on 9th June they referred the affair back to him, and he agreed with their suggestion that, pending a final decision, a warrant might be issued to Lorne to hold his court at Inverness. 49

The Highlanders chafed at Campbell juridical hegemony. Thus, on 14 February 1632 Lorne petitioned the Council regarding the invasion of his hereditary rights within the sheriffdom of Argyll and Tarbet, the Isle of Bute and the entire Isles, by James Stewart, Sheriff of Bute, and his deputies, who intended to ask the Council for a commission to try a number of people accused of witchcraft. If granted, this would have undermined Lorne's office, but the Council undertook not to grant such a commission. 50

On 29 March 1632 the Council approved an act granting Lorne full judicial powers in the Isles, 51 and on 31 July Charles instructed them to give Lorne any aid he requested in the execution of his office as Justiciar of the Isles. 52 Lorne had triumphed, but not without a bitter struggle.

50. Ibid., p. 459.
51. Ibid., p. 574.
52. Ibid.
Apart from these personal considerations, which at times imposed a strain on Lorne's relations with Whitehall, he was not for long unaffected by the religious issue which, in the 1630s, began to drive a wedge between Charles and his Scottish subjects. For in August 1625, four months after his accession, the King issued a statement of policy regarding Scotland. His declaration that he would "execute the laws of the country against Papists and all recusants" caused consternation only among the minority of Catholics in the country. But the alarm following his announcement that he "would have all conform to the present established order of this Kirk in giving obedience, and observing the Five Articles concluded in the Perth Assembly, and ratified in Parliament", and that those disobeying would be "exemplarily punished" was more widespread.


54. The Five Articles of Perth required everyone to kneel when receiving Holy Communion; private communion was to be administered to the sick; very ill and dying infants were to be baptised privately; children of the appropriate age were to be confirmed; Christmas, Good Friday, Ascension Day and Pentecost were to be observed. They had been ratified by the Scottish Parliament in 1621, but were widely condemned as "papist" and consequently not generally enforced. See P. Hume Brown, History of Scotland, 3 vols. (Cambridge, 1899-1909), vol. 2, p. 268; Spottiswoode, op. cit., vol. 3.
While religion became the major cause of Scottish discontent with Charles's policies secular grievances played their part. A heavy blow to national pride - and particularly to the sensibilities of the nobles - was dealt by Charles's penchant for tampering with the composition of the Scottish Privy Council, whose power and prestige had been declining steadily during the previous reign. Yet although the councillors found themselves increasingly playing the part of automatic ratifiers of decisions already taken at Whitehall, King James had been wise enough to make its membership at least reflect the influence of the nobility, the traditional leaders of Scottish society and policy advisers to the monarch. Under Charles, however, many leading nobles, such as the fifth Earl of Montrose, were excluded from Council membership.

55. See Donaldson, Scotland, pp. 295-323. These secular grievances were particularly felt in the city of Edinburgh. The attitude of the lairds (or "small barons"), merchants and lawyers at this time, as well as of the clergy, has been examined in Thomas S. Colahan, The Cautious Revolutionaries: the Scottish middle classes in the making of the Scottish revolt, 1637-1638 (unpublished Ph.D. thesis, Columbia University, 1962), passim. There were several thousand lairds in Scotland at that time. These were men (other than noblemen) who held land worth more than forty shillings of old extent (a traditional valuation) freehold from the King. As "small barons" they were entitled to elect commissioners from the shires to Parliament. See Stevenson, Scottish Revolution, p. 20 et seq. The fifty-odd royal burghs (those burghs which held charters From the King as tenant in chief) together with a few of the larger ecclesiastical burghs (such as Glasgow and St. Andrews) sent commissioners (who were usually merchants) to Parliament. See ibid., pp. 27 et seq. The Scottish Parliament consisted of a single chamber. See C. S. Terry, The Scottish Parliament, Its Constitution and Procedure, 1603-1707 (Glasgow, 1905), passim, hereafter cited as Terry, The Scottish Parliament.

56. James VI's well-known comment exemplifies his conception of the Privy Council's role. "Here I sit and govern Scotland with my pen; I write, and it is done. And by a clerk of Council I govern Scotland now, which others could not do by the sword". Quoted in C. V. Wedgwood, Anglo-Scottish Relations, p. 31.

57. The fourth Earl of Montrose, father of the fifth earl, had been a privy councillor for over twenty years, rising to be Chancellor of Scotland.
The familiar idea of Jacobean Scotland as a cockpit in which King and overmighty nobles fought for power and in which James VI pitted faction against faction in his avowed bid to be a "universal King" has been questioned by Dr. Jennifer Brown. She contends that by the 1580s the monarchy had succeeded in taming the magnates by a constitutional balance based not on royal coercion but on mutual cooperation, by the nobles' respect for the Crown and the Crown's realisation that it required a strong nobility to govern in the regions and execute royal policy there. Moreover, she claims, this trend was already emerging under James V, whose untimely death in 1542 checked the development in Scotland of an absolutism similar to that in France and England. Only in mid-century, that crucial period of the minority of Mary Stuart, and then of the Reformation, was Scotland actually dominated by the nobles, whose inflated power was necessitated not merely by the Queen's minority but by the troubles of the times. Whatever the case, it is clear that by the end of the century noble feuds had lessened, and this, together with the removal of the King to London in 1603 (which had deprived them of their traditional lobbying place, the informal Scots Court) had created a vacuum in the life of the Scottish nobility. As Professor Donaldson suggests, the growth of their opposition to Charles may have been due, to some extent, to the fact that they had too little to do.


59. Donaldson, Scotland, p. 299. The Scottish nobility's growing discontent with the policies of Whitehall seem to have had similar roots to those of the so-called "country party" in England. See Perez Zagorin, The Court and the Country: the beginning of the English Revolution (London, 1969), passim. Apart from a few Scottish nobles, such as the Marquis of Hamilton, the Duke of Lennox and the Earl of Stirling, who resided at Whitehall, the Scottish nobles were physically distant from the Court and alienated from its interest. See also Stevenson, The Scottish Revolution, pp. 16-17.
On the occasion of his belated Coronation visit to Scotland in 1633 Charles created one marquis, ten earls, two viscounts and eight barons. Honours were awarded to members of Lorne's own circle. His friend and kinsman was created Earl of Loudoun, and his brother-in-law, Gordon of Lochinvar, became Viscount Kenmure.

But these creations did little to further Charles's popularity, and in 1633 Parliament's criticism of royal policy erupted. For Charles refused to allow the three Estates to meet separately to informally discuss the intended legislation. They detested the lack of opportunity to consider bills before they were put to the vote, and they loathed the royal control, through the bishops, of the selection of the Lords of the Articles, a body unique to the Scottish Parliament and, in cooperation with the Privy Council, responsible for the direction of legislation. The Lords of the Articles produced no less than one hundred and sixty eight acts on a single day, including the Act of Revocation, taxation and ratification of the Jacobean ecclesiastical programme. These were all passed by the House - and Charles noted down the names of dissentients.

60. See supra, Chapter 1.
61. For the entire list of peerage creations at the time of the 1633 Coronation see Andrew Stevenson, The History of the Church and State of Scotland, from the accession of King Charles I to the year 1649 (Edinburgh, 1840), pp. 404n - 405n.
62. The Lords of the Articles was a committee selected by a method which ensured that it would consist of the Crown's nominees. In each Parliament the estate of the nobles chose eight bishops to sit on the Articles. The eight bishops then chose eight nobles and these sixteen men then chose eight barons and eight burgesses. At each step in the selection process men who would support royal policies were chosen. This method, practised in 1621 and in 1633, does not appear to have been based on time-honoured constitutional practice. Rather, it is illustrative of the encroachments of royal power in Scotland since the accession of James VI to the throne of England. See Sir Robert S. Rait, The Parliaments of Scotland (Glasgow, 1924), pp. 367-71. See also C. S. Terry, The Scottish Parliament, passim.
So far, Lorne had kept aloof from the growing antagonism towards Charles's Scottish policies, though Loudoun, with Rothes and Balmerino, led the Parliamentary opposition in 1633. Nothing has come down to us which would shed direct light on Lorne's attitude towards the King's prosecution of Balmerino in 1634-35, owing to the latter's connection with a supplication which combined secular and religious demands and which opposed the Five Articles of Perth and the Arminianism which was gaining popularity among many of the younger clergy, and which expressed unease at Charles's having noted down the names of his Parliamentary opponents, which it regarded as a breach of privilege.

However, it would seem tolerably certain that Lorne shared the prevailing indignation in Scotland towards the King's attitude. The nobility in general were united behind Balmerino. Far from being cowed into submission they viewed the episode as another instance of Charles's determination to subordinate them to the Episcopate, jeopardising their traditional supremacy in the realm. "My father knew the whole steps of this matter, having been the Earl of Lauderdale's most particular friend", recalled Bishop Burnet many years later. "He often told me that the ruin of the King's affairs in Scotland was in a great measure owing to that prosecution."


65. Ibid., p. 191; the supplication was drawn up by one William Haigh, who fled to Holland and it seems that Balmerino handed the supplication to Rothes for presentation to the King. The Crown was neither swift nor decisive in its prosecution of Balmerino, and his trial dragged out from the summer of 1634 until the spring of 1635, when he was convicted by a majority of one. But Charles, after further delays, decided to reprieve him, largely owing to the counsel of the Earl of Traquair. This action, however, earned Charles and his advisers more contempt than gratitude, for it was felt that they dared not execute the sentence in the face of widespread Scottish opposition. Row, op. cit., p. 384.

Unlike his father, Charles aimed to raise the bishops to a pre-eminent place in Scottish civil government. The prelates, as we have seen, were already empowered to ensure royal control over legislation confronting the Estates, because of the key position they occupied in the selection of the Lords of the Articles. In accordance with his aim, Charles appointed a number of bishops to the Privy Council, and in the list of his new Council of 1626, the name of the Archbishop of St. Andrews took precedence over those of every other member, including the Chancellor, the Earl of Kinnoul.

Admittedly, during the reign, the number of noblemen on the Council also increased. But membership of the Council failed to give the nobles what they craved: opportunities to advise the King and assist in policy-making, and consequently few non-office-holding nobles attended Council meetings regularly. They had little interest in helping to execute orders from Whitehall, on which they could make little impact and which Charles seldom bothered to discuss with them. On or off the Council, few noblemen were encouraged to feel that they had an important part to play in government or that their interests were considered by Charles.

67. Donaldson, Scotland, pp. 206-07, 214-15; H. R. Trevor-Roper, "King James I and his Bishops", History Today, vol. 5 (1955), pp. 571-81. James VI's policy was well appreciated by George Gladstones, the then Archbishop of St. Andrews, in 1612: "no Estate can say that they are your Majesty's creatures as we [the prelates] may say, so there is none whose standing is so slippery when your Majesty may frown, as we, for at your Majesty's nod we either must stand or fall". Quoted in Foster, op. cit., p. 30.

68. Stevenson, Scottish Revolution, pp. 42, et seq.

69. Donaldson, op. cit., p. 299; Stevenson, Scottish Revolution, p. 18. It should be noted that in 1603 Scotland, with a population one-fifth of that of England, had between fifty and sixty noblemen. By 1641 the number had risen to 105. England had, in 1603, about fifty five noblemen, rising to about 121 in 1641. For details see Charles Rogers (ed.). "An Estimate of the Scottish nobility during the minority of James VI and subsequently, with preliminary observations", T.R.H.S., new series, vol. 2 (London, 1873), pp. 226-96.
Their resentment increased in 1635 when, on Kinnoul's death, the Archbishop of St. Andrews became Chancellor, the highest state office in the land — which had been in lay hands since the Reformation and which the nobles had confidently expected would pass to another of their estate. In common with most noblemen, Lorne cannot have relished Archbishop Spottiswoode's impingement on the secular sphere. He had personal reasons, too, for resenting Spottiswoode, who, years before, had wholeheartedly supported Bishop Knox in his efforts to curtail Campbell influence in the Isles.  

To the nobles Charles's aggrandisement of the bishops directly threatened their traditional monopoly of political power. This monopoly had been challenged during James VI's reign by the promotion of men of lairdly origins to high state positions but it had never been broken. Moreover, Charles's elevation of the bishops to civil power deprived the nobles of the opportunity for personal enrichment gained through great state office.  

70. Spottiswoode was also believed to have advised Charles to prosecute Balmerino. Gregory, op. cit., pp. 355-56.  

71. Such men included the well-known "Octavians". These were eight men, most of whom were the sons of lairds, and many of whom had been long employed in the royal service, who in 1596 were placed in charge of the treasury. See Smout, op. cit., p. 102; Stevenson, Scottish Revolution, p. 41.  

72. Hume Brown, loc. cit. That such office could be a road to immense wealth can be seen in the careers of such men as the Secretary of State for Scotland, William Alexander, Earl of Stirling, and the Treasurer, John Stewart, Earl of Traquair, both of lairdly backgrounds. Both had climbed the ladder of royal preferment and in the process had been ennobled and amassed considerable fortunes, not entirely, it seems, by honest means.
The nobles were concerned for their own status, and felt that the bishops were encroaching upon a position in Scottish society which properly and exclusively belonged to themselves. Their incipient anti-clericalism, grounded in the view that the bishops had no business meddling in state affairs, found expression in a ballad composed a few years later, which advised that the prelates aimed

To tread on the nobles, to trample them down
To set up the mitre above the King's Crown. 73

Under the prevailing system of lay patronage many nobles and lairds nominated incumbents for the parish churches in their domains, and controlled the payments of the ministers' stipends. The patron could expect, therefore, to intimidate the churchmen in his district. He could get a minister who displeased him dismissed, or protect one whom he appreciated, even if the latter's views conflicted with the Kirk's official position. Naturally, such patrons (Lorne among them) baulked at increased episcopal dominion over the local churches, ministers and congregations. Many clerics, too, held that increased episcopal activity at the parish level encroached on the ministers' role in Kirk session and presbytery. This would be especially so in cases where bishops employed their disciplinary rights to enforce conformity to doctrines or practices unacceptable to the ministers.

That e'er they were clerks our priests have forgot
Which now they'll be taught - grammercie good Scot.

This image of the bishop as social upstart reflects the view of the Reformist Earl of Glencairn in the previous century:

Though in his early years he drowe the plough
A priest and prophet he commences now.

Quoted in Marjorie Bingham, op. cit., p. 131.
It was for these reasons that many nobles, lairds and ministers presented the re-establishment of the Court of High Commission in 1634. Now the bishops' control over both clergy and laity at the local level would increase, and they would enjoy added penal powers with which to enforce rigid conformity to official doctrine. Bishops could now erect diocesan courts subordinate to the central Court of High Commission. In these courts the bishops, advised by clerical and lay assessors whom they selected, could hear and sentence cases on such topics as religious non-conformity, sedition and immorality. This gave rise to widespread ill-feeling, founded on the belief that the prelates were again assuming powers far in excess of their accustomed spheres of activity and jurisdiction.

As a direct result of these developments there occurred two episodes which indicate where Lorne's hitherto unacknowledged sympathies lay. They suggest that, although as a prominent Council member and regional justiciar, he represented the interests of the Crown in matters secular, in the area of ecclesiastical government he shared the reservations of so many Scotsmen.

In 1635 Thomas Sydserf was transferred from the Bishopric of Brechin to that of Galloway. He owed his former appointment directly to the influence of Laud, and was appointed to staunchly Presbyterian Galloway because of his unyielding attitude towards religious dissent. Within the terms of the 1634 Court of High Commission act he established a diocesan court at Galloway and harried non-conformists with unabashed zeal.

75. Stevenson, Scottish Revolution, pp. 42 et seq.
In the summer of 1636 Samuel Rutherford, the anti-episcopalian minister of Anwoth, in Galloway, was summoned before the Court of High Commission in Edinburgh to answer charges of non-conformity and public opposition to the Five Articles of Perth in defiance of Bishop Sydserf. Rutherford was very popular with his parishioners, whom he had served for nine years, and had become the spiritual mentor and correspondent of many highly placed Scots, including Lorne's sister, Jean. Her late husband, Kenmure, had been responsible for Rutherford's appointment to Anwoth in 1627. 77 Probably owing to her persuasions, Lorne entered the dispute on behalf of Rutherford, whom he had never met. He "hath done as much as was in the compass of his power", 78 wrote the minister, though we do not know precisely what that was. Lorne's intercession was unavailing, for Rutherford was deprived of his living and banished to Aberdeen during the King's pleasure. Still, he was grateful to Lorne for what he hath done for me, a poor unknown stranger to his lordship ... . It is his honour to open his mouth in the streets for his wronged and oppressed master Jesus Christ. 79

It is probable that Lorne's impotence before Sydserf humiliated him and deepened his resentment against the power of the bishops. However, he maintained an outward neutrality, for in March 1637 a disappointed Rutherford complained to his noble correspondents that "great men"

77. Ibid., vol. 27, p. 496; Mathew, op. cit., p. 36 and passim.


79. Rutherford to Viscountess Kenmure, 28 July 1636, ibid., p. 138; cf. Rutherford to Viscountess Kenmure, 27 July 1628, ibid., pp. 363-65: "Stir up your husband, your brother, and all with whom you are in favour and credit, to stand upon the Lord's side against Baal". The early date of this letter should be noted.
were not as zealous for religion as they should be, and this in all likelihood referred to Lorne. To Loudoun Rutherford wrote:

I shall be confident that your Lordship will go on in the strength of the Lord, and keep Christ and avouch Him, and that He may read your name publicly before men and angels. I shall entreat your Lordship to exhort and encourage that nobleman, your chief, to do the same.

Two months later another bitter row between Lorne and Sydserf provoked widespread attention. The bishop had zealously foisted the new liturgy upon the ministers of his diocese, and had insisted on the hated practice, provided for in the Perth Articles, of kneeling during Communion. In the early summer of 1637 Alexander Gordon of Earlstoun, guardian of Lorne's young nephew Lord Kenmure, publicly flouted Sydserf's authority by announcing at a communion service that "it was plain idolatry to take the communion kneeling". Sydserf fined Earlstoun (and some other Galloway gentlemen) 500 merks and confined him for six weeks to the burgh of Montrose. Again Lorne stepped into the breach, and again he had family reasons for so doing. So little has come down to us that it is impossible to assess the ideological extent of his commitment to the anti-Sydserf protesters. His statement

80. Rutherford to Lord Lindsay of the Byres, 7 September 1637, ibid., pp. 107-110; cf. Rutherford to the Earl of Cassillis, 13 March 1637, "0, if the nobles had done their part, and been zealous for the Lord, it had not been as it is now . . . ." Ibid., pp. 117-18.

81. Rutherford to Loudoun, 9 March 1637, ibid., pp. 75-77; cf. Rutherford to Loudoun, 10 September 1637: "My Lord, it shall be a good service to God to hold your noble friend and chief upon a good course, for the truth of Christ". Ibid., pp. 163-65.

82. This boy was born a few months after the death of his father in 1634. He died at the age of five. Mathew, op. cit., pp. 36-38.


84. Ibid., Spalding, loc. cit.
to a now unknown friend that "my interest is but accidental and may very soon wear out", suggests a limited sympathy with Earlstoun, but, when read in the context of the entire letter, it seems that it was intended to jolt the friend into action on Earlstoun's behalf.

Lorne pleaded with Sydserf for Earlstoun and paid the latter's fine, expecting that the sentence of banishment would then be lifted. When it was not, the normally phlegmatic Lorne grew angry, and bitterly denounced the bishop at the Council table, calling him a liar. It was popularly believed that the matter reached the King's ears, and it does seem that eventually Lorne was able to procure Earlstoun's release from exile. The precise outcome of the affair is obscure: certainly in early October 1637 it had not been settled.

It was later claimed by a Royalist historian that Earlstoun had acted with Lorne's encouragement. How justified this allegation is or how widespread the rumour it is impossible to ascertain. The same source tells of a clandestine meeting, summoned by Lorne after his outburst at the Council table, of leading anti-episcopal nobles and ministers, at which they plotted to overthrow the untenably arrogant bishops. This story we can probably discount, for it seems unlikely that all those alleged to be present were there at the time. However, it is likely that Lorne may have discussed with Traquair, Rothes and other nobles ways to check the secular power of Sydserf and his fellow prelates.

85. Lorne to anon., 6 April 1637, N.L.S., MS. 577, folio 25B. He exhorted this unknown friend "to see [to] it to the uttermost of your power".
86. Spalding, loc. cit.; Baillie, loc. cit.
88. Spalding, loc. cit.
89. Ibid., vol. 1, p. 47. This meeting was reportedly attended by leading anti-Episcopal nobles and ministers, including Loudoun, Balmerino, Lindsay, Hamilton, Alexander Henderson, David Dickson (or Dick) and Andrew Cant.
For the religious crisis had erupted. In December 1636, following instructions from Charles, the Privy Council passed an act ordering the general use of the yet unpublished English-style Service Book the following spring. Each minister was ordered to obtain two copies for use in his parish church, and the bishops attempted to persuade and browbeat by turns ministers into complying with the Council's demands. The bishops were hoping, wrote Campbell of Glencarradale, Glenorchy's agent in Edinburgh, that Charles would let them "rule all the business". Their highhanded tactics were seemingly condoned by the Council on 13 June 1637, when it passed an act warning all ministers to obtain two copies of the Book within fifteen days or be declared rebels and outlaws.

Encouraged by Traquair, the Scottish bishops acquiesced in plans to introduce the new liturgy via the Privy Council, despite Laud's seeming reservations about imposing, in this way, momentous innovations upon Scotland solely by the King's prerogative.

90. See Donaldson, Scottish Prayer Book, passim. In 1635, without reference to General Assembly or Parliament, Charles authorised a "Book of Canons" which gave him the title of Head of the Church, ordained an unpopular ritual and ordered the exclusive use of a new Liturgy which was yet to be published. When it appeared, the new Service Book was considered by its opponents to be, in some respects, more "Papistical" than the English Prayer Book. It contained, for instance, more saints' days. The common appellation 'Laud's Liturgy' is a misnomer, since the new liturgy was the work of the fifteen Scottish prelates, and Archbishop Laud himself would have preferred to introduce into Scotland the English Prayer Book (which had been employed at the 1633 Coronation). The liturgy's Scottish opponents, however, were quick to attribute it to Laud, and as Professor Mackie observes, "it was instinct with Laud's spirit". Mackie, op. cit., p. 206. See also infra, Chapter 2, and note 93.


92. Glencarradale to Glenorchy, 10 December 1636, S.R.O. Breadalbane MSS., GD 112/39/663.


94. Laud appears to have harboured reservations about imposing momentous innovations upon Scotland solely by the King's prerogative, acting through the Council. He probably would have preferred to introduce them through a General Assembly, and then ratify them by the Scottish Parliament, as James VI had done with the Five Articles of Perth. Laud seems to have considered that Charles's method would alienate many ministers who would otherwise accept the innovations.
The Book of Canons\textsuperscript{95} had stated explicitly and dogmatically that the King's prerogative allowed him to meddle in matters ecclesiastical, and it had ordained several alterations in the conduct of religious services (which to the Scots smacked of popery) and in the observance of festivals and saints' days (more than in England). It ignored the Presbyterian structure, failing to mention the discipline of Kirk sessions, the elder, the presbytery, or the General Assembly, all crucial to the conduct of the Melvillian Reformed Kirk.\textsuperscript{96}

By contrast, the Service Book, when it eventually appeared in the spring of 1637, made several concessions to Scottish tradition and practice, but this tended to be overlooked, since the way in which it was imposed upon the nation inflamed large sections of public opinion, and it was widely held that the innovations it contained should have gone for consideration before a General Assembly.\textsuperscript{97}

That the King and his advisers expected that any opposition to the liturgy would be shortlived is implied in the Bishop of London's remark to the Bishop of Ross that the Book of Canons "perchance at first will make more noise than all the cannons in Edinburgh Castle, but when men's ears have been used awhile to them, they will not startle so much at it, as now at first".\textsuperscript{98} Such flippant optimism proved far from justified.

\textsuperscript{95} See supra, note 89.

\textsuperscript{96} Stevenson, Scottish Revolution, pp. 42 et seq.; Donaldson, Scottish Prayer Book, passim.

\textsuperscript{97} Ibid.

One month after the celebrated riots against the Service Book in St. Giles's Cathedral and elsewhere in Edinburgh on 23 July 1637, a group of ministers and lairds, mainly from Fife and the West Country, convened in the capital. Led by Alexander Henderson, minister at Leuchars, they presented a supplication against the Service Book and against all penalties of outlawry which had been prescribed for ministers who refused to take it. Along with the supplication an "information" was issued privately to various lay councillors, questioning the legality of the Service Book.

Lorne's attitude is entirely unknown, for whatever his private thoughts may have been he was, for the present, acting officially and indisputably as a member of the Privy Council, which promised to communicate the supplication and accompanying document to Charles, and which capitulated to popular wrath to the extent that it explained that its act of 13 June, meant that ministers had to obtain (but not necessarily use) two copies of the controversial Book.

99. As soon as the service in St. Giles's began, a riot broke out among the congregation, and abusive words flung at the Dean were followed by Bibles and folding stools. The principal instigators were ejected, but during the remainder of the service a great crowd demonstrating outside banged incessantly on the doors and hurled missiles at the windows. Similar displays of anti-Episcopal solidarity occurred in other churches that day, and gangs in Edinburgh roamed the streets after the service, assaulting the King's supporters. Baillie, op. cit., vol. 1, pp. 14-15, 21, 41; R.P.C.S., 2nd series, vol. 6, pp. 483-84, 490.


102. See supra.

The Council's action had the effect of encouraging opposition, and by 20 September, the day it had named to advise the suppliants further, it had received almost seventy petitions against the Book. On that day, too, nearly 100 ministers, many lairds and burgesses and over twenty nobles came to Edinburgh, and drew up a general supplication of all Estates, which the Council promised to convey to Charles.

It was temperate in tone and conservative in outlook. The signatories stressed their desire "to testify our loyalty to our dread sovereign and to give obedience to His Majesty's royal commandments". But they claimed that the Service Book "is introduced and urged in a way which this Kirk hath never been acquainted with, and containeth many very material points contrary to the acts of our national assemblies, His Majesty's laws of this kingdom and to the religion and form of worship established and universally practised to the great comfort of all God's people, His Majesty's subjects, since the Reformation, which may tend to the great disquieting of their consciences and to the hinderance of that harmony and comfort which from the influence of His Majesty's government all do pray for and still expect . . . "

The suppliants explained that "it is indeed the very desire of our hearts for the preservation of true religion amongst us, which is dearer to us than our lives and fortunes". They hoped "some way may be found whereby we may be delivered from the fear of this and all other innovations of this kind and may have the happiness to enjoy the religion as it hath

been by the great mercy of God reformed in this land and is authorised by His Majesty, who may long and prosperously reign over us". There was nothing in this document disrespectful to monarchy. The consciousness of past Scottish practice seen here was highly characteristic of the Scottish critics of Charles I then and later; the appeal to precedent was a recurrent theme.

It is possible that had Charles withdrawn the Book at this stage the impending crisis might have been averted. In the wake of the July riots the Council had resolved to hold future meetings not in the centre of Edinburgh, where their personal safety might be endangered as they passed through the narrow streets, but in Holyrood House. They had declared the rioters guilty of treason and deserving of death, but they took the precaution of suspending the Service Book, and although they paid lip-service to royal authority they were well aware that they were unable to enforce it. 107

Appreciating the realities of the situation less perfectly than they, Charles commanded them to restore immediately the use of the Service Book and to punish the principal demonstrators against it. But the Council lacked the means to obey. They were unwilling to risk mob violence, having seen ministers who used the Book physically set upon by their angry congregations, and they saw that the opposition now boasted some of the best minds in Scotland: Archibald Johnston of Wariston, a brilliant, industrious young lawyer; the ministers Alexander Henderson, Andrew Cant and David Dickson; the nobles Loudoun, Rothes and Montrose.

107. See Baillie, op. cit., vol. 1, pp. 35-6, 39.
Sir Thomas Hope of Craighall, the Lord Advocate and a staunch Presbyterian, secretly opposed the Service Book, though it is probable that his attitude was known to his fellow councillors. 108

Charles's response was to embark on a policy of divide and rule. He aimed to stifle opposition in each region individually, forcing each in turn to accept the Service Book, and he decided that Edinburgh would be the first. 109 On 17 October 1637 he issued a proclamation commanding the supplicants to quit the city on pain of rebellion. He forbade the Council to accept any further petitions concerning religion, and ordered the Court of Session to leave Edinburgh, so that the city would be deprived of a major source of income. 110

This petition had an inflammatory effect, and consolidated the opposition, enabling the leaders to escalate their demands. Encouraged by many nobles and lairds, the supplicants signed a strong protest explicitly naming the bishops as the authors of the "popish" Book of Canons and Service Book, and demanding in effect that they be put on trial for their alleged mischief, barred from sitting on the Council and from exercising their disciplinary powers in the Court of High Commission. 111

Before leaving Edinburgh the supplicants arranged to have copies of this latest complaint distributed to the presbyteries for signature by the rank and file, and it was agreed that they would stage a mass meeting in Edinburgh on 15 November to await the Council's answer to their supplication and lobby the Council into officially receiving their latest document. 112


And what of Lorne himself? On 29 November Campbell of Glencarradale reported to Glenorchy that Lorne had arrived in Edinburgh to await the outcome of events. Since his intercession for Rutherford and for Earlstoun he had taken no public part in the religious controversy. It is possible that he used Loudoun as a mouthpiece, though there is no evidence that he did. Indeed, we must be cautious about assuming that Loudoun, opinionated and able in his own right, was content to be his clan chief's voice. As events unfolded, the two men did enjoy what seems to have been a harmonious relationship. However, as we shall see, there were two important policy-issues, years later, on which they took opposite sides. Yet it is likely, during the decade between the introduction of the Service Book and the first of these disagreements, that although Loudoun probably spoke very much as his own man, and not with Lorne's prompting, he enjoyed Lorne's tacit support.

On 23 July 1637 Lorne had claimed illness - how truthfully we shall never know - as the cause of his absence from the official procession to St. Giles's Cathedral for the first reading of the Service Book. After 10 August he ceased, for three months, to attend Council meetings. It is possible that these negative actions were intended to mutely demonstrate his disapproval of royal policy. More significantly, on 17 September the gentlemen, elders and petitioners of Rosneath, site of an important Campbell stronghold, signed a petition

114. These were Hamilton's Engagement in 1648, for which see infra, Chapter 8, and Glencairn's Rebellion in 1653-54, for which see infra, Chapter 10.
116. The relevant source, R.P.C.S., 2nd series, vol. 6, does not record his presence at meetings during this time.
against the Service Book. It is unlikely that they would have done so without Lorne's knowledge and secret consent. As a prominent Council member and nobleman, he could hardly speak out without resigning his seat and incurring Charles's severe displeasure. In time he would reveal himself, but it is probable that the last sentence of Lady Lorne's letter to Glenorchy (who, cautious like his chief, refused to sign the major supplication) on 13 November contain the clue to her husband's attitude at this juncture. She hoped that the elderly laird

will among every other good Christian be ready to give a testimony of your affection to the truth of God's cause by putting your hand to that supplication which is to be presented to the King's Majesty, for there can no hurt fall out upon any particular person since it is so general a petition, and if there did, there can be no prejudice to suffer in so good a cause . . . . The time requires that everyone should stir up one another.

117. Ibid., p. 707. In addition, Campbell gentlemen were present at the meeting which was held in Edinburgh on 17-18 October 1637, and signed the petition which complained against the bishops. See supra and "The National Petition to the Scottish Privy Council, October 18 1637," Scottish Historical Review, vol. 22 (1924-25), pp. 241-49.

118. Lady Lorne to Glenorchy, 13 November 1637, S.R.O., Breadalbane MSS., GD 112/39/701. This letter was written from Rosneath, which might indicate that the Lornes were in residence there two months earlier, when the Rosneath petition was signed.
Chapter Three

Cautious Covenanter: the gradual emergence of Argyll as a spokesman for the Scottish opposition.

While Lorne might have entertained misgivings about the new liturgy he was careful, as the previous chapter indicates, not to voice them. During the remainder of 1637 and for most of 1638 his role in the religious crisis was obscure, for whatever part he played was closely guarded, and we catch only occasional glimpses of him. Yet, as this chapter will show and attempt to explain, by the winter of 1638 he had emerged as an outspoken opponent of the King's innovations, and had been accepted by the Scottish opposition as their principal representative.

On 15 November 1637, when a great number of supplicants gathered in Edinburgh, the Earl of Traquair, who had been entrusted with a royal commission to treat privately with the petitioners in order to forestall any future mass delegations to the Council, used Lorne, along with Lauderdale and Southesk, in his negotiations. This seems to be an indication of Lorne's standing on the national scene at the time, as an experienced councillor whom the supplicants might listen to with respect.

However, Lorne, Traquair and the other two noblemen met with limited success when they attempted to persuade the petitioners to modify their demands in order to make them more acceptable to Charles. The Earl of Roxburgh had gone to Court to ascertain the King's pleasure, and while they awaited his return, the four noblemen informed the petitioners that any hint of armed resistance would be interpreted by Charles as questioning his authority and would strengthen his resolve to impose the unwelcome innovations upon Scotland. But the petitioners

would not heed the noblemen's advice that they restrict their demands to the removal of the Service Book, and they insisted that the Book of Canons and the Court of High Commission must go too, and the bishops tried for their part in the introduction of the innovations.  

The petitioners agreed to leave Edinburgh only on condition that the Council would consent to the formation of a body of commissioners, which they did. This body later developed into the Tables, composed of representatives of each Estate, and which sat in Edinburgh and acted on behalf of the dispersed supplicants.  

Roxburgh returned at the end of November, and the royal proclamation he brought with him was published on 7 December. It professed the King's horror of Popery, and undertook not to impose anything which failed to advance the "true religion" as then professed in Scotland. In an attempt to placate the opposition, the Service Book was ordered to be withdrawn temporarily, but Charles made no admission that it was objectionable either in content or in manner of introduction.  

In the meantime, Charles maintained his attempt to isolate Edinburgh from the rest of Scotland, which would have the effect of lowering its morale, before he could crush the opposition elsewhere. The Council and the Court of Session were told to continue meeting elsewhere, and the councillors - including the bishops - were ordered to attend Council meetings regularly, in order to give the appearance of unity. The Council  

2. Rothes, op. cit., p. 25.  

3. Ibid. For the later development of the Tables see infra and note 17.
was ordered not to accept any further petitions against the prelates.4

However, Charles had underestimated the petitioners' dedication to their cause. They realised that he was playing for time in an attempt to diminish their resistance, and, determined to force a showdown, they informed the Council that if it refused to accept further supplications they would petition Charles directly.5

In response to this Lorne, again urging temperance, joined Traquair and Roxburgh in advising the petitioners to dispense with attacks on the bishops and so confine their criticism to the Service Book alone. The three noblemen argued that the proposal for a general supplication issued in the name of all estates would imply a general revolt which would be intolerable to Charles. They advised that each estate should approach Charles separately, acting from their various shires and presbyteries. They may also have told the petitioners that they were doing everything possible to represent their petition to the King.6

Lorne was cast, then, in the role of mediator and moderate, and perhaps as a direct result of his influence Loudoun seems to have been on the verge of modifying his sentiments about the bishops.7 For Lorne


6. Ibid., pp. 545-46.

held that only a few of the bishops should be indicted, not the entire estate. This indicates that, as he later admitted, any contention of the essential unscriptural status of Episcopacy did not concern him. 8

It was generally realised that the Council must either officially receive the planned general supplication, and with it a denial of the bishops' right to sit there, or else risk the protest turning into a riot. "What this may produce, God knows", wrote Campbell of Glencarradale. 9

In urging moderation - advising the petitioners to take what he believed to be a reasonable course - Lorne may have been hoping that Charles would meet their modified demands. For as we have seen, he was no lover of the bishops' political power. But the petitioners dismissed his advice as a defence of Episcopacy, and on 21 December the Council, having agreed that no bishops should sit among them, received the general supplication together with a so-called declinator against the bishops and promised to forward them to Charles and communicate his reply. 10

On 18 December Glencarradale advised Glenorchy of "some secret assurance" between the Council and some of the noble petitioners to soften their opposition until February. 11 It is possible that Lorne was involved. About this time he had a meeting with Wariston, arranged by Loudoun, in which he suggested that Wariston accompany Traquair to Court in London, and keep the Scottish nobility informed of developments there. 12

8. Rothes, op. cit., pp. 34-35; see infra.
No further action by the Council was contemplated until Charles had been consulted. Sir Robert Spottiswoode, President of the Court of Session, hastened south to present the bishops' case to Charles (though not as Sir Robert's enemies suggested, to advocate an inflexible stand).  

Rothes, Wariston and other opposition leaders hurriedly prepared a written account of their opinions, which Traquair and Sir John Hamilton of Orbiston, the Justice-Clerk, took with them when in mid-January they set out to see the King.

It appears that Charles had already determined upon firm action in order to subdue the dissentients, and on 19 February 1638 Traquair, having returned, reluctantly issued the royal proclamation at Stirling. In this Charles claimed sole responsibility for the introduction of the Service Book, and accused its opponents of committing treason, and deserving to be treated as traitors.

The opposition replied with a protestation, and Rothes circulated nationwide a document requesting all nobles and lairds who had hitherto not joined the dissentients to journey to Edinburgh for information. The Tables were finally established as a general committee consisting of all nobles willing to attend, with four lairds, four burgesses and four ministers. Subordinate tables were established at local level.

17. For the origin of the Tables, see supra. They were a general committee consisting of all nobles who wished to attend, with thirty six others, comprising twelve representatives each from the lairds (or small barons), burgesses and ministers. They met at Edinburgh, but subordinate Tables were set up in the shires. A Large Declaration, p. 54; Rothes, op. cit., p. 69.
and funds for the cause solicited.\textsuperscript{18}

The opposition's determination was reinforced by the refusal of the Lord Advocate, Hope, to concur in its publication.\textsuperscript{19} Lorne himself, again seeming to be indicating silently where his sympathies lay, was not present at its reading before the Council on 20 February 1638, nor were the bishops, afraid of mob violence.\textsuperscript{20}

Although the Council officially approved the proclamation,\textsuperscript{21} few were deceived as to its consequences. "And truly", wrote Traquair, "it shall be as easy to establish the Missal in this kingdom as this Service Book".\textsuperscript{22}

Since September 1637 Wariston had been considering reviving the Negative Confession of Faith of 1580-81,\textsuperscript{23} which James VI had had drawn up, which he had signed, and then had distributed first to his household and then to the rest of the Kingdom at a time when Scotland seemed threatened without and within by Catholics.\textsuperscript{24} The signatories avowed

\begin{itemize}
\item \textsuperscript{18} Traquair to Hamilton, 19 October 1637, Philip Yorke, Earl of Hardwicke, Miscellaneous State Papers, from 1501 to 1726, 2 vols., with Supplement (London, 1778), vol. 2, pp. 95-96, hereafter cited as Hardwicke State Papers.
\item \textsuperscript{19} Maule of Panmure to Erskine of Dun, 23 February 1638, H.M.C., 5th Report, Appendix, p. 637.
\item \textsuperscript{20} Rothes, op. cit., pp. 65, 69; R.P.C.S., 2nd series, vol. 7 (Edinburgh, 1906), pp. 3-4; for the full text see A Large Declaration, p. 48.
\item \textsuperscript{21} R.P.C.S., 2nd series, vol. 7, p. 5; Rothes, op. cit., pp. 65-66; Baillie, op. cit., vol. 1, p. 50.
\item \textsuperscript{22} Traquair to Hamilton, 26 February 1638, Hardwicke State Papers, vol. 2, pp. 99-100.
\item \textsuperscript{23} Wariston, Diary, 1632-39, p. 269.
\item \textsuperscript{24} Mackie, op. cit., pp. 173-78.
\end{itemize}
the Protestant faith and denied "all contrary religion and doctrine, but chiefly all kinds of papistry", and signed the adjoining band of mutual assistance in defence of Protestantism against Popery.  

Early in 1638 Wariston, with Henderson, Loudoun, Rothes and Balmerino, revived this old Confession, adapting it to meet current circumstances. These additions meant that it questioned the very foundations of Episcopacy, as well as of other ecclesiastical innovations introduced since 1581, and it referred the issue of their legality to the discretion of a General Assembly and a Parliament, which it insisted were the only appropriate judicatories for determining the issue. A contemporary minister described this document, which became known as the National Covenant, as "a mutual combination for resistance of all innovations in religion, doctrine and discipline".  

Since their real intent was hotly debated later, after Lorne had joined them, some of their remarks should be quoted in full. They explained that they, considering divers times before, and especially at this time, the danger of the true reformed religion, of the King's honour, and of the public peace of the Kingdom. By the manifold innovations and evils generally contained, and particularly mentioned in our late supplications, complaints and protestations, do hereby profess, and before God, His Angels and the world solemnly declare, that, with our whole hearts we agree and resolve, all the days of our life, constantly to adhere unto, and to defend the foresaid true Religion, and (forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the Kirk, or civil places and power of the kirkmen, till they be tried and allowed in free assemblies, and in Parliaments) to labour by all means


lawful to recover the purity and liberty of the gospel, as it was established and professed before the foresaid novations; and because, after due examination, we plainly perceive, and undoubtedly believe, that the innovations and evils contained in our supplications, complaints and protestations have no warrant of the Word of God, are contrary to the Articles of the foresaid Confessions, to the intention and meaning of the blessed Reformers of religion in this land, and to the above-written acts of Parliament, and do sensibly tend to re-establishing of the Popish religion and tyranny, and to the subversion and ruin of the true Reformed religion, and of our liberties, laws and estates, we also declare, that the foresaid Confessions are to be interpreted, and ought to be understood of the aforesaid novations and evils, no less than if every one of them had been expressed in the aforesaid confessions; and that we are obliged to detest and abhor them, amongst other particular heads of papistry abjured therein ...27

The signatories avowed their duty "to God, to our King and Country" and explained that

we have no intention nor desire to attempt anything that may turn to the dishonour of God, or to the diminution of the King's greatness and authority, but, on the contrary, we promise and swear, that we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread sovereign, the King's majesty, his person, and authority, in the defence and preservation of the foresaid true Religion, liberties and laws of the Kingdom, as also to the mutual defence and assistance, everyone of us of another in the same cause of maintaining the true Religion and His Majesty's authority, with our best counsels, our bodies, means, and whole power, against all sorts of persons whatsoever.28

It will be noticed that any explicit condemnation of Episcopacy was avoided, and the language of this new Covenant was respectful and restrained. But it condemned the innovations, and by the terms

27. Gardiner, Constitutional Documents, p. 132.

28. Ibid., p. 133.
of the proclamation of 19 February, this constitutes treason, to be severely punished. ²⁹

Wariston's hope that the Covenant "might tend most to His glory, this Church's welfare, the standing of our religion, laws, liberties and commonwealth" ³⁰ echoes Loudoun, who on 26 February 1638 told the commissioners of the barons assembled in Tailyour's Hall, Edinburgh, that those who would shortly sign the Covenant could testify before God that they meant no dishonour to God and the King. ³¹ A speech Loudoun made to the Privy Council illustrates the Covenanters' essential belief that they had God and the law on their side. He declared that they stood "for the defence of true Religion and established laws, on which dependeth the welfare both of Church and Commonwealth, our condition of life, liberty and temporal estate in this transitory world". The Tables, he added, constituted a perfectly legal way of protesting by the "nobility, gentry, ministry and burghs". ³²

²⁹. See supra. It seems that Charles's definition of treason was largely a personal one. According to Professor W. A. Wilson, of the Department of Scots Law, University of Edinburgh, to whom I owe the following information, it appears that in the seventeenth century the Scottish law of treason was not entirely statutory. Thus Sir George Mackenzie of Rosehaugh, in his A Discourse upon the Laws and Customs of Scotland in Matters Criminal (Edinburgh, 1674-99), title 6, divides treason into perduellion, which is arising in arms against the King; lesemajesty, which is concealing treason; and statutory treason, which consists of particular crimes such as murder under trust declared to be treason. Interestingly, in the same title there is a reference to the point that the consent of the three Estates will not defend the rising in arms against the King "as was found in the case of the Marquis of Argyll". This alludes to Argyll's trial in 1661, at which MacKenzie acted as one of the defence counsel. See infra, Chapter 10, and Cobbett, op. cit., vol. 5, pp. 1405-07.


³¹. Rothes, op. cit., pp. 72-76.

A close reading of the National Covenant fails to reveal anything revolutionary in a forward-looking, hitherto untried, radical sense. Its language was moderate, its appeal to the rule of law. It pointed to past procedure, not to an abstract futuristic idea of the constitution. It aimed not at some novel Utopian idea but at a situation which had once existed, and could do so again. In this sense, therefore, the Covenanting movement was an appeal to the past and an avowal of Scottishness. It was an essentially conservative protest against apparent misrule by an absentee King.

On 5 March 1638 Lorne, Traquair, Roxburgh and fourteen others wrote to Hamilton as the man most likely to present the Scottish situation sympathetically to Charles: "Because the business is so weighty and important, that in our opinion the peace of this country was never in so great hazard" and they hoped he would "concur by your best advice and assistance at His Majesty's hands to bring these great and fearful ills to a happy event". 33

Two days later the Council dispatched Orbiston to Court in order to urge Charles to desist from action until he had received a delegation from them. Orbiston bore a letter to Charles from Traquair and Roxburgh, in which they advised him that the popular Scottish anger could not be arrested except by the withdrawal of both the Service Book and the Book of Canons. They admitted that the behaviour of some subjects had been "inexcusable" but advised Charles "to consider what is the best and safest course for your own honour and the peace of your government".

By withdrawing the disputed liturgy, the King would discover many whose ultimate quarrel was not with the mode of religion but with monarchy itself.  

In a private note to Orbiston, Traquair - who probably felt that any royal effort to curtail the Covenanting movement would be better assured of success if Lorne was involved in it - recommended that the latter be summoned to Court.

On 26 March Charles formally requested Lorne, Traquair and Roxburgh to London to present the views of the lay councillors. Summoning Lorne to Court at this time was an astute tactical move, because for Charles, as for the Covenanters, the support of the cohesive Campbell power would be advantageous in the event of an armed struggle.

Rothes believed that Lorne was "rightly and religiously inclined" to give Charles a frank and fair account of the Covenanting position, and Wariston thought that Lorne was sufficiently identified with their cause as to be in peril if he undertook the journey. These opinions suggest that Lorne had privately assured the Covenanting leaders of his sympathy with their position. But others felt that Lorne might either

34. R.P.C.S., 2nd series, vol. 7, pp. 9-11. For suspicions that the Covenanters were anti-monarchic see infra, Chapter 4.
35. Traquair to Orbiston, n.d. [c. 7-15 March 1638], Hardwicke State Papers, vol. 2, pp. 105-06.
37. Rothes, op. cit., pp. 95, 126.
be won over by Charles or detained in London for an indefinite period. "We tremble for Lorne" wrote Robert Baillie, "that the King either persuade him to go his way or find him errands at Court for a long time". Those suspicious either of Lorne's zeal or the King's intent begged him not to go, but he explained that he could not refuse the summons.

Before his departure, he informed the Tables that he would not support radical action until every recourse to law, persuasion and accommodation had been tried. On 30 March he wrote to Glenorchy: "I pray God turn all to God's glory, our master's honour and peace to this poor Kingdom". He seemed loath to commit himself on paper, and advised that Glencarradale would be able to inform Glenorchy 'what is my way and others in this public business'. Glencarradale himself wrote to Glenorchy to tell him to delay signing the Covenant for reasons which he explained later. What these were are unknown: probably it was thought best to suspend signing the Covenant in the Campbell territories in view of Lorne's Court visit.

On 8 April, one day after arriving in London, Lorne had a long private audience with the King, and it seems that on this and subsequent occasions he advised Charles to conciliate the Covenanters. He blamed

40. ibid., pp. 69-70; Rothes, op. cit., p. 126.
41. Ibid., pp. 84-85, 95.
42. Lorne to Glenorchy, 30 March 1638, S.R.O., Breadalbane MSS., GD 112/39/490.
43. Ibid.
44. Glencarradale to Glenorchy, 30 March 1638, S.R.O., Breadalbane MSS., GD 112/39/720; cf. Mungo Campbell of Lawers to Glenorchy, 4 August 1638, ibid., GD 112/39/739 which clearly expects that Glenorchy will soon sign the Covenant.
the Scottish bishops for the prevailing situation, and is alleged to have claimed that their English counterparts were seeking jurisdictional powers incompatible with the royal prerogative, which earned him Archbishop Laud's displeasure. "From the first time that ever I saw that man, my heart rose against him..." Laud recalled. "Nor was I ever quiet so long as I was at any time where he was present". He added, with an unkind pun on Lome's obliquity of vision, "I had not ground for this, but only that my eye checked at his countenance". Many years later, the Royalist courtier, Sir Philip Warwick, described an incident, which he does not date, wherein Lome paid Laud a secret visit, and was brusquely snubbed. According to Warwick, Lome "took it so much in indignation, and esteemed it such a lordly prelacy, that he declaimed against it, and became (if possible) more enemy both to him [Laud] and the Church than he was before". Of course, this now defies verification, and Warwick's Royalist proclivities, as well as the fact that he had the story secondhand, and was relating it decades later, must be borne in mind.

At this time Charles had no intention of taking Lome's advice, which was that he should cease to press the Service Book, Book of Canons, Articles of Perth and prelatical "misgovernment" upon the Scots. Baillie claims that Lome told Charles that he would leave the country rather than support the present royal policy. Twice in his career Lome did definitely threaten to go overseas rather than tolerate what were to him

46. Laud to Wentworth, 1 May 1639, Laud, op. cit., vol. 7, p. 569.
unacceptable conditions, and he may well have done so on this occasion. On the other hand, it is questionable whether he would have made what amounted to a declaration of conditional loyalty to the King, thereby risking that detention in England which the Covenanters had been so anxious for him to avoid.

Lorne, Traquair and Roxburgh were followed at Court by the Archbishop of St. Andrews and the Bishops of Brechin and Ross, who appear to have assured Charles that a strong Royalist countermovement could be formed in Scotland. The noblemen who opposed the Covenant fell into three categories. Some were Catholics, and therefore out of sympathy with its aims; some, mainly from the traditionally conservative country north of the Tay, were naturally obedient to established authority; the rest were great magnates with a variety of personal reasons for loyalty to Charles: religious, as in the case of the Catholic Douglas and the Episcopalian Huntly, out of friendship and kinship, as in the case of Lennox, and out of a mixture of friendship and caution in the case of Hamilton. Those who looked to the

50. For the first occasion, during the Kintyre dispute, see supra, Chapter 2. For the second, during the Cromwellian occupation, see infra, Chapter 10.


53. Many of Hamilton's contemporaries mistook his stance for treachery. The most vocal were Montrose in 1643, for which see Burnet, op. cit., pp. 324-26 and Marchamont Nedham, in his The manifold practices and attempts of the Hamiltions, and particularly the present Duke ... to get the Crown of Scotland (London, 1648) and Digitus Dei (London, 1649). Nedham's scurrilous attacks on Hamilton reflect the arguments of George Buchanan, who in the previous century had championed the House of Lennox against its rival, that of Hamilton.
emergence of a Royalist party pinned their hopes on Huntly and the
other northern non-Covenanting nobles, lairds and clans, and on the town
of Aberdeen, and also upon the followers of Hamilton, Lennox, Douglas
and other Court or Catholic nobles in the south. It was rumoured that
the English northern Catholics would be recruited, and that St. Andrews
and his two colleagues advocated preventing Lorne from returning to
Scotland.

It appears that, in the wake of the three prelates' advice, Charles
sounded Lorne on the prospects for a Royalist countermovement in Scotland,
and was informed by him that it would not emerge overnight. Meanwhile,
Loudoun told Wariston that he had confidence that Lorne would "stand
fast" and not misrepresent the Covenanters' case.

Realising that he was in no position to subdue the Covenanters yet,
Charles determined to play for time until adequate strength was at his
disposal. He seems to have felt that moderate ministers, not innately
hostile to either Episcopacy or the Perth Articles, could be enticed to
leave the Covenanting ranks if only the disputed Books were removed
and the excesses of the Court of High Commission curtailed. Thus, early
in May, after discussions with Laud and Hamilton, he promised that, if the
Covenant was disavowed within a reasonable time, he would not press the
disputed liturgy except in a "fair and legal way" (which implied the
calling of a General Assembly and a Parliament), and, with the Council's
aid, he would rectify the abuses of the hated ecclesiastical court.

56. Ibid., p. 73; Balfour, op. cit., vol. 2, pp. 262-63.
Loudoun added that he was "confident" that Lorne would "not be moved with all
their [the King and Court's] temptations". Baillie, vol. 1, p. 146 says
that Lorne was closely cooperating with Loudoun and Rothes.
No action would be taken against the Covenanters, and, once they had renounced their document, he might be willing to comply with their requests for a General Assembly and a Parliament. A Royal Commissioner would be appointed to negotiate with them, and this post devolved upon Hamilton. Lorne was by this time far too suspect to be appointed, although Charles might have been tempted to tame him by giving him the office. There is no evidence for the assertion of a Royalist historian that his failure to be chosen infuriated him and caused him to tell Charles he would turn Covenanter. On the contrary, the King claimed that Lorne undertook not to sign the Covenant.

In mid-May Lorne arrived back in Edinburgh in a mood of tempered optimism: "matters are in some more probability to be right than they were . . ." He travelled back with Traquair, Orbiston and his old adversary, Sydserf, who was widely felt by the Covenanters to be less objectionable than formerly. The Campbell gentry were satisfied with their chief's conduct, and with the likely settlement with Charles.

60. It is asserted, ibid., that at Court Lorne was "put by by the jealousy of the Hamiltons, whereupon he took it in snuff, and told the King he would be for the country". The story appears to be apocryphal. It is possible that Lorne sought the Royal Commissionership for himself, but there is no evidence that he was piqued by Hamilton's appointment, and certainly not to the extent of championing the Covenanting cause as a direct result.
61. A Large Declaration, p. 326. It is here asserted that the King had "good reason to misdoubt" Lorne. What that ground was is unspecified.
63. See, for example, Glencarradale to Glenorchy, 16 May 1638, S.R.O. Breadalbane MSS., GD 112/39/728: "[Galloway] I hear has behaved himself honestly in all this great business." On 10 March 1638 Glencarradale had written to Glenorchy of the bishops: "There is never a word to be believed that any of them speaks or writes." ibid., GD 112/39/717.
"My Lord has carried himself notably well", wrote one of them to another, considering him "the only instrument under God" in securing the King's probable undertaking to grant a Parliament. 64 "Lorne has been very plain with the King, and now, when he is returned, is as far our way as ever, God be thanked", wrote Baillie. 65

Baillie's remark provides another tantalising hint that Lorne, in private or through a third party, had voiced his strong sympathy with the Covenanters. It is a significant indicator that Lorne was only ostensibly uncommitted to their cause, that the leading Covenanters had long known where his true sympathies lay. Indeed, some time before his Court visit — probably in late March, though the exact time cannot be pinpointed — Lorne had permitted the Covenant to be distributed for signing throughout his territories. 66

64. See Glencarradale to Glenorchy, 16 May 1638, S.R.O., Breadalbane MSS., GD 112/39/728; James Whyte to Robert Campbell of Glenfalloch, 17 May 1638, GD 112/39/729; George Campbell to Glenfalloch, 5 May 1638, GD 112/39/725.


66. Ibid., pp. 70-82; cf. Rothes, op. cit., pp. 103-110; Spalding, op. cit., vol. 1, pp. 87-88: Baillie, op. cit. p. 70 asserts that the Campbells signed the Covenant during the Covenanters' campaign in May 1638 to procure subscriptions in the north. This campaign was planned on 26 March and commenced after 20 April. On 8 or 9 May, according to Rothes, the Covenanting leaders in Edinburgh received an account of the northern campaign and its successes. Rothes quotes the account in full, but the Campbells are not mentioned as being among the northern subscribers. Spalding, in his description of the campaign, also omits to mention the Campbells, although he does note the rumour that James Fairlie, Bishop of Argyll, opposed the Service Book. See also Traquair to Hamilton, 17 May 1638, Hardwicke State Papers, vol. 2, pp. 107-09: "I doubt not but your lordship had heard how forward the north countries are in all their combinations; the Covenant read and subscribed in all places; and nowhere more solemnly than in the Church of R." It is possible that this is a reference to Rosneath, which, as we have seen, was the seat of one of Lorne's major residences and thus very much under his influence. This seems to indicate that if the Covenant was indeed subscribed there, it was with his sanction.
Possibly because he sensed his people were unwilling, possibly deliberately following Lorne's policy of public non-committal, or perhaps influenced by Hamilton, whose close relative he was, Glenorchy was reluctant to sign the Covenant or have his tenants do so. Thus again cracks appeared in the normally solid Campbell edifice. Glenorchy's attitude earned him, on 31 March 1638, a stinging rebuke from the influential Campbell of Ardchattan, who attempted to shame him by reporting that "in the common cause of our nation of Scotland, concerning our religion, liberties and laws" all in the Campbell territories had been "very forward and heartily disposed" except for Glenorchy's people: "and their only excuse is that ye who are their superior and master does not subscribe or contribute in this common cause". He continued: "your worship shall never have respect to any man's person or to your own men's when it concerns God's glory and your own salvation".

It is a telling fact that on 11 May, a week before Lorne arrived back in Scotland, the continual pressure to which Glenorchy had been subject was suddenly lifted. On that day Glencarradale wrote, informing him that "ye shall not be urged with the Covenant for some time". This suggests that Lorne was prepared to put the King's avowed intentions to the test by giving him a fair chance to prove himself, and this evidently entailed a moratorium on the Covenant. After all, as we have seen,

67. Hamilton's maternal grandmother was a Campbell of Glenorchy. His mother, herself a fervent Covenanter, maintained links with that branch of Argyll's clan, and so did Hamilton himself. See, for instance, S.R.O., Breadalbane MSS., GD 112/39/367.


70. See supra, Chapter 2.
Lorne might have promised Charles that he himself would not sign the Covenant: if this was indeed so, then it is not surprising that the forbearance of the chief would be followed by the clan. For whatever he might have undertaken, Lorne himself certainly did not sign the Covenant, nor did he do so for a long time to come. By July 1638 all the Campbells were reported by Baillie to have signed the Covenant; however, as we shall see later, this supposed unanimity did not exist.\textsuperscript{71}

The supposition that Lorne had made an undertaking to the King to keep the Covenanters temperate until Charles's goodwill could be tested, is reinforced by the fact that on his own initiative he persuaded the Covenanters to replace the public guard which they had mounted over Edinburgh Castle with a private watch. At the same time he assured them that he would sign the Covenant at the first hint of Royalist plans to use force.\textsuperscript{72} It is further reinforced by the fact that Hamilton's first action on arriving at Dalkeith on 7 June in his role of Royal Commissioner was to despatch Lorne (with three other noblemen) to impress upon the Covenanters "the infinite and inevitable danger there were by which to ruin their country in by these unjustifiable courses that they run".\textsuperscript{73}

Hamilton had not been in Scotland a fortnight, however, when Lorne began to put his clan on a war footing. He perceived the immediate threats to the Campbells as coming from Ulster in the person of Lord Antrim, and from Scotland's north-west, in the person of Huntly. On 15 June

\textsuperscript{71} Baillie, \textit{op. cit.}, vol. 1, p. 82.
\textsuperscript{72} Burnet, \textit{op. cit.}, p. 71; Rothes, \textit{op. cit.}, pp. 140-42; Baillie, \textit{op. cit.}, vol. 1, pp. 81-82.
\textsuperscript{73} Rothes, \textit{op. cit.}, pp. 140-42; Baillie, \textit{loc. cit.}; Hamilton to Charles I, 7 June 1638, \textit{Hamilton Papers}, pp. 4-5.
Hamilton suggested to Charles that, in the event of war between King and Covenanters, Antrim might be set loose with his MacDonnells (and any Irish troops that Wentworth might spare) upon Campbell country: "Antrim is beloved by divers of his name, and hath some pretensions to lands in Kintyre, Isles and Highlands".\(^{74}\) Contrary to Hamilton’s expectation this scheme was opposed by Lord Deputy Wentworth, who suspected that the marquis might be supporting Antrim’s claims in order to acquire some Campbell territory for himself, and who harboured a low (and probably realistic) opinion of Antrim’s military capacity.\(^{75}\)

Hamilton’s suggestion was not slow in coming to Lorne’s attention. Lorne undoubtedly obtained some of his information about it from Sir John Clotworthy, who resided in Antrim, and who on 11 June apprised Wariston of current Irish and English developments.\(^{76}\) And a letter of intelligence dated 11 July, aimed at the Covenanting leaders, reported it, adding that the courtier Antrim had gone to Ireland with his wife, ostensibly to live, but actually, surreptitiously, "to make what party he can there, and in the Highlands of Argyll". The letter warned them that the King was playing for time, until he had improved his military capacity, when he would talk "none other language but what comes from the mouth of the cannon".\(^{77}\)

\(^{74}\) Hamilton to Charles I, 15 June 1638, ibid., p. 13.


\(^{76}\) Baillie, op. cit., vol. 1, p. 73; Wariston, Diary, 1632-39, p. 351.

\(^{77}\) N.L.S., Wodrow MSS., folio xlvi, no. 48.
Lorne looked to Seaforth, the MacKenzie chief, as a buffer against a possible military offensive from Huntly. On 22 June the two powerful chiefs signed a band of friendship, "being persuaded" that it "may very much tend to the advancement of religion, the King's majesty's service and the keeping of peace and tranquillity within the Isles of this Realm and other parts adjacent to our bounds where in former times there hath been great barbarity used to the dishonour of God, the contempt of authority and the trouble of the whole estate of the King's majesty ...".\(^78\)

Six days later Lorne wrote to Glenorchy, requesting as much timber as he could spare for arrowshafts, and informing him that he had ordered some arrowmakers to come to Inveraray.\(^79\) As Lorne tersely informed Hamilton, if Antrim invaded western Scotland the Campbells would not sit idly by.\(^80\)

The scheme was therefore deferred, and meanwhile Hamilton warned Charles that if he declared war on the Covenanters they would exploit his troubles in England and try to gain friends among his opponents there. But Charles left Hamilton in no doubt that he was reconciled to the possibility of force: "I intend not to yield to those traitors the Covenanters ...".\(^81\)

On 24 June Hamilton wrote to Charles urging him to hasten preparations for war and begged to return to Court.\(^82\) With the Covenanters he assumed a more aggressive tone, threatening to return in another

\(^{78}\) N.L.S., Ch. A. 126, Band between Lorne and Seaforth. This band has been misdated 22 December 1638 in H.M.E., Fourth Report, Appendix, pp. 482-83.

\(^{79}\) Lorne to Glenorchy, 28 June 1638, S.R.O., Breadalbane MSS., GD 112/39/735. Lorne was now bent on securing his long, vulnerable coastline from attack by Irish invaders.

\(^{80}\) Baillie, op. cit., vol. 1, p. 92.

\(^{81}\) Charles to Hamilton, 20 June 1638, Burnet, op. cit., pp. 75-76; see also Charles to Hamilton, 25 June 1638, ibid., p. 76.

\(^{82}\) Hamilton to Charles, 24 June 1638, Hamilton Papers, p. 15.
"posture" which implied the use of force. Baillie says that he was "threatening us with the readiness of the King's navy to set upon us with 10,000 land soldiers well-trained", and that he also "spoke of the readiness of a Spanish army in west Flanders to be employed where the King would direct". Naturally this, if true, would have fanned the fears and suspicions of the Covenanters and their supporters, including Lorne.

Possibly owing to Lorne's efforts, the Covenanters agreed to Hamilton's proposal that negotiations be suspended for three weeks - on condition that he return to England to try to persuade Charles to grant a General Assembly and a Parliament. On 29 June 1638 Charles gave Hamilton permission to return and permitted him to drop the demand that the Covenanters relinquish the Covenant and to promise an Assembly and a Parliament (but without specifying when they should meet). He was also permitted to proclaim the return of the Council and Court of Session to Edinburgh, in order to demonstrate Charles's goodwill.

This encouraged Lorne and others who did not seek an immediate rift with Charles, but the Covenanters in general felt that the King sought to divide his Scottish opponents by seeming to offer more than he had: they were angry at no dates being set for the Assembly and Parliament. Therefore they issued a protestation to this effect. Hamilton had

83. Burnet, op. cit., p. 77.
85. Rothes, op.cit., pp. 166-67. That Lorne's mediation was involved is hinted by Wariston, Diary, 1632-39, p. 375. Since it is only a hint the inference derived from it is entirely speculative.
86. Charles to Hamilton, 29 June 1638, Burnet, op. cit., pp. 77-78.
88. It was delivered by Wariston. Wariston, Diary, 1632-39, p. 360.
sought the Council's approbation of the royal proclamation and of a plea to the Scots to be satisfied. After much wrangling most councillors signed, but Southesk, who had subscribed the Covenant, and Lorne, who sympathised with it, refused to do so. They were prepared to risk Charles's displeasure rather than break faith with the Covenanters. The Covenanting leaders threatened to compel the entire Council to sign the Covenant itself unless the approbation was rescinded and managed to bring such pressure to bear that the latter was indeed withdrawn. 89

Arriving in London, Hamilton urged Charles to renew the 1580-81 Negative Confession of Faith (or King's Confession) on which the Covenant was based, and in which he saw nothing contrary to the continuation of Episcopacy. Such a move, he argued, would undermine the Covenanters' position. 90 Having long since decided on war, Charles agreed to the proposal as a temporary measure, and Hamilton returned to Edinburgh on 10 August 1638 bearing the King's lengthy set of instructions dated 27 July. 91

The Council had just received a letter written by Charles on 30 July, informing them that the Covenant, "being not subscribed by royal leave and authority . . . must needs be null in itself, and very prejudicial to the ancient and laudable government of both Kirk and Commonwealth". 92 Hamilton now informed them of Charles's decision to call an Assembly and Parliament and he sent a delegation of councillors to the various Estates instructing them to decide between themselves who should be eligible for membership of the proposed Assembly, and what matters should be brought

90. Donaldson, Scottish Historical Documents, pp. 150-53; Burnet, op. cit., p. 91.
91. Ibid., p. 83.
92. Ibid., p. 84.
On 17 August Hamilton presented the Covenanters with eleven demands based on his talks with Charles, which he insisted they approved before the Assembly met. Each was unpopular, but perhaps the main opposition came regarding the eighth, which demanded that "bishops and other ministers who shall attend the Assembly may be sured in their persons from all trouble and molestation", and the ninth, which insisted that "the commissioners from presbyteries by chosen by the ministers of the Assembly only, and that no lay person whatsoever meddle in the choice, nor no minister without his own presbytery".

That Lorne was still exerting a moderate influence over the Covenanters is apparent from the fact that while they warned Hamilton that if he persisted in trying to force these demands they would call their own Parliament and Assembly, they did, as a result of Lorne's "earnest mediation", agree to Hamilton's request for twenty days' grace, during which he would return to Charles for further discussions. Meanwhile Hamilton reduced his eleven demands to two: that no laymen should participate in the selection of delegates, and that the Assembly should not presume to determine matters established by acts of Parliament. His main concern was to save the Assembly from lay control.

93. ibid.


96. Donaldson, Scotland, p. 320.
On 25 August Hamilton set out for Court again, and warned Charles that armed conflict was inevitable unless the King himself sign the Confession of Faith.\(^\text{97}\) Charles gave Hamilton authority, at his own discretion, to revoke the Service Book, the Book of Canons and the Perth Articles.\(^\text{98}\) When on 21 September Hamilton informed the Covenanting leaders of this they predictably opposed the renewal of the Confession, and the Council coldly received the news that Charles wanted this done. But on 23 September, having failed to find a valid excuse not to sign it, the Council, including Lorne, subscribed it.\(^\text{99}\)

Lorne, Rothes and Montrose were among those whom Hamilton selected as commissioners to obtain signatures to the Confession. This puzzled Charles: "why have you mingled the protesters with my good subjects as commissioners?"\(^\text{100}\) Hamilton explained that they could hardly oppose a document which they were pressing others to sign. "But above all my chief end was to satisfy the vulgar people . . . they seeing the names of the prime Covenanters in the commission, it was the readiest means to effect the same".\(^\text{101}\) However, only 16,000 signatures were forthcoming, the great majority from heavily Episcopalian Aberdeen. No subscriptions were effected in Lorne's territories because, as he told Hamilton, he and his people wished to await the Assembly's interpretation of the document.\(^\text{102}\)

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98. Ibid., pp. 92-95.
99. A Large Declaration, p. 145.
100. Charles I to Hamilton, 9 October 1638, Burnet, op. cit., p. 108.
101. Hamilton to Charles I, 15 October 1638, Hamilton Papers, pp. 43-44.
By the time the Assembly opened in Glasgow on 21 November 1638, Lorne had succeeded his father as Earl of Argyll, and as such we will hereafter refer to him.\(^{103}\) Along with Lauderdale, Roxburgh, Southesk, Traquair and Sir Lewis Stewart, he was one of Hamilton's assessors, whose function was to advise the Royal Commissioner: they could not vote on any of the Assembly's motions. It is strange to find Argyll as an assessor, since in recommending his appointment to Charles Hamilton had reported that from him "no good is expected\(^{104}\) and complained to Morton that Argyll was "knavishly circumspect".\(^{105}\) Perhaps Hamilton hoped that if Argyll was officially ranged on the royal side he would be effectively muzzled until the opposition had been dissipated.

Hamilton began by reminding the Assembly of the King's concessions, assuring them that he had "seriously considered" all their grievances. If they enacted the royal demands, then Charles would be prepared to consider their desires. The Covenanters were determined that the meeting would officially constitute itself a General Assembly before they proceeded to other matters. At the first session they demanded in vain that a Moderator be selected, and renewed this plea on the following day, but Hamilton insisted on reading the King's letter first. They refused to let him read the bishops' formal protest at their exclusion, and they thwarted his attempts to challenge the Assembly's legality, voting that the election of a Moderator and a Clerk should top the agenda. They rejected outright his request that his six assessors be allowed to vote.

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104. Hamilton to Charles I, 15 October 1638, Hamilton Papers, loc. cit. One of the other assessors, Sir Lewis Stewart, was a lawyer with a lucrative practice who did legal work for Campbell of Glenorchy. He was related by marriage to Wariston. See Colahan, op. cit., pp. 85, 101.

105. Hamilton to Morton, 5 October 1638, N.L.S., MSS. 79-81, Morton Papers, folio 78.
and Alexander Henderson was chosen Moderator. 106

At the following session, on 23 November, Wariston was selected as Clerk. Argyll, afraid that Hamilton would dissolve the Assembly before it was constituted, mainly advocated that the bishops' protest should be heard, and was rebuked for speaking by Henderson. Loudoun, who sat as lay elder for Irvine, and Hamilton - who asked why, if the Assembly was indeed free, Argyll as a peer of the realm was denied a right of speech accorded to all Scotsmen - attempted to defend him. 107 Wariston prayed aloud that Christ's prerogative would triumph over all earthly prerogatives, and the delegates seemed ready to bring the bishops to trial. 108

Hamilton had decided that he would allow the Assembly to reach the point of attacking the bishops. He did not want to dissolve it too soon, lest this strengthen claims that Charles had acted in bad faith with the Covenanters and had not intended to let the Assembly proceed. On 26 November the controversial question of the elections was raised, but Hamilton's arguments against their legality were rudely dismissed. 109 Events were fast reaching a crisis, and Hamilton decided, after all, to dissolve the Assembly.

Before he did so, he wrote a lengthy letter to Charles, mainly consisting of advice on how to subjugate Scotland, but also containing character sketches of the leading noblemen. "The Earl of Argyll is the


only man now called up \[ \text{i.e. regarded} \] as a true patriot, a loyal subject, a faithful counsellor, and above all, rightly set for the preservation of religion", he declared.

He must be well looked to, for it fears me, he will prove the dangerousest \[ \text{sic} \] man in the state. He is so far from favouring Episcopal government that with all his soul he wishes it totally abolished. 110

He recommended Antrim again, and Perth "because he may contribute to the curbing of Argyll" and Tullibardine because "he is a true hater of Argyll". 111

Early on the morning of 28 November Hamilton informed the Council of his intention to dissolve the Assembly. In reply to Argyll, who, in Hamilton's words, "cunningly" and "most treacherously" asked whether the Council was to have any say in deciding whether or not the Assembly was a legal body and whether he had sufficient reasons for dissolving it, he curtly explained that he wanted only their support for a course which had already been decided in accordance with royal instructions. Argyll had now determined to declare openly for the Covenanters, and Hamilton knew it. Hence the vehemence of his hostility towards the earl.

Hamilton's intention to dissolve the Assembly was already known to its members, even before he revealed his plans to the Council, though the informant was not Argyll. 112 Again on 28 November Hamilton condemned the fixed elections and the presence of lay elders, which was contrary to law and custom, and he claimed that many of the lay elders were unworthy men whose presence was an insult to the Kirk.

111. Ibid., p. 115.
112. Hamilton Papers, pp. 62, 64.
But as Hamilton prepared to dissolve the Assembly Argyll sought - and was granted - leave to speak. In a soft voice he pledged the delegates his support:

I was called to this Assembly by His Majesty's command, but now, being come, I desire to clear myself, that my part has been fair in everything that I know, neither as flatterer of the King's grace nor for my own ends. I have not striven to blow the bellows, but studied to keep things in as low a protestation as I could: and now I desire to make it known to you, that I take you all for members of a lawful Assembly, and honest countrymen.

He went on to say that he, with the rest of the councillors, had signed the Confession of Faith at Charles's command and with the express reservation that it should be interpreted according to the sense in which it was understood when it was first drawn up in 1580 and that, in interpreting its meaning, the Assembly should not depart from its original and true sense.  

The original Negative Confession was an abjuration of Popery, and Argyll's brief speech, vague as it was, encouraged the delegates. For his declaration, that of a leading nobleman, councillor and royal assessor, lent an air of legality to the Covenanters' proceedings, and reassured many who would otherwise have left once Hamilton had dissolved the Assembly. Other noblemen on the Council were swift to follow his lead in declaring that they had signed the Confession according to its original sense, which seems to have meant, in practice, that they would accept whatever interpretation of it the Assembly chose.

It is sometimes stated that Argyll remained in his place when Hamilton left the Cathedral. But (as his own testimony makes clear) he did accompany Hamilton and the other assessors out of the building while

113. Peterkin, op. cit., p. 146.
115. Ibid. See infra, note 135.
Dickson was bidding the delegates to continue their deliberations, being as loyal to the Almighty as Hamilton had been to Charles, "and it may be seen, we have proceeded as good subjects to God and King". However, both Argyll and Lord Almond excused themselves from joining Hamilton and the other councillors in the Chapter House shortly afterwards, and Argyll refused to put his name to the tribute to Hamilton's "extraordinary pains" drawn up there. Yet despite this tribute, Hamilton was so unsure of the loyalty of the councillors present that he refrained from requesting them to sign the proclamation dissolving the Assembly until the next morning, after he had sounded them out, and then several councillors followed Argyll's lead in dissociating themselves from Hamilton's action.

On the following morning, also, Hamilton sought out Argyll. What he said to the Campbell chief must remain a matter for conjecture, but it seems reasonable to suppose that the marquis pressed Argyll to endeavour to restrain the extremists in the Assembly. As we have seen, Hamilton seriously mistrusted Argyll. Yet Argyll's very influence would have made Hamilton try to persuade him to this end. Hamilton had, after all, few options left. It is not really surprising that he tried to make use of Argyll, who was now the cynosure of the Assembly. Hamilton cannot have been happy at the potential threat Argyll posed not only to the Stuarts but to the power of the Hamiltons in Scotland.

118. A Large Declaration, p. 289.
119. The Hamiltons were the next heirs to the throne of Scotland after the descendants of King James VI. Therefore their stake in Scotland was immense. See supra, note 53. On 1 December 1638 Hamilton explained to Charles that Argyll was "resolved no longer to conceal him, but resolved to declare himself openly for the Covenators, which he hath since made good, ... and in public hath carried himself more like a ringleader than a follower". Hamilton Papers, p. 64.
Whatever passed between the two men, Argyll's declaration in favour of the Covenanters was characterised by moderation, and though he remained in Glasgow he made no attempt to sign the Covenant, unlike other late (or ostensibly late) recruits to the Covenanting side, who now hastened to do so. 120

Wodrow121 maintains that Argyll's conversion to the Covenanting cause occurred during one of Henderson's private prayer meetings at the Glasgow Assembly. But Argyll's actions on behalf of Rutherford and Earlston suggest that he was sympathetic to the Covenanters' position all along. He was aware of the patriotic, as well as the religious, significance of the document, and a sudden conversion at a prayer meeting would have been out of character for the cautious calculating person that his career indicates he was. His attendance at a college with a strong Reformist and Presbyterian tradition,122 almost certainly predisposed him to support first Rutherford and Earlston and then the Covenanters. His father's death in mid-October123 possibly freed him from anxiety that Charles would not confirm his inheritance if he prematurely declared for the Covenant. Now that he had inherited the title and estates he probably felt that he could speak out, so long as he employed temperate language, and so long as he did not actually subscribe the Covenant.

120. See infra, Chapter 4.


122. See supra, Chapter 1.

123. See supra. The seventh Earl's exact date of death is unknown, but it seems to have taken place on a Sunday in mid-October 1638. Glencarradale to Glenorchy, 2 November 1638, S.R.O., Breadalbane MSS., "Bundle of letters, 1636-1638", GD 112/40/2; Argyll to Glenorchy, 4 November 1638, S.R.O. Breadalbane MSS., GD 112/39/744a.
On 29 November Traquair, unwilling to leave Glasgow until he had conferred with Argyll, found him, Loudoun and others at Lord Boyd's residence. Argyll appears to have assured Traquair that he would endeavour to keep the Assembly on the path of reason and moderation - something which, in view of Charles's intent on war, might not have been entirely welcome news to the Court, since, in order to justify military intervention, the Covenanters should be seen to be as outrageous as possible. "He resolves to stay still in Glasgow", Traquair reported, "some time at least, and during his abode there, will haunt the Assembly, and be careful to make them go on in such a way as shall be justifiable".124.

The Covenanters, indeed, suspected that Argyll attended the remaining sessions of the (now illegal) Assembly with Hamilton's connivance, "to keep matters in some temper, and hold us from desperate extremes" though they later satisfied themselves that this was not so, and on some key points hesitated to make decisions if he was not on hand.125

After his talk with Hamilton, Argyll returned to the Assembly, where he was warmly welcomed by Henderson, to whose request that he remain to witness the legality of their proceedings he readily assented.126 He seized the opportunity to speak, to clarify his statement of the previous day. "I was never a desirer of any to do anything that might wrong sovereign authority, but studied to keep things in the fairest order I could". Although "it was incumbent on me to beware that this dispute should not grow dangerous" he felt bound to declare his conviction


125. Ibid., p. 150; Baillie, op. cit., vol. 1, pp. 146, 153.

126. Argyll explained: "My interest in religion, as I am a Christian, though not a member of this Assembly, yet in the collective body of the Kirk, induces me thereto". Peterkin, op. cit., p. 151.
that the Negative Confession be interpreted according to its meaning in 1580:

I now adhere unto, and declares, that in the public way that we did it, it was as it was then professed, without any sophistication or equivocation whatsoever, and I hear of no other interpretation, and that I adhere to again and again, and desires that anything of that kind be done wisely, and be so looked to, that a whole kingdom run not themselves to a national perjury.

He advised

this noble and worthy meeting to go on wisely, considering the goodness of our gracious master, who hath condescended to many things, and gone further on than many looked for; and what is wanting I hope it is misinformation. And for the Commissioners' carriage it has been very modest, and therefore I recommend to you to consider that . . . according to your discreet carriage will this glorious work be done; and do it in that respect to your gracious Sovereign as becomes obedient subjects. 127

If Argyll had indeed agreed with Hamilton to pursue moderation, then, as this speech shows, he was loyal to his undertaking.

Several committees were established, and the Assembly became a ratifier of their decisions. The most important was that established in response to Argyll's motion, to interpret the meaning of the 1580 Negative Confession and if possible to reconcile the "King's Covenant" with the National Covenant. The question at issue was whether the Negative Confession prohibited the ecclesiastical innovations introduced since 1580, and especially whether the office of bishop should be declared contrary to both the Negative Confession and the constitution of the Kirk. 128

127. Ibid., pp. 150-51.

128. Ibid.; Baillie, op. cit., vol. 1, pp. 146-47; James Gordon, op. cit., vol. 2, pp. 27-28; The committee established had seventeen members, including Argyll.
That the committee would decide that the Confession excluded all innovations made since 1580 was a foregone conclusion. Argyll's aim was that the basis on which Episcopacy was to be abolished would be possible for Charles to accept without losing face. If this could be achieved, then Charles might well concede that his "Covenant" in effect commanded the removal of Episcopacy, and that his "Covenant" and the National Covenant were essentially one. Charles would be "a Covenanted King" - a Knoxian image which appealed to the Covenanters increasingly over time 129 - and those councillors and others who had signed the "King's Covenant" to defend religion "as it was professed in 1580" would be vindicated before the Covenanters. 130

But Argyll's plans were threatened by the diehards on the committee, who wanted Episcopacy condemned as unscriptural, and this would imply that the bishops should cease to exist not only in Scotland but in England and Ireland as well. 131 Argyll must have realised that this was something which Charles would never accept, and one reason for the King's insistence on maintaining Episcopacy in Scotland was that he feared that if he acceded to Covenanter demands he would thereby encourage the English and Irish Puritans in their struggle.

Moreover, the diehards insisted that the "King's Covenant" was not to be equated with their own, whereby the nation was wedded to God. 132


131. Hamilton expected that the Assembly would reject Episcopacy on scriptural grounds. Hamilton to Charles I, 27 November 1638, Hamilton Papers, p. 61; Wariston, Diary, 1632-39, p. 401.

132. See ibid., pp. 322-23, 347.
They maintained that the "King's Covenant", which they wanted utterly repudiated by the Assembly, did bind its signatories to support Episcopacy and other innovations, and disapproved of Argyll's sophistry tactics. They did not want to conciliate Charles at the cost of compromising their own hostility to Episcopacy and other "popish" innovations.

With their rejection of the "King's Covenant" the Assembly would demonstrate that Charles had overstepped his prerogative. But Argyll, who, if he had heard the widespread statement that Charles considered presbyterianism was incompatible with monarchy, would want to counteract it, was very industrious. Owing to his efforts, the committee, in interpreting the sense of the 1580 Negative Confession, eschewed the issue of the scriptural invalidity of Episcopacy. 133 With other Covenanting nobles 134 Argyll aimed to persuade more councillors to concede the Assembly's right to decide the real meaning of the "King's Covenant". 135 On 4 December 1638 he read the Assembly a letter sent to him by some councillors which stated, inter alia: "your lordship knows that we subscribed the [King's] Covenant upon no other condition than you did - that is, as it was subscribed in anno 1581". 136 He suggested to


134. Although at this stage Argyll had not signed the Covenant, and was not, therefore, a "Covenanting noble" in the strict sense, his obvious sympathy with their cause makes this term an appropriate and convenient one to apply to him.

135. Peterkin, op. cit., p. 44.

136. Ibid. Since both the National Covenant and the "King's Covenant" were based upon the 1580 Negative Confession of Faith, it followed that if the Assembly should decide that the Negative Confession excluded episcopacy and the innovations in discipline and worship made since the document was framed, then the "King's Covenant" must therefore be interpreted as excluding them and it would thus be one with the National Covenant. Hamilton had warned Charles that Argyll sought the total abolition of Episcopacy. See supra. However, it is certain that Argyll had no scriptural objections to Episcopacy. Rather, he later protested that he objected to it because it was inconsistent with the constitution of the Kirk. See infra, present Chapter and Chapter 4.
Traquair a plan whereby the King, while conceding to the Covenanters the essence of their demands, would retain his dignity. It was that a new Covenant should be framed, (with Charles's consent) and signed by everyone. It would have to be based on the Assembly's decision that the Negative Confession entailed the abolition of Episcopacy in Scotland, but it would obscure the issue of reconciling the National Covenant with the 'King's Covenant', and the vexed question of the true meaning of the latter. Since Charles would sanction the proposed Covenant his authority would seemingly remain inviolate.137

By this time the royal adviser, Dr. Balcanquall, was calling Argyll "head of the Covenant",138 and Laud, again uncharitably referring to Argyll's strabismus, remarked that "he ever looked asquint upon the King's business".139 On 8 December Argyll informed the delegates that he would go to Edinburgh to demonstrate before the Council the Assembly's "rational and just procedures" and to inform them of its interpretation of the Negative Confession. It was voted that this "abjured and removed" Episcopacy, although Argyll insisted that this applied only to Scotland. "As to the whole general question of Episcopacy, I confess I have never dived deeply in it".140

138. Balcanquall to Laud, n.d. [c. October 1638], Baillie, op. cit., vol. 1, p. 475. For Argyll's view of Balcanquall's A Large Declaration see Peterkin, op. cit., p. 280: he and Rothes considered that it "contained so many untruthes that is so dishonourable to His Majesty and this whole nation..." Balcanquall was Dean of Rochester, and after 1639 of Durham.
139. Laud to Hamilton, 7 December 1638, ibid., p. 123.
attempted to persuade Hamilton and the councillors that the Assembly's decision was legal and that the Covenanter might accept the "King's Covenant". Certainly those closest to Argyll shared his view of the Assembly's conduct. His wife wrote that it "goeth on very legally, blessed be God", and Glencarradale believed that "there is never such a just and orderly Assembly in this kingdom". Hamilton, however, issued a statement emphasising that the "King's Covenant" upheld Episcopacy and other developments since 1580.

Returning to Glasgow and maintaining his moderation, Argyll opposed Wariston's proposal to repudiate the "King's Covenant". Perhaps Argyll expected Charles to disown Hamilton's declaration, or perhaps he hoped that his proposal for a fresh Covenant would be acceptable to Charles. However, such thoughts were dashed by a royal proclamation published in Edinburgh on 18 December 1638 condemning the Assembly's deliberations and explicitly confirming Hamilton's declaration.

142. Countess of Argyll to Glenorchy, 7 December 1638, S.R.O. Breadalbane MSS., GD 112/39/748.
144. Burnet, loc. cit.
Convinced now of the futility of his position, Argyll acquiesced in the Assembly's passing an act declaring that anyone signing the "King's Covenant" would be subject to the Kirk's censure. They passed another act appending a clause to the National Covenant whereby the Negative Confession condemned and abolished Episcopacy and the Perth Articles, and made it unlawful for clergymen to hold secular office or sit in Parliament.

Having resolved the issue of the "King's Covenant" the Assembly drew towards its close. It passed a series of acts abolishing the innovations of the past half century and giving annual General Assemblies supreme authority in ecclesiastical matters.

It is evident from some of the Assembly's acts that the lay Covenanters were determined that the Presbyterian ministers would not fall heir to the bishops' powers. No doubt Argyll, the pre-Melvillian and stickler for the influence of the nobility, was well-pleased. He might have helped to formulate the Assembly's final act, which reflects his own statements. It exhorted Charles to accept their deliberations as legal and as intended for the benefit of both the true religion and kingly authority. It thanked him for having so graciously granted them a "free General Assembly" and asked him to note how "circumspectly" it had behaved. It drew to his attention how it had restricted itself "within the limits of our reformation, without

146. Ibid.
147. Ibid., p. 187.
148. Ibid.
149. Ibid., p. 192.
150. See infra.
debording [sic] or reflecting upon the constitution of other reformed kirks, unto which we heartily wish all truth and peace, and by whose sound judgment and Christian affection we certain look to be approven". 151

On 20 December, as the Assembly's final session drew to a close, Argyll was invited to speak by Henderson, who remarked that he wished Argyll had declared himself for the cause sooner than he had. "Truly", explained Argyll, "it was not wanting of affection to the good of religion and my country". He had delayed, thinking that he could best aid their endeavours by concealing his sympathy. "When I saw I could be no more useful, except I had been a knave, I thought good to do as I have done", he declared, to the delight of his listeners. 152 He recalled that he once told some of the bishops "to their face that there were two faults which had brought much evil in this Church ... pride and avarice", which were "grievous faults in any man, but especially in churchmen". This echoed the sixteenth century aristocratic reformers. Argyll exhorted every minister to "keep duty first to superior; secondly, to equals, and, thirdly, to inferiors". He hoped they would recognise the equality of the lay "ruling elders" and work harmoniously with them, whose presence was not intended to be, as some ministers feared, a restraining influence: "let unity be all our rules". This demonstrates clearly that Argyll's ideal was the pre-Melvillian Knoxian system of equal lay representation in General Assemblies. 153


152. See William Wilkie to Balcanquall, 26 December 1638, Baillie, op. cit., vol. 1, p. 488. Wilkie writes that this expression (which he gives as "a false knave") "did much endear" Argyll to the assembled delegates. For the speech see Peterkin, op. cit., pp. 192-93.

The tenour of this speech was one of moderation - of a man determined that neither anarchy nor rule by churchmen would ensue. "Let us all labour", he said, "not to abuse our Christian liberty". Again, "we must not think that because we want [i.e. lack] bishops, therefore we may live as we will". Finally, "though our gracious master do not everything at first as we would wish, yet time may work many things, if we go on constantly in the defence of our religion and of the authority of our gracious sovereign, whom, we pray, may long and prosperously reign over us". 154

Henderson endorsed Argyll's advice concerning their duty to the King, particularly since their enemies had accused them of plotting his overthrow, and the Assembly came to an end. Argyll and several Covenanting notables repaired to Edinburgh to prevent Hamilton from cajoling the Court of Session into denouncing the Assembly's procedures. 155

Aiming to prevent an irrevocable breach between Covenanters and King, Argyll had exercised a sobering influence on the Assembly. Hoping that Charles might be persuaded to accept the abolition of Episcopacy in Scotland, Argyll wished, by keeping the Assembly's proceedings reasonable, to make it possible for Charles to grant their demands. Argyll could not predict whether the balance of power in Scotland would change and the King emerge stronger than the Covenanters, and he wanted to keep his options open if matters should come to be decided militarily. By his own admission, he was not interested in the broader question of Episcopacy as a theological issue. He did, however, want to see

155. Ibid., p. 193.
bishops overthrown in Scotland, because of their encroachments on the traditional role of the nobility in secular affairs. He did not call for the abolition of Episcopacy in England and Ireland, to which Charles would certainly not agree. He gambled that the King might be induced to make an exception for Scotland, although in his heart he must have known that given puritanism in his other Kingdoms, the likelihood of Charles doing this was small.

By supporting the Covenanters Argyll was following two family traditions: that of Kirk reform and that of retaining the favour of those who controlled the central power in Scotland. By the end of 1638 it was clear that, at least for the present, a cleavage had occurred in the Scottish power system and some of it had drifted away from the Crown to those who could direct the aspirations of the Lowland Presbyterian lairds and burgesses, who tended first to express their incipient political consciousness in terms of religious protest. Therefore, the Calvinist clergy and lay zealots like Wariston were the potential directors of Scotland's political affairs. In these circumstances, Argyll perceived that his political future - if it was to be influential - involved capturing the leadership of the Covenanting movement and arresting its impulse to radicalism.

An avowed elitist, Argyll would have agreed with Knox's contention that, in the civil sphere, "whoever should study to deface the order of regiment that God hath established . . . and bring in such a confusion as no difference should be betwixt the upper powers and the subjects,

doth nothing but ever turn upside down the very throne of God". 157

As Argyll was to remark later,

popular furies would never have end if not awed by their superiors . . . . The people will soon learn their own strength, and from thence infer that the popular power excels the power of the nobles. 158

Thus it was crucial that the nobility act as a check upon the Covenanting movement once they deemed that it threatened to proceed too far to be any longer compatible with their interests.

By controlling the Covenanting movement, Argyll could curtail the danger it might ultimately pose to the power of the nobility, it having in the meantime achieved his desire of abolishing the bishops. In this way he would ensure his own power in Scotland and also that of his class. The success or failure of his gambit depended both upon his ability to control his new allies and upon the King's willingness to accept the situation introduced by the Glasgow Assembly.


158. Instructions to a Son, pp. 8-9; cf. ibid., p. 174, where Argyll observes: "A paltry, ordinary fellow in a great sedition is commonly their chief, and such a one is harder to be spoken or treated with than any prince or general".
Chapter Four

Ruling Elder: Argyll's position as leader of the Scottish revolt.

Hamilton returned to Court on 5 January 1639. Although he had warned Charles that Argyll's loyalty was suspect, the King professed surprise at Argyll's defection to the Covenanters, and accused him of breaking his "assurance" both to him when he came to Court and to Hamilton: "what he hath proved himself to be by this close and false carriage, let the world decide".\(^1\) Argyll was informed that Charles desired a personal explanation of his conduct.\(^2\) Wariston feared for Argyll's safety, but the earl, excusing himself on the grounds of his required presence at his father's belated funeral, declined to meet the King.\(^3\)

It was generally agreed by persons on both sides of the religious dispute that Charles was in no position to wage war on the Covenanters until the Spring at the earliest. In England the long period of inactivity had bred complacence, while in Scotland the only hope of support for royal policy lay with Huntly and his Gordons, a fighting force apparently no more than 2,000 strong.\(^4\) It was evident that the King's English opponents sympathised with his Scottish enemies, something which

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1. A Large Declaration, p. 326.
3. Ibid.
4. Spalding, op. cit., vol. 1, p. 126; James Gordon, op. cit., vol. 2, pp. 220-24. The support of the Gordon cavalry was usually held to be indispensable for victory and was thus eagerly sought by both sides in a conflict. By the middle of the next century the Gordons could put 3,000 men in the field. Kermack, op. cit., p. 95. See also M'Crie, op. cit., p. 168 n.
Argyll and the Covenanters were keen to exploit. It was, wrote Glencarradale, "a matter in my opinion of greatest consequence". Moreover, rumours that the Scots had solicited aid from foreign powers and were about to declare an independent republic alarmed Charles and his friends.

It was common knowledge that the Covenanters had been preparing for the eventuality of war for some time. In January Argyll, Rothes, Montrose and other leading Covenanters held a meeting in Edinburgh which drafted a circular to be distributed throughout Scotland, claiming that the nation's liberty was menaced by armies being raised by Charles to enslave her and that all lawful measures must be taken to prevent this. They also organised mobilisation at shire level, reserving certain ranks for nobles and gentlemen, and others (in the interests of efficiency) for professional soldiers. Soon they were reputed, falsely, to have 40,000 men under arms.


6. It was true that the Covenanters decided to send an emissary to the United Provinces and France to inform their governments about events in Scotland and urge their mediation in the dispute with Charles (to whom they stressed their fidelity). Another was to be despatched to the rulers of Sweden and Denmark on similar missions, but, encountering opposition in their own ranks towards the two Lutheran states as well as to Catholic France, and fearing that English public opinion would be turned against them, the Covenanters abandoned the plans. Baillie, op. cit., vol. 1, pp. 79-80, 191; R.P.C.S., 2nd series, vol. 7, pp. 20-21, 38-40; Rothes, op. cit., pp. 113-15, 130-34; Patrick Gordon, op. cit., pp. 5-6; H.M.C., The Manuscripts of the Earl Cowper, 3 vols. (London, 1888-89), vol. 2, p. 219, hereafter cited as Cowper MSS.


8. Ibid., pp. 101, 129. The text of the Document is in C.S.P.D. (Charles I), vol. 15, pp. 405-10. The "professional soldiers" were largely veterans of the German wars.
Argyll was making preparations in his own territories, explaining, disingenuously, that it was "to do His Majesty service". In December 1638 MacDonald of Sleat had been appointed Sheriff of Inverness and in January he visited Antrim in Ulster. His wife wrote to an uncle, Seaforth's brother, pleading for MacKenzie assistance against an expected Campbell invasion of Sleat. MacDonalds and MacKenzies had a common interest in arresting Campbell expansion in the Western Isles and Seaforth, ever unreliable, started intriguing with Sleat and Antrim against Argyll despite their recent band of friendship, and at the same time aiding the Covenanters against their common rival, Huntly.

Argyll was especially wary of the anti-Covenant, often Catholic, Western Highland clans, particularly the MacDonalds, MacLeans and MacLeods, who had old scores to settle with the Campbells. Kintyre still held many who, while his feudal inferiors, chafed under his control and would rise up if aid from Antrim or Wentworth materialised.


10. R.P.C.S, 2nd series, vol. 7, p. 102. See also Stevenson, Scottish Revolution, p. 99. In August 1638 Sir Donald MacDonald of Sleat had met the Captain of Clanranald, MacDonald of Glengarry and the leaders of Clan Donald, all of whom pledged themselves to the King's service. Argyll would soon have learned of this.

11. See Dame Janet Mackenzie of Sleat to Alexander Mackenzie of Culcowie, 23 January 1639, Charles Fraser-Mackintosh, Letters of Two Centuries (Inverness, 1890), p. 373; Spalding, op. cit., vol. 1, p. 135; states that Culcowie was Seaforth's brother and agent. Dame Janet Mackenzie, Sleat's wife, was Seaforth's niece.

12. See supra, Chapter 3; Antrim to Wentworth, 11 April 1639, Knowler, op. cit., vol. 2, p. 319. Seaforth was in clandestine alliance with Antrim and Sir Donald Gorme (or MacDonald) of Sleat, while at the same time he was, in his northern territories, aiding the Covenanters against Huntly's Gordons. Spalding, op. cit., vol. 1, pp. 134-35, 173-74. Evidently he was anxious to see the power of both his rivals, Argyll and Huntly, reduced. See also Aidan Clarke, "The Earl of Antrim and the First Bishops' War", Irish Sword, vol. 6 (1963-64), pp. 108-15.
To counter this danger Argyll raised 900 men. During February and March 1639 he garrisoned the Lorne coast, and then passed over to Arran and seized Brodick Castle belonging to Hamilton. He ordered extra longboats and entrusted a prominent Edinburgh merchant with the task of procuring great quantities of gunpowder as well as purchasing a fully armed frigate from Holland. By April the Campbells were in a good position to make a defensive strike at Antrim, but by then the immediate threat of an Irish invasion had receded.

Argyll was possibly colluding with the pro-Covenant Ulster Scots. Rumour had it that if any attempt was made to raise an Irish army against them, the Covenanters might attempt to join their Ulster colonists. Lord Deputy Wentworth dismissed this at first but eventually grew suspicious, and was alerted to an alleged plot to seize Knockfergus Castle, raise the Scots-Irish to rebellion and summon the Covenanters to assist them.

16. The Merchant was David Jonkin, who had contacts in the Low Countries. S.R.O., Breadalbane MSS., GD 112/39/763, 781.
17. Wentworth to Windebank, 20 March 1639, Knowler, op. cit., vol. 2, p. 302; Wentworth to Charles I, 1 April 1639.
19. Wentworth to Coke, 16 May 1639, Knowler, op. cit., vol. 2, p. 342. Wentworth's troops had been ordered to rendezvous at Knockfergus and he had announced from Dublin that he would shortly be joining the troops in Ulster. Wentworth to Charles I, 13 May 1639, ibid., p. 338.
Wentworth claimed later that he had been informed that the castle was going to be delivered to "a great Lord in Scotland", by which he almost certainly meant Argyll. The latter may also have had contacts with the exiled O'Neill chief, the Earl of Tyrone, who was said to have despatched either that year or the next - an agent to Scotland to approach Argyll regarding an alliance, and to have claimed that if Charles attempted to exploit anti-Covenanter feeling in Ireland "he would kindle such a fire in Ireland as would hardly or never be quenced".

The King, likewise, was mobilising and despite Wentworth's previous low opinion of it, he again proposed the Antrim project. He wrote secretly to the Lord Deputy: "I should be glad if you could find some way to furnish the Earl of Antrim with arms, though he be a Roman Catholic; for he may be of much use to me at this time to shake loose upon the Earl of Argyll ..."

20. Baillie, op. cit., vol. 1, p. 338. The allegation was made by Wentworth, then Earl of Strafford, at his trial in 1641. See also ibid., p. 206.

21. "The Relation of the Lord MacGuire written with his own hand in the Tower, and delivered by him to Sir John Conyers, then Lieutenant, to present to the Lords in Parliament", John Nalson (ed.) An Impartial Collection of the Great Affairs of State, From the Beginning of the Scotch Rebellion to the Murder of Charles I, 2 vols. (London, 1682-83), vol. 2, pp. 552-53. MacGuire's testimony does not inform us exactly when Tyrone's agent was allegedly despatched, nor when Argyll allegedly uttered these words. However, it appears that if MacGuire's statements are correct, then the events he describes occurred during 1639 or no later than the spring of 1640, MacGuire's correct designation was Conor M'Guire, Lord Enniskillen.


Throughout the summer of 1638 Argyll had been in correspondence with Wentworth concerning the piratical expeditions of "the rebellious race of Clandonald", who were continuing, he wrote, their age-old practice of rebelling during times of political turmoil. From Kintyre he had informed Wentworth in July that he believed the MacDonalds were plotting to join forces with their Irish counterparts, the MacDonnell of Antrim, and with the O'Neills, which "may make them a very considerable party". He left Wentworth to judge the veracity of the report and what action to take if it proved true.24

Wentworth distrusted the MacDonnell, whom he considered ruffians. He and Argyll agreed to cooperate in apprehending some of them wanted for rape and murder in Ulster, who were believed to have fled to Scotland. "And my Lord", Wentworth lectured him, "not only for these, but for all others in a time so uncertain and inclining towards disobedience, it becomes us all, especially persons of your lordship's blood and abilities, actively and avowedly to serve the Crown". It was "most lamentable to hear" that religion was again turning "the disobedience of subjects toward their King", particularly in a Protestant Church.25

24. Lorne to Wentworth, 25 July 1638, Knowler, op. cit., vol. 2, p. 187. Argyll was still Lord Lorne at this time. Wentworth, like certain other critics of the Covenanters, compared the Scottish stance to that of the French and Spanish monarchomachs of the sixteenth century. As one scurrilous rhymester put it:
   A Scot and a Jesuit, hand in hand,
   First taught the world to say
   That subjects ought to have command,
   And monarchs to obey.
The Scot referred to was George Buchanan, the Jesuit was Mariana, who preached similar doctrines to Buchanan's. See P. Hume Brown, George Buchanan: Humanist and Reformer (Edinburgh, 1890), p. 291 n.

Argyll was at pains to deny such disloyalty. "No doubt your lordship has been misinformed, or mistaken in all the business here, for most of all conceived it to be about the substance of religion", he wrote on 9 October. Clearly he was sensitive to the belief, which will be discussed later, that the Covenanters aimed to subvert monarchy. "And this people", he declared,

can hardly be brought back one step to Rome, which on so good grounds they have cast off and settled by their laws. And they keep still this maxim, that whosoever loves or favours Popery more than the Reformed religion (if they durst avouch it) loves the Pope or any of this sect better than the King. So all that loves true Religion thinks it very dangerous (even in policy) to suffer the balance to go equal (which some do too much effect) than the opposers of it (in one kingdom) may be able to dispute their error by their power, especially having so religious a King on our side. And so I think your Lordship be in the like mistaking of my countrymen's proceedings, since our gracious Sovereign is pleased to grant their humble supplications.26

This reads like the testimony of one opposed indeed to Melville's rigid separation of lay and spiritual Kingdoms (and the superiority of the latter): Argyll's ideal seems to have been Charles as head of the Kirk, as Knox's "Covenanted King". Thus would Charles be a "godly ruler", one dedicated to pursuing the truth of Christ, providing a moral example for his subjects, and ruling over his Covenanted people in a new Zion. As a "Covenanted King" Charles would be the ultimate "godly magistrate", aided by lesser "godly magistrates" (the Covenanting nobles) in governing Scotland. Thus would the nobles regain the influence in the Scottish polity which they had tended, since James VI's restoration of Episcopacy, to forfeit to the bishops. As an eminent scholar remarks, whatever their differences both Knox and John Major "think in terms of resistance to tyranny by accredited leaders, not by the mob".27 There was nothing in


Argyll's religious and political heritage, nor in his self-interest, which would have caused him to think otherwise, much less to share the fruits of resistance with the people in general. He must have viewed with unease the Melvillian notion that even a "godly ruler" is accountable to the Kirk, for this threatened to replace the clerical tyranny of the bishops with that of the ministers, and to eclipse the paramount authority of King and nobles for which he was striving. As we shall see, eventually he achieved his goal, and then he found himself faced by this very threat.

In his reply Wentworth thanked Argyll for his efforts regarding the MacDonnells, but - anticipating the opinions of many later - wrote that "whilst these presbyters contest and protest against the superiority of bishops, they themselves assume a papal plenipotency; this their Covenant thus by their own simple and pure authority obtruded upon their congregations, His Majesty's people, being in effect no other than a plan absolving them from the allegiance and duty of sovereigns".  

On 20 February Argyll wrote that

Although I do not undertake to excuse anything His Majesty is pleased to disallow, yet ... I believe you shall find that the complaints of that presbytery your lordship mentions, which we call our Church or General Assembly, is concerning very essential differences betwixt the Reformed Church (not knowing the constitutions of this) were as charitable to it, and meddled as little in disquieting her peace, as (I hope) they have carefully prevented that fault by their proceedings here; and whosoever is guilty of this trespass, I pray God, they may both repent it, and mend it according to their power, and not bring upon us all greater evils, which we may all repent when it cannot be easily mended.  


Although Wentworth was not yet fully in Charles's confidence, he was known to be a strong King's man, and wariness, even evasion, on Argyll's part might have been expected. Yet there is nothing reticent about this spirited defence of the Covenanting position, and Argyll also sent Wentworth the acts of the Glasgow Assembly.  

Some clues to the religious basis of Argyll's attachment to the cause are provided by his Bible. This gives a limited, yet fascinating, insight into his religious attitude. It has been extensively marked, with dashes and underlinings, and what marginal comments there are appear to be in his hand. Evidently he spent many hours poring over his Bible. Perhaps he indulged in the popular superstitious practice of opening the Bible at random and seeking guidance and omens from the passages at which it fell open. His chaplain testified that Argyll rose early and spent several hours in prayer, both in private and with his family and household. Whenever he journeyed away from home, even for just one night, he always took his Bible and Newman's Concordance with him. Later he wrote Sunday sermons for the congregation at Inveraray.

30. See Wentworth to Argyll, 19 March 1639, ibid., pp. 299-300.
31. N.L.S., MS. 1871. This Bible appears to be an edition of 1637 or 1640, published in London, from which the Apocrypha has been removed. A note on the flyleaf, written by Argyll's daughter in law, Susanna Menzies, second wife of his younger son, Lord Neil Campbell of Ardmaddie, confirms that it was his property: "This Bibel was the marques of Argyl. I got it from my Lord". For Lord Neil's family see Scots Peerage, vol. 1, pp. 360-61.
32. Wodrow, Analecta, vol. 1, p. 22. Argyll maintained that "the observance of religion, and the exercise of good manners, do become none so much as illustrious persons ... A religious heart and a clear conscience will make you truly conspicuous; it is as the mother of all other virtues ..." And, "Frequent the Church and the Houses of God, let no business invade or intrude upon your religious hours ... use private prayers, as well as go to the public ordinances". Instructions to a Son, pp. 31, 37.
He seems to have gained much inspiration and consolation from his Bible. Many heavily marked passages have no apparent significance, their appeal to him being lost to us, but the pen marks indicate that passages relating to Abraham's Covenant with God were read with great interest. The bold strokes beside sections referring to Abraham, Moses and David suggest that, in his role as great clan chief and then as national leader, he may have identified with those Old Testament heroes. "Only the Lord thy God be with thee, as he was with Moses", runs one underlined passage. "So David waxed greater and greater, for the Lord of Hosts was with him", runs another. Argyll seems also to have taken especial heed of all references to righteousness. It is tempting to infer that he believed the Lord was with him also, and that he and all his works were pleasing in His sight.

"Search all religions through the world" he wrote many years later, "and you will find none that ascribes so much to God, nor that constitutes such a firm love among men, as does the established doctrine ... of the Protestant Church". He was close to several clergymen throughout his career, in particular such Covenanting notables as Cant, Dickson and George Hutchison, and advised his son to protect the interests of "painful [i.e. painstaking], able preachers", and never see them wanting, and told him that nothing becomes a man like religion. He was also a regular contributor to charity, which he seems to have regarded as both a social

33. In the same way as Montrose identified with Alexander the Great: See, for example, his most celebrated poem, "My Dear and Only Love", penned in 1643. It seems appropriate to note that Argyll urged his son to "read seriously whatever is before you, and reduce and digest it to practice and observation .... Trust not to your memory, but put all remarkable, notable things you shall meet with in your books of pen and ink, but so alter the property by your own scholia and annotations on it, that your memory may speedily recur to the place it was committed to". Instructions to a Son, p. 103.
34. Joshua, Chapter 1, verse. 17.
35. 2 Chronicles, Chapter 19, verse 2.
36. Instructions to a Son, p. 38.
and a Christian duty. 37

The "established doctrine" he wrote of was that laid down by the Kirk, and he was always careful to dissociate himself, at least by implication, from any campaign to establish Presbyterianism in England. His attitude can be described appropriately as "Presbyterianism in one Kingdom". This would enable the Scottish nobility to rule with (or, as he wished, 38 to guide and control) the clergy, while leaving the English Church to its own devices. As we shall see, he was no lover of theocracy, which monstrously inflated the power of the Kirk at the expense of the traditional lay rulers of the realm and jeopardised the constitutional equilibrium he sought.

We have seen that he was fully aware of the Covenant's political role as a vehicle for a return to a former status quo, and, equally, he knew that the Covenanters' military resistance to Charles could be justified by appeal to Scottish tradition. This is interesting in view of constant accusations that they aimed to topple monarchy itself.

Suspicions that the religious opposition of the Covenanters was merely a cloak to cover their sinister designs upon the established political order were voiced as early as the spring of 1638, when a loyalist Edinburgh minister advised the Bishop of Glasgow that the Covenanters carried "some other designs in their heads ... They sit daily and make new laws". 39

37. Ibid., p. 36. He wrote "Let charity be a chief ingredient in your religion, both in giving and forgiving. As you shall have abilities, indulge the poor ..." Ibid.

38. See infra, Chapter 6; Argyll to Hamilton, 4 February 1642, Hardwicke State Papers, Supplement, p. 24.

That summer an anonymous correspondent in London informed the Covenanters that "your very good friends, the Bishops, have openly suggested ... that you take occasion only by this quarrel of conscience to cast off the yoke of government and change the settled sovereignty established ...".

Hamilton was more explicit: "I know well it is chiefly monarchy which is intended by them to be destroyed". And again: "it is more than probable that these people have somewhat else in their thoughts than religion".

Such suspicions were not slow to reach the Covenanters - Wentworth wrote to Argyll of "those unChristian assumptions against monarchy and God's anointed" which he believed underlay the Scots' position - and they immediately attempted to refute them.

"We were, and still are, so far from any thought of withdrawing ourselves from our duty, subjection and obedience to His Majesty's government ... that we neither had nor have any intention or desire to attempt anything that may turn to the dishonour of God or diminution of the King's greatness or authority, but, on the contrary, we acknowledge our greatness, stability and happiness to depend on the safety of the King's Majesty, as on God's vice-regent set over us for the maintenance of religion and administration of justice". Thus protested Rothes.

And, "We are still very far from wearying of monarchical government, from the thoughts of laying aside of that obedience which we owe to our King.

43. Wentworth to Argyll, 19 March 1639, Knowler, op. cit., vol. 2, pp. 299-300.
44. Rothes, op. cit., p. 123.
and dread sovereign ...".

It will be noted that Rothes pays lip-service to the "divine right" idea, which certainly would not have been held by the Covenanters. They did not deny that the King was ruling as God's lieutenant, but they did deny his right to expect obedience when, in their opinion, he himself had broken God's command. As Henderson inveighed: "Let God, by whom kings reign, have his own place and prerogative".

The Covenanters had imbibed Calvin's injunction that "in the obedience which we hold to be due to the commands of rulers we must always make the exception, nay, must be particularly careful that it is not incompatible with obedience to God". Argyll surely had imbibed this too, while being always, uneasily, conscious that obedience to monarchy must not be undermined to the extent where deference to nobility would be threatened.

Many years later Argyll denied that "this Kirk of Scotland doth teach sedition against, or at least the diminution of the authority of their princes ... Nor did I ever embrace or adhere to such opinions ...". But he certainly did aim to curtail the Stuarts' exaggerated notion of the role of the Scottish monarchy. In order to appreciate his reasons, and to see that they were not, in the Scottish context, a deviation from past constitutional practice but rather a return to it, it is necessary to understand the traditional Scottish view of kingship.

46. Peterkin, op. cit., p. 143.
48. Instructions to a Son, p. 33.
In Scotland the kingship had evolved out of native conditions, on a patriarchal basis, and had not been imposed by an alien caste victorious in war. Hence the King of Scots sprang from his people and belonged to them: he was not a remote figure but rather primus inter pares. After the Wars of Independence (1286-1371) the Scottish monarchy came to symbolise the nation's independence and sovereignty, and the King was considered to derive his right to rule from his people. In 1309 the clergy, claiming to speak for the nation, declared that "with their concurrence and consent he [Robert Bruce] had been chosen king and set over the Kingdom". Nine years later Bruce's noblemen followers wrote that the King rules by "the assent and consent of all of us" so long as he does not seek to subject the country to England, in which case they would depose him and set another on the throne.

The view that the King was a limited monarch ruling with the consent and concurrence of the feudal community found expression in the works of a succession of influential constitutional theorists until the Union of the Crowns. John Major stressed the people's right to choose the King and depose an incompetent and tyrannical ruler. He maintained that the nobles, as the people's representatives, were entitled to act for the common benefit, and Knox said much the same thing. Major's pupil George Buchanan, who became tutor to the young James VI, agreed that there were precedents in national history for the deposition and

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51. Ibid., p. 188.

52. Ibid., p. 189.


punishment of wicked Kings. For him, "government is nothing more than a mutual compact between the people and their King".

Constitutional practice restricted the monarch's power. He could not declare war or conclude peace or enter into foreign alliances without the consent of the Estates, who instructed ambassadors, settled disputes between King and subjects, and claimed to be the final arbiter of all verdicts reached in the law courts, and to have the ultimate power of decision in any national emergency (it could, for instance, raise taxes to meet a crisis). The King was not above the law, and Major declared that the Estates possessed the final decision-making power "in any matter of extreme difficulty to deal authoritatively with doubtful matters affecting the Kingdom".


58. MacKinnon, op. cit., p. 190; T. B. Smith, loc. cit.

It was uncertain - this point was never settled conclusively - whether his consent was necessary to the acts passed by the Estates, who counted the royal assent to a measure (by touching it with the sceptre) as a mere act of courtesy, not necessary to give the force of law to a statute. In 1560 the Reformation was effected by the Estates, uncountenanced by the sovereign, Queen Mary, or her mother, the Regent, who remained loyal to Rome. The Reformers always held that the reforming legislation of 1560 was adequate and valid, and Mary acknowledged as much by petitioning the Estates to waive the law in her case to allow her and her household to say mass in her private Chapel. Nevertheless, the Reformers took the precaution of re-enacting the Church legislation in 1567, upon Mary's abdication, when the royal assent was formally given by her half-brother Moray, regent on behalf of her infant son.

When the Reformation came a reassertion of the opinion, postulated by Major, that the people, acting through the Estates, had a right to depose an "ungodly" ruler. Buchanan produced an influential treatise citing many supposedly historical precedents for deposition in Scotland's distant and dubious past. Knox bluntly told Mary that "if princes exceed their bounds, madam ... it is no doubt but they may be resisted, even with power".

Argyll's vision of a limited monarchy was based on the constitutional interpretation of the Scottish past offered by Boece, Major and Buchanan. Major had emphasised that checks on kingly authority were established and

60. Lovat-Fraser, op. cit., p. 252.

61. See Trevor-Roper, "George Buchanan and the Ancient Scottish Constitution", passim.

viable practice. The king "presides over his kingdom for the common good and the greater advantage of the same". He is there for the people's welfare, not his own, and his authority is restricted to the accomplishment of the purpose for which he holds office. He was popularly appointed; the whole people is superior to him and may "deprive its king and his posterity of all authority, when the king's worthlessness calls for such a course, just as at first it had the power to appoint him king". A king who destroys his realm's welfare must be deposed if the Estates think fit.

Argyll's views, then, were the products of well-established national tradition, and if we judge him by an English yardstick we do him injustice, for we are then tempted to conclude that he was an extremist and a revolutionary which in the Scottish context, he was not. "Our question here is for our religion and laws" he explained to the Earl of Holland. The idea of a compact between King and subjects was similarly voiced by Loudoun, who told Hamilton that the "bands" of "religion and laws" between monarch and people were broken "men's lives were not dear to them". For Argyll, as for the Covenanters in general, Charles's

63. Major, op. cit., pp. 12, 220.
64. Ibid., p. 214.
65. Ibid., p. 219; see also Oakley, op. cit., passim. Cowan, op. cit., p. 149 makes the interesting suggestion that Argyll's views on deposition were conditioned by the Highland experience. John, Lord of the Isles, Iain MacDonald, Chief of Keppoch, and Dougal MacRanald, Chief of Clan Ranald, had all been deposed by their clansmen during the past 150 years. But even though the King of Scots was called in Gaelic the Ard-righ, or 'High Chief', (see supra, Chapter 1) and he was traditionally primus inter pares, the suggestion, for want of solid evidence, is suspect.
66. See McNeill, op. cit., passim; T. B. Smith, op. cit., passim. There seems little doubt that Argyll had a working knowledge of Scottish constitutional law. See Instructions to a Son, pp. 100-02.
invasion of Scotland was a betrayal of his native Kingdom and his people and a final indication that he had abdicated the title of "godly ruler".

It was this feeling which occasioned from Henderson's pen an apologia (dated 4 February 1639) for taking "defensive arms" against the King. It was a plea for unity in face of those who sought to destroy the Covenants by division. Henderson blamed Scotland's troubles on "the want of national assemblies" and "the usurpation of the prelates" and wanted "the state of the question ... betwixt the King and his Kingdom [to] be cleared, that all men may know how unjustly we are invaded, and how just and necessary our defence shall be". For the Covenanters

the question is not whether we shall honour the King, for we acknowledge him to be God's deputy and vice-gerent; or whether we ought to obey the King, for God hath given him power and authority to command and govern, or whether we ought to render to Caesar that which is Caesar's for that we desire to do most cheerfully, or whether we ought to fear the King, for he is set over us to do justice, and we ought not only to fear him, but also to be afraid lest any hurt should come to him ...

Rather, the crux of the matter was "whether honour should be given to evil and wicked superiors in an evil thing". For

Tyranny and unjust violence is not the ordinance of God. He that resisteth it resisteth not the ordinance of God.

And "except we stand fast to our liberty we can look for nothing but miserable and perpetual slavery". Wariston, too, was devouring the resistance theories of Knox and Buchanan.

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70. Wariston, Diary, 1632-39, pp. 408, 410.
Henderson's paper encouraged the Covenanters and convinced many doubters, such as Cassillis and Eglinton, of the justice of armed opposition. It may have helped Argyll to make up his mind, at long last, to sign the Covenant.

In April 1639 opposition to the Covenant erupted among some of Glenorchy's tenants in the Brae of Orchy, possible owing to the stealthy efforts of the laird's brother, Patrick Campbell of Edinample, an Episcopalian and a disruptive influence whose financial difficulties seem to have made him bitter, restless and perverse. The visible culprit, however, was one of Glenorchy's officers, "an evil instrument and a worse example among the poor ignorant men of the country, for he not only refuses to swear by the Covenant himself but strives to withhold others by his persuasions".

Naturally, such a development was irritating and embarrassing to Argyll and the Campbells, and when a revolt seemed likely to break out among the men under the recalcitrant officer's command, it was quickly stifled by force and harsh threats.

71. Stevenson, Scottish Revolution, p. 133.
73. Glenfalloch to Glenorchy, 14 April 1639, ibid., GD 112/39/759.
74. Countess of Argyll to Glenorchy, 15 April 1639, ibid., GD 112/39/761; Glenfalloch to Glenorchy, 21 April 1639, ibid., GD 112/39/762.
Apparently it was not until that very month - and some days after the resistance was first reported - that Argyll signed the Covenant. Even then, it would seem, the man of caution needed much persuading, although every other nobleman then in Edinburgh signed that copy. "I laboured with his lordship", reported Glencarradale, "with all the power I had".  

Probably it was felt that his signature would serve as an example to Glenorchy's wayward men, who could point to Argyll's failure to sign the Covenant as an argument for their own stance. Then, too, Argyll almost certainly signed at this time because he believed that Charles, having marched on Scotland, could not be trusted. "I did not so much as subscribe any of the National Covenants", he testified later, "until ... 1639, when there was an English army on the Border and the Scottish army at Duns".

75. Glencarradale to Glenorchy 22 April 1639, ibid., GD 112/39/763. J. K. Hewison, The Covenanters, 2 vols. (Glasgow, 1913) vol. 1, pp. 485-89, examined four National Covenants signed by Argyll: two undated ones and one dated 12 January 1639, all of which have appended to them the "Glasgow determination" - that is, the Glasgow Assembly's resolution that the religious innovations made since 1580 were incompatible with the Covenant - and a third, which Hewison tentatively dates 18 October 1638. Obviously, this is on the face of it difficult to reconcile with Argyll's own testimony, and with Glencarradale's assertion that the April 1639 copy was "the first that the Earl of Argyll has put his hand to", and with Argyll's reported reluctance to subscribe that one. It is possible that Glencarradale was mistaken, though it seems highly unlikely, for he was a conscientious and well-informed observer, faithfully reporting back to Glenorchy most consequential occurrences on the national scene. Moreover, it is doubtful whether one who moved in the top circles could have been unaware of an earlier subscription by his chief, or that Argyll should have made such a statement at his trial if he had thought it could be disproved. The tempting explanation is that Argyll signed the Covenants seen by Hewison some time after they were drawn up, and that Hewison is indeed justified in suspecting the correctness of the date 18 October 1638 for the Covenant signed by Argyll to which no "Glasgow determination" is affixed.  

It is very likely that this anti-Covenanter outbreak was linked with the publication on 25 April - though it had been known some time before then - of Charles's offer to vassals and tenants which, if enforced, would have destroyed the semi-feudal and military power of Argyll and other Covenanting peers such as the Gordon Earl of Sutherland. For Charles declared that henceforth tenants of Covenanting lords who threw in their lot with his cause against that of their masters were to be accounted tenants of the Crown, and their rents would be greatly reduced once the rebels were defeated.  

This was coupled with the announcement that Covenanters who did not submit within eight days would have their lands and possessions confiscated and distributed among the loyalists, and which also seems to have made Argyll firmer in his opposition - and undoubtedly made the aged and ailing Glenorchy (who had his differences with Argyll over rental amounts) more inclined than ever against the Covenant. News of the earl's signing soon spread: "Argyll hath broken his promise with the King in turning Covenanter", declared Antrim's military adviser, Bruce. Whether such a promise was given is uncertain.


79. It has been suggested to me that the promise which Bruce had in mind was not an explicit undertaking on the part of Argyll not to turn Covenanter but rather his breaking of the oath of an earl, which he presumably made on succeeding his father: "ye shall fortify and defend the true and Christian religion, and Christ's holy Evangel presently preached in this realm, and shall be loyal and true to our sovereign lord the King's Majesty: and shall defend his Highness's realms and lieges from all alieners and strangers, at the uttermost of your power ..." This oath is given in "Monyppenny's Chronicle", Somers Tracts, vol. 3, p. 361. However, the suggestion seems to me to be an unlikely one. There is no evidence that Argyll took such an oath, and it could be suggested equally that Bruce had in mind the oath of a privy councillor. It will be seen that the oath of an earl is in any case rather vague on the subject of religion, and cannot have been applied literally, since some earls were Catholics.
As time passed, and the Covenanting cause increased in strength and
daring, any potential pockets of resistance in Argyllshire melted away.
Catholics, such as the MacLachlans, relied on the Covenanters' Episcopalian
opponents and staged no effective opposition of their own, and those
Argyllshire clans who were generally nominal in their attachment to
Presbyterianism, such as the MacCalmans in Lorne, were not sufficiently
committed to Episcopalianism to step out of line. 80

In February Argyll had summoned the northern nobles and lairds to
meet him at Perth on 14 March, ostensibly to determine how to deal with
the large numbers of "lymmers and broken men" in the Highlands, 81 but
actually to plan a Covenanting offensive against the expected Royalist
uprising. 82 Many northern lairds living, like Menzies of Weem, between
Campbell and Gordon domains, were fence-sitters, and Argyll, by barely-
veiled threats, sought to entice the uncommitted Weem and even the Royalist
Atholl to the meeting - and also Huntly himself, almost certainly to
cajole or coerce him into a neutral posture, since it was very unlikely
that he could be won for the Covenant. Huntly declined, though he did
send an agent to ascertain the Covenanters' terms. 83

On 1 March 1639 Argyll and other privy councillors supplicated
Charles for a peaceful settlement of "the deplorable estate of this
Kingdom". The Covenanters had been in communication with Essex,

80. Minutes of the Synod of Argyll, 2 vols (ed. Duncan C. MacTavish,
Edinburgh, Scottish History Society, 1943-44), vol. 1, pp. xii, xiii.
81. Argyll to Sir Alexander Menzies of Weem, 13 February 1639, H.M.C.,
Sixth Report, p. 696; Argyll to Atholl, 13 February 1639, H.M.C.,
The Manuscripts of the Duke of Athole, K.T., and the Earl of Home (London,
1891) pp. 24-25, hereafter cited as Athole MSS.
83. Ibid.
84. Scottish Privy Council to Charles I, 1 March 1639, Peterkin, op. cit.,
p. 211.
Holland and other English opposition peers for several months at least, and their letters had been "heartily received". The recipients needed little persuading that Laud and the prelates were the authors of Scotland's disquiet, but while basically sympathetic to the Covenanting position, they were hesitant to give Charles grounds to accuse them of treason while publicly supporting it, particularly in view of accusations that the Covenanters were anti-monarchist. Thus two Puritan earls found themselves leading the King's army.

The Covenanters were anxious to capitalise upon the King's troubles in England and establish close ties with the English parliamentary opposition in order to undermine the English power-base which they felt had enabled first James VI and then Charles to work against the interests of the Scottish Church and state. On 4 February they had despatched an Information to the people of England, calling for greater links between the Parliaments.

In April Argyll and others wrote to the Earl of Essex explaining that they had taken care, in their struggles for "the liberties of our Church", to keep within the bounds of the law, and complained bitterly of "evil subjects" - Scots - surrounding Charles and sowing discord between the Kingdoms. They stressed that they sought no rift with England, and would "in conscience of our duty to God, our Prince, and all your nation our brethren, to try all just and lawful means for the removal of all causes of differences betwixt two nations who are yet linked together, and should be still in the strongest bond of affection and common

86. These were the Earls of Essex and Holland, who were brothers.
interest". 88

The following month Argyll wrote to the Earl of Holland, seeking to clear himself from "the hard impressions" which he learned had been given of him, and again emphasising the innocuousness of their position and warning against mischief-makers. 89 The Covenanting nobility also wrote to Holland, stressing yet again their loyalty to "monarchical government" and their lack of "any intention to invade England". 90

Argyll had to be restrained from writing also to Arundel and Vane, by those who objected "at giving so much honour to those who were reputed our malicious enemies". 91 In common with most Covenanters, he believed that by leading troops against his own countrymen, Hamilton was not to be trusted: "I hope whosoever has advised His Majesty to engage himself by degrees, as he has done, will be clearly seen traitors to King and country for their own private ends". 92


90. Covenanting nobility to the Earl of Holland, 25 May 1639, Wariston, Diary, 1639, pp. 39-41; see also Covenanting nobility to Earl of Holland,, 27 May 1639, ibid., pp. 42-43.


Meanwhile Argyll learned that his servant in England had been searched for letters addressed to the King's English opponents, and Charles sent him a stern command to cancel the Perth meeting, or proceed to Court to justify his conduct, or confine himself to his Argyllshire properties. It was said that he was to be tried in secret with no forewarning of the charges laid to him.

The Council received on 7 March a royal proclamation dated 27 February 1639 denouncing the Covenanters as traitors and summoning loyal Englishmen to help the King restore by force his authority in Scotland. Argyll (who about this time was being described by Charles as an "archtraitor") and the Covenanters (who complained that the proclamation painted them as "the foulest traitors and rebels that ever breathed") agreed that the leading Scottish Royalists would probably have to be incarcerated and the royal castles taken.

94. Hope, op. cit., p. 115.
95. Ibid., pp. 86-87.
From 14 to 18 March Argyll and Montrose attended the Perth convention, coordinating plans with their northern allies. Argyll tried to intimidate Huntly by persuading the leading Camerons - restive Gordon vassals, though wary of Campbell domination too - to embrace the Covenant. Then the Covenanters bloodlessly seized virtually all of the Lowland houses and castles crucial to their Royalist foes, including Edinburgh Castle, Dalkeith House and Dumbarton Castle, of which Argyll was appointed Captain, installing three Campbell lairds there in charge of forty soldiers.

Argyll then sent several hundred Campbells to help Montrose and Leslie in Aberdeenshire, himself remaining in the West harassing the MacDonalds, especially those of Keppoch, whose lands he apparently coveted and which he had unsuccessfully attempted to purchase from their feudal overlord, the Macintosh. Several MacDonald chieftains were imprisoned or banished from their lands, while three hundred MacDonalds fled to Ulster. On 30 March Montrose and Leslie occupied North Aberdeen and Huntly’s forces disbanded.

But after this flush of successes the Covenanters received setbacks: their war preparations did not proceed smoothly and they met tougher opposition in the north-east than they had anticipated, as a result of

100. Glencarradale to Glenorchy, 28 March 1639, S.R.O., Breadalbane MSS., GD 112/39/755; John Campbell the younger of Glenfalloch to Glenorchy, 6 April 1639, ibid., GD 112/39/758; Hamilton Papers, pp. 68-70; Burnet, Dukes of Hamilton, pp. 64, 117.
101. Alexander Shaw, Historical Memoirs of the House and Clan of Mackintosh and of the Clan Chattan (London, 1880), pp. 327-28; see also S.R.O., GD 201/5, Box 15, Documents and transactions between Clanranald and the Argyll family.
103. Stevenson, Scottish Revolution, p. 146.
which Huntly was arrested.

Argyll and his force remained in the Stirling area, which served as a key point between northern and southern Scotland. From there on 4 June he wrote to the reluctant Weem, and also to the unwilling Stewart of Grandtully asking them to join the Covenanters and give an example of obedience to others. He implored Grandtully "to further the cause now in

104. On 5 April 1639 Montrose met Huntly, who signed a pledge to abide by the 1580-81 "Negative Confession of Faith", defend the King's authority and allow his followers to sign the Covenant. The Covenanters, dissatisfied, asked him to a further meeting, promising him safe-conduct. When Huntly arrived with his two elder sons, Montrose demanded that he should make a substantial financial contribution towards the Covenanting army's expenses: he agreed to this rather than risk imprisonment, but on 20 April he was treacherously sent to Edinburgh Castle. He protested that he was accused for no other reason than loyalty, and his captors would never be able to justify their treatment of him. They had promised him his freedom if he signed the Covenant, but he was not prepared to lose his "conscience, fidelity and honour". He accused his captors of unlawfully taking arms against the King, and being encouraged by England and supplied by France and other foreign governments. "I am in your power", he declared, "and resolved not to leave that foul title of traitor as an inheritance upon my posterity; you may take my head from my shoulders but not by heart from my sovereign". Spalding, op. cit., vol. 1, pp. 156-57, 168-72; James Gordon, op. cit., vol. 2, pp. 229-40; "The Marquis of Huntly's Reply to certain Noblemen, Gentlemen and Ministers, Covenanters of Scotland ... 20 April 1639", Harleian Miscellany, vol. 6 (London 1810), pp. 545-46. Huntly's arrest so enraged the Royalists of northern Scotland that on 14 May 1639 they drove many assembled Covenanters out of the burgh of Turriff and forced the citizens to sign the King's Covenant. This surprised the Covenanters, who, with Huntly removed, had disbanded their forces or moved them further south. Five days later the Royalists occupied Aberdeen, but, lacking a strategic plan, lost it to the Covenanters on 23 May. The Covenanters were obliged to deploy troops northwards again though they wished to concentrate their men on the Border for the King's expected invasion. Spalding, op. cit., vol. 1, pp. 173-76, 181-82, 185-86; James Gordon, op. cit., vol. 2, pp. 234-40; Stevenson, Scottish Revolution, pp. 146-47.
hand, being the defence of religion, crown and country". When Argyll wrote of the Covenanting movement it was usually in terms such as these, implying the best interests not only of the Kingdom but of the Kingship too. A few days later, in dramatic emotional terms, he requested from old Glenorchy's brother, Glenfalloch, the callup of all able-bodied men between sixteen and sixty "to be in readiness ... for defence of your religion and liberty and all [that] is dearest to you ".

That some month Loudoun had a midnight conference with Hamilton on the Links of Barnbougal. It is likely that Hamilton told him (and through him, Argyll) that despite their hopes for the mediation of the English opposition peers Charles intended war, and that he might be able still to guarantee them a royal pardon if they would forsake the Covenanters or at least stay away from the south, when hostilities broke out. But it seems likely that Argyll feared Charles's wrath and distrusted Hamilton, and consequently believed that he could best achieve the peaceful accommodation he sought from a position of strength.

The Covenanters' successes in May had alarmed the King's advisers, and Wentworth wanted to postpone hostilities until the following year, when their army would be better prepared and equipped. Charles had rejected this advice, but on 3 June Holland's cavalry had beaten an humiliating retreat from Kelso, and on 6 June the Covenanters accepted the seemingly


106. Argyll to Glenorchy, 10 June 1639, S.R.O., Breadalbane MSS., GD 112/39/774.


108. Charles was still bent on war and optimistic that Hamilton could create a diversion on the Aberdeen coast while he invaded across the Border. Both sides lacked money, arms and sufficient forces, though the Covenanters had more enthusiasm for their cause than the King's men did for theirs. Continued ...
impromptu offer from one of the royal pages to treat. Recognising Argyll's importance to a settlement, neither side would attempt to talk without him, and he was summoned from Stirling, arriving at Berwick a few days after negotiations between the King, his commissioners and Rothes, Loudoun, Dunfermline and Douglas of Cavers, for the Covenanters, began on 11 June. Charles granted him a long audience and permitted him to kiss his hand.

Although the negotiations focused on the religious dispute, both sides realised that the wider issue of Scottish civil government was implicated. All recognised that there were possible constitutional consequences of the Glasgow Assembly's abolition of Episcopacy, though not all had at that stage a clear indication of what those precisely would be. "I find by those that knows the grounds of the nobility's proceedings, that the prime reason of the removal of bishops is the power they had in Parliament", wrote a Royalist agent "eight of them being Lords of the Articles, who had the power to choose other eight of the nobility whom they knew most addicted to His Majesty, and those sixteen the rest; so that all depended upon them, and they only upon His Majesty". The bishops had exercised on the King's behalf a decisive influence on the composition of the Lords of the Articles, and now, with Episcopacy overthrown, the issue was what, if anything, would fill the vacuum in the political structure created by the exit of the bishops.

Continued 108 ... The defeat at Kelso led Charles to believe that the Covenanting forces were far stronger than they in fact were, and when on 5 June, Leslie moved the Scots army to Duns Law he became convinced - as they hoped he would - that they intended battle. They were not as eager to fight as Charles thought; hence their acceptance of his offer to treat.

111. Baillie, op. cit., vol. 1, p. 212; Wariston, Diary, 1639, p. 76.
As we have seen, the Assembly had prohibited the direct representation of the clergy in Parliament, yet the more cautious of the Covenanting nobility, as well as some legal experts, were questioning the constitutional legality of excluding one of the traditional estates from Parliament. Moreover, they wondered who could replace the bishops on the articles. If the successors were appointed by Charles, he would be assured of control over Parliament, which the Covenanting zealots (led by Wariston) would not countenance. They wanted the Assembly's decisions implemented and guaranteed by constitutional revisions giving Charles nominal power in Scotland and effective power (including the appointment of privy councillors, officers of state and lords of session) to the Estates. They wanted to empower Parliament to determine all disputed secular issues just as the General Assemblies were empowered to arbitrate ecclesiastical issues. Again, it must be stressed that this was not revolutionary by time-honoured Scottish standards: as we have seen, the Estates had always claimed this right - which Major had emphasised - and the powers of the Stuarts had been largely usurped in the Scottish context. It is essential to appreciate this if we are not, by viewing the situation from an English standpoint, to label the Covenanters revolutionary extremists. They sought to return to an earlier status quo, not to erect a constitutional structure which had never existed.

113. Hope, op. cit., p. 92.

114. It is difficult to ascertain what the Scottish historiographers knew to have existed definitely and what, from their own wishful thinking, they themselves imposed upon the past. Perhaps they were unsure themselves, being unable to perceive a distinction in the ancient blurring of fact with myth. Possibly - and indeed very probably - the Scottish oral tradition, which had always been very strong, caused the exact truth of the matter to elude the sixteenth century theorists as it eludes us. The difference between what actually was the case and what mythical tradition believed it to have been is not easy to determine. Certainly Major and Buchanan invented Kings and offered their own subjective value judgments as to the limits of royal power, upon which the Covenanters seized. However, the general theory of a monarch's power outlined here seems historic enough (vide Lovat-Fraser, op. cit., passim) and while Argyll and the Covenanters, in following the historiography of Major and Buchanan, were in some respects probably on shaky ground, they were on firm foundations in others.
This was the ideal goal, from which the zealots would never surrender, but despite it Argyll's immediate aim was to ensure the security of his own position and consolidate the Covenanters' present gains. He considered that Charles would never accept as permanent any settlement which would deprive the Crown of all secular as well as religious power, and hoped he could restrain the zealots. It seems accurate to say that just as Argyll sought Presbyterianism in Scotland alone, while Wariston wished at all costs to export it, so he sought a limited monarchy, Wariston a nominal one. However, in view of his cautious, calculating disposition, he probably recognised that if he failed to control his allies he would have to follow them along the radical* road, for Charles could not be trusted.

Continued 114 ... Moreover, what seems to really matter is that they appear to have been sincere in their belief that Major and Buchanan spoke the truth in all matters.

Argyll and the Covenanters were backward-looking in two respects - their espousal of the constitutional views of the sixteenth century theorists, and their yearning for an earlier (supposed or actual) status quo. As a Highlander Argyll was reared on oral tradition, and he was thus well used to the concept of myth as reality. After all, the traditions of the respective clans held that the members of each were descended from a common ancestor and thus related, in varying degrees, to the chief. Myth this mostly was, but few questioned it. As Professor Pocock shows, seventeenth century Englishmen looked back to the obscure past to justify their own particular position. Those opposed to Charles held that the law, constitution and Parliament of England were ancient and immemorial and that the King had no power to interfere with their workings. This was due to the all-pervading influence of the Common Law on the English consciousness. Their opponents, beginning with Sir Henry Spelman, cited the "feudal law". See J. G. A. Pocock, The Ancient Constitution and the Feudal Law: a study of English Historical Thought in the Seventeenth Century (Cambridge, 1957), passim.

* Like "zealots" this term is employed for convenience, to distinguish Wariston's faction from that of Argyll, and qualified by the observations made about the Scottish constitutional tradition. Similarly, for convenience, the Argyll faction may be labelled "moderates".
The Scottish commissioners at Berwick were men of Argyll's stamp, seeking a viable settlement which would guarantee the Covenanters' achievements hitherto. Wariston, fearing that they would betray the wider Covenanting vision, instructed Loudoun and Rothes to press demands which would in future assure the supremacy of Parliaments in secular affairs and of Assemblies in religious ones, give Parliament control of Edinburgh Castle and the other strongholds, and leave the fate of the loyalists to the discretion of Assemblies and Parliaments. But when they met Charles on 11 June, the two noblemen, ignoring these orders, presented three "humble desires".

These were criticised by the zealots, who included most lairds and burgesses as well as the nobility of Fife, the Lothians and the West Country, and the following day they decided that Wariston and Henderson should join the negotiators. Argyll, after a long talk with Wariston and two other lawyers, agreed that the Covenanters should seek the "total abolition of bishops both from Kirk and state both for benefits and office".

115. Wariston, Diary, 1639, p. 76.
116. Stevenson, Scottish Revolution, p. 153; Wariston, Diary, 1639, pp. 72-76.
117. Firstly, they requested that Charles grant a Parliament to approve the ratification of the Glasgow Assembly's acts (which indicated their significant view that the Kirk's decisions were subject to secular approval). Secondly, they asked that in future all ecclesiastical issues be determined by General Assemblies, and secular matters by Parliament and other civil bodies established by law, and that Parliaments should be held regularly, either biennially or triennially. Thirdly, they asked that the King withdraw his land and sea forces, undertake not to invade Scotland, release Scottish traders and vessels seized during the period of hostilities, revoke all proclamations against the Covenanters and permit them to punish all "incendiaries" whose "misinforming" Charles had led to the present situation. Hardwicke State Papers, vol. 2, pp. 131-38.
118. Wariston, Diary, 1639, p. 76.
Wariston and the Covenanting ministers wanted to ensure that Episcopacy would be completely abolished in the face of a proposal that a nominal secular prelacy be retained, solely for maintaining the bishops' estate in Parliament. 119

Possibly Argyll agreed to join the zealots in his aim on the understanding that Wariston would abandon his other demands, for in the ensuing negotiations the Loudoun-Rothes proposals were used as the basis for settlement, with Wariston confining himself to religious issues. On these points he was uncompromising: Assemblies alone were to determine all religious matters and Charles had neither a veto power over an Assembly's acts nor the authority to dissolve an Assembly against its members' will. 120

Argyll, who wanted to avoid war, recognised that Charles would certainly choose a military option rather than be pushed beyond certain limits, and even Wariston had to appreciate this. The eventual Pacification at Berwick entailed a royal declaration that although Charles refused to ratify the acts of the late Assembly, he assented to Covenantanter demands that all ecclesiastical issues be determined by General Assemblies and all secular ones by Parliament and related bodies; that he would summon Assemblies annually (more often if necessary), that he would summon in August (and personally attend) an Assembly and a Parliament which would

119. Hope, loc. cit.

120. Wariston, op. cit., pp. 77 eq seq. Charles realised that for the time he would have to accede to the Covenanters' religious demands, but he looked forward to the day when he would be strong enough, through the development of a robust Royalist party in Scotland, to reassert his dominion over the Kirk and restore Episcopacy. Meanwhile, he refused to publicly concede the validity of Covenantanter claims concerning the proper rule of lay elders, the illegality of Episcopacy, and the Kirk's right to self-government. He determined to attend the next Assembly and Parliament in the hope that his presence would encourage moderates and loyalists and arrest the radical impulse. See Charles I to Strafford, 30 June 1639, Knowler, op. cit., vol. 2, p. 262.
ratify the Assembly's acts, pass an act of oblivion concerning the Scottish troubles and settle other matters concerning the peace of the country. He also undertook to withdraw his forces and restore the vessels and goods seized. 121

In return, the Covenanters were to disarm and disband their forces, return to Charles his strongholds and armaments, free all imprisoned loyalists and restore their property, dissolve the Tables and all other unstatutory civil and religious organisations, and refrain from constructing new fortifications or renovating existing ones. 122

Apart from annual Assemblies, Charles appeared to have conceded nothing crucial. His previous proclamations against the Covenanters remained unsolved. Nothing was said about punishing "incendiaries". For the time, Charles could look forward to attending the forth-coming Assembly and Parliament which he hoped would attract moderates and loyalists, thus laying the foundations for a Royalist counter-movement. If the Assembly and Parliament did fall under Covenanter domination, he could refuse to attend and decline to assent to the proceedings, and prepare future military assaults from England and Ireland. In either event he would retain control of Edinburgh Castle and avoid irrevocably compromising his position.

Argyll and the moderates realised that despite all this the Covenanters had gained much, since they had not publicly renounced their position on the vital issues and were therefore as free as Charles to try to settle affairs their way in the Assembly and Parliament, which were substantial

121. Wariston, Diary, 1639, pp. 90-91.
122. Ibid., pp. 91-92.
concessions from him, and in which the Covenanters were certain to predominate. Unofficially Charles had agreed to consent to the termination of Episcopacy, provided it were done in such a way that the legality and theological validity of Episcopacy were not challenged.\textsuperscript{123} It seems reasonable to conclude that Argyll reasoned that, if Charles proved insincere in his promise to visit Scotland, then he himself might mediate the ultimate settlement.

However, most Covenanters felt betrayed by a settlement which failed to ratify the Glasgow Assembly's decisions and to preclude explicitly the reintroduction of Episcopacy. Their anger increased with rumours that Charles intended to reinstate the bishops and that he planned to maintain large garrisons at Berwick and Carlisle.\textsuperscript{124} On 20 June 1639 they were chagrined to learn that Ruthven, a staunch Royalist, was appointed governor of Edinburgh Castle.\textsuperscript{125}

To allay this popular resentment Argyll and the other leaders issued an Information alleging that with the King's covert approval the Glasgow acts were upheld and would be upheld in the forthcoming Assembly and Parliament.\textsuperscript{126} Another paper claimed that Charles had privately agreed to

\textsuperscript{123} Peterkin, op. cit., p. 250.
\textsuperscript{124} Baillie, op. cit., vol. 1, pp. 199-200. Despite the surrender of the royal castles, the Covenanters' military position was superior to Charles's, since their victories had greatly consolidated their control over Scotland. Charles's prestige had suffered by his seeking a truce rather than a decisive battle, and during their visits to the English camp the Scottish negotiators had detected the English army's deficiencies. They believed that, once the English army had departed and disbanded, Charles would have much difficulty in raising it to invade Scotland again.

\textsuperscript{125} Wariston, Diary, 1639, pp. 92, 95; Baillie, op. cit., vol. 1, p. 219.
\textsuperscript{126} "Information of all mistaking of His Majesty's Declaration", Wariston, pp. 89-90.
the Covenanters' religious demands. 127

On 20 June, after the King's declaration and the terms of the Pacification of Berwick were read, Cassillis, for the Covenanters, proclaimed the Information, in order to prevent the zealots from issuing a far less temperate protestation against the Pacification. This episode is obscure, but Argyll appears to have visited the English Camp the previous day and been received coldly by Charles. He seems to have undertaken that no public protests detrimental to royal honour would emerge. 128 But, faced with zealot threats, he must have acquiesced in Cassillis' milder measure. Experiencing as a result the staunchly Royalist Morton's bitter anger, he must have reflected that he had sunk still lower in Charles's estimation.

Argyll, of all the Covenanting leaders, appears to have been the most hated by the King. The foremost peer outside the Lowlands, the chief of a great clan with a long record of service to the Crown, the recipient of royal favours, had forsaken him, and Charles was not disposed to forgive and forget. It was only through the mediation of Hamilton (trying to keep in with both sides) and Sir Lewis Stewart (who doubtless informed his Campbell clients) that Charles, in April, had refrained from issuing a proclamation declaring that Argyll, Loudoun, Rothes, Montrose, Wariston and fifteen others, were guilty of treason and undeserving of pardon, and offering rewards for their heads - or any other uncontroversible proof of death. 129

127. "Some Conditions of His Majesty's Treaty with his Subjects in Scotland before the English treaty", ibid., pp. 93-95. Copies of this paper were taken to the royal camp on 20 June 1639 by Loudoun and Rothes and secretly circulated among several English opposition peers. Wariston, ibid., pp. 92-93, says that the Earls of Holland and Pembroke read and approved it, but the former later denied that he had either read or received it. C.S.P.D. (Charles I), vol. 14, pp. 360, 432-33.


129. Baillie, loc. cit.
Charles had also attempted to incite the Clan Chattan and the MacLeods (amongst others) against Argyll by offering to free them from his hereditary jurisdictions. During the Berwick negotiations MacDonald of Sleat had visited the King's camp and had promised, if offered adequate recompense, to raise 2,000 disaffected Islanders to invade Lorne, simultaneously with an attack on Antrim. Charles welcomed the plan, and on 5 June 1639 he issued Sleat and Antrim with a commission of lieutenancy over the Western Isles and Highlands with ample powers to raise the local clans against the Campbells. Charles gave Sleat a ship and 1,000 small arms. In addition to the spoils of plunder (also issued to Antrim) Sleat would receive several islands and some coastal territory belonging to Argyll and his associates. Argyll was to be deprived of his remaining jurisdictions and Sleat was authorised to offer them to Seaforth and others who might be persuaded to join an anti-Campbell alliance.

130. See infra, Chapter 5.
131. Glencarradale to Glenorchy, 5 April 1639, S.R.O., Breadalbane MSS., GD 112/39/757; Colin Campbell of Glenfalloch to Glenorchy, 15 April 1639, ibid., GD 112/39/760.
133. "Commissioners to Antrim to act as Lieutenant of the Isles", Hill, op. cit., p. 446.
134. Wentworth to Vane, 19 June 1639, H.M.C., Cowper MSS., vol. 2, p. 233. Sir James Lamont, MacLeod of Dunvegan, MacLean of Duart, Sir James Stewart, Sheriff of Bute, and Sir Archibald Stewart of Blackhall were implicated in these plots in the Western Highlands, which proved abortive since no army arrived from Ireland. See infra, Chapter 5.
In accordance with the Pacification the Covenanting army disbanded on 20 June. Early in July Argyll dismissed his followers in Kintyre but left 200 men in arms in contravention of the agreement, which angered Charles. Argyll was determined that the MacDonalds who had fled to Ireland should not be allowed to return, and he strengthened Campbell defences along the western seaboard and in late July beat the exiles back. 135

Meanwhile, a proclamation published in Edinburgh on 1 July 1639 indicting a General Assembly and summoning the bishops to attend was followed by a formal protestation and an outbreak of violence. Charles, learning of the Covenanting document which Loudoun and Rothes had distributed among English opposition peers at Berwick, 136 sent for Loudoun and animadverted upon their conduct. He sent Loudoun to Scotland with orders to return with Argyll and twelve other Covenanting leaders. Quickly perceiving that those summoned numbered fourteen - the precise number of bishops - the Covenanters suspected that Charles intended to offer them the bishops' old places on the Articles. 137 The Covenanters feared that Charles, who was rumoured to have written letters containing "alluring and kind expressions" to Argyll and the others concerned, 138 would turn them into apostates to the cause.

Heated meetings ensued which Argyll appears to have attended. He was probably in a quandary, not wishing blatantly to affront Charles, yet having no desire to lose the faith (and with it the leadership) of the mainstream Covenanting movement.\textsuperscript{139} Loudoun wrote that they expected Charles "to settle a solid peace in Church and State shortly, or if evil counsel divert him it will much alter the estate of business and put us in another posture".\textsuperscript{140}

Montrose, Lothian (not then the zealous Covenanter that he later became) and other moderates favoured obedience to the royal summons. Argyll may have urged that some should go and the rest - including himself - should send their respectful excuses to Charles. This was eventually done.\textsuperscript{141}


\textsuperscript{140} Loudoun to Glenorchy, 19 July 1639, S.R.O., Breadalbane MSS., GD 112/39/779.

\textsuperscript{141} Six, including (to the zealots' consternation) Montrose and Lord Lindsay of the Byres, who were felt to be veering towards Royalism, reached Berwick on 16 July 1639. From 17-20 July they conferred with Charles, who requested them to return with the others, but only Loudoun and Lindsay came, bearing excuses for the rest. On 19 July Charles sent the Tables a list of eighteen alleged breaches of the Pacification by the Covenanters, but they in turn alleged six breaches by him and declared that but for his verbal promises - which they now considered distressingly vague - they would not have acquiesced in his declaration of 18 June which condemned the Glasgow Assembly as pretended. This retort and the refusal of most of the fourteen to come to Berwick convinced Charles not to go to Edinburgh. It would be easier for him to repudiate promises made on his behalf by a commissioner in an assembly than any emanating from his own mouth. At the end of the month he returned to London.
On 12 August 1639 the General Assembly met in Edinburgh. Argyll, seeking the royal assent to the bulk of the Covenanters' religious proposals, was prepared to concede points which he considered expendable. He was supported by most ministers including the Moderator, Dickson. 142

142. Peterkin, op. cit., pp. 243-50; Andrew Stevenson, op. cit., pp. 387-92. Traquair, who had succeeded to the Royal Commissionership on Hamilton's refusal to continue in the post, was armed with Charles's lengthy instructions, given at Berwick on 27 July 1639. Nothing implying recognition of the Glasgow proceedings should be attempted, and anything done at the Edinburgh Assembly should be done, as it were, afresh, without reference to the Glasgow Assembly. If Episcopacy was abolished it must be for settling the present civil peace of the Kingdom. He could consent to the signing of the 1580-81 "Negative Confession of Faith" provided it was not to be adjudged "a point of popery or contrary to God's law or the Protestant religion", which would cast doubts on its legality everywhere. Charles intended, secretly, to restore it at some future opportune time. The issue of the King's prerogative, particularly his unique right to summon and dismiss assemblies and the requirement for his consent to acts passed (that controversial issue known as his "negative voice") was to be avoided, unless the Assembly was likely to resolve it in his favour. At the close of the Assembly Traquair was to summon a new one to meet a year later, in order to forestall a demand for annual assemblies, which Charles believed would undermine his prerogative. Traquair was to claim not to know the King's pleasure on some matters, if he did concede anything contrary to the royal will owing to an unintentional misreading of Charles's wishes, Charles would not be bound by it.

The Assembly's first sessions were spent reading the acts of its predecessors and other testimonies against Episcopacy, innovations and other disputed issues, and then it unanimously passed an act condemning as popish and superstitious the Service Book and Book of Canons and decrying the Court of High Commission. It claimed the Articles of Perth violated the "Negative Confession of Faith" and were therefore untenable, and that Episcopal government and the political involvement of ministers were "unlawful". Further, the assemblies held between 1606 and 1618 were illegal. Future assemblies should be held annually or as often as required. Peterkin, op. cit., pp. 238, 252; James Gordon, op. cit., vol. 3, pp. 39-47.
Argyll's faction was prepared to accommodate Charles regarding his demands that anything done at Edinburgh should contain no reference to the previous, unrecognised Assembly, and that ministers deposed there be given the chance of reinstatement, providing they repent their "error" of declining the authority of the Glasgow Assembly. However, Argyll and his associates assured the Royal Commissioner, Traquair, that they would risk a dissolution rather than surrender the substance of the Glasgow enactments, and to this Traquair acceded.

Owing to Traquair's efforts and Argyll's moderation the Assembly provided a few concessions to Charles. Although in effect it ratified all the most important Glasgow decisions it did not mention the fact. But it refused to endorse Traquair's statement that in declaring Episcopacy unlawful it was referring only to Scotland.

Yet Traquair was able to set down in the Privy Council's official records (though not in the Assembly's) a statement that Charles, despite his personal inclinations, had permitted the abolition of Episcopacy and the post-1580 innovations solely out of consideration for Scotland's political welfare and his Scottish subjects' satisfaction, and that the validity of Episcopacy in the other two Kingdoms was not impugned. Argyll did not object, since he considered Episcopacy as unconstitutional in the Kirk rather than illegal outright.

143. Ibid., pp. 54-55.
146. Peterkin, op. cit., p. 208.
148. See supra. Traquair was also able to explain that the Covenant's bond for mutual defence clause, in addition to obliging its signatories to defend the King in the maintenance of true religion, committed them to join with each other for everything concerning the King's honour "according to the laws of this Kingdom and duty of good subjects", and bear arms for him if so ordered by "His Majesty, his Council, or any having his authority". R.P.C.S., 2nd series, vol. 7, pp. 131-32; Burnet, op. cit., p. 199.
Argyll bade the Assembly find a way to testify their humble gratitude for Charles's gracious sanctioning of their religious revolution. For he had the satisfaction of contemplating that although Charles would not agree to their grounds for abolishing the disputed items, they had not been required to disavow the Glasgow Assembly, and could therefore continue to assert its legality. Moreover, in sanctioning the essence of the proceedings of the Edinburgh Assembly, Charles was in effect sanctioning the proceedings of its predecessor, on which it was based. Loudoun proposed that the Covenanters offer tangible proof of their fidelity to the King by passing an act preventing ministers from speaking intemperately of royal authority and calling for civil as well as ecclesiastical penalties on those who continued to do so. 149

Before it was dissolved on 30 August, the Assembly requested Traquair and the Council to require all subjects to take the Covenant, and passed an act ordering subscription of that document, including the "Glasgow Declaration", by all subjects. 150

The Parliament, which met on 31 August, consisted of fifty nobles, forty eight commissioners of shires (representing the lairds, or small barons) and fifty two (overwhelmingly Covenanting) burgesses. Argyllshire was represented by Sir James Lamont, whose intrigues with Antrim earlier in the year had yet to be discovered. 151 Charles had not attempted to influence the elections, maintaining that if they proved irregular, it would be easier for him to discredit them and deny the Parliament

149. Peterkin, op. cit., p. 263.
150. Ibid., pp. 207-08, 268-69. Charles was angry with Traquair's handling of it, especially regarding Episcopacy, and commanded him not to ratify the Act declaring Episcopacy unlawful, unless that designation was removed, and forbade the repeal of any acts of previous parliaments in favour of Episcopacy. Burnet, op. cit., pp. 158-59.
Now came the beginning of a widespread espousal of the zealots' demands for changes in the civil polity. Argyll (who bore the Crown at the opening ceremony), faced with Charles's hostility towards him, publicly committed himself to far-reaching constitutional alterations and assumed the leadership of this politicised, mainstream Covenanting movement in which moderates and zealots made common cause. Pitted against them was a party led by Montrose which, since Charles had ostensibly permitted the abolition of bishops and the legalisation of the Covenant, opposed further change. This party held that religion was secured and the Covenant fulfilled, and that any interference with the King's secular authority was unwarranted. 153

The Tables, which Charles wanted abolished, had served as an ad hoc Parliament, and the Covenanters were loath to dismantle it without receiving some equivalent of it in the civil structure. They felt that Charles, whom they distrusted, and who was still surrounded by undesirable advisers, must not be permitted to undo the work of true religion and sneak Episcopacy back upon them, but rather must exercise his authority on behalf of righteousness through the agency of his "godly" subjects. They came, therefore, to seek constitutional safeguards to ensure the proper exercise of the Kingship. Argyll, recognising the potential strength of such opinions, believed that if judiciously channelled they could be turned to the advantage of himself and the nobles.

152. Ibid., p. 170.
153. Ibid., p. 171.
With Loudoun, Rothes and Wariston he authored the Covenanting strategy concerning the Lords of the Articles. He and the political Covenanters* wanted the legal status of the present Parliament, in which they enjoyed a comfortable majority, put beyond doubt, and as much as possible of their programme enacted into law. They also sought a revamped, regularly convening Parliament which would enjoy greater autonomy than formerly over its own activities. They argued - as some had argued in 1633 - that the Articles was merely a committee wielding power delegated to it by Parliament and responsible to it, and its members should accordingly be chosen in open session, with each estate electing its own representatives. They also contended that the function of the Articles should be strictly defined by act of Parliament, and it should be limited to receiving and drafting into bills only such proposals as were presented to it by Parliament. Bills prepared by the Articles should be directed to the various estates for further consideration and, finally, debated by the entire Parliament and voted upon.

For his part, Charles was anxious to replace the bishops (who had chosen the noble members of the Articles, thus ensuring men acceptable to the Crown) with royal nominees or else to choose the nobles himself.

154. Loudoun was not a member of the Lords of the Articles but he played an active role in the Parliament. Wariston, though not a member of the Parliament, had an active part in providing the constitutional arguments for their position.

* i.e. the non-Montrosians.

155. Rait, op. cit., p. 375 n.


157. In pursuing this, Traquair had been instructed to prorogue the Parliament if the Covenanters rejected these proposals. H.M.C. Ninth Report, Appendix, pp. 249, 261.
Argyll realised that according to all recent precedents no Parliament could be legally constituted until the Articles were chosen, and, in his concern to demonstrate that Parliament was legally constituted, he was prepared to compromise. In return for choosing Argyll and some of his allies (who had been pre-selected by the nobles) Traquair, and thus Charles, was allowed to have his way for the time, although Argyll stressed that this should not serve as a precedent for future Parliaments and called for an act whereby nobles, shire commissioners and burgesses should each select their own representatives on future Lords of the Articles. Argyll was supported in this by most barons and burgesses, and opposed by Huntly, who held that the nobles should continue to choose the members from those estates. Eventually the Argyll faction secured their aim by one vote. The effect of this was to shift the pivotal force in Scotland from the King to Parliament.

Although only two of the nobles elected to the Articles - Huntly and Southesk were Royalists, the rest differed in their opinions as to what the final settlement with Charles should be. Marischal and Lauderdale were less committed than Argyll and Rothes to a rigid policy, while Montrose and Lindsay were unhappy about the secular drift of the cause.


160. The Earl of Southesk had signed the Covenant but opposed armed resistance to the King. That Huntly was elected to the Articles appears to have been a remarkable concession by the Argyll faction, but in view of his reputation for vacillation and indecision they perhaps hoped to win him to their side. For his character see Baillie, op. cit., vol. 1, pp 82-83; Rothes, op. cit., pp. 62-63.

The barons emerged as advocates of constitutional change by demanding the right to elect their own representatives on the Articles, but they compromised by choosing those already selected. Like the burgess members they were all Covenanters, though between them they held a variety of views regarding the final settlement.

On 4 September Traquair and the Lords of the Articles began talks. Traquair signed the Covenant twice before them, once as Royal Commissioner, with a declaration (later deleted by them) that his signature was limited by an explanation he intended to give later to Parliament (this was that the Covenant was one with the 1580-81 "Negative Confession") and again as Treasurer, with no limitation. Argyll, ever with the Parliament's legality in mind, claimed that Traquair's description of the Lords of the Articles as "Articles of Parliament" was a tacit admission that the present Parliament was lawful, properly constituted and empowered to decide the issues coming before it.


163. The burgesses were concerned mainly with burgh-related issues coming before the Articles. Ibid., p. 148; Stevenson, Scottish Revolution, p. 172.

164. Stevenson, Scottish Revolution, p. 173. Traquair's behaviour on this occasion suggests that Sir Philip Warwick's description of him as "the most versatile man in Scotland" had at least some basis in fact. Warwick, op. cit., p. 150.

165. Stevenson, loc. cit. Lasting for several weeks, the talks covered a wide range of proposals, and generated nearly all the acts emerging from the Parliaments of 1640 and 1641. Acts were passed ratifying the acts of the Edinburgh Assembly regarding the remedy of alleged past evils in the Kirk and ordering that all subjects should sign the Covenant. Another rescinded all previous acts granting ministers secular power. A.P.S., vol. 5, pp. 363, 601. Traquair was moderately successful in his efforts to modify acts which threatened to diminish royal power. A controversy erupted over two separate acts regarding the constitution of Parliament, one presented by the Covenanters, the other by Hope, and the subsequent compromise act was opposed by a group led by Loudoun - almost certainly with Argyll's blessing. Ibid., pp. 598, 601-02.
The Articles ratified the acts of the Edinburgh Assembly on 13 September 1639, but on 1 October Charles wrote prohibiting Traquair from assenting to them in Parliament. Argyll and his associates, aware of this, pressed for a settlement of the issue of the bishops' estate. They demanded the repeal of all former legislation which had recognised the bishops' role in civil and ecclesiastical government, and they demanded legislation restricting the membership of Parliaments to secular estates. Traquair's response - that the bishops be replaced by the Crown's nominees - was supported by Montrose and Lindsay, who strove to win supporters. In the end the Articles agreed to postpone the question of the bishops' estate, to the intense opposition of Argyll and his associates, who threatened to raise the issue before the full Parliament.

Argyll's group made some minor concessions to Charles, the most significant being the dropping of the demand for triennial Parliaments, but it introduced into the Articles a large number of proposals designed to guarantee Parliament a much greater role in the Scottish administration, and keep the King and his appointees in check. The barons, who vigorously supported the mainline Covenanting position, wanted to give the officers of state no vote in Parliament and were vehemently opposed to any Crown-imposed substitutes for the bishops, thus depriving Charles of effective control over the Parliament. Supported by most Covenanters, they wanted the bishops replaced by themselves as an estate at last officially separate from the nobles, thus ensuring that Parliament be composed of the traditional number of three estates. They also demanded individual

votes for their members, instead of only one for each shire, which must have alarmed the nobles as causing a dangerous tilt of the Parliamentary balance, and which Traquair denounced as potentially detrimental to the King's interests. Indeed, Argyll too cannot have smiled kindly upon such a proposal, which threatened the nobles' dominant role within the Scottish polity. When an act was passed placing a time limit on the holding of a commission of justiciary, he immediately insisted that his hereditary jurisdictions should not be affected. He undoubtedly regarded the barons' Covenanting zeal as a mixed blessing.

Argyll insisted upon (and at length won) a demand that, in accordance with the Edinburgh Assembly's decision, a supplication that Charles officially disclaim the Large Declaration be ratified as an act of Parliament. In vain did Traquair argue that they should supplicate that the book be quietly removed, and that Charles could not be expected to admit that the had unlawfully taken up arms against Scotland - which is what his formal repudiation of the book would imply. Rather, he would be provoked into a public defence of the book's contents, which would damage peace prospects.

The Articles continued meeting until 23 October 1639, when Loudoun (almost certainly with Argyll's foreknowledge and approval) with some barons and burgesses, appeared, protested at the Parliament's "long dependence ... occasioned by the intricacy and multiplicity of business" and asked Traquair to wind up the deliberations. Argyll and the political Covenanters were anxious to have the acts passed by the Articles considered by the full Parliament and then by the King, but Traquair

170. Ibid.
172. Ibid.; Stevenson, Scottish Revolution, pp. 175-76.
adjourned Parliament on 30 October, realising that they would gain an important propaganda point if they were able to demonstrate formally the size of their majority in the full Parliament. Accordingly, Parliament on 1 November commissioned Loudoun to personally request Charles to consent to the acts passed in the Articles (and to assure him again that they had no intention of exporting their religious revolution). But Charles refused to see them, on the grounds that their commission was not signed by Traquair and they returned to Edinburgh. Argyll had been checked, and he would have to wait two years before he achieved the constitutional settlement he sought.


Chapter Five

Challenge to the Covenant: from Lamont's revelations to the discovery of the Cumbernauld Bond

In December 1639 Argyll was at Inveraray, complaining that "my own little affairs here are so out of order by my absence".¹ Rothes, then in London, wanted him in Edinburgh at the centre of events,² and in January 1640 he was briefly in the capital. He was endeavouring to convert his niece Jean, Huntly's daughter, from Catholicism to Presbyterianism before her marriage that month to Haddington, a task in which, with a minister's assistance, he eventually succeeded.³

By mid-February he was back at Inveraray, preoccupied by events in the Highlands which would consume much of his attention during the rest of the year.⁴ As earlier indicated,⁵ Charles, working through Traquair, had attempted to make Seaforth and Sleat the pivots of an anti-Campbell alliance in the Western Highlands, an eventuality which Argyll constantly dreaded and to the possibility of which he was ever vigilant. Charles also attempted to bring MacLean of Duart and others

². See Rothes to Haddington, 27 December 1639, ibid., p. 177.
³. Rothes to Haddington, 1 January 1640, ibid.
⁴. His letter to Haddington, dated 15 February 1640, was written from Inveraray, ibid., p. 179.
⁵. Supra, Chapter 4.
into the scheme, and a bond pledging loyalty and total obedience to the
King had been signed by those involved.6 Argyll learned of this
from Sir James Lamont, chief of a clan which traditionally had owned
most of Cowal but which had long since been deprived of the bulk of their
territory by the Campbells.7

Lamont and his clan were Argyll's feudal vassals. He was deeply
in debt, not least to the Sheriff Clerk of Argyllshire, George Campbell.
Before he confessed the existence of the scheme (presumably in the
expectation of lenient treatment as a reward for naming others implicated)
he had hoped to escape his creditors as well as Argyll's jurisdiction by
working actively for the King.8 It appears that he, along with Seaforth,
Sleat, Duart, MacLeod of Dunvegan, Stewart of Bute, Stewart of Blackhall
and MacDonald of Clanranald, had conspired to raise troops in Ireland
and the Western Isles to support Charles against Argyll, so that "the
Islesmen stand sure to His Majesty and his forces, and that they should be
directed to come and invade Lorne, while the King's other forces [the
Irish] should land in Kintyre and Tarbet".9

Owing to Lamont's information Argyll could report to the Earl of
Haddington the existence of a plot "both for troubling this corner of
the Kingdom [the Western Highlands] and my scurvy person". He added:

7. "Lawmont's Declaration", H.M.C., Ninth Report, Part 2, Appendix,
p. 255.
8. For Charles's undertaking to anyone who did so see supra,
Chapter 4.
"this shows too clearly what we may expect". The revelations must have alarmed him considerably. For Lamont alleged that Traquair had assured him that when the Scottish troubles were over the King would reward the participants in the scheme with offices, including those presently held by Argyll. Lamont claimed that he had already seen a patent appointing Sleat Lieutenant of the Isles and had learned that Argyll's Justiciary had been promised to Seaforth. Sleat reputedly boasted "that he should ruin the Earl of Argyll and all that would stand by him", and Traquair allegedly affirmed that "for the wrongs done to His Majesty in this business, that if ever [Charles] could overtake [Argyll] in law or otherwise, that His Majesty should be equal with him". Yet again Argyll had cause to distrust the King.

The Campbell chief immediately embarked on plans to thwart the plot betrayed by Lamont. This was not difficult, for its discovery and the ensuing threat of Campbell vengeance made much resolution die away. Duart was invited to Inveraray and there arrested, to be imprisoned at Dunstaffnage Castle for over a year on a charge of having accrued private debts. While a captive, he granted Argyll a bond for over £16,000 Scots, being the alleged amount of debts for which Argyll stood cautioner, and a further £14,000, the amount of certain feu duties, rents and the like which he owed to his feudal superior, Argyll. Thus the MacLeans, like the Lamonts themselves, were an example of a clan which, afforded an opportunity, would be likely to seek revenge upon the Campbells.

13. Ibid., p. 246.
"I know the committing of MacLean will be aggravated to the full in my prejudice", wrote Argyll, "but I resolve not to disobey the laws, so I could not but do it, being charged with letters of captain, which I confess I was not unwilling to, finding his carriage somewhat crooked".  

Others at this time, including the intriguers themselves, found Argyll's behaviour similarly tortuous:

Cam* is thy name, Cam are thine eyes and ways,  
and with thy Bell thou troules all traitors to thee,  
Cam are thy looks, thine eyes, thy ways bewrayes,  
Thy strained Bell has fetched the vulgar to thee.  
Cam's deepest plots excused by declaration,  
No sound but Campbell heard throughout our nation.  

Meanwhile Argyll was furnished with further proof of a conspiracy against him. On 8 April 1640 Charles wrote to the provost and bailies of Edinburgh requesting them to sign a document which the Privy Council had been ordered to publish, depriving Argyll of the Justiciary of Argyll and Tarbet. Thus Charles intended to dispossess the Campbell chief of one of the most significant props of his power and influence. He commanded that no one should obey Argyll, appear before his courts or pay him taxes or feu duties until he had appeared before the English Parliament to answer charges to be brought against him. "It is fitting His Majesty should interfere out of the sense of the burden of his subjects inhabiting within the Earl of Argyll's justiciary who are forced to withdraw themselves from His Majesty's due obedience under pretext of their appearance at justice courts at Inveraray and other parts where they have no power to resist the unjust commands of the Earl or his deputies".

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* Gaelic: crooked.

The immediate release of MacLean of Duart and another prisoner taken by Argyll, Archibald MacColl, was also ordered. Evidently Charles viewed Argyll as "an over-mighty subject", an opinion no doubt confirmed by the attitude of the provost and bailies. For they demurred, claiming that the declaration against "such a prime nobleman" would only exacerbate the unsettled state of Scotland. They reminded Charles that it ill-accorded with Scots law to deprive such a man of his estates or dignities without the advice of Privy Council and Parliament and a proper trial, for no one would be sure of his life, property or honours if the normal procedure were set aside. They also informed him that a Scottish nobleman could not be compelled to appear before the English Parliament: he could be tried only in Scotland and by his peers.

Late in February the Scots had been warned by their commissioners in London that war with Charles was probable, and early the following month a meeting held in Edinburgh placed Argyll and Eglinton in charge of the defence of the western coastline. Strafford, as Wentworth had become in January, was planning an Irish invasion, and while Argyll spoke of the possibility of invading Ireland, it was decided for the moment to mount no offensive. It was deemed adequate to block the mouth of the Clyde with a heavily armed vessel to prevent a maritime assault on Dumbarton Castle.

For several months Campbell scouts had been keeping Argyll informed that in Angus the Ogilvies of Airlie were making military preparations against the Covenanters, and that in Perthshire the Stewarts of Atholl were staging passive resistance against Covenantant commands. Although the Earl of Atholl had not openly denied the Covenant, he had disobeyed the orders of the committee accompanying the army to furnish recruits for General Leslie, and was believed to be planning to join a Royalist rising. Lesser families in Angus and Perthshire, encouraged by these developments, and by the statements of Montrose, were also stirring.

On 29 May 1640 Argyll, realising that the situation was becoming dangerous, wrote to Campbell of Glenfalloch - and more briefly to the latter's dying brother, Glenorchy - that the Atholl men "are likely to separate themselves from the rest of the kingdom in the good cause now in hand for maintaining religion and the liberties thereof, which no doubt is procured by some evil affected amongst themselves". If it was decided by the army committee that force should be used against them, and "I be commanded to give my concurrences therein", Glenfalloch's people must give no help to the "disaffected". Argyll added that "I wish heartily I were hindered of such employment by the men's good behaviour in time". Argyll had doubtlessly discussed the situation with the Committee, for the following day Leslie, who had been appointed general in April, wrote to Glenfalloch (and similarly to Glenorchy) stressing that Glenfalloch's neighbours in Atholl must not shun the cause of "all true-hearted Scotsmen" for "they shall find they are no friends to me who are enemies to our cause, since it is resolved they


must be suppressed by force who cannot be won by fair means". 22

As a result of Argyll having paid some of the virtually bankrupt
Huntly's debts and the dowries of his daughters (Argyll's nieces) as
agreed, the Campbell chief now possessed Badenoch and Lochaber. 23 In
this he followed the Campbell tradition of exploiting for territorial
gain the financial difficulties of their neighbours. Leslie warned that
the inhabitants of those regions, now Argyll's tenants, should not aid
the dissidents, and Argyll himself expressed the hope that he would
not be compelled "by their miscarriage to use them as unfriends". 24

While Leslie was writing to Glenfalloch, Argyll was penning a
warning to Atholl, whom he advised to heed the requests of Leslie and
the Army committee and "join with the rest of the kingdom in the ordinary
way, of maintaining our religion, laws and liberties". Otherwise the
army committee would "be forced to take some hard course to distinguish
their friends from their enemies, which I wish your lordship may never
prove, but a good patriot to your country". 25 He added that "this I
desire the rather that I be not charged with anything that may prove
grievous to my friends, for if I be commanded by the Estates and general
[Leslie] to do anything, for furtherance of the common cause, I must
obey, as I am tied in duty, but [i] would rather wish your lordship,
and country people, be showing your good affection to the cause and
country, as my earnest desire is to oblige me wherein I can approve

22. Leslie to Glenfalloch, 30 May 1640, ibid., GD 112/39/804.
24. Ibid.
25. Argyll to Atholl, 30 May 1640, in Sir John Murray, Duke of
Atholl, Chronicles of the Atholl and Tullibardine Families, 5 vols.
(Edinburgh, 1908), vol. 1, p. 105, hereafter cited as Atholl
Chronicles.
myself your lordship’s friend . . .”

In view of this tendency of Argyll’s to give Atholl opportunities to repent his ways and embrace the cause, it is questionable whether Argyll eagerly sought a punitive expedition against the Stewarts, Ogilvies and their allies. Fearful, as always, of military disturbances on the perimeter of his own territory, his various entreaties suggest that he genuinely hoped that they could be avoided by persuasions and threats, before he had to proceed against his enemies with arms in an expedition whose outcome he could not foresee. When they proved obstinate he chose recourse to force, hoping to crush them and break them, extending in the process Campbell influence into their regions while diminishing Montrose’s authority there and lessening the likelihood of Royalist full-scale counter offensives. In order to attempt this he required a warrant from the Estates authorising him to act on their behalf, just as the Campbells had traditionally acted as the Crown’s agents, enriching themselves territorially as a result.

In the meantime, on 11 April 1640 Loudoun was seized and imprisoned in the Tower of London on a charge of high treason. The Covenanters had been considering seeking the intercession of Louis XIII of France.

26. Argyll to Atholl, ibid.; cf. Leslie and Committee of Estates to Atholl and the rest of the gentlemen of the division of Atholl, ibid., pp. 103-05.

27. The other Scottish commissioners – the Earl of Dunfermline, William Douglas of Cavers (Sheriff of Teviotdale) and Robert Barclay, Argyll’s former tutor – were imprisoned because the King did not want them making contact with the English opposition before the Short Parliament, and were released after ten days. On 9 May 1640 Cavers and Barclay were rearrested after reports that they had been conferring with English Members of Parliament, but were soon freed for lack of evidence, and late in May they returned to Scotland with Dunfermline. C.S.P.D. (Charles I), vol. 15, p. 610; H.M.C., De L’Isle Manuscripts, vol. 6 (London, 1966), pp. 272, 276; Henry Guthry, Memoirs, 2nd ed. (Glasgow, 1747), p. 71; Bulstrode Whitelocke, Memorials of English Affairs, 4 vols. (Oxford, 1853), vol. 1, p. 94.
in their dispute with Charles, and one of their messages had been inter­cepted and passed to Traquair. It was addressed "au roy", and its
signatories, besides Loudoun, included Montrose and Rothes. It became an
integral part of the case which Charles aimed to present to the English
Parliament due to meet on 13 April. He hoped Parliament would become
so incensed against the Scots that it would grant him the war subsidies
he sought. The designation "au roy", Charles indignantly reminded
Leicester, the British ambassador in Paris, "is not given by any other but
by subjects to their natural sovereign, and indeed no construction can be
made of the letter itself but that they have given themselves to that
King".28

It is unlikely that Charles genuinely believed that the form of
address indicated that the Covenanters had transferred their allegiance
to the French monarch, but this interpretation conveniently made the
letter appear far more seditious than it deserved to do. Thus Charles
instructed Leicester to Inform Louis of his confidence that he would
not afford the Covenanters the solicited assistance since "the ground of
their rebellion is nothing but a mere opposition to civil and monarchical
government, wherein the common interests of Kings are highly concerned".29

However, the signatories - many of whom, like Loudoun (and Argyll)
knew little French or none - were ignorant of the correct mode of addressing
Louis XIII, and designated their letter "au roy" in good faith and with
clear conscience.30 The fact that they communicated with foreign governments

presence of Montrose among the signatories indicates that the letter was
hardly as sinister in its intent as Charles professed to fear.

29. Ibid., p. 645.

30. C.S.P.D. (Charles I) vol. 16, pp. 29-30; Burnet, op. cit., p. 161;
David Dalrymple, Lord Ha?les, (ed.), Memorials and Letters relating to the
History of Britain in the Reign of Charles the First (Glasgow, 1766),
pp. 57-58.
can hardly be defined as high treason, since the Scottish Estates had always arrogated to themselves the conduct of overseas diplomacy, and on this and other occasions the Covenanting leaders were acting on behalf of the Estates. Provocative their action might have been; treasonable it was not. In view of this it is improbable, as one historian has implied, that Argyll had not signed the letter out of deliberate concern not to incriminate himself. It is more likely that he did not sign because he was involuntarily inaccessible: he was, after all, at that time rarely out of Inveraray. Nevertheless, Charles, well aware of Argyll's importance in the Covenanting leadership, summoned him and Balmerino - along with the letter's signatories - to London to answer serious but unstated charges. They refused to obey, evidently mistrusting his intentions, and they must have felt justified in their refusal when they learned of Loudoun's arrest.

Argyll's political outlook bore certain similarities to that of Charles's critics among the English aristocracy. At that time the aim of the English opposition nobles was to assume the power which they hoped would soon fall from the hands of the vilified Laud and Strafford, to oblige Charles to govern in future with and through his nobles, and to redress their grievances (and those of other sections of the community, so long as these did not conflict with the nobility's interests). Like their Scottish counterparts they resented the intrusion of the bishops into state affairs. Lord Saye's description of Laud as "a man of mean birth bred up in a college", is reminiscent of Scottish aristocratic indictments

31. On the question of treason as it was then understood in Scotland, see supra, Chapter 3, note 29.
34. Spalding, op. cit., vol. 1, p. 262.
of the prelates, and Laud's efforts to enhance ecclesiastical prestige and defend ecclesiastical property by encouraging the clergymen to be less subservient to nobles and gentlemen was in due course condemned by the Long Parliament as incitement to clerics "to despise the temporal magistracy, the nobles and gentry of the land". There is an obvious parallel between Bishop Juxon's appointment to the Lord Treasurership in 1635 (vacated on the Earl of Portland's death) in place of one of the expectant nobles, and Argyll's desire for the Scottish Chancellorship on the Earl of Kinnoul's death that same year, which went to the Archbishop of St. Andrews.

Argyll would later claim that "I was one of the men in Scotland who had least correspondence with England". How justified was this assertion it is difficult to determine, because the dearth of direct correspondence extant does not, of course, necessarily mean that this is all there was. Certainly Argyll appears to have used other Scottish noblemen as intermediaries - Loudoun above all, Rothes, Haddington, and later, as we shall see, Hamilton. Probably that was due less to a desire to conceal his hand than to a desire for efficient communication: it is likely that he preferred to employ the services of men frequently

36. See Glencairn's verse, supra, Chapter I.


39. Speech, 9 April 1661, Wodrow, Sufferings, p. 143 n. In addition, Argyll might have been intriguing with the Irish Earl of Tyrone.
in London who had contacts with both Court and Parliament. He himself now enjoyed a reputation in England as "the most subtle amongst the Scots".

Probably towards the close of 1639 (the exact date cannot be ascertained) the English opposition peer Lord Saye sent Loudoun a message via one Lawrence that the English people would oppose a war against the Scots if the latter "did unanimously resolve . . . to come in for the public liberties of both kingdoms, as well as in matters of conscience otherwise". Lawrence conferred with Loudoun and Rothes, and presently Saye's son Nathaniel Fiennes joined him in Edinburgh to inform the Scots of English developments. The Scots considered that by sending their army into England they would be relieved of part of the cost of its maintenance, but despite this, and English overtures, Argyll did not want to invade until the Scottish Parliament, prorogued until 2 June 1640, had been held.

In December 1639, when news of the King's decision to call an English Parliament had first reached the Scots, Argyll, who held that the Covenanters and the English opposition alike were "struggling for their liberty of conscience", expressed his conviction that "in the common rule of charity
they will not do that to us which they would not have done to themselves.

... He appreciated their similarity of interest, and his confidence in them proved justified. The Short Parliament met on 13 April 1640. But it refused to vote money for a campaign against the Scots until English grievances were redressed, and on 5 May Charles dissolved it, having learned that Pym and his friends were planning to present a Commons petition opposing a war.

Having initially been inclined to permit the Scottish Parliament to meet on the scheduled date Charles prorogued it further until 7 July. However, it sat as planned, since its members did not learn of the king's prorogation order, which the lord advocate, Craighall, deviously suppressed. They implied that state office did not entitle its holder to sit in Parliament, and they specifically denied the right of bishops and clergy to be present. Anticipating a statement made a few weeks later by Loudoun during a conference with Charles, they explained that a Parliament was necessary


48. Hope, op. cit., p. 116; Burnet, Dukes of Hamilton, pp. 166-67, states that the commission which Charles intended Craighall to use was a blank one forwarded for the purpose, but Charles himself refers to that of 20 August as the one to be used. Elphinstone Family Book, loc. cit.; A.P.S., vol. 5, p. 249; Stevenson, Scottish Revolution, pp. 192-93.

49. "The Learned Speech of the Lord Lowdon to His Majesty when he was committed to the Tower in the behalf of himself and his country. June 25 1640", N.L.S., MS. 2687 (ii), House of Commons MSS., pp. 839-58.
to settle all civil matters outstanding since the Pacification of Berwick and the prorogation of the 1639 Parliament, and to ratify the acts of the 1639 General Assembly and conclude other matters affecting the peace and welfare of Kirk and Kingdom. They also maintained that the absence of a prorogation order meant that Charles tacitly consented to their meeting, and they announced that they had no intention of encroaching in the slightest upon his authority.  

The Parliament then passed a series of acts based in the main upon those enacted or debated in the Articles in 1639, which were revised by a committee. One of the most important of these decreed that a parliament meet at least every three years, and the King was to be supplicated to attend. All issues and complaints were to be presented to and debated before the entire chamber, which would, if it thought fit, call upon the Lords of the Articles to ponder matters referred to them by it. Each estate was to select its own representatives on the Articles, and it seems to have been intended that the representatives of each estate should meet separately. In fact, no Lords of the Articles were ever appointed under the act, yet the 1640 Parliament continued to vote on all its acts on the last day of Parliament, as if they had then been presented by the Articles.

These acts greatly altered the constitution of Parliament. For with the exclusion of state officers and bishops and the newly achieved

52. Ibid., p. 194.
subservience to Parliament of the Lords of the Articles, the channels through which the Crown had dominated Parliament were removed. Being too controversial, the question of the King's role in this renovated Parliament was evaded, but the acts were deplored by a contemporary "as exhibiting the real greatest change at one blow that ever happened to this Church and State these six hundred years bypass; for in effect it overturned not only the ancient state government but fettered monarchy with chains".  

On the religious issue, the Parliament ratified the acts of the 1639 General Assembly (without reference to its predecessor at Glasgow). All parliamentary acts favouring prelacy and tending to undermine the Kirk's spiritual jurisdiction (including the 1621 act ratifying the Five Articles of Perth) were declared null and void. Former legislation against bands, leagues and conventions were declared inapplicable to the Covenanting bands and assemblies, and a new band was drafted for nationwide signing, committing its subscribers to uphold the legality of the present parliamentary session.

On 11 June, having issued another justification of itself, and disclaiming any intention of denying Charles's civil and temporal authority, Parliament prorogued itself to 19 November. A Committee of Estates - the successor to the Tables - was established to administer Scotland and see to her lawful defence in the periods between Parliaments. It consisted of twelve nobles, twelve barons and twelve burgesses, and three ordinary lords of session, and was fully empowered to maintain the army.

and keep order and was authorised to borrow money and raise taxes, and to
appoint and control all public officials, military and civil. When
circumstance dictated, it was to divide in two, one half accompanying
the army, the other remaining in Edinburgh. Each half could act independ-
ently of the other, except in the making of war or peace. 58

The Committee of Estates included Montrose and other now dubious
Covenanting allies, no doubt in the hope that they would thereby continue
to support the cause. It did not include Wariston, who in view of his
legal expertise in drawing up treaties was ordered to attend that half of
the Committee accompanying the army, nor Argyll, who was to protect Covenanting
interests in the Highlands. However, Argyll exerted a great deal of
influence upon the Committee (though obviously not on all its members) and
"all saw he was major potestas . . . all knew that it was his influence
that gave being, life and motion to these new modelled governors, and not
a few thought that this juncto was his invention". 59 It may well have
been, for certainly the question of how best to solve the problem of
administering Scotland and directing Covenanting policy had proved trouble-
some.

On 1 June, the day before Parliament met, a meeting of leading
Covenanters, including Argyll, had decided their parliamentary strategy.
The only account of their deliberations was provided, briefly, by Wariston,
who described a dispute between Montrose on the one side and Argyll, Rothes,
Balmerino and himself on the other, over whether, in the absence of the
King and Royal Commissioner (Traquair) the Parliament should be further
prorogued. "Some urged that, as long as we had a King, we could not sit
without him, and it was answered, that to do the less was more lawful than

58. Ibid., pp. 282-84.
to do the greater". The meaning of this seems to be that those (such as Montrose) who claimed that Parliament could not meet as long as there was a King who ordered it not to do so were implying that it would be preferable to depose him ("the greater") so that Parliament could be held without him, than merely, as Argyll and the zealots wished, to hold it despite his orders ("the less"). This was, of course, sophistry, and, objectively, hardly convincing, though it appears to have satisfied those present.

In addition, the meeting discussed - probably in a general way (though a Royalist Laird, John Stewart of Ladywell, later alleged that it went far beyond this) - the deposition of Kings. Legal and theological consultants advised that a King might be deposed for invading, deserting or selling his Kingdom. Argyll and his allies were faced with a dilemma: if Charles would never concede all their demands and honour what he had already granted, they would either have to forsake their demands and submit to his authority, or withdraw their allegiance to him and depose him. It must have occurred to Argyll that if the quarrel with Charles, which had already lasted almost three years, persisted very much longer, popular support would steadily erode, particularly in view of the high taxes needed to support the army. Given this, Argyll and his associates might have mused whether it would be advisable to depose Charles now.

There was apparently at this time talk of establishing a dictatorship, to last until a settlement with Charles was achieved. A dictator (on the early Roman model) possessing absolute power could supersede the ordinary magistrates for a prescribed period. If the main Covenanting army invaded


England, an event under consideration, accompanied by many Covenanting
noblemen, a strong central authority remaining behind would be vital.
But it was not intended to replace the Stewart monarchy. Rumours abounded
in Royalist circles as to what form this dictatorship was to take, but the
Covenanting Lord Lindsay, an opponent of the scheme, seems to have accurately
outlined the possibilities discussed. There might be a single dictator
(probably Argyll), or two, one governing the territory north of the Forth
(Argyll), one south of it (Hamilton), or perhaps a triumvirate consisting
of Argyll, Hamilton and Leslie. These plans, however, came to nothing
probably owing to fears of the jealousies and divisiveness which would
ensue.63 Indeed, Montrose soon heard of them, and issued a warning to
Argyll and Hamilton, without naming them:

And you great men - if any such be among you so blinded
with ambition, who aim so high as the Crown - do you
think we are so far degenerate from the virtue, valour
and fidelity to our true and lawful sovereign, so constantly
entertained by our ancestors, as to suffer you, with all your
policy, to reign over us? Take heed you be not Aesop's dog,
and lose the cheese for the shadow in the well.64

Hence the Committee of Estates, which, while not as efficient as the
repository of power in a single man, at least precluded divisions and
ill-feeling.

The Committee informed Charles, via Lanark, the Scottish Secretary
of State, that, in the absence of any command from him to prevent
Parliament meeting as arranged, it had done so, and passed the acts
which were enclosed. Desirous not to imply that they recognised his
power to veto these acts, they did not request his assent to them;

63. Ibid., pp. 373-74, 380-83, 387, 389-90; Napier, Memorials of

64. Napier, Montrose and the Covenanters, vol. 1, pp. 383-84.
neither did they claim overtly that without his assent the acts were valid. This was assumed. Loudoun was released on 27 June, largely through the efforts of Hamilton, and he arrived in Edinburgh bearing Lanark's reply to the Committee. Lanark reminded them of Charles's explicit prorogation order (the one suppressed by Craighall), and declared that the King could not consent to any of their acts. He asked them to return to their former obedience, adding: "and if subjects there do assume the power of making laws, and rescinding those already made, what act can be done more derogatory to the regal power and authority we are all sworn to maintain".65

On 12 June 1640 the Committee of Estates, in one of its first acts, issued to Argyll a commission of fire and sword, empowering him to raise troops from the sheriffdom of Argyll (and to require the assistance of other shires if necessary) and advance against the Ogilvies and Atholl Stewarts in the braes of Angus, the Farquharsons in the braes of Mar, and others in Badenoch, Lochaber and Rannoch. If they failed to submit they were to be "utterly subdued or rooted out".66

Argyll's forces were to join with Major-General Monro's should they be needed to help suppress Gordon—inspired uprisings in Banff and Aberdeenshire.67 An exoneration of conduct explained that Ogilvy and Atholl and his accomplices were "proven enemies to religion, but also had proven unnatural to their country in disjoining from these who stood for the maintenance of religion and liberties of this Kingdom, and had drawn together in arms, and had forfeited their houses, and awaited opportunity to fall on by themselves or to join others, as well natives

as foreigners and strangers, to the overthrow of this Kirk and Kingdom, at the least so far as in them lay..." Thus Argyll was afforded a most welcome opportunity to merge public duty with private ends.

Faced with Argyll's advance, Montrose sped north where he, as an army colonel, had responsibility for raising regiments from Angus and Perthshire for Leslie's army. He must have felt chagrined at the Committee's granting of a commission to Argyll to interfere in regions where he had influence, particularly as he had been replaced by Monro as the enforcer of the Covenant in Aberdeen. He endeavoured to persuade the Ogilvies and the Atholl men to submit to the Committee before Argyll arrived, and by the end of June they had agreed to do so. Montrose stationed a garrison under Lieutenant-Colonel Sibbald at Airlie Castle, ostensibly to hold it on the Covenanters' behalf, but actually to prevent it from falling into Argyll's hands, and Montrose wrote to Argyll informing him that he now had no need to proceed to Airlie.69

Between 18 June and 2 August Argyll, with, it was claimed by some, between 5,000 and 6,000 men, although 4,000 seems closer to the true figure, made what was considered a remarkable march through the districts named in his commission. Leslie had informed him that the Atholl men were on the point of yielding, but Argyll explained that he must pass

into the braes of Angus nonetheless. He was now anxious for a fight -
to defeat them resoundingly and remove their threat to the cohesiveness of
the Covenanting cause, and incidentally to increase Campbell influence.
"I should be very glad that the Atholl men would draw to a head and make
a stand, for then I would know where to find them", he declared.  

Atholl possessed a combined force of 1,200 Stewarts and Robertsons,
and faced with Argyll's numerically far superior force, he sent several
Stewart gentlemen to Argyll's camp with his undertaking to abstain from
acting against "the good cause". But Atholl, whom Argyll insisted
on meeting personally, was seized by ambush while on his way to the arranged
rendezvous near Loch Tay. He was imprisoned in Stirling Castle and his
gentlemen were sent captive to Edinburgh. In return for their liberty
they were compelled to sign several bands pledging financial and military
support for the Covenant, including payment of £10,000 Scots and the
raising of a regiment of 500 men under Atholl himself.  

Although he denied Montrose's later allegations of it, Argyll may
also have forced the Atholl men (as well as the inhabitants of other regions
through which he passed) to sign bonds of man rent, which, if in the form
of a bond which Argyll forced on the islanders of Arran in May 1639,
omitted the usual clause absolving the signatories from their duty to serve

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72. Argyll to Glenfalloch, 19 June 1640, S.R.O., Breadalbane MSS.,
GD 112/39/806; Argyll to Glenorchy, n.d., ibid., GD 112/39/808.
74. William Wilson, The House of Arlie, 2 vols. (London, 1924), vol. 1,
75. Ibid., p. 271.
their superior if this conflicted with their loyalty to the King. If so, it surely reflects Argyll's anger with Charles, and apprehension of his plans, since Lamont's revelations and his subsequent determination to make his own position in the Highlands unassailable.77

In his tent at the Ford of Lyons Argyll apparently reminded the Atholl men (who had complained that the Covenanters' behaviour in the late Parliament was incompatible with monarchy) that kings might be deposed. Three Stewart lairds - Ladywell, Inchmartin and Grandtully - later added that during the 1640 Parliament many had discussed deposing Charles, and although these plans had been deferred they were likely to appear at the top of the agenda during the next parliamentary session.78 On another occasion at Balloch, Glenorchy's seat, Argyll is said to have reminded the Atholl men that he was, in descent, "the eighth man from Robert the Bruce".79 His clansmen, flushed with success, allegedly boasted that "they were King Campbell's men, no more King Stewart's",80 and a Gaelic bard wrote words translated by Ladywell as follows:

I gave Argyll the praise, because all men sees
It is truth; for he will take gear from the
Lowland men; and he will take the Crown by force
And he will cry King at Whitsunday.81

While Atholl and the other hostages languished in prison, Argyll


78. Stewart of Ladywell's statement, 10 June 1641, Napier, Montrose and the Covenanters, vol. 1, p. 475; Montrose's deposition to the Committee of Estates, 27 May 1641, ibid., p. 382. In his statement, made under duress, Ladywell claimed that he lied when he previously accused Argyll of using these words.


80. Ibid.

81. Ibid.
advanced towards Airlie's lands. The earl himself had fled to England but his heir, Lord Ogilvy, remained, and on 6 July Argyll drove the garrison established by Montrose under Sibbald from Airlie Castle. If Ogilvy, whom Montrose had allowed to go into hiding, had come forward and surrendered to Argyll it is possible that his lands and property might have escaped devastation. In vain had Montrose written to Argyll protesting that Airlie Castle was already occupied by his own soldiers. The castle was demolished, probably owing to its proximity to Campbell lands across the River Isla, and it has even been claimed that Argyll himself, venting his wrath and vengeance, "was seen taking a hammer in his hand and knocking down the hewed work of the doors and windows till he did sweat for heat at his work".

Argyll warned a prominent Ogilvy laird, Inverquharity, that "if ye press to conceal my Lord Ogilvy in your house at this time, it will be more to your prejudice than ye are aware of", and having dealt with Airlie's seat the Campbells turned their attentions to Lord Ogilvy's Forthar Castle, which underwent a similar fate. While on trial for his life in 1661, Argyll denied having ordered the burning of Forthar, and here he lied, for in reality he wrote to his officer, Campbell of Inverawe, explaining that while the latter should join his chief's forces on the following day he should take all Ogilvy's cattle and sheep and should "not fail to demolish" Forthar.


83. James Gordon, op. cit., vol. 3, p. 165. Apparently 7,000 Scots worth of damage was done to Airlie's property and he was unable to collect rents for fourteen months. Evidently Argyll had the approval of the Committee of Estates, in which Montrose's influence was slight. See supra.

84. Argyll to Sir John Ogilvy of Inverquharity, 7 July 1640, Napier, Memorials of Montrose, vol. 1, pp. 256-57.
See how ye can cast off the iron gates and windows; and take down the roof, and if ye find it will be longsome, ye shall fire it well, that so it may be destroyed. But you need not to let know that ye have directions from me to fire it.85

It has been said that although Lady Ogilvy, well advanced in pregnancy, pleaded with Argyll to allow her to remain at Forthar until after her confinement, he turned her out and refused her permission to take refuge at Kelly House, her grandmother's home, which she eventually managed to do despite him. If this story is true, the grandmother, though a Douglas kinswoman of Argyll, could not soften his heart. Since responsibility for Forthar's fate had been delegated to Inverawe, the episode is probably apocryphal.86

Also allegedly upon Argyll's orders, Inverquharity's house was destroyed, despite an officer's report that it was an unfortified dwelling occupied by a sick lady and a few servants. It is said that Argyll angrily sent back the officer, muttering what was claimed to be a Machiavellian adaptation of a Biblical passage, abscindantur qui nos perturbant and quod mortui non mordent, both reputedly among his favourite aphorisms.87

The Campbells followed similar practices in the other regions they traversed. The MacDonalds of Keppoch, in particular, received very severe treatment. Earlier in the year they had raided Breadalbane - and defeated a Campbell detachment in a minor engagement - in reprisal for Campbell

85. Argyll to Dougal Campbell of Inverawe, July 1640, H.M.C., Sixth Report, Appendix, p. 616.
86. James Gordon, loc. cit.
87. Ibid., p. 166. These Latin phrases may be translated, respectively: "Let those who trouble us be cut off" and "because dead men do not bite". The former is a quotation from the Epistle to the Galatians, Chapter 5, verse 12, Vulgate edition. See Willcock, The Great Marquess, p. 108 n.
The Keppoch chief's house was fired and his territory garrisoned by Campbell troops. As a result, Argyll managed to quell most Highland dissent, though the MacDonalds of Lochaber and Glengarry and the Robertsons continued to prove refractory, forcing him on 5 October to appoint two Campbell lairds to bring them to obedience.

Argyll had attacked his northern enemies with such enthusiasm and with such success that an unknown Royalist contemporary dubbed him "the Devil's viceroy in the Highlands". His activities occasioned a well-known ballad, and they prompted one of his own servants, over a decade later, to pen verse against him:

It's thou who in the nations three
First kindled fire, and shamefully
Burnt Airlie House on public score,
When old feud was the cause much more.


90. S.R.O., Breadalbane MSS., GD 112/43/1, Bundle "State Papers 1640-49".

91. Harleian Miscellany, vol. 8, p. 28. For probable authorship see supra, Chapter 1, note 84.


93. Account of the villanous actions of Archbald Marquis of Argyle. See supra, Chapter 1, note 19. It was allegedly by "C.C., his servitour". This was possibly Colin Campbell, for Argyll certainly had a servant of that name, though evidently not the Colin Campbell who commanded Argyll's company of claymores during the 1640 Highland campaign and who in 1642 served with the Scottish army in Ireland. See Napier, Memorials of Montrose, vol. 1, p. 257.
Certainly the Stewarts of Atholl, the Ogilvies of Airlie, as well as others, had reason to believe that he pursued his military commission from the Committee of Estates in the name of the Covenant with an excess of zeal, settling old Campbell scores in the process. Argyll himself vehemently denied this, saying that "in all the transactions of affairs wherein I ever had my hand... I was never led in them by any private design or advantage to myself, either of honour or benefit..."

The Airlie campaign has been called "a bare-faced raid in quest of booty". Argyll denied wantonly cutting down the plantings there, explaining that they were required to make huts for his soldiers, and, as we have seen, he mendaciously denied ordering the burning of Forthar.

The truth seems to be that he was neither as bloodthirsty as his enemies painted him, nor as single-minded in the pursuit of the purely public interest as he claimed. We must remember that many Highland clans opposed the Covenanting cause not out of conviction that it was wrong in principle but because Clan Campbell supported it. They reacted less to the King's policy than to that of McCailein Mor, their hereditary foe. Argyll was severely provoked, and not least by Charles, who agitated these clans against him, raising the spectre of a Catholic anti-Campbell alliance on the environs of his territory, threatening his heartland.

He himself said that all his actions were "merely for religion, King and Kingdom, according to the Covenant, never pressing anything earnestly, but for the Covenant, nor opposing, but when it was refused". This is not entirely true, for he was not averse to combining public and private duties, though he did indeed give his enemies such as Atholl the chance

94. Argyll's speech, 9 April 1661, Wodrow, Sufferings, p. 143 n.
97. Ibid. pp. 1372-94.
98. Ibid., p. 1395.
to forsake their rebelliousness and declare for the Covenant before he
and his Campbell host bore down on them. Having made war on them,
however, he proceeded ruthlessly.

After all, they had betrayed the prevailing conceptions of Scotland's
national interest. In one letter to Atholl, Leslie and the Committee of
Estates wrote that "a hearty union will be our strongest outward means of
safety . . . the business does not only and chiefly concern the glory of
God but also the keeping of his ancient kingdom from slavery, either in
the ruin and utter overthrow thereof, or becoming a province". There
is no reason to believe that Argyll did not share this conviction:
indeed, he had more than once equated the Covenanting cause with patriotic
duty. Atholl and the Oglivies had rejected the movement for national
safety and could therefore be hunted down as apostates. Surely they were
pursued not only by Argyll the Campbell chief incited by visions of
plunder but by Argyll the Covenanter impelled by self-righteousness, and
by Argyll the patriot, determined to preserve the identity and independence
of Scotland.

Moreover, as a Highlander Argyll was raised in the tradition of
the bloodfeud. Vengeance was regarded as a fact of life, and punitive
expeditions of "fire and sword" were an accepted part of royal and
governmental policy towards errant clans. As a Campbell, Argyll had been
bred to perceive his mission as bringing law and order to the Highlands,

99. See, for instance, his warning to Menzies of Weem concerning the
conduct of that laird's son, 30 May 1640, H.M.C., Sixth Report, Appendix,
p. 696.

100. Leslie and the Committee of Estates to Atholl March ? 1640,
Atholl Chronicles, vol. 1, p. 103.

101. See, for example, Argyll to Atholl, 30 May 1640, Atholl Chronicles,
vol. 1, p. 105; cf. Argyll to Grandtully, 30 May 1640, Red Book of
and he despised the wilder clans as "an infamous byke of lawless limmers".  

Much recording of these events was done by chroniclers deeply hostile to Argyll as a Covenanter and as a Campbell, and they have undoubtedly exaggerated his culpability. Montrose himself, in September 1644, allowed his Highlanders to engage in brutal excesses after the taking of Aberdeen.

After the 1640 Parliament, while the short-lived and politically insignificant General Assembly was meeting in Aberdeen, the main Covenanting army assembled on the Borders. The problem facing Argyll and his allies was that if it remained on the defensive in Scotland insufficient provisions would probably soon force it to treat with Charles and accept terms as unsatisfactory as those reached at Berwick. It was unlikely that Charles, with his inadequate, ill-prepared forces under Northumberland and Conway, would invade Scotland and afford the Covenanters the chance of imposing a military defeat. Thus Argyll and the other Covenanting leaders had to decide whether to force Charles's hand by invading England, and thus risk alienating even the English opposition. The latter was coming to be viewed as an acceptable move, particularly as some of the


103. Such writers were James Gordon of Rothiemay, Patrick Gordon of Ruthven, Henry Guthry (minister at Stirling, who in 1665 became Bishop of Dunkeld) and George Wishart, Montrose's chaplain and biographer.

104. Spalding, op. cit., vol. 2, pp. 407-12; Napier, Memorials of Montrose, vol. 2, pp. 160-70. It seems fair to say that Argyll acted as a child of his land and time - and not only of his land, as the atrocities committed during the Thirty Years' War, and which indicate a general breakdown in chivalry show. See C. V. Wedgwood, The Thirty Years War (London, 1938), passim.

King's English opponents had been encouraging the Scots to come in. On 23 June Wariston wrote to Loudoun in London asking him on behalf of the Covenanters to attempt to get from the English opposition leaders an undertaking to join the Scots in arms if their army crossed the Border. The seven noblemen who replied on or about 8 July - Bedford, Essex, Warwick, Brooke, Saye, Mandeville and Saville - refused to invite the Scots to invade England, since that would be treason. However, they added that if the Scots came "in their own just right... we are resolved to do more, and more effectually, for obtaining their and our honest ends" than the solicited assistance would provide. Between the two nations, they said, "the enemies are all one, the common interest one, the end is all one; a free Parliament to try all offenders, and to settle religion and liberty".106 When these and other promises proved inadequate for the Covenanters' tastes, Saville late in July forged the signatures of six peers on a letter also signed by himself, containing the desired assurances.107

Consequently, on 3 August the Committee of Estates unanimously elected to invade, and wrote two papers justifying their decision. They were moved by "the great force of necessity" and explained that not they but the King, misled by "crafty and cruel" advisers, was responsible for their recourse to arms. They fought not through disloyalty to Charles or in the hope of aggrandisement but for religion and to aid the English complete their Reformation. They thus bid for Puritan support, and at the same time tried to dissipate charges that they were in conspiracy with Richelieu by asserting that they were grateful for English help during the 1560


Scottish Reformation "in freeing us from the French".\footnote{108}

On 20 August the Scots army, under Leslie, crossed the Tweed at Coldstream and marched into England. Bypassing heavily fortified Berwick they advanced rapidly towards Newcastle, threatening to burn all the collieries there unless the city yielded. Conway, the garrison's commander, determined to hold the Tyne at all costs, sent 3,000 of his best troops to guard the ford at Newburn, some five miles west of Newcastle. There, on 29 August, after less than two hours' fighting (and even to Leslie's surprise) they were routed, and on the following day the Scots entered the abandoned garrison.\footnote{109}

With this victory strengthening their hand, on 8 September the Scots commissioners at Newcastle sent Lanark the minimum demands for a settlement.\footnote{110} They demanded that Charles must sanction the acts of the 1640 Parliament, that Edinburgh Castle and other strongholds must be, in effect, put under the command of Scots appointed with the approval of the Scottish Parliament and periodically accountable to it. Scots living in England and Ireland were no longer to be penalised for subscribing the Covenant, nor to be pressed into signing anti-Covenanter statements.\footnote{111} Scottish merchandise and vessels impounded by the King must be restored and restitution paid for any damage. The Covenanters must be reimbursed for the "wrongs, losses and charges" they had sustained, and all declarations branding them traitors must be revoked. Charles, with the English Parliament's

\footnotesize
\begin{itemize}
  \item \footnote{109} Vane to Windebank, 23 August 1640; C.S.P.D (Charles I) vol. 16, p. 620; Wedgwood, King's Peace, pp. 347-48.
  \item \footnote{110} Covenanters to Lanark, 8 September 1640, Burnet, Dukes of Hamilton, pp. 225-26.
  \item \footnote{111} Ibid.
\end{itemize}
"advice and consent", must remove the Carlisle and Berwick garrisons, remove barriers to free trade between Scotland and England and agree to the foundation of a "stable and well-grounded peace, for enjoying of our religion and liberties against all fears of molestation and undoing from year to year, as our adversaries shall take the advantage". This last demand is significant, for it shows that the Covenanters were now consciously thinking in terms of "free parliaments" and of the carrying over from session to session of parliamentary legislation, something which, as explained later, was not traditionally the case in Scotland. 112

Meanwhile Argyll had bloodlessly achieved the surrender of the besieged Edinburgh Castle on 15 September. Some accused him of granting Lord Ettrick too lenient terms, but he did not relish attempting to storm such a bastion, whose guns had killed almost 200 people and caused much damage since March, when the siege began. 113 The capitulation of Edinburgh Castle was closely followed by those of Carlaverock and Thrieve, completing the Covenanters' supremacy in the Lowlands. 114

Argyll now made strenuous efforts on behalf of the Committee of Estates to raise a force of gentlemen volunteers to augment the Scottish troops in England, doubtless to give added weight to the demands of the Scottish negotiators and intimidate the King. "As never any poor nation hath done and ventured more for their religion and liberties with greater encouragement for assurance of success from God's dealing with us than this

112. See infra, Chapter 6, and Williamson, op. cit., pp. 6-8.


kingdom", he wrote, "for it is not now to be doubted that any gentleman of honour will be wanting to crown his endeavour by putting to his hand in the conclusion of it, whether by a fair treaty which it is to be wished, or by arms (if necessity urge us to it)."

But sufficient volunteers were not forthcoming and the Covenanters' financial difficulties worsened. Demoralised local war committees were neither efficient in collecting war taxes nor in stemming the increasing number of deserters from the army in England. This led to stern communications from the Committee of Estates, supported by Argyll, who, though not a member, frequently signed its documents. He was also a major participant in the decision to send to the army in England persuasive clergymen to preach the cause to the Scottish soldiers in a bid to boost morale. "Our ministers", he informed Baillie, whom he tried to persuade to join them, "works more upon the soldiers nor than all other discipline could..."

At York Charles was not prepared to accept the Covenanters' demands unless they were well-modified. On the advice of the Great Council of [English] Peers, meeting at York on 24 September, he finally agreed to


summon an English Parliament to meet on 3 November, and he appointed a
group of English opposition peers to treat with the Scots for peace.
The Scots undertook to advance no further into England. Commissioners
from the two sides, meeting at Ripon between 2 and 26 October, eventually
agreed that there would be a ceasefire for two months and that the English
would contribute £850 sterling per day towards the Scottish army for the
duration of the peace negotiations, which would be transferred to London
so that the forthcoming English Parliament could be consulted.118

In September Montrose, determined to contact Charles himself, seems
to have publicly asserted that the Covenanters' negotiations with England
were being turned to their own advantage by a few, by whom he meant Argyll
and his associates, though he did not name them.119 At the end of the
month Leslie, probably acting on information from a Court contact, discovered
a letter from Montrose to the King, in violation of a standing order against
communicating with Charles without the approbation of the General or
Committee of Estates. Montrose retaliated by accusing Lindsay and others
of surreptitious contact with Hamilton, and appealed to his moderate
friends in the upper echelons of the army for support.120 The affair
came to nothing when Almond, the Lieutenant-General, warned by Leslie that
Montrose would be tried by a Council of War unless he accepted Leslie's
reprimand, prevailed on Montrose to do so. But the support which Montrose

118. Rushworth, op. cit., vol. 2, pp. 1276-77; Hardwicke State Papers,
vol. 2, pp. 186-88, 208. Four of the six advisers appointed by the King
to accompany the commissioners were Scots: Morton, Traquair, Lanark, and
Sir Lewis Stewart.

p. 105; Hope, op. cit., p. 120; Baillie, op. cit., vol. 1, p. 262.

120. Thomas M'Crie (ed.) The Life of Mr. Robert Blair, minister of
St. Andrews, containing his Autobiography (Edinburgh, Wodrow Society, 1848),
p. 164; Burnet, Dukes of Hamilton, p. 228.
could command among high-ranking army officers such as Almond himself (who, like the moderate members of the Committee of Estates, resented being neglected in consultations and decision-making) dissuaded the Covenanters from proceeding against him further. 121

The Montrose faction continued to oppose Argyll and the ministers and proclaimed that it was essential to prevent further diminution of Charles's prerogative. 122 Thus Argyll was faced with the problem of reducing army support for Montrose who was now, as Clarendon put it, playing Caesar to his Pompey: "the one would endure no superior and the other would have no equal". 123 His anxiety over Montrose's behaviour and objectives may partially explain Argyll's zealous attempts to recruit a volunteer force, which would be at the ready if Montrose undermined the regular army's loyalty to the Committee of Estates. 124

At the beginning of November Argyll was in Newcastle, where he was undoubtedly consulted in drafting the instructions for the eleven Scottish commissioners (including Rothes and Loudoun) who were to go to London to negotiate the peace settlement. 125 Unlike Wariston, Henderson and his clerical allies, who sought as a matter of principle the establishment

121. Ibid., pp. 228-29.


125. Conyers to Windebank, 27 October 1640, C.S.P.D. (Charles I), vol. 16, p. 200; Baillie to Young 1643 ?, Baillie, op. cit., vol. 2, p. 39; Baillie to his wife, 5 November 1640, ibid., vol. 1, p. 268. The date of Argyll's arrival in Newcastle is not certain, but Baillie, who accompanied him was there by 2 November.
of presbyterianism in England, Argyll sought to secure his constitutional achievements and the export of presbyterianism only as an expedient, that is, if it would contribute to the consolidation of Scottish gains and further his security. He wanted, in place of Laud and Strafford, to see a regime in England which would pose no threat to Scotland.

The English Parliament, which met on 3 November, was dominated by the King’s opponents, who hoped to push through radical governmental and ecclesiastical changes and were very concerned to retain the Scottish army on English soil in order to intimidate Charles into not dissolving Parliament before the Laud-Strafford regime was overthrown. However, some members were clearly unhappy about what they saw as an occupying force. Apart from this political aim, which they shared with Argyll and the Covenanters, they could press Charles to concede the Scottish demands, and without their assistance the Scots had little chance of maintaining their army for long, let alone meeting its expenses and obtaining the promised financial assistance.

Charles feared that his English opponents would accede to the Scots’ demands if he remained obdurate, and he heeded Hamilton’s advice to pacify the Scots quickly and thus avert a close alliance between them and the English Parliament. Hamilton seems to have been attempting to forge an


127. For the Scottish demands see Burnet, Dukes of Hamilton, p. 179; Hope, op. cit., p. 120; Baillie, op. cit., vol. 1, p. 262.
alliance with Rothes, who was seen as a moderate Covenanter, and who on 21 December informed Argyll that he had persuaded Bedford, Warwick, Mandeville and Saville to join him in convincing their leader, Bristol, that Argyll should witness the final treaty, in order that he might be enabled to keep its clauses faithfully. Bristol put this to Charles, who consented, as did the rest of the commissioners. But by mid-January, with the proposed treaty in ruins, Argyll could use the zealots' stance as an excuse to demand the maximum concessions from the King compatible with his own interests.

On 3 February the English Parliament voted the Scots £300,000 sterling over and above the costs of maintaining their army for the duration of negotiations, as "brotherly assistance" to the Scots. In return the Scots agreed to continue supporting the opposition attacks on episcopacy and to remain in England until Strafford fell.

There is no doubt that Argyll welcomed the English opposition's zeal for the removal of Laud and Strafford. Despite the Short Parliament's failure to grant money for an assault upon Scotland, both these men still strongly advocated the military subjugation of the Covenanters. They attempted to convince the less resolute monarch that to remain in a defensive posture would suggest weakness and would encourage the English opposition. A paper drawn up by the Scottish commissioners and dated 16 December 1640 - and which, if not actually seen and approved by Argyll, must have reflected his policy, as the acknowledged Covenanting leader -

128. It had been proposed that Hamilton's eldest son and heir, Charles, Earl of Arran, should marry Rothes' daughter, Lady Mary Leslie, but young Arran died in April 1640. Hamilton Papers, p. 266.


sharply blamed Laud for Scotland's troubles. "From him certainly hath issued all this deluge, which almost hath overturned all".¹³¹

Strafford's remarks at the English Privy Council meeting on 5 May 1640 - "You have an army in Ireland you may employ here to reduce this Kingdom" - were alleged by Pym and his friends to refer to England. But they almost certainly referred to the army Strafford raised that year to assist Charles to crush the Scots, and Argyll, sensitive as he was to Irish attempts against his territories must have known this. Even if the words did, in fact, refer to England, Argyll, with the Antrim plots in mind, must surely have assumed that they alluded to Scotland. In any case, if he and the Covenanters had been prepared to concede that Strafford meant England, they claimed that the extent of Strafford's animosity towards them lay in another phrase he uttered, when in 1639 he left the army to go to Court: "If I return to that honourable sword, I shall leave of the Scots neither root nor branch".¹³²

The precise details are unknown, though there are indications that Argyll worked secretly with Pym through the agency of Loudoun and the other Scottish commissioners in London, though Pickering, Pym's agent in Edinburgh, and with Hamilton who, to avoid persecution as an "incendiary" north of the Border and as a "malignant" south of it, was labouring to ingratiate himself both with Argyll and the English opposition peers. Certainly Saville, who hated Strafford, conspired with the Covenanters in the hope

¹³¹ "The Charge of the Scottish Commissioners against Canturburie and the Lieutenant of Ireland . . . 1641", John, Baron Somers, Somers Tracts, vol. 4, pp. 415-25.

¹³² Ibid., p. 424. The authors of the indictment claimed that "he openly avowed our utter ruin, in these or the like words". The English Privy Council statement is not mentioned. For that see Wedgwood, King's Peace, pp. 377, 400 et seq., Clarendon, History, vol. 3, pp. 135-37.
of procuring his downfall.\textsuperscript{133}

The Scottish commissioners' paper was unrelenting in its indictment against Strafford, "whose malice hath set all his wits and power on work, to devise and do mischief against our King and country". They claimed that "when he found that the reformation begun in Scotland did stand in his way, he left no means unessayd to rub disgrace upon us and our cause . . . The Jesuits, in their greatest spite, could not have said more". They were undoubtedly thinking of Argyll's written explanations of the Covenanters' stance to Strafford in 1638,\textsuperscript{134} with his assurances that they were still loyal to monarchy, when they declared that "particular and plenary information was given unto the Lieutenant by men of such quality of our hearts to the King, of the lawfulness of our proceedings, and innocency of our Covenant . . ."\textsuperscript{135}

The paper omitted direct references to Antrim, perhaps purposely, so that Argyll would not be thought to be mounting a campaign of personal vindictiveness against Strafford. Instead they spoke more generally, though their meaning was clear: "But this his restless rage and unsatiable cruelty against our religion and country cannot be kept within the bounds of Ireland". For "the army was gathered and brought down to the coast, threatening a daily invasion of our country, intending to make us a conquered province, and to destroy our religion, liberties and laws, and thereby laying upon us a necessity of vast charges, to

\textsuperscript{133} The messenger on several occasions was one Frost, later clerk of Cromwell's Council of State. Sir Richard Baker, \textit{Chronicle of the Kings of England} (London, 1679) p. 492. Frost carried to the Covenanters the celebrated letter from the English Parliamentary leaders, many of whose signatures were forged by Saville. See J. Dennistoun (ed.), \textit{Coltness Collections}, (Edinburgh, Maitland Club, 1842), p. 188.

\textsuperscript{134} \textit{Somers Tracts}, vol. 4, p. 422.

\textsuperscript{135} \textit{Ibid.}, pp. 423-24.
keep forces on foot on the West Country, to wait upon his coming''. He himself, in 1640, came against Scotland, then seeking a peaceful accommodation with Charles, in warlike manner, "that the two nations once entered in blood, whatsoever should be the success, he might escape trial and censure, and his bloody designs might be put in execution against his majesty's subjects of both Kingdoms". At York and Ripon, they claimed he persisted in his martial designs on Scotland. Owing to him the Short Parliament was called, the Scots were labelled "traitors and rebels, casting off all monarchical government", and "before we were heard [he] procured that a war was undertaken, and forces should be levied against us as a rebellious nation, which was also intended to be an example and precedent to the Parliament of England for granting subsidies and sending a joint army for our utter ruin".136 These complaints that the Covenanters were being traduced to Charles without the opportunity to explain themselves reflect the remarks of two of Argyll's close associates, who were in London and probably played a major part in drawing up the charges: Rothes ("It is wonderful that we are condemned and not heard . . . ") and Loudoun ("our proceedings are made odious to such as know them not").137

Whether or not Argyll and the Scots sought Strafford's life, as Pym did, must remain a matter of conjecture. They had been embarrassed by accusations that they were interfering in English affairs. Certainly, they were bitter and had a harsh end in view when they instructed their

136. Ibid.

137. Rothes to Haddington, 27 December 1639, Haddington Memorials, vol. 2, p. 177; "The Learned Speech of the Lord Lowden, 25 June 1640", N.L.S., MS 2687, (ii), House of Commons MSS., p. 851. See also Rothes to Charles I, 13 April 1640: "the subjects of this poor Kingdom are grievously wronged by false reports to your Majesty and bad constructions of our actions", N.L.S., Wodrow MSS., folio lxvii, no. 16; cf. Examination of Ensign Willoughby, 9 January 1639, Knowler, op. cit., vol. 2, p. 274. Willoughby alleged that Rothes exclaimed: "if we were rid of this King, we would never have any other, and if he will give us way in what we expect we will take our own way, but yet we will not take arms against the King, unless he come in upon us".
commissioners to "represent to the [English] Parliament that this great incendiary, upon these and the like offences, not against particular persons, but against Kingdoms and nations, may be put to a trial, and, from their renowned justice, may have his deserved punishment. A further indication lies in the Henderson's phrase 'Better One perish than unity'. It would certainly seem that with this dangerous adversary dead Argyll and Covenanting Scotland would feel more secure, and thus he, no less than Pym, was probably glad to see Strafford executed.

Argyll's resolve was doubtless strengthened by further discoveries concerning the activities of Montrose, who had wanted the Scottish Parliament to meet in November 1640 to attempt to increase the representation of the moderates on the Committee of Estates. Parliament met on 19 November but failed to fulfil Montrose's hopes, because it was immediately prorogued to 14 January, the Committee of Estates having learned from the dying Lord Boyd, one of the signatories, and from another, Almond, who told everything to the hectoring Argyll, of the existence of the Cumbernauld Bond, a document drawn up and signed secretly the previous August by Montrose and seventeen nobles and gentlemen including Seaforth, who, since Lamont's revelations, Argyll knew had been "labouring what he can to make up a party that his condition may be the greater". They declared that they

139. Ibid. On 24 February 1641 the Scottish commissioners issued a paper by Alexander Henderson which was so bitter against Laud and Strafford that some believed Wariston wrote it. Spalding, op. cit., vol. 2, pp. 9-10.
140. Deposition of Robert Murray, 27 May 1641, Napier, Montrose and the Covenanters, vol. 1, pp. 74-75. The Covenanting zealots later circulated the explanation that Montrose's real motive for wishing Parliament to meet was to have the parliamentary legislation of June 1640 repealed.
out of our duty to Religion, King and Country, were forced to join ourselves in a Covenant for the maintenance and defence of others, and everyone of other, in that behalf: now, finding now that, by the particular and indirect practising of a few, the country, and cause now depending, does so much suffer, do heartily bind and oblige ourselves, out of duty to all these respects abovementioned, but chiefly and namely that Covenant already signed, to wed and study all public ends which may tend to the safety of religion, laws and liberties of this poor Kingdom". 143

The "few" referred to were Argyll and Hamilton and their intimate associates, and the Bond had evidently been prompted by the decision to invade England and by the various "dictator" rumours. 144 It was the first tangible indication of discontent with Argyll's predominance, and appears to have represented Montrose's effort to establish a counter-weight to it. But its signatories ranged from moderate Royalists like Atholl, Galloway and Perth to declared Covenanters like Almond and Marischal. Thus they were not cohesively bound and they lacked the will to form a viable opposition force. If the Covenanters' invasion of England had failed they might have aroused more support, but as things stood the Bond was nothing but a negative rejection of Argyll. For him the year 1640, which began with the discovery of one plot against him, had ended with the discovery of another, and as before, he would proceed against his enemies.

Argyll waited until the Scottish Parliament met in January 1641 before taking action on the Cumbernauld Bond. Several zealous clergymen wanted the signatories - known as "Banders" - severely punished but, annoyed as he was, Argyll realised that such a course would be too provocative and might cause a dangerous Royalist reaction. It is likely that he promised Almond that any Banders willing to forswear the document would go unpunished. He did not want Montrose to obtain a public hearing and thus a platform for his views, and therefore leniency seemed the wisest course. On the orders of the Committee of Estates the Bond was burned, while Montrose and eleven other signatories were persuaded to sign an explanation that it had not been intended to sow divisions or imperil the Covenant, and undertaking to enter into no further bonds.¹

However, at the same time Argyll was faced with the fact that his clerical allies were bent on intensifying their campaign against Montrose, claiming that he was surreptitiously planting discord within the Covenanting ranks by disseminating false propaganda and colluding with Royalists.² Moreover Montrose, defending his position before some Perthshire ministers, told them of the dictatorship schemes considered by Argyll and his associates the previous summer, and that he had pressed on his Highland opponents treasonable bands. He also claimed that plans had been made at the June 1640 Parliament to depose Charles, but that these

¹ James Wilson, op. cit., p. 24.
had been postponed until the following parliamentary session, giving Argyll and his associates time to explore the legal and theological bases for deposition.\(^3\)

Clearly, the cracks in the Covenanting monolith were proving difficult to fill. Montrose declared that "the perpetual cause of the controversies between the Prince and his subjects is the ambitious designs of rule in great men, veiled under the specious pretext of religion and the subjects' liberties, seconded with the arguments and false positions of seditious preachers" and complained of "the spirits of division that walk betwixt the King and his people".\(^4\) Obviously he had Argyll uppermost in his mind. During that winter he, his uncle Lord Napier, and a small coterie of associates including Stirling of Keir and Stewart of Blackhall, held frequent secret meetings. Deploring Argyll's predominance, they aimed to bring Charles to Scotland in person to allay fears of innovations in religion. "Your ancient and native Kingdom is in a mighty distemper", cautioned Napier. "It is incumbent to your Majesty to find out the disease, remove the causes and apply convenient remedies".\(^5\) By such a visit, Montrose declared, "shall your Majesty secure your authority for the present, and settle it for the future time; your journey shall be prosperous, your return glorious; ye shall be followed with the blessings of your people ... and more true and solid shall your glory be, than if you had conquered nations and subdued people".\(^6\)

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6. Ibid., vol. 1, p. 271.
In January 1641 Montrose, in association with Napier, Keir and Blackhall - the "Plotters", as they became known - attempted to contact Charles via Lennox and Traquair, whose messenger, Walter Stewart, was going to Court. Two cryptic messages borne by Stewart and later decoded by him show that Montrose was planning to forge with Lennox and Traquair an alliance against the power of Hamilton at Court and of Argyll in Scotland. The June 1640 Parliament had passed an act affirming that "all bad counsellors who instead of giving His Majesty a true and effauld counsel to the evident prejudice and ruin of this Kirk and Kingdom should be exemplarily judged and censured". Lease-making was to be the principal charge advanced against them, its definition broadened from the original one of slandering the King or his Council to embrace the activities of "all misinformers, raisers and entertainers of jealousies, suspicions and divisions betwixt the King, this Kirk and Kingdom, especially bad counsellors who give advice destructive to Kirk and Kingdom." With such a wide definition of the crime few Royalists would feel safe. Yet by the end of January 1641 the list of so-called "incendiaries", long at first (it had once contained seventy-five names) had been reduced, owing to the feverish efforts of Hamilton, so anxious to save himself from prosecution, to five men: Traquair, Balcanquall, Sir John Hay, Sir Robert Spottiswoode and the Bishop of Ross. It seems inconceivable that this could have been achieved without the cooperation of Argyll. Traquair was particularly obnoxious to him through his involvement in the

8. Ibid., pp. 299-300.
10. Ibid., vol. 1, p. 277.
plot revealed by Lamont, and popular feeling against him ran high.\textsuperscript{11}

He could be expected to welcome overtures from the Campbell chief's Scottish enemies. Montrose and his friends, in the messages sent to Traquair and Lennox by Walter Stewart, begged Charles to come to Scotland to settle religion and liberties and asked him to refrain from naming officers of state until his arrival, when he would receive the benefit of Montrose's advice. This would mean, of course, that Argyll, Hamilton and their adherents would be overlooked. Charles was advised that if he granted the Covenants' "legitimate" demands concerning religion and liberties popular support for Argyll ("the Dromedary" - from Cam[pb]el[i]) and Hamilton ("the Elephant") would decline. He was urged to probe further the rumours of Argyll's conversations with Atholl at the Ford of Lyons and of treasonable bands which he had produced for subscription, and Seaforth and the MacDonalds were suggested as possible informants.\textsuperscript{12}

It is not clear when Argyll began to suspect that Montrose was conspiring with Traquair to end his supremacy, though he had probably anticipated the likelihood of such an alliance. He undoubtedly learned, towards the end of February, that Traquair was threatening to open impeachment proceedings against him, Rothes and Wariston if the Covenants persisted in pursuing that nobleman as an incendiary.\textsuperscript{13} By mid-March at any rate Wariston had become convinced of a Montrose - Traquair plot and doubtless apprised Argyll of his fears.\textsuperscript{14}

\begin{itemize}
\item \textsuperscript{11} For two unflattering rhymes about Traquair, both composed during this time and both alleging his mendacity, see Maidment, A Book of Scotish Pasquisls, pp. 112-13. Rothes considered him "the greatest knave alive". Rothes to Haddington, 27 December 1639, Haddington Memorials, vol. 2, p. 177.
\item \textsuperscript{12} Walter Stewart's deposition, 9 June 1641, Napier, Montrose and the Covenants, vol. 1, pp. 452-53; Spalding, op. cit., vol. 2, p. 49.
\item \textsuperscript{13} Wariston to Balmerino, 27 February 1641, Hailes, op. cit., pp. 108-09.
\item \textsuperscript{14} Wariston to Balmerino, 12 March 1641, Napier, Montrose and the Covenants, vol. 1, p. 364.
\end{itemize}
Traquair encouraged Charles to follow Montrose's advice, and, while continuing to seek, through Hamilton's mediation, a settlement acceptable to Argyll and his party, Charles agreed. His aim was to pacify Scotland so that he could turn his attention to his problems with the English Parliament, and so intent was he on this that he kept all avenues open. Early in March Walter Stewart received a number of propositions, including one indicating Charles's willingness to come to Scotland and, in the meantime, to postpone appointing officers of state. Traquair also told him to investigate closely allegations of Argyll's speeches before the Atholl men, his proposals for a dictatorship north of the Forth and the bands he produced for subscription in the Highlands. These proposals were conveyed to Keir and thence to Montrose, and by the time he returned to London towards the end of April, Walter Stewart had persuaded Ladywell and Grandtully the younger to give him written accounts of Argyll's statements at the Ford of Lyons. These Stewart passed to Traquair.

Meanwhile the prospect of a rapid settlement between Charles and the Scots alarmed the English opposition, and in February 1641 the zealots were dismayed to hear allegations that Loudoun and Rothes were to be made gentlemen of the bedchamber and members of the English Privy Council.

15. Walter Stewart's deposition, 9 June 1641, ibid., pp. 453-54. This list of Charles's propositions, the so-called "Tablet", was, according to Stewart, dated Whitehall, 3 March 1641.


Whether Loudoun was offered this is uncertain, but Rothes wanted to accept a Court post to enable him to influence Charles in favour of the Scots. Argyll and most other Covenanting leaders, perhaps fearing that he would be bought off, dissuaded him.  

The Scots commissioners answered English demands for tangible proof of good faith with a paper stressing their determination to see Laud and Strafford (both by that time in the Tower awaiting trial) brought to justice and attacking Episcopacy in England. When this paper, intended for private circulation only, was published, Charles was furious, threatened to discontinue peace negotiations, and vowed to resist any further concessions to the Covenanters. Argyll had arrived in Newcastle in February and the Scottish commissioners implored Argyll (whom the Committee of Estates on 1 March nominated a commissioner to treat) to remain in that place until Charles had calmed sufficiently to recommence negotiations, and the Scottish army was alerted to the possibility of a renewal of hostilities. Argyll complied with their request, doubtless continuing efforts of others at Newcastle to undermine Montrose's prestige among many high Army officers. He had already persuaded his nephew,  

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19. This was despite a Scottish demand that the King should employ more Scots about him. A.P.S., vol. 5, p. 341; cf. Clarendon, History, vol. 4, p. 491. For the number of Scots employed at Court and in official positions in England during the reign of Charles I see G. E. Aylmer, The King's Servants: the Civil Service of Charles I 1625-1642 (London, 1961), pp. 19, 20, 97, 268, 270-71, 317, 339. Rothes' sudden death in August 1641 occurred before his intentions became clear, but he may have been unhappy about Argyll's emergence as the predominant leader of the Covenanting nobles. Argyll earlier seems to have approved of Rothes' efforts at Court: See Argyll to Haddington, 4 March [1640], Haddington Memorials, vol. 2, p. 182.  


Lord Gordon, Huntly's heir, to submit to the Covenant and undertake to guarantee the good behaviour of the Gordons. He returned to Edinburgh by 13 April for the prorogation of Parliament.

News of Strafford's execution on 12 May was received in Scotland five days later, and on 24 May official notice of Charles's intention to attend Parliament in person on 15 June arrived. With Strafford dead Argyll, who had been ill during the spring, resolved to strike at Montrose before Charles's visit. On 19 May, owing to Argyll's influence, the Committee of Estates summoned Graham, minister at Auchterarder, to answer for speeches he had made in April in defence of Montrose, when he had repeated what Montrose had told the Perthshire ministers in February - that Argyll was aiming at a dictatorship and that the 1640 Parliament had discussed the deposition of kings. Graham gave Robert Moray as his informant, which Montrose readily admitted. "I named Argyll as the man who was to have the rule benorth the Forth, and as the man who discoursed of deposing the King", he announced, and he challenged Argyll to "express his own knowledge of this business". Argyll denied on oath that he knew anything of this, calling anyone who claimed that they did "a liar and a base...". Montrose then named Stewart of Ladywell as his source for Argyll's behaviour at the Ford of Lyons and Lindsay as the source of the dictatorship stories. On 31 May Ladywell, obviously primed by Montrose, unequivocally substantiated Montrose's testimony, reminding Argyll of his

27. See supra.
remarks "in the presence of a great many people, whereof you are in good memory", and signing a paper confirming Montrose's allegations. With this, that "invincible calmness of temper" claimed for Argyll by Burnet, was overcome, and he very passionately denied the allegations made against him.

After Lindsay's testimony on 4 June, the Committee concluded that "as it is possible Montrose has mistaken Lindsay's expression ... there is no ground for the said misconception". Ladywell, reappearing before the Committee after torture, recanted, saying now that he believed Argyll had been speaking of the deposition not specifically of Charles but of kings in general. On 6 July the Committee, officially exonerating Argyll, labelled Ladywell's testimony false and ordered his trial.

Meanwhile Walter Stewart's letters had been found, and on 11 June Montrose was arrested by Lothian, whose wife was Argyll's niece. Like many Covenanters, Lothian had formerly been sympathetic to Montrose but now believed that he had caused inexcusable public nuisance as well as unwarranted prejudice against Argyll, for his practices were "very malicious against particular men who to my knowledge, deserve it not at his hands". Almond, too, and others of Montrose's political supporters

31. Lothian had married in 1631 Anne, Countess of Lothian in her own right, daughter of Robert Ker, 2nd Earl of Lothian and Argyll's sister, Lady Annabella Campbell, who died in 1652. See Willcock, The Great Marquess, p. 341.
32. In January 1641 after the official condemnation of the Cumbernauld Bond Lothian had interceded for Montrose. See Lothian to Ancram, 6 July 1641, Ancram and Lothian Correspondence, vol. 1, p. lxiii. By May 1641, after conferring with Argyll at Newcastle, he had grown very suspicious that Montrose was encouraging Charles to come to Scotland in order to ruin the Covenanting cause. See Lothian to Ancram, 23 May 1641, ibid., pp. 121-22.
33. Lothian to Ancram, 6 July 1641, ibid., p. lxiii.
withdrew their sympathy from him. Leslie cooperated fully with Argyll and his associates in helping to achieve this.34

On 11 June the Committee of Estates voted to imprison Montrose, Napier, Keir and Blackhall in Edinburgh Castle.35 Montrose and Napier admitted that at Christmastime 1640 they had conspired with Keir and Blackhall to contact Charles, but they denied all knowledge of ciphers. On 22 June Sutherland, who headed the parliamentary commission to prepare the process against him, was sent to Edinburgh Castle to command him to appear before the Committee. He insisted on a public trial (in which, in the King's presence, he could reveal himself as the true champion of monarchy), and on the following day he refused to appear before the Committee. The latter offered Napier his liberty and freedom to return home - proving that Argyll was really aiming at Montrose, whom he hoped to silence before Charles arrived in Edinburgh - but he refused on the grounds that to do so would imply guilt. Seven principal charges were drawn up against Montrose. All capital, they invoked the concept of the state as never before in Scottish history.36

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34. When an army officer, at Montrose's request, wrote a letter to the Elector Palatine, then at Court, he was rebuked by Leslie. Montrose was "a man envied, and all means were used to cross him". Cochrane's deposition, 29 June 1641, Napier, Memorials of Montrose, vol. 1, p. 304.

35. Ancram and Lothian Correspondence, vol. 1, p. lxiii.

36. Napier, Memorials of Montrose, vol. 1, pp. 319~51. For a synopsis of the charges see Cowan, op. cit., pp. 118-19. Briefly, they were as follows. He was accused, firstly, of perjury, with having broken his Covenant oath and with divided himself from the Committee of Estates, of which he was a sworn member; secondly, of lease-making (verbal sedition) through his talk of dictatorship and suchlike; thirdly, of lese-majesty, because he had associated with Lord Ogilvy during the Airlie incident and with Traquair, who were held to be enemies of the Estates; fourthly, of "licentious speeches", of slandering the King in his coded messages; fifthly, of treating independent during the Pacification of Berwick; sixthly, of undermining the Scottish Parliament's dignity and authority by informing Charles, via Traquair, that the Scots would "suffer no innovation in laws or otherwise to be introduced"; lastly, he had refused to answer the Earl of Sutherland, the representative of the Committee of Estates, "in plain derision of the judicatory". As Cowan observes: "while some charges are rooted in medieval legislation, others, such as those referring to Parliament, perjury and enemies of the state, are completely novel. One could be guilty of lese-majesty without reference to the King; from there it was but a short step to accuse the King of the same crime". Ibid., p. 118. Indeed, Craighall's son, Sir Thomas Hope of Kerse, had allegedly declared, regarding Strafford, ... Continued ...
Ladywell, in the meantime, was swiftly dealt with. On 15 July Parliament convened and Ladywell petitioned to have his trial postponed until Charles's arrival. But Argyll was adamant that the trial should proceed, particularly as his enemies were claiming that Ladywell had committed perjury after Argyll had promised to secure his release. Thus on 20 July Argyll pleaded before Parliament that its honour as well as its own was at stake, and demanded that the trial be held at once. Argyll (who was supported by Craighall) needed a special dispensation for this because normally when Parliament was sitting law-courts suspended trials of serious crimes affecting the state. Parliament granted it. Ladywell, hoping to save himself, withdrew his previous statements, but he was found guilty of leasing-making and beheaded on 28 July.

For Argyll this served as an exoneration from the charge of plotting to depose Charles and, however sordid the background to Ladywell's trial, this exoneration was surely justified.

Continued 36 ... that "no subject could be so great [but that] Parliament might judge him, for if credit be given to histories, Parliaments have judged kings". Napier, Montrose and the Covenanters, vol. 1, pp. 334-35.

39. Baillie, loc. cit., states that no one had ever before been executed for this crime and that the sentence was passed reluctantly. Lord Elphinstone was compelled to serve as an assessor, despite his complaint that a family connection with Argyll prevented him in conscience from so doing. A.P.S., vol. 5, pp. 314-15. Ladywell had told the Court that Argyll had, at the Ford of Lyons, spoken of the deposition of kings in general and that he, Ladywell, had maliciously taken Argyll's statements to apply to Charles and had reported them in this way to Montrose, Atholl and, via Walter Stewart, to Traquair. Napier, Memorials of Montrose, vol. 1, pp. 368-70; Spalding, op. cit., vol. 2, p. 48.
As earlier stated, Argyll perceived the Covenant as an avowal of Scottishness, as a natural continuation of the work of the Reformation, as an expression of national independence and a blow against Charles's remote authoritarian rule. Thus his plea to the unwilling Stewart of Grandtully, in June 1639, was fairly typical of his statements exhorting others to join the Covenanting movement. He implored him "to further the cause now in hand, being the defence of the religion, crown and country".

For despite the rumours and accusations Argyll was not anti-monarchical. He wanted a limited monarchy; he did not want monarchy overthrown. In opposing the King he was fulfilling the exhortations of Calvin and Knox to the nobility to lead the resistance to an impious ruler. Knox had castigated what he saw as time-serving on the part of the nobles of his day, despite "that purpose" for which "God hath promoted them". They were wont to claim that God had commanded that they must obey their sovereign be he good or bad.

But horrible shall the vengeance be, that shall be poured forth upon such blasphemers of God .... For it is not less blasphemy to say that God hath commanded kings to be obeyed when they command iniquity, than to say that God by his precept is author and maintainer of all iniquity.

Argyll had certainly risen to the duty of his estate. But Knox also asserted that the obligation of constraining an ungodly ruler rested not with the nobility alone but with "every man in his vocation". Everyone should "be assured that your faith and religion be grounded upon the true

40. See supra.


and undoubted word of God, than to your princes and rulers". Argyll realised that such an injunction bore the unwelcome possibility that the nobility's leadership position could, in the course of communal resistance to the religiously errant ruler, be eroded. His constant fear was that the movement he led and hoped to control would come to question social hierarchy and undermine - perhaps irrevocably - the place and power of the nobility. If the King was removed a clamour might presently arise for the nobility to follow. After all, certain lairds and gentlemen (especially among the aloof Huntly's Gordons) were becoming critical of the pride and what they considered un-Scottish, English-inspired grand airs of the nobility, just as the nobility had been critical of the inflated arrogance of the prelates. And if conservative Gordons were feeling this way, who might not endorse their views?

Nor could Argyll look with a fond eye upon the prospect of a theocracy, so keenly sought by Wariston, in which the secular influence of the bishops was replaced not by that of the nobles but by that of the ministers.

44. See infra, note 80, and infra, Chapter 10.
45. Patrick Gordon, op. cit., pp. 76-77 complained that "once that English devil, keeping of state, got a haunt amongst our nobility, then began they to keep a distance, as if there were some divinity in them ..." To his distaste, he found that Huntly, in imitation of English ways, had become excessively conscious of his station, and overly proud. As a result, Huntly adopted an aloof attitude towards social inferiors, dependents and clansmen which was not characteristically Scottish. Ibid., pp. 229-30. Sir Robert Gordon of Straloch wrote: "I do not like the humour of our noblemen in Scotland, who do scorn to match with the barons and gentility, and do marry their own equals for the most part ..." He exhorted his heir: "acknowledge the Marquis of Huntly as your chief, but if he do not respect you as your place and quality deserveth, then desist to follow him'. Quoted in Mathew, op. cit., p. 177.
C. V. Wedgwood has pointed out that in some respects Scottish affairs at this time were a re-enactment of those of the Low Countries seventy years earlier, with Argyll cast as William the Silent and Rothes as Brederode. She suggests that, in part at least, the Scots may have been consciously imitating the Dutch example, and this, in the light of the meagre evidence available, seems a fair assessment. Although Clement Walker's allegation that Argyll, "in conspiracy with certain of his confederates" planned "to transform the Kingdom of Scotland into a Free State like the Estates of Holland" is possibly one of that virulently hostile English Presbyterian's exaggerations, there is cause to suspect that it had some factual basis. Certainly, Scotland and the Netherlands shared a Calvinist tradition, and commercial relations between the two countries had long flourished. The Covenanters had, of course, purchased arms there and Scottish veterans had seen service there. Quite conceivably Argyll and the Covenanters looked to the Dutch political system, where a stadtholder's power was held in check by the Estates, as the ideal model for Scotland. Moreover, the Dutch state was federal, like the union the Covenanters were envisaging between Scotland and England, and which will be discussed later. However, their views were not shaped by the Dutch experience alone: Scotland's constitutional past could convince them that what they aimed at was an integral part of their own national tradition.

46. See Wedgwood, King's Peace, p. 280, note 5; cf. Stevenson, Scottish Revolution, p. 142.


49. See infra.

50. See supra.
Argyll and his party appear to have desired a system of mixed monarchy, combining the most admirable features of monarchy, aristocracy and democracy, and which, as the English Civil War progressed, was to gain widespread interest south of the Border. Such a system was advocated in Samuel Rutherford's *Lex Rex*, which though published in London (in 1644) was much read in Scotland and addressed itself in part to the Scottish situation, and articulated the classic Covenanting position that a contract existed between King and people and that the people had a right to resist tyrants, borrowed from the sixteenth century Reformers. Rutherford maintained that "the King doth improperly represent the people; though the power for actual execution of laws be more in the King, yet a legislative power is more in the Estates". Moreover, "the parliament giveth all supremacy to the King, therefore to prevent tyranny it must keep a coordinate power with the King in the highest acts" and "the people being the fountain of the King must rather be the fountain of the law". Again, "the Parliament is coordinate ordinarily with the King in the power of making laws ... but if the King turn tyrant, the estates are to use their fountain-power". He also stated that "the Duke of Venice ... cometh nearest to the King moulded by God, in respect of power, *de jure*, of any King I


55. *ibid.*

It is significant that Charles himself complained that while the Covenant lasted "I have no more power in Scotland than as a Duke of Venice, which I will rather die than suffer."\(^{58}\)

Of course, not all these theoretical precepts were clearly enunciated as early as 1641, but, as the June 1640 Parliament indicates, the Scots had begun to lisp them. Given the circumstances of an irresponsible and absentee monarch, the thought of governing Scotland through her Parliament obviously appealed to Argyll. Royal excesses would be restrained and the Campbell chief would hold the reins of government. It is absurd to seriously postulate that he sought the Crown itself. Such a move would have led to that strife in Scotland which he was assiduous to avoid, to conflict with the Hamiltons, whose claim to the Scottish throne was far greater than his own, to the annihilation of all he had diligently worked for, perhaps to the destruction of the Covenant itself. He was, par excellence, a reactor, waiting on events, taking their measure, and then responding to them. He was too prudent, too cautious, too realistic, to try such a hazardous, even demented, move. Nor is it likely that he, habitually so stealthy in his movements, would have been so indiscreet and reckless as to confess his real intentions to Atholl in the presence of so many witnesses. What he may have done is intimate to the Atholl men and others that by continuing to resist the Covenant out of loyalty to Charles they might in fact achieve his ruin, for kings could be deposed. Perhaps also, with his mooted supremacy north of the Forth in mind, he hinted that in their own interest they should submit personally to him, since he expected to wield immense power in the future.


In striving for a settlement with Charles which would sanction the Covenanter's constitutional gains made since 1639 Argyll realised that while he might attempt to modify the zealots' desires for a nominal monarchy in Scotland and the establishment of Presbyterianism in England and Ireland, any rift between himself and them might encourage efforts at a Royalist revival which, if successful, would exploit his ensuing vulnerability and isolation. Such a situation might, he knew, mean his downfall, certainly from the pivot of Scottish politics, and possibly the end of the puissance and predominance of Clan Campbell.

While concentrating on breaking the Montrose faction he endeavoured at the same time to place himself in a strong position to negotiate with Charles over the distribution of offices. Realising with whom he must deal, and concerned by the prosecution of Montrose, Charles wrote to Argyll on 12 June advising him that the proposed visit to Scotland was "for the settling of the affairs of the Kingdom, according to the articles of the treaty, and in such a way as may establish the affections of my people fully to me; and I am so far from intending division, by my journey, that I mean so to establish peace in state, and religion in the Church, that there may be a happy harmony amongst my subjects there". Significantly he stressed that he "never made any particular promise, for the disposing of any places in that Kingdom, but means to dispose them, for the best advantage of my service, and therein I hope to give satisfaction to my subjects". It was, he averred, quite proper that he had written to Montrose, regarding both the content and the recipient. "Thus having cleared my intentions to you as my particular servant, I expect that as occasion may serve you may help to clear these mistakes of me which upon this occasion may arise."

59. Charles I to Argyll, 12 June 1641, Alexander MacDonald (ed.) Letters to the Argyll Family, from Elizabeth Queen of England, Mary Queen of Scots, King James VI, King Charles I, King Charles II, and others (Edinburgh, Maitland Club, 1839), p. 36, hereafter cited as Letters to the Argyll Family.
It appears that about the same time the King, through Hamilton's messenger, who communicated with Argyll via Rothes, offered Argyll the foremost post of Chancellor. In return for this Argyll might have been requested to accept the Berwick articles as the basis for a settlement, and to procure the disbandment of the Scottish army before Parliament met. However, Argyll rejected the proposition, evidently telling Rothes that he was no longer interested in the post he had desired six years previously (which, as we shall see, was untrue and thus probably an excuse not to accept the proferred terms).

Argyll's objective was to convince Charles that it would be more advantageous to deal with Parliament through his mediation than to continue his endeavour to build a party in Scotland exclusive of Argyll and his cohorts. This entailed being able to offer some concessions to Charles, and thus Argyll had to curb the aims of his more extreme associates who had wanted Parliament to proceed to resolve on its own initiative issues still outstanding.

While he was prepared to be flexible upon questions of religion in the other two Kingdoms and upon the prosecution of most incendiaries (though certainly not Traquair) Argyll appears to have been as resolute as Wariston that the treaty acknowledge that Scottish officers of state, Privy Councillors and Lords of the Court of Session be elected according to Parliament's advice and consent. This point apparently had been agreed upon by quorums of the Committee of Estates at Edinburgh and the

61. The Covenanters' eight demands at this time are in their letter to Lanark, 8 September 1640, Burnet, Dukes of Hamilton, pp. 225-26.
62. See supra.
Committee with the Army at Newcastle, and the decision could be repealed only with the consent of both. It seems reasonable to assume, given Argyll's formidable influence with the Estates at this time that he was consulted and that he approved, particularly in view of the rigid wording of the decision (that it would only be jointly overturned). This assumption is lent weight by the fact that Rothes and Loudoun, Argyll's close associates, strongly supported the decision. 64

It seems certain, however, that Argyll did not go as far as Wariston, who wanted the entire power of nomination and veto to rest with Parliament, thus entirely undermining the royal prerogative - which Argyll, with his objective of a limited, not a nominal, monarchy, had no wish to do. A document dated 27 April 1641 indicated that the King was to make his appointments from a list drawn up and approved by Parliament, and on 9 June Charles conceded in principle that Parliament might suggest suitable candidates, while reserving to himself the privilege of making his own nominees so long as they were acceptable to Parliament. 65

Argyll seems to have privately assured Charles that while, in accordance with the act of June 1640, Parliament would be the arbiter of the incendiaries' fates, most of them would receive lenient treatment. 66

64. A.P.S., vol. 5, p. 311; Baillie, op. cit., vol. 3, p. 9. Loudoun was acting according to Charles's instructions. Sir Robert Moray claimed that in February 1641 Montrose informed him that the Covenanters were pressing this point "absolutely" - or "no peace". Napier, Montrose and the Covenanters, vol. 1, pp. 376-77. Montrose later denied having stated it so strongly to Moray. Napier, Memorials of Montrose, vol. 1, p. 357.

65. A.P.S., vol. 5, pp. 340-41; Wariston, Diary, 1639, pp. 73-74; N.L.S., Wadrow MSS., folio xxv, no. 155.

66. Baillie, op. cit., vol. 1, p. 380. Loudoun, probably with Argyll's blessing, pleaded before Parliament for Sir Lewis Stewart to be acquitted. This aroused the suspicion of the zealots that Loudoun had become a Royalist agent. But Argyll vouched for Loudoun's continuing allegiance to the Covenanting cause and ensured that he was retained as a negotiator in London.
He himself sat on the committee set up by Parliament to consider incendiaries.67 At the end of June it was being reported that "our incendiaries are all coming home"68 and in August Hay and Spottiswoode returned to Scotland and submitted to Parliament.69 It is improbable that they would have done so had they not received promises of mild treatment. By contrast Traquair, still anathema to Argyll, refused to return to Scotland, since Parliament utterly refused to exculpate him.70 He particularly feared Argyll, whom he considered primarily responsible for the hostility towards him.71

The General Assembly, meanwhile, was sitting concurrently with the Parliament, from 20 July to 9 August at St. Andrews, and from 10 August until 18 November at Edinburgh, where it continued to advise Parliament on religious matters.72 In accordance with Argyll's desire to attempt to befriend any Bander who would forswear the Cumbernauld Bond, the Assembly, while declaring the Bond unlawful, omitted to censure any of its signatories who would disavow it before them.73 Late in July Argyll, anxious to keep the ministers within his orbit, addressed the Assembly on the topic of the alleged under-payment of the Clergy. He assured them that Parliament would consider the matter and recommended that they refer their grievances to that body (which subsequently dishonoured his promise).74 At the same time, his fear that the ministers

74. Ibid., p. 367.
might come to fill the gap in the Scottish polity left by the expelled bishops is illustrated by his behaviour on 16 July, when Wariston, who was sitting in Parliament as an unofficial spokesman for the Kirk, proposed in the chamber that a number of commissioners appointed by the Assembly should be permitted to be present during debates (as certain ecclesiastical representatives already were). Argyll passionately opposed Wariston's proposal on the grounds that it would result in clerical voting in Parliament. Obviously there were limits to which Argyll would go in his attempts to maintain the allegiance of the ministers, even at the risk of ending his influence in the Kirk. For the substitution of the clergymen for the bishops in the Scottish Parliament would negate all he had worked for. He wanted no clerical estate, and certainly not one composed of men who could be expected to recognise less common ground of interest with the nobility and established civil order than the bishops might have been expected to do.

Since 1639 dissension had been growing in the Kirk regarding the issue of laymen's private prayer meetings, or conventicles. These had played a useful role in preserving the "purity" of religion and in resisting the imposition of episcopalianism and "innovations", but now that presbyterianism had been re-established, an increasing number of Covenanters, led by Henderson, Henry Guthry and David Calderwood, wished to abolish the practice on the grounds that it threatened to weaken family and parish worship. They also feared that it might lead to schisms and heresies in the Kirk which would undermine the institution's cohesiveness.


76 Balfour, *op. cit.* vol. 3, pp. 15, 31-32; A.P.S., vol. 5, pp. 324-32; Hope, *op. cit.*, pp. 150, 152. Craighall, the King's Advocate, attempted to sit in Parliament as an officer of state but was ejected. It was, however, later decided that he could be admitted because as well as holding office he was employed by the state.
and challenge its dominance. But conventicles, which had actually become more common since 1637, particularly in the radical south-west, were championed by a substantial minority of noblemen and such ministers as Rutherford and Argyll's associate David Dickson. At the 1640 Assembly held at Aberdeen Guthry, supported by the conservative ministers and elders of the north, had demanded that they be banned. Dickson had argued that such action would offend many of the Covenanters' English friends and impede efforts to establish religious uniformity between the two nations. A bitter controversy had ensued, and although at length the Assembly passed an act suppressing conventicles it was never published and the radicals tended to disregard it, claiming that they owed its passage to the fact that the Assembly was held at Aberdeen, and that consequently a large number of conservative delegates attended.77

At the St. Andrews Assembly the matter was raised again, and much heated argument followed. Amid the tension two prominent laymen, Argyll and Wariston, were called in to mediate. Doubtless the former owed this to his intimacy with the leading ministers - supporters as well as opponents of conventicles - and their continuing willingness to submit to noble leadership, which evidently still seemed natural, though with increased clerical assertiveness (as witnessed at the 1640 Assembly, where few nobles were present), he must have feared that this might not long remain so. With Henderson (who drafted it), Argyll and Wariston eventually negotiated a compromise - the act "against impiety and schism", passed on 4 August - which although it left neither side completely satisfied, did restore tranquillity to the Assembly and promised to leave the unity of the Kirk intact.78

77. Guthry, op. cit., pp. 78-82; Peterkin, op. cit., p. 279; Stevenson, Scottish Revolution, pp. 201-02.

Yet again, then, Argyll was steering a middle course. He had no wish to see the Kirk in the hands of a radical faction, which having remodelled that institution to their satisfaction, might turn their attention to things secular. He could not bear the thought of schismatic movements such as Brownism, then beginning to influence some ministers: "toleration", he was to affirm later, "is the cause of many evils, and renders diseases and distempers in the state more strong and powerful than any remedies".79 Here as elsewhere he was motivated by an abiding fear of social disruption set in motion by his inferiors,80 and he could not discount the possibility that the vehicle for such a revolution might be a radicalised Kirk - or a fragmented one. Yet neither did he want to offend and possibly alienate the English supporters of the Covenanters, not, unlike Dickson and the radical ministers, because he sought religious uniformity between the Kingdoms but because he appreciated that English goodwill was vital to the security of Scotland and the settlement he hoped to obtain.

79. *Instructions to a Son*, p. 67.

80. Ibid., pp. 92-93, 174; Cobbett, op. cit., vol. 5, pp. 1423, 1428, 1434, 1435, 1449, 1474. There can be no doubt from his testimony at his trial that he was bent on guarding jealously the powers and privileges of the nobility. While such testimony must obviously be treated with caution, these remarks were made inter alia, in reference to charges about other matters. No one accused Argyll of attempting to subvert the status of the nobility, and thus his remarks on this subject seem relatively disinterested. As a student of George Buchanan, he must have been familiar with Buchanan's description of the people in general as "the monster with many heads" and his assertion that "the cupidity of the mob is insatiable". Like Buchanan and like Montrose, who wrote in his "Supreme Power in Government of all sorts", "Do ye think to stand and domineer over the people in an aristocratic way ....? If [the people's] first act be against kingly power, their next act will be against you ...". Argyll undoubtedly had an essentially aristocratic view of the Scottish constitution. For Buchanan and Montrose see Cowan, op. cit., pp. 111-12.
On 10 August Argyll arrived in Edinburgh, and on that day a pro-Covenant oath, apparently initiated by him, was read to Parliament, which, after a lengthy debate and several amendments, voted next day that all members of that and subsequent Parliaments be required to take it before discussing any business. Loudoun had recently declared that although there existed a necessary distinction between "the ecclesiastical and civil power" yet "they must live and die, stand and fall together" and should therefore cooperate with each other. This oath certainly attests to that thinking, and bears out Baillie's comment that it was designed to "make all the members of Parliament so fast to the Church and State as was possible, and to be without danger of temptation and Court corruption". It indicated Parliament's perception of itself as a free assembly, liberated from control by the King through the Lords of the Articles, and refusing to be intimidated on points of conscience. Further evidence of this is shown by the fact that those Royalist noblemen who accompanied Charles to Edinburgh would not be allowed to take their seats in Parliament if they were due to appear before it as "incendiaries", or if they had not signed the Covenant, the band avowing the June 1640 Parliament and this new oath.

Charles, accompanied by Argyll and others appointed by Parliament to meet him near Haddington, arrived at Holyrood on 14 August, and on the 17 August he proceeded in state to the Parliament House, with Argyll bearing the crown and Hamilton the sceptre. In a conciliatory speech Charles

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82. The National Assembly of Scotland the 4 day of August (London, 1641), pp. 3-4.
85. Marischal, who was a distant cousin of Argyll, and Almond also attended upon Charles. Balfour, op. cit., vol. 3, p. 34; Baillie, op. cit., vol. 1 p. 384.
declared that he had come to resolve the "unlucky differences" and "unhappy mistakings" which had arisen between himself and the Scots, and "rightly to know and be known" in his native land. "I need not tell you... what difficulties I have passed by, and overcome, to be here at this time". Had it not been for love of his "native country", which, he said, had been "a chief motive to this journey", he might have sent a Commissioner in his place. He felt confident that they would defend the "royal power... which you have so often professed to maintain" and to which the newly-passed parliamentary oath obligated them. "Now the end of my coming is shortly this, to perfect whatsoever I have promised, and withall to quiet the distractions which have and may fall out amongst you... I desire in the first place to settle that which concerns the religion, and just liberties of this my native country, before I proceed to any other".  

Lord Burleigh's vote of thanks was seconded by Argyll, who in a "short and pithy" speech likened Scotland to a storm-tossed vessel steered skilfully by the King, who, having "cast out some of the naughtiest baggage to lighten her" (a reference to the principal "incendiaries") would hopefully bring her safely into harbour.

But Argyll cannot have been deceived by Charles's disingenuous words. He well realised that the deteriorating English political situation had forced Charles to seek a settlement with the Scots. The cordial speeches, and the restraint Charles exhibited, and the amiability at the great feast in the Parliament House where he received Argyll and the other leading Covenanters did not obscure the prevailing awareness of the difficult

86. The National Assembly of Scotland the 4 day of August, pp. 5-6, gives the King's speech of 17 August 1641; Balfour, op. cit., vol. 3, pp. 40-41.

87. Ibid., p. 42.

88. He listened patiently to the sermons of Henderson and to ministers denouncing the bishops and Episcopacy. Bere to Pennington, 30 August 1641, C.S.P.D. (Charles I), vol. 18, p. 110.
tasks which lay ahead.

Some business proceeded readily enough. During the next few days Hamilton, Lennox and most nobles accompanying Charles signed the Covenant, the act upholding the June 1640 Parliament, and the new oath, and accordingly took their seats in Parliament. Others, who had been summoned to answer charges, or who even now refused to sign the prescribed documents, were prevented from sitting. On 21 August the Scottish army quit Newcastle, and on the 25 August, two days before it disbanded, Charles, eager for a settlement, signed the Treaty of London before Parliament, who ratified it on the following day. He agreed that in future the English Parliament's consent would be required before England or Ireland made war on Scotland, or vice versa.

A major difficulty was the distribution of offices. While Charles was anxious that his allies among Royalists and Banders should not be passed over, he knew that Argyll's faction would have to be honoured, and men in Hamilton's sphere of influence would have claims too. He knew further that whoever he chose could not be confirmed in their new offices without Parliament's approval. Although Hamilton's men, Lanark and Orbiston, retained their respective positions as Secretary of State and Justice Clerk, and the Royalist Roxburgh continued as Lord Privy Seal, the ambiguous Craighall was still secure as Lord Advocate, and the Covenanters coveted the key offices of Chancellor, Treasurer and Clerk Register.


As in 1635, Argyll was keen to be Chancellor, which post was presently vacant. As such he would hold Scotland's highest office, be the King's most important counsellor and keeper of the Great Seal.91 Loudoun wanted the Treasurership, held by Traquair, whose removal was demanded, and Wariston hoped to become Clerk-Register, whose incumbent, Hay, was incarcerated in Edinburgh Castle.92

But while Charles allowed himself to be persuaded by the large section of opinion sympathetic to Loudoun's claims to the Treasurership, he was determined not to accept Argyll as Chancellor. He had at first offered the Treasurership to him on condition that he would accept Morton as Chancellor, but Argyll refused.93 Unsqueamish about attacking his Royalist father in law, Argyll forwarded four objections to Morton's candidature. He was too old, he insisted, and nearly bankrupt, and high office would shelter him unfairly from his creditors. He was a rebel (against the Covenant) and he had deserted Scotland in her greatest need. Morton vehemently denied that he had ever wronged his country, and promised to make good his debts. He could scarcely believe Argyll's ingratitude: "[he] I educated for twenty years, and esteemed it an honour," he said. "It was myself and my friends who moved King James to pass from a process of forfeiture actually raised against the Earl of Argyll's father and his family". He told the House of many other kind acts he had performed towards his son-in-law. "and these, I publicly protest to God, are the worst offices I have ever done to the Earl of Argyll".94

91. See supra, Chapter 2.
94. Ibid., p. 655; Webb to Nicholas, 21 September 1641, Nicholas Papers, vol. 1, p. 49.
Unwilling to see a staunch Royalist in an office earmarked for himself, Argyll betrayed no sentiment. "He said he behooved to prefer the public good to private friendship." He pressed home relentlessly the subject of Morton's debts, and claimed that he had paid off the old man's creditors. With this Charles accepted Morton's offer to step down, and, still determined not to nominate Argyll, he proposed Almond. But although he had served as Lieutenant-General under Leslie, Almond was a Bander, and his brother was the Royalist Linlithgow, who was one of those barred from the chamber. Thus he was as undesirable to Argyll as Morton had been, and he soon withdrew his candidature. Charles's proposal that Loudoun should be Chancellor and Almond Treasurer was also opposed on the grounds that the former had been accepted already as Treasurer, and the latter's politics were still suspect. Condemning the Covenanters' attitude, Charles refused to advance any more nominees for the Chancellorship.

As a sign of his eagerness to fulfil his promises he offered to touch with the sceptre the acts passed by the June 1640 Parliament. But the House asked him to defer this action as their commissioners had not yet arrived from London. They feared that if the acts were touched as he proposed it would imply that until then the acts possessed no legal validity. Reluctantly, Charles agreed to their request, and a few days later permitted the acts to be published, untouched, in his name. By thus implicitly conceding that parliamentary acts did not require his assent he contributed to the further erosion of his prerogative.


Other disputes arose over the precise definition of Parliament's "advice and approbation", and over the manner in which the voting on approbation should be conducted. Charles opposed the shire commissioners' proposal for a secret ballot, maintaining that no man would ever incur his displeasure by voting freely according to his conscience - an assertion which Argyll and others who remembered his attempt to intimidate members of the 1633 Parliament by noting the names of his opponents were inclined to take sceptically.  

Eventually it was agreed to defer these issues, and on 30 September Loudoun was elected Chancellor, the Covenanters having agreed to accept him, no doubt on learning of Argyll's decision not to contest it. Even so, on 3 October, Secretary Nicholas was reporting from London that "the party here who we say hath the best intelligence from Scotland, which is Mr. Pym and young Sir Henry Vane, report that the Earl of Argyll is Chancellor of that Kingdom; it seems it was so designed". Disappointed as he was that he had not gained the post, Argyll was unquestionably gratified to see it go to the other leading Campbell, and it seems clear that a good deal of delicate negotiating preceded the final choice, particularly as Loudoun had been rejected previously on the grounds that he was the nominee for Treasurer.

On the day of Loudoun's election Argyll addressed King and Parliament. 

"What was more to be wished for on earth", he began, than to see the King and his loyal subjects both sides of the Border "so really reconciled and united, that His Majesty is piously pleased to grant ... our lawful demands concerning religion and liberties ... and we his subjects of both nations..."
cheerfully rendering to His Majesty that duty, affection and assistance
which he hath just cause to expect from good people and each nation
concurring in a brotherly amity, unity and concord, one towards the other?"
God had not forsaken them, and hopefully would now grant a perpetual peace
to both Kingdoms. Incendiaries, he said, who "by false information" had
"occasioned the great differences between King and subjects", had taken
"much advantage and courage" from the over-long interlude between
Parliaments. They had, he claimed, "made an obstruction betwixt His
Majesty and his liege people, and had broken those mutual and indissoluble
bonds of protection and allegiance". He continued: "our brethren of
England finding the intermission of Parliaments to be prejudicial and
dangerous to the state, have taken a course for the frequent holding of
them, whose prudent example I desire may be our pattern: forthwith to
obtain his Majesty's royal assent for the same". He hoped that the
King would, "in due time hear and redress the grievances of his subjects"
and they in turn "cheerfully ... aid and assist" him, and peace and
harmony prevail. Hinting, as he did from time to time, at his hopes for
tighter bonds between the Scottish and English Parliaments, he concluded
by wishing that any future differences between the two nations could be
settled "by the wisdom of the assemblies of both Kingdoms, from time
to time, reconciled and determined, to the perpetrating of the happy
peace and union of both nations". 100

Meanwhile, in contrast to Argyll and his associates, the Royalists
and Banders were furious, and some of them spoke impetuously of direct
action to restore the Crown's prestige, dignity and authority, gravely
compromised by the squabbles over the Chancellorship. They were supported
by officers from Leslie's recently disbanded army, bitter because they had

100. A Most Noble Speech spoken by the Lord Cambel of Lorne . . . As
also, an honourable reply made by the Lord Lowden, against such who
objected to his former speech (London, 1641), hereafter cited as A Most
Noble Speech.
not received their full pay. Their wrath was directed particularly at Hamilton, the King's "bosom friend", as a prominent courtier put it, whom they saw in open collusion with Argyll. "It had gone hard for the marquis if he had not fallen in with Argyll, who will bring him off", wrote a Royalist nobleman, "for believe it, the people here are much incensed against him, but Argyll and he are sworn to one another, and so think to carry all the business".

The two men had sound reasons for seeking each other's friendship. Argyll perceived that Hamilton, with his contacts at Court and with the English Parliamentarians (owing to his exertions several English opposition peers had been recently appointed to the English Privy Council), not to mention his influence with Charles, might prove of supreme value. It was claimed at the time that Argyll had born a grudge against the Stewarts of Lennox ever since the Duke's sister refused to marry him and that he saw in Hamilton a counterweight to Lennox's influence. It was certainly true that the Houses of Hamilton and Lennox had a long history of rivalry, and their present respective heads led different factions at Court. Lennox was regarded as a more faithful Royalist than Hamilton.

105. "Statement on the Affairs of Scotland", Hamilton Papers, p. 261. This paper, written about April 1640, is apparently by an Englishman.
106. The House of Hamilton was descended from the Princess Mary, daughter of James II and Marie of Gueldres, through her son James, second Lord Hamilton. The House of Lennox was descended from the same princess, through her daughter, Elizabeth, who married Matthew Stewart, second Earl of Lennox. During the sixteenth century rivalry between the two houses had developed, focusing on their respective claims to the throne.
Then, too, Hamilton's maternal grandmother had been a Campbell of Glenorchy, and, as already noted, Argyll's ties with that branch of his clan were strong. Hamilton and his mother (herself a forthright and belligerent Covenanter) corresponded with the Glenorchy family. This may have introduced a personal element into a friendship based overwhelmingly upon political considerations. Both noblemen wished to maintain the status quo which would exist in Scotland after the desired settlement because it served their interests, and they hoped that their combined power would enable them to prevent either the Royalist faction or the zealots from forcing the nation to take sides in the struggle in England if that should ever come to war.

Charles, critical of the way in which Hamilton appeared to have abused the terms of a secret warrant which had enabled him to mix freely with the Covenanters to ascertain their intentions, remarked to Lanark that the marquis had been "very active in his own preservation" and on 29 September Hamilton was accused of being a traitor to his King and country by Lord Henry Ker, a son of the Royalist Roxburgh. The latter had expressed to Argyll his disquiet over the ineligibility for public office of those who, during the past three years, had left Scotland to join the King, and his son's challenge was seen as a threat to Argyll also. While very drunk he sent Hamilton a written challenge by way of Lord Crawford, a soldier of fortune who had recently returned to his bankrupt estates. Crawford bitterly resented Hamilton, who had successfully

107. See supra, Chapter 1.

108. Anne Cunningham, Dowager Marchioness of Hamilton, raised a troop of horse for the Covenanters, and rode at its head, well-armed. She threatened to shoot her elder son, the third marquis, if he should invade Scotland for the King. C.S.P.D. (Charles I), vol. 14, p. 146.

109. She raised a troop of horse (most of its members Hamilton's own tenants), bearing the motto "For God, the King, Religion and the Covenant". Ibid.

persuaded Charles to promise Lindsay Crawford's disputed earldom. Hamilton begged Charles to forgive Ker for Roxburgh's sake, but Parliament, realising that by implication Argyll too had been challenged, censured Ker for his behaviour and expressed confidence in Hamilton as "a loyal subject ... and faithful patriot ..." Ker was ordered to apologise to Hamilton, which on Roxburgh's insistence he did, but he came to Edinburgh accompanied by several hundred of his father's armed retainers. It was the first time a Royalist nobleman had adopted the Covenanting practice of travelling with armed men, and it heightened the tense atmosphere of Edinburgh, further polarising the various factions. Now it was believed by many Royalists and Banders that there was sufficient strength on their part to offer resistance to the hegemony imposed by Argyll and Hamilton, who were held by men like Ogilvy, who openly said so, to be obstructing the Kingdom's peace. Two weeks later the muddled plot soon known as "the Incident" burst upon the city. Implicated in it were the Royalists Airth, Crawford, Ogilvy and Lord Gray and the Banders Almond, Home, Kirkudbright and Mar, as well as others with grievances against Argyll and Hamilton, such as Colonel William Stewart, whose uncle, Lord Ochiltree, had been incarcerated in Blackness Castle since 1633 for accusing Hamilton of planning to seize the Scottish throne. It was now being said that Argyll and Hamilton had five thousand followers in Edinburgh, summoned there after Ker's challenge, and that Argyll, Cassilis, Loudoun and Lindsay had spent Monday, 11 October conspiring since dawn.

115. See H.M.C., Fourth Report, pp. 163-70.
On that very day details of the plot were conveyed to Leslie by Colonel Hurry, one of the several army officers involved, and together they informed Argyll and Hamilton. Apparently Argyll and Hamilton were to be summoned suddenly that night—11 October—to the withdrawing room at Holyrood House, ostensibly to join Charles and Will Murray in urgent discussions concerning Parliamentary business. Then Almond, entering by a secret door, would accuse them of usurping the total government of Scotland, seize them and confine them on a ship in Leith Roads, where they would face charges laid against them by Montrose. Crawford, who had declared that he would "have the traitors throats cut!", and would have liked them killed there and then, would, with 400 men in the garden, secure Holyrood and Home and Roxburgh would bring their armed tenantry into Edinburgh to make the city safe for Royalism.

On hearing bare details, Argyll urged Hurry to honour the dinner appointment he had with Crawford in the hope of learning more, but Crawford merely took Hurry aside after the meal and asked him to come unobtrusively the next day, bringing with him "three or four good fellows" he could trust, and he would make him his fortune.

That same afternoon Hamilton sought and failed to obtain Charles's permission to withdraw from Court. The King was annoyed by Hamilton's unsatisfactory explanation of his fears. But Hamilton ignored the refusal, and later that day he and Argyll, accompanied by William Stewart

116. Ibid.
117. Ibid., p. 168.
and Hurry, repaired to Lindsay's house to supper, where after repeated
summonses they were joined by Lanark. Towards midnight the three noblemen
fled to Kinneil, near Bo'ness, where Hamilton's mother resided. There
they lay low until the following morning, when Argyll, with Hamilton's
connivance, sent for Patrick Maule of Panmure, acquainting him with the
alleged plot and desiring him to relate the details to Charles.

The King was furious, and before Parliament accused Hamilton of having
"debauched" the other two. He said he hardly knew Argyll and had no idea
why he should flee, and he had nothing against Lanark, whom he considered
"a very good young man".119

It is obvious that in England many were asking whether a plot did in
fact exist, and whether, despite his denials, the King was indeed involved,
for when rumours of the Incident reached Secretary Nicholas he wrote in
alarm to Charles. Since, he explained, the English Privy Council believed
it to be "a plot of the papists there" and of "some lords and others here",
they had ordered the Lord Mayor of London to double the guards in the
City and environs: "it is thought that the business will this day in
Parliament be declared to be a greater plot against the Kingdoms and
parliaments of England and Scotland that hath been discovered at all".120

119. Balfour, op. cit., vol. 3, pp. 95-99, 108. Charles was angry at
Hamilton's disobedience and the aspersions cast against his own name.

120. Nicholas to Charles I, 8 November 1641, John Evelyn, Diary,

An English member of Charles's retinue in Edinburgh, the courtier Endymion
Porter, who was connected by marriage with Hamilton but bore little love
for him, lamented:

Where we those quiet hopes we left behind
Find altered now, and of another kind.
That Highlander, whose conscience and whose eyes
Play handy dandy with deceit and lies,
Hath by extempore prayers raised one side
A traitorous tumult to support his pride,
And Hamilton and he are joined, and gone
To hatch a daring mischief to unthrone
Our gracious King. A pox upon them all
That would have monarchy go less or fall,

Continued ...
There seems little real value here in attempting an elaborate reconstruction of the Incident from the depositions of those who gave evidence at the lengthy enquiry immediately ordered by Charles. It has been rehearsed in detail many times, and its importance lies principally in its effects. It was not, as Charles claimed, an invention of his enemies to discredit him, for something was afoot. But his opponents exploited it to the full. Whether or not Charles knew that there was an intrigue proceeding to aid him by violent means is uncertain, but the depositions of those involved soon caused moderate Coventers who had felt that perhaps they were demanding too much of Charles to reconsider.

Continued 120 ... Porter, "A Scottish Journie", in Scottish History Society Miscellany, vol. 2 (Edinburgh, 1904), p. 287. For a Royalist view of the Incident, considering it to be a fabrication, and holding Hamilton mainly responsible, see Spalding, op. cit., vol. 2, pp. 74-79.

121. Perhaps the best modern account is in Cowan, op. cit., pp. 122-29; see also Wedgwood, King's Peace, pp. 461-63, 485-86.
Charles sought to clear his honour through a public investigation of the affair, but was forced instead to agree to a secret enquiry by a committee, which the Covenanter (who did not want rumours of Royalist plots publicly laid to rest) insisted was necessary for witnesses to reveal all they knew. However, Argyll at his trial disingenuously claimed that his "tenderness of His Majesty" could be seen in his eagerness "to bring that business of the Incident to a public trial", something not apparent at the time. A committee comprising four members of each estate was elected: Lennox was the sole Royalist.

While the investigation was underway news of the Catholic rebellion which had recently broken out in Ireland reached Edinburgh, and it was suspected that Charles had encouraged or even organised it, since the rebels alleged they were acting on his orders and had produced a forged commission, under the Great Seal of Scotland, to support their claims. In actuality the rebels had probably been encouraged by the fact that Charles had been negotiating for the help of an Irish Catholic army for use if necessary against the English Parliament - something which Argyll, yet again, must have learned with alarm.

On 1 November Parliament, the Incident having been pushed somewhat into the background by the Irish rebellion, voted to recall Argyll, Hamilton and Lanark, approbating their conduct hitherto, and thus exonerating them from any odium surrounding their flight. Parliament's move was most insulting to Charles- and many Royalist nobles protested


in vain. "Sure their late danger was the means to increase their favour with the Parliament, so whatever ruling they had before it was then multiplied", observed Baillie, "The Marquis did not much meddle, but the leading men of the barons and burghs did daily consult with Argyll". 125

Five days after their summons Argyll and Hamilton triumphantly returned to the Parliament House, where they were accorded the respect due to someone who seemed to have narrowly escaped martyrdom. Hamilton claimed that the Incident ranked with the Armada and the Gunpowder Treason as one of "the manifold plots of the Papists against our Protestant religion". In view of the Irish revolt and a rumoured attempt by the Queen's confessor to convert the Prince of Wales to Catholicism he advised the King to return to England. Charles, he said - in a remarkable phrase which must have puzzled listeners both Royalist and Covenanter - would never be so secure in "this Kingdom as in your own". It was no doubt a slip of the tongue, since Charles, though an absentee, was undisputably King of Scots, but those who trembled at the talk of a dictatorship might well have wondered what Argyll and Hamilton were planning. 126

The Incident entirely shattered the happy prospect Charles had been led by Montrose to expect. 127 Demoralised, perceiving that his three months' stay in Scotland had not fulfilled his hopes, worried by the Irish crisis, Charles was anxious to return to England. He thus in his fear and haste granted the Scots' demands. Almond, whom he had formally nominated Treasurer immediately after Loudoun's election as


126. It was probably prompted also by their very consciousness of Charles being an absolute ruler.

127. See supra.
Chancellor, was now, as a result of his implication in the Incident, even more unwelcome to the Covenanting leaders than previously. Charles, therefore, consented to the appointment of five treasury commissioners instead of a single appointee. 128 Those named were Argyll, Loudoun, and three Hamilton associates: Lindsay, Glencairn and Sir James Carmichael. 129 To the disappointment of the zealots, who supported Wariston, Argyll upheld the claims of Gibson of Durie, who was duly appointed Clerk Register. 130 Probably he feared that the rigid Wariston would not stop at the coming settlement but press for further demands ultimately detrimental to the social order. All the other officers of state were confirmed in their position, 131 except for the Royalist Sir James Galloway, whom the Covenanters refused to countenance as Master of Requests and as joint Secretary of State (with Lanark). 132

Argyll, Loudoun and three members of each Estate were appointed to negotiate with the English Parliament about a number of points not agreed upon by the Treaty of London, including mutual consent by both Parliaments before either Kingdom declared war on foreign powers, free trade between the Kingdoms and what Scottish forces should be sent against the Irish rebels. 133

All in all, Argyll benefitted greatly from the parliamentary settlement. Desirous not to become a captive of the alliance he had forged with the ministers, lairds and burgesses, however much he relied on their support, he considered it the best settlement realistically obtainable.

129. Ibid., p. 704.
130. Ibid., p. 388; Baillie, op. cit., vol. 1, p. 396.
"No man could do His Majesty better service as that I did, in refusing some things thereafter in the year 1641, in Scotland, in public parliament", he claimed later. "I had His Majesty's gracious testimony that I dealt over-honestly with him ..." No doubt Charles was thankful that Argyll had not become Chancellor, nor Wariston Clerk-Register.

The Scots were guaranteed the triennial Parliaments they desired and the next one was due to meet on 4 June 1644. As early as 16 September Charles had agreed to their insistent requests to appoint officers of state, privy councillors and lords of session with the advice and approbation of Parliament. He had submitted at that time a list of prospective councillors which included many Royalists, as well as eight lairds specially requested by the Covenanters. But on 13 November he agreed to replace most of the Royalists (including Huntly) by Covenanters, leaving only Morton, Lennox, Perth, the sullied Hamilton and a few others as representatives of his cause. Wariston was one of four new extraordinary lords of session appointed to replace Royalists. Traquair and the Bishop of Ross, both incendiaries, were supplanted as ordinary lords of session by Balmerino and Lindsay.

Argyll was created a marquis and granted an annual pension.

136. Ormonde Papers, vol. 1, p. 3; Stevenson, Scottish Revolution, p. 239.
137. Despite his association with Argyll Hamilton was still regarded as a Royalist, albeit a compromised one.
Charles delivered the marquisate to him "out of his own royal hand, which he on his knees received, rendering His Majesty humble and hearty thanks for so great a grace and favour, far by his merit and expectation, bestowed on him". 140 This was despite an old superstition that the House of Argyll would end with a red-haired, squint-eyed marquis. 141 Leslie became Earl of Leven, Almond Earl of Callander. Wariston was knighted, Loudoun and Lindsay were allowed to assume the earldoms they had been granted in 1633, but which had been suspended because of their opposition to Charles in that year's Parliament. Like Argyll, most leading Covenanters were given pensions, while faithful Royalists obtained no rewards. 142

In return for these substantial concessions Charles gained very little except Montrose's release on bail and vague promises of future loyalty. He had conceded all the constitutional demands made by the Scottish Parliament, giving his assent to all acts passed by the Glasgow Assembly, and he had in the process granted much more than he ever did to his English opponents. He was gambling on buying the loyalty of the lesser Kingdom - of abandoning it for the moment - in his struggles with the greater.

141. Patrick Gordon, op. cit., p. 56.
142. A.P.S., vol. 5, pp. 387-88. Argyll and Loudoun each received pensions of £12,000 Scots per annum; Wariston received a pension of £2,400 Scots per annum. The Kirk received a grant of £6,000 Scots per annum for religious purposes and for such uses as the General Assembly thought fit. Altogether, the various grants made in 1641 totalled £52,000. For details of the pensions received, and for the state of the Scottish finances, see David Stevenson, "The King's Scottish Revenues and the Covenanters, 1625-51", Historical Journal, vol. 17 (1974), pp. 17-41, particularly, p. 30. See also David Stevenson, "The Financing of the Cause of the Covenanters, 1638-51", Scottish Historical Review, vol. 51 (1972), pp. 89-123.
What, in the light of Argyll's conduct hitherto, can be deduced about his political attitude? The essence of it, exhibited particularly during 1641, would appear to lie in the striking similarity between his outlook and aims and those of the "middle group" in the Long Parliament, initially identified by J. H. Hexter, and led first by Pym, and then, as Valerie Pearl argues - though not without opposition - by Oliver St. John. 143

Obviously there is no direct parallel. The English middle group constituted part of a small, floating parliamentary faction maintaining the balance between the so-called war and peace parties. Argyll's was always the majority party, and one embracing clerics as well as secular leaders, and it evolved in a separate environment, in response to native grievances. It was indigenous to Scotland, as Pym's middle group was indigenous to England. Moreover, though the Scottish "revolution", 144


as marshalled by Argyll, reflects middle group ideas similar to Pym's and St. John's, his was not a "middle group" in an organisational sense. For in Scotland there was no "peace party" analogous to Holles', no "war party" like Marten's. While possible parallels spring to mind, defects immediately appear in them. Hamilton, in his ineffectual efforts to keep Scotland neutral in 1643, and Montrose, in his attempts at the same time to raise Scotland in arms for the King, were both opposed by Argyll, who in this respect acted as a buffer between the advocates of peace and war. But these advocates, of course, were not the King's opponents, as Holles and Marten were.

Thus it may be said that Argyll and his ideas were reminiscent of the English middle group's, but applicable to Scottish conditions, though there was not in any valid sense a corresponding "middle group" in Scotland. Indeed, in one sense, after 1641, Montrose represented a Scottish middle group and Argyll the party of extremism. The close parallel exists in their philosophy and respective aims.

145. See Hexter, King Pym, passim. At this time Oliver Cromwell was still a relatively small-time country backbencher, and, if anyone could be considered the leader of the war party, it was Henry Marten. For Cromwell see Antonia Fraser, Cromwell: our Chief of Men (London, 1973), Chapter 4. For Marten see C. M. Williams, The Political Career of Henry Marten (Unpublished D. Phil. thesis, Oxford University, 1954).

146. See infra, Chapter 7; Hilary L. Rubinstein, Captain Luckless: James, First Duke of Hamilton, 1606-1649 (Edinburgh, 1975), Chapters 12 and 13.
The Grand Remonstrance of November 1641 was the manifesto and apologia of the English middle group. The Scottish constitutional settlement concluded the same month was the climax of Argyll's policy, at which the middle group could look enviously for the Scots had achieved without full-scale civil war what Pym still sought: the replacement of "malignant" advisers by those in whom Parliament placed confidence, and the reform of the Church. The middle group was not so uncompromising on the issue of religion as were the Covenanters, and since the abandonment of the Root and Branch bill in the summer no further attempt was made to revive the campaign against Episcopacy, and the Remonstrance, while sharply critical of the Church, contained no radical clauses. Describing the solid achievements of the Long Parliament hitherto, it bitterly blamed false counsellors, bishops and Jesuits for all the King's misdeeds - the eleven years of arbitrary rule, the subversion of law and liberties, Catholic conspiracies, the two Army plots, and even the Irish rebellion. By implication it offered a choice between the parliamentary plan of reform and the royal prerogative of seeking counsel anywhere. In its ferocity it alienated many conciliatory spirits such as Hyde and Culpepper, who regarded it as unnecessarily divisive, and thus it passed by a majority of only eleven.

Yet for all their grievances and demands for redress, Pym's men were conservatives, not revolutionaries, and considered themselves such. Like Argyll and his associates, they derived from the traditional ruling elite, who owned the land and administered the law, and in this lay their potency.

They set out not to alter the government but to restore the balance which had existed under the Tudors and which Charles, by his drift towards European absolutism, had deranged. They believed they were protecting an age-old English tradition of rights and liberties, which the King had betrayed. Like the Scots in their quarrel with Charles, they considered that he, not they, had introduced innovations. They claimed sincerely—though perhaps not always accurately—that all the major statutes they passed in 1641 were based on existing law and precedent, the very claim Argyll and his followers (with more historical validity) made of their own settlement that year. 150

Both Pym and Argyll wished to see royal power restricted not eradicted. "I confess", the latter was to affirm later,

"'twas my great misfortune to so deeply engage in these fatal times; I know the nobility of Scotland have always bickered with their princes, and from the insolvency of that custom, not any of our kings have been free. 'Tis also true, the perpetual family feuds among us, which by all the industry and authority of our princes, could never be so pacified, but that they revived again... did easily persuade me that there was no such apparent danger in the first beginnings of the contest, betwixt the King and my nation of Scotland. I had laid it for a maxim that a Reformation was sooner affected per gladium oris than per os gladii, and certainly true religion is rather a settler than stickler in policy, and rather confirms men in obedience to the government established than invites them to the erecting of new; which they neither do nor can know, till it be discovered and declared. Wherein I did not look upon our intended Reformation as any way taxable, since it had the whole stream of universal consent of the whole nation; I never thought of those dire consequences which presently followed..." 151

The middle group fully supported monarchy and advanced no claim for parliamentary sovereignty exclusive of the King. As Hexter states, "there was in the rather limited range of middle party ideas no room for a utopia". 152 And in Argyll's there was no place for a Zion—

150. See Pocock, op. cit., passim; Williamson, op. cit., passim; and supra.
151. Instructions to a Son, pp. 4-5; cf. his assertions regarding monarchy in his speech before the English Parliament in June 1646, infra, Chapter 8.
152. Hexter, King Pym, p. 160.
that pervasive theocratic state sought by the zealots. Pym's men aimed to limit the royal prerogative in the ways prescribed in the 1641 legislation, holding that kingly authority must be wielded according to the law upon which it rested. Since the law also guaranteed the rights of the subject, nothing must violate the law and upset the balance, as the excesses of the King's personal rule had done. Their subsequent determination - enshrined in the Remonstrance - to ensure that Charles governed through ministers acceptable to Parliament was a postscript to their goals, based not on their view of the state, but on their mistrust of Charles and their consequent desire to guarantee what he had earlier granted. This reflected the Covenanters' efforts in the 1641 Parliament to secure control of the great offices of state, which was motivated by similar concerns.

As argued earlier, Argyll and his adherents, too, were monarchists - even Wariston and the zealots, who wanted a nominal kingship, but a kingship nonetheless. Neither Pym nor Argyll criticised Charles directly. As we have seen, both couched their attacks on his misrule in their general, and concerted, attacks on the various unpopular ministers, several of whom were unacceptable to both of them. Like the middle group, Argyll's party blamed their country's troubles upon wicked counsellors who strove to sow discord between King and subjects and subvert Parliamentary rights.

Argyll, like Pym, wanted responsible, legally exercised kingship, and Loudoun explained that their Covenanting followers were behaving

153. See supra, Chapter 4.
merely as "dutiful subjects who are desirous to limit themselves according to religion and the rule of law". Not only did monarchy accord with his conservative organic view of the state, having existed in Scotland from time immemorial, but Argyll recognised that it was crucial to civil peace. As Loudoun told Charles: "we acknowledge our quietness, stability and maintenance of your greatness and royal authority as God's lieutenant set over us for maintenance of religion and administration of justice". Just as James VI postulated "no bishop, no king", so did Argyll reflect that if the King should be removed, the demise of the nobility and the entire social order might not be far behind. "The head and the body can never separate, without destruction to both", he wrote. Like the middle group men, he did not intend that his conservative "revolution" should set in motion forces hostile to the hierarchical base on which society rested.

Unlike the English, the Scots had no distinct conception of "free Parliaments", since Scottish Parliaments had always been manipulated by whichever political faction dominated the country at a particular time. Nor did the Scots have the tradition that a law, once passed in Parliament, was permanently on the statute book, unless and until repealed by subsequent legislation. Desuetude was a general feature of Scots law, and identical statutes were enacted repeatedly, from one reign to another.

156. Ibid., pp. 843-44.
158. Stevenson, Scottish Revolution, p. 169.
However, since the Reformation the Scots were becoming conscious of this, and of their lack of a notion of fundamental law such as English Common Law. They began to conceive of the Estates as the "inferior magistrates" whose duty it was, according to Calvinist political theory, to spearhead resistance to the "ungodly" ruler, and in 1633 the King's opponents began to speak, albeit vaguely, of a "free Parliament".

The Covenanters, following Buchanan and the sixteenth century reformers, placed increasing emphasis upon statute. It is significant that the Covenant asserted that the King was bound by his coronation oath to defend "the laudable laws and constitutions received in this realm" and twice mentioned Scottish "liberties and laws" along with religion.

At the time of his arrest in 1640, Loudoun had conceded Charles's "inviolable authority" but had reminded him that the Scottish Parliament "is independent and not accountable to any other judicatory" such as the Privy Council. His declaration that the basis of law is the people's safety and that Charles should "govern your subjects according to the law of God and fundamental laws of your kingdom" is evocative of such middle group statements as Pym's Vindication. That, and his reiteration that the Scots had "no other end but such as may serve for establishing of religion and peace of the kingdom and are answerable to the fundamental laws thereof" show how very conscious the Scots had become of the English legal tradition and its adaptation in their own cause.

159. For the consciousness of English Common Law in the thought of Sir Edward Coke and other English opponents of Charles I see Pocock, op. cit., Chapters 2 and 3.
160. Rutherford, op. cit., p. 97; Donaldson, Scotland, p. 299.
161. Gardiner, Constitutional Documents, pp. 130, 133.
Rothes wrote that the English must realise that the Scots sought what they were entitled to be "in law" and had been "in former practice". In September 1641, as we have seen, Argyll spoke confidently of "our lawful demands concerning religion and liberties". He added that his "earnest desire" was "that our best studies and endeavours may be spent in contriving and enacting such wholesome laws, whereby ... the opportunity and occasion of producing such calamities, as lately threatened to fall upon both nations, may be prevented, if in any age hereafter such miscreants shall go about to attempt it". He had thus assimilated the English concept of continuity in Parliamentary legislation.

Inspired by English demands for regular parliaments, the Scots had issued their own demands for triennial ones. "Our brethren of England, finding the intermission of Parliaments to be prejudicial and dangerous to the state, have taken a course for the frequent holding of them", Argyll also declared, "whose prudent example I desire may be our pattern, forthwith to obtain His Majesty's royal assent for the same".

Neither Pym nor Argyll desired changes beyond their respective Parliamentary achievements of 1641. But the implications of the Irish rebellion struck terror into the hearts of both of them, and each was haunted by the same fear: that given a favourable opportunity the King might treacherously forsake the agreement he had made. Pym and the middle group worried that Charles might not honour the spirit of the constitutional reforms unless he was rigidly bound. Thus they arrived, in self-defence, at the radical solution of demanding, in the Remonstrance, control over

167. Ibid.
ministerial appointments, and, two months later, over the militia. Similarly, for reasons which will be demonstrated, Argyll feared for Scotland's 1641 settlement and consequently, as will be shown, he too was led down radical paths.

Having achieved the settlement he had desired, Argyll had no wish to jeopardise it. He had promised Charles not only that he would endeavour to restrain the zealots from encouraging the English Parliament in its quest for the abolition of episcopacy, but that he would not countenance any attempt on the part of Pym's party to emulate the Covenanters' success and usurp from the Crown control of the English civil polity. 168

Still co-operating with Hamilton, Argyll was very conscious that the enemies of the two men were watching them suspiciously to see whether they would fulfil all that they had promised Charles. "As none of us want our ill-willers so I believe their malice watches every occasion to calumniate..." he wrote,

for now that mistakes are removed I trust in God His Majesty will have better thoughts of many in this kingdom than he had, and let me not prosper if I be not ready to contribute my endeavours in anything that may serve for His Majesty's true honour and happiness, which truly is dearer to me than my life and fortune ... So my care shall be to fear God and honour the King". 169

Despite this assurance, the sincerity of which there are no grounds for doubting, Argyll was faced with a number of unwelcome realities which he could ill-afford to ignore. Despite his own willingness to remain neutral in the struggle between Charles and Pym, he realised that the zealots,


on whose support his political and national power rested, would be loath
to agree; he further feared that once Charles had crushed the English
opposition he might then, despite oft-repeated promises, proceed against
the Covenanters with renewed vigour, and might then have such strong
Royalist support in the country that he might be able to defeat them.
If that occurred the settlement would be destroyed and with it his own
hegemony.

Thus he desperately hoped that Charles and the English Parliament
would attain a compromise without resort to arms. His anxiety, his distrust
of Royalist advisers whom he believed inflamed Charles, his essential
moderation, his fear of social upheaval and desire to restrain the masses,
are clearly reflected in a letter he wrote to Hamilton in February 1642,
shortly after the attempted arrest of the Five Members and Charles's
ensuring removal from Whitehall:

I am sorry to hear that the matters are at so great a
height of contradiction betwixt His Majesty and that
Parliament, but my regret is, that so little care is taken
to prevent such work; and there is not one thing in my
judgment has done more hurt in this King than respect of
persons, who, for their own ends, suffer His Majesty to
be engaged, and never look to his retreat. I am loath to
give my judgment in matters that I know not perfectly;
yet, for anything I do know, I think His Majesty hardly
dealt with. Always I hold it no ways good policy, at
this time, to use violent remedies when the people's
humours are so aloft, but rather seem guiding than be
forced to guide, and advise on it at a more convenient time,
for it can neither be for His Majesty's honour nor
advantage to make himself head of any party, which some
study too much, yet I fear our brethren there fall too
much the other extremity, and all extremes are hurtful;
therefore I heartily wish you could light on the mid-way,
that all matters may be brought to a happy conclusion for
His Majesty's honour, and contentment of his people, which
joined, bring peace, but divided, we can expect little
quiet. 170

170. Argyll to Hamilton, 4 February 1642, ibid., pp. 24-25. It is inter-
esting to compare Argyll's attitude towards Charles and fears regarding
the outcome of the war with that of certain Englishmen such as Dudley
Digges, for whom see J. W. Daly, "Could Charles I be trusted? The Royalist
See also Philip Hunton, A Treatise on Monarchy (London, 1643).
Reinforcing Argyll's anxiety were the attempts of Morton and others to effect a Royalist resurgence in Scotland with a view to bringing Charles to Scotland if he failed to find a stable basis of support in England. These men perceived that Argyll's absence from Scotland might be to their advantage, and they suggested that he be sent to England to mediate between Charles and the English Parliament. For his part Argyll, wary of them, yet so anxious for a non-military solution in England, was willing to go, in order to counteract the efforts of Wariston, who was then in London goading the Parliamentary extremists to demand the abolition of episcopacy and maintain a hard-line on other issues. On 8 February 1642 the Council, on which the moderate Royalists were well-represented, informed Charles of their desire to send him as mediator.

On 1 March Charles replied that he did "very well approve" of their request and asked "that he [Argyll] may be despatched hither with all convenient diligence, since the perfect knowledge we have of his affection and fidelity assureth us of his best endeavours and advice on all our services now in hand". For reasons which are obscure the English Parliament opposed Argyll's coming. Possibly they suspected his attachment to their cause, although it was postulated by some that they feared that the Scottish Royalists would make mischief during his absence.


173 Charles I to Scottish Privy Council, 20 February 1642, ibid., p. 211. Charles was then at Dover.

174. John Coke the younger to his father, 24 February 1642, H.M.C., Twelfth Report, Appendix, loc. cit.
Despite this rebuff, Morton and other Royalists argued fervently that Argyll should go anyway, but he, desirous not to offend either the English Parliament nor the Covenanting zealots, demurred, insisting that Parliament's hostility would render impotent any efforts on his part. Soon, however, the Scottish commissioners in London, on the strength of this episode, were explaining to the English Parliament that Argyll and Loudoun had crushed an attempt by the Scottish Royalists to raise Scotland for the King and were planning to bring Morton to trial before the Estates for his conduct - something quickly denied by the Council.

In March Argyll, still cooperating actively with both moderate Covenanters and Royalists, informed Hamilton that he would be willing to accede to the requests of Leven and Morton "to forget ... Traquair's by-past carriage and think of him, in time coming, according to his behaviour", since "for His Majesty's satisfaction I had dispensed ... with the public revenge". He would not undertake more without the advice and consent of Hamilton "who has been equally injured with me in some things". Hamilton replied that he advocated such a reconciliation in "the public good" of Scotland: "I shall be glad to see your lordship his friend, having a resolution to be so myself, if he desire it, and that it may be suitable with your inclinations".


178. Hamilton to Argyll, 24 March 1642, ibid., p. 27.
Argyll and his associates desired to send troops to Ireland in the wake of the revolution there. This policy rested upon a number of urgent considerations. They were keen to protect the Scottish settlers in Ulster, and they feared that the rebellion might encourage disturbances in the Gaelic-speaking Highlands, which would receive Irish aid. They wanted to take offensive action to preclude the threat of invasion from Ireland which had loomed in 1639 and 1640, and the rebellion, giving rise to the fear of a corresponding Royalist rising in Scotland or invasion from England, furnished them with an excuse to maintain an army on foot - at English expense.

For his part Charles wanted the rebellion suppressed. He was keen to demonstrate that he in no way supported the rebels, and thus to dispel allegations to the contrary. Anxious to further diminish the threat of Scottish intervention in England in favour of the Parliamentary opposition, he found tempting the prospect of sending Scottish rebels to fight Irish ones. While the English Parliament, too, wanted the rebellion crushed, it feared that if it allowed Charles to control the troops raised for service in Ulster he might use them against Parliament instead: hence the attractiveness of Scottish intervention. Yet although at the start of the rebellion there were already 2,500 Scots in arms, divided into three regiments, six months were to elapse before the Scots army began to arrive in Ireland.

The Covenanters wanted firm control over the 10,000 men, distributed over ten regiments, who were destined for Ireland, and their wish was finally met by the agreement completed with the English Parliament in July 1642. Charles, by then on the eve of formal war with Parliament, refused to

179. N.L.S., Wodrow MSS., folio lxvi, nos. 199-200.
180. For the history of these events see Stevenson, Scottish Revolution, pp. 244-46.
ratify it, doubting the wisdom of agreeing to the Scots' raising an army which would be supported financially by his English opponents. But although his assent was solicited, he had been so seldom consulted during the negotiations that his refusal to give it did not deter them. In April 1642 the first 2,500 men actually embarked for Ulster; the Scottish Privy Council organised the levying of a further 7,500, who crossed to Ireland in stages during the summer and autumn, so that by November there were over 11,000 Scottish troops there.

Leven was general of an army in which Argyll's interests were well-served. Lothian, his brother in law, was lieutenant-general, Argyll himself, and Loudoun's brother, Sir Mungo Campbell of Lawers, were each given colonel's commissions empowering them to raise a regiment apiece, and Campbell of Auchinbreck was appointed commissar of the army. However, since Leven spent only a few weeks in Ireland and Lothian probably never went there at all, the effective command devolved upon Major-General Monro.

Argyll requested and was granted permission from the English Parliament to land his troops in Antrim's territory, where they were subsequently maintained at the expense of Antrim's revenues. In May 1642, when

__181. Ibid., p. 245.__

__182. Ibid.__


Antrim, who had been sent to Ulster by the Queen to negotiate a ceasefire with the Irish rebels, was captured by Monro. On him was discovered correspondence which indicated, among other things, that he, Huntly's son Lord Aboyne, and the Catholic Earl of Nithsdale had been intriguing with Henrietta Maria to rouse the Scottish Royalists against neutrality. Argyll and his associates were later to claim that the MacDonalds in the Isles and Highlands, aided by the Gordons and supported by Antrim's men, were to raise the North against Argyll, while in the South Montrose and other Royalists, using Carlisle as their base, were to rise in arms.  

Argyll asked Charles to allow the English Parliament to judge Antrim: "for his carriage will not be found fair ..." as an enclosed letter from Antrim's former tutor allegedly showed.  

Charles, who evidently favoured Antrim, refused to accede to Argyll's request in the absence of more convincing evidence of Antrim's involvement in the Irish rebellion. Antrim himself later escaped from custody and joined the Queen at York. This attempt on Argyll's part to have Antrim proscribed as a traitor, the Scottish expectation of acquiring confiscated rebel lands, and the Campbell troops' confiscation of Antrim's Ulster revenues, indicate that Argyll might have aimed by this time to expand his sphere of influence into Ulster, motivated both by territorial aggrandisement and self-defence, and eradicate Antrim's base, which had proved so troublesome in 1639 and 1640. The suspicion that Argyll sought Antrim's lands is supported by the fact that the Scots had originally asked the English Parliament to reward their army for its services by  

grants of forfeited rebel estates. Loudoun had pleaded that they be granted "Londonderry and the plantations of Ireland in recompense of our services", but was rejected because of English suspicions of Scots ambitions in Ulster.

Argyll was very interested in maintaining the Scottish presence in Ireland: his troops were still there in 1650. By the summer of 1643 he had advanced over £80,000 Scots for the maintenance of those troops, they having been placed in dire financial straits owing to the English Parliament's inability, since the outbreak of the English Civil War to contribute towards their upkeep.

Before this occurred, however, and while negotiations regarding the intervention in Ireland were still proceeding, Charles appears to have been considering going to Scotland, as Morton urged, but owing to the Queen's opposition, based upon her distrust of Argyll, the scheme was aborted. On 27 April Loudoun left for Court, to mediate, in the wake of the Scottish Privy Council's expressions of hope that both King and Parliament would modify their respective stands and peacably resolve their differences. Argyll, strongly supporting Loudoun's mission, wrote that "at this time ... the faithful advice of such as love

187. N.L.S., Wodrow MSS., folio lxvi, nos. 204-05.
188. Stevenson, Scottish Revolution, p. 245.
189. R.P.C.S., 2nd series, vol. 7, pp. 225, 282, 321, 365, 366, 395, 400, 403, 407-09, 413, 421-24, 434-48, 452; Spalding, op. cit., vol. 2, p. 133; Sir James Turner, Memoirs of his Own Life and Times (ed. T. Thomson, Edinburgh, Bannatyne Club, 1829), pp. 24-34. The Civil War officially broke out on 22 August 1642, when Charles raised the royal standard at Nottingham. However, men had died on both sides as early as May, and in June the first naval prizes were taken by the Parliamentary fleet.
190. Henrietta Maria to Charles I, 16 April 1642, Letters of Henrietta Maria, p. 60; Henrietta Maria to Charles I, 5 May 1642, ibid., pp. 66-67.
His Majesty is so necessary" and assured Hamilton that with regard to the English Parliament "my friendship will only be according to their behaviour". He also expressed the hope that Charles and the Court had returned to London from York, "because I wish the Court at London or very near it, for so long as the King and Parliament are at such a distance of place, and in affairs, there can be no solid quiet in his dominions". He added his regret "that the jealousies should still grow, for the effects cannot be but very dangerous, both to His Majesty and his kingdoms, which I pray God avert".

At York Charles, adamantly opposed to any appeasement of the English Parliament, angrily told Loudoun that "we do not require of you that ye sit as judges upon the affairs of another Kingdom". Even so, he prevailed upon Loudoun to write, in the name of the Scottish Privy Council, a stern command to the Scots commissioners in London to inform Parliament of their "deep sense" of the indignities to which they had subjected their King and to urge Parliament to reduce their demands. The commissioners, undoubtedly encouraged by Wariston, refused to comply. Loudoun's performance of what Charles demanded almost certainly reflects Argyll's continuing willingness to go some way towards accommodating Charles.


But Charles now expected Argyll to play a more active role: he commanded him, along with Montrose and all the nobles whom he considered favourable to his cause to assemble at a pro-Royalist rally at Edinburgh when Loudoun should present a fresh exposition of the justice of the King's case. "Argyll", wrote Charles, "this is a time wherein all my servants that are able and willing will have occasion to show themselves ... will approve themselves worthy, or not, of my favour, amongst whom, as it is well known your power wants not to serve me, so by your large expressions, at my last being in Scotland, and having, by some real testimonies, shown the estimation that I have of you, I cannot doubt of your readiness ...".

On 25 May, the day the Council was due to meet, Montrose and his associates (still known as "Banders") turned out in force and some of them spoke of pressing the Council into making an unequivocal declaration of support for Charles's authority in Scotland. They produced a petition partially written by Lord Napier which asked that the Council "take some solid and vigorous resolution for establishing and maintaining His Majesty's authority and royal power ..., affirming their obligation to uphold sovereign power according to God's law, the coronation oath and the National Covenant and pledging "their lives and fortunes" to that end.

But now a rumour spread - whether spontaneously or through inducement is uncertain - of "a wicked design against Argyll's person".

198. Quoted in Cowan, op. cit., p. 133.
199. Baillie, loc. cit.
giving rise to fears of a second Incident, and that there were wicked plots afoot to inflame Scotland against the English Parliament, "but incontinent
immediately] the gentry and ministry of Fife running over in thousands, and the Lothians, with the town of Edinburgh cleaving to Argyll above expectation, the Banders' courage and companies of horse and foot melted as snow in a hot sunshine".\textsuperscript{200} Despite Argyll's efforts to prevent it, these Covenanters on 31 May presented a mass petition urging that nothing should hinder the peace and union of the two Kingdoms, which entailed the Council ignoring Charles's attempts to justify himself.\textsuperscript{201}

It advised the Council to leave the conduct of Anglo-Scottish relations in the hands of the Conservators of the Peace, most of whom were sympathetic to the English Parliament.\textsuperscript{202} The Council promised to do nothing to imperil the peace between the Kingdoms, and requested that in future no similar supplications be presented.\textsuperscript{203}

On 1 June Argyll complained to Hamilton of *some (whom His Majesty seems to favour too much) by their behaviour at this time (in coming to this with convocations, and other idle discourses) have occasioned so much jealousy in this Kingdom, that if we had not taken it in time, and pacified men with a soft answer, truly both supplications and meetings would have been as frequent as ever". Evidently Argyll felt his own efforts on behalf of Charles undermined by the King's surreptitious encouragement of Royalists, which the marquis felt might, far from having the effect Charles desired, propel a large section of Covenanting opinion into Parliament's camp. He continued: "it has been oft times my misfortune

\textsuperscript{200.} Ibid.


\textsuperscript{202.} Ibid., pp. 260-63.

\textsuperscript{203.} Ibid., p. 264.
that when other men, either by their bad counsels or actions, had miscarried His Majesty's affairs, then, to free themselves, the blame has been laid on me" and asked Hamilton to inform Charles "that I laboured what I could to stop this supplication, but when that could not be done, I dare say the course which is taken, and sent to His Majesty from Council, is that which is best for His Majesty's service".  

On 7 June a Bander counterpetition was vigorously rejected by the Council. Argyll later procuring its condemnation by the General Assembly. For him this had been a difficult episode, since as much as he distrusted and disapproved of the zealots the abandonment of neutrality in favour of an actively Royalist stance, as Charles had demanded, would have threatened everything for which he had striven. On 11 June, nine days after the Council had again written to Charles imploring him to accept their mediation in England, Argyll advised Hamilton that

... it is certain the sending home of councillors and men's behaviour at this last Council day has done His Majesty's service no advantage. A very honest man ... Sir William Anstruther, told me ... that one of these men told him that he little cared how His Majesty's service went, so it might disadvantage the Marquis of Argyll.

He added that in his "humble opinion" Charles should "settle with his Parliaments, for against them let him not presume of any party". Clearly, Argyll was not going to risk a rupture with the zealots on Charles's behalf, and however much he disapproved of them and he feared them he appears to have given his blessing to them now. The man who wished to "seem guiding than be forced to guide" was, perhaps barely realising it, becoming a follower.

204. Argyll to Hamilton, 1 June 1642, Hardwicke State Papers, Supplement, pp. 29-30.
207. Argyll to Hamilton, 4 February 1642, ibid., p. 25.
On 18 June he wrote again to Hamilton:

It wounds me to the very heart, when I think of the great distractions betwixt His Majesty and that Parliament, and how little our best wishes here for mediation have produced. For first, when I was designed to go, I was not acceptable to the Parliament, and next, when my Lord Chancellor went, it pleased not His Majesty to allow his going to London, so when I consider what is either the cause or occasion of this misfortune, or what is to be done, I am at my wit's end always.208

Plainly, he was beginning to manifest that bewilderment which he alluded to at the end of his life when he described himself as "a distracted man ..."209 But he added: "I will not, nor dare I be silent in such a time ... I dare say no honest man would refuse to venture life and fortune for it, because there can be no solid quiet, either to His Majesty, or any of his Kingdoms, so long as matters stand as they do there". He deplored Charles's suspicion of him since he refused to move from a neutral position and work with those whom he believed would overturn the 1641 settlement and thus upset the contentment and harmony of church and state: "but if all these dutiful ways cannot work confidence in His Majesty, of honest men's endeavours, except they will join in opposition to his Parliament, and unity with known enemies to His Majesty's happiness, and peace of his Kingdoms, I shall be sorry for it, and pray God to mend what I cannot help".210

Early in July Hamilton arrived in Scotland, which mystified his countrymen, for as Baillie put it, when he had seen "first the Parliament, and then the King, we thought he had come to us with some instructions from one or both, but it seems he had nothing from either, but to eschew

208. Argyll to Hamilton, 18 June 1642, ibid., p. 32.
209. Instructions to a Son, p. 5. For the context see infra, Chapter 9.
drowning, had chosen to leave both for a time, since both could not be kept, and to both his obligations were exceedingly great". He now spent much of his time in the company of Argyll, dining with him often, and during the next two months the two men cooperated to counteract the efforts of both Covenanting zealots and Royalists and keep Scotland neutral.

At this time plans for the marriage of Argyll's heir, Lord Lorne, with Hamilton's elder daughter and heiress, Lady Anne, were proceeding. Lady Anne's dowry was set at 100,000 merks and she was to be guaranteed an annual income of 15,000 merks. If either Argyll or Hamilton should later break the contract, the offending party should pay the other a forfeit of 30,000 merks. In mid-July the newly-betrothed Lady Anne set out from London for Scotland, presumably to meet her intended groom. Argyll was fully aware of the potential advantages to the Campbells of such a match, for neither the widower Hamilton nor Lanark had sons, and providing this remained the case, the whole of the vast Lowland Hamilton inheritance would one day become Lorne's.

Argyll continued to hope for a mediated settlement, yet it is likely that he now feared that the English Parliament might tempt the Scots to support them by assuring them that they would abolish episcopacy in England root and branch. With the same apprehension in mind, Charles, hoping that Argyll and Hamilton would attempt to prevent the zealots from pressing for the reformation of the English Church at the forthcoming

211. Baillie, op. cit., vol. 2, p. 44.
212. H.M.C., Hamilton MSS., Supplement, p. 55.
214. Hamilton's wife had died in May 1638 and his three sons died between December 1638 and April 1640. Lanark's short-lived only son, Lord Polmont, was born in December 1647 and died in March 1648.
General Assembly, ordered the two noblemen to attend as assessors to Dunfermline, the King's Commissioner. Argyll, however, demurred, possibly because he felt he would be unable to prevent the zealots having their way and did not want to be seen to oppose them. He advised Hamilton to eschew the Assembly, which met at St. Andrews from 27 July to 6 August 1642, while attending it himself as lay elder from the presbytery of Inveraray.

In contrast to the assemblies of the two previous years, many Covenanting nobles attended as elders since it was rumoured that the Banders intended to appear and "extort from the Assembly an exposition of our Covenant favourable to an expedition to England" - which in fact failed to happen. Perhaps it was the great number of such noblemen present which prompted Argyll's opinion that "the Assembly are both grave and wise ... truly I believe they are very honest men".

As one of the Moderator Douglas' advisers, who met secretly and unofficially to decide the matters to be debated and the acts to be passed, he worked tirelessly, and Baillie paid tribute to his industry:

All the dyetts of our Synod he keeped, and did give most and best advice in every purpose come by hand. Our privy committee, before or after the Assembly, he never missed; the committee for visitation of the universities he punctually attended, and yet never complained of weariness.

He aimed to counter Dunfermline and the Royalists while ensuring the maintenance of, in his words, "due respect to His Majesty, and good of the religion, and peace of the Kingdoms".

The delegates found themselves courted by both sides in the English conflict. On 27 July a declaration from Charles was read. It promised to uphold the 1641 settlement and foster the Kirk's welfare, and requested that in return the Assembly refrain from interference in English affairs.\footnote{219} A declaration from the English Parliament vowed to reform the English Church "as shall be most agreeable to God's word", and claimed, as usual, that Charles was being led astray by an immense Popish-prelatical conspiracy.\footnote{220} A letter from twenty-five English Puritan ministers claimed that most English clergymen desired the establishment of presbyterianism and of full religious unity with the Scots.\footnote{221} And a message from the Scots commissioners in London gave an optimistic picture for the erection of presbyterianism in England.\footnote{222}

When Dunfermline heatedly declared that the Assembly could not answer the parliamentary document without the King's prior permission Argyll retorted that the Assembly was free to answer as it wished.\footnote{223} Accordingly, the Assembly thanked Parliament for its message, but urged it to proceed faster in the work of achieving unity of religion and uniformity of church government, and a similar answer was returned to Charles, virtually demanding that he work with Parliament to establish Presbyterianism in England.\footnote{224} The Council was asked to support this request, and to call a meeting of the Conservators for the Peace so that they might second the zealots' desires, and Argyll and his associates, by their votes, ensured that the Council complied.\footnote{225} Owing to Argyll's efforts Lord Maitland (the future Lauderdale), then a fervent Covenanter, was

\begin{thebibliography}{99}
\bibitem{219} Peterkin, \textit{op. cit.}, pp. 323-24.
\bibitem{220} Ibid.
\bibitem{221} Spalding, \textit{op. cit.}, vol. 2, p. 173.
\bibitem{222} Ibid.; James Wilson, \textit{op. cit.}, p. 30.
\bibitem{223} Spalding, \textit{loc. cit.}
\bibitem{224} Peterkin, \textit{op. cit.}, pp. 323-26, 328-29.
\end{thebibliography}
chosen as commissioner to carry the Assembly's replies to King and Parliament. 226

Moreover, Argyll was appointed to the commission of public affairs of the Kirk (consisting of forty-eight ministers and twenty five elders) set up by the Assembly before it dissolved. This body, the more potent successor of restricted commissions established by earlier assemblies since 1638, 227 was accorded wide general powers to oversee the Kirk's affairs until the next Assembly convened, and to liaise between the Kirk, the King, the Scottish Privy Council and the English Parliament. It was to perform everything it considered necessary, by preparing drafts of a confession of faith, catechism and directory of public worship, and by all legal means, to achieve religious unity and uniformity of church government with England. 228 Thus Argyll, having been unwilling to be seen trying to turn back the tide, was floating out a little further in the wake of the zealots.


227. Stevenson, Scottish Revolution, pp. 251-52. On 8 August 1642 the Venetian envoy, Gulstianian, reported to the Doge that Argyll, "the author of the late troubles and director of the government there and close confederate of the Marquis of Hamilton", was attending the General Assembly "and for this reason there is greater misgivings about transactions prejudicial to His Majesty. The event is awaited with curiosity, and has aroused the attention of all prudent men, owing to the important consequences involved". C.S.P. Ven., vol. 26, p. 119.

228. Stevenson, Scottish Revolution, p. 252.
Chapter Seven

A Far Cry to Loch Awe: from the Solemn League
and Covenant to the Battle of Inverlochy.

With the outbreak of the English Civil War, Argyll, as the principal architect of the Scottish civil polity, faced a familiar dilemma: how to maintain the fruits of the Scottish "revolution" without undermining Charles further and without conceding anything more into the hands of the zealots. As he wrote to Hamilton, he sought to "seem guiding than be forced to guide". The maintenance of the 1641 Scottish settlement entailed the maintenance of his own predominance in the state. But he could not remain oblivious to certain proclamations from zealous Kirk leaders regarding religious unity with England, which must have caused him, as a realist and advocate of "Presbyterianism in one kingdom", as well as one wishing to maintain close and cordial working ties with the English Parliament, no little disquiet. He dreaded a Royalist victory in England because of its possible ramifications - its implications for Scotland. If Charles proved omnipotent in England he would come to Scotland to overturn the 1641 settlement that he had so unwillingly made as the lesser of two evils. Argyll can have had no illusions about that.


At the same time he cannot have contemplated with relish the prospect of an English Parliamentary victory which did more than chasten the King and reduce his power as it had in Scotland. However, republicanism was not yet an issue,\(^3\) and the Levellers and sectaries, whom Argyll was to loathe passionately, had yet to emerge, and so for the moment he could contemplate two separate religious systems - one Scottish, the other English - with equanimity.

He also faced the problem of keeping Scotland out of the English conflict while not enraging either side. For he had to prove to the English Parliament his friendship and at the same time to Charles his loyalty (if Charles should later prove victorious he would surely punish the perpetrators of Scottish military involvement on Parliament's side). Yet the thought must have tormented him that without Scottish military aid Parliament might fail in the armed struggle with the King, and if Parliament should do so, then the subjugation of Scotland might not be long in coming.\(^4\)

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3. However, monarchy reduced to the status of the Doge of Venice was. See supra, Chapter 4 and Williamson, op. cit., pp. 89-90.

4. Admittedly, until the Battle of Edgehill very few English on the rebel side thought it possible that they might be beaten. There was a widespread conviction that with the City of London and the Navy on the Parliamentary side, defeat was impossible. Indeed, as Professor C. M. Williams has pointed out to me, some seem to have regarded the opening skirmishes of the Civil War as a kind of ritual to vindicate the King's honour, after which he would graciously allow the Earl of Essex to escort him to London for final peace negotiations with the Parliament. The belief in parliamentary superiority may have been one reason why many "peace party" men found themselves trapped on the rebel side. They could support a threatening stance so long as they thought it was not going to lead to any serious warfare, and by the time they discovered their error, it was too late to switch to the King's side. However, in view of Argyll's character - his prudence and foresight, his essential wariness tinged, it seems, with a strong element of pessimism - it seems to me reasonable to suppose that the possibility of Parliamentary defeat had occurred to him.
Thus while he drifted, Argyll was cooperating with Hamilton. It seems unlikely that either of them believed that Hamilton's plan to bring the Catholic Queen to Scotland was feasible, but Argyll doubtless seized on the proposal in order to keep the Covenanters considering moderation and to deflect them from a more active pro-Parliament policy. In addition, he probably calculated that the Queen's removal from the Continent would impede Charles's efforts to raise officers and ammunition and thereby make him more receptive to counsels of compromise. Hamilton's plan "wants not very great hazard", Argyll wrote for if any side gets too much the better I fear they grow so much the more difficult to deal with: always, since no way wants its own danger, we shall patiently wait His leisure who directs all, till all the business and all parties' minds be better prepared for mediation . . .

Once again the man of caution was prepared to wait upon events, even for a sign from above.6

However, Mungo Murray, who arrived in Scotland late in August 1642, when Hamilton was with Argyll in Argyllshire, reported to Lanark in a letter meant for Charles's eyes, that Argyll and Loudoun were unwilling to take any action on Charles's behalf which might offend the English Parliament, and Murray hinted that to ensure their loyalty Charles might declare his intention to abandon Episcopacy in England and allow Hamilton and Argyll to persist in their invitation to Henrietta Maria.7

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5. Argyll to Hamilton, 16 August 1642, Hardwicke State Papers, Supplement, p. 34.

6. A modern historian, noticing that this trait occurs throughout Argyll's career, states that "the comparison with Oliver Cromwell's well-known tendency to wait on providence, to wait until events made God's will known to him, is striking". Stevenson, Revolution and Counter-revolution, p. 109.

7. Murray to Lanark, 10 September 1642, Burnet, Dukes of Hamilton, pp. 252-53. Enclosed with this letter were two documents: a letter from Argyll, Loudoun and Hamilton, in which they assured Charles that they would do the best for his cause that they could in the circumstances, and a sheet of questions from them to Charles concerning public issues.
On 22 September the Conservators of the Peace met, and even the zealots - who probably calculated that it would undermine the royal war effort - approved the proposal to bring the Queen to Scotland (a scheme subsequently rejected by Charles, which cannot have surprised many). Meanwhile Maitland returned with the English Parliament's assurance that it would abolish episcopacy, and according to Parliament's request the Commission of the General Assembly, in which Argyll played a leading part, appointed lay and clerical commissioners to attend the projected meeting of English divines and which was to push the work of reformation in England. Argyll "in his cunning way", had ensured that those who hoped to be appointed as commissioners, and of whom he did not approve, were selected as nominators.

For the Scots England was now the main focus of attention, because although Charles's final reply to the Scots' supplication for unity of religion was not made until 13 October the outbreak of civil war had made it apparent that he would not abandon Episcopacy in England. "As for the condition of affairs, they are in the balance, and one must have the better ere it be long, or else neither can subsist, and as good physicians, it is best to minister the physic, when the disease is at the crisis, but wait patiently for the event of it, and then the effect will

8. Ibid., p. 257.
11. Ibid.
12. i.e. at the General Assembly.
give occasion for any necessary or useful remedy, if the disease be not incurable, which I pray God avert," wrote Argyll on the eve of the news of Edgehill.

I confess I am sorry to hear His Majesty is so earnest for a battle, for, in my judgment, he should be wiser to press a treaty, being in posture to fight, than to urge fighting, for the event of a battle is very uncertain, and God knows what the consequence of it may be to him. Always God has his own work in all earthly affairs. I pray Him in this it may be of mercy, and not of judgment, both to King and people.  

Argyll was evidently anxious to see neither side triumphant and all-powerful. The indefinite result of Edgehill, where a Scottish veteran had prevented the total defeat of Parliament, and the establishment of a Royalist army in the north of England under the Earl of Newcastle worried the Covenanters and led to talk of raising a force to be posted on the Border. Meanwhile, the English Parliament, although shaken by Charles's unexpected strength, was as yet reluctant to make any proposals to the Scots for an alliance, and Hamilton had emerged again as Charles's principal representative in Scotland. His purpose was to establish a moderate Royalist party and bloodlessly prevent Scottish assistance to the English Parliament, and his task was aided by the large number of nobles who, while opposing intervention in England on Charles's side, as Montrose wanted, chafed under Argyll's supremacy and feared Covenanting excesses. So now, with Argyll anxious not to offend the zealots, the two noblemen drew apart and, by mutual agreement, the planned marriage between their


respective heirs was cancelled, although Pickering, Pym's agent in Edinburgh, suspected that their split was more apparent than real, and it was certainly, at this stage, not an irrevocable one. Hamilton wanted Scotland neutral and Argyll, while preferring that course, was prepared to take Scotland into war on Parliament's side rather than allow Montrose to raise Royalist forces in Scotland which might be used to shake his supremacy. He still harboured the conviction that he could control the Covenanting movement, indeed, that he had to, for if it were destroyed, so would he be.

The estrangement between Argyll and Hamilton was seen in the Privy Council meeting on 20 December. Hamilton, Lanark and Southesk insisted that the Council order only the King's declaration, issued in opposition to the English Parliament's plea (drawn up on 7 November) for Scottish military aid on the rather specious grounds that their 1641 settlement obligated the Scots to help their southern brethren in suppressing the alleged Popish-malignant disturbers of the peace. Glencairn and Lauderdale proposed that both declarations be printed, while Balcarres, who declared that "that was the Bishops' way of proceeding, to procure orders from the King without advice, and then charge all who offered better counsel with disobedience", was the sole advocate of printing only Parliament's. Argyll sarcastically observed that "they sat there to good purpose, if every message to them was a command", and he and Lanark "let fly at one another for a while with much eagerness". Supported by

17. Ibid., p. 260.


19. R.P.C.S., 2nd series, vol. 7, pp. 359-61. This parliamentary declaration was entrusted to the Covenanting Earl of Crawford—Lindsay, formerly Lord Lindsay of the Byres, who was Hamilton's brother in law. Crawford-Lindsay delayed despatching it to the Council until Lanark had had time to reach Edinburgh with the King's counter-declaration.
Loudoun and Balmerino, Argyll passionately argued that neither declaration be published and that further deliberation on the issue be postponed for two days. By eleven votes to nine it was decided to print only Charles's letter. Yet Argyll and his associates managed, owing to the moral cowardice of some of Hamilton's friends, to carry a motion delaying consideration of the contents of the rival documents until a better-attended Council meeting, letters having been sent to summon other councillors. Their attitude suggests that they were caught unawares and wanted time to consult other Covenanting leaders, and perhaps to bring pressure to bear on those councillors favouring Hamilton's viewpoint.

But the main vote, which implied official rejection of Parliament's overtures, and approval of the royal position, served as "a trumpet that awakened" the Covenanters "out of our deep sleep", and marked the beginning of the end of their attempts to control Scotland through the Council. They came to rule increasingly through committees appointed by the Scottish Parliament, such as the Conservators of the Peace and the Commission of the Public Affairs of the Kirk (to which Argyll was appointed on 19 August 1643). Such bodies lacked the Council's traditional deference to the King, and their membership was confined almost exclusively to the Covenanters.

Pickering complained to Argyll that the English Parliament, which had willingly suppressed all anti-Covenanter papers published in England, would be angry to learn that Scottish presses were being encouraged to print


anti-Parliamentary propaganda, and he informed him that Hamilton should be prosecuted as an incendiary between the two Kingdoms. "I told him further that I thought the Parliament would take it very ill that the Marquis of Hamilton, a peer of the Kingdom of England, and one of the Conservators of Peace between the Kingdoms should appear a party against the Parliament who had deserved so well at his hands ..." Ministers sharply criticised Argyll and other Covenanting councillors who had permitted Hamilton to outmanoeuvre them, and it was whispered that perhaps their negligence was deliberate. But Argyll did not want to slam the door on conciliation yet, so he ignored Pickering's advice.

The zealots were perturbed. They feared that unless action was taken quickly the Council would next vote to levy Scots to fight for Charles in England and suppress "our best patriots" - including Argyll - before crossing the Border, and lairds and ministers, mainly from Fife, crowded into Edinburgh and framed a petition to the Conservators of the Peace complaining that the English Parliament would be offended by the Council's action and asking that the Parliament's declaration should also be printed and that other papers Lanark had ordered to be printed should be suppressed. The pretext for addressing this to the Conservators, who received it early in January 1643, was that the Council was not meeting at the time, but the real reason was that the petitioners wanted to afford the Conservators a pretext for intervening, and they consented to recommend it to

23. John Pickering to Anon., 28 December 1642, H.M.C., Hamilton MSS., Supplement, loc. cit. Hamilton sat in the English Parliament as Earl of Cambridge, which title he had inherited from his father, who had received it in 1619.


25. Ibid., p. 58.

the Council and to stop, temporarily, Lanark's action. 27

On 9 January a committee (of which Argyll appears to have been a member) appointed by the Conservators, proposed that Charles be asked to return to his Parliament, disband Newcastle's northern army and immediately convene the Scottish Parliament. On that day the proposals were seconded by the Commission of the General Assembly, on which Argyll sat, which presented its own demands for the Conservators' approval. It renewed former demands that Charles establish religious unity and uniformity in his three Kingdoms, and called for the immediate summons of a General Assembly, the disbanding of Newcastle's army and genuine attempts to convert the Queen from Catholicism. 28

These demands would have entailed Charles's virtual capitulation to the English Parliament, and a Scottish Parliament, if granted, would have ensured that if Charles rejected the Covenanters' conditions Scotland would be afforded an excuse to intervene militarily on the side of Parliament. 29


29. Ibid., p. 518. The Scottish Parliament was not scheduled to meet until June 1644. According to the 1641 settlement Scottish subjects who, without the consent of the Scottish Parliament, made war on England, were to be held guilty of treason.
Meanwhile, the Royalists, led by Hamilton and Traquair, drew up a rival petition addressed to the Council, "crossing" that of the Covenanters, and consequently known as the "Cross Petition". Neither Hamilton nor Traquair signed it, since it was thought that their names would reveal its Royalist origins, and it was carefully phrased in the expectation that it would be acceptable to many Covenanters, and thus weaken Argyll's party. A cursory reading would reveal little to offend the Covenanters: it stressed the need for peace and for unity of religion with England and approvingly quoted the National Covenant. But its priorities were very different from those of the Covenanters: it put the maintenance of peace above the achievement of religious unity. It favoured unity as long as no attempt was made to dictate England's "rules and laws of reformation" and it asked the Council not to give any undertakings which might jeopardise Scotland's peace.  

On 10 January the two rival petitions were considered by the Council, which this time was packed with Covenanters (some of those who had on 20 December voted to print the King's letter only had now changed their minds). When it became evident that the Council would vote to print Parliament's declaration, Lanark, to save Charles total embarrassment, produced a letter which he had obtained from the King for use in such a contingency, authorising the printing of the declaration and expressing his confidence that his subjects would realise its malicious nature.  


The pressure exerted by Argyll, the Commission of the General Assembly and the Covenanting crowds ensured not only that the Cross Petition was rejected by the intimidated Council but that the latter accepted from the Commission a petition demanding that the Council join the Kirk in supplicating Charles for religious unity and ecclesiastical uniformity.  

Meanwhile Argyll and his associates had persuaded the Conservators to accept the Covenanters' demands. On 17 January the demoralised Council rejected another petition by the Banders and undertook to join the Commission of the General Assembly and the Conservators in petitioning Charles to implement Covenanting desires. Two days later the Council accepted and approved another petition by the Commissioners of the General Assembly, which condemned the Cross Petition as "nothing else but a secret plot and subtle undermining of all the present designs of the Kirk and Kingdom, for Unity of Religion, and of all the Work of God in this land". Though it professed to advocate religious unity it hindered it and distorted and misapplied the Covenant, they added. But, anxious to allow those moderate Covenanters who had signed it to return to their Covenanting allegiance, they explained that such people had been misled by the petition's specious pretences.

Argyll had evidently been busy. On 18 January he had ensured that the Conservators appointed his close associates, Loudoun and Barclay (his former tutor) commissioners to England along with Henderson. Wariston was also named, but Charles refused to receive him. Argyll himself remained

32. Ibid.
in Edinburgh to serve as a rallying-point for the Covenanters and to
discourage the Royalists from attempting to cultivate support. He was
appointed as president of the Privy Council during Loudoun's absence in
England, and he diligently attended meetings until the end of March, when the
Council was adjourned, barring the unforeseen, until 1 June. 34 "If a
treaty with England] must be", wrote Baillie to Wariston, "by all means
keep Argyll at home, else you put us all in evident hazard". 35 Evidently
Argyll's moderation made him an unwelcome negotiator in the zealots' eyes.

It is likely that Argyll, still looking wistfully towards moderate
counsels while he floated with the zealots arranged with Loudoun (who left
for court on 1 February) to assure Charles that if he would establish
Presbyterianism in England the Scots would support his civil authority
in England. 36

While awaiting the outcome of Loudoun's mission, Argyll and his
associates quelled Royalist attempts to arouse opposition to the Commission
of the General Assembly's recent declaration against the Cross Petition. 37
In the presbyteries of Auchterarder and Stirling the still troublesome
John Graham, and Henry Guthry, ministers, supported by Royalist gentlemen,
refused to read the declaration from their pulpits and refused to publish
it. They circulated tracts condemning it, and Guthry persuaded Stirling
presbytery to write a letter censuring the Commission's action in issuing
the declaration, and although Argyll, hastening to Stirling, managed to

34. Ibid., p. 381.

35. Baillie to Wariston, n.d. [January, 1643], Baillie, op. cit., vol. 2,
pp. 41-42.

text of Loudoun's formal instructions is in H.M.C., Fifth Report,
Appendix, p. 70.

37. See supra.
quell the presbytery, Guthry remained intractable and the Covenanters were worried that further trouble would erupt.\(^{38}\) The Commission, supporting Argyll's strictures, censured the two rebel ministers, and even Guthry submitted.\(^{39}\)

More critical than these irritations was Charles's own attempt to influence the Covenanters through Loudoun. In February 1643 Hamilton, with Traquair's connivance, sent Charles a petition requesting him to abandon certain annuities which the Scottish Parliament had granted to the King who, in September 1641, had sold them to Loudoun.\(^{40}\) They knew that such a move would hurt Loudoun, not Charles. The petition was signed by many noblemen as well as by several of Hamilton's tenants, and its wording indicates that the petition was intended as a bond of association in loyalty to the King, and that many gentry felt themselves to be paying more than their fair share of taxes, and it was widely appreciated that Hamilton and the Royalists might be lauded as saviours even if the petition failed in its aim, "for if they obtain it not, yet they are the lovers of the country's ease, but their opposites are oppressors".\(^{41}\)

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40. Baillie, *op. cit.*, vol. 2, pp. 64-65; *A.P.S.*, vol. 6, part 1, pp. 38-39. For the text of the petition see Burnet, *Dukes of Hamilton*, pp. 334-35. Although dated 16 February 1643 the petition might have been circulating earlier. For according to Spalding, *op. cit.*, vol. 2, p. 232, on 10 February the Covenanting Provost of Aberdeen, apparently referring to a Royalist bond - in which some suspected Montrose was implicated - warned the citizens against any bond which might violate the Covenant.

Realising what was at stake, Argyll acted swiftly and skilfully. He threatened Hamilton and the other councillors who signed the petition with official censure, and on 16 February he pushed through the cowed Council an act prohibiting the subscribing of the petition. He used the disingenuous pretext that to appeal to Charles directly would create a dangerous precedent for sidestepping, and thus undermining, the Council. At the same time, he was careful to appease the complainants by having the Council announce its conviction that all subjects should be freed from the payment of the annuity as well as other unpopular impositions when circumstances permitted, in an "ordinary and orderly way without gathering subscriptions". 42

But the Royalists' perfectly legal petition to the Council, presented on 21 February, asking that payment of the annuity should be deferred at least until Charles had been consulted, 43 embarrassed Argyll. The Council, after a week's deliberation, lamely replied that it would take the course preferable for the good of King and Kingdom, without regard for the private interest of Loudoun or any others. 44 It appears that the Council undertook either to secure the remission of the annuity or to ensure that it would be employed to defray public debts as well as royal ones.

In addition, Argyll, by promising that at the next Parliament he and his associates would strive to abolish the annuity, cunningly attempted to transform popular resentment against the annuity into pressure for the immediate summoning of a Parliament (which could consider the issue of aid for the English Parliament, and which his associates, having limited faith

42. Ibid., p. 64; R.P.C.S., 2nd series, vol. 7, pp. 394, 607.
43. Ibid., pp. 397, 404.
44. Ibid., pp. 405, 618-19.
Moreover, the Council, in a letter drafted by Argyll, Balmerino and Lauderdale* (who had defected to Argyll's side) advised Charles that the annuity was one pressing justification for calling a Parliament.  

Charles, hoping to maintain Loudoun's vulnerability, authorised Lanark to relieve from payment of the annuity all who would sign a Royalist petition, but Lanark, probably under pressure from Argyll, refused to employ this power, and subsequently, in the Convention of Estates which met in June 1643, Argyll and his associates achieved the estates' affirmation of the legality of Loudoun's rights to the annuity.

Meanwhile, in February 1643 Montrose, with Ogilvy and Aboyne, decided to personally impress upon the Queen at York the necessity for a Royalist uprising in Scotland, and he was followed by Hamilton, undertaking to constrain Argyll and keep Scotland neutral - at least for the summer of 1643. From Loudoun Argyll learned of Charles's refusal, at Oxford, to consider a Presbyterian England as the price of peace, and Loudoun's harsh treatment at Oxford, Charles's refusal to permit him to proceed to London or to grant a Scottish Parliament probably convinced Argyll that the ultra-Royalists prevailed at court.

Argyll now contrived to split the Royalist party at home by ensuring the adherence to his cause of Aboyne's elder brother, Lord Gordon, but

45. Baillie, loc. cit.

* Maitland's father. He died in 1645.


Montrose's advice was ignored, Charles misinterpreting Hamilton's undertaking as meaning that he would keep Scotland out of the war as long as it lasted.\(^{51}\)

In April Argyll, hoping to exploit the snub to Montrose, sent his own brother-in-law, Sir James Rollo, and Loudoun's brother Sir Mungo Campbell of Lawers to Montrose to offer him the payment of all his debts and the lieutenant-generalship of a Covenanting army should one be raised.\(^{52}\)

Rollo had been married previously to Montrose's sister, and was thus a felicitous choice for an intermediary. How sincere Argyll was is uncertain. Certainly Baillie maintained that he was willing to overlook Montrose's "bypast demeanours", but Baillie may have been taking things at their face value with no inside knowledge.\(^{53}\) Some did doubt Argyll's sincerity,\(^{54}\) and it certainly is questionable whether he felt that Montrose would accept the proposal, in which case he was possibly fulfilling the wishes of the very moderate Covenanting nobility and - perhaps more probably - hoping to compromise Montrose's reputation in Royalist eyes by involving him in such a proposition.

\(^{51}\) That is, instead of merely the summer of 1643, which is all that Hamilton seems to have undertaken to guarantee. Burnet, *Dukes of Hamilton*, p. 319; Spalding, *op. cit.*, vol. 2, p. 169; cf. Wedgwood, *King's War*, p. 231. Charles, confident that Hamilton would maintain Scottish neutrality for the duration of the war, "rewarded" him with a dukedom. This he received on 12 April 1643, though news of it was kept secret until the autumn. See *Complete Peerage*, vol. 6, p. 260; Baillie, *op. cit.*, vol. 2, p. 64.


\(^{53}\) Baillie, *op. cit.*, vol. 2, p. 74.

\(^{54}\) See Poyntz to Ormonde, 1 June 1643, *Ormonde Papers*, vol. 1, pp. 19-20.
But no Scottish army was yet on foot, the officers of the Scottish forces in Ireland were disgruntled over lack of pay and supplies, making them and their men unreliable should a Royalist rising erupt in Scotland. This was an unlikely occurrence so long as Charles heeded Hamilton but a change of heart on Charles's part could not be discounted and in view of this Argyll may well have been willing to pay a good price for Montrose's support.

Faced with Charles's evident intention not to concede an immediate Parliament, as Argyll and his associates hoped, the Covenanters now resolved to call a Convention of Estates, in which military policies could be determined and preparations mounted. On 10 May Argyll succeeded in calling a joint meeting of the Council, Conservators of the Peace and the Commission of Common Burdens to consider the urgent problems of the troops in Ireland.

Two days later, at the meeting, Argyll and his associates advocated the summoning of a Convention but Hamilton, Southesk and Craighall maintained that the three bodies present could merely consult together - they could not vote jointly - and pointed out that a Convention could not be summoned without an explicit royal warrant. Argyll and Wariston disagreed, and despite the formal protests of Hamilton and Craighall a Convention in the King's name was summoned for 22 June. The Council's official justification

55. A Convention of Estates was composed of approximately the same membership as a Parliament. Its decrees, in theory only temporary, were usually ratified by a subsequent Parliament, and in the meantime its legislation was normally accepted as valid by the entire nation. See Rait, op. cit., pp. 150-51, 162-63.


57. Apparently by a majority of twenty eight to twelve. Four separate votes were taken. See R.P.C.S., 2nd series, vol. 7, pp. 426-28; Baillie, loc. cit.; Burnet, Dukes of Hamilton, pp. 279-80 misdates this meeting.
for this unprecedented step was that only the "advice and resolution of the representative body of the Kingdom" could deal with the burdensome matters affecting Scotland.  

Having achieved this, Argyll and Loudoun left Edinburgh, probably because of Lanark's expected imminent appearance, and anticipated demand that the Council be summoned to hear Charles's commands. Technically only Loudoun, as Chancellor, could summon such a meeting, and undoubtedly Argyll wished to ensure that the Covenanters would have time to publicise the necessity for a Convention, and lessen the tendency for councillors to be influenced by the royal declarations.

Many ordinary Covenanters were unenthused about military intervention in England, and the English Parliament's omission, since the summer of 1642, to pay the remainder of the "brotherly assistance" or to honour its treaty obligations to support the Scottish army in Ireland had imposed an additional tax burden on the barons and burgesses which diminished their regard for the English. This, and the widespread resentment against the payment of the annuity of tithes, and also the general disenchantment with supporting the army in Ireland, indicated that there would be a pervasive aversion to new financial levies unless people were convinced of imminent and overwhelming danger.

Hamilton and Lanark, who decided not to oppose the meeting of the Convention, hoped to profit from this popular apathy by assuring the public that a Royalist victory in England would not be detrimental to Scottish interests. Accordingly, soon after his arrival in Scotland in mid-May, Lanark ordered to be published throughout the Kingdom a document in which

58. R.P.C.S., loc. cit.
Charles reiterated emphatically his determination to maintain inviolate the 1641 settlement. On 1 June a similar but lengthier document was published by the Council by an almost unanimous vote. Argyll was absent, and despite Loudoun's formal protest the Council, in its letter of acknowledgement to Charles, implied that no troops would be raised without the specific order of King and Council.

But the Hamilton brothers overestimated the extent of the apathy and underestimated the dexterity of Argyll. For much had changed since the previous autumn, of which Baillie could write: "at that time the King being desperate of our assistance, and the Parliament apprehending no need of it, we were no more solicited by either, so we for a long time lay very calm and secure". Since then most Covenanters, including the cautious Argyll, had been impelled towards the idea of military intervention on the side of Parliament by what he considered Charles's outrageous conduct, which will be discussed below. Having turned away from neutralism, the interventionist impulse gradually gathered momentum - and Argyll constituted himself the guardian of its unimpeded progress.


61. Ibid., pp. 429-34, 623; Baillie, op. cit., vol. 2, pp. 72-73. David Laing, Baillie's editor, misdates the meeting 1 July. It is probable that he has confused the Council's vote for publication of the royal statement with its second vote regarding the controversial undertaking in the Council's letter to Charles. In the former vote twenty-six of the twenty-eight councillors present voiced (i.e. voted) in the affirmative. In the latter the voting was fifteen to eleven against Loudoun.

There were several major reasons for the new Scottish attitude. Firstly, in December 1642, Charles had failed to dissociate himself from Newcastle's justification of the inclusion of Catholics in his army (he "believed it very agreeable to present policy"). Then there was the King's rebuff to Scottish attempts at Oxford in March and April 1643 to achieve a negotiated peace - which Argyll cited as evidence that Charles sought to continue the war until he could dictate a treaty along with his rude treatment of the Scottish commissioners and his attempted intimidation of Loudoun. Most damaging of all to Charles's reputation in Scotland - and fortuitous for Argyll and the interventionists - was the "Antrim Plot", revealed early in June. It was a scheme to bring Irish soldiers to join with Highlanders (including the Gordons) and Islanders and raise the north of Scotland against Argyll while Montrose and other Scottish royalists were to seize Carlisle and, using it as a base, lay waste southern Scotland, news of which "wakened in all a great fear of our safety, and distrust of all the fair words that were or could be given us".

On 9 June the Council and the Conservators of the Peace, issued a joint declaration in which Scotland was depicted as having narrowly escaped a Catholic-induced slaughter and the Council virtually disavowed its vote of 1 June. Now all subjects were warned against being duped by any promises which Charles might make about maintaining the 1641 settlement.

65. Ibid., pp. 73-74. Queen Henrietta Maria, Argyll's nephew Lord Aboyne, and the Catholic Earl of Nithsdale were implicated.
66. Ibid., p. 80.
Recognising a lost cause, Hamilton and his adherents withdrew from the Council, but returned on 10 June only, to support Morton and several other Royalists who had been castigated by Wariston and Pickering for having communicated with the Queen. Evidence is scanty, yet it is likely that Argyll, bent as he was on keeping the moderate Royalists out of Montrose's camp, was anxious for accommodation with the Hamiltonians. The indications are that he and other Covenanting noblemen tried to restrain Wariston from intemperate attacks and to allow Morton and others to emerge comparatively unscathed. Thus the Council accepted Charles's request that charges against the alleged delinquents be dropped. 68

On 22 June the Convention of Estates met, and was remarkably well attended, a reflection of the interest engendered by the recent controversies. 69 Hamilton had persuaded most Royalist noblemen, except for a few Montrosians, to attend. But most of the barons and apparently all of the burgesses were in Argyll's camp. 70 Moreover, the Commission of the General Assembly met concurrently with the Convention and thus the views of the ministers were made widely known at the same time. 71

Before the Convention could proceed to business, Argyll and his associates had to ensure that its legality was admitted. On Hamilton's

68. Ibid., pp. 444, 450-51, 645; Baillie, op. cit., vol. 2, pp 77-78. The charges against Morton and the others were, however, brought before the Conservators of the Peace and they were subsequently examined by the Convention of Estates.

69. Ibid., p. 75; A.P.S., vol. 6, part 1, pp. 3-5 shows that there were fifty-six nobles, forty-six barons and fifty-four burgesses.

70. Baillie, loc. cit., states that all barons without exception, were Argyll's men, which does not appear to have been strictly correct, since two of them, William Douglas of Cavers, Sheriff of Teviotdale, and Sir Andrew Ker of Gradan, were seemingly pro-Royalist, and were nominated as members from Roxburgh. However, on its first day the Convention rejected them, naming two others in their stead. Moreover, one baron later voted with the Royalists on a not unimportant issue.

71. James Wilson, op. cit., p. 32.
advice Charles had authorised its meeting, on condition that it restricted its deliberations to financial questions and made no attempt to raise forces or bring over the Scottish army from Ireland. However, the Convention debated whether or not it was legally obliged to abide by these contraints, and a committee, consisting of nine representatives of each estate, was established to consider the issue. The noble members included Argyll, his associates Lauderdale and Balmerino, and six Royalists: Hamilton, Lanark, Morton, Roxburgh, Southesk and Callander. This suggests that the aristocratic reaction against Argyll's supremacy and the increasing trend towards theocracy, which culminated in the Engagement, was already activated. Yet on 26 June, when the issue of validity was brought to a vote before the entire Convention, it seems that only eighteen nobles and one baron joined Hamilton in voting against declaring the Convention free. Argyll, who had probably been busily marshalling opinion behind the scenes, then demanded to know whether Hamilton intended a formal protest against the Convention's legality. Hamilton and Lanark feebly indicated that they did not, and, with some of their followers, withdrew from the proceedings. Other adherents of Hamilton remained in the Convention and by so doing tacitly avowed support for Argyll.

The latter had triumphed, and he consolidated his victory by moving against the extreme Royalists. Huntly, Carnwath, Ogilvy and others were required to guarantee their good behaviour and most fled to England, leaving their forfeited estates in the hands of the Covenanters. In the meantime, another attempt was made to reach an understanding with Montrose, who early

73. A.P.S., vol. 6, part 1, p. 6.
75. Ibid., p. 337; A.P.S., loc. cit.
in June had met with Huntly, probably to consider raising northern Scotland for Charles. Montrose was considered "very double", and Rollo and Henderson had a long - but abortive - meeting with him near Stirling. Repairs to Oxford, he continued to implore Charles to permit him to carry the war into Scotland.

Now Argyll and his associates awaited the arrival of the long-promised commissioners of the English Parliament. The former were fully sensible of the significance of the Parliamentary reluctance, despite the recent military disasters at Adwalton Moor and Roundaway Down, to solicit Scottish aid. For although Miles Corbett, M.P., appeared on 14 July to apologise for the delay (thus inadvertently raising Scottish hopes that he would request "assistance against the Papists in England") he had no power to treat. Yet such was the determination of Argyll and his associates to prevent a Royalist victory in England that they willingly waited while Pym outmanoeuvred Holles' peace party, and persuaded Parliament of the necessity of leaguing with the Scots. It was vital to maintain the advantage which recent revelations of Charles's conduct had accorded the interventionists.

On 17 July the Convention issued a very powerful statement, comparing the dangers facing the English people with "the like dangers imminent

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77. Ibid.
78. James Wilson, op. cit., p. 32; Wishart, op. cit., pp. 29-32.
80. A.P.S., vol. 6, part 1, pp. 13-14. Corbett's instructions did not specifically mention a treaty between the two nations. See also Baillie, op. cit., vol. 2, p. 79, which shows that the Scots had expected that the English would have sent commissioners as soon as they had learned of the decision to call a Convention, and ibid., p. 81: "the slowness in all their affairs is marvellous".
unto themselves, and threatening their own religion and peace".81 And on 28 July the Convention ordered the raising of money and the levying of approximately 6000 foot and 200 horse.82

At last, on 7 August, the English commissioners arrived in Edinburgh, led by the Presbyterian Marshall and the Independent Vane.83 The latter, who dominated proceedings,84 had been in Scotland during the 1641 Parliament, and although evidence is wanting, he must have conferred with Argyll. Now he and Argyll appear to have established a close working relationship. Each appears to have regarded the other with respect.

However, the extent of Argyll's involvement in the week of negotiations resulting in the Solemn League and Covenant is unfathomable. In 1662 Vane himself recalled that Argyll, "that noble person, whose memory I honour, was with myself at the beginning and making of the Solemn League and Covenant".85 And after Vane's execution the Bishop of Derry wrote that Charles II told Lauderdale* that "by gathering up and piecing together the papers which Sir H[enry] Vane tore upon the scaffold, they found out

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82. Ibid., pp. 19-20.
83. The delegates were: Stephen Marshall and Philip Nye, representing the English ministers, and Sir Henry Vane the younger, Sir William Armine, Thomas Hatcher and Henry Darley representing Parliament. The presence of the Independents Nye and Vane was not as tactless and provocative as it first appears. On the contrary, it reflected Parliament's willingness to prove how keen Independents, no less than Presbyterians, were for an alliance with the Scots. See Lawrence Kaplan, "Steps to War: the Scots and Parliament, 1642-43", Journal of British Studies, vol. 9 (1970), pp.50-70.
* formerly Lord Maitland.
the father and the mother of the Covenant, which was Argyll and himself. 86

Nevertheless, the contemporary sources, meagre as they are, convey the impression that Wariston and Henderson conducted most of the negotiations on the Scottish side. They belonged to the committees set up by the Convention and by the General Assembly respectively to conduct intercourse with the English. Wariston belonged to both, Argyll to neither, though he had several close associates among their members, notably Barclay and Dickson, and was in all likelihood closely consulted at every stage of the deliberations. It was, perhaps, in response to the English reluctance to make the promises regarding church government in England desired by the Scots, that Argyll, Henderson and most other Covenanting leaders initially felt that in sending an army to aid the English Parliament the Scots should avoid embroiling themselves in a formal alliance. 87

They might have reasoned that if the Scots went to England in the ostensible role of mediators and cordial to both King and Parliament, they would be placed in an advantageous position to continue bargaining with

86. George Wild, Bishop of Derry, to John Bramhall, Archbishop of Armagh, 17 June 1662, H.M.C., Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq., of the Manor House, Ashby de la Zouch, vol. 4 (ed. Francis Bickley, London, 1947), p. 134. The letter adds that "by telling the people this, if the trumpets had not silenced him, he meant a piece of sedition, to unite the Presbyterians and Congregationalists against the present government".

87. Baillie, op. cit., vol. 2, p. 90. For the English reluctance see "Propositions given by the Commissioners of the Parliament of England to a Committee, to be presented by them to the Assembly", Peterkin, op. cit., p. 347; "A Declaration of the Church of Scotland", ibid., pp. 347-48. See also A.P.S., vol. 6, part 1, pp. 23, 36. The members appointed to the Convention's committee were Wariston, Balmerino, Crawford-Lindsay, Robert Barclay (Argyll's former tutor and close associate), Sir Thomas Hope of Kerse (Craighall's son, who died on 23 August and was replaced by Sir Adam Hepburn of Humbie). Those appointed by the Assembly's committee were Wariston, Henderson, Baillie, Maitland, Angus, George Gillespie, Robert Douglas, David Dickson and Samuel Rutherford.
Parliament for the establishment of Presbyterianism in England which they considered was so vital for the security of their own constitutional settlement. In addition the role of mediators would make Scottish intervention in England more acceptable to the many Covenanters who opposed it out of a sense of loyalty to Charles, however misguided they considered him. Whatever the cause of the scheme, it was vehemently opposed by Wariston, and abandoned.

The evidence available is inconclusive. Baillie remarks that at the eleventh hour, after the two committees had apparently reached a crisis point with the English over the wording of the Covenant, "some two or three in private" agreed on a draft which was without protest accepted by all concerned. These two or three, whom Baillie fails to name, were probably Henderson, Wariston and Vane. Assuming that Baillie knew their identities, it seems unlikely that he would have omitted mention of one so pre-eminent in the land as Argyll, if he had been a participant. However, this does not mean that Argyll did not powerfully persuade the zealots to compromise with the English. As a practical politician he must have calculated that the Scots could best influence the peace in England by participating in a Parliamentary military victory, which would oblige the English to reward the Scots by adopting a church settlement acceptable to them.

Vane was made to realise that the Scots would not give the desperately required military assistance without a religious Covenant between the two Kingdoms, and the Solemn League and Covenant of 17 August, as drawn up by Henderson and approved by the English commissioners, demanded "the nearest conjunction and conformity in religion, confession of faith, form of church

88. Baillie, loc. cit.
government, directory for worship and catechising.  

But Vane could not pledge that the Westminster Assembly would establish an ecclesiastical structure identical with Scotland's, which the Scots dearly wanted. The Scots were concerned not only with security, Argyll's prime consideration; they wanted their church leaders to exert influence in English affairs, for the sake of true religion. Yet Vane went further than is often realised, by accepting the statement that "the Church of Scotland, in doctrine, worship, discipline and government [was] according to the Word of God".  

However, he insisted upon the inclusion of two clauses in the part treating specifically of England's future church settlement: the final arrangement would be "according to the Word of God and the example of the best reformed churches". Thus the final decision would be left to the English ministers and the English Parliament, and was interpreted by Baillie, as "keeping a door open in England to Independency".  

It seems strange that the astute Argyll would have permitted such ambiguity to be introduced, but his knowledge of English political realities, as reported to him by Loudoun and others, may have convinced him that the English Parliament would never have tolerated Henderson's unequivocal statement and that Vane, with whom he got on so well, was only being honest in his dealings with the Scots. It is probable that Argyll was  

90. Gardiner, Constitutional Documents, pp. 267-71 gives the text of the final version, which was accepted by the House of Commons on 25 September 1643.  
91. A.P.S., vol. 6, part 1, p. 42.  
93. Baillie, loc. cit.
happy with even this, for the indications are that, although he desperately sought an English alliance for Scotland's security (indeed, it is difficult to imagine what he would have done had Vane and the rest failed to appear, so strongly did his policy at the time of the Convention rest upon an alliance) that he shared Vane's interest in a civil rather than religious alliance. And he may well have concluded - even if only motivated by vague wishful thinking - that once the Scottish army was in England the Independents would be able to be subdued and the English Presbyterians assisted in inaugurating a presbyterian religious settlement. 94

On the other hand, "Presbyterianism in one Kingdom" was probably still the rule, so long as it would be guaranteed an unharassed existence. And, while doubtless he would have preferred a Presbyterian England and while he distrusted Independency and abhorred the proliferation of sects which occurred later in the decade, any non-Episcopal Protestant settlement in England would, he probably realised, leave Scotland alone, whereas the King would always be looking to the day when Episcopalianism could be reimposed there. Then, too, it is quite probable that Argyll was convinced that even without an alliance the Scots would be forced to intervene in England, if only to secure their southern border, and perhaps seize Berwick and Carlisle, which would bring them into conflict with the Earl of Newcastle. 95 If this is indeed how Argyll viewed affairs, then he might have rested content with having wrung this much out of Vane, who after all

94 In 1643 the differences between Presbyterians and Independents in England were not yet irreconcilable. There was still friendly discussion between them rather than the exchange of abuse that came later. There can be no doubt that Argyll favoured the former. See Instructions to a Son, p. 167.

95 Baillie, loc. cit.
had conceded that the Scottish Church approximated to God's will. 96

For Argyll the political clauses of the Covenant, couched in religious language, would have been of more pressing interest. And here he would doubtless have found everything satisfactory: the rights and privileges of both Parliaments and the liberties of both Kingdoms were to be defended by all signatories; all "malignants" and "incendiaries" were to be tried before their respective Parliaments; the articles of the 1641 treaty were to be guaranteed in perpetuity, and the parties to the League in effect bound themselves to make no separate peace with the King. 97

The English commissioners remained in Edinburgh arranging the practical details of the alliance until October, when they were relieved by others. 98 The length of time this took indicates that the Scots were tough negotiators, regarding secular issues as seriously as religious ones. Notably, though the Parliamentary troops had in August gained control of Berwick from Newcastle and his Catholic soldiers, the Scots, for their own feelings of

96. See A.P.S., vol. 6, part 1, p. 15. The phrase "Word of God" had been frequently employed during this period by Covenanters and English Puritans alike. On 17 July the Convention of Estates had, in a paper to the English Parliament, expressed the hope that the Westminster Assembly would soon establish the desired unity of religion and uniformity "according to the Word of God". Indeed, the phrase cannot have been inherently unacceptable to the Scots, even to Wariston and the zealots; who must have entertained no doubt that the "Word of God" signified Presbyterianism.

97. Although later the English Parliament reduced this to a general undertaking to preserve perpetual peace and union between the two Kingdoms, and Catholic Ireland as well as Episcopalian England was to have a Puritan reformation. Clause 3 of the Solemn League and Covenant bound the parties "to preserve the rights and privileges of the Parliaments, and the liberties of the Kings, and to preserve and defend the King's Majesty's person and authority, in the preservation and defence of the true religion and liberties of the Kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish His Majesty's just power and greatness". Gardiner, Constitutional Documents, p. 269.

security, insisted that they themselves held that town, which, after much discussion, was done.99

The English peace party had insisted that the English Commissioners who went to Edinburgh in August should not promise the Scots the right to participate in any peace negotiations with Charles, since they felt that the Scots would insist on Charles accepting Presbyterianism, thus precluding an early peace. But the Scots, not wishing to be caught unawares by a sudden understanding between their ally and their enemy, insisted on involvement in any future talks, and eventually upon an important concession: "that no cessation, nor any pacification, or agreement for peace whatsoever, shall be made by either Kingdom, without the mutual consent of each Kingdom".100

News of cessation of hostilities in Ireland strengthened Scottish resolution, confirming their suspicions that Charles would collaborate with Catholics, and convinced the undecided, that the Covenanting militarists were right.101 Fears were entertained for the ill-equipped and ill-supplied Scottish army in Ulster, now to feel the full force of the Irish. The Scots did not want to relinquish their important interests in Ulster, and the English wanted the Irish preoccupied at home, and so responded to the Scottish plea for assistance by granting a lump sum, part of which would


100. L.J., vol. 6, p. 290. It appears that English thinking about Scottish intervention was fairly mixed. Thus some of the English regarded the Scots' main role as a diversionary, being especially effective in preventing Newcastle's northern forces from moving south, and in drawing southern Royalists northwards.

pay the arrears of the Scottish troops in Ulster. Moreover, despite opposition from many English, the Scottish and Parliamentary forces in Ulster were placed, as the Covenanters demanded, under Monro's control. The Scots recognised that military control would ensure the maintenance and possibly the extension of their influence in Ireland.

The English Parliament had conceded much, but they considered it worth it in order to secure the Scots' military services. The general of the 21,000 troops whom the Scots would soon be sending to England was Leven, with David Leslie as major general of the horse and William Baillie lieutenant-general of the foot, and local war committees, in which Campbells played prominent parts in several shires, were established. A Committee of Estates was appointed, part of which - including Argyll - would accompany the army to England, while the rest would remain in Scotland.

102. A.P.S., vol. 6, part 1, pp. 247-49; L.J., vol. 6, p. 244; C.J., vol. 3, p. 350. The Scots had asked originally for £100,000 but after some deliberation the amount was reduced by one third, and the difference was made up with 10,000 suits of clothes and shoes and an equal number of bolts of meal.


104. It has been plausibly suggested by Professor C. M. Williams that the English sought Scottish help in preference to Henry Marten's proposal for a General Rising, which threatened the established social order, and that they viewed the Scots as mercenaries who would have no further claim on them once they had received their pecuniary reward. For the joint political machinery set up after the signing of the Solemn League and Covenant see Wallace Notestein, "The Establishment of the Committee of Both Kingdoms", American Historical Review, vol. 17 (1912), pp. 477-95; Lotte Mulligan, "The Scottish Alliance and the Committee of Both Kingdoms, 1644-6", Historical Studies, vol. 14 (1970), pp. 173-88.

On 28 September the Committee ordered the mustering of all men between sixteen and sixty in the shires between 4 and 20 October. But Argyllshire, Bute and Dunbartonshire were exempted from this, since 600 men were to be levied there to oppose Alastair MacDonald, called MacColla, who, to Argyll's consternation, had appeared in the Isles with about 300 Irish Catholics and was rumoured to be expecting reinforcements from Ireland. On 20 March 1644 the Committee gave Argyll a commission to act as the King's lieutenant in suppressing these rebels - who also claimed to be acting for the King. 106

Thus two encircled passages in Argyll's Bible were seemingly fulfilled. On 19 January 1644 the Scottish army advanced into England to establish God's word: "and thou shalt come from thy place out of the north parts, thou, and many people with thee . . . a great company, and a mighty army . . . And I will bring thee against my land, that the heathen may know me . . ." And the prospect of closer union loomed, like the union of Israel and Judah: "Behold, I will take the children of Israel from among the heathen . . . and they shall be no more two nations, neither shall they be divided into two Kingdoms any more at all: neither shall they defile themselves any more with their idols, nor with their detestable things, nor with any of their transgressions . . . And David my servant shall be King over them . . . moreover I will make a covenant of peace with them". 107

106. S.R.O., PA. 11/1, Register of the Committee of Estates, 1643-44, folios 64-66; H.M.C., Fourth Report, p. 490; A.P.S., vol. 6, part 1, p. 61. Alastair (or Alexander) MacDonnell (or MacDonald), otherwise known as MacColla, was the son of Coll Macgillispick or MacDonald, whose nickname, Coll Keitach or Colkitto ('the ambidextrous') is sometimes mistakenly applied to Alastair.

107. N.L.S., MS. 1871. The first passage is from Ezekiel, Ch. 38, verses 15-16, and the second is from Ezekiel, Ch. 37, verses 21-26.
Evidently Argyll had found the approval of his God. 108

Argyll’s desire for union of the Kingdoms was very far from being sui generis. A burning desire for a united Britain had characterised Knox and many of his followers, 109 who assumed that reformation implied and entailed unification, and who looked to a united Kingdom (dominated inevitably by the occupant of the more powerful English throne) which, vanquishing the Anti-Christ, would make the whole European continent safe for Protestantism. As one scholar has written, "if Scottish commentators did speak in terms of the godly prince, they would follow Knox in visualising such a prince as operating within a 'British' context". 110

However, instead of the anticipated union and reformation, which would have been accomplished had Edward VI married the Scottish Princess Mary, there came war and suffering, culminating in widespread apostacy. "Experience hath taught us (to our pains)" wrote Knox at the time of the proposed marriage between Elizabeth I and the Earl of Arran, "how foully we did err when we did not embrace the occasion when it was offered of that union". 111

108. Ibid. There seems to be little doubt that these passages were marked with these events in mind. But, of course, we do now know when Argyll decided to call permanent attention to them. Other passages referring to a Covenant have been marked in his Bible. They include Ezekiel, Ch. 20, verses 33-37, where, in Argyll’s hand, "nota" appears in the margin, Ezekiel, Ch. 16, verses 59-63, and Ch. 17, verses 14-19. These refer to the tribulations consequent upon Covenant-breaking. Ezekiel, Ch. 33, particularly verses 10-20, has been heavily marked, leaving little doubt that Argyll saw Scotland as a latter-day Israel.

109. Not, however, reformers such as John Erskine of Dun, who had never been in exile. See Williamson, op. cit., p. 67.

110. Ibid., p. 21.

Knox's contention that "... the Isle is a common country to us both, one that speaketh your own language, one of the same religion", reflects the view of an English contemporary, Anthony Gilby: "O England and Scotland, both making one island, most happy if you could know your own happiness". Both were echoed by the Covenanters, not least by Argyll in 1646.

It is striking that during the late sixteenth and early seventeenth centuries Scotland had many prophets of union: Major, James Harryson, John Gordon, John Russel, James Maxwell, Sir Thomas Craig, David Hume, James VI. George Buchanan, almost alone, insisted that the principles of the 1567 political revolution were peculiarly Scottish in application, and, as Dr. Williamson observes, "total opposition to union is hard to locate among the reformed Scots".

The idea of union was dear to the hearts of many Covenanters, and apocalyptically inclined Scots such as Rutherford looked to a 'British' rather than a solely Scottish context. Such ideas underlay the views of leading Covenanters like Wariston and Baillie. The former had in 1638 likened Scotland to Israel ("the only two sworn nations of the Lord"), her mission being to "begin His work of destroying the chair of Anti-Christ in the world". But the following year he was including England in this mission: "are we not their own brethren, their own flesh and bone?"

112. Quoted ibid.
114. See infra, Chapter 8.
116. Ibid., p. 131. For a discussion of the National Covenant and union see ibid., p. 141.
The two Kingdoms faced a shared destiny: "our salvation is common" and "the Lord is about some great work in the earth". This he affirmed in the Remonstrance, which was presented as an official Scottish tract and which almost certainly had Argyll's tacit support. 118

The Covenanting contention in 1640 that an examination of Scotland's past revealed "the greatest blessings that God hath bestowed on this Isle... next to the Christian faith [was] the union of the two Kingdoms under one head [which] doth by many degrees exceed all others [i.e. blessings] that shall fall in the reckoning", 119 is remarkably evocative of John Gordon's remarks three decades earlier. 120

Argyll would agree with Rutherford's assertion that "besides the union in religion, we sail in one ship together, being in one island, under one King, and now, by the mercy of God, have sworn one Covenant, and so must stand or fall together". 121 He said virtually the same thing himself. 122 But the reminder in the prelude to the statement, with its suggested advocacy of foreign intervention to advance the ends of the reformation, was far less likely to have been echoed by him: "Queen Elizabeth helped Holland against the King of Spain..." 123 For nowhere in Argyll's

118. The Remonstrance of the Nobility, Barrones, Burgesses, Ministers and Commons within the Kingdom of Scotland (Edinburgh, 1639), p. 28. See also ibid., pp. 26 and 32, where it is asserted that the document was "revised according to the ordinance of the General Assembly" by Wariston, its Clerk.


120. "Let all the subjects of the Island think that it is a great glory to them to be called Britons, that is to say, the people of God's Covenant, which after the name of Christian is the most glorious, and honourable name that any man in the world may enjoy". John Gordon, Enotikon, or a Sermon of the Union of Great Britannie (London, 1604), pp. 22-24, quoted in Williamson, op. cit., p. 103.

121. Rutherford, op. cit., p. 189.

122. See his speech before the English Parliament, June 1646, infra, Chapter 8.

123. Rutherford, loc. cit.
preserved speeches and writings is there any indication that he envisaged the Solemn League and Covenant as the precursor to a vast campaign to effect reformation in the world at large. Yet that was the fantasy indulged in by many Covenanters—presumably with varying expectations of fulfilment. In 1640 Baillie was writing that the time was opportune for the employment of "our arms on these spiteful nations [the Catholic powers], the hereditary enemies of our Religion and our Isle", and to "pull down those tyrants who have shed rivers of Protestants' blood, who have long tried on the persons of our dearest friends [the Electoral family] and with them on our honour". Others maintained likewise. But for Argyll the Solemn League and Covenant was very much a preventive and defensive alliance. He would prefer to see Protestantism strong and flourishing abroad, just as he would prefer to see Presbyterianism established in England. But the man who was reluctant to export the Scottish reformation to Scotland's southern neighbour through force of arms was hardly likely to advocate a vast Anglo-Scottish military crusade to bring the Word of God even to Rome. His attitude here was not primarily the product of his natural caution, nor even of political realism (the idea of Scotland taking on the Catholic powers must have struck him as absurd), nor yet of that indifference to foreign affairs noted by a contemporary. These would have played their part, but the basic, the overwhelming, reason was at once simpler and more profound: Argyll, by disposition, entertained no apocalyptic vision. In this he differed from so many of his zealot allies.


125. For a Scottish view of the course of international affairs after the anticipated destruction of Rome by Protestant armies see James Durham, A Commentarie upon the Book of the Revelation (Glasgow, 1680), especially pp. 526-633. See also A Remonstrance Concerning the Present Troubles, loc. cit. Information from the Estaits of the Kingdome of Scotland (Edinburgh, 1640), p. 8; Arguments Given in by the Commissioners of Scotland (n.p., 1640).

126. See supra, Chapter 1.
but as events turned out it did not matter. For long before the apocalyptic impulse could make its first thrust the Solemn League and Covenant was in ruins, and the zealots were frustrated in their hopes for the grand reformation "to be propagated from Island to Continent", 127 for "a new world wherein religion and righteousness shall dwell", 128 not by the Roman Anti-Christ but by their intended partner in the projected crusade.

Later, defending Scotland's decision to enter into an alliance with England despite the 1641 settlement Argyll wrote: "I am confident none but biased men, or such as are not able to judge but by the effect, will consider two things". The first of these was that "the popish and prelatical party" aimed "to alter fundamentals in religion, and that the King and his juncto had found their error in beginning at Scotland". The second was "that the same game was acting in England which begun in Scotland, as was evident by the great trust the popish and prelatical party had, both in the King's counsels and armies", as evidenced by Henrietta Maria and Laud. "Now let any wise Christian man judge, if the King had got power in his hand by his sword, what might be expected by Scotland". The Scots' decision was "the King and his counsellors own faults, that would not satisfy his people's desires in time, but drove on still to greater and greater extremities, and gave ground for practising these two maxims: Extremis malis extrema remedia and that Salus populi suprema lex." This reinforces the view of Argyll as a Scottish patriot and one holding the traditional Scottish conception of the contractual relationship between the King of Scots and his subjects. Evidently, Argyll held that if the King defaults on his obligation to maintain his people's

127. The Intentions of the Army of the Kingdom of Scotland (n.p., 1640) p. 23.

safety, then the inferior magistrates (the Estates, led by the nobles) are obliged to act on the people's behalf. 129

Shortly after his commission, 130 Argyll received a communication from Montrose, which, in its impertinence, even insolence, must have provoked him into indignation and anger and increased his determination to crush him. For it was less a call to reconciliation than a thinly veiled jibe at Argyll and his predominance, a signal to arms:

My Lord, I wonder at your being in arms for defence of rebellion, yourself well knowing His Majesty's tenderness, not only to the whole country, whose patron you would pretend to be, but to your own person in particular. I beseech you, therefore, to return to your allegiance and submit yourself, and what belongs unto you, as to the good grace and protection of your good King, who, as he hath condescended unto all things asked, though to the exceeding great prejudice of his prerogative, so still you may find him like an indulgent father, ready to embrace his penitent children in his arms, although he had been provoked with unspeakable injuries. But if you shall continue obstinate, I call God to witness that through your own stubbornness I shall be compelled to reduce you by force. 131

129. "A Short Vindication of Two Aspersions cast upon Scotland upon mistaken Grounds - the first, their joining in a League and Covenant with the Parliament of England after their own affairs were settled - the second, their leaving the King in England when their army returned back into Scotland", in James Kirkton, The Secret and True History of the Church of Scotland from the Restoration to the year 1678 (ed. C. K. Sharpe, Edinburgh, 1817), pp. 39n.-40n. This tract, hereafter cited "A Short Vindication", was penned during the English occupation of Scotland and dedicated to Oliver Cromwell, but it does not appear to be especially intemperate on that account. It seems to be a fair representation of Argyll's true views. The latter maxim - that "the safety of the people is the supreme law" - was apparently a favourite of both Argyll and Loudoun (see infra, Chapter 7) and of Samuel Rutherford: "the law hath one fundamental rule, salus populi, from which any divergence is to be regarded as perverting the law". Rutherford, "Lex, Rex", p. 137. It is probable that Argyll shared Rutherford's view that "the safety of the people is far to be preferred before the safety of one man ..." "Lex, Rex", p. 187. This should be borne in mind when considering Argyll's motives for abandoning Charles to the mercy of the English Parliament in 1647. Infra, Chapter 8. Argyll's appeal to cause rather than effect reflects what was evidently a common theme at the time. It appears, for instance, in Rutherford: "the people in power are superior to the King, because every efficient and constituent cause is more excellent than the effect", ("Lex, Rex", p. 80) and it formed a substantial part of Argyll's defence at his trial in 1661: "No man's intention must be judged by the event of any action, there being oftentimes so wide a difference betwixt the condition of a work, and the intention of the worker". Cobbett, op. cit., vol. 5, p. 1432.

130. See supra.

Now that Hamilton, who had been arrested at Oxford in December 1643, was no longer in a position to influence policy, Montrose felt free to concentrate his attention upon toppling Argyll, and make good his plans to raise Scotland for the King. On 1 February 1644 Charles granted him a commission as lieutenant general of the royal forces in Scotland, three days after Montrose had drawn up an agreement with Antrim before Sir Robert Spottiswoode, whereby Antrim, as 'His Majesty's General of the Isles and Highlands of Scotland' undertook to raise 2000 troops by 1 April, not only from Ireland, but from the MacDonald strongholds in the Isles too.

Ogilvy and Aboyne, Argyll's Gordon nephew (whose two brothers, Lords Gordon and Lewis, obediently if uncomfortably followed their uncle) declared openly for Montrose. Huntly, Crawford-Lindsay and Traquair were jealous of him, and such Royalists as Southesk, Roxburgh, Nithsdale, Carnwath, Home and even Morton were in no hurry to fall in behind a noble of the second rank and their junior in years. Moreover, to reject the Solemn League and Covenant meant excommunication by the Kirk and the confiscation of Royalist property, and this might have influenced such a man as Seaforth in his initial unwillingness to commit himself to Montrose.

132. Charles was angry with Hamilton for failing to keep his promise to maintain Scottish neutrality. See supra, note 51. At long last, preferring Montrose as an adviser, Charles ordered the arrest of Hamilton and Lanark when they arrived at Oxford in December 1643. Hamilton was imprisoned at Woodstock Castle, and in January 1644 was transferred to Pendennis Castle. Lanark was to be incarcerated in Ludlow Castle but escaped, joined the Scottish Commissioners in London and signed the Solemn League and Covenant. See Burnet, Dukes of Hamilton, pp. 324-26; Baillie, op. cit., vol. 2, pp. 125, 138-39; Guthry, op. cit., p. 131; Meikle, op. cit., p. 6.

133. The post of vice-roy and captain-general of the forces (which Montrose, who was afraid to antagonise jealous potential supporters still further, declined to accept) devolved in a nominal way upon the King's nephew, Prince Maurice, for whose military campaigns in England see Wedgwood, King's War, p. 291 et seq.

134. Lanark had been arrested with his brother. See supra, note 131.

On raising the standard in Scotland Montrose made an obvious reference to Argyll and his associates:

Always, such hath been the obstinacy of some and ignorance of others, in their own pernicious and blind resolutions, as they would rather hazard to plead guilty of that sin which cannot be pardoned, nor to forgo their horrid or superstitious courses; still striving the more to cover their own wickedness or absurdity, to tax His Sacred Majesty, and brand his service, with all the desperate calumnies... that Hell or malice could fashion.

He continued that he, in the King's name and authority, did solemnly declare, that the ground and intention of His Majesty's service here in this Kingdom (according to our own solemn and national oath and covenant) only is for the defence and maintenance of the true Protestant religion, His Majesty's just and sacred authority, the fundamental laws and privileges of Parliaments, the peace and freedom of the oppressed and thrallèd subject, and that in thus far, and no more, doth His Majesty require the service and assistance of his faithful and loving-hearted subjects..."

He concluded that his endeavours "will prove sufficient against all unjust and prejudicial malice, and able to satisfy all true Christians, and loyal-hearted subjects and countrymen who desire to serve their God, honour their prince and enjoy their own happy peace and quiet". 136

Thus began the campaign, in which Argyll intended "to have at least a troop of good fellows" with him and expressed himself "unwilling in this to be beholden to any but my own special friends",137 which culminated in the disaster at Inverlochy. The details of the campaign, the meanderings over moor and mountain, have been described elsewhere 138 and will not be duplicated here.


138. Argyll possessed 2,500 infantry and 1,000 cavalry. For a lucid description of the campaign see Cowan, op. cit., Chapter 9.
One of Argyll's many traducers later claimed that "what he wanted of the generosity of a warrior he supplied with the malice of a witch, being the most implacable enemy loyalty ever met with in Scotland".\(^{139}\) As argued previously\(^{140}\) he was no less clement than anyone else - given the opportunity - of his upbringing, period and environment. And his objectives on his march during this campaign against Montrose show that, notwithstanding the accusations and recriminations, he was not a man to wreak vengeance indiscriminately or depredate needlessly. Thus we find him at Stirling in September 1644 instructing Campbell the younger of Glenorchy to impound the goods of Stewart of Ardvoirlich because he had entertained the rebels, and to keep a list of propertied individuals who were with the rebel forces.\(^{141}\) These men were fair game - as Argyll's men were at the hands of their Royalist enemies. On the other hand, the younger Glenorchy was ordered to hold formal and properly constituted courts martial in his regiment and to inflict the death penalty according to military law on all found guilty of plundering, robbery or other misdemeanours.\(^{142}\) Argyll issued the younger Glenorchy with an order forbidding him to permit his soldiers to rob or destroy houses, "for these are things you know I hate". Any measures beyond taking "entertainment" - that is, billeting - were to be by formal order only, and not at the discretion of the common soldiers. "Let this", Argyll wrote, "be your rule".\(^{143}\)

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139. Harleian Miscellany, vol. 8, p. 32; Burnet, Own Times, vol. 1, p. 43: "Argyll was . . . a great oppressor in all his private dealings, and he was noted for a defect in his courage on all occasions where danger met him. This had one of its usual effects on him, for he was cruel in cold blood . . . " See infra, Chapter 8, note 105.

140. See supra, Chapter 5.


142. Argyll to John Campbell, firar of Glenorchy, 7 September 1644, ibid., GD 112/39/859.

143. Argyll to John Campbell, firar of Glenorchy, 9 September 1644, ibid., GD 112/39/860.
So much has been written alleging Argyll's bloodthirstiness and brutality that these documents come as a surprise, and certainly help to set the character of the man in a more dispassionate perspective. They would appear to indicate that his advice to his son, written shortly before his death, might not be the hypocrisy that it at first appears: "above all . . . to have more regard to Christianity than covertly or basely to kill a particular enemy by secret assault or practice, it being altogether most unwarrantable either by faith or honour". 144

During the first week of December 1644 Montrose's army moved towards Loch Tay and Breadalbane, to plunder and burn Glenorchy's lands. "Argyll", wrote a Catholic priest accompanying the army, "is the wildest country of all". It was difficult of access, often treacherous, "and the whole region seems to devour the wayfarer rather than carry him through it". 145 It was indeed, as the Campbells boasted, "a far cry to Loch Awe". 146

But Argyll's confident expectations that he would be able to pick off Montrose's men in the passes were ill-realised, for with the help of his Highland guides Montrose traversed them, and Argyll was at Inveraray when he received the astonishing news: Montrose and Alastair were advancing down Glen Shirra. Argyll fled by galley down Loch Fyne, leaving his lands to their fate.

144. Instructions to a Son, pp. 18-19.


146. See supra, Chapter 1.
At Loch Awe, that supposedly inaccessible point, the Royalist force divided. A detachment rampaged through Glassary and raided the area around Carnassary Castle, belonging to Campbell of Auchinbreck, and Montrose with the main force plundered and ravished Argyllshire. Inveraray Castle was too well garrisoned to storm, but the town of Inveraray was burned almost to the ground. All armed men found in Argyll's territories were put to the sword or forced into hiding, and all cattle and sheep were taken or slaughtered. Alastair destroyed every Campbell home he encountered. The only resistance came from Campbell of Inverawe, and he was driven to Dunstaffnage. A ship armed with brass guns which Argyll sent to bombard Montrose and his host on the shore of Loch Leven was wrecked.\textsuperscript{147}

After Christmas Montrose laid waste to Lorne and by January 1645 it was being reported that Argyllshire had been "left like a desert".\textsuperscript{148}

At the close of that month Montrose and his supporters issued a band to unite the loyalty of the Highlands against the power of Argyll.

"Whereas His Sacred Majesty, for the vindication of his own honour and just authority and the happiness and recovery of his thrallcd and oppressed subjects, has been from all reason and necessity constrained to own himself and their miseries, by declaring, by open proclamation, the horrid courses of that rebellious faction that now so rageth within this Kingdom - to be most wicked and traitorous, as they are most unjust and unnatural . . .

\textsuperscript{147} Cowan, op. cit., p. 182.

They asked for all Charles's "faithful and loyal subjects to yield by no means their obedience" to the so-called rebels, but to join with Prince Maurice, the titular commander, or Montrose "and to use all the best and most vigorous opposition against the actors and instruments of all those abominable and monstrous crimes". They ended with an explanation that the undersubscribers, out of the deep sense of our duty to God, our consciences, King and native country, yea to all laws and justice divine and human, by these presents to bind and oblige ourselves - like as we are by God and nature tied - with our lives, fortunes and estates to stand to the maintenance of the power and authority of our sacred and native sovereign, contrary to this present perverse and infamous faction of desperate rebels now in fury against him; and that we shall, upon all occasions, according as we are required by His Majesty, or any having his power, or as the opportunity offer, be ever ready to use all our best and most effective endeavours for that effect . . .

This band was subscribed by Montrose and thirty-seven others, some seemingly added later, and these included the faithless Seaforth, he who eight years previously had entered into a band of friendship with Argyll, and one renegade Campbell - the incorrigible Patrick of Edinample. It is doubtful whether word of the band reached Argyll before Inverlochy, but when he learned of it, as he almost certainly did, he must have been reminded uncomfortably of the Cumbernauld Bond.

The details of the Battle of Inverlochy, fought on 2 February 1645. are well known: how 1,500 Campbells, including Auchinbreck, who led them, and who may have taken his own life, were cut down; how, before the fighting ended, Argyll, who had been watching from the safety of his galley, took

150. The band was drawn up between 29 and 30 January 1645. Ibid.
flight down Loch Linnhe, how Montrose, the undisputed victor, lost comparatively few men.  

Auchinbreck carefully arranged his troops on the flat ground at Inverlochy, with the Campbells and the cannon in the centre, flanked on left and right by the Lowlanders given by General Baillie to Argyll. To the immediate rear was Inverlochy Castle, with a further small reserve of Highlanders. Such care and military precision were to be expected from a man thoroughly trained and seasoned in the art of warfare. There seems little reason to conclude from it, as C. V. Wedgwood does, that Auchinbreck, unlike his chief, believed that the troops on the mountainside constituted not a remnant but a considerable force.

It was unusual, even irregular, in the customs of the Highlands for a clan chief to delegate the command of his army to another: in theory at least chiefs could still be deposed, and there were cases on record of chiefs having been removed for having failed to demonstrate sufficient valour by proving themselves in battle at the head of their followers.

Naturally Argyll would have known this. He had little to fear regarding deposition, for his clan held him in high and heroic esteem. To them he was lord of "the Saxons and of the Gael" who would "cause his rule to run over one and all". He was King Campbell: "in the whole Kingdom no Kingship matches thine; thou art of the noblest of every land and lord". And "he is a lord who defends the faith; in Scotland's land he is a pillar of lords,

152. Wedgwood, King's War, p. 390.
153. Ibid.
154. See Adam, op. cit., p. 6; Marjorie Bingham, op. cit., p. 162.
whose fame is high within the Church”. He possessed "the learning of Aristotle", he was like Arthur and Hector and was "the Pompey of the plain of Duibhne's race", he was "as Cato in the fashion of his royal memory; like Caesar with omens of victory in battle; he has the traits of the lasting prince". Thus wrote the MacEwens, hereditary bards of the Clan Campbell. It was a lot to live up to. All the more reason, surely, why he should want to retain his clansmen's adulation and personally avenge the humiliation imposed by Montrose's rape of Argyllshire.

Why, then, was he content for Auchinbreck to take the command? He certainly seems to have been adamant, earlier in the campaign, that he retain titular control over the forces sent against Montrose under General Baillie lest he suffer humiliation and a Lowland force be put in the position of showing the Campbells how to fight. As it was, he had been superseded by order of the Committee of Estates, and had been given the command only of the forces of the Western Highlands and Isles.

His decision to relinquish his command to Auchinbreck can, in all probability, be explained partially by the fact that Argyll firmly believed that the force on the mountainside above him was a small and isolated detachment, so convinced was he that Montrose's army could never have penetrated the frozen pass. Then, too, he was in pain from a dislocated shoulder, caused by a recent fall from his horse at Rosneath, and on 18 January he had reported to the Committee with his arm in a sling.

156. See S.R.O., PA. 11/3, folios 148 v, 158 v,
Then too he might have calculated that he was of more use to the Covenanting cause - and thus to the nation and to Clan Campbell - alive than dead.

But there was possibly another reason, which in view of his reputation for cowardice, deserves consideration. It should not be forgotten that Argyll suffered from a physical imperfection: strabismus of the left eye.\footnote{For a view of the causes and cures of this condition, which might have been employed upon Argyll during his childhood, see Richard Banister, \textit{A Treatise of One Hundred and Thirteen Diseases of the Eye} (London, 1622). This work is unpaginated, but the relevant portion is 3rd section, Chapter I: "Of the squint eye, called in Greek \textit{strabismus}, in Latin, \textit{Strabositas}, or \textit{oculi distortio}".}

We can, of course, never know to what extent this impairment hindered Argyll, but its possible effects seem worth examining. If the squint was congenital - present from birth - which is the most common form of this condition, then he would have been negatively affected. While he would, as a result of it, have become virtually blind in the afflicted eye he would not have suffered the positive disability of double vision, which would have been the case if his squint had developed after the age of nine or so. If the squint was congenital, the neural mechanism would have eliminated the tendency to see double. If the squint developed later in childhood then, in the course of time (after a few months or at the latest a year or two) the double vision would have been compensated for by the use of the normal eye in focusing, leaving the objects perceived by the defective eye blurred and indistinct, as well as by so-called "secondary cues" in depth perception. At all events, the condition would have limited his immediate field of vision, handicapping his perception of close objects and activities though not, apparently, his perception of distance.\footnote{I am grateful to Professor Peter Bishop, of the Department of Physiology, John Curtin School of Medical Research, Australian National University, and to Associate Professor Gavin Seagrim and Dr. John Trotter, both of the Department of Psychology, School of General Studies, A.N.U., for their kindness and patience in explaining to me the probable effects of Argyll's squint upon his vision.}
The most likely outcome of this visual problem was that Argyll, with his innate caution, hesitated to take part in hand to hand combat because he was afraid of losing his one good eye. Then, too, although his perception of enemy troops in the distance would not have been affected, he would have been disadvantaged in close up, hand to hand sword-fighting since his visual range in close up would have been impaired and he would probably have had a blind spot and would not have noticed in time a sword thrust coming from the side of the affected eye.

The disaster at Inverlochy did not decimate the Campbells, nor did it irrevocably cripple their fighting strength. But Argyll's behaviour inflicted a savage blow upon his clan's morale. Amply fulfilled was Montrose's avowed intention "to let the world see that Argyll was not the man his Highlanders believed him to be, and that it was possible to beat him in his own Highlands".

Argyll's delegation of command to Auchinbreck does not appear to have been censured explicitly - at least not publicly - by the Campbell survivors or their families. But his flight down Loch Linnhe, taking him from the scene of carnage before the last of his clansmen fell, did cause a great deal of reproach and bitterness.

160. It must be recalled that Argyll was a champion archer and a keen golfer. See supra, Chapter I and Instructions to a Son, pp. 104, 111. Dr. Trotter, who happens to suffer from strabismus himself, explains that distance perception is unaffected by this condition. Notable one-eyed naval and military heroes, such as Horatio Nelson and Moshe Dayan were not, of course, leading troops in seventeenth century battlefield conditions.

No doubt he had been shocked and bewildered, panic-stricken and incredulous at the scene before his eyes; no doubt he had not wanted to fall into enemy hands. But many could not forgive this understandable prudence, feeling that they had been forsaken. In their eyes it surely behoved him, in the hour of their distress, to stand his ground and avenge them, or, if that proved vain, then to perish with his warriors.

When Campbell of Skipness and other prisoners were brought before Montrose they all bitterly castigated Argyll, and their anger and anguish is expressed in the lament of the widow of Campbell of Glen Faochain who, that terrible Candlemas, lost her father, her husband, three sons, four brothers and nine foster-brothers:

Here and there about Inveraray women wring their hands, their hair dishevelled . . .
Great MacCailein took himself Off to sea, and he let this stroke fall upon his kin. 162

On 12 February Argyll reported to the Committee of Estates regarding his actions since his last appearance three weeks before. Not wishing to sap their morale, to reveal the full extent of his humiliation, or to forfeit that influence with them which had already been shaken a little, resulting in their having given the command to William Baillie, he did not tell them the scope of Montrose's victory ten days previously. There had, he said, been a minor engagement in which his army had unfortunately suffered a number of losses. 163

162. A. MacLean Sinclair, Mactalla nan Tur (Sydney, 1901), p. 2, quoted in English in Cowan, op. cit., p. 186; cf. the experience of the MacDonalds as expressed by Iain Lom, the celebrated bard of the MacDonalds of Keppoch, who witnessed the slaughter from a nearby hillside. Cowan, op. cit., pp. 183-86. For an English version of Iain Lom's ballad celebrating the defeat of the Campbells at Inverlochy see John McDonnell, The Ulster Civil War of 1641 and its Consequences (Dublin, 1879), pp. 91-92.

163. Balfour, loc. cit.
Among the Covenanters in general a profound feeling of dejection and impending doom prevailed after the defeat of the great Campbell host. That Argyll was the lynchpin not only of Clan Campbell but of Covenanting Scotland is attested by the following statements.

"Unless there be some middles found to save the miserable distractions of this Kingdom, we and our posterity shall be miserable at best, for unless God Almighty hath decreed the ruin of the King and his race, it is not to be doubted but he will prevail in the end, though to the ruin of all his Kingdoms", wrote the laird of Panmure, who had been labouring to achieve a reconciliation between Charles and the Covenanters. "I have many times spoken [to Argyll] herein; for he gets much blame from His Majesty of the courses that this Kingdom takes, and I think gets not many thanks here for his pains..." 164

Their "present condition", wrote another Scot, "must suffer a change, or else we shall be made very miserable". 165 "Truly", wrote a lady, "we can promise ourselves nothing but misery, for the enemy grows stronger and our hands weaker, for God hath taken all courage from us". She added, "I think we must drink of that cup which England hath begun to us, and I fear we here must drink the dregs". 166

164. Patrick Maule of Panmure to Loudoun, 8 March 1645, Letters from the Marquess of Argyle . . . and others now at Edinburgh, to their friends at London . . . (Oxford, 1645), pp. 2-3. Panmure, who was created Earl of Panmure in 1646, was a moderate Royalist rather than a Covenanter.

165. A. Mowat to Mr. Hebbe, 12 March 1645, ibid., pp. 3-4. Mowat was a member of the Court of Sessions and Hebbe a London merchant.

166. Dorothy Spence to Anon., 13 March 1645, ibid., p. 8.
"Scotland", predicted a man, echoing her, "shall drink as deep in the cup of the Lord's wrath as either England or as Ireland".167

This seems to bear out Robert Baillie's description of the Scots' "careless stupid lethargy" at that "most dangerous time". Argyll, the human saviour, had been defeated, and so "in this lamentable condition we took ourself to our old rock; we turned ourself to God".168


Chapter Eight

Merchant of Middleburgh: From the Battle of Kilsyth to the Battle of Preston.

The three years dividing Montrose's victory at Kilsyth from Hamilton's defeat at Preston witnessed the acceleration of a tendency which had characterised the Cumbernauld Bond and which had begun in earnest during the prelude to the Solemn League and Covenant. This was the erosion of aristocratic support for Argyll and his party, forcing him to rely increasingly on the barons and burgesses for a political base - "Merchant of Middleburgh" indeed, as Montrose termed him.¹

Montrose's resounding victory over General Bailie at Kilsyth on 15 August 1645 destroyed the Covenanters' army and raised Royalist hopes. Argyll, with several other members of the Committee of Estates, was present on the march to Kilsyth, and the animosity between him and Bailie was apparent, he doubting Bailie's ability, and Bailie resenting his constantly proffered advice. The marquis and the other nobles present (except Balcarres) must bear some of the blame for the defeat, for they mistakenly concluded that Montrose would attempt to flee into the Highlands and insisted that Bailie, who had drawn up his army in what he considered an advantageous position, withdraw to a place where he could cut off Montrose's anticipated retreat. This he reluctantly did.²

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1. Mark Napier, Memoirs of the Marquis of Montrose, 2 vols. (Edinburgh, 1856), vol. 1, p. lxxix, hereafter cited as Napier, Memoirs of Montrose. Montrose's other code-name for Argyll at this time, "Ruling Elder", is equally apt in view of his reliance also upon the ministers and his prominence in the counsels of the Kirk. He had been a member of the Commission for the Public Affairs of the Kirk since 19 August 1643.

After the battle Montrose penned a poem which began:

Foil'd in each wile is false Argyll,
Quell'd are this nation's quarrels ...

The Covenanters, however, while shaken, and though doubting that they would be able to raise sufficient new forces to oppose Montrose, were hopeful that their armies in England and Ireland would soon be spared to withstand and vanquish him. Argyll wrote of his confidence that "the late disaster of our army" would encourage all of [us] to take more real courses than formerly we have done, how this rebellion, that has now risen with height (beyond all men's expectations) may be suppressed, for who knows but it pleased God to deal so with us (because of some that trusted too much in the arm of flesh) that both his glory and our weakness may be the more evident.

And on 13 September David Leslie with troops brought from Berwick defeated Montrose at Philiphaugh. The decisiveness of the victory was not fully appreciated at the time, since it was widely expected that Montrose would be able to remake a formidable force out of the scattered Irish, Highlanders and Gordons.

At his trial Argyll made the amazing claim that during 1645 he and Montrose, to end what Argyll termed "these unnatural civil disorders", had "fully agreed" upon the terms of a treaty, which was prevented by the Committee of Estates. The Committee's opposition, he pointed out, was "an evidence that [he, Argyll] had not the chief sway of affairs" and the treaty proved that he "was always inclinable to peace, religion being


4. See A Speech of ... the Earl of Loudoun ... to a grand committee of both Houses of Parliament, upon the 12 of September, 1645, (London, 1645).


secured.

We have no way of ascertaining when this episode, if true, occurred. It is unlikely that it happened in the immediate wake of Inverlochy, when Argyll would have been too bitter and Montrose too elated to make peace. It is almost certain, then, to have happened much later, possibly in the weeks immediately preceding Kilsyth, but more probably immediately afterwards, when Argyll may well have been feeling — despite the widespread expectation of ultimate victory — that the Covenanters had been vanquished and humiliated enough. The appalling suffering and devastation experienced in his own territories and his anxiety to avoid any further losses there may well have inclined him towards a view not shared by the rest of the Committee.

But if Argyll had indeed lost his former influence in the Committee — and there is no hard evidence that he had — he was certainly successful in dominating the proceedings of the Parliament which met at St. Andrews in the winter of 1645–46. It was largely occupied with the fate of a number of prisoners taken at Philiphaugh, and with the despatch of new forces against Montrose. Having rejected a call for leniency by an Edinburgh burgess, Sir John Smyth, the Parliament heeded the retributive counsels of Wariston and of the Commission for Public Affairs of the Kirk (on which Argyll sat) and condemned to death all the most prominent of Montrose’s followers and to fine and disgrace the less distinguished.

7. Cobbett, op. cit., vol. 5, pp. 1427, 1449. Argyll claimed that the intermediary between Montrose and himself was still alive and could substantiate the assertion; but the man does not appear to have been called before the Court to testify.

8. Montrose, for his part, may have been sufficiently concerned about the defection of his Highlanders, whose habit was to retire with the spoils of plunder, that he too was ready to treat. This is assuming that Argyll’s memory was not deceiving him and he was not thinking of the very genuine truce he offered during the campaign against Montrose in 1644, which Montrose flippantly declined but which was accepted by Forbes of Craigievar, Nathaniel Gordon, Lord Dupplin, Sir John Drummond, Ogilvy of Inverquharity and Colonel Hay. Argyll on that occasion honoured his word. Cowan, op. cit., p. 172.
The fact that several noblemen - notably Annandale, Douglas, Hartfell, Horne, Perth, Roxburgh, Traquair and Wigtown - who had previously chafed quietly under the Covenanting yoke, openly supported Montrose after Kilsyth, probably ensured that the Parliament pursued a harsh line. Argyll could not help but be uneasy in the face of large-scale aristocratic opposition to him and the Covenanters. Later these moderates would form the nucleus of Hamilton's party, culminating in the Engagement, and it was precisely this sort of thing that Argyll aimed to prevent. Accordingly he tried to bring them back into submission by a show of force. And yet a fear on his part that too vengeful a policy might produce the undesired result - an irrevocable moderate backlash - might have been the reason why he intervened to save the life of Hartfell, who was due to be executed.

9. The moderates were leaderless at that time. Hamilton was then a prisoner in Pendennis Castle, Cornwall, and would not be released until 16 April 1646.

10. Guthry, op. cit., pp. 210-11; Baillie, op. cit., vol. 2, p. 345; M'Crie, op. cit., pp. 178-79. Those executed were: Sir Robert Spottiswoode, who had issued Montrose with his commission as the King's lieutenant-general in Scotland, Nathaniel Gordon, William Murray (Tullibardine's young brother) and Andrew Guthry (a son of the former Bishop of Moray). A.P.S., vol. 6, part 1, pp. 505-16, 521-33; Peterkin, op. cit., pp. 442-43. Lord Ogilvy and Adjutant Stewart would have probably shared their fate had they not escaped from St. Andrews Castle. A.P.S., vol. 6, part 1, p. 503; Balfour, op. cit., vol. 3, pp. 358-64; Peterkin, op. cit., p. 442. Sir William Rollo, Sir Philip Nesbit and Alexander Ogilvy (son of that laird of Inverquharth who had been warned by Argyll earlier, for which see supra, Chapter 5) had been executed on 29 October 1645. That was the occasion on which Argyll's close associate, David Dickson, is reputed to have exclaimed "the work gangs [i.e. goes] bonnily on!" Memoirs of Sir Ewen Cameron of Lochiel (Edinburgh, Bannatyne Club, 1842) pp. 76-77, 80. Young Ewen, Argyll's ward (his mother was a daughter of Sir Robert Campbell of Glenorchy, formerly of Glenfalloch), and Argyll watched the former executions from a window opposite the scaffold.
During April and May 1646 Argyll and others were in Ulster at the behest of the Committee of Estates (which sat in Edinburgh after Parliament rose in February) trying in vain to persuade the Scottish army there to send half of its troops to Scotland to clear his estates of Irish marauders. For the beginning of the year had seen further setbacks for the Campbells. In February a force of over 1,000 Campbells, most of them driven from their lands in Argyll by the Irish and MacDonalds under Alastair (who, incredibly, and perhaps to spite her unfaithful husband, had been welcomed by Lady Loudoun) and wandering in search of sustenance and booty from Royalists' lands, were routed by the Athollmen near Callander. And in the same month Antrim managed to persuade the Confederate Catholics in Ireland to undertake to contribute financially towards the raising of 2000 men to reinforce the Irish in Argyll. While the finances probably failed to materialise, Antrim sailed with between 1,000 and 2,000 troops in May.

However, not even Argyll could persuade the Scottish army in Ireland, reduced as it was by desertion, disease and death to under 5,000 men, to further deplete itself on his behalf, and the army was routed by the Irish at Benburb in June.

Thus in ridding Argyllshire of the rebels the Campbells were forced upon self-reliance. In May 1646 Campbell of Ardkinglas led a band of

11. N.L.S., Advocates MS. 33.4.8, pp. 101-08.
12. See Cowan, op. cit., p. 232. She entertained him to a feast in her castle and provided him with 8,500 merks, in return for which he ensured that his followers did not sack the parishes of Loudoun, Galston and Mauchline.
exiled Campbells (including Inverawe and four other leading gentlemen) who had gathered in Ayrshire, in an invasion of Cowal, to take revenge upon the Lamonts, who had been the Campbells' allies at Inverlochy but who had turned on them after Kilsyth. Sir James Lamont had signed a band with Alastair and other Highlanders "for the ruin of the name of Campbell" and the Lamonts had burned Campbell lands and homesteads and killed all the Campbell fighting men they found, though not, according to Sir James, women and children as the Campbells claimed. Now he and most of his prominent clansmen took refuge in the castles of Toward and Ascog and on 3 June they surrendered, apparently on promise of quarter. They were promptly seized and carried to Dunoon, where thirty-six of the most prominent Lamonts and their supporters were hanged, reputedly from the same tree. This quickly gave rise to the legend of the leafless tree whose roots gushed blood, which further exacerbated popular hatred of Argyll in the Highlands.

It was claimed at Argyll's trial that Ascog with its surrounding lands was plundered and fired, and that several people, including babies, were slaughtered. Argyll, though not present, was held to be the chief


16. See N.L.S., MS 545, folio 3, Articles of capitulation agreed upon betwixt James Campbell of Ardkinglas ... and Sir James Lamont ... anent the surrender and overgiving of his garrison at Toward ...

17. Cobbett, *op. cit.*, vol. 5, pp. 1380-83. See also Account of the villanous actions of Archbald, Marquis of Argyle, which claims that Argyll Did his [Lamont's] name destroy, And spared neither man nor boy. His lady fair, though one of thy name, And cousin near, thou thought no shame To put her from house, left notwithall Her nakedness to cover all ... There was no mention of such an incident in the indictment against Argyll drawn up in 1661, and it is possible that the balladeer is confusing Lady Lamont's fate with the expulsion of Lady Ogilvy in 1640, for which see *supra*, Chapter 5.
promoter of his clansmen's alleged conduct towards the Lamonts. At least thirty-five other persons (perhaps over 100) were allegedly shot or stabbed to death, including a man aged over eighty and Jamieson, Provost of Rothesay, "representing His Majesty's authority" and some of these victims were buried alive. Sir James and some of his relatives were spared, but he was compelled by George Campbell, Sheriff and justice deputy of Argyllshire, to sign a paper deploring his own actions, and he and his relatives remained captive for several years, while their lands were occupied by the Campbells.

The account of the Campbells' alleged atrocities against the Lamonts makes sombre reading, but the evidence for these events is drawn largely from the trial testimony of 1661, characterised by singular animosity against Argyll, and, while probably true in substance (after all, something had caused the bitterness and hatred exhibited by the surviving Lamonts) it is probable that they have been embellished. They certainly reinforce Argyll's reputation for ruthlessness and cruelty, and buttress the claim that he aggrandised his clan whilst ostensibly fighting for a national cause, the Covenants. Yet here again it must be pointed out that the Campbells had suffered dreadfully during Montrose's campaigns, and probably were doing nothing that the Lamonts would not have done to them if their roles had been reversed. It must be remembered, too, that Argyll was not present during the surrender of Ascog, though it is improbable that his Campbells would have pursued any course unlikely to meet with his general approbation. Argyll had returned from Ireland by that time and he might have given Ardkinglas instructions similar to those which he had given Inverawe regarding the burning of Forthar.

The Campbells also drove the rebels from the district round the head of Loch Fyne, which meant that the Synod of Argyll could convene safely at Inveraray, though with only ten ministers, the others having been "scattered and chased from their dwellings, the presbytery of Cowal having gone for shelter to the Lowlands, the presbytery of Kintyre being under the power of the rebels, and none being resident in the presbyteries of Argyll and Lorne but such as were sheltered in garrisons, and no ruling elder present". It was not until 1647 that the Campbells managed to retake Kintyre and Islay.

At the very time that Argyll was in Ulster the Scots were opening secret negotiations with Charles, in defiance of the Solemn League, and which, when the English learned of them, increased the growing distrust between the allies. In March 1646 Loudoun intimated that while Charles must impose the Solemn League and Covenant on his subjects he need not actually sign it himself and that while Montrose must go into exile, he would not have to abandon his other friends. If he promised to accept the terms of the Treaty of Uxbridge the Scottish army would receive him with honour and would pledge his safety. Argyll does not appear to have attempted to participate in these negotiations, though he was undoubtedly kept informed of their progress. It is possible that he chose deliberately to eschew them and thus avoid direct censure by the English (and perhaps also from the zealots, in view of the suggestion that Charles might not have to take the Covenant himself) even to the extent of withdrawing to Ireland. But it is more likely that he believed that recalling troops from


Ulster constituted the only expeditious means of ridding his estates of the rebels and that while his territories were being occupied and ravaged his position on the national scene would have to be secondary to his role as chief of Clan Campbell.

The King's escape into the hands of the Scottish army on 5 May 1646 presented Argyll with a challenge, one of the most formidable of his career. Yet if he handled it as skilfully as he had handled the Covenanting movement, leaving aside the cruel tricks fate had played on him, his clan and countrymen since the Solemn League was signed, he might still emerge unscathed as the architect of reformation in the three Kingdoms, the saviour of the Covenant and of the Crown too. But for this to be successful Charles would have to accept the Presbyterian system, and accordingly Argyll despatched five ministers to Charles, who later refused to see any of them except Henderson and Blair, and wrote that all he could do was the "delaying of ill".

Argyll was still in Ireland when Charles came to the Scots, and, as he testified later, he had no grounds, once he himself arrived in Newcastle in June on his way to London, for doubting the King's published declarations concerning his reasons for seeking the Scots' protection. The marquis accepted at face value Charles's avowed intention to fulfil his "gracious resolution to comply with his Parliaments in both nations, and those extrusted by them, in everything for settling of truth and peace; and that he would totally commit himself to their counsels and advices".

22. Stevenson, Revolution and Counter-revolution, pp.54-66.
But misfortune, which had dogged Argyll since the Solemn League, dogged him still, for Charles, who genuinely believed that "the nature of Presbyterian government is to steal or force the Crown from the King's head" ignored his urgent pleas to grant the kind of church government the Scots demanded for England and accept the Solemn League and Covenant. If Charles did this, explained Argyll and the other Scots nobles accompanying the army (who now hastened to Newcastle), the Scots would undertake to reinstate him on the English throne, either through the joint cooperation of both Kingdoms, or unilaterally if the English Parliament was unwilling. There is no doubt that Charles distrusted the marquis: "Argyll is very civil and cunning, but his journey to London will show whether he be altered or not (if he be, it must be for the better) being gone with much professions of doing much for my service". Argyll was faced not only with royal suspicion and intransigence but with an increase in that hostility towards the Scots which had surfaced during 1645. Now the English Parliament felt bitter and frustrated as they contemplated the unpalatable possibility that, despite the successes which the New Model Army had achieved in the field, ultimate victory might, after all, be accorded to the Scots. Argyll thus found himself with the difficult task of assuaging English resentment while at the same time striving for the conversion of the King. The visit to the English Parliament which he made in June 1646 was doubtless given impetus by the need to allay Independent fears and suspicions which were resulting in arguments such as that demobilisation of the New Model now, with Scottish troops in possession of the person of the King and still in England, would be a "betrayal of the Kingdom". Indeed, on 19 May the Commons

voted that Parliament had no further need of the Scots, and a crisis was averted only because the Lords refused to accept the vote.  

Argyll's task was made difficult not only by Charles's persistent obstinacy but by the mischievous games he chose to play. He explained that the four parties which he identified now amongst the Scots (Argyll's, Montrose's, Hamilton's and the neutrals) "all seem to court me and I behave myself as evenly to all as I can". He had no intention of conceding anything: he talked to play for time, hoping the Scots would fragment further into factionalism and fall out irrevocably with the English Parliament. His proposal, in a letter to Ormonde, intercepted by Monro and read before the English Parliament on 6 June 1646, to persuade the Covenants to join with Montrose and the Irish against the English, severely embarrassed the Scots. Their commissioners in England asserted that Monro's prompt delivery of it to Parliament was sufficient proof that the Scots had not been party to the scheme, and they compelled Charles to write to Ormonde commanding him to cease treating with the Confederates and to repeat to Montrose the hitherto disregarded order to disband. Seeking to divide the Scots and the English Charles wrote to the English Parliament offering to treat entirely on their terms, and enclosing a general order of surrender to be sent to the remaining Royalist garrisons in England and Wales. However, his attempt was thwarted when Monro's defeat at Benburb on 5 June made the English realise that so long as the Irish danger lasted they needed the Scots, and that after five years of Irish rebellion the time had come to conclude a settlement at home and send

30. Charles I to Henrietta Maria, 17 June 1646, Petrie, loc. cit., Hamilton was now at liberty. He arrived in Newcastle and met the King exactly one month after Charles penned this letter, on 17 July 1646. See Guthry, op. cit., pp. 181-82.
an effective army to Ireland to subjugate the rebels and re-establish Protestantism and Anglo-Scottish property rights.  

The English and Scots now proceeded to draft the terms they would jointly offer Charles, which were completed towards the end of June (they shortly became known as the propositions of Newcastle and were sent to Charles on 13 July). They included a demand that Charles sign the Covenant, which reflected Parliament's attempt at accord with the Scots, potent once more. But Parliament's insistence that Charles surrender to them all control of the armed forces for the next twenty years alarmed the Scots. At Uxbridge the demand had been for seven years, and Argyll and his countrymen, looking back on the past relations between the two nations, not least during the past five years, were concerned lest an English Parliament having absolute control over the armed forces for almost a generation might use its military power against them. They infinitely preferred that such power be exercised by a King whom they had managed to bind by the Covenant, making him subservient to the party in power and if not sincerely committed at least morally unable to appeal, as Scottish monarchs had so often done in the past, to one faction against another.

But Argyll was as anxious as the English to maintain at least the semblance of unity, partly in view of the Irish situation, partly because he was anxious to discourage Charles's devious game of playing off each nation against the other, widening the gulf between them and then satisfying neither. Thus the Scots commissioners approved the Newcastle

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35. See Stevenson, Revolution and Counter-revolution, pp. 66-72; Rushworth, op. cit., vol. 6, pp. 309-17.
propositions a mere forty-eight hours after receiving them from Parliament, and Argyll took them in person to Westminster where he delivered an adroit speech. The work of reformation, he said, was threatened by "great and powerful enemies", and

as the dangers are great, we must look the better to our duties, and the best way to perform these is to keep us by the rules which are to be found in our National Covenant, principally the Word of God, and, in its own place, the example of the best reformed churches. And in our way we must beware of some rocks, which are temptations both upon the right and left hand, so that we must hold the middle path. Upon the one part we would take heed not to settle lawless liberty in religion, whereby instead of uniformity we should set up a thousand heresies and schisms, which is deeply contrary and destructive to our Covenant. Upon the other part we are to look that we persecute not piety and peacable men, who cannot through scruple of conscience come up in all things to the common rule.

Regarding "the peace and union of the Kingdoms, I know it is that which all profess they desire; I hope it is that all do aim at", he said. "Sure I am, it is that which all men ought to study and endeavour".

Indeed, "let us hold fast that union which is so happily established betwixt us, and let nothing make us again two, who are in so many ways one, all of one language in one island, all under one King, one in religion, yea, one in Covenant, so that in effect we differ in nothing, but name ... which I wish were also removed, that we might be altogether one ..." Such union would give them a formidable defence against even "the greatest Kingdom on earth".

He would not, he said, elaborate on the many differences which were said now to exist between the two Kingdoms: "only one I cannot forbear to speak of, as if the Kingdom of Scotland were too much affected with the King's interest". Thus "I will not deny but the Kingdom of Scotland, by reason of the reign of many Kings his progenitors over them, hath a natural affection to His Majesty, whereby they wish he may be rather reformed than


* He was referring here not to the Scottish National Covenant of 1638 but to the Solemn League and Covenant.
ruined". Here was that Scottish ideal of a Covenanted King. Yet all their "personal regard to him" could not obscure the fact that "the safety of the people is the supreme law" and "their love to monarchy makes them very desirous that it may be rather regulated than destroyed". He hoped the English felt likewise.

He then defended the presence of the Scottish armies in England and Ireland. He bore a vindicatory declaration from the Scottish army in England "showing the clearness of their resolution, integrity, both in the cause and towards this Kingdom, wherein their undertakings and coming in at such a season of the year, their hard sufferings and constant endeavours since, may be sufficient testimonies". He asked that the army "be supplied with some moneys, and their quarters enlarged", to remove the burden on the small area where they were and which might deplete its resources so much that resentment against its continued sojourn on English soil would be exacerbated. He had seen the army in Ireland at first hand, and "never men have suffered greater hardships", living on beans and water, and occasionally rough oats or oatmeal. He begged the House to provide for them.37

37. Argyll's indignation at the English maltreatment of the Scots army, cheated of its pay and forced into poor and inadequate quarters, was undoubtedly sharpened by what he found in the north of England in 1644 when he wrote that "we are now in a country where there is nothing left to be sequestered and which (although we were not here) is altogether unable to supply the inhabitants, being so wasted and spoiled by the forces which have lain and lived upon it". Argyll to Scots commissioners in London, 25 March 1644, Bodleian Library, Tanner MSS, 61, folio 1. See also Argyll's letter to Wariston and George Winram of Libberton, in which he complains of the army's lack of pay and provisions, N.L.S., Wodrow MSS, Folio lviii, no. 5; Argyll and Armine to the Committee of Both Kingdoms, 21 March 1644, ibid., no. 1; Argyll et al to the Scots commissioners in London, 13 March 1645, Letters from the Marquess of Argyile, the Earle of Lanerick, Lord Warriston, and others ..., (London, 1645) pp. 7-8; Argyll to Lenthall [31 August 1646], Charles McNeill (ed.), The Tanner Letters: original documents and notices of Irish affairs in the sixteenth and seventeenth centuries (Dublin, 1943) pp. 226-27.
Argyll's denigrators insisted that he was in close correspondence with Vane and other Independents, and his speech does suggest that he had been influenced—though not necessarily by Vane—into accepting the realities of the English situation and adapting to it. In October 1645 Vane advised the Scots to be satisfied with what Baillie termed the "lame Erastian presbytery" which had been established in England. "The sense of the House could not admit, nor ought the Kingdom of Scotland to press for anything more." This probably had an impact upon Argyll, realistic politician that he was. Yet it must be appreciated that some Scottish divines had already come to recognise that a Presbyterian system in England would necessarily be less rigid than the Scottish one, and, faced with prevailing realities, would have to accommodate the less obnoxious religious groups.

In 1644 Rutherford called the Brownists and Independents those "who, of all that differ from us, come nearest to walkers with God" and he stated in London that "the best of the people are of the Independent way" while recognising them as "mighty opposites" to presbyterian government. In January 1645 George Gillespie expressed his hope that the religious Independents would "prove to be as unwilling to divide from us as we have been unwilling to divide from them" and that "instead of toleration there may be a mutual endeavour for a happy accommodation". And David Buchanan

41. Quoted in Stevenson, "Radical Party", p. 158.
declared that Presbyterianism had been traduced when accused of "strictness and rigidity" destructive to "all Christian liberty". On the contrary, in Scotland or France the tendency had been "toward leniency rather than austerity". 43

Argyll's thought, then, appears to have coincided with the views of such men, and what appears to be his recognition of the need for compromise with the religious Independents was made easier for him, no doubt, by the knowledge that leading Independents such as Ireton and Nye advocated state-imposed limits on the degree of toleration to be permitted, as during the Whitehall debates in 1645, before the ultimate form of church government had been decided. They implied that magistrates should proscribe practices considered to constitute "false worship". 44 This would have certainly facilitated Argyll's ability to reconcile himself to the pursuit of the "middle way" which he advocated in his speech, in view of his omnipresent fear of social disruption resulting from unrestrained toleration. He would not have agreed with Baillie that the Erastian-dominated House of Commons "are like to create us much more woe than all the sectaries in England". 45 After all, it was not until the end of 1647, well over a year after Argyll's speech, that the notorious blasphemer Paul Best was released, unrepentant and defiant, thus raising anew the spectre of complete religious liberty and consequent societal anarchy. 46

44. Instructions to a Son, p. 167; A.S.P. Woodhouse, Puritanism and Liberty (Chicago, 1951), p. 296.
46. See Wedgwood, King's War, p. 558; Kaplan, Politics and Religion, p. 132. In 1645 Best had been arrested and in March 1646 sentenced to death for his denial of the Holy Trinity.
In March 1646 Baillie wrote that despite Argyll's misfortunes he was still the nobleman he most esteemed and he wished him God's presence and guidance. In June he praised the conciliatory effects of Argyll's speech, writing that his "cautious and wise carriage here has much stopped the mouth of our enemies," and in July he expressed to Henderson confidence that Argyll, Hamilton and Lennox "will join to persuade, to their uttermost, the King to do his duty [i.e. sign the Covenant]." However, despite his evident regard for the marquis Baillie seems to have suspected his orthodoxy and zeal, for he added: "if this succeed, it would be your next care, for the welfare of Scotland to make all these three more real friends than as yet I suspect they are". It seems unlikely that Baillie was equating Argyll politically with either the Royalist Lennox or Hamilton, who once again had the King's ear. Baillie probably felt that the Hamiltonians were too prone to side with Charles, that Argyll was too prone to mollify the English Independents, and that both these stances were detrimental to the Kirk. And yet it is probable that Argyll, by being seen to cooperate with two Royalists, was risking the displeasure even of his admirers. He was in danger of compromising himself, and it is unlikely that he was insensible of this. It is a testimony to that high moral courage which he occasionally exhibited once his innate caution had been overcome and it contrasts strangely with that usual tendency of his to drift along with the zealots in a bid to stem the tide. And yet he was careful even now, to persist in no course which might cost him the irrevocable loss of the loyalty of the mass of the Covenanters. Thus although he might have privately sanctioned Loudoun's suggestion in March that Charles himself need not sign the Covenant, publicly he does not seem to have espoused this position at any time. That Charles should be a

48. Ibid., p. 376
49. Ibid., p. 363.
Covenanted King was the sine qua non of the Covenanting movement and the price of its aid. Nothing that Argyll stated suggests that he too felt it was anything less than essential.  

The King's attitude was disappointing and frustrating for Argyll who, with the rest of the Covenanters, had assumed that Charles, by placing himself in their hands, was signifying his willingness to comply with their demands and sign the Covenant, thus setting his seal of approval upon their great work of reformation. He, like Wariston and Baillie, believed that having come to the Scots Charles would allow himself to be guided by them, and they believed that since his arrival at their camp he had malevolently changed his mind. They failed to realise that he was as bound by his conscience as they themselves were by theirs. They railed at his obstinacy, but they failed to persuade him to sign the Covenant. All this time he had remained at Newcastle, parrying Henderson's religious thrusts and rejecting the Newcastle propositions. He wrote that the Scots had "resolved to destroy the essence of monarchy (that is to say, reduce my power in England to what they have made it in Scotland) from which nothing can divert them but a visible, strong declared party for me, and either the Prince of Wales or I at the head of a good army".  

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50. A remark of Charles I to Henrietta Maria in his letter of 17 June 1646 is interesting: " [Loudoun] hath more satisfied me than I expected. If he truly act for Montrose's party, as he hath promised ... I shall give some belief to his professions". Petrie, loc. cit. At no time does Argyll appear to have made such a promise, and Loudoun's, if indeed made, was unfulfilled. Perhaps he was speaking and acting independently of his chief, as he did during the prelude to Hamilton's Engagement. On both occasions, however, he returned to Argyll's orbit.  


52. Charles I to Jermyn, Culpepper and Ashburnham, 19 August 1646, Petrie, op. cit., p. 204. See also Charles I to the Prince of Wales concerning the duty of a King to religion, 26 August 1646, Ibid., p. 205. Years later Argyll observed: "princes are mistaken that think to reign over men, without permitting God to rule over them". Instructions to a Son, p. 133.
Argyll was badly served by Charles's mistrust of him and preference for Hamilton. For he performed much on Charles's behalf. Still loyal to the King despite accusations to the contrary, he had rejected the overtures of the Elector Palatine (who had visited Scotland in 1641 and whose own troubles had been the subject of two sympathetic speeches by Loudoun). The Elector, after his arrival in London in 1644, had subtly offered himself as a Presbyterian candidate for the English throne, intimating that he might be willing to sign the Covenant. He willingly complied with Charles's request to help Traquair - who had petitioned "to be allowed to prove himself ... a faithful Covenanter" to be readmitted to the Scottish Parliament. He obeyed the King's private instructions to confer in London with Lennox and Hertford, and take whatever advice they offered, particularly on the question of whether the Scots army should declare for the King - a course which they opposed, as did Argyll, who in his own words "knew that neither the nobility nor gentry of England who attended [Charles] at Oxford wished him to prevail over his Parliament by the sword, and much less would they endure the Scots army to do it, and that it would make all England as one man against him".

53. The Wise and Learned Speech of the Lord Lowden, in the Upper House of Parliament in Scotland, 1641. (London, 1641). Evidently, this pamphlet was titled by an Englishman who did not realise that the Scottish Parliament consisted of a single chamber. Loudoun also defended the Electoral family in a speech made in the same year, which has been printed in the pamphlet entitled, A Most Noble Speech.

54. Bailie, op. cit., vol. 2, p. 383; Calendar of Clarendon State Papers, vol. 1, p. 318; Wedgwood, King's War, p. 550. Denzil Holles also rejected these overtures. Similarly, he and Argyll spurned a suggestion that the little Duke of Gloucester might be put on the English throne in his father's place. The Earl of Northumberland informed Argyll, who was no doubt relieved to learn it, that the English would not accept any member of the Royal Family as king in Charles's place because "in the event of new troubles arising in the Kingdom, they did not wish their cause, which is now that of the public, might become that of a private individual, so as to make it seem they were contending rather for a change of master than for their liberty". Monitereul, op. cit., vol. 2, p. 95.


56. Charles I in 1646, pp. 56-57.

Unfortunately for the Scots, their failure to win instantaneous victory for Parliament early in 1644 as both the English and they anticipated, diminished their army's reputation and tended to bring them into disrepute. Moreover, the New Model's triumphs at Naseby in June 1645 and later in the west of England totally removed the need for their further help. Nor did the menace of Montrose, which waxed in Scotland at the very time that the Royalist military threat in England was waning, overly disturb the English. It was viewed as a misfortune for the Scots, but very much their own concern. And Montrose's succession of victories, especially Inverlochy, which happened so soon after the arrival of the Scots commissioners at Uxbridge on 29 January 1645, further eroded respect for the Scots, so that Loudoun could ascribe to that disaster the Scots' failure to make headway in the negotiations.

The deterioration of the Scots' importance in English affairs is plainly evidenced by the fact that in 1644 they had drafted the Uxbridge Treaty almost singlehandedly, while in 1646 their commissioners had enormous difficulty in persuading the English to alter a phrase of the Newcastle propositions.

59. Ibid., pp. 201, 208-09. The English were unwilling to afford the Scots any credit for the Parliamentary victory at Marston Moor in July 1644, and ascribed the outcome entirely to Cromwell. The Scots' reputation in England also suffered by their failure to contribute measurably to the Parliamentary war effort since their belated capture of Newcastle in October 1644. For operations in Newcastle see Roger Howell, Newcastle upon Tyne and the Puritan Revolution (Oxford, 1967), passim.
60. See N.L.S., Wodrow MSS., folio lxvii, no. 32 and Burnet, Own Times, vol. 1, p. 40. For the course of the Uxbridge negotiations see Kaplan, Politics and Religion, p. 104. et seq. By the time Charles received news of Inverlochy on 19 February 1645, seventeen days after the battle, the negotiations had already concluded.
61. Montereul Correspondence, vol. 1, p. 299.
At the time of the Uxbridge negotiations Argyll and his associates were keen to establish Presbyterianism in England for Scotland's own security, preventing the emergence of a future Laud who might seek to impose Episcopalianism upon them and obviating the growth of subversive sectarianism. The zealots, in addition, wanted it established there on principal, for ideological as well as political reasons, as the first step of a Calvinist crusade. But Argyll had advanced from his former advocacy of Presbyterianism in one Kingdom for expedient reasons - national defence - as his June 1646 speech shows. The Scots also wanted a settlement which would leave intact some of the Crown's privileges.

It seems clear that after a year of Scottish involvement in English politics characterised by disillusionment and disappointment, Argyll and his associates were anxious for peace as a means of escape. After the Scots army took Newcastle in October 1644 the Scots renewed their demands for a Presbyterian settlement in England, and Laud's execution in January 1645 symbolised in their minds the demise of Episcopacy. And at Uxbridge Loudoun, who feared (as Argyll probably did) that if other issues were settled first, a non-Presbyterian form of church government might be set up, told Lennox and Clarendon (who gave him no encouragement) that if the King satisfied them on the religious issue they would not involve themselves in any of the disputed matters.

63. C.S.P. Ven, vol. 27, p. 172.
64. Kaplan, Politics and Religion, pp. 98, 100.
65. N.L.S., Wodrow MSS., folio lxvii, no. 28. See also Sabran's comments, quoted in Kaplan, Politics and Religion, p. 103.
That this offer constituted a substantial concession on the part of the Scots is indicated by the fact that when it was rejected they involved themselves aggressively in other areas. This was not out of spite, for Ireland in particular was of major concern to them, they regarding it as very much in their sphere of influence, and Argyll's diligence in sustaining their troops there strengthened this perception. So much so, Indeed, that Charles complained that the "command of Ireland" had been transmitted "from the crown of England to the Scots" and asserted that this would "clearly show that reformation of the Church is not the chief, much less the only end of the Scottish rebellion". They endorsed the English Parliament's condemnation of the ceasefire there and insisted that the Scottish presence there be retained.

But the emergence of Independency in both its aspects in England and Charles's continuing intransigence and duplicity combined with the Scots' diminishing credit in the southern Kingdom introduced new elements into the situation which made the game the Scots were forced to play all the more difficult. Although Argyll wanted to see Charles "reformed not ruined" he knew it could not be achieved by compulsion, yet the exhortations


of persons as diverse as Hamilton, Cant (a close associate of Argyll) and Bellievre, the French ambassador, could not induce Charles to take the Covenant. Even the chameleon Seaforth was moved to anguish, regretting that "these sad differences between your majesty and subjects are not more timeously [i.e. readily] composed, the happiness and peace of your majesty's Kingdoms being so desperately shaken". He added his voice to the chorus urging Charles to make the settling of religion his primary concern. "Let the blood of your subjects be precious in your eyes ... with the eye of pity look upon the deplorable condition of your Kingdoms ...".

The position of Argyll and the Committee of Estates was made clear by Loudoun who in July 1646 spoke bluntly to Charles, telling him that he must accept the propositions, and "thereby avoid the ruin of your Crown and Kingdoms". Although the war had left Parliament in control of the military and economic resources of England, he said, public opinion would not readily assent to the abolition of "monarchical government". The Scots had tried to alter some of the propositions but, finding that impossible, had been forced to accept them or be considered warmongers. The King's enemies knew that if he signed the propositions their cause would be considerably weakened. The Scots had misgivings about some of the propositions but saw no other way of settling affairs. It was the King's last chance. But if he failed to seize it and refused to assent to the propositions "you will lose all your friends, lose the City, and all the country, and all England will join against you as one man and


(when all hope of reconciliation is past) it is to be feared they will
depose you and set up another government". The Scots would be required
to deliver him up to the English, and would have no choice but to comply.
And then "both Kingdoms will be constrained for their mutual safety to
agree and settle religion and peace without you, which (to our unspeakable
grief) will ruin your majesty and your posterity, and if your majesty
reject our faithful advice ... and lose England by your wilfulness, your
majesty will not be permitted to come and ruin Scotland". He added,
more kindly:

And if it please God to incline your royal heart to this
advice of your humble and faithful servants, who next to
the honour and service of God, esteem nothing more
precious than the safety of your person and crown: our
actions shall make it appear that we esteem no hazard
too great for your majesty's safety, and that we are
willing to sacrifice our lives and fortunes for establishing
your throne and just right".

Argyll, who wanted to avoid an irreparable breach with the English
Parliament until he could be certain of having converted Charles, was
confronted with the frustrating and dangerous situation of the King
refusing to buy Scottish help at the price of signing the Covenant at a
time when the Independents' influence in England was increasing. Charles
refused to heed Loudoun's threats, convinced that he was bluffing.

71. The Lord Chancellor of Scotland his Speech to the King in
Newcastle, July 1646 (London, 1646). The penultimate word in this
sentence is given as "ruin" in this pamphlet. However, Wedgwood,
The King's War, p. 536, and Stevenson, Revolution and Counter-revolution,
p. 72, give it as "reign in". The discrepancy seems to be explained by the fact
that they have used Rushworth, op. cit., vol. 4, pp. 319-20 as their
source. Although I have chosen to give the word contained in the
original pamphlet, I cannot help feeling that "ruin" may have been the
result of a typographical error and that "reign in" is indeed what
Loudoun said. He was alleged to have told the English Parliament
previously that the Scots "would not do so base an act as to render up
their prince's person, who was come to them for safety in so great a
danger; and that this act could not consist with their duty and
allegiance, or Covenant, or with the honour of their army, it being
contrary to law and common practice of all nations, in case even of
private men". Warwick, op. cit., pp. 324-25. If this is true, it
may have reached Charles's ear and led him to believe that Loudoun,
in his speech of July 1646, was bluffing.
At the root of it all lay a mutual misunderstanding. Argyll and those who
harried Charles believed that political reality must soon make him overcome
his scruples and sign the Covenant, and Charles believed that in the last
resort the Covenanters would never surrender him, their native sovereign,
to an Independent or an Erastian House of Commons and would for his sake
take up arms alongside those of his English friends who remained in the
field. Each, then, believed that the other would abandon principle for
self-interest - and each was mistaken.

By the autumn of 1646 all hope of binding the King to the Covenanters'
will had ended. In October Charles wrote that the Scots' demands would
render him and his successors "titular kings". Moreover, "I believe they
are flattering themselves that their union with England will secure them"
and "though I and the monarchy be ruined [they] hardens their obstinacy
against me", and he confided that he intended to remain in Newcastle
as "the only means to secure the Scots". Commented Baillie: "the King's
madness has confounded us all".

At the very time that Mazarin's envoy, Montereul, was working to
unite Charles with the Covenanters and Presbyterians, Charles was intriguing
with the Independents, hoping to benefit from the growing animosity between
the Independents in the Commons and the Presbyterians in the Westminster
Assembly, and via Secretary Nicholas he informed Vane of his preparedness
to cooperate with him in eradicating Presbyterianism - "that tyrannical
government" - from England if it "shall be so strongly insisted upon

72. Charles I to Jermyn, Culpepper and Ashburnham, 27 October 1646,
that "no misery shall ever make me change Episcopal into Presbyterian
government", it being "directly against my conscience". Charles I to

as that there can be no peace without it". The Independents were suspected by the Hamiltonian Sir Robert Moray of hostility towards monarchy, yet he thought they might be induced to work for Charles's restoration by the promise of exclusive state power and because of "the small appearance they see of the destruction of monarchy". He recognised that "the most zealous of those that meddle in state matters in London looks at something else more intensively than religion" and "no Englishman will ever in his heart hold it a necessary condition of the peace of England that Scotland must be satisfied with it, far less than it be of the Scots' framing". Moreover, the Independents "have let him [Charles] know that he may satisfy England with little of religion, and without the Covenant". When Lauderdale argued that the Independents could not be trusted Charles replied that if the Scots abandoned him solely because he refused the Covenant the Independents would be the only beneficiaries.

Argyll and his associates now knew that in the King they had not a prize but a liability, for if he would not sign the Covenant he became not merely worthless to them but dangerous as well, since if they took him back into Scotland when their army returned, his presence would encourage every opponent of the Covenant, overt and covert, in the land. The defection of many lukewarm supporters after Kilsyth had revealed to the Argyll party the vulnerability of their cause, and they had done nothing — indeed, could do nothing, if they wished to remain true to themselves — to reconcile or proselytise their foes. Yet they were apprehensive of

74. Nicholas to Sir Henry Vane, the younger, 2 March 1646, Clarendon State Papers, vol. 2, pp. 226-27.

75. Moray to Hamilton, 14 November 1646, Hamilton Papers, pp. 123-24; cf. Cromwell's alleged view, reported by the Earl of Manchester: "I have heard him oftentimes say that it must not be soldiers nor the Scots that must do this work, but it must be the godly to this purpose", John Bruce (ed.), The Quarrel between the Earl of Manchester and Oliver Cromwell (London, Camden Society, 1875), p. 72.

the fate he might meet if he fell into the clutches of the more radical Independents, with their talk of deposition, and the English suspected them of planning to let him escape (which in fact, since he would have gone to France and aligned himself with Montrose and foreign and Irish Catholics they would certainly not countenance). 77

Argyll was faced with a dilemma. As Loudoun had said, the Covenanters were concerned for the safety of Charles's person and crown yet this was secondary to considerations of the honour and service of God. Yet the fact that the Scots army could not withdraw until some of the money owing to it was paid to satisfy their troops afforded them time to deliberate. 78

The misconception that Argyll and the Scots sold their King quickly gained credence at the time, and it persists. 79 However, the monetary transaction with the English Parliament involved the arrears of the army only and had nothing to do with the disposal of the King. As Argyll affirmed, "there was nothing moved at that time concerning His Majesty's person, but merely for the army". 80 It is true that the Covenanters did

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78. Ibid., p. 206. The Scots estimated the debt at £600,000 sterling; the House of Commons initially offered £100,000 and eventually the sum of £400,000 was agreed upon.


consider whether to make it a condition of their withdrawal (an event which Independents and Presbyterians alike keenly desired) that the English should undertake not to depose the King. Upon reflection, however, Argyll, Loudoun, Wariston and Lauderdale, realising that if the King's name was associated with a financial treaty their motives might be misconstrued, argued that it was "unseasonable". 81

Earlier the Scots had tried hard to secure a joint agreement with Parliament which would guarantee the King's "honour and safety" but this failed when on 18 September 1646 the Commons declared that the King's person was to be disposed of as Lords and Commons saw fit. The Scots, to whom the English were to have no further obligations, were to deliver him with no conditions. 82

Although they were not representative of the general Independent viewpoint (meaning that neither Charles's throne nor his life were in any real danger at this stage) 83 the well-known views of Thomas Challoner, [Footnotes]

83. From the beginning of 1647 until Pride's Purge on 6 December 1648 the Presbyterians were in the ascendancy and Charles in no real peril. Mainstream Independent views are in Bodleian Library, Clarendon MSS., 29, folios 42(b) - 52 (b). Cited in Robert Ashton, The English Revolution: conservatism and revolution, 1603-1649 (London, 1978), p. 422. Note Professor Ashton's thesis that "radical, republican solutions were always, even in 1648-9, the views of a minority, pressed forward against the opposition of the vast majority of the political nation" while admittedly "there was a growth of such sentiments as the war progressed". Ibid., p. 185. Holles believed that anti-monarchical diatribes and unveiled criticisms of nobility and gentry multiplied after Marston Moor and were encouraged by the foundation of the New Model Army early in 1645. See "Memorial of Denzil Lord Holles", in Francis Maseres (ed.) Select Tracts relating to the Civil Wars in England (London, 1815) vol. 1, pp. 200-01.
Henry Marten and the unknown writer of a paper in June 1646 opposing the return of the militia to royal control and demanding that Charles should be tried and punished for his alleged misdeeds, are almost certain to have increased the sagacious Argyll's apprehensions that the English Parliament's claim to dispose of the royal person "may" in Moray's words, "in some sense be to depose or worse". Argyll must also have been alarmed by Charles who, before he decided to court the Independents, had written to the Scots commissioners in England alleging the growth of "a potent faction" among their English allies "which desires the extirpation of monarchy and particularity of our family".

Argyll's position - his indignation, his bewilderment, his distress - may be ascertained from Loudoun's vigorous condemnation of the Commons declaration of 18 September in three eloquent speeches in October, since at this time the two men were working in close harmony. He warned that "if one of the Kingdoms shall cast off the King, and the other have a King, if the one shall make peace with the King and the other not make peace, but be still at variance with him, it is to be feared, that no human wit nor policy will be able to keep the two Kingdoms long without a rupture..." Like Argyll Loudoun saw strength in unity between the Kingdoms. He reminded the English of their obligations to the Solemn League and Covenant, of the exertions of the Scots and the hardships they had endured in the common cause. He asked that "whatsoever we resolve upon for our common peace and security in relation to the King, that it be done in zeal to religion, in loyalty to the King, and with unanimity amongst ourselves". The essence of the case was that "we do hold that the disposing of the King's person doth not properly belong to any one of

84. Moray to Hamilton, 14 November 1646, Hamilton Papers, p. 124.
the Kingdoms but jointly to both", and should rest on considerations of what "may serve most for the peace, security and happiness of both Kingdoms". 86

But it was all to no avail, and once the money owed to their army arrived the Scots knew that despite their apprehensions and their anguish, they would have to leave their uncovenanted monarch in England. 87 But they did this only after eleventh-hour attempts to make him sign the Covenant, so that they might take him with them. 88 The extent of Argyll's desperation may be seen in an extraordinary proposal he evidently made, which was that Charles should be carried off to Scotland as a prisoner, to be "held there in honour and security" and treated with due deference by kneeling attendants. 89 But while this would have removed Charles from the Independents, with their potential to do him harm, it would have aroused Royalist feeling in Scotland, would have still alienated the English Parliament, which claimed the unilateral right to decide Charles's fate, 90 and Argyll does not seem to have canvassed it widely. In any case, Charles does not appear to have warmed to the plan.

86. Severall Speeches spoken by the Right Honourable the Earle of Loudoun ... October 1646 (Edinburgh, 1646). See especially pp 33-34. These speeches, dated 1, 6, 10 October 1646, were delivered, like Argyll's speech in June, in the Painted Chamber, Westminster, before a committee of both Houses of Parliament. The passages quoted are all from the speech of 1 October.


88. Clarendon State Papers, vol. 2, pp. 272-73, 297; Charles I in 1646, pp. 91-92. The Queen was convinced that if Charles signed the Covenant he would regain his Kingdom with the help of Scots, French and Irish, and Bellievre and Montereul made it clear that no aid from Mazarin would be forthcoming unless Charles did so. Their pleas, like those of the Scots, fell on deaf ears.

89. Montereul Correspondence, vol. 1, p. 350.

90. This was the position of Thomas Challoner and his supporters. Their argument rested substantially on the fact that although Charles was in Scottish hands he was on English soil and while so he was subject to English jurisdiction only.
On 16 January 1647, following a Committee of Estates decision a month earlier, the Scottish Parliament voted by a large majority that they could not receive Charles in Scotland, and though Hamilton and Lanark remonstrated they could offer no alternative. Along with a lavish bribe, David Leslie rejected a proposal that he should help Charles escape to the coast of Gordon country, where Huntly lay at Elgin with his clansmen in arms. On 30 January the Scots army marched out of Newcastle. Both Charles and the Covenanters had failed in their objectives.

Later Argyll wrote that regarding

the ... calumny of selling the King, I am so charitable as to think no man will aver it, but such as are malignants, or have a very malignant spirit within them, for let any indifferent man judge when the King had refused to agree to the [Newcastle] propositions of both Kingdoms, and it was known he was endeavouring to stir up a war betwixt the Kingdoms upon his interest, still refusing to satisfy the people, yea, resolving to prosecute his former designs, what could Scotland do in such a case but as they did, to leave the King in England amongst his own subjects, equally engaged to him, knowing that many in England desired a pretence to keep an army, and that the money conditioned to Scotland at that time was only for the arrears of the Scots army, is so well known, and needs no proof; and since this calumny was forged to promulgate upon the usage the King had after he was left in England, I must speak one word more ... that what fell out in that was most occasioned through the King's own fault, and his counsellors, who neglected and refused all opportunities of settling, till men were driven to necessities of doing things which could be easily cleared, were never designed before they were upon necessity resolved to be practised, for after the Scots army was returned to Scotland, applications were made to the King, both by the Parliament and army, as several ordinances of parliament and declarations of the army may evidence.

He added that if anyone entertained such "unjust calumnies" against Scotland, "I hope it will be none of the best or wisest people; for others such as are wicked and malicious will be so still".


92. Leslie was offered the Earldom of Orkney and the Knighthood of the Garter. See Montereul Correspondence, vol. 1, pp. 392-93. His maternal grandfather had been Earl of Orkney.

93. James Kirkton, The Secret and True History of the Church of Scotland (Edinburgh, 1817), p. 40 n. Argyll's remarks were made in a tract dedicated to Oliver Cromwell.
Unfortunately for him, many, not all of them "wicked and malicious", did believe it, and they destroyed him in the end. 94

Argyll's behaviour during 1647 and 1648 was no doubt fashioned by his frustrating experiences with Charles in 1646 and his conviction that Charles could not be trusted to fulfil whatever he promised. But he never abandoned his deep concern for Charles's welfare. In February 1647 he wrote to Lothian, who, with MacDouall of Garthland, had been appointed by the Scottish Parliament to attend Charles at Holmby House 95 that "now is the time for [Charles], as it was ever my advice for himself, to do all these things that would satisfy all, at least what all agree upon ... as matters stand, by endeavouring to divide the Kingdoms he forces them to the nearer union, many times to the prejudice of that he thinks his interest". He asked that this advice should be repeated to Charles. It was, of course, that Charles should accept the Newcastle propositions, "that he might both get and give satisfaction". Clearly Argyll was in despair: "... there is none here that [Charles] judges most opposite to him, but would be gladder to see him do that which might preserve himself [than] men that flatter him most, for we love the King". 96

94. The relevant charge at Argyll's trial read that when the King "would not condescend to all the desires of both Kingdoms, which was no less than the divesting himself of all regal power, civil, ecclesiastic or military in state, church, or armies, they would deliver him up: which immediately after the payment of £200,000 basely and treacherously was done by you and them". It was further specified that "under pretext for satisfaction for the arrears of the army, he went to London, and there treasonably gave up, at least condescended to the up-giving of his dread sovereign and master, as being empowered so to do by the Kingdom of Scotland". Cobbett, op. cit., vol. 5, pp. 1412, 1466-67.

95. M'Crie, op. cit., p. 195. Charles had expressed a desire to be near the English Parliament and the Scots had therefore agreed that he should go to Holmby House until he had satisfied both Kingdoms.

96. Argyll to Lothian, 5 February 1647, Ancram and Lothian Correspondence, vol. 2, pp. 203-04.
The surrender of the King at Newcastle was "the most unpopular and ungracious act" ever performed by the Kingdom of Scotland, explains Clarendon, and the deep feelings of guilt which immediately gripped the Scots helped the Royalist revival under Hamilton, whereby "the honour of the nation might in some degree be repaired or redeemed".97

But first there was the question of what to do with the army which had returned from England. Hamilton wished to keep it mobilised, hoping that it might be used to help Charles, though in a bid to win Covenanting support he gave out, disingenuously, that it was required to enforce the work of reformation in England. Argyll, on the other hand, feared that the growing Royalist reaction might involve Scotland in a fresh war, and he wanted to disband the army before it would be employed for purposes of which he disapproved, keeping only a small force in arms for use against Huntly and the northern rebels. He, too, hesitated to declare the real reason for his stance, arguing that the army was an unnecessary burden on the country. After a debate his policy prevailed in Parliament. The army was reduced to a so-called "new model" of 1200 horse, two dragoon companies and 6000 foot. David Leslie, lieutenant-general and effective commander, proved willing to obey Argyll in all matters pertaining to personnel, enabling Argyll to build up an army of whose loyalty to his own policies he could be confident.98

But the Scottish Parliament's decision in March 1647 to reappoint commissioners to London to negotiate with the King and the English Parliament was a victory for Hamilton and an indication of the new and widespread

sympathy for Charles. The commissioners' instructions displayed a leniency unacceptable to Argyll and the Kirk. They were still to work for presbyterian government and reformation in England according to the Solemn League and Covenant (and now that the Scots' army was no longer in England there was some chance of achieving this, since the radicalism of the Independent's religious and secular policies had alienated many who had again come to favour a moderate presbyterian settlement negotiated with Charles). But the phrase telling the commissioners that Charles should swear the Covenant or "at least give his consent that it might be confirmed as law" indicated that he might be able to avoid subscribing it himself. If he accepted the Newcastle propositions the English Parliament was to be exhorted to restore him and if he refused the Scots commissioners were to attempt to ensure that nothing detrimental to his interest should be performed.99 "I can hardly express ... the difficulties some men are put to, to carry on business here" lamented Argyll,

many being so weak, others so full of byways and malice to men who have served their country, so far as God enabled them, with faithfulness ... I pray God give His Majesty a heart to grant the desires of his subjects as the best cure under God that I know for himself or us.100

A further rebuff for Argyll occurred with the appointment of the new Committee of Estates, chosen in March 1647, shortly before the dissolution of Parliament, for the Hamiltonians predominated, particularly among the aristocratic representatives. Argyll was said to have eight nobles to Hamilton's twelve, a fairly equal number of barons and fifteen burgesses


100. Argyll to Lothian, 17 March 1647, Ancram and Lothian Correspondence, vol. 1, pp. 212-13; cf. Argyll to Lothian, 7 April 1647: "The end of our parliament was the maddest business that ever your lordship saw". Ibid.
to Hamilton's five. 101 Clearly, then, there was a definite swing away from Argyll's hegemony.

Again, however, military matters diverted Argyll temporarily from the national scene. In January 1647 he had complained that he had received no rents from his lands in Kintyre for the past three years, and Calder reported the same for Islay. In 1645, and especially in 1646, Kintyre suffered appallingly from Alastair's raiders, who killed, burned and plundered, and when Leslie marched through in 1647, he was unable to find any cattle for his troops' sustenance. 102 Accordingly Argyll and Calder were absolved by Parliament from paying their feu duties to the Crown for these years and for all years that the rebels remained there, and an act of Parliament awarded Argyll £15,000 sterling in compensation for his damaged estates, and distributed £30,000 sterling among the other heritors of Argyllshire who had suffered similarly. 103

101. Montreual Correspondence, vol. 2, pp. 70-71, 83, 388, 400, 420, 446, 502, 508, 600-01. Argyll's nobles were Balcarres, Balmerino, Cassillis, Eglinton, Lothian, Sutherland, and probably Dunfermline, if Montreul is to be believed. Ibid., p. 80. They probably also included at this stage Loudoun and, according to Bellievre, Traquair, Ibid. The last two would later be aligned with the Hamiltonians. The list of the Committee of Estates' members, for which see ibid., pp. 600-01, contains twenty-five nobles, so presumably a few were still neutral. Glencairn, despite being Hamilton's first-cousin, appears to have been one of their number. Argyll's Royalist father in law, Morton, was also a member of the Committee, as was a Campbell laird, Hugh Campbell of Cessnock, who on occasion was not afraid to vote independently of his chief.

102. A.P.S., vol. 6, part 1, p. 498.

103. Ibid.
On 24 May 1647 Argyll and Leslie entered Kintyre, charging and dispersing about 1300 rebels, killing between sixty and eighty, and that night, Alastair, his father Coll Keitach, with the majority of the Irish and MacDonalds, fled to Islay, leaving many of their Highland allies to their own devices. About 300 took refuge in Dunaverty Castle, which Leslie vainly attempted to storm, though about forty defenders were killed. But early in June the rest surrendered and most were massacred, apparently against Leslie's will but on the urging of a zealous Ayrshire minister, John Nevoy, who was chaplain to Loudoun's regiment. It was soon being asked what Argyll's role in the affair was, particularly since on 9 May the Committee of Estates had informed Leslie that in all matters relating to the pardoning of rebels he was to obey Argyll. It seems unlikely that Leslie would have massacred them if Argyll had given specific orders to the contrary, but at the same time there is no evidence that Argyll engineered the massacre. Sir James Turner, who was present, vehemently denied that the victims were offered quarter before they surrendered, and stated that since they had previously refused a call to surrender, when quarter was offered, they had no claim on Leslie's mercy, and at Argyll's trial Turner - who, it must be remembered, was not a servile follower or admirer of the marquis - testified that he had never heard Argyll advise Leslie to massacre but that Nevoy had continually urged it. 104

104. Turner, op. cit., p. 239. Sir James Turner was an active Engager who spent some time in captivity in England after the rout at Preston, and during the Cromwellian occupation he was a Royalist intriguer. He was hardly a biased witness. See also McKerral, op. cit., pp. 53-56; David Stevenson, "The Massacre at Dunaverty, 1647", Scottish Studies, vol. 19 (1975), pp. 27-37. In the Montereul Correspondence, vol. 2, p. 126, it is alleged that Leslie wished to save the life of a certain Irishman he had taken but that Argyll insisted that the man be put to death. However, this incident seems to be unconnected with the reputed massacre at Dunaverty.
Argyll himself stated: "I thank the Lord, by his grace helping me, I never took any man's life, but what was done in conflict, or by order of law, for notorious crimes, according to standing acts of Parliament". Therefore, he revenged himself upon Coll Keitach (who was captured at Dunnyveg in Islay on 1 July) for all the devastation he and Alastair and the Irish and MacDonalds had wreaked upon Argyllshire. Coll Keitach was hanged, and not long afterwards Alastair too, was dead, killed in battle in Ireland. Of him Argyll had told Montereul heatedly that "the only capitulation they would make with him would be as to whether they would make him shorter or longer than he was" - that is, whether he should be beheaded or hung. He was also accused of responsibility for the fate of Hector MacAlastair and his two sons, who, along with several others, were hanged at Lochhead in Kintyre shortly after the massacre at Dunaverty. But the episode is obscure, and nothing conclusive can be ascertained.

By insisting that the army should remain mobilised and at full strength, the Hamiltonians had given the impression to many that they were more concerned about the fate of both King and Covenant than were the Argyll party. Yet when on 6 June 1647, two days after Charles's abduction from

105. Cobbett, op. cit., vol. 5, pp. 1396-97. Argyll maintained that the indictment against him in 1661 "may appear to any to be framed merely out of malice" because "it does not so much as allege any reason or motive for anything which hath been done, nor any end why, or to which any did drive, and so making any man who was engaged more malicious than the devil, and more unreasonable than the brute beasts". Ibid., p. 1394.


proposed some increase in the size of the "new model" army for defensive purposes against Scotland's English foes - principally the Independents and the Army, in which Cromwell's star had risen at the expense of the moderate, Presbyterian Fairfax's - it seemed that they were more concerned to assist Charles than were Hamilton's men, since the latter, opposing the motion, emphasised that Charles had not specifically requested assistance. Argyll was still in the Highlands, and it seems unlikely that he could have been consulted by his associates before they moved this motion. Although the ascendency of the Independents in the Army and the seizure of the King were two developments which would concern him deeply, he would doubtless be wary of any increase in the Scottish army which loosened his stranglehold over the organisation. It is surely significant that while the Committee discussed the King's plight twice that month, no decisions were taken in the absence of Argyll and Hamilton, though more members believed that Lauderdale, who had preceded the commissioners on their mission to Charles in May, should not have spoken, as he had, of sending a Scottish army to aid the King. Argyll would not, and Hamilton was not ready to, send in the army to rescue the King. Hamilton, who despite Montereul's suspicions, did sincerely want to intervene on Charles's behalf, considered that if the present army, controlled as it was by Argyll, was to rescue the King, he would be only minimally better off than he had been in 1646. Unless he capitulated to the zealots' religious demands he would have exchanged captivity at the hands of the Independents for captivity at the hands of the Covenanters. Argyll's

108. Montereul Correspondence, vol. 2, p. 188. Montereul sometimes suspected (wrongly) that Argyll and Hamilton were working in collusion towards Charles's downfall, and that the enmity between the two men was feigned.

attitude is reflected in a statement he made at his trial concerning his conduct in 1646, which applies equally to his behaviour in 1647 and 1648: he feared that if Charles "fixed on his subjects in Scotland, all England would be against him, and probably cast off his government and interest for ever". 110 Montereul's description of the Scots' position in June 1647 is, apart from the ultimate phrase of the following sentence, which is certainly not applicable to Argyll, a fair indication of the marquis's dilemma. He wrote that if the English Presbyterians submitted "to the will of the army, which is Independent", the Scots "look upon the ruin of their religion as inevitable, attended also by their fortunes, which they consider much more important than their religion". He continued: "yet as the Scots always like to be certain in what they do, they are afraid that while they effect a rising in Scotland in favour of the Presbyterians these latter may agree in England with the Independents, so that they will have shown their ill-will, without deriving any advantage from it, and irritated those who have the power to harm them". 111

Clearly, Argyll did not want to provoke the English - but not only for Charles's sake, for Scotland's too. And he believed that joint action on the part of the two Parliaments was the only course which would guarantee the safety of both the King and the people. He viewed closer union between the Kingdoms as vital to Scotland's security and in April 1647 he told Montereul "that England and Scotland would unite so closely as to form but one Kingdom, as they were one island, and that their peoples had no longer but one religion". This is reminiscent of his speech of June 1646, since when, he reported, he had received congratulations from several Englishmen. 112

112. Ibid., p. 95.
As in 1646 Argyll was loathe to put asunder the two Kingdoms which the Solemn League and Covenant had drawn together. It was not solely, indeed not primarily, for reasons of religious ideology. After all, in 1638 Argyll had said that he held no adamant opinion as to what kind of church settlement should be established in England, and he had been quite happy to see Presbyterianism established in Scotland alone - so long as its security could be guaranteed. But events since 1641, particularly the rise of the Independents, had changed things, and the Solemn League and Covenant was in Argyll's eyes indispensable for the defence of Scotland's religious and constitutional settlement.

Ironically, this meant that the Independents would have to be placated, and this entailed an anti-interventionist policy, the unswerving pursuit of which had the effect of making Argyll seem far more of a friend to the Independents than he actually was, not only in the eyes of some of the Scots, but in the estimation of certain Englishmen also. Thus in January 1648 Sir Henry Mildmay delivered a long speech in the Commons declaring that Argyll "and his party and the Scottish clergy were the only men that upheld the English interest in Scotland, and were better friends to us than all Scotland besides", and moved that Argyll be paid £10,000 sterling owed to him and that the rest of the debts Parliament owed the Scots be continued at an interest-rate of eight per cent. 113 "Presently", we are told, "the whole Independent gang, with much zeal and little discretion, ran that way, until more moderate men, stopping them in full cry, minded them what dishonour and danger they might bring their friends into by laying him open to suspicion". 114 Our informant is Clement Walker, an English Presbyterian who was solidly pro-Hamilton.

113. Walker, History of Independency, p. 51. Mildmay had been a hostage left with the Scots in 1646. See Whitelocke, op. cit., p. 230. In April 1647 Argyll told Montereul that the English Parliament owed the Scots £800,000 for the help the latter had provided in Ireland, and that accordingly the Scots were reluctant to deliver Belfast into English hands, as the English Parliament was demanding.

114. Walker, loc. cit.
His words, therefore, must be read with caution. It is entirely likely that he genuinely believed that Argyll was an Independent and that this gave rise to the virulent hostility against the marquis manifested in his writings. But he failed to appreciate Argyll's difficulties and to understand that Argyll was merely taking an expedient course, and for the King's sake. The unknown writer who, early in 1649, described Argyll and his party as 'the pretended Independents of Scotland', also missed the point - for Argyll and his associates were not masquerading as Independents, they were only cooperating with them - but at least he came nearer to it than Walker and a host of others, by realising that Argyll's true sympathies did not lie with Independency.

Both Argyll and Hamilton claimed to have at heart the interests of both King and Covenant and there is no reason to disbelieve them. Both saw the union of the crowns as the sole tangible link between the Kingdoms, and aimed to preserve it. But where Hamilton was prepared to stop short of the religious ideal beloved of the zealots, if that was the only way of helping Charles, Argyll was willing rather to compromise some of the King's rights than have him disregard the Covenant. Argyll claimed that his policy of non-intervention constituted a further instance of his inclination 'to peace, religion being secured', though he 'differed [from Hamilton] in his judgment as to the way and manner'.

115. Walker declared, for instance, that Argyll deceived the Kirk 'by seeming an enemy to the sectaries of England, and pretending to serve the Presbyterian interest'. Ibid., p. 132. See also his vituperative comments on Argyll's character, ibid., pp. 15-20.

116. The Moderate, no. 34, 27 February - 6 March 1649. Despite the date of the issue the newsletter in question is headed, inexplicably, "Edinburgh, March 27."

"I know no Scotsman here", reported Montereul in August 1647, "more sincere and more faithful to his prince than the Marquis of Argyll".118

During June and July 1647 Argyll's associates impatiently awaited his return to Edinburgh,119 and the fact that once he had returned from his military expedition and resumed his seat on the Committee on 17 August deliberations began in earnest suggests that a decision had been delayed until he - still, evidently, for a great number of people, "the oracle of Scotland"120 was present. On the other hand, the arrival in Edinburgh of John Cheisly (secretary to the Scottish commissioners in England) who had been forcibly detained in Newcastle,121 probably also played its part.122

Now fresh instructions to the commissioners in London were speedily approved: Parliament was to be required to invite Charles to London, out of the army's power, so that both Kingdoms could present him again with the Propositions of Newcastle. Loudoun, representing Argyll, and Lanark, representing Hamilton, were appointed as additional commissioners, authorised to inform Charles of the Committee's concern for his safety.123 Lanark told Montereul "that if the Independents did not preserve religion and monarchy in England and did not treat their King well, Scotland would assuredly make war upon them"124 Argyll, by contrast, "confessed ... frankly" that "he did not believe the Scots ought to undertake anything

120. The phrase is that of the French envoy, Boisivon, and had been employed by him in 1643. Ibid., vol. 2, p. 542.
121. For the circumstances surrounding Cheisly's arrest see Stevenson, Revolution and Counter-revolution, pp. 67, 91.
123. Stevenson, Revolution and Counter-revolution, p. 91.
for the re-establishment of the King if he would not satisfy them on the point of religion, which he despaired of his ever doing", However, if the Prince of Wales "came to them with the intention of satisfying them, he would engage to place him at the head of 10,000 foot and 6,000 horse, ready to follow him wherever his interests might lead him to go".125

Clearly, he was now looking to the Prince, hoping that he would prove more malleable than his father and that through him the monarchy in England might be saved and that in Scotland be Covenanted.

He knew the political disadvantage to Scotland of exerting too much on behalf of a stubborn and unCovenanted King, and had received letters from the Earl of Manchester, speaker of the Lords, and William Lenthall, speaker of the Commons, in which they expressed the hope that "the rumour that has circulated of the raising of a new army in Scotland will not turn out to be true, and that they were certain he would be a good instrument in order to prevent it and to cause a good understanding to prevail between the two Kingdoms".126 Accordingly, he asked that nothing in the commissioners' instructions should be taken to mean that Scotland was willing to engage in a war with England on Charles's behalf or that the union between the Kingdoms should be jeopardised. But Hamilton cleverly out-manoeuvred him and allayed Covenanting suspicions by supporting this protest, and adding that neither should the instructions be interpreted to the King's detriment. The protest was then adopted almost unanimously, and Argyll's efforts to get it suppressed failed.127

125. Ibid., p. 247. For the general Covenanting attitude at this time see Baillie, op. cit., vol. 3, p. 18.

126. Montereul Correspondence, loc. cit.

When on 9 September Charles rejected the Newcastle Propositions, preferring as a basis for peace the Heads of the Proposals made by Fairfax and the Army Council on 1 August, he dashed his chances of obtaining speedy assistance from the Scots. Argyll, described by Montereul as "a very cautious man", now found that caution justified. Again the Scots were confounded by the obstinacy of the King. Yet Argyll was not insensitive to Charles's plight: "My fear is that our master be still abused ..." He believed that the English Parliament was preparing for "anything they please to say against the King".

However, the Scots commissioners continued to negotiate with Charles, and Argyll's hold on the direction of national affairs continued to loosen. Late in September, the Committee, anxious to forestall any negotiation based on the Heads of the Proposals, issued new instructions for Loudoun and Lanark. These told them to urge that Charles negotiate on the basis of a paper he had presented on 12 May, which offered presbyterian government in England for three years. But Argyll protested. Refusing to trust Charles (perhaps recalling, if indeed he had ever learned of it, Charles's proposal to Vane to join with him in destroying any presbyterian settlement which he, Charles, had found it expedient to grant),

128. The Heads of the Proposals are printed fully in Gardiner, Constitutional Documents, pp. 316-17. For the King's answer to the renewed Propositions see ibid., pp. 326-27.


131. Argyll to Morton, 2 October 1647, N.L.S., MSS 79-81, Morton Papers, folio 37. See also Montereul Correspondence, vol. 2, pp. 247, 253-54, 287.

132. For the King's third answer to the Propositions presented at Newcastle, see Gardiner, Constitutional Documents, pp. 311-16.

133. See supra.
Argyll complained that the paper of 12 May did not sufficiently safeguard religion. But the Committee refused to reword the instructions, and referred the issue instead to a hopefully better attended meeting on 12 October. Argyll also argued that an order for disbanding the army on 20 October, which Hamilton, who did not want to attempt to intervene in England with an army under Argyll's control, had achieved during Argyll's absence in a meeting on 8 September be dropped. But in this too Argyll was unsuccessful: "my fears be great", he confided to Morton.  

Having suffered this setback Argyll rallied - but only barely. On 12 October the Committee, attended by no less than fifty-three members, discussed the controversial issue of disbandment. It did so two days later, when sixty one members - possibly a record - were present. The factions were fairly evenly represented, but on 15 October the Committee voted to delay disbandment until Parliament met in March 1648, in view of the dangers presently facing King and Parliament. Thus Argyll's opinion prevailed - but only by courtesy of a single vote, and only after the army had agreed to accept a pay reduction.

It was, moreover, a hollow victory, for negotiations with Charles were proceeding apace. On 23 December, three days before the Treaty of Carisbrooke was signed between Charles, Loudoun, Lauderdale and Lanark, the King wrote to Argyll, asking for his support:


135. Stevenson, Revolution and Counter-revolution, p. 93.


137. For the progress of these negotiations see Stevenson, Revolution and Counter-revolution, pp. 94-97.
Howsoever heretofore you and I have differed in judgment, I believe now that the present state of affairs are such as will make you heartily embrace my cause, it being grounded upon these particulars that were never in question between you and me. And for these things wherein you and I yet may be of several opinions, I have given such satisfaction to the Scots commissioners that with confidence I desire your concurrence in what hath been agreed between them and me, knowing your zeal to your country and your many professions to me ...

But Argyll was still bent on placating the Independents, and he also doubtless considered that the King had been given enough chances to sign the Covenant in the past, and that his credibility was now virtually moribund.

By the Treaty of Carisbrooke Charles undertook, as soon as he could "with freedom, honour and safety be present in a free Parliament", to "confirm the Solemn League and Covenant by Act of Parliament in both Kingdoms, for security of all who have taken or shall take the said Covenant, provided that none who is unwilling shall be constrained to take it". But he did not promise to sign the Covenant himself, and this could not satisfy the zealots, whom Argyll strove to lead, nor the marquis himself concerned as he was for the security of Scotland's settlement. For in the true sense the King would be still unCovenanted, and therefore unconstrained.


139. Signed 26 December 1647. The full text is given in Gardiner, Constitutional Documents, pp. 347-52, and its additional articles in ibid., p.353.

140. There is little doubt that the zealots at least had faith in the binding power of a Covenant. It is not clear whether Argyll did. Certainly, as the marked passages in his Bible indicate, he was fully aware of the dire consequences of Covenant-breaking: it must have occurred to him that Charles probably was not. However, he doubtless hoped that, were Charles to sign the Covenant from motives of political expediency, he would feel morally bound to abide by it, because to break it would bring him into public dishonour. Yet Argyll was not naive, and it is abundantly clear that he at no time trusted Charles. He must have felt uneasy about accepting an insincerely Covenanted monarch. In his Bible he has underlined Job, Chapter 23, verse 30: "That the hypocrite reign not, lest the people be ensnared". N.L.S., MS. 1871. As we shall see, infra, Chapter 9, Argyll was prepared to accept an insincerely Covenanted Charles II, but the prospect clearly caused him serious misgivings.
Charles also undertook to consent to the establishment of Presbyterianism in England for three years, after which time he, Lords and Commons, would determine "how the church government ... shall be fully established as is most agreeable to the Word of God". This undertaking was also unsatisfactory in the zealots' eyes, and Argyll was aware that Charles could not be trusted to fulfil even this much. But this was not the extent of the problem. For Charles also vowed "that an effectual course shall be taken by Act of Parliament, and all other ways needful or expedient, for suppressing the opinions and practices of Anti-Trinitarians, Anabaptists, Antinomians, Independents, Libertines, and Seekers, and generally for suppressing all blasphemy, heresy, schism, and all such scandalous doctrines and practices as are contrary to the light of nature, or to the known principles of Christianity, whether concerning faith, worship or conversation, or to the power of Godliness, or which may be destructive to order and government, or to the peace of the Church and Kingdom".

Although Argyll in his heart undoubtedly welcomed such an undertaking, the inclusion of Independents in this catalogue of proscribed sects made his espousal of it politically difficult. Indeed, Henry Marten was soon asserting that "I do not conceive the parties to that [Solemn] League intended thereby to be everlastingly bound to each other". It was only an alliance against a common enemy, and now that the war was over the Solemn League and Covenant was as obsolete as "an Almanac of the last year".141

141. See Henry Marten, The Independency of England Endeavoured to be Maintained ... Against the Claim of the Scottish Commissioners ... (London, 1648), especially pp. 4-5, 10-11, 24-25. See also Marchamont Nedham's Mercurius Pragmaticus, no. 19, 18-25 January 1648: 'Tis true, as Henry Marten said, The Scots away must pack, The Cov'nant shall aside be laid Like an old almanac. The Pragmaticus was both Royalist and vehemently anti-Scottish.
This would have alerted Argyll afresh to the fragility of the Solemn League, that alliance to the maintenance of which he was committed as an essential facet of his policy, and thus to the consequent necessity of continuing to mollify Independent opinion, lest Marten's views should become widespread. Indeed, Charles's rejection on 28 December 1647 of the Four Bills sent to him by the English Parliament a fortnight earlier, heralded a hardening of Parliament's attitude to him, as expressed in the Vote of No Addresses on 17 January 1648, and a general radicalisation of Independent attitudes throughout 1648. Besides, many zealot ministers who had favoured military intervention in England against the Independents in 1647, when Argyll seemed firmly at the helm of national affairs, changed their attitude when they learned the terms of the Treaty of Carisbrooke. Now they proclaimed "loudly that God is powerful enough of Himself to punish the Independents, without requiring help from men" and like Argyll they stressed the need for peace and unity between the Kingdoms. Despite the Independents' many faults, they said, there was no justification for war, to which the Treaty of Carisbrooke committed the Scots. For Loudoun, Lauderdale and Lanark had vowed on behalf of their countrymen that if the English Parliament would not agree to the general demobilisation of the army and a personal treaty with Charles "wherein they shall assert the right which belongs to the Crown in the power of the militia, the Great Seal, bestowing of honours and offices of trust, choice of privy councillors, the right of the King's negative voice in Parliament, and that the Queen's majesty, the Prince, and the rest of the royal issue, ought to remain where His Majesty shall think fit" they would send an army into England "for preservation and establishment of religion, for defence of His Majesty's person and authority,

142. The text of the Four Bills, with the Propositions accompanying them, is given in Gardiner, Constitutional Documents, pp. 335-47. The King's reply is in ibid., pp. 353-56.
143. For text see ibid., p. 356.
144. Montereul Correspondence, vol. 2, p. 386.
and restoring him to his government, to the just rights of the Crown and his full revenues, for defence of the privileges of Parliament and liberties of the subject, for making a firm union between the kingdoms under his majesty and his posterity and settling a lasting peace."  

Argyll and his supporters on the Committee of Estates argued, ineffectually, that a war would ruin both Kingdoms and would benefit only malignants devoid of all sense of true religion. The equipoise between the Argyll and Hamilton factions which had characterised the Committee during 1647 had been destroyed, with the Engagers, as the supporters of the Treaty of Carisbrooke became known, in the ascendancy.

Thus thwarted, Argyll and his party considered their next move. Argyll consulted David Leslie, and held long meetings at home with Balmerino, Balcarres and other adherents. They were apparently discussing the possibility of the army intervening and intimidating the Estates into repudiating the Treaty of Carisbrooke - "that the army of Scotland should imitate that of England and that the Presbyterians should follow the direction of the Independents" - but they decided such a move was too precarious.

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145. Gardiner, Constitutional Documents, pp. 349-50. Charles also undertook, inter alia, to ratify the acts of the Scots Parliament of 1644-47 and to settle the debts of Scotland incurred by the English Parliament. He also promised that in future Scots would be employed equally with Englishmen in foreign negotiations, and that Scots would be appointed to the English Privy Council, and vice versa. Scots would occupy Court positions around the King, Queen and Prince of Wales, and the King or the Prince would reside in Scotland as frequently as was convenient. Also, "according to the intentions of his father" Charles would "endeavour a complete union of the kingdoms, so as they may be one under His Majesty and his posterity", or would at any rate establish free trade between them. For Loudoun's attitude immediately prior to signing the Treaty of Carisbrooke see N.L.S., Wodrow MSS., Folio Ivxii, nos. 118, 128 and Bodleian Library, Tanner MSS. 59, follos 736-37.


The fact that Argyll previously consulted Leslie seems to indicate that he, the marquis, initiated the idea of military intervention, though this is by no means certain. Abandonment of the scheme was in character with his natural caution and lack of impetuosity.

Next, Argyll conferred with the English commissioners, Ashurst, Birch and Marshall, who arrived in Edinburgh on 9 February 1648 in a futile attempt to dissuade the Scots from the proposed expedition into England. \textsuperscript{148} They were virtually snubbed by the Committee of Estates, "Our commissioners", an Englishman reported on 23 February,

\textit{...have not yet had an audience ... nor is it supposed they will have till their Parliament sits. The Scots are somewhat unkind to them in not giving them convenient accommodation ...}\textsuperscript{149}

It was rumoured that the commissioners brought with them substantial sums for distribution in bribes and the payment of the £200,000 still owing to the Scots. Argyll's association with the commissioners naturally intensified the allegations that he was a crypto-Independent, and Hamilton claimed, in a conversation with Montereul, that Argyll had an agent in London whose sole purpose it was to receive money from the English Parliament. \textsuperscript{150}

Argyll struggled vigorously against the impetus towards intervention in England, but when the Scots Parliament met on 2 March 1648 he could command the support of only ten or eleven nobles out of fifty-six present, less than half the barons and only rather more than half the burgesses, giving Hamilton a total majority of between thirty and thirty-six. \textsuperscript{151}

\begin{footnotes}
\item[148.] L.J., vol. 10, pp. 7-8, 11; Hamilton Papers, p. 158; Guthry, \textit{op. cit.}, pp. 257-58; \textit{Montereul Correspondence}, vol. 2, pp. 399-400.
\item[149.] Rushworth, \textit{op. cit.}, vol. 4, p. 1011.
\item[150.] \textit{Ibid.}; \textit{Montereul Correspondence}, vol. 2, p. 409.
\item[151.] \textit{Ibid.}, pp. 419-20; Baillie, \textit{op. cit.}, vol. 3, p. 35; A.P.S., vol. 6, part 2, pp. 5-9, 13-14, 19; \textit{C.S.P.D. (Charles I)}, vol. 22, p. 26; Guthry, \textit{op. cit.}, pp. 259-60.
\end{footnotes}
The trend against him had gathered momentum. Even in "Middleburgh" his influence had declined, and this evidence of his failure to discredit the Engagement must have caused him marked concern. The very base he had fallen back on was threatening to founder.

Moreover, he was unsuccessful in his attempt to oust the staunchly Hamiltonian Provost of Edinburgh from office. And Wariston, who had sat in the previous Parliament as member for Midlothian, found difficulty in being returned for this one. He obtained a seat in this Parliament only after Argyll sold or gave him the island of Shuna, thus furnishing him with the required property qualification. Another blow was the election of Loudoun, still attached to the Engagement policy (though he would not long be) and consequently estranged from his chief, as president of Parliament over three candidates politically acceptable to Argyll.

The alarming process continued. Parliament's approval of the conduct of the former Scots commissioners in London constituted in effect a sanction of the Engagement - and a further rebuff for Argyll. On 10 March he was appointed to the eighteen-member Committee for Dangers, Remedies and Duties which had been established to examine the dangers posed to religion, Covenant, King and monarchical government - but only because Hamilton, who seems to have wanted no overt breach yet, insisted that he should be. He could count on the support of Wariston and three other members, all burgesses, who, unfortunately for him, shortly afterwards lost their places on the committee, which in any case, and not surprisingly,

152. Monte reul Correspondence, vol. 2, p. 288. The Provost was Sir James Stewart of Coltness.


declared in favour of the Engagement. 156

All these setbacks clearly strained Argyll's patience and aplomb and taxed his self-control to the limit. He saw one peer after another openly declare for the Engagement, leaving him with a mere hard-core of supporters from among the nobility. The Engagement was essentially an aristocratic enterprise, and Argyll, hitherto so closely in step with the majority of the political nation, must have felt bewildered and dejected indeed at finding himself and his policies so unacceptable to the bulk of his class. They remained unmoved by a long speech he delivered in Parliament against the Treaty of Carisbrooke and in favour of peace and unity between the Kingdoms. 157 He was obviously feeling increasingly isolated and defensive, and finally his habitual self-restraint 158 snapped. In Parliament on 8 March, during some verbal volleysing with Crawford-Lindsay he suddenly grew angry, and, with almost childish petulance, informed the earl that he had heard that at a recent meeting he, Crawford-Lindsay, had said not only that "the best men of the kingdom" were present but that "himself was a better man than he [Argyll]". 159 Then, optical defect or no, he challenged - or accepted a challenge from (it is not clear which) - Crawford-Lindsay to a duel at Musselburgh Links on 13 March. But although both parties turned up at the appointed time the duel did not take place. It was claimed by one source that Argyll's second, Major Innes, kept the two men, stripped for action, talking until others could dissuade them

156. Ibid., p. 10; Montereul Correspondence, vol. 2, pp. 426-28. Argyll's three associates on the committee were William Glendenning, George Porterfield and Thomas Kennedy.
158. Montereul Correspondence, vol. 1, p. 140; testifies to this habit of self-control; cf. Burnet, Own Times, vol. 1, p. 43.
from the fight. Baillie tells a similar story - that their friends discovered the venue and rushed up to part them before they could begin. Guthry, no lover of Argyll, hints at cowardice on the marquis's part, while Balfour maintains that neither Innes nor Lanark, Crawford-Lindsay's second, could persuade Argyll to fight and that, owing to the cold weather he baulked at removing his coat and boots. Perhaps Argyll had second thoughts on account of his visual impairment which, as argued in the previous chapter, would have disadvantaged him severely in a sword-fight, the method of combat proposed. Perhaps the fact that it was Sunday made him unwilling, for he would not, as the leader of the Covenanting party, cherish the accusation of Sabbath-breaking. It is strange that he agreed in the first place to fight on a Sunday - the date seems to have been chosen by Crawford-Lindsay and possibly did so with withdrawal on that ground in mind. Then again, he might have willingly accepted a written apology which his opponent, according to Balfour's account, seems to have proffered.

160. A Plot Discovered ... also How the Marquesse of Arguile, the Earle of Crawfurd Linsey, Earl of Lanerick, and Major Innis, met in the field upon a challenge to fight, and the Proceedings of the Parliament therein (London, 1648). This source names Leith Links as the venue. Guthry, op. cit., p. 261, states that the place appointed was the links at Stonyhill near Musselburgh; Baillie, op. cit., vol. 3, p. 36 names Musselburgh Links. Guthry gives the time as 5 a.m., Baillie as 7 a.m.

161. Ibid.

162. Guthry, loc. cit.


164. Baillie, loc. cit., states that it was to be a sword-fight. The other sources do not specify the type of weapon to be used.

165. Ibid.

166. Balfour, loc. cit.
That night, it seems, the Scottish Privy Council, with some difficulty, persuaded the two men to forget their differences, and they narrowly escaped censure by the ministers, when, owing to the pressure of business, the Commission of the Kirk deferred a proposal that they be summoned to appear before it to repent their error in proposing to fight on the Sabbath. The Commission feared that the duel was part of a conspiracy to assassinate Argyll and destroy opposition to the Engagement, and it answered the news of the aborted fight with a sweeping condemnation of the Treaty of Carisbrooke.

Argyll experienced further setbacks during the long prelude to Hamilton's invasion of England. On 11 April 1648 in Parliament he could muster the support of only three others, including Cassillis and Wariston, to oppose an act initiated by the Hamiltonians in a bid to allay criticisms and accusations of hypocrisy by their opponents, such as those ministers who had emphasised that the Treaty of Carisbrooke inadequately safeguarded religion, and who had warned of the concealed perils posed by "secret malignants, disconvenanters, and bosom enemies" who had opposed the Solemn League and Covenant but who now simulated fervour to invade England to impose it. The innocuous act, purely a propaganda exercise, as Lanark privately admitted, had the intended effect of eliciting support from most of


168. This is the version Baillie gives, ibid. Guthry, loc. cit., alleges that the Commission of the Kirk did summon the prospective duellists before it and that while Argyll obeyed, Crawford-Lindsay did not. I have chosen to follow Baillie's version, as it is more likely to reflect accurately Covenanting policy, and was written at the time. Baillie states that the Kirk was concerned by the number of duels which had recently been proposed between public men: Lord Sinclair and David Leslie, Eglinton and Glencairn, and Kennmure and Cranstoun. Baillie, loc. cit.


Argyll's party, and a special blow must have been the defection of Balmerino, usually one of the marquis's most loyal adherents. 172

The Kirk, however, like Argyll, asked, logically, why England but not the King was being asked to impose the Covenant and reformation, and why the Engagers were fighting for a King who had rejected those very demands for which they were now purporting to make war on the English. 173 These arguments, relentlessly pursued, evidently carried weight, for by 20 April Argyll's usual supporters had heeded them sufficiently for over forty of them to follow him out of the chamber when Parliament voted to go to war unless the demands put forward in the document of 11 April were fulfilled. 174

Now there was no mistaking the direction of policy. On 18 April preparations for the expedition openly began, with the appointment of new shire committees of war and shire colonels to train and arm the recruits. 175 Then on 4 May Parliament at last ordered the levying of a new army, 27,750 foot and 2,760 horse, who were to rendezvous in their respective shires by the end of the month, and a week later the officers were named, Hamilton

172. Calendar of Clarendon State Papers, vol. 1, p. 419. Callander and Traquair abstained from voting because they opposed even the pretence of waging war on behalf of the Covenant. Both eventually participated in the Engagement, Callander as Hamilton's lieutenant-general and Traquair in command of his own troop of horse. After Preston Callander escaped to Holland but Traquair and his son, Lord Linton, remained in England for several years as prisoners of war.


175. Ibid., pp. 69-71; N.L.S., PA. 11/6, Register of the Committee of Estates, 1648, folios 1-1v. A.P.S., vol. 6, part 2, pp. 30-48; Montereul Correspondence, vol. 2, p. 459. As a gesture to the Kirk all those guilty under the first and second classes of the 1646 Act of Classes were excluded. These categories were, respectively, those propertied delinquents who, having been spared execution, had been fined four to six years' rent and had been prohibited from holding public office or voting in elections until peace was restored, and those who had been sentenced to forfeit two to four years' rent and be barred from office until the following parliamentary session. A.P.S., vol. 6, part 1, pp. 503-05.
being appointed general. "What shall be the event God knows ..." wrote Argyll to Morton, then residing at Kirkwall Castle, in Orkney. "If your Lordship be desired to come from that [place] think it happiness that you are there and free of our present business".

On 11 May Parliament adjourned until 1 June in order that members could participate in the levying. The Committee of Estates which remained in Edinburgh during the parliamentary recess was, it appears, composed entirely of Engagers with the exception of Argyll and Wariston. These two, doubtless recognising the futility of participation and wishing to save themselves from further humiliation, did not attend. Argyll withdrew to his estates, and at the end of May he met Eglinton, Cassillis and some West Country ministers in Irvine, to discuss the possibility of raising anti-Engagement forces in Ayrshire and Galloway, where, as in Fife, opposition to the expedition was rampant - and leaderless. However, Argyll, with his wonted caution, seems to have feared that such a move would be premature, and he returned to Inveraray.

176. A.P.S., vol. 6, part 2, pp. 68-74, 85-88, 120-21; Baillie, op. cit., vol. 3, pp. 40, 44-45. David Leslie's army, which had been so loyal to Argyll, was to be absorbed into the new one, and approaches to the Scottish army in Ulster were made in the hope that it would send men to join the invasion. Callander was appointed lieutenant-general, Middleton lieutenant-general of the horse and William Baillie lieutenant-general of the foot. For details of the levying process see Stevenson, Revolution and Counter-revolution, pp. 105-11.


178. A.P.S., vol. 6, part 2, pp. 69-71; N.L.S., PA. 11/6, Register of the Committee of Estates, 1648, folios 1-1v.

On 11 June Loudoun followed Argyll's example, and withdrew to his own estates. He had finally disavowed the Engagement, and refused to do anything which might imply support for it.\textsuperscript{180} The circumstances surrounding his return to Argyll's fold are shrouded in mystery. Bishop Burnet, many years later, claimed that Lady Loudoun threatened to bring a divorce action against her husband for adultery and that the Kirk promised to dissuade her from doing so on condition that he repent his error in church in Edinburgh "confessing his weakness in yielding to the temptation of what had a show of honour and loyalty" - which he seems to have done.\textsuperscript{181} Clarendon tells a similar story, maintaining that Loudoun "had made as many professions and protestations of duty to [the King] as [Lanark and Lauderdale] and indeed was willing to perform them, yet he was so obnoxious for his loose and vicious life, which was notorious, that he durst not provoke Argyll or the clergy by dissenting from them".\textsuperscript{182} Unlike Burnet's tale, this "explanation" suggests that not only Loudoun's public repentance but his very defection from Hamilton's camp was due to intimidation. Loudoun's own version of the reasons for his volte face was contained in a letter to Charles written in October 1648: "... the carrying on of the late Engagement against the judgment and declarations of the Kirk, refusing to secure religion ... and the rejecting of the desires of the commissioners sent to your Majesty's Parliament of this Kingdom from the Houses of your Parliament of England, who did offer in their name to join with this Kingdom in making their applications to your Majesty by treaty upon the propositions

\textsuperscript{180} A.P.S., vol. 6, part 2, p. 94.

\textsuperscript{181} Burnet, Own Times, vol. 1, p. 74. Apparently Loudoun's public repentance took place after Preston, although it is clear that his official break with the Hamiltonians came long before that.

\textsuperscript{182} Clarendon, History, vol. 4, p. 321. It may, of course, be asked why the Kirk allowed Loudoun to desert the Argyll party in the first place if it was able to bring such pressure to bear because of his scandalous sexual life. It is exceedingly unlikely that a divorce would have injured him, and his moral reputation was already low.
for removing of all differences giving satisfaction in all things which
could consist with justice and honour ... did convince me of the
unlawfulness of that unhappy Engagement". Gardiner, interpreting
this passage, concluded that Loudoun was motivated by the rejection by
the Engagers of some clandestine overture by the Independents for a
peace treaty. Loudoun had certainly been critical of the Engagers'
cold treatment of the English commissioners in February, but it
seems more probable that he was influenced by the rejection by the Engagers
on 7 June of some notable concessions which the English Parliament had
offered on 6 May. These went a long way towards meeting the demands of
the Scottish Parliament's act of 11 April: they promised not to alter
the fundamental government of the Kingdom, to retain inviolate the Solemn
League and Covenant, and to offer to Charles jointly with the Scots the
terms formerly offered to him in September 1647 - essentially the
Newcastle Propositions. The Scottish Parliament, however, refused
even to consider these concessions, claiming that they were not worded
in the form of an answer to the demands of 11 April: they thus showed
how little they really cared for the breaches of the Solemn League and
Covenant which they held were the reasons for their proposed expedition
against England, and it is likely that Loudoun was referring to this in
his letter to Charles.

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183. Gardiner, History of the Great Civil War, vol. 4, p. 95n. Loudoun
had endorsed a protest against the Engagement addressed to the English
Parliament on 2 June 1648. See H.M.C., Laing MSS., vol. 1, p. 235. See
also, ibid., pp. 239-43, and Loudoun to Cromwell, 28 September 1648, in

184. Ibid.

185. See The Lord Loudoun's Speech to the English Commissioners at
Edinburgh (London, 1648) and supra.

186. L.J., vol. 10, p. 247; Gardiner, History of the Great Civil War,
vol. 4, p. 124.
Still, Argyll strove to impede the raising of the army of the Engagement, giving the lie to those who confidently asserted that once he had received the money owing to him by the English Parliament he would support the Hamiltonians. This belief, while unjustifiably imputing to Argyll a pecuniary motive for his opposition to the Engagement, is interesting in that its holders must have regarded him as essentially a moderate in his attitude to Charles, and prepared to compromise religion on his behalf. He railed, however, against the hypocrisy and illogic of the Engagers' stance and their consorting with English malignants and Papists such as Sir Marmaduke Langdale, and he called attention to this by insisting, predictably without success, that Langdale (who occupied Berwick on 28 April) and Sir Philip Musgrave (who occupied Carlisle on 29 April) be required to take the Covenant.

He endeavoured also to dissuade the English Presbyterians from supporting Hamilton's venture, employing similar arguments. This naturally produced allegations of collusion with the Independents, based, as before, on the assumption that Argyll was in sympathy with them. In March an anonymous correspondent in England informed Lanark that Cromwell and Fairfax have "privately sent the greatest part of their army in small bodies northward, intending to assist Argyll and bring the war home to your doors". There was a rumour that Argyll had sent a Major Strachan.

187. See Anon. to Lanark, 13 March 1648, 'Hamilton Papers, Addenda', pp pp. 17-18; see also Journal of Thomas Cunningham, p. 186. In July 1647 Argyll and the heritors of the sheriffdom of Argyll received £35,000 out of the second £50,000 from the English Parliament.

188. This belief, it should be stressed, does not appear to have been widespread. Those who held it were perhaps basing their assumption upon the opinion that as a nobleman he would naturally be inclined to join the movement which was supported by the overwhelming majority of his estate.


191. Anon. to Lanark, 21 March 1648, Hamilton Papers, p. 169. Judging from the style this and other anonymous allegations may well have been written by Clement Walker.
to Cromwell to request him to despatch part of his army to Scotland to join in suppressing the Engagers. While Strachan certainly did join Cromwell's army, there is no evidence for Argyll's alleged involvement, although it is not impossible that the marquis did suggest that part of the New Model should quarter just south of the Border to overawe the Engagers and hearten their adversaries.

Then, in April, it was alleged that the Independents, "to please Argyll and the clergy", were striving "to raise dissensions" and in a bid "to keep the Scots at home, would settle religion first". Early in May it was predicted that "Argyll will declare and act against the [Hamilton] party, having assurance that the trumpets of Zion will sound a hot charge for him, and indeed, the vigilant and industrious enemy hath formed and projected these designs, having composed all their intestine divisions". Later that month Lanark was informed that "so industrious and malicious are ... Argyll and his Kirk to [the] King and all your proceedings, that with frequent letters to Manchester, Pierpoint, Swinkfield, and others, and with his emissaries in London, whereby some Scottish peddlars in full exchange labours to persuade the Presbyterian party (and hath gone near to do it) that the present army and authority of Scotland under the command of ... Hamilton is perfectly united to [the] King and of party to destroy [the] Covenant, Presbytery, and [the] Parliament of England will vote a personal treaty securing first religion, militia ... and rest contented in the concessions of His Majesty of the 12 of May ..." The writer earnestly advised that Argyll should be made captive to


194. Anon. to Lanark, 4 May 1648, ibid., p. 196.
prevent him from taking any action against the Engagers once Hamilton’s army had marched, but his words were not heeded. Hamilton seems to have deliberately avoided any action which might have provoked a reaction in favour of Argyll.

This was in spite of further information that "here [at Westminster] all turns toward [the] Independents, and have voted that militia, religion, and the revocation pass as [the] King offered, thinking thereby to hinder the march of your army, it being Argyll his masterpiece". And it was in spite of a report in June that Cromwell's victories in South Wales had "almost made [the] Independents insolent, and [the] Marquis of Argyll employs serpentine art, constantly corresponding with both Presbyterians and Independents, particularly with Sir Gilbert Gerard, Swinkfield, Pierpoint, Manchester, Lord Saye and others; [he] labours by all means to persuade them that the influence he and the clergy hath in England, seconded with convenient forces for England will be able to retard any power you have in Scotland, which art and opinion of his is fomented by [the] English commissioners ...".

Leaving Lanark with a force to preclude active resistance to the Engagement, Hamilton at last crossed the Border on 8 July. On 17 August he was routed by Cromwell at Preston, and on 25 August he surrendered to Lambert at Uttoxeter. The Engagement policy was in ruins.

195. Anon. to Lanark, 27 May 1648, ibid., pp. 202-04. See supra. It is ironic that Argyll is being accredited here with support for the King's declaration of 12 May, which he had opposed on religious grounds.

196. Anon. to Lanark, 30 May 1648, ibid., p. 204.

197. Anon. to Lanark, June 1648, ibid., p. 205.

Chapter Nine

Climate of Collapse: from the Whiggamore Raid to the disaster at Worcester

Argyll and his party clearly welcomed the news of Preston. The Hamiltonians' political influence, Argyll saw, had practically ended, affording him the opportunity to reassert his dominance over the Estates. There is little doubt that he and his associates interpreted Hamilton's defeat as the judgment of God, a supreme vindication of the Covenants and condign punishment upon those who dissented from them. To Argyll, as to the ministers, it can have seemed no mere coincidence that the battle had taken place on 17 August, popularly known as "St. Covenant's Day", the fifth anniversary of the Scottish Parliament's passing of the Solemn League.1

The extreme Covenanters of south-west Scotland, that traditional area of radical protestantism, rose in arms when they learned of Preston. Led by Loudoun, Eglinton, Leven and Leslie,2 and accompanied by Cassillis and Argyll's close associate, Dickson, several thousand men from Ayrshire, Clydesdale and Galloway marched towards Edinburgh. This, the so-called Whiggamore Raid,3 thoroughly alarmed the Engager Committee of Estates


2. It is not clear whether they took charge of the revolt from the beginning or placed themselves at the head of a spontaneous rising. See Stevenson, Revolution and Counter-revolution, p. 115.

3. The term was in use by the end of 1648, but apparently as "Whiggamore Road" or "Inroad". Ibid., p. 115 n. Despite various suggestions, the origin of the word "Whiggamore" is unknown. See The Oxford English Dictionary, 12 vols. (Oxford, 1933; repr. 1961), vol. 12, p. 44 (Section Wh). At Argyll's trial the rising was called "Whigrode". Cobbett, op. cit., vol. 5, p. 1379.
(who learned of it on 28 August 1648) and the Committee prepared to defend its precarious regime by sending its forces to the eastern Border country. Thus George Monro was ordered to assemble the remnants of his force at Berwick and troops which Lanark had raised to maintain the peace in Scotland were ordered to Muster at Jedburgh.

Opposed by Lanark, who advocated the seizure of Perth and Stirling and the raising of the Highlands and north for the King, the Committee sent Hepburn of Humbie and Lockhart of Lee to the Whiggamore leaders, with assurances that the Committee would endeavour to meet their desires, and meanwhile the Whiggamores were requested to advance no further towards Edinburgh.\(^4\)

But the Whiggamores announced, on 3 September, that, in the cause of removing the dangers to Kirk and Kingdom, they would continue to advance.\(^5\) Accordingly, the Committee, to avoid capture, left Edinburgh and joined Lanark and Monro on the Borders. A few days later, with the Whiggamores in occupation of Edinburgh, Humbie and Lee were again despatched with peace terms, but these were rejected by the Kirk as sanctioning the Engagement, since they involved the continuance in power of the proponents of that policy.\(^6\)

Yet eventually, after the Engagers, spurred to action by Cromwell's proximity to the Borders, had seized Linlithgow from the Whiggamores, a

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5. S.R.O., PA. 12/2, papers of 2, 3 and 4 September 1648.
treaty was arranged, by which neither side was to move its forces. 7

However, the advance from the west towards Stirling of Argyll with fresh forces - 4,000 horse and foot according to one estimate 8 - panicked the Engagers, who feared that, despite assurances to the contrary by the Whiggamores, Argyll would enter Stirling and cut them off from the north. On 12 September the Engagers marched from Linlithgow to prevent such an eventuality. They surprised and scattered Argyll's troops, inflicting heavy casualties, and occupied Stirling. Argyll, who was dining there with the Earl of Mar, fled to North Queensferry, and crossed the Forth to Edinburgh. 9

The Whiggamores, while angered by the Engagers' breach of the treaty, were anxious to resume negotiations and disband the Engagers' forces, so that Cromwell might be persuaded that his entry into Scotland would be pointless. The Engagers, too (though not Lanark or Monro) sought to treat: they recognised a lost cause and wished to forestall a civil war occasioned by English intervention, and talks with the Whiggamore representatives soon opened. 10

On 15 September Argyll and the Whiggamore leaders sent Ker of Greenhead and Major Strachan to Cromwell with letters and papers expressing

10. The Whiggamore representatives were Cassillis, Wariston, Sir John Chiesly, who had been Alexander Henderson's servant, and Argyll's former tutor and close associate Robert Barclay.
goodwill towards England and repudiating the Engagement. No treaty with the Engagers would be concluded unless they undertook to disband and relinquish power, and Berwick and Carlisle would be surrendered as soon as possible. If the Engagers refused to submit "we are confident that the Houses of Parliament and their Armies will be ready to assist us with their forces, to pursue them as common enemies to both kingdoms". They desired Cromwell and his men "to be in readiness to concur with us when we shall give them a call". Clearly, Argyll and his associates were seeking to call the tune. Cromwell was not to enter Scotland except at their behest.

Like the anti-Engager Scots, Cromwell attributed Hamilton's defeat to God: "the witness that God hath borne against your army, in their invasion of those who desired to sit in peace with you", he informed Ludovic Lindsay, the governor of Berwick, "doth at once manifest His dislike of the injury done to a nation that meant you no harm, but hath been all along desirous to keep amity and brotherly affection and agreement with you".

On September 16 Cromwell sent three emissaries to Argyll and the Whiggamore leaders, explaining that he was close to the Border. At the same time he wrote to the Committee of Estates demanding the surrender of Berwick and Carlisle "for the use of the Parliament and

12. Cromwell to Ludovic Lindsay, 15 September 1648, Carlyle, op. cit., vol. 1, pp. 357-58. Lindsay refused to deliver Berwick without the express orders of the Committee of Estates.
13. Ibid., pp. 358-59. The three emissaries were Bright, Rowe and Sir Philip Stapleton.
Kingdom of England". Otherwise, he warned armed force would be employed and the "contrivers and authors" of the Engagement - but not "the poor, innocent people", the conscripted men - would be punished. The Engagers' defeat was God's witness "against the unrighteousness of man, not only yourselves but this Kingdom" and illustrated the dangers of waging "an unjust war".  

Two days later he informed the Whiggamores that he was pleased to learn that power in Scotland was to be entrusted to those who "we trust, are taught of God and seek His honour", but he declared that he must cross into Scotland "to the end we might be in a posture more ready to give you assistance", since the Berwick garrison was still receiving supplies from Scotland and the Engagers were still in arms, with the possibility of raising sympathisers, while the Whiggamores were not yet powerful enough to quash them. He sent his assurance that as soon as Berwick and Carlisle had been delivered into English hands and "the common enemy" subdued, he and his army would depart, "and in the meantime be more tender towards the Kingdom of Scotland ... than if we were in our own native Kingdom".

When the Whiggamore leaders learned that Cromwell was intent on marching into Scotland they despatched Argyll and others to entreat him to bring only a fraction of his force, so as to give the minimum of offence to the Kirk, which, notwithstanding Cromwell's righteous professions, regarded him as the arch - Independent. Argyll was also to order the Engagers in Berwick and Carlisle to surrender, and - at the

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Kirk's insistence - was to ask that presbyterian ministers should accompany
Cromwell's men, and that the preaching of heresies be prohibited.17

On 20 September Argyll, Loudoun and other anti-Engager nobles informed
Cromwell that God's righteousness was apparent in the defeat of the
Engagers, whom they vigorously condemned.18 The tenour of this reply
smoothed the way for an understanding between the non-Engagers and
Cromwell, and Loudoun, as Chancellor, assured Cromwell that the Scots
were anxious for full cooperation.19

The following day the Whiggamores announced that in future the
Committee of Estates would consist only of those appointed by the June
1648 Parliament who had not been party to the Engagement which of course
included Argyll and which covered with a cloak of legality the Whiggamore
seizure of power.20 It enabled them to demonstrate to Cromwell their
sincerity in declaring that the Engagers would be excluded from power.21

On 29 September Lindsay, acting on Lanark's orders, surrendered Berwick
and Cromwell entered and garrisoned the town the following day.22 On
2 October Argyll, Elcho and other representatives of the (Whiggamore)
Committee of Estates met him at Mordington. What passed between them is
unrecorded, but it was evidently to Cromwell's satisfaction: "I have
found nothing in them but what becomes Christians and men of honour".23

17. Records of the Commissioners, vol. 2, pp. 61, 63-64.
18. Argyll et al. to Cromwell, 20 September 1648, Thurloe State Papers,
vol. 1, p. 102.
19. Loudoun to Cromwell, 18 September 1648, Machell Stace (ed.),
21. See also the assurance by Argyll et al. that they will maintain the
Solemn League and Covenant, c. October 1648, H.M.C., Report on the Laing
Manuscripts in the University of Edinburgh, 2 vols. (London, 1914),
vol. 1, pp. 239-40.
Two days later Cromwell was officially welcomed at the Earl of Moray's Edinburgh residence by Argyll, Loudoun, Leven, Cassillis, Wariston, Leslie and others. They readily agreed to his insistence that all Engagers be excluded from public life, for they realised that such an act was essential if they were to effectively consolidate their control of the administration of Scotland. They well knew that, as bitter opponents of toleration, an alliance between them and a sectarian English government was bizarre, and unlikely to last. But for the present at least they were prepared to ignore such differences: they were linked to their strange partner by a common detestation of the Engagers, and Cromwell delightedly reported that "the affairs of Scotland are in a thriving posture, as to the interest of honest men, and Scotland is likely to be a better neighbour to the English Parliament now than when the Hamiltonians had the power in their hands". When he quit Scotland on 7 October he left behind, at the Committee's request, Lambert with two regiments of horse and two of dragoons, which left, again on the Committee's bidding, early in November.

At Argyll's trial it was claimed that the admission of Cromwell was "high treason, and in all probability was the Kingdom's bane and ruin, and was the act immediately preceding the cruel regicide and murder" of Charles I.

In his defence Argyll stated that he went to Mordington not on his own initiative but in obedience to the Committee's orders.


25. Abbott, op. cit., vol. 1, p. 669; S.R.O., PA. 11/7, folios 11-11v, 15v, 17-17v, 42v, 75-77. On 7 November the Committee announced that Lambert's force was no longer required.

Neither did the invader Cromwell bring his army into Scotland, only that he resolving to propose some things to the Committee ... he brought a small party with him to Lothian, and the stopping him from bringing in his army, and that he did not require pledges and strengths of the Kingdom, was thought a mercy at that time both to those who returned out of England, and all the nation. 27

He claimed that to the extent of his knowledge there was no invitation ... at all to Oliver Cromwell to come into Scotland, but on the contrary, an earnest endeavour was to keep him out by fairness, which could not be done by force, as the acts of [the] Committee [of Estates] and [the] treaty at Stirling can show. 28

What we know of the events would seem to confirm the veracity of these assertions.

As we have seen, 29 the Whiggamores endeavoured to persuade Cromwell that his entry into Scotland was unnecessary. Argyll's request to Cromwell not to enter with more than a fraction of his force gives the lie to allegations that he encouraged the English army to enter Scotland to support his resumption of power after Preston. This allegation was quick to take root. Thus Mercurius Pragmaticus, which blamed the failure of the Engagement on "the treachery of Lieutenant-General Baillie, and other of Argyll's creatures, that crept into the Engagement on purpose to ruin it", reported that Argyll and Loudoun had "both invited him [Cromwell] into Scotland with all speed to their relief". 30 It claimed that Argyll, Cromwell's "very creature", had at last appeared "openly ... in Independent colours" and that "if Argyll and Cromwell prevail so far as to suppress" the remaining Engagers, the

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28. Ibid.
29. Spura.
30. Mercurius Pragmaticus, no. 27, 26 September - 3 October 1648.
result would be "the establishing of an Independent interest in Scotland, equal to that in England". 31

Argyll's relations with the English Independents have already been discussed, 32 and William Baillie, who commanded the foot at Preston, was hardly Argyll's "creature". 33 Moreover, he maintained a stout resistance to Cromwell near Warrington, and capitulated extremely reluctantly. 34 Argyll was too sensible of his own reliance upon the Kirk to risk alienating it by inviting Cromwell. Indeed, his request on 25 September to the purged Committee of Estates to "speedily put an end to your treaties with those at Stirling", since the support of the English army was proving to be a ruinous burden to the country, 35 shows that far from rejoicing in the presence of Cromwell and his army he wished them to be gone. The continued presence of Lambert was regarded as a regrettable necessity in view of the danger to the Covenanting regime from Engagers and their sympathisers.

In October 1648 Argyll and the rest of the Committee of Estates issued a lengthy declaration, in which they condemned "papists, atheists and other degenerated countrymen" and reaffirmed the ties between the Kingdoms. They acknowledged their debt to God "for our present

31. Ibid. Earlier The Moderate, no. 13, 3-10 October 1648, had made the interesting and perceptive comment that "Argyll ... must of necessity hold to the Church (though he cares not much for them) ..." However, its explanation that this was because "he is at so great a distance from the King and his interest" is less accurate. See also "Account of the villainous actions of Archbald Marquis of Argyle":

The English partie thou brought in,
To subdue all that stood for him [the King]:
Their general, Cromwell, thou didst well treat,
Convoy'd him oft through our High Street,
And banquet him as he had been
Our royal and our native King.

32. See supra, Chapter 8.
33. This much is clear from "Baillie's Vindication" in which he is bitterly critical of Argyll. See Baillie, op. cit., vol. 3, pp. 417-19.
34. Carlyle, op. cit., vol. 1, p. 341. Finding that Callander and the other officers had ridden off, leaving him to capitulate, Baillie at first asked his men to shoot him in the head so that he could not do so.
deliverance" (from "the common enemy" who sought to divide and rule) but also to the earthly vanquishers of Hamilton, who "give unto us their brotherly assistance at this time", and proclaimed that it is the firm resolution of ourselves, and the rest of the Godly party, in this kingdom ... never to forsake their Brethren of England, but against all opposition with courage and constancy, to live and die with them ... 36

The remainder of the declaration shows that the Scots were hopeful that a compromise between Charles and his Scottish and English opponents, but the quoted passages lent further fuel to allegations of Argyll's eager complicity with Cromwell in all his designs.

Argyll was charged with having written to Cromwell undertaking to do his utmost to ensure that Engagers were excluded from places of public trust, and this, too, he strenuously denied. 37 We do not know whether such written undertakings were given, but certainly, as we have seen, the Whiggamores purged Engagers from the Committee of Estates 38 and Argyll and other Covenanting leaders agreed that Engagers should be banned from public office. 39 It seems reasonable to assume, however, that a Covenanting regime intent on consolidating its power and faced with vociferous clerical condemnation of the Engagement would have adopted this policy anyway, unprompted by Cromwell.

36. A Declaration of the Marquess of Argyll with the rest of the Lords, and others of the Estates of the Kingdom of Scotland, concerning the King's Majesty and the Treaty: and their Desires to the Parliament of England (Edinburgh, 1648). This declaration was printed on 16 October 1648 and distributed from the Mercat Cross, Edinburgh.


38. Supra.

39. Supra.
On 7 October the Committee expanded itself to embrace a further eighty members, only eight of whom were nobles, and a week later it ordered a fresh levy of troops to defend its regime against malignants. The strongly Covenanting western shires, however, evidently doubted the efficacy of such levying and, anxious to be able to mount effective resistance against any future malignant threat, the gentlemen of Argyllshire decided at a meeting held at Inveraray to send Argyll, Ardkinglas and Strachur to a meeting of the western shires at Ayr on 22 November to form an association to fight if necessary "for the good of Religion, King and Kingdom".

The initiative for founding this, the Western Association, might have emanated from the nobles who had led the Whiggamore Raid, but Argyll is the only member of his estate who can be identified with it beyond doubt. However, although the Committee in December 1649 agreed to supply it with arms and ammunition, this was not necessary until 1650, and only then did the Committee emerge as a viable political force.

On 23 January 1649 the Scottish Parliament passed an act excluding from public office anyone connected with the Engagement. Four classes of offenders were recognised, and their periods of exclusion ranged from one year to life. Such men were replaced in office by men acceptable to the Kirk. Thus Argyll, Eglinton, Cassillis and Burleigh replaced Crawford-Lindsay as Treasurer, Lothian and Cassillis became joint secretaries of state in place of Lanark, and Wariston became Clerk-Register.

43. i.e. Depending upon their degree of culpability. For the text of this, the Act of Classes, see A.P.S., vol. 6, part 2, pp. 143-47.
44. Wariston replaced Alexander Gibson of Durie, and was succeeded as Lord Advocate by Sir Thomas Nicolson. The Earl of Sutherland replaced Roxburgh as Lord Privy Seal, and Sir James Carmichael was replaced as Treasurer Depute Continued...
News of the King's execution reached Edinburgh on 4 February. It horrified and bewildered the Scots, most of whom would have agreed with Robert Blair that it was "an unparalleled murder and devilish wickedness" whose perpetrators were a "King-murdering and Covenant-breaking Hellish crew ... active agents of Satan". Argyll concurred. "By that confusion", he recalled years later, "my thoughts became distracted and myself encountered so many difficulties in the way, that all remedies that were applied had the quite contrary operation".

There seems no reason to disbelieve him. As previously argued he, like the overwhelming majority of his countrymen, was a monarchist. The English, by a unilateral action, and in defiance of vigorous Scottish opposition, had violated the Scottish constitution and the Solemn League and Covenant. Indeed, as we shall see, Charles's execution exposed the precariousness of Argyll's position at the helm of national affairs. He was sufficiently perspicacious and politically sagacious to know that his regime's connivance at regicide would not be tolerated by the Scots. It is possible that Argyll did admit in a general way that kings might be tried for their crimes and deposed. After all the Kirk refused to deny that kings could be brought to trial and they would not term the King's execution murder when requested to do so by Charles II, doing no more than calling it a "horrid fact" against the late King's life.


46. Instructions to a Son, p. 5. He added: "whatever, therefore, hath been said by me or others in this matter, you must repute and accept them as from a distracted man, of a distracted subject in a distracted time wherein I lived".

47. The Scottish commissioners, Lothian, Chiesly and Glendenning, had several times implored Fairfax and Cromwell to intercede "for preservation of His Majesty's person". See Lothian et al., 29 January 1649, S.R.O., PA. 7/24, folio 241, and Lothian et al to Cromwell, 29 January 1649, ibid., folio 242. They begged Cromwell to consider "the right and interest of the Kingdom of Scotland", and they begged Fairfax to consider "what an unsettled place it is like to prove, which shall have its foundation in the blood of the King" and "what dangerous evils, and grievous calamities it may bring us and our posterity".

The claim that Argyll was deeply implicated in the King's fate quickly gained credence in Royalist circles, and was spread by some who enjoyed considerable influence with the new monarch, who was proclaimed by the Scots on 5 February as "King of Great Britain, France and Ireland". Thus Sir Edward Nicholas wrote that Cromwell "is not much more guilty of the death of the King ... than [Argyll]". In the spring of 1650 a newsletter from Amsterdam reported that Argyll had "taken it on the sacrament, as is alleged at Breda, that he had no hand in your late King's death, and that it never entered into his thoughts, nor had he the least knowledge of it till it was done". Whether or not Argyll had taken such an oath seems hardly the point. What is significant is that many people were apparently taking for granted his complicity in the King's death. This belief might have originated in the fact that after Cromwell's return to England in December 1648 negotiations with Charles were not renewed - a sinister indication to some, no doubt with hindsight, that Argyll and Cromwell had decided his fate between them.

At his trial it was stated that his "monstrous and execrable treason" was apparent in a private conference which allegedly took place between him, Cromwell and Ireton. It was alleged that when Cromwell complained that the parliamentary cause was imperilled by the King's intrigues, Argyll replied "that their danger was great indeed, in regard that if any of these designs should take effect, they were all ruined". He was alleged to have given his "positive advice that they should proceed to the questioning of the King for his life, assuring them that they could never be safe

49. A.P.S., vol. 6, part 2, p. 157. The decision to proclaim him was spontaneous, but as we shall see, he was not to be allowed to rule until he had signed the Covenant, See infra. As Baillie put it they would "espouse the King's cause" only if he would "espouse God's cause". Baillie, op. cit., vol. 3, p. 75.


until they had taken away His Majesty's life". 52

The compilers of this charge appear to have been unsure of their facts, for they continued:

At least you [Argyll] did know of the horrible and treasonable design of murdering His Said Majesty; and did most treasonably conceal and not reveal the same till after the same horrid deed was committed, and so past prevention or remedy. At which time, in anno 1649, publicly, in the face of the pretended Parliament, then sitting, you said that the usurper Cromwell had told you "that England and Scotland would never be at peace, until the King were put to death". 53

So the charge wavered between an accusation that Argyll advised Cromwell to put the King to death to one of having known that this was Cromwell's intention but not revealing it - evidently also treason in Scots law and practice. 54

Argyll himself vigorously denied these charges, disclaiming "any accession" to "that horrid and unparalleled murder", to "that horrid and villainous crime", to that most horrid and abominable ... that most vile and heinous crime". 55 Thus "no such wicked or disloyal thought ever entered into my heart". 56

53. Ibid.,
54. For a discussion of the Scottish law of treason, as it bore on Argyll's case see ibid., pp. 1405-06. Invoked were acts from the reigns of James I, James II, Mary Queen of Scots and James VI. Concealing knowledge of a plot against the King was considered treason in England. Thus John Cowell, in The Interpreter, a law dictionary published in 1607, stated that in High Treason "there are no accessories ... all are Principals". I am grateful to Professor C. M. Williams for bringing this to my attention.
55. Ibid.
56. Ibid., p. 1426
However, wittingly or unwittingly, he did seem to confess foreknowledge of the plan when he vehemently denied meeting Cromwell, "that monstrous usurper", face to face until he was commanded to do so by the Committee in 1648 "to stop his march into Scotland", and had no further contact with Cromwell or "any of that sectarian army" between his leaving Scotland and the execution of Charles.

Indeed, there is nothing to indicate that Ireton was ever in Scotland at that time, so Argyll could obviously not have conferred with him then. He might have done so the previous year, though he denied discussing "anything ... concerning His Late Majesty's person" during his visit to England in 1647, "neither in London nor Newcastle".

We can never know whether Cromwell privately told Argyll of plans to try Charles and take his life. Such was the animosity against Argyll in 1661 that it appears inevitable that this, the ultimate charge, was pressed against him. But although the charge was not proven, Argyll reiterated his innocence even on the scaffold: "nor had I any accession to His Late Majesty's horrid and execrable murder, by counsel or knowledge of it, or any other manner of way", he insisted, repeating, moments

57. Ibid., p. 1426.

58. Ibid., p. 1434. Argyll maintained that "my endeavours in the year 1646 were extended for His Majesty's service, in going twice to London by his command and allowance, at which time (though it be otherwise falsely alleged) no mention was made of anything relating to the disposal of His Majesty's person, wherein I get the blame, though I may do and say truly, I deserve as little as any". Wodrow, Sufferings, vol. 1, p. 147 n. For his activities in 1646 see supra, Chapter 8. He assured his son: "Though I do not deny my declaring and swearing in Parliament that neither had [1] knowledge of nor accession to His Late Royal Majesty's murder, yet I may say that either Cromwell's or Ireton's declaring the contrary were but false calumnies for doubtless it is known to all the English army that Ireton was not at all in Scotland". Argyll to "Loving Son" (either Lorne or Neil; identity uncertain), 11 May 1661, N.L.S., MS. 546, folios 5-6.
before the blade fell, that "I am free from any accession by my knowledge concerning counsel or any other way to His Late Majesty's death". 59

Similarly, Argyll denied responsibility for the executions of Hamilton (which took place in London on 9 March 1649) and of Huntly (who suffered in Edinburgh on 22 March). It is said that Lady Anne Hamilton, who had at one time been so close to becoming Argyll's daughter-in-law, 60 begged Argyll to intercede with Cromwell for her father's life, but that he refused to plead with regicides. 61

"Indeed", he admitted at his trial,

I cannot deny I refused to compliment Cromwell on his [Hamilton's] behalf, he [Cromwell] having ... been, immediately preceding, so instrumental, and so very active in that most horrid and lamentable murder of his late sacred majesty, and if I had done otherwise, undoubtedly it had been a more black Article in that libel now read, than any that is in it". 62

He might have considered, further, that since Hamilton was being tried under his English title, Earl of Cambridge, Scottish intervention would be futile. Although we are told - by Clement Walker - that the ministers "preached off" Hamilton's head in Scotland before it was "cut off in England", 63 and while Argyll rejoiced in the end of the Engagement, there is no evidence that he sought Hamilton's death.

59. Last speech of Argyll, 27 May 1661, Wodrow, Sufferings, vol. 1, pp. 155-57. Clarendon, History, vol. 5, p. 10 tells us that "keeping the King always in prison, and so governing without him in both Kingdoms ... was thought to have been the purpose and agreement of Cromwell and Argyll when they parted". Presumably, because Argyll was not convicted of the charge at his trial, Clarendon does not accuse him of involvement in the King's death. It will be recalled that Argyll had in 1646 advanced an extraordinary plan to keep Charles prisoner in Scotland rather than surrender him to the English Parliament, and Clarendon's allegations might owe something to that. See supra, Chapter 8.

60. See supra, Chapter 6.

61. Nedham, Digitus Dei, p. 27.


Argyll was accused of having been instrumental in Huntly's death, and it was widely stated that his motive was to get for himself Huntly's estate. But the evidence to support this is inconclusive, and certainly it appears that the heavily indebted estates, for which he stood chief creditor, were something of a burden to him. He himself claimed that

I was as earnest to preserve [Huntly] as possibly I could ... and my not prevailing may sufficiently evidence I had no so great a stroke nor power in the parliament as is libelled.

In view of the composition of that Parliament this might have been true, and it is likely that Argyll shared the prevailing aristocratic resentment at the execution of a nobleman, though this does not mean that he actually protested. He may have not exerted himself on Huntly's behalf, despite his implication that he did. The fact that Huntly's heir had joined Mackenzie of Pluscardine's Royalist rising in February 1649 might well have persuaded Argyll to attempt no mediation for the father's life. Indeed, Pluscardine's seizure of Inverness on 22 February had sealed Huntly's fate, because of the bitterness engendered by another northern malignant rising.

65. See Infra.
66. Ibid., p. 1427; Burnet, Own Times, Supplement, pp. 6-7. Argyll claimed that but for his intervention none of the Gordon estates, which in 1640 were indebted to the tune of one million merks, would have remained for transmission to Huntly's heirs. Cobbett, op. cit., pp. 1426-27. Argyll claimed that many members of the 1661 Parliament could substantiate this assertion.
67. See infra.
68. Sir Thomas Mackenzie of Pluscardine was a brother of Seaforth, who had joined Charles II in Holland. Huntly's heir was Lord Lewis Gordon, Aboyne having died in exile. Pluscardine and Lord Lewis, along with Sir Thomas Urquhart of Cromarty and other Mackenzies, rose in arms, after disdaining an order from the Committee of Estates to come to Edinburgh to sign bands of loyalty to the Covenanting regime. In effect, Huntly had been executed to discourage others from rising and to symbolically punish those who had. Stevenson, Revolution and Counter-revolution, pp. 146-48; S.R.O., PA. 11/8, folios 3-7, 15v - 16, 18v - 20; Records of the Commissioners, vol. 2, p. 225; Patrick Gordon, op. cit., pp. 223-26.
In the 1649 Scottish Parliament, which first met on 4 January, there were only sixteen nobles, all Argyll's supporters, compared with fifty-six nobles, mostly Engagers, who had sat in the 1648 Parliament. But Argyll's supremacy was fragile, since he owed his position to the coercive power over the Engagers of the English army, which in the beginning was tolerated by the Kirk zealots, since they liked the malignants even less than they liked the English sectaries.

Moreover, the dearth of noblemen in the policy-making councils of Scotland at that juncture proved disadvantageous to Argyll and other members of his estate. For many of the lairds and burgesses who replaced those of their respective estates purged from Parliament or unwilling to sit while Argyll and his associates predominated, were, it seems, of lesser social standing than their predecessors, and more prone to acquiesce in radical Kirk policies and to support reforms hitherto not pressed by the Covenanters. One modern scholar has detected "a deliberate turning to such lesser men since their betters seemed to have failed", and a "significant" change in the policy of the regime as a result. The trend towards theocracy was in full motion, and this period was regarded by a future generation of Covenanters as a golden age.

In obedience to the Kirk, Parliament abolished lay patronage in the appointment of ministers to parishes, which had never been attempted before, despite the objections to such patronage from many

69. Stevenson, Revolution and Counter-revolution, pp. 135-36. As Professor C. M. Williams has pointed out to me, a similar trend had been apparent in England a little earlier. The county committees through which the rebel Parliament there administered the territory under its control during the Civil Wars tended to be weighted with men of lesser (if sufficient) social standing than the county families which traditionally provided local and regional leadership.

70. See Donaldson, Scotland, p. 340.
ministers, because the Kirk did not dare to alienate the Covenanting lairds and nobles. In 1649, however, there was no such need for restraint, and while some nobles and lairds left the chamber, protesting that the measure was detrimental to their estates, Argyll (who apparently spoke in favour of the retention of lay patronage), Loudoun and Wariston voted in favour of its abolition. They "durst do no otherwise, lest the leaders of the church should desert them, and leave them to stand on their own feet, which without the church none of them could well do". Yet again, therefore, Argyll was following in the wake of the zealots.

At the same time, however, realising in view of Pluscardine's rising, the extent of Royalist feeling in the nation, he was endeavouring to bring the new King to reign in Scotland, so long as, fulfilling the conditions which the Scots had laid down, Charles II gave satisfaction concerning the security of the Presbyterian religion in accordance with both Covenants.

To this end he sent, on 29 February 1649, Sir Joseph Douglas to attempt to persuade Charles to accept the Scottish terms and to promise that commissioners would be sent to treat with him. But if, as seems likely, Argyll thought that the new King would prove more malleable and receptive to the Covenant than his father, he was soon disabused of this notion. For Charles was not going to alienate his Royalist and Engager supporters by signing the Covenant as the price of Argyll's

74. Ibid., p. 124
support, even though Lanark and Lauderdale apparently urged him to do so. He informed Douglas that he would defer his reply until the promised commissioners arrived. Like his father before him, he was playing for time, expecting a messenger from Ormonde.

On 2 March 1649 Argyll and Loudoun wrote to Charles urging him to heed the loyal advice of the Scots commissioners, who would do their utmost to restore him in all his Kingdoms. His failure to do so, or his seeking delay, might serve only to strengthen his enemies and render the Scots powerless to help him, 'whereunto we shall be more grievous than any private interest or loss [which] can befall us'.

Argyll also despatched Will Murray with messages to the King, and on 18 March Charles wrote to assure him that he had every confidence in his advice. It was a studiously non-committal reply to Argyll's overtures, for Charles was hoping for aid from other sources: Montrose, Ormonde and various foreign rulers.

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75. See Stevenson, Revolution and Counter-revolution, pp. 148-49 for an account of the factionalism among Charles's advisers at the Hague at this time.


77. Argyll and Loudoun to Charles II, 2 March 1649, H.M.C., Report on the Pepys manuscripts preserved at Magdalene College, Cambridge (London, 1911), p. 250, hereafter cited as Pepys MSS. Clarendon, claims that Argyll 'meant only to satisfy the people in declaring that they had a King, without which they could not be satisfied, but that such conditions should be put upon him as he knew he would not submit to; and so he should be able with the concurrence of the Kirk to govern the Kingdom, till by Cromwell's assistance and advice [able] to reverse that little approach he had made towards monarchy by the proclaiming a King'. Clarendon, History, vol. 5, p. 13; cf. Argyll's last speech: "I was real and cordial in my desires to bring the King home, and in my endeavours for him when he was at home . . ." Cobbett, op. cit., vol. 5, p. 1505.

78. Charles II to Argyll, 18 March 1649, H.M.C., Pepys MSS., p. 251.

S. R. Gardiner writes that "Argyll would doubtless have still preferred an alliance with the English Commonwealth" but nothing seems to prove the veracity of this statement. On the contrary, it must be recalled that Argyll was a monarchist, that he was prepared (in the case of both Charles the First and his son) to accept an insincerely Covenanted monarch in preference to no King at all, and that he was doubtless glad to be rid of Lambert's forces, whose presence was so unwelcome to most Scots. He must have concurred in the very stern protest against "the late proceedings in England, the taking away of the King's life, and the changing of the fundamental government of that kingdom" and the English "backsliding and departure from the grounds and principles wherein the two kingdoms were engaged", addressed by Loudoun to Lenthall in June 1649 on behalf of the Scottish Parliament.

Argyll's attitude is evidenced by a meeting in July 1649 between five ministers and five laymen. Wariston, Chiesly and one of the ministers declared in favour of maintaining the alliance with England, but Argyll, Loudoun and the others present stated that, if only Charles II would satisfy their demands regarding religion and the Covenant they would fight to the utmost in his cause.

"It is hardly likely that Argyll at least was blind to the difficulties in the way of such a policy", explains Gardiner. "But it was enough for him that any attempt on his part to stem the popular current would be the

signal for his own expulsion from power". Certainly Argyll, realist that he was, can have entertained no illusions about the difficulties which would confront the Scots in the pursuit of such a course, and, as future events would soon show, he was no more prepared to embark on a military expedition into England on behalf of Charles II than he had been for Charles I. Yet Gardiner's verdict appears to be over-harsh and over-cynical, failing to take into account Argyll's genuine concern for monarchy, albeit limited monarchy, and ignoring also Argyll's avowed mistrust of the English Parliament in relation to the status of the nobility. The English act of 17 March 1649 abolishing the office of King, and that two days later abolishing the House of Lords, undoubtedly alarmed him and reinforced his view that the ultimate fates of the sovereign and the nobility were interdependent: the denial of hereditary Kingship might lead to a denial of an hereditary peerage, with all its attendant rights. Moreover, the increasing hegemony of the Kirk in Scottish national life, and the eclipse of the political domination of the nobility in Parliament must have alarmed him and convinced him that the "revolution" had proceeded far enough. Such considerations undoubtedly shaped Argyll's policy of seeking accommodation between Charles and the Kirk. He might well have calculated that if he could effect this, then, from behind the throne, he would wield the power in the land.

84. See infra, Chapter 10.
85. See Gardiner, Constitutional Documents, pp. 384-87.
86. Ibid., pp. 387-88.
87. Kirkton, op. cit., p. 50, tells us that the nobles sought Charles's presence so that "the government might run in the old channel" and that under the Kirk party they "doubted their own safety till they were settled upon that rock", the rock of religion and legislation approved by the King.
In order to accomplish his purpose he needed to relax the stranglehold of the zealots over the Parliament, no easy task. Encouraged by Charles's letters, he took the opportunity when the zealot leaders were absent from the chamber to secure parliamentary approval of a proposal to send Lothian to the King to resume talks. However, suspicion of Argyll's motives was aroused when it was learned that he had not consulted Chancellor Loudoun nor the Kirk leaders, and the outcry caused Lothian to decline the mission. On 7 August, the last day of session, Argyll proposed Winrame of Libberton in Lothian's stead, and Parliament agreed, but Libberton demurred when he learned that he was to take Charles a letter requesting him to acknowledge the legality of the present Parliament, purged of Royalists, and also to meet commissioners who would require that Charles fully comply with their former demands. These uncompromising terms were Parliament's sop to the Kirk—though they were not as stringent as the Kirk would have wished.

The Committee of Estates, which sat after Parliament rose, busied itself with purging lesser officials and with enforcing the subscription by former Engagers whose loyalty was suspect of a denunciation of the Engagement and an undertaking to keep the peace. Highland Engagers appear to have been reluctant to sign, except in the southern and eastern


89. See, for example, S.R.O., PA. 11/8, folios 123-123v, 170-171v and passim; PA. 11/9, folio 17; PA. 12/4, document of 20 August 1649. Such signatories apparently included a Campbell gentleman (the fiar of Glenvegrin), who, with others, undertook on the pain of 50,000 merks to acknowledge the "indiction, meeting and constitution, the lawfulness, freedom and authority" of the Committee of Estates appointed by it and not to "rise in arms, or in any hostile way oppose their proceedings for the prosecution of the cause and Covenant ..."
fringes, and none of the chiefs from the west did so, probably owing to the hostility towards the neighbouring Campbells and their chief, seemingly so omnipotent on the national scene. The Committee entrusted Argyll with the task of enforcing signatures in Badenoch and Lochaber.

Uppermost in his mind, however, was Libberton’s proposed mission. The Committee was divided as to whether this should proceed, but on 12 September it agreed that it should, and Libberton sailed on 11 October.

Undoubtedly Argyll expected that Cromwell’s virtual conquest of Ireland and the resultant dashing of Charles’s hopes there, which had fixed upon Ormonde, would cause the King to agree to meet the Scottish commissioners. This expectation was not immediately fulfilled, but on 11 January 1650 Charles at last indicated his willingness to receive commissioners at Breda on 15 March. On 12 January he entreated Argyll to "give all furtherance" to this, and to the moderating of their instructions as much as reasonably you may: it is now in your power to oblige me to a very great degree ...

Doubtless Argyll, with his resentment of the encroaching theocracy and his commitment to monarchy, was most willing to attempt what Charles asked. But the King was also writing to Montrose, assuring him that by soliciting the Scottish commissioners he did not intend "to give the least impediment

90. Stevenson, Revolution and Counter-revolution, p. 154.
92. For details see Stevenson, Revolution and Counter-revolution, pp. 155-56.
93. Gardiner, Commonwealth and Protectorate, vol. 1, pp. 105-44. The sacking of Drogheda had occurred in September.
95. Charles II to Argyll, 12 January 1650, H.M.C., Sixth Report, Appendix, p. 612.
to your proceedings" but rather that "your preparations have been one
effectual motive that hath induced them to make the said address to us,
so your vigorous proceeding will be a good means to bring them to such a
moderation in the said treaty as probably may produce an agreement and a
present union of that whole nation in our service".96

Thus Charles was using both Argyll and Montrose to bring the Scots
to moderate counsels. It seems evident that, by encouraging Montrose,
he did not trust Argyll to do what he sought, and yet knowledge of a
concurrent negotiation with the Covenanting regime would make the Scottish
Royalists unwilling to compromise themselves in its eyes by joining
Montrose.

"I am very confident", Charles wrote to Argyll on 1 May,
of your good affection to me and that you really wish my
happiness and prosperity, to which I know you may contribute
in a good measure, and I shall endeavour by all evidences
of my public desires to satisfy the Kingdom and of my
particular affection to you and confidence in you to
improve both your inclinations and capacities to assist
me.97

Four days later, Charles wrote: "I am so very desirous to preserve in
you a right understanding of my intentions and actions that I shall
earnestly entreat you to give no credit to any reports or relations that
may be made to you concerning me".98 Again, "I know [Will Murray]
will tell you how much I depend upon your advice and assistance in all
things",99 and again "when I come to Scotland you shall see what sense

In a private letter written at the same time Charles assured Montrose that
his friendship for him would never fail, and bade him proceed with fervour
Montrose did not receive these letters until he arrived in Orkney in March
1650. See Stevenson, Revolution and Counter-revolution, p. 158.
97. Charles II to Argyll, 11 May 1650, H.M.C., Sixth Report, Appendix, p. 612.
98. Charles II to Argyll, 15 May 1650, ibid.
99. Charles II to Argyll, 17 May 1650, ibid., p. 613.
I have of your kindness to me”. Yet again, Charles pronounced himself “so well satisfied” with Scottish assurances that “you shall see the confidence I have of you when I come to Scotland”.  

The tragedy of the King's relationship with Argyll, then, is that Charles II, like his father in 1646-47, could not resist double-dealing. Both played fast and loose with the marquis at a time when he was willing to help them.

Little wonder that Argyll and the moderates in the regime were angry at the Earl of Kinnoul's landing on Orkney in September 1649, for they thought it would disrupt their chance of making a settlement with Charles. When Kinnoul and his uncle Morton (who assumed the command from him until Montrose should arrive) died in November, Kinnoul's brother arrived to keep the Royalists united. The Committee responded to the threat by sending Leslie northwards, but he retired most of his troops south during the winter, and further difficulties for the Covenanting regime came with the influx of malignant refugees from Ulster when Monro's army was dispersed by Cromwell.

On 5 February Libberton reported to the Committee that Charles requested commissioners to be sent to Breda, which led to much dispute.

100. Charles II to Argyll, 19 May 1650, ibid.
101. Charles II to Argyll, 24 May 1650, ibid. He was alluding to messages conveyed to him via the Earl of Carnwath. It will be recalled that the zealots were led by Wariston.
102. Balfour, op. cit., vol. 3, p. 433. Kinnoul landed with about eighty officers, 100 Danish soldiers and arms and ammunition. He was despatched by Montrose as an advance guard, and landed at Kirkwall on 5 September. The Committee of Estates learned of his landing on 27 September. For a succinct account of this see Stevenson, Revolution and Counter-revolution, pp. 158-59.
The zealots, suspecting Argyll's assurances that rather than risk jeopardising religion he would have no King, stressed that Charles had displayed no alteration of conscience and was still surrounded by malignants and continued to support Montrose. Lest Charles dupe the Scots, the zealots urged that even stricter demands should be pressed upon him.

At a stormy meeting of the Committee on 21 February Argyll, Loudoun and the rest of the fourteen nobles present except Cassillis wanted to send commissioners to Breda without further conditions. Cassillis and Wariston wanted to postpone negotiations until Charles acknowledged the legality of the present Parliament. But only nineteen members out of fifty voted for this, and thus Argyll's views prevailed. However, he was not so fortunate regarding the commissioners' instructions. After a prolonged tussle it was determined that Charles should be required to rescind any commissions which he had granted to Montrose, to renounce Ormonde's treaty with the Irish Catholics, and to undertake never to countenance Catholicism. He was to admit the validity of all Scots Parliaments held since 1641 and to agree, as Charles I had done, that all civil questions should be settled in Parliament and ecclesiastical ones in the General Assembly. Having done so, he would be invited to Scotland, but he would have to sign both Covenants and a promise to implement them and to impose presbyterianism in all three Kingdoms before he could exercise his royal power.

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107. A.P.S., vol. 6, part 2, pp. 557-61. Charles was to sign, if possible before leaving Holland, and in any case not later than on his arrival in Scotland. The treaty was to be limited to a maximum of forty days, and Parliament prorogued itself (after a two-day session) until 15 May, by which time it was anticipated that the results of the treaty would be known.
Argyll's representatives among the commissioners were Lothian, Libberton and Sir John Smyth, who were willing to accommodate Charles on some points if necessary, while bound to concede nothing on their own initiative; Cassillis, Alexander Brodie and Alexander Jaffray were the hardline Kirk representatives, and were associated with three ministers despatched independently by the Kirk. The choice of commissioners, therefore, was clearly a compromise.

From London Charles's friends were urging him to ally with Montrose rather than the Covenanting regime, but by mid-April 1650, with hopes of help from English Royalists and foreign troops diminished, he proved ready to heed a suggestion made to the Prince of Orange by Cassillis, Lothian and Jaffray that Charles should refer any points of contention between himself and the commissioners to the Parliament "where his royal presence will obtain more than were are warranted to grant".

Possibly Argyll was the source of this suggestion, which came shortly after his special agent, Will Murray, arrived at Breda with a dual purpose. Argyll charged him to warn Charles against too close an understanding with the Hamiltonians and at the same time, it seems, to offer him the hand in marriage of Lady Anne, Argyll's eldest daughter. A letter from the Hague reported in May that it was hoped "that this will unite all interests then, and make them all one piece". However,

110. Ibid., p. 592; Charles II and Scotland in 1650, pp. 54, 77, 88, 92, 94. It seems clear that a perceptible rift had developed between Argyll and his zealot allies. This appears to give the lie to Kirkton's assertion that Argyll was "all that time almost dictator of Scotland". Kirkton, op. cit., p. 50.
111. Ibid., p. 67. The suggestion was made on 15 April 1650.
112. Lanark himself, now the second Duke of Hamilton was confined to one of his residences, Brodick Castle on the Isle of Arran.
others laugh at the conceit, that alliance should have any such power, it operates little among private persons, it rather breeds quarrels, and widens differences, than either cement or end them: but among princes .... affections are not conciliated by pawning of children, nor is the union greater by community of blood. 113

This proposal does not appear to have been publicly advanced until January 1651. 114 It is possible that Argyll felt that if Charles had a Scottish bride all factions would be united to his service, though it is unlikely that he would have thought that no jealousy towards himself would be incurred. Or perhaps he felt that this opportunity to aggrandize his family was too good to miss, that some kind of agreement would shortly be made with Charles, so that the zealots would be reconciled to the marital arrangement and would not suspect his motives, and that he would be both Kingmaker and King's father-in-law, a power behind the throne indeed.

On 17 April 1650 Charles, encouraged, apparently, by foreign rulers to give undertakings to the Scots with the intention of breaking them when he had grown powerful enough, agreed to the commissioners' requests. But he stressed that while he was willing to impose anti-Catholic legislation he did not want to annul treaties made with Catholics, and he assured Cassillis privately that he would insert the required form of wording after landing in Scotland, if Parliament so desired. 115 On 29 April

113. "Letter from the Hague, 30 May 1650", Charles II and Scotland in 1650, p. 114; see also Mercurius Pragmaticus, no. 7, p. 111, quoted in Ibid.: "It pleased the Marquis of Argyll to present him [Charles] with six Flanders mares for his coach, and if our royal news prove true, the seventh will be his daughter"; cf. Mercurius Pragmaticus, no. 34, 23 January 1651, p. 565: "Argyll (and who who would think it?) has the name among them of one very true to royalty". Having met Lady Anne Campbell in June 1650, Anne, Lady Halkett reported that she was "very handsome, extremely obliging and her behaviour and dress was equal to any that I had seen in the Court of England". Autobiography of Anne Lady Halkett (London, Camden Society, 1875) p. 57. The date of Will Murray's arrival in Breda is unknown, but he was due to depart early in April. Gardiner, Commonwealth and Protectorate, p. 201 n.

114. See infra.

the Scottish commissioners, expressing their satisfaction, formally invited him to Scotland. They advised that the Engagers would enjoy their personal rights, though Parliament might object to the return of some of them and assured him that his presence and desires would carry immense weight. 116

On 9 March Argyll had written to Charles warning him that his refusal to take the Solemn League and Covenant had greatly harmed his cause in Scotland, and he exhorted him to do so,

by which means not only shall God be reconciled to the throne in Your Majesty's person, but likewise Your Majesty and your people shall be one, for I do really conceive there is no other way under the sun [which] can join the interests of your Protestant subjects in all your dominions than that".

He urged Charles not to lose the opportunity:

that a door of hope may be left for restoring you to the throne in your other Kingdoms. For the which I am confident Your Majesty will not want all the assistance that, in duty and conscience, can be expected from honest men, to the uttermost of their power. 117

It is extremely unlikely that, with a powerful sectarian government in England, Argyll genuinely believed that the Solemn League and Covenant was the means for Charles to secure his three Kingdoms. It is also evident that he knew that the King, if he acknowledged the Covenant, would do so insincerely, but he was prepared to accept this, for once the King was "convenanted", the zealots could hardly object. The King would be allowed to reign, the stranglehold of the zealots on the civil polity would be loosened, and, hopefully, Argyll and the nobles would share policy-making with their convenanted monarch. In this way both the position of the nobility and the security of Presbyterianism in Scotland would be guaranteed.

116. For the course of the Breda negotiations see Stevenson, Revolution and Counter-revolution, pp. 159-61, 166n - 167n.
Thus Argyll must have been delighted when he learned that on 1 May Charles signed the Treaty of Breda, which finally resulted in the Treaty of Heligoland, but between King and Kirk there would ensue a lengthy dispute over the form of the oath he would take. Each side was distrustful of the other. "The King strokes them till he can get into the saddle, and then he will make them feel his spurs", reflected a widespread fear among the Covenanter, of whom, in turn, it was said: "they hate the thing monarchy, but they must have the name of it".

The Kirk's commissioners, recognising that Charles had made his concessions out of expediency, not principle, denounced the agreement which the Estates' commissioners had signed. Almost certainly the latter had been influenced, to some extent, by the fact that Montrose had sailed for the Orkneys in mid-December, though by the time of the treaty he had been defeated and was soon to be tried and hanged.

For Charles had not abandoned Montrose; rather, he intended that Montrose should, by his invasion, cow Argyll and the Covenanting regime into moderation, as his letter to Montrose of 12 January shows.

119. Charles II and Scotland in 1650, pp. 74-75.
120. Ibid., p. 80.
121. See Stevenson, Revolution and Counter-revolution, pp. 160-61.
122. Montrose was defeated at Carbisdale by Archibald Strachan. He fled from the battlefield, and a week later was delivered to Leslie by MacLeod of Assynt. On 18 May he was carried to Edinburgh.
123. See supra.
"As for my coming in at this time", Montrose explained at his trial before Parliament, "it was by his Majesty's just commands, in order to the accelerating the treaty betwixt him and you". 124

It appears that by his order to Montrose to lay down his arms, issued on 5 May (obviously with no knowledge of his defeat) Charles had been assured by the Covenanting regime - and very likely by Argyll himself, through Will Murray - that Montrose would not be punished. 125 Sir William Fleming, the Engagers' agent, was to be sent to inform Montrose of this, and since he was instructed to confer with Murray on certain aspects, it is almost certain that Argyll was a party to the agreement. 126 Charles assured Montrose that he hoped "in a little time" to "restore [Montrose] to his honour and estate". 127 Charles added that he hoped "that we shall shortly have an honourable employment for [Montrose] in our service against the rebels of England". 128 But while Charles might have reasonably expected Argyll to attempt to persuade the zealots to deal mildly with Montrose, it is very doubtful whether Argyll would have

124. See S. R. Gardiner, "The Last Campaign of Montrose", Edinburgh Review, vol. 179 (1894), p. 136, hereafter cited as Gardiner, "Last Campaign". The article does not bear Gardiner's name but he has been identified as its author in The Wellesley Index to Victorian Periodicals, 2 vols. (Toronto, 1966), vol. 1, p. 905 and has been acknowledged to be so without question.

125. Gardiner, "Last Campaign", p. 154, cites a document in Bodleian Library, Carte MSS., vol. 130, folio 119: "May 15: Order to Montrose to lay down arms, leave cannon, arms, ammunition brought from Gothenburg to Orkney, or deliver them to the Sheriff of county .... Indemnity for him, Earls Seaforth, Kinnoul, Lords Napier and Reay, Sir James Macdonnel, et al." It continues: "This upon King's agreement with Scots commissioners. Sir W. Fleming sent with the orders, all his officers and soldiers indemnified. Montrose to stay in safety for a competent time in Scotland, and ship to lie, provided for transporting him where he pleased".

126. Gardiner, "Last Campaign", p. 207, suggests that Argyll might have intended to unleash Montrose upon Cromwell in Ireland, but in the absence of evidence this must remain as speculation only. See "Wigton Papers", in Maitland Club Miscellany, 4 vols. in 6, (Glasgow, 1833-47), vol. 2, p. 472, for Flemings instructions, which indicate that the authority for the proposed indemnity was not the Scottish Parliament.

127. Ibid., p. 154.

128. Ibid.
risked Scotland's very independence by allowing Montrose to be unleashed against "the English rebels". Judging by his attitude in 1648 and again in 1651, he would certainly not have countenanced an invasion of England, and there is no evidence to support Gardiner's supposition that Argyll planned "to transfer Montrose to Ireland and to pit him against ... Cromwell on the scene of his victories". 129

Since the indemnity would have applied only if Montrose had lain down his arms, once he had given battle, had been defeated and captured, his fate was sealed. However, Argyll's probable participation in the indemnity scheme might partially explain his ostensible non-involvement in Montrose's trial and sentence. On 18 May, when Montrose was brought to Edinburgh, the cart to which he was tied halted beneath Moray's house in the Canongate where Lorne's nuptial festivities were proceeding, and Argyll peered out at his vanquished foe. 130 And there is nothing to suggest that he did not want Montrose permanently out of the way. There is no evidence that he argued against the execution. After all, he did not want to alienate the Kirk, whose suspicion of him had already been aroused by the proposed Lothian mission, 131 and by the royal marriage proposal. 132 On the other hand, he doubtless feared that Montrose's death might disrupt the treaty with Charles - the Treaty of Heligoland was not signed until 11 June - and considered, therefore, that the most politic course would be to play no part, or at any rate no visible part, in sentencing Montrose. 133

129. Ibid., p. 152.
130. Lorne had married, on 13 May 1650, Lady Mary Stewart, eldest daughter of the Earl of Moray. John Lamont, Diary ... 1649-71 (Ed. G. R. Kinloch, Edinburgh, Maitland Club, 1830), p. 20.
131. The zealots complained that Charles would have accepted all their demands had not the moderates, represented by Lothian and Libberton, demonstrated eagerness to reach agreement with him. Charles II and Scotland in 1650, p. 41; Stevenson, Revolution and Counter-revolution, p. 160.
132. Wariston wrote of the "snares" threatening to entrap Argyll. Wariston, Diary, 1650-54, pp. 46, 264.
133. See supra.
On 25 May, after Montrose's execution, Argyll reported to Parliament that he had received a letter from Lothian which indicated "that His Majesty was in no ways sorry that James Graham was defeated, in respects ... he had made that invasion contrary to his command". If we discount Napier's theory that Argyll had fabricated this letter - and there is no evidence that he had - we can perhaps explain Charles's disingenuous and unchivalrous remarks on the grounds that, in view of his plans to employ Montrose against "the English rebels", Montrose's invasion of Scotland was most inopportune.

On Montrose's death Argyll took a remarkably charitable view, calling it a "tragic end". Yet he was warned to be sparing in speaking to the King's disadvantage, or else he had done it. For, before the Parliament, in his own justification, he said he had several commissions from the King for all he did; yea, he had particular orders, and that lately, for coming to the mainland of Scotland. He got some resolution, after he came here, how to go out of this world; but nothing at all how to enter into another, not so much as once humbling himself to pray at all on the scaffold, nor saying anything on it that he had not repeated many times before, when the ministers were with him.

Evidently, Argyll wished Montrose to repent before God, but not to say anything which would implicate Charles in the invasion, presumably so that the treaty would not be jeopardised.

136. Argyll to Lothian, 22 May 1650, Ancram and Lothian Correspondence, vol. 2, pp. 262-63. Argyll wrote that the birth of his (last) daughter, Lady Isabella, was "remarkable" in that it coincided with Montrose's execution. See also Edward J. Cowan, "Montrose and Argyll", in Gordon Menzies (ed.) The Scottish Nation (London, 1972), p. 80, who quotes Argyll as commenting, with regard to Montrose's death: 'whatever horror we have at the crime we immediately forget and pity the criminal when he comes to suffer'.
On 24 June Charles landed at Garmouth and two days later sent Dunfermline to Argyll assuring him of "the confidence I have of you, and shall in all matters that concern this kingdom desire your advice and counsel ..." Dunfermline was also requested to ask Argyll to arrange for Charles to assume his throne and that if any of those accompanying him were unacceptable to the Covenanters, that he should be privately informed, so that he could abandon them quietly and thus avoid public humiliation.

The zealots were certainly distressed about the "malignants" who had landed with Charles, and some of the commissioners, then or later, regretted admitting an insincerely covenanted monarch who, they believed, would revoke what he had unwillingly conceded as soon as he was afforded the chance. As a newsletter had said: "for the Argyllians, he perfectly hates them and their ways, and will with his presence there soon make a party, as shall make him able to tell them so".

In May the former Engager Callander had arrived in Edinburgh (possibly so that Charles could test Covenant reaction) and although the nobles in Parliament - apparently including Argyll - voted that he should remain there, they were overruled by the barons and burgesses. This obviously alerted Argyll to the extent of anti-malignant feeling among the Covenanters. Though he, by introducing a parliamentary resolution to

137. Charles II to Argyll, 26 June 1650, H.M.C., Sixth Report, Appendix, p.613.
139. Letter from Breda, 12 April 1650, Charles II and Scotland in 1650, p. 65; see also Alexander Jaffray, Diary (Aberdeen, 1856), pp. 32-33; Livingstone, op. cit., pp. 130-31. Jaffray was Provost of Aberdeen. James Guthrie maintained that "the close of our treaty was a sin, to promise any power to the King before he had evidenced the change of his principles ..." Bailie, op. cit., vol. 3, pp. 121-22.
delay their removal, attempted to delay their expulsion, this was defeated,
to his chagrin, and he failed to prevent both the zealot-influenced
Parliament and Kirk from requesting Charles to abandon his malignant
followers. He had no choice but to concur with the Parliament's
insistence that all the malignants around Charles be dismissed.
Lauderdale, who had pleaded "do not make more James Grahams", and
Hamilton, while allowed to remain in Scotland, were barred from contact
with the court and the army, and Carnwath was imprisoned when he dared to
appear in Edinburgh: "this is your doing", he snarled at Argyll.
The Covenanters were principally concerned with the removal of Scottish
malignants, lest they became the focal point of a malignant revival. Some
of the English malignants seem to have been allowed to stay: certainly
the Duke of Buckingham was.

"All who are truly-loyal [are] borne down with an usurped
 tyranny force", it was reported. Unfortunately for Argyll, Charles,
like Carnwath and others, believed that he was the main source of this
oppression. "All the business in Scotland depends on Argyll" wrote
a Royalist, reflecting a widespread view. These people, Charles
included, mistakenly believed that only "such as are of Argyll's faction", in

141. Lauderdale to Cassillis, 11 February 1650, S.R.O., Ailsa Muniments,
GD 25/9/30, hereafter cited Ailsa MSS.
142. Sir Edward Walker, Historical Discourses upon Several Occasions
(London, 1705), p. 161; see also H.M.C., Sixth Report, Appendix, p. 613;
Ancram and Lothian Correspondence, vol. 2, pp. 269-71; Records of the
Balfour, op. cit., vol. 4, pp. 64-66; Lauderdale to Loudoun, 3 July 1650,
S.R.O., PA. 12/5; Hamilton to Cassillis, 2 July 1650, S.R.O., Ailsa MSS.,
GD 25/9/30.
144. Ayton to Nicholas, 1 August 1650, C.S.P.D. (Commonwealth), vol. 2,
p. 265.
145. Radcliffe to Nicholas, 12 September 1650, ibid., pp. 320-21; cf.
"Extract of a letter from Mr. Thomas Weston, newly arrived out of Scotland",
2 September 1650, Calendar of Clarendon State Papers, vol. 2, p. 77; Sir
146. Ayton to Nicholas, 1 August 1650, C.S.P.D., (Commonwealth), loc. cit.
now controlled the reins of government, that Argyll wielded more power and influence than he actually did. Neither they nor Charles appear to have appreciated the extent of the difficulties confronting him from the zealot-inclined Parliament, and this was to cost Argyll his life. The man held to be the "chief ringleader of that factious party" under the late King was evidently still held to be so under the new.

Further worry for Argyll, with his commitment to monarchy and to Scottish independence, came with Cromwell's invasion on 22 July 1650, which caused the coronation, arranged for 15 August, to be postponed, and caused Argyll such alarm that he sent his family from Stirling to the safety of Inveraray.

The Cromwellian invasion proved advantageous to the cause of the zealots in Kirk and state. On 2 and 5 August, at their insistence, about eighty malignant officers were removed from the army. Wariston, supported by Chiesly, Strachan, Gilbert Ker and the zealot ministers led by Patrick Gillespie, insisted on a more thorough purge, so that the English might be routed by God and a godly elect.

148. The Treaty of Heligoland was ratified unanimously by Parliament on 4 July 1650 and Parliament decided that he should be crowned on 15 August. However, although Parliament declared that Charles should enter immediately into the exercise of his royal powers, this was very far from being the case in practice. Parliament prorogued itself until the proposed coronation day, and, since after the purging of his Court Charles had no trusted counsellors left, the real power in the land lay with the Committee of Estates. See Stevenson, Revolution and Counter-revolution, p. 172.
149. Wariston, Diary, 1650-54, p. 9.
150. Ibid., p. 6; Balfour, op. cit., vol. 4, p. 89. On 2 August Charles reluctantly obeyed the Kirk party by removing from Leith to Dunfermline. For a description of the events which culminated in the Battle of Dunbar see Stevenson, Revolution and Counter-revolution, pp. 173-79.
151. Wariston, Diary, 1650-54, pp. 7-11, 19-20.
Argyll perceived that such a course threatened to reduce the army so severely that the cause of King and Kingdom would be ruined. Accordingly he and Leslie, supported by Dickson, Cant and Robert Douglas, urged that the test of religion for those permitted to fight should not be too stringent. But against the zealot impulse Argyll and the moderates were impotent, and the drastic purge of the army, which began on 16 August, resulted - as they had foreseen - in the grave diminution and demoralisation of the army. 152

Equally alarming was the opinion of at least some of the secular zealot leaders that alliance with Charles would inevitably result in the triumph of malignancy and that Cromwell and the Independents represented the lesser evil. Imbued with this view, Wariston and others secretly met English officers in July, explaining that they were not happily cooperating with malignants. 153 Less extreme, but no less disturbing to Argyll was the attitude of the Western Association, which revived itself to meet the threat posed not only by the English sectaries but by the malignants, whom they feared would regain the control of the army they had had in 1648. 154

It was to counter such trends, so subversive to the settlement towards which Argyll had worked, to Scottish national interests as he perceived them, and to monarchy itself, that the Committee of Estates and the Kirk presented Charles with a Declaration in which he would repent of his past sins, the faults of his father, and the idolatry of his mother. In this way, it was hoped, suspicions of the King's sincerity, which had


154. See Stevenson, Revolution and Counter-revolution, p. 175.
played into the hands of zealots and extremists, would be allayed. But Charles refused to sign.

Like his associate Robert Douglas, who was moderator of the Commission of the Kirk, Argyll opposed the Declaration, presumably because he did not want to appear to be forcing Charles into any undertaking against the latter's will.

However, Argyll came under pressure from Loudoun, Lothian and others, who desired him "to deal effectually with His Majesty" and his household, lest God should be angered into withdrawing "his blessing from the King's Majesty and from the army also". They pointed out that Cromwell had charged that Charles "still keeps correspondence with malignants, and hath ever since subscribing the Covenant granted commissions to diverse malignant persons ..."¹⁵⁵ Wariston entreated him to prevail on Charles to sign the Declaration (slightly modified)

that the army may be clear in their appeal to God and joining battle upon it .... In that declaration Scotland is .... only craving the reparation of God's honour .... the restitution of the King to God's favour, and that they may have quiet consciences and courageous hearts to lay down their lives in a clear quarrel wherein God has no controversy and ground of desertion of them.

He added: "Oh, that the King's heart were also sincerely humble before God for these sins of his house mentioned in the Declaration"!¹⁵⁶

Assailed by such clamour, and fearful that Kirk, state and part of the army would forsake the royal cause, which, since Charles had not yet been crowned could still be done with ease, Argyll implored the King to sign the Declaration. Hesitatingly and very grudgingly, Charles did so

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¹⁵⁵. Loudoun et al. to Argyll, 14 August 1650, Ancram and Lothian Correspondence, vol. 2, pp. 280-82; see also Loudoun et al. to Argyll, 15 August 1650, ibid., p. 284.

¹⁵⁶. Wariston to Argyll, August 1650, ibid., pp. 286-88.
on 16 August. He felt immeasurably humiliated, and it seems certain that, failing to consider the political realities which dictated Argyll’s actions, he never forgave the marquis for joining the chorus of those who insisted that he sign. One Royalist was rather more perceptive when he wrote that Argyll "seems to be overpowered by the clergy". yet a few days later the same writer was describing the marquis as the pivot of national policy: "from thence comes that ill-favoured Declaration which they forced on the King to sign ..."


158. This was not specifically mentioned in the indictment at Argyll’s trial in 1661, but it might have made that trial all the more likely since in all likelihood it gave Charles a real grudge against the marquis. True, Charles was later prepared to marry Argyll’s daughter Lady Anne, if Henrietta Maria should agree. But I do not think that this means that he had forgiven Argyll, only that he saw marriage with Argyll’s daughter as an expedient way of consolidating support in Scotland. See also Nicholas to Hyde, 3 September 1650, Nicholas Papers, vol. 1, p. 194. He added that Argyll “hath pressed the King to give security, that the Scots shall have satisfaction in case they shall beat Cromwell” and added that the Scots sought to "have the Duke of York in their power ..."

159. See Radcliffe to Nicholas, 7 September 1650, C.S.P.D. (Commonwealth), vol. 2, p. 310. Radcliffe claimed that Argyll, who "has given him [Charles] great professions of fidelity ... says when the King comes to England, he may be more free, but for the present, it [signing the Declaration] is necessary to please these madmen”. On the basis of this, Stevenson, Revolution and Counter-revolution, p. 177, implies that Argyll himself termed the extremists "madmen”. It must be stressed that there is a good deal of evidence that the gulf between Argyll and the zealots was now very wide. Argyll often told Wariston that Charles "would never acknowledge his father to be guilty of the blood shed between him and the Kingdoms" and he clearly had misgivings about forcing the Declaration on the King. Wariston, Diary, 1650-54, pp. 138-39. In February 1651 Wariston warned Argyll and Loudoun "that if they went on to head and countenance the present defection of Malignants, the Lord would bring them two to the miserablest condition of any in Scotland". Ibid., p. 185; cf. Ibid., pp. 57-72. In May 1651 Argyll brusquely told Wariston that the army "had no need of my prayers, and desired me to keep them to God and to myself". Ibid., p. 54, See also infra, notes 110 and 139.

Such allegations doubtless bolstered the King's disposition to hate Argyll who, in reality, was the unwilling tool of a faction which, no less than the Royalists, clearly mistrusted him, and he had been unhappy about pressing the Declaration on the King. Before he could be the kingmaker he had to secure the Kingdom from forces hostile to monarchy, and the Declaration was the price of the zealots' support of Charles and military opposition to Cromwell.

Late on the night of 3 September 1650 Argyll learned of Leslie's defeat by Cromwell at Dunbar and informed Charles. To Argyll Leslie wrote that the defeat was due to "the visible hand of God" though he added that they might have won as easily as at Philiphaugh "if the officers had stayed by their troops and regiments". He urged Argyll, "without whom there will be little done", to hasten to Stirling.

161. Wariston, Diary, 1650-54, p. 14; see also supra, note 160. While many Royalists were busily denigrating Argyll, a few seem to have appreciated the difficulties confronting him. The Marquis of Nescastle paid tribute to his efforts: "My Lord of Argyll and your lordship hath notably bestirred yourselves in our great master's service, or else it had not been so well as it is". Newcastle to Lothian, 27 March 1651, Ancram and Lothian Correspondence, vol. 1, p. 346; cf. Hatton to Nicholas, 8 February 1651: "I cannot bring myself to believe that Argyll will ever endure the King to have an army at his Majesty's devotion". Nicholas Papers, vol. 2, p. 219. Nicholas wrote that if both Argyll and Hamilton were "in Heaven it would be never the worse for the King and the public even of both Kingdoms", for both "have contributed more to the miseries of our nation than any, except always some of your friends at the Louvre". Nicholas to Norwich, 6 March 1651, ibid., vol. 2, p. 224. Further, "it is impossible to make a perfect union between them, unless it be in some treachery against the King". Nicholas to Norwich, 13 March 1651, ibid., p. 226. "A Newsletter from Perth", 6 May 1651 maintained that Buckingham and others had tried to persuade Charles that to desert Argyll for Hamilton would be ungrateful, since Argyll "alone hath put him in this condition" i.e. in possession of his Kingdom. Ormonde Papers, vol. 2, pp. 25-29.


Although the extreme zealots argued that the defeat proved that purging had been insufficiently performed, most Scots, including Argyll, took the opposing view that purging had weakened the army. Consequently the zealous Kirk party received a setback and the King, Royalists and Argyllian moderates a boost.

On 11 September 1650 the Commission of the Kirk, on which Argyll sat, approved the policy of an earlier meeting of zealot ministers, refusing the King's suggestion that Engagers be employed in the army, demanding further purging of the royal household and denouncing the King's having insincerely taken the Covenants for expedient political motives. However, despite this sanctioning of extremist counsels, which Argyll must have felt powerless to prevent, the Commission was alarmed by the defection of many of the zealously religious officers and men from the main army at Stirling, who joined the Western Association army under Ker and Strachan and many ministers refused to countenance the Commission's extreme statements.

Argyll was discomfited by the lack of trust the Kirk party had in him (for Wariston and other zealots were becoming increasingly suspicious that he was compromising his conscience for the sake of worldly ambition). 


167. See Wariston, Diary, 1650-54, pp. 46, 264.
and also by the hostility towards him in Royalist circles. Thus to not a few, as we have seen, he was the abettor, if not the advisor, of regicide; to more still he was the bullying fanatic who had pressed the Declaration on the King; while some declared that the Battle of Dunbar had been lost through his treachery, that he was in league with Cromwell and had disaffected the Scottish army. 168 He was uneasy at the increasing strength of the Western Association army and by the Kirk party's uncompromising attitude, and at the same time he was aware of the Royalists' glee at the result of the battle (even if it was not proving immediately to their advantage) and no doubt he knew of Charles's determination to escape abroad if his position deteriorated in Scotland. It seems that Argyll hoped to become the saviour of King and Kingdom by persuading Charles to surrender all decision-making, for the present, to him, but solid evidence eludes us.

Meanwhile Charles and the Committee of Estates heeded Argyll's advice that the crown, sword and sceptre were in danger so long as they remained at Perth, and they entrusted them to him. He sent them secretly for safekeeping to Balloch, Glenorchy's seat. 169 And on 24 September Charles wrote that in consideration of Argyll's "faithful endeavours ... for restoring me to my just rights, and the happy settling of my dominions" and as a public mark of "the trust and confidence I repose in him" he would make Argyll a duke, knight of the garter and a gentleman of the bedchamber "when he [Argyll] shall think it fit". 170 Presumably the

168. This was the opinion of the Jesuit Father Robert Gall. See M. V. Hay (ed.), The Blairs Papers, 1603-1660 (London, 1929), pp. 32-35.
169. S.R.O., Breadalbane MSS., GD 112/39/882-85; Sir Edward Walker, op. cit., p. 188.
170. Charles II to Argyll, 24 September 1650, H.M.C., Sixth Report, Appendix, p. 606. Charles added that "whensoever it shall please God to restore me to my just rights in England, I shall see him paid the 40,000 pounds sterling which is due to him". This appears to have been a debt owed to Argyll by the Crown, but its precise origin and nature is obscure.
time for accepting such earthly rewards would be "fit" when Argyll's position was sufficiently secure for him not to worry about zealot charges that he had compromised his conscience and the Covenants.

Feeling that Dunbar had indicated the incapability of the Kirk party to settle him on the throne, and distressed by the Committee's order for purging of twenty-four persons - including most of his remaining personal servants and friends - from his household, Charles determined either to raise a Royalist army or escape to Holland. But "The Start" - a coup of 3 October planned with the help of various northern Royalists - was revealed by Buckingham on 2 October and Charles sent orders cancelling the rising. On 7 October Charles apologised to the Committee for his actions, blaming evil counsel and apprehension of personal peril, and from now on he was allowed to attend all meetings of the Committee, which, like Argyll, was alarmed by these developments and did not want to further alienate Charles and the Royalists.

"The Start", however, produced a non-conciliatory attitude in the zealots, and on 17 October the more extreme members of the Western Association, who believed that "The Start" revealed the betrayal of God's cause, approved a Remonstrance of the gentlemen, commanders and ministers attending their forces. This document animadverted upon the signing of a treaty with Charles when he was demonstrably insincere in his adherence to the Covenants. It disavowed his interest in the quarrel with the English and it accused the Committee of Estates of intending to invade England and impose the King upon an independent Kingdom in a war whose legality had

171. For details see Peterkin, op. cit., p. 602; Balfour, op. cit., vol. 4, pp. 109-12.

not been sanctioned by Parliament or General Assembly. It itemised many breaches of the Covenants, condemned inadequate purging, and declared that the nation's leaders - undoubtedly including Argyll - had pursued personal aggrandisement in the guise of national interest. Of some comfort to Argyll and the moderates and Royalists, however, was the remonstrants' failure to renounce monarchy or to ally with the English: they accepted Charles, but held that he should not exercise power until he had demonstrated his worthiness to do so, and patriotism and religion compelled them to fight the sectarian invaders.

No nobleman supported the Remonstrance, and in the Committee of Estates Argyll (strongly supported by Balcarres, Lothian and the King's Advocate, Nicholson, and strongly opposed by Wariston and Humbie) led the attack on the document. He considered Wariston and Patrick Gillespie, its author, "two mad-headed youths that would ruin the Kirk and Kingdom of Scotland", and on 20 and 23 November he declared in the Committee that the Remonstrance threatened to lead to toleration and to subvert both civil and ecclesiastical government. On 25 November Argyll accused Sir James Hope, who sympathised with the Remonstrance, of having a long


174. A few south western lairds supported it, and these included Hugh Campbell of Cesnock and Sir John Chiesly. Stevenson, Revolution and Counter-revolution, p. 188.

175. Wariston, Diary, 1650-54, p. 140. Patrick Gillespie was the brother of George Gillespie, a minister whose radicalism at the time of the Glasgow Assembly had doubtless been unwelcome to Argyll.

176. Ibid., p. 30; Peterkin, op. cit., p. 608; the Committee declared that they had been in no way party to the Remonstrance. However, Wariston admitted that he had seen it beforehand - although he denied having had a hand in framing it - and refused to disclose how he had voted on it in Dumfries on 17 October, when the Westerners had debated it. It is clear, however, that he approved it.
record of mischief-making. That same day the Committee rejected the Remonstrance as "scandalous and injurious to His Majesty's person and prejudicial to his authority", and sent Argyll, Nicholson and another with this reply, and a paper castigating Gillespie and James Guthrie (his supposed accomplice in framing the Remonstrance) to the Commission of the Kirk, requesting it to join the Committee in rejecting the Remonstrance. This the Commission did, while at the same time admitting the validity of many of the Remonstrants' complaints, and only after it had been split asunder by the substantial defection of zealot members.

177. Ibid., p. 609.

178. For the text see ibid., pp. 609-10. Wariston and eleven others opposed the rejection. These included Cassillis and Burleigh, who, while not supporting the Remonstrance, nevertheless sympathised with it to a certain extent and felt that an outright rejection of it was unwise. Even so, the terms of the rejection were quite mild. See also Records of the Commissions, vol. 3, pp. 123-25; Balfour, op. cit., vol. 4, pp. 176-78.

179. i.e. James Sword.

180. Guthrie, a minister long known for his extremist views, denied participating in the authorship of the Remonstrance, although like Wariston he had been present at the Dumfries meeting and approved it. In 1651 he wrote an anti-Malignant tract, The Waters of Sihor, or the Land's Defection, for the text of which see Peterkin, op. cit., p. 618 et seq.

181. Ibid., p. 609.

182. Gillespie and Guthrie led the defection, which included Rutherford and Cant. The defectors included about sixteen of the thirty-eight ministers present on the Commission and two of the nine elders. Stevenson, Revolution and Counter-revolution, pp. 190-91.
and the consequent loss of the south-west to the invaders, strengthened the voices of those, like Argyll, who argued that to oppose Cromwell successfully the qualifications for those permitted to fight in the army must be lowered: there would have to be a more general levy than formerly. On 14 December the Kirk, lacking the defectors, passed a public resolution declaring that it was parliament's responsibility to take all legal steps to defend Scotland against the sectaries. Despite the protests of Loudoun - evidently acting independently of his chief - and others, Parliament on 20 December selected many former Royalists or Engagers for colonelcies.

However, some extremists came to regard Cromwell's regime as preferable to the malignant King's, and others, demoralised and defeatist, decided to surrender to Cromwell and desertions to the English caused Argyll and his associates anxiety.

184. It was decided that the Kirk could not oppose the raising of all able-bodied men for defence against the foe, although officers at least were to be of known affection to the cause, and those forfeited, excommunicated, profane or enemies to the cause were to be prohibited. See Records of the Commissions, vol. 3, pp. 157-60; Baillie, op. cit., vol. 3, pp. 125-26. The resolutions of 14 December led to a protest led by the remonstrants but including many who had not supported that document. Thus the Kirk schism widened and two distinct factions became identifiable: "resolutioners" and "protesters". See I. B. Cowan, The Scottish Covenanters, 1660-1688 (London, 1976), pp. 30-40 for a brief description of their activities until 1660. See also Gordon Donaldson, "The Emergence of Schism in Seventeenth Century Scotland", in Derek Baker (ed.), Schism, Heresy and Religious Protest (Cambridge, 1972), pp. 277-94.
185. These included Crawford-Lindsay, Atholl and Earl Marischal. A.P.S., vol. 6, part 2, pp. 620-26; Records of the Commissioners, vol. 3, pp. 267-71; Balfour, op. cit., vol. 4, p. 212.
186. These latter included Walter Dundas, deputy governor of Edinburgh Castle and commander of that garrison, who on 24 December 1650 surrendered it to Cromwell despite the lack of an immediate military threat. See Stevenson, Revolution and Counter-revolution in Scotland, p. 195.
187. Particularly scandalous was the suggestion of the three Hope brothers that Charles should abandon those parts of Scotland already occupied by the English, as well as England and Ireland. Wariston was suspected of treachery Continued ...
In view of these developments, and of their awareness that, with the raising of troops under Royalist colonels, a future Royalist rising on the lines of the Start would almost certainly succeed, Argyll and his associates realised how dependent they were becoming on the King, and when the parliamentary session ended on 30 December it had been decided that he should be crowned at Scone on 1 January.

Symbolic of his role as kingmaker, Argyll performed the crowning ceremony, and, still anxious to increase his power behind the throne, he yet determined to make his daughter queen. He now pressed upon Charles, and also upon Henrietta Maria in Paris, the merits of such a match, and Charles himself solicited the Queen's opinion. He informed her that Argyll

in all transactions between me and my subjects of this kingdom hath particularly merited of me. I am informed that this marriage will be in great satisfaction and security to all the Church and the Presbyterian party, and the best means to unite all parties, and remove all differences occasioned by the late troubles. The strength of Scotland being united, it will be the greatest encouragement to all of loyalty in England.

Charles did not, however, seriously pursue this project, despite his discussions with Argyll and correspondence with Henrietta Maria. The principal impediment seems to have been the attitude of the Queen. At the same time as writing the preceding, Charles wrote to his mother, via Colonel Titus: "I neither am engaged, nor ever shall engage in a matter of this importance without her [the Queen's] approbation and

Continued 187 ... despite his efforts to secure the public records of Scotland when Dundas surrendered Edinburgh Castle. It was feared that Wariston might betray Stirling and other burghs to the English. See Balfour, op. cit., vol. 4, pp. 238-46; Ormonde Papers, vol. 1, pp. 410-11, 469-70; Ancram and Lothian Correspondence, vol. 2, pp. 325-26; Wariston, Diary, 1650-54, pp. 97-98, 218; Stevenson, Revolution and Counter-revolution in Scotland, p. 196.

188. A fast was also to be prepared for the sins of the Royal family.

189. See "Coronation of Charles the Second, King of Scotland, England, France and Ireland, as it was acted and done at Scone, the first Day of January, 1651" in Somers Tracts, vol. 6, pp. 117-39.
Henrietta chose not to give her consent, despite Argyll's arguments in favour of the match. Her "advice and approbation of this to the King", the marquis wrote, \textit{inter alia}, "will ... lay upon \textit{[the Scots]} a perpetual obligation".\textsuperscript{191} Furthermore, he argued

That this will engage \textit{[the Scots]} to do him \textit{[Charles]} all good offices, both to the King, and any other way in their power. This will secure him against that violent party \textit{[the Protesters]} that are his enemies.\textsuperscript{192}

In her reply Henrietta tactfully stressed Lady Anne's personal suitability for such a match, but stated that it would almost certainly offend England irrevocably as well as alienate sections of Scottish opinion.\textsuperscript{193}

Almost certainly the match would have won few friends from the Protesters' ranks, if Wariston's (unfair) attitude represented theirs:

\begin{quote}
No getting England without Scotland, nor Scotland without Argyll, nor him without his daughter, as I believe that was his bait and temptation to bring home the King ...
\end{quote}

\textsuperscript{194}

Early in June Parliament repealed the Act of Classes,\textsuperscript{195} and passed an act that those failing to renounce the Remonstrance would be prosecuted for sedition.\textsuperscript{196} Argyll, Loudoun, Cassillis and three burgesses voted

\begin{quote}
\textsuperscript{190} The King's instructions to Captain Titus, dated 23 and 31 January 1651, are given in George Hillier, \textit{Charles I in the Isle of Wight} (London, 1852), pp. 324-30. Titus, Charles's messenger to Henrietta Maria, arrived in Paris on 17 March 1651.

\textsuperscript{191} Argyll also used Titus as an intermediary with Henrietta Maria, and in addition he made representations to Lord Jermyn, the Queen's close adviser, who had, against the wishes of Hyde and Nicholas, encouraged Charles to accept the overtures of the Argyll party in 1649-50. See ibid., pp. 330-31.

\textsuperscript{192} Ibid., p. 331.

\textsuperscript{193} See Instructions for Titus from Henrietta Maria, 15 April [1651], ibid., pp. 332-34.

\textsuperscript{194} Wariston, \textit{Diary}, 1650-54, pp. 97-98. A Covenanting historian tells us that "so grievous was the disappointment of the poor young lady that of a gallant young gentlewoman she lost her spirit and turned absolutely distracted". Kirkton, \textit{op. cit.}, p. 50. Lady Anne died unmarried, apparently before the Restoration.

\textsuperscript{195} A.P.S., vol. 6, part 2, pp. 672-73, 676-77.

\textsuperscript{196} Ibid., pp. 683-84; S.R.O., PA. 11/11, folios 64v-65v, 68v-71v; Balfour, \textit{op. cit.}, vol. 4, p. 309; Stevenson, \textit{Revolution and Counter-revolution}, p. 203. Hugh Campbell of Cesnock was among those who submitted to the act.
against the latter, not because they supported the Remonstrance but because they were loath to impinge on ecclesiastical privileges by proceeding against ministers.  

Evidently, Argyll was treading warily.

Parliament adjourned on 6 June, and the ensuing Committee of Estates was dominated by Engager and Royalist nobles, including Hamilton and Lauderdale. And thus proceeded preparations for the march into England, culminating in Cromwell's defeat of the Scots at Worcester on 3 September 1651.

On the march Hamilton observed that "all the rogues have left us, I shall not say whether for fear or disloyalty". Argyll, the principal of these "rogues" was unswerving in his opposition to the Worcester campaign, and the reason does not seem far to seek. He still believed in "Presbyterianism in one Kingdom" and in the tenets of his June 1646 speech. He did not believe that Presbyterianism could, or should, be enforced by arms upon England. And as he observed of Charles I, so might he have observed of Charles II, the invasion of a

197. Ibid.

198. For the names of other former Engagers and Royalists see ibid., p. 202.

199. For the prelude to the Worcester campaign see ibid., pp. 203-10 and Gardiner, Commonwealth and Protectorate, vol. 2, pp. 35-46. The Scots lost about 2,000 dead (including Hamilton, who was mortally wounded) and nearly 10,000 prisoners of war. Charles was among the few who escaped back to Scotland or fled to the Continent.

Scots army to restore him to his throne would "ruin his Majesty ... it would make all England as one man against him". Besides, he knew Charles himself would find his English supporters opposed to Presbyterianism, and that the Scots army was so weak (in men and morale) that a successful campaign was impossible. All he had striven for, a guaranteed settlement of church and state, a limited Covenanted monarch, a Scotland free from English occupation, would be ruined if the Scots embarked upon such folly.

201. Cobbett, op. cit., vol. 5, p. 1466. In March 1651 John Birkenhead, former editor of Mercurius Aulicus, and then in Charles II's employ, was apprehended. On him were found a number of letters, of which one is intriguing. Addressed to Tom Coke, a Royalist agent and a younger son of Secretary Coke, it indicated that Argyll had promised the Lancashire Royalists 2,000 of the best Scottish horse and 2,000 Highlanders in return for an undertaking to rouse the county of Lancashire for the King. Buckingham and Massey were to command the force. Gardiner, History of the Commonwealth and Protectorate, vol. 2, p. 12; Buckingham to Coke, 25 February 1651, Cary, op. cit., vol. 2, p. 418. Unfortunately, there does not seem to be any more material which would shed further light on this scheme.

202. Charles crossed the Border with less than 13,000 troops, and the Royalists themselves were not optimistic about victory. There had been many desertions, especially after the series of English successes in Scotland that summer, particularly Inverkeithing and the loss of Perth. As Hamilton expressed it, Lauderdale and others "are now all laughing at the ridiculousness of our condition. We have quit Scotland, being scarce able to maintain it; and yet we grasp at all, and nothing but all will satisfy us, or to lose all. I confess I cannot tell you, whether our hopes or our fears are greatest: but we have one stout argument, despair; for we must now either stoutly fight or die". Hamilton to William Crofts, 8 August 1651, Cary, op. cit., vol. 2, pp. 330-31.
"A Distracted Man": from the seizure of the Committee of Estates at Alyth to the execution of Argyll.

The disaster at Worcester, following Monck's capture of most members of the Committee of Estates on 28 August 1651, led an English newsletter to boast that "all the nobility of Scotland that are at liberty may sit about a joint-stool". Events, wrote Loudoun, "did so much damp[en] and discourage us that all men almost everywhere lost both heart and hand".

Loudoun favoured an attempt at resistance, and he ensured that the regime did not immediately collapse. In his capacity as Chancellor he summoned Argyll and other members of the Committee remaining at large to a meeting at Rothesay, at which he strongly advocated raising a fresh Royalist army from the non-occupied areas. However, those who did attend, conceding that there was no shortage of men, rejected the proposal on the grounds that "money, arms and victuals" were scarce. Furthermore, they refused to assume responsibility for 300 men in arms in the Dumbarton region and ordered


3. Ibid., p. 25.

4. Ibid., p. 26 n.
them to disband and return home pending further instructions from the Scottish Parliament, which they called for 12 November. The proposed location was the central and supposedly defensible Finlarig in Perthshire.5

Legally, the Committee’s decisions at Rothesay were not binding, since it lacked a quorum: only one burgess being present,6 and the proclamation calling the Parliament could not be read in the traditional way at Edinburgh, the traditional practice, but at Killin near Finlarig. "Yet", observed a contemporary newsheet, "it should be as effectual to all intents and purposes".7

Although the decision to hold a Parliament had been officially the joint responsibility of the Committee, it was generally supposed that the initiative had come from Argyll, but precisely what he had in mind few dared to postulate.8 News of Worcester had reached him at Inveraray, where, suffering from stone, he lamented the result of a policy he had opposed. "If my counsel had been followed, His Majesty’s affairs had probably gone better", he declared later, adding, in face of accusations to the contrary, "the defeat ... was as grievous to myself as any Scotsman".9

5. The 300 men were commanded by Major General Stirling. Finlarig is near the west end of Loch Tay. The Parliament could not be held in Edinburgh, since that city was under English occupation.
6. i.e. John Kennedy, Provost of Ayr.
8. Scotland and the Commonwealth, p. 337.
9. This is what Argyll claimed at his trial. See Wodrow, Sufferings, vol. 1, p. 145 n.
He now sounded out the Campbell lairds and other leading gentlemen in the Western Highlands on the possibility of levying new forces - as Loudoun advocated - but met a cool response. Reportedly envisioning 4,000 men he found he could count immediately on only 300. "We understand he cannot get either burgess or countryman to join with him".

Thwarted by the lack of enthusiasm, and unwilling to sow divisions in his clan by forced recruiting, still less to risk further military defeat at the hands of the English by pitting a force of half-hearted soldiers against them, Argyll fell back upon a policy of negotiation. At least he could claim to have tried another method first. Almost one month before the Scottish Parliament was due to convene he wrote to Monck proposing some kind of treaty. He was evidently seeking an accommodation which would guarantee his supremacy and autonomy in his traditional areas of influence and jurisdiction: he was not necessarily preparing to capitulate yet, and his approach was cautious.

Had Monck decided to meet as Argyll suggested (the marquis had been careful not to make a formal request) Argyll would presumably have asked him to recognise the validity of the forthcoming Parliament in order that it might appoint commissioners to negotiate a formal treaty. Perhaps, if the initiative for a Parliament came indeed from Argyll, he had a treaty in mind, realising the futility of further military resistance.


11. Clarke to Lenthall, 23 October 1651, Scotland and the Commonwealth, p. 335.

12. It is, of course, possible that his real aim in advocating armed resistance was to demonstrate its very futility. But this seems improbable since Argyll apparently had no definite plan at this stage and it is doubtful whether he could have predicted the reluctance of the men with any certainty.

13. Argyll to Monck, 15 October 1651, Scotland and the Commonwealth, p. 333. The full text of this letter, which was one of the six produced in evidence for the prosecution at Argyll's trial, is given in Appendix Two.
But whatever his personal feelings were, Monck could not act without the authority of the English Parliament, which rejected Argyll's proposal. Since the English had already ordered the arrest of the Committee of Estates they did not officially recognise the authority of any member still at large. They would countenance only a puppet government, and, aware of Argyll's recruiting difficulties, they evidently believed that before long he would be manipulable. 14

Argyll's next move was to ask Monck for an audience, in order that he might tender his personal submission to the English authorities. This request was instantly granted, and he was to be issued with a pass enabling him to travel in safety "from the violence of his enemies in Scotland" to Perth with up to thirty armed and mounted retainers. He was to meet two English officers, Colonel William Brayne and Major John Pierson, on 19 November, in order "to submit to the authority of the Parliament of England". Not only was he forbidden to attend the forthcoming Parliament, he was ordered to vigorously endeavour to prevent it sitting. 15

Argyll stalled, which suggests that he was only testing his options after all, or that he had been influenced by persons unknown, possibly his Royalist heir 16 or the Kirk, not to commit himself. However, since he had apparently been suffering from stone it is possible that he was truthful when he pleaded indisposition as the reason for his failure to keep the appointment and for his failure to attend Parliament on 12 November. Of course, his non-attendance there was entirely in accordance with his instructions from the English, and it is unlikely that he would have gone,

14. See Clarke to Lenthall, 23 October 1651, Scotland and the Commonwealth, p. 335, which shows that the English army knew of Argyll's recruiting difficulties.
15. Ibid., pp. 26-27.
16. Lord Lorne. See infra.
ill or not, since he undoubtedly sought to maintain the possibility of rapprochement with the English. Moreover, in pursuit of such an agreement, he may well have endeavoured to jeopardise the Parliament, for only three members attended, and, perhaps owing to Argyll's pressure, Loudoun was absent. Those attending paid tribute to Loudoun's industry in the past difficult months, but sent word to him that any "hope of obtaining assistance in any further struggle to maintain an independent government in Scotland would be utterly vain". 17

If Argyll had worked to undermine the Parliament, he cannot have had a difficult task in view of the prevailing defeatist, if realistic, attitude which made most of the nation submit to the English. 18

At the end of September 1651 the Commons appointed a select committee to consider the introduction of a Bill for the establishment of a Commonwealth, 19 and the Bill received its first reading a month later. In December commissioners were appointed to be despatched to Scotland for "the managing of the civil government and settling affairs there, as may be best for the advantage of the Commonwealth". 20

17. Scotland and the Commonwealth, loc. cit.

18. There were, of course, certain prominent exceptions to this widespread mood, notably Argyll's nephew Huntly.

19. Charles S. Terry (ed.) The Cromwellian Union, pp. xvii and n., hereafter cited Cromwellian Union. The bill was subsequently abandoned when a scheme of union was established.

20. Ibid., p. xvii. The commissioners were the Lord Chief Justice, Oliver St. John, Sir Henry Vane the younger, both of whom, of course, had negotiated the Solemn League and Covenant with the Scots; Robert Tichborne, an alderman of the City of London, and four army officers: Major General Richard Beane, a regicide, Colonel George Fenwick and Major Richard Salwey. They arrived at Dalkeith in January 1652 and took up lodgings in the castle, which had belonged to the recently deceased Earl of Buccleuch.
With the appointment of these men, the Commons abandoned a proposal for annexing the occupied territory and devoted themselves to a comprehensive scheme of Union, which was kept secret until the official "Declaration concerning the settlement of Scotland" was published at the end of December. 21 2,000 copies of it arrived in Scotland and it was proclaimed at the Mercat Cross on 12 February and distributed to the burghs and shires of the nation together with an order to elect representatives "of integrity and good affection to the welfare and peace of the island", who were to appear that month at Dalkeith, with the specific purpose of assenting to the Union on behalf of their constituents. 22

English rule was to be benevolent, "for the advancement of the glory of God, and the good and welfare of the whole island". Parliament's stated aim was

that Scotland shall, and may be incorporated into, and become one Commonwealth with this of England, whereby the same Government that is established here, and enjoyed by the good people of this Nation, under the free State and Commonwealth of England, as now settled, without King, or House of Lords, may be derived and communicated unto them, with such convenient speed, as the same can be made practicable amongst them. 23

The estates and property of those who had supported the expeditions into England in 1648 and 1651 or had been in arms or active against the English Parliament were to be confiscated. Those uninvolved were instructed in "their own true interest" to place themselves under Parliament's protection and "enjoy the liberties and estates" experienced by the people of England. Tenants of Royalist noblemen who had followed their masters in rising for the King would be pardoned, providing they surrendered to the commissioners

21. Ibid., pp. xviii - xxi.
within thirty days of the Declaration's publication. Furthermore, they would be released from "their former dependences and bondage services, and shall be admitted as tenants, freeholders, and heritors, to farm, hold, inherit and enjoy from under this Commonwealth, proportions of the said confiscated and forfeited lands, under such easy rents, and reasonable conditions, as may enable them, their heirs and posterity, to live with a more comfortable subsistence than formerly, and like a free people, delivered (through God's goodness) from their former slaveries, vassalage and oppressions."24

Although this social emancipation and betterment was offered only to the tenants of active Royalists, its implications must have been crystal clear to Argyll. He undoubtedly feared that such an example, once in motion, would infect his own vassals - particularly those who were not Campbells - with discontent and a thirsting after egalitarian notions. "I had been a very senseless fool", he reminded those who accused him of willing collaboration with the English, "if I ever had been for promoting such an authority and interest over me, as levelled all, and was so totally destructive to all that differenced myself and other noblemen from their own vassals ... it being absurdly derogative to all true nobility".25 And again, that a "miserable union", as he termed it, had "wholly swallowed up" the "interest of the nobility".26

Moreover, Argyll the limited monarchist, who had years earlier warned of the social disruption which would follow any rift between King and subjects,27

24. Ibid.
26. Ibid., p. 1485; for the full quotation see infra, note 28. Charles II wrote that "the bloody and merciless English rebels ... intend an utter extirpation of the nobility and ancient gentry of [Scotland] ..." Charles II to Menzies of Weem, 2 November 1653, H.M.C., Sixth Report, Appendix, p. 695.
27. See supra, Chapter 7.
cannot have welcomed the republicanism of the Union. When in June 1646 he had warmly advocated closer ties between the Kingdoms he had not reckoned without King or House of Lords. Nor would he look kindly upon a Union imposed by the victor upon the vanquished: as a patriotic Scot he would have shared the attitude of one Scot who observed: "as for the embodying of Scotland with England it will be as when the poor bird is embodied into the hawk that hath eaten it up".  

 Basically, the Scottish opponents of the Tender of Union had four main objections to it: that it threatened to establish in the Kirk "a vast and boundless toleration of all sorts of errors and heresies" in violation of the Solemn League and Covenant; that it stood in direct opposition to the Solemn League and Covenant which was sworn to uphold monarchy; that it would lack the sanction of a Scottish Parliament, and that its framework was obscure, the Scottish deputies being asked, in the words of a contemporary, "to approve we know not what, as also to give obedience to the Commonwealth of England for the time [being]", whereby we have no access to desire either the privileges which may be supposed to come by this tender, or to have any hand in framing the mould thereof".  

28. M'Crie, op. cit., p. 292. At his trial Argyll declared that the union "was that vortex wherein our religion, our ancient government, monarchic in His Majesty's person and family, and the interest of the nobility and our liberties were wholly swallowed up; and under pretext of being united, we were really enslaved to that pretended Commonwealth". Cobbett, loc. cit. For an opposing view of the union see Edmund Ludlow, Memoirs ... 1625-1672, 2 vols. (ed. Sir Charles H. Firth, Oxford, 1894), vol. 1, p. 298: "how great a condescension it was in the Parliament of England to permit a people they had conquered to have a part in the legislative power". Ludlow was, of course, an Englishman. For an interesting analysis of Scotland during this period see H. R. Trevor-Roper, "Scotland and the Puritan Revolution", in Historical Essays, 1600-1750 presented to David Ogg (ed. H. E. Bell and R. L. Ollard, London, 1963), pp. 115-21.  

29. Cromwellian Union, p. xxix. The relevant passage in the Declaration ran: "as to what concerns the advancement of the glory of God, that their constant endeavours shall be, to promote the preaching of the Gospel there [Scotland], and to advance the power of true Religion and holiness, and that God may be served and worshipped according to his mind revealed in his word, with protection, and all due countenance and encouragement therein ..." For Argyll's views of toleration see supra, Chapter Six.
There seems every reason to believe that Argyll, the nationalist and nobleman and limited monarchist, the champion of Scottish constitutional rights and of the Solemn League and Covenant, the opponent of toleration, shared these reservations.

Few Scots ever more than grudgingly acquiesced in the Union, but some Royalists, notably Sir Thomas Urquhart, its principal Scottish advocate, did, realising that it removed the keystone from the theocratic state, from whose enforced consensus they utterly dissented.  

The English would expect little organised resistance to the Union, although in those shires where the Kirk’s power prevailed, deputies were sent to Dalkeith on the understanding that they would not prejudice the Covenant, or with permission to treat but not conclude with the commissioners. Argyllshire, owing to Argyll’s attitude, still refrained from appointing representatives. Physical coward Argyll possibly was, but he was seldom, and certainly not at this time, a moral one. While all around him were succumbing to the terms of a Union they abhorred, he made clear his intention to hold out, announcing, with uncharacteristic hyperbole, that rather than submit he would go into self-imposed exile overseas.


31. Cromwellian Union, p. 5.

32. As we have seen, his detractors certainly depicted him thus. But see supra, Chapter Seven.

"Argyll", scoffed an English newsletter on 12 January 1652, "hath so long juggled and shuffled the cards, that now he hath lost dealing and must play the trump that is turned by another hand, yet he loveth not a game that must be played above board". Nevertheless, there are indications that he still hoped to make the game his.

That same month over 1,000 Campbell clansmen answered Argyll's summons to muster about Inveraray, and from these he chose about thirty to attend him on any future journey to the English commissioners. Such a journey he yet hoped to avoid, and he retained hopes of organising armed resistance. He aimed not to liberate the occupied areas but to prevent any further English encroachments into Highland territory. To this end, an alliance was mooted between him and his erstwhile foe, Atholl, who as a Highland chief shared his fear of the invaders' policy.

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34. Ibid., p. 5.

35. Ibid., p. 29; C.S.P.D. (Commonwealth), vol. 4, p. 230. On 30 April 1652 the Council of State decided to warn Major-General Deane that "there is a probability of a conjunction between the Earls [sic.] of Argyll and Atholl, by which a considerable opposition is likely to be made to the forces of the Commonwealth". In the weeks after Worcester Argyll was reported to be fortifying the Isle of Mull and his castles. Morosini to the Doge, 5 November 1651, C.S.P. Ven., vol. 28, p. 205. On 15 February 1652 it was reported that Argyll and Balcarres "are starting fresh insurrections in the Highlands and expect very soon to make themselves masters of the whole of that district". Morosini to the Doge, ibid., p. 215. See also A Declaration of the Marquess of Argyle concerning the Parliament of England, and his resolution and summons to the gentry, with the rising of Highlanders (London, 1652). This declaration was made on 23 April 1652. Thus at his trial Argyll could claim "it is ... well known, that myself and the gentlemen, my vassals and tenants" within the shire of Argyll, had endeavoured to get a conjunction with our neighbours in the Highlands, for resistance of the English power, which was refused by our neighbours, and the English acquainted herewith". Wodrow, Sufferings, vol. 1, p. 145 n. See also Scotland and the Protectorate, pp. 412-14.
Still, however, the English were unperturbed by Argyll's activities and even by reports that he had been seeking military and financial aid from foreign sources. They were satisfied that neither he nor Loudoun had been in contact with Charles since Worcester. They knew of his financial difficulties and in order to expedite what they considered to be his inevitable submission they attempted to discredit him by encouraging his nephew, Huntly, to request from Argyll money owed.

The English sought other ways to blacken Argyll's reputation. They claimed that he pocketed the monthly assessments in Argyllshire and was levying troops from a wide area extending to the edge of MacDonald territory. He "hopes to get them all under his girdle, and for this end he useth this argument, that he will live and die with them for gaining them like conditions with himself". Argyll was reportedly planning a meeting at Inveraray on 13 February with Loudoun, Dickson and the MacDonald chieftains, hoping to make concerted resistance. It is

36. The English were evidently confident that Argyll's submission was but a matter of time. On 17 November 1651, Mercurius Scoticus reported that Argyll and Loudoun were preparing to submit: "Thus the Lord is pleased to bring about this work, in conquering the hearts of those that have had the thoughts of the greatest policy". Quoted in Scotland and the Commonwealth, pp. 343-44; cf. C.S.P. Ven., vol. 28, p. 214.


38. See infra.

39. Cromwellian Union, p. 5. Huntly was described as "a man more in debt than his whole estate [the rest of the nobility], a man infinite proud and ambitious, vastly expensive". Ibid., p. 17. On November 1651 Mercurius Scoticus reported that Cromwell was planning to put Huntly in possession of lands kept from him by Argyll. Quoted in Scotland and the Commonwealth, p. 339. Presumably this was a reference to Badenoch and Lochaber. For Huntly's Royalist activities see ibid., pp. 337-38. The English authorities were able to exploit Argyll's differences with other Highland chiefs in order to undermine his influence. See also "Petition of Sir James Lamont to the English", [1653], N.L.S., MS. 545, folios 13-14. See also infra, note 150.

40. Scotland and the Commonwealth, pp. 10-12; Mercurius Politicus, 29 January - 5 February 1652, p. 1387.

41. Cromwellian Union, p. 17.
unclear whether this meeting occurred, though certainly nothing came of it. While it is entirely probable that Argyll was seriously seeking a Western Highland alliance, no such alliance resulted. In all likelihood it was the victim of MacDonald suspicions about Campbell intentions. It would have been natural for the MacDonald chieftains to suspect that Argyll was exploiting the English menace for his own ends, intending somehow to extend Campbell hegemony into the MacDonald territories. Indeed, traditional clan feuds were encouraged by the English, anxious to prevent unified Highland resistance, and they found a valuable cooperator in MacDonald of Sleat. 

With the collapse of his scheme Argyll, who in English eyes evidently had become a symbol of resistance, "being the last person any way considerable who standeth out", conferred with the English commissioners at Dumbarton. He informed them that "he had not resolved to demean himself otherwise than peaceably towards the authority of the Parliament ... exercised in Scotland" by which he tacitly acknowledged their authority, and he even offered to advise their Army on the fortification of strategically important places in the Highlands, if that should prove necessary to bring others to submission. He agreed to send a representative to Dalkeith to treat on behalf of the people of Argyllshire regarding acceptance of the Union.


43. Cromwellian Union, p. 5.

44. Ibid., pp. 131-32.

45. Ibid. The man selected for the task was James Campbell of Ardkinglas.
He then returned to Inveraray where he proceeded to live very quietly. Campbell fighting men were kept at a discreet distance. His chaplain prayed daily for the King but in common with most Scottish ministers at this juncture he avoided naming Charles, preferring the euphemism "a distressed prince".  

Argyll had promised the commissioners to endeavour to effect the Union, and on 23 March he wrote that their Declaration "anticipated all I could propose ... for a lasting peace and union betwixt both nations ... I make it my humble desire therefore ... that I may know what is required of me, who shall be very willing to do all which with a safe conscience I may for the peace and union of this island".

The English had long since concluded that he possessed vulpine cunning, and their distrust was justified, since for all his protestations, he still hoped to hold out for as long as he could against the Union, while reiterating at intervals his anxiety to promote it. He agreed, as we have seen, with the principle of union, and to that extent he was unequivocal: "I have still professed it is my desire that all occasions of more trouble in these dominions may be fully removed, that religion and righteousness being the foundation, the peace of them may be perpetuated to all posterity".

On 26 August, Ardkinglas, the deputy for Argyllshire, accepted the Union on behalf of the inhabitants of that shire. This would seem to

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47. Argyll to the Commissioners of Parliament, 23 March 1652, ibid., pp. 37-38.

48. See, for instance, Newsletter from Edinburgh, 27 December 1651, Cromwellian Union, p. 2, which termed him "a very fox", a description suggested by his red hair, long nose and reputation for cunning.

49. Argyll to the Commissioners of Parliament, 16 April 1652, Scotland and the Commonwealth, pp. 40-41.
have subverted Argyll's position, since, technically, the acceptance might be held to include him. What lay behind it is unclear. It might indicate that Ardkinglas was tired of his chief's stalling, and had decided to take action on his own initiative. If so, then Argyll's influence in his own territory was beginning to falter. More probably however, given our knowledge of Argyll's disposition, he had instructed Ardkinglas, who had been his close companion in arms against the Lamonts, to submit at this time, perhaps so that the authorities, who were becoming increasingly exasperated with the marquis, would be deterred from actually proceeding against him. It would have accorded with his apparent desire to keep his options open. Indeed, that feeling among the Campbells against the Union ran high was evidenced during Glencairn's rising later. 50

Argyll's persistent hesitation determined the English to coerce him and other obdurate chiefs militarily. To them he was "a subtle fox" who must be smoked out of his lair: "if he closes not quickly, it is not the rocky earths he hath amongst the mountains that can secure him this summer". 51 another Englishman commented:

[Argyll] solicits hard and sends letter after letter, and one messenger after another, using all the means he can through his best policy to obtain some singular act of favour. But I cannot understand that he will much advantage himself by his policy, for we are, I hope sufficiently satisfied by his put-offs and over-reaching intentions, which will be a snare probably to himself. His curiosity in aiming too high will give us an opportunity when grass is more grown to fall to action ... I hope we shall find no very great difficulty to reduce his country. 52

50. See infra.

51. English newsletter, 4 May 1652, Cromwellina Union, p. 180. It also stated: "how interesting" it was to see "how Argyll thrives either in his continued refractoriness, or obtaining conditions for himself and the Kirk in that low estate they acknowledged it to be in".

52. Newsletter from Leith, 24 April 1652, Scotland and the Commonwealth, p. 42.
Argyll's policy could not be separated from his position as chief of Clan Campbell, from his consequent elevated conception of himself and his duty to promote his clan's welfare. He would therefore naturally want to procure in any submission terms which enabled him to continue exercising autonomy in his traditional territories. By and large, this is what he achieved in the agreement he concluded with Major-General Deane on 19 August 1652. "We hope he will get nothing by his jugglings and dissembling devices, which are well known", an Englishman commented.

53. That this is what Argyll was angling for is apparent from the request of Argyllshire that, since "the Judicators that have been in use within" the shire because the latter was so remote from public courts and justice eyres, Argyll's hereditable jurisdictions should continue. Moreover, "it is desired that the Marquis of Argyll be looked upon with an favourable eye, that too ready trust must be not given to every report that may give hard impressions of him", because while the people of the shire were determined to fulfil their undertakings to the English Parliament without Argyll's aid, they would, they said, be able to do so far more effectively if they had it.

54. "Articles of Agreement between Archibald, Lord Marquessse of Argisle, on the behalf of himself and freinds on the one parte, And Major Generall Richard Deane on the behalf of the Parliament of England on the other side", Scotland and the Commonwealth, pp. 48-49. See also "An Agreement made between Major Generall Richard Deane in the name of the Parliament of the Commonwealth of England on the one part, And Archibald, Lord Marquesse of Argile, in the behalf of the Gentlemen and Inhabitants of the shire of Argile on the other part", dated 27 October 1652, ibid., pp. 55-57. This agreed, inter alia, that no more garrisons should be established in Argyllshire except Dunstaffnage and Dunolly and that no more English occupying forces would be sent into the shire so long as the situation there remained stable. It will be noticed that in this agreement Argyll signed on behalf of the shire, not, as in the earlier agreement, on behalf solely of himself. Evidently, therefore, his influence still predominated, which reinforces the view that Ardkinglas had not withdrawn his loyalty when he signed the Assent of Argyllshire in April. See supra, and infra, note 55.
Seven days before this Argyll had signed a declaration:

My duty to Religion, according to my Oath in the Covenant always reserved, I do agree (for the civil part) of Scotland being made a Commonwealth with England, that there be the same Government, without King or House of Lords derived to the People of Scotland, and that in the meantime while this can be practicable I shall live quietly under the Parliament of the Commonwealth of England or their authority.55

The conscience clause here had been specifically requested by Argyll, who had in April assured the English that, contrary to false reports, "it is my desire that all occasions of more trouble in these dominions may be fully removed, that, religion and righteousness being the foundation, the peace of them may be perpetuated to all posterity".56

He seemed well pleased with what appears to be a Melvillian insistence upon the division of Church and State which he had obtained in his declaration: "my endeavours for religion shall not be included", he explained to a nephew,57 and endeavour he did, since owing to his encouragement Gaelic missions were established in the Highlands.58

55. Ibid., p. 50 n.; cf. the similar document signed on 26 April 1652 by the people of Argyllshire, which contains no clause relating to religion. Ibid., p. 170.

56. Argyll to the Commissioners of the Parliament of England, 16 April 1652. He added: "and I hope in the Lord's mercy it shall never be found that I shall either be a cause or give any just occasion to the contrary". At his trial Argyll stated that "it is known, that during that time [the English occupation] I had no favour from these usurpers ..." Wodrow, Sufferings, vol. 1, p. 147 n. See infra, note 65.

57. Argyll to Sir James Halkett the younger of Pitferrane, 23 August 1652, N.L.S., MS. 6408, folio 93.

58. Minutes of the Synod of Argyll, vol. 1, pp. xvi-xx; "A letter from the Highlands", 18 July 1652, says, inter alia: "the people are very simple and ignorant in the things of God, and some of them live even as brutish as heathens". Scotland and the Commonwealth, p. 363.
Argyll's enemies accused him of eager and willing collaboration with the occupiers. As earlier stated, attempts to sow division between noblemen and their tenants make this improbable. Indeed, two days before the agreement with Deane he was lamenting "all things helps to humble me".

Argyll was not, after all, a seer. He would no doubt prefer a limited monarchy, but he could not know that the monarchy would eventually be restored. He was but slowly recovering from illness, and he was, still, and throughout the Cromwellian occupation, "a distracted man ... a distracted subject in a distracted time wherein I lived". He had to make the best of a bad situation, and at least the agreement with Deane had preserved his hereditary autonomy and Clan Campbell saved from military destruction which would certainly have meant an end to his effectiveness. Perhaps Argyll had read Hobbes's *De Corpore politico*, which appeared in 1650, and which stressed that subjection to an invader was justified for self-preservation and security. Any way, it is not surprising that he

59. See supra.

60. Argyll to Halkett, 23 August [1652], N.L.S. MS. 6408, folio. 93. Argyll was slowly recovering from illness. Similar sentiments were expressed by the Marchioness of Argyll in a letter to her brother, Sir James Douglas, dated '22 January' and obviously written during the Cromwellian occupation: "our Lord sees good to humble this land in every corner of it one way or another". N.L.S., MS. 79-81, Morton Papers, folio 41.


62. Instructions to a Son, p. 5. For the full quotation see supra, Chapter 9, text, and note 46.

63. Argyll, defending himself at his trial, explained that 'when an invading usurper is in possession, making former laws crimes, the safety of the people is the supreme law', that "necessity has no law", that "inter arma silent leges", that "of two evils the least is to be chosen". He maintained that "a great difference is to be made between a thing done ad lucrum captandum and that done only ad damnum evitandum". Wodrow, *Sufferings*, vol. 1, p. 136. See also infra, note 64. For Hobbes's influence see Quentin Skinner, "Conquest and Consent: Thomas Hobbes and the Engagement Controversy", in G. E. Aylmer (ed.), *The Interregnum: the Quest for Settlement, 1646-1660* (London, 1972), pp. 79-98.
came to that conclusion himself. 64

For Argyll was deeply in debt. Argyllshire had been left impoverished by the Colkitto raids, and he himself had expended large sums of money in the Covenanting cause, which, since they were contracted for the sake of the nation, were to be repaid out of public taxes. However, with the cessation of national autonomy in 1651, Argyll had no hope of recovering his money, and there are indications that he looked to the English to undertake responsibility for them. 65

64. At his trial Argyll invoked scriptural support for his acceptance of the English regime. See Cobbett, op. cit., vol. 5, pp. 1431-34. For example, King David "exhorts them to unity among themselves and submission to him and his authority, for if it should please God to bring a foreign sword amongst you, you must submit to them; much more than to him who is your own brother, and one of your own nation". Ibid., p. 1433. He also claimed that he "stood out as long as he could", and begged the Scottish Parliament, which sat in judgment on him, to appreciate the difference between "subjects acting under the lawful magistrate in exercise of his authority by himself, or others lawfully constituted by him, and of the actions under cruel usurpation and tyranny, the lawful magistrate being forced, for his own safety, to abandon his dominions and people". Ibid., p. 1477. Argyll explained that it was "for the safety and security of His Majesty's subjects ... and my compliance with so prevalent a power (which had wholly subdued this, and all His Majesty's other dominions, and was universally acknowledged) may be looked upon as acts of mere necessity which hath no law". Wodrow, Sufferings, vol. 1, p. 137. Argyll's general view on the Cromwellian occupation might have been influenced by Edward Gee, the English divine whose works on prayer he certainly read. See ibid., p. 147 n. About 1650, when Gee and other Lancashire ministers were accused of corresponding with the Scots and encouraging subversion against the English Parliament, Gee wrote An Exercitation concerning Usurped Power, which probably came to Argyll's attention.

65. See Cromwellian Union, p. 172; Scotland and the Commonwealth, pp. 49, 56, 169, 197 n, 204. By an order of Council, dated 11 September 1656 Argyll was to receive the money on the excise of wines and strong water thereof not exceeding 3,000 per annum, until he received a total of 12, 116-3s.-4d. in English currency. See Thomas Burton, Diary, 4 vols., (ed. J. T. Rutt, London, 1828), vol. 4, p. 448 n.; see also infra, note 122. The old excise on wines was reimposed for five years from 1 November 1651 and the additional excise on wines for five years from 7 March 1652. This was to be used entirely for honouring part of the public debts due to Argyll and also to the merchant Sir William Dick, who had laid his vast fortune at the Covenanters' disposal. See A.P.S., vol. 6, part 2, pp. 217, 237, 332-33; Stevenson, "The Financing of the Cause of the Covenanters, 1638-51", p. 115.
When Glencalrn's rebellion, 66 broke out in 1653, the Campbells were divided. Argyll, loyal to his agreement with the English, and no doubt influenced by his hope to have his debts reduced, refused to join the rebellion. He was faithfully supported by Glenorchy and Ardkinglas, but Lorne joined the rebellion, as did Loudoun, Auchenbreck, Ardchattan, Strachur, and Glenorchy's heir. 67

Some suspected that Argyll and Lorne had deliberately adopted opposite sides, so that, whichever side triumphed, the family estate would not be forfeited. 68 But there seems little doubt that Argyll's quarrel with Lorne was not feigned, and that it caused him much anguish.

66. For a detailed account of this Royalist uprising see Gardiner, Commonwealth and Protectorate, vol. 3, p. 84 et seq.

67. Lorne had opposed Argyll's stance on the Worcester campaign. See Whitelocke, op. cit., vol. 3, pp. 546-549. Glenorchy's heir, John, afterwards became the well-known first Earl of Breadalbane. Also on the rebels' side was Alexander MacNaughton of Dunderave, a difficult Campbell tenant in Kintyre, whom Argyll considered "a knave", and who in 1661 delivered to the Scottish Parliament the six letters supplied by Monck to "prove" Argyll's compliance with the Cromwellian regime, and which sealed the Marquis's fate. For Argyll's view of MacNaughton see N.L.S., MS. 6408, folios 90 and 100. For MacNaughton's Royalism see Hubert Fenwick, The Auld Alliance (Kineton, 1970), p. 80. For Auchenbreck's explanation to Argyll of his decision to no longer cooperate with the English, "a scourge to this nation", dated 4 April 1653, see H.M.C., Sixth Report, Appendix, p. 618. In retaliation Argyll confiscated the property of some of Auchenbreck's tenants as a contribution towards the cess. See Auchenbreck to Argyll, 3 September 1653, Ibid.

68. Nicoll, op. cit., p. 238; Burnet, Own Times, vol. 1, pp. 57, 130. This was a traditional ploy in some Highland clans. It was, for instance, employed by Simon Fraser, Baron Lovat, the celebrated Jacobite, who was executed in 1747. He did not join the "Forty-five" until success for the rebels seemed certain, and even then he could claim, quite disingenuously, that his heir was acting against his wishes in leading the Frasers for Prince Charles Edward. See D.N.B., vol. 7, pp. 656-662. It claimed that during 1644 and 1645 Argyll had induced Huntly's heir, Lord Gordon, to support the Covenant, while Huntly equivocated. Patrick Gordon, op. cit., p. 80. Lilburne suspected that Argyll was either losing influence with his clan or did not want the Campbells to oppose the rebels under Kenmure. See Lilburne to Cromwell, 16 October 1653, Scotland and the Commonwealth, pp. 242-43.
Sir Robert Moray assured the King that, whatever he might have heard to Argyll's prejudice,

the course he takes is merely for self preservation, his country being much more obnoxious to the enemy, specially by sea, than many of the isles are. He thinks men and things are not yet ripe enough to appear in arms, alleging that it will come to nothing but the ruin of the Lowlands, and the Highlands are to be destroyed by sea; whereas if it were done, or could be done securely and effectually in his judgment, he would certainly appear for the business that is now carrying on for your Majesty's service.

In view of what we know of Argyll's attitude and personality, this seems to be a most perceptive and honest account. Argyll would undoubtedly have liked to appear in arms for the King and throw off the foreign and republican yoke, but his natural caution and his concern for his clan's position in the Highlands prevented him from doing so since the undertaking appeared to him hopeless and rash. Once again, however, Charles showed that he had no conception of the difficulties facing Argyll, for he wrote to Lorne:

I hope you will have more credit and power with those of your kindred and dependents upon your family to engage them with you for me, than anybody else can have to seduce them against me, and I shall look upon all those who shall refuse to follow you as unworthy of any protection hereafter from me - which you will let them know.

This had an ominous significance for Argyll's future.

Argyll bitterly criticised Lorne, terming him "my unnatural son".

"I must indeed say", he wrote, "my son is to me as Jacob's were to him, doing what he can to make me loathsome in the eyes of them amongst whom I

69. Moray to Charles II, April 1653, ibid., p. 134. Lorne also vouched for his father's attachment to monarchy. See infra, text, and note 110.

70. Charles II to Lorne, 30 December 1654, H.M.C., Sixth Report, Appendix, p. 613.

71. Argyll to John Campbell younger of Glenorchy 22 April [c. 1654], S.R.O., Breadalbane MSS., GD 112/39/897.
must live". He told the fiar of Glenorchy that if Lorne attempted to billet troops on the Glenorchy properties he should be expelled by force. "I trust nothing in him but that he will run to every excess of riot with the wildest that are his associates".

These were private letters, surely unintended for English eyes, so it is unlikely that Argyll was misrepresenting his attitude towards his son, to prove his loyalty to the authorities. Indeed, in June 1653, before Argyll communicated with the English about Lorne's participation in the rebellion, Lilburne noted that he was obviously distressed by his son's stance. Moreover, the comments of contemporaries substantiate the view that the feud between Argyll and Lorne was genuine. In September 1653 Mercurius Politicus reported that Argyll "declaims much" against Lorne and "is now labouring to reclaim his son from that desperate party to which he hath given himself up". It added that it would not doubt Argyll's loyalty to the regime "till we see real ground to the contrary". In November 1654, after Argyll had driven Lorne out of Argyllshire, a diarist wrote: "And now seeing blood hath been drawn betwixt father and son, one can hardly imagine they are in sport, or that they can be reconciled upon easy terms".

72. Argyll to John Campbell younger of Glenorchy, 28 March [c. 1654], S.R.O., Breadalbane MSS., Bundle of Letters 1640-1651. The cataloguer has tentatively dated this letter 1646, and assumes that in any event it was written between 1640-51. This is clearly a mistake.


74. See the long harsh letter Argyll wrote to Lorne asking him to desist from collusion with the rebels. A copy was enclosed in a letter from Argyll to Lilburne. Scotland and the Commonwealth, pp. 166-67; see also Worcester College MSS., folio 62, cited in Dow, op. cit., p. 219.

75. Mercurius Politicus, no. 174, 15-22 September 1653, p. 2735; cf. the issue no. 177, 17 October – 3 November 1653, p. 2827: Argyll "himself declares a detestation of these courses among the Scots, and inveighs bitterly" against Lorne for joining the rebels "but can neither reclaim his son nor keep his vassals from running out to him".

76. Nicoll, op. cit., p. 140.
Baillie wrote that Lorne was "coarsely used" by Argyll, and that even after Lome's capitulation to the English in May 1655, he and his father are not likely to be good friends. His father, lest he give any to suspect his collusion with his son, keeps the greater distance from him, albeit the most think the domestic divisions among them are so real and true as makes both their lives bitter and uncomfortable to them ...  

A fortnight after Lome's capitulation received Cromwell's assent, a visitor to Rosneath perceived "the incurable wounds that were in the family by difference, implacableness, unsubmissiveness, humour, asperity ... and other burdens". He cautioned Lady Argyll about Lorne's continued "unsubmissiveness" and also Argyll's "deep resenting of it, and keeping in his mind injuries and offences and prejudices". A week later he wrote: "oh, the bitterness betwixt the father and his son which I observed". Apparently each accused the other of instrumentality in the sorry state of their nation and their House.

77. The articles of capitulation were evidently drawn up on 17 May 1655. See Sir Charles H. Firth (ed.), Scotland and the Protectorate (Edinburgh, Scottish History Society, 1899) pp. 269-72, hereafter cited as Scotland and the Protectorate. Cromwell appears to have approved them on 7 August 1655. See C.S.P.D. (Commonwealth), vol. 8, pp. 270-71. Lome's younger brother, Lord Neil, in 1656 advised the English authorities, at their request, about travellers between Kintyre and Ireland. Dow, op. cit., p. 527.


80. Ibid., p. 180.

A more significant indication of the sincerity of Argyll's split with Lorne is the substantial material help which Argyll afforded the English army from the late summer of 1653, when he helped the English subjugate Lewis and Mull. Lewis's reduction was partially a reprisal for Seaforth's resistance a few months earlier, and as it hurt the MacKenzie chief it thus incidentally advantaged Argyll. Mull was controlled by Maclean of Duart whose power Argyll strove to undermine. Towards the end of August, when the English Colonel Cobbett landed there, Maclean and Glencairn fled the island, and Argyll persuaded its heritors to submit to the English, pay their cess like "the rest" of Argyllshire, and withheld payment of their rents to Maclean for the duration of his rebellion.

When, owing to a storm which wrecked his vessels, Cobbett had to return to Dumbarton overland via Argyllshire and risk attack by Lorne and Kenmure, who had penetrated deep into Argyll's country, Argyll's men acted as guides and Argyll saved Cobbett from a surprise attack by Kenmure, who labelled him "our unnatural countryman" and Cobbett declared that "his safety was under God in the Lord Argyll's service to him".

82. Scotland and the Commonwealth, pp. 221-22; C.S.P.D. (Commonwealth), vol. 4, p. 255; Ibid., vol. 5, pp. 36, 45, 138, 143, 190, 194, 263; Ibid., vol. 6, pp. 140, 189, 200, 212.

83. Newsletter of 22 September 1653, Mercurius Politicus, 29 September - 6 October, quoted in Scotland and the Commonwealth, p. 221 n.

84. Kenmure to Glencairn, 22 September 1653, S.R.O., Glencairn Muniments, GD 39/2/65, hereafter cited Glencairn MSS.

85. Lilburne to Cromwell, 21 November 1653, Scotland and the Commonwealth, pp. 274-75.
Yet the English distrusted him: "Archguile", one army officer called him, and Lilburne baulked at giving Argyll's followers in Kintyre permission to arm themselves, with the result that they capitulated to Lorne.

Argyll was becoming increasingly isolated. Glencairn, who suspected him of actively preventing such men as MacFarlane and Cameron of Lochiel from joining the rising, and of exerting indirect pressure on Seaforth not to participate in the rising, informed Charles that "Argyll only has hindered all this summer's service", and that Argyll ought to be declared a traitor "first and above all", and further that the Highlands should be raised against him. Glencairn urged Charles to contact several clan chiefs subject to Campbell hegemony "assuring them that His Majesty will deliver them from under those bonds and yokes which Argyll has purchased over their heads".


87. The Colkitto raids had demonstrated to Argyll the vulnerability of his western flank, and in 1652 he had populated Kintyre with Lowland "tacksmen" loyal to the Campbell interest, prominent among whom was William Ralston of that ilk. See McKerral, op. cit., pp. 86-87.

88. See Lorne to Glencairn, 3 September 1653, S.R.O., Glencairn MSS., GD 39/2/64.

89. Ibid., GD 39/2/21 and 69.

90. "The Earl of Glencairn's instructions to Major Strachan", [c. December 1653], Scotland and the Commonwealth, pp. 308-10. It read, inter alia, "that a warrant under the King's hand be sent discharging all within Argyll and the Isles to pay in any of the King's rents to Argyll, but that a warrant be sent to me, to appoint some to lift them for His Majesty's own use to be sent to him". On 5 March 1654 Nicholas wrote to Hyde that Glencairn had informed him of "a great combination forming against ... Middleton and the King's service by means of the malice of the Lord Balcarres and the treacherous practices of the Marquis of Argyll's faction in Scotland". Nicholas Papers, vol. 2, p. 62; cf. Nicholas to Middleton, 22 June 1654, ibid., p. 71. Apparently Argyll had already gained the reputation of a traitor. On 4 December 1652 a Scottish Jesuit priest in Brussels wrote to another in Rome that Argyll was reported to have been "abused in the Continued ...
Then, in March 1654, Argyll met Wariston and confided his consideration of a scheme to unleash the English against the rebels in his territories. Apparently David Dickson was non-committal, but Wariston told Argyll to collude neither with "malignants" nor "sectaries" and "conjured him to repent of his meddling with both before the Lord, who had begun to reckon with his house, should make an utter end".  

A few days later Argyll told Lilburne of his fears that the rebels would ruin his "country and estate" and would rather see the English "first possessed thereof". This, fumed Wariston, occasioned a rumour that "we were raising a Whiggamore Raid under Argyll, who, in the meantime, I hear, has written basely flattering and engaging letters to the Protector".

In 1654 Baillie described Argyll as "almost drowned in debt, in friendship with the English, but in hatred with the country". Clarendon maintains that under the English occupation hatred of Argyll "was the shibboleth by which the affections" of the Scots "were best distinguished".

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Continued 90 ... common street of Edinburgh" by women who cried out: "Traitor, thou hast killed one King and banished another!" Father James Anderson to Father Adam Gordon, Blairs Papers, p. 43 n. And shortly after Worcester another Jesuit priest learned that "Argyll hath sent a trumpeter to the governor of Stirling to demand a parley, and it is surmised he will kyth [appear] shortly in his own colours of coosenage [i.e. deceit] and treachery". Gall to Father Andrew Leslie, 24 November 1651, ibid., pp. 42-43.

91. Wariston, Diary, 1650-54, p. 218. On 30 January 1654 Wariston recorded a rumour that Argyll had been captured by the rebel Highlanders. Ibid., p. 199. Hyde had heard the same rumour, and more: on 18 January he reported to Nicholas that the Highlanders had taken Argyll - "the worst man alive" - and hanged him. Calendar of Clarendon State Papers, vol. 2, p. 171.

92. Lilburne to Lambert, 28 March 1654, Scotland and the Protectorate, p. 64.


A few months after Lorne's submission Lord Broghill, Lord President of the Council in Scotland, informed Thurloe, Cromwell's Secretary of State, of a new rebellion being hatched in Scotland, in which Lorne was thought to be implicated. He also told him that Lorne had been in contact with Charles, and that Glencairn, who had certainly tried to induce Lorne to join in a new Royalist scheme, since he was anxious for "a perfect unity among all good Scotsmen", had been plotting with parties both sides of the Border. "I am of opinion", wrote Broghill, "that if ever C [charles] S [tuart] makes any stir here, Lome will occasion it." And in August 1656 Thurloe was warned separately by Broghill and Lockhart of Lee that Lorne should not remain at large.

This severely embarrassed Argyll, who was already under suspicion by the English. In October 1655 he repaired to London, where he hoped to press Cromwell for payment of the money promised him by acts of the Scottish Parliament. He had in Scotland "received much affronts and disgraces of his creditors", who in their exasperation hounded him in the streets, calling him "a false traiter", and he had suffered the indignity of having some household goods impounded and sold at the Mercat Cross to pay his creditors. In London further indignity awaited him: for in November he was arrested at the behest of the Countess of Dirleton, for debt connected with the supply of meal to the Scottish army in 1644-45, and released on petition to Cromwell on the grounds that the case was being heard before a Scottish judge. Lady Dirleton was ordered to desist from

95. Broghill to Thurloe, 13 May 1656, Thurloe State Papers, vol. 4, p. 49. Glencairn's agent was a spy in the service of Monck; Lorne's agent was the recently dead Captain Maitland, had been in the pay of Broghill, who wrote: "We must cast about to repair this loss". Ibid.
96. See ibid., vol. 5, pp. 319, 323. Sir William Lockhart of Lee was an active collaborator with the English government, from whom he accepted employment. See D.N.B., vol. 12, p.52; Haydn, op. cit., p. 519.
During this visit Argyll undoubtedly took the opportunity to ingratiate himself with Cromwell and leading English politicians with a view to being appointed one of the remodelled Justices of the Peace for Scotland. He was, however, unsuccessful, for on 27 November Broghill informed Thurloe that he had prevented Argyll's appointment "because of that touch you gave me about him, your words being 'not so much as a constable'".

Nor was Argyll successful in his bid to be selected as a Scottish member of Cromwell's 1656 Parliament, for on 9 August 1656 Broghill told Thurloe: "Argyll has been very industrious to be chosen, but we have put a spoke in his wheel".

He was, however, reported as increasing his standing with Cromwell, and although a fellow-Scot lamented the "disgraces" Argyll had encountered in England, Argyll does - on the slender evidence available - appear to have been granted a substantial concession: exemption from the effects of an Act passed in 1656, based on an Ordinance of April 1654, which

98. Elizabeth, Countess of Dirleton, French by birth, was the widow of James Maxwell of Innerwick, who in 1646 had been created Earl of Dirleton, and was the mother of the second Duke of Hamilton's wife. She claimed that Argyll owed her well over 3,000 sterling. She resided near Guildford. For Argyll's petition, dated 6 December 1655, see C.S.P.D. (Commonwealth), vol. 9, p. 7. See also ibid., pp. 24, 34, 62, 113, 141, 153.


100. Broghill to Thurloe, 27 November 1655, Thurloe State Papers, vol. 4, p. 250. For the functions of the Justices of the Peace see Donaldson, Scotland, p. 347.


103. Brodie, op. cit., p. 101. It is not clear whether Brodie was referring to Argyll's arrest, his inability to achieve his political ambition, or both. Argyll was again in London during the summer and autumn of 1656. During a visit to John Evelyn he mistook the turtle doves in his host's aviary for owls. John Evelyn, Diary, 4 vols. (ed. H. B. Wheatley, London, 1906), vol. 2, p. 84. It is possible that Argyll's ornithological knowledge was limited, but it seems strange that he confused two such common species Continued ...
abolished, inter alia, all feudal lordships and heritable jurisdictions, and which would therefore have negated the benefits he had secured in his treaties with Deane. Yet in January 1656 Argyll had petitioned the English Council to approve his original agreement with Deane, 104 which they did on 13 March. 105 It is likely that either he had been exempt, officially or non-officially, from the corresponding Ordinance, or that his hereditary jurisdictions had never been challenged, and that he was now, with the Ordinance passing into Act, making sure of retaining them. Although the English were determined not to give him a voice in the Parliament and on the magistrates' bench, they probably concluded that any attempt to deprive him of those powers he already enjoyed would most certainly turn him against them. They seem to have been satisfied, too, that his post as Sheriff of Argyllshire disqualified him for the seat in Parliament he so ardently sought. 106 But this further attempt at decreasing the power of the nobility, let alone their blocking of his bid for a more effective voice in state affairs, 107 can hardly have given Argyll confidence in the regime.

Continued 103 ... of birds. Perhaps, in addition to strabismus, he was myopic: all the more reason, possibly, why he did not lead his troops in battle. See infra, Chapter 7.

104. The relevant passage reads: "and whatever duty belongs unto him ..." Admittedly it is not certain whether this means the duties owned to him in the way of vassalage or the duties he performed as a result of his hereditary judicatories.


106. See Monck to Thurloe, 30 December 1658, Thurloe State Papers, vol. 7, p. 584; Monck to Samuel Disbrowe, 24 March 1659, Gardiner, Scotland and the Protectorate, pp. 411-12. Brunton and Pennington, op. cit., p. 131 state that men were occasionally appointed sheriffs "in order to prevent them from sitting in the House". However, "An Ordinance by the Protector for Elections in Scotland", 27 June 1654, printed in Gardiner, Constitutional Documents, pp. 422-25, mentions nothing about the disqualification of sheriffs to sit as Members of Parliament.

107. It will be recalled that Argyll maintained "that power is vain which never exerts itself forth into act [ion] ". See supra, Chapter I.
It seems clear that, in the schismatic dispute within the Kirk, Argyll sided with the Protesters (as the Remonstrants came to be known) against the Resolutioners. Middleton identified him with the former as early as 1653, but in 1654 Baillie was reporting that "Argyll courts the Remonstrants, who were and are averse from him". This was on account of his former support of the Resolutioners and his accepting of an insincerely Covenanted King. At heart, Argyll, who had taken such trouble to secure a conscience clause in his agreement with Deane, may have sympathised with the Protesters' religious attitude, for they were devoted to the Solemn League and Covenant, and because of his own concern to maintain a viable voice in Scotland. Broghill explained that the Resolutioners loved the King and hated the English, while the Protesters "neither love him nor us". Argyll was a monarchist - as Lome assured Charles but now that the prospects of restoring the King seemed slender he might have decided to associate himself with the faction with whom, religiously, he had more in common.

108. For a description and examination of this rift see Frances N. McCoy, Robert Baillie and the second Scots reformation (Los Angeles, 1975), passim; Donaldson, "The Emergence of Schism", passim.


111. Baillie, op. cit., vol. 3, p. 249. For the state of Scotland at this time see ibid., pp. 249-51, 288.


113. In February (or thereabouts) 1654, Lorne penned a letter to a lady whose identity is unknown to us but who was evidently close to Henrietta Maria. This letter might have been intended for Charles's eyes. It was a vindication of Argyll's behaviour, and Lorne declared that he would entirely sever connections with his father, if he thought that Argyll opposed the King or monarchical government. Calendar of Clarendon State Papers, vol. 2, p. 318.
Dr. Ellen Goldwater shows that both Resolutioners and Protesters were deeply concerned with secular politics as well as church issues. While the Resolutioners favoured enfranchising all Scots presently compliant to English rule, the Remonstrants wished to give the vote only to those who were long time supporters of the parliamentary cause. This might throw additional light on Argyll's support of the Protesters: he might not have wanted to enfranchise those who would oppose him for his collusion with the English regime and would undermine the precarious position he was maintaining.

Dr. Clarges, Monck's brother in law, who described Argyll as "a crafty man", hinted that he was one of the Protester agents lobbying to limit the Scottish franchise, and Argyll certainly seems to have been attempting to counteract the influence of the Resolutioners' London agent, James Sharp.

One Englishman sympathetic to the Protesters was Charles Fleetwood, whom Argyll courted, and in the autumn of 1656 Argyll, again in London, reported to Wariston that Fleetwood had assured him that Cromwell was "reserving one ear for my friends" and that Wariston could, if he wished, become Lord Clerk Register.

115. Ibid., p. 27.
118. On the Protesters' side were Charles Fleetwood, John Lambert, Samuel Disbrowe - "all the swordsmen", as Wariston put it—with Dr. Owen and other Independent divines. Davies, op. cit., p. 221. At his trial Argyll claimed, in answer to the charge that he corresponded with Richard Cromwell and Fleetwood in 1658 and 1659 "by missive letters and other ways" that he did so only in pursuance of his own private affairs. Cobbett, op. cit., vol. 5, pp. 1379, 1404.
119. Argyll to Wariston, 14 October 1656, in Wariston, Diary, 1655-61, (ed. James D. Ogilvie, Edinburgh, Scottish History Society, 1940), p. 48; see also Ibid., p. 52.
employment from the English, accepted, and resumed his old post. Like
many Protesters, who would court neither "malignants" nor "sectaries" he
came to believe that Cromwell without "malignants" was preferable to
Charles with. 120

English suspicions of Argyll were heightened when they learned that
Charles had apparently told Don John of Austria, that "he always knew
how to gain" the marquis, and that he was "as assured" of Lorne as of
"his [own] brother". 121 In December 1656 Lorne was one of those
arrested by Monck for alleged complicity in Royalist plots. 122
Furthermore, Lorne and Loudoun refused, in January 1657, to sign a
renunciation by former Royalist rebels of the King and a declaration of
loyalty to the regime, and were imprisoned. 123

In May 1657 it was reported that Argyll "is one that will not show
by his own actings what his mind is, as to the government of these nations;
therefore you must know him by the actions of his near relations". The
report added that since returning from his English visit Argyll had shown

120. In 1657, when Wariston, having overcome his scruples, repaired to
London to seek employment from the English authorities he was suspected of
being motivated by personal greed;
"What, Wariston, and must they zealous knees
Bow to Baal? ..."
asked a poem regarding his "apostacy". See Kirkton, op. cit., pp. 175n-176n.

121. Thurloe State Papers, vol. 5, p. 604. "As for the report that Argyll
himself was getting great things from the English, he [Charles] said
how much he [Argyll] got, it was always the better for him, for the
business we need it all, for Argyll was a wise man, and would not stand in
the way alone". Charles allegedly added: "I have more of him than of any
other, and except for Cromwell himself, it is certain he carries immortal
hatred of Lambert and Monck and all the rest of their officers".


disaffection to the regime among those of his friends who had been "very
diligent" Justices of the Peace but now "seem as though they would let the
authority fall" since they had not held the last quartersessions which was
to be held at Inveraray the First Tuesday in May. 124 Evidently the
English decided that Argyll was at best a troublesome ally and they decided
not to assist him in his monetary disputes with Clan MacLean. 125

However, despite their strenuous efforts, the English were unable to
prevent Argyll being returned to Richard Cromwell's Parliament as member
for Aberdeenshire. 126

124. A gentleman in Argyllshire to Joseph Witter, Governor of Dunstaffnage,
20 May 1657, Thurloe State Papers, vol. 6, p. 295.

125. Witter to Monck, 23 May 1657, ibid., p. 306.

126. For Richard Cromwell's Parliament and the sketchy details of Argyll's
participation in it see Burton, op. cit., vol. 3, passim. For the
Scottish Members of Parliament see H. N. Mukerjee, "Scottish Members of
James A. Casada, "Scottish Members of Parliament: 1659", Notes and Queries,
Representatives in Richard Cromwell's Parliament", Scottish Historical
Representatives in the Cromwellian Parliament of 1656", Scottish Historical
William Spang: "Argyll, though he went thither a commissioner for
Aberdeenshire, and sat in the House of Commons, complying with the Protector
so long as he stood, and with the new Parliament so much as any desired,
yet was misregarded, and for fear of arraignment for debt, slipped away home
with small credit or contentment". Baillie, op. cit., vol. 3, p. 430.
For Argyll's claim that in 1657 Oliver Cromwell had not permitted him to
have his due by act of the Scottish Parliament, namely "half of excise of
wines and strong waters in Scotland for payment to me for a great sum laid
out by me for the Irish army" but "only so much yearly out of it". See
Cobbett, op. cit., vol. 5, p. 1404. cf. supra, note 66 and Burton, op. cit.,
vol. 4, pp. 447-48. On 12 April 1659 Monck informed Samuel Disbrowe
that he had heard that Argyll was ingrating himself with his fellow
Members of Parliament in order to get the remainder of the £ 12,000 owed
to him. Scotland and the Protectorate, p. 414.
In December 1658 Monck informed Thurloe that Argyll was trying to get himself - and Scots - chosen for the thirty Scottish constituencies, despite his office as Sheriff of Argyllshire, "neither do I guess he will do his Highness' interest any good". 127 In the following March he wrote of Argyll, "truly I think in his heart there is no man in the three nations does more disaffect the English interest than he, and I am confident I am not mistaken, and I think you will do very well to follow your resolution in keeping him out of the House, and I think there is enough (he being sheriff too) to do it". 128

But Argyll, who had been returned as member for Aberdeenshire, took his seat at Westminster on 23 March, and no attempt seems to be made to prevent him doing so. 129 Very little is known of his election campaign, and at first sight Aberdeenshire, in view of its Gordon connections and its history of resistance to the Covenants, would seem to be an unlikely seat for him. But it is probable he owed his support to a strong outpost of Protester ministers in that shire. 130


128. Monck to Samuel Disbrowe, 24 March 1659, Scotland and the Protectorate, pp. 411-12. Writing in 1658, Baillie reported: "Argyll can pay little annual rent for seven or eight thousand merks; and he is no more drowned in debt than in public hatred, almost of all, Scottish and English". Baillie, op. cit., vol. 3, p. 387. On 22 September 1657 Argyll's second daughter, Lady Mary, married the Earl of Caithness, and it was remarked that since her "tocher" (dowry) was "only" £ 20,000 Scots, many of the bridegroom's friends felt that he had chosen unwisely. Lamont, op. cit., p. 124.

129. Burton, op. cit., vol. 4, pp. 235-36. See also ibid., pp. 291, 293, 296, 304, 330-31, 341, 364, 373, 374, 377, 435, 479. On 2 April 1659 Argyll made a revealing statement in the House: "it is a maxim on the Church of Scotland, that ministers shall not meddle in civil affairs". It was surely indicative of his own antipathy towards theocracy.

130. For the attitudes of the ministers see I. B. Cowan, The Scottish Covenanters, 1660-1688, p. 32.
There is a dearth of source material on Scotland in the period immediately preceding the Restoration, and almost nothing to indicate Argyll's precise role. Thus, in the months following the dissolution of Richard Cromwell's Parliament on 21 April 1659 we catch only glimpses of the marquis.

In December 1659 the gentlemen of Argyllshire, in thanking Monck for remitting three months' cess, assured him that they were resolved to live peaceably and would endeavour to suppress "all tumults, stirrings and unlawful assemblies if any occur in our shire". They added: "we pray the Lord that mercy may meet together and righteousness and peace may kiss each other, for the wrath of man worketh not the righteousness of God, but there is a blessing promised to the peacemakers which we wish all may seek after". The style is very evocative of Argyll's, which suggests his hand at work.

In April 1660 it was reported that "underhand Argyll" with Loudoun and Lothian, were closely working with the Protesters, and in May Baillie wrote that Argyll and the leading Protester Patrick Gillespie had "a world at their back".


132. "The wrath of man works not the righteousness of God" is a phrase Argyll used at the end of a letter to Lilburne, 30 August 1653. See Appendix Two, Letter Three.

133. Rothes to Lauderdale, 18 April [1660], Lauderdale Papers, 3 vols. (ed. O. Airy, London, Camden Society), vol. 1, pp. 13-14. Rothes added that, these men excepted, "almost all persons of interest and quality in this nation does understand one another very well ..." Argyll was charged with being a member of the Committee of Safety, of which Wariston was President, but he stated that "I did never correspond ... with [Wariston] either to the prejudice of King or country or to my memory at all after the Committee of Safety met". Cobbett, op. cit., vol. 5, pp. 1379, 1404.

At the Restoration Scottish nobles, including Lorne, "flew to London, just as the vulture does to the carcass". The Provost of Edinburgh (Stewart of Coltness) and Robert Douglas, a leading Resolutioner, who had evidently heard tales, urged Argyll not to follow their example, and for a time he lay low at Inveraray. But he saw men, not all of them with unblemished records as Royalists, rewarded, and he must have assured himself that if they had nothing to fear, neither did he, a consideration

135. Kirkton, op. cit., p. 66. These included Lorne, who was ingratiating himself with Lauderdale, who was regarded as the rival to Middleton and sympathetic to the re-establishment of Episcopacy, and who had been associated with James Sharp. On 9 March 1660 Lorne wrote to Lauderdale that "the Lord will make you a noble instrument in our first settlement". BM. Add. MSS. 23113, fo. 86, Lauderdale Papers, quoted in Willcock, A Scots Earl in Covenanting Times (Edinburgh, 1907), p. 84, hereafter cited as Willcock, A Scots Earl. On 24 May Lorne reported: "I am now resolved almost with all Scotland to seek the satisfaction to kiss His Majesty's hand. No man in this country [is] so old or sickly or sullen or poor or peevish but is making ready". Ibid. Perhaps this was an attempt to make Lauderdale look kindly upon Argyll and was possibly a way of trying to ascertain whether there was any man (for instance, Argyll), whom Charles II did not wish to see. For the background to the Restoration see Sir Charles H. Firth, The Last Years of the Protectorate, 2 vols. (London, 1909) passim; Godfrey Davies, The Restoration of Charles II, 1658-1660 (London, 1955), pp. 215-33.


137. Glencairn became Chancellor, Middleton Lord High Commissioner to the Scottish Parliament, Crawford-Lindsay and Rothes Lord High Treasurers and Lauderdale Secretary of State for Scotland. Kirkton, op. cit., pp. 65-66; Haydn, op. cit., pp. 497, 502, 507, 514. Sir John Fletcher, who became Lord (or King's) Advocate had been among the first Scots to collaborate with the Cromwellian authorities. Kirkton, op. cit., p. 66. By contrast, Loudoun, despite what he had suffered during the Protectorate for his fidelity to the royal interest, was deprived of the Chancellorship and fined £12,000 Scots. On 27 April 1661 he wrote at some length to Charles. He regretted subscribing a letter which Glencairn and Rothes had persuaded the whole Scottish Parliament to sign (see Kirkton, op. cit., p. 101) part of which "doth reflect upon and condemns all the proceedings of Scotland these twenty-three years bypast as rebellious and which casts most unjust aspersions of disloyalty upon Your Majesty's ministers and most faithful servants who were then in public trust" and he vigorously professed his own loyalty "which in the worst of times I have handsealed with my blood and hardest sufferings in my person and estate ..." N.L.S., MS. 819, folio 2. Loudoun sided with Lorne during Glencairn's rebellion, and it seems unlikely that Charles, who accepted Lorne's sincerity, would have agreed with those who maintained that Loudoun "rambles along with him [Lorne] to give countenance to their designs". Nicoll, op. cit., p. 140. See supra, note 69. At Argyll's trial Loudoun presented a long and careful defence of his chief, prepared with the aid of ministers and lawyers. Cobbett, op. cit., vol. 5, p. 1504. He died in 1662.
probably coupled with the reasoning that it would be impolitic to delay
his homage for too long. Moreover, the King had, a decade earlier, promised
to make Argyll a Duke, a Knight of the Garter, a gentleman of the bed-
chamber, and pay him £40,000 sterling owed to him "whenever it shall
please God to restore me to my just rights in England ... All which I do
promise to make good upon the word of a King". 138

On 8 July 1660 Argyll arrived in London, but Charles refused to see him.
He was promptly arrested and on 30 November he was sent by sea to Leith
where he arrived on 20 December. On 23 January a formal charge of
High Treason against him and twenty-five associates was read before the
Scottish Parliament and four months later he was sentenced to death. 139

138. Charles II to Argyll, 24 September 1650, H.M.C., Sixth Report,
Appendix, p. 606. But cf. Charles's warning to Lorne in 1654 that "all
those who shall refuse to follow you" will be regarded "as unworthy of any
protection hereafter from me". See supra. Argyll's delay in going to Court
suggests that he must have been aware, at least to some extent, of the
hostility against him, though it is doubtful if he realised how prejudiced
the Earl of Clarendon (as Hyde had become) was against him. See infra,
ote 152. Lauderdale became the only Scots gentleman of the bedchamber.
Kirkton, op. cit., p. 65.

139. Wodrow, Sufferings, vol. I, p. 130. Argyll arrived in Edinburgh on
21 December and was lodged in the Castle. The transcript of Argyll's trial
is given in Cobbett, op. cit., vol. 5, pp. 1369-1516. For complementary
material see Wodrow, Sufferings, vol. I, pp. 131-57. There were fourteen
charges: (1) that he rose in arms against the King's loyal subjects and
told Ladywell that kings might be deposed; (2) that he marched with armed
men against the house of Airlie and burned it; (3) that in 1640 he besieged
Dumbarton Castle, a royal stronghold, and forced its surrender; (4) that
he procured the Convention of Estates in 1643, entered into the Solemn League
and Covenant with England, levied subsidies from the King's subjects,
raised an army and fought against the King's forces; (5) that in 1645
he burned the house of Menstrie; (6) that in 1646 he or his forces
besieged and captured the houses of Towart and Escog and killed a great
many gentlemen; (7) that he killed 300 men of the name of MacDonald
and MacColl at Dunaverty in cold blood and transported 200 men to Jura,
where they died of starvation; (8) that he went to London and agreed
to deliver up the King to the English Army at Newcastle upon the payment of
£ 200,000 pretended to be owing for the arrears of the army, treasonably
raised, in 1643; (9) that in 1648 in the Scots Parliament he opposed the
Engagement and assembled forces to oppose the Engagers, and met Oliver
Cromwell and in May 1649 signed a warrant declaring Ogilvy, Reay, Huntly and
Middleton, their wives and families, exempt from the protection of the
Kingdom; (10) that he loaded Charles II's invitation to Scotland in 1649
with many unjust restrictions, and consented to Montrose's execution,
corresponded with Cromwell unbeknown to Charles and authored and assented
to the act of the West Kirk, 13 August 1650; (11) that in 1653-54 he
aided the English usurpers against Glencairn and Middleton;

Continued ...
"Argyll executed".140 Behind this terse entry in the Edinburgh council records for 27 May 1661 lies something of a mystery. Why of all the noblemen who embraced the Covenants and later accepted the Cromwellian occupation was Argyll, the very man who put the crown on Charles II's head, the only one put to death? Indeed, why was he put to death at all?

Continued 139 ... (12) that he received a precept for 12,000 from Oliver Cromwell and consented to Richard Cromwell's proclamation, and sat in the latter's Parliament; (13) that he admonished the ministers of Argyllshire for praying for the exiled King; (14) that he positively advised Cromwell and Ireton in a conference in 1648 that they could not be safe until Charles I was put to death, or at least he did know of and conceal their intention to execute the King. For the act of the West-Kirk, or St. Cuthbert's Church, see Cobbett, op. cit., pp. 1415-16.

It is true that at the Restoration, and for several years before it, there was a chorus of strident voices calling for revenge. There was, for instance, the author of the savage verses on Argyll's conduct which appeared in 1656, and there was a tract published in 1659 which asked the reader to consider whether Argyll be not furnished with sufficient endowments to be Governor of Scotland, who is qualified as follows, viz.: who in the first place for enriching himself, banished and beggered his father and brother, and by bought pleas and legerdemain obtained the estate of the Marquis of Huntly united to his own, whereby for magnitude he possesses near the fifth part of Scotland for his inheritance: and for freeing the same of incumbrances, obtained two Acts of Parliament, discharging him of his feu-duities, and order for £ 30,000 sterling of the money given to the Scots army, when they marched out of Newcastle; and £1,000 sterling per annum of yearly pension from the late King; and a general contribution from persons of all ranks throughout the Nation of Scotland.

Then there was, on 19 June 1660, an anonymous and bitter reminder to the Provost and ministers of Edinburgh of Argyll's alleged misdeeds, stressing

141. This was C.C., Argyll's alleged "former servitour". See supra, Chapter 2, note 19. The tract's title page contains the astonishingly prophetic quotation: "an evil man seeketh only rebellion, therefore a cruel messenger shall be sent against him". The "cruel messenger" who sealed Argyll's fate at his trial was MacNaughton, who delivered the six letters "proving" Argyll's complicity with the English. See supra, note 68 and Appendix Two.

142. "A Lyvely Character of sum pretending Grandees of Scotland to the Good Old Caus, digested into Eight Queries", (London, 1659), in Nicoll, op. cit., pp. 237-40. Those criticised, besides Argyll, were Wariston, Lockhart of Lee, John Swinton and Robert Barclay. The tract appeared in May 1659, and was one of several similar "pamphlets and printed papers ... given out and vented against" Argyll, Wariston, Lockhart, Swinton "and others who seemed to depend upon the late Protector's family" after the dissolution of Richard Cromwell's Parliament. Ibid., pp. 264-65. This tract was allegedly written by Christopher Irving, Patrick Oliphant, George Pittiloch and William Miller. Andrew Hay of Craignethan, Diary ... 1659-1660 (Ed. A. G. Reid, Edinburgh, 1901), p. 55.
his part in regicide. And of course there were those clan chiefs and other individuals who had suffered, or considered themselves to have suffered, at Argyll's hands.

In addition, there was a very vindictive poem, beginning "Scotland now raise thy triumphs to the height" and describing Argyll's trial and execution. It appeared on 26 July 1660, in a pamphlet entitled "Argyll's Arraignment", shortly after Argyll's arrest and it takes the loss of Argyll's head for granted. For the full text of the poem see Maidment, A Book of Scoth Pasquils, pp. 118-19. Argyll does indeed seem to have been "a gone man", as James Sharp put it, adding: "the most able advocates cannot be induced to plead for him ..." Sharp to Patrick Drummond, 17 February 1661, Lauderdale Papers, vol. 1, p. 72. On 5 February 1661 the Scottish Parliament appointed Argyll's lawyers: Andrew Ker, Andrew Birnie, Robert Birnie, John Cunningham, George Mackenzie of Rosehaugh and George Norvel. Wodrow, Sufferings, p. 132. Norvel had previously done legal work for the House of Argyll. We are told that "from the day of their [Glencairn and Rothes] arrival to the day of his [Argyll's] condemnation, the Parliament had no rest from reiterated messages to despatch that process". Kirkton, op. cit., p. 101. Furthermore, 'never any Parliament was so obsequious to all that was proposed to them'. Sir George Mackenzie of Rosehaugh, Memoirs of the Affairs of Scotland from the Restoration of King Charles II (Edinburgh, 1821), p. 10. The Scots Parliament, proclaimed on 1 November 1660, had on 12 December 1660 been prorogued until 1 January 1661.
The list of aggrieved was a long and formidable one. It included the heirs of the first Duke of Hamilton and of Montrose who held Argyll responsible - in the case of the former at least incidentally - for the deaths of those two noblemen. It included the Gordons, who were bitter against Argyll not only for the death of the second Marquis of Huntly but for what they considered harassment and deception, and outright theft in his obtaining some of the Huntly properties.

144. The first Duke of Hamilton left two daughters, the elder of whom, Lady Anne, became Duchess of Hamilton in her own right on the death of her uncle, the second Duke, of wounds received at Worcester. In 1656 she married William Douglas, second son of the Marquis of Douglas. On her petition to the King at the Restoration her husband became Duke of Hamilton for his lifetime. In June 1660 the Duchess and her sister, Lady Susanna, petitioned the House of Lords that those who had sent their father to the block "be proceeded against and brought to condign punishment". L.J., vol. 11, p. 78; H.M.C., Seventh Report, pp. 111-12. Although this did not directly include Argyll, the two women undoubtedly felt bitter towards him for his failure to intercede on Hamilton's behalf, for the Campbell depredations on Arran between 1640 and 1646; and for his alleged treatment of Sir James Lamont, who in 1651 had taken refuge with Duchess Anne at Brodick Castle, to escape capture by John Campbell of Ardtarich and thirty armed Campbells who were searching for him. Cobbett, op. cit., vol. 5, pp. 1384-85. Then, too, the sisters would have shared the resentment of the second Duke's daughters regarding his exile on Arran after the passing of the Act of Classes and of his treatment of the Countess of Dirleton, who had been the second Duke's mother-in-law.

145. The sixth Marquis of Montrose forebore to sit in judgment on Argyll lest his animosity prejudice his verdict. There seems to have been widespread bitterness towards Argyll as a result of Montrose's execution, even though he took no ostensible part in the proceedings that led up to it. In Hyde's view Montrose was "the worthiest and noblest person Scotland ever bred" and Argyll "believes ... executing Montrose to be as decent a ceremony to precede the coronation, as the execution of Huntly was to succeed the proclaiming of the King". Hyde to Sir Toby Mathew, 12 June 1650, Calendar of Clarendon State Papers, vol. 2, p. 68.

146. Lewis Gordon, Marquis of Huntly, had fostered hatred of Argyll since at least July 1653 when, at Argyll's request, he met his uncle at Finlaing to discuss financial matters. In a paper evidently written after 27 May 1661, since it refers to Argyll's death "by the hands of men", the Gordons claimed that in the summer of 1653 Argyll "thought it high time to set his pretensions on foot against the family of Huntly ... having failed to persuade the English that he should possess Huntly's estate he accumulated all Huntly's debts and took out letters of horning [outlawry] against him". Also, "he contrived one of the [most] devilish plots that could be hatched in a man's brain" by leading Huntly to an obscure part of the Highlands under Campbell domination. It was even claimed that Argyll would have assassinated his nephew had he not died a natural death. S.R.O., Gordon Castle MSS., GD 44/14/1/1. These grudges held for at least fifty years, for in May 1703 one Adam Gordon of Auchanacie testified to having witnessed the meeting between Argyll and Huntly. Ibid., GD 44/14/1/3. Continued...
Sydserf, the only one of the pre-Covenant Scottish bishops still alive, who remembered the disputes he had had with Argyll over Rutherford and Earlstoun, and Glencairn, who was first cousin to the two dead Dukes of Hamilton and who blamed Argyll for the failure of Royalist efforts in 1653-54. It included Lamont, MacLean, Stewart of Appin and many others, and, of course, the King himself.

Continued 146 ... In his testimony Gordon likened Argyll to "Achitophel". Interestingly, Gardiner, who does not appear to have read this document, called Argyll "the Achitophel of his generation". Gardiner, Commonwealth and Protectorate, vol. 1, p. 229. Evidently both he and Gordon had in mind John Dryden's political satire Absalom and Achitophel, in which Achitophel is Shaftesbury, "for close designs and crooked counsels fit". See E. Cobham Brewer, The Reader's Handbook (London, 1925), p. 5. Charles, Lewis Marquis of Huntly's younger brother, who gave evidence against Argyll at his trial, wrote that he believed Lauderdale, "who has been all along a constant and inveterate enemy to our family", would oppose Gordon claims for justice, and he implied that Lauderdale would support Argyll. Aboyne to Robert Gordon of Straloch, 6 April 1661, "Straloch Papers", Spalding Miscellany, vol. 1, p. 38. Lord Charles Gordon had been created Earl of Aboyne in 1660. See also a Gordon petition to Charles II dated 14 April 1662, which claimed that Argyll had "almost extinguished" the fortunes of the House of Huntly by taking possession of the whole estate. S.R.O., Gordon Castle MSS., GD 44/2/8/15.

147. In the autumn of 1660, or thereabouts, Sydserf drew up a paper which urged that Presbyterian government should not be permitted in Scotland since it would encourage "the discontented party" in England, and he strongly advocated the re-introduction of the Scottish bishops and the calling of a Parliament, "that the same hand may take them in orderly which disorderly did thrust them out". See Godfrey Davies and Paul H. Hardacre, "The Restoration of the Scottish Episcopacy", Journal of British Studies, vol. 1 (1962), pp. 32-53, particularly p. 39. For Sydserf's disputes were Argyll, then Lord Lorne, see supra, Chapter 2.

148. Hamilton's mother, Anne Cunningham, was Glencairn's aunt, Burnet described Glencain as "a grave and sober man, but vain and haughty". Burnet, Own Times, vol. 1, p. 103. For Glencain's opinion of Argyll see supra. A list of prosecution witnesses attesting to Argyll's being in arms at the time of Glencain's rebellion is given in Wodrow, Sufferings, vol. 1, pp. 149-150. They include the third Duke of Hamilton and the Earl of Atholl. For witnesses supporting the other charges see ibid., p. 150. Elsewhere Wodrow reported a rumour that "Middleton and Glencain ... had meetings and minutes betwixt them of an equal division of the Marquis of Argyll's estate among them". Wodrow, Analecta, vol. 2, p. 52. But see infra, note 190.

149. See "Petition of Sir James Lamont to the English, 1653", N.L.S., MS. 545, folios 13-14, which claim that Argyll, George Campbell, sheriff-depute of Argyllshire and James Campbell of Ardkinglas "not only wasted and destroyed my whole manors and estates, but also cruelly and perfidiously, against their oaths and capitulations, massacred your petitioner's whole friends, servants and tenants, and not content therewith have burnt and demolished my houses and hath also violently to this very house possessed my whole lands and estates ..." At the Restoration Lamont repeated these charges. See Cobbett, State Trials, vol. 5, pp. 1381-89. Middleton allegedly pressed the Lamont claims. Wodrow, Sufferings, vol. 1, p. 132.
Charles would have had many reasons to resent him, and these would have been inflamed by Argyll's enemies who surrounded Charles in his exile: Hyde, Glencairn, Middleton, Nicholas. Above all there was the persistent belief that Argyll had been involved in the execution of Charles I, and the rumour that he had, with Cromwell's connivance, planned to make himself "elective King" of Scotland on the Polish model, that he had told Callendar that "he never was for the King nor ever would be". He would resent him for his supposed collaboration with the English and his failure to support Glencairn's rebellion, and for aspects of his policy towards him, Charles, during his stay in Scotland: the pressing of the Declaration, the attempt to consolidate his own domination by foisting his daughter upon him, the removal of his advisers and courtiers, the strictness of the personal regimen forced upon him, the humiliation

150. For Argyll's relations and property disputes with the Tutor of MacLean see Highland Papers, vol. 1, pp. 323-33; ibid., vol. 2, pp. 416-17; Thurloe State Papers, vol. 6, p. 306. The Tutor of MacLean had associated himself with Glencairn during the latter's rebellion. See Scotland and the Protectorate, pp. 399-400 and supra.


152. Like Nicholas and many others, Clarendon had no doubt that Argyll was a party to regicide. Thus Argyll "had too deep a share in that wickedness to endure the shock of a new dispute and inquisition upon that subject ..." Clarendon, History, vol. 5, p. 7. Clarendon also tells us that at the Restoration "the Scots seemed all resolute and impatient to vindicate their country from the infamy of delivering up the last King ... and strictly to examine who of that nation had contributed to his murder, of which they were confident Argyll would be found very guilty". Lister, op. cit., p. 101. But the relevant charge against Argyll was dismissed for lack of evidence by one vote. Kirkton, op. cit., p. 87.

153. See Nicholas to Hyde, 1 May 1653, Nicholas Papers, vol. 2, pp. 9-10. Nicholas had been informed by Middleton that the Protesters "have declared that they will have none of the present government by the rebels, but will have an elective king not of the King's family. Some conceive they intend Lord Jermyn's dear friend, the Marquis of Argyll, and that it is concerted that an elective king should be in such a manner proposed first in Scotland the better to infuse the thought of it to the English rebels; and that Cromwell and Argyll (who are said to be ever dear and close friends) intend to share the two Kingdoms between them. And I conceive that this design of theirs were fit to be insinuated in England, so as it might be put into the hands of the Independents there as a design of the Presbyterians, for so you will find it to be". No such charge was made at Argyll's trial, but the allegation undoubtedly hardened royal - and Royalist - opinion against Argyll. The Venetian resident in England reported, after Argyll's arrest, that Argyll was "a rigid Presbyterian, and always hostile to the King". Giavarina to the Doge, 23 July 1660, C.S.P. Ven., vol. 32, p. 173.
of the fasts for the sins of the royal family, Robert Douglas's sermon at the Coronation which emphasised the primary duty of subjects to God and that ungodly rulers might be deposed, perhaps even the failure of the Covenanting regime to anoint him in accordance with tradition, since this was regarded as a superstitious ceremony. All this seemed so straightforward to one contemporary historian that he explained that Argyll died "a sacrifice to royal jealousy and revenge".


155. See supra, Chapter 9.

156. See Burnet, Own Times, vol. 1, p. 101 n.; Calendar of Clarendon State Papers, vol. 3, p. 137. The marriage proposal apparently galled Charles, who allegedly claimed that for Argyll to advance it meant that he thought he had the King entirely in his power.

157. See supra, Chapter 9.

158. Argyll is said to have reproved Charles one Sunday night for his womanising, drinking and association with "malignants". Although Charles is described as having simulated remorse, shedding "crocodile tears" he probably resented Argyll's interference - if, as quite likely, it really occurred - as unbecoming a subject. See James Maidment, Argyll Papers (Edinburgh, 1834), pp. 13-14. Argyll's own personal life appears to have been beyond reproach, and he may well have warned Charles, as he warned his own sons, of the dangers of over-indulgence in worldly luxuries, and of "converse with women of ill report ... for nothing is so chargeable [i.e. expensive] as an imperious beauty". See Instructions to a Son, pp. 42, 54, 60, 65, 84, 99, 110. The choice of the zealous and austere James Durham, who had baited Montrose, as Charles's personal chaplain during his stay in Scotland was symbolic of the King's treatment by Argyll and the Covenanters and was undoubtedly deeply resented by Charles. For Durham, a laird turned divine, see D.N.B., vol. 6, pp. 255-56.


160. Kirkton, op. cit., p. 70.
A more modern commentator states that Argyll died not because of what he had done but because of what he might still perform.161 This view presumably derives from Baillie's statement that "Argyll was very wise, and questionless the greatest subject the King had ... it was not thought safe he should live",162 and Burnet's that Argyll's "craft made them afraid of him",163 and Kirkton's that it was widely believed that Argyll's enemies sought his death "not because of the crime, but because of the man, who was as much hated for his activity in the late Reformation [i.e. the rule of the Covenants], and feared, because of his power, abilities and principles, as he was otherwise innocent".164 While these considerations undoubtedly played their part in hastening Argyll to the scaffold, there is another explanation, perhaps the key one. It may be that Argyll was executed for what indeed he had done - yet not for what he alone had done. It is entirely likely that he was a sacrificial scapegoat, whose blood was shed to expiate the guilt of the whole nation. "I alone am singled out".165

Dr. Patricia Crawford has traced the conviction that Charles I - "a man of blood" - should be executed to the ancient belief, still pervasive at that time, that without the expiation of the blood of the guilty for innocent blood the Lord would grant no peace in the land.166 Furthermore, "blood guilt was used by the conservatives to justify an action deemed politically expedient: radicals appealed to the idea to urge a new course of action".167

167. Ibid., p. 52.
There is no clear evidence that the concept of blood guilt was instrumental in determining Argyll's fate, but we should consider the hints that it might have been.

Thus while on 6 March 1661, in a speech before Parliament, Argyll begged "that the door of His Majesty's mercy may not be shut upon me alone, of all the subjects in His Majesty's dominions, for a dead fly will spoil a box of precious ointment", on 9 April he stated that "they might do with his person as they pleased, for by the course of nature he could not expect a long time to live, and he should not think his life ill-bestowed, to be sacrificed for all that had been done in these nations, if that were all".

"I dare boldly aver", wrote Clement Walker, "that Argyll and his faction in Scotland have been, and are, the chief malignants, incendiaries and evil instruments, who have been the ruiners of these three flourishing kingdoms, and the authors of the bloodshed in all of them ..." These words, written over a decade before the Restoration,

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169. Ibid., p. 143 n. Argyll added that he believed that "the main reasons" for his trial "are ... my alleged being a prime leader and plotter in all the public defences from the beginning ... [And] my being an enemy of His Majesty, and his royal father, which are both most unjustly charged upon me".

possibly reflected, might possibly have influenced, the views of others, who might have concluded that if the blood of the leader of the blood-guilty "faction" was shed, it would atone for the deeds of the rest.

The same idea appears in the verse:

Now the whole blood and villainy,  
That's happen'd in these nations three,  
Lies on thy score, the which will tend  
To bring thee to a dismal end.  

Argyll's execution was urged upon Middleton by Sir John Gilmour's brother Andrew. A lawyer who had acted for the MacLeans in their property disputes with Argyll, he evidently bore an inveterate hatred for the marquis, and it seems that the letters despatched by Monck had been sent to him before they were delivered to the Court by MacNaughton: "Argyll's letters so providentially came into my hands as if God meant thereby to discover to your Grace and Parliament the hollowness of his heart".

Andrew Gilmour advised Middleton that "I ... do affirm that the first two articles insisted on, of the Marquis joining in counsel and arms with the greatest rebels under Heaven against his own native and most gracious prince are clearly proved according to the strictest rules of the most rigorous laws". This being so, the late King's "blood cries for vengeance both on this Church and state, if your Grace does not expiate both ...".

171. "Account of the villainous actions of Archbald, Marquis of Argyle". The poem on "The Execution of Argyll", in Maidment, A Book of Scotish Pasquils, pp. 118-19 proclaims:

We may justly crave  
Vengeance on him, who most unjustly gave  
Such barbarous injustice unto all.

For the poem see supra, p. 143.


174. Ibid.

175. Ibid.
Judging from the style and content, Andrew Gilmour was quite possibly the author of the afore-mentioned letter addressed to the Provost and ministers of Edinburgh in June 1660, which advocated shedding the blood of one who, although he was not named, was obviously Argyll:

"You have been pretending to praise God at the Church in the forenoon, and now to rejoice in the King at the [Mercat] Cross in the afternoon; where is the burnt offering, the atonement of the day, the propitiatory sacrifice of submission and satisfaction [which] should render the work pleasing to God, and acceptable to his anointed".

There are other indications that Argyll, as the most important man in the Kingdom, might have been sacrificed to atone for the national blood guilt, and avert divine wrath and thus ensure the Kingdom's peace. "Many asked whether the King was so devoid of justice to punish only one man for a guilty nation", wrote Kirkton. "Cannot our peace be secured without Argyll's head?" enquired Baillie.

It was claimed that Charles might have spared Argyll's life, being intent instead on punishing Eglinton. Certainly, there was a real possibility that Charles might incline to clemency and commute the death sentence since the charge of conspiring to take the late King's

176. See supra.
177. It will be recalled that his name appears in the title of the tract. See supra, note 143. The incidents referred to in the tract leave no reasonable doubt that Argyll was the "burnt-offering" urged.
178. See "True Copy of a Letter to the Provost and Preachers".
181. This was the view of "The Weekly Intelligencer", no. 17, p. 133, cited in Douglas, op. cit., p. 244n. Eglinton was, of course, a most dedicated and zealous Covenanter.
Indeed, Charles had at first ordered that no sentence should be carried out until he had received and studied the transcript of the trial, and Argyll's request that he be given a ten day reprieve during which he might plead his case to the King was not granted. Charles, having received the verdict, did sign Argyll's death warrant, but it arrived in Edinburgh two days after Argyll was beheaded. Evidently, Argyll was put to death in haste.

On 25 May 1661 Argyll received sentence. He was "found guilty of High Treason and adjudged to be executed to the death as a traitor, his head to be severed from his body at the cross of Edinburgh, upon Monday, the 27 instant, and affixed in the same place where the Marquis of Montrose's head was formerly, and his arms torn before the Parliament, and at the Mercat Cross". Wodrow, Sufferings, vol. 1, p. 150. On the day of sentence the Parliament, which tried him, was poorly attended, and Glencairn was absent. Sentence was therefore pronounced by Crawford-Lindsay, "with tears, witnessing his dissent and dislike thereof". McCrie, op. cit., p. 385. Before the sentence was pronounced, but after the announcement of the verdict, Argyll declared: "I crave but ten [days], that the King may be acquainted with it". This was refused and, on hearing the sentence, Argyll remarked: "I had the honour to set the Crown upon the King's head ... and now he hastens me to a better Crown than his own". Wodrow, Sufferings, p. 150 n. For Argyll's abortive escape plan see Cobbett, op. cit., vol. 5, p. 1505.

It was apparently as a result of Lorne's intervention on Argyll's behalf that Charles requested Middleton to instruct the Lord Advocate, Sir John Fletcher, to drop all charges covered by the Acts of Oblivion of 1641 and 1651 and ordered him to send the completed trial transcript to him for consideration before sentence was passed. However, Middleton allegedly resisted this last command on the grounds that it would demonstrate distrust of "a loyal and affectionate Parliament", and Charles relented. Ibid. But his signature was still required on the death warrant. For the Acts of Oblivion see Cobbett, op. cit., vol. 5, p. 1498.

However, Argyll's letter to him is endorsed: "Powerful sender was gone before I received this, and before my nephew's arriving, so that I could not meddle". N.L.S., MS. 3648, loc. cit. The fact that this letter was written a fortnight before the trial ended suggests that Argyll had little doubt what the verdict and sentence were likely to be. He also wrote to Clarendon, who had been instrumental in ensuring the safe passage of the English Act of Indemnity (passed 16 August 1660, and which protected everyone but regicides), begging him to intercede on his behalf with Charles, "though I be a stranger to you", when "doubtless many of my own countrymen, from a pretence of zeal to His Majesty's service, have been so prodigal of their informations against me, as to load me with the burden of all calamitous events, many doubtless doing it through mistake and mis-information, and others to lay the blame at one man's door (though more innocent than many others) rather than put it where it ought justly to lie". Continued...
"I am condemned ... it is well-known it is only for compliance, which was the epidemical fault of the nation", announced Argyll, a view endorsed by Sir John Gilmour, president of the court which tried him. Having scrutinised the process, he said, "I can find nothing proven against the marquis but what the most part of this House are involved in as well as he, and we may as well be found guilty". Middleton concurred: "we are all of us, or most, guilty, and the King may pitch on any he pleases to make examples".

Continued 185 ... Argyll did not enlarge upon this last, cryptic, phrase. He denied that he had acted "with any intention to the prejudice of His Late Royal Majesty or His Gracious Majesty who now is". Moreover, "although I lay no claim of merit upon any of my endeavours for His Majesty's service, being no more than my duty, yet ... I was ever faithful and sometimes useful, and never disloyal to His Majesty nor his interest" yet "I might be carried away in a spate by human imbecility, which His Majesty's gracious inclination to clemency has pardoned to all other subjects in all his dominions ..." This letter was written on or after 21 April 1661, when Hyde became Earl of Clarendon. Lister, op. cit., vol. 3, p. 129. Clarendon was not exactly a "stranger" to Argyll, who had in June 1660 stopped him in London and vainly begged him to persuade Charles to grant him (Argyll) an audience. Argyll's sons attempted to intercede with Charles on their father's behalf. See Argyll to "Loving Son" (identity uncertain), 11 May 1661, N.L.S., MS. 546, folios 5-6. On the scaffold Argyll declared: "I do not repent my last going up to London ..." Cobbett, op. cit., vol. 5, p. 1507. But in his Bible he has heavily marked Acts, Ch. 26, verses 31-32: "This man might have been set at liberty, if he had not appealed unto Caesar". Alongside the preface to 1 Peter, Ch. 4; he has written "21 10br. 1660". (i.e. 21 December 1660, the date of his committal in Edinburgh Castle ) and he has underlined verses 1-2: "He exhorteth them to cease from sin by the example of Christ, and the consideration of the general end that now approacheth and comforts them against persecution". N.L.S., MS. 1871.

186. Last speech, Cobbett, op. cit., vol. 5, p. 1506; cf. the letter which Argyll wrote to the King on the morning of his execution: "... of all those great crimes which have been charged upon me, there hath nothing been proven, except a compliance with the prevalent usurping rebels, after they had subdued all Your Majesty's dominions, to submit unto their lawful power and government, which was an epidemical disease, and fault of the time". He added: "what measure soever I have met with, and whatever malice and calumny hath been cast upon me, yet it is my inexpressible joy and comfort under all these sufferings, that I am ... acquit of any accession to that execrable murder committed against the life of your royal father, which ... my soul did ever abominate ... And now I am confident that Your Majesty's displeasure will be satisfied, and you will suffer my failings to be expiate with my life ..." He added that he threw his wife and children on the King's mercy. Argyll to Charles II, 27 May 1661, Wodrow, Sufferings, vol. 1, pp. 154-55.


188. Ibid.; cf. Wodrow, Sufferings, vol. 1, p. 150: "Without doors it was said, ... Argyll had done nothing, but what was necessary by the
Perhaps this convinced Argyll's judges that, if the sin was indeed communal, Argyll should atone for it, and secure a fresh beginning for the rest.

Burnet asserted that Argyll's enemies "resolved to divide his estate among themselves". In particular it "was the morsel Middleton designed for his own mouth, trusting well that should be the King's reward for his noble service". Thus Middleton hoped to have Argyll declared an accessory before the fact to the crime of regicide, since his estate...
would be forfeited. 191

Many thought that Lauderdale defended Argyll against Middleton, but he denied being the marquis’s champion: “every week I find, by letters from Edinburgh, that I am reported there to be the great agent for my Lord Argyll, a calumny ... false”. 192 Indeed, Clarendon asserts that Lauderdale’s advice was that Argyll “should be first out of the way, who was looked upon as the upholder of the Covenant and the chief pillar of the Kirk, before any visible attempt should be made against the [Covenant], which would assuredly be done by degrees”. 193 And Mackenzie of Rosehaugh reported that Lauderdale feared that Argyll might become “a new rival”. 194

Continued 190 ... execution. A charge against Argyll throws further light on Middleton’s detestation of the marquis: “As also you upon the 4 day of May 1661 having taken upon you most reasonably the supreme authority of this kingdom, give warrant under your hand for issuing out a proclamation declaring that the wives, children and families of James, Lord Ogilvy, Lord Reay, Lewis Marquis of Huntly ... John, now Earl of Middleton ... should be no longer under the protection of this kingdom, and that such course should be taken for transporting them out of their country to foreign parts, as the Estates of Parliament, or their Committee, should think fit”. Cobbett, op. cit., vol. 5, p. 1414. Sir George Lockhart of Carnwath wrote to an unknown peer (possibly Middleton): “I had this day the perusal of the signature of the estate of Argyll in order to my Lord Lorne’s security as to what His Majesty designs for him ...” H.M.C., Laing MSS., vol. 1, p. 319. The date is here given as 29 March 1661, which appears to be a misprint for 29 May 1661, two days after Argyll’s execution and the date on which Argyll’s death warrant, signed by Charles, was received in Edinburgh.

191. Kirkton, op. cit., p. 142; Argyll Papers, pp. 9-14. Earlier Argyll had challenged Sir John Fletcher, the Lord Advocate: “What could I think,” he exclaimed, “or how suppose, that these unhappy compliances were criminal, at the time when a man so learned as His Majesty’s Advocate received the same oath to the Commonwealth as myself?” Cobbett, op. cit., vol. 5, p. 1499 n. Fletcher was apparently a friend of Middleton, to whom, despite his own acceptance of employment under Cromwell, he owed his present office, “in which he had the opportunity to make all the subjects of Scotland redeem their lives at his own price ... upon the account of their old alleged rebellions, and their late compliances with the English, in which himself had been a ringleader”. Kirkton, op. cit., p. 66. It is probably not without significance that Fletcher, like Andrew Gilmour and Sir John Gilmour, had acted as a lawyer for the Macleans of Duart in their disputes with Argyll. Highland Papers, vol. 2, pp. 416-17.

Since, as Dr. Crawford shows, blood guilt provided a convenient excuse for expedient measures, it would have well served those who wanted Argyll removed. They could have recourse to the concept when all else failed, as when their desires conflicted with legal niceties and the law threatened to jeopardise their plans. By invoking the notion of sacrificial atonement for communal blood guilt they could proceed as they wished on the grounds, even in the conviction, that in serving themselves they were serving the nation. This may well be what happened in 1661.

193. Quoted in Lister, op. cit., vol. 2, p. 105; but cf. ibid., p. 101: "as it grew quickly to appear that what bitterness soever the Earl of Lauderdale had expressed towards him in his general discourses, he had in truth a great mind to preserve him, and so kept such a pillar of presbytery against a good occasion, which was not then suspected by the rest of the commissioners".

194. Mackenzie of Rosehaugh, op. cit., p. 13. Apparently Lauderdale had vigorously opposed the mooted marriage between the King and Lady Anne Campbell. Ibid., p. 38. Rosehaugh was one of Argyll’s defence lawyers. See supra, note 143. Monck’s motivations for sending to the Scottish Parliament the "six letters" which condemned Argyll are obscure. On 26 January 1660 he had signed an open certificate that a company of 100 men raised by Argyll in 1654 "for the security of Argyllshire" were "paid by the pretended Parliament for a short time" but "I, finding that the men did the Parliament little or no service at all, thought fit to disband them" after about three months. H.M.C., Sixth Report, Appendix, pp. 616-17. On 7 December 1660 Monck certified that Argyll’s presence "at the Cross at Edinburgh, for the proclaiming of Richard [sic] Cromwell in the year 1657 was upon a desire by the then Council in Scotland that all noblemen of that Kingdom then in Edinburgh should appear there". Ibid., p. 617. (Oliver Cromwell was proclaimed at Edinburgh on 15 July 1657. See Thomas Gumble to William Rowe, 16 July 1657, Thurlow State Papers, vol. 6, p. 405.). This seems to indicate that Monck was at first going to some trouble to safeguard Argyll. Certainly he distrusted the marquis (see supra) and he had been warned by his brother-in-law, Clarges, that Argyll’s dissension with Hamilton’s faction "was more to support Argyll’s lust and ambition than out of godliness" and that "Argyll is a crafty man". Clarges to Monck, 15 June 1657, Burton, op. cit., vol. 2, p. 250. Precisely why Monck was, at the eleventh hour, moved to such vindictiveness against Argyll is a mystery. Clearly, Argyll would have agreed that "Monck is a Devil". Lord Mordaunt to Charles II, 16 January 1660, Clarendon State Papers, vol. 3, pp. 651-52.
"That is my lot to be persecuted by lies", Argyll once complained, and so it seems. To an anonymous contemporary he was "the Proteus of the age", an unprincipled political turncoat. And the idea that he was at heart a republican, that he was implicated in the execution of Charles I, has persisted, despite the official withdrawal of the charge. His image suffers in Sir Walter Scott's novel *A Legend of Montrose*, which reflects the traditional view of his character (although in presenting Argyll as a dark, ponderous, mysterious figure Scott seems to be confusing him with Hamilton) and to a lesser extent - he is depicted in more human terms - in Neil Munro's novel *John Splendid*. In general, the judgment of history has been harsh, shaped by a tendency to personalise and oversimplify the Scottish politics of this period in terms of the rivalry and enmity between Argyll and Montrose. Clearly, Argyll has been no match for the apotheosised Montrose of legend.

Several factors have been against him: his squinting eye and consequent rather unattractive appearance, which are seen to particular disadvantage in his most familiar portrait, his championship of a dour religion, his leadership of the most aggressive and most generally hated clan in the Highlands, his reputation for cowardice and brutality.

However, divested of partisanship and prejudice, Argyll's political career would appear to be that of a moderate and far-sighted statesman, motivated by a desire to achieve the best, as he saw it, for the Scottish nation, over and beyond the natural considerations of self-preservation and the aggrandisement of Clan Campbell. The fact that he was a clan chief who also strode the national stage accorded Argyll a unique position in Scottish politics, and it afforded him a unique opportunity for exerting influence. It meant that he had a double arena, and that he was backed by a
private army. In becoming a national political figure he was taking the Lowland awareness which had characterised the House of Argyll for the preceding few generations (certainly during the sixteenth century) to its logical fulfilment.

Beyond the natural preoccupation of Argyll the Campbell chief three main factors integral to his statesmanship may be identified, three main factors which, in the abstract (but not, as he soon perceived, in practice) merged comfortably into one goal: the government of Scotland was to be patriarchal, administered by a coterie of Calvinist nobles in partnership with the Kirk, and held in trust from God.

These factors were: first, a sincere dedication to Presbyterianism and to the Covenants, as both the true religion and the expression of Scottishness; secondly, a conservative and self-interested desire to maintain the commanding predominance of the nobility within Scottish society; thirdly, a patriotic regard for his nation's welfare, which encompassed the idea of a monarchy whose powers were restricted in line with supposed past practice, and of union with England so long as such union accorded with the Solemn League and Covenant and only if it was on terms favourable to Scotland.

This dissertation has aimed to demonstrate that Argyll was essentially a moderate conservative and a limited monarchist and that the constitutional balance which he sought and achieved was tilted and finally upset by the unwelcome radicalism of some of his associates and that he was ill-served by Charles I's intransigence and Charles II's mistrust. As discussed above, Argyll viewed the policy of Covenanting zealots and English Independents alike as potentially destructive to the hierarchical structure on which the power and privileges of the noble estate depended. He could not accept with equanimity the Cromwellian occupation and union,
which abolished the monarchy - intrinsic, in Argyll's mind, to the interests of the nobility - and which demolished the constitutional settlement that Argyll had achieved in 1641 and so diligently and with difficulty had endeavoured to maintain thereafter, and which destroyed both his autonomy and his nation's independence. Argyll thought he could be the servant of the Covenant while at the same time making the Covenant serve him. In the short term he succeeded, but in the long term his statesmanship was defeated by policies engineered by others, the effects of which he was unable to contain.

To his dismay he found that his zealot allies were not content with the constitutional settlement of 1641 which his own policies had effected. That settlement had regained the balance in the Scottish constitution which had been deranged by the King; the theocratic state sought by the zealots would tilt the balance towards the Kirk. The dominance of the bishops would be replaced by that of the ministers, and the position of the nobility in the Scottish polity would again be jeopardised. Argyll tried to control his zealot allies, and he failed.

"We are not born for ourselves", he commented in 1643,

Every man knows or should know his duty and relations ...
Moses the man of God chose rather to suffer affliction with the people of God than enjoy the pleasures of sin for a season.

In a sense his words were prophetic. "[These] times are like either to be very sinning or very suffering times", he observed on the scaffold,

and let Christians make their choice: there is a sad dilemma in the business, sin or suffer ... Others that will choose to sin shall not escape suffering ...
mine is but temporal, theirs shall be eternal; when I shall be singing, they shall be howling.

One suspects he found some satisfaction in his death.
Notes to Epilogue


2. Harleian Miscellany, vol. 8, p. 28. This is the tract previously mentioned as possibly authored by Clement Walker. See supra, Chapter 1, note 84. Included with it is a bogus and satirical "Last Will and Testament". In it "Argyll" refers to "all my unparalleled rebellions, treasons, murders, rapine, plunderings, witchcraft, perjury, covetousness, and sacrilege". It continues, inter alia: "to any that can, or shall, prove Presbytery to be jure divino, I will give him three kingdoms: for then they will not be worth the having, and the Devil's proffer, and my legacy, will be all one. I give to the wife of Oliver Cromwell, for his keeping the Covenant in the right sense by murdering the King, a groat a day". Ibid., p. 29. "To the vassals of my seigniory, I give their long-desired freedom". Ibid., p. 30. Argyll himself was aware that he had a reputation for being "a cruel, rigid landlord". See Instructions to a Son, p. 93. The "executers" of the "will" are "my loving and intimate friends", Wariston and William Dundas, and the "witnesses" are Sir John Chisley and David Leslie. Harleian Miscellany, vol. 8, pp. 30-31. For Dundas see supra, Chapter 9. Certainly it is unlikely that the real author of the tract was a Scot. Thus, in the rest of the document, which is devoted to a description of Argyll's "character", we learn that the marquis was "a most dextrous artist in that prime quality of a Scot, dissimulation, which was the ground-work of all the exploits he did after". And "it is most evident that the right spelling of Covenant is covetousness". The author was suggesting here that Argyll had "sold" Charles I to the English Parliament in 1647. Ibid., p. 31. The marquis was compared with Strafford: "He was such a minister of state, that he might well be ashamed of himself, and his prince as rightly fear him". He could "fight with the pen and the sword at one and the same time". And he "probably advanced his designs to that which Hamilton was suspected of". Ibid., p. 32. The last remark alluded to suspicions that Hamilton sought the throne of Scotland. In support of the supposition that Walker authored this tract, it should be borne in mind that he was associated with the Hamilton brothers during the Engagement.

3. As he surely expected, Argyll attained a prominent place in Covenanting hagiography. See, for instance, the panegyric on Argyll and his fellow sufferers by John Welch, a Galloway minister, in a sermon preached in 1676. Kirkton, op. cit., pp. 71n - 72n. John Howie of Lochgoil, an eighteenth century Covenanting apologist, wrote that Argyll had "piety for a Christian, sense for a counsellor, courage for a martyr, and a soul for a King". Quoted in Alexander Smellie, Men of the Covenant (London, 1905), p. 62. In 1706 the stone of the Martyr's Monument in the old Greyfriar's Church, Edinburgh, was laid. It paid tribute to Argyll, as the first of those who, up till the death of a certain James Ranwick in February 1688, suffered for the Covenanting cause. They stood Against perjury resisting unto blood
Adhering to the Covenants and Laws ...
and who were
noble martyrs for Jesus Christ.
For the full inscription see W. M. Bryce, History of the Old Greyfriar's Church, Edinburgh (Edinburgh, 1912), p. 54. One admirer wrote that "as he [Argyll] was a very great support to the work of reformation, so it was buried with him in one grave for many a year". Kirkton, op. cit., p. 104.

When Argyll arrived in Edinburgh on 21 December with Quaker and collaborator Sir John Swinton "many thousands did gaze and exclaim against them as they came up the street, calling them traitors and such like". Lamont, op. cit., p. 162. But Baillie tells us that "however much he [Argyll] had been hated by the people, yet in death he was much regretted by many, and by none insulted over". Baillie, op. cit., vol. 3, p. 466. On the scaffold Argyll performed his own resolution to "die as a Christian without being affrighted". Although some spectators noticed that his nervous mannerisms and procrastination betrayed his terror, most, expecting that the reputed coward "would die timeously", were impressed by his deportment. MacKenzie of Rosehaugh, op. cit., p. 47; see also Wodrow, Sufferings, vol. 1, p. 150; Robert Lord Ker (later 6th Earl of Lothian) to his wife Lady Jean Campbell, May 1661: "I was ever a lover of your father, but this last action of his hath made me an admirer likewise ... God was pleased wonderfully to uphold him in his sufferings ..." H.M.C., Sixth Report, Appendix, p. 607; cf. Loudoun to Lorne, 6 June 1661: "God was gracious to him in clearing him from the most heinous crimes, and in giving him strength to die with much Christian courage and patience". Ibid., p. 621. But Argyll's detractors have outnumbered his admirers. The most intemperate attack on him by a modern commentator appears to be that by Jane Lane, op. cit., an unscholarly and partisan denunciation of the Covenanters in general and of Argyll in particular.

4. First published as part of the third series of Tales of my Landlord (Edinburgh, 1819).

5. i.e. John Splendid: the tale of a poor gentleman and the Little Wars of Lorn (first published Edinburgh, 1898).

6. The best known portrait of Argyll is undoubtedly that by David Scougal, showing a middle-aged and black-clad Argyll wearing a skull-cap, his red hair streaked with grey and his face strained with care and ill-health. With this may be contrasted Gerard Honthorst's often reproduced portrait of a handsome and appealing Montrose in armour.

7. The identification of Clan Campbell with the so-called "English interest", their championship of the Covenants, and in particular their involvement in the notorious massacre of the Clan Iain in Glencoe in 1692, has meant that even to the present day there is popular prejudice against "the Campbells", and not only among Scots or persons of Scottish descent. This has been detrimental to an objective view of Argyll.

8. Argyll Transcripts, Inveraray Castle, 22.5.1643, quoted in Cowan, op. cit., p. 149.
9. Cobbett, op. cit., vol. 5, p. 1507. This last speech does not seem to have been well received in Court circles. "Argyll hath done his family more wrong by his speech upon the scaffold than he hath done them right by his letter to the King, dated the 27 of May ..."

James Sharp to Sir Archibald Primrose, n.d., Kirkton, op. cit., p. 107 n. For Argyll's letter see supra, Chapter 10, note 187. On 7 November 1661 this speech, that of James Guthrie, and Covenanting books and papers, were ordered by the King's Advocate and the Provost of Edinburgh to be confiscated, and the printers were forbidden to produce any further copies. R.P.C.S., 3rd series, vol. 1, p. 73. Sir Archibald Primrose, who had become Lord Clerk Register at the Restoration, apparently spoke "most bitterly" against Lorne, whom he accused of knowing what the King intended against Argyll and still encouraging him to go to London: "but", wrote Lady Argyll to Lorne on 4 November 1661, "I know he needed none to persuade him to go; he did freely intend to yield himself ..." She added: "though I and my children be reckoned mill beggars we are in the hands of our good God ..." The patient, religious and sensible tone of this letter testifies to the character of Lady Argyll as a fitting wife for the marquis. N.L.S., MS. 3138, folio 21. See also N.L.S., Adv. MSS., 25.3.4, Commission for subdivision of the late Marquis of Argyll his estates (1664).

10. This suspicion is supported by Kirkton, op. cit., p. 104: "He was a man of singular piety, prudence, authority and eloquence; and though he had been much envied and calumniated, yet his death did abundantly cheer him".
Appendix One

The Oath to be taken by all members of the Parliament, 1641, and in all Parliaments hereafter, before they proceed to any act or determination.

For as much as the honour, greatness and happiness of the King's royal majesty and the welfare of the subjects dependeth on the purity of religion (as it is now established in this Kingdom) the laws, liberties and peace thereof, which ought to be sought after by all good Christians, loyal subjects and good patriots. And to be furthered by them, and by all such, as any means endeavour to shake or subvert the same.

Therefore, we undersubscribers, and every one of us, do in the presence of Almighty God, promise and vow that in this present Parliament we shall faithfully and freely speak, answer and express ourselves upon all and everything which is, or shall be proponed so far as we think in our conscience may conduce to the glory of God, the good and peace of the Church and State of this Kingdom. And employ our best endeavours to promote the same: and shall in no ways advise, voice [i.e. vote] nor consent to anything which to our best knowledge we think not most expedient and conducable thereto. As also we shall maintain and defend with our lives, power and estate, His Majesty's royal person, honour and estate, as is expressed in our National Covenant. And likewise, the power and privileges of Parliaments; and the lawful rights and liberties of the subjects: and by all good means and ways, oppose and endeavour to bring to exact trial all such as either by force, practise, counsel, plots, conspiracies or otherwise have done, or shall do, anything in prejudice of the purity of religion, the laws, liberties and peace of the Kingdom: And further, that we shall in all just and honourable ways endeavour to preserve union and peace betwixt the three Kingdoms, Scotland, England and Ireland: and neither
for hope, fear nor other respect, shall relinquish this vow or promise.

10 August 1641. Read in audience of Parliament who approveth the same, and appointeth the same to be taken by all members of this Parliament, and in all Parliaments hereafter, before they proceed to any act or determination.
Appendix Two

The Six Letters.

Letter One.


I have not yet seen my servant James Campbell whom I sent to your Honour after my meeting with my nephew [Huntly]. I sent the last week a letter to him wherein I desired him to acquaint your Honour with MacNaughton's return to a son of his within five miles of this, [i.e. presumably Inveraray], with Sir Arthur Forbes, one Captain Gerard Irvine (who was taken prisoner at Worcester and released since) and some others. Whereupon I have taken some men into my company for defence of my own person, which, God knows, is not much worth, but that Christian duty in using lawful ordinary means is not to be neglected. And I have no less ground but more to increase my jealousy, for my return hither [Inveraray?] I desired to know if I was clear in my own family. Whereupon I called for my eldest son [Lorne] that I might put him to it (as I did) to declare unto me if he was free from engagements with those people now stirring [Glencairn, Kenmure and their associates] and that he would assure me he would never engage with them. Howsoever immediately after his going out of my sight he took horse and went to Glenorchy, where it seems he had appointed a meeting with Auchinbreck, MacNaughton, Sir Arthur Forbes, and such as are of that crew. But immediately after I knew of his resolution I caused my last warning [to] come to his hands, whereof the enclosed is a copy. So what resolution he takes on it I know not, for he went from this upon Monday after twelve o'clock. This much I declare unto your Honour that what I do in this is sincerely done, as in the Lord's sight, before whom I must answer one day for all I do otherwise. And if I had not some apprehension that my presence here
[Inveraray] might hinder their designs in a great measure I had come myself to your Honour upon any hazard. And if your Honour require it let me be protected from violence and creditors, and I shall wait on your Honour when you please. They have not one man as yet together but their ordinary servants, and I believe without very great violence they will get but very few. Sir James MacDonald came here on Monday, whom I found most inclinable to peaceable and quiet living, but he wants not his own threatenings for it. I shall strive, with the Lord's assistance to do my best to hinder the country people here [in Argyllshire] from raising men, which I do find them very inclinable to obey. And I pray God [that] the guilty may find their own weight and that the innocent suffer not with them. I can say no more till I hear from your Honour, but that I am, your very humble servant, Argyll.

P.S. It is the way of all that take them to such ways as these people [Glencairn, Kenmure and their associates] are upon to make lies their refuge. They haunt the common people with them, either for stirring them up or disaffecting them as it makes for their purposes.

Letter Two.
Argyll to Lilburne, Inveraray, 21 July 1653.

I find the proverb true that experience may teach fools, and that it is the ordinary practice of such as has followed or do follow malignant courses to be expert in lying and dissembling; for though as I wrote in my former letter to you my son [Lorne] had professed that he intended not to join with the Highlanders, yet since his parting from this I hear he has resolved [to do] the contrary. And so your Honour's information concerning him has been better than mine. For after the writing of this letter which this
bearer carries, my servant James Campbell came home, with whom I received your Honour's letter, and has gotten any certainty that I have of my son's resolutions after than. Likewise yet I may assure your Honour for anything that I know there is not any at all that concerns this shire that countenances him in his present course and resolutions, except Auchinbreck, MacNaughton, Strachur, and Ardchattan. For the whole rest of the gentlemen of the shire are here with me at present, professing their unsatisfaction of his way, which they are to make known to himself this day; and though I dare say nothing positively in this world, yet I am very hopeful, with the Lord's assistance, they shall get very little concurrence from this shire in any of their desperate designs. Since the writing of my last letter, likewise, Sir James MacDonald tells me that he is to write to your Honour, and to desire the same favour which he obtained from Major-General Deane; and indeed I do really think he deserves it, for, so far as a Christian and a gentleman's expressions can be believed, I am persuaded he resolves to live peaceably, and indeed he is considerable in the Highlands and Isles. I find the gentlemen in this shire very inclinable to do their journey [i.e. proceed to Dalkeith] concerning Cess; and I am confident if they had present money, it would be instantly satisfied. And though it be never so inconsiderable that is to be had in money, it shall be received, and obligations, under their hands for payment of the rest at a certain day, whereof your Honour was to remove from Dalkeith, I have only sent a footman with this to find you out wherever ye are, that upon your advertisement where you are certainly to be found, I intend to send an express to wait upon your Honour. For in everything I desire, with the Lord's assistance, to walk uprightly, and so I shall remain .... Argyll.
Letter Three.
Argyll to Lilburne, Rosneath, 30 August 1653

I received your Honour's letter from DalKeith, the 24 of August. I doubt not but your Honour knows that the Highlanders who came together (and very inconsiderable) are divided and most part gone home. Only I hear my Lord Kenmure and MacNaughton, and, as some say, my son [Lorne] with them, are towards the head of Monteith, treating upon mischief, and boasting to fall upon any about them, who will not concur with them. I declare freely to your Honour I know not the man you mention, Cornet Redpath, neither heard I ever of him. I know, indeed, MacNaughton kept several in Kintyre unknown to me till I discharged him of any employment there from me, always I shall try [sic.] more of him, if possibly I can. What I wrote to your Honour anent the Assess [i.e. Cess] I am striving to make good, though all the impediments are cast in my way that disaffected people can. And if I had some few men in arms to assist me it it, I could do little; so much are ignorant people led by example, and do what I can, I profess ingenuously to your Honour that it will be impossible to get in money. I think I may get sufficient [? loans] at reasonable rates, wherein I have commanded the bearer to speak to your Honour more particularly. I acknowledge it was a very great oversight that your Honour was not acquainted, before the gentleman in Kintyre sent for those commodities which your Honour mentions. And if I had known of the doing of it, it had been so, but the truth is, if it be no more true than I imagine, your Honour I hope will not disallow of it, upon the ground that it is done. For, when I removed MacNaughton from his charge in Kintyre I did to him and the Lowland planters prejudice against him for what he did against the English. And he did vow and swear, if he were but able to command one man, he should be revenged on them, and not leave them one reeking house in Kintyre (I use his own words, reeking is smoking). Whereupon the gentlemen resolved to put themselves in some posture, with my concurrence,
to oppose any such violence of his, and all those brainsick people who are making stirs in the country, with whom, I assure your Honour, these gentlemen will never have any meddling but to oppose them. Neither shall any whom I have power of. The number of horse which was spoken of to me, which they conceived they could afford, was not above two hundred and twenty. So I cannot imagine that their provisions in furniture or equipment will exceed that quantity. This is the truth of all the business to my knowledge. So I entreat your Honour command me what is your pleasure and it will be done. For I trust in the Lord whatsoever the malice of men shall either openly calumniate me in, or privately suggest against me, my way shall be found straight, doing no other than what I profess, and that in His strength alone who is able to sustain His own and guide them in a way they know not. I want not [i.e. do not lack] presently [i.e. at present] the malice of all who are perversely disposed in this nation, which wants not its own weight of trouble and difficulty. But the wrath of man works not the righteousness of God. I will not trouble your Honour any more, but rest ... Argyll.

Letter Four
Argyll to William Clarke [Monck's secretary], Glasgow, 25 May 1654

I received a letter this morning from the Earl of Glencairn by MacNaughton's trumpeter, the copy whereof I send to you with my answer, which I did write and deliver in Colonel Cowper's chamber. You may show them to the Commander in Chief [Monck]. My Lord Burleigh and Sir James Halkett came here, who are engaged in several sums of money for me, and though I have several sums owing to me, by my necessary attendance always towards the Highlands for the public peace, I am like to suffer much [loss]: yet lest it may be mistaken, I shall make no desire of leaving off that duty
till it please God that business be further advanced, and that it be by
General Monck's allowance [i.e. permission]. I make no haste to
Argyll, for I conceive my being with the forces or near them is a better
protection for Argyllshire nor [i.e. than] anything I can do otherwise;
for these malignants in arms do imagine if they fall into the shire I will
be a better guide to the forces nor [i.e. than] any else, which is the
greatest restraint they have. I entreat you to send the enclosed letter
to Colonel Lilburne and present my humble service to the General Monck
..... Argyll

Letter Five
Argyll to Monck, 16 December 1654

After my last to your Honour I received these from my son [Lorne],
and the last of them is from a place within four miles of this [i.e.
presumably from Inveraray], and though I could not but be ill-satisfied
with the way that he [Lorne] never spoke of an assurance till he was
come that length, and that he ought to have thought it his best way to
submit himself to his parents and friends, yet at the earnest desire of
the gentlemen present, and their promise of real concurrence against him,
if he agreed not to my desire and theirs, I yielded to his, desire. So
we met, and not to be troublesome to your Honour with unnecessary circumstances
that passed, at last he was content to declare that he could not agree to
our desire till he exonerated himself first to Middleton, whom he termed
his General. This is all which he would come to in public, but that he
had taken [? will take] a day or sooner if he can, to give his positive
answer. In his way hither he took Daniel O'Neill, John Nicoll's man, who
was formerly taken by MacNaughton. His reason which he pretends was that
MacNaughton had released him, upon his engagement to go straight to your
Honour for releasing a soldier of his in exchange, and they were the more bold with him, as they say, because he served themselves for a time, and he pleases them in his discourse when he is with them. Howsoever he is released again. Before my son's coming here I did intercept some of their papers which they were putting abroad, and whereof they seemed to rejoice much, the printed petition by Colonels Sanders, Alured and Okey, with some momentoes [? memoranda] in another sheet of paper. I doubt not but your Honour has heard of an engagement betwixt some of the McGregors and the laird of Lenie and wherein some are killed on both sides and Lenie wounded.

It is the righteous judgment of God upon such people. I expected to hear from your Honour both amant the garrison and of Rosneath; but I know not if my letters may not have miscarried. I shall trouble your Honour no more at this time, for I am, Your Honour's most affectionate humble servant, Argyll.

P.S. After I had enclosed my letter, I received your Honour's, and though my lands in Rosneath be not wasted, yet they are so impoverished as they can pay me no rent almost at all. I find the allegiance that Daniel O'Neill has in service in the hills is strong, for he was only in Balcarres's regiment and had his capitulation.

Letter Six
Argyll to Monck, 14 September 1654

I doubt not but your Honour knows there is nothing more grievous to an honest heart than to be thought otherwise, especially by such whom they honour and desire to serve. I had not [i.e. would not have] said
a word at this time, if John Nicolls had not commanded me to wait on him
till he knew your Honour's pleasure anent [i.e. concerning] his stay here,
for I had his consent once to my going to wait on your Honour, and was
ready to part this morning. But now he had resolved the contrary. I
shall not fall upon particulars at this time, but as ever I had anything
of your good opinion or may yet serve you, let not prejudices grow without
hearing, neither let other men's constructions, who are apt to misconstruc-
me, take place with your Honour; neither let anything which has fallen
out hinder your Honour from doing that which you shall find necessary for
the public service; and though I shall not go about to excuse my ignorance
or weakness, yet upon the exactest trial that can be, which I beg may be
taken, if your Honour find any want in me either of honesty or affection
to the service your Honour was about, I shall be content to be accounted
and used as a most unworthy person. My request is that your Honour may
be pleased to call for me to wait on you and let me have your Honour's
grace as formerly, with an order for a convoy, and I shall not fail, God
willing, life and health serving, to be with your Honour speedily, and in
despite of the malice of men I trust in the Lord it shall appear I have
been faithful and that I am your Honour's affectionate humble servant,
Argyll.
FIG. 1. TERRITORY CONTROLLED BY THE CAMPBELLS

R. Duplain
FIG. 2. DISTRIBUTION OF PRINCIPAL SCOTTISH CLANS AND FAMILIES IN THE SEVENTEENTH CENTURY.

Note: Clans occupying territory controlled by the Campbells were considered feudal tenants of the Campbell chief.

R. Duplain
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FIG. 3 THE MALE LINE OF THE HOUSE OF ARgyLL

SIR COLIN CAMPBELL, LORD OF LOCHOW = HELENA (DAU. SIR JOHN MOR)
d. 1343

SIR ARCHIBALD CAMPBELL, LORD OF LOCHOW = MARY (OR ISABELLA) (DAU. SIR JOHN LAMONT)
d. c. 1394

SIR COLIN CAMPBELL, LORD OF LOCHOW = MARGARET (DAU. JOHN CAMPBELL)
d. c. 1414

MARJORY (DAU. ROBERT STEWART, DUKE OF ALBANY; GRAND DAUGHTER TO SIR DUNCAN CAMPBELL, LORD OF LOCHOW)
» LORNE ROBERT BRUCE)
d. c. 1420

ARCHIBALD, MASTER OF CAMPBELL = 1 ELIZABETH (DAU. LORD SOMERVILLE)
d. c. 1440

COLIN, 2nd LORD CAMPBELL AND 1st EARL OF ARGYLL = ISABELLA (DAU. JOHN STEWART OF LORNE)
d. 1493

ELIZABETH STEWART (DAU. EARL OF LENNOX) + ARCHIBALD, 2nd EARL
» FLODDEN, 1513

COLIN, 3rd EARL = JANE GORDON (DAU. EARL OF HUNTLY)
d. c. 1526

HELEN HAMILTON (DAU. EARL OF ARRAN) = ARCHIBALD 4th EARL
d. c. 1558

ARCHIBALD, 5th EARL
d. 1576

COLIN, 6th EARL = AGNES KEITH (DAU. EARL MARISHAL, WIDOW REGENT MORAY)
d. 1584

1 AGNES DOUGLAS (DAU. 7th EARL OF MORTON) + ARCHIBALD, 7th EARL
d. 1638

ARCHIBALD, 8th EARL, 1st MARQUIS
b.c. 1607, d. 1661
FIG. 4 THE MARQUIS OF ARGYLL'S SIBLINGS

1 AGNES DOUGLAS  b. 1574, d. 1607  7th EARL OF ARGYLL  b. c. 1607, d. 1638  2 ANNE (DAU. SIR WILLIAM CORNWALLIS OF BROKE)  d. 1636

1st MARQUIS
b.c. 1607, d. 1661
- MARGARET DOUGLAS

ISSUE

ANNE
b. 1594, d. 1638

ISSUE

ANABELLA
d. 1652

ISSUE

JEAN
- SIR ROBERT GORDON OF LOCHINVAR, VISCOUNT KENMURE
- 2 SIR HARRY MONTGOMERY

MARY
- SIR ROBERT MONTGOMERY OF SKELMORLY

ELIZABETH
d. UNMARRIED

1 SON, NO ISSUE

JAMES
b. 1611
- LORD OF KINTYRE 1638
or. EARL OF IRVINE 1642

d. S.P. BEFORE MARCH 1646

HENRY
b. 1615

CHARLES
b. 1615

MARY
- JAMES, LORD ROLLO

ISABELLA
b. 1614, d. after 1694

VICTORIA (CANONESS)

BARBARA (NUN IN BRUSSELS)

ANNELIZ
m. MR. BULLEYN, CHAPLAIN TO EARL OF CRAWFORD-LINDSAY; (BECAME A NUN)

ISSUE

ISABELLA
b. 1614, d. after 1694

(NU""N IN BRUSSELS)

ISSUE

ELIZABETH

d. UNMARRIED

JAMES
b. 1611

HENRY
b. 1615

CHARLES
b. 1615

MARY
- JAMES, LORD ROLLO

ISABELLA
b. 1614, d. after 1694

VICTORIA (CANONESS)

BARBARA (NUN IN BRUSSELS)

ANNELIZ
m. MR. BULLEYN, CHAPLAIN TO EARL OF CRAWFORD-LINDSAY; (BECAME A NUN)