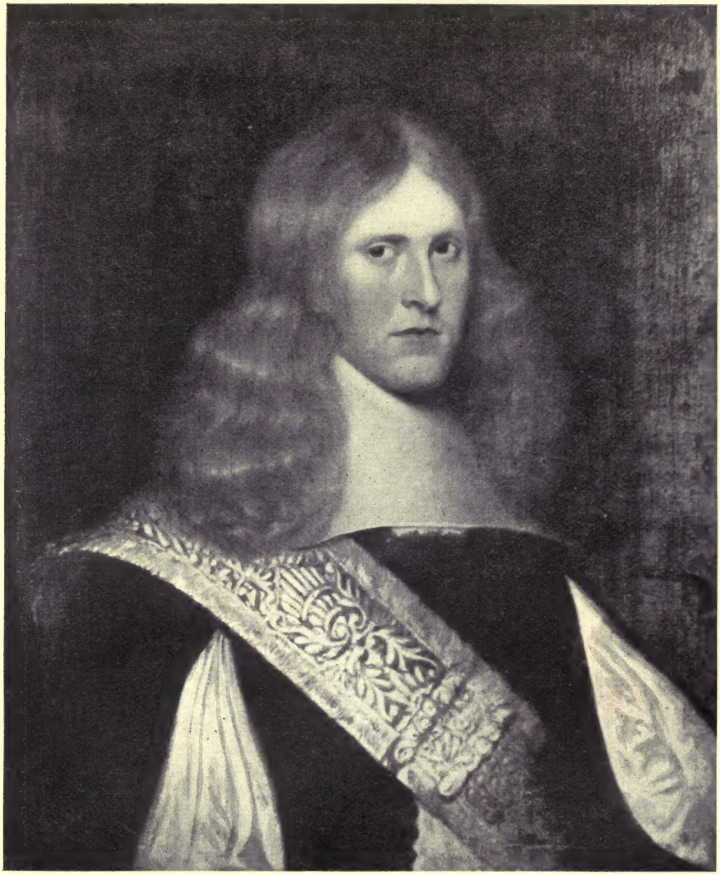


LORD LORNE.

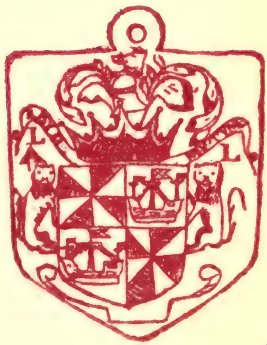
Probably at the time of his Marriage in 1626.

From Original in Newbattle Abbey.

THE GREAT MARQUESS

LIFE AND TIMES OF ARCHIBALD, 8TH EARL, AND 1ST (AND ONLY) MARQUESS OF ARGYLL (1607-1661)

BY JOHN WILLCOCK, B.D.
AUTHOR OF "A SHETLAND MINISTER OF THE 18TH CENTURY" "SIR THOMAS URQUHART, OF CROMARTIE, KNIGHT," ETC.



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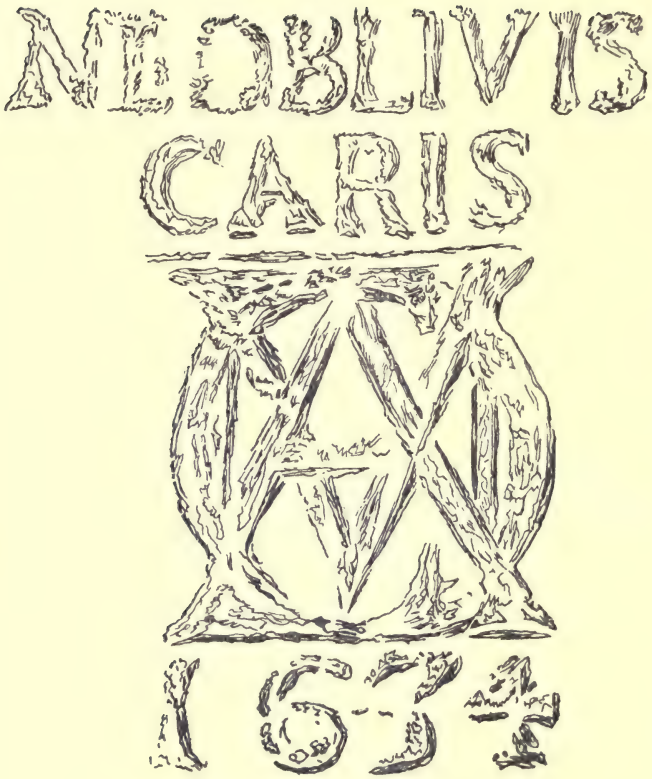
OLIPHANT ANDERSON & FERRIER
1903



INTERTWINED INITIALS, A. C. AND M. D., ARCHIBALD CAMPBELL AND MARGARET DOUGLAS, AFTERWARDS MARQUESS AND MARCHIONESS OF ARGYLL, FROM A RUBBING TAKEN FROM AN INSCRIBED STONE FOUND AT ROSNEATH.

DEDICATED

BY SPECIAL PERMISSION

TO

HER ROYAL HIGHNESS PRINCESS LOUISE,

DUCHESS OF ARGYLL

PREFACE

THE title of "The Great Marquess" is one which has been applied both to the subject of the following biography and to his rival Montrose. The title in question has not been conferred upon either of them by the general consent of their countrymen, for each has had a large circle of enemies and detractors, and accordingly neither of them can claim any definite property in it. Those, therefore, who may have been accustomed to think of Montrose as "The Great Marquess," and have now this volume in their hands, are asked to read it with an open mind, and only to come to a final decision as to whether the claim put forward for Argyll's right to the title is valid after they have perused the story of his life.

No one can write of either of the two Marquesses without forming and expressing some opinion of the other, and liking for the one is generally accompanied by dislike of the other. As many lives have been written of Montrose, and as no regular biography of Argyll, beyond articles in biographical dictionaries, has been attempted before our own, we freely admit that in many minds a certain prejudice exists against him, which we hope to be able to dispel. Yet, though we seek to vindicate Argyll's right to the high place which he occupies in the estimation of a very large proportion of his fellow-countrymen, we do not desire to exalt his fame by seeking to depreciate Montrose. In the very abundant literature which deals with the career of the latter we regret to notice what seems to us the fault which we have sought to avoid. Two striking instances of it we may be allowed to refer to more particularly.

The popularity enjoyed by Sheriff Aytoun's *Lays of the Scottish Cavaliers* has induced many people to regard him as an

authority on historical matters, and to accept his defamation of the characters of prominent Covenanters as accurate portraiture. His special gifts and tone of mind, however, find more ample exercise and illustration in dealing with ideal personages like "Ta faliant Fhairshon" than with those like the MacCailein Mor, who belong to the actual world of history. In the body of the following work we deal with the view of matters given in the poem entitled "The Execution of Montrose," and therefore make no further comment upon it here, lest we exhaust the patience of our readers by slaying the slain an unnecessary number of times.

Sir Walter Scott, in *A Legend of Montrose*, has introduced the Marquess of Argyll as one of his characters, and has delighted multitudes of readers by that brilliant novel. His unwillingness to deliver an open attack upon one so closely connected as Argyll was with the Covenanting movement, and one, moreover, who was regarded by so many as a martyr on its behalf, has led him to somewhat more subtle and effective methods of assault. Thus in his description of the battle of Inverlochy he seems to be labouring with all his might to set down all that can be said in defence of Argyll's procedure, while at the same time by skilful innuendoes he destroys the effect of his exculpation with a finish and completeness that Mrs Candour might have envied. After reading the compositions of both writers, one is inclined to think that an eminent Covenanter would suffer less damage from being knocked down by Aytoun than from being picked up by Scott.

The reason why our friends the Episcopalians have spent so much admiration upon Montrose, who with his dying breath spoke contemptuously of Bishops, and who was himself an elder in the Presbyterian Church, is a difficulty to which we have alluded in a footnote on one of our pages, but which we have been unable to solve. If we had not been forbidden by Christian charity to impute motives, we might have said that they had chosen that hero as a stick with which to beat Presbyterians.

We have to acknowledge a debt of obligation to the voluminous and luminous history of the first half of the seven-

teenth century by the late Dr Gardiner, and also repeated acts of kindness on his part in supplying information on various points on which we had consulted him. The vast research and the skilful handling of materials displayed by that historian render his works indispensable to all who follow him in dealing with the events of the period named, though we candidly acknowledge the fact that our estimate of the character and career of Argyll differs widely from his. On this point, indeed, it is our opinion that the eminent historian was unconsciously biassed by the partisan literature dealing with the life of Montrose, with which he was very intimately acquainted. So distorted is the view of matters in much of that literature that even the fairest-minded and most patient student who familiarizes himself with it is apt to be affected by the intellectual and moral strabismus which afflicts so many of those in whose company he finds himself.

To some of those who would fain rise above mere partisan prejudice in judging the character of Argyll it seems only possible to form a more favourable estimate of him than that held in many quarters by regarding him rather as an almost independent potentate than as a Scotch noble and a subject of Charles I. A good case might conceivably, they admit, be made out for him if it were possible to accept him as the former, but as the latter they are inclined to think he cannot escape condemnation for disloyalty and ambition. We decline, however, to accept the censure passed on him even as thus modified. There is still a third capacity in which he may be regarded—that of a patriotic statesman—and our contention is that from this point of view he is worthy of admiration. The mere fact that he offered strenuous resistance to the policy of Charles I. in dealing with Scotch affairs may be sufficient in the eyes of a few stray obscurantists to condemn him as disloyal, but such an opinion may be dismissed as the result of mental aberration, in view of the fact that the arbitrary government of that Sovereign drove two of his three kingdoms into passionate resistance to it. The question rather is whether ambition and self-seeking were outstanding faults in Argyll's public life which compel his being classed with those who have taken advantage of disorders

in the State to engage in the occupation figuratively described as "fishing in troubled waters." We answer the question in the negative, and in proof of our contention refer our readers to the plain, unvarnished narrative of his life which we have sought to give in the following pages.

The discontent which ultimately drove the people of Scotland to rise in rebellion against the government of Charles I. was neither originated nor fomented by Argyll: it had reached great intensity before ever he gave an indication of sympathy with it. Whether we approve or condemn the movement which issued in the formation of the Covenant, the fact that it was a great national upheaval cannot be denied. The overwhelming majority of all classes of the people supported the movement enthusiastically. The high rank and commanding ability of Argyll rendered it the easier for him to assume the rôle of leader, but the main source of his power in the country was his conscientious acceptance and ardent maintenance of the National Covenant. The second phase of the movement, when those who had won all that they had contended for chose to take part in the civil war then raging in the adjoining kingdom and formed the Solemn League and Covenant with the English insurgents, is fairly open to censure. That Argyll lent all the weight of his influence to their dubious policy is certain, but there is no reason for doubting that he and the large majority of those who supported the policy in question believed that the path of danger on which the nation had entered was also the path of duty.

During the whole period of the alliance, from the conclusion of the Solemn League and Covenant down to the *coup d'état* which led to the King's trial and execution, Argyll was steadily faithful to the English Parliamentary party. The establishment of some modified form of Presbyterianism in England and the rigid limitation of the royal power may be said to constitute the two main articles of his political programme. The execution of Charles I. destroyed all his plans and swept away the alliance with the Parliamentary party which he had had a large share in effecting. Henceforth he drifted at the mercy of circum-

stances. The experiment of setting up Charles II. as a Covenanted King turned out a ghastly failure, and in the end Argyll found himself an object of suspicion and aversion in the eyes of the extremer Covenanters, the Royalists, and the King himself. The utter defeat of the Covenanting party in England and in Scotland, by the hands of those who struck down the Monarchy, put an end to the public life of Argyll. He undertook to live peaceably under the Government of the Commonwealth, and he kept his promise. His arrest and execution at the beginning of the new order of things introduced by the Restoration make any suggestion as to the part in the affairs of his time which he might again have played mere idle conjecture. On the whole we are convinced that his failure and downfall from power resulted from the fact that the cause with which he was identified had run its course, or at least had passed into a phase in which it was impossible for him any longer to guide or serve it. It is only by bearing constantly in mind the fact that he derived his influence from his championship of the policy approved by the mass of the nation at the time of its inception, that we can form a just estimate of his place in history. The idea that he was a crafty, self-seeking schemer is an explanation of his career which may be attractive from its simplicity, but which is not borne out by facts.

In the preparation of this volume we have to acknowledge many acts of kindly help and encouragement which have made our work very pleasant to us, and have enabled us to give a more adequate account of the Marquess of Argyll than would otherwise have been possible.

Our thanks are due to Her Royal Highness Princess Louise, Duchess of Argyll, for the permission graciously given us to dedicate this volume to her.

His Grace the Duke of Argyll has from the first taken the deepest interest in our work, and in the kindest manner has placed the archives of his illustrious House at our disposal, from which we have drawn the valuable series of letters printed in App. VI., the production of which at the trial of the Great Marquess secured his condemnation.

We desire also to express our gratitude to the Earl of Morton for the interesting series of letters, thirty-four in number, from the Marquess of Argyll, his father, wife, and daughter, which are contained in App. III. These letters have never been published before, and we print them in full, along with those above referred to, as a contribution to the sources of the history of the epoch to which they belong.

To C. H. Firth, Esq., Oxford, whose own achievements in the field of history have been so brilliant, we owe both the original suggestion to write the life of the Marquess of Argyll and various items of information imparted in the kindliest and most painstaking way.

We are indebted to the Marquess of Lothian, to J. H. Stevenson, Esq., Advocate, and to J. L. Caw, Esq., Curator of the Scottish National Portrait Gallery, for the portraits of the Marquess of Argyll which enrich this volume; and to Sheriff Guthrie, K.C., for providing us with that of the Rev. James Guthrie; and to Sir James H. Gibson-Craig, Bart., for permission to reproduce the portrait of Lord Warriston. From J. A. Fairley, Esq., Edinburgh, we received the illustration containing the signatures of Argyll and of other members of the Committee of Estates in 1643,[1] and to the same friend we owe gratitude for innumerable items of information sought out for us or supplied from his own rich store of antiquarian knowledge.

We have also to thank the Council of the Society of Antiquaries of Scotland for the use of the blocks which reproduce the two sides of the Argyll medal preserved in St Andrews, and which we have used for the adornment of the title-page.

Sheriff Moffatt, Lerwick, has aided us by the loan of books and by various suggestions, and we desire to record our gratitude to him here.

In the correction of proofs we have received most valuable help from Dr Milne, Aberdeen; H. J. Tedder, M.A., London;

[1] The above document is a passport granted to "Mr Robert Ker, Gentleman," most probably a member of the Lothian family. The signatures appended to it are as follows:—"Loudoun (Chancellor), Glencairne, Wigtoune, Yester, A. Gibsone, Durie, Leven, Eglintoun, Kingorne, Calander, Lauderdaill, Angus, Argyll, Lanerick, Hamilton, Southesk."

J. A. Fairley, Esq., above named; Rev. W. T. Cairns, M.A., Abernethy; and G. Carstairs, M.A., Glasgow.

In conclusion we desire to say that all our labours will be amply rewarded if we shall be thought to have made any addition to historical knowledge in connexion with the period with which we have dealt. But above all will it be an unending source of pleasure to us if our endeavours to present to the world a worthy narrative of the career of the great Argyll shall be pronounced to be in the least degree successful. His portrait has been slightly dimmed by Time, that "hath an art to make dust of all things," and has been stained by the calumnies of his enemies. Against both have we striven, and no joy could be keener than that we should feel if, in the judgment of our critics, we should be found to have made the noble, pathetic figure of the champion of the Covenant stand out once again in bright and living colours.

JOHN WILLCOCK.

St Ringan's United Free Church Manse,
Lerwick, *8th November*, 1902.

CONTENTS

LIST OF ILLUSTRATIONS

THE GREAT MARQUESS

CHAPTER I

Early History of the clan Campbell—Rise and Prosperity of the MacCailein Mor Branch—Romantic History of the seventh Earl of Argyll—Birth and Early Life of Lord Lorne, afterwards eighth Earl of Argyll.

THOUGH the question as to which of the Highland clans might with most justice claim precedence over the others on the ground of long descent, is one that it might be difficult to decide, there can be no doubt that the clan of the Campbells, which has played such a prominent part in the history of Scotland and has had so many illustrious chieftains, is of great antiquity. The representative of another of the clans is said to have remarked that while there were in Europe many ancient and noble families, there were only three Houses—the House of Bourbon, the House of Hapsburg, and the House of Macnab. A historian of the Argyll family is very indignant at this statement, and accuses the author of it of being "a historical smatterer" and ignorant of the annals of his own country, for not adding to his limited list the House of Campbell.[1] That the list should have been thus enlarged can scarcely be disputed, for, as this author reminds us, there are surely no necessary qualifications for a place in it which are not possessed by the family of which the MacCailein Mor[2] is the head.

The first ruling family in Argyll of which history tells us was that of the O'Duins, a colony from Ireland, who, like many of their compatriots found sojourning in the land of the stranger,

[1] *The MacCallum More*, by the Rev. Hely Smith (1871).

[2] The above is the correct form of the name, which, largely through Sir Walter Scott's influence, is current in English literature in the meaningless form of the MacCallum More. The epithet denotes "a son of big Colin," the father of Neil of Lochow, Bruce's friend.

could boast that royal blood ran in their veins. The founder of the House of O'Duin was a certain Diarmid (Dermot), who was a nephew of no less a personage than Fionn MacCual himself, the son of the High King of Ireland. Frequent intercourse must from the earliest times have taken place between Ireland and the islands and mainland of the west of Scotland across the narrow sea which separates them from each other. "From the point of Cantyre the eye can see, in clear weather, the fields on the coast of Antrim. From Ireland the Scottish mountains loom large against the morning horizon."[1] By peaceable settlement, apparently, rather than by conquest, the Irish colonists founded the kingdom in Argyllshire, one of the earliest leaders being, it is said, a Loarn, who has left traces of his existence in the place-names of Larne in Ireland, and of Upper and Lower Lorne in the neighbourhood of the present town of Oban. Many marvellous legends concerning the strength, and prowess, and skill of the early chieftains of Argyll are on record, and some of those who are versed in this lore assure us that Achilles, Ajax, and Diomede owe their superior fame simply to the fact that they were more fortunate in the bards who sang of their deeds than were these northern heroes. So famous was the Diarmid O'Duin above mentioned, that in later times the whole clan Campbell were often called "the seed" or "the race of Diarmid" (*siol Diarmid*, or *slioch-nan-Diarmid*). The period during which the chieftains of this line flourished is said to have extended from the end of the fourth century of the Christian era down to the end of the eleventh; so that, if this were true, it might be said of them, in Macaulay's phrases, that they were "great and respected before the Saxon had set foot in Britain, before the Frank had passed the Rhine, when Grecian eloquence still flourished in Antioch, and when idols were still worshipped in the temple of Mecca." But unfortunately no historical particulars concerning them survive, unless we may count as such the event which marks the transference of rule from their hands into those of a new line of chieftains in Argyllshire. For a firmly rooted tradition exists to the effect that a Norman knight named Gillespie Cambel[2] married Eva, the daughter and heiress of Paul O'Duin, otherwise known as Paul *an Sporran*, the King's treasurer, and thus became possessed of the lordship of Lochow. The date of this occurrence is said to have been early in the twelfth

[1] *Adventures in Legend*, by the Marquess of Lorne, 1898, p. 4.
[2] Campbell, *Popular Tales of the West Highlands*, vol. iii. p. 94.

century, and in an ancient charter one of the new Lords of Lochow is briefly described as "Cambel, formerly called O'Duin."

The origin of the name Campbell has been a matter of much discussion, and several derivations have been suggested for it. The most plausible of these is that which explains it as meaning "wry-mouthed," and connects it with the Celtic words *cam* or *caime* (curved) and *beul* (the mouth), in allusion to some personal peculiarity in the case of one of the early chieftains of the clan in question. Those who hold this theory are able to strengthen their case by reference to a similarly formed name of another Highland family, that of the Camerons, which is derived from the same word *cam* or *caime* and *sron* (the nose).[1] On the other hand, a Norman origin has been claimed for the name, and occasionally it has been asserted to be another form of the "de Bello Campo," which afterwards was modified into Beauchamp. There is, however, no ground whatever for supposing that this famous Norman name was at any time current in the reversed form of "de Campo Bello"; and accordingly it is more reasonable to hold that, if the name Campbell be really of French origin, it is perhaps connected with that of the Campellos or of the Campvilles, which may be found in the Red Book of the Exchequer of Henry II., where many of the Norman names of that time are recorded.[2]

The chieftains of the clan Campbell were as a rule loyal to the Scotch throne, and cast in their lot with it time after time when it was assailed by insurgent nobles, by Viking hordes, and by English invaders. It was claimed by them that service of this kind had been rendered as far back as the reign of Malcolm IV., in the defeat inflicted upon Somerled, the Lord of the Isles. This latter potentate had for some years exercised independent authority in the western islands, and had held territory in Argyllshire from which he had made incursions into the Lowlands. In A.D. 1164 he sailed up the Clyde with a fleet of a hundred and sixty ships, on board of which was a large army collected from the isles, from Argyllshire, and from the north of Ireland. In the battle that followed at Renfrew he was defeated and slain, and so great were the services which the Campbells claimed to have rendered in overcoming this formidable invader that, five hundred

[1] *Scotland as it Was and Is*, Duke of Argyll, p. 44.

[2] *Liber Rubeus de Saccario*, or *The Red Book of the Exchequer* (Eyre & Spottiswoode, 1896). Cambelanus is also said to be the name of a Norman proprietor given in one of these lists (*Adventures in Legend*, p. 72).

years after, Charles II. was reminded of them by the sons of the Marquess of Argyll, and those services were vainly pleaded as a reason for the exercise of the royal prerogative of mercy towards their father.[1]

One of the most famous chieftains of Argyll was the Colin Campbell who received knighthood in A.D. 1280 from Alexander III., and who eleven years later was chosen by Robert Bruce as one of the forty nominees who supported his claim to the throne of Scotland.[2] From him his successors have derived the title to which we have already referred—" the MacCailein Mor " (the son of great Colin). He met with his death at the hands of one of the Dougals of Lorne, which did not then belong to the Campbell family, but which became theirs a century later by the marriage of the first Earl of Argyll with the heiress of the rival house.

The original seat of the Campbells seems to have been Garmoran, in Argyllshire, and the branch of the clan settled there was distinguished by the patronymic MacArthur, and claimed headship over the branch to which the Colin just mentioned gave his name. The MacArthurs maintained a position of considerable power and dignity until the reign of James I., when they fell under the royal displeasure and were so effectually crushed as to be unable to offer any further resistance to the claim of their rivals to the headship of the clan.[3] The MacCailein Mor branch of the clan Campbell owed their strong position in Argyllshire to Robert the Bruce and his immediate descendants, who thus rewarded their fidelity to the royal house. By grants from the Crown, by conquest, and by marriage dowries their domains were extended and their prestige increased. They henceforth played a most conspicuous part in the history of their country and, generation after generation, members of their house were connected with great events of national life. In addition to the energy and capacity of the race and of many individual heads of the clan, the increase of the power of the family was

[1] A copy of this petition is in the archives at Inveraray Castle.

[2] Burton, *History*, vol. ii. p. 132.

[3] Skene, *The Highlanders of Scotland*, p. 357 (ed. 1902). This writer says that it is "invariably the case, that when a clan claims a foreign origin, and accounts for their possession of the chiefship and property of the clan by a marriage with the heiress of the old proprietors, they can be proved to be in reality a cadet of that older house who had usurped the chiefship, while their claim to the chiefship is disputed by an acknowledged descendant of that older house. To this rule the Campbells are no exceptions."

largely due to the fall of the Lords of the Isles in 1493, and to the course which events took in connexion with the Reformation, which followed seventy years afterwards. By the former of these events the Campbells were freed from a great rival power in the west of Scotland; while by their steadfast adherence to the Protestant cause during the Reformation struggles they found themselves at the close upon the triumphant side. "Throughout their long career," says Dr James Taylor, "the Campbells have always been staunch supporters of the cause, which, whatever temporary reverses it might suffer, was sure to win in the end—the cause of the independence of Scotland against foreign aggression, the cause of Protestantism against Popery, and of freedom against despotism."[1] It is surely a proof of a strain of generous feeling on the part of the chieftains of this clan that time after time the cause of patriotism and of civil and religious liberty should have found in them champions and protectors.

The title of Baron was conferred on Sir Duncan Campbell in 1445 by James I. of Scotland, no higher rank than that of knighthood having been possessed by the head of the clan up to that time. His grandson and successor, Colin, the second Baron Campbell, was created Earl of Argyll twelve years later by James II.[2] At the same time, the high office of Justiciary-General of Scotland was bestowed upon him, and thus he became second only to the Sovereign himself both in actual power and in dignity. As this office was to be hereditary, and as it carried with it the exercise of the supreme judicial authority, it can scarcely have been granted as a mark of personal favour for the individual chieftain who first received it. The bestowal of it upon the most powerful ruler in the Highlands was no doubt intended to secure the use of his influence and authority on behalf of the Crown; for upon the Justiciary was laid a certain measure of responsibility for restoring or preserving peace in that part of the royal dominions. For serious emergencies a commission of lieutenancy would of course be needed, in order that he might employ the forces of the Crown in repressing disorder; but in dealing with the almost normal condition of turbulence among his half-civilized neighbours he would be expected to act decisively in many instances upon his own responsibility. This hereditary office was exercised by the Earls of Argyll for nearly two

[1] *The Great Historic Families of Scotland*, vol. i. p. 229.
[2] *Hist. MSS. Commission*, vol. iv. p. 470.

hundred years, and was resigned into the hands of Charles I. in 1628 by Lord Lorne, afterwards the Marquess of Argyll.[1]

Archibald Campbell, the seventh Earl of Argyll, the father of the subject of our biography, was a man of somewhat peculiar character and he had a very chequered life. The *soubriquet* of "Gillespie Grumach" (*Gilleasbuig Gruamach*), or "Gillespie the sullen," was popularly applied to him on account of his somewhat forbidding aspect.[2] Sir Walter Scott, in *A Legend of Montrose*, states that this nickname was applied to the Marquess; but this assertion is incorrect, except in so far as the common Highland practice may have prevailed in his case of loosely applying a title of the kind to descendants of the person to whom it was first given. The seventh Earl of Argyll was only eight years old on the death of his father, and during his minority he was under the guardianship of six of his cousins of the clan Campbell, who were appointed to assist his mother in protecting his interests. His guardians, however, quarrelled among themselves,

[1] *Hist. MSS. Commission*, vol. iv. p. 486. A somewhat unfavourable view of the means by which the power of the Campbells grew from less to more is given by Skene in *The Highlanders of Scotland*. "By good fortune originally," he says, "and subsequently by well-judged policy, the family of Campbell had gradually arisen from the condition of petty chiefs in Argyllshire to that of powerful Barons. Their only opponents in that quarter had been the Lords of the Isles; the extinction of that family now afforded them a favourable opportunity of extending their power, which was not neglected, and a succession of talented and crafty statesmen, secretly and steadily pursuing the same policy, soon enabled them to attain their object. The general line of policy pursued by these Earls was, by devising means to incite the different clans in their neighbourhood to rebellion and acts of aggression, and when these proceedings had attracted the attention of Government towards them, the Earl of Argyll made offer of his services to reduce the turbulent clans to obedience upon certain terms. Should Government, however, upon any occasion, despatch another person for that purpose, the expedition was certain to have an unsuccessful issue, and the Council of State found itself under the necessity of accepting Argyll's offer; so that the affair generally terminated in the unwary clans finding themselves betrayed by the very person who had instigated them to acts of rebellion, and that additional power consequently devolved upon the Argyll family," p. 138. But it is quite evident that action of this kind could not be often repeated without defeating itself, and consequently that the above writer exaggerates what may have occurred on some particular occasion, or occasions, by representing it as proceeding from a course of policy tenaciously adhered to by the Argyll family.

[2] "Gillespie," we may say, is the Highland name applied to persons of the name of Archibald. Those who have seen portraits of the seventh Earl will know how appropriate the nickname is, for his expression is distinctly scowling or sulky. It was not appropriate for his son, as our readers may themselves judge from the frontispiece and other portraits of him which this volume contains. For proof that the *soubriquet* properly belongs to the seventh Earl, see Macfarlane's *Genealogical Collections* (Scottish Hist. Soc.), vol. ii. p. 300, and *Argyll Papers*, p. 19.

and a plot was formed to poison him. A serious illness at Stirling, soon after his marriage to the daughter of the Earl of Morton in 1592, was the result of an attempt of this kind, some members of his household having been bribed to do the deed by Archibald Campbell of Lochnell, one of his faithless guardians who was near in succession to the Earldom. Unfortunately the fact of his treachery was unknown to Argyll; and two years afterwards, when the latter was appointed the King's lieutenant to suppress a rebellion raised by the Roman Catholic Earls of Huntly and Errol,[1] Lochnell was in charge of one of the divisions of his army. The two forces met at Glenlivat,[2] in Banffshire; and Argyll, confident in superiority of numbers, resolved to attack. He had an army of some six thousand men, while the enemy had only fifteen hundred, though the latter were for the most part trained soldiers. Before the battle Lochnell sent advice to Huntly to make a sudden attack, and to direct his artillery against the place where the royal banner was flying, and he promised to desert and join him as soon as the action began. On the morning of 3rd October, when the King's troops were at prayers, the enemy opened fire, and one of the first missiles aimed at "the yellow flag" killed the traitor himself. His followers, however, carried out his secret instructions, and deserted their posts; and, as a result of their doing so, Argyll was defeated with a loss of about seven hundred men.[3] He and a small band of faithful clansmen would have fought to the death, but he was forced by Murray of Tullibardine to leave the field, and he is said to have shed bitter tears of mortification and anger at the unexpected turn events had taken.[4] As soon as he was

[1] *Register of the Privy Council of Scotland*, vol. v. p. 176.

[2] In Calderwood's *History of the Church* this is called the Battle of Balrinnes: Argyll's forces are set down as five thousand in number, but for the most part "naiked Heeland men," p. 306 (ed. 1704).

[3] *Register of the Privy Council of Scotland*, vol. v. p. 179 n.

[4] In the *Faithful Narrative of the Great and Miraculous Victory obtained by George Gordon, Earl of Huntly, and Francis Hay, Earl of Errol, Catholic Noblemen, over Archibald Campbell, Earl of Argyll, Lieutenant at Strathaven, in the North of Scotland, 3rd Octoter*, 1594, Argyll is accused of having been "accompanied by a noted witch, on purpose to discover the property and hidden treasures of the inhabitants by her incantations. Which," says the narrator, "notwithstanding they injured others, did us no harm; for when she raised a thick mist to confound our eyes, as we absolutely saw, it immediately failed, there being something in our camp, she said, after she was taken, that greatly impeded her exertions, etc. The enchantress, of whom I have spoken, delivered oracles to Argyle worthy a Pythian spirit; one of her prophecies was, that on the following Friday, which was the day after the battle, Argyle's harp should be played in Buchan, and the bagpipe, which

able he attempted to renew the conflict; but before he could effect much in the way of avenging his defeat at Glenlivat, or of punishing the treachery which had so largely contributed to it, the King interposed, and, somewhat ungratefully, had him apprehended and imprisoned in Edinburgh Castle on account of excesses said to have been committed by his followers. After a short time, on finding security for the settlement of claims made against him, he was liberated.[1] A characteristic story is told concerning James VI. and the Earl of Argyll, which shows that the King was not sorry that the pride of his lieutenant should have been humbled by the defeat at Glenlivat. He saw Argyll, we are told, coming into the Abbey Close at Holyrood shortly after that disaster, and, though he recognized him at once, he asked who he was. On being told that he was the Earl of Argyll, he exclaimed, "Fair fa' thee, Geordie (Huntly), for sending him home like a subject."[2] The malice which led him to rejoice over the defeat of his own representative on the field is a very repulsive trait in the character of James VI., who even at his best was a singularly unattractive personage.

Argyll had carried the crown, the sceptre, and the sword of state in processions at the opening of Parliament,[3] and had, in spite of his high office of Justiciary-General of Scotland, known what it was to be the occupant of a prison cell; but further and more remarkable vicissitudes of good and evil fortune were yet in store for him. A reconciliation between him and the Earl of Huntly was effected by James VI. in 1603, shortly before his departure for England,[4] and to cement the newly formed friendship the Earl of Argyll afterwards gave his eldest daughter, Anna, in marriage to the son and heir of his former adversary. In combination with his new ally he attacked the clan Macgregor some five years afterwards, and almost annihilated it. In 1617 he

is the principal military instrument of the Scottish mountaineers, should sound in Strathbogie, Huntly's seat. Nor were her vaticinations entirely vain; for both the harp and bagpipe sounded in Strathbogie and Turef; but the general was not there to enjoy their most agreeable music; nor could her sorcery foresee the death that awaited her after the victory." The foregoing is taken from the Prefatory Notice to *Law's Memorialls*, p. xliv, edited by C. K. Sharpe, Edinburgh, 1818.

[1] *Register of the Privy Council of Scotland*, vol. v. p. 209.

[2] *Black Book of Taymouth*, p. xxxii. James VI. seems to have been rather neglected by the historical whitewashers, who have found occupation for their industry in trying to vindicate reputations which had previously been thought to be hopelessly shady.

[3] Calderwood, *History, passim.*

[4] *Ibid.*, vol. vi. p. 205.

reached the culmination of his power, when, after completely subduing the turbulent MacDonalds, he received a grant of their country, which included the whole peninsula of Kintyre.[1] The acquisition of this extensive territory greatly increased and confirmed the power of the Argyll family in the west of Scotland, but it was apparently not immediately attended with any considerable accession of income, for we find that the Earl was at this time burdened with debt,[2] some portion of which at any rate had come down to him from his father. In Sir John Scot of Scotstarvet's curious volume entitled *The Staggering State of Scottish Statesmen*, we read: "Colin [6th] Earl of Argyle succeeded to be chancellor after Athole, who also continued not long in the same. His house found little advantage, but hurt thereby: for there was so great burden of debt upon the same, that it behoved his son, the late Earl, to leave the country, not being able to give satisfaction to his creditors."[3]

In 1610 the Earl had married a Roman Catholic lady as his second wife, Anne, daughter of Sir William Cornwallis, of Brome in Suffolk,[4] and under her influence he was led to become a member of the Church to which she belonged. This supplied another motive for going abroad; for, on receiving permission in 1618 from James VI. to leave Scotland under the pretext of going to Spa for the benefit of his health, he went to West Flanders, abjured his Protestantism, and entered the service of Philip III. of Spain.[5] Sir John Scot, in the work above mentioned, gives us some rather amusing satirical verses which were written by an Alexander Craig[6] on the occasion of the Earl's departure, and in which there is more gall than poetical fire—

> "Now earl of Guile, and lord Forlorn thou goes,
> Quitting thy prince, to serve his Spanish foes.
> No faith in plaids, no trust in highland trews,
> Camelion-like, they change so many hues."

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[1] *Register of the Privy Council of Scotland*, vol. vii. pp. 749, 750. The infeftment of the Earl in the lordship of Kintyre took place 30th May, 1607, and was ratified by the Parliament of 1617 (*Acts of Parl. of Scotland*, vol. iv. pp. 559, 560).

[2] *Register of the Privy Council of Scotland*, vol. x. p. 439.

[3] P. 40 (ed. of 1872).

[4] The marriage took place on 30th November, in the Parish Church of St Botolph's, Bishopsgate. The bride was heiress to the manor of Kensington, which the Earl afterwards sold for £85 (Masson's *Life of Milton*, vol. ii. p. 11; *Adventures in Legend*, p. 200 n.).

[5] *Register of the Privy Council of Scotland*, vol. xi. p. 507.

[6] He belonged to Banff, published several volumes of poetry, and enjoyed the favour of James VI. His birth was about 1567, and he died in 1627.

He was formally declared a traitor and rebel at the Market-Cross of Edinburgh, on 16th February, 1619, "with sound of trumpets, and two or three heraults of armes";[1] but within two years' time the sentence of outlawry was reversed, and he was declared to be once more a loyal subject. Some years later he returned to England,[2] and henceforth to the end of his days he lived in great retirement. Some lines addressed to him by the Roman Catholic poet, William Habington (1605–1654), in his *Castara*, form a remarkable contrast to those of Craig's above quoted, and seem more appropriate to the case of one who had lived as a holy anchoret, than to that of a man who had so often looked into the fierce face of war, and who had passed through so many strange experiences as the chieftain of a powerful clan, as a politician and a courtier, and as a rebel and an outlaw. The lines in question begin as follows:—

"If your example be obey'd,
The serious few will live i' th' silent shade;
And not endanger by the wind
Or sunshine, the complexion of their mind;
Whose beauty weares so cleare a skin
That it decayes with the least taint of sin."

He died in 1638, just before the beginning of the troubles in Scotland, in which his son was destined to play such a prominent and decisive part.[3]

The first wife of this Earl of Argyll was Lady Anne Douglas, the fifth daughter of William, eighth Earl of Morton. Their family consisted of five daughters, Anna, Annabella, Jane, Mary, and Elizabeth, and one son Archibald, the subject of our biography.[4] Very few particulars are known of the early life of the most famous of all the chiefs of the House of Campbell, and even concerning the date of his birth a very serious error of some nine or ten years has hitherto been repeated time after time in biographical notices of him. It is generally said that he

[1] Calderwood, *History*, vol. vii. p. 351.

[2] He returned to England in October or November of 1627, and "offered himself in all dutiful obeisance to his Majesty" (*State Papers, Dom.*, 1627–28, p. 389).

[3] An approximate date for his death is given in a letter from the King to Wentworth, dated 5th November, 1638, in which he speaks of "Lorn that is now Argyll" (*Strafford's Letters*, vol. ii. p. 232). A nearer date is suggested in a letter written evidently immediately after it by Argyll, dated Rosneath, 4th September (*Black Book of Taymouth*, p. xxi).

[4] See Appendix I.

was born at Inveraray[1] in 1598 though sometimes the year is set down as 1597; but there is every reason to believe that the more correct date is 1607. In the absence of definite information upon the subject, we have to trust to inferences drawn from facts which bear upon the question, and which happen to be fairly abundant.

On the 6th and 7th of August, 1626, Lord Lorne, who was already married, granted charters to his wife with the consent of his curators.[2] This clearly proves that he was not yet of age. In April, 1628, he renounced the hereditary office of Justiciary-General of Scotland, without intervention of his curators.[3] He must accordingly have come of age between August, 1626, and April, 1628, and must have been born between August, 1605, and April, 1607. He chose curators on 27th March, 1622, and must, therefore, have been at least fourteen years of age, for according to Scotch law it was at that period in a ward's life that this step was taken. If he had then been only fourteen years of age, his birthday would have fallen some time in 1608; but this late date is precluded by the fact that his mother had died 3rd May, 1607.[4] For some reason or another the choice of curators did not take place for a whole year after the time when it might have been made. Probably, as the necessity for appointing curators arose from the fact that his father had not died but had become a Roman Catholic and an exile, circumstances at the time were such as to allow of delay in the matter.[5] As the surrender of the office of Justiciary-General to the Crown was a matter of importance and was strongly desired by Charles I., it is but reasonable to suppose that it took place as soon as

[1] The present castle at Inveraray is a modern building belonging to the middle of the eighteenth century. The ruins of the castle, in which the Marquess resided, and in which perhaps he had been born, were cleared away in 1745.

[2] *Gen. Reg. of Sasines*, vol. xxii. p. 310. For this and for many other items of information we are indebted to the kindness of J. Maitland Thomson, Esq., Register House, Edinburgh.

[3] *Acts of Parl. of Scotland*, vol. v. p. 77.

[4] *Reg. of Deeds*, vol. 146, fol. 142.

[5] The curators chosen were as follows:—John, Earl of Mar; William, Earl of Morton; James, Earl of Moray; Robert, Earl of Lothian; George, Lord Gordon; William, Lord Keith; John, Master of Loudoun; Colin Campbell of Lundie; Sir Duncan Campbell, elder, of Glenurquhy; Sir John Campbell of Calder; Sir James Campbell of Lawers; Sir Dougal Campbell of Auchinbreck; Sir Colin Campbell of Ardkinglass; and Alexander Campbell of Lochnell, curators *ad negotia*: any three of whom could act, the Earl of Morton being always one of them. The curators *ad lites* were Thomson Nicolson, Thomas Hope, and George Fletcher, all advocates of high standing (*Acts and Decrees*, vol. 354, fol. 270–71).

could be conveniently arranged after Lord Lorne had reached his twenty-first birthday. According to our theory he would be just of this age in the April of 1628.

There are several other facts which strengthen the conclusion at which we have arrived. In a contemporary genealogy it is stated that at the time of writing the seventh Earl was fifty-nine years of age and his son twenty-seven.[1] The document is undated, but we know that the seventh Earl was born late in 1575. This would give 1634 as the date of the genealogy, and if Lord Lorne were then twenty-seven years of age he must have been born in 1607. The ordinary age at which a student entered the University in those days was fourteen or fifteen years. Lord Lorne matriculated at St Andrews on 15th January, 1622, when, according to the ordinary date of his birth, he would be twenty-four or twenty-five years of age. Some explanation of his ten years' delay in taking that step must be given by those who would defend the current statement with regard to the year when he was born. According to our reckoning, he was then of the average age of "men" of his standing at the University.

In a somewhat unpleasant "flyting" scene in the Scotch Parliament of 1641, the Earl of Morton upbraided his cousin and son-in-law, the Marquess of Argyll, with ungratefully forgetting the fact that he had for twenty years protected and brought him up.[2] The natural inference from this is that his mother had died when he was still in infancy, and that during the time specified his cousin, who was some twenty-five years his senior, had been his Tutor and principal curator. This exactly harmonizes with our theory that Lord Lorne was born some time in March or early in April of the year 1607,[3] and that he was only a few months old at the time of his mother's death. How so serious a blunder with regard to his age should have been made by previous writers is beyond our conjecture, but we consider that the evidence we have given in support of our statement on the matter is decisive.[4]

[1] *Records of Argyll*, Lord A. Campbell, p. 4.

[2] Balfour, *Annals*, vol. iii. p. 70.

[3] In the ordinary books of reference it is generally stated that in 1626 Lord Lorne was appointed a member of the Scotch Privy Council. This seemed at first to be an argument against our theory of his age, as it did not seem likely that he would have received this appointment whilst still a minor. It now turns out that the correct date of his appointment is 23rd May, 1628 (*Reg. of Privy Council of Scotland*, 1627, 1628, 2nd series), when he was newly of age.

[4] Since the protection above mentioned, as being shown to the young Lord Lorne by the Earl of Morton, was not called for by the former's having lost his father, the

We are accordingly to think of Lord Lorne as one who was so unfortunate as not to have known a mother's love and care, and we can scarcely be wrong in concluding that this loss had an effect upon his after-life and character. In consequence of his mother's death and of his father's second marriage not very long afterwards to a Roman Catholic, it is almost certain that his upbringing would be largely in the hands of servants and of strangers. As already said, his cousin, the ninth Earl of Morton, who succeeded his grandfather in the Earldom in 1606, was his principal guardian.[1] His own claim to the gratitude of Lord Lorne for the protection afforded him from a very early age, we have just referred to. In one of the letters printed in an Appendix we give his ward's acknowledgment of "the goodness and care which," he says, "had been bestowed upon him by Lord Morton since he came into the world."[2] The affectionate terms which all through the correspondence in question he applies to the Earl of Morton, whose daughter he had married before the date of the earliest of the letters, may be the conventional language of address to a father-in-law. Yet we have every reason to believe that the latter had treated Lord Lorne more like a son than a cousin. One is sorry to think that afterwards, in consequence of differences in political opinions, these ties of affection should have been broken, at any rate for a time; and we cannot doubt that it was bitter to both parties thus to find themselves in antagonism to each other. At a later time, a rancorous critic, whose cue it was to represent Lord Lorne as under very deep obligations to the Earl of Morton, in order to aggravate the charge of ingratitude which he brought against him, spoke of the second Countess of Argyll as a cruel or unscrupulous woman whose machinations against her stepson had with difficulty been foiled by his guardian. He speaks of Lord Lorne as having but ill requited "the great care taken by the Earl of Morton for his education and for the preservation of his life from the crafty designs of a stepmother, and for the recovery of his almost ruined estate."[3] How much truth there

statement with regard to twenty years can only be understood as referring to his mother's death. As we know that this occurred in 1607, the fact that Lord Lorne was then only a few months old seems indisputable. The only allusion which we have come across to a date for the birth of Lord Lorne, different from that usually given, is in Burton's *History of Scotland*, vol. vi. p. 230, where he remarks casually that he was thirty years old in 1638. But no reasons are given, either in text or notes, for this departure from the date ordinarily given.

[1] William Douglas, ninth Earl of Morton, was a nephew of the first Countess of Argyll, being a son of her eldest brother Robert.

[2] See App. III. [3] Clement Walker, *History of Independency*, App. p. 5.

was in these assertions it is now impossible to say. However, in one of the letters to which we have referred, Lord Lorne's knowledge or suspicion of the Countess's animosity appears in his assertion that he durst not trust certain legal documents in her possession.[1] Unfortunately there is more definite proof, as we shall afterwards see, of very strained relations between him and his half-brother, the eldest son of this second marriage.

It is said that Lord Lorne received a classical education and was carefully instructed in the Protestant faith;[2] and it is probable that from his early years he was imbued with the earnest though somewhat sombre spirit of religion which forms such a marked element in his later life. How far his classical studies extended we have no means of knowing, but probably in these early years he stored up that collection of Latin proverbs, aphorisms, and maxims, on which he drew so freely afterwards in his speeches on public occasions. A certain Robert Barclay is spoken of as having been his tutor or "pedagogue," and it would seem that all through his pupil's life he acted as his most devoted adherent and agent.[3] He is, indeed, one of the most puzzling figures of his time. For, though he occupied this subordinate position in Lord Lorne's household and was indeed spoken of by the latter as "my servitour,"[4] he afterwards took a most prominent part in politics, as a member of the Scotch Parliament and of the General Assembly, and as a commissioner from Scotland to England at important crises in the subsequent history of the two kingdoms. So far as we know, there is nothing to explain his connexion with the House of Argyll, though probably the eminence he afterwards reached was due to his pupil's commanding influence in Scotch politics. A passage in the Marquess of Argyll's little book, *Instructions to a Son*, written in 1660 or 1661, may contain an allusion to the position which Robert Barclay had held in his household in early days. "Keep always," he says, "an able scholar for the languages in your house, besides your chaplain, who may be ready at hand to read to you out of any book your fancy or judgment shall for the present pitch upon, you will find him to be of great use and service

[1] See App. III.

[2] *Biog. Brit.*, "Arch. Campbell."

[3] Gordon, *Scots Affairs*, vol. iii. p. 79; Clement Walker, *History of Independency*, App. 9: "His *quondam Tutor* (now Slave) Barcley." He was of the Barclays of Perceton in Ayrshire, and was a Provost of Irvine—a town of which the Earls of Argyll were hereditary patrons or protectors.

[4] *Thanes of Cawdor*, p. 272.

to you, and give him salary accordingly."[1] There is reason to believe that Robert Barclay not only directed Lord Lorne's studies, but acted as his adviser and confidential agent in various difficulties occasioned by the unfortunate relations in which his father now stood with the Scotch Government.

The conduct of the Earl of Argyll in forsaking his country and Protestantism, and in associating with those who had fled from Scotland to escape punishment for treason and rebellion, excited the deep displeasure of James VI., and at one time it seemed likely to lead to the utter ruin of his house. The forfeiture of honours and property was only averted by the timely mediation and intercession of friends of the family. The danger in which he stood was acutely felt by the young Lord Lorne; and a letter is extant which he wrote to his "cousin," the Laird of Cawdor, who was afterwards one of his curators, entreating his aid and counsel in the painful circumstances in which he was then placed.[2] His cousin, the Earl of Morton, in a speech in Parliament many years afterwards, took the principal credit to himself for having averted the proposed decree of forfeiture which would have ruined the House of Argyll;[3] but doubtless, after the first feelings of irritation and anger had passed away, it would seem, even to the peculiarly constituted mind of James VI., unjust to visit the sins of the father upon the son. The letter, however, to which we have referred remains as a record of the season of keen anxiety and distress which came thus early in a life which was fated to experience many of the kind.

[1] P. 75.

[2] This letter was written 13th November, 1618, and is printed in *The Thanes of Cawdor*, p. 246.

[3] Balfour, *Annals*, vol. iii. p. 70.

CHAPTER II

Lord Lorne enters the University of St Andrews—While still a Young Man aids in suppressing Highland Rebels—His Marriage—His relations with his Half-brother and with his Father—His Entrance upon Public Life—A curious Project—His Son "fostered"—Gilderoy—The Struggle between Episcopacy and Presbyterianism—Quarrel with Bishop Sydserf—Friendly relations with Samuel Rutherford.

FROM the tuition of Robert Barclay, Lord Lorne passed to the University of St Andrews, where he matriculated, as we have said, at St Leonard's College on 15th January, 1622. No records preserve for us any account of the progress he made in his studies, or of the length of time he spent in that delightful city, about which so many interesting historical and ecclesiastical associations are clustered. But from one or two quarters we learn that while he was there he took his share in the pastimes which engaged the attention of ingenuous youth, at any rate in their leisure hours. In his time archery was a favourite amusement, and the student who was most proficient in the art was accustomed to present to the University a silver medal bearing his name and coat-of-arms, to be preserved in all time coming in memory of his skill. The medal presented by Lord Lorne is a record of the fact that he was the best archer in the year 1623, and it is interesting to notice that a similar medal was presented in the year 1628 by a student who was afterwards his great rival in public life, the Earl of Montrose.[1] Another pastime to which we know that the Marquess was afterwards more or less addicted was golf, and we can scarcely be far wrong if we venture to conjecture that he received his first lessons in that fascinating game on the Links of St Andrews in his student days.[2] In the last year of his life, in the little volume of advice to his son already referred to, he recommends among other forms of physical training the acquirement of skill in managing the war-horse, or

[1] Lyon, *History of St Andrews*, vol. ii. p. 201.

[2] *Instructions to a Son*, p. 77: "That excellent recreation of Golf-ball, than which truly I do not know a better."

"the great horse" as it was then called; but we need not conclude from this fact that he had himself devoted much time to that exhausting form of exercise, since in such matters people often recommend others to cultivate arduous employments from which they themselves seem to shrink instinctively.

There is every reason to believe that Lord Lorne did not stay longer than three years at the University, and that he left it without graduating. He evidently passed while still a youth to the management, in co-operation with his curators, of the estates of which he was virtually the proprietor. We have proof positive that in 1625, when his University career was over, he was already involved in some of the responsibilities attaching to the position he occupied in the west of Scotland. On 21st April of that year a warrant was issued in Edinburgh by the Privy Council of Scotland of Charles I., who had now been less than a month on the throne, authorizing 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 for service against the rebels of the clan MacIan. They were instructed to direct the masters of the vessels to send word to Lord Lorne, as His Majesty's Commissioner, when they were to sail from Ayr, so that, as the warrant expressed it, "he and his forces might attend thame in placeis convenient."[1] This military expedition is interesting, since it marks the first appearance on the stage of public life in Scotland of one who was afterwards to play so prominent a part in national affairs. And it is remarkable enough that he who was afterwards regarded as having but little qualification and liking for military enterprises should have been introduced to the public notice in connexion with an expedition of this kind. The position, however, which belonged to him as the head of a powerful clan, and as the principal representative of law and order in that part of Scotland, rendered it inevitable that such tasks as this should be laid upon him.

As soon as the rebellious Highlanders were reduced to subjection Lord Lorne journeyed up to London, probably for the first time, and paid homage to that Sovereign of whose policy in Church and State he was afterwards to become so formidable an opponent.[2] Neither of them, however, had probably the faintest idea that they would ever stand in these relations to

[1] *Reg. of Privy Council of Scotland*, 2nd series, vol. i. p. 27; Balfour, *Annals*, vol. iii. p. 425.

[2] App. III., Letter II.

each other, and for the present the King seemed to regard the young Scotch chieftain with special favour. A curious little incident which belongs to the year 1626 shows the interest which Charles I. took in him. The future Earl of Argyll was still unmarried, and the King proposed to bestow upon him the hand of Elizabeth Stewart, sister of the Duke of Lennox. She was a kinswoman of Charles himself, and indeed it was on this ground that he regarded her as a kind of ward whose fate he might dispose of. No doubt, the King hoped by this arrangement to attach the Scotch chieftain firmly to his interests. The young lady, however, had already fallen in love with Lord Maltravers, the eldest son of the Earl of Arundel, and she found a very strong ally in the Countess of Arundel. The Earl knew nothing of the matter until the marriage of the lovers had taken place. He was no doubt, as the most innocent of those concerned, the right person to break the news to the King, but he fared the worst of all upon whom the royal anger broke forth. His share of the punishments, which were dealt out to the culprits without a trial, was three months' imprisonment in the Tower.[1] We have no means of knowing what Lord Lorne's thoughts and feelings were in connexion with this episode in his life; but any humiliation and disappointment he may have experienced were evidently not keen enough to prevent his seeking speedy consolation in another quarter, for four months later he married Margaret Douglas, the second daughter of his cousin William, the ninth Earl of Morton.[2] According to our reckoning of the bridegroom's age, he was still a minor, and not more than nineteen years old. His wife was still younger, for she was born in 1610 and was now only sixteen years of age.[3]

The letters from Lord Lorne to his cousin and father-in-law, the Earl of Morton, just before his coming of age,[4] reveal the

[1] Gardiner, *History*, vol. vi. p. 72.

[2] *Gen. Reg. of Sasines*, vol. xxii. p. 310. Certain settlements on his wife were made on 6th and 7th August, 1626, from which we may fix approximately the date of the marriage as being shortly after that time. As Lord Lorne was still under age, the settlements in question were made with the consent of his curators.

[3] The ages of bridegroom and bride, nineteen and sixteen respectively, have some slight bearing upon the question of the date of the former's birth. Had the birth been in 1598, these would have been twenty-eight and sixteen respectively—a somewhat unusual incongruity in years.

[4] App. III., Letters VI.–XIII. There seems to be some difference in the matter of enumerating the Earls of Morton. For convenience we follow the order given in Burke's *Peerage*.

fact that he had many anxieties and troubles in connexion with his property during the time of his minority. At that period of his life he could of course take no definite action of his own without the consent of his curators, and at times he seems to have thought that they were careless in dealing with matters which intimately concerned him. He was especially anxious to guard against the danger of the royal consent being sought and obtained for the sanction of arrangements of which neither he nor his friends would be likely to approve. He thought that the interests of the members of his father's second family, and especially those of the eldest son, who was afterwards Earl of Irvine, were at times promoted in a way injurious to his own. The great bone of contention between them was the estate of Kintyre, which, being a recent acquisition of the Argyll family, was not entailed and consequently stood on a different footing from the rest of the landed property in their possession. The purpose of the seventh Earl to leave this estate to the eldest son of his second marriage was ultimately carried out. But Lord Lorne had evidently to make an arduous struggle to prevent this being done in such a way as to impoverish still further his inheritance, on which there was already a burden of debt.[1] By an Act of Parliament in the last year of the reign of James VI. it was decided that the estate of Kintyre was to bear its share of the burdens on the whole landed possessions of the family, and accordingly Lord Lorne felt bound to resist the attempt to settle it upon the younger son without carrying out this obligation. The unhappy relations between the half-brothers are illustrated in the letters to which we have alluded, and which we give in an Appendix.[2] Lord Lorne was quite willing to make his brother an adequate allowance and was desirous for him to complete his education, in order, probably, that he might be occupied in some useful manner at a distance from Kintyre. The younger son, however, who was now nearly sixteen years of age, no doubt thought that he had already acquired most of what was necessary for him in the way of education, and that a large estate was better than what might seem to his brother a reasonable allowance. Some of the sordid details of their contention with each other are contained in the letters in question, but there is no need for us to recount them. It is sufficient to say that the estate of Kintyre, which was given to the younger son, was sold by him to his brother after their father's death.

[1] App. III., Letters VI.–XIII. [2] *Ibid.*, Letters, *passim*.

It is abundantly evident that very bitter feelings of injury and humiliation cast a shadow over Lord Lorne's happiness at this time, though, as he says himself, he sought to bear his wrongs with dignity, and "to do nothing unworthie of a Christian and a nobill man."[1] His high-spirited and outspoken maintenance of what he regarded as his rights is a pleasing trait in his character. In his later life he was credited sometimes with unduly disguising his feelings, and with seeking occasionally to attain his ends by policy rather than by opener and bolder methods. It is, therefore, satisfactory for those who wish to form a favourable view of his character, to see that he was capable when "much enforced" of emitting the "hasty spark" of anger, and that he could be wrought up to threaten to leave Scotland rather than submit to the neglect of which he complained, and to declare that he would sooner be "free abroad then ane sleave at hom to suffer anything unworthie of Lorne."[2] But, with his coming of age, and his entrance on a more independent life, his circumstances improved, and probably he found his happiness beginning when he took up the share in public affairs which belonged to him in virtue of his position in Scotland, and of his varied intellectual gifts. As, however, the relations in which he stood with his father so far as concerned the family estates were peculiar, and as his enemies founded upon them various charges against him, our readers will perhaps pardon our dwelling upon the matter at a little greater length than we have hitherto done.

Shortly before the second marriage of the old Earl of Argyll, and probably in view of it, the fee-simple of his estates was conveyed to Lord Lorne.[3] The practical effect of this legal transaction was that the whole heritable property belonging to the father was irrevocably secured to the son, though the former still enjoyed the income from it as a life-rent. The interests of the heir were thus secured against any change or diminution, for the power of selling or alienating any part of the estates was necessarily given up by the execution of this deed. In the year 1631 the Earl renounced the life-rent also of the estates, and thus gave over into the hands of his son everything included in the Earldom, except the bare title. No reason for the procedure is assigned in the Act of Parliament of 1633 which confirms this arrangement,[4] though the matter may admit of a very

[1] App. III., Letter VII.
[2] *Ibid.*, Letter XIII.
[3] Gregory, *Western Highlands*, p. 401.
[4] *Acts of Parliament of Scotland*, vol. v. p. 80.

LORD LORNE in 1630.

From Original in Newbattle Abbey.

simple explanation. Probably it would be much more convenient for the Earl, who chose to live in London, to receive a certain fixed income, and to leave to his son the task of managing the property and of collecting the rents. Certainly the labour involved in controlling the affairs of what was virtually a principality in the Highlands from such a distance as the English capital must have been very considerable in those days, when even a journey down to Scotland was a serious undertaking. So great was the necessity of keeping a check upon the troublesome clans of the Macgregors and MacDonalds that, when the seventh Earl of Argyll renounced the Protestant faith and left Britain to enter the Spanish service, twenty of the barons and leading proprietors of the county assembled and commissioned his brother, Sir Colin Campbell of Lundy, to take charge of matters until Lord Lorne was old enough to assume command.[1] In the case of an estate with which such serious responsibilities were connected, a proprietor who chose to be non-resident could scarcely follow any other course than that of formally renouncing his office and position.

In two quarters hostile to the Marquess of Argyll there are to be found comments upon these relations between father and son which must be received with great caution. Clarendon says that the renunciation of the life-rent of the property was brought about by royal intervention on behalf of the heir. "The latter had been preserved," he says, "by the King's immediate kindness and full power, and rescued from the anger and fury of his incensed father; who, being provoked by the disobedience and insolence of his son, resolved so to have disposed of his fortune, that little should have accompanied the honour after his death. But by the King's interposition, and indeed imposition, the Earl, in strictness of the law in Scotland, having need of the King's grace and protection, in regard of his being become Roman Catholic, and His Majesty granting all to the son which he could exact from the father, the old man was in the end compelled to make over all his estate to his son, reserving only such a provision for himself, as supported him according to his quality during his life, which he spent in the parts beyond the seas. The King had too much occasion afterwards to remember, that in the close, after His Majesty had determined what should be done on either part, the old man declared, 'He would submit to the

[1] *Adventures in Legend*, p. 200; *Register of the Privy Council of Scotland*, vol. xi. pp. 487, 488.

King's pleasure, though he believed he was hardly dealt with'; and then with some bitterness put his son in mind of his undutiful carriage towards him; and charged him 'to carry in his mind how bountiful the King had been to him'; which yet, he told him, he was sure he would forget; and thereupon said to His Majesty, 'Sir, I must know this young man better than you can do: you have brought me low that you may raise him; which I doubt you will live to repent; for he is a man of craft, subtilty, and falsehood, and can love no man; and if ever he finds it in his power to do you mischief, he will be sure to do it.'"[1] The King, we are told, regarded this speech at the time as a mere ebullition of bad temper, though the historian seems to imply that afterwards it seemed to him a proof that the Earl in his old age had attained "to something like prophetic strain." The early part of Clarendon's *History*, however, was written without books or literary material of any kind, and it contains much that can only be called unfounded gossip. The passage we have quoted seems rather to belong to that category than to be an illustration of the exercise of prophetic powers or "second sight" on the part of the Highland chieftain. The story is reduced to insignificant proportions by the mere fact that in 1610, when the heir was only some three years of age, the settlement of the estates upon him once and for all took place. That the renunciation of the life-rent involved an obligation on the part of the new possessor to provide a certain maintenance for his father is absolutely certain; it is indeed referred to in an Act of Parliament of a much later date—that of 1661,[2] in which considerable trouble is taken to blacken the character of the Marquess of Argyll, who had been beheaded a couple of months before. In this Act we are told that "under the colour of law" he had got possession of his father's property, and then had "put him to intolerable straits."[3] This certainly implies that he had been under an obligation to provide for his father, though it asserts that he had been culpably remiss in discharging it, and it admits that he had had legal sanction for all that he had done.[4] The distinction between what is legal and what has only "the colour of law" is one which none but accomplished casuists

[1] *History*, vol. ii. p. 183 (Oxford ed., 1816).

[2] *Acts of Parliament of Scotland*, vol. vii. p. 337.

[3] *Ibid.*, vol. v. p. 340.

[4] See in App. II., Letters iv. and v., in which reference is made to an annuity due by Lord Lorne to his father.

would be qualified to deal with, and need not detain us here. With regard to the statement that he had "put his father to intolerable straits," all that we need say of it is that it must be classed with all assertions that are made without proof to damage the reputation of persons who are dead, and are consequently incapable of defending themselves. At the same time, we can easily see that, so long as the two stood in such peculiar and unfortunate relations to each other, it would not be difficult for those who had on other grounds a dislike to the son to misrepresent matters and assert that he had acted harshly or injuriously towards his own father. As a mere matter of fact, the Argyll estates which had come to the seventh Earl with a burden of debt upon them seem to have been transmitted by him to his son with that burden undiminished, if not indeed considerably increased. For in the year 1634 we read of Lord Lorne "being in great debt," and of his applying to his kinsman, Sir Colin Campbell of Glenurquhy, for some "help to relieve him of the same." The latter came loyally to the assistance of his chief, and at Martinmas of that year gave him the sum of eight thousand merks [about £444 Sterling].[1] We are therefore not at liberty to think of the son as in affluent circumstances while his father was in comparative poverty; since there is abundant evidence that both suffered from that "eternal want of pence" which has so often vexed public men.

On 12th June, 1628, he was chosen a Privy Councillor,[2] and, in reference to this and to other official appointments which he received from the Crown, the historian Clarendon speaks of obligations heaped upon him by his Sovereign, which he asserts would have prevented any generous nature from ever resisting the royal will and power.[3] The principle thus enunciated is, however, of very dubious worth. The affairs of a nation would be ill guided if men placed in Argyll's position were to regard their offices of trust and authority as bribes to secure their co-operation or silence with regard to schemes entertained by the Sovereign of which they disapproved. Nor need the offices conferred upon Argyll be taken as a proof that "he was basking in the royal favour"; they were such as would naturally fall to a man occupying such a high position in the country as was his

[1] *Black Book of Taymouth*, p. 77.

[2] By a warrant dated Whitehall, 23rd May (*Reg. of Privy Council of Scotland*, ii. 1627–28, 2nd series).

[3] *History*, vol. i. p. 183.

by birth, and who evidently possessed qualifications for them. In 1633, on the occasion of the coronation of Charles I. in Edinburgh, he was confirmed, as above stated, in the life-rent of the Argyll estates, and in the possession of the heritable jurisdiction which had been specially arranged for when the office of Justiciary-General of Scotland was surrendered to the Crown.[1]

A curious glimpse into one of the schemes which about this time interested Lord Lorne is given us by a couple of documents from the Argyll Papers, which have been printed by the Historical Manuscripts Commission. It seems that he had been told of an island lying outside the Hebrides which had not been explored or planted; and on 16th March, 1633, he signed a contract with a Captain David Alexander, of Anstruther, of the ship *Unitie*, for the investigation of the whereabouts and condition of this new territory. The captain binds himself to set out in his vessel fully provided with sails, anchors, etc., and manned by an expert skipper, a master's mate, and ten sailors, by the 20th of April immediately following, and to proceed from Anstruther to the Western Isles, and thence into the main sea outside of the Hebrides. He was "to searche, seek, and use all utter and exact diligence" for the discovery of the isle, and to take perfect notice of its extent and commodities, to observe whether it was inhabited, and how far and in what "airth" it lay from the Hebrides, and to report on the results of his voyage to Lord Lorne before the 1st of August. A Captain William Campbell was to sail, under Lord Lorne's orders, with the company of the *Unitie*, to guide her through the islands, and to assist in the discovery of the new land; and on the homeward voyage he was to be set ashore on Canna, or some other convenient place in the Isles, from which he might with greatest speed reach Lord Lorne with a report of the results of the expedition. Captain Alexander was to receive £800 Scots [£66, 13s. 4d. Sterling] before his departure, and £400 Scots [£33, 6s. 8d. Sterling] on his return, for the expenses of the voyage. Lord Lorne reserved to himself the decision of what remuneration he should bestow upon the captain for his "awne paynes" if the isle were discovered.[2] It is to be feared that Captain Alexander got no more than the expenses of the voyage, for there is no reason to believe that any extension of

[1] *Acts of Parliament of Scotland*, vol. v. p. 77.

[2] *Hist. MSS. Com.*, vol. vi. p. 631. The date is as above, from Holyrood House, and the document is signed by the two parties and three witnesses.

the Argyll property resulted from the expedition. Our readers may be amused by the second document, which we give in a footnote, and which contains the arrangements made for the government and exploitation of the new island. So complete are these that scarcely anything is forgotten, from the precious minerals that might be lying in the depths of the earth, up to the unconscious rabbits that might be frisking upon its surface. As neither St Kilda nor Rockall appears in Blaeu's map of Scotland, which belongs to this period, it is possible that some vague rumour about either the one or the other of these reached the ears of Lord Lorne and led to the expedition in question. The contrast between the actual condition of these outlying, storm-swept rocks and the rich, populous island which floated before the imagination of the legal functionary who drew up Argyll's title to the new territory, is sufficiently striking.[1]

It is interesting to notice that Lord Lorne in his own family maintained the old Celtic custom of "Fostering," by sending his eldest son, while still a child of four and a half years of age, to be brought up by one of his kindred and clan. The benefit sought by both parties in a transaction of this kind was mutual support and strength. "In times," says Cosmo Innes, "when none counted much on the protection of the law, families endeavoured to surround themselves with friends and allies;

[1] *Ibid.*, vol. iv. p. 482: "Signature subscribed by King Charles the First, in favour of Archibald Lord Lorne, whereby His Majesty, with consent of William, Earl of Morton, treasurer; John, Lord Stewart of Traquair, treasurer-depute, disponed to Lord Lorne and his heirs male, that isle lying without the whole known and inhabited isles of the kingdom of Scotland, called *Hebrides Insulæ*, and now lately known by the name of . . . ., and lying . . . ., or of whatsoever other name or designation the same be of, with the 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, cunnings [rabbits], cunningares [rabbit warrens], coals, coal heughs, parts, pendicles, and pertinents of the said isle whatsoever, with the mines and minerals of gold and silver, tin, lead, brass, copper, etc., within the bounds of the said isle with the privilege and jurisdiction of a free regality, chapel, and chancery, with the casualties belonging thereto; which isle is united and annexed to the sheriffdom of Tarbet; and Lord Lorne's heritable offices of justiciar and sheriff within the sheriffdom of Argyll and Tarbet are extended to the isle above mentioned, with power to build and erect burghs of barony, to appoint weekly markets, and yearly free fairs, to make and create burgesses and other officers requisite, and to erect parish kirks, of which Lord Lorne is made heritable patron, and to whom is disponed the patronage thereof with the teinds, fruits, and rents of the same; and likewise Lord Lorne and his foresaids are constituted heritable lieutenants to His Majesty within the bounds foresaid; to be held in feu of His Majesty for payment of 26 shillings Scots yearly [2s. 2d. Sterling], and doubling the same the first year of the entry of each heir. Dated 13th May, 1633."

and a relation like this of fosterage begot feelings of mutual friendship better than the artificial system of Bonds of Amity, which were apt to stand or fall with the interest and temper of the parties."[1] The kinsman to whom Lord Lorne entrusted the education and upbringing of his son was Sir Colin Campbell of Glenurquhy, one of the most accomplished and loyal members of his clan. We get a glimpse into the household life both at Glenurquhy and Inveraray from a little bundle of letters and accounts which is still extant. Thus from them we learn that "a discrit woman and ane sufficient man quha had bothe Irisch and Englisch," accompanied the child to Glenurquhy to wait upon him and to attend to his lessons, and that their services were supplemented by those of a page. Lady Lorne writes to ask her son's foster-father to see that he is not allowed to drop the use of Gaelic or "Irishe." "I heair," she says, "my sone begines to wearye of the Irishe langwadge. I intreatt yow to cause hold hime to the speakeing of itt, for, since he hes bestowed so long tyme and paines in the getting of itt, I sould be sory he lost itt now with leasiness in not speakeing of itt." On another occasion she expressed her anxiety for care to be taken to send an adequate escort, and to arrange otherwise for his safety on the journey from Glenurquhy to Inveraray. "I hoipe," she says, "ye wilbe cairfull to send sufficient company with him, and to caus prowyd some secure place be the way, quhar he maybe that night he comes frome you." Lord Lorne writes from Rosneath to inform his "cousin" that his son, who is home on a visit, is about to return to Glenurquhy. "I will assoor you," he says, "your foster [son] longs very much to see you, and doethe not dar to tell he had rather be thair nor her, and I assoor you he shall heave his choice." The child's letter to Sir Colin when he is about eight years old is pretty, and is worth quoting. The quaint spelling is, we think, partly to be accounted for by the tender age of the writer. It runs as follows:—"To my louing foster-father and respected freind the Lard of Glenurqhey, these: Louing Freind, louing foster-father, I thoght good to wryt thir [these] few lyns to yow to shawe yow that I am in good health and am vearie sorie that ye wryt not for me and I long weri much to sie yow; and as ye wold wis me to be weil and to come to yow, send to me in all the heast and diligence ye can, Duncan Archibald and tuey horse with him on to Mr Johen and on for my

[1] *Black Book of Taymouth*, p. xviii.

cariage[1]: and prays and requests yow to send them in all the heast ye can, and I wil looke for them that they may be heir at Fryday or at the fardest at Setterday at night: and take it not in anay uncounes [strangeness] that I send not back the ansuere of the letter that I got in Edinbruch, I could not stay because I was in heast; and bring my commendations to yowr shelf and to yowr wyf and houpes that I wil seie yow my shelf shortlie, if ye doe yowr deutie, not duting but ye wildoe the same, comiting yow to God's protection for euer. So I rest, Yowrs at pouer, Archibald, Lord of Lorne."[2] The accounts of the boy's expenses were carefully kept, and contain some quaint items: thus, "For ane brusche for my Lord of Lorne's sone to brusche his head with" (x s.); "Given to my Lord of Lorne's sone to play him with quhen he went to Edinburgh to sie his father" (x lib.); "For ane Inglisch byble to him" (x lib.); "For the practise of pietie being double over-gilt" (iii lib.); "Item for tua pair of gloves to the bairne" (xiii s.); "Item half ane ell of Cramoisie velvett to be him ane bannet mutch" (x lib.), etc.[3] The boy who was the object of so much love and solicitude had afterwards a chequered career, closed at last, as that of his father had been, by a bloody death. The memory of this adds a touch of pathos to these little particulars of his childish days, when the shadow of danger was still far aloof from him, and an affectionate conspiracy to make him happy was formed by all about him. To these early days and to this peaceful home his thoughts in after-years, we cannot doubt, often recurred.

Among the various official appointments bestowed upon Lord Lorne was that of a judgeship in the Court of Session, as an Extraordinary Lord of Session. According to an Act of the year 1537,[4] the Sovereign was at liberty to name three or four "Lords of his great council or Parliament" to sit and vote with the fifteen ordinary judges. These Extraordinary Lords of Session received no emolument beyond the opportunity

[1] *i.e.* one for his tutor and one for himself. Mr John was afterwards evidently dismissed for misconduct of some sort.

[2] The signature seems somewhat premature, but it is not the same as his father's, which is "Lorne."

[3] *Black Book of Taymouth*, pp. xviii–xxiii. Our readers will bear in mind that the pounds and shillings need to be divided by twelve to reduce them to Sterling value. "The practise of pietie" above mentioned is of course a book.

[4] 1537, c. 40.

of obliging themselves and their friends,[1] which doubtless seemed to most of them a more valuable as well as a more immediate advantage than the training for the public service, and particularly for judging in appeals brought from the Court of Session to the House of Lords, on which apologists for the system have laid stress. Lord Lorne took his seat on the 14th of January, 1634, in place of Sir John Hay of Barro.[2]

His connexion with a famous criminal trial of that time deserves a passing notice. Although the power of the Macgregors as a clan had been broken by the old Earl of Argyll, various individuals of that name gave trouble to the authorities from time to time by their acts of rebellion and violence. One of the most famous of these, Patrick Macgregor, popularly called, from the colour of his hair, Gilderoy or Gillie Roy (*i.e.* the Red Lad), who is famous in ballad literature and in the prose fiction which deals with the exploits of highwaymen, about the year 1632, at the head of a gang of caterans, plundered various districts of the Highlands. The "arch-rebel" and nine of his companions were apprehended by Lord Lorne, and executed in Edinburgh in July 1636. For his services in capturing this bold outlaw, an Act of Approval was passed by the Privy Council, who ordained that special mention should be made of it to the King. On the occasion of the trial, Lord Lorne received a commission appointing him to sit on the Bench as an assessor to "His Majesty's Justice and his depute" in conducting the trial.[3] The fine ballad of "Gilderoy" in Percy's *Reliques* gives us a view of matters from the standpoint occupied by the outlaw's friends.[4]

We now arrive at the period in Lord Lorne's life at which he felt called upon to come forward as the defender of a great cause—that of religious liberty and national independence—and to enter upon a career of public service from which he was never to be released until he bowed his head upon the scaffold to receive the stroke of death. In order that

[1] The description of the English judges who visited Scotland in the time of the Commonwealth as "a pack of kinless loons" will recur to the minds of some of our readers.

[2] Erskine's *Institutes*, vol. i. p. 57; Brunton and Haig, *Senators of the College of Justice*, pp. xlviii, 294. By the statute Geo. I. c. 19, it was decided that no future appointments of the kind were to be made, and the office expired accordingly with John Hay, Marquess of Tweeddale, who died 9th December, 1762.

[3] *Hist. MSS. Commission*, vol. iv. pp. 471, 490.

[4] See App. II.

our readers may understand the ecclesiastical agitation in Scotland, which broke out into such fierce disorder in the twelfth year of the reign of Charles I., it is necessary for us to give a brief outline of the course of events which led up to it.

The struggle was between Episcopacy, which had the support of the Sovereign, and Presbyterianism, which commended itself to the overwhelming majority of the people of Scotland, and which was closely allied with the type of religious reformation which had been carried into effect in Scotland. Though Knox and his brother-reformers had no consuming zeal against Episcopacy, and had even set up a system which had a superficial resemblance to it, they undoubtedly aimed at a condition of matters very different from it. The "Superintendents," who had provinces or districts in which they were expected to plant and erect churches, to appoint ministers, and to exercise discipline in cases of misconduct or negligence, were in no sense prelates for they were themselves subject to the General Assembly, by which at the impeachment of an elder they might be rebuked, suspended, or deposed. There were still persons who occupied the offices and enjoyed the titles and revenues of Bishops, and who had seats in Parliament as holding baronial benefices, but they exercised no ecclesiastical authority unless they had been admitted into the ministry of the Protestant Church, or had received a special commission from the General Assembly. When these offices became vacant by the death or forfeiture of incumbents, the Church would have preferred that they should have been abolished and their revenues applied to the support of Superintendents and ministers. But her representations and requests were ignored. A twofold motive influenced the civil authorities in refusing to accede to this proposal: on the one hand, the presence of Bishops in Parliament was necessary for the validity of legislation—a consideration of special importance during the minority of James VI.; and, on the other hand, the noblemen who presented preachers to the vacant sees took care to secure for themselves a considerable portion of the income. This practice of maintaining the Episcopal office in order to have legal authority for drawing the revenues, only part of which was used for the salary of the incumbent, suggested the well-known *soubriquet* of "Tulchan Bishops." The *tulchan* was the stuffed figure of a calf, sometimes used to delude an unwilling cow

into giving her milk; and so, under colour of keeping up the ecclesiastical office in question, the nobles were enabled to draw freely upon the endowments that were meant for the support of the Bishops.[1] The whole history of the struggle between Presbyterianism and Episcopacy, during the greater part of the reign of James VI., may be summed up in the statement that those who conferred, and those who enjoyed, the Episcopal office were ever seeking to add to it a measure of spiritual jurisdiction, while the great majority of clergy and people resented and resisted the exercise of authority by one minister of Christ over his brother-ministers. It took some time before Presbyterianism could muster its forces and put forth its strength to resist this domination. In its primitive form in Scotland its constitution was incomplete, as the governing bodies consisted merely of Sessions or Courts formed of ministers and elders of individual congregations, and General Assemblies called by royal authority at irregular intervals. But in course of time Presbyteries, or district courts, came into existence, and were able to discharge the functions which in an Episcopal Church belonged to Bishops. In the struggle between the two systems, the victory lay sometimes with the one party, and sometimes with the other; but from the year 1610 Episcopacy of a moderate type was finally established in Scotland. The Bishops, in accordance with a temporary arrangement which had been come to in 1572 but which had never been repealed, were still subject to the control of the General Assembly, by which they might be censured or even deposed. This, as we shall afterwards see, put into the hands of the Presbyterian party a weapon of tremendous power, when in the course of events they succeeded in gaining control of the Assembly and in filling it with men hostile to Episcopacy.

As a mere matter of fact, it may be safely averred that in the beginning of the reign of Charles I. the Episcopate was an institution thoroughly unpopular with both clergy and people in Scotland, and consequently those who occupied the office were unfortunately very largely out of sympathy with those over whom they had charge.[2] This unhappy condition of matters showed itself in various ways. Under pressure from the Sovereign, several religious practices had been introduced which

[1] Peterkin, *Records of the Kirk*, p. 248.

[2] See Burnet, *Dukes of Hamilton*, p. 38 *et seq.*

in the public estimation savoured of Popery,[1] and the Bishops by enforcing these incurred the suspicion of aiming at the re-establishment of forms of superstition which the nation abhorred. In Scotland also Puritanism began to prevail, and it led to the cultivation of an austerer and more rigid type of piety than had hitherto been known; and as this movement affected the community at large, the Bishops were likely to regard it with disfavour, and to provoke further unpopularity by what seemed to be laxity of conduct in matters of manners, if not, indeed, of morals. Accordingly, at the period now before us, those who were the representatives of Episcopacy had partly inherited and partly built up for themselves a highly undesirable reputation. They were popularly regarded as open to the charges of Popish inclinations and of "worldly" practices.[2] Some instances of harsh conduct on the part of one or two of them served to fill up the measure of indignation which had long been accumulating, and, unfortunately for them and for the cause they represented, when final disaster was at hand, there were among them no men of special ability or force of character who could do anything to avert it. Their vacillation and incapacity served only to aggravate their misfortunes when the evil day arrived.

Some cases of oppression on the part of Thomas Sydserf, the Bishop of Galloway, called forth the indignation of Lord Lorne, and led him to take action in the Privy Council to remedy them. The Bishop in question, who was one of the most intolerant of those who held the office at that time, had set up a diocesan court, subordinate to the Court of High Commission, in which he dealt with cases of nonconformity or other ecclesiastical offences.[3] In this he passed sentence of punishment upon Alexander Gordon, the Laird of Earlstoun, who on one occasion, when the Eucharist

[1] These were the Perth Articles, decided upon by a General Assembly at that city in August, 1618: 1. That the Sacrament of the Lord's Supper should be received kneeling. 2. That the same Sacrament might be celebrated privately in cases of serious illness. 3. That Baptism, as a rule, should be administered in churches, and not in private. 4. That all children above eight years of age should be taught the Lord's Prayer, the Creed, the Ten Commandments, and the Catechism, and be confirmed. 5. That Christmas, Holy Week, Easter, Ascension-tide, and Whitsuntide should be duly commemorated (Grub, *Ecclesiastical History of Scotland*, vol. ii. p. 317).

[2] A contemporary satire dubs them "fourteine belly gods" (Maidment's *Pasquils*, vol. ii. p. 2). No such scurrility can of course be received as evidence against them, but in order that it might pass current there must have been some ground on which such a charge could with any plausibility be made. It would not have been made against men who were notoriously austere and ascetical in their habits.

[3] Burnet, *History of My own Times*, vol. i. p. 24.

was given to kneeling communicants, "cryit out, saying it wes plane idolatry."[1] For this offence the culprit was fined five hundred merks [£27, 15s. 6d. Sterling], and was banished to Montrose. Earlstoun was the Tutor or guardian of the young Viscount Kenmure, and he had the principal charge of his affairs and so came to be associated in many ways with Lord Lorne, who was the uncle of his ward.[2] The fine was paid by Lord Lorne, and he understood that this was accepted as a sufficient atonement for the offence.[3] The Bishop took the money "without ceremony," but did not remit the sentence of banishment. "No dealing," says Baillie, "could move the Bishop to pass from the execution of this sentence; yea, at the Councill table, when Lorne was relateing some circumstances of this businesse, he got a reply from the Bishop, which he called a lie [*i.e.*, as it seems, was given the lie], and so raise in high passion, and yet remaines malcontent for that injurie. For myself, I think the Bishop could not be so impertinent, bot that rather that wise nobleman would make use of some rash word, which hes fallen from his mouth; however, he and all the nobles takes it for a very pert affront done to their estate, even in Councill. The matter, I hear, is before the King, and yet not agreed."[4] Ultimately, by the exercise of strong pressure on the part of Lord Lorne, the sentence of banishment was quashed, and Earlstoun returned home; but the incident served to increase the popular indignation against the Bishops. Lord Lorne, indeed, called a meeting of some of the leading nobles in Scotland, at which "the pryd and avarice of the prelates seiking to overrule the haill kingdome" received the condemnation which it deserved.[5]

Another case in which Lord Lorne interposed on behalf of the Puritan or Presbyterian party was that of the famous Samuel Rutherford, who was brought before the Court of High Com-

[1] Spalding, *Memorialls of the Trubles*, vol. i. p. 78; *Life of Robert Blair*, p. 107.

[2] See App. I. In the reference to this incident in the article "Archibald Campbell, eighth Earl of Argyll" in the *Dictionary of National Biography*, Earlstoun is spoken of as a "tutor," as though he were a kind of Dominie Sampson in the household of Viscount Kenmure. Dr Gardiner in his *History* (vol. viii. p. 316) describes him as "one of Argyll's followers," as though he were an obscure member of the clan Campbell over whom the chief spread his protecting ægis. As a matter of fact, Earlstoun was a landed proprietor of distinguished position in Galloway, and, as above mentioned, the principal guardian or "Tutor" of Viscount Kenmure, who was then of very tender years. See also *Life of Livingstone*, p. 136 (Wodrow Soc.).

[3] Stevenson, *History of the Church and State of Scotland*, p. 317.

[4] *Letters and Journals*, vol. i. p. 16.

[5] Spalding, *Memorialls of the Trubles*, vol. i. p. 79.

mission in 1636, and was charged with nonconformity, with preaching against the Five Articles of Perth, and with supposed reflections upon the Church of Scotland in one of his books. He declined to recognize the court as a lawful judicatory, or to give the Bishops their titles. He was condemned to give up the exercise of his sacred calling within the bounds of Scotland and was banished from Anwoth in Galloway to Aberdeen. Lord Lorne exerted himself on behalf of the accused, and earned his lasting gratitude. In one of his letters Rutherford says: "My Lord has brought me a friend from the Highlands of Argyle, my Lord of Lorn, who hath done as much as was within the compass of his power. God gave me favour in his eyes." And again, in a letter to Lady Kenmure, he says: "And write thanks to your brother, my Lord of Lorn, for what he has done for me, a poor unknown stranger to him. I shall pray for him and his house while I live. It is his honour to open his mouth in the streets for his wronged and oppressed Master, Jesus Christ."[1]

[1] *Letters*, i. 4, iii. 36.

CHAPTER III

The Nobles jealous of the Bishops—The Book of Canons and the Liturgy—Riot in St Giles's Church, Edinburgh—Popular Discontent—"The Tables" established—The "National Covenant"—Lord Lorne's Visit to London—Hamilton appointed Royal Commissioner—Accusations against the Bishops.

ANOTHER cause of the troubles which broke out in Scotland in the reign of Charles I. was the discontent of the nobles, which had been excited by what they regarded as a harsh exercise of the royal prerogative, and by the increasing political influence of the Scotch prelates. So far as the former of these grievances is concerned, it is difficult to see that there was any real ground for discontent. For two generations the higher nobility had been in possession of Church revenues, and had proved themselves oppressive in their modes of exacting tithes, and grudging in the payment of the small portion of them which was applied to the support of the clergy. The result was that smaller proprietors and farmers were kept in a position of unjust and often injurious subjection to their superiors, and the provision for the support of religion was both inadequate and irregular.[1] One of the earliest proceedings of Charles I. after coming to the throne was to issue an Act of Revocation, by which the Church property held by laymen was reannexed to the Crown on the ground of technical defects in the original grants by which it had been bestowed upon its present possessors.[2] This sweeping proposal aroused great indignation and opposition, and ultimately a reasonable compromise was effected, by which the grievances which had provoked the royal interference were corrected, and decent provision made for the support of the clergy. The nobles were really in consequence of this new arrangement secured in the possession of their property by an indefeasible title,

[1] Napier, *Memorials of Montrose*, vol. i. pp. 24, 66.

[2] *Acts of Parliament of Scotland*, vol. v. p. 23; *Large Declaration*, p. 6; Echard, *History of England*, vol. ii. p. 102.

though their incomes might be somewhat diminished, and the causes of irritation between them and their tenants, and between them and the clergy, were taken away. Nevertheless, they felt sore at the diminution both of their power and of their revenues, and were suspicious of the next step which might be taken by the Government in dealing with matters in which they were specially interested; and many among them were on the watch for an opportunity of requiting their fancied injury upon their Sovereign.

A second and more intelligible ground of aristocratic discontent was afforded by the fact that the Bishops had been gradually endowed with political power, and now filled offices in the State which the nobles regarded as theirs by birthright. The Archbishop of St Andrews was appointed Lord Chancellor of Scotland in January, 1635, on the death of the Earl of Kinnoul, and of the thirteen other members of the Episcopate seven were at that time in the Privy Council.[1] It was the first time since the Reformation that the office of Chancellor had been given to a Churchman; and it was generally believed that Lord Lorne was very much disappointed that it had not been conferred on him. It was said that he had formally applied for the office, and received a refusal.[2] But perhaps rumour exaggerated matters, as it is apt to do.

According to the peculiar arrangements of the Scotch Parliament the actual work of legislation was carried on by a large committee of the Estates, called the Lords of the Articles. The nobles elected eight of the fourteen Bishops to this committee, and the Bishops, in their turn, chose the same number from the sixty-six members of the higher nobility who were eligible for this office. The nobles and Bishops then chose eight of the untitled gentry, and as many commissioners from burghs; and to the committee thus formed the Sovereign had the right of adding eight nominees of his own, with the Lord Chancellor as President.[3] From this brief statement it will be easily seen that each member of the Episcopal order had a weight in the affairs of government far in excess of that of any of the nobles; whilst it was in their

[1] Gardiner, *History of England*, vol. vii. p. 298; Napier, *Memorials of Montrose*, vol. i. p. 70.

[2] Echard, *History of England*, vol. ii. p. 131.

[3] Gardiner, *History of England*, vol. vii. p. 287; Gordon, *Scots Affairs*, vol. iii. p. 364.

power, as a whole, to reduce legislation to the mere registration of the will of the Sovereign. They could always be counted upon to vote in accordance with the royal pleasure, and could at any time select from the higher nobility those who would do the like; and the members of these two Estates of Parliament, together with the royal nominees, had the whole power of government in their hands, even if all the other Lords of the Articles were in opposition. And so the same men who were obnoxious to many of their countrymen because they were Bishops, and who were disliked by others because of their supposed inclination to Popery and "worldly" habits, were regarded by the nobles and by the leading members of the legal profession with hatred and jealousy, as intruding into the sphere of politics, and as monopolizing offices and dignities to which others were entitled. The condition of things in Scotland in 1635 was therefore such that any further innovation in religious affairs was certain to lead to a general insurrection: combustible and explosive matter was abundant on every hand, and all that was needed was the application of a match.[1]

A very much more long-suffering people than the Scotch nation of that time would have been roused to anger by the affront which led to the general rising against the royal authority. The decision had been formed after the visit of Charles I. to Scotland, on the occasion of his coronation in 1633, to publish a new Book of Canons to regulate the constitution of the Church of Scotland, and a new Liturgy to secure uniformity in the matter of worship. The purpose which Charles I. asserted that he had in view in coming to this decision was to promote "the good and peace of the Church" and "the increase of religion."[2] We have no reason for doubting the purity of his motives, but something like judicial blindness or infatuation is the only explanation of the course he took in carrying out his purpose. The Book

[1] The strength of the case against the Bishops may be judged from the fact that after the Restoration when Episcopacy was re-established in Scotland, in the sermon preached on the consecration of some of the prelates they were warned against imitating the conduct of their predecessors. The preacher, we are told, "insisted upon the faults and escapes [escapades] of the former prelates, which made them fall, and exhorted the Bishops not to encroach upon the nobility, but to keep themselves sober, and not exceed the bounds of their function" (Wodrow, *History*, vol. i. p. 255).

[2] The King to the Bishops, 13th May; see Sprott's *Scottish Liturgies*, Introd., p. xlviii.

of Canons appeared first in the beginning of the year 1636, and it imposed upon the people of Scotland a form of Church-government in many respects very different from that which then existed and was recognized by law. Some of the Scotch prelates may have assisted in drawing it up, but it had been thoroughly revised by Archbishop Laud and Dr Juxon, Bishop of London, and it was issued with no sanction whatever but that of the royal authority. It was surely new for the constitution of a Church to be remodelled and changed without even any discussion of principles or details by those immediately concerned, or at any rate without the formal sanction of the Church's most responsible officials.[1] The Book of Common Prayer did not appear until eighteen months afterwards, but it was already placed under very strict guardianship in the Book of Canons. The penalty of excommunication was threatened against any one who asserted that it "contained anything repugnant to the Scriptures, or was corrupt, superstitious, or unlawful."[2] "It was quite reasonable," says Dr Grub, himself an Episcopalian, "that a Code of Canons should be issued before a Service-Book, but it was a proceeding equally absurd and tyrannical to denounce the penalty of excommunication against the infringers of a book the contents of which were not yet known."[3] Archbishop Laud had been in favour of enforcing the use in Scotland of the English Book of Common Prayer, but in consequence of the remonstrances of the Scotch Bishops it was agreed that the new Liturgy should, while similar to that used in England, be allowed to differ from it in some points.[4] Whatever share any of the Scotch Bishops had in preparing this Liturgy, the work of revising was carried out by Archbishop Laud, Dr Juxon, and Dr Wren, Bishop of Norwich;[5] and, as in the case of the Book of Canons, the work was issued simply by royal authority, without the sanction of any ecclesiastical court or assembly. By a letter of the Privy Council all ministers were required, under penalty of outlawry

[1] Burton, *History of Scotland*, vol. vi. p. 397.

[2] Laud's *Works*, vol. v. p. 583.

[3] *Ecclesiastical History of Scotland*, vol. ii. p. 367.

[4] Gardiner, *History of England*, vol. vii. p. 282; *Large Declaration*, p. 18.

[5] Echard, *History of England*, vol. i. p. 132. A very unfavourable account of this prelate, Bishop Wren, is given in W. Lilly's *Observations on the Life and Death of King Charles* (1651). The lowliness of his origin is described in an oddly-sounding sentence—"a fellow, whose father sold *Babies* [*i.e.* dolls], and such *pedlery*-ware, in Cheapside."

for rebellion, to provide themselves with copies of the volume for the use of their parishes within fifteen days[1]—a remarkable kind of stimulus for promoting the use of a devotional work! No charge of Romanizing tendencies can fairly be brought against the authors of this Liturgy, but, unfortunately for them, the appearance of such was discernible in it, at least to the jealous scrutiny to which it was exposed. By a change in the Communion Office in the way of removing clauses of a supposed Zwinglian character, which dated from the second Prayer-Book of Edward VI., the doctrine of the Real Presence was set forth in a somewhat more emphatic form.[2] This fact was enough to serve for the foundation of the statement that the new Liturgy was merely the Mass in disguise. But, even if it and its companion volume had been perfectly unexceptionable in character, the mode in which they were introduced would have sealed their fate. The patriotic emotions of the people of Scotland, who had three hundred years before thrown off the yoke of England, were stirred to their lowest depths, and men and women of all ranks and classes were determined not to submit to tyrannical dictation in the sphere of religion, nor to make use of a volume which was possibly Popish, and was certainly English.

It was decided that the new Service-Book should be first used in the churches of Edinburgh on the seventh Sunday after Trinity, 23rd July, 1637, and notice of this was given on the previous Sunday. In "the Great Church," as St Giles's was then called, the inauguration of the new Liturgy was to be celebrated with unusual pomp at the morning service, which began at ten o'clock. The Archbishops of St Andrews and Glasgow, the Bishop of Edinburgh, with several other Bishops, many of the Privy Council, the Judges of the Supreme Court, and the magistrates of the city, were present; while a large congregation filled the church. The Dean of Edinburgh, Dr Hanna, stood up in his "whites" [surplice] to read the service. The moment he opened the book a great outcry arose which drowned his voice. "A number of the meaner sorte of the people," says the historian, "most of them waiting maides and women, who use in that towne for to keepe places for the better sorte,[3] with clapping of their handes, cursings, and outcryes,

[1] Grub, *Ecclesiastical History of Scotland*, vol. ii. p. 379.

[2] Laud's *Works*, vol. iii. p. 357.

[3] There were no pews in the churches then, and many people brought folding-

raised such ane uncoth noyse and hubbubb in the church, that not any one could either heare or be hearde."[1] Some said that the Mass had come among them, others that Baal was in the church. The Bishop of Edinburgh, who was to preach that day, entered the pulpit above the Dean, and, reminding the congregation that they were within a sacred building, entreated them not to profane it. Probably many of his hearers regarded this admonition as savouring of a superstitious reverence for the stone and lime of the edifice, for they proceeded to use greater violence towards the Bishop than towards the Dean. Bibles and a stool were hurled at his head, and, as most of his assailants were women, it is probable that he escaped being struck only through their well-known want of skill in taking aim. The Archbishop of St Andrews and some others came forward to aid in restoring order; but they only succeeded in drawing down upon their own heads the curses and imprecations which now began to be poured out freely upon the Bishops and their "abettors." The Provost and Bailies were therefore called down from the "loft" or gallery where they sat, and with their help the unruly rabble were thrust out of the church, and the doors were shut. Amid the confusion caused by the clamour of the mob outside, by loud knocking at the doors, and by occasional showers of stones through the windows the service was with difficulty carried through to its close. The Bishop of Edinburgh on leaving the church was surrounded and hustled by the mob, and he would probably have been crushed or trampled to death but for the timely intervention of the Earl of Wemyss, who saw his danger and sent his servants to rescue him. The members of the Privy Council who were in Edinburgh were hastily convened in the lodging of the Lord Chancellor, and instructions were given to the magistrates of the city to protect the afternoon service in St Giles's, and in other churches where disturbances had taken place in the forenoon. In consequence of the measures of precaution that were adopted, one of which was the exclusion of women from St Giles's, the new Liturgy was used at the afternoon service without interruption. The Bishop of Edinburgh, however, again ran considerable risk of his life on his way home from church. The Earl of Roxburgh, who was then Lord Privy Seal, gave him the shelter of his

stools with them. The servants above mentioned occupied places until their mistresses arrived.

[1] Gordon, *Scots Affairs*, vol. i. p. 7; *Large Declaration*, p. 23.

carriage, but it was pelted with stones all the way along the streets, and the Earl's footmen found it necessary to draw their swords to keep off the enraged crowd.[1]

A long and weary correspondence now took place between the members of the Privy Council, on whom the charge lay of carrying out the royal instructions, and their Sovereign, who was utterly incapable of understanding the very difficult circumstances in which his officials were placed, and the excited condition of public feeling. Nor were the members of the Council all of one mind: some of them who were laymen were in sympathy with the popular cause, and they were glad to see the Bishops humiliated. Some slight attempt was made to discover the rioters, but with little success. In a report to His Majesty "the barbarous tumult" was asserted to have proceeded from "a number of base and rascall people";[2] but, in spite of all endeavours to minimize matters, the whole Council, including the Bishops, agreed that it was not safe to attempt to use the new Liturgy on the Sunday following that on which the riot had occurred. Until the King's pleasure should be known both the old and new Service-Books were suspended; and the worship in the churches of Edinburgh in the meantime consisted simply of a prayer before the sermon, and one following it.[3] The only instructions that came from the King were that the authors of the late tumult must be searched for and punished, and that the clergy must be amply supported in establishing the use of the new Service-Book. But neither of these orders could be carried out: the very largeness of the number of those involved in the riots, as well as the rank of many concerned in them,[4] made it difficult to bring them to justice; while among the clergy there were none to be found who could be induced to run the risk of being torn to pieces for the sake of introducing or continuing to use the new Liturgy.[5] The Bishops complained to the King of the lukewarmness of the lay members of the Privy Council; and the lay members wrote to complain of the precipitation

[1] Gordon, *Scots Affairs*, vol. i. pp. 7, 12; Baillie, *Letters*, vol. i. p. 18; Row, *Church of Scotland*, pp. 408, 409; Rothes, *Relation*, app. 198–200.

[2] Baillie, *Letters*, vol. i. p. 45.

[3] *Ibid.*, vol. i. pp. 18, 447; Gordon, *Scots Affairs*, vol. i. p. 12.

[4] "This tumult was so great that it was not thought meet to search either the plotters or actors of it; for numbers of the best quality would have been found guilty" (Baillie, *Letters*, vol. i. p. 21).

[5] The magistrates to Laud, 19th August (quoted by Gardiner); *Large Declaration*, p. 28.

with which, as they said, the Bishops had acted in the whole matter. The only reply was that both parties were to blame, but more especially the Bishops for having laid an interdict upon Divine service. The unyielding attitude taken up by the English Government, or, to speak more exactly, by the King and the Archbishop of Canterbury, provoked obstinate resistance in many parts of Scotland outside the capital. Petitions against the enforced purchase and use of the Service-Book began to pour in upon the Privy Council, and influential deputations of noblemen, gentry, and ministers appeared before it in support of the popular cause.[1]

Riot after riot took place in Edinburgh, and the Privy Council and magistrates were utterly helpless in the hands of the mob; and the only way in which the representatives of the royal authority could restore order or secure their own safety was by appealing to their opponents, the noblemen and gentry who were regarded by the Sovereign as contumacious and rebellious towards him, to use their influence in calming the popular irritation. Order was restored, but at a heavy cost. For the virtual authority had passed from those who had the titles and emoluments of office into the hands of those who represented the people—who sympathized with their religious opinions and aspirations, and who were willing to become their leaders in a struggle against the tyranny of King and of Archbishop.[2] The only reply that had been sent to the scores of petitions forwarded from Scotland was another fruitless demand for the punishment of the disturbers of the peace, an order for the expulsion of strangers from Edinburgh under pain of outlawry, and another for the removal of the Privy Council and Court of Session to Linlithgow.[3] The petitioners now took a bolder step: in a document which was in form "a Supplication," they declared that the Bishops were the authors of the evils complained of, and they asked that they should be put on trial, and in the meantime should be prohibited from acting as judges in matters that were in dispute.[4]

Events now proceeded with great rapidity. The petitioners caught at a suggestion of their opponents, who were embarrassed

[1] *Large Declaration*, p. 26; Baillie, *Letters*, vol. i. p. 18, app. 448; Spalding, *Memorialls of the Trubles*, vol. i. p. 80; Echard, *History of England*, vol. ii. p. 135.

[2] Rothes, *Relation*, p. 19; *Large Declaration*, p. 35; Strafford, *Letters*, vol. ii. p. 117.

[3] *Large Declaration*, p. 32.

[4] *Ibid.*, pp. 42, 44.

by their numbers, that they should appoint commissioners to act in their name; and ultimately an organization, entitled "The Tables," was set up, consisting of four committees of nobles, gentry, ministers, and representatives of boroughs.[1] And thus, out of the confusion into which the despotic action of Charles I. had thrown the country, emerged what was virtually a governing body to which the people almost unanimously yielded obedience, and which, though careful to use respectful language concerning the Sovereign, was firmly resolved to resist all his unconstitutional proceedings. His public proclamations were answered on the spot by protestations drawn up by the hands of skilful lawyers. The royal authority was openly defied, and the crowds who listened to the heralds received the announcements made in the name of their King with jeering and laughter, and compelled his officials to remain to hear them repudiated. The protesters treated the proclamations as coming from the Privy Council, and they returned answer that they would accept no orders from it as long as the Bishops were members of it. They declared that they appealed to their Sovereign for redress of their grievances, and they desired "in a legal way to prosecute the same before the ordinary competent judges, civil or ecclesiastical." [2]

To all these protestations Charles I. turned a deaf ear. It was impossible for him to make concessions without such loss of prestige as would greatly weaken his position in England as well as in Scotland and overthrow like a house of cards the whole fabric of government in Church and State which he had founded upon his own autocratic will, in defiance of so many of the most intelligent and well disposed of his subjects in both kingdoms. Matters came to a head in Scotland by the framing and adoption of what was called "The National Covenant," in which the subscribers pledged themselves to defend the true Reformed religion, to abstain from innovations in worship and Church-government until these were approved in a free Assembly and Parliament, to maintain the true religion and the King's person and authority, and to defend the same by all means in their power, and to be good examples of all godliness, soberness, and righteousness. In addition to this Covenant or "Bond," the subscribers declared their belief that the innovations complained of were contrary to the Confession of Faith on which the

[1] Rothes, *Relation*, p. 17; Baillie, *Letters*, vol. i. pp. 35, 38.
[2] *Large Declaration*, p. 51.

Church of Scotland rested, to the spirit of the Reformation, and to Acts of Parliament, and tended to the re-establishment of Popery and tyranny, and the overthrow of the true religion.[1]

This Covenant was publicly signed with great enthusiasm in Edinburgh on 28th February, 1638, by an immense number of people of all ranks and ages and of both sexes, and was circulated immediately afterwards throughout the country.[2] So great was the ardour with which it was received and signed that public feeling ran very high against those who were out of sympathy with the movement and refused to subscribe their names to the Covenant. The document in order to be of service had to have at least the appearance of expressing the national feeling; so that all who held aloof from it did what in them lay to support the high-handed policy of the King and the Archbishop of Canterbury which had provoked resistance in Scotland. In these circumstances it is not surprising that strong pressure, amounting in some instances to intimidation and violence, was brought to bear upon those who were unwilling to subscribe the Covenant; though it is only fair to add that it was only in actual warfare at a later date that blood was shed on this account.[3]

Soon after the subscription of the National Covenant the King sent for several members of the Scotch Privy Council to come up to London to advise with him as to the course to be followed in the circumstances. The Earls of Traquair and Roxburgh as prominent members of the Council, being Lord Treasurer and Lord Privy Seal respectively, received a formal summons, but a special missive was sent to Lord Lorne,[4] whose support the King was very anxious to have in carrying out his schemes. "He was," says Baillie, "by far the most powerfull subject in the kingdome,"[5] and so far he had not committed himself to the popular cause. As a member of the Privy Council he had had his share of responsibility for many of the unpopular acts which had provoked the people of Scotland into virtual rebellion. Thus his name occurs in a list of those present at a meeting of Council in Edinburgh on 28th July, 1637, five days after the riot in St Giles's, in which orders are given to the Provost and Bailies of that city to take steps to secure the peaceful use of the Service-Book on the following Sunday, and the safety both of

[1] *Large Declaration*, p. 57.
[2] Rothes, *Relation*, pp. 71, 79.
[3] Gardiner, *History of England*, vol. vii. p. 338; Gordon, *Scots Affairs*, vol. i. p. 45.
[4] Baillie, *Letters*, vol. i. p. 47.
[5] *Ibid.*, vol. i. p. 146.

those using it and of those present at Divine worship—orders which were reversed by a decision arrived at next day to suspend for the present the use of the Book in question.[1] But at a later date, 2nd March, 1638, at a meeting in Stirling,[2] to which place the Privy Council had been removed from Linlithgow, he, along with his fellow-members, spoke of the causes of what they described as "the general combustion within the Countrie" in terms that must have been very unwelcome to the ears of Charles I.: they declared plainly that these causes are the general fear of innovations by means of the Service-Book, the Book of Canons, and the Court of High Commission upon the form of religion and Church-government established by law, and the manner in which changes had been made, either contrary to the laws or without legal warrant.[3] No more striking testimony could be given to the reasonableness of the agitation to which the ecclesiastical policy of the King and the Archbishop of Canterbury had given rise than the fact that such a declaration should have been made by such a body as the Scotch Privy Council itself.

The lay members of the Privy Council who were summoned to London were soon followed by their clerical colleagues, and the Covenanting leaders waited anxiously for news of what might be determined for suppressing the movement with which they were connected. Though Lord Lorne had not subscribed the Covenant and had taken no steps inconsistent with the terms of special intimacy and friendship in which he was known to stand with the King, yet his want of sympathy with the extreme Episcopal party made it certain that he would not approve of the strong measures of repression which they were likely to advocate. Consequently many of his friends regarded his journey to London with misgiving; but he himself was determined to run all risks and obey the royal summons.

It was currently reported that the Archbishop of St Andrews—Lord Chancellor of Scotland—and Dr Maxwell, Bishop of Ross, had brought forward a scheme for overwhelming the Covenanting party by the Highland clans from the north which had not as yet subscribed the Covenant, aided by the forces which a few of the Royalist nobles in the Lowlands might be

[1] Baillie, *Letters*, vol. i. p. 448.

[2] *Large Declaration*, p. 26. It may be worth mentioning that only one Bishop (Brechin) was present at this meeting.

[3] Baillie, *Letters*, vol. i. p. 459.

able to raise for the purpose.[1] For the complete success of this scheme its authors considered that it would be advisable for the King to secure the person of Lord Lorne as a hostage in pledge for the clan Campbell. The scheme, however, was utterly futile. The Covenanters sent emissaries into the far north and into the west and succeeded in attaching leading clans to their cause, and they took special care that the tenants of nobles who were of Royalist proclivities were afforded ample opportunities of signing the Covenant. In the case of the Campbells, all without exception gave in their adherence to that cause. The scheme to which we have referred throws great discredit upon its authors; for, apart from the suggestion of solving religious difficulties by the sword—a suggestion highly unbecoming Churchmen—the scheme could not have been carried into effect without a disgraceful breach of faith on the part of the King, who, in specially summoning Lord Lorne to conference with him, virtually gave him the protection of a safe-conduct. Yet, strangely enough, the proposal to make him a prisoner in London was also advocated by his father, the old Earl of Argyll. The story is told by Bishop Guthry in his Memoirs.[2] He states that Lord Lorne left London before his colleagues, the Earl of Traquair and the Earl of Roxburgh, and he says, "the reason of Lord Lorne's haste was talked [said] to be a counsel that his father (the Earl of Argyle, who resided at court) gave the King, which was to keep his son with him, and not let him return to Scotland, or else he would wynd him a pirn[3] (that was his expression). The King thanked Argyle for his counsel, but said, 'He behoved to be a King of his word'; and therefore, having called him up by his warrant, would not detain him. So Lorn was dismissed, and came quickly home."

In July of this same year the suggestion was made that the Scots might be brought to reason by an army sent across from the north of Ireland under the Earl of Antrim. This Roman Catholic nobleman, who was a grandson of the rebel Tyrone and was afterwards himself engaged in rebellion in Ireland, was, according to this scheme, to land five thousand men in Argyllshire. As he was connected with the MacDonalds it was naturally to be expected that many of them would eagerly embrace the opportunity of joining his banner, and of avenging

[1] Baillie, *Letters*, vol. i. p. 70. [2] *Memoirs*, p. 36 (edition of 1748).

[3] *i.e.* do him a mischief. Compare the French: "donner aux enemis un joli peloton de fil à retordre."

the defeats inflicted upon that clan by the Campbells. It seems that this scheme was planned by the Marquess of Hamilton, the Earl of Antrim, and Charles I., and that as a reward of his labours, if they were successful, the Irish nobleman was to have a share of the Argyll estates. The Earl of Antrim, who was, according to Clarendon, "a man of excessive pride and vanity, and of a very weak and narrow understanding,"[1] crossed over into Ireland to make arrangements for the coming campaign. Wentworth, the Lord Deputy of Ireland, afterwards Earl of Strafford, opposed the scheme, and it fell into abeyance for a time. In letters to the King and to the Secretaries of State he speaks in language of great contempt of the whole proposal, and of the person who was to be the principal instrument in carrying it out. According to his account of matters all sorts of turbulent ruffians and bloodthirsty scoundrels were to be formed into regiments, and to receive weapons and military training which would be an admirable equipment for the career of assassins in their own country, and their officers were to be outlaws for whom Ireland and Scotland had been made too hot, and who had taken refuge in Spain and in Flanders. It was not surprising that the scheme miscarried, and that it was only at a later period, when the King was in desperate straits for soldiers, that he fell back on these Irish recruits. The proposal to reward the Earl of Antrim with a portion of the Argyll estates was to have been kept a great secret but it soon leaked out, and Wentworth was of opinion that the knowledge of it induced Lord Lorne to declare sooner for the Covenant than he might otherwise have done. The fact, however, that so soon after matters had come to a head in Scotland such a scheme should have been broached, shows that Lord Lorne was regarded by the King as certain to take the popular side, and that it was not the proposal itself which drove him to do so.[2]

The Covenanting leaders in Scotland—Lord Rothes, Lord Cassilis, and the Earl of Montrose—sent to the Scotch nobles who were at court a statement of their grievances, and of the measures of relief which alone would be accepted as satisfactory.

[1] *History*, vol. ii. p. 764. The Earl of Antrim, then Lord Dunluce, had married the widow of the Duke of Buckingham, the favourite of Charles I., who was assassinated at Portsmouth. He afterwards received a marquessate.

[2] *Strafford Letters*, vol. ii. pp. 225, 278, 304, 306, 325, 358; *Enquiry into the Share which Charles I. had in the Transactions of the Earl of Glamorgan*, p. 300.

The mere withdrawal, they said, of the Service-Book and Book of Canons would not be enough. They complained of the Articles of Perth, of the civil offices and places held by Churchmen, and of the oaths exacted from ministers; and they called for the abolition of the Court of High Commission and the summoning of a lawful and free General Assembly and Parliament.[1]

The outcome of the conference between Charles I. and his leading counsellors was that the Marquess of Hamilton was appointed Royal Commissioner to Scotland, and authority was given him to declare that the King would forgive all that had passed, and would refrain from pressing the Canons and Service-Book "except in a fair and legal manner," and would modify the Court of High Commission; but, on the other hand, the Covenant must be renounced as treasonable.[2] The Royal Commissioner was provided with two forms of proclamation, one definite and one vague, either of which he might make use of as occasion required, to declare the King's will to his rebellious subjects; and general instructions were given him to protract negotiations, and to make no concessions until Charles was able to take the field and vindicate his royal authority by force of arms. But the Marquess of Hamilton found it utterly impossible to bring back the people of Scotland to anything like even a show of obedience; and when, after some delay, the royal proclamation was published, it was in the usual way repudiated upon the spot, and a public declaration was made by the Covenanters that they would hold on firmly in their present course until their grievances were considered in a General Assembly and a Parliament.[3]

After long negotiation and several visits on the part of Hamilton to London to convince the King of the necessity of making concessions to his Scotch subjects, Charles agreed to issue a summons for a meeting of Assembly and of Parliament; the former to be held at Glasgow on 21st November, 1638, and the latter, as usual, at Edinburgh, on 15th May of the following year. The Book of Canons, the Service-Book, and the Court of High Commission were revoked, the Articles of Perth were suspended, and their abolition was agreed to, if Parliament should so decide. At the same time an attempt was made to supersede the Covenant, since it was vain to expect that those

[1] Grub, *Ecclesiastical History of Scotland*, vol. iii. p. 5.
[2] Burnet, *Lives of the Hamiltons*, p. 43.
[3] *Large Declaration*, p. 98.

who had signed it so recently would renounce it. Charles brought out the Confession of Faith of 1580, which indeed formed the basis of the National Covenant,[1] and which bound subscribers to defend the Protestant faith; and to it he added a Bond, also dating from the previous century, in which the duty of standing by the King in the maintenance of the true religion and the exercise of his rightful authority was emphatically asserted. At the same time private instructions were given to Hamilton to use every possible opportunity of sowing dissensions between the nobles and the clergy, by warning both parties separately of the oppression which they would experience, each from the other, if some check were not put in force.[2]

The concessions made by Charles succeeded for a very brief time in dividing his opponents. Many of the Covenanters, and certainly almost all who could be called moderate in their opinions, rejoiced in the fact that the worst stumbling-blocks were taken out of their way, and that the demands of the nation had been granted in the summoning of the General Assembly and Parliament. But the extremer partisans, and those also who were more clear-sighted than their neighbours in estimating the true value of the royal concessions, protested against its being taken for granted that Episcopacy still existed in Scotland,[3] and against the introduction of a new and unmeaning Covenant. The Marquess of Hamilton, by using some pressure, persuaded the members of the Privy Council to sign the King's Covenant; but very few signatures were appended to it when, like its more popular rival, it was circulated throughout Scotland. A letter, which Lord Lorne among others signed, was addressed to the King by members of the Council, in which they "thanked him for his gracious concessions, and promised to sacrifice their lives and fortunes in maintaining his authority, and in repressing all who should attempt to disturb the peace of the Church and kingdom."[4]

The election of members of the General Assembly to be held in Glasgow was taken in hand by "The Tables," as the Covenanting governing body was called; and they took care to

[1] *Large Declaration*, p. 138.

[2] Burnet, *Memoirs of the Dukes of Hamilton*, pp. 65–75.

[3] The power of the Bishops was utterly gone, and only a very few of them even ventured to remain in their dioceses (Grub, *Ecclesiastical History of Scotland*, vol. iii. p. 21).

[4] *Large Declaration*, p. 154.

secure the choice of men devoted to their cause. It was decided by them that the Assembly should be modelled on those belonging to Presbyterian times, and accordingly an Act of Assembly of 1597 was followed, which prescribed that three ministers and one lay commissioner should be sent up by each Presbytery, and that each burgh should be represented by a lay commissioner, except Edinburgh, which was to send up two. In this way provision was made for the nobles, and for other prominent Covenanting leaders who were laymen, being returned as members of the Assembly. In the Presbyteries also, which had under the Episcopal *régime* become purely clerical bodies, the lay elders were restored to their former position; so that the very constitution of the ecclesiastical courts which were to elect representatives to act for them in the Assembly was changed at the bidding of "The Tables." In order to control the elections still further, instructions were sent down for keeping out, under one pretext or another, men who were committed to the opposite side in ecclesiastical politics. At the same time "The Tables" prepared a formal charge against the Bishops, accusing them of every kind of ecclesiastical irregularity and crime, and of almost every other crime in the calendar.[1] This formal complaint was laid before the Edinburgh Presbytery and was referred by it to the forthcoming Assembly, and the parties concerned were cited to appear and answer the charges made against them. Certainly no more effective means for overthrowing Episcopacy could have been devised than this, for it secured that the only character in which the Archbishops and Bishops could appear in the Assembly was that of culprits at the bar.[2]

[1] Burnet, *Dukes of Hamilton*, p. 113.
[2] *Ibid.*, pp. 209, 222.

CHAPTER IV

Meeting of the General Assembly at Glasgow in 1638—Prominent part taken by the Earl of Argyll in support of the Covenanters—The Abolition of Episcopacy—Hamilton's Estimate of Argyll—Personal Characteristics and Appearance of the latter.

THE General Assembly of 1638 is a prominent landmark in the history of Scotch Presbyterianism, since at it the system of Church-government and ritual imposed upon the nation by royal authority was utterly swept away by the rising tide of patriotic and religious enthusiasm, and in its stead that more democratic form of ecclesiastical polity which had approved itself to the mass of the people of Scotland was set up. "Whatever Scotland was," says Dr Gardiner, "in its strength and its weakness, in its fierce uncompromising dogmatism, in its stern religious enthusiasm, in its worldly ambition and hair-splitting argumentativeness, in its homely ways and resolute defiance of a foreign creed and of a foreign worship, was reflected, as in a mirror, in the Assembly which was now elected in the teeth of the King's Commissioner."[1] Many Presbyterian writers have spoken of the proceedings of this Assembly as if they needed no defence, but, on the contrary, were most admirable in character;[2] while Episcopalians have usually regarded them as grossly unjust and detestable. The truth is that it was a revolutionary gathering rather than a Church Council; and, though weighty technical objections to the validity of the proceedings were raised at every point, the majority of the Assembly felt themselves strong enough to defy and overrule all opposition. The Privy Council issued an order that no commissioner to the Assembly was to be accompanied by more than his ordinary retinue, and that no weapons except swords, which

[1] *History of England*, vol. viii. p. 366.

[2] "It was the triumph, for the time, of the second Reformation, the Bannockburn of Scottish religious liberty, a bright morning, to be followed by clouds and conflicts, but never forgotten" (Rev. J. Ker, D.D., *The Psalms in History and Biography*, p. 163).

were allowed by law, were to be carried. The Covenanters replied by a public protestation that the danger of highway robbery made it necessary for them to travel fully armed, and in violation of the royal orders great numbers of their partisans poured into Glasgow to give the support of their presence and approval to those who represented their cause in the Assembly. Even some of the clerical members were provided with swords and pistols, an equipment which seemed remarkable at the time but which afterwards was often seen in the case of those who frequented the Covenanting armies.[1]

The Assembly met in the Cathedral of Glasgow on Wednesday, 21st November, 1638, and was presided over by the Marquess of Hamilton as Royal Commissioner. The public interest in its proceedings was so great that for the first fourteen days of its sitting the building was densely crowded, and it was with difficulty that members could get to their places. Robert Baillie, then minister of Kilwinning, to whose pen we owe so many vivid pictures of events in those stirring times, gives us a very unfavourable description of the behaviour of these onlookers. "It is here alone," he says, "where, I think, we might learne from Canterburie, yea, from the Pope, from the Turkes, or pagans, modesty and manners; at least their deep reverence in the house they call God's ceases not till it have led them to the adoration of the timber and stones of the place. We are here so farr the other way, that our rascals, without shame, in great numbers, make such dinn and clamour in the house of the true God, that if they minted [attempted] to use the like behaviour in my chamber, I could not be content till they were down the stairs."[2]

The members of the Assembly, some two hundred and thirty-eight in number, of whom one hundred and forty were ministers and ninety-eight were elders, were accommodated with seats in the chancel of the Cathedral. The Royal Commissioner sat in a chair of state, and, below, on either side of him were members of the Privy Council and assessors, among the latter of whom was Lord Lorne, now Earl of Argyll in consequence of his father's recent death. At a little table in front of them were placed the moderator and clerk of Assembly. The noblemen and barons who were representatives from Presbyteries sat at a long table on the floor, on each side of which were placed five or six tiers of seats rising one above the other, for the accommodation

[1] *Large Declaration*, pp. 232, 385. [2] *Letters*, vol. i. p. 124.

of ministers and commissioners of royal burghs. At the opposite end from the chair of state an elevated platform was erected, which was occupied by the eldest sons of peers; while, in the two tiers of galleries in the aisles and on the floor of the Cathedral, the somewhat unruly crowd of spectators containing a goodly sprinkling of "honourable women," found standing-room. An onlooker who knew nothing of the character of the gathering might have been pardoned if he had been in doubt as to whether it were an ecclesiastical synod or a court-martial; for, though nearly all the clergy appeared in black cloaks, the elders were dressed in their ordinary secular attire and wore their swords even within the sacred walls.[1]

The Assembly unanimously elected Alexander Henderson, the ablest and most eloquent of the Presbyterian Divines in Scotland, as moderator, and Archibald Johnston, afterwards Lord Warriston, who is supposed to have drafted the National Covenant, as clerk. Any hope that Hamilton may have had of controlling or guiding the Assembly in the management of business must have been soon taken away; and, from the moment that it became evident that this ecclesiastical court was not likely to consent to accept the scheme of modified Episcopacy that the King was prepared to grant in the way of concession, the Royal Commissioner was on the outlook for a convenient opportunity of dissolving the Assembly. Adequate excuses, if not reasonable grounds, for taking this step were to be found in the presence of lay elders voting along with clerical members; in the mode that had been followed of electing representatives in Presbyteries consisting of such laymen on an equal footing with ministers; in the evident determination on the part of the Assembly to be both accusers and judges of the Bishops and to overthrow Episcopacy, which was still legally the only rightful form of Church-government in Scotland; and in the fact that "The Tables" had beforehand controlled the elections and given directions as to who should be chosen as members of Assembly. A glaring illustration of the interference of "The Tables" with the election of members led to a somewhat lively passage of arms between Hamilton and the moderator. The clerk inadvertently read a memorandum on the back of a disputed commission to the effect that it was an objection to the rival candidate that he had been elected contrary to the directions of

[1] Baillie, *Letters*, vol. i. pp. 123, 124; Gordon, *Scots Affairs*, vol. i. p. 157; Burnet, *Dukes of Hamilton*, p. 119.

"The Tables" in Edinburgh. Instantly the Royal Commissioner demanded an official copy of the paper read, with the names of subscribers, as it was a clear proof that this was a packed and not a freely chosen Assembly. The moderator refused to give this, on the ground that what had been read was a private memorandum, which could not be given up without the consent of the writer. Hamilton retorted that no paper could be called private which had been read publicly in the Assembly by the clerk; and, when he found that he could not get what he desired, he had it placed on record that he had been refused a copy of a document containing such and such statements which had been read in the Assembly. The moderator, who with all his ability and learning had but an imperfect control of his tongue, could not refrain from saying that the Royal Commissioner needed no copy of a document the contents of which he could so faithfully repeat; upon this, Hamilton called the Assembly to witness that the moderator had borne testimony to his accurate recapitulation of the paper of which he had been refused a copy.[1]

None of the Bishops had made their appearance; but, as soon as the preliminary business connected with the verifying of commissions was over, a declinature on their part to acknowledge the lawfulness of the Assembly was handed in. It bore the signatures of the two Archbishops and of four Bishops.[2] Hamilton now determined to dissolve the Assembly. On the morning of Wednesday, the 28th of November, he called together the members of the Privy Council and told them his intentions. When the Assembly resumed business on that day, after some discussion the question was about to be put to the vote as to whether in spite of the declinature the complaint against the Bishops could be decided upon. Hamilton arose and, after repeating the concessions made by the King in the matter of the Service-Book and of other grievances, declared that he could not admit the legality of this Assembly, since laymen had had a voice in electing members of it, and laymen were also members of it. He therefore formally dissolved the Assembly and departed with the Lords of the Council, and left the clerk standing engaged in reading a protestation which had been prepared in view of a dissolution. By an overwhelming majority the Assembly decided to disregard the action of the Royal Commissioner, and to proceed with the business before them

[1] Gordon, *Scots Affairs*, vol. i. p. 152; *Large Declaration*, p. 240.
[2] *Large Declaration*, p. 248; Spalding, *Memorialls*, vol. i. p. 118.

as though nothing had happened to invalidate their doing so; and with absolute unanimity they declared their competency to judge the Bishops and their resolution to go on with the trial.[1] A brilliant stroke of eloquence on the part of one of the members of Assembly in connexion with this incident deserves to be recorded here. Wodrow tells us that "after the Marquis had dissolved the Assembly in the King's name, and charged them to rise, and left them, Mr Dickson rose up and made a speech to this purpose: 'That that Nobleman was very much to be commended for his zeal and faithfull[ness] to his master the King, and sticking closse by what he thought for his credite and interest; and he craved leave to propose his example for the Assembly's imitation: They had a better master, Christ the King of kings, to serve; and His credite and honnour to look after, according to their commission and trust; and therefore he moved that, having this in their eye, they might sit still and doe their Master's work faithfully.'" "This speech," says Wodrow, "mightily moved the Assembly, and they cheerfully sate still."[2]

The Earl of Argyll was not, properly speaking, a member of the Assembly, but he was one of the six assessors who were in attendance upon the Commissioner to aid him with their advice, and who were permitted to take part in debates though they had no vote on any business that might be transacted. So far as appeared, he was rather observant of the mood in which the members of the Assembly were than inclined to confirm them in it; and, though it may have been known by some who were present that he had incurred the royal displeasure for failing to support the despotic policy which had led to the present confusion in Scotland, it is probable that very few, if any, in the Assembly were fully acquainted with his opinions, or could predict the course which he would follow. He had already intervened in one of the debates with regard to the procedure to be adopted in dealing with the declinature of the Bishops to acknowledge the competency of the Assembly, and he had drawn down upon himself a curt rebuke from the moderator for what seemed to him merely captious criticism.[3] Just before the Royal Commissioner announced the dissolution of the Assembly, Argyll came forward

[1] *Large Declaration*, pp. 269, 279; Gordon, *Scots Affairs*, vol. ii. p. 6; Burnet, *Dukes of Hamilton*, p. 140.

[2] *Analecta*, vol. ii. p. 116.

[3] Baillie, *Letters*, vol. i. p. 131.

and asked permission to speak. Hamilton granted it and called on all present to listen to what he had to say. He spoke in a low tone, but eagerness to hear him soon procured for him perfect silence throughout the building. To the surprise of all he openly expressed his adherence to the popular cause. He said that he had by the royal command been in attendance at the Assembly, and he called on all present to testify to the impartiality which he had manifested; but he declared that nothing would induce him to render a flattering obedience to the King or to be one who would advise him to enter on a violent course. So far from acquiescing in the opinion of Hamilton, he was surprised at the decision to dissolve the Assembly, and he considered that whatever there might be in the technical objection to the presence of lay elders, on which such stress had been laid, it was not an adequate reason for so strong a measure as dissolution. His own private opinion was that a combination of clerical and lay elements was needed in an ecclesiastical Council; and so he had no hesitation in declaring his firm conviction that those to whom he spoke "were now members of a lawful Assembly and [his own] honest countrymen."[1] On one point he thought it needful to explain his position, and that was with regard to his having, together with other members of the Privy Council, subscribed the King's Covenant. This action he considered was not at all incompatible with approval of the National Covenant, though the one had been set up against the other. He had, he said, expressly stated at the time that he accepted the documents of 1580–81, of which the King's Covenant consisted, in the sense in which they were then understood, as an expression of fidelity to the constitution in Church and State which then existed, and consequently he was not committed to an approval of the innovations which had afterwards been brought in by the establishment of Episcopacy, and the changes in matters of ritual and worship which had been so offensive to the nation.[2]

On Thursday, the 29th of November, the General Assembly resumed its meetings, in spite of the fact that the Royal Commissioner had forbidden any further proceedings and had taken his departure, after lodging a protest against the validity of any decisions that might be come to in his absence. The only Privy Councillor who was in his place was the Earl of Argyll, and this

[1] *Ibid.*, *Letters*, vol. i. p. 144.

[2] Gordon, *Scots Affairs*, vol. i. p. 192; *Large Declaration*, p. 286; Baillie, *Letters*, vol. i. p. 144.

fact was specially noticed by the moderator. Baillie says: "The moderator earnestlie intreated him, that though he was no member of our Assemblie, yet, for the common entres [interest] he had in the Church, he would be pleased to countenance our meetings, and bear witness of the righteousness of all our proceedings; this, to all our great joy, he promised to doe, and did truelie perform his promise."[1] So astonishing was Argyll's procedure in repudiating the action of the Royal Commissioner and in joining the popular cause that at first many suspected that it was only an astute political move. It was generally thought by those who were not behind the scenes that he was on the best of terms with the King and with Hamilton, and it was considered by many that he had acted with the consent of both in order to be a restraining influence upon the Assembly and to hinder the adoption of violent counsels. But very soon all learned that his conduct had provoked the keenest indignation and anger in the King, and that between him and Hamilton there had passed words of disdain which verged upon threats and personal challenges. "It hes been the equitie of our cause," says the acute observer of the events of that time whose words we have just quoted, "which hes been the only motive to make that man [Argyll] in that necessare [critical] time, to the extreame hazard of his head, and all he possesses, to encourage us openlie by his assistance."[2] It is a remarkable testimony to the force of character and ability of Argyll that he was immediately accepted as leader by the Covenanting party, and that his counsels were received with deep respect and were obeyed implicitly; though, of course, we have to bear in mind that to the intrinsic value of his advice had to be added the fact that he could put five thousand men in the field to support the policy which he advocated. That consideration would have given much additional weight to counsels even less judicious than those which he was able to offer.

One of Argyll's first admonitions to the members of Assembly was to the effect that they should be careful to abstain from criticisms reflecting injuriously upon the royal person and authority—a course of action which he was himself scrupulous in following. The occasion on which he gave this advice was on a day immediately after a sermon had been delivered by Mr George Gillespie of Wemyss in Fifeshire, whose book on

[1] *Ibid.*, *Letters*, vol. i. p. 145.
[2] *Ibid.*, vol. i. p. 146.

"Popish Ceremonies"[1] had been in the previous year thought worthy of being condemned by name in a royal proclamation and of being publicly burned by the hangman, and who was afterwards a distinguished member of the Westminster Assembly. This young divine (for he was only twenty-six years of age) had preached a sermon from the text, "The king's heart is in the hand of the Lord" (Prov., chap. xxi. 1), in which he had dealt more freely than prudently with questions of the royal prerogative, and with the recent actions of the reigning Sovereign. The Earl of Argyll took the earliest opportunity of warning his hearers, and especially the ministers, against unnecessary provocation of "the powers that be." He reminded them that their enemies would be glad to take advantage of any injudicious utterances of theirs of this kind, and said that "so good and gracious a Prince" as he who now ruled over them would be more impressed by their modesty than by any railing speeches they might utter. The moderator thanked Argyll for his good advice, and he added some words of his own in support of it; and though neither of them referred directly to Gillespie's sermon it was understood by all present that they had it in view.[2]

With great rapidity the Assembly carried through the work of demolition and of reconstruction from which the Royal Commissioner would fain have restrained them, but the execution of which the members held to be absolutely necessary for securing the freedom and independence of the Church of Scotland. They declared that the last six General Assemblies, from that held in Linlithgow in 1606 down to that in Perth in 1618, were unlawful and that the Acts passed at them were null and void, because lay elders were not present as members of those Assemblies, because persons took part in them who had not received commissions from Presbyteries (*i.e.* Bishops), and because of the undue influence of the Crown in carrying through the elections and in interfering with the business transacted at them.[3] This very extraordinary mode of procedure, by which the legislation duly sanctioned by Acts of Parliament was swept away in a moment by a vote of the Assembly, is a striking proof of the revolutionary character of the ecclesiastical Council now meeting in Glasgow. Those who advocated and carried through this and

[1] The full title was, *A Dispute against the English Popish Ceremonies obtruded upon the Church of Scotland.*

[2] Gordon, *Scots Affairs*, vol. ii. p. 45; Baillie, *Letters*, vol. i. p. 146.

[3] Stevenson, *History of the Church of Scotland*, vol. ii. pp. 602, 603.

similar measures well knew that they could only support what they had done by an appeal to force. They perhaps scarcely realized the fact that a day of reaction might come when their enemies would imitate their procedure, and when they themselves would be unable to command the power of the sword to defend what they had won. Yet there can be no doubt that the sweeping measure of 1638, which abolished by a resolution in the Assembly the ecclesiastical statutes which had been in force for nearly thirty years, suggested the "Act Rescissory" of 1661, which cut off from the body of the law the Acts of Parliament for the previous twenty-one years, and left Episcopacy again standing as the only legal form of Church-government in Scotland. Yet Presbyterian writers who approve of the procedure in 1638 usually speak of that in 1661 as an act of unheard-of and astounding injustice, and generally quote in connexion with it Burnet's account of the Restoration statesmen in order to explain matters: "It was a mad, roaring time, full of extravagance; and no wonder it was so when the men of affairs were almost perpetually drunk."[1]

All the innovations which were regarded as grievances were in like manner swiftly abolished. The oaths which Bishops had imposed upon those entering the ministry, by which they were pledged to any of these innovations, were declared unlawful and no longer obligatory. The Articles of Perth, the Service-Book, the Book of Canons, and the Court of High Commission were formally condemned, and it was declared that the Confession of 1581, which had been sworn to over again in the King's Covenant, was virtually an abjuration of Episcopacy and all its works.[2] The unfortunate Archbishops and Bishops, none of whom had ventured to appear in the Assembly, now received the condemnation which in the opinion of their adversaries they so richly merited. There can be no doubt that the crowning offence for which they suffered was that of holding the Episcopal office, though all kinds of other transgressions and crimes were confusedly ascribed to them as a class. That these charges were not mere calumnies can scarcely be doubted in view of the statements made by Hamilton himself in a letter to the King which he wrote on the day before he dissolved the Assembly. "It will be found," he says, "that some of them have not been of the best lives, as St Andrews, Brechin, Argyle, Aberdeen:

[1] Quoted in Burton's *History of Scotland*, vol. vii. p. 145.

[2] Peterkin, *Records of the Kirk*, pp. 24–33, 161–168.

too many of them [have been] inclined to simony."[1] The Archbishops of St Andrews and Glasgow, and the Bishops of Edinburgh, Galloway, Ross, Brechin, Aberdeen, and Dunblane, were deposed from all their functions as "pretended Bishops" and as ministers, and were excommunicated. The Bishops of Moray, Orkney, Argyll and the Isles, were in like manner deposed, but the sentence of excommunication was to be remitted if they professed repentance and submitted to the Assembly; while the Bishops of Dunkeld and Caithness, who had sent excuses for non-appearance and thus avoided adding the sin of contumacy to all their other offences, were deposed from Episcopal office and suspended in the meantime from the ministry, but the way was left open for their being restored to the position of parish ministers if they expressed penitence for the sin of having held the higher office which was now abolished. The two last-named Bishops and the Bishop of Argyll and the Isles recanted, but they gained very little beyond personal safety by that measure. The formal sentences were pronounced on the whole fourteen prelates on Thursday, 13th December, after a sermon from the moderator. The portion of the Scripture before the sermon chosen by the reader, who was probably a friend of the Archbishop of Glasgow, was found rather disconcerting. It ran: "These things have I spoken unto you, that ye should not be offended. They shall put you out of the synagogues: yea, the time cometh that whosoever killeth you will think that he doeth God service" (John, chap. xvi. vv. 1, 2). At this point he was interrupted by one of the members of the Assembly and ordered to choose a more suitable, or, perhaps we should rather say, a less suitable portion of Holy Writ.[2]

A week after the deposition and excommunication of the Bishops the proceedings of this memorable Assembly came to an end. The right of the Church to hold Assemblies once a year, or oftener if occasion required it, was asserted; and the next meeting was appointed to be held at Edinburgh on the third Wednesday of July, 1639. An address was drawn up for presentation to the King, in which, with all humble expressions of loyalty, His Majesty was asked to confirm their Acts in the Parliament which was to be held in the following month

[1] Hardwicke, *State Papers*, vol. ii. p. 114.

[2] Peterkin, *Records of the Kirk*, pp. 26–42, 163–193; Baillie, *Letters*, vol. i. pp. 154–176; Balfour, *Annals*, vol. ii. pp. 305–316; Gordon, *Scots Affairs*, vol. ii. pp. 97–101, 131–175.

of May,[1] and the proceedings were closed by the singing of Ps. cxxxiii.:

> "Behold, how good a thing it is,
> And how becoming well,
> Together such as brethren are
> In unity to dwell."[2]

The Earl of Argyll had taken a prominent part in the deliberations of the Assembly, and the extent to which the members of that body depended on the advice he had to give is indicated in a naïve remark by Baillie that upon one special day "they did nothing of moment because of Argyll's absence at a funeral."[3] Consequently it is not surprising that in his closing speech the moderator referred to the comfort and strength given by his presence and counsel; or that Argyll himself, who must have felt that by this time he was almost as much an ecclesiastic as he was a Highland chief, took it upon him to utter the last parting admonitions to the members of Assembly. He spoke at considerable length, and began by saying that he hoped none of those who heard him would misconstrue his having delayed so long severing his connexion with the Episcopal cause and declaring for them. He had always, he said, been on their side, but had refrained from open acknowledgment of the fact in order that in secret ways he might aid the common cause. But now of late matters had come to such a pass that he must either join their society openly or be a knave. His parting advice was for elders and ministers to keep in harmony with each other, and to avoid falling into the snare which their enemies were setting by attempting to sow discord between them; and in particular he would entreat all ministers to remember that the Bishops had been brought to ruin by pride and avarice, and that it behoved them to avoid making shipwreck upon the same rocks. And in conclusion he reiterated advice already given by the moderator to be careful to speak respectfully at all times of the King and of his authority.[4]

The speech produced a favourable impression upon his hearers, and many of them took special notice of the strong feeling manifested in the phrase he had used about proving a knave if he had not openly embraced their cause. And indeed

[1] *Ibid.*, *Scots Affairs*, vol. ii. p. 170.
[2] J. Ker, D.D., *The Psalms in History and Biography*, p. 163.
[3] *Letters*, vol. i. p. 153.
[4] *Ibid.*, vol. ii. p. 171; vol. i. p. 485.

one may truly say that Argyll declared himself for the Covenant at a moment when it was in peril, and when no mere time-server would have identified himself with it. For the Covenanters, though resolute in their attitude and language, were as yet wholly unacquainted with the military strength which they could muster for the support of their cause, while from many quarters they had reason to dread hostile attack. The condition of mind in which many were is reflected in Baillie's words: "We are threatened with a bloodie onsett by the Navie on the East Coast, by an Irish Army on the West, [and] by all the power three Marquesses in Scotland[1] and the Popish partie can make, with the help of the North of England. . . . In God is our great confidence."[2] The prospect of a war with England was no light matter. Three times in the previous century—at Flodden, Solway Moss, and Pinkie—had Scotland suffered crushing defeats at the hand of her powerful neighbour, the anger of whose King she was now so thoroughly rousing. On many sides she was open to attack, and as yet she was not sure about being able to present an undivided front to the enemy. It was therefore at a serious crisis in the national life that the Earl of Argyll came forward to encourage his countrymen to resist firmly the despotic policy of their Sovereign. He is accused of having failed in physical courage on more than one occasion in his life when confronted by danger of wounds and death on the battlefield, but on more than one occasion he showed his possession of it as well as of great moral courage, which by general acknowledgment ranks as a rarer and nobler virtue. And there is certainly, whatever the ordinary Philistine may think, an element of pathos added to the case if we are to ascribe to him who exhibits the more spiritual virtue a deficiency in nerve, or in some element which goes to form physical courage. The drawback which arises from a subtle weakness in natural temperament only adds to the glory of the moral victory won at times in spite of it. At this great crisis in Argyll's life, when he came to the parting of the ways and had to make a decision, he was not found wanting. He cast in his lot with those whose cause his conscience approved and staked everything he possessed, even life itself, upon his attachment to it. In a letter from the Marquess of Hamilton to the King a very striking estimate of Argyll is given which enables us to realize the im-

[1] *i.e.* the Marquesses of Huntly, Hamilton, and Douglas.
[2] Baillie, *Letters*, vol. i. p. 71.

pression made by him at this time both upon the nation at large and upon his opponents. "The Earl of Argyll," he says, "is the only man now called up [praised up] as a true patriot, a loyal subject, a faithful counsellor, and, above all, rightly set for the preservation of the purity of religion. And truly, Sir, he takes it upon him. He must be well looked to; for it fears me he will prove the dangerousest man in this State. He is so far from favouring Episcopal government that with all his soul he wishes it totally abolished. What course to advise you to take with him, for the present I cannot say: but remit it to your Majesty's serious consideration."[1] Hamilton himself was destined to play many parts as a politician, and grave suspicions have been cast upon the sincerity of his attachment to the King at this very time. But there is no reason to doubt that he now gave a perfectly truthful account of the high regard in which his chief opponent was held by the mass of the nation; and we may well believe that the generous instincts of the people of Scotland were not at fault in the estimate they had formed of the champion who took up the defence of their cause in the hour of danger.

Yet though we have spoken of this Assembly as a revolutionary gathering rather than a Church Council, and though according to Baillie's evidence the boisterousness of those who were spectators and hearers detracted somewhat from the dignity of the proceedings, it would be a mistake to suppose that the general tone of the Assembly was lacking in spiritual fervour and sincere devotion. On the contrary, the fire of religious zeal and of self-consecration to God burned brightly in the hearts of many, and in some instances the flame was lit in breasts that had up till then been strangers to it. One of those who were largely instrumental in thus deepening and strengthening the religious life of his associates was the moderator, Henderson. The account which Wodrow gives of his labours to this end has a grave beauty of its own which will agreeably surprise many readers who have been accustomed to hear this historian spoken of contemptuously. "I find," he says, "from very good hands, that during the sitting of the Assembly at Glasgow, Mr Henderson, notwithstanding of the vast fatigue he had through the day, yet, with some other ministers, he used to spend the night-time, at least a great part of it, in meetings for prayer and conference. I find that their meetings

[1] Hardwicke, *State Papers*, vol. ii. p. 115; *Strafford Letters*, vol. ii. p. 258.

were remarkably countenanced of God, and that the Marquis of Argyle, and several others who sometimes joined in them, dated their conversion, or the knowledge of it, from these times."[1] This little glimpse into the inner life of the statesman and chieftain whose fortunes we are engaged in following is interesting. It gives a touch of vividness to his history to learn of this episode in it—to think of him as henceforth, in council-chamber, on the battlefield, in the prison-cell, and on the scaffold, bearing about with him this sacred memory of the days in the year 1638, when the countenance of God seemed to shine clearly upon him, and when he realized the fact that the spiritual change of which he had heard in others had now passed upon himself.

The personal appearance of those whose names are famous in history and in whom we are interested is always a matter we desire to know about; and accordingly one or two details with reference to Argyll will probably be welcome to our readers. He was rather above than below the average height in stature, and in person he was slight and wiry. His portraits represent him with high forehead, long aquiline nose, small dark blue eyes, and slightly arched eyebrows. His hair, worn long according to the fashion of the time, was of that colour which an enemy might describe as red,[2] but for which a friend might choose a less definite designation. Two of the artists who painted his portrait represent it as brown hair, though the shade of colour in the one case is light, and in the other dark. In satires and pasquils of the time much is made of his obliquity of vision,[3] but in his actual presence the defect in question was soon forgotten. Clarendon, who is by no means friendly to him, says: "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 [remarkably] by a little conversation."[4] Like John Wilkes afterwards, he only needed the advantage of a few minutes' longer time to be able to outstrip others in winning the good graces of those in whose company he found himself. The cast in his eyes suggested the nickname of "gley'd Argyll," and at a later time "the gley'd Marquess." It

[1] *Historical Fragments*, p. 81.

[2] Gordon, *Britane's Distemper*, p. 57. Among the Highlanders, too, he was often called "the red Argyll."

[3] Maidment, *Scottish Pasquils*, vol. ii. p. 8: "Cam [crooked] is thy name, Cam ar thyne eyies and wayes," etc.

[4] *Life* (1857), vol. ii. p. 368.

may be that the reputation which he had for subtlety was increased by the shade of moral dubiety which people, probably quite unjustly, often associate with this particular defect of vision.[1]

We may be allowed here to say a word or two regarding the portraits of Argyll contained in this volume. That which forms the frontispiece is here published, for the first time, from the original in Newbattle Abbey, which is singularly rich in portraits of Campbells of the seventeenth century. It is very graceful and pleasing, though it recalls distinctly the features and cast of face of the fourth of the likenesses we give of him —that in which the Puritanical expression and garb are so strikingly prominent. In this portrait the squint has been subdued by the artist's skill in posing him so as to diminish as far as possible the defect in question. The air and dress have a bridegroom-like daintiness about them, and we conjecture that the picture was painted in 1626 at the time of his marriage. The second of the portraits represents him at full length, and it is also from an original at Newbattle. In it he appears dressed in black, and he is holding a firelock in his right hand. He wears a moustache and a small tuft upon his chin; and the defect in his eyes is somewhat noticeable. The date upon the picture itself tells us that it was painted in 1630, when the future Marquess had entered on his twenty-fourth year. The third portrait is that commonly called "the Castle Campbell portrait," concerning which a curious story of vicissitudes of fortune has to be related. Like the first it exhibits head and bust, and it was painted on a piece of wood which once formed part of the panelling of Castle Campbell in Clackmannanshire. This stronghold belonged to the Earls of Argyll, and it was assaulted and sacked during the Marquess's life—once by a lieutenant of Montrose's during his marvellous campaign in Scotland in the years 1644–45, and a second time in 1654 in connexion with the Royalist insurrection under the Earl of Glencairn.[2] The contents of the castle were evidently flung out of doors and dispersed; but, fortunately, this portrait escaped destruction. It was found about 1867 by an antiquary in a cottage not far from the ruins of the castle, and it was presented by the finder to the eighth Duke of Argyll. Unfortunately it was burned in the disastrous fire at Inveraray Castle in 1877, along with so much

[1] *Quem Deus in oculo notavit, hunc caveto* (Latin proverb).

[2] *Deeds of Montrose* (1893), p. 121; *Scotland and the Protectorate*, p. 153.

that was of rare historical interest and value. The engraving we give is reproduced from a photograph of the picture which was taken soon after it again came into the possession of the Campbell family. From the description preserved of the original we learn that "the complexion was pale, the eyes dark grey-blue, the hair dark brown, the armour black or very dark, and the scarf white with gold points at the edges."[1] The face of the warrior is handsome and dignified, with a certain air of melancholy about it which seems a faint presentiment of the tragical close of his career. Possessors of historical Scotch portraits of the seventeenth century have a weakness for attributing them to Jamesone, the Scotch Vandyke. But in this case we are told that, by the general consent of experts, the belief that he was the painter is well founded. The date we have suggested for the portrait is a mere guess, based upon a consideration of the apparent age of the Marquess as represented in it and the year when Castle Campbell was sacked and burned by Montrose's soldiers. The fourth portrait, from an original also at Newbattle Abbey, is that which is most frequently engraved or otherwise reproduced as the likeness of the subject of our biography. The grave and demure expression of face, the sober black dress, and the skull-cap, suggest a Puritan divine rather than a Highland chief. Yet, though the face is lacking in comeliness, there is not wanting in it an air of distinction and even, at closer inspection, of geniality—qualities which were strikingly manifest in the outward manners and demeanour of the Great Marquess. Traces of ill-health seem noticeable in the picture, and they probably are partly accountable for the element of depression and moroseness which some have discerned in it. We have conjectured that it may belong to the later life of the Marquess, when his political course had been virtually run. If this is the case, and if it dates from any time after 1652, it cannot be by the inevitable Jamesone whose name is popularly connected with it, for he died in 1644. An inferior copy of this picture, wretchedly engraved and reproduced, appears in Napier's *Life of Montrose*, and it aids very considerably in impressing upon the minds of readers the unfavourable opinion of Argyll which that writer held so strongly. Yet, in common fairness, a portrait of a man in his last years, and perhaps in poor condition of health at the time of its being taken, cannot

[1] *Scottish Antiquary*, January, 1897.

be accepted as a satisfactory representation of him. We hope our readers will associate with the statesman and chieftain and patriot whose life we are tracing the more adequate and worthy portraits of him, in the flower of his age, which we have provided for them.

CHAPTER V

The Marquess of Huntly refuses to join the Covenanters—Alexander Leslie appointed their Leader—Capture of Scotch Fortresses—The first "Bishops' War"—Occupation of Aberdeen by Montrose and Leslie—Encampment at Duns Law—Terms of Pacification agreed upon—Argyll coldly received by Charles I.

AND here we emerge from the din of ecclesiastical and political wrangling recorded in books and pamphlets upon which the dust now lies thickly, and pass from the heated atmosphere of council-chambers and Church-courts into the open air, to witness the prosecution of the same controversy with new and different weapons upon the field of war. For to this had matters come. Immediately after the signing of the Covenant, early in 1638, the leaders of the popular party took steps to prevent fresh supplies of ammunition and military stores from being brought into Edinburgh Castle, and thus they incurred the serious responsibility of virtually blockading a royal fortress.[1]

One district of Scotland excited in their minds special apprehensions as a quarter from which danger might arise. This was Aberdeenshire, in which as yet the Covenant had but few adherents, and in which the Episcopal party had considerable strength.[2] The Covenanting leaders resolved to attempt to secure themselves against danger from this quarter by making a tempting offer to Argyll's brother-in-law, the Marquess of Huntly, the great territorial magnate of the north of Scotland, with the view of inducing him to join their side. They sent to him a special envoy, Colonel Robert Munro, to endeavour to entice or terrify him into abandoning the royal cause. They offered, if he would take the Covenant, to serve under his leadership, to increase the greatness

[1] *Large Declaration*, p. 83; Rothes, *Relation*, pp. 112, 119.

[2] Perhaps the author may be allowed to refer his readers for fuller information concerning this district and period to his *Sir Thomas Urquhart of Cromartie, Knight* (Edinburgh: Oliphant Anderson & Ferrier).

of his house, and to give a hundred thousand pounds Sterling for the payment of debts on the estates which he had recently inherited from his father with that burden upon them. The futility of attempting resistance to the Covenanting cause was at the same time pointed out, and the certainty of utter ruin for himself and his family if he were to take up arms on the royal side, was impressed upon him. As the Marquess of Huntly was thus closely related to the Earl of Argyll there can be little doubt that this negotiation was carried on with the full knowledge of the latter, if indeed it had not been undertaken at his suggestion. Had the embassy succeeded the whole of Scotland would have been virtually with the Covenanters, for, apart from the support given by Huntly, their opponents in Aberdeen and the neighbourhood could have offered no serious resistance. The reply of the Marquess was a very noble one: he thanked the envoy for the offer made him, and for the advice to accept it, which, he said, he believed to have been meant kindly; but he said his family had always been loyal to the Kings of Scotland, and "for his part, if the event proved the ruin of this King, he was resolved to lay his life, honours, and estate under the rubbish of the King's ruins."[1] The reply was no empty vaunt, for the chivalrous Huntly did ultimately lay down possessions and life itself in the royal cause.

After the splendid bribe had been put aside by the noble whose influence the Covenanters were anxious to secure for their cause, they very wisely resolved to place a professional soldier at the head of the forces they might raise. The advantages were that he would be amenable to orders, and that his appointment would not excite the jealousies and intrigues which would inevitably arise if the office of Commander-in-Chief were conferred on any one of the Scotch nobility. It was, perhaps, worth while to run this risk in the case of Huntly; but since he had refused their offer a trustworthy mercenary with a thorough knowledge of the art of war would serve their purpose best.

Such a leader was found by them in General Alexander Leslie, "an old, little, crooked soldier,"[2] the natural son of one of the distinguished family of which the Earl of Rothes was the head, and which, though originally belonging to

[1] Gordon, *Scots Affairs*, vol. i. pp. 49, 50.
[2] Baillie, *Letters*, vol. i. p. 213.

Aberdeenshire, had offshoots in Fifeshire and Morayshire. He was born in 1582, and from early years he had, like many thousands of his fellow-countrymen for whose energies there was very little employment at home, served in armies on the Continent. He had played an important part in the Swedish service, and, in a brilliant defence of the important town of Stralsund at a critical juncture of the Thirty Years' War, he had forced the redoubtable Wallenstein to abandon the siege. His courage and resolute spirit, his caution, and his diplomatic skill had rendered his services of high value to the King of Sweden; and these qualities, together with his long experience in the most terrible of all European wars, admirably fitted him for the post which he was now called to hold in his native country. The Earl of Rothes, the head of the house of which Alexander Leslie counted himself a member, was the most active of the Covenanting leaders; and it was probably at his suggestion that in August of 1638 the General resigned his post in the Swedish service in order to return home. Two months afterwards he set out for Scotland in a small barque and succeeded in eluding the vigilance of the English cruisers, which were anxious to intercept him. He brought the welcome tidings that he had gained many subscribers to the Covenant among Protestant officers in Germany, from whom active support might be expected now that the armies there were breaking up and the war was drawing near an end.[1]

Not many weeks after his return to Scotland the meeting of the General Assembly in Glasgow, already described, took place, the result of which was the repudiation of the royal authority, and the utter overthrow of the form of Church-government to which Charles I. was not only conscientiously attached but which he was pledged to maintain and defend. For some time past the Covenanting leaders had been raising money for the expenses of the war which they foresaw to be inevitable; but, now that the struggle was near at hand, they increased their efforts and supplemented voluntary contributions by an assessment based upon rental to be levied in every county of Scotland.[2]

The plan of campaign on which the King fixed was formid-

[1] Spalding, *Memorialls*, vol. i. p. 130; Baillie, *Letters*, vol. i. p. 111; C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 39.

[2] Rothes, *Relation*, pp. 72, 80, 81.

able enough on paper. He proposed to call on all the nobles in England for the military service due from them and their dependants, and in this way he expected to raise a sufficiently large army to suppress his rebellious Scotch subjects. The garrisons of Carlisle and Berwick were to be strengthened; he himself was to approach the Scotch Border with an army of thirty thousand men; the English fleet was to cruise about the Firth of Forth and to blockade the seaports of Fife and the Lothians; while an army of five thousand men, under the Marquess of Hamilton, was to be landed in Aberdeen to join with Huntly's forces, and, after making all secure in the north, to proceed southward to free loyal subjects, of whom there were supposed to be a great number, from the yoke of the Covenant. In the meantime the Earl of Antrim, with at least ten thousand men from Ireland, was to land in Argyllshire, and the Earl of Strafford, with as many soldiers as could safely be withdrawn from Ireland, was to come with a fleet up the Firth of Clyde. The Marquess of Hamilton, who was to be Commander-in-Chief in Scotland, suggested that this fleet might touch at Arran, the only part of his property which he could place at His Majesty's disposal, to obtain in that island both recruits and provisions for the ships.[1]

The leaders of the Covenanting party, however, took advantage of the delay occasioned by the difficulty which Charles experienced in raising money for a war with Scotland, and altered the complexion of matters in such a way that the schemes of their opponents were utterly frustrated. Their plans were very cleverly laid, and they were carried out with a success that surprised even themselves and petrified their enemies with amazement. Leslie with a strong force demanded the surrender of Edinburgh Castle, and he was foolishly allowed to approach near to the outer gate. When his demand was refused he retired after having screwed a petard on the gate, the explosion of which so astounded the garrison that they surrendered without striking a blow.[2] Dumbarton Castle was well provisioned and had a strong garrison, but it also fell without the shedding of a drop of blood. The governor and a large number of the garrison were in the habit of attending a church outside the walls of the castle, and on one Sunday morning they were intercepted and taken prisoners. So

[1] Burnet, *Memoirs of Hamilton*, p. 113; *Strafford Letters*, vol. ii. p. 319; *Hist. MSS. Com.*, vol. xii. app. iv. p. 509.

[2] Baillie, *Letters*, vol. i. p. 195.

few were left in the castle that they made no attempt at resistance, but gave it up when summoned to surrender. Dalkeith Castle was incapable of resisting an attack, and the Covenanters captured in it not only a large quantity of warlike stores, but also the regalia of Scotland, which they conveyed with somewhat gratuitous marks of great respect to Edinburgh Castle.[1] The Earl of Mar, who was friendly to their cause, had Stirling Castle in his possession. And thus in a very short time all places of defence south of the Tay, with one exception, were in the hands of the Covenanters. This was Caerlaverock Castle, a border stronghold of considerable strategic importance, which no doubt was left unassailed from a prudent desire to avoid coming into conflict with the English troops who would likely be summoned to its aid if it were attacked; for, though the Covenanters were now engaged in rebellion, they were specially anxious to avoid arousing the hostility of the English nation.

The great blow which was to have been struck in the north was averted by very prompt action on the part of the Covenanting leaders. The Marquess of Huntly, who had received from the King a commission of lieutenancy over the provinces from the north water of Esk to the extremity of Caithness, raised an army of five thousand men; but, before the English troops on whose help he counted could arrive, a well-appointed army under Montrose and Leslie was upon him.[2] The Royalist leader, on the advice of his council of war, disbanded his forces, and left Aberdeen at the mercy of the Covenanting troops. Huntly was invited to a conference with a view to a peaceful arrangement of matters, but, in spite of a safe-conduct signed by Montrose and the other principal officers which had been granted him, he was taken prisoner and brought to Edinburgh.[3] In passing we may draw our readers' attention to the fact that the sacrilegious custom of turning churches into stables was introduced by Montrose, whose first exploit of this kind was to profane the church of Udny in Aberdeenshire.[4] His conduct

[1] Rushworth, *Collections*, vol. ii. p. 906; Burnet, *Dukes of Hamilton*, p. 149; *Strafford Letters*, vol. ii. p. 325.

[2] Though Leslie was from the first virtually the Commander-in-Chief of the forces raised by the Covenanters, he did not receive his formal commission until 9th May of this year (C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 54). This explains why he did not take precedence of Montrose on this expedition to the north.

[3] Gordon, *Scots Affairs*, vol. ii. p. 237; Spalding, *Memorialls*, vol. i. p. 168; Burnet, *Dukes of Hamilton*, p. 150.

[4] Gordon, *Scots Affairs*, ii. p. 264. Messrs Murdoch and Simpson, the editors of *Deeds of Montrose*, compare that hero to Hyperion (p. xli). The above action

was widely reprobated, but the public both in England and Scotland became only too familiar with the practice in the course of the Civil War. Cromwell is popularly credited with being a great offender in this matter, but Montrose is not to be allowed to escape from the disgrace connected with the introduction of the abominable custom.

On the 30th of March Montrose and Leslie entered Aberdeen with nine thousand men; and on the same day Charles I., under less fortunate auspices, entered York.[1] The army which he led to the Scotch Border consisted of raw levies and was commanded by inexperienced generals; and, in the circumstances in which the King was then placed, the longer it was kept on foot the more difficult became the task of providing the money for carrying on the campaign. Since 10th March, 1629, no Parliament had met in England, and consequently, as the ordinary mode of obtaining war-subsidies was unavailable, Charles was driven to attempt to raise the funds needed by the somewhat unpromising means of voluntary subscription. The public feeling in England was, however, lukewarm in the matter, and subscriptions came in but slowly. Bishops were not very popular at that time in England, and this war was regarded as being carried on in their interests, to coerce the people of Scotland into receiving back the ecclesiastics whom they had driven away. The number of soldiers in the army which marched northwards was two thousand cavalry and fourteen thousand infantry; and, though it was afterwards increased by a thousand more horse and four thousand foot, it was never in a fit condition to meet the almost equal number of men whom Leslie commanded. The soldiers were undisciplined, ill furnished with weapons, and lacking in provisions whether for men or for horses; and the longer they remained in the field the more miserable their condition became.

On the 7th of April a new proclamation was addressed by the King to his rebellious subjects in Scotland, in which he assured them of his intention to keep the promises made in his name in Glasgow. In the first draft of the proclamation nineteen of the leaders, among whom our Earl of Argyll had the foremost place, were excepted from pardon if they did not, within twenty-four hours after the proclamation appeared, submit and cast

of defiling a sanctuary with horse-dung will probably be found by the unsophisticated reader somewhat inharmonious with his preconceived ideas of the Sun-god.

[1] *State Papers, Dom.*, 1639, ccccxv. p. 78.

themselves upon the King's mercy. After the expiry of that period, if they still held out, a price was to be set upon their heads, to be paid to any who should put them to death. But, in consequence of strong remonstrances against this encouragement of assassination, the general statement was substituted for it that all rebels who did not lay down their arms within eight days would be held as traitors, and would forfeit all their estates and property. All tenants of rebels were ordered to cease payment of rent to them: half of the amount was to be paid to the King, and the other half was to be kept by themselves. All those tenants who would take the King's side were to receive long leases from the Crown at two-thirds of their present rent; while loyal landlords were ordered to expel disloyal tenants from their holdings. But the tempting offer of diminution of rent produced but little effect. It was regarded as a mere repetition of the Satanic proposal—"All these things will I give thee, if thou wilt fall down and worship me."[1] The endeavour to put down the rebellion in Scotland by proclamation proved futile; and equal want of success attended upon the scheme of warlike invasion. Before the King had actually committed himself to the latter method of dealing with his rebellious Scotch subjects, he received a letter from the Earl of Argyll in defence of their procedure and deprecating the employment of force against them. The mood in which Charles received this advice may be guessed from the treatment the letter received. It was instantly torn to pieces, and from the King's words or manner those who were present were convinced that he was "resolved to have the writer's head."[2] Argyll was indeed fated to undergo the penalty to which his Sovereign would now willingly have consigned him, but many heads were to fall on the scaffold before his turn came. Charles little thought that Strafford and Laud, and he himself, were all to die by the executioner's axe, the aid of which he now desired for putting an end to the rebellion he had provoked.

At every point the King's plans broke down. The Earl of Antrim's proposal to land ten thousand men in Argyllshire turned out to be merely a visionary project: he had not that number of men to dispose of, and the Viceroy of Ireland reported to Charles his opinion that Antrim was not fit to command such

[1] Gardiner, *History of England*, vol. ix. pp. 9, 23.
[2] *State Papers, Dom.*, 1639, p. 52.

a force, even if it could be got together.[1] In the meantime the Earl of Argyll took prompt action to checkmate invasion from Ireland by raising a force of nine hundred men, of whom some were stationed in Kintyre to guard the coast, and others were sent to Lorne to prevent a rising of the MacDonalds. With the remainder the Earl himself crossed over into Arran and seized Brodick Castle. This last achievement nullified Hamilton's proposal to provision the fleet which was to support the invasion of the west of Scotland from that island, of which he was the proprietor.

The scheme of making a base of operations in the north by the landing of several regiments of soldiers from Hamilton's fleet had been averted by the occupation of Aberdeen and the capture of the Marquess of Huntly by the Covenanters. Hamilton was accordingly instructed to enter the Firth of Forth in the hope of being able to effect a landing there and to aid Charles's loyal subjects, who were supposed to be the great majority of the population, in shaking off the yoke of the Covenant. But in the meantime Leith had been sufficiently fortified to resist attack. Men and women from Edinburgh and from the surrounding country had wrought with great ardour at the entrenchments;[2] and a striking indication of the condition of public feeling is given by the fact that Hamilton's own mother, who lived at Kinneil House near Bo'ness, appeared one day among them with a pistol in her hand, which she asserted she would use against her son if he attempted to land. On other parts of the coast, both north and south of the Firth of Forth, preparations were made by the Covenanters to prevent the disembarkation of troops; and accordingly Hamilton took possession of the islands of Inchkeith and Inchcolm, both in order to give the soldiers, few of whom probably had been at sea before, some relief from the discomfort of life on board ship, and also to impart to them a little of the military training which they greatly needed.[3]

On the 14th of May the King, who had reached Newcastle-on-Tyne, published another proclamation, in striking contrast with that which he had issued a month before. In it he announced that he was advancing with his army and "with the attendance of the nobles and gentry of the kingdom," and

[1] *Strafford Letters*, vol. ii. p. 230; Wentworth to Coke, *Hist. MSS. Com.*, vol. xii. app. ii. p. 227.

[2] Burnet, *Dukes of Hamilton*, p. 146.

[3] *State Papers, Dom.*, 1639, p. 126; Burnet, *Dukes of Hamilton*, p. 157.

intended shortly to be at Berwick; and he asserted that it was his purpose "to give his good people of Scotland all just satisfaction in Parliament, as soon as the present disorders and tumultuous proceedings of some there were quieted and would leave His Majesty a fair way of coming like a gracious King to declare his good meaning to them." He went on to say that he would not invade Scotland if "all civil and temporal obedience were shown him"; and that, on the other hand, he would not allow Scotch troops to invade England. If any, without authority from him, were to raise soldiers and to bring them within ten miles of the English Border, he would consider their action as invasion of England and would instruct his General in command and his officers to proceed against them as rebels and destroy them.[1]

The answer returned by the Scotch nobles who headed the popular revolt was that their warlike preparations were for self-defence, that their hearts were loyal to their Sovereign, and that they would obey his order as to the ten-mile limit if he would withdraw his fleet from the coast and his army from the Border. This request, as might have been expected, was ignored by Charles, and the prohibition in question was consequently not observed. Four days after this reply the Scotch army was mustered on the links of Leith, the articles of war were read to the soldiers, and without further delay they marched towards the English Border and encamped at Dunglass on the Haddingtonshire coast.[2] The number of men who were now ready to maintain their country's cause on the field of war was twenty thousand infantry and five hundred cavalry. But, though the English army was slightly larger, it was inferior to Leslie's in weapons, equipment, and discipline, and, above all, in the absence of the stimulus imparted by the sense of being entrusted with the defence of a great cause. Though the English soldiers now menacing the Scotch Border were not wanting in the courage and high-spiritedness which has distinguished them for so many centuries, and joyfully welcomed the prospect of a battle, there can be no doubt that in those of the other side there was that nobler ardour which springs from warm patriotic and religious feeling.

The King freed his opponents from obligation to keep at a distance from the English frontier by sending strong bodies of soldiers into Scotch territory, one of which proclaimed at Duns

[1] Peterkin, *Records*, p. 220; Gardiner, *History of England*, vol. ix. p. 16.
[2] Burton, *History of Scotland*, vol. vi. p. 259.

the treasonableness of the conduct of the Covenanting leaders and repeated the tempting offer of reduction of rent to their tenants who should desert them; and another would probably have done the same at Kelso, had it not been that they were outnumbered by the Scotch troops stationed there and thought it prudent to retreat.[1] In consequence of these movements of the English army Leslie determined to leave Dunglass and to take up his position on Duns Law, a prominent hill not far from the English Border, which would give him the command of the roads leading northward.

The description given by Baillie of the encampment at Duns Law is vivid and picturesque. "It would have done you good," he says, "to have casten your eyes athwart our brave and rich Hill, as oft I did with great contentment and joy. . . . Our Hill was garnished on the top towards the south and east, with our mounted cannon, well near to the number of forty, small and great. Our regiments lay on the sides of the Hill, almost round about; the place was not a mile in circle, a pretty round rising in a declivity, without steepness, to the height of a bow-shot; on the top somewhat plain; about a quarter of a mile in length and as much in breadth, as I remember, capable of tents for forty thousand men. The crowners [colonels] lay in kennous [canvas] lodges, high and wide; their captains about them in lesser ones; the soldiers about, all in huts of timber covered with divots [thin grassy sods] or straw. . . Every company had, flying at the captain's tent-door, a brave new colour stamped with the Scottish Arms, and this ditton [motto] FOR CHRIST'S CROWN AND COVENANT, in golden letters."[2] The men were for the most part strong, young ploughmen; the captains were noblemen or gentry of note, and the lieutenants were almost all experienced soldiers from the German wars. They received a fair sum in the way of pay, were well cared for, and were in good spirits. Baillie says that even the humblest soldiers had wheaten bread to eat, and for a groat could buy a leg of lamb, which were better provisions than they were ordinarily accustomed to. He also tells us that morning and evening there might be heard in the huts the sound of some singing psalms, of others praying, and of others reading Scripture. Both in his time and in our own these militant saints have been regarded by some with admiration and by others with distaste.

[1] Gordon, *Scots Affairs*, vol. iii. p. 7; Baillie, *Letters*, vol. i. p. 210.
[2] *Letters*, vol. i. p. 211.

Those who have no liking for them may be gratified by learning that all in the Covenanting army were not of the same stamp; for we are told, on the same authority, that in some quarters there was cursing, swearing, and brawling.[1]

Among the troops encamped on Duns Law the Highlanders from Argyllshire attracted great attention. The Earl of Argyll had been stationed with his followers at Stirling in the heart of Scotland to guard against unexpected dangers that might arise from the north, or from attacks upon the east or west coasts, and to be a check upon secret treachery as well as open hostility. But, when it became evident that the King was likely to open negotiations with a view to peace, he was sent for, since "without him none would mint [attempt] to treat." He came attended by several companies of Highlanders belonging to his clan, whose dress, weapons, and foreign tongue excited as much curious attention among many who visited Duns Law as if they had been Indian warriors from the wilds of North America. "It was thought," says Baillie, "the country of England was more afraid for the barbarity of his Highlanders than of any other terror: those of the English that came to visit our camp did gaze much with admiration [wonder] upon these supple fellows with their plaids, targes, and dorlachs."[2]

In the meantime the soldiers in the English army which Charles had led to the Border were in a very different condition from those under the command of Leslie. They had no tents or huts to live in, but they had to sleep on the bare ground, or to be content with the shelter of turf walls which they erected, or with anything else which they could devise to protect themselves against the weather. As time passed on and there

[1] *Ibid.*, *Letters*, vol. i. p. 214.

[2] *Ibid.*, vol. i. pp. 211, 213. The report of one of these is quoted by Dr Gardiner, and is as follows:—"They were all, or most part of them, well-timbered men, tall and active, apparelled in blue woollen waistcoats and blue bonnets, a pair of bases of plaid and stockings of the same, and a pair of pumps [brogues] on their feet, a mantle of plaid cast over the left shoulder and under the right arme, a pocket before for the knapsack, and a pair of dirks on either side the pocket. They are left to their own election [choice] for their weapons. Some carry only a sword and targe, others muskets, and the greater part, bow and arrow, with a quiver to hold about six shafts, made of the mane of a goat or colt, with the hair hanging on, and fastened by some belt or suchlike, so as it appears almost a tail to them. These were about a thousand, and had bag-pipes, for the most part, for their warlike [musical] instruments. The Lord Buchanan was their leader. Their ensigns had strange devices and strange words, in a language unknown to me, whether their own or not I know not" (*History of England*, vol. ix. p. 27 n.). "*Dorlachs*" are the quivers above described.

was no immediate prospect of their being led against the enemy, they sank into apathy and listlessness. Disease broke out amongst them, and many deserted. The poor fellows who were thus neglected and deprived of means of comfort and cleanliness were infested by a certain kind of vermin, to which the rough humour of the camp gave the name of "covenanters."[1]

As soon as the King received the tidings that Leslie was about to leave Dunglass and encamp upon Duns Law, he sent word to the Marquess of Hamilton, who had already despatched the soldiers on board his fleet to reinforce the royal army, to come and advise with him as to the next step to be taken. Apart from the inefficiency of the troops which were under his command, his hands were weakened for war by the fact that the noblemen and gentry whom he had spoken of as accompanying him to the Border were inclined to peace, on the ground that they did not think that the demands of the people of Scotland were unreasonable. From his trusted counsellor Strafford he received strongly worded advice to abstain for the present from warlike operations, and the assurance that the condition of Ireland was such that no soldiers could be spared to take part in any conflict with Scotland. All that he himself could do in the way of joining in the plan of campaign which had been formed would be to assemble soldiers and vessels at Carrickfergus, as if for an invasion of Argyllshire; but this would be a mere feint, which might deceive no one. No action of the kind threatened could by any possibility be taken at present.[2]

On the other hand, the Scotch army, though strong enough to drive before them the English troops now assembled within such a short distance of them, were most anxious to avoid arousing the hostility of the English people. The defeat of an English army by a Scotch would be sure to excite deep feelings of resentment, however indifferent the people at large might be to the matters out of which the original quarrel sprang. In the circumstances it is not surprising that the suggestion for negotiations with a view to peace, when once made, was readily acted upon. One of the royal pages, Robert Leslie, a young Scotchman, came over to visit friends in the Covenanting camp, and took occasion to remark that even yet it might not

[1] Gardiner, *History*, vol. ix. p. 30; see also *Charles II. and Scotland*, p. 136. In our recent war in South Africa (1902) the same unpleasant insects received the name of "Roberts's Horse."

[2] Gardiner, *History*, vol. ix. pp. 33, 34.

be too late to send "an humble supplication" to the King, and thus open the way for a peaceful settlement of grievances. At once an address couched in most respectful terms was presented to Charles by the Earl of Dunfermline, asking for persons "well affected to the true religion and to the common peace" to be appointed to confer with the Covenanting leaders, in order to hear "their humble desires and make known to them his gracious pleasure."[1] The reply was that, as the King had issued "a gracious proclamation" which had not been publicly read as ordered, nothing could be done until this defect was repaired. The reference was to the proclamation in which the leaders of the rebellion had been declared traitors and their estates forfeited. Beyond the reading of it at the orders of the English at the town of Duns this proclamation had not as yet been made in Scotland. This obstacle to negotiations was, however, quickly removed: the document in question was read over in one of the tents in the hearing of Argyll and of a number of others who like him were specially denounced in it, and this was taken as being equivalent to a public proclamation on Scotch soil.[2] Any satisfaction the King may have had in thus securing the semblance of obedience to his authority in this matter must have been sadly diminished by the prompt repetition on the spot of a former protest which had been made by the Estates against the illegal character of the proclamation in question.

A summons was thereupon sent to the petitioners to appoint some of their number to meet "six persons of honour and trust," whom they would find in the General's tent, on the south side of the Tweed, at 8 a.m. on Monday morning, the 10th of June, and who had been appointed "to hear their humble desires." A safe-conduct signed by Sir John Coke, Secretary of State, was also sent for those who might be appointed to act as deputies from the Scotch camp. It is a striking comment upon the respectful language used by the petitioners that this safe-conduct was sent back to receive the signature of the King himself, with the reminder that according to the laws of England no such document was, strictly speaking, of value unless it had passed the Great Seal. They hoped that no offence would be taken at their action, but said that the people and army would certainly not consent to their going unless they had the security given by His Majesty's own signature. No doubt

[1] Rushworth, *Collections*, vol. iii. p. 938. [2] Baillie, *Letters*, vol. i. p. 215.

Charles felt the sting of insult which the suspicion of bad faith contained, but his only reply was to add his own name to that of the Secretary of State upon the safe-conduct.[1]

Six commissioners were sent from the Covenanting army, viz. the Earls of Rothes, Loudon, and Dunfermline, Sir William Douglas (Sheriff of Teviotdale), Johnstone of Warriston, and Henderson. Scarcely had they entered the General's tent when, much to their surprise, the King himself came in; indeed, as the Scotch commissioners had their backs to the door and he came in unannounced, he had been in the tent for some moments before they observed his presence. The requests of the petitioners were that the proceedings of the General Assembly in Glasgow, in which Episcopacy was abolished, should be ratified by Parliament; that in future all ecclesiastical affairs should be determined by Assemblies of the Church, and all civil affairs by Parliaments and Courts of Law; and that peace and security of life and property should be again restored. The Scotch commissioners were at a disadvantage in this conference, as in the circumstances was inevitable. The strength of their case lay in the army which was assembled on Duns Law, and not in the fact that their arguments against Episcopacy were superior to those the King might employ in favour of it. The powers assumed and exercised by "The Tables," the changes in the constitution of the Church introduced on their authority, the "packing" of the Glasgow Assembly and its continuing to transact business after the Royal Commissioner had forbidden any further proceedings, were all weak points in the case which the Scotch commissioners had now to defend. And so, while nothing would induce them to condemn their own proceedings in the abolition of Episcopacy at the Assembly, they were unable by force of argument to justify the means and methods by which they had attained their purpose. On the other hand, the King utterly and steadfastly refused to acknowledge the validity of the Acts of what he persistently called "the pretended General Assembly of Glasgow"; and according to his view of matters Episcopacy was still the lawful constitution of the Church of Scotland. Yet he consented to the principle of leaving General Assemblies to deal with ecclesiastical matters, and Parliaments and law-courts with civil, and finally referred all difficulties and grievances

[1] Rushworth, *Collections*, vol. iii. p. 939; Hardwicke's *State Papers*, vol. ii. p. 130.

for solution to a free General Assembly and a free Parliament to meet in Edinburgh in the month of August following, on the 6th and 20th respectively.[1]

Both parties accepted this as the basis of pacification. The Scotch commissioners were fully convinced that both Assembly and Parliament would ratify what had been done irregularly at Glasgow; and the King, confident in his having had the better of the argument, was probably under the impression that the cause of Episcopacy in Scotland was by no means hopeless. The impression Charles made upon the commissioners was very favourable: he surprised them by his grave, patient attention to all that they had to say, and Baillie says that they thought him "one of the most just, reasonable, sweet persons they had ever seen."[2] But his character was more complex than they thought; and under that gracious manner was a disposition utterly lacking in tact, while with his changeableness and vacillation he combined an obstinacy or tenacity fully equal to their own.

It was agreed to disband both armies; and on the Covenanting side it was conceded that the royal fortresses should be restored to persons appointed by the King, that "The Tables" and other illegal committees should be dissolved, that the regalia should be given up, and that the works of fortification which might have been begun should be abandoned. It was also agreed that prisoners on both sides should be liberated. The King spoke of being present at the meetings of the Scotch Parliament and of the General Assembly, though this proposal was not afterwards carried out.[3] Some offence was given by the action of the leaders of the Covenanting party in protesting that, though they accepted the King's Declaration, they did not acquiesce in the condemnation contained in it of the proceedings of the Glasgow Assembly; and the Earl of Morton, who came into the Scotch camp as a commissioner from the King, broke out into "bitter and evil speech" against his cousin and son-in-law Argyll as being the author of this protest, which he declared was an infringement of terms already agreed upon. But, for all that, the generals, nobles, ministers, and others who had signed the protest adhered to it. In a rash moment the King had promised to visit the Scotch

[1] Burnet, *Dukes of Hamilton*, pp. 178, 179.
[2] *Letters*, vol. i. p. 217.
[3] Rushworth, *Collections*, vol. iii. p. 944.

camp; but his advisers dissuaded him from doing so, on the very reasonable ground that such an action would really be giving some countenance to those who had rebelled against him, and who had only laid down their arms on conditions which the force of circumstances had compelled him to accept. Argyll and some few of the other lords went over after the conclusion of peace to kiss the King's hand. We are told that he was but coldly received, at which little surprise need be felt by any. Even a much "sweeter" person than the Scotch commissioners supposed Charles to be would probably in the circumstances have been unable to manifest any other warmth than that of anger.[1]

So convinced were the Covenanters that they had averted the dangers which had led them to take up arms that they proposed to send Leslie with an army of ten or twelve thousand Scotch soldiers to the aid of the Elector Palatine; but difficulties with regard to the question of payment cropped up, and the scheme was abandoned.[2] The mere fact, however, that it was seriously entertained is strong proof that the leaders of the Covenanting party had anticipated that the Pacification of Berwick would lead to a final settlement of the disputes between them and their King, and that they had no further hidden designs inconsistent with their loyalty to him.

[1] Baillie, *Letters*, vol. i. p. 220.
[2] Gardiner, *History of England*, vol. ix. p. 42.

CHAPTER VI

The Pacification violated—Argyll and others refuse to meet Charles I. in Conference—Negotiations of the Covenanters with France—The King and the Scotch Bishops—The Proceedings of the Assembly in Glasgow ratified—*The Large Declaration* condemned—Dislocation of the Constitution—The "Altercating Parliament"—The Magistrates of Edinburgh decline to publish a Royal Proclamation against Argyll.

ON which side lay the fault of violating or of neglecting to carry out the terms of the Pacification it is perhaps difficult to determine. But the fact is that the terms of agreement were far too vague. It was decided that the ecclesiastical matters which were in dispute should be settled by a General Assembly; but it was not decided how that Assembly should be elected, or whether the King should or should not have the right of veto in case their proceedings were displeasing to him. As matters stood, the abolition of Episcopacy by the Glasgow Assembly being as yet of no effect because it had not been confirmed by Parliament and King, Archbishops and Bishops were still legally entitled to the principal place in the forthcoming Assembly, and the King could scarcely have done other than summon them to a meeting of that body. And, as it would have been in the highest degree absurd to invite such personages to meet with others in an Assembly in order to be ejected from it or to be degraded in rank, it became quite evident to the people of Scotland that, in spite of the Covenant and the proceedings in Glasgow and the armed resistance of the nation, Charles still intended to maintain Episcopacy as the established form of religion. The Covenanting party must therefore have realized, when on the 1st of July the Archbishops, Bishops, and others having a place in the Assembly according to the old constitution of the Church were summoned to meet, that they had failed as utterly in attaining their object and were as much at the King's mercy as if Leslie and his army had been scattered by the royal troops like chaff before the wind, and that they had by the

Pacification of Berwick relinquished everything which they had struggled to secure.[1]

It was therefore with grim displeasure that the citizens of Edinburgh saw the Castle handed over to the charge of General Ruthven, a strong Royalist, and heard the proclamation summoning the Episcopal functionaries to take charge of matters in the forthcoming Assembly. The usual protestation against the conduct of the King was made immediately after the herald had read the royal proclamation; and the angry mob of the city found some vent for their feelings by chasing the King's friends through the streets and maltreating his representatives. The carriage of the Lord Treasurer—the Earl of Traquair—was attacked, and before the coachman could drive out of the throng it broke down; and the Earl on getting out received, we are told, "some knocks with some women's neives [fists]," of which, strangely enough, it was said he was very glad, for they endeared him to the King at a time when his credit was in a somewhat tottering condition.[2]

In fact, matters were in precisely the same state as at the time when the rioting began on the occasion of the introduction of the Service-Book at St Giles's Church. In these circumstances "The Tables" and other committees which watched over the interests of the Presbyterian party could not be dissolved as the Pacification of Berwick prescribed; and the leaders of the popular faction felt that the time had not come when they could safely demolish fortifications put up for self-defence and disband their army. Accordingly the King could, with at least some colour of justice, maintain that the terms of the treaty with his opponents had been broken by them; and the latter could, with equal plausibility, lay the blame of breaking them upon his shoulders. No doubt Charles would have been willing to reduce the powers of the Bishops very considerably and believed that, in this way and by a general modification of the ecclesiastical constitution, all real grievances the origin of which was ascribed to Episcopacy would be corrected; but beyond this he felt it would not be safe to go. Had he simply accepted as valid the abolition of Episcopacy by the Glasgow Assembly, he would not only have substituted the rough-and-ready methods of revolution for the orderly course of legislation by the constituted authorities, but he would have lost the last vestige of royal power in Scotland and would have been

[1] Peterkin, *Records*, p. 230.

[2] Baillie, *Letters*, vol. i. p. 220; Burnet, *Dukes of Hamilton*, p. 182.

at the mercy of turbulent nobles in alliance with an equally turbulent democracy. Whether the Bishops had wide or limited powers in ecclesiastical matters was to him a question of but slight importance. Their existence as one of the Estates of Parliament was absolutely essential if he was to have any control over legislation and the government of the country.

Charles now summoned fourteen of the Covenanting leaders to come to a conference at Berwick, where he still was; but his action in so doing was regarded with great suspicion. Only six out of the fourteen obeyed the summons. The Earl of Argyll sent a flimsy excuse for non-appearance; while most of the others were hindered by the citizens of Edinburgh from exposing themselves to what was regarded by them as the danger of being kidnapped by the King. The Covenanting leaders who went to Berwick exasperated Charles by their audacity, for one of them, the Earl of Rothes, went the length of saying that if they were not allowed to get rid of Bishops in Scotland they would be forced to open an attack upon Bishops in England and Ireland. Fierce altercations took place between the King and the Covenanting leaders; and finally the latter were dismissed with orders to return four days later with the others of their number who had been originally summoned, but who had stayed or had been detained in Edinburgh. At the time appointed only two of them reappeared, and, though they made some promises as to disbanding troops and demolishing fortifications, but little reliance was placed upon their words; and the only real effect of the conference was to embitter the relations between the King and his subjects. Charles felt deeply the affront which had been offered him by the refusal of so many of the Covenanting leaders to obey his summons, and he declared that he would not trust himself among those who distrusted him, and that he would abandon his design of being present at the meetings of Assembly and Parliament.[1]

Before the meeting of the General Assembly which was to settle the principal matters in dispute a somewhat awkward incident occurred which must have modified the favourable impression made by the King upon the Scotch leaders. The latter had printed and published a document professing to be a recapitulation of the main decisions which had been arrived at in the conference at Berwick. This being a record of conversation,

[1] Gardiner, *History of England*, vol. ix. pp. 46, 47; Stevenson, *History of the Church and State of Scotland*, p. 386; Burnet, *Dukes of Hamilton*, p. 187.

it is not surprising that exception was taken to it by Charles as inaccurate, though nothing like bad faith can fairly be alleged against the authors of the document, which all through is couched in reasonable and respectful terms. So far from its being a mere pamphlet of news issued to gratify public curiosity, it was a formal State document published by what was virtually the Government of Scotland.[1] As copies of it had been circulated in England, the King brought it before the English Privy Council, and the result of their deliberations was that it was condemned as "in most parts full of falsehood, dishonour, and scandal to His Majesty's proceedings in the late Pacification," and it was ordered to be publicly burned by the hangman.[2] The insult thus offered to the Scotch leaders was not only calculated to alienate them and their followers still further from the royal cause, but also to produce the impression upon the minds of all who regarded the document in question as a truthful record of proceedings that the King was a truce-breaker, and that hence-forward little reliance need be placed upon his word.[3]

Early in the preparations for a struggle with Charles I. the Covenanting leaders endeavoured to revive the ancient league with France, which had so often stood Scotland in good stead in conflicts with England. The overtures from this quarter were welcomed by Richelieu, who was less shocked than one would have expected a Cardinal to be by the anti-papal opinions and sentiments of the Scotch insurgents, and he eagerly embraced the opportunity of weakening the power of England by fostering rebellion in the northern kingdom. In the *Mémoires du Comte de Rochefort*, Richelieu's secret agent, by Courtilz de Sandras, we have picturesque details regarding these negotiations which make us wish that the romance in question could be regarded as an authentic history. The story as there told reads like an extract from a novel by Dumas, who indeed drew the materials for some of his immortal works from the compositions of this earlier romancer. Thus we read of the Comte de Rochefort carrying letters in cipher from his chief to the Covenanting leaders, and landing in the north of England in the guise of a young French nobleman travelling for his own amusement. These important documents were concealed between pieces of iron which were welded

[1] Peterkin, *Records*, p. 230.

[2] Rushworth, *Collections*, vol. iii. pp. 965, 966.

[3] Gordon, *Scots Affairs*, vol. iii. p. 31; Burnet, *Dukes of Hamilton*, p. 205.

together and inserted as plates in a saddle which the Frenchman had got specially made for the journey. The emissary from Paris fell into the hands of a troop of Royalist cavalry, who, in spite of his protests, searched him and ripped up the saddle but did not discover the secret of the double plates. After a detention of five days and much cross-examination, which yielded nothing, he was liberated. By means of various feints and doublings he succeeded in evading the enemy and in delivering his letters in the right quarter, and then he returned home in a fishing-boat.[1]

This message from the Cardinal was followed, we are told, by the visit to Paris of one who was of high rank and also a prominent leader of the party. We should have liked to believe that it was Argyll, as the events in which the unnamed Scotchman was said to take part would have shown the subject of our biography in highly romantic and dramatic surroundings. "Rochefort," we are told, "received orders to go to the Faubourg St Marceau, over against the Conduit, where he would find a small tavern with the sign of the Headless Woman. He was to ascend the stairs without knocking and to enter a room up two flights, where he would find a gentleman in a large bedstead with yellow curtains; after certain signals had been exchanged, he was to bid the gentleman be at the Hôtel d'Aiguillon shortly after eleven o'clock that night without fail. Everything was as the Cardinal had said; and when Rochefort had entered the room described and looked behind the yellow curtains, he saw that the gentleman there concealed was the expected leader of the Covenanters. . . . Whoever he was he obeyed the Cardinal's mandate, and came at the appointed time to the house of Madame d'Aiguillon, disguised as a man crying jumbles (*oublies*) in the street. He was at once ushered into the private cabinet, and he remained there with Richelieu until four o'clock next morning."[2] As the result of this conference, a chest of money containing half a million francs was carted to a second tavern, called the Spinning Sow, to which the Scotchman had in the meantime for greater concealment betaken himself. The Cardinal, however, had promised a grant of six hundred thousand francs, and the agent of the Covenanters refused to take a sou less than that amount, and so the chest of specie was carried back to the Treasury. The result of his firmness was that before the close of the same day the

[1] *Macmillan's Magazine*, February, 1901: "The Cardinal's Agent," p. 313.
[2] *Ibid.*, p. 314.

full amount was paid over to be conveyed to Scotland, as a contribution towards the expenses of the militant Presbyterians.

This negotiation between the Scotch leaders and the French Government was regarded and spoken of at the time as a league between Argyll and Richelieu, as though the one were as predominant in Scotland as the other was in France; and one of the results of it was that a regiment of two thousand men was levied in Scotland and sent over to France under the command of the Earl of Irvine, Argyll's half-brother. These soldiers were ranked as one of the first regiments of the guard, and various special privileges were conferred upon them, among which was permission to have their own Protestant chaplains and the free exercise of their religion.[1] It is quite possible that Argyll's half-brother himself visited Paris as the agent of the Covenanters, and that the melodramatic details above recounted have this basis of fact on which to rest.

The Marquess of Hamilton was not inclined to accept a second time the post of Royal Commissioner to the General Assembly, and the Earl of Traquair was appointed to this office. Very shortly before the Assembly opened Charles sent express word to the Archbishops and Bishops, who had been formally summoned to it, that they were on no account to obey the summons and present themselves at the Assembly. In a letter to the King they had advised him to prorogue Assembly and Parliament for the present, and he now replied that that was a course he would willingly follow but for the excited condition in which the country was and the promises he had made in the Articles of Pacification. In the meantime he forbade them to meet together to consult upon Church affairs: he could not guarantee their safety in Scotland, and he considered it would be out of place for them to meet elsewhere. But he added: "We doe hereby assure you, that it shall be still one of Our chiefest Studies, how to rectifie and establish the Government of that Church aright, and to repair your losses, which We desire you to be most confident of."[2] The recommendation which he gave them as to the best mode

[1] Gordon, *Britane's Distemper*, p. 6. See also, in App. IV., a letter from Argyll regarding the raising of men for this service. This regiment of Scots Guards, as it was called, landed at Dieppe in the autumn of 1643, and was present at the siege of Thionville, under the command of the Prince of Condé, during the same year (Montereul, *Correspondence*, vol. ii. p. 604).

[2] Peterkin, *Records*, p. 234.

of procedure in the circumstances in which they were placed is a striking illustration of that duplicity which at last was his ruin. They were to prepare a protest or remonstrance against both the Assembly and the Parliament from which they were excluded, and send it by some secret and trusty messenger to the Royal Commissioner. It was not to be read or alluded to in the Assembly, where it was certain to meet with very scant courtesy, but was to be transmitted by the Earl of Traquair to himself. "And you may rest secure," he said, "that, though perhaps We may give way for the present to that which will be prejudicial both to the Church and Our Own Government, yet We shall not leave thinking, in time, how to remedy both." In the meantime the unfortunate prelates were recommended to remain in England, where they would receive maintenance from himself, and, though this would be on a scale less munificent than he would have wished, it would secure them from actual want. "Thus," he concluded, "you have Our Pleasure briefly signified unto you, which We doubt not but you will take in good part; you cannot but know that what We doe in this We are necessitated to."[1] This advice was taken; and a protest, in their own names and in those of as many as would adhere to them, that the proceedings of the forthcoming Assembly were null and void, was lodged in the hands of the Royal Commissioner; and appended to this protest was an appeal to a council of all the clergy in the British dominions, to whose decisions they promised to render obedience.[2]

On the 12th of August, 1639, the Assembly met at Edinburgh, and, after a sermon by Alexander Henderson, the retiring moderator, David Dickson, minister of Irvine, was appointed his successor. The same care had been taken as in the previous year to choose as members of Assembly only those who were devoted to the popular cause, though the matter was now more easily accomplished than then in consequence of the fact that the Covenant had vanquished its foes. The Earl of Argyll was a member of Assembly, and was one of sixteen assessors whom the moderator was permitted to summon to advise him in private if occasion should arise for requiring such assistance. Those appointed to this office were naturally the most zealous and capable of the leaders of the Covenanting party, and accordingly we find the names of the Earls

[1] *Ibid.*, *Records*, p. 234. [2] Burnet, *Dukes of Hamilton*, pp. 195, 196.

of Montrose, Rothes, and Loudon conjoined with that of Argyll.[1]

The whole business to be transacted at this Assembly was practically to endorse what had been done in Glasgow in an irregular way in the previous year; but, in order to keep matters in proper form, no mention was made of the Glasgow Assembly in the Acts now passed at this, though it was often referred to in debates. A comprehensive Act was introduced, and passed unanimously, in which all the grievances that had been complained of received their quietus. The Service-Book, the Book of Canons, and the Court of High Commission were abolished, the Articles of Perth condemned, the Episcopal form of Church-government and the holding of civil offices by Churchmen pronounced unlawful, and the "corrupt" Assemblies from 1606 to 1618 declared null and void. In order that there might be no recurrence of the evils now abolished it was decided that General Assemblies properly elected should meet annually, or oftener if necessary, to deal with ecclesiastical matters, and that the regular gradation of Church-courts according to the Presbyterian constitution—kirk-sessions, presbyteries, and synods—should be maintained.

Some of the older men in the Assembly who remembered the former days before Episcopacy had laid its destroying hand upon so much that was dear to the heart of the nation poured out their thanksgivings for the work of that day. Their joy was like that of the Jewish exiles when the decree of Cyrus allowed them to return and rebuild their Temple and Holy City, or like that of the Greeks when, after the defeat of the Macedonians by Flaminius, it was announced at the Isthmian Games that the Romans would allow them to retain their liberty: they were "like them that dream, their mouth was filled with laughter, and they said, 'The Lord hath done great things for us whereof we are glad.'"[2] The mere change of Church-government from Episcopacy to Presbyterianism may seem but a slight cause for such ecstatic joy; and no doubt to the eyes of outsiders the system rejected might seem equally good with that which was established in its place, or even in some respects superior to it. But the fact was that Episcopacy, whether of apostolic origin or not, was felt to be an incubus upon the national life, and it was natural that the deliverance from it should be accompanied with rejoicing.

[1] Peterkin, *Records*, p. 243.

[2] Ps. cxxvi.; *Livy*, Book xxxiii. p. 32.

The Royal Commissioner gave his assent to this Act, but he attempted to have a clause added to it declaring that Episcopacy, though contrary to the constitution of the Church of Scotland, was not in itself unlawful, and that the Act in question implied no censure of it as it existed in England and Ireland. He had received express orders from Charles to see that this explanation should be given if Episcopacy were abolished in Scotland. But the Assembly would not consent to accept the declaration, and merely put on record the fact that the Royal Commissioner had made it. Their assertions that Episcopacy had no warrant from Scripture would have been stultified by their accepting the suggestion made by Traquair, and an opportunity would have been given for reversing some day what had now been done, if what they had pronounced unlawful had been declared to be merely contrary to use and wont in Scotland. Their refusal was no doubt calculated to embarrass Charles in his relations with the Churches of England and Ireland, but this they probably thought was more a matter of concern to him than to them. Indeed, many of them anticipated that the downfall of Episcopacy in Scotland was likely to be followed by similar ecclesiastical revolutions in other parts of the King's dominions.[1]

The Assembly proceeded to pass a strong vote of censure upon a narrative of the disorders in Scotland, from the riot in St Giles's Church down to the dissolution of the Glasgow Assembly, which had been published by the King under the title of *The Large Declaration*, but which was generally known to be principally the work of Dr Balcanquhal, the Dean of Durham.[2] It was asserted "that it was so stuffed with reproaches, and calumneyes, and wrestings, and falshoods, that it could contain no more."[3] The Commissioner besought the Assembly to let the book pass, or, at any rate, to use respectful language concerning it since it had the King's name as author upon the title-page; but he was told that as long as the King was not really the author of it and it was false in character it might and should receive the same treatment as is given to false coin, even though it bears the royal image

[1] Guthry, *Memoirs*, p. 62; Peterkin, *Records*, p. 235.

[2] "Dean Balcanqual, a man of great parts, of subtle wit, and so eloquent a preacher, that he seldom preached in Scotland without drawing tears from the auditors" (Burnet, *Dukes of Hamilton*, p. 87).

[3] Gordon, *Scots Affairs*, vol. iii. p. 51.

and superscription. After some unpleasant remarks about hanging or cutting off the heads of such libellers it was agreed to "supplicate" the King to call in all copies of *The Large Declaration* and to condemn the lies published in it, a list of which was to be forwarded to him, and to give orders for sending the Dean of Durham to be tried in Scotland for the serious offence of stirring up animosity between King and people. It was thought by some that so much notice would not have been taken of the book if it had not contained a scurrilous reference to the Earl of Argyll. The latter had at the Glasgow Assembly asserted that he had been for some time in sympathy with the Covenanters, and had as a Privy Councillor acted in their interest, but that a time came when he must either openly join them "or be a knave." The King's (or Dr Balcanquhal's) comment on this in *The Large Declaration* was, "what he [Argyll] hath proved himselfe to bee by this close and false carriage, let the World judge."[1] The deep animosity to him which the King now cherished, and which was indicated by this open sentence of scorn and indignation, was part of the price at which Argyll had to purchase freedom to act in accordance with the promptings of conscience and to support the cause of civil and religious liberty.

In the Assembly at Edinburgh, Argyll took a fairly prominent part, and, though on one occasion he spoke in strong terms of the resolution with which he and his party would adhere to what had been done in Glasgow,[2] his speeches were distinctly marked by a spirit of conciliation towards both the Royal Commissioner and the King whom he represented. The Assembly appointed committees to visit the Universities of Aberdeen, St Andrews, and Glasgow, from which the Episcopal leaven had not as yet been fully purged out, and the Earl of Argyll was appointed one of those whose duty it was to attend to the last named of these seats of learning. As one way of showing thankfulness for the concessions made by the King to the popular demands an explanation was appended to the Covenant asserting that this confederation was simply meant for the preservation of religion and the maintenance of the royal authority, and all subjects of the King in Scotland were ordered to accept it and thus testify afresh to the fact that those who had taken up arms to defend their rights and liberty were unshaken in their loyalty to the Sovereign. The next

[1] P. 325.

[2] Peterkin, *Records*, p. 259.

meeting of Assembly was appointed to be held at Aberdeen, on 28th July, 1640.

The abolition of Episcopacy was not merely a measure of religious importance; it had also a political bearing, as became immediately evident when the Scotch Parliament was assembled. As already explained (*supra*, p. 35), legislation in Scotland was virtually in the hands of the Lords of the Articles who prepared the measures on which the Estates gave their votes Ay or No. The King, by means of the Bishops, was able to secure a majority of the Lords of the Articles and thus control the operations of Parliament. His desire now was that fourteen members of the clergy should take the place of the Bishops in Parliament and furnish their quota of the committee above referred to, who exercised so much power. This, however, was out of the question. The Presbyterian clergy, who had complained of Bishops lording it over their brethren, were not likely to consent to allow some of their own number to do the same; nor were the nobility, who had been jealous of the power of the Bishops, inclined to arrange for the establishment of another form of clerical domination. Difference of opinion on the question as to what should be done to remedy the dislocation of the constitution caused by the abolition of the Bishops now drove a line of cleavage through the Covenanting party. A temporary arrangement was patched up by Traquair at the first meeting of Parliament. He himself chose eight members of the higher nobility from the dominant party in politics, and they in their turn chose eight of the lower barons, and as many burgesses, to act with themselves as Lords of the Articles; but the question still remained as to who should permanently fill the place of the Bishops. A section of the Covenanters, of whom Montrose was the leader, desired to give the King liberty to choose fourteen laymen to sit in Parliament as the Bishops' successors; while others, who found a spokesman in Argyll, were anxious to put into the hands of the middle-classes in Scotland the power which had been wrested from the King. If the higher nobility, the gentry, and the burgesses each elected their eight representatives to form the committee which controlled legislation, power would be transferred from the King to the Parliament. In that case the King would become a constitutional ruler according to our conception of that office, but, in his own opinion and in that of most persons of that generation, he would be deprived of all but the name of sovereignty. The nobles, too, would find

themselves in a serious minority. Henceforth any ambitious aristocrat would only find a way to power by assuming the rôle of a popular leader.[1]

This, some began to think, was the part Argyll was playing; but perhaps they did him an injustice, for there is no evidence to lead us to believe that he counterfeited a zeal for the cause with which he had cast in his lot, or that he affected a religious enthusiasm to which he was really a stranger. The wave of patriotic and religious feeling which swept over the country has left its mark upon the nation down to the present time; and in those of earnest mind who intelligently yielded to its influence it must have produced a consecration of character and an accession of moral strength such as in Holy Scripture are described as attending a call to the prophetic office. No one who overlooks this fact can form a true idea of the events of that time, or do justice to many of those who were prominent in them. The idea that the Covenanters were a comparatively small section of the population of Scotland, and that they were to a large extent ignorant rustics and artisans who were the dupes of a few designing knaves and fanatical enthusiasts, has no foundation in fact. The Covenanters included the great majority of the Scotch people of all ranks and conditions—the great majority of the peerage, of the gentry next in rank to it, of the parochial clergy, and of the magistrates and burgesses of burghs through the length and breadth of the land. Argyll is sometimes spoken of as owing much of his influence to the supposed fact of his having "the capacity to grasp clearly ideas of which the numbers" who swarmed to the side of the Covenant "were dimly conscious."[2] Among these numbers the qualities of intelligence and moral earnestness were not wanting: they knew what they desired and what they were determined to have; and they placed their confidence in Argyll as a leader because they were convinced both of his sympathy with their cause, and of his having the integrity and steadfastness which are indispensable qualifications for leadership. And, if his career is devoid of some of the generous and attractive elements which adorn that of Montrose, the explanation is largely due to the fact that the cause with which he is identified is in itself somewhat lacking in picturesqueness, for we suppose that even a bad king suggests more romantic and poetical ideas than a respectable presbytery.

[1] Gardiner, *History of England*, vol. ix. pp. 50–52. [2] *Ibid.*, vol. viii. p. 372.

Almost no business was done by the Scotch Parliament of 1639.[1] The difficult question as to the readjustment of the constitution to suit altered circumstances excited a considerable amount of discussion. A motion by the Earl of Argyll that henceforth each Estate should choose its own representatives to act as Lords of the Articles was passed by the latter by one vote—a measure which gave the whole power of legislating into the hands of the Estates of Nobles, Gentry, and Burgesses, and took it from the King. For, according to this new constitution, each of these bodies chose eight members to serve on the committee which virtually carried out the whole work of making laws for Scotland, and the King's power of modifying the character of that committee by nominating a certain number of members was quite taken away.[2] An act of oblivion for the past was proposed, but great difficulty was found in stating it in terms which should give general satisfaction. The Royal Commissioner was willing to introduce a Bill which would pardon illegal and criminal actions on the part of rebels; but the Covenanters maintained that their actions had been both legal and laudable, that on good grounds they had taken up arms, and that if necessary they would do the same again. Then, too, with regard to the ratification of the Acts of Assembly, an insuperable obstacle, in the King's opinion, stood in the way. He was willing to consent to the abolition of Episcopacy as contrary to the constitution of the Church of Scotland, but, as his Commissioner had declared, he would not agree to pronounce it in itself unlawful. Nor would he by any means consent to cancel the legislation with regard to Episcopacy which had been accomplished by the "corrupt" Assemblies from 1606 to 1618, and which had been confirmed by Parliament. He wrote on 1st October in the plainest terms on this point to Traquair: "We cannot," he said, "consent to the rescinding any Acts of Parliament made in favour of Episcopacy; nor do we conceive that our refusal to abolish those Acts of Parliament is contradictory to what we have consented to, or that we were obliged to. There is less danger in discovering any future intentions of ours, or, at the best, letting them guess at the same, than if we should permit the rescinding of those Acts of Parliament which our fathers with so much expense of time and

[1] Gordon, *Scots Affairs*, vol. iii. p. 63.
[2] Gardiner, *History of England*, vol. ix. p. 54.

industry established, *and which may hereafter be of so great use to us.*" [1]

This decision practically nullified the Articles of Pacification agreed upon at Berwick and made a second revolt inevitable; for the tenacity with which the King held on to the laws which established Episcopacy made it clear that he only waited for some change of public feeling in Scotland to find an opportunity of reintroducing the hated form of Church-government. The labour of doing so would be greatly lessened if the laws in favour of Episcopacy were allowed to remain on the statute-book. This "Altercating Parliament," as it was afterwards called, wrangled to the very end over the royal proposals, and rose without passing any measures for relieving the disorders of the time; and, when it was prorogued to the 2nd of June, 1640, it entered a protest against this being done on the very reasonable grounds that there was no precedent for a prorogation of Parliament before the business had been transacted for which it had been summoned, and that this unusual course had been taken without its consent.

About this time the King sent down a letter to the Provost and Bailies of Edinburgh, together with a proclamation, announcing that he had decided to deprive the Earl of Argyll of his office of Justiciary of Argyll and Tarbert, and to give orders that none should obey him, appear at his court, or pay him taxes or duties, until he had appeared personally before the Parliament of England and answered certain charges which would be brought against him. The reply which was sent to Charles I. breathes the very spirit of patriotism and liberty. The magistrates declared that in the then disturbed condition of the country it would be dangerous to issue a proclamation of this kind against such a prominent noble as the Earl of Argyll; but that, apart from this consideration, it was not agreeable to the laws of Scotland to deprive such an one of his estate or dignities without the advice of the Privy Council and Parliament and a regular trial, and that no one would be sure of his life or property or honours if such a precedent were established. They further reminded the King that a Scotch noble was under no obligation to go for trial into England, but had the right of being tried by his peers in his own country. At the same time they admitted that the King had the power to suspend an accused person from office until he had received a regular and

[1] Peterkin, *Records*, p. 236. The italics are our own.

formal trial.[1] The result was that the proclamation was not published, and the only effect produced by the high-handed attempt to deprive the Earl of Argyll of his legal rights and privileges was that the royal prestige in Scotland suffered still further diminution and the cause of the Covenanting party was advanced and strengthened.

[1] Spalding, *Memorialls*, vol. i. p. 264.

CHAPTER VII

Renewal of the Rebellion in Scotland—"The Short Parliament" dissolved—The Committee of Estates exercise Supreme Power in Scotland—Argyll receives a Commission of Fire and Sword against Royalist Clans—A Proposal to appoint him Dictator—"The Bond of Cumbernauld."

BOTH the King and the Covenanting leaders came to see that the Pacification of Berwick was not likely to result in any permanent settlement of difficulties, and that the sword alone could decide the dispute between them. The Scotch leaders despatched four commissioners to London to plead their cause and to look after their interests; but probably the only practical results they expected from this measure were the obtaining of information as to the plans likely to be adopted by the King, and the opening of negotiations with those who would be members of the opposition in the forthcoming English Parliament. For Charles had now decided to call a Parliament either to obtain funds for a war with Scotland, or, if this were refused, to give the country an object-lesson on the futility of Parliamentary government, and to justify the use of extraordinary means of raising the money needed for averting the overthrow of his authority in the northern kingdom.

The Short Parliament, as it was called, showed very little interest in the suppression of rebellion in Scotland, but a very great interest in the grievances and wrongs which arbitrary government had created in England. It might indeed be the case that the country was in danger of invasion from Scotland by a Covenanting army, but in the meantime there had been actual invasion of the liberties of the subject in England; and the latter was a matter of much greater importance than the former.[1] It was in vain that Charles laid before the Parliament evidence that the Covenanting leaders had appealed for aid to the King of France, and had thus, in his opinion, been guilty of treasonable practices. Such overtures had been made, though the evidence the King produced was too slight to prove actual treason; but the House

[1] Gardiner, *History of England*, vol. ix. p. 99.

of Commons passed over the matter with the most contemptuous indifference.

Affairs were brought to a crisis at the beginning of May, a little more than a fortnight after Parliament had met. News came that civil war had again broken out in Scotland. The Castle at Edinburgh was being besieged, and the governor had fired upon the city, killing several persons and damaging some of the houses. A distinct and emphatic request was therefore made by the King for a grant of money to put down the rebellion in Scotland, and it was plainly indicated that a refusal would be followed by the dissolution of Parliament. But the House of Commons, though by no means inclined to refuse a grant, was evidently determined to put an end to all modes of arbitrary taxation, and they gave this matter precedence of all others. If Charles had freely given up not only ship-money but also the military taxes which he had levied on his own authority, it is probable that subsidies for a war with Scotland would have been granted, though on a lower scale than he demanded. Had he made terms with the Commons and accepted a grant, however small, he would have embroiled the two nations in war; and once that England had undertaken to restore the royal authority in Scotland there would have been reasonable hope of success. But the distinct assertion by Sir Henry Vane, the Secretary of State, that less than the amount demanded would not be accepted, unaccompanied as it was by a promise of abandoning arbitrary taxation, cooled whatever lukewarm zeal for war which may have existed in any section of the House of Commons. If Parliament had not been hastily dissolved on the 5th of May, there is not the least doubt that a strong petition from both Houses would have been sent up to the King asking him to come to terms with the Scotch.[1]

After the dissolution of Parliament desperate efforts were put forth by the King and Strafford to raise money for the war with Scotland. Strong pressure was put upon the Mayor and Aldermen of London to induce them to get money by way of loan from wealthy citizens; Strafford appealed to the Spanish Ambassador to ask the King of Spain for what was needed as the price of an alliance against Holland, while the Queen addressed a similar request to the Pope. But from none of these quarters did the help that was needed come.[2]

[1] *Ibid.*, vol. ix. pp. 112–116.
[2] *Ibid.*, vol. ix. p. 175.

In the meantime the Scotch Parliament, which had been prorogued to the 2nd of June, 1640, met in spite of a royal proclamation postponing its meeting for a month. For some time past it had been almost impossible to secure the adequate publication of any royal proclamation which ran contrary to public feeling; and so, although all knew that the King had issued such a notice, no official intimation of it was brought before the Parliament. Consequently all through their proceedings the usual phrases about "having been indicted by His Majesty" and "convened by His Majesty's special authority" are gravely used, though they are in ludicrous contrast with the facts of the case.

Yet, though terms of respect were still employed with regard to the Sovereign, very serious discussions had been held by the Covenanting leaders before the meeting of Parliament as to what steps might or should be taken in the circumstances in which they found themselves. The question was broached as to the limits which existed to the loyalty of subjects to their Sovereign; and cases were suggested in which he might justly forfeit it and be deposed. A King who sold his country to an enemy, or deserted his throne, or invaded his territories with a hostile force, would in the opinion of the majority merit deposition. Naturally enough, all had not the hardihood to come to so definite a decision as this on a matter of such great consequence, or even to withhold from the Sovereign the full measure of obedience, without some twinges of conscience. Some, among whom was Montrose, evidently thought that, as long as there was a King, no Parliament could be held without his sanction; while Argyll and others maintained that the mere ignoring of his authority in this matter was of slight importance, in view of the fact that he had exposed himself to the risk of deposition. This, at any rate, would seem to be the interpretation of a somewhat dark phrase ascribed to Argyll that "to do the less was more lawful than to do the greater."[1] At the same time, in order that we may not exaggerate the supposed treasonable sentiments uttered by Argyll, we need to remember that precedents could be quoted for the meeting of the Estates independently of the Sovereign, and that there was even a doubt as to whether or not the royal consent were necessary for the validity of Acts passed by the Estates.[2]

[1] Napier, *Life of Montrose*, p. 128.
[2] Burton, *History of Scotland*, vol. vi. p. 284.

In the absence of a Royal Commissioner, one of the Peers, Lord Burleigh, was appointed to preside. Parliament now formally ratified all the Acts of the Assembly of 1639 which abolished Episcopacy and established Presbyterianism, and which had been accepted by the Royal Commissioner. The Covenant, after being accepted by each member present, was passed as an Act obligatory upon all citizens; while the Estates of the realm, which had formerly consisted of Bishops, Barons, and Burgesses, were now declared to consist of Nobles, Barons, and Burgesses.[1] The severe sentence pronounced on *The Large Declaration*, which had been published by the King's orders and which bore his name as author upon the title-page, was endorsed by the Parliament, and it was declared "to be dishonourable to God and His true religion, to this Kirk and kingdom, to the King's Majesty, and to the Marquess of Hamilton — then His Majesty's Commissioner—and to divers other persons therein, and to be full of lies."[2] A very important measure was adopted by this Parliament, appointing a "Committee of Estates" consisting of representatives of all three to act as an executive Government when Parliament was not sitting, and on it was conferred an authority as ample as had ever been enjoyed by King, Parliament, and Privy Council. The name of Argyll is not to be found among those nominated to serve on this Committee, for it was in accordance with his policy and temperament to take greater pleasure in exercising power than in having the show of it; so that his abstention from open possession of office is not to be explained so much by his abounding in the virtues of modesty and self-denial, as by a weakness for wire-pulling in secret which seems inseparable from some types of Scotch character. No one was deceived by his attitude. "All saw he was *major potestas*," says a contemporary, "and though not formally a member, yet all knew that it was his influence that gave being, lyfe, and motione to thes new modelld governours; and not a few thought that this *juncto* was his inventione."[3]

The newly appointed Committee of Estates began to act with great vigour and promptness. The army which had encamped on Duns Law had been disbanded; but care had been taken to instruct the soldiers to hold themselves in readiness to obey a call to reassemble, and the services of the officers had been

[1] *Ibid.*, *History of Scotland*, vol. vi. pp. 284, 285.
[2] *Acts of Parliament of Scotland*, vol. v. p. 264.
[3] Gordon, *Scots Affairs*, vol. iii. p. 182.

specially retained with a view to further employment in the near future. Orders were now given to Leslie to gather together his forces again upon the English Border; and, before a month was over, an army of twenty-four thousand infantry and two thousand five hundred cavalry, with provisions for forty days and a sufficient quantity of ammunition, was encamped at Choicelee Wood, four miles south of Duns.[1]

In the meantime the hand of the Covenanters was laid heavily upon their Royalist opponents in the north and centre of Scotland with a view to prevent any attempts at a rising, while the bulk of their army was engaged in menacing the English Border or invading English soil. The inhabitants of Aberdeen and the neighbourhood round about it were visited by General Monro, who reproduced in Scotland some of the scenes of violence to which he had been familiarized by his experiences in Germany. In his hands the Covenant became an instrument of tyranny, for military force was used to secure subscription to it. Those who could not be "compelled to sign it voluntarily" were treated with considerable severity and suffered both in person and in property.[2]

At the same time a commission of fire and sword against several of the Highland clans in the districts of Athol and Angus who had risen against the Covenant was conferred on Argyll, who set out from Inveraray on the 18th of June with an army of four thousand Highlanders.[3] The commission was one which Argyll doubtless had special pleasure in undertaking, as it meant not only suppressing the enemies of the Covenant but also extending the influence of his House over outlying hostile clans. In a case of this kind, where religious and political sympathies coincide with or promote a man's private interests, his zeal is apt to be ascribed to unworthy motives; and doubtless many thought that Argyll on this occasion acted rather the part of the ambitious chieftain than that of the patriot or the religious zealot. But fortunately we are not called to decide upon the motives which influenced him; and all, therefore, that we need say about them is that it would probably be indiscreet to affirm that they were altogether disinterested.

The state of matters in the Highlands at this time was, to compare small things with great, something like that which

[1] Gordon, *Scots Affairs*, vol. iii. p. 257.

[2] Spalding, *Memorialls*, vol. i. pp. 272–307; Balfour, *Annals*, vol. ii. p. 381.

[3] *Acts of Parliament of Scotland*, vol. v. p. 398.

has prevailed for some generations in that part of Asia which lies between Hindostan and Russia and is inhabited by people of lawless and turbulent character, who are often at war among themselves, and are drawn from time to time into connexion now with the one and now with the other of the two powerful Empires which are situated on either side of them. And so, in the district between the actual possessions of the House of Huntly and those of Argyll and of their respective kinsmen and allies, there were wild Highland tribes over whom now the one and now the other of these great potentates sought to establish some measure of control. In addition to this cause of unrest there was the hostility of tribe against tribe which made society there a somewhat perfect example of anarchy. "There was," says Dr John Hill Burton, "through and through the whole mountain district such a ramification of hereditary quarrels and old wrongs standing over for vengeance, that the most diligent of the local and genealogical historians become confused in the attempts to trace them. Sometimes the feud lay between a clan in Argyll's interest and another in Huntly's, and indeed was the cause of their thus drawing off into opposite camps. But sometimes the two enemies belonged to the same organization, which their bickerings continually disturbed. It has to be added that all were inveterate thieves and, when temptation fell in their way, did not always distinguish with proper nicety their allies from their enemies."[1]

This being the condition of affairs we can easily understand why the Committee of Estates gave "a commission of fire and sword" to Argyll. Less forcible means of repression would scarcely have been worth employment. And so, after declaring that "the Earl of Athole and the Lord Ogilvie, with their accomplices the Farquharsons on the Braes of Mar, and the inhabitants of Badenoch, Lochaber, and Rannoch, had not only proven enemies to religion, but also had proven unnatural to their country," the warrant authorizes Argyll to "pursue them, and every one of them, in all hostile manner by fire and sword, ay and until he should either bring them to their bounden duty, and give assurance of the same by pledges or otherwise, or else to the utter subduing and rooting them out of the country."[2]

It was doubtless with considerable trepidation that the inhabitants of the district of Angus, which corresponds to part

[1] *History of Scotland*, vol. vi. p. 243.
[2] *Acts of Parliament of Scotland*, vol. v. p. 398.

of modern Forfarshire, heard of the approach of the Highland host, four thousand in number, and with cannon in their train.[1] Those who inhabited territory which was half-Lowland, and which had for some time past enjoyed a fair measure of security and peace, must have looked forward to the coming of these ruthless soldiers, with their savage modes of warfare, with very much the same feelings as those with which the inhabitants of a Bulgarian village would anticipate a visit from a horde of Bashi-bazouks, or as would formerly have been excited in the minds of peaceable colonists in the backwoods of Canada by the news that the Indians in their neighbourhood were on the warpath.

The Earl of Athol, who had but twelve hundred men to meet Argyll's four thousand, hastened to make overtures of peace, and promised not only to abstain, and to compel his followers to abstain, from any further acts of warfare, but also to aid "the good cause" to the uttermost of his power, and as a pledge of sincerity sent eight gentlemen of rank from "the countrie of Steuartes and Robertsones" as hostages. According to the historian Spalding, who is unfriendly to Argyll, the Earl himself was entrapped by a clever device. His story is that Argyll received the hostages kindly and retained them in his camp but sent word to the Earl of Athol that in no case would he conclude terms of peace without a personal interview; and that the Earl, having received a safe-conduct, was on his way to the place of meeting, at the east end of Loch Tay in Perthshire, when he fell into an ambush of Argyll's men, who seized him and brought him in as a prisoner of war.[2] The upshot of the matter was that the Earl of Athol and his hostages were all sent as prisoners to Edinburgh; but after brief detention they regained their liberty on giving securities for good behaviour in time to come. The evidence is too slight to convict Argyll of actual breach of faith in this matter. But the mere fact, which can scarcely be doubted, that the professed willingness to submit was largely feigned surely diminishes the guilt of a formal breach of safe-conduct, if such there were, though nothing could justify it. And, if we take matters at their worst, we still owe it to Argyll to say that the standard of honour among public men of that time was unhappily not high enough to prevent the occurrence of such acts of treachery; for in the previous year Montrose in spite of his plighted word had made the Marquess of Huntly a prisoner, and, on the part both of the Covenanting

[1] Baillie, *Letters*, vol. i. p. 247.

[2] *Memorialls*, vol. i. p. 271.

leaders and of the Scotch people, open expression was given to the suspicion that Charles I. was capable of acting in the same way.

Argyll now made his way into Angus in order to assail the enemies of the Covenant there, and the episode of the burning of "the bonnie House of Airlie"[1] is one of the most notable incidents in this raid. The Earl of Airlie had gone into England to avoid being compelled to sign the Covenant, and had left his house in charge of his eldest son, Lord Ogilvie. Montrose had, it would seem, already made a fruitless attempt to take Airlie Castle; but before the arrival of Argyll with his Highlanders, or "Redshanks" as they were popularly called, it was given up to him and garrisoned by some of his soldiers, under the command of a Colonel Sibbald.[2] The signature of Montrose had been affixed to the commission of fire and sword bestowed upon Argyll;[3] but the suspicion seems to have become rife that the two were not in sympathy and that Montrose was beginning to incline towards the Royalist side. He visited Perthshire and Angus to raise a couple of regiments for the Covenanting army, and before marching south to join Leslie the castle was surrendered to him by Lord Ogilvie, in order to save it from the fate of being captured by wild Highlanders. In spite, however, of a letter from Montrose that Airlie Castle was now occupied by the forces of the Estates, and that nothing further need be done, Argyll continued to advance, and on his arrival he displaced the soldiers who were in possession and occupied the castle himself. It was not without exercising a certain amount of pressure that Argyll succeeded in persuading Colonel Sibbald to deliver up Airlie Castle to him. In the libel against Montrose in 1641 it was stated as a matter of complaint against him that the Colonel, acting under his orders, had "in ane contemptable [contemptuous] arrogant way refuissit to delyver the said hous to the said Erle of Argyle."[4] The Highland soldiers on entering it found, much to their mortification, that Montrose had permitted Lord Ogilvie to remove most of the articles of value which it contained. They revenged themselves, however, by spending some days in plundering the tenants and

[1] The Castle of Airlie was probably erected about 1432, in which year Sir Walter Ogilvie of Luntrathen received a licence from James I. to erect his tower of "Eroly" in the form of a castle (Spalding, *Memorialls*, vol. i. p. 291 n.).

[2] *Ibid.*, vol. i. pp. 216, 217; Gordon, *Scots Affairs*, vol. iii. p. 164; Napier, *Memorials of Montrose*, vol. i. pp. 264 *et seq.*, 328.

[3] *Ibid.*, vol. i. p. 328.

[4] *Ibid.*, vol. i. p. 330.

lands belonging to the Earl of Airlie, and so completely did they carry out the work that we are told they did not leave behind them a cock to act as herald of the day to the impoverished inhabitants.[1] Before the Covenanting troops left the district the castle was burned down.

Wild rumours arose with regard to Argyll's zeal in destroying the Castle of Airlie, and it was reported that he himself openly engaged in the work of destruction. The historian Gordon says: "At the demolishing thereof [Argyll] is saide to have showed himself so extremely earnest, that he was seen taking a hammer in his hande and knocking down the hewed worke of the doors and windows, till he did sweate for heate at his work."[2] Had this story been reported by a sufficient number of trustworthy witnesses, one would have had no option but to accept it in spite of its being ludicrously incongruous with all that we know of Argyll, who certainly was not lacking in reserve and self-restraint, and was not in the habit of doing work which he could employ others to do for him. A mere rumour, however, of this fantastic type may safely be dismissed, with perhaps a shade of regret that an incident so picturesque should not be sufficiently authenticated to be allowed to stand.

Forthar Castle, a seat of Lord Ogilvie, the Earl of Airlie's eldest son, situated in Glenisla at no great distance from Airlie Castle, underwent the same fate. In a letter still extant instructions are given by Argyll for the perpetration of this last exploit. They are addressed to Dugald Campbell, "fiar of Inveraray," one of the members of his clan. After some directions with regard to sending cattle, sheep, and horses, which had formerly belonged to Lord Ogilvie, "the nearest way home," *i.e.* into Argyllshire, he says: "And albeit ye shoulde be the langer in followeing me, yeit ye shall not faill to stay and demolishe my Lord Ogilbie's hous of Forthar. Sie how ye can cast off the irone yeattes and windowes; and tak doon the rooff: and iff ye find it will be langsome, ye shall fyre it weill, that so it may be destroyed." With characteristic caution he adds: "Bot you neid not to latt know that ye have directions from me to fyer it: onlie ye may say that ye have warrand to demoleishe it, and that to mak the work short ye will fyr it."[3] A more serious charge of

[1] Patrick Drummond to Sir John Hay, *State Papers, Dom.*, 1640–41, p. 53.

[2] Gordon, *Scots Affairs*, vol. iii. p. 165.

[3] *Hist. MSS. Com.*, vol. vi. p. 616. This letter is sometimes quoted as referring to the burning of Airlie Castle, but erroneously (*Notes and Queries*, 5th series,

violence and inhumanity is alleged by the same historian against Argyll in connexion with the destruction of this second stronghold. The story is that Lady Ogilvie, who was near her confinement, was turned out of Forthar Castle, although she entreated to be allowed to remain as she did not know where to find a shelter outside its walls; and that Argyll refused her permission to go to the house of Kelly where her grandmother lived, and was only restrained by public opinion from resenting the action of the elder lady, who took her kinswoman under her protection and defied all consequences that might follow.[1] Fortunately for the reputation of Argyll, this story also is of but dubious authenticity; for, in a letter written a few months later, he is said to have accused Montrose of having permitted the lady in question to escape before his arrival. Such an accusation might, of course, be fairly taken as evidence of a certain lack of generosity and chivalry on Argyll's part, but, at any rate, the fact of its having been made disposes of the allegation that he was guilty of actual inhumanity to Lady Ogilvie.[2]

It is also asserted that some old quarrels between Argyll and a cousin of the Earl of Airlie, Sir John Ogilvie, explained the destruction of his house by the Highland soldiers. The circumstances connected with this act of war, if the narrative containing them can be relied upon, certainly exhibit Argyll in an unfavourable light. It is said that the sergeant who received orders to destroy the house of Sir John Ogilvie returned with the report that it was not a stronghold but an ordinary dwelling-house, occupied at the time by a sick lady and some servants, and that accordingly he thought that he was justified in hesitating to carry out the instructions given him. According to the historian who relates the incident, Argyll angrily despatched the sergeant to plunder and destroy the house and was overheard muttering what was supposed to be a Machiavellian political maxim, *abscindantur qui nos perturbant* (let those be cut off who trouble us)—words which, the historian says, were often upon his lips, together with a proverb closely allied with them, *quod mortui non mordent* (because dead men do not bite). Although in this

vol. ix. p. 364). Argyll must have forgotten this letter, when he said at his trial that he "knew nothing of it at all, until some days after it was done" (*State Trials*, vol. v. p. 1395). It is quite possible, however, that Airlie Castle was burned without orders from him, and that the fragmentary accounts of the trial contain a confused report of his statements. What he said of Airlie Castle may be reported of Forthar.

[1] Gordon, *Scots Affairs*, vol. iii. p. 165.

[2] *State Papers, Dom.*, 12th September, 1640.

case we are not sufficiently acquainted with the circumstances to condemn or acquit Argyll on the charge of undue severity in warfare, yet we may be allowed to remark that it was very strange that the follower should have been more merciful than the chief, and that the latter should have acted a part so like that of the wicked nobleman of melodrama.[1]

If any of our readers are inclined to judge, from the number of unpleasant stories which cluster round the action of Argyll on this raid, that the campaign must have been one of somewhat exceptional brutality as wars go, we may at once admit that this is very probable. Civil war, which is always more ruthless than any other, was now waging on the Braes of Angus, and the invaders were, as we have said, savages in instincts and habits. "Employing the Celtic races in civilized warfare," says Dr John Hill Burton, "was employing a force not expected to concede the courtesies of war to the enemy against whom they were let loose. Their hostility was not that of pugnacious enemies met in battle —it was the hatred of one race to another; and the object was not victory but extirpation. To them the infant and the aged mother were objects of hate and hostility as much as the armed soldier. Hence it was a reproach to any civilized ruler to have used such a force—a reproach like that of employing Indians in the American War, the object of one of Chatham's famous philippics. In the present struggle both sides came under this reproach." [2]

The next step taken by Argyll was to carry out the instructions of the Estates to punish "the Highland limmers, broken out of Lochaber, Clangregor, out of Athole, Braes of Mar, and divers other places," who had been very busy of late in harrying the lands of friends of the Covenant. His conduct in repressing these mischievous hordes, whose daily occupation seems to have been breaking most of the Ten Commandments and playing the part of hornets [3] at the expense of their neighbours, would have entitled Argyll to the general gratitude of the nation,

[1] Gordon, *Scots Affairs*, vol. iii. p. 166. It is odd that Gordon, who was a clergyman, did not recognize the words *abscindantur qui nos perturbant* as a quotation or adaptation of a passage in St Paul's *Epistle to the Galatians*, "I would they were even cut off which trouble you," chap. v. 12 (*utinam et abscindantur qui vos conturbant* — Vulgate).

[2] *History of Scotland*, vol. vi. p. 343.

[3] A similar comparison is found in one of the Argyll Papers (*Hist. MSS. Com.*, vol. iv. p. xx), in which the wild clans are called "an infamous byke of lawless limmers" (*i.e.* a wasp's nest of lawless vagabonds).

had not he himself been a Highland chief and proprietor, with interests of his own to safeguard and promote and with claims upon some of the lands into which he now led his army. This fact rendered it easy for his enemies to assert that he had used the resources of the State for his own private benefit, and made it difficult for his friends or for the impartial biographer to refute the charge. In the previous year he had become a "cautioner" to some of Huntly's creditors for the repayment of debt, his rival chieftain in the north being his brother-in-law, and the lands of Lochaber and Badenoch had been pledged to him as security.[1] Some of the inhabitants of Lochaber—members of the clan Cameron — who were for the most part vassals of Huntly, were disaffected to their chief on account of the severity with which he had punished their rebelliousness and turbulence, and were just in the mood to transfer their allegiance to a new superior. They hated Huntly, and though before this they had had no love for Argyll by politic management something might be done to create it. Accordingly Argyll was credited with worming himself into their good graces, and with being conveniently blind to the fact that their zeal for the Covenant was but lukewarm and that some of those who were received as allies were, if the historian is to be trusted, "profligate murderers." Others in Lochaber, who might as zealous Covenanters have expected to be greeted with affection and sympathy, were said to have forfeited all claim to such treatment and have exposed themselves to rough handling, because they were MacDonalds and partisans of Huntly.[2] The house of Keppoch, occupied by the principal representative of this branch of a clan hostile to the Campbells, was burned to the ground, and the rumour was that if this had not been done by Argyll's orders he had at any rate connived at it. What amount of truth there was in these charges or surmises it is impossible to tell; for, in addition to other circumstances which make it difficult to unravel the matter, we are dependent for information as to his procedure upon two annalists both of whom were unfriendly to him and the cause which he represented.[3]

A certain semblance of order was secured by Argyll's progress through the centre of Scotland. Some of those who had

[1] Gordon, *Scots Affairs*, vol. iii. p. 163.

[2] They were known as the Clanranald of Lochaber, or Macranalds of Keppoch, in addition to their designations as MacDonalds, and *Sliochd Allaster Vic Angus*.

[3] Gordon, *Scots Affairs*, vol. iii. pp. 163, 164.

broken the peace, or were likely to break it, were despatched as prisoners to Edinburgh, while others were allowed to remain at home on condition of subscribing the Covenant and paying a substantial war-tax. After stationing a force of two hundred men to keep Lochaber, who very shortly after were driven out of it, Argyll disbanded a large part of his troops and made his way down Deeside with about twelve hundred men. Though very little had been done to put down "the broken men" who preyed upon the more peaceable section of society, the Royalist cause had suffered severely in this brief campaign, and that of the Covenant had been proportionately advanced.

Probably many of those who were enrolled under Argyll's banner had but a faint idea of what the Covenant exactly was; but those who returned to their native glens enriched with plunder from the Lowlands must have come to the conclusion that the cause which the MacCailein Mor had embraced, if not identical with godliness, was so far akin to it as to "have promise of the life that now is." It was unfortunate that the cause of religion should have been mixed up with arson and plundering, and personal ambition and political intrigue; yet this was inevitable from the moment that those who were ecclesiastical leaders in Scotland committed themselves and their followers to the policy of resisting wrong-doing with those "carnal weapons" which St Paul was so careful to explain were not Christian weapons, and which One greater than St Paul said were fatal to those who drew them. In ancient times Christianity had prevailed over the hostile forces of Paganism and had won complete liberty without striking a blow; and, a generation later than the time of our history, a section of Christian society in England—the people commonly called Quakers—disarmed persecution with equal success and by a like policy of non-resistance. But, even if the result of trusting simply to spiritual weapons in a conflict with material force had been much more doubtful than it was, the duty still rested upon the Church of obeying the teaching of her Lord and His apostles, upon which her very existence was based.

So far as Argyll himself was concerned, he exposed himself to the danger of retaliation if ever his enemies became strong enough and had opportunity to carry fire and sword through his territories—a fate that afterwards fell upon him with disastrous and overwhelming completeness. In the meantime, as some safeguard against legal proceedings that might be taken against

him if by some turn of Fortune's wheel his opponents were to come into power, he got the Parliament to pass an Act of Indemnity for all the proceedings in the late campaign. The Act in question is elaborate, and no doubt it has in view charges that might possibly be made on insufficient ground, as well as deeds that were open and notorious; but enough is said to make it clear that a good deal of a questionable nature had taken place in the late raid. Thus protection is granted "for attacking towers, fortalices, or other houses, or demolishing of the same to the ground, or burning of the same, or putting of fire there-intil, or otherwise sacking and destroying of the same howsoever, or for putting of whatsoever person or persons to torture or question, or putting of any person or persons to death, at any time from the said eighteenth day of June and [until] the said second day of August thereafter; and declares these presents to be ane sufficient warrant to all and whatsoever judges, civil or criminal, for exonering and assoyling [acquitting] the said Earl of Argyle and all and whatsomever his colonels, captains, commanders, and whole body of the army, and to their servants, men, boys, and followers in the said army during the space foresaid."[1]

It would be difficult to distinguish between the kind of enterprise in which Argyll had been engaged and actual rebellion against the royal authority, since the Estates from whom he received his commission had usurped the rule in Scotland. One is not surprised, therefore, to know that treasonable language was used, if not by Argyll himself, at any rate by his followers. It was said that he had in conversation with the Earl of Athol remarked upon the fact that he was eighth in descent from Robert the Bruce. The ominous hint was, we are told, taken up and repeated by his soldiers in a very emphatic form in the declaration that they were not now "King Stewart's but King Campbell's men." A highly curious fragment of a Gaelic song has been preserved in certain depositions concerning Argyll's procedure on this campaign, which sets forth the same idea with but little disguise or adornment of poetical phrase. The translation runs as follows:—"I gave Argyle the praise, becaus all men sies it is treuth; for he will tak geir from the lawland men; and he will tak the Croun per force; and he will cry [be proclaimed?] King at Whitsonday."[2] Even Argyll's worst enemies do not deny that he possessed the virtue or quality of

[1] *Acts of Parliament of Scotland*, vol. v. p. 399.
[2] Napier, *Memorials of Montrose*, vol. ii. p. 477.

astuteness; so that it is very improbable that he gave open expression to the idea of seizing upon the Crown of Scotland, though his followers, in the exuberance of their devotion to him and in the joy occasioned by their successful raid, may have indulged in language of crude and unblushing treason.

A striking proof of the extraordinary influence exercised by Argyll in Scotland at this time is given by the fact that the suggestion was made that, in the existing state of affairs, a military dictatorship should be set up, and that the office should be conferred upon him. Though care seems to have been taken in broaching this scheme to avoid mentioning names, and to specify only that the person thus appointed should be "one of themselves," no one had any doubt that the reference was to him.[1] The need of a strong executive Government in this crisis of the national life was keenly felt; and one can easily believe that in the opinion of a considerable number of intelligent men it was a mistake to entrust to the hands of a large committee liable to be divided by faction and intrigue the power which had been wrested from the King. The wisdom of the Roman custom of appointing a dictator with absolute power for a time, in circumstances of special danger, commended itself to those of this way of thinking. The farce of affecting to cherish feelings of loyalty and devotion to the Sovereign who was threatening a warlike invasion, and whose troops the Covenanting leaders were preparing to repel by force of arms, was difficult to maintain; and accordingly it seemed to some that the wisest policy would be to abandon the pretence of loyalty to a ruler who had done so much to forfeit the allegiance of his subjects, and openly to substitute for his authority that of a dictator. Various suggestions were made as to how the scheme might be carried out: according to one, all Scotland north of the Forth might be put under the rule of such an official, while the care of the counties south of that river might be entrusted to two nobles of the greatest territorial influence there; and, according to another, the whole country might be thus governed for a time by one military ruler.[2]

The daring character of these suggestions, and the undisguised resolution which they indicated to repudiate utterly the royal authority, alarmed many who were sincerely devoted to the Covenanting cause and had not given up hope that Charles

[1] *Ibid.*, vol. i. p. 184.

[2] Napier, *Life of Montrose*, vol. i. p. 263.

would ultimately accept their religious and political creed, and govern in accordance with it. Nor can it be doubted that in some minds feelings of jealousy of Argyll were strongly excited by the proposal to confer upon him such extraordinary powers. The aristocratic scorn for the populace which both the great parties in the State cherished and expressed, and which lasted on in Britain for at least another century, whetted the indignation which sprang up in the minds of many at the thought of one of the nobility being elevated in this way above his compeers and owing his exaltation to an alliance with the democracy against the throne.

The principal opponent of the scheme of a dictatorship was the Earl of Montrose, who, though still set upon securing the religious and civil liberty claimed in the Covenant, recoiled from what seemed no less than the destruction of the Monarchy. He was now high in command in the Scotch army that lay encamped within a short distance of the English Border. The scheme of conferring the office above described upon Argyll was brought before him there in a very definite form, for a bond, according to the old Scotch custom, was laid before him for signature, which pledged him and all others who might subscribe it to support the arrangement by which all Scotland north of the Forth should be laid at the feet of "a particular man," as the exact phrase seems to have been. One of the members of the opposite party with whom Montrose had some conversation about the matter was Lord Lindsay, who, as Montrose afterwards averred, mentioned Argyll as the person to be made dictator.[1] Lord Lindsay himself firmly denied that he had gone so far as this; but the fact that he was an adherent of Argyll's and that he had said at this interview, when asked if the latter were likely to have any preferment, "that there was a great esteem had of him in the country," makes it quite certain that Montrose was left in no doubt as to the person to be made dictator, even if no name were actually mentioned. He instantly refused to sign the bond and said he "rather should die or he did it,"[2] and hastened from the camp to Edinburgh to confer with prominent members of the party to which he belonged. The upshot of his deliberations with his political friends was that a counter document was drawn up and signed by himself and eighteen other members of the nobility, in which the subscribers affirmed afresh their devotion to the Covenant, and protested firmly, but with dignified moderation

[1] *Ibid.*, vol. i. p. 264.

[2] *Ibid.*, vol. i. p. 265.

of expression, against what they called "the particular and indirect practising of a few."[1] This "Bond of Cumbernauld" as it was called from its having been signed at that place, where Montrose's relative, the Earl of Wigton, resided, was kept secret; but it none the less served to defeat the scheme of a dictatorship, and to postpone the question of the future government of Scotland until the campaign in England, which now was approaching, should have been concluded. Yet the "Bond of Cumbernauld" was no merely factious plot inspired by jealousy of Argyll. It was now becoming evident that, within the ranks of those who had presented a united front to the enemy, two distinct parties were beginning to form themselves. Some were prepared to go great lengths and to make radical changes; while others who had resented royal tyranny shrank from what seemed to them open treason. We may freely admit that pure and conscientious motives prompted the leaders on both sides. Argyll, there is every reason to believe, shared the opinions and sentiments of the democracy of which he seemed to be becoming the spokesman; while Montrose was no doubt drawn by generous feeling, as well as by firmly cherished convictions, to become the champion of monarchy.

[1] *Deeds of Montrose* (Murdoch and Simpson), p. 20.

CHAPTER VIII

The second "Bishops' War"—The Scotch Army invades England—They force a Passage across the Tyne—Accident at Dunglass—Conference at Ripon—Negotiations transferred to London—Montrose inclines to the Royalist side—Conspiracy against Argyll—Execution of Stewart of Ladywell—Imprisonment of Montrose and his Associates.

THE circumstances in which the Scotch army was placed were now more favourable for success than those in which they found themselves on the former occasion when they were encamped on the English Border. They had now no reason to fear arousing against themselves the animosity of the English nation; and the helplessness of Charles to raise an army fit to meet that under Leslie could scarcely be concealed. Throughout England there was general unwillingness to engage in a war with Scotland, especially on behalf of Episcopacy, which had many enemies in England itself; and this feeling was reflected in the mood and conduct of the soldiers who were ordered north for the defence of the frontier. The fact that a large number of Roman Catholics had received commissions as officers made many of the men suspect that they were to be employed in some way for the injury of the Protestant religion, and this suspicion, together with the uncertainty of receiving any pay, rendered them mutinous and disorderly. Many officers were driven away by their men, and in more than one instance an officer was murdered by members of his own company, without the possibility of punishing the criminals, in consequence of widespread disaffection; while, in many of the churches in towns on the line of march, some rough attempts at what was supposed to be religious reformation were made by the soldiers—such, for example, as pulling down the communion-rails and destroying them. Their idea in so doing was, it is to be presumed, to express hatred of anything like superstition. The attempts of the King to raise money for the war were hopeless in the extreme. The City of London refused to come to his aid; while the Governments of Spain and France, and the Pope, to

all of whom pressing appeals had been made, were equally obdurate.[1]

In these circumstances the Scotch leaders decided to invade England, and their immediate aim was to seize Newcastle, which was but poorly and incompletely fortified, and to gain possession of the coalfields of that district, from which London was largely supplied with fuel. Before they took this step they issued manifestoes to the people of England asserting that they could not submit to be ruined by keeping on foot a large army while interminable negotiations were being carried on, and that in compelling a settlement of their grievances by crossing the Border with an armed force they were not animated by any spirit of enmity to the English people; that they would be careful to abstain from violence unless they were attacked, and that they would pay for all supplies they might need. Their further statement that they would not stay in England after their grievances had been heard and redressed in Parliament made it quite clear that their purpose was to force the King to call a Parliament, and in this way to put an end to the absolute government which for so many years past had produced so much mischief in both England and Scotland. Their grim reference to their unwillingness to do more in the way of punishing "those pernicious counsellors in England, the authors of the miseries in both kingdoms," than what the English Parliament should decide upon might well have sounded in the ears of Strafford and Laud like the knell of doom.[2] Three years before this time Milton had rebuked false shepherds, and hinted at a day of vengeance as being near at hand, in the words—

> "But that two-handed engine at the door
> Stands ready to smite once, and smite no more."

The words of the Scotch manifesto were an indication that the fatal blow was imminent, and that the shadow of coming judgment had already fallen upon two of the three who might justly be described in Puritan phrase as "those who troubled Israel."

The great majority of the English people, there is every reason to believe, regarded the Scotch invasion as an undisguised boon, and there can be no doubt that the Covenanting leaders received encouragement from some of the English malcontents. With characteristic caution, however, the former sought to obtain

[1] Gardiner, *History*, vol. ix. p. 175.

[2] Spalding, *Memorialls*, vol. i. p. 321; Gordon, *Scots Affairs*, vol. iii. p. 263.

promises of open support from men of rank and influence after they had crossed the border, either by their joining the invaders or by their sending them aid in money. At an early stage in their military preparations they entered into correspondence with Lord Savile, and received from him a letter signed by seven prominent members of the nobility besides himself, in which assurance was given that those who had in the last Parliament supported the Scotch cause against the common enemy would continue to do so in all lawful ways. But the suggestion that they should commit treason by countenancing an invasion of their country was emphatically repudiated. The Covenanting leaders were not satisfied with this reply, and they pressed for some more definite promise of co-operation. Lord Savile drew up a document of the kind desired and forged the signatures of the other seven nobles who had already with himself been in communication with the insurgents. The letter was concealed in a hollow walking-stick and sent down to Scotland by a trusty messenger disguised as a pedlar, with instructions that it was to be shown only to Argyll, Henderson, and Warriston. Lord Savile afterwards confessed the forgery, but affirmed that he had acted from patriotic motives.[1]

Against the advice of his most responsible counsellors, and with characteristic gallantry, Charles himself set out for the north to take command of his mutinous, ill-provided army, and appointed the Earl of Strafford his Lieutenant-General. The trained bands of a number of counties in the north and in the midlands were called out for service, and it was hoped that the royal forces would reach Newcastle before it fell into the hands of the invaders.

On the 20th of August, 1640, the very day that the King left the capital to crush the rebellion which had now grown so formidable, the Scotch troops crossed the Tweed at Coldstream. They consisted of twenty-two thousand infantry and three thousand cavalry. "Their uniform was of hodden gray with blue caps, and each man had a moderate haversack of oat-meal upon his back."[2] Lots had been cast to fix the order of march across the river, and, strangely enough, it was Montrose to whom it fell to lead the van. The ardour with which he made his way through the swollen waters of the Tweed was noticeable by all; but there is every reason to believe that his sympathies were alienated, not

[1] Burnet, *Dukes of Hamilton*, pp. 209, 210.
[2] Carlyle, *Cromwell*, vol. i. p. 91.

indeed perhaps from the cause of the Covenant but from the more extreme supporters of it, who probably were in the majority, and it was rapidly becoming clear to him that his true course was to support the royal authority against the turbulent democracy. In the meantime, whatever his private feelings may have been, he was conspicuous amongst those whose action in invading England brought the day of retribution distinctly nearer to the King and the chief agents of his despotic policy.

On the 28th the Scotch forces, which had been allowed to march unopposed through Northumberland, were near to Newcastle. Something had been done to strengthen the fortifications on the north side, on which an attack might naturally have been expected; but the town was undefended on the south side. Leslie's plan was skilfully laid: it was to cross the river at Newburn, about five miles west from Newcastle, and attack the city on the unfortified side. An attempt was made to hold the ford at Newburn against the invaders; but Leslie, whose troops greatly outnumbered those of the King and who was better supplied with artillery, forced his way through. After a sharp conflict in which sixty or eighty men on the English side were killed the defeated army drew off, the infantry fell back in disorder on Newcastle, while the cavalry in a similar plight made for Durham. Instead of making an attempt to hold Newcastle until the arrival of the Earl of Strafford with reinforcements, the English commander decided to evacuate it at once; and accordingly it fell into Leslie's hands within ten days after he had crossed the Tweed. Without delay the invading forces occupied Tynemouth, Shields, Sunderland, and Durham, and obtained such a firm hold upon the north of England that they were able to dictate terms to the Government. Every effort was made to minimize the inconvenience and irritation which the presence of a foreign army inevitably caused, and to convince the English people that those who were now in such a fair way to get good conditions for themselves would not be satisfied unless all in the King's dominions were partakers of the same.[1]

The joy occasioned by the victory of the Scotch army at Newburn was damped by a serious accident which occurred to their garrison at Dunglass in Haddingtonshire. A large stock of gunpowder had been stored in the castle there, and by some accident it exploded on Sunday, 30th August, and

[1] Burnet, *Dukes of Hamilton*, p. 221.

destroyed the building.[1] The Earl of Haddington, who had married a niece of Argyll in the beginning of this same year, was killed, with about eighty other persons including a considerable number of men of distinguished rank and position. The Earl had just entertained his officers and friends at dinner and was going downstairs reading a letter which he had newly received, when the explosion took place. An English page of the Earl was suspected of having deliberately blown up the castle. It is said that he had been mortified by hearing his master on the day before exulting over the news of the victory at Newburn and jeering at the cowardice of the English, and that he had fired the magazine with a red-hot ladle of iron. Whether this is true or not it is impossible to tell, but it is certain that he perished in the explosion. The only fragment of his body that was ever found was his arm, and in the hand was still the iron utensil which it was supposed he had used with such fatal effect.[2] The passionate grief of the Countess of Haddington for the loss of her husband is referred to by many of her contemporaries,[3] and it is by no means to his credit that a modern writer has on utterly worthless evidence cast a slur upon her name.[4] The King is said to have remarked about the accident that he had lost a good subject, but that the Lord God of Hosts was fighting for him.

Charles had arrived at York and he had drawn together his scattered forces; but there was no prospect that the loss of material advantages and of prestige already suffered could be made good by force of arms. He therefore announced that the "humble supplication," which now as so often before his Scotch subjects presented to him, would be considered by a Council of Peers. The result of their deliberations was that

[1] Gordon, *Scots Affairs*, vol. iii. p. 261; Spalding, *Memorialls*, vol. i. p. 337.

[2] Balfour, *Annals*, vol. ii. p. 396.

[3] Gordon, *Scots Affairs*, vol. iii. p. 262; Spalding, *Memorialls*, vol. i. p. 337; Lithgow, "Time's Sorrowfull Disaster."

[4] She is the person referred to in Aytoun's poem "The Execution of Montrose" as being in the balcony of Moray House in Edinburgh and laughing at Montrose as he passed, a prisoner, in the cart driven by the hangman. We direct our readers' attention to our narrative of that incident in Chap. XIV. She was the third daughter of the Marquess of Huntly, and had married the Earl of Haddington on 14th January of this year (according to our present mode of reckoning). She had been a Roman Catholic but on her marriage she had embraced Protestantism. This religious change was largely due to the influence of her uncle Argyll (see *Earls of Haddington*, Fraser, vol. i. p. 195). He had been surety for her dowry, which amounted to 30,000 merks (£1666, 13s. 4d. Sterling), as we are informed by Spalding (*Memorialls*, vol. i. p. 245).

the invaders were invited to send representatives to Ripon, on the 1st of October, to confer as to terms of peace. In the meantime the fortresses in Scotland which had been in the possession of the royal troops, namely, those at Edinburgh, Dumbarton, and Caerlaverock, were compelled to yield to the Covenanting forces. Accordingly the Scotch commissioners entered upon the conference at Ripon with the assurance inspired by the facts that their expedition into England had been successful beyond all their expectations, and that their country from end to end was fully subject to the Committee of Estates, of which they were representatives.

In the helpless condition in which Charles then was, he could no longer resist the pressure put upon him from all quarters to call a Parliament; and thus that formidable assemblage, afterwards known as the Long Parliament, to which we are so largely indebted for the destruction of absolute monarchy in Britain, came into existence. Indeed, so weighty were the consequences of Leslie's invasion of England in 1640, that his crossing the Tweed on the 20th of August is worthy to be compared for importance with Cæsar's passage of the Rubicon, which heralded an equally great change in the fortunes of the Roman Republic.

Owing to the calling of the Parliament the negotiations with the Scotch were transferred to London; and, as the presence of their army on English soil was a circumstance of great advantage to those who were anxious to restore constitutional government in England, the negotiations were, if not deliberately protracted, at any rate conducted in a very leisurely manner; and in the meantime the invading army was paid at the rate of £850 Sterling per diem, as an acknowledgment of their "brotherly assistance." The Scotch commissioners were received by the Parliament and the City of London, says Sir Philip Warwick, "as if they had been angels of light."[1] They were treated as honoured guests; and one of the churches, St Antony's, being set apart for services according to the Presbyterian form, multitudes thronged thither to hear the sermons of Henderson, Baillie, and other northern divines. The eagerness thus manifested Clarendon describes in somewhat icy terms. "To hear those sermons," he says, "there was so great a conflux and resort—by the citizens out of humour [caprice] and faction, by others of all qualities out of

[1] *Memoirs*, p. 164.

curiosity, and by some that they might the better justify the contempt they had of them—that from the first appearance of day in the morning on every Sunday, to the shutting in of the light, the church was never empty. They, especially the women, who had the happiness to get into the church in the morning (they who could not, hung upon or about the windows without, to be auditors or spectators), keeping their places till the afternoon's exercise was finished."[1] According to another equally unsympathetic witness the strangers were rather inclined to regard their English audiences as belonging to "an unsanctified, heathen nation"—a tendency still noticeable in some of their fellow-countrymen, otherwise perhaps persons of intelligence; while the subject of discourse was, for the taste of some of their hearers, too frequently the superstitious nature of "ceremonies" [*i.e.* certain religious rites], and the fact that Timothy and Titus were mere presbyters, and not Bishops as had been popularly imagined.[2]

During these operations in England military affairs in Scotland were for the most part in the hands of the Earls of Argyll and Eglinton. The latter was stationed with his forces in the lowlands of Ayrshire, to aid in guarding against a possible invasion from Ireland, which though greatly dreaded did not take place. Argyll, after his successful raid into Perthshire and Angus which we have already described, did not engage in any further military operations beyond receiving the capitulation of the garrisons of two royal fortresses—Dumbarton Castle (27th August), and Edinburgh Castle (15th September). Considerable irritation was expressed by the members of the Committee of Estates who had accompanied the army to Newcastle when they heard that the second of these garrisons had been allowed to depart with all the honours of war, and that they had embarked at Leith for Berwick with flying colours and in possession of arms, baggage, and ordnance.[3] But the fact was that the inhabitants of the capital had suffered so much from them that they were glad to be rid of them at any price, especially since they had had in their possession the regalia of Scotland, the public registers, and a large quantity of ammunition, and therefore might, if driven to desperation, have inflicted a great deal more damage than they had already wrought.

[1] *History*, vol. i. p. 259.
[2] Warwick, *Memoirs*, p. 165.
[3] Spalding, *Memorialls*, vol. i. pp. 336, 340.

A commission to raise ten thousand men for an invasion of the north of Ireland was given to Argyll, but most probably it was a mere ruse to diminish the risk of suffering invasion from that quarter; though, now that such brilliant success had attended the expedition into Northumberland, many Scotchmen were inclined to believe that no great difficulty would be found in carrying out such a scheme, especially in view of the expectation that many thousands of their fellow-countrymen in Ulster would co-operate with them. However, nothing was done at present to test the value of such an opinion.

The party which had so successfully resisted the tyranny of King and priest now began to be divided within itself and to be somewhat "perplexed with fear of change." So far back as the meeting of the General Assembly or the Parliament of 1639, the Earl of Montrose had been out of sympathy with some of the leaders of his party and had put himself into communication with the King. Indeed it was thought by many that, at his interview with Charles at Berwick in July of that year, much of the enthusiasm with which he had supported the popular cause had been charmed away. As we have seen, at the meeting of Parliament in 1640 he opposed the decision which was defended by Argyll and others to continue proceedings in defiance of the royal orders; and very shortly before the invasion of England he had drawn up the "Bond of Cumbernauld" as a check upon those who were, in his opinion, inclined to break away from the loyalty to the Sovereign which the Covenant had so distinctly expressed. While he was at Newcastle it came to light that he was in correspondence with the King. Burnet, who gives us many picturesque historical details which are very welcome when the truthfulness of the main facts is supported by independent evidence, tells us[1] that when a bundle of letters to be despatched to the King was handled one of them fell to the ground, and on being picked up was noticed to be addressed to him in the handwriting of Montrose. On being accused of a breach of the articles of war in thus "having intelligence with the enemy," Montrose boldly asked if they whose expressions of loyalty had been so profuse as to find a place in those same articles of war really regarded the King as an enemy. The retort was clever and unanswerable,

[1] *Dukes of Hamilton*, p. 228.

yet it would probably not have been regarded as a sufficient defence but for the anxiety of Leslie and others to avoid the scandal and risk of an open quarrel with Montrose, and accordingly, in Baillie's phrase, "water was cast on this spunk [small fire] beginning most untymouslie to reek [smoke]."[1] The Lieutenant-General of the Covenanting army, Lord Almond, was known to be in sympathy with Montrose; while amongst others of the leaders there was dissatisfaction on the ground that important business was transacted without consulting them.[2] So that it was only by very prudent management that the risk of a serious rent in the party was averted.

Yet we need not suppose that in his letters to the King Montrose acted treacherously by giving any secret information to the prejudice of the cause of the Covenant or any of his political associates. The general tenor of his communications, if we may judge from a letter which belongs to the following year, and the contents of which are known,[3] probably consisted of advice with regard to the interests of the Monarchy in Scotland in the existing condition of matters; and such procedure on his part was by no means inconsistent with observance of the Covenant which he had subscribed. Yet the mere fact that he was corresponding with the King, whose hostility to the Covenant and its principal supporters was extreme, was naturally enough somewhat disquieting to Argyll and his associates.

Towards the end of the year 1640 the story of the "Bond of Cumbernauld" leaked out. Suspicion that something of this kind existed was aroused in the minds of outsiders by the conduct of some of those who had signed it and had recently been indulging in protestations of devotion to the King's interests and in denunciations of Argyll and his party.

On the 19th of November one of the subscribers of the Bond, a son-in-law of the Earl of Wigton, Lord Boyd by name, died of fever at the early age of twenty-four; and on his deathbed he dropped some hints of the existence of such a document, though he disclosed no particulars as to its precise contents. Argyll on receiving this information did not rest until he had investigated the matter. He paid a visit to Lord Almond, another of those who had signed the Bond, at his house in Callander where he was on a visit from the army at Newcastle, and in the

[1] Baillie, *Letters*, vol. i. p. 262. [2] Guthry, *Memoirs*, pp. 87, 88.
[3] Napier, *Memorials of Montrose*, vol. i. p. 268.

course of a couple of days the sagacious politician succeeded in getting all the information he desired. The Committee of Estates at once summoned Montrose and others concerned who were in Scotland at the time to appear before them and give some explanation of the compact into which they had entered. Apparently the Bond itself was produced, and reasons were given in defence of it, which the Committee refused to accept as adequate. Beyond a sentence of blame and the confiscation of the document the Committee did not venture to go. "Indeed some of the ministers," says Guthry, "and other fiery spirits, pressed that their lives might go for it. But Argyll and his Committee considered that they were too strong a party to meddle with that way, especially seeing divers of them having the command of regiments in the army; and therefore they consulted to pack up the business upon a declaration under their hands, that they intended nothing against the public [good], together with a surrendering of the band [Bond], which the Committee having gotten caused it to be burned."[1] The result of these proceedings was not only to demonstrate the extraordinary influence exercised by Argyll but greatly to increase it, by the humiliation of those who had ventured to league themselves together in opposition to him.

But though Argyll had triumphed in the Committee of Estates and had secured the burning of the document in which his opponents bound themselves to foil what they regarded, or pretended to regard, as his ambitious schemes, he was by no means out of danger. An opposition began to form, of which Montrose was the centre and mainspring, aiming at shaking and overthrowing the power of their great opponent. Their first attempt had failed, and they were convinced that no other need be made on the same lines. Their second and more serious endeavour was to persuade the King to enter into an alliance with them. There was every probability that he would be constrained to accept the terms demanded by the Scotch commissioners and to ratify the Acts of the Parliament which had been held without his sanction, and thus consent to the limitations put upon his power and to the installation of Presbyterianism in Scotland in the place of Episcopacy. Let him but satisfy the demands of the nation and they would stand by him in resisting further encroachments upon his power which self-seeking nobles, "seditious preachers," or the fickle mob might be

[1] *Memoirs*, p. 90; Spalding, *Memorialls*, vol. i. p. 376.

disposed to make. They accordingly invited Charles to come down to Scotland and to make concessions which would sweep away all the real grievances which had moved the nation to such obstinate resistance, and thus cut the ground from under the feet of such men as Argyll; and, at the same time, they seem to have intimated to the King that they were in the possession of evidence on which Argyll could be convicted of positive treason and brought to utter ruin.

They founded their accusation upon language which he was said to have used at the Ford of Lyon on the occasion of his raid into Perthshire and Angus, when he conferred with the Earl of Athol and the eight hostages whom he afterwards sent as prisoners to Edinburgh. One of the latter, John Stewart of Ladywell, affirmed that Argyll then said that they, *i.e.* the dominant party in Scotland, "had consulted both lawyers and divines anent the deposing of the King, and gotten resolution that it might be done in three cases, 1. Desertion, 2. Invasion, 3. Vendition; and that once they thought to have done it at the last meeting of Parliament, and would do it at the next sitting thereof."[1] There can, of course, be no doubt that a good deal of what might in ordinary circumstances be called treasonable language must have been current in Scotland from the very beginning of these troubles down to the time at which we have arrived; and the more grave accusation of treasonable actions might be brought against many thousands of men who had taken up arms against the King and had shed the blood of his soldiers, and were even now in possession of fortresses and territory from which they had driven his troops. In order that these actions might be justified to themselves and to the world at large it was inevitable that some expression should be given to opinions as to the limits which existed to the obedience of subjects, and consequently to the royal authority; and many persons who in quieter times would have been law-abiding, loyal subjects, must have used language which could easily be described as treasonable. Some conversation may have taken place in Argyll's tent on the occasion in question in which he may have justified resistance to the royal authority by asserting principles concerning the rights of subjects and the duties of kings which some of his hearers may have considered audacious, if not actually treasonable; but it is quite absurd to imagine that a grave and subtle politician like Argyll would sit and prate to his enemies about the

[1] Guthry, *Memoirs*, p. 92; Spalding, *Memorialls*, vol. ii. p. 47.

deposition of the King as a matter practically decided upon by himself and his political associates, while they took the greatest care in all their public utterances and proclamations to express loyalty to the Sovereign, and to lay the blame of the actions which had caused them to rebel upon evil counsellors who had led him astray.

With extraordinary candour or thoughtlessness Montrose spoke freely to one and another of the attack to be made upon Argyll in the coming Parliament, and before long the matter was openly referred to in a meeting of the Presbytery of Auchterarder. The speaker, the Rev. John Graham, was summoned to Edinburgh to appear before the Committee of Estates and give some explanation of his words. He told the name of his informant, who, in his turn, on being questioned gave up that of Montrose as having declared that Argyll had been spoken of in connexion with a dictatorship in Scotland, or in the part of the country north of the Forth, and as having asserted that there was proof that he had talked of deposing the King. It was now Montrose's turn to defend himself and to give the names of his informants. He recounted the conversation he had had with Lord Lindsay about the matter of the dictatorship, and he declared that his authority for the charge of using treasonable language was the John Stewart already mentioned. Nothing was made of the supposed connexion of Argyll with the abortive scheme of a dictatorship; for, even if Montrose's memory had not played him false and Lord Lindsay had said that he suspected that Argyll would be appointed to that office, there was nothing in this on which a criminal charge could be founded. It would certainly be a new and easy way of proving treason if the conversation of two men about the possible designs of a third could be taken as proof positive of the existence and the nature of such designs. The matter of the treasonable words ascribed to Argyll himself was of supreme importance, and Montrose or his friends grew somewhat anxious that he should not be left in the lurch by his informant Stewart. In all haste he was summoned to appear before there was any chance of his being "got at" by the other side.

The next day Stewart repeated before the Committee the statements which he had already made to Montrose and gave in a written declaration of the same signed by himself. "Whereupon," we are told, "Argyll broke out into a passion, and with great oaths denied the whole and every part thereof." The

historian adds that "many wondered thereat";[1] but their reason for wonder is not stated and can scarcely be conjectured, since we do not know the exact language used by him in conversation with the Earl of Athol and his hostages. The modern biographer of Montrose, to whom Argyll seems more a personification of evil than a creature of flesh and blood, speaks of his passion and oaths as "undignified violence";[2] but we think the unprejudiced reader, who learns that this wretched man who charged Argyll with treason confessed next day that he had been guilty of lying, will rather consider them as the result of honest indignation. As a mere matter of fact, John Stewart wrote on the 1st of June, from the prison to which he had been consigned on the day before, a letter to Argyll in which "he cleared him of those speeches and acknowledged that he himself had forged them out of malice against his lordship."[3] He also confessed that "by the advice and counsel" of the Earl of Montrose and his associates—Lord Napier, Sir George Stirling of Keir, and Sir Andrew Stewart of Blackhall—he had sent a written copy of these forged speeches to the King by one Captain Walter Stewart. This recantation should surely be regarded as a sufficient exoneration of Argyll from the charge of treason; yet the historian Guthry, to whom we are indebted for the particulars of this incident, contrives to surround the story with a flood of vile insinuations against him, which have been found very convenient for later writers wishing to represent him in an unfavourable light. According to him Stewart was the victim of the artful statesman. He alleges that two of Argyll's friends, who were "profound men" and would know well what arguments to use, persuaded Stewart to accuse himself of falsehood and thus save Argyll.[4] And he suggests that they convinced the prisoner that the disgraceful occurrence would be soon forgotten, and that not only immediate safety but also

[1] Guthry, *Memoirs*, p. 93.

[2] Napier, *Life of Montrose*, vol. i. p. 304.

[3] Guthry, *Memoirs*, p. 93. Stewart declared, on retracting the accusation, "that the Earl of Argyll having spoken of kings in general, and the cases wherein it is thought that kings might be deposed, the deponent did take the words as spoken of our King; and out of the malicious desire of revenge, the deponent confesses he added these words, 'that the first thing the parliament would have begun upon was to depose the King'; and siclike added these words, 'and however they had continued [deferred] it, he feared it was the first thing they would fall upon at the next session,' or 'the first thing that will be begun in the next session'" (Laing, *History of Scotland*, vol. iii. p. 545).

[4] *Memoirs*, p. 94.

future preferment might be given him by the grateful criminal for whom he had perjured himself.

The honourable, straightforward conduct of Argyll throughout this affair is beyond reasonable doubt. Thus he received a pressing letter from Stewart, after he had in general terms withdrawn his accusation, in which the prisoner asked him to pay him a private visit and referred to declarations he might make which would be to Argyll's advantage. The latter laid the communication before the Committee, declaring his determination not to speak with Stewart apart or alone, but to be accompanied by witnesses if any interview were to take place. And accordingly three other members of the Committee were appointed for this purpose.[1]

Whatever may be the particular name of the crime which John Stewart had committed against Argyll, he had, by sending the false statements to the King, incurred the penalties for what in Scotch law was called "Leasing-making." This offence consisted in sowing discord between a King and his subjects by disseminating falsehoods and might be punished by death, though so heavy a penalty for it was very rarely exacted. Ordinarily, the form of the crime with which the law had to deal was that of slandering a King to his subjects; but in this case the conduct of Stewart in slandering a subject to his King was treated as equally criminal, and sentence of death was passed upon him. The Earl of Argyll consulted the chief legal authorities in Scotland with the view of inflicting on the prisoner a less severe penalty than death, in consideration of the fact that he had made open confession of his crime.[2] But they were of the opinion that if the life which he had justly forfeited were spared Argyll's enemies would assert that the prisoner had been bribed by the remission of the death-sentence to withdraw the charges which he had made; and so the law was left to take its course. Stewart was beheaded publicly in Edinburgh on the 28th of July, and he betrayed such a lack of the courage with which even bad men have often faced death, that some, who affected to believe that he had borne false witness against himself, thought that he must have been overcome with mortification at the fruitlessness of his crime.[3] But whether there was, or was not, beneath the deep iniquity which appeared in the sight of all men, a still lower

[1] Napier, *Life of Montrose*, vol. i. p. 327.
[2] Guthry, *Memoirs*, p. 94.
[3] Napier, *Life of Montrose*, vol. i. p. 330.

depth of secret sin, is neither a matter with which history need concern itself nor one which is an interesting subject of enquiry. Certainly it would be doing grave injustice to a dog to condemn it on evidence as poor and tainted as this on which some have based a charge of a specially mean crime against Argyll; and we think a great statesman, the trusted representative of a party comprising probably the majority of the nation, and certainly the majority of the God-fearing people in it, is entitled to be treated with at least as much consideration as is ordinarily shown to the inferior animals.

Lieutenant-Colonel Walter Stewart, who had taken to the King a letter or letters from "the Plotters" and the written charge of treason against Argyll, was arrested on his return. He was intercepted between Cockburnspath and Haddington by a messenger sent out to meet him, and concealed in the pannel of his saddle were found a letter from the King to Montrose and documents of a suspicious character.[1] The royal missive was couched in general terms, and gave no sign of any secret or unworthy connexion on the part of the King with petty intrigues. It was evidently written in reply to a letter from Montrose, recommending him to come in person to Scotland and to secure his own authority and the peace and happiness of his subjects, by establishing religion and liberty on a firm basis. The King's reply was that he saw the advantages to be attained by being present at the approaching Parliament in Scotland, and that he intended to visit his northern capital; and he went on to say that he desired "to satisfy his people in their religion and just liberties," and expected that they would reciprocate the kindly feelings which he cherished towards them.[2] Colonel Stewart declared that he took letters in cipher from the Plotters in Edinburgh, which he translated and, with the aid of his cousin the Earl of Traquair, put into better shape for the King's use; but his statements were repudiated by all the persons concerned, and seem to deserve little credit. Some confused and stupid hieroglyphical documents in his own handwriting were found in his possession,[3] but they appear merely to record the vagaries of a half-witted busybody who thought that he was dabbling in State secrets. Yet

[1] Napier, *Life of Montrose*, vol. i. p. 309; Spalding, *Memorialls*, vol. ii. p. 48.

[2] Napier, *Life of Montrose*, vol. i. p. 316.

[3] In them Argyll is referred to as "the Dromedary" (Campbell=Camel=Dromedary).

the connexion which Montrose and his friends had had with Colonel Stewart was such as to expose them to considerable suspicion, and they were accordingly arrested and lodged in separate rooms in Edinburgh Castle.[1] The fact that the Committee of Estates should have consigned four of their own number to prison—two of them Peers and one a Privy Councillor and a Lord of Session—has been spoken of by Royalist writers as very high-handed procedure, and Argyll has been represented as the autocrat who was virtually responsible for it. But it is difficult to see how any other course could have been taken. They were closely connected with John Stewart, who was found guilty of a capital charge, and, by their advice to him to send the forged document to the King, they had brought themselves dangerously near being involved in the crime for which he was punished. Their only safety lay in the fact that they had believed the statements contained in it to be true.

The news of what had occurred in Scotland reached the ears of Charles I., and he promptly wrote to Argyll to clear himself from all connexion with the intrigues with which his name had been very unpleasantly associated. He said that he was informed that Colonel Stewart, who was reported to have been employed in London by the Earl of Montrose, had asserted that offices of State were to be conferred on persons who had entered into the Bond of Cumbernauld, and had intimated that he was coming to Scotland at the instance of that faction and to promote their objects. In dignified terms he repudiated any such intention. His purpose in visiting Scotland was to arrange matters in accordance with the Treaty shortly to be formally concluded, and to establish himself in the affections of his people. "I am so far," he said, "from intending division by my journey, that I mean so to establish peace in the State, and religion in the Church, that there may be a happy harmony amongst my subjects there." No promises of offices of State to particular persons had been made—such offices would be bestowed upon those who would serve the State best. He said that the letter he had written to Montrose had not been unworthy of himself or of the person to whom it had been sent, who, for anything he yet knew, was not undeserving of such a favour. He concluded by saying that he had made matters thus clear to Argyll, a member of his Privy Council and thus

[1] Napier, *Life of Montrose* vol. i. p. 335.

his "particular friend," in order that the latter might, as he had opportunity, correct any false statements that might be current with regard to his journey into Scotland. He subscribed himself "Your assured friend, Charles R.," a phrase which no doubt was entirely conventional but which, one would think, must have struck both himself and his correspondent as strangely incongruous with the relations in which they had stood to each other for two years past.[1]

Though little or nothing beyond vague suspicion and the confused statements of the two Stewarts could be alleged against Montrose and his friends, they were kept in prison for five months. Endless enquiries and interrogations before the Committee of Estates and the Parliament were carried on in order to elucidate matters, but the charge of conspiring against the public weal was not found to be substantiated by any new and trustworthy evidence. Montrose's houses were entered, and his papers examined; but, as the historian Guthry says, they found nothing therein belonging to public affairs, only instead thereof "some letters from ladies to him in his younger years, flowered with Arcadian compliments."[2] All this, no doubt, was very unpleasant to those who were in custody; but there was nothing extraordinary in their experience. Before and since their time persons proudly conscious of their rectitude have been found by the police in suspicious circumstances, and in some cases have only with extreme difficulty succeeded in persuading the guardians of the public peace to believe in their innocence.

[1] *Ibid.*, vol. i. p. 315.

[2] *Memoirs*, p. 112.

CHAPTER IX

Treaty concluded with Scotland—Charles I. goes to Edinburgh—He makes many Concessions to the Covenanting Party—Argyll and the Earl of Morton—"The Incident"—Return of Argyll and Hamilton after their Flight from the City—Argyll made a Marquess—Outbreak of Rebellion in Ireland.

ON the 10th of August, 1641, the Treaty with Scotland was concluded. According to it the King agreed to accept as valid the Acts passed in the Parliament which had been held without his sanction, and to leave those who had been the authors of the late "combustions," and who were therefore appropriately called "Incendiaries," to be dealt with by the Parliaments of England and of Scotland; while the sum of £300,000 Sterling was fixed upon for the payment of the Scotch troops who had invaded and occupied the north of England.

Charles I. had now for some months been experiencing what he must have felt as the misery of subjection to absolute government on the part of the Parliament, and he had virtually forfeited a large measure of the power of the Crown by consenting to the Bill which provided that the present Parliament could not be dissolved without its own consent. Strafford had been beheaded; and Laud was in prison, awaiting his trial, with every reason to expect a similar fate. A deep gulf now divided the King from the great mass of his English subjects: those whom he looked upon as faithful servants were in the eyes of his people traitors worthy of death, while their trusted leaders were regarded by him with as passionate a scorn. The fact that he had been goaded and driven into signing the death-warrant of Strafford could never be forgotten; and upon the proud soul of the King the memory of that fatal deed, which proclaimed both his own weakness and the insolence of his foes, was a stain which throbbed like a wound.

Some hope of regaining power sprang up in the mind of Charles when he thought of his northern subjects who had

wrested from him all that they wished to have, and who now might be in a mood to show that loyalty to his person and to his royal authority which they had been so careful to express in words, even while they were engaged in the most seditious actions. While negotiations were being carried on between the Scotch commissioners and the English Parliament there was always a possibility that something would go wrong and an animosity be aroused which might be turned to his advantage. But the English Parliament were too wise to fall into such an open trap, and took pains to give full satisfaction to those to whose "brotherly assistance" they were so much indebted for the overthrow of the despotism under which they had groaned for so long. Now that the Treaty had been signed, Charles determined, much to the consternation of the Parliament and of the people of London, to go down to Scotland, where, as his friends assured him, he would find a people whose hearts abounded in affection and devotion towards him, which would now find full scope for exercise seeing that religion and liberty were established on a firm basis.

No entreaties could move the King to delay his journey into Scotland. "He would make any one repent, he said, who laid hands on his horse's reins to stop him. He told the crowd in Palace Yard which besought him to remain that they might console themselves for his absence. His Scotch subjects needed him as much as Englishmen did."[1] On his way north he passed through the army which had been assembled to repel the northern invaders and was now being disbanded, and on the 13th of August he reached Newcastle. The Scotch soldiers, who were on the point of returning home, were drawn up to receive him; and General Leslie, with every expression of humble loyalty, accompanied him as he passed through their lines. The scene is vividly described in a contemporary pamphlet: "The Generall alighting from his horse (which was presently taken by two of his footmen), Hee prostrated himselfe and service before the King upon his knees, his Majestie awhile privately talking to him, and at his rising gave him his hand to kisse, and commanded his horse to be given him, whereon remounted, he ridd with the King through the Armie."[2] A dinner had been prepared for the King at the house of the Mayor of Newcastle,

[1] Gardiner, *History*, vol. ix. p. 417.

[2] Quoted in C. S. Terry's *Life and Campaigns of Alexander Leslie*, p. 153.

but he preferred to dine with the General who had been so active an opponent of his and might possibly be charmed into becoming as active a friend. After dinner and before he resumed his journey northwards he had some conversation with Leslie, and there can be no doubt that he hinted at the Earldom which very shortly afterwards he bestowed upon the rough soldier of fortune, if indeed he did not now definitely promise the honour, and received from him professions of loyalty which might be easily construed into a pledge never again to draw the sword save in the defence of his Sovereign.

On Saturday the 14th the King rode into Edinburgh at six o'clock in the evening and took up his abode in Holyrood Palace. On the following morning, in the Abbey Chapel he listened to a sermon by Alexander Henderson, who had presided at the Glasgow Assembly and had been one of the Scotch commissioners in London. The preacher was able and devout, and courtly in manner, and Charles can scarcely have failed to be favourably impressed by him. Yet, in spite of his courtly manners, Henderson's sense of duty was so keen that he spoke to the King with an authority which probably Archbishop Laud would not have ventured to exercise. For on this Sunday Charles stayed away from afternoon service; but upon Henderson's speaking of the matter to him, "he promised not to do soe againe." From what we know of Henderson we may well believe that the admonition was given in such a gracious manner that no offence could reasonably be taken. The same divine acted as chaplain to the King, and each day in the morning and before supper in the evening "said prayer, read a chapter, sang a psalm, and said prayer againe." The King, we are told, heard all duly, and uttered no complaint for want of a liturgy or any "ceremonies."[1]

On the following Tuesday attended by trumpeters and heralds he proceeded, in somewhat diminished but still imposing state, up the Canongate to the Parliament House, the Marquess of Hamilton carrying the crown before him, the Earl of Argyll the sceptre, and the Earl of Sutherland the sword. The King's speech was couched in very gracious terms, and made but light of the struggles of the last four years which had resulted so disastrously for himself: these he described as "unlucky differences," and "unhappy mistakings"

[1] Baillie, *Letters*, vol. i. pp. 385, 386; Burnet, *Dukes of Hamilton*, p. 235.

[misunderstandings], which he hoped to settle now once for all. In spite of difficulties and obstacles he had taken this journey instead of sending a commissioner, and he trusted he would be met by his subjects with the affection and loyalty which had been so often professed, and which the Covenant itself bound them to maintain. After the president, Lord Burghley, had replied in appropriate terms to the royal speech, the Earl of Argyll arose and seconded what had been said by him. His speech, which the annalist calls "a short and pithy harangue," consisted for the most part of a nautical simile which has done duty in political addresses from the days of Horace[1] down to our own times, but to which he added a detail specially referring to the treatment which Montrose and his associates had received. "He compared this kingdome," we are told, "to a ship tossing in a tempestuous sea these years by past; and seeing His Majesty had, like a skillfull pilote, in the times of most danger steered her throughe so many rocks and shallows to safe anchor, he did humbly entreat His Majesty that now he would not leave her (since that for her safety he had given way [consented] to cast out some of the naughtiest baggage to lighten her), but be graciously pleased to settle her in her secure station and harbour againe."[2] The comparison of his political opponents to worthless encumbrances which had been thrown overboard to lighten the ship of the State was no doubt exasperating to them and to those who sympathized with them, and must have been specially mortifying to Charles as illustrating the complete triumph which Argyll and his party had won over the faction specially devoted to his interests. But no expression of this feeling was allowed to escape him.

The extent to which the King dissembled his actual opinions and sentiments may be judged by the fact that he was more eager than those who had been his opponents to fulfil without delay the terms of the Treaty lately concluded in London, and to ratify the Acts of the Parliament which had been held without his sanction. These consisted of thirty-nine legislative measures which, on this the first day of his presence in this Parliament, he was anxious to accept in the usual form by touching them with his sceptre. The Scotch commissioners had not yet returned to Edinburgh, and it was thought by the Parliament that such speed in concluding matters would be

[1] *Odes*, i. 14.

[2] Balfour, *Annals*, vol. iii. p. 40.

somewhat unseemly and might hereafter be used as an argument against the present settlement as a hasty and ill-considered proceeding. The zeal of the King to stamp out the form of Church-government which he loved and to establish that which he loathed, and to confirm his northern subjects in the possession of the civil rights which they had with extreme difficulty wrested from him, had therefore to be repressed; and it was not until a week afterwards that he was permitted to sanction the Acts which reduced his authority to a mere shadow of a name.

The King expected that, after these ample concessions had been made to the demands of his Scotch subjects, he might rely with confidence upon receiving aid from them in dealing with his turbulent English Parliament. The people at large had gained all that they had bound themselves by the Covenant to strive for, and so might be expected to be favourably disposed towards him; while the support of their leaders, who had been his opponents, he thought he could secure by bestowing upon them offices and honours. At his first arrival in Scotland the suggestion was made that part of the army under Leslie should be maintained until the army in England had been disbanded; and Charles eagerly caught at the idea of employing them to promote his schemes for recovering all that he had lost in his southern kingdom. His reception in Edinburgh was such as to foster the delusion that something might be accomplished in this way. His acceptance of the form of religion which was so dear to the people of Scotland seemed sincere and complete. Henderson was now as intimate a councillor and associate as Laud had ever been; and the King sat in the church of St Giles and heard Bishops denounced in language which a short time before would have been punished with fine or imprisonment. His patience and politic conduct gained an immediate reward in expressions of loyalty and affection which filled him with delight and made him confident that all his hopes would speedily be realized. "You may assure every one," he said, in one of his despatches to his secretary, Nicholas, "that now all difficulties are past here." He also wrote to the Queen that Argyll had promised to serve him loyally, and that he had driven through the streets of Edinburgh in company with Leslie amid the cheers of the populace.[1]

[1] Gardiner, *History of England*, vol. x. p. 19.

But he was soon awakened from the dream which he cherished of receiving aid from his Scotch subjects in the labour of restoring absolute government in England. The army which had done such good service under Leslie was disbanded and paid off; and with its disappearance from the scene Charles must have felt that his journey into Scotland had become utterly fruitless. But a further humiliation was in store for him. The leaders of the Covenanting party felt that the concessions which they had extorted from the King would be nullified if they left him the power of nominating Officers of State, Privy Councillors, and Judges; and accordingly the Scotch commissioners had demanded as one of the conditions of the Treaty recently concluded that all who had to do with the executive functions of government should only be appointed by the King "with the advice of the Estates." The matter was now brought up in the Parliament in Edinburgh, and the King signified his intention of granting the demand and of nominating such officials, subject to the advice which might be given him by members of that House. When the Estates, we are told, "had receaved this gratious answer from his Majesties owne mouthe, they all arrosse and bowed themselves to the ground."[1]

It is possible that he expected that the grateful acknowledgment of this astonishing concession would naturally be followed by a sparing use of the power of veto which he thus granted to Parliament; and that, if he nominated prominent members of the Covenanting party to some of the offices of State, he would be allowed to appoint to some of the others men who had shown themselves devoted to his interests throughout the struggles which were now at an end. Yet we cannot wonder that the popular leaders were determined not to allow the main offices of State to be held by their defeated opponents. The principle that the spoils belong to the victors would have forbidden such an arrangement; and, even if the victors had been willing to forego their rights, it is questionable whether they would have been justified in doing so. The struggle to secure a reasonable measure of civil and religious liberty had been too recent, and the result of it had been too precarious, for them to imperil what they had won by entrusting the administration of public affairs to the hands of their adversaries. To accept the King's nominees might have had the semblance of generosity, but it certainly would not have been for the public good.

[1] Balfour, *Annals*, vol. iii. p. 65.

The two main offices of State were the Chancellorship and the Treasurership, to the former of which the King nominated the Earl of Loudon, one of the most prominent and zealous of the Covenanting leaders. The majority of the Estates would have been pleased to see Argyll appointed Treasurer; but, in the opinion of a strong minority, his power was already too great to permit of such an addition to it. In place of him his father-in-law, the Earl of Morton, a Royalist of the most pronounced type, was nominated for the office. The nomination was resolutely opposed by Argyll himself, who affirmed that his kinsman was unfit for such an office since he was heavily in debt. Already during the negotiations at the time of the first Bishops' War, we heard of "bitter and evil speech" between the two Earls, or at any rate of such being addressed by the elder to the younger. Something of the same kind which Baillie describes as "a verie foule flyting [scolding-match]" now took place.[1] The Earl of Morton asserted that for twenty years he had educated and protected Argyll and that consequently the latter was in no slight degree indebted to him for the position in Scotland which he now held. But this was no answer to the charge of being himself burdened with debt. Some urged the King not to give way; but next day the Earl of Morton asked permission to withdraw his claims to the office and thus relieved Charles from a somewhat embarrassing position.

The King thereupon nominated the Earl of Almond, who had been second in command of the Scottish army which had invaded Northumberland; but Argyll was equally firm in opposing his appointment. He had, he said, always been a special friend of Almond's, but the public welfare was to be preferred to private friendship. The explanation of the objection made to him was that he had been one of those who had signed the Bond of Cumbernauld, and that, if he were appointed to the office in question, there would be a risk of his doing much harm by acting as leader to the malcontents. The Parliament accordingly put its veto upon the appointment and began to claim the right to nominate such officials, and thus to reverse the relations in which at present they stood to the King. After a month's delay Charles was again forced to give way to the majority, and he sent a message to the Earl of Almond asking him to follow the example of the Earl of Morton and to decline being nominated for the office. Ultimately the Treasurership

[1] *Letters*, vol. i. p. 390.

was put in commission, under the charge of five commissioners, of whom Argyll was one. The lists of Privy Councillors and other officials given in by the King were subjected to severe scrutiny, the names of persons regarded as suspicious were struck out remorselessly, and in their place were inserted the names of those in whom the Covenanting leaders had confidence.[1]

We cannot doubt that Charles regarded the defeat of his plans and the increasing power of Argyll, who had triumphed in every contest with his Sovereign, with an impatience and irritation which it would be difficult for him to conceal, and that the feeling which he already cherished, that in the Highland chieftain he had a personal enemy, became more and more intense. Yet a moment's reflection might have convinced him that the strength of Argyll lay in the fact of his representing the convictions, the feelings, and the aspirations of the great majority of the people of Scotland, and not in any mere force of character possessed by him or spirit of overweening pride which urged him to oppose his Sovereign's will. This is a fact which has often been overlooked in later times when his conduct has been under criticism, and he has consequently been sometimes hastily condemned as a mischievous influence by which the current of public affairs in Scotland was for a considerable period disturbed and turned awry. That which rendered him at present an irresistible force in public life was the clearness with which he realized, and the fidelity with which he expressed, the national sentiments and claims.

The power of the King to exercise any control over the party which had been dominant in Scotland since the drawing up of the Covenant was seriously limited by the fact that there was no statesman of weight on the Royalist side to be a serious rival to Argyll. Montrose was in prison; his associates in the Bond of Cumbernauld were under a cloud; while the Covenanting leaders had already reduced to impotence the Royalist party. The risk of being plundered of their property and treated as "Incendiaries" was certain to reduce very considerably the number of Charles's thoroughgoing supporters. The Marquess of Hamilton, who had at an early stage in the contest represented the royal power in Scotland and had both dissolved the Glasgow Assembly and been in command of forces to reduce the country to obedience, had exposed himself to grave suspicion of encouraging the rebellion which he denounced and was commissioned

[1] Peterkin, *Records*, p. 313.

to suppress. By a private arrangement with the King he had recently undertaken to mingle with the Covenanters as one of themselves and to play the part of a spy;[1] but, though no human being can now unravel his tortuous intrigues, there was full reason to believe that he had gone over to the popular side, and was along with his brother, the Earl of Lanark, hand in glove with Argyll. By so acting he had no doubt drawn down on himself the royal displeasure, but he had saved himself from the still greater risk to which he would have been exposed if he had been prosecuted as an "Incendiary" and as one of the authors of the evil counsels which the King had followed so faithfully.

It would have been surprising if the mortification and anger with which Charles must have regarded the overthrow of the schemes which he had hoped to promote with the aid of his northern subjects had not infected some of his more reckless followers, and led them to plan an act of violence against their leading opponents. The discovery of a plot of this kind led to the startling event which has in Scotch history received the name of "The Incident," concerning which a large mass of confused and contradictory details have come down to us. And though the task of constructing a consistent and trustworthy narrative of the occurrence might well seem hopeless, there can be no doubt that Argyll and his confederates were at this time exposed to very real danger from several quarters: on the one hand they had incurred the anger of the King whom they had so persistently and successfully thwarted, and on the other they had aroused the jealousy of the feudal aristocracy of Scotland, who saw the power which had been wrested from the grasp of the Sovereign wielded by the democracy and by those who acted as its leaders.

The Earl of Montrose, who was still a prisoner in Edinburgh Castle, wrote on two occasions letters to the King in which he offered to reveal a matter "which not only concerned his honour in a high degree, but also the standing and falling of his crown";[2] but apparently they were treated as the mere devices of a desperate man to recover freedom. But on the 11th of October Charles received another letter in which Montrose declared that he could prove that the Marquess of Hamilton was a traitor. This statement could not be easily ignored, and the King laid it before some of the Privy Council, among whom was the Earl

[1] *Ibid.*, *Records*, p. 232.

[2] Napier, *Memorials of Montrose*, vol. ii. p. 5.

of Argyll, in order to obtain their advice upon the matter. But on this very day Argyll had received intelligence from another quarter that he himself was in risk of his life. The same charge of treasonable conduct might in the opinion of many be brought against him on as good grounds as against Hamilton, and the definite purpose of seizing them both seems to have been formed. Whether the King was privy to this or not is doubtful. We can with perfect confidence believe that he would shrink from any proposal to assassinate his political opponents, but it is quite possible that he knew of the suggestion to apprehend them, or that he gave orders for their apprehension with a view to a regular legal trial for treason, even though it was probable that their armed followers would offer strenuous resistance to their being taken prisoners.

The discredit of planning something very like the murder of Argyll and Hamilton belongs to the Earl of Crawford, who, like so many others of that time, had learned evil lessons of cunning and ferocity in the Thirty Years' War in Germany, where, as a Roman Catholic, he had fought in the Austrian army. He proposed to entrap them both and carry them off to a ship then lying in the Firth of Forth, and, in case of any endeavour at a rescue, to put them to death. The news of what was likely to be attempted reached the ears of General Leslie, who frustrated the plot by giving timely warning to those against whom it was directed. Both of them informed the King of the danger to which they had been exposed, and withdrew from the Court. On the following day the Parliament at once ordered an investigation to be made into the whole matter; and as the King, on proceeding thither to clear his good name from the slur cast upon it by the surmise that the plot had been formed with his cognizance, was indiscreet enough to allow himself to be accompanied by a band of five hundred devoted partisans, Argyll and Hamilton and Hamilton's brother Lanark considered that their lives were not safe and fled from the city. They took refuge at Kinneil House, a feudal keep which belonged to Hamilton and was situated some twelve miles from the capital in the neighbourhood of the modern town of Bo'ness.

The excitement caused in Edinburgh by the flight of Argyll and his companions was very great, and in the popular mind the evil resolved upon or planned against the Covenanting leaders was but part of a large scheme for the re-establishment of tyranny. Wild rumours were current as to Royalist proposals for

suppressing the Parliament by armed force, for the trial by martial law of those who had been prominent in opposing the King's authority, and for introducing into the city Highland soldiery, Border ruffians, or Irish cut-throats, all of whom were regarded with acute terror.[1] The King felt very keenly the stigma which these widespread fears and suspicions cast upon his honour, and he laboured with passionate intensity of feeling to regain the public confidence. "With tears in his eyes, and as it seemed with very great grief," says an eye-witness, Sir James Balfour,[2] he announced to his Parliament that three of the leading statesmen in the kingdom, one of them his own kinsman, had fled from the city on the pretext that their lives were not safe by his side. His anger burned more hotly against Hamilton than against his two associates, and indeed he accused him of persuading Argyll to strike this cruel blow against his honour;[3] and, with a pathos which must have touched every generous heart in that audience, he referred, in his speech to the Parliament, to a former occasion when Hamilton had been accused on very strong evidence of a plot against his life, and he had refused to believe the charge and had shown his confidence in the loyalty of his kinsman and friend by giving orders for him to sleep in the royal bed-chamber.[4]

The King pressed for a public investigation into the matter by the whole House, but this was overruled and a Committee of the Estates undertook the task. Yet, though the depositions of witnesses were elaborate and voluminous, and the King was constrained to lay before the Committee his correspondence with Montrose, little that was definite emerged into view. After long consideration of the whole affair the general conclusion arrived at seems to have been that the fugitive statesmen had had good reason for "absenting themselves for a time to avoid tumults," and that the King was altogether guiltless of any blame in the matter. In the opinion of some the alleged plot was nothing more than "the drunken discourses of three or four soldiers."[5] The upshot of the whole was that Argyll's power was established on a firmer basis than ever, and so great was his triumph over his opponents and over his Sovereign that he could afford to consent to a general amnesty. He and his companions in danger

[1] Burton, *History*, vol. vi. p. 339.
[2] *Annals*, vol. iii. p. 95.
[3] *State Papers, Dom.*, 1641–43, p. 139.
[4] See Burnet's *Dukes of Hamilton*, p. 16 *et seq.*
[5] *State Papers, Dom.*, 1641–43, p. 156.

and flight returned to Edinburgh, and in token of reconciliation went to Holyrood to kiss the King's hand. The Earl of Crawford and others who had been accused of being involved in the plot to assassinate were liberated; and in a short time Montrose and his associates were also set free, on condition of giving security that they would come up when summoned for trial by a committee of the Estates. The completeness of the King's surrender or defeat was strikingly demonstrated by the honours which with lavish hand he showered upon his political adversaries. The Earl of Argyll was made a Marquess with a pension of £1000 Sterling a year, the Marquess of Hamilton was made a Duke, and Alexander Leslie, "the little crooked old soldier" who had so successfully led the army of the Covenant, was raised to the peerage with the title of Earl of Leven. Indeed, on all those who had been prominent in resisting the King's authority and in thwarting his policy, titles and rewards were conferred, as Clarendon with a tinge of pardonable bitterness remarks, "in proportion to the capacity and ability they had for doing him a mischief;" and, according to the same historian, all that had been effected by the royal visit to Scotland was the making "a perfect deed of gift of that kingdom" to the Covenanting party.[1]

The revenues of the Episcopal establishment, which many would have liked to secure to the Presbyterian Church for the augmentation of the very meagre stipends of a large number of its working clergy, were distributed in other quarters. The four Universities in Scotland received portions of them, and most of the rest was divided among friends of the Covenanting cause.[2] The revenue of the see of Argyll and the Isles was bestowed upon the Marquess of Argyll as his share.[3] Nor was there anything necessarily discreditable in this arrangement. It was but just to repay him some part of the great expense which he must have incurred in rendering the services which the vast majority of his countrymen appreciated so highly; and it is to be presumed that the Parliament which had diverted endowments from the Roman Catholic Church and applied them for the support of Protestantism, had the right, as it certainly had the power, to deal as it chose with some part of them and now use it for purposes which approved themselves to it as worthy. The

[1] *History*, vol. i. pt. ii. p. 405 (edition of 1826)

[2] Peterkin, *Records*, p. 317.

[3] The revenue of the Bishopric of Argyll is put down by Kirkton as £130 Sterling (*History of the Church of Scotland*, p. 135).

Marquess of Argyll may have been ambitious of rule, though, in consequence of the position in which he was born, and the circumstances in which he was placed, the exercise of authority seems to have been rather thrust upon him than sought by him; but no one has just grounds for accusing him of the sordid vice of greed. In a petition which he afterwards addressed to the Protector for relief from some of the public debts for which he along with others had become responsible he proudly declares that he had not drawn pay for any of the offices, civil or military, which he had held. Neither as a member of the Committee of Estates, nor as president of the section of the same body which accompanied the army on various occasions, nor as colonel, nor as commander-in-chief had he received public money, with the exception of a solitary £100 Sterling, and in no campaign had he ever availed himself of the free quarters to which many in his circumstances would have thought themselves entitled.[1] So far from enriching himself at the expense of his country the losses which he sustained in her service were, as we shall see, extremely severe.

Charles I. was recalled from Scotland to London by the news which he received early in November, 1641, of the rebellion which had taken place in Ireland. The first tidings which reached him were serious enough, yet gave no intimation of the appalling horrors which, as soon came to be known, attended that outbreak and made it for ever infamous in history. He announced to the Scotch Parliament that it was possible that he would have to call upon them to aid him in suppressing the revolt,[2] and received assurance of their willingness to respond to his desires in the matter.

One of the last things done in the Parliament was to present Argyll with the patent by which he was created a Marquess: "wich being read," says the historian, "hes Ma^tie^, in presence of the housse, delivered the same to him out of hes auen Royal hand, wich he on hes knees receaved, randring his Maiesty humble and harty thankes for so grate a grace and favour, far by [beyond] hes merite and expectatione, bestoued one him."[3] The Estates had decided to meet at least once every three years, and before dispersing to fix the date of their next assembling; and accordingly on the 17th of November, 1641,

[1] *State Papers, Dom.*, 15th July, 1656.
[2] Burton, *History of Scotland*, vol. vi. p. 340.
[3] Balfour, *Annals*, vol. iii. p. 164.

they decided to adjourn until the first Tuesday of June, 1644. In the meantime a large Parliamentary Commission was appointed to act as an executive Government and to manage public affairs, and thus the functions of sovereignty and its prerogatives were virtually extinguished in Scotland.

In closing speeches Charles was assured that, since he had given satisfaction in all things concerning religion and liberty, he was departing "a contented prince from a contented people."[1] Yet his share in the general satisfaction was probably but very small, and many anxious thoughts must have pressed upon his mind as he sat among his nobles at a farewell feast in the great hall of Holyrood Palace, the night before his departure for London. His dream of obtaining help from Scotland for controlling his turbulent English subjects had melted away; and, now that his hands were weaker, the fresh task had been given him of extinguishing the flames of rebellion which had so suddenly burst out in his third kingdom. No one need have envied him his regal crown within which so many thorns were set, nor the glittering royal apparel which must often have oppressed him with a leaden weight, as he now went on his way to meet new humiliations and experience yet more disastrous failures.

The struggle between Charles I. and the Covenanting leaders was now at an end, and the latter had good reason to be satisfied with the results secured. Episcopacy had been utterly overthrown, and the form of Church-government dear to the people of Scotland had been established in its stead. Arbitrary government had been abolished, and the power wrested from the hands of the King had been lodged in those of the Parliament. These changes had been brought about more by the display than by the use of armed force—a circumstance which considerably flattered the national vanity—and were now accepted by the Sovereign and formally sanctioned by the Legislature. For several years from this time the nation had rest from political and ecclesiastical agitation of a serious kind, and watched with deep interest the struggles of the English people to secure a measure of liberty like that which they themselves enjoyed.

The concessions which Charles I. had been forced to make to the popular demands in England, and the inclination which he seemed at this time to show of being willing to reign as a constitutional Sovereign, served to divide the ranks of his opponents and to strengthen the Royalist party. The leaders of

[1] Peterkin, *Records*, p. 317.

the House of Commons, however, were not deceived by his policy, but they were determined to ward off the danger in which they stood of being crushed by some reactionary and violent step on the part of the King, and they aimed at securing in their own hands the command of the militia, then the only military force existing in the kingdom. That their fear was not unfounded was proved by the attempt made by Charles, on 4th January, 1642, to seize five of the leading members of the House of Commons on the charge of treason. In face of the popular indignation which this breach of the privileges of Parliament aroused the King's position became untenable, and a week after the outrage he left London, never to return except as a prisoner with the prospect before him of that violent death which waits so closely upon captive kings. The next few months were spent by both parties in preparations for war.

Early in the month of April the King announced to the English Parliament and to the Scotch Privy Council that he intended to raise a force of two thousand infantry and two hundred horse, and provide them with arms from the magazine at Hull, where the military stores belonging to the late northern army were kept, and to proceed to Ireland to suppress the rebellion there. The belief that this was but a device to obtain the command of troops to be used for his own purposes, and that this army would probably be reinforced from Ireland from the ranks of those against whom he proposed to lead it, many of whom declared they were on his side, was strong both in England and Scotland. The Scotch Privy Council, in reply to his message, advised him to give up the Irish expedition and come to terms with his Parliament. No other reply than this need have been expected. The influence of Argyll was supreme in Scotland at this time, and his resolution to stand by the English Parliament was firmly fixed.[1] Charles advanced upon Hull to take possession of the arms and ammunition there, but the gates were closed against him by Sir John Hotham, who held the town for the Parliament. After this technical act of rebellion—for there can be no doubt that the munitions of war belonged to the King and that his taking possession of them would have been an act quite within his right—all hope of accommodation was past, and civil war was certain as soon as one of the parties felt itself able to strike the first blow.

[1] Gardiner, *History of England*, vol. x. p. 194 ; Burnet, *Dukes of Hamilton*, p. 247.

CHAPTER X

Outbreak of the Civil War in England—Argyll and the General Assembly—Appeal from the Parliamentary Party to Scotland for help—"The Solemn League and Covenant"—Negotiations of the Covenanters with Montrose—A Scotch Army again invades England—Argyll recalled to suppress a Royalist Rising under Huntly—His Success in accomplishing this task.

CHARLES now formally appealed to the Privy Council of Scotland to consider the wrongs done to him by the English Parliament, and to send commissioners to it to protest against its proceedings. In order to secure a vote in his favour the King summoned all the members of the Privy Council on whom he could rely to be present at the meeting at which the matter was to be considered. According to the custom of the country and time the nobles and others thus summoned came up to Edinburgh accompanied by as many armed retainers as they could muster; and so threatening was the aspect of matters that the Lord Chancellor Loudon and the Marquess of Argyll were believed to be in danger of their lives. "There was," says Baillie, "a great rumor raised of a wicked designe against Argyle's persone; bot incontinent [immediately] the gentrie and ministrie of Fyfe running over in thousands, and the Louthians with the towne of Edinburgh cleaving to Argyle above expectation, the Banders'[1] courage and companies of horse and foot melted as snow in a hott sunshyne."[2] In presence of so many stalwart defenders of the Covenanting cause, who demanded that peace should be kept with the English Parliament, the Privy Council was helpless. The only reply they could return to the King was that no assistance need be expected by him from Scotland in any conflict with his English subjects. At last, on the 22nd August, 1642, Charles I. raised the royal standard at Nottingham, and summoned "all his loving subjects

[1] Banders, *i.e.* supporters of Montrose and others who subscribed the Bond or "Band" of Cumbernauld.

[2] *Letters*, vol. ii. p. 43; Gardiner, *History*, vol. x. p. 203.

to assist him in suppressing the rebellion of the Earl of Essex in raising forces against him,"[1] that noble being in command of the Parliamentary army.

It was a matter of considerable importance for the leaders of the Parliamentary party to be on terms of good understanding with the people of Scotland, whose admirably equipped and disciplined army had secured for them so large a measure of civil and religious liberty. Accordingly at the Assembly in St Andrews in 1642, a month before the outbreak of the Civil War in England, letters from them were read, along with a message of goodwill from the King, couched in terms of more than usual graciousness. The English Puritans did not seek for a definite alliance with their brethren in the north, for probably most of them were under the impression that a single battle would decide the contest between themselves and the King;[2] but they strove to enlist the sympathies of the people of Scotland by setting forth their earnest wishes for a thorough reformation of Church and State, and by expressing strong condemnation of the Bishops and their adherents. There can be no doubt that the general feeling of the Assembly and of the people at large was favourable to the English Parliamentary party, especially in view of the hopes, which the leaders of that party were careful to encourage, of a union of both nations in matters of faith, worship, and Church-government.

At this meeting of the General Assembly in St Andrews the Marquess of Argyll attended as an elder from the Presbytery of Inveraray[3] and took a prominent part in all the business that

[1] Rushworth, vol. iv. p. 780.

[2] Baxter says, "We all thought one battle would decide it" (quoted by Carlyle, *Cromwell*, vol. i. p. 110).

[3] A note may be allowed here with regard to Argyll's connexion with the English congregation in Inveraray. On 25th November, 1650, he was appointed a member of Session of that congregation, though he had acted before this in the capacity of an elder. The minute of his appointment runs as follows:—"November 25, 1650. After invoking the name of God ther was a formall Election of My Lord Marquess of Argyll, My Lord Lorne, Georg Campbell, Sheriff-Deput, Archibald Campbell, Master [of the] houshold to My Lo. Marquess, Donald McOlbory, provost, Donald Cameron, William Loudoun, David Roger, Patrick Fleming, to be elders; lykwyse of John Zuil, William Brown, William Carudders, Duncan Fisher, to be deacons, etc." Attendance of the Marquess at meetings of Session on the following dates is noted:—"August 14, 1651; December 11, 1651; March 24, 1652; March 31, 1652; May 4, 1652; August 18, 1653; February 9, 1654; August 14, 1657; October 14, 1658; January 12, 1659; January 20, 1659; December 28, 1659; January 12, 1660; January 20, 1660"; and after that date no further mention is made of him. For these particulars we are indebted to the courtesy of the Rev. D. A. Cameron Reid, B.D., the minister of Inveraray.

was transacted. Baillie speaks with enthusiasm of the zeal which he displayed.[1] He was present at every meeting of the Assembly, and he spoke on every subject that came up for consideration in such a careful and painstaking way that his advice was always greatly valued. He attended endless committee meetings with unfailing punctuality, and never manifested, and probably never experienced, the least weariness. Baillie noticed with amused admiration the dexterity with which he managed to checkmate some fussy members of the Assembly, who were anxious to be appointed commissioners to England, by having them put on the committee for nomination of persons for that office, where of course it was impossible for them to nominate themselves. In short, he showed that from nature and from grace he had received the gifts which would have fitted him to be both an ecclesiastic and a leader in the General Assembly of a Presbyterian Church, whilst by the irony of fate he had been born a Highland chieftain.

The historian Wodrow gives us some details with regard to the Marquess's domestic habits which confirm this view of his character. His information is derived from Mr Alexander Gordon, the minister of Inveraray, and gives us an interesting glimpse into the interior of a Puritan household of the time. "He told me," says Wodrow, "that the Marquis of Argyle was very piouse. He rose at five and was still[2] in privat till eight. That besides family worship, and privat prayer morning and evening, he still prayed with his lady morning and evening, his gentleman and her gentlewoman being present; that he never went abroad, though but for one night, but he took his write-book, standish [ink-stand], and the English notes, Bible, and Neuman's Concordance with him." He goes on to tell of arrangements with regard to preaching at Inveraray on Sunday forenoons and afternoons, and on Thursdays, and adds that "the Marquis still wrote the sermon." This last item of information is unexpected, and we think highly curious.[3]

In the early stage of the Civil War matters turned out unfortunately for the Parliament. The first great battle, that of Edgehill (23rd October, 1642), was indecisive, and both sides claimed the victory, but the advantage really lay with the King. In the course of the following year disasters accumulated thickly upon the Parliamentary arms. The King was firmly established

[1] *Letters*, vol. ii. p. 47.
[2] "Still," *i.e.* always.
[3] *Analecta*, vol. i. p. 22.

in Oxford, and the main army of his opponents protected London but did very little work of an aggressive character. In the north their forces, led by Lord Fairfax and his son, were almost driven out of Yorkshire by the Royalist troops under the Duke of Newcastle; while in the west Sir William Waller experienced one crushing defeat after another, and with the loss of Bristol (26th July) the cause of the Parliament in that quarter seemed almost hopelessly ruined. Only in the eastern counties and in Lincolnshire, where Cromwell was in command, was there anything like distinct and continuous success. In these circumstances the English Parliamentary leaders resolved to ask assistance from Scotland, and with a view to this proposed to conclude a formal treaty with that country.

Accordingly at the meeting of the General Assembly in August, 1643, the younger Sir Harry Vane and three other members of the House of Commons, along with two ministers, made their appearance as commissioners from the English Parliament to enlist the sympathy and help of their northern brethren. They announced the fact that they were anxious for a reformation of religion in England, and that a number of divines were assembled at Westminster to deliberate upon the matter, who were desirous of aid from Scotland in the way of counsel and co-operation; and they asked the General Assembly both to appoint commissioners to act along with these divines, and also to use their influence in procuring material help for the Parliamentary party in England. In addition to this appeal a letter was presented by the commissioners signed by more than seventy ministers "supplicating," as Baillie says, "in a most deplorable style, help in their present most desperate condition."[1] So lamentable indeed was their story that we learn from the same authority that the letter when read drew tears from many eyes. All in the Assembly were convinced that it was impossible to refuse to intervene at this critical time in the contest between the King and the Parliament; and the only question was as to whether they should attempt to mediate between the conflicting parties, or openly take the side of the English Puritans. The policy of mediation would probably have been decided upon; but the futility of it was so clearly set forth by Johnstone of Warriston that it was abandoned, and the momentous decision was arrived at to conclude an alliance with the Parliamentary party. The English commissioners were anxious that this should take the form of "a civil league," but

[1] *Letters*, vol. ii. p. 89.

the General Assembly would hear of nothing but "a religious covenant," and ultimately they got their way.[1]

The causes which moved the people of Scotland, who had assured Charles I. on the occasion of his last visit to them of their contentment, to range themselves on the side of his enemies have been differently estimated by different writers. Nothing had happened since that declaration was made to undermine their security, or to threaten the overthrow of their dearly prized liberty. Dr Gardiner suggests that the Covenanting leaders were urged by political considerations to support the movement in favour of an alliance with the English Parliament. "Amongst the Presbyterian leaders," he says, "Argyll, at least, was clear-sighted enough to perceive that Charles's triumph over Pym would inevitably be followed by a reaction in Scotland, supported by the bulk of the nobility through jealousy of the new organization of the middle-classes and of the power of the Presbyterian clergy."[2] Yet there does not seem to be evidence to prove that any such considerations had weight with those who advocated and supported the alliance in question.

The General Assembly, in their unanimous decision to enter into a religious covenant rather than a political league, made it quite evident that they regarded the line of action on which they entered as likely to promote the interests of religion, and, whether their judgment was sound or false, there can be no doubt that this was the end they had in view. The idea that Episcopacy was a human though a very ancient invention, and essentially pernicious in character, and that Presbyterianism was the only lawful form of Church-government, was deeply engrained in their minds, and they could not resist the temptation to take advantage of what seemed an almost Divine call to establish it in England. Had they proposed to do so by means of persuasion, no fault could have been found with their procedure, but unfortunately the decision to send an army into England, conditionally upon the religious part of the programme being accepted, was virtually a repetition of the attempt which Charles I. had made and been forced to abandon, to promote the cause of religion at the point of the sword.

The most usual explanation of the eagerness of the people of Scotland to enter into this alliance with the English Parliament is that they were persuaded that if Charles I. succeeded in overcoming his enemies, he would speedily withdraw the concessions

[1] Baillie, *Letters*, vol. ii. p. 90. [2] *Civil War*, vol. i. p. 265.

he had been compelled to make in Scotland, and re-establish both the Episcopacy and the absolute government under which the nation had groaned. According to this view of matters they broke their contract with him on the ground that he might possibly at some time break it with them. But very little support for such a theory can be found in the literature which reflects the opinions and feelings of the nation at that time. Occasionally there are faint allusions to some such danger; but certainly there is nowhere to be found any trace of the panic-stricken fear which such a surmise would need to excite in order to force a people into immediate warfare in self-defence. The Solemn League and Covenant, when first read over to the General Assembly, "was received," says Baillie, "with the greatest applause, and with heartie affections, expressed in tears of pitie and joy by verie manie grave, wise, and old men. . . . In the afternoon with the same cordiall unanimitie it did passe the Convention of Estates." [1] Nothing but keen religious feeling could have produced such an effect upon the General Assembly; and there is no reason to doubt that the dominant political party with which the Church was in alliance were to a very large extent affected by the same influence. Some shrewd and cool-headed politicians among those who then guided public affairs in Scotland may have had but little interest in the movement as a religious crusade, while they heartily approved of it as securing the co-operation of the people of Scotland with the political faction in England, with whose aims they were in sympathy. Theoretically, England might be described as an adjoining kingdom from whose affairs at this period it was possible and desirable for the people of Scotland to keep aloof. But practically it was found impossible to maintain this attitude of isolation; and when once it became clear to all concerned that mediation between the victorious Royalists and the hard-pressed Parliamentary party was out of the question, Scotland felt constrained to cast in her lot with those who were struggling to secure the same rights and privileges which she had won. And so the course which the religious enthusiast welcomed appeared also to the politician of Laodicean temper as highly desirable.

The question as to the moral character of their procedure towards Charles I. is but seldom considered by those who sympathize with the action of the Covenanting leaders at this

[1] *Letters*, vol. ii. p. 90.

crisis in Scotch history. They had obtained from him concessions which amply satisfied their demands, and, had they not chosen to take part in the civil war in the neighbouring kingdom, there seems no reason to believe that they would ever again have been in hostile relations with their Sovereign.[1] When the Covenanting leaders chose to break the contract with the King, they released him and his successors from obligation to abide by the concessions which had been made in 1641 to the demands of the people of Scotland, and they prepared the way for the truculent legislation of twenty years later which swept all traces of them from the statute-book. "Woe be to you, Presbyterians especially," said Milton, "if ever any of Charles's race recover the English sceptre. Believe me, you shall pay all the reckoning." [2]

The deliberations of the General Assembly with regard to the alliance with the English Parliamentary party were brought to a conclusion by the adoption of the Solemn League and Covenant, in which both nations bound themselves to join together "to preserve themselves and their religion from utter ruin and destruction." This document was largely based on the Scotch National Covenant of 1638, and it pledged those who accepted it to maintain the Church as it then existed in Scotland, and to endeavour to secure uniformity between it and the Churches in England and Ireland, by reforming the latter "according to the word of God, and the example of the best reformed Churches." [3] The vagueness which characterized the description of the nature of the religious reformation to be undertaken in England and Ireland was due to the influence of Vane, who was anxious to avoid pledging the English people to a servile imitation of the Church of Scotland. His desire, as Baillie phrased it, "to keep a door open in England for Independency," [4] and to secure for the Parliament a large measure of control over the Church, which was inconsistent with the theory of Presbyterianism, indicated points of divergence from

[1] This view of matters was afterwards very forcibly expressed by Montrose in a conference with some ministers before his execution. "But when," he said, "the King had granted you all your desires, and you were every one sitting under his vine and under his fig-tree, that then you should have taken a party in England by the hand, and entered into a league and covenant with them against the King, was the thing I judged it my duty to oppose to the yondmost [uttermost]" (*Dict. Nat. Biog.*, "James Graham, Marquess of Montrose").

[2] Quoted in Morison's *Johnston of Warriston*, p. 119.

[3] Peterkin, *Records*, p. 362.

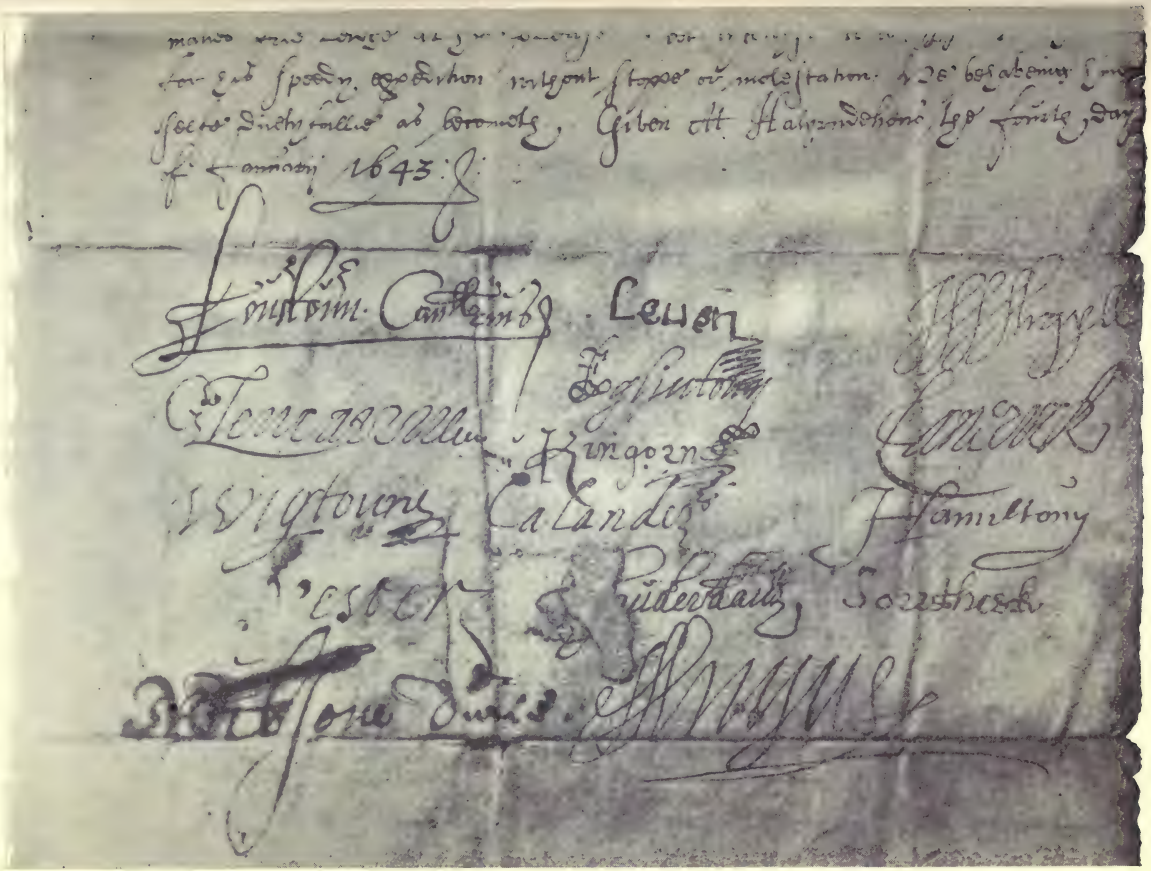
[4] *Letters*, vol. ii. p. 90; Burnet, *Dukes of Hamilton*, p. 307.

the Scotch model which afterwards came more clearly into view. The Solemn League and Covenant also provided for the extirpation of Popery and Episcopacy, for the maintenance of the rights and privileges of the two Parliaments, and for the punishment of "incendiaries and malignants," by whom were to be understood all persons hostile to the objects which the contracting parties declared it to be their purpose to promote.

The Covenant, after being ratified by the Estates,[1] was sent up to London, and on the 25th September, 1643, it was solemnly sworn to with uplifted hands by the members of the Assembly of Divines, and of the House of Commons together with those of the House of Lords who still adhered to them, at St Margaret's, Westminster.[2] It was then sent down to Scotland, where it was in like manner sworn to by the Committee of the Estates and the Commission of the Assembly, and issued for acceptance by the nation at large. The way was now open for the people of Scotland to enter into active co-operation with the English Parliament in the warfare which had hitherto been waged with such varying success. They undertook to supply an army of eighteen thousand infantry, three thousand cavalry and a train of artillery, and required payment of £30,000 Sterling a month from their English allies. The Earl of Leven was appointed to the chief command, and his nephew, David Leslie, who ultimately proved the abler soldier of the two, received the post of Lieutenant-General.

A very curious and unexpected suggestion had been made with regard to the office which was bestowed upon David Leslie, and that was to offer it to the Earl of Montrose, who was at this time known by many to be out of humour with the King, and whose military reputation was of a high order. Had he been won over to the Covenanting party, the risk of a Royalist rising in Scotland would have been virtually at an end. In July, 1643, when there was a prospect that an army would be sent into England, Baillie says that Argyll and his associates would have been content in the public interest to overlook Montrose's past behaviour and employ him, but that they found him "verie double," and that negotiations with him turned out to be fruitless.[3] The fact of the matter was that Charles I. was at this time under the influence of Hamilton,

[1] Baillie, *Letters*, vol. ii. p. 91; *Acts of Parliament of Scotland*, vol. vi. p. 47.
[2] Gardiner, *Civil War*, vol. i. p. 275. [3] *Letters*, vol. ii. p. 74.



Signatures of the Marquess of Argyll and other Members of the Committee of Estates in 1643 : see Preface.

upon whom he had just conferred a Dukedom.[1] The latter assured him time after time that there was no ground for fearing any danger from Scotland, and had pledged himself to that country's remaining loyal to him.[2] The information which Montrose gave the King of the critical state of affairs in Scotland, and his repeated assertions that it was only by prompt and vigorous action that a fresh invasion of England by a Covenanting army could be averted, were ignored, and he found himself treated as a mere hot-headed dreamer.

In these circumstances overtures were made to him by the Covenanting party, and no effort was spared in the attempt to entice him to cast in his lot with them. They offered to pay all his debts, which were considerable, and to give him the second place in the army which they proposed to raise, as Lieutenant-General to the Earl of Leven. Montrose, it is almost certain, had no intention of accepting the tempting proposal, but he protracted the negotiations for some time, probably in order to discover as much as possible of the plans which the Covenanters had in view. When he had assured himself that actual invasion of England was contemplated, he broke off the negotiations and withdrew to join the King at Oxford. It was not until the Covenanting leaders began their military preparations that the eyes of Charles were opened to Hamilton's treachery or fatuity, and to the fact that Montrose had been right from the first. After a formal enquiry into the conduct of the Duke he was sent as prisoner to Pendennis Castle in Devonshire, and afterwards to St Michael's Mount in Cornwall, where he remained until he was liberated in April, 1646, by the Parliamentary forces.[3]

It was not until the month of January, 1644, that the second invasion of England by a Covenanting army took place. Argyll had command of a portion of the cavalry, and in addition to this military office he was a representative of the "Committee of Both Kingdoms," which had been appointed to control the war.[4] His English colleague was Sir William Armyne, who had been

[1] Burnet, *Dukes of Hamilton*, p. 287.

[2] "He gave the King many assurances and undertakings that he would at least keep that people from doing anything that might seem to countenance the carriage of the Parliament" (Clarendon, *History*, vol. ii. p. 89; Napier, *Life of Montrose*, vol. ii. p. 376).

[3] Napier, *Memoirs of Montrose*, vol. ii. p. 381; Guthry, *Memoirs*, p. 131; Burnet, *Dukes of Hamilton*, p. 321.

[4] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 177.

a commissioner to the General Assembly in Edinburgh along with Sir Harry Vane when the aid of the northern kingdom was solicited by the Parliament. A Committee of the Estates was also present with the army, according to an arrangement which had been found convenient on previous occasions, by which part of the executive Government was appointed to accompany the forces in the field, and part to remain in the capital.

We have now reached the culminating point of Argyll's life. The day when he set out, clothed with civil authority, and entrusted with military office in the army which expected and was expected to play a decisive part in securing victory for the English Parliament, must have afterwards seemed to him to mark the acme of the success as a statesman which he was to win. Up to now every political scheme which he had proposed, or to which he had given his aid, had prospered marvellously and attained the purpose aimed at; but now he had embarked upon a larger and more dubious undertaking, which he had a considerable share in launching. Had he been a pagan he might have dreaded lest the gods, envious of his previous good fortune, should abase him; and might have offered costly sacrifices to propitiate their favour. But we may firmly believe that such thoughts were far from his mind, and that he was convinced that the heavenly powers themselves had espoused the cause to which he and his party had persuaded the nation to commit itself. "All things," wrote Baillie at this time, "are expected from God and the Scotts";[1] as though there were no doubt but that the national policy was divinely sanctioned. All were yet to learn the truth of the words of ancient prophecy: "'My thoughts are not your thoughts, neither are your ways My ways,' saith the Lord."

The main body of the Scotch army crossed the Tweed at Berwick on the 19th of January, when the ice was so thick upon the river as to allow a passage over for their heavy baggage. Their first task was to drive the Royalist forces out of the north of England, and it was confidently expected that they would in a short time take possession of Newcastle and put an end to the coal famine which had been keenly felt in London. The Royalist general with about four or five thousand men was stationed at Alnwick, and on the 20th of January he received from Argyll and his colleague by a trumpeter a copy of the Solemn League and Covenant and a statement of the reasons of the present invasion.

[1] *Letters*, vol. ii. p. 114.

On consulting with the gentlemen of the county as to the course to be followed he came to the conclusion that resistance at that point was hopeless, and, after destroying the bridge across the river on which Alnwick is situated, he fell back upon Newcastle. As the Scotch army marched along the coast, Argyll gained possession of a small fort on Coquet Island and put a garrison into it. He took seventy officers and men prisoners, and captured seven pieces of ordnance and a large quantity of ammunition and stores.[1]

Before the invading troops, however, reached Newcastle on 3rd February the Marquess of Newcastle had entered the town with a considerable body of soldiers. The Earl of Leven soon discovered that he would not be able to repeat the easy victory he had won on the occasion of his last attack upon the town. The ford at Newburn was strongly fortified, and the south side of Newcastle, which had formerly been its vulnerable part, was now thoroughly strengthened against assault. In answer to the summons to surrender sent by Argyll and Sir W. Armyne, the Mayor announced that he and other inhabitants of the town "intended to hazard their Lives and Fortunes" in the defence of it. It was now found that a regular siege would be necessary; and as the Earl of Leven was indisposed to lock up the whole of the Scotch army, from which so much was expected, in that task, after three weeks' delay he left part of his forces to conduct the siege, and marched south into Durham, crossing the Tyne near Hexham by fords which the enemy had found it impossible to defend. On the 4th of March he entered Sunderland without opposition. The Marquess of Newcastle was now strengthened by joining with the troops in Durham, and by the accession of a large force from Yorkshire under Sir Charles Lucas, so that he was able to approach within three miles of Sunderland with ten thousand horse and foot. But after the two armies had been drawn up face to face for a day's time, the English commander fell back upon the city of Durham. A great snowstorm hindered their opponents from molesting them in their retreat. Leven now resolved to withdraw his army to the country between the Tyne and the Wear and to assail the positions which guarded the mouth of the Tyne, and thus aid in the isolation of the town of Newcastle which he had begun to besiege. On the 20th March he succeeded in storming the fort which had been erected for the defence of South Shields. At

[1] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 183.

this point of the campaign, however, the Marquess of Argyll was recalled to Scotland, and we have consequently to follow the course of events in that kingdom in which he took part. We therefore content ourselves with saying that Newcastle was not taken by the invaders until 22nd October, 1644; but that in the meantime the part of the army not engaged in the siege had co-operated with the forces of the Parliament in winning a great victory over the Royalists at Marston Moor, four miles from York, on 2nd July, and had compelled the surrender of that city a fortnight later. Thus, when in November Leven returned to Scotland, having left his army in winter quarters in Newcastle and the neighbourhood of it, he had the satisfaction of knowing that in the nine months' campaign he had secured the north of England, from the Tweed to the Humber, for the English Parliament.[1]

The matter which recalled the Marquess of Argyll from the army in England was a Royalist outbreak in the north of Scotland, of which his brother-in-law, the Marquess of Huntly, was the moving spirit. The latter had been instigated by the King, who promised aid in the hope of setting on foot such a serious rebellion against the usurped power of the Estates, who were now making war on him, that they would be forced to withdraw their army in England to defend themselves at home. Other parts of the scheme, soon afterwards unfolded, were an expedition into Scotland under the Earl of Montrose, and the carrying out of the long threatened invasion of the West Highlands by an Irish army.

The Marquess of Argyll left Sunderland about the 20th of March and came by sea to Edinburgh, where the Committee of the Estates was sitting daily to deliberate and act in the present anxious crisis of national affairs. The main body of the troops available for the defence of the country was employed in England. The smouldering disaffection of the party in Scotland which refused to acquiesce in the Solemn League and Covenant might now therefore burst into flame; while the present seemed the very moment which their enemies were likely to choose as suitable for invasion from abroad.

A week before Argyll reached Edinburgh the Marquess of Huntly had openly and formally set on foot the rising of the Royalist party in Scotland, for which all things seemed prepared.

[1] For fuller information concerning the above and other campaigns of the Earl of Leven, we refer our readers to Mr Terry's admirable volume, upon which we have drawn freely in the above and preceding pages.

He issued a declaration announcing his intention to resist by force all attempts to compel him to pay the war-tax, or to aid in the levying of troops for the Estates; and he followed up this declaration immediately by gathering together all the soldiers at his disposal and along with his friends and partisans taking possession of the city of Aberdeen. His hopes were that simultaneously Montrose would invade the south of Scotland, and the Irish troops would be landed in the west; and that the Estates would be so perplexed by the attack from three different quarters as to be unable to act effectively against him. Some of his men went south as far as the town of Montrose, which they plundered, and left, as the historian says, "in woful cace,"[1] in time to escape falling into the hands of Argyll, who had received a commission from the Estates to act as Commander-in-Chief of the forces to be employed in the suppression of this rebellion. On the 26th of April he rode quietly into Dunnottar, with about thirty-two horse, and awaited there the arrival of the forces from Perthshire and from Ireland that had been appointed to act under his orders.[2] In the meantime Montrose attempted to carry out his part of the scheme, crossed the Border with a small force of eight hundred horse and foot and occupied Dumfries; but on finding that no support was given him locally, and that effective resistance would be offered him, he retired hastily to England.[3] The delay that occurred in despatching the Earl of Antrim's Irish soldiers for the invasion of Argyllshire gave the crowning blow to Huntly's plans, and he was left alone to bear the brunt of the failure of the undertaking on which he had entered with great confidence of success.

In a very short time nearly five thousand two hundred men were at the disposal of Argyll from his own territory and from Fifeshire, Perthshire, and the Mearns, whilst eight hundred more were expected from the Scotch forces still in Ireland. In proportion as the forces of the Estates increased those of Huntly dwindled away; and soon the utter hopelessness of his enterprise became evident to him and his associates. He accordingly lost no time in withdrawing to his house at Strathbogie, and shortly after he escaped by sea to Sutherland, where he remained "sore against his will"[4] for the next eighteen months. The army of the Estates

[1] Spalding, *Memorialls*, vol. ii. p. 348. [2] *Ibid.*, vol. ii. p. 349.
[3] Gardiner, *Civil War*, vol. i. p. 395.
[4] Spalding, *Memorialls*, vol. ii. p. 332. He sought refuge in Strathnaver in the deserted house of Lord Reay, chief of the Mackays, himself at this time besieged in Newcastle (Napier, *Life of Montrose*, vol. ii. p. 414).

passed through Aberdeenshire and Banffshire, and found some consolation for their want of success in capturing the author of the insurrection that had so speedily died down at their approach in plundering the houses and farms of those who had been involved in it. Among the places thus pillaged was the house of Irving of Drum, whose eldest son had been Huntly's right-hand man in the abortive rising. He was married to a daughter of Huntly's, and consequently his wife was Argyll's niece. This circumstance, however, was not allowed to hinder the infliction of punishment. The household was very summarily broken up; and we are told that the two ladies, the wife of the old laird and his daughter-in-law, fled away "with grey plaidis on their heads"[1] on two farm-horses into Aberdeen, a distance of some twelve miles. It was easy for those who on other grounds objected to Argyll's proceedings to represent this as an instance of special harshness, and to say that he might at least have shown compassion to his own niece; but, in this as in all wars, the innocent on both sides were often involved in suffering with the guilty, and it was hardly to be expected that the family of one of the chief offenders should get off scot-free.

Before Argyll left the north of Scotland he made every arrangement possible to hinder another insurrection from being organized in the same district. Considerable rewards were offered for the apprehension of the leaders of the late rising either living or dead. Full lists of disaffected persons in the counties of Aberdeen and Banff were drawn up, and those of them who could find security were bound over to keep the peace, while those who could not were imprisoned. Some of the regiments that had been gathered for this expedition were now disbanded, but several bodies of troops were left in Aberdeen and the adjoining district. Among the latter a regiment of Argyll's Highlanders was stationed at some distance from the city, and yet within the county of Aberdeen, where they would be available in case of need. The sum of £1000 Sterling was imposed upon the city, subject to the ratification of the arrangement by the next Parliament, as their contribution towards the expenses of the expedition. On Tuesday, the 28th of May, the magistrates of Aberdeen gave expression to their gratitude for the labours of Argyll and his colleagues by conferring upon them the freedom of the city. A suggestion of festivity in the proceedings is given by Spalding's brief record of the fact; for, after

[1] Spalding, *Memorialls*, vol. ii. p. 354.

mentioning the names of the new burgesses, he says that they "gat the wyne liberally."[1] In the account the same writer gives us of Argyll's departure from the city we have a very vivid picture of the profound respect paid to him by the inhabitants of all ranks. His words are as follows:—"Thir [those] things done, the Marquess of Argile, upone Frydday the last of May, took his leive of Aberdein, quhair all this time he wes lodgit in the prouest Patrick Leslie's houss most honorablie. And when he went to horss, he wes convoyit with nobles, barronis, burgesses, bair heidit for the most pairt; so heichlie wes he in thir dayis exalted, litle inferiour to ane king."[2] He now returned to Edinburgh after successfully accomplishing the task given him of suppressing the attempt at rebellion in the north, though, in the opinion of some, the fact that Huntly had not been captured detracted a little from the glory of the expedition, and from his credit in conducting it.

We have now come to the period in Argyll's life in which he entered upon an open struggle with his rival Montrose, and in which his inferiority to that brilliant soldier as a military commander became manifest. It was said of a descendant of his in the early part of the eighteenth century, the second Duke of Argyll—

> "Argyll, the state's whole thunder born to wield,
> And shake alike the senate and the field."[3]

But to the Marquess this double portion of capacity had not been given. The senate rather than "the field" was the sphere in which he was at home. Dr Gardiner goes so far as to say: "He was absolutely without personal courage: he could not look upon a hostile array without being overcome by sheer terror."[4] But this is to be taken more as one of those over-statements by which historians sometimes heighten the effect of their descriptions than as well based in fact. So far as being engaged in martial enterprises is concerned, it would be much nearer the mark to speak of him as a man of war from his youth. His position as the head of a powerful Highland clan marked him out as leader in all military undertakings that might be entered upon by it; and, in addition to this, the circumstances of his time led to his being repeatedly called by the State to maintain with the sword claims and liberties which had been

[1] Spalding, *Memorialls*, vol. ii. p. 372.
[2] *Ibid.*, vol. ii. p. 374.
[3] Pope, *Epilogue to the Satires.*
[4] *History*, vol. viii. p. 372.

asserted in proclamations and in decisions of Parliament. In the narrative prefixed to a commission giving him a command of forces to be employed in Ireland in 1642, he is said to be worthy of the honour and trust because of "his resolute and courageous appearance for His Majesty's interest at all occasions."[1] He was scarcely, therefore, the "decadent" he is represented to have been by the modern historian. Yet, in spite of his familiarity with war, the conduct of military operations was a task for which he had but little aptitude; and, when the responsibility was laid upon him of carrying on a serious campaign against an enemy commanded by a skilful, daring, and inventive soldier of genius like Montrose, it is not surprising that he proved unequal to the burden. It is no disgrace for an able statesman to be devoid of great military skill, though the combination of the varied gifts which lead to eminence in the two departments always excites in a high degree the admiration of beholders. The position which Argyll occupied as a leader in the political world, and as the chieftain of a clan, led to his endeavouring to sustain the parts of a statesman and a soldier, for but one of which he had the special gifts necessary for success.

[1] *MS. at Inveraray Castle.*

CHAPTER XI

Montrose appointed by Charles I. Lieutenant-General for Scotland—He enters the Country in disguise—Takes command of the Troops from Ireland—Battle of Tippermuir—Occupation of Aberdeen—Argyll resigns his Commission—Montrose invades Argyllshire—Battle of Inverlochy—Montrose excommunicated and declared a Traitor.

EARLY in 1644 Charles I. had conferred upon the Earl of Montrose, to whom he soon after gave the rank and title of a Marquess, a commission as Lieutenant-General to himself for Scotland; and he had arranged with him to carry the war if possible into that country, and to compel the recall of the Covenanting troops now in England.[1] His first attempt, to which we have already referred, was a failure, and for a couple of months he gave what help he could to the Royalist cause in the north of England. He then applied to Prince Rupert for aid, but, unfortunately for the success of his request, it was made the day after the disastrous battle of Marston Moor, and he was told that not a man could be spared to assist in the projected expedition. He therefore resolved upon the daring scheme of entering Scotland with but two companions, and of making the attempt to rally together and employ the Royalist forces, of which Huntly had made such poor use on the recent occasion of his rising against the Covenanters. He hoped also to be joined by Irish troops despatched by the Earl of Antrim, which had been some time overdue. Accordingly on 18th August he set out from Carlisle, accompanied only by Sir William Rollo and Colonel Sibbald, of the latter of whom we have heard before in connexion with the seizure of Airlie Castle by Argyll.[2] As all the passes and main roads in Scotland were guarded by the Covenanters, it was necessary for the three adventurers to be carefully disguised, in order to make their way into the heart of the country. Montrose was dressed as a groom and pre-

[1] Napier, *Life of Montrose*, vol. ii. p. 587. The date of the patent conferring a Marquessate is Oxford, 6th May, 1644.

[2] See p. 105.

tended to be Colonel Sibbald's servant, behind whom he rode leading a spare horse. The two others gave themselves out to be Covenanting soldiers. In four days Montrose made his way from the English Border to the house of a kinsman in Perthshire, at Tullybelton, about four miles south of Dunkeld. Here he received news confirming what he had already heard of the utter failure of Huntly's attempt at insurrection, and of the flight of that chieftain into Sutherland.[1]

A definite direction was given to his plans by the news which came to him that sixteen hundred Irish troops had already landed and were wandering about the Highlands. These were under the command of Alexander MacDonald or Colkitto, a cousin of the Earl of Antrim's,[2] who had arrived at Ardnamurchan early in July and hoped to receive aid from his kinsmen in that part of the Highlands, who were hereditary enemies of Argyll and his clan. The MacDonalds, however, did not dare to join him; and so, after wasting the lands of the Campbell tenants for about forty miles, Colkitto resolved to return to Ireland.

But when he came to the coast he found that the Campbells had burned his ships and that his retreat was cut off. With great courage he resolved to make his way into the territory of Huntly, and to summon the Royalists to join his standard. But from one quarter after another he encountered refusals and rebuffs; and in the meantime the forces of the Covenant were being summoned to overwhelm him.[3] The Royalists in the territory through which he passed doubted his commission, and they were disinclined to serve under a man whom they regarded as an upstart and not of noble descent. By the time that the Irish troops had arrived in Athol three armies were prepared to annihilate them: one under Argyll from the west was close upon them, another under Lord Elcho in Perth on the south-east blocked up their way down the Tay valley, while the forces collected at Aberdeen to the north-east closed Deeside to them. In this alarming and critical juncture of their affairs, Montrose, of whose presence in Scotland they were not aware, appeared

[1] *Deeds of Montrose* (Murdoch and Simpson), chap. iv. The judicious reader will take the statements of Wishart, Montrose's chaplain and biographer, *cum grano salis*. Malcolm Laing perhaps goes a little too far in describing him as "that fabulous writer" (*History of Scotland*, vol. iii. p. 328).

[2] "Colkitto" was a nickname applied both to Alexander MacDonald and to his father, the chief of Colonsay.

[3] Wishart, *Deeds of Montrose*, chap. v.; Gordon, *Britane's Distemper*, p. 72.

before them in Highland dress,[1] accompanied only by a single companion as guide, and was received with transports of joy as if he had been their guardian angel. He raised the royal standard and sent round the fiery cross to summon the Royalist clans, and in a short time found himself at the head of three thousand men; for many who would have resisted the Irish strangers were willing to serve with them under the King's Lieutenant-General.

In order to avoid being crushed between two armies Montrose resolved to attack the nearer of them—that under Lord Elcho—and to gain possession of Perth. The engagement between the hostile forces took place on the plain of Tippermuir, three or four miles west from that city, on Sunday the 1st of September. The Covenanting army was more than twice the size of that under Montrose, but it consisted of inexperienced citizens and peasants, while their enemies were for the most part men inured to war and exposure and hardships. The military tactics which Montrose employed were of the simplest and most effective kind. He drew up his men in line, three-deep, and thus by presenting a very long front to the enemy gave them the idea of having to do with a formidable army. Those of his soldiers who had muskets were instructed not to waste their scanty ammunition, but to reserve their fire until they were within short range of the enemy; while those who had no muskets provided themselves with stones to be used as missiles. The battle was soon over. The volley of shot and of stones threw the Covenanting troops into confusion, and before they could recover from it a wild charge of the enemy, sword in hand, put them to flight. The pursuit of the fugitives spread over six or seven miles, and in the course of it two thousand were slain, while the loss of the victors was very slight. Montrose now gained possession of Perth, but he made no attempt to retain the city.[2] He was anxious to defeat the second of the Covenanting armies before the arrival of the third of them under Argyll; and accordingly after three days' delay he went northward in the direction of Aberdeen. His Highland soldiers returned to their homes with the plunder they had secured; but the fresh forces which came in from Angus and the Mearns to join Montrose provided him with an army of fifteen hundred infantry and a small body of cavalry wherewith to assail Aberdeen.

[1] *i.e.*, according to Spalding, with "coat and trewis" (*Memorialls*, vol. ii. p. 409).

[2] Wishart, *Deeds of Montrose*, chap. v.; Spalding, *Memorialls*, vol. ii. pp. 385, 402; Gordon, *Britane's Distemper*, p. 65.

It was not until the eleventh day after the battle of Tippermuir that Argyll's troops entered Perth; but this fact affords no ground for the malicious suggestion that has sometimes been made that he was unwilling to come into close quarters with Montrose. The movements of a regular army must, in ordinary circumstances, be necessarily slower and more deliberate than those of a flying column such as that which Montrose now commanded. So far from inspiring fear Montrose's case must have seemed utterly hopeless, until by the battle before Perth he showed what could be done with a small force of irregulars carefully handled. The impression thus created was deepened and intensified by the series of engagements which he fought so brilliantly in the course of the next few months; but, up to the time of Tippermuir, Argyll was much more likely to have commiserated the fate which his rival seemed to be preparing for himself by his desperate venture than to have been alarmed by the thought of his succeeding in it.

Shortly after Montrose left Perth on his northward journey, one of his principal supporters, Lord Kilpont, the eldest son of the Earl of Airth and Menteith, was murdered in his camp, and the assassin, James Stewart of Ardvoirlich, fled to Argyll. In his version of the story a different colouring was given to the incident. He said that he had repented of having joined the rebels, that he had determined to leave them, and that the quarrel with Kilpont had arisen from his suggesting to him to join him in deserting Montrose. He asserted that the act of homicide was one of self-defence; and from the Committee of Estates, if not from his own conscience, he received a sentence of approval for what he had done. The rank of major in Argyll's army was also conferred upon him. It was, indeed, unfortunate that a man who lay under grave suspicion of being an assassin should have met with a favourable reception on joining the opposite party. The fact that he did does not necessarily cast a slur upon the cause of the Covenant, which was, from its very nature as a religious bond, hostile to iniquity of every kind. It is rather to be taken as an illustration of the bitterness of feeling and lack of generosity which are so often manifested when civil war has once been entered upon. The rights of the enemy as belligerents come in such cases to be denied, and the hostile parties tend to regard each other rather as vermin to be exterminated in any way and at any cost than as honourable opponents. The guilt of condoning a crime, if crime there was in the present case,

about which a cloud of uncertainty hangs, does not rest upon Argyll alone, as unscrupulous partisans of Montrose are in the habit of asserting, but upon the whole Committee of Estates, who passed an Act approving of Stewart's conduct in the affair.[1]

The same remark has to be made concerning a proclamation published in Edinburgh on the 12th September, the day after Argyll entered Perth, by order of the Committee of Estates, setting a price upon Montrose's head. This is often spoken of as if it were an act of private malice on the part of Argyll towards his rival; but it both formally and really emanated from the Government of Scotland and was directed against one who in the eyes of that Government was a public enemy. The proclamation offers £20,000 Scots [£1666, 13s. 4d. Sterling] in money to the person who should apprehend Montrose, and "exhibit him alive before Parliament or the Committee of Estates," or who should "exhibit his head, if he should happen to be slain in the taking"; and it suggests that the attempt should be made by one of those now in the army of Montrose by promising a free pardon to the person who might earn the reward for all concurrence in this rebellion, and for any other crimes of which he might be guilty.[2] Public feeling at that time was not sufficiently sensitive or refined to condemn the issuing of such a proclamation; and, seventy years later, a somewhat similar proposal with regard to the Pretender found advocates in the House of Lords. No charge of special barbarity can therefore be brought against the Committee of Estates for their action on this occasion; though we should have desired that a government so much under ecclesiastical influence had exhibited a little more of the Christian spirit, which has inspired chivalrous feelings even in warfare, and has striven to render justice less harsh in its procedure.

In the meantime, however, Montrose hastened towards Aberdeen, in order to defeat, if possible, the Covenanting army there before the forces under Argyll could overtake him. On 13th September he appeared before it on the western side. His opponents were about two thousand five hundred in number, and were for the most part from the south of Scotland; but, though they were more numerous than the attacking army, there was no general among them of any experience or ability who

[1] *Acts of Parl. of Scotland*, vol. vi. p. 359; Wishart, *Deeds of Montrose*, chap. vi.
[2] Napier, *Memorials of Montrose*, vol. ii. p. 163.

could cope with Montrose. After a fierce struggle of a couple of hours the forces of the Covenant were defeated and put to flight, and both the victors and the shattered remnants of the defeated army poured into the city. The scenes of brutality and cruelty that followed are indescribable. Before the battle Montrose's messenger who summoned the inhabitants to surrender had been accompanied by a little drummer-boy. As they passed a body of the enemy's cavalry on their return one of them shot the lad, and so exasperated was Montrose by this act of treachery that he promised his soldiers the plunder of the city. Twice before had he scourged Aberdeen as a Covenanter, and now he repeated the process as a Royalist; but nothing had occurred in the civil war either in England or Scotland which for sheer horror could be compared with what went on for days in Aberdeen after the battle of the 13th September.[1] The admirers of Montrose glide swiftly over this episode in his history; but his conduct in letting loose a horde of savages upon the defenceless inhabitants of that city leaves an indelible stain upon his name. Probably few of those who are horrified at the ruthless treatment which he himself received when he was taken prisoner and executed have put themselves to the trouble of enquiring into the causes of the bitter hatred which was manifested towards him. If they were to do so, they would find that it dates from the time of which we are now speaking. In the proclamation which put a reward upon his head he was accused of having joined with "a Band of Irish rebels who had two years before bathed themselves in the blood of God's people in Ireland";[2] and, the very day after the proclamation was issued, the soldiers who were regarded with such terror were allowed to perpetrate every sort of crime upon the inhabitants of Aberdeen. On later occasions Montrose showed himself generous and merciful in his own conduct, though he was often unable to restrain the bloodthirsty excesses of his followers;[3] it is all the more, therefore, to be deplored that on this occasion he should have tarnished his laurels by being guilty of such a frightful crime as that of giving over the unoffending men and women of a captured city as a prey to his brutal soldiery.

The military exploits which Montrose had accomplished

[1] Spalding, *Memorialls*, vol. ii. p. 406; Gordon, *Britane's Distemper*, p. 80.

[2] Napier, *Memorials of Montrose*, vol. ii. p. 163.

[3] "Having no pay to give them he durst not exercise that severity of martial discipline which had been otherwise necessary" (Burnet, *Dukes of Hamilton*, p. 354).

within less than a month of his entering Scotland were astonishing in the highest degree. In that brief time he had raised an army, fought two battles, defeated forces far superior to his own in number and equipment, and taken Perth and Aberdeen; and, but for the fact of his Highland soldiers having returned to their homes with the plunder they had secured, there is little doubt that he would have defeated the forces under Argyll, who was in command of the third army of the Covenanters. His hopes of receiving aid from the Gordons were disappointed. The family of Huntly were divided, for two of his sons were serving with their uncle Argyll, and a third was engaged on the Royalist side in England; while their father, who had himself been appointed Lieutenant of the North of Scotland, showed no inclination to acknowledge the higher commission bestowed upon Montrose, or to aid him in his present enterprise. Montrose found it necessary, therefore, to alter his tactics, and, instead of fighting a pitched battle, either by attacking his opponents or by waiting to be attacked by them, he determined to tire them out by rapid movements from place to place. His forces were exactly adapted for strategy of this kind, while those of his opponents were too cumbrous in their operations to excel in it, and they were besides under the command of a general whose cautious and deliberate modes of procedure incapacitated him for dealing effectively with an agile and cunning antagonist.[1]

There is no need for us here to follow the long, weary chase which Montrose led Argyll for a couple of months, from Kintore, to which he had withdrawn after taking Aberdeen, to the Spey, and then south into Badenoch, through Athol and Angus, and across the Grampians to the seat of the Gordons at Strathbogie. No discredit necessarily attaches to Argyll for being unable, with the number of men at his disposal, to circumvent his enemy. He would have needed an army several times the size of that under his command to complete the task he had undertaken; and those who taunted him with omitting to take advantage of opportunities of striking a decisive blow, or who repeat such taunts from Royalist narratives of the campaign, have but an imperfect idea of the kind of warfare which was being waged. In recent times we have had knowledge of generals, far more skilful than Argyll, who could have made no headway against an enemy adopting tactics similar to those of Montrose without having an overwhelming number of troops and an unlimited

[1] Wishart, *Deeds of Montrose*, chap. vii.

treasury at their disposal.[1] Once at Fyvie Castle did Argyll almost entrap his opponent, who after a sharp skirmish succeeded in escaping. It was now winter, and Argyll determined to suspend operations for a time. After sending his cavalry into winter quarters he lay at Dunkeld with his infantry; but he withdrew to Perth, where there was a strong garrison, to avoid an assault by Montrose, who had made a hurried march for the purpose out of Badenoch into Athol.[2]

Argyll proceeded to Edinburgh along with his kinsman, the Earl of Lothian, who had been his second in command, and both resigned their commissions to the Committee of Estates. He complained that he had been inadequately supported with men and money — a fact which bears out what we have already said as to the special difficulties connected with the kind of campaign in which he had been engaged. A formal vote of thanks was given to the commanders; and a malicious remark was made in connexion with it, that it was all the more deserved because there had been so little bloodshed.[3] Neither the Earl of Lothian nor the Earl of Callander, who as Lord Almond had been second in command in the army that invaded England in 1640, was willing to accept the office of Commander-in-Chief of the Covenanting forces in Scotland; and accordingly it was conferred on General Baillie, another of the Scotch soldiers who had served an apprenticeship to war under Gustavus Adolphus.

In the meantime a number of Montrose's allies, especially those of the Scotch gentry who had joined his standard, found themselves unable to continue in the kind of warfare in which they had been engaged. The winter marches across wild, pathless mountains, beset with rocks and thickets and often deep in snow, were too much for them, and they asked with all humility permission to retire, which was somewhat scornfully given them. From the west, however, a fresh body of MacDonalds had come in, anxious to be led against their hereditary enemies the Campbells. Indeed, from all sides the foes of that clan began to gather — MacDonalds of Keppoch, of Glengarry, of Glencoe, and Glen Nevis, and Stuarts and Robertsons of Athol, and Camerons of Lochaber — all eager to attack the devoted Campbells, and to plunder those who had enjoyed the prosperity secured by the protection of the MacCailein Mor.[4]

[1] In the South African War (1901–2).
[2] Wishart, *Deeds of Montrose*, chap. vii.
[3] Guthry, *Memoirs*, p. 172.
[4] Wishart, *Deeds of Montrose*, chap. viii.

Montrose had now to face the question of providing for his troops during the winter. The Lowlands were held by Covenanting garrisons and bodies of horse and foot, and they were consequently closed to him; yet he had no resource but to lead his men into the enemy's country, since by remaining in that of his friends he would only exhaust and ruin them. The enterprise of invading Argyllshire in the depth of winter was one which he hesitated to undertake. In summer it would have been a work of difficulty, in winter it seemed impossible. Yet he was urged by the MacDonalds to make the attempt. In answer to his question as to whether there was food enough in the country of the Campbells for his army, one of them replied: "I know every foot of every farm or half-farm under MacCailein Mor; and if good water, tight houses, and fat cows will do for you, there is plenty to be had." [1]

Argyll himself had returned home to Inveraray to summon his clansmen and to make preparations for a campaign in the spring, and he had fixed the day and place of rendezvous. He was convinced that he was absolutely safe in his Highland retreat, and that the enemy was far away. Often had he been heard to say that he would rather lose a hundred thousand florins than that any mortal should know the passes by which an armed force could invade his country. His horror and amazement we can imagine when one day trembling cow-herds came down from the hills and told him that Montrose and his army were within two miles of Inveraray and were spreading devastation far and wide. Resistance was impossible, and so with all haste the Marquess got on board a fishing-boat and saved himself by flight.[2]

Montrose had divided his forces into three bands, and had marched from Blair Athol south-west to Loch Tay, and thence through Breadalbane, at that time for the most part in the possession of Sir Robert Campbell of Glenurquhy, a Covenanter and a kinsman of Argyll's. The hardy soldiers climbed the mountains and waded through snow-drifts, and came down like an avalanche upon the valleys where their enemies abode wrapped in a fatal security. Every armed man whom they found on his way to the rendezvous appointed by Argyll they put to death; and every one capable of service, who had not been able to escape out of their hands, met with the same fate. "Although," says the historian, "out of a generous

[1] Napier, *Life of Montrose*, vol. ii. p. 471. [2] Wishart, *Deeds of Montrose*, chap. viii.

disposition Montrose would have spared the people, yet the clan Donald, wheresoever they found any that was able to carry arms, did without mercy despatch them."[1] Every house was plundered and given to the flames, and all cattle were destroyed or carried off. The amount of misery and suffering caused by such a war of extermination is inconceivable; and, though in the passage we have quoted Montrose is acquitted from some of the blame connected with it, his conduct in employing this ruthless soldiery against the Covenanting party aroused a fury of hatred which never slackened until his head was nailed up on the pinnacle of the Tolbooth of Edinburgh and his limbs were distributed among the cities of Scotland.

The proceedings above described, which took place in the territory belonging to Argyll or acknowledging his authority, lasted for six weeks, from 13th December, 1644, till about the 28th or 29th January, 1645. On the former of these dates the armed bands broke into Argyllshire, and by the latter they had gone through a large tract of it and laid it waste. The Athol men and many others who had recently joined Montrose's standard, returned for a time to their homes, gorged with plunder, so that there were only some fifteen hundred men for purposes of attack or defence in the Royalist army.

In the meantime Argyll, on his flight from Inveraray, arrived at Dumbarton, where he met General Baillie, the new Commander-in-Chief of the Covenanting forces. From him he received eleven hundred regular troops, most of whom were newly enlisted recruits from the Lowlands; and, with these added to the members of his own clan who could take the field, he hoped to defeat and scatter the army which had inflicted such cruel loss upon the Campbells. Unfortunately he met with an accident which disabled him from leading his own troops in the field: by a fall from his horse he dislocated his arm and was unable for a good many weeks to use it in any way, so that he could not employ sword or pistol even to defend himself. In these circumstances he transferred the leadership to his cousin, Sir Duncan Campbell of Auchinbreck, whom he summoned from Ireland, where he was in command of troops—"a stout sojour," says Baillie, "but a very vitious man."[2]

[1] Gordon, *Britane's Distemper*, p. 98.

[2] Guthry, *Memoirs*, p. 174; Baillie, *Letters*, vol. i. p. 263; Balfour, *Annals*, vol. iii. p. 256.

The army of Montrose had entered the great valley through which the Caledonian Canal now runs, and it was on its way north to attack a large force of the Covenanters under the Earl of Seaforth at Inverness. This consisted of about five thousand men, some veteran soldiers, but the greater part raw levies, who could scarcely be expected to offer much resistance to seasoned troops like those under Montrose. He had reached Loch Ness when he heard that Argyll with his army of clansmen and Lowlanders had followed him and was encamped at Inverlochy Castle, below Ben Nevis, thirty miles behind him at the entrance of the great valley. He instantly determined to return and give fight. If he had come back by the same road through the valley by which he had gone north, his approach would have been observed by the Campbells, and the attack upon them would have been accordingly all the more serious an undertaking. He therefore decided to change his route and take them by surprise. On Friday morning, 31st January, he struck off to the east into the wild, pathless mountains of Lochaber, and took a course parallel to the great valley, and on Saturday evening arrived at a point at which he had the Campbells between him and the sea. The latter were quite unconscious of their danger, but after night had set in on the 1st of February they observed in the bright moonlight a body of men descending the mountain-side. Their scouts had been surprised and killed, so that, before they knew of Montrose's arrival, he was upon them. In a few moments the Campbells had run to arms and prepared for resistance; but for some hours nothing beyond light skirmishing took place. Montrose paused for a while to allow the rear of his army, which had fallen behind through fatigue, to come up.[1]

The Marquess of Argyll not being in command, and being incapable even of striking a blow in self-defence, was persuaded—Baillie says "compelled"[2]—by his friends to go on board his barge, the *Dubhlinnseach* (the Black-sailed), which had brought him up Loch Linnhe and was lying close at hand. Several members of the Committee of Estates were present with him, and there can be no doubt that they used the argument to persuade him that his life was too valuable to the Covenanting cause to be lightly and uselessly placed in jeopardy.[3]

[1] Wishart, *Deeds of Montrose*, chap. viii.; Gordon, *Britane's Distemper*, p. 100.

[2] *Letters*, vol. ii. p. 263. "Urging him by force to retire to his galay" is the phrase used by the Royalist historian, Gordon, p. 100.

[3] Guthry, *Memoirs*, p. 178.

At daybreak on Sunday morning both armies were ready for the conflict. The Campbells occupied the centre of their line, and on either side were placed the Lowland regiments. This arrangement showed that they were intending to stand on the defensive, and thus gave the advantage of the attack to Montrose. The latter commanded the main body of his troops, while Alaster MacDonald and an Irishman named O'Kean were entrusted with the right and left wings respectively. A small body of cavalry, an arm in which the Covenanters were quite deficient on this occasion, was present on the other side; and the sound of the trumpets that gave the signal at sunrise for them to charge, both announced the unexpected fact and suggested that Montrose himself was present with his whole army. For, until now, the opinion had prevailed that the forces on their way down to battle were merely part of the Royalist troops under one of Montrose's generals. The Lowland regiments, as at Tippermuir and at many other fights between Highlanders and Lowlanders down to Falkirk and Prestonpans, gave way before the impetuous charge of their opponents, and soon were in full flight; but the centre of the Covenanting army offered more strenuous resistance. Even Wishart, the panegyrist of Montrose, has a word of generous appreciation for the opposite side: "The chieftains of the Campbells," he says, "stout and gallant men . . . began the battle with great personal courage."[1] Yet their efforts were all in vain; in a short time their whole force was swept into irretrievable ruin, and for nine miles the flight and slaughter continued. A force of three hundred Camerons, who were regarded by the Campbells at this time as their allies and whose young chief Lochiel was a ward of the Marquess, was at hand and joined in the fray, but treacherously went over to Montrose and aided in securing the overwhelming defeat which he succeeded in inflicting upon his enemies at Inverlochy.[2]

Out of the Covenanting army of three thousand men, seventeen hundred, most of them Campbells, were slain. Their General (Sir Duncan Campbell) and fourteen gentlemen of rank belonging to the clan perished. Twenty others of the same station were taken prisoners and owed their lives probably to Montrose's efforts on their behalf. And thus Argyll had the misery of witnessing with his own eyes the destruction of

[1] *Deeds of Montrose*, chap. viii.

[2] *History of the Camerons*, A. Mackenzie, 1884; *Adventures in Legend*, p. 223.

the military power which had given such additional weight to his counsels, and which had been popularly believed to be safe beyond all possibility of overthrow within the limits of the territory which nature had done so much to fortify.[1]

The action of Argyll in making his escape in his barge from the battlefield of Inverlochy has often been referred to as a proof of his cowardice; but we think the explanation we have given of the position in which he was then placed as a non-combatant should in all justice be allowed to modify that conclusion, or to make it doubtful. Whether he would have died, sword in hand, fighting against the enemy, if he had been able to wield a sword on that eventful day, is a question to which his detractors can only give a conjectural reply. That he did not choose to present his throat to the sword as a helpless victim, when defeat fell upon his kindred and clan, is no proof of cowardice. The general question as to whether this craven quality can be fairly ascribed to him cannot be decided by an opinion concerning a single incident in his life, especially when it is difficult to see what other course than that which he adopted he could reasonably have been expected to take. On more than one occasion, as we have already remarked, did he manifest the truest and noblest courage. We had an instance of it in the zeal which he displayed for the Covenant in the hour when it was menaced by many dangers; and yet again was it shown to all the world in the calm dignity with which he defended himself at his trial, and in the serenity of his demeanour upon the scaffold. The minds of those who, as it seems to us, devote undue attention to Argyll's escape from Inverlochy, as though it were an action with but few parallels in history, might recover balance if they would ponder for a little over Montrose's rapid flight some months afterwards from Philiphaugh, and at a later period from Carbiesdale. It would be a task of some difficulty to enunciate a principle under which the conduct of Argyll should be branded with infamy, and the similar conduct of Montrose in similar circumstances appear as an indication of Paladin-like heroism, or as consistent with it. It will scarcely be maintained, we think, by any of the friends of the latter, that he possessed any special or exclusive right to the

[1] Baillie, *Letters*, vol. ii. p. 262; Wishart, *Deeds of Montrose*, chaps. vii., viii.; Gordon, *Britane's Distemper*, pp. 85–102; Napier, *Life of Montrose*, vol. ii. p. 483.

employment of this method of extricating himself from circumstances of danger.

The Marquess of Argyll appeared before the Estates of Parliament in Edinburgh, on the 12th of February, and gave a brief account of what had happened. His arm was still "tied up in a scarf, as if he had been at a bones-breaking," says Bishop Guthry.[1] Apparently he was either unable or unwilling to dwell upon the details of the crushing overthrow at Inverlochy; for a subsequent speaker, Lord Balmerino, went so far as to say that the number there slain did not exceed thirty, and to pledge his honour to this statement. But that there had been defeat and slaughter of the Covenanting forces at that place could not be concealed, and widespread consternation prevailed throughout the party. The Estates, however, were not so overcome by panic as to forget what they owed to the Marquess who had been so faithful to their cause and had suffered so severely in the defence of it. The expression of their thanks to him is characterized by both dignity and kindliness. It ran as follows:—"The Estates of Parliament, having heard the Marquess of Argyll give, verbally, ane clear and short account of the progress of his late expedition against the rebels, and having well considered the same,—They find, that the Lord Marquess hath painfully [painstakingly], wisely, and diligently, behaved himself in that charge; and, therefore, that his carriage therein deserveth public thanks and approbation; and that himself should be entreated and encouraged to continue in the service with that forwardness of affection which in all his actions he hath ever constantly witnessed to Religion and [to this] Kingdom."[2]

The ecclesiastical sentence of excommunication had already been passed against the Marquess of Montrose, and to this the Estates added that of forfeiture of honours and property; so that henceforth he is referred to in public documents under the plain designation of James Graham. The general impression which his third notable victory produced upon the Covenanting party is reflected in Baillie's words. "This disaster [at Inverlochy]," he says, "did extreamlie amaze us. I verilie think had Montrose come presentlie from that battell, he should have had no great opposition in all the Highlands, in the Lennox, and the shirrefdome of Aire, Glasgow, Clydesdale,

[1] *Memoirs*, p. 180.

[2] Quoted in Napier's *Life of Montrose*, vol. ii. p. 490.

scarce till he had come to Edinburgh. But God, in mercie to us, put other thoughts in his heart: he went incontinent [immediately] northward." [1]

It was with pardonable exultation that Montrose himself wrote, on the 3rd of February, a narrative of his last victory to Charles I. After a lucid and detailed statement of the circumstances of the battle, in which he refers to his opponents in a generous tone, he earnestly protests against the King's making any terms whatever with his rebellious subjects in England unless upon condition of their absolute surrender, and anticipates being able shortly to give effective aid to the royal cause in that country. "Through God's blessing," he says, "I am in the fairest hopes of reducing this kingdom to your Majesty's obedience. And, if the measures I have concerted with your other loyal subjects fail me not, which they hardly can, I doubt not before the end of this summer I shall be able to come to your Majesty's assistance with a brave army, which, backed with the justice of your Majesty's cause, will make the rebels in England, as well as in Scotland, feel the just rewards of rebellion. Only give me leave, after I have reduced this country to your Majesty's obedience, and *conquered from Dan to Beersheba*, to say to your Majesty then, as David's general did to his master, *Come thou thyself, lest this country be called by my name.*" [2] The best commentary upon this letter, it seems to us, is the criticism of the Marquess as a soldier, which Scott in his brilliant novel, *A Legend of Montrose*, has put into the lips of Dugald Dalgetty: "He has a sensible, natural, pretty idea of military matters; somewhat irregular, though, and smells a little too much of selling the bear's skin before he has hunted him." [3]

[1] *Letters*, vol. ii. p. 263.

[2] Napier, *Life of Montrose*, vol. ii. p. 487. The reference is of course to 2 Sam. xii. 28. In modern historical novels only Puritans and Covenanters are represented as indulging in Biblical phraseology. The practice was widespread, and both Charles I. and the Royalists furnish illustrations of it.

[3] Chap. iii.

CHAPTER XII

The Course of Events in England—Defeat of the Covenanting Army at Kilsyth—Escape of Argyll—Scotch Troops recalled from England—Battle of Philiphaugh—Argyllshire laid waste by Royalist Troops—Charles I. surrenders to the Scotch Army at Newark—Interview between the King and Argyll—Discussion of Terms to be offered to Charles—Argyll's great Speech in London.

IN order that we may understand the effect which the news of Montrose's victories in Scotland had upon the prospects and counsels of the Royalist party in England, we need to keep in mind the course of events in the latter kingdom after the battle of Marston Moor. From the date of that battle early in July, 1644, down to the end of October, the Scotch troops in England under Leslie were engaged in the siege of Newcastle, which finally capitulated to them and left them free, if necessity arose, to give aid to the Parliamentary cause in other parts of England. The northern counties had been won by the Parliament, while nothing but disaster attended their arms at this time in the rest of England. Essex and Waller had attempted to enclose the King in Oxford, but he had escaped between them to Worcester; and thereupon Essex left Waller to pursue the King, while he himself set out to conquer the west of England. Both enterprises failed utterly: the King got safely back to Oxford and defeated Waller at Cropredy Bridge (29th June), on the borders of Oxfordshire and Northamptonshire, after which the Parliamentary General returned to London, having lost most of his remaining men by desertion on the way. Essex, who had gone into Devonshire and Cornwall, was surrounded by the royal forces; his cavalry cut their way out, but all his infantry were taken prisoners (1st September), and he himself escaped by sea to Plymouth, and thence to London. New armies were found for both generals, and the Earl of Manchester and Cromwell were summoned from the east of England to co-operate with them; and with the newly constituted army another battle was fought at Newbury (22nd

October), which was as indecisive as the former battle which took place there. The blame for this result was attributed by Cromwell to a want of inclination on Manchester's part to inflict a crushing blow upon the King, with whom he and a large section of English society hoped yet to be reconciled —a reconciliation which, according to Cromwell and many who sympathized with him, would mean "the abandonment of everything worth fighting for at all."[1] The former and the latter views of matters were held by the Presbyterian and Independent parties respectively, who now began a contest with each other which for a time imperilled the cause of liberty, and inspired Charles I. with the hope of destroying the one by means of the other, and of ultimately prevailing over both.

The solution of matters which was suggested by the Presbyterian party was to bring the Scotch troops south as the nucleus of a new army; while Cromwell and those who supported him proposed to get rid of the old commanders and put more energetic men in their places, and to remodel the army. It was in November that he brought a charge of culpable inactivity against his colleague, the Earl of Manchester, but it was not until some months had passed that the Independent party succeeded in carrying the more drastic of the two proposals. In the meantime the Presbyterians were sufficiently influential to initiate fresh negotiations with the King at Uxbridge, which, however, turned out to be utterly futile. They lasted for some three weeks (31st January–22nd February); but the demands of the Parliament for the abolition of Episcopacy, the command of the army and navy, the continuation of the war with the Irish rebels, and the right to nominate the great officers of State, were found to be too revolutionary to be entertained. It has been sometimes said that the tidings of the victory at Inverlochy, which reached Charles soon after the negotiations at Uxbridge had been set on foot, induced him to refuse to come to terms with his opponents in England, and that Montrose's victory tended to ruin his master by leading him to reject feasible terms of reconciliation. But this is quite a mistake. Even if Montrose had done nothing in Scotland or had been defeated there, the cause of Charles I. in England was by no means in such a hopeless condition as to incline him to grant the demands made upon him at Uxbridge; though, no doubt, the tidings of the brilliant victories won in Scotland would have their own weight

[1] Gardiner, *Civil War*, vol. ii. p. 20.

in confirming the King in the belief that it was still possible to maintain with the sword the claims which diplomacy would fain have him sign away.

It is not necessary for our present purpose to give a detailed narrative of the various battles fought by Montrose, except in so far as the Marquess of Argyll was concerned in them; but a brief outline of the former's victorious career is desirable in order to preserve the continuity of our story. Immediately after the battle of Inverlochy, Montrose turned northwards along the valley in which Loch Ness is situated, and, without attacking Inverness, journeyed eastward. The army which would have opposed him if he had been defeated and would have cut off his retreat had disappeared; and, soon after he reached Elgin, its leader, Lord Seaforth, renounced the Covenanting cause and submitted to him. His general plan was to make his way south in the hope of receiving reinforcements from England, and of being joined by Charles I. in the Lowlands; but at first he effected little more than the plundering of the lands and property of his enemies in all the country through which he passed. On entering Forfarshire he was opposed by the Covenanting army under Generals Baillie and Sir John Hurry, and was compelled to betake himself to the hills. His two opponents divided their forces; and while Baillie made Perth his headquarters, Sir John Hurry went north, and suffered a crushing defeat at Auldearn, two miles from Elgin, on the 9th of May. Two months later the same fate fell upon his colleague at the battle of Alford, in Aberdeenshire (2nd July).[1]

No position could be more unenviable than that occupied by General Baillie, whom the Estates, in spite of his repeated offers of resignation, kept in the office of Commander-in-Chief. He had been defeated and discredited, and now he was expected to take the field with a levy of raw, undisciplined troops against the capable and victorious soldiers under Montrose. Nor was this the only disadvantage under which he lay. The orders of Parliament to the counties south of the Tay, to furnish eight thousand eight hundred infantry and four hundred and eighty-five cavalry, were accompanied by a summons to the nobles and gentry of that part of Scotland to place themselves at the heads of companies raised from the tenantry of their estates. And thus the Commander-in-Chief was supplied with a number of colleagues most of whom were inclined to do that which was right in their own eyes without

[1] Wishart, *Deeds of Montrose*, chap. ix.

consulting him. Already had General Baillie experienced the kindred disadvantage of being checked and interfered with by members of the Committee of Estates who accompanied the army and assumed or possessed the right of controlling his actions or of modifying his plans. It was dangerous for him either to accept or to refuse the advice thus given him; for acceptance of the guidance of ignorant and incompetent amateurs meant probably losing the battle, while rejection of it prepared for him the ill-will of some important personage who might ruin him if he succeeded in escaping from the enemy. One of those of whom Baillie thought that he had just reason to complain was the Marquess of Argyll. He says in a letter of self-vindication: "I was pressed, or rather forced, by the persuasion of some friends, to give obedience to the Estates, and undertake the command of the countrie's forces, for persewing its enemies; bot because I would not consent to receave orders from the Marquess of Argyle (if casuallie we should have mett together) after I had received commission to command in chieff over all the forces within the Kingdome, My Lord seemed to be displeased, and expressed himselfe so unto some, that if he lived, he should remember it; wherein his Lordship indeed hath superabundantly been as good as his word."[1]

It was in unpropitious circumstances like these that General Baillie found himself at the head of six thousand foot and eight hundred horse—the last army the Estates could raise—at Kilsyth, half-way between Stirling and Glasgow. He was fully aware that the fate of the kingdom depended upon the result of the conflict there to be waged. In numbers he was the stronger, for Montrose had not more than four thousand four hundred foot and five hundred horse, but this advantage was amply counterbalanced by the inexperience of the Covenanting troops and the miserable limitation of his own powers as General. On the day before the battle Argyll and the other aristocratic commanders asked him what his plans were, and they were informed that he had been so slighted as a Commander-in-Chief that he intended simply to take his orders from them and to do his best to carry out their instructions. The decision was an extraordinary one, but evidently in the circumstances it was the best that he could form; since there was a reasonable probability that his officers would co-operate zealously in executing plans of which a majority of them had approved, and in which they had

[1] Baillie, *Letters and Journals*, vol. ii. p. 417.

some measure of confidence. It did not, however, need the gift of inspiration to predict the fate of "an army commanded by a debating society." A fatuous plan was adopted as the result of their deliberations, and put into execution in spite of Baillie's most earnest protests. The Covenanting leaders who had been overwhelmed at Tippermuir, Aberdeen, and Inverlochy were now evidently alarmed lest Montrose should escape, and ventured upon the very dangerous manœuvre of crossing the enemy's front within striking distance in order to secure a position which would cut off his retreat.[1] Before they had succeeded in gaining the point at which they aimed, a charge by two of the Highland regiments cut their forces asunder, and in a short time utter destruction overtook all who had not horses swift enough to carry them out of reach of the enemy. The chase extended over fourteen miles, and the loss of life was appalling; for out of the six thousand infantry on the Covenanting side who entered the battle scarcely more than a hundred got off safe.[2] Some of the officers succeeded in reaching the shelter of Stirling Castle, but others, among whom was Argyll, rode from Kilsyth to South Queensferry, a distance of twenty-five miles as the crow flies, and taking refuge on board vessels in the Firth of Forth made their way to Berwick and Newcastle.[3] Unfriendly critics have represented Argyll's action in thus leaving Scotland as due to a panic-stricken fear which would not allow him to remain within the bounds of the kingdom in which his enemy was now supreme. But the matter is capable of a very simple explanation. The only resource within the power of the defeated Estates was to recall their army from England, or such part of it as might be needed for defeating Montrose; and Argyll could render no better service than in hastening south to arrange for the speedy execution of this plan.

Yet, though Montrose had gained such a series of brilliant victories, and though there was not an army in Scotland to offer him resistance on the open field, his task was, and must have seemed to him, utterly hopeless. Hitherto he had been engaged only in a work of destruction, but now he was called upon to build up the fabric of government in Scotland, and to restore the authority of the King in the place of that of the Estates.

[1] Gardiner, *Civil War*, vol. ii. p. 270.

[2] Wishart, *Deeds of Montrose*, chap. xiii.; Gordon, *Britane's Distemper*, p. 139; Baillie, *Letters*, vol. ii. p. 420.

[3] Guthry, *Memoirs*, p. 194.

The army with which he had won the battle of Kilsyth melted away. The Highlanders departed to their homes, and were not likely to be tempted to return to his standard unless he could promise them more plunder; and, at the same time, the welcome which he gave to some of his new recruits excited the jealousy of older associates and led them to abandon his cause. Numbers of the gentry and nobles of Scotland who were dissatisfied with the democratic, or perhaps we should rather say the theocratic, government which had prevailed in Scotland for the last eight years, joined him, but the middle and lower classes held severely aloof. It need scarcely be said that this rendered the situation desperate from a military point of view. On all sides he received congratulations, and cities hastened to acknowledge his authority as the King's Lieutenant and to liberate those of his friends who were in prison; but the means by which he might reduce the fortresses which his enemies still held in Scotland and render aid to the royal cause in England were not forthcoming. He summoned a Parliament to meet in Glasgow on 20th October, but before that day came round his power had passed away like a dream.

The object of Montrose, which was to cause the Scotch army in England to be recalled, and thus to free Charles from those who had cast their sword into the balance and made it incline to the side of his opponents, had not been gained. It is true that Scotch forces were now summoned to return home to reverse what Montrose had there done; but by this time the Royalist cause in England was irretrievably lost. For on 14th June, three weeks before the battle of Alford, in Aberdeenshire, that of Naseby had been fought in Northamptonshire, and the royal troops had after a gallant fight been utterly shattered by Cromwell and the New Model army. The King fled from the field to the town of Leicester. "He stayed but a few hours here," says Carlyle; "rode on, that same night, to Ashby-de-la-Zouch, which he reached 'at daybreak'—poor wearied King!—then again swiftly Westward, to Wales, to Ragland Castle, to this place and that; in the hope of raising some force, and coming to fight again; which, however, he could never do. Some ten months more of roaming, and he, 'disguised as a groom,' will be riding with Parson Hudson towards the Scots at Newark."[1]

Montrose received orders from Charles I. to hasten to the

[1] Carlyle, *Cromwell*, vol. i. p. 193.

Tweed in order to meet a body of horse to be sent to him as a reinforcement, by the help of which, together with his own troops, he might intercept David Leslie, who was on his way north with the whole body of Scotch cavalry in England, four thousand in number.[1] At Newcastle Leslie was joined by a number of infantry, and at Berwick by ten members of the Committee of Estates, among whom was the Marquess of Argyll.[2] With these he surprised Montrose at Philiphaugh near Selkirk, on the 13th September, and inflicted on him a defeat as overwhelming as any of the Covenanting armies had ever received at the Royalist general's hands. A heavy mist lay upon the meadow near Selkirk, where the army of Montrose was collecting for the morning's rendezvous, when the avenging host under Leslie swept down upon it. Out of the twelve hundred Royalist cavalry not more than a hundred and fifty were in a position or were inclined to offer resistance, so that the struggle was a hopeless one from the very first. The remnant—about five hundred in number—of the Irish troops who had landed in Argyllshire a year before, offered strenuous resistance, but only two hundred of them succeeded in escaping. Montrose himself with a handful of cavaliers broke through the enemy, and, like his rival Argyll at Inverlochy and at Kilsyth, fled for his life.[3]

The butchery that followed is frightful to contemplate. In accordance with a decision formally made by the Parliaments of Scotland and England, no quarter whatever was given to the Irish soldiers; and three hundred Irish women and some children

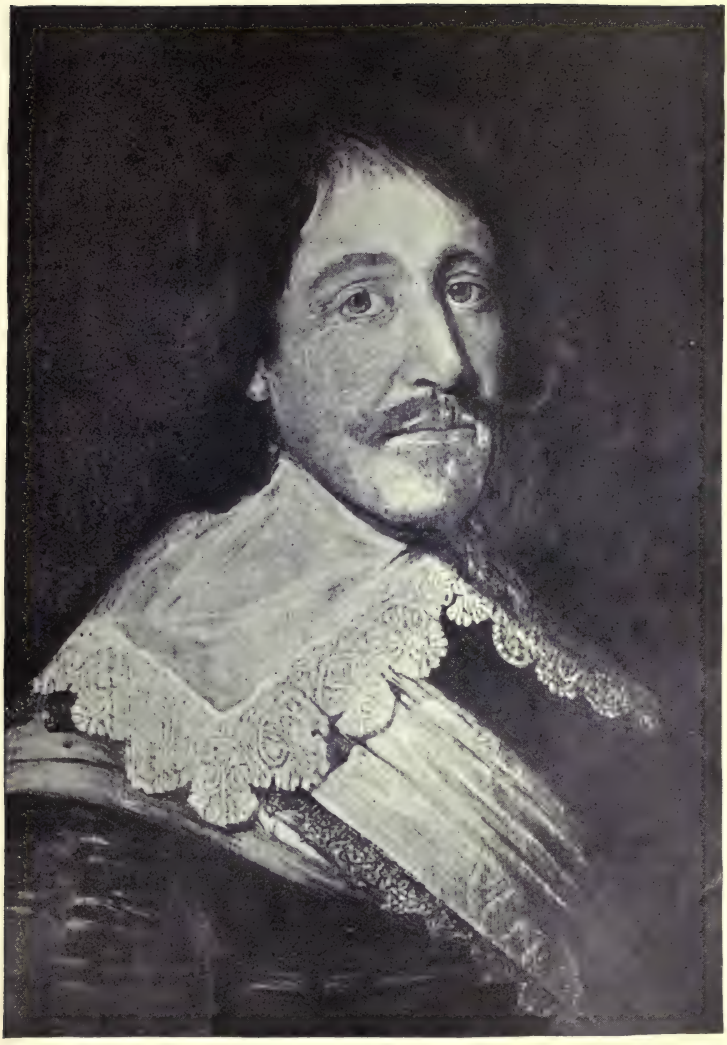
[1] Wishart, *Deeds of Montrose*, p. 139.

[2] *Journals of the House of Lords*, vol. vii. p. 593. See App. VII.

[3] In Aytoun's picturesque and soul-stirring ballad, "The Execution of Montrose," which has supplied many readers with all that they know of Argyll in the shape of a portrait in lurid colours, there is a little slip which somewhat rubs the bloom off the highly polished invective. An English soldier is made to reproach him with avoiding a meeting with his great rival. He says:

> "Back, coward, from thy place!
> For seven long years thou hast not dared
> To look him in the face."

Neither the English soldier, nor Sheriff Aytoun, nor Mr Mowbray Morris, the latest biographer of Montrose, seems to have been acquainted with the fact that Argyll was at Philiphaugh. If he and Montrose did not then look each other in the face, the fault was certainly not Argyll's. The author of the ballad in question simply versified some scurrilous charges screamed out by some of the mob that escorted Montrose as he passed, a captive, through the Canongate in Edinburgh (Napier, *Life of Montrose*, vol. ii. p. 779). Such charges uttered by such persons are of no great weight in forming an estimate of a character; they are, however, very handy missiles with which to pelt a political opponent.



MARQUESS OF ARGYLL in 1644 (?).

"The Castle Campbell Portrait."

From Photograph belonging to His Grace the Duke of Argyll. The Original was destroyed by fire at Inveraray.

were put to death. Such a decision can only be explained by the horror and indignation which was excited in the minds of the people in both countries at the danger of being exposed to the atrocities connected with savage modes of warfare and perpetrated on such a large scale in the massacres of Protestants in Ireland. The resolution that no quarter should be given to Irish soldiers was therefore not an unmeaning piece of cruelty, though it seems to us at this distance of time very ruthless and unjust. One hesitates to speak harshly of men who fought so bravely as these Irish soldiers did in every battle in which Montrose employed them; but it may be safely said that, if the terrible description of their proceedings given by a contemporary Royalist historian is true, there can be no doubt that every one of them had earned the death-penalty many times over.[1] Many modern writers who are hostile to the Covenant and its defenders seem to gloat with a kind of grim satisfaction over this massacre at Philiphaugh, and to consider that the execution of the women, probably as brutalized as the men, was an act of cruelty unparalleled in those times. Yet, unhappily, a similar deed of vengeance took place after the battle of Naseby. No excuse or extenuation can, however, be found for the cruelty which led to a few unfortunate children being involved in the fate of their parents on the present occasion, and those who paint the iniquity of the perpetrators of the deed are welcome to use their darkest colours. Something has been said about the execution of prisoners to whom quarter had been promised on surrender at this battle, but the charge has not been fully substantiated. Who can tell whether the surrender of some of the Irish soldiers in the heat of the battle was a surrender "to mercy" or was unconditional? They might be under the impression that it was the one, while the victors with equal good faith might be fully convinced that it was the other.[2]

After the battle of Philiphaugh, Montrose made his way again into Athol, but, in consequence of being deserted by the Gordons, whose own territory in the north was menaced by a Covenanting force under General Middleton, he was unable to carry out any further schemes against his enemies. In a short time, therefore, it was possible for David Leslie to return into England with the forces under his command. For some months the authorities in Scotland were occupied in bringing to justice those

[1] Gordon, *Britane's Distemper*, p. 161.

[2] Guthry, *Memoirs*, p. 162; Rushworth, *Collections*, vol. vii. p. 231.

who had been involved in the guilt of civil war, or against whom the charge of countenancing or of aiding the enemy could be substantiated. It is easy for modern writers who have no sympathy with the Covenanting party or who have an animus against them, to speak of their proceedings as vindictive. But when we remember that Montrose's soldiers could boast of having slain fifteen thousand of their fellow-countrymen, that large tracts of Scotland had been laid waste, and that frightful miseries had been inflicted on the inhabitants, it is not surprising that it should have been thought necessary to punish those who were responsible for what had happened and who were within reach; though here again we have to express regret that the voice of the Church was urgent in impressing upon the civil authorities the obligation of executing justice rather than in reminding them of the claims of mercy towards the vanquished. It was a consequence of the fatal mistake of the Church's having allied itself with one political party in the State, and of its having begun to maintain its cause by the sword, that it now regarded its opponents as enemies of God and spoke of them in the hour of defeat as evil men whom God had delivered over into their hands for punishment.[1]

So far as Argyll is concerned, he was necessarily involved in whatever guilt his party incurred by their wilful or blinded procedure on this occasion, should their preference of justice to mercy be held as exposing them to that censure; but it is pleasing to be able to record the fact that through his intercession the Earl of Hartfell, one of the accused who was condemned to death, was pardoned.[2] A romantic story is told of a prominent Royalist,

[1] One is ashamed to find a grave historian like Gardiner speaking of "the howls of the Kirk for blood" (*Civil War*, vol. ii. p. 390). Such hysterical phrases should be left to partisan writers of biographies of Montrose. Is it necessary to explain that the Covenanters were not ogres or cannibals, and that an outcry for the execution of justice upon the guilty is quite a different thing from the demand for refreshment by persons of the latter class? Dr Gardiner was probably betrayed into the use of this phrase by having inadvertently employed the nickname of "the Kirk" for the Church of Scotland. The idea of *The Church* howling for blood would strike most persons as grotesquely incongruous with its spirit and history. But after "The Church" had, according to the offensive practice employed by some Episcopalians, been transmogrified into "the Kirk" and conceived of as some sordid, malign institution, destitute of all spiritual authority, it became possible to represent it in this attitude. It was nothing unjust which the Church then demanded, though we say again that it was to be regretted that it was on justice rather than on mercy that she laid stress. We may remind our readers that both are Divine attributes.

[2] Guthry, *Memoirs*, p. 210; *Annandale Family Book*, Sir W. Fraser, p. cxcix.

Lord Ogilvie, who was also condemned to death but succeeded in escaping, much, it is said, to Argyll's mortification. On the night before the day appointed for his execution his wife and mother and sister were permitted to visit him in his cell in the castle of St Andrews. His sister exchanged clothes with him and lay down in his bed; and he succeeded in passing out of the castle with his mother and wife, and in reaching the horses provided for his escape. A reward of £1000 Sterling was offered for his apprehension, living or dead, but in vain. Probably it was because it was generally thought that the escape was due to the connivance of some of those in authority to whom Lord Ogilvie was related that Argyll was specially indignant at the occurrence.[1]

The condition of matters among the clan Campbell, and other adherents and tenants of the Marquess of Argyll, in consequence of the war which had been carried into their territory, was wretched in the extreme; and, though the power of the enemy to work mischief had been considerably broken in other parts of Scotland, predatory warfare was still smouldering in the west. After the battle of Kilsyth, Montrose's lieutenant, Alaster MacDonald, on whom he conferred knighthood, had insisted upon being permitted to carry on war on his own account though he promised to return to assist Montrose if needed, and he had gone off into Argyllshire with a large following of Highlanders and a bodyguard of a hundred and twenty of the best Irish soldiers.[2] Here he continued for the greater part of a year, and, under the pretext of avenging wrongs inflicted, or alleged to have been inflicted, by Argyll upon his family and clan, revelled in carnage and plunder. The task of dislodging him was too serious an undertaking to be entered upon for the present, and so he wrought his wicked will in spite of proclamations and commands and sentences of denunciation and excommunication that were launched against him.

For many years after 1644, as the Marquess himself tells us,[3] he received no rents from Argyllshire, and both his own condition and that of his unfortunate clansmen and tenants became a matter of solicitude both to the Parliament and to the nation at large. The Parliament of 1646–47 ordered £15,000 Sterling

[1] Guthry, *Memoirs*, p. 210; *Deeds of Montrose* (Murdoch and Simpson), p. 168; *Life of Montrose*, vol. ii. p. 596; Balfour, *Annals*, vol. iii. p. 358.

[2] *Deeds of Montrose* (Murdoch and Simpson), p. 138.

[3] *State Papers, Dom.*, 15th July, 1656.

to be paid to him for subsistence, and £30,000 Sterling to be devoted to the relief of the county of Argyll.[1] In addition to this, collections were appointed by the Commission of Assembly to be made in all the churches throughout Scotland for the benefit of the destitute and helpless tenantry.[2] We can easily believe that the consciousness of having suffered in a good cause would have its own weight in consoling the high-spirited chieftain and clan under the mortification of having their wrongs and losses announced in every county throughout Scotland and of being reduced to the necessity of accepting public alms; but, for all that, the experience must have been a very bitter one. The estate of Mugdock, in Strathblane, Stirlingshire, which belonged to Montrose, was transferred to Argyll as some additional compensation for the losses inflicted upon him, but as this property was burdened with debt it is not probable that any considerable accession of income resulted from this arrangement.[3]

The miseries suffered by his tenants were strikingly brought before Argyll, though surely he stood in little need of the reminder, by a curious episode which is related in Bishop Guthry's *Memoirs*. It had been decided to bring back to Scotland the troops that had been sent over into Ireland to suppress the rebellion there, and the Marquess of Argyll was appointed to go on this errand into the neighbouring kingdom. On his journey he found near Stirling a band of his own tenantry in a very wretched plight. They had fled from the marauding host under Colkitto and found refuge here and there in out-of-the-way corners, until they had been forced by hunger into seeking subsistence elsewhere. They were about twelve hundred in number, and under the leadership of Campbell of Ardkinglass they had attempted to plunder the lands of Royalists in the district of Monteith, but had been beaten off at Callander with heavy loss. The survivors were now huddled together in the neighbourhood of Stirling in a deplorable condition. The Marquess took them with him into Renfrewshire, in the hope that the people there, who were strong supporters of the Covenant, would welcome the new-comers. They, however, refused to have anything to do with them, and even threatened to take up arms against them unless they were removed. Argyll's only resource was to despatch them into the Lennox to prey upon the lands of

[1] *Acts of Parliament of Scotland*, vol. vi. pt. i. pp. 643, 675.
[2] *Proceedings of Commission*, 1647, p. 173 (Scottish Hist. Soc.).
[3] Baillie, *Letters*, vol. ii. p. 74.

Royalists there; and this arrangement was found to be all the more practicable from the fact that the troops who had repulsed them at Callander were now in the north with Montrose. It is indeed a curious fact, and one which illustrates the strange condition of matters in Scotland at this time, that a man of devout character like Argyll, and one interested in the establishment and maintenance of public order, should have been unable to suggest a better arrangement for righting the wrongs of the victims of rapine and violence than that they should proceed to recoup themselves for their losses by perpetrating similar crimes upon their neighbours.[1]

While the Marquess of Argyll was engaged on the public business in Ireland above referred to, he received a special message from the Earl of Morton that he must return home at once, as a most important event had happened: the civil war in England was at an end, and the King had surrendered himself into the hands of David Leslie.[2] On the 27th of April he had left Oxford, and on the 5th of May he arrived in the camp of the Scotch army, which was then engaged in the siege of Newark, in Nottinghamshire. By the royal orders Newark was given up to the Scots, and immediately thereafter their army marched northwards to Newcastle-on-Tyne, with the King virtually a prisoner in their custody.[3]

The complicated and entangled condition in which matters were at this time offered a fair field for the employment of those diplomatic talents with which Argyll was so richly endowed, and in the exercise of which he appears at his best. The Scotch army was present in England in virtue of the arrangement between the two nations under the Solemn League and Covenant that brotherly aid was to be given by Scotland on the condition of a reformation of religion which would secure uniformity in creed, ritual, and Church-government throughout the three kingdoms—in other words, on the condition that Presbyterianism as it existed in Scotland was to be established in England and Ireland. A great obstacle in the way of the realization of this plan existed in the firm and conscientious belief on the part of the King in the Divine right of Episcopacy; but to this had now to be added the opposition of the Independents, who were determined not to permit the tyranny of Bishops to be replaced by the autocratic rule of Presbyters. Had Charles I. honestly

[1] Guthry, *Memoirs*, p. 213; *Deeds of Montrose* (Murdoch and Simpson), chap. xix.
[2] Guthry, *Memoirs*, p. 217. [3] Gardiner, *Civil War*, vol. ii. p. 577.

accepted the Covenant he would have had the support of the Scotch nation and army in recovering the English throne, but without this condition it was fruitless to expect to enlist their sympathies and aid. The glittering bribe of a dukedom, the Garter, and a great fortune, was offered to David Leslie if he would restore the King without insisting upon his acceptance of Presbyterianism; but it was refused, not merely perhaps because of the religious scruples of the Scotch commander, but because he must have seen that it was hopeless to face Cromwell and the New Model army without the support of the English Presbyterians and in violation of the Solemn League and Covenant. On the other hand, Cromwell and the Independents were by no means able to control the situation, though they influenced it so profoundly. They were not strong enough as yet to set aside the religious covenant with Scotland which had, to their secret mortification, been imposed upon them instead of the "civil league," which they would have preferred; and accordingly they had to be careful to avoid open expression of their dislike to those who had been called in to help in an hour of need, but who showed no great haste to depart when the crisis had passed. They were extremely anxious for their allies to return home and leave the King in the custody of his English subjects; for, as long as he was in the midst of the Scotch troops, the risk always existed of his accepting the Covenant, and of an alliance being concluded between the Royalists and the Presbyterians which would overwhelm their opponents. This, indeed, was no imaginary danger. It was from this quarter that the security of the Commonwealth afterwards established upon the ruins of the Monarchy was most seriously menaced, and it was by an alliance of this kind that the Restoration of 1660 was brought about. In the meantime the King was unconsciously labouring in the interests of his bitterest opponents; for, though his attachment to Episcopacy was inalienable, he wasted much valuable time and exposed himself to the charge of insincerity by expressing desires to be instructed in Presbyterianism, by engaging in academical discussions concerning forms of Church-government, and by suggesting impossible schemes of compromise, in the hope of deluding his opponents, until in some happy conjunction of circumstances he might be able to set his foot upon their necks.

On the 29th of May, Argyll, who had returned from Ireland, together with his father-in-law the Earl of Morton, and the Earl of Crawford and Lindsay, visited the King at Newcastle and

kissed his hand.[1] The King and he had not seen each other since the adjournment of the Scotch Parliament in November, 1641, shortly after the latter had received his Marquessate. What a dreadful experience had each of them passed through since then! And yet Time had in his wallet something worse for them both, and the two causes which they represented were one day to cherish their names as those of men who had hallowed them with their blood. A great gulf still divided them in politics; but it is pleasing to think that in their personal relations now and from this time forward there was less bitterness than there had been. Argyll still hoped to serve not only the Monarchy, but Charles; and the latter, in the confidence of a letter to the Queen, spoke of him in terms in which, if we mistake not, a vein of kindliness, though very thin, mingles with his wounded pride. "He was," says the King, "very civil and cunning." The sentence is not strong enough to bear any heavy superstructure of inference, but we think that the words express, along with a measure of aversion, a surly acknowledgment of Argyll's desire and endeavours to be gracious in manner, and that the tone of the acknowledgment is not altogether unfriendly. A more intimate relationship between the two is revealed in another letter to the Queen, dated 10th June. "Argyll," he says, "went yesterday to London with great profession of doing me service there: his errand (as is pretended) is only to chasten down and moderate the demands that are coming to me from thence."[2] If we had no further information with regard to the matter thus alluded to, we should naturally conclude that it merely implied that Argyll, who was going to London, had undertaken to try to modify the terms on which the Parliament was willing to conclude peace with the King. But from other quarters we learn the somewhat surprising fact that Argyll's journey to London was undertaken at the request of Charles,[3] and that a secret commission was entrusted to him together with the Chancellor Loudon, which was faithfully discharged.[4] The commission was that he should consult the Duke of Richmond and the Marquess of Hertford, both of them Royalists and intimate friends of the King, as to the expediency of the Scotch Parliament and army declaring for him, and as to the effect which this procedure would have upon the Royalist party

[1] Guthry, *Memoirs*, p. 220.
[2] *Charles I. in 1646* (Camden Society), pp. 47, 49.
[3] *State Trials*, vol. v. p. 1397.
[4] Burnet, *Memoirs of the Dukes of Hamilton*, pp. 283, 284.

and upon the country at large. The words in the King's letter, "his errand as is pretended," must therefore be understood as implying that the ostensible reason of Argyll's journey afforded an opportunity for executing the private commission. We are told that he consulted these friends of the King, and reported to him their answer. It was to the effect that probably the result of the measure proposed would be utterly disastrous to the royal cause, as the two nations would almost certainly go to war with each other, and all parties in England would probably unite to resist being conquered.[1] The fact that Argyll received this commission confirms what we have said with regard to a certain measure of friendly relationship being restored between him and his Sovereign. Yet we need not believe that, though he consulted the English Royalists in question with regard to the course suggested by the King, he himself approved of it. He was, of course, anxious that the Covenant should be carried into effect, and that the uniformity in religion prescribed by it should be secured, but he clearly saw that this could only take place by co-operation with the English Parliament rather than with the King.

The conditions of the treaty with the King which the Houses of Parliament had carefully drawn up were very drastic, and were evidently prepared with the view of rendering it impossible in all time to come for him to make war upon his people. According to them he must accept the Covenant for himself and agree to its being imposed upon all his subjects. They also prescribed the abolition of Episcopacy, and the reformation of the Church in accordance with the Covenant and the advice of the Assembly of Divines. The control of the militia and navy was to be exercised by Parliament for twenty years, and at the end of that time the future arrangements were to be decided upon by the same authority, and any resolutions the Houses might come to were to have the effect of laws even if the King were to refuse his consent to them.[2]

The "Propositions," as they were called, were nineteen in number, but those which we have given were the most important of them. A copy of the document containing them was supplied to the Scotch commissioners, and two days afterwards Committees of both Houses of Parliament met with them in the Painted Chamber at Westminster for conference upon the matter. To this assembly Argyll delivered

[1] *Biographia Britannica*, vol. iii. p. 184 ; *State Trials*, vol. v. p. 1397.
[2] Rushworth, *Collections*, vol. vi. p. 309.

on 25th June, 1646, a speech which made a great impression and settled definitely the course of policy which the two nations were to follow in this juncture of public affairs. He was probably known by sight to but few of his audience, but all must have long known him by repute. Doubtless from the first the general attention was riveted upon the Scot with the fair hair, "misplaced eyes," and a slight shade of insignificance of manner, which strangely vanished, however, when his persuasive voice was heard. His romantic personality as a Highland chieftain of princely rather than patrician rank, the commanding position he was known to have attained in Scotland, his stalwart and successful resistance to the royal policy, and his recent misfortunes in warfare, must have all contributed to the interest of seeing him and hearing him on that day. Probably many were surprised, as it is certain that almost all were deeply gratified, by the line of argument he followed, which was not that of a narrow doctrinaire or a rancorous zealot but of a statesman of broad views and sympathies,

> "Who knew the seasons when to take
> Occasion by the hand, and make
> The bounds of freedom wider yet."

After a brief introduction he entered upon the difficult question of the form of Church-government which was to replace the Episcopal, and he made it clear that he was in favour of some modified kind of Presbyterianism, which, while it would secure a reasonable measure of uniformity in religion, would not press heavily upon devout, well-disposed persons who had conscientious scruples which prevented their acquiescing in what commended itself to the majority of their fellow-citizens. "Upon one part," he said, "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 directly contrary and destructive to our Covenant. Upon the other part, we are to look that we persecute not piety and peaceable men, who cannot, through scruple of conscience, come up in all things to the common rule." After touching upon the fact that the two kingdoms, England and Scotland, were so closely allied in many respects that they differed in little but name, and expressing a wish that they could be actually amalgamated, he proceeded to deal with the delicate matter of the relations between the Scotch and Charles, and assured his hearers that

there was no danger of his fellow-countrymen forsaking their associates at this juncture. The Scotch had always cherished affection for the King. "Yet as," he added, "experience may tell, their personal regard for him has never made them forget that common rule, 'The safety of the people is the supreme law,' so likewise their love to Monarchy makes them very desirous that it may be rather regulated than destroyed." He concluded by announcing that the commissioners from Scotland approved of the terms of peace which were to be submitted to the King and had no change or modification of them to suggest.[1]

In a letter to the Speaker written by Cromwell after the battle of Naseby reference is made to the large section of the army who had not seen their way to accept the Covenant, and entreaty is made by the General for some consideration to be shown to them. "Honest men," he says, "served you faithfully in this action. Sir, they are trusty; I beseech you, in the name of God, not to discourage them. . . . He that ventures his life for the liberty of his country, I wish he trust God for the liberty of his conscience, and you for the liberty he fights for."[2] This speech of Argyll's expressed the same idea in other words. Spiritual life was not to be crushed in the name of order because it would not in every respect grow on the lines laid down by the Covenant. The statement was all the more remarkable as coming from one who was the champion of the Covenant, and it showed that he held by the spirit rather than by the letter of that document and was not prepared to repudiate those who believed that further light in religion might yet break from God's Word than had hitherto been vouchsafed to those in the northern kingdom.

To this suggestion of liberty of conscience was added that of a constitutional or limited Monarchy, which, so far from being a fond imagination, had for some years past been virtually established in Scotland. For, as we have seen, the power which had been wrested from the hands of Charles had been lodged in the Parliament, and the overweening power of the aristocracy in Parliament had been taken away. Altogether the speech was both luminous and inspiring, and manifested the enlightened policy of a great statesman rather than the mere astuteness of a vulgar

[1] *Lords' Journals*, vol. viii. p. 392. This speech was published in a tiny pamphlet, London, 27th June, 1646.

[2] Carlyle, *Cromwell*, Letter xxix.

politician. "Astuteness" is indeed the easy phrase with which many historians have labelled Argyll and set him aside; but it may be safely said that no one could have secured and held the position in public life which he occupied for nearly a generation, without possessing some noble and generous qualities of mind and heart. Had he been merely astute we should have found him shifting his sails from time to time to suit the varying currents of public opinion; whereas one of the most remarkable features in his character is the tenacity with which he adhered to the cause to which, in 1638, he had given in his allegiance and for which he was yet to lay down his life.

CHAPTER XIII

Argyll appointed a Member of the Westminster Assembly—Charles I. given up by the Scotch—Argyll's Popularity begins to decline—General Leslie and he conduct Military Operations in Kintyre—Hamilton's Party gains ascendency in Parliament—Argyll's Duel with the Earl of Crawford—"The Engagement"—Hamilton defeated at Preston—"The Whiggamore Raid"—Cromwell's Visit to Edinburgh—Execution of Charles I.—"The Act of Classes"—Charles II. proclaimed in Edinburgh.

IT would have been strange if the Marquess of Argyll, whose inclinations were so strongly ecclesiastical and who had done and suffered so much for the cause of Presbyterianism, had been overlooked when the General Assembly of the Church of Scotland had to choose representatives to sit and act with the English Divines at Westminster, to whom the task had been given of securing uniformity of creed and worship in the Churches of Scotland and England. That Assembly had begun to meet on the 6th July, 1643, but it was not until three years later that Argyll was associated with it. The reason for this is quite evident. His energies had been taxed to the utmost both in diplomatic and military affairs, as he had organized the aid which Scotland afforded England in the war against Charles I., and as he had striven to defeat the invasion of Scotland in the royal interests, which had resulted in such a heavy loss being inflicted upon himself. Since he was now in London in connexion with the negotiations between the captive King and the Parliament, he was appointed by the Commission of the General Assembly of the Church of Scotland a member of the Assembly of Divines at Westminster in room of Lord Balmerino, who had for some reason or another not been able to act, or who had not chosen to act in that capacity. Argyll's commission was laid before the House of Lords and approved by them on the 7th of July, 1646,[1] and then received the sanction of the House of Commons. It was not until these secular bodies had endorsed his com-

[1] *Lords' Journals*, 7th July, 1646; *Proceedings of Commission of General Assembly*, 1646–47, p. 9.

mission that he could join the Synod of Divines—so much was the latter under control of the State.

In the Presbyterian section of the Church the Westminster Assembly occupies a place somewhat similar to that of the Council of Trent in the Roman Catholic section, or that of Nicæa in the Greek; though in the matter of outward pomp and state the sober Puritanical Synod fell far short of that which in the previous century had been held to repair the barque of St Peter shattered by the storm of the Reformation, or of that earlier gathering in Asia Minor over which the Emperor Constantine had presided. In the matter of personal character, however, those who constituted the Assembly of Divines were not inferior to the members of either of the other Councils to which we have alluded. A competent witness goes so far as to say of them and of those who met earlier in the same century in the Synod of Dort, that, all things considered, the Christian world had never seen Synods of more excellent Divines since the days of the Apostles.[1] Yet the Assembly in the Jerusalem Chamber at Westminster was not without a measure of dignity and state in its procedure which would both command the respect of the world outside and remind the members themselves of the gravity of their office. This was illustrated in the formality with which Argyll was received. "The Assembly," we are told, "was informed that the Marquesse of Argile was without; and an order for his admission into the Assembly was read from the Lords and Commons." Upon this, four of the most distinguished members of the Assembly are sent to receive the Marquess and to bring him in. He presents a letter from the General Assembly of the Church of Scotland, which is read aloud. Stately words of compliment then flow from the lips of the Prolocutor or Moderator in praise of the Church whose greetings have been delivered to them, and of its representative who is now before them, and with whose strivings and sufferings all present are well acquainted. "In the midst of all difficulties," he said, "we have ever found encouragement from that famous, religious, and pure Church implanted in that kingdom. . . . We have found it abundantly in this place. And to crown all the rest it is the joy of our hearts to find [among us] a person of so great and famous renown and honour, in which the greatest safety of the kingdom of Scotland is reposed. . . . We look upon Your Lordship as

[1] Baxter, *Life and Times*, vol. i. p. 73.

one of the greatest instruments under God [for the forwarding of this work]."[1] The generous words of appreciation from such a quarter may well have touched the heart of Argyll, and have afforded him some consolation for the sufferings which fidelity to his religious convictions had brought in their train.

The difficulty that beset Argyll's scheme of a comprehensive ecclesiastical establishment and a constitutional Monarchy was, as Dr Gardiner points out, that it could not be realized without the King, who hated both with a perfect hatred and was determined not to consent to either of them. At Newcastle, on the 30th of July, the Propositions which had been drawn up were presented to him by commissioners from the English Parliament, only to be declined on the pretext that time was needed in order to come to a decision upon them. From every quarter for a couple of months past pressure had been brought to bear upon Charles to accept the Covenant, but in vain. The Scotch commissioners had knelt before him and with tears entreated him to do so. A deputation from the General Assembly came with instructions "to let him know what Church censure was," if he refused his consent; and one of them, Andrew Cant, in a sermon preached before him, addressed him as "a piece of clay," and called upon him "to think where he sat of his death, resurrection, and judgment, and of eternity," and then, in a flood of compassion, "offered him mercy upon repentance."[2] Another day the Earl of Leven and nearly a hundred officers were admitted to an audience, and begged him "to comply with the just desires of his Parliaments";[3] while from the French Ambassador, and from his own wife whose influence upon him had been so strong, he received virtually the same advice. But his resolution was unshaken, and, in the hope both of aid from abroad and of dissension springing up among his opponents by which he might profit, he returned answer on the 1st of August to the commissioners from the English Parliament that he desired to come to London to discuss the matters in question, but that he would never "consent to anything destructive to that just power which by the laws of God and the land he had been born unto."[4]

In this state of matters the Scotch authorities decided upon the withdrawal of their forces from England on receiving

[1] *Civil War*, vol. ii. p. 494.
[2] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 416.
[3] *Ibid.*, p. 417.
[4] Gardiner, *Civil War*, vol. ii. p. 514.

security for the payment of their expenses, and on making arrangements with the English Parliament for the future custody of the King. Charles's refusal to come to terms upon the only conditions that seemed practicable had produced dire disappointment in Scotland. "The King's answer hes broken our heart," says Baillie, "we see nothing but a sea of more horrible new confusions. We are afraid of the hardness of God's decree against that madd man, and against all his kingdomes. We look above to God: for all below is full of darkness."[1]

The action of the Estates in deciding to give up the King has often been blamed; but it is difficult to see that they had any option in the matter. Their troops were no longer needed for the purpose of aiding the English Parliament, and consequently they were bound to remove them on the payment of the subsidies to which they were entitled. Nor could they reasonably dispute the claim of the English Parliament to dispose of the person of the King so long as he was upon English soil, though they might expect to be consulted before a decision was arrived at. No separate arrangement or composition could be made by the Scotch with him without a disgraceful violation of the Solemn League and Covenant by which they and the English nation were united together. The only other alternative, allowing him to escape to the Continent, was equally out of the question. It would have involved a similar breach of faith and would have exposed the people of both countries to the risk of foreign invasion, for Charles would most certainly have endeavoured to win back his throne by the aid of any foreign troops whom he could engage for the purpose. In the meantime no serious danger to his honour and person seemed likely to result from transferring him to the custody of his English subjects. And, indeed, as a mere matter of fact it was not by those to whom they handed him over, but by their political opponents, that he was afterwards brought to trial and execution.[2]

[1] *Letters*, vol. ii. p. 386.

[2] The Commission of the General Assembly in 1650 indignantly repudiated the charge of treachery towards the King in delivering him up to the English, which had been brought against them in Montrose's declaration. They say: "This Kingdome was so far from making any sale of him, that they did not condiscend [consent] to leave him with his subjects in England, untill sufficient surety was given by both Houses of Parliament concerning the safety and preservation of his Majestie's person" (*General Assembly Commission Records*, 1648–49 (Scottish Hist. Soc.), p. 343).

The often-repeated taunt of having bartered their King for gold scarcely deserves refutation, so little is it justified by the facts of the case. It assumes that the payment of a just debt by the English Parliament was a bribe to the Scotch people, and also that all the varied and complicated motives which influence the policy of a nation can be adequately represented by those which affect the conduct of an individual. The possession of the King as a prisoner afforded a guarantee that their pecuniary claims would be settled to their satisfaction; but even if the King had never come among them those claims would have existed undiminished. It was of course unfortunate for the people of Scotland that they were placed in circumstances which gave their enemies a plausible excuse for accusing them of so hateful an action as that of selling their King; but their honour would have been deeply stained if they had broken faith with their English allies to avoid the mere appearance of ungenerous action towards their prisoner.[1] Probably the best advice which Charles I. received at this crisis in his affairs was that which Argyll gave him. It was to the effect that, without asking again for permission, he should proceed to London and throw himself upon the generosity of the English Parliament. But this, like all the other schemes on his behalf that were at this time suggested, came to nothing; and at the end the King was face to face with the same difficulties and dangers as had confronted him at the beginning.

The Scotch claims for sums due to them were greatly in excess of what the English Parliament was prepared to allow, but after much discussion £400,000 Sterling was agreed upon as the amount to be paid in settlement of them. Half of this was to be handed over before the army returned home, and the remainder in two instalments within two years thereafter. A considerable time was occupied in making these arrangements and in raising the money needed; and so several months passed away before the carts, thirty-six in number, laden with specie for the payment of the subsidy, slowly wended their way north-

[1] It may occur to some of our readers that we are told in Holy Scripture (1 Thess., chap. v. 22), "Abstain from all appearance of evil"; but, even if this were so, there is no reason to conclude that we should try to escape the appearance of one form of evil by rushing into the reality of another. There is, however, no ground for holding the Pharisaical maxim in question; for it is one of the merits of the Revised Version that it has freed the English Bible from it, by giving a more accurate translation of St Paul's words. That apostle was certainly the last person in the world to relax attention to realities in order to keep up appearances.

wards. It was not until the 26th of January, 1647, that the business was concluded and the King transferred to the care of the English commissioners, who conducted him to Holmby House, in Northamptonshire, there to remain until some arrangement had been arrived at between the two kingdoms with regard to the disposal of his person.[1]

The circumstances attending the departure of the Scotch army from England augured ill for the prospect of peaceable relations being maintained between the two countries. "I do not know," says Montereul in a letter to Mazarin, "what will be the result of the bargain that the English have just concluded with the Scots, but it seems to me that they have not separated very satisfied with each other. . . . It will be very difficult for the enmity that is between these peoples to remain long without breaking out."[2] The alliance from which so much had been hoped had proved abortive. The uniformity in religion, which the people of Scotland had had in view in concluding that alliance, had not been secured, and there seemed but little hope that it would be eventually established. In the meantime their troops had been paid off very much as if they had been hired fighters whose services were no longer needed, and whose claim to have a voice in the further settlement of affairs was both absurd and offensive. The last of the soldiers who left Newcastle for their homes in the north heard as their parting greetings insults and taunts in which they were described as "nothing but Jews, people who had sold their King and their honour"; and we are told that "the English officers had considerable trouble, with blows and threats, to prevent the women of the town from following the Scottish troops and throwing stones at them while they were leaving it."[3]

Malicious tongues and pens busied themselves in promoting discord between the two countries and made it very difficult for the party of which Argyll was the head to maintain their policy of strict and loyal co-operation with the English Parliament. We can indeed trace a decline of Argyll's popularity from this period of his life, which was largely if not altogether due to the fluctuation of interest to which the cause of the Covenant, like that of other great public movements, was exposed. The fervour and absorbing zeal of its early years had to a certain extent died

[1] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 434.
[2] Montereul, *Correspondence* (Scottish Hist. Soc.), vol. i. p. 444.
[3] *Ibid.*, vol. i. p. 445.

down, and in the meantime its adherents had in many parts of Scotland experienced the scourge of civil war as a result of their connexion with it. Now that the power of Charles had been utterly broken and that he was a prisoner, a certain reaction in his favour set in which inclined many to dwell more upon his misfortunes than upon the faults which had occasioned them.

So marked was this new phase of public feeling, and so distinctly did it affect the standing and reputation of the leader of the Covenanting party, that Baillie, writing on the 22nd of September, 1647, says: "The Lord help him [Argyll] out of his trouble; his enemies are many, and friends for any purpose bot few: yet God is not dead."[1] Among those who had presented a firm and united front to royal and ecclesiastical tyranny, diverging and hostile factions made their appearance once that the danger which had bound them together had passed away. The two main political parties in Scotland which now come into view are those of which the Marquess of Argyll and the Duke of Hamilton are the leaders—the latter having been freed by the Parliamentary army from his imprisonment in the castle at St Michael's Mount, and having been again reconciled to the King.[2] Though both parties held to the Covenant, they might be described as democratic and Royalist respectively in their tendencies, and in course of time they obtained for themselves their own special and characteristic names. It was said at the time that Argyll was opposed to the Monarchy, and that Hamilton was favourable to it but would have liked to be himself the King;[3] and, though this estimate was not quite fair to either of them, it may serve to give us an idea of the different characteristics of the two parties. Round Argyll gathered the more thoroughgoing and rigid supporters of the Covenant, while those who were lukewarm in their attachment to it, and indeed all varieties of Royalists, rallied about Hamilton. Yet the parties were not at first so widely separated from each other as to make it easily possible to distinguish them; and at times, in the ebb and flow of political life, their aims were so similar to each other that the show of opposition between the two seemed somewhat unreal.

The first task which the executive Government in Scotland had to undertake, now that their army had returned from England, was to extinguish the smouldering remains of rebellion

[1] *Letters*, vol. ii. p. 398. [2] Burnet, *Dukes of Hamilton*, p. 359.

[3] We need to keep in mind the fact that Hamilton was, after the family of Charles I., the next heir to the throne of Scotland.

in several parts of the country. Soon after Charles I. had given himself up to General Leslie at Newark, he had sent orders to Montrose, Huntly, and Colkitto to cease operations and to disband their forces. Montrose obeyed, and by an arrangement with General Middleton, with which many of his opponents were displeased, he was allowed to leave Scotland. He embarked from Stonehaven for Bergen in Norway on 3rd September, 1646. Huntly would also most probably have given up the struggle but for a private message from the King not to do so. Colkitto, who had in the meantime been joined by the Earl of Antrim, refused to obey, on the ground that he was fighting rather to avenge his own wrongs than to maintain the royal cause.[1]

Some of Leslie's troops were disbanded on their return from England; but an army of five thousand foot and twelve hundred horse was organized, and it was employed to stamp out the last sparks of rebellion. In this force Argyll held office as a colonel of foot. He did not, however, take part in the first operations of the new campaign, which were intended to secure the reduction of Huntly's strongholds in the north and the capture of the Marquess himself. Leslie met with but little opposition in carrying out the instructions given to him. The forces of the Marquess deserted him, and he took refuge in the wilds of Lochaber, whence he wrote in vain asking for liberty to leave Scotland for the Continent, as Montrose had done. Leslie, after overrunning his country and taking his fortresses, left Middleton to pursue the fugitive, and made his way south to deal with Colkitto.[2]

He was joined at Dunblane in the middle of May by Argyll, who was free to take the field since the meetings of the Committee of Estates were adjourned, and after four days' march they arrived at Inveraray. The campaign was brief though bloody. The forces of the Covenant broke into Kintyre, and, after a day's skirmishing, Colkitto managed to embark with a large part of his followers and to take refuge in Islay. Some of the remainder, several hundred in number, were surrounded in a fort at Dunavertie.[3]

They capitulated, but all but one of them were put to death.

[1] Guthry, *Memoirs*, p. 219; Napier, *Life of Montrose*, pp. 639–643; Wishart, *Deeds of Montrose*, chap. xxi.

[2] Guthry, *Memoirs*, p. 243.

[3] In *Acts of Parliament of Scotland*, vol. vii. p. 338, it is asserted that they numbered five hundred. But there is reason to believe that this is a gross exaggeration. Turner sets them down as three hundred (*Memoirs*, p. 45).

The responsibility for this frightful deed lies at the door of the General, David Leslie, by whose orders the massacre took place. A share of the blame was attributed by some to Argyll, and one of the charges afterwards brought against him was based upon this occurrence; but a minister, Mr John Nevoy, is said to have urged Leslie to the perpetration of the deed by protesting against a repetition of Saul's offence of sparing the Amalekites. So far as Argyll is concerned, the evidence is favourable to him. Sir James Turner, who was present on the occasion and was afterwards examined as a witness in the matter, declared that even if he had advised Leslie to put the captives to death, "counsel was not command," and that he had no knowledge of such advice having been given.[1] Nevoy must be left to bear his own share of the guilt of his cruelty or of his culpable ignorance of the spirit of the religion of which he was a minister. Probably Leslie, in acting as he did, was simply carrying out the stern law of war then in force, that those who refused to surrender a fortress at the first summons lost all right to quarter;[2] though the fact that quarter was often given in such circumstances, and that refusing it on the present occasion meant the death of a large number of prisoners, made the act of butchery an appalling one. If it is true, as is averred, that for three days Leslie was irresolute what to do, his action in ordering the massacre is all the more revolting in its cruelty.[3] What Argyll's private opinions or feelings with regard to the matter were we have no means of knowing, and any conjecture as to them would be valueless. None of our readers, it is to be hoped, will be of the opinion that we are seeking to justify this terrible deed, but in fairness to those who were in any degree responsible for it we have to remember that those who were put to death on this occasion were rather brigands than regular soldiers. They were not only in rebellion against the Government of Scotland, but for some time

[1] Turner, *Memoirs*, pp. 45–48. Some remarks alleged to have been made by Leslie to this Covenanting minister are generally quoted in relating the above incidents. They are to the effect that as "the Marquess of Argyll and he [Leslie] and Mr Nevoy were walking over the ancles in blood, he turned round and said, 'Now, Mr John, have you not once gotten your fill of blood?'" The story is most strenuously and indignantly repudiated and declared to be false by the above Sir James Turner, who served on this campaign with Leslie and Argyll as Adjutant-General (*Ibid.*, p. 240). As a mere matter of fact, there was probably but little blood upon the ground, if the local tradition be correct that most of the prisoners were killed by being flung over the cliffs into the sea.

[2] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 132.

[3] Guthry, *Memoirs*, p. 244; Turner, *Memoirs*, pp. 45–48.

past they had been engaged in warfare contrary to the express commands of Charles I., for whose cause they professed to have drawn the sword; and since the defeat at Philiphaugh they had been occupied in pillage, outrage, and murder, of which the helpless tenantry of Argyllshire had been the victims. Thus one of their exploits was to fill a barn at Lagganmore with men, women, and children, and to burn them alive in it. It is indeed doubtful whether Leslie, though in supreme command, was altogether a free agent in the matter. "The Argyll men," we are told, "were so furious against the MacDonalds on account of all the slaughter and cruelty of which they had been guilty in MacCailein Mor's lands that they would not hear of any mercy being granted, and they threatened to take all revenge into their own hands."[1] Doubtless, to many of that time who heard of the merciless deed at Dunavertie it must have seemed that Justice, though lame, had at last overtaken the wicked, who had too long defied her pursuit, and that her anger against them was so great that she could not suffer them to live.[2]

The troops which Colkitto had sent into Islay were defeated by the army of Leslie after a sharp struggle, but there was no repetition of the ferocity which had stained the victory in Kintyre. The garrison which held the Castle of Dunneveg, after stoutly resisting the Covenanting troops, capitulated on receiving a promise from Leslie and Argyll that their lives would be preserved, and the terms agreed upon were faithfully kept. Colkitto himself escaped to Ireland, where six months later he was treacherously killed after a defeat of the Royalist forces at Mallow, while he was engaged in negotiating a surrender.[3]

By the month of July Scotland was once again free from the turmoil of civil war in which it had been involved for three years past, and the Royalist cause was, for the present, overthrown. The Committee of Estates was therefore at leisure to take some part in the events which were being transacted in England, and it was in possession of an army, which might in case of need be employed to second and carry out its plans. The news reached Scotland just after the defeat of Colkitto that the King had been carried off from Holmby House by a party of soldiers and was virtually in the custody of the army, though living in his own house

[1] *Adventures in Legend*, p. 241.
[2] Turner, *Memoirs*, p. 240; also p. 47.
[3] Gardiner, *Civil War*, vol. iii. p. 354.

at Newmarket. The cause of liberty in England was now being fought out between the Parliament and the army; for the majority in the Houses of Legislature who had resisted the tyranny of the King seemed to be inclined to exercise as rigid and oppressive a rule as that which had been overthrown, and it was amongst the Independents in the army that the champions of toleration and freedom were to be found. The Parliament gave orders for the greater part of the army to be disbanded, and for the few regiments which were to be kept on foot to be sent for employment into Ireland under Presbyterian officers. The neglect of the Parliament to arrange for the payment of arrears, in some cases nearly a year overdue, and to secure indemnity for acts done during war, and pensions for the widows of those slain, gave the army a reasonable excuse for refusing to disband, and for addressing a remonstrance and petition to Fairfax, their Commander-in-Chief.

The Parliament attempted to take a high hand with the army, and it denounced the petitioners "as enemies of the State and disturbers of the public peace"[1]—words which they were afterwards compelled to expunge from the records of the House. In these circumstances the idea of an understanding being come to between the King and the army sprang up and found ready acceptance, and the outcome of matters was that Cornet Joyce, with five hundred troopers, went to Holmby House and took the King into custody. Their action checkmated the plans of the Presbyterian party, who hoped, by inducing Charles to consent to a modification of the terms offered him in the previous year and by calling in the aid of Scotch troops, to impose upon the country what many regarded as an intolerable yoke. The King was convinced that ultimately he would be able to destroy the one set of his opponents by means of the other, and he was indisposed to come to any final settlement with either of them. His forcible abduction by the army was not displeasing to him, as the terms suggested by its leaders at that time were rather more favourable than those of the Parliamentary party.

In the meantime the majority of the Estates in Scotland, which consisted of the more rigid and thoroughgoing supporters of the Covenant and in whose counsels Argyll was still supreme, was not inclined to desert the cause of their Presbyterian

[1] *Lords' Journals*, vol. ix. p. 115.

brethren in England. Soon after Charles reached Newmarket, he received from Argyll and the dominant party in the Estates the offer to send an army into England to restore him to the throne; but, as this necessarily involved the acceptance of the full Presbyterian programme, he instantly set the offer aside.[1] It was the last time that any such offer came from that quarter; for, though in the course of a year a Scotch army invaded England to deliver the King from his captivity and restore him to power, the enterprise was undertaken by Argyll's political rival, the Duke of Hamilton, whose devotion to the Covenant was but of a lukewarm character, and who was therefore inclined to accept terms to which the more ardent supporters of the Covenant would not listen. This divergence of policy between the party of Argyll and that of Hamilton, the one of which became predominant in the General Assembly and the other in the Estates, was extremely unfortunate, as it deprived the public counsels of the nation of a large measure of the strength which had characterized them from the beginning of the struggle for liberty.

The negotiations between the King and the army were broken off in consequence of a written pledge given to him by the Scotch commissioners that their country would aid him to regain his throne. The commissioners belonged to the party of Hamilton, and they were sure of the support of those who looked to him as their leader; but, though the pledge they gave depended for its value upon its being sanctioned by the Estates, it is most probable that they knew enough of the condition of public feeling in Scotland to justify them in asserting their conviction that this sanction would not be withheld, especially in view of the fact that the results of the approaching elections in Scotland would almost certainly strengthen their political party in the Estates. The vague condition was expressed by them verbally that Charles would satisfy them in the matter of religion, and they promised that if he did so the Covenant would not be imposed upon him personally.[2]

On the evening of 11th November, 1647, Charles made his escape from Hampton Court, where he had been residing for more than two months, and took refuge in the Isle of Wight. Here, in Carisbrooke Castle, on 26th December, he signed a formal treaty or, as it was called, "an Engagement" between himself and the Scotch commissioners. According to it the

[1] Gardiner, *Civil War*, vol. iii. p. 124. [2] *Ibid.*, vol. iii. p. 193.

Solemn League and Covenant was to be confirmed by an Act of Parliament, and the Presbyterian form of Church-government was to be established for three years. At the end of that time a final settlement of ecclesiastical matters was to be made by regular legislation in Parliament, after consultation with the Assembly of Divines, who were to be reinforced by twenty members appointed by the King. On the other hand the Covenant was not to be forced on any who conscientiously objected to it, and in the royal household the accustomed mode of worship was to remain unaltered. In consideration of the concessions made by the King the Scotch commissioners undertook to support the demand for his being allowed to come to London in freedom and honour to carry on negotiations there, and for the disbanding of all armies with a view to a peaceable settlement. If these terms were refused, they pledged themselves to defend his rights by force of arms. The document containing the Engagement was, after being signed, carefully wrapped in lead and buried in the garden of Carisbrooke Castle until an opportunity could be found of taking it safely out of the island.[1]

The anticipations of the commissioners with regard to the results of the elections in Scotland proved to be well grounded. The representatives of the shires and boroughs were about equally divided between the parties of Hamilton and Argyll, while, of the fifty nobles who were present at this Parliament, all but eight or nine were on the side of Hamilton; and this, since both Estates met in a single House, secured for him a decisive majority.[2] Parliaments in Scotland were at that time triennial, and the leader of the Royalist party must have felt that he had ample support for his policy in the present crisis of the fortunes of his Sovereign.

It was the first time that Argyll had been in a minority in Parliament since he had been a leader in politics, and probably he found the new experience very distasteful. Some indication of the extent to which his temper was ruffled by it may be found in the somewhat startling fact that he, an elder of the Church and a member of the Westminster Assembly of Divines, made his appearance in the character of a duellist. For some time past the charge of cowardice had been freely made against him by his enemies. How little

[1] Gardiner, *Civil War*, vol. iii. p. 272; Grub, *Ecclesiastical History of Scotland*, vol. iii. p. 130.

[2] Baillie, *Letters*, vol. iii. p. 35.

ground there was for it was shown by his action in calling the Earl of Crawford and Lindsay to account for words which he regarded as contemptuous, and in his meeting him at seven o'clock in the morning on the Links of Musselburgh prepared for exacting satisfaction with the sword. The party challenged, however, evidently apologized, and those who came an hour later in hot haste to stop the conflict found the duellists engaged in putting into writing the causes of their disagreement. The principals in the affair exposed themselves to some ridicule in consequence of the fiasco in which the expected duel had resulted. But, as Argyll was the challenger, it is quite evident that it was a reasonable apology from his opponent which led to the peaceful conclusion of matters, and that no slur could be cast upon him in connexion with the incident unless the apology which he accepted was palpably inadequate or insincere. As there had been recently several more serious encounters of this kind, and as it seemed necessary to check the growing practice of duelling, the Commission of Assembly, of which Argyll and his opponent were both members, called them to account for their conduct. Before the matter was allowed to drop, both had to undergo rebuke and to confess penitence for the guilt they had incurred. The completeness with which the Marquess acknowledged his offence, and the submissive manner in which he yielded to the authority of the Commission, gave him a new lease of popularity among them. They accepted his confession, "admonishing and exhorting him to take head [heed] that he fall not into such a sin and scandall in tyme coming." The Commission also sent a formal petition to Parliament urging the necessity of taking steps to suppress the practice of duelling altogether.[1]

The general condition of matters in Scotland during several months of dreary wrangling and indecision may be thus described — the Parliament was inclined to approve of the Engagement with Charles entered into by the Scotch commissioners, while the Commission of Assembly strongly disapproved of it on the grounds that the King's concessions in the matter of religion were unsatisfactory, and that it would be unlawful to co-operate with persons who were hostile to the Covenant. The two factions in Scotland came

[1] *General Assembly Commission Records*, 1646-47, pp. 393, 412; Baillie, *Letters*, vol. iii. p. 36; Guthry, *Memoirs*, p. 261.

to be known as the Engagers and the Anti-Engagers; and the struggle between them which now began ultimately rent the Church of Scotland into two discordant parties and prepared the way for its overthrow in 1661. Strong as the Engagers were in votes in Parliament, the Anti-Engagers were strong in many parts of the country, and they embarrassed the executive Government in their endeavours to carry out promptly the war policy on which they were set. Every pulpit resounded with protests against the Engagement, while from counties and boroughs, as well as from Synods and Presbyteries, petitions against it were sent up to the Parliament. Yet, in spite of this strong opposition to the Engagement, the party in favour of it succeeded in plunging the country into war.

At the end of April two parties of Royalists from Scotland surprised Carlisle and Berwick, and close upon this an ultimatum was sent to the English Parliament demanding acceptance of the Covenant and Presbyterianism, liberty for the King to come to London to make terms with his people, and the disbanding of the Parliamentary army.[1] Had the Government of Scotland been in a position to follow up these bold commands by an instant and efficient invasion of England, they would have had the advantage of co-operation with Royalists whose insurrectionary movements in all parts of England kept the Parliamentary armies very actively employed for the next two months. But the unavoidable delay connected with raising and equipping an army that would be able to cope with the great task to be undertaken gave the English authorities time to suppress the enemies within their borders before confronting the invaders.

The Parliament in Scotland had decided upon raising an army of thirty thousand foot and six thousand horse; but the levies, in consequence of the widespread hostility to the enterprise, did not bring in more than a third of that number. Argyll retired from Parliament to Inveraray to avoid signing the bond for the maintenance of the army, and he used his influence on all hands to strengthen the party opposed to war with England. Indeed it was generally believed that he sent a message to Cromwell to anticipate the invasion of England by despatching some troops into Scotland to join with the Covenanters there against Hamilton and the Estates; but so great was the confusion in which matters were involved that

[1] Gardiner, *Civil War*, vol. iii. p. 370.

it was impossible for the Government to take notice of an action which bore such a close resemblance to treason. A body of two thousand Covenanters, headed by their ministers, from the districts of Clydesdale, Kyle, and Cunningham, assembled together in arms at Mauchline in Ayrshire, in the month of June, and were only dispersed after a sharp conflict with the troops under General Middleton, in which eighty were killed. One of the absurdities connected with the present state of matters in Scotland was that Argyll himself, and others in Parliament who had opposed the levies, were nominated as colonels of the regiments to be raised in their counties. It was owing to the distracted condition of the country, and the haste with which the military expedition was being carried out, that their neglect to raise the prescribed levies and the divisive courses they followed were not dealt with by the executive Government.[1]

The Scotch army, ten thousand strong, was under the command of the Duke of Hamilton, who had never shown much aptitude for military matters though he was one of those who had formerly served under Gustavus Adolphus in Germany. Neither the Earl of Leven nor David Leslie would have anything to do with a cause which was under the ban of the Church. The general condition of the army was such as to increase the burden of responsibility which rested upon the incompetent Commander-in-Chief. "The regiments," says Burnet, "were not full, many of them scarce exceeded half their number, and not the fifth man could handle pike or musket. The horse were the best mounted ever Scotland set out, yet most of the troopers were raw and undisciplined. They had no artillery—not so much as one field-piece—very little ammunition, and very few horses to carry it; for want of which the Duke stayed often in the rear of the whole army till the countrymen brought in horses, and then conveyed it with his own guard of horse. Thus the precipitation of affairs in England forced them on a march before they were in any posture for it; but now they were engaged, and they must go forward."[2]

The army assembled at Annan, and on the 8th of July crossed the Border and occupied Carlisle; but it was more than a month before the battle was fought at Preston which

[1] Guthry, *Memoirs*, pp. 268, 269.

[2] *Memoirs of the Dukes of Hamilton*, p. 355.

shattered it and overthrew the hopes of the Royalists. Hamilton had decided upon marching through Lancashire, Cheshire, and the western counties, in the hope of being reinforced by bodies of English Royalists, and he was attacked at Preston in Lancashire by a much smaller but compact and efficient army under Cromwell. That General, who had come north to deal with the Scotch invasion, was in the adjoining county of York. He descended the valley of the Ribble and assailed the flank of the Scotch army, which was loosely straggling over a considerable extent of country, and drove one part northward and another southward in hopeless ruin.[1] Hamilton had received an accession of three thousand six hundred men under Sir Marmaduke Langdale, but the battle at Preston cost him a thousand killed and four thousand prisoners; and at Winwick, near Warrington, another fight took place, in which he was again defeated with a loss of a thousand killed and two thousand prisoners. At Malpas, in Cheshire, Hamilton turned eastward in the hope of making a long detour and of getting back to Scotland as best he could; but on 25th August he and all who still adhered to him were forced to capitulate at Uttoxeter, in Staffordshire.[2]

The defeat and capture of the Duke of Hamilton and of so large a part of his army left Argyll once more supreme in power in Scotland. The same turn of Fortune's wheel which had depressed the royal cause had raised that of the Covenanters; and Argyll saw his political rival both deprived of power and a prisoner of war in the hands of the enemy whom he had provoked. A general rising on the part of the more rigid section of the Covenanters took place. A force of six thousand men—for the most part west-country peasants, under the leadership of Lord Eglinton, and the Earl of Loudon, Chancellor of Scotland, himself a Campbell—marched eastward to Edinburgh and took possession of the capital, whence the troops of the Committee of Estates had departed to join with some of the other remaining forces of the army raised by Hamilton. This movement is known in history as "the Whiggamore Raid." "When they drew nigh to the city," says Guthry, "some of the magistrates and ministers thereof went out to welcome them, and conducted them towards the town, where the gates were cast open and they received

[1] Carlyle, *Cromwell*, vol. ii. p. 14; *Memoirs of Captain John Hodgson*, p. 33.
[2] Gardiner, *Civil War*, vol. iii. chap. lxiv.; Burnet, *Dukes of Hamilton*, p. 461.

with joy."[1] Both the Leslies cast in their lot with the "Whigs" — to use a name which soon afterwards was applied to the more pronounced Covenanters; the Earl of Leven again took up the office of Commander-in-Chief and occupied Edinburgh Castle, and his nephew, David Leslie, acted as his Lieutenant-General. The members of the executive Government — that is, the remaining members of the Committee of the Estates — retired to Stirling, where soon after they were joined by the forces still at their disposal. The latter nearly captured the Marquess of Argyll, who was on his way from the west to Edinburgh and had arrived at Stirling. He was in the house of the Earl of Mar; but just before dinner, while the meat was being brought in, he heard of the approach of the hostile troops and saved himself by flight, riding the eighteen miles to North Queensferry as expeditiously as might be, whence he journeyed by sea to Edinburgh. And thus for the fourth time the Marquess, "in perils," like the apostle, "by his own countrymen, and in perils among false brethren," saved himself by embarking upon the sea.[2]

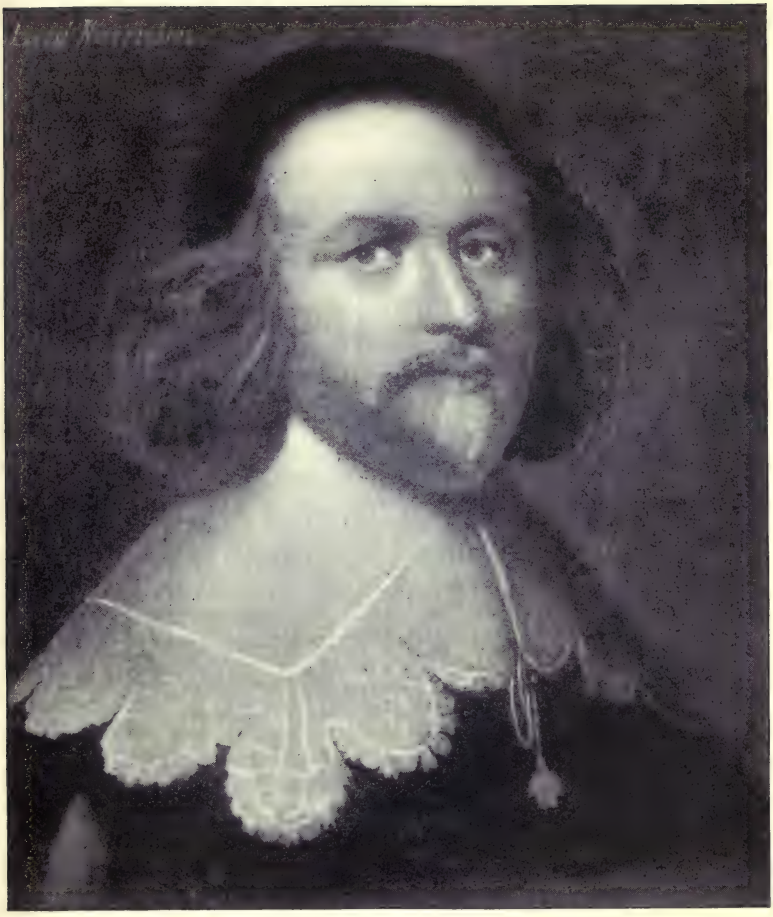
The army was anxious to fight, but the Committee of Estates knew that their case was hopeless, and on 26th September they capitulated and resigned all claims to govern the country. So far as Argyll was concerned, he had no legal standing beyond his being a member of the Parliament. He was not even on the Committee of Estates, for, though he and others of his party had been nominated to that position in the last Parliament, their acceptance of the Engagement had been made a condition of office.[3] But none the less did Argyll act as the virtual head of the Government in Scotland, and as such entered into communication with the victorious English General. Cromwell crossed the Tweed with his army, and, at a conference with Argyll and others at Mordington, three or four miles north of the Border, arrangements were made for the surrender to the English of Carlisle and Berwick. In a letter from Cromwell to the Speaker Lenthall[4] a full account of these negotiations is given; and special mention is made of the impression produced upon him by Argyll and his colleagues. Those in Scotland who followed his leadership are called "the well-affected party," and much is hoped from co-operation with them. In reference to the interview at

[1] Guthry, *Memoirs*, pp. 286, 287.
[2] *Ibid.*, p. 290.
[3] Burnet, *Dukes of Hamilton*, p. 477.
[4] Carlyle, *Cromwell*, Letter lxxv.

Mordington, he says: "Some time [was] spent in giving and receiving mutual satisfaction concerning each other's integrity and clearness — wherein I must be bold to testify for that noble Lord the Marquis, the Lord Elcho, and the other Gentlemen with him, that I have found nothing in them other than what becomes Christians and men of honour." In order to strengthen the position of those who for lack of legal standing are described as "the Noblemen, Gentlemen, and Burgesses now in arms, who dissented in Parliament from the late Engagement against the Kingdom of England," and who after the *coup d'état* formed the new executive Government of Scotland, Cromwell sent up six regiments of horse and a troop of dragoons under Lambert to within six miles of Edinburgh, and ordered a body of infantry to take up their quarters in support at Cockburnspath in Berwickshire.[1] And so, for fully three months, from the conference at Mordington down to the meeting of the Estates in January, 1649, the Whiggamore leaders governed Scotland, though they held no office for which they had Parliamentary sanction. With the calm consciousness that there was no power in Scotland superior to their own, they took it upon themselves to dissolve Parliament and order fresh elections to be held throughout the land. Reasonable terms were concluded with the Engagers, in consequence of which they disbanded their forces and left the decision of matters, ecclesiastical and civil, to the General Assembly and Parliament, respectively, which were to meet in the beginning of the following year.[2]

On Wednesday, 4th October, 1648, Cromwell after obtaining permission from the English Parliament paid a visit to Edinburgh. He was received with great respect, and he was honourably lodged in the house of the Earl of Moray in the Canongate, where a strong guard of his own soldiers kept watch at the doors day and night. The first evening of his stay the Marquess of Argyll, and Lord Warriston, who as Archibald Johnstone had acted as clerk to the General Assembly of 1638, and who had ever since been in the very forefront of political life in Scotland, supped with him. The meeting of the English general and statesman, who was yet to be clothed with all but royal dignity and with greater power than most kings have exercised, and the Highland chieftain, who for ten years past had held the political

[1] Carlyle, *Cromwell*, Letters lxxiii., lxxv., vol. ii. pp. 51, 58.
[2] Gardiner, *Civil War*, vol. iii. p. 491.



Sir Archibald Johnston, Lord Warriston.
Executed in Edinburgh, 1663.

From the Portrait by Jamesone. By kind permission of Sir James H. Gibson-Craig, Bart., and the Scottish History Society.

fate of Scotland in the hollow of his hand, must have been very striking. They had a common dislike to the movement under Hamilton, which, if it had succeeded, would have overthrown all that they both had built up by policy and by the sword; but in most other matters they must have found themselves in disagreement. Yet we need not imagine that their knowledge of this hindered genial intercourse between them; for of Argyll it was said years before that he was "so subtle that he could hugely dissemble,"[1] a gift which commonly increases with use, while we know that Cromwell was not one of those who wear their heart upon their sleeve. We can scarcely believe that politics would not be broached on that eventful evening in the state-room of Moray House, when the three experienced makers of history found themselves alone and the stern countenances of the guards of Ironsides scared eavesdroppers and enemies from the doors. The scheme of policy so far as Scotland was concerned which was afterwards put into execution was one on which they were all equally bent, and that was the rigid exclusion from public life and from employments of trust of those who had been active in the late Engagement or who had consented to it. This request was formally presented by Cromwell to the Committee of Estates in a written communication on the next day;[2] and in the meeting of the Parliament in the following January it was carried into effect by Argyll and Warriston. We are therefore probably not unduly exercising our imagination in conjecturing that it formed a subject of conversation on the evening in question.

A curious and amusing story in connexion with this visit of Cromwell to Edinburgh is told in the *Life of Robert Blair*, one of the prominent Presbyterian ministers of the time. We hope our readers will excuse our digression in giving it. It certainly affords a contemporary estimate of Cromwell which differs considerably from that which is at present in vogue. Among those who called upon him at Moray House were three Presbyterian ministers—David Dickson, James Guthrie, and Robert Blair himself. He held a long conversation with them, and indulged in what our informant calls "a fair flourish of words," punctuated at times with tears and appeals to God to bear witness to his sincerity and good intentions. Mr Blair brought matters to a

[1] Sir R. Poyntz to the Marquess of Ormonde, 1st June, 1643; *Memorials of Montrose*, vol. ii. p. 23.

[2] Carlyle, *Cromwell*, Letter lxxvii., vol. ii. p. 64.

point by asking him three searching questions. The first was, What he thought of monarchical government. To which he replied, that he was for monarchical government, and that in the person of this King and his posterity. The second was, What he thought of toleration. His answer was, that he was altogether against toleration. The third question was, What was his opinion concerning the government of the Church. But here the cloven foot of the Independent appeared, and he complained that he was pressed too severely and needed time to deliberate. As the ministers retired Dickson touched Blair upon the elbow and said, "I am very glad to hear this man speak as he does." Blair's reply was characterized by the great plainness of speech which St Paul occasionally used rather than by the charity of which the same apostle thought so highly; for he said, "And do you believe him? If you knew him as well as I do, you would not believe one word he says. He is an egregious dissembler and a great liar. Away with him, he is a greeting [weeping] devil."[1]

The Committee of the Estates returned a favourable answer to Cromwell's request, which corresponded exactly with their own desire, that adherents of the late Engagement should be dismissed from office and be hindered from having the opportunity of again being disloyal to the State. On the Saturday of the same week before their departure for the south, Cromwell and the rest of the English officers were invited to "a very sumptuous banquet" in the Castle, at which the Earl of Leven presided. The Marquess of Argyll and other Lords were present to grace the entertainment. "At our departure," says a contemporary English narrative, "many pieces of ordnance and a volley of small shot was given us from the Castle; and some Lords convoying us out of the City, we there parted."[2] At the request of the Committee of

[1] *Life of Robert Blair* (Wodrow Society), p. 210. The opinion above expressed is of course not necessarily to be accepted as an accurate estimate of the character of Cromwell, but it certainly testifies to the fact that this very able and devout contemporary of the great Englishman was deeply convinced of his duplicity. More than Blair at the time held the same opinion, and those who have striven to rehabilitate the character of Cromwell have scarcely given an adequate explanation of the fact. Carlyle's custom of persistently attaching epithets like "wooden" and "pudding-headed" to inconvenient witnesses whose words he is constrained to quote is a "short and easy method" of discrediting them, and probably would have been employed by him in the case of Blair if he had chosen to refer in his *Cromwell* to that divine's interview with the English General in Edinburgh. The method in question, however, is not to be commended.

[2] Quoted in Carlyle, *Cromwell*, vol. ii. p. 66.

Estates two regiments of horse and two troops of dragoons under Major-General Lambert were left for their protection, until the army of four thousand horse and foot which they had decided to raise was ready.[1]

The highly amicable terms on which Cromwell separated from Argyll and his associates make it almost certain that the latter had no suspicion of any purpose on his part to bring the King to trial. Guthry, after mentioning the names of those who were on intimate terms with Cromwell on the occasion of this brief visit of his to Edinburgh, says: "What passed among them came not to be known infallibly; but it was talked very loud, that he did communicate to them his design in reference to the King, and had their assent thereto."[2] But there can be no doubt that this is mere gossip, without any ground of probability to support it. Certainly it was not Cromwell's custom to discuss beforehand schemes which were immature, even if there were evidence to show that at the time in question his mind was made up as to the trial of the King. Whatever his plans may have been, it would have been madness on his part to broach the subject of regicide to the leaders of the Presbyterian party. For, however much the latter might be inclined to limit the royal power, a King was an essential figure in their ideal of the constitution of Church and State. Both for the defence of the lives and property of his subjects, and for the maintenance of the honour and privileges of the Church, they regarded it as necessary that there should be a King and that he should wield the power of the sword. It is true that Charles I. by his despotic procedure had weakened the bond of loyalty towards himself in the minds and hearts of many of his subjects, and that years of conflict with him had carried the process of disintegration still further; but yet, according to the general feeling in Scotland, the crime of regicide was regarded as approaching in guilt that of parricide, if indeed it were not on an equality with it. In all the negotiations between the Presbyterian leaders and the King the principle had been laid down that his person must be protected, and that the honour which was his due must be retained undiminished. And though Argyll on one occasion had been imprudent enough to remark that this would be amply fulfilled if Charles were kept permanently in prison, provided that he were guarded against assassins, and that his attendants served him upon their knees, this modified theory of

[1] Carlyle, *Cromwell*, vol. ii. p. 70.

[2] *Memoirs*, p. 298.

royalty, which was more adapted to the state of matters in beehives and ant-hills than to that in the British Isles, found no general acceptance in the country at large.[1]

While the army was engaged in putting an end to the Second Civil War, as it was called, in which the Royalists had involved the country, the English Parliament, in which the Presbyterians were in the majority, was carrying on another fruitless attempt at negotiation with the King in the Treaty of Newport. So far as Charles was concerned the matter was a mere farce, since all the time his real desire and purpose were to secure his escape from imprisonment. Immediately after the war was over, the army sent into the Parliament their formal *Remonstrance* against negotiation with the King and their demand that he should be brought to trial. Matters quickly came to a head in consequence of the Parliament's rejection of the *Remonstrance*, and their decision that the King's answers to their proposals afforded sufficient ground for a settlement of the peace of the kingdom (5th December). The course of events after this is well known, and we do not need to do more than recapitulate it. On the following day the Parliament was in the hands of the army, which "purged" it of the majority and left those who were hostile to the King in possession of power. Colonel Pride stood at the door of the House of Commons with a list of names in his hand, and above a hundred members were taken into custody or scared away. The mutilated House, or the "Rump" as it was afterwards irreverently called, passed an Ordinance which appointed a special court for the trial of the King, and accompanied it by a Resolution that "by the fundamental laws of this kingdom it is treason in the King of England for the time being to levy war against the Parliament and kingdom of England."[2] The Ordinance and Resolution were both rejected by the Lords, but the Commons proceeded upon their own responsibility to pass an Act for erecting a High Court of Justice for trying the King, "to the end no Chief Officer or Magistrate whatever might hereafter presume traitorously and maliciously to imagine or contrive the enslaving or destroying of the English Nation, and to expect impunity for so doing."[3] On the 20th of January, 1649, the trial began, and ten days afterwards, by sentence of the court,

[1] Gardiner, *Civil War*, vol. ii. p. 569; Montereul, *Correspondence*, vol. i. p. 350.

[2] *Ibid.*, vol. iii. p. 559.

[3] *Preamble to the Act*, *State Trials*, vol. iv. p. 1046; Rushworth, *Collections*, vol. vi. p. 562.

the authority of which Charles had never consented to recognize, he was put to death; and the long controversy between him and his subjects was closed when the executioner lifted up his dissevered head from the scaffold, and showing it to the horrified spectators said, "Behold the head of a traitor!"

The Parliament of Scotland met at Edinburgh at the appointed time, early in January, 1649, and its deliberations were presided over by the Chancellor, the Earl of Loudon. One of its first proceedings, to which everything else was made to give way, was to appoint a day of fasting and humiliation to be kept by all the members for themselves, on which to confess their own sins and those of the nation, and to renew the Solemn League and Covenant. Their next procedure was to repeal all the Acts of the late Parliament and Committee of Estates which authorized the invasion of England under the Duke of Hamilton. These were condemned as contrary to the Word of God, destructive to religion, and injurious to the King and his dominions. The protests against these Acts by Argyll and others were ratified, and the armed opposition which had led to conflict at Mauchline Moor was approved.[1]

The main work of the Parliament, however, was to carry out the pledge given to Cromwell to exclude from office and from employments of trust all persons who had promoted the late Engagement or who had taken part in it, and also those who were known to be of Royalist or, as it was called, "Malignant" opinions, and those of vicious life. An Act was passed entitled "The Act of Classes," which formally recapitulated the grounds on which such persons were pronounced unworthy of any share in public life, and which excluded them from it, either permanently or for various periods of years according to the degree of their guilt. The designation of the Act was derived from the various classes of offenders who were condemned in it. The only way in which those who came under the censure of Parliament could regain the status they had formerly held, in case they did not lie under the sentence of permanent exclusion, was by giving satisfaction to the courts of the Church, and after a due period of probation undergoing the sentence of humiliation and penitence which might be passed upon them. "The Act of Classes" was drawn up by Lord Warriston, but was moved in Parliament by Argyll. We are told that the latter made a long speech in support of it, consisting of five heads or divisions, which, with

[1] Stevenson, *History of the Church of Scotland*, p. 610.

a grim humour somewhat unusual with him, he called "the breaking of Malignants' teeth." He carried this felicitous but uncomfortable metaphor still further in the close of his speech by announcing that the author of the Act who was to follow him would clinch matters by "breaking their jaws." This undertaking was attempted by Warriston in a speech of two hours in length which he carefully read from his paper, wherein he reiterated what Argyll had already said, and dealt with the objections which Engagers or their sympathizers might be inclined to make.[1]

The party in the State which had in the National Covenant and in the Solemn League and Covenant fused together politics and religion, was now once again in possession of power and in overwhelming strength in Parliament. They little suspected that a new force was about to be aroused in the nation which would wreck their policy and foil their plans. The grievous error involved in committing the Church or the cause of religion to an alliance with a faction struggling to secure political advantages lawful enough in themselves was now revealed in all its proportions; for the opponents of the policy which approved itself to the party supreme in Scotland were declared to be the enemies of God. This deplorable conclusion was the direct and logical result of the whole movement, and the leaders of the triumphant party must in the very moment of their success have been filled with a feeling somewhat akin to despair when they realized that their power was breaking up, that factions were fast becoming rife among themselves, that against them were now being arrayed not only the Royalists but the English "sectaries" who repudiated both King and Covenant, and that the hypocritical submission of many of their opponents to ecclesiastical penalties would restore them to a fresh career of mischief in their midst. "All churches," says Burnet, in writing upon matters relating to this period, "were upon that full of mock penitents, some making their acknowledgments all in tears to gain more credit with the new party. . . . Those that came in early, with great show of compunction, got easier off; but those who stood out long found it a harder matter to make their peace."[2]

[1] Balfour, *Annals*, vol. iii. p. 377. In this Act "Malignants" were divided into four classes, the first of whom were excluded from office for life; the other three for periods of ten, five, and two years respectively (Lamont's *Diary*, p. 1).

[2] *History of My own Times*, vol. i. p. 44.

"The Act of Classes," and many of the State Papers which belong to the period between this present time and the conquest of Scotland by Cromwell, are melancholy reading and are discreditable to the Covenanting party; for they express a fanaticism which sprang from a misguided policy that was now *in extremis*. Those who have any doubt as to the deterioration of both religion and politics when they are, as we have said above, fused together should look into these documents, and their eyes would be opened. The calm assumption by the authors that what is condemned by them in the Parliament in Edinburgh is also condemned in heaven, the claim to knowledge of the Divine purposes and counsels, the free use of the most sacred words of Scripture, the dark fanaticism which inspires many of the utterances, and the intense passion which makes many of them sound like mere raving—are all calculated to sadden a thoughtful mind.

The Scotch Parliament was in the midst of its deliberations and labours when it received tidings of the creation of the High Court of Justice, before which the King was to be brought on the charge of treason. The members of it were, we are told, "prodigiously shocked"[1] to hear of this, and they instructed their commissioners in London to oppose the proceedings taken against the King by all means within their power. The latter accordingly addressed a dignified and emphatic protest to Lenthall, the Speaker of the House of Commons.[2] In addition to this, the Commission of the General Assembly sent up through the Parliament a strong expression of their feelings in the matter, and they showed to all the world that the constituted authorities in Church and State in Scotland were unanimous in their abhorrence of the present proceedings.[3] The Scotch commissioners even appealed to Fairfax, the Commander-in-Chief of the Parliamentary army, to use his influence in saving Scotland and

[1] Stevenson, *History of the Church of Scotland*, p. 611.

[2] *Ibid.*, pp. 610–617; Burton, *History*, vi. p. 426.

[3] Dr Grub in his *Ecclesiastical History of Scotland*, vol. iii. p. 138, calls these "feeble remonstrances"; our readers may find them in Stevenson's *History* (*l.c.*) and judge for themselves. Of course we need to remember the peculiar position in which the Scotch authorities were placed at this time. They plainly declared that they were not satisfied with the King's concessions in the matter of religion, and that until he gave such satisfaction they would not desire or seek his restoration to power, but at the same time they protested most vigorously against any injury to his person. The reservations they were compelled to make in the above matter may seem to some to weaken their case, but at the same time their protestations against violence being offered to the King could not have been couched in stronger terms.

England from the infamy which would result from putting the King to death, who had been entrusted to the care of the English Parliament by those into whose hands he had surrendered himself. Strong and eloquent appeals were addressed to those in whose power the fate of the King lay, but in vain; and the reasonable claim of the people of Scotland to have a voice in the disposal of their Sovereign was brushed aside in the most contemptuous manner. The result was that, while the English Parliament after the execution of the King threatened death to any one who should proclaim his successor, the Parliament in Scotland immediately on hearing the fatal news proclaimed his son Prince Charles as "King of Great Britain, France, and Ireland." This ceremony took place in Edinburgh on the 5th of February, 1649.[1]

[1] *Acts of Parliament of Scotland*, vol. vi. pt. ii. p. 157.

CHAPTER XIV

Conditions on which the Crown was offered to Charles II.—Royalist Rising in the North of Scotland—Execution of Huntly—Abortive Negotiations with Charles II.—Montrose invades Scotland, is defeated and executed—Charles II.'s ungrateful Repudiation of him—Argyll and the Letter from the Earl of Lothian.

THE alliance between Cromwell and the party of which Argyll was leader had lasted but a very brief time and was dissolved in consequence of the trial and execution of the King; and thus the policy of harmonious co-operation on the part of the Parliaments of England and Scotland, which for almost ten years past Argyll had succeeded in inducing his fellow-countrymen to follow and which had only been temporarily interrupted by the Duke of Hamilton's invasion of England, was utterly and irretrievably shattered. It must have been with a sore heart and with a sense of addressing himself to a hopeless task that he took up afresh the rôle of political leader in these new and altered circumstances. The state of mind in which he was is depicted in his own words contained in his little volume, *Instructions to a Son*, which he wrote while in prison: "By that confusion my thoughts became distracted and myself encountered so many difficulties in the way, that all remedies that were applied had the quite contrary operation; 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."[1]

The Scotch Parliament, by the authority of which Charles II. had been proclaimed, passed an Act two days afterwards in which they laid down the conditions to be accepted by the King before he would be admitted to the exercise of royal power. Those who framed this Act were certainly free from the feebleness and perplexity which spring from not knowing clearly one's own mind. They prescribed that he must sign the National Covenant, and the Solemn League and Covenant, and swear to

[1] Page 5.

maintain them; that he must consent to the Acts of Parliament which had established Presbyterianism and sanctioned the Westminster Confession of Faith, Directory and Catechisms; and that he must promise to observe them in his own practice and family, and make no attempt to change them. He was also required to dismiss all advisers who were hostile to religion or to the Covenants, and to consent that all civil affairs should be settled by the Parliament, and all ecclesiastical by the General Assembly.[1] These conditions may seem hard, but they are scarcely more than a summary of the measure of civil and religious liberty which the people of Scotland had succeeded in obtaining and to which Charles I. had consented in 1641, and of the obligations in which they were involved by the religious league which they had formed with the English people.

It would have been mere fatuity on the part of the Covenanting leaders to allow all that they had gained at so heavy a price to slip through their fingers; while at the same time they could not abandon the Solemn League and Covenant with England without incurring the guilt of bad faith and perjury. The intolerant demand that, in spite of conscientious objections which the King might cherish, he must accept the Presbyterian creed, ritual, and discipline, does not argue any special arrogance or fanaticism on the part of those who made it, for at that stage of the history of liberty but few of any religious school realized adequately the rights of the individual conscience. After appointing four commissioners to proceed to Holland and offer the crown to Charles on the above conditions, the Parliament adjourned.

In the meantime the Royalist party in the country, who were indifferent or hostile to the Covenant, were as truly a source of danger to the State as the powerful army of English sectaries which might now be expected to invade Scotland. Indeed the danger of rebellion at home was at this time more acute and pressing than that of invasion from abroad; for within a month after the date of the execution of Charles I. the Royalist gentlemen of the north of Scotland broke out into open insurrection under Mackenzie of Pluscarden, a brother of the Earl of Seaforth, and took possession of the town of Inverness. The Committee of Estates lost no time in dealing with this rebellion, and by energetic action prevented its spreading into other quarters. But almost three months passed before the movement received

[1] *Acts of Parliament of Scotland*, vol. vi. pp. 363, 411–413.

its quietus in a fierce engagement at Balvenie Castle, in Banffshire.[1] This futile attempt to overthrow the Covenanting Government has not received the attention from historians which it deserves; for it helps to explain the failure of Montrose's campaign shortly afterwards in the same district, and it sealed the fate of the Marquess of Huntly. The latter had been a prisoner in Edinburgh for about two years. For a long time past, ever since he had refused to cast in his lot with the Covenanters[2] and had accepted from Charles I. the commission of Lieutenant of the North, he had been the most prominent Royalist in Scotland, though, as he himself acknowledged before his death, he had effected but little for the cause which he represented. His jealousy of Montrose, or his distrust of him on account of his breach of faith towards himself[3] and of his former career as a Covenanter, had hindered his giving him effective support on many occasions when he might have done so. Yet in spite of his unwillingness to co-operate with Montrose he had kept rebellion smouldering in the north for years, and he had lost his chance of securing his personal safety by refusing to lay down his arms at the time when the King ordered the leaders of the Royalist forces in Scotland to give up the contest. The fact that Charles had approved of his loyalty and had ordered him by a private message to refuse to submit seems to be taken by modern writers of a certain school to justify his conduct.[4] Yet, so far as the actual Government which had maintained its position in Scotland for ten years past was concerned, he was steeped in treason to the lips; and now that the enemies of the Covenant had again risen in arms in the north, and among them were members of the Gordon clan, the authorities showed their firmness and their resolution to make no compromise with the Royalist party, though they were negotiating with the King, by bringing the Marquess to execution. If the Government which now existed in Scotland is to be regarded as having any standing or rights whatever, it is a mere misuse of language to call this action "a judicial

[1] The author may perhaps be permitted to refer his readers, for a detailed account of this somewhat obscure episode in Scotch history, to his *Sir Thomas Urquhart of Cromartie, Knight* (Oliphant Anderson & Ferrier, Edinburgh).

[2] See p. 68.

[3] See p. 71.

[4] "At the very time when the commissioners were on their way to the Hague the Marquess of Huntly was executed in Scotland, for no reason except his loyalty" (Napier, *Life of Montrose*, vol. ii. p. 705).

murder,"[1] and it is absurd to imagine that the mere word of the King against whom they had fought in open field was sufficient to absolve of guilt any one who had sought to overthrow them. It is said by a partisan of Huntly that his sister and his three daughters went to Argyll and on their knees begged him to interpose to save his brother-in-law's life, but that he refused to interfere with the decision of Parliament.[2] There is, however, most trustworthy evidence to show the utter falsehood of the story. Argyll did interpose on Huntly's behalf; but the Government with which he was influential was beyond his control. In his trial after the Restoration this matter was brought up against him, and he defended himself on that ground. "I may truly say," he replied, "I was as earnest to preserve him, as possibly I could, which is very well known to many in this honourable House,[3] and my not prevailing may sufficiently evidence I had not so great a stroke nor power in the Parliament as is libelled."[4] The mere fact that he appealed to persons then present in Parliament to testify to the truth of what he alleged and was not contradicted, is sufficient to dispose of the story to his discredit which his enemies seem to repeat with a malicious delight.

It was on the 22nd of March, 1649, a fortnight after the Duke of Hamilton had been executed in London, that the Marquess of Huntly met the same fate in Edinburgh. He appeared on the scaffold dressed in the mourning garb which he had worn since the death of his Sovereign, and he behaved himself at the last dread hour with the gallantry and dignity which became one of his station and illustrious descent. His estates were forfeited on account of what were reckoned his treasonable practices, and they were conveyed to Argyll. Yet no one need suspect that any unworthy gain accrued to the latter from that transaction. The Huntly property was very heavily in debt, for in the year 1640 the financial burdens upon it amounted to a million merks [nearly £55,560 Sterling],[5] and since then they had certainly not diminished. The Marquess of Argyll was the principal creditor, and by taking over the estates with the burdens that lay upon them he virtually saved them for the family. Some parts of them became his own by the legal process of "apprising"; but beyond this, and

[1] Grub, *Ecclesiastical History of Scotland*, vol. iii. p. 140.
[2] Gordon, *Britane's Distemper*, p. 224.
[3] *i.e.* of Parliament.
[4] *State Trials*, vol. v. p. 1426.
[5] *Ibid.*, vol. v. p. 1427.

JAMES GRAHAM, MARQUESS OF MONTROSE, in 1649.

Painted by Honthorst.

beyond the fact that by his own management of the estates he may have been able to secure a more regular payment of interest due to him than had been customary, there is no evidence to prove that he was any great gainer by the new arrangement. A letter from one of the sons of the Marquess of Huntly, Lord Charles Gordon, afterwards first Earl of Aboyne, is extant,[1] in which he complains of the difficulty of getting a settlement from his uncle, or a definite statement of the condition in which affairs then were. But, as the demand to have the complicated financial position of a great estate set down in black and white by a certain date may not have been quite practicable, we need not be in a hurry to conclude that Argyll was at all to blame in not acceding to it with the promptness desired. At any rate, at his trial he referred to his intromissions with the Huntly property as a matter in which he had done no injury to his relatives' interests; all his transactions were, he said, recorded, and he could give an account of everything that he had received.[2]

The Scotch commissioners dressed in deep mourning for the late King appeared before Charles II. at the Hague, on Tuesday, 27th March. They expressed their detestation of the execution at Whitehall in terms as strong as the most devoted Royalists could have used; but after that preamble they evidently never again found common ground of agreement with the young King. Their first demand was that he should instantly and permanently banish from his counsels "that cursed man, James Graham," by whom they knew that their desires and advice would be frustrated. This action of theirs is often described, even by historians who affect to be impartial, as insolent and overbearing; but their conduct was both reasonable and dignified. They were not casual guests at the Hague objecting to the presence of a fellow-guest, who was distasteful to them but to whom the King chose to show favour. They were plenipotentiaries from the kingdom of Scotland prepared to offer the crown of that country to Charles upon certain conditions. In these circumstances it would have been monstrous in the extreme if they had consented to co-operate with Montrose or to tolerate any connexion with him, since the Government they

[1] *Spalding Club Miscellany*, vol. i. p. 37.

[2] *State Trials*, vol. v. p. 1427. Reference is made to the complicated relations of Argyll with the Huntly property in Burnet, *History of My own Times*, Supplement, p. 6.

represented had condemned him as a traitor, defaced his honours, and sequestrated his property; while the Church to which they belonged, and from which as well as from the secular Government of Scotland they had received a commission, had excommunicated him as an apostate. They would have been disgracefully neglectful of their duty and careless of their own official dignity if they had acted otherwise than they did. So strong was their case that several Royalist nobles, among whom was the new Duke of Hamilton (formerly Lord Lanark), who had been exiled from Scotland on account of their share in the Engagement, joined in the protest.[1] The negotiations with Charles II. were futile. The commissioners insisted upon his accepting the Solemn League and Covenant with all that it involved, and would not abate one iota of their demands; while he, though declaring his willingness to do all in his power to meet the wishes of his Scotch subjects, definitely refused to acquiesce in their proposals. He had submitted them to Montrose and to other Royalist counsellors and had asked their advice concerning them, and they had strongly urged him to reject them. Montrose suggested an invasion of Scotland in the royal interests and undertook to lead it. Apart from this alternative policy, which had much to recommend it, the state of affairs in Ireland, where the Duke of Ormond had succeeded in uniting almost all parties in favour of Charles, rendered that country a more promising base of operations than Scotland for his winning back all that his father had lost. Baillie, who was one of the Scotch commissioners, records for us the impression made upon them by the King, which shows us how imperfectly they had gauged his real disposition and character, unless the general conclusion to which mankind have come upon that point be very far astray. "His Majestie," he says, "is of a very sweet and courteous disposition. . . . It were all the pities in the world bot he were in good companie. . . . He is one of the most gentle, innocent, well-inclyned Princes, so far as yet appears, that lives in the world: a trimme person, and of a manlie carriage; understands prettie well; speaks not much: Would God he were amongst us."[2] It was, he tells us, "in discomfort and grief" that they kissed his hands and returned home.[3]

[1] Lister, *Life of Clarendon*, vol. i. p. 333; M. Morris, *Montrose*, p. 199.

[2] *Letters*, vol. iii. pp. 87, 88.

[3] *Ibid.*, vol. iii. p. 520. Lamont's *Diary* says they returned "mutch unsatisfied" (p. 2).

Immediately after their departure Charles II. conferred upon Montrose a new commission as Lieutenant-Governor of Scotland and Commander-in-Chief of the royal forces there, and appointed him Ambassador-Extraordinary to all foreign States, in order to enable him to solicit aid and raise troops for carrying out his enterprise. Montrose accordingly visited the northern Courts of Europe and endeavoured to obtain as much support as possible for the cause of which he was now the foremost champion. The results of his labours were, however, but meagre; for in the spring of 1650 he had gathered together in the Orkneys only some four or five hundred men, mostly from Hamburg and Holstein. By recruits from the Orkney Islands his army was brought up to about twelve or fifteen hundred infantry, whom he was able to provide with arms out of a supply given him by Queen Christina of Sweden. With this small force he landed in Scotland at Duncansby Head, on the 11th or 12th of April, 1650.[1]

It is instructive to keep in mind the tortuous intrigues in which Charles II., who had commissioned Montrose and sent him forth, engaged at this time. He repeatedly wrote to Montrose urging him to prosecute his enterprise vigorously, and assuring him of the fullest support he could give; and at the beginning of this year he sent him, as a proof of his favour, the George and Riband of the Garter. And yet, notwithstanding this, Charles was at the very same time negotiating afresh with the Committee of Estates with a view to an amicable restoration to the throne of Scotland. The clue to his strange procedure is given in a letter to Montrose, in which he says: "As we conceive that your preparations have been one effectual motive that hath induced them [the Estates] to make the said address to us, so your vigorous proceeding will be a good means to bring them to such moderation in the said treaty, as probably may produce an agreement, and a present union of that whole nation in our service."[2] In other words, he expected that by employing Montrose to invade Scotland he would be able to terrify the Covenanting party into lowering the terms on which they were willing to receive him as their King. The loyalty which burned like a passion in the heart of the Marquess may have forbidden him to suspect or dread being betrayed by the King; but he can hardly have failed to perceive that he was being used like a pawn in the game that

[1] *Deeds of Montrose* (Murdoch and Simpson), pt. ii. chap. viii.
[2] Napier, *Life of Montrose*, vol. ii. p. 752.

was being played. The part assigned to Montrose was too much like that of a bully to be worthy of a man of honour, and it is much to be regretted that on receiving the above communication from the King he did not at once retire from his enterprise.

The upshot of the matter was that Charles, whose hopes of effecting anything in Ireland had been destroyed by Cromwell's victories there, found that he must either accept the terms which the Committee of Estates offered, or abandon for years, perhaps for ever, the hope of restoration to his ancestral throne. He acquiesced in the demands which a year before he had rejected; and he hoped to save Montrose by giving orders for him to disband his forces, and by requesting the Scotch commissioners to arrange for his safety and for his being allowed to leave Scotland for any port on the Continent which he might choose.[1]

Yet he overestimated the respect which the authorities in Scotland were prepared to pay to his desires or commands, in order to free him from the difficulties into which his double dealing had brought him. They were justly exasperated by the invasion of Scotland by Montrose and proceeded to deal with him as a public enemy, and manifested utter indifference to any plea of justification he might be supposed to put forward on the ground of obeying royal orders.

The campaign on which Montrose had now entered was soon over. He made his way down to the border of Ross-shire, and was surprised by an ambush adroitly planned at Carbiesdale, by a small detachment of troops under Major Strachan (27th April). Only the foreign soldiers made any attempt at resistance, and in the course of about two hours the little army was destroyed with scarcely any loss to the conquerors. Many of the fugitives were drowned in the Kyle of Sutherland; and probably not more than a hundred succeeded in making their escape. Montrose had received several wounds and his horse was killed under him, but by the generosity of one of his officers he was remounted, and enabled to flee from the field of slaughter. After wandering for three days and nights in the wilds of Sutherland, he was taken prisoner disguised as a peasant. The badge of the Garter and the royal letter that accompanied it were discovered hidden under a tree.[2]

[1] *Charles II. of Scotland in 1650* (Scottish Hist. Soc.), p. 126. These orders were given on 5th May.

[2] Napier, *Life of Montrose*, vol. ii. pp. 744–746; *Deeds of Montrose* (Murdoch and Simpson), pp. 307–313.

He was soon afterwards brought to Edinburgh and lodged in the Tolbooth. Less than a death-sentence he could not have expected; nor indeed can it be reasonably maintained that in inflicting it the Parliament was guilty of any injustice. But the insults heaped upon him only disgraced those who perpetrated them. Orders were given that when he was brought into the city he was to be carried in a wretched cart to be driven by the hangman; and that he was to be bare-headed, and fastened by ropes to the cart.[1] Some among the victorious Covenanters thought that he was treated "in too ignominious a way"[2]—a fact which is usually ungenerously suppressed by their opponents. The malignity of hatred which these insults manifested was of no mysterious origin. When the multitude saw him carried through the streets of the capital as a prisoner securely bound, the feelings of many must have been like those of the inhabitants of Gaza when Samson was led out in triumph before them: "Our God hath delivered into our hands our enemy, and the destroyer of our country, which slew many of us."[3]

The story is told, the truth of which there is no reason to doubt, that as the procession passed up the Canongate it was made to halt before Moray House, where a number of spectators were assembled on the balcony, among whom were Argyll and Warriston, and the young Lord Lorne with his newly married wife.[4] Whatever may have been the feelings and behaviour of some of those who now looked down upon their fallen enemy, Argyll himself had the good taste to keep in the background; though his curiosity, if not a less excusable motive, led him to seek a glimpse of the sight through blinds partly closed.[5] What his thoughts were we do not know, but we may at least hope that one who had for so many years been the guiding spirit in the public life of Scotland was above the petty feelings of spite and malicious gratification with which so many vulgar minds have hastened to credit him. Often had he been himself in peril of his life, and it may well have been that in this tragic fall of his great antagonist he dimly perceived a fate which might one day be his own, if, in the inscrutable counsels of

[1] Balfour, *Annals*, vol. iv. p. 13.

[2] *Life of Robert Blair*, p. 224; *Letters and Journals of Mrs Calderwood*, p. xxx.

[3] Judg., chap. xvi. 24.

[4] On 13th May, 1650, Argyll's eldest son had married Lady Mary Stewart, eldest daughter of the Earl of Moray.

[5] Napier, *Life of Montrose*, vol. ii. p. 781.

Heaven, the Covenanting cause should for a time be permitted to suffer defeat.[1]

In 1645 Montrose had been summoned to give himself up to the Estates to answer for his conduct in stirring up civil war in Scotland, and as he had not appeared at their bar he had been outlawed. No further trial was accordingly necessary, and so sentence was pronounced upon him. He was condemned to be hung at the Cross of Edinburgh, and after three hours his body was to be taken down and cut in pieces—his head to be affixed to the pinnacle of the prison or Tolbooth, and his legs and arms to be distributed among the towns of Stirling, Glasgow, Perth, and Aberdeen. If he were penitent and desired the sentence of excommunication to be remitted, his mutilated trunk was to be buried in Greyfriars churchyard, otherwise it was to find a dishonoured grave. The narrative of his campaigns written in Latin which had been published by his chaplain (Wishart) and his last Declaration to the people of Scotland were ordered to be hung

[1] It is in connexion with this incident in Montrose's progress through the streets of Edinburgh, that in Sheriff Aytoun's ballad or "lay," entitled "The Execution of Montrose," the epithet of "Master-fiend" is applied to Argyll. "This noble person," "this excellent patriot," "this godly martyr," are among the terms in which Wodrow refers to the same person. We have no doubt that in his calmer moments Sheriff Aytoun would have declined with humility to consider himself a better judge of saintliness than the Church historian and martyrologist to whom he was so much indebted for information concerning the period of the Covenanting struggles. In this conviction we may say that we would quite agree with him.

We cannot help referring to another incident which occurred at the same time and which is mentioned in the above poem. A lady in the balcony at Moray House either laughed or was accused of laughing at Montrose in his present forlorn plight. This was the Countess of Haddington, the third daughter of the Marquess of Huntly who had recently been executed. Some one in the street called up to her that "it better became her to sit upon the cart for her adulteries" (Napier, *Life of Montrose*, vol. ii. p. 779). There is not the faintest evidence to show that there was any ground for this charge of immorality. A few months after her marriage she had lost the husband to whom she had been passionately attached, and she had now been a widow for ten years. Aytoun cannot have been ignorant of these facts, and yet he weaves the vile calumny into this same poem—

> "The painted harlot by his side,
> She shook through every limb," etc.

This is not what we expect to find in "Cavalier" lays, if we are under the impression that the Cavaliers represent the gentlemanly interest. The legend seems to grow as time goes on, for in M. Morris's *Life of Montrose* (1892) already referred to we read of the same lady: "The wretched creature is even said to have spat upon her dead brother's friend as the cart passed below the balcony in which she sat" (p. 217). If no contemporary evidence can be brought to prove the truth of this last assertion, the addition of this detail to the narrative is, to use a Johnsonian phrase, "mighty offensive."

about his neck, as the most convenient summary of the crimes for which he was suffering the penalty of death. The dignity and heroism with which Montrose met his fate are for ever memorable; and the horror which the terms of his sentence excite is relieved by the graceful sentiment which they suggested. "I could heartily wish," he said, "that I had flesh and limbs enough to have a piece sent to every city in Christendom, as proofs and tokens of my unshaken love and loyalty to King and country."[1]

In the proceedings against Montrose the Marquess of Argyll took no part, though we need not doubt that he was fully convinced that the death-sentence had been amply earned. There is extant a letter written by him on the day of Montrose's execution, in which he gives a description of the last speech and actions of his distinguished rival. The letter is addressed to the Earl of Lothian, his niece's husband, who was then with Charles II., and it is somewhat disappointing from its brevity and reticence. The birth of a daughter which took place on that day is naturally an event which bulks largely in his thoughts at the time of writing, and it takes the place of matter which might have been more interesting to us. "It being now leat," he says, "I confes I am wearie, for all last night my wyf was crying, who, blessed be God, is saiflie brocht to bed of a dochter, whois birthday is remarkable in the tragick end of James Grahame at this cros. He was warned to be spairing in speaking to the king's disadvantage, or els he had donne it; for befor the parliament, in his own justification, he said he had severall commissions from the king for all he did, yea, he had particular orders, and that leatle [lately] for cuming to the main land of Scotland. He got sum resolution after he cam her how to go out of this world, but nothing at all how to enter into ane other, not so muche as once humbling himself to pray at all on the scaffold,[2] nor saying anything on it that he had not repeated many tyms before when the ministers were with him.[3] For

[1] *Deeds of Montrose* (Murdoch and Simpson), p. 329; Lamont, *Diary*, p. 21.

[2] Yet, though Montrose uttered aloud no word of prayer, we are told of his engaging in silent prayer before his death — *Deeds of Montrose* (Murdoch and Simpson), p. 334.

[3] The fact seems to be forgotten by those who speak indignantly of Montrose's having been in his last hours and upon the scaffold troubled by Presbyterian divines and urged to confess his faults, that they were ministers of the Church to which he belonged, and of which he had himself been ordained a "ruling elder." The reason why Episcopalians have been so solicitous for his honour is not very

what may concern the publick, I leave it to the publick papers."[1]

Hostile critics have blamed Argyll for the remark in this letter that Montrose would have spoken to the King's disadvantage if he had not been warned against doing so, and have indignantly denied that any such warning was needed. Montrose himself in his speech upon the scaffold refers to the matter. "It is spoken of me," he said, "that I would blame the King. God forbid."[2] Such critics in their haste to malign Argyll fail to observe the very peculiar circumstances of the situation. Montrose could not defend himself by alleging that in his last invasion of Scotland he had acted under orders from the King, without accusing the King of the grossest treachery to the Estates, with whom he had been negotiating and had now virtually concluded a treaty. There can be no doubt that this fact was pointed out to him, and that the warning had its weight with him in framing his last speech. For though he does allege what was perfectly true, that in acting as he had done he had obeyed the commands of Charles II., he lays no stress upon the fact, and he is much more zealous in vindicating his conduct in 1644–45 than he is with regard to that in his last campaign. In short, the King had involved himself in such a web of intrigue and falsehood that the only way in which the Estates could preserve a decent appearance of respect towards him was by affecting to believe that Montrose had acted without the royal sanction. In Argyll's trial afterwards the fact of Montrose having been His Majesty's Commissioner is referred to as an aggravation of what was called "his murder." To this Argyll replied by saying that no such commission was shown to the Parliament. "On the contrary," he went on to say with stinging sarcasm, "the said Parliament conceived they had just reason to presume that there could be no such commission for his coming against them

obvious, for one of his last utterances was, "Bishops, I care not for them; I never intended to advance their interest" (Napier, *Life of Montrose*, vol. ii. p. 787). Of course we are told to be specially kind to those who care not for us, and one should respect greatly those who succeed in this difficult duty.

[1] Kirkton's *History of the Church of Scotland*, p. 124 n.

[2] Napier, *Life of Montrose*, vol. ii. p. 807. The industry and accuracy shown by Mr Napier in collecting and editing historical documents bearing upon the career of Montrose are above all praise. He has published a number of volumes containing them, which will always be valuable to the historian. His violent prejudices, however, and the scurrility with which he often gives them expression, though at first amusing, soon pall upon the reader and tend to obscure the real merits which his works possess.

at that time; because His Majesty, after the murder of his royal father, very graciously had admitted their applications to him."[1]

The risk of being convicted of treachery against the Estates, with whom he had been negotiating, was one which Charles II. felt very keenly at the time, and which he tried to avert by an act of baseness which must have been bitter to him. For on 25th May, 1650, a letter from him dated 12th May was read in the Parliament, in which he said "that he was hartily sorey that James Grahame had invadit this kingdome, and how he had discharged him from doing the same, and earnestly desyred the Estates of Parliament to do him that justice as not to believe that he was accessorey to the said invasione in the lest degree." Along with this was sent a copy of a letter which Charles had recently written to Montrose commanding him to lay down his arms.[2] A somewhat more pronounced condemnation of Montrose's conduct was contained in a letter which came by the same post from Breda. It is thus given by Sir James Balfour: "The Marquess of Argyll reported to the house, that himself had a letter from the Secretary, the Earl of Lothian, which showed him that his Majesty wes no wayes sorey that James Grahame was defait [defeated], in respect, as he said, he had made that invasione without, and contrarey to his command."[3] The astounding baseness and ingratitude displayed by this have led some to doubt the authenticity of the letter, and to suggest that it was an invention of Argyll's own.[4] Yet if he had been immoral and audacious enough to forge a statement of the kind we may be sure that this would have formed a charge against him at his trial; for certainly nothing that Charles II. ever did or said presents him in so odious a light as does this cruel repudiation of Montrose. The ground on which doubt has been cast upon the statement made by Argyll is a suggestion that Charles II. had probably not heard of Montrose's defeat at the date when the letter, if genuine, must have been written.

In order to come to some definite conclusion upon this matter, we shall give an account of occurrences in Breda during the first half of May in the order in which they took place. On

[1] *State Trials*, 13 Charles II., 1475 (Cobbett).

[2] Balfour, *Annals*, vol. iv. p. 24.

[3] *Ibid.*, vol. iv. p. 24.

[4] "The base forgery of Argyll"—*Deeds of Montrose* (Murdoch and Simpson), p. 277. For a fuller discussion of this charge we refer our readers to App. V.

1st May Charles II. signed an agreement with the Scotch commissioners, which was a preliminary to the final and binding treaty afterwards signed off Heligoland on the 11th June, 1650.[1] He specially arranged with the commissioners that he would send orders to Montrose, of whose defeat four days before he had no suspicion, to lay down his arms and to give up his ammunition and other military stores to the legal authorities of the district where he might be at the time; and he instructed those with whom he was negotiating to arrange for his lieutenant to be taken by ship to any Continental port which he might choose.[2] On both the 3rd and 5th of May he wrote letters to Montrose instructing him to disband his forces, and on the 8th he wrote to the Scotch Parliament saying that he had fulfilled his promise in giving these instructions. He did not, however, inform them that he had given private directions to the envoy carrying the letters to consult with Montrose and to deliver them or suppress them, according to the condition of affairs which he might find in Scotland. If Montrose were victorious the way might be open for Charles to impose upon the governing body in that country terms much more to his taste than those which were now being imposed upon him; for, though the preliminary agreement had been signed, the formal and binding treaty had not yet been concluded between him and the representatives of the people of Scotland. And finally, on 9th May, Charles wrote his last letter to Montrose, saying that the messenger by whom he was sending it would inform him fully of the particulars of the understanding at which he had arrived with his Scotch subjects.[3] But on the very day last named a report came to Breda that Montrose had been utterly defeated. In a letter from that city of that date we read, "of whose (*i.e.* of Montrose's) being routed and beaten we have some rumours."[4] It was quite possible that this was authentic news transmitted from the north of Scotland, and not a mere rumour which happened to anticipate the truth. Twelve days had elapsed since the fatal disaster fell upon the Royalists at Carbiesdale. In a very brief time the tidings may have been signalled across the country, or may have otherwise been conveyed to a seaport on the Scotch coast, whence a vessel bound for some Continental

[1] Gardiner, *Charles II. and Scotland in 1650*, p. 85.
[2] *Ibid.*, p. 126.
[3] *Wigton Papers*, pp. 115, 116.
[4] Gardiner, *Charles II. and Scotland in 1650*, p. 89.

port may have carried them without much delay. We are, however, of the opinion that the report in Breda on 9th May was a rumour that owed its origin to the anxiety with which news of the expedition on which so much depended was desired and looked for. The fact that Charles made no allusion to it in his letter of that date may be accounted for either by his not having heard of it when he wrote, or by his attaching no weight to it. That it was a rumour rather than authentic news seems to be confirmed by the fact that, on the 11th of May, the Scotch commissioners in writing home make no reference to it.[1] They must, one would think, have heard the reports which were current, and their silence about them is almost conclusive proof that they did not regard them as important. Had the news seemed trustworthy, a matter of such great moment would certainly have been noticed by them. But, by the 12th of May, Charles was informed, on what he regarded as good authority, of the battle which had taken place in Scotland. In a letter addressed by him to the Parliament of Scotland he says, "that he is very sorrowfull and grieved to heare a report which is come to him by credible persons . . . that there hath been some blood shed of late of his good Subjects of the Kingdome of Scotland." "He hath heard severall Reports," he says, "as to the manner and the result thereof, which doth very much trouble him;" and he asks that particulars may be supplied to him.[2] On this same day, according to the statement of Sir James Balfour, the letter was written which was read in the Scotch Parliament and from which we have already quoted, in which the King said, that "he was hartily sorey that James Grahame had invadit this kingdome," and denied that he was in the least degree accessory to the invasion.[3]

Dr Gardiner endeavours to bring the cruelty and baseness on the part of Charles II. in thus repudiating Montrose within the bounds of credibility, by suggesting that, if we had before us the actual text of the letter referred to by Balfour, we might find that the King merely dissociated himself from the undertaking on which Montrose had embarked, and showed that he had already done all that he could to avert evil by ordering his lieutenant to lay down his arms immediately after a treaty had been concluded with the Scotch commis-

[1] Gardiner, *Charles II. and Scotland in 1650*, p. 101.
[2] *Ibid.*, p. 103.
[3] *Annals*, vol. iv. p. 24.

sioners.[1] But no such suggestion as to what the letter might possibly have contained can outweigh the consideration that we have the testimony of an ear-witness, whose veracity there is not the faintest reason for doubting, as to what it did contain. The idea that the letter was a fraud or a forgery is utterly incredible in view of its having been immediately referred to a committee who were instructed to reply to it. Had it been a fabrication we should have heard more about the matter. The conclusion that the letter in question did really contain a repudiation of Montrose by Charles II. is confirmed by the fact that words in support of it were quoted by Argyll as having been uttered by the King and transmitted to him by the Earl of Lothian, Secretary of State, then in Breda. These words we have already given. They were to the effect that "His Maiestie wes no wayes sorey that James Grahame was defait, in respect, as he said, he had made that invasione without and contrarey to his command."[2] That Charles had appointed Montrose his lieutenant and encouraged him in his undertaking time after time was beyond question. Thus in January of this year, 1650, he had written a letter urging him to prosecute his enterprise vigorously, and this letter, after being published in Paris in a French translation, had been retranslated into English and had appeared in London newspapers.[3] The members of the Estates, therefore, cannot have been ignorant that Montrose acted under the direct orders and sanction of the man who now repudiated him.

As we have said, some attempt has been made to involve Argyll in the infamy of this transaction, if not indeed to lay the responsibility for it altogether upon his shoulders, on the supposition that Charles II. had not heard of Montrose's defeat at the date when the letter read in Parliament on 25th May must, if genuine, have been written. But the narrative of occurrences in Breda during the first half of May which we have given above effectively disposes of that conjecture. Numerous reports concerning his defeat were current in that town when the correspondence recorded by Sir James Balfour was despatched to Scotland. No one who has followed the course of Argyll would think of ascribing fatuity to him; yet he would have been

[1] *Commonwealth and Protectorate*, vol. i. p. 258.

[2] Balfour, *Annals*, vol. iv. p. 24.

[3] Carte, *Original Letters*, vol. i. p. 358; Gardiner, *Commonwealth and Protectorate*, vol. i. p. 214.

nothing less than fatuous if he had tried to palm off upon the Parliament comments of Charles II. upon an event of which he had not yet heard. The Earl of Lothian, too, was a man of honour and integrity, and it is incredible that he would have allowed his name to be mixed up with a forged letter read in public in which an abominable slur was cast upon his Sovereign. Difficult as it is to believe that Charles could be guilty of such foul treachery to his loyal servant, it would be much more difficult to believe that he would allow his name to go down in history branded with the infamy of a crime of such a low and despicable type if he had been innocent of it. On the whole, we are afraid that he must be left to bear the disgrace of his ingratitude towards Montrose; and we are once more face to face with the profound mystery how members of the Stewart family could inspire a passionate loyalty and fidelity of which they so often showed themselves utterly unworthy.[1]

The feelings of those who reported and heard Charles's words and who affected to accept them as true were not enviable. Yet, before we pass any severe censure upon them, we should in justice to them remember the difficult position in which they were placed. Base as he was, Charles had been proclaimed their King. His personal unworthiness did not nullify the fact that in their opinion he was the only person who was entitled to govern Scotland, and they may have thought that there was no other practicable course than to shut their eyes to his duplicity and to treat his repudiation of Montrose as equivalent to a tardy expression of regret at ever having employed him to terrorize his Scotch subjects by lighting again the flame of war in their country. The acceptance of Charles on these terms was but an ill omen for the new career as a Covenanted King on which he had entered, and soon the sword broke in the hands of those who had insisted upon his consenting to occupy that false position and had undertaken to uphold him in it.

[1] Those who have any difficulty in believing that Charles II. would repudiate an agent so fully accredited by him may find a striking parallel to the conduct thus imputed to him in the relations of Charles I. with the Earl of Glamorgan. See the vol. entitled *An Enquiry into the Share which King Charles I. had in the Transactions of the Earl of Glamorgan*, 1747.

CHAPTER XV

Treaty of Breda concluded with Charles II. — Arrival of the King in Scotland — The Discomfort of his Condition — His relations with Argyll — Cromwell invades Scotland — The Royal Army purged of "Malignants" — The Battle of Dunbar — Honours promised by the King to Argyll — "The Start" — Charles II.'s position made more comfortable.

THE second deputation sent from Scotland to arrange a treaty with Charles II. had already succeeded in bringing him to terms. His hopes of Ireland had now been, as we have said, defeated by Cromwell's victories there. No doubt, when he began the negotiations which led up to the treaty which he signed on 11th June, he still had expectations that Montrose would soon effect some change in the condition of matters in Scotland which would modify the harshness of the terms which were forced upon him. After he heard of Montrose's defeat and death he still adhered to his plan of going to Scotland, and probably he anticipated being able by the charm of his manners and by subtle policy to bend matters to his will. But even at Breda the representatives of the narrower, and at the same time the more honest and consistent, section of the Scotch Covenanters were with difficulty persuaded to acquiesce in the farce of presenting the National Covenant and the Solemn League and Covenant to Charles for acceptance. They saw him surrounded by persons as his counsellors and friends whom they called "Malignants"; they knew that he adhered to the Episcopal form of service in his own household, and in spite of their remonstrances "communicated" kneeling; and they were not unacquainted with the fact that "many nights he was balling and dancing till near day."[1] In these circumstances they regarded his promise to accept the Covenants as mere hypocrisy, and as a profanation of the sacred duties and responsibilities involved in them. It was only by persuasion and almost by compulsion that they were induced to agree to allow Charles to perjure himself, and to journey home

[1] *Select Biographies* (Wodrow Society), vol. i. p. 170.

with him in the same ship. Their hearts were heavy; for what with the "profane malignant companie" on board, and the dishonest King, and their own sin in weakly suppressing their better judgment, they felt, as one of them says, that they "were taking along the plague of God to Scotland."[1] Alexander Jaffray, a commissioner, who belonged at that time to this section of the Covenanting party, afterwards wrote: "We did sinfully both entangle and engage the nation and ourselves, and that poor young prince to whom we were sent; making him sign and swear a Covenant, which we knew from clear and demonstrable reasons that he hated in his heart. Yet finding that upon these terms only he could be admitted to rule over us (all other means having failed him), he sinfully complied with what *we* most sinfully pressed upon him; where, I must confess, to my apprehension, *our* sin was worse than *his*."[2]

On the 3rd of July the vessel on board of which the King had embarked arrived at the mouth of the Spey; but before he was allowed to set his foot upon Scotch soil he had to sign both the National Covenant and the Solemn League and Covenant.[3] His friends and counsellors, who were of the types of English "Malignants," or Scotch "Engagers," were obliged to leave him and to betake themselves to obscurity to avoid being dealt with as public enemies. The only exception made was in the case of the Duke of Buckingham—an exception which seems very remarkable when one considers his dissolute course of life.[4] Burton suggests that perhaps he had, with his well-known powers of mimicry, succeeded in passing himself off as a child of grace;[5] but the Covenanting leaders had more shrewdness and

[1] *Select Biographies* (Wodrow Society), vol. i. p. 180.

[2] *Diary*, p. 55.

[3] Sir Edward Walker, *Journal*, p. 159; Nicoll, *Diary*, p. 16.

[4] Clarendon, vol. iii. chap. i. p. 476.

[5] *History of Scotland*, vol. vii. p. 14. It is always pleasant to a historian to nail down on the counter some of the false coin which he finds current. The story is told that Charles II. was joined by Argyll at the Bog of Gight, the seat of the Marquess of Huntly's, a few days after his arrival; and that on the royal progress southwards the Duke of Buckingham rode on the right of the King, and Argyll on the left. At Pitcaple a woman, described as "The Goodwife of Glack," is said to have addressed Charles in a loud voice from amidst a crowd of spectators, invoking blessings on his journey, but bidding him beware of the man on his left hand, who had taken off his father's head, and who, if he (the King) did not take care, would have his next (Davidson, *Inverurie*, pp. 297, 373; Lyon, *Personal History of Charles II.*, p. 34). As a matter of fact, Argyll did not go north to the Bog of Gight to meet Charles II., but waited at Perth until his arrival there (*State Papers, Dom.*, 1650, p. 266). The above story is therefore utterly false. Its

good sense than that historian is disposed to ascribe to them. The true reason seems to be given by Bishop Burnet, and it is less creditable to them than guileless simplicity would have been; for he tells us that Buckingham's advice to Charles at this time was to put himself entirely in the hands of Argyll and his party.[1]

Yet our readers must not suppose that among the general population of Scotland there was any lack of warmth in the demonstrations of joy excited by the news of Charles having landed on the shores of his ancestral kingdom. The news was brought to Edinburgh, late at night on the Wednesday, that on the previous Sunday he had disembarked after his voyage of twenty days. The diarist Nicoll gives us a narrative of the enthusiasm created by the tidings, and it is worth while to preserve in our quotation from it the quaint spelling of the original. "All signes of joy," he says, "wer manifested throw the haill kingdome; namelie, and in a speciall maner in Edinburgh, by setting furth of bailfyres, ringing of bellis, sounding of trumpettis, dancing almost all that night throw the streitis. The pure kaill wyfes [poor market-women] at the Trone sacrificed their mandis [baskets] and creillis, and the verie stooles thai sat upone to the fyre. Efter a great volie of musketis from the castell, followit xxiii great peces of ordinance."[2]

Within a short time Charles II. found himself a tenant of Falkland Palace, but in circumstances very unlike those of a reigning prince. Argyll, we are told, received him with all outward respect imaginable;[3] but he soon found that he was allowed no share in the government of Scotland, and that councils were held without his presence at which important decisions were arrived at which were not even communicated to him. The best of food was provided for him, and it was served with decency; he had good horses to ride out upon, and respectful attendants to accompany him, so that to all outward appearance nothing was wanting that was due to a king. Yet he was utterly devoid of power and influence, and the place of his residence was a matter as little within

inherent improbability scarcely needs to be pointed out. It was highly unlikely that such a gross insult could have been offered with impunity to a man in Argyll's position, especially when raising enmity between the King and his subjects was at that time a capital offence according to Scottish law.

[1] *History of My own Times*, vol. i. p. 55.

[2] P. 16.

[3] Clarendon, *History*, vol. iii. chap. i. p. 474.

his choice as it would be in the case of one of his subjects who had been sentenced to a term of imprisonment. Nor was this his sole reason for complaint. A slight element of exaggeration may be present in the accounts which we have of the long and sombre religious exercises which were imposed upon him under the guise of instructing him in spiritual things. Clarendon says that they made him observe the Sundays with more rigour than the Jews observed their Sabbaths; and that they reprehended him very sharply if he smiled on those days, and if his looks and gestures did not please them, whilst all their prayers and sermons, at which he was compelled to be present, were libels and bitter invectives against all the actions of his father, the idolatry of his mother, and his own "malignity."[1] Yet, even after some deduction is made on the ground of the picture being a little over-coloured by prejudice, there can be no doubt that when all is considered Charles's lot was far from happy. Bishop Burnet describes this episode in the King's life with a sympathy born of a similar experience. "He [Charles] wrought himself," he says, "into as grave a deportment as he could: he heard many prayers and sermons, some of a great length. I remember in one fast day there were six sermons preached without intermission. I was there myself and not a little weary of so tedious a service.[2] The King was not allowed so much as to walk abroad on Sundays; and if at any time there had been any gaiety at court, such as dancing or playing at cards, he was severely reproved for it. This was managed with so much rigour, and so little discretion, that it contributed not a little to beget in him an aversion to all sort of strictness in religion."[3] The grotesqueness of the situation was emphasized by the fact that those who treated him with such remarkable brusqueness and severity made a great outward show of reverence to him, and, as it were, reproached him on bended knees with every gesture of humility.

The relations between Charles II. and Argyll at this period are described by Clarendon with such verisimilitude that we feel that he exactly reproduces matters as they were and provides us with a most vivid and characteristic portrait of Argyll in one aspect of his subtle and manifold nature. "There was never," he says, "a better courtier than Argyle,

[1] *History*, vol. iii. chap. i. pp. 475, 476.

[2] Cf. Dido's: "Haud ignara mali miseris succurrere disco," *Æn.*, vol. i. p. 630.

[3] *History of My own Times*, vol. i. p. 55.

who used all possible address to make himself gracious to the King, entertained him with very pleasant discourses, with such insinuations, that the King did not only very well like his conversation, but often believed that he had a mind to please, and gratify him; but then, when His Majesty made any attempt to get some of his servants about him, or to reconcile the two factions, that the kingdom might be united, he gathered up his countenance, and retired from him, without ever yielding to any one proposition that was made to him by His Majesty."[1] The allusion in the phrase "retired from him" is to an odd custom of the Marquess's of abruptly ending an inconvenient discussion by leaving the room and closing the door.[2]

Charles II. must have felt that from his arrival in Scotland he had been taken in charge by Argyll, and the impression could not fail to be intensified by the appointment of Lord Lorne, the Marquess's eldest son, to be the captain of his guard. The young noble, though devoted heart and soul to the Royalist cause, was not inclined to treat his office as a sinecure, but, as Clarendon says, "had so watchful a care of his Sovereign night and day, that His Majesty could not go any whither without his leave."[3] But deliverance was at hand, though in a most unexpected form; for it was to be through Cromwell that the captive was to recover freedom.

Probably the main reason why Charles came to Scotland was to use it as the base of operations against the enemy in England who had usurped the rule that was his by birth; but he found that the more rigid section of the Covenanters, into whose hands he had committed himself, was by no means anxious to promote his scheme. They felt the extreme difficulty of undertaking with their limited resources a contest with an English army flushed with many victories, especially when they had no confidence in the King for whom they were asked to fight. Many of them were accordingly desirous that he should avert the shock by some declaration which would make it plain that, though he did not give up his claim to the English crown, he did not intend for the present to prosecute it by the sword. Their advice was that he should wait until the confusion in England had died down and a desire for his presence became general; or until

[1] *History*, vol. iii. chap. i. p. 476.

[2] *Records of Argyll*, Lord A. Campbell, p. 27. See also *Scotland and the Protectorate* (Scottish Hist. Soc.), p. 413.

[3] *History*, vol. iii. chap. i. p. 488.

the impression made by his good government of Scotland should inspire envy for a share in the blessing. Perhaps Charles thought that the operation of this law of the survival of the fittest would require too long a time; but at any rate he replied to these advisers, with an asperity for which few could blame him, that he hoped they did not wish him to sell his father's blood.[1]

On 31st May Cromwell reached London after his Irish campaign of nine months, in which he had crushed rebellion with such force and severity that but little was left for Ireton to do, to whom he committed the chief command in Ireland. He had now, doubtless much against his will, to undertake the task of drawing his sword upon those in Scotland with whom he had so much in common, and who had so recently been in alliance with him but had embraced the cause of Charles II. Fairfax, who was under Presbyterian influences, refused to accept the chief command in a war with Scotland and laid down his commission. Seven weeks after his arrival in London, Cromwell entered Scotch territory with an army of five thousand cavalry and over ten thousand infantry, many of them veterans, and some of them soldiers who had been engaged in warfare on the Parliamentary side since the outbreak of the Civil War in England.[2] The invaders found the country between Berwick and Edinburgh on the line of their march laid waste and depopulated, and they were provided with food by vessels which sailed along the coast in attendance upon the army. On Tuesday, the 30th of July, "the English sectaries," as they were called in Scotland, lay at Musselburgh, and began to face the extremely difficult task of dislodging and defeating the powerful army under David Leslie, which was so skilfully disposed as to render the Scotch capital quite impregnable. For a whole month Leslie lay steadily quiet, and allowed Cromwell to make one fruitless attempt after another to lure him out to open battle.[3] Yet, though an army of at least twenty thousand men was now prepared to maintain the cause of Monarchy and of Charles II., it was only by the most humiliating concessions on the part of the latter that it was possible to keep it together to resist Cromwell. The King himself was not allowed to

[1] *Select Biographies* (Wodrow Society), vol. i. p. 184.

[2] Carlyle, *Cromwell*, vol. ii. p. 257, vol. iii. p. 4; W. S. Douglas, *Cromwell's Scotch Campaigns*, p. 37.

[3] Carlyle, *Cromwell*, vol. iii. p. 16.

remain in it, as many were persuaded that his presence would bring a curse upon it.[1] He accordingly retired to Dunfermline, not so much to be out of the way of danger as to be less a source of danger to others by reason of the insincerity and hypocrisy of which it was gravely suspected he had been guilty in accepting the Covenants.

Yet, even though an enemy was in possession of a considerable portion of Scotland and was at the gates of the capital, the Covenanting leaders set about the work of purging the army of all officers and men who were known to be Royalists, or who had taken part in the Engagement of 1648.[2] The policy of excluding from military service brave and efficient men who were eager to fight for the King has seemed to many in later times mere frantic folly; but it was certainly the logical consequence of the mistaken idea that the cause of the Covenanting party was the cause of God. To those who cherished this delusion the presence of an Achan in the camp was a greater danger than any that could assail it from without, and it was essential in the highest degree to take precautions against incurring such a risk. On the other hand, in the case of those members of the party who were not victims of this fanaticism, it was still a matter of importance to keep the army from passing into the control of Royalists or "Malignants." Had no check been imposed upon their joining the levies, they might either have outnumbered those who were more devoted to the Covenant than to the King, or they might have hampered them very seriously and injured the cause which had the chief place in their hearts.

The danger of harbouring within their ranks the traitor who might draw down upon their army the wrath of Heaven made the Covenanting leaders manifest still greater severity towards Charles II., who was called by many "the chief Malignant." He might reasonably enough, as it seems to us, have thought that after his acceptance of the Covenants the worst was past; but a second bitter draught specially compounded for him was now presented to his lips, with the prospect before him of utter ruin if he rejected it. A Declaration, drawn up by the Commission of Assembly and confirmed by the Committee of Estates, was laid before him for signature; but so stringent and humiliating were the terms in which it was couched that he shrank from accepting it. By this document the King was made "to profess his sorrow for his mother's idolatry, and for

[1] *Life of Robert Blair*, p. 235. [2] *Ibid.*, p. 235.

his father's guilt in being the author of so much blood of the Lord's people that was shed during the civil wars, his sincerity in subscribing the Covenant, his wish to satisfy the just desires of his English and Irish subjects, and his resolution to prosecute the ends of the Covenant, especially in the reformation of the Church of England; to admit his former sinfulness in opposing the work of God; and to express a hope that, as he now preferred God's interest to his own, so God would now be gracious to him."[1]

On Charles's refusal to sign this document, another meeting of the Commission of Assembly was held in St Cuthbert's or the West Kirk of Edinburgh, in which after great debate another Declaration was prepared, which disclaimed "all the sin and guilt of the King and his house, both old and late, and repudiated him and his interest in the quarrel between them and the enemy that had invaded the kingdom."[2] The King was so alarmed by these threatening proceedings that he at once signed the original Declaration which reflected so injuriously upon his father and mother, and which committed him to religious opinions and vows with which he cannot have had the faintest sympathy. Some few trifling alterations of phrases were made in the Declaration, which left its character unchanged but gave Charles an excuse for accepting a document which he had rejected a few days before. This disgraceful transaction took place on 16th August, 1650.

The proceedings of the Commission of Assembly, which drove the King to this profanation of things sacred and to the sin of perjury were by no means in accordance with the wishes of the more intelligent and experienced members of that body. It was only, indeed, by a majority of one that the Declaration was passed in the West Kirk refusing to own the King except so far as he maintained what they said was the cause of God; and, as some technical objection was established against the validity of one of the votes which had been given for it, the document had not full legal sanction. But none the less it was read at the head of the army, and a copy of it was even sent to Cromwell himself. Blair tells us that "the most grave, moderate, and prudent ministers and elders were displeased with the Act," and

[1] Grub, *Ecclesiastical History of Scotland*, vol. iii. p. 147. The full document with a few trivial changes is given in *General Assembly Commission Records*, 1648–49 (Scottish Hist. Soc.), p. 460.

[2] *Life of Robert Blair*, p. 236.

that it was carried by the younger men, who were more hostile to the King than their seniors.[1] A modern writer, who is an acute observer of human nature, has spoken of the austere type of goodness which so often appeals powerfully to the young mind; and his words are a striking commentary upon this incident. "It is dangerous," he says, "for young men to be too good. They are so sweeping in their condemnations; so sublime in their conceptions of excellence, and the most finished Puritan cannot outdo their demands upon frail humanity."[2] That Argyll was among "the more grave, moderate, and prudent men" who were opposed to the policy of humiliating Charles II. and of forcing him to the publication of statements which on his lips were mere falsehood and profanity, is quite certain. His indignation and disgust at such action were expressed by him to the King himself in words which show the deep gulf that divided him from the fanatical section of politicians who were in power, but whose overthrow was so close at hand. He told Charles that "when he came into England he might be more free, but that for the present it was necessary to please these madmen."[3] His passing such a sentence of condemnation upon those who were carrying out to its logical results the policy to which he had for so long a time past given his support is an expressive and pathetic commentary upon its real merits. A man of his wide experience and statesmanlike temper must now at last have realized how futile much of his life-work had been, and how near shipwreck was the cause which he had steered through so many dangers. The second-rate minds which could rest serenely upon conclusions, which were to them infallibly true because they were logically drawn, could only be aroused from their delusion by the shock of actual disaster, but before that moment came the clear-sighted Argyll must have tasted all the bitterness of disappointment and defeat. The movement which had begun under such fair auspices, and which had been consecrated by the devotion of so many saintly and gallant hearts, had now fallen into chaos and frenzy, and the best advice which he who had once been its foremost champion could give to his Sovereign was to humour the madmen into whose hands he had fallen, until an opportunity were given him of escaping into happier conditions.

[1] *Life of Robert Blair*, p. 236.
[2] G. Meredith, *Evan Harrington*, chap. xxxiii.
[3] *Cal. State Papers, Dom.*, 28th August, 1650, p. 310.

By the end of August Cromwell found himself in very forlorn circumstances. By no means could he force or tempt Leslie to come to open battle or to leave the strong positions held by him. The English General's men were falling sick, his supplies were being exhausted, and the weather was broken. He found it impossible to remain where he was, and so, on Saturday the 31st, he burned his huts and fell back upon Dunbar, with the view probably of embarking thence for England. "At sight whereof," says Carlyle, "Leslie rushes out upon him; has his vanguard in Prestonpans before our rear got away. Saturday night through Haddington, and all Sunday to Dunbar, Leslie hangs, close and heavy, on Cromwell's rear; on Sunday night bends southward to the hills that overlook Dunbar, and hems him in there."[1] His retreat was cut off by the pass at Cockburnspath being seized by the enemy; for, as he said himself, "almost a miracle"[2] would be needed to enable him to force his way through. He wrote on the 2nd of September to Sir Arthur Haselrig, governor of Newcastle, to gather forces together for the support of the English Government in case of a great disaster in Scotland; and the extremity of the danger in which he believed himself to be is indicated in the closing sentences of the letter. "Let Sir H. Vane," he says, "know what I write. I would not make it public, lest danger should accrue thereby."[3] But the next day altered the whole complexion of matters, and afforded the English General, as he believed, another illustration of that Divine mercy of which, as he said at this crisis of his fate, he already "had had large experience."[4]

If Leslie had only been patient and had continued for two or three days longer the policy of refusing to give fight, few of the English army would probably have got away from Dunbar. But unfortunately for himself and for the cause he defended he came down from the heights to attack Cromwell, whose condition he regarded as hopeless. His army of sixteen thousand foot and seven thousand horse was double the size of Cromwell's, but before he could arrange it in order of battle he was himself attacked. An overwhelming assault upon his right wing drove it back upon his main army, which was too crowded together to assist it, and threw it into utter confusion. The English horse

[1] *Cromwell*, vol. iii. p. 28; *Memoirs of Captain John Hodgson*, p. 42.
[2] Carlyle, *Cromwell*, vol. iii. p. 30.
[3] *Ibid.*, p. 30.
[4] *Ibid.*, p. 31.

and foot instantly charged their opponents with irresistible force, and the latter became "as stubble to their swords."[1] The chase of the fugitives extended over eight miles, and as the result of the day's fight three thousand of the Scotch troops were killed and ten thousand taken prisoners. The young Lord Lorne had had a command in the defeated army, and had behaved in this battle with conspicuous valour, and begun those services to the House of Stewart which were afterwards so ungratefully requited.

The cause of the blunder that led to the defeat of the Covenanting army has sometimes been attributed to the interference of the Committee of the Estates and of ministers with the plans of Leslie, and to his weakness in giving way to their suggestions. But this is very doubtful. Probably the movement of the Scotch army which exposed it to the danger of overthrow commended itself to all in it from Leslie downwards. His position on the hill exposed his troops to hardships from want of shelter in broken weather. Those of Royalist sympathies among his soldiers were impatient with his Fabian policy and inclined to ascribe it to "a secret fellow-feeling for the Sectarians and Regicides";[2] while the Covenanting leaders chafed at his hesitating to seize the advantage which seemed to have been so plainly offered to him. Leslie himself, in a letter to Argyll, complains of the relaxation of discipline, occasioned no doubt by the "purging-out" process which went on almost until the two armies entered into conflict. "I take God to witness," he says, "we might have easily beaten them as we did James Graham at Philiphaugh, if the officers had stayed by their troops and regiments."[3]

The result of the battle was that the power of the sword was finally taken out of the hands of the Covenanting leaders; for, though a Scotch army was soon again on foot to make another attempt in favour of Charles II., it was composed of Royalists and of persons who were not so devoted to the Covenant as to be unwilling to co-operate with them. The defeat at Dunbar was, indeed, a crushing blow to the party that had, with the exception of the short period during which Hamilton was supreme, for twelve years past succeeded in

[1] Burnet, *History of My own Times*, vol. i. p. 57.

[2] Carlyle, *Cromwell*, vol. iii. p. 35.

[3] Quoted from the "Lothian Papers" in Burton's *History of Scotland*, vol. vii. p. 26.

holding possession of power; for, since the overthrow of the expedition into England in support of the Engagement which he organized and led had been declared to be a mark of the Divine wrath against it, those who now were in their turn overwhelmed by disaster could not easily avoid drawing the same conclusion. They began to mutter something about "not hanging the equity of their Cause upon events [accidents]," and described as "tribulations" what in the case of their enemies they would certainly have called "judgements."[1] But no wary use of vague language could conceal from themselves the fact that both they and their opponents had solemnly commended their respective causes to God, and had appealed to Him to decide between them, and that in what Cromwell called "this mighty and strange appearance of His"[2] they had been hurled into utter ruin.

The defeat sustained at Dunbar is said to have given satisfaction to Charles II. himself, for whom the army under Leslie was supposed to be fighting. Indeed, Clarendon says roundly that he and Cromwell were equally delighted at the turn which events had taken.[3] The King saw now some prospect of the gilded captivity in which he had been kept since his arrival in Scotland coming to an end; and we are told that when the news of Dunbar was communicated to him he fell on his knees and gave thanks to God,[4] perhaps the first sincere act of devotion which he had performed for some months past. The ingratitude which led him to ignore the lives sacrificed for his sake in that terrible slaughter is very characteristic of him and of the family to which he belonged; for of many of them it may be said that they thought their subjects were honoured by having an opportunity given to them of sacrificing life and all that was dear to them for their sake.

The Government of Scotland under Argyll left Cromwell to take possession of the capital, where he found abundance of the provisions and comforts of which his army stood so much in need. Yet it was not until the 24th of December that the Castle of Edinburgh was surrendered to him.[5] The remnants of the Covenanting army and the Committee of Estates rallied their forces in Stirling, which Cromwell did not find it practicable

[1] Carlyle, *Cromwell*, vol. iii. p. 61.
[2] *Ibid.*, vol. iii. p. 66.
[3] *History*, vol. iii. pt. i. p. 508.
[4] W. S. Douglas, *Cromwell's Scotch Campaigns*, 130 n.; Whitelocke, *Memorials*, p. 472.
[5] Carlyle, *Cromwell*, vol. iii. p. 99.

at present to assail. The position in which Argyll and his party were now placed was a highly unenviable one, for in addition to the need of coping with the victorious army of the invaders they had to face divisions in their own ranks. At such a crisis in national affairs they felt that it would be dangerous in the highest degree to enter upon any new policy; and so the only plan that commended itself to them was to fill up the broken ranks of the army with fresh recruits and to fight on for King and Covenant.[1] To this policy a strong opposition now began to spring up. A right wing, consisting of those who accepted the Covenant but were more devoted to the King's interests than to it, came into view, and to it rallied Royalist partisans of every variety and degree; while at the same time, and to some extent in consequence of this movement, a democratic left wing began to form, to which those adhered who were attached above all things to the Covenant and who were inclined to repudiate the King on the ground of his insincerity and hypocrisy in relation to it. So definite was the distinction between these two parties, and so well founded in reason were their respective principles, that between them the members of the third or moderate party, to which many of the official class belonged, were bound to scatter and to give in their adherence either to the one or the other. As little choice in the matter was allowed to them as is given to the corn that finds itself between the upper and lower millstones.

At this juncture of national affairs, when so many of those who had accepted the Covenant were becoming indifferent to the cause of Charles or were definitely refusing to fight any longer in support of it, while the Royalists were legally disqualified from rendering the service of which the King stood so much in need, it was a matter of the highest importance to secure the continued support of Argyll. His intimate friend and political associate, Johnstone of Warriston, was now the most prominent personage in the ranks of the stricter section of the Covenanters, and it would not have been very surprising if Argyll had chosen to join their party rather than that of the Royalists. The fear that he might take this course and utterly wreck the royal cause agitated Charles and led him to heap upon Argyll assurances of his favour and promises of every honour in his power to bestow. Three weeks after the battle of Dunbar he assured the Marquess that he would still be guided by his

[1] Carlyle, *Cromwell*, vol. iii. p. 76.

counsels,[1] and pledged himself in writing to fulfil the promises which he had made so profusely. As the letter is but short, and as it may furnish our readers with the means of measuring the royal perfidy of which Argyll was the victim, we shall give it in full. It is dated "St Johnston [Perth], September 24th, 1650," and runs as follows: "Having taken into my consideration the faithful endeavours of the Marquis of Argyll, for restoring me to my just rights, and the happie setling of my dominions, I am desyrous to let the world see how sensible I am of his reall respect to me, by some particular marks of my favour to him, by whiche they may see the trust and confidence I repose in him; and particularly, I doe promis that I will mak him Duk of Argyll, and Knight of the Garter, and on of the gentlemen of my bed-chamber; and this to be performed when he shall think it fitt. And I doe further promis him to hearken to his counsels . . . [worn-out]. Whensoever it shall pleas God to restor me to my just rights in England, I shall see him payed the forty thousand pounds sterling, which is due to him. All which I doe promis to mak good, upon the word of a King, CHARLES R."[2]

An awkward incident that occurred at this time served both to hasten the process of disintegration and also to strengthen the position of the extreme Covenanting party. The close surveillance under which Charles II. felt that he had been kept by Argyll since his coming to Scotland had been mortifying enough; but there had been no remedy against it so long as the power of the Covenanting Government remained unbroken. Now, however, that the Committee of Estates was in such great perplexity and confusion, the strictness of the watch over the King was of necessity relaxed; the nobles and officers who were specially his partisans resorted openly to him, and he began to complain and expostulate when things were done of which he disapproved. Some of those of the Hamiltonian party, who had served in the Engagement and had been in sympathy or association with Montrose, were scattered through the Highlands, and were waiting for an opportunity of declaring for the King. A Dr Frasier, an experienced conspirator,[3] and, like most such, of a restless spirit, was an intermediary between them and Charles and

[1] See the letter which is given below.

[2] *Hist. MSS. Commission*, vol. vi. p. 606; see also the text of the above letter given in the article "Archibald Campbell" in *Biographia Britannica*.

[3] See Hillier's *King Charles in the Isle of Wight*, passim.

persuaded the latter to put himself into their hands. The plan was for the Royalist partisans to assemble at a fixed rendezvous on a certain day, with all the forces they could muster, and for the King to join them. Matters went so far that a declaration was actually prepared in which Charles complained of the ill-treatment he had endured since his arrival in Scotland, and in particular expressed indignation against Argyll. The whole affair was revealed to the Marquess by the Duke of Buckingham, who had from the first, as we have said, been well affected towards him. According to one story he accidentally found in an open cabinet some of the letters which had passed between the King and his Highland friends and did not scruple to divulge them ; but according to another story Charles II. himself had thoughtlessly told him of his plans.[1] Some uncertainty must have existed with regard to the date of rendezvous, for before Argyll thought it necessary to take any steps for the defeat of the plot the King had fled from Perth, which had for a short time past been his place of residence. With a dozen or twenty horsemen he rode out of that city on the 4th October as if on a hawking expedition, and, as soon as he was fairly in the open country, he and his companions galloped off westward and before nightfall were more than forty miles away. The loosely constructed plot, however, turned out a failure. Either some mistake had been made as to the day of meeting, or some of those who had been expected to assemble had hung back at the last moment. At any rate, Charles II. found himself without soldiers or resources for undertaking a Royalist insurrection, and he had to pass the night in a wretched hut among the Grampian Hills, "with nothing but a turf pillow to sleep on."[2] In these circumstances he resolved to return next day to the comfortable quarters in Perth which he had so rashly abandoned, and the troop of cavalry which Argyll despatched after him was scarcely needed to persuade him to remain steady to his decision.[3] This somewhat ludicrous incident, known in Scotch history as "The Start," caused serious alarm in the minds of Argyll and his associates. With Cromwell in possession of a large part of Scotland and of the capital, an insurrection of the Royalists in

[1] Clarendon, *History*, vol. iii. pt. i. p. 509 ; Gardiner, *Commonwealth and Protectorate*, vol. i. p. 373.

[2] Balfour, *Annals*, vol. iv. pp. 113–115. The description given by the annalist of Charles's condition on this occasion is very vivid. He was found "in a nasty room, on an old bolster, above a mat of seggs and rushes, overwearied and very fearful."

[3] Clarendon, *History*, vol. iii. pt. i. p. 510.

the Highlands on any considerable scale could scarcely have failed to overwhelm them utterly; and they felt compelled to guard against a repetition of the danger by making concessions to their opponents. Popular sympathy was being aroused in some quarters in favour of the King, on the ground that he was not being treated as he ought to be. It was decided, therefore, to call a meeting of Parliament at which he should preside, and in the meantime he was allowed to be present at meetings of the Committee of Estates.[1] Great preparations also were made for his coronation.

[1] Balfour, *Annals*, vol. iv. p. 168.

CHAPTER XVI

Remonstrance of the Western Covenanters—A strong Royalist Reaction sets in—"The Act of Classes" modified—Coronation of Charles II.—The Proposal for marrying a Daughter of Argyll's—Unpopularity of the Marquess—"The Act of Classes" rescinded—Resolutioners and Protesters—Cromwell occupies Perth—The Royalist Army invades England—Argyll retires from Public Life—Battle of Worcester.

IN the meantime the tide of feeling and opinion among the extreme Covenanters was rapidly rising against Charles II. and those who were apparently conniving at his feigned devotion to the Covenant, or watching for an opportunity of joining him openly as Royalists and enemies of the cause for which Scotland had sacrificed so much. The belief that the defeat at Dunbar was due to laxity in purging out from the Scotch army and from the King's household the leaven of "Malignancy" soon found armed exponents and defenders. Colonels Strachan and Ker, both of whom had done good service to the Covenanting cause in suppressing the Royalist insurrection under Mackenzie of Pluscarden and shattering the army of Montrose at Carbiesdale, became the leaders of this faction. After Dunbar their attitude towards Leslie was such that they could not continue to serve under him, and they were employed to raise troops in the western lowlands of Scotland, where zeal for the Covenant still glowed with unabated fervour. They anticipated, no doubt, being able after a time to play as decisive a part as the Western Covenanters had played in seizing the reins of power after Hamilton's departure into England with the army of the Engagement. Strachan, indeed, openly confessed as much by writing a letter to Cromwell, in which he offered to secure England against being invaded in Charles's interest, if the English army would leave Scotland.[1] In a short time the Western army amounted to five thousand men.

On 17th October they drew up at Dumfries a Remonstrance addressed to the Committee of Estates, in which they refused to

[1] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 370.

fight for the King, on the ground of his insincerity in relation to the Covenant, and his intimate connexion with "Malignants," to whom his recent action in withdrawing from Perth showed his real and strong attachment. They protested against invading England in order to force a King upon the English people, and against any employment of "Malignants," and they concluded with charging some members of the Committee of Estates with covetousness and extortion.[1] The Remonstrance contained many statements which the majority of the members of the Committee of the Estates and of the Commission of the Assembly were forced to admit were "sad truths," [2] though the terms in which they were expressed were tinged with both fanaticism and insolence. It was not possible, therefore, to pass any severe sentence of condemnation upon the Remonstrance. Argyll censured it with some asperity, but it was defended by Warriston, who was largely responsible for drawing it up. Finally it was condemned by both the Committee of Estates and the Commission of Assembly, though in such guarded terms as to avoid exasperating those from whom it emanated.[3]

The resolution not to fight for the King ought naturally to have been followed by submitting to Cromwell or by making terms with him; but some of the Remonstrants, with that faculty for making fine distinctions which is the pride and the curse of some types of the Scotch mind, resolved to continue the war. Colonel Ker attacked the English troops at Hamilton, and, after a sharp conflict in which a hundred of his men were killed and he himself was severely wounded, his forces were defeated.[4] His colleague, Colonel Strachan, openly joined Cromwell. In a short time the whole Western army melted away, and the members of it returned to their ordinary occupations, which probably they regretted having ever left. The whole of Scotland south of the Forth and Clyde was now subject to Cromwell—Edinburgh Castle, the last stronghold to submit, having been given up to him, as we have said, just before the end of the year.

The refusal of the extreme section of the Covenanters to support the cause of Charles II. against the English invaders, and the disappearance of their army, forced the more moderate section into an alliance with the Royalists which rapidly became

[1] Peterkin, *Records*, p. 604; Balfour, *Annals*, vol. iv. pp. 141–160.
[2] *Johnston of Warriston* (Famous Scots Series), p. 134.
[3] *Life of Robert Blair*, p. 247.
[4] Carlyle, *Cromwell*, vol. iii. p. 86.

an absorption into their ranks. Very much against their will, Argyll and others whose religious sympathies were with the thoroughgoing supporters of the Covenant found themselves forced to separate from them on questions of politics; for the union between the religious and the national spirit which had imparted such zeal to the supporters of the popular cause in 1638 was now dissolved.[1] Those who abhorred hypocrisy and falsehood held aloof from public life even at the risk of seeming unpatriotic, and so indifferent were they to the cause of their country's independence as to refuse to aid in driving out the English invaders. The Act of Classes had excluded from offices of trust all who had taken part in the Engagement, or who were known as Royalists, or who were of vicious character. Some were liable to exclusion for life, and others for periods of years varying according to the supposed degrees of their guilt, while none could be restored without giving satisfaction to the ecclesiastical authorities. Yet to these proscribed classes belonged the very persons to whom alone the Government of Scotland could now turn for the defence of the country. Immediately after Dunbar the question was raised as to the wisdom or justice of the Act of Classes, and it was recognized by the great majority both in the Committee of the Estates and in the Commission of Assembly that it would need to be seriously modified to suit the condition of national affairs.

As soon as Parliament met various prominent Royalists were admitted on accepting the Covenants; and, on the matter being referred to the Commission of Assembly, it was decided that those who expressed penitence for the sin of "Malignancy" might be allowed to serve in the army. This small breach having been made in the barrier erected by the Act of Classes, it was not long before the pressure of public opinion carried the process still further and the disabilities under which the Royalists lay were altogether removed. Unfortunately the Covenanting party were still strong enough to insist upon the condition of giving satisfaction to the Church being maintained; but this became a mere form the observance of which was discreditable to both parties. A Royalist, whose conscience was enlightened enough to discern the guilt of hypocrisy in submitting to this ordeal but who had not sufficient strength of will to resist it, says: "Behold a fearful sin! The ministers of the Gospel received all our repentances as unfeigned, though they knew

[1] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 382.

well enough they were but counterfeit; and we, on the other hand, made no scruple to declare that Engagement to be unlawful and sinful, deceitfully speaking against the dictates of our own consciences and judgments. If this was not to mock the all-knowing and all-seeing God to His face, then I declare myself not to know what a fearful sin hypocrisy is."[1]

The irritation and disgust of those who were thus compelled to undergo this humiliating ceremony are intelligible enough; but our view of matters would be incomplete if we omitted to take notice of the sullen anger and despair of those who saw men whom they regarded as the enemies of religion invested with the power of the sword. Friends of the Engagement, officers and soldiers of Montrose's armies, and wild Highland clans, were now formed into an army for the national defence and for the maintenance of the throne; while the strength which the Covenanting movement had imparted to the national spirit seemed utterly exhausted. "Surely," says Baillie at this time, "we had never more cause of mourning. . . . It cannot be denyed that our miseries and dangers of ruine are greater nor for many ages have been: a potent victorious enemy master of our seas, and for some good time of the best part of our land; our standing forces against this his imminent invasion, few, weak, inconsiderable; our Kirk, State, Armie, full of divisions and jealousies; the body of our people be-south Forth spoyled, and near starveing; they be-north Forth extreamlie ill-used by a handfull of our owne; many inclyning to treat and agree with Cromwell, without care either of King or Covenant; none of our neighbours called upon by us, or willing to give us any help, though called. What the end of all shall be the Lord knowes. Many are ready to faint with discouragement and despaire; yet divers are waiting on the Lord, expecting He will help us in our great extremities against our most unjust oppressors."[2]

On 1st January, 1651, the coronation of Charles II. at Scone was carried out with but maimed rites, as compared with the gorgeous ceremonial which had been observed in the case of his father eighteen years before. Appropriately enough, in consideration of the circumstances of the time and of the temper of those to whom Charles was indebted for his restoration to his ancestral throne, the coronation was preceded by days of fasting and humiliation.[3] On one of these the King was expected to mourn

[1] Sir James Turner, *Memoirs*, p. 94.
[2] *Letters*, vol. iii. p. 127.
[3] *Life of Robert Blair*, p. 254.

publicly not only for his own transgressions, but for those of his father and grandfather. He is said to have suggested in private to some of his intimates the propriety of his completing matters by lamenting that ever he had been born.[1] The coronation took place in the parish church at Scone, and it was conducted with some measure of pomp and magnificence. A couple of short paragraphs from the contemporary narrative of the proceedings may be welcome to our readers. "The Commissioners of Burroughs and Barons," we are told, "and the Noblemen accompanied his Majesty to the Kirk of Scoon, in order and rank according to their quality two and two. The Spurs being carried by the Earl of Eglington. Next, the Sword by the E. of Rothes. Then the Scepter, by the E. of Crauford and Lindesay. And the Crown by the Marq. of Argile, immediately before the King. Then came the King, with the great Constable on his right hand, and the great Marshal on his left, his train being carried by the L. Ereskine, the L. Montgomery, the L. Newbottle, and the L. Machlene, four Earls' eldest Sons under a canopy of crimson Velvet, supported by six Earls' Sons; to wit, the L. Drummond, the L. Carnegie, the L. Ramsay, the L. Johnstoun, the L. Brechin, the L. Yester, and the six Carriers supported by six Noblemen's Sons. Thus the King's Majesty entred the Kirk. The Kirk being fitted and prepared with a Table, whereupon the Honours were laid, and a Chair set in a fitting place for his Majesties hearing of Sermon over against the Minister, and another Chair on the other side, where he received the Crown, before which there was a Bench decently covered, as also seats about for Noblemen, Barons, and Burgesses. And there being also a Stage in a fit place erected of twenty-four foot square, about four foot high from the ground, covered with Carpets, with two stairs one from the West another to the East; upon which great Stage, there was another little Stage erected, some two foot high, ascending by two steps, on which the Throne or Chair of State was set."[2]

The Moderator of the Commission of Assembly, Robert Douglas, one of the ablest and most eloquent men in Scotland, preached what we are told was "a very pertinent, wise, and good sermon."[3] His text was taken from 2 Kings xi. 12, 17: "And

[1] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 385.

[2] *The Form and Order of the Coronation of Charles II.*, by Robert Douglas, minister at Edinburgh, p. 2 (London, 1660).

[3] Baillie, *Letters*, vol. iii. p. 128.

he brought forth the king's son, and put the crown upon him, and gave him the testimony: and they made him king, and anointed him; and they clapped their hands, and said, God save the king. . . . And Jehoiada made a covenant between the Lord and the king and the people, that they should be the Lord's people; between the king also and the people." With considerable liveliness of expression the preacher repudiated the ceremony of anointing as part of the coronation rite. It had lost whatever original value it had contained by falling into the hands of Popes and Bishops. "But now," he said, "by the blessing of God, Popery and Prelacy are removed; the Bishops, as limbs of Antichrist, are put to the door [*i.e.* out of doors]; let the anointing of kings with oil go to the door with them, and let them never come in again. . . . Kings are the anointed of the Lord, because, by the ordinance of the Lord, their authority is sacred and inviolable. It is enough for us to have the thing, though we want [are without] the ceremony."[1] He laid great stress upon the King's entering into covenant with God and with the people as the most important part of the proceedings of that day; and, in words which must have sounded strangely revolutionary to some of those who were present, he spoke of subjects being justified in controlling and opposing kings who abused their power and broke the conditions of their contract or covenant with their people.

In conclusion he warned the King to avoid the errors of his father and grandfather and exhorted him to be faithful to his vows. It seems to be taken for granted by many who are lacking in historical imagination that such discourses must of necessity have been dreary; and Charles has been spoken of as listening to this "with all appearance of interest." Yet, even if we suppose the King to have been insensible to the charms of the eloquence which the speaker undoubtedly possessed, his audacity and the treasonable character of his principles—from a Royalist point of view—must have served to prevent the sermon from being tedious. After prayer the National Covenant and the Solemn League and Covenant were read over, sworn to and subscribed by the King, and the coronation oath was administered to him. Thereupon he was invested with the royal robes, with the sword of state, and with the spurs. "Thereafter," we are told, "Archibald, Marquis of Argyle, having taken the Crown in his hands, the Minister prayed to this purpose: 'That

[1] *Form and Order of the King's Coronation*, p. 6; Lamont, *Diary*, p. 33.

the Lord would purge the Crown from the sins and transgressions of them that did reign before him: That it might be a pure Crown, That God would settle the Crown upon the King's head; and since men that set it on were not able to settle it, that the Lord would put it on and preserve it.'" And then the Marquess of Argyll placed the crown upon his head, and presented him to receive the homage of his nobles and people. The Earl of Crawford and Lindsay gave him the sceptre, and Argyll placed him on the throne, saying, as he installed him, "Stand and hold fast from henceforth the place whereof you are the lawful and righteous heir by a long and lineal succession of your fathers, which is now delivered unto you by authority of Almighty God." [1] After which Douglas again addressed to him grave exhortations interspersed with warnings drawn from the history of his immediate predecessors. The 20th Psalm having been sung, the proceedings closed with the apostolic benediction.

"The King," we are told, "in all the solemnity, especially in swearing the Covenants, did carry [himself] very seriously and devoutly, so that none doubted of his ingenuity [ingenuousness] and sincerity; yea, he did, both before and after the coronation, profess his sincerity in taking the Covenant to some honest ministers . . . begging this favour of them, that if ever, in any time coming, they did hear or see him breaking that Covenant, they would tell him of it and put him in mind of his oath." [2] His conduct in view of his after-history suggests to us that his being born a King, though no great gain to the Monarchy, was a distinct loss to the Stage. But yet, so strangely constituted is man, that it is not impossible that at times, if not for long, the heart of the young Prince was affected by the religious emotions which influenced so profoundly many of those with whom he was now compelled to associate. A remarkable story to this effect is told by Wodrow, who derived his information from the Marchioness of Argyll. "After King Charles's Coronation," he says, "when he was in Stirling, the Marquise waited long for ane opportunity to deal freely with the King anent his going contrary to the Covenant, and favouring of Malignants, and other sins. And Sabbath night, after supper, he went in with him into his closet, and there used a great deal of freedom with him, and the King was seemingly sensible, and they came that length as to pray and mourn together till two or three in the morning; and when at that

[1] *Form and Order of the King's Coronation*, p. 21; Nicoll, *Diary*, p. 46.
[2] *Life of Robert Blair*, p. 256.

time he came home to his Lady, she was surprised, and told him she never kneu him soe untimouse. He said, he had never such a sweet night in the world, and told her all; what liberty they had in prayer, and hou much concerned the King was. She said plainly they wer 'crocodile tears,' and that night would cost him his head."[1] It is probable that part of the bitter resentment against Presbyterianism which Charles II. in later years cherished arose from the remembrance of pious feelings with which his mind had once been stirred, but which in Scriptural phrase had "gone away as a morning cloud and as the early dew." And surely in this incident we have a view of the Marquess of Argyll which intensifies our interest in him. It was not a mere schemer, or a shifty politician, or a self-seeking courtier, who spent hours of devout conversation and engaged in prayer with his King, seeking to turn that young but wayward soul to a life of consecration to God. Only those who are void of all generous feelings, and who are so poverty-stricken mentally as to be incapable of intellectual sympathy with minds different from their own, would speak of Argyll's conduct on this occasion as a proof of his gloomy fanaticism. His action was, we have no reason to doubt, inspired by the purest motives, and his undertaking it was evidence of a certain engaging simplicity of mind which few have preserved who have like him spent a large part of their lives in the world of politics.

The part which Argyll had taken in the coronation at Scone belonged to him because of his rank in Scotland and the antiquity of his House; but the thought can scarcely have failed to suggest itself to those who witnessed the ceremony and to Charles himself that the Marquess held a position somewhat like that of the Earl of Warwick who was known as "the King-maker." And indeed there can be no doubt that, if Argyll had not laid down and maintained the principle that on Charles's giving satisfaction concerning religion and the Covenant the people of Scotland were bound to receive him as their King and to support his cause,[2] he would not have been recalled. The fact was too patent to be disguised from the King himself; and, as it necessarily involved, at least for a time, a measure of dependence upon Argyll, it is not surprising that the suggestion should have been made to secure his influence permanently by a marriage between the King and one of his daughters. The scheme had indeed been a matter of gossip at the Hague in the

[1] Wodrow, *Analecta*, vol. i. p. 67. [2] Balfour, *Annals*, vol. iii. p. 416.

previous May, when Charles was still there as an exile; but there is no reason to believe that it was broached in any formal manner.[1] In view of the fact of Argyll's commanding position in Scotland and of his having daughters, the suggestion as to a marriage was too obvious to be inexplicable except on the ground of an express proposal to this effect having been made by the Marquess. Indeed it would be quite inconceivable that he had made a formal suggestion of this kind and that the matter had remained in suspense for nearly a year, as would have been the case if the hand of Lady Anne Campbell had been offered to Charles before he set out for Scotland.[2]

[1] Dr Gardiner states, in his *Commonwealth and Protectorate*, under the date of 14th April, 1650, that a special agent had then recently arrived at Breda to offer the hand of Argyll's eldest daughter to Charles as a means of strengthening his interest in Scotland; but the authorities quoted (vol. i. p. 225) do not bear out this assertion. Two only of them are connected with the matter, and the one (*Charles II. and Scotland in 1650*, p. 114) merely records the above-mentioned gossip at the Hague; while the other (Livingstone's *Life*, p. 170) alludes to the scheme as a suggestion made to Argyll. The latter passage runs as follows:—"William Murray and Sir Robert Murray, negotiators for the King, who it is thought put him [Argyll] in hopes that the King might marry his daughter," p. 170 (*Select Biographies*, vol. i., Wodrow Society). A matter of fact can only be established by evidence, and this Dr Gardiner does not give; nor does he explain how it came to pass that nothing was heard of the scheme until after Charles's coronation eight months later.

[2] In a note by Lord Dartmouth on Burnet's *History of My own Times* (1823, vol. i. p. 150) it is distinctly implied that the marriage scheme was not broached until Charles II. was in Scotland. The passage is as follows:—"He [the Marquess] told Charles that he could not serve him as he desired, unless he gave some undeniable proof of a fixed resolution to support the Presbyterian party, which he thought would be best done by marrying into some family of quality that was known to be entirely devoted to that interest; this he thought would in a great measure take off the prejudice both kingdoms had to him on his mother's account, who was extremely odious to all good Protestants; and he thought his own daughter would be the properest match for him: not without some threats if he did not accept the offer, as the King told Colonel Legge, who was the only person about him that he could trust with the secret. The Colonel said it was plain that the Marquess looked upon His Majesty to be absolutely in his power, or he durst not have made such a proposal; and that, therefore, it would be necessary to gain time, till he could get out of his hands, by telling him that in common decency he could come to no conclusion in an affair of that nature before he had acquainted the Queen, his mother, with it: who was always known to have a very particular esteem for the Marquess and his family, but would never forgive such an omission. But that was an answer far from satisfying the Marquess, who suspected Colonel Legge had been the adviser; and he committed him next day to the Castle of Edinburgh, where he continued till the King made his escape from St Johnstoun, upon which he was released —the Marquess then finding it necessary to give the King more satisfaction than he had done before that time." After making some allowance for the prejudice against Argyll evidently cherished by the writer of this note, we may accept much of the information in it as substantially correct. The advantage of the proposed marriage lay, of course, in its being a sop to the Presbyterian party; and

This lady was the eldest of the Marquess's four daughters, and in the current gossip at the Hague, in which her name was connected with Charles's, she was said to be "a gentlewoman of rare parts and education."[1] Little surprise need be felt by any at the idea of such a marriage, for the lady in question was by birth worthy of Charles, and we should pay her a very poor compliment if we did not believe that she was at least his equal in most other respects. The correspondence is still extant in which the King brought the question of this alliance with the House of Campbell before his mother, Henrietta Maria, who had always had a high opinion of Argyll's ability, and received her advice on the point.[2] Clarendon would have us believe that Argyll was a dupe in the matter. He says that the influence of the Marquess was still so considerable "that it was thought very expedient to raise an imagination in him that the King had a purpose to marry one of his daughters;"[3] and that the negotiation was carried so far that the only way in which the King could defeat the scheme was by sending a special messenger into France to obtain his mother's consent. As this did not seem likely to be forthcoming, the messenger delayed his return, and in the meantime the fate of Scotland was decided. The envoy who was despatched on this delicate mission was Colonel Titus, who was, the same authority tells us, "a persone grateful to Argyll, and to all the Presbyterian party," and who sought afterwards to ingratiate himself with Charles II. by claiming to have been the author of the pamphlet against Cromwell entitled "Killing no Murder."[4]

Charles II. *was* for most of the time he spent in Scotland in the power of Argyll. We doubt, however, the accuracy of the latter part of the note. After the battle of Dunbar, Edinburgh Castle was very speedily besieged, and at the end of the year it surrendered to the English. Colonel Legge's imprisonment must have taken place in July or August of 1650. It is scarcely possible that the question of the marriage with Lady Anne Campbell was discussed at that time. It was not until the 17th of March, 1651, that the envoy was despatched to lay the matter before the Queen-mother. We can scarcely be in error in supposing that once the matter had been broached and a decision formed to submit the suggestion to Henrietta Maria no time would be lost in bringing affairs to a conclusion. It seems reasonable, therefore, to set down the date of the marriage scheme as some time early in 1651, and to conclude that if Colonel Legge suffered imprisonment in Edinburgh Castle it was for some other cause than having irritated Argyll in connexion with this matter.

[1] Gardiner, *Charles II. and Scotland in 1650*, p. 114.

[2] G. Hillier, *King Charles and the Isle of Wight*, p. 324.

[3] *History*, vol. iii. pt. i. p. 511.

[4] Carlyle, *Cromwell*, vol. iv. p. 238 n.

In the private instructions given by Charles II. to Colonel Titus he is directed to tell the Queen-mother the grounds on which the marriage in question was proposed. After stating that at that time no foreign match could be proposed which was not either impracticable or too insignificant to be of value in promoting his interests, the advantages of the present scheme were to be set forth. "The Marquess of Argyll," he was instructed to say, "is a person of great interest, of a very ancient and noble family, that hath been always loyal to the Crown, and sometimes allied to it, and himself, in all transactions between me and my subjects of this kingdom, hath particularly merited of me. I am informed that this marriage will be a great satisfaction and security to all the Church and all 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."[1] Along with these instructions from the King, Colonel Titus received, probably from the Marquess himself, messages for the Queen-mother and her counsellor, Lord Jermyn, recommending the scheme to them, and assuring them that their support of it would be remembered to their advantage by the people of Scotland. The reply of Henrietta Maria is very carefully worded, and the diplomatic wariness which characterizes it suggests that she had skilled advice in drawing it up. The concluding paragraphs in it, which contain the substance of her advice, are worth quoting. "You are to let him know," she says, "that I am not uninformed of my Lord of Argyll's ability, credit, or affections, nor how usefully he hath employed them all for the good and benefit of the King, my son; that there is nothing new or extraordinary that a person so well born as the Marquis of Argyll's daughter should be married to the Crown; that towards this daughter there can lie no exception in regard of herself, she being a person of whom I never heard anything but very good. But it is to be considered that the misfortunes under which we are fallen, are of a large extension—that the settlement of the affairs of Scotland, though it be a great and difficult work yet is not to be rested in without the recovery of England—that the kingdom of England, upon very great claims is like to require a part in a council in which it is so much concerned, and would

[1] G. Hillier, *King Charles and the Isle of Wight*, p. 329.

take themselves to be too justly offended, if by a present conclusion of the thing in question they should find themselves excluded totally from it. That even Scotland itself may not be without parties very considerable to the present affairs, that would be so far perhaps from concurring now to this matter, that a finishing of it might induce a most unseasonable irritation of them. . . . That I cannot think fit to give any other advice than that the thing remain for a while in the same estate it doth, by which he will have the opportunity, if the difficulties that now occur should be removed, to go then seasonably through with it."[1]

It may be reasonably doubted whether Charles II. was sincere in this matter. It is, of course, quite possible that his susceptible heart had been captivated by the charms of the lady in question, but the tone of his communication to his mother leaves an impression upon us that he is broaching a scheme which has been proposed to him rather than one which he has himself set on foot, and that he desires an excuse for evading it. The historian Gibbon tells us that when in somewhat similar circumstances he received the parental refusal "he sighed as a lover and obeyed as a son."[2] Charles may have thought it necessary to go through some such form of regret, but we need not believe that his feelings were very deeply moved. The effect of the abandonment of the scheme was, however, disastrous to the happiness of the Lady Anne herself, if the report of the historian Kirkton is to be relied upon. He says that "so grievous was the disappointment to the poor young lady that of [*i.e.* from being] a gallant young gentlewoman, she lossed her spirit and turned absolutely distracted."[3] At any rate she found no consolation in any other matrimonial scheme, for she died unmarried, most probably some time before 1660.[4]

Her name emerges in a curious way, about five years later than the correspondence between Charles II. and his mother regarding her, in connexion with strained relations between the King and the Duke of Buckingham. In the *Clarendon Papers* we read of the latter as seeking in 1656 to be reconciled to

[1] G. Hillier, *King Charles and the Isle of Wight*, p. 333.

[2] *Life and Letters*, p. 48.

[3] *History of the Church of Scotland*, p. 50.

[4] One of her letters printed in App. III. is dated 10th July, 1657 ; see also references to her in App. I.

Charles II., with whom he had been on bad terms for nearly a couple of years; and we are told that one of the causes of the royal displeasure was "his speaking to Argyle's daughter of marriage."[1] The Duke afterwards sought to gain favour with the Presbyterian party by marrying the daughter of Lord Fairfax; and there is little doubt that his overtures to Lady Anne Campbell at an earlier date were inspired by the same motive. It may be that Charles's anger sprang from a lingering affection for Argyll's daughter, but more probably it arose from resentment at the idea of a subject's improving his political position by an alliance which had once been proposed for himself. In an Appendix[2] we give our readers two hitherto unpublished letters by Lady Anne, one of which reveals the fact that she had inherited somewhat of the anxious Puritanical piety which was a marked feature in the character of both her parents. This fact heightens the contrast between her and the two debauchees who were to some extent and for a short time her suitors. Pascal speculates upon the possible change in history if the nose of Cleopatra had been so much shorter as to mar that beauty which captivated the masters of the world.[3] A less exciting but still interesting line of meditation is suggested by the thought as to the different course events in Scotland and England might have taken if the Lady Anne had married Charles II. and had survived him.

Some unfavourable comments have been passed upon Argyll's conduct in the matter; but we think that the circumstances in which he was placed should be taken into account before any judgment is passed upon it. Dr Gardiner goes so far as to speak of his "hoping to entangle his Sovereign in a family alliance" and of this being "a base intrigue for the maintenance of his own influence."[4] We fail, however, to see how this view of matters is consistent with the same historian's assertion that he offered his daughter's hand to Charles before ever the latter returned to Scotland. Surely there would have been but little evidence of underhand scheming in such a plain declaration of the condition on which Argyll was willing to give Charles his support. We, however, do not find any evidence in favour of the theory that the plan of a marriage was broached at that early date. It seems rather to have arisen after the King had been for some time in Scotland. The question as to whether the

[1] Vol. iii. p. 137. [2] App. III. [3] *Pensées*, art. xix. 7.
[4] *Commonwealth and Protectorate*, vol. i. pp. 392, 393.

King or Argyll took the initiative in the matter is of considerable importance, but it is not easy to answer it. The fact that Argyll had been in friendly relations with Cromwell before the death of Charles I. and that many of the extreme Presbyterian party with whom he had much in common were even now inclined to come to terms with Cromwell, must have suggested to the King the need for attaching him firmly to his side. Clarendon, who was hostile to Argyll, speaks, in the passage we have already referred to,[1] of the marriage plan having been broached to him in order to secure his support in the then critical condition of Charles's affairs. If there was, therefore, any intrigue in the matter, we have that historian's authority for asserting that the King was the person responsible for it. But, even if we were to admit that the proposal came from Argyll, we are not shut up to the conclusion that it was prompted by restless ambition or by any motive less worthy than that of defending himself against very imminent danger.

As we have already pointed out, the course of politics in Scotland at this time led to the formation of two well-defined opposing parties — that of the Royalists and that of the extreme Covenanters — to both of whom Argyll was an object of aversion. The Royalists could not forget that since the year 1638 he had been the leader of the movement which had issued in the overthrow of Episcopacy and the humiliation of Monarchy; and that, at every stage in the history of Scotch affairs and of the co-operation of the Covenanters with the English Parliament, his policy had been steadfastly hostile to that of the party to which they belonged and had triumphed over it. No aid to the Royalist party in Scotland which his conscience might now allow him to give could by any possibility wipe out the memory of his past. On the other hand, the thoroughgoing Covenanters who repudiated "a hypocrite from reigning over them"[2] had also become, though perhaps not so bitterly, hostile to the man who had brought him into Scotland and now sought to maintain him on the throne with the aid of "Malignants" and enemies of the Covenant. Among the adherents of either the one or the other of these two parties the remorseless course of events was gradually compelling the inhabitants of Scotland to range themselves. The small knot of political associates of

[1] See p. 265.

[2] From a speech by the Rev. Hugh Binning; quoted in *Johnston of Warriston* (Famous Scots Series), p. 135.

Argyll who had approved of his policy of recalling Charles as a Covenanted King could scarcely avoid casting upon him some of the blame of the failure of the plan and repairing the blunder, so far as they themselves were concerned, by joining either the one or the other of the two political parties above referred to. The result was that Argyll was likely both to be left alone and to find himself the most unpopular man in Scotland; and there seemed to be nothing to defend him against the danger of his position[1] but the favour of the King. A week after he had with his own hands placed the crown upon the head of Charles he is reported as "often saying to those he counted his friends that he verily believed they would shuffle him out;"[2] and as time went on his anticipations were only too fully realized. In these circumstances we can easily believe that, whether he proposed the marriage scheme above referred to or eagerly acquiesced in the suggestion of it, the principal advantage it would have in his eyes would be its affording him an opportunity of repairing his shattered political fortunes. Yet fate had something better in store for him than he sought to secure for himself; and in the long-run the ingratitude and resentment of his unworthy Sovereign were better for his fame than his friendship would have been.[3]

Royalists or "Malignants" having been admitted to serve and to hold commands in the army and to act as members of the Committee of Estates, all that was now needed to complete the process of reaction was the formal rescission of the Act of Classes, which had been passed after the defeat of the army of the Engagement. This rescission took place on 2nd June, 1651,[4] and it marked the final overthrow of the power of Argyll. Henceforth his political influence in Scotland was at an end, and he remained rather a spectator of events that were transacted in the country than one who had any share

[1] Kirkton, the historian, who was a contemporary of Argyll (1620–1699), credits him with proposing the match between the King and his daughter, but says that he did this "to make all sure for himself, being in great danger from the envy of his enemies" (*History of the Church of Scotland*, p. 50).

[2] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 387.

[3] In Lyon's *Personal History of Charles II.* it is asserted that the Marquess was consoled for the rejection of the marriage scheme by the promise of a Dukedom and the Garter and other rewards and honours. Our readers scarcely need to be reminded that this promise in question was made on 24th September, 1650 (see p. 253), and that Henrietta Maria's unfavourable reply which put an end to the scheme of the marriage was not received until after 15th April, 1651. The malignity and slatternly inaccuracy of the above statement are highly characteristic of second-rate writers of this school. *Non ragioniam di lor, ma guarda e passa.*

[4] *Acts of Parliament of Scotland*, vol. vii. pt. ii. p. 676.

in them. Dr Gardiner, in commenting upon this part of his career, says that "he fell unaided and unregretted because a base intrigue for the maintenance of his own influence had taken the place of manful championship of his nation's cause."[1] We do not think, however, that this view of matters can be substantiated. He rather fell because the inherent weakness of the cause of the Covenant as a political movement had now shown itself, and because he could only enter upon a fresh term of power by the betrayal and abandonment of all that he had supported during his public life. What was now his country's cause which he might have championed? It was scarcely that for the maintenance of which Charles II. was gathering an army. Scotland had, with an enthusiasm which every generous heart must admire, committed itself to an endeavour to set up the Kingdom of God on earth and had landed itself in utter confusion and chaos. In the cause of the Covenant many thousands of her bravest sons had been sacrificed; and the party which either was indifferent to the Covenant or regarded it with aversion had now control of the government of Scotland and of armed force for carrying out their plans. In 1638 there was a national cause worthy of Argyll's championship—that of religious and political freedom—but in the unhappy condition of affairs at present no one with his convictions could find honourable employment in the promotion of the Royalist cause. The overthrow of the policy to which Argyll was committed was a matter of certainty, and had almost been effected at the time when the marriage scheme was broached; so that his downfall from power was quite unconnected with the failure of that scheme.

The extent to which the Marquess had lost ground in popular favour at this period in his career may be judged from a couple of paragraphs in a newspaper of the time. Under date of 11th July, 1651, *Mercurius Politicus* says, "Argile is gone down the winde; nobody takes any notice of him; as he rides along, private troopers justle him sometimes almost off his horse." Nor was the change in the royal demeanour towards him less marked, though it did not take such an offensive form. In the same number of the newspaper in question we read: "Argile lately told the King that he had done wickedly in admitting all the Malignants into power. The King reply'd, He knew not what he meant by Malignants, and that they were all Malignants to God." The Marquess must have felt deeply mortified by these

[1] *Commonwealth and Protectorate*, vol. i. p. 393.

indications of the altered position in which he stood as compared with that which he had occupied for so long in the public life of Scotland; and probably the scarcely veiled scorn and aversion of the King cut him more deeply than the brutality of Royalist troopers.

The disastrous effect of a Church entering into the sphere of politics and forming an alliance with one particular party was illustrated in a most striking manner at this time in connexion with the Church of Scotland. On the question of rescinding the Act of Classes a great controversy sprang up, which divided the Church into two factions bitterly hostile to each other. The strife between them lasted until they were both overthrown after the Restoration, and Episcopacy was re-established in Scotland.[1] Those who were in favour of the Resolutions of Parliament for the admission of Royalists to office on expression of penitence were called Resolutioners, while those who objected to them received the name of Protesters or Remonstrants. Had the causes that divided the parties been of great moral or spiritual importance some dignity would have been imparted to the controversy; but they were comparatively trivial, and the fact that good and able men were to be found on both sides fails to redeem the history of the dispute from a certain measure of squalor. The sole value of acquaintance with the episode in question is that it serves to explain the course which events took after the Restoration. As time went on the Resolutioners became more ardently Royalist in sympathy, and many of them in the end found little difficulty in accepting the change from Presbyterianism to Episcopacy which was made in 1661;[2] while from the ranks of the Protesters were drawn the larger proportion of those who were martyrs and confessors for the Covenanting cause in its second and more heroic phase, when the fires of persecution played upon it and revealed the strength and nobility which characterized so many of its supporters.

The Scotch army, nominally under the command of Charles II., but virtually under the leadership of David Leslie, took up a strong position at Torwood to the south of Stirling. Cromwell found it impossible to force or entice his opponents to repeat the mistake made at Dunbar and come down into the plain; and accordingly he determined to cross into Fife with the view of

[1] Morison, *Johnston of Warriston* (Famous Scots Series), p. 135.

[2] "In 1651 the ministers adhering to the Resolutions amounted to about six hundred; and all of them with the exception of about forty conformed to Prelacy after the Restoration" (*Life of Robert Blair*, p. 362 n.).

delivering a flank attack and of cutting off part of the enemy's supplies. On 20th July his troops under Lambert inflicted a severe defeat upon the enemy's forces at Inverkeithing, two thousand of them being killed and fifteen hundred taken prisoners. Cromwell now saw the way open for dislodging the Royalist army from Stirling by seizing Perth and thus cutting off their supplies from the north, and he lost no time in carrying out his plan. In less than a fortnight after the fight at Inverkeithing he was in possession of Perth, and he had so altered the condition of matters that the decisive blow which he was desirous to strike was made possible. Yet after all it was not struck in Scotland, for Cromwell by his last military operations had left the way open into England, and this the Scotch army hastened to take. That the English General had anticipated this movement, or regarded it as possible and laid his plans accordingly, there is abundant evidence to prove.[1]

The Marquess of Argyll was opposed to the plan of invading England, but was, as Clarendon says, "the only man who urged against it reasons which were not frivolous."[2] The almost unanimous advice of the officers of the army and of the King's most confidential counsellors was in favour of the daring scheme. The King was nearer to England than Cromwell was, and he was sure of reaching it several days before his adversary could do so; and he expected to be joined by large numbers of Royalist supporters in the northern counties of that country whence he had received many assurances of willingness to help him. The Marquess of Argyll took no part in the expedition of which he disapproved; and when the King began his march south from Stirling he retired to his castle at Inveraray. He never again saw Charles II.; for, though he was in Whitehall a few months after the Restoration to offer his congratulations to the King, the latter refused to receive him and hurried him to that bloody fate which had been the lot of so many of the principal actors on the stage of those troublous times.

The dangerous illness of his wife at this time afforded the Marquess of Argyll an opportunity of asking Charles to be allowed to leave him at this critical juncture in his affairs. In the indictment afterwards drawn up against him he was accused of having then "disloyally and basely deserted the royal person

[1] Carlyle, *Cromwell*, vol. iii. p. 146; Gardiner, *Commonwealth and Protectorate*, vol. i. p. 426.

[2] *History*, vol. iii. pt. i. p. 513.

and army;"[1] and his reply was that the King had given him permission to depart to his home. This was doubtless a perfectly adequate reply to the charge of desertion; though, of course, it may have been quite understood on both sides that the illness in question furnished a pretext rather than a reason for his departure. Charles had now shaken himself free of Argyll as a counsellor and could scarcely expect him to take part in schemes of which he did not approve. In his decision to have nothing to do with the invasion of England Argyll was followed by Loudon and others of his partisans;[2] and the King was left to the support and advice of the Hamiltonian party and of his English Cavalier friends. Clarendon tells us that Charles was advised by some to imprison Argyll before leaving Scotland, to prevent his "doing mischief" during his absence. "But," he says, "his Majesty would not consent to it, because he was confident he [Argyll] would not attempt anything while the army was entire: if it prevailed he neither would nor could do any harm; and if it were defeated, it would be no great matter what he did."[3] There is no inherent improbability in the story. Argyll had for many years been a great political power in Scotland, and it may well have seemed to many unwise to leave him with such a clear field for the use of his diplomatic gifts and of the influence and resources still remaining to him. But their fears were unfounded. The Covenanting cause of which he had been the champion, and which had afforded him for so long a standing-ground from which to move the nation, was too hopelessly divided and distracted to be an object of apprehension. Charles was right, if we accept the words which Clarendon ascribes to him, in saying that Argyll would hold his hand for the present. No man of sense in his position would do otherwise than wait to see the outcome of the adventure upon which the King had embarked, and upon the result of which he had staked not only his own life and fortunes but those of so many of his Scotch and English subjects. Nor was he held in suspense for long: "the crowning mercy of Worcester" once again laid Scotland at the feet of Cromwell.

The army with which Charles II. left Stirling on 31st July, 1651, was about twenty thousand in number. They marched south by Biggar and Carlisle, and then through Lancashire. The hope of being joined by numerous English recruits proved to be utterly

[1] *State Trials* (Cobbett), vol. v. p. 1376.
[2] Gardiner, *Commonwealth and Protectorate*, vol. i. p. 431.
[3] Clarendon, *History*, vol. iii. pt. i. p. 513.

fallacious: the invaders were regarded as foreigners, and the national spirit was roused to resist them. "They marched," says the historian, "under rigorous discipline, weary and uncheered, south through Lancashire; had to dispute . . . the Bridge of Warrington with Lambert and Harrison, who attended them with horse-troops on the left; Cromwell with the main army steadily advancing behind. They carried the Bridge at Warrington; they summoned various Towns, but none yielded; proclaimed their King with all force of lung and heraldry, but none cried, God bless him. Summoning Shrewsbury, with the usual negative response, they quitted the London road; bent southward towards Worcester, a City of slight Garrison and loyal Mayor; there to entrench themselves and repose a little."[1] Yet but slight opportunity for this was given them. The course taken by Cromwell was through York, Nottingham, Coventry, and Stratford-on-Avon, and, when he arrived at Worcester with his army from Scotland and with the country militias who had risen at his summons, his forces numbered over thirty thousand men as against the enemy's which had fallen to sixteen thousand. On the evening of the 3rd of September, the anniversary of the battle of Dunbar, and afterwards the day of Cromwell's own death, the battle of Worcester was fought, and the royal cause was hopelessly shattered. The fight was a most desperate one, and for four or five hours victory trembled in the balance, but ultimately it inclined to the Puritan side. Cromwell, in writing an account of the battle next day to the "Speaker of the Parliament," says: "The slain . . . are very many. . . . There are about Six or Seven thousand prisoners taken here; and many Officers and Noblemen of very great quality: Duke Hamilton, the Earl of Rothes, and divers other noblemen—I hear, the Earl of Lauderdale; many Officers of great quality; and some that will be fit subjects for your justice."[2] The after-sufferings of many of the prisoners were severe in the extreme. Some perished from want of food and from jail diseases, while large numbers of the survivors were shipped for the plantations and sold as slaves. Very few of the army that invaded England ever found their way back to their native land. Charles II. after many romantic adventures succeeded with difficulty in escaping to the Continent, there to spend an exile of nine weary years; and the idea of his governing as a Covenanted King flew up to that limbo provided for the reception of "all things transitory and vain."

[1] Carlyle, *Cromwell*, vol. iii. p. 148. [2] *Ibid.*, vol. iii. p. 157.

CHAPTER XVII

Overthrow of the Scotch Government—Abortive Attempts to call a Parliament—Negotiations between Argyll and the Commonwealth—English Troops enter Argyllshire—The Marquess capitulates—Royalist Rising in the Highlands—The General Assembly forcibly dissolved—Lord Lorne joins the Royalists—Argyll loyal to his Engagements with the English Government.

A WEEK before the defeat of the Scotch army at Worcester, a troop of cavalry under Colonel Alured captured a large number of the Committee of Estates and Commission of Assembly at Alyth in Perthshire and despatched them as prisoners to London;[1] so that Scotland was now left without even the semblance of a Government which might continue resistance to the English Commonwealth. Among those who were thus taken prisoners was the old Earl of Leven, who had been so largely instrumental in organizing the military force which protected the Covenant at its origin, and who now saw his country exhausted by all that she had done and suffered in that cause, and prostrate at the feet of the conqueror. He was soon released on parole and ended his days in peace, after surviving to witness the Restoration of Charles II.[2]

The person whose office and rank in Scotland laid on him the responsibility of taking the lead in matters relating to the defence of the kingdom in its present circumstances was the Lord Chancellor, the Earl of Loudon, Argyll's kinsman. A more hopeless task could scarcely be conceived than that to which he set himself. The absence of the Sovereign, the presence of a powerful enemy in occupation of a large part of Scotland, and the incurable divisions and heart-burnings which existed among those to whom he had to appeal for help in this emergency, were all calculated to defeat his endeavours. The capture by the enemy at Alyth of members of the Committee of Estates and of

[1] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 449; Lamont, *Diary*, p. 41.

[2] C. S. Terry, *Life and Campaigns of Alexander Leslie*, p. 450.

the Commission of the Assembly was, as he himself says, "a sad disaster and blow,"[1] and it hastened the collapse of the attempt to continue the struggle. Various meetings of the members of the Committee of Estates who had escaped capture were held, but nothing of consequence was done, for, to use his own words, "the sad news of the defeat of the King's armie at Worcester . . . did so much damp and discourage us that all men almost everie wher lossed both heart and hand."[2] The difficulty of getting together the quorum of members needed for securing the validity of decisions arrived at was added to all the other trials and distresses of the unfortunate Chancellor, who was inclined by temperament to take technical defects of that kind seriously to heart. By exercising strong pressure he had induced Argyll to give up his attitude of isolation, and to join with him in his fruitless efforts to maintain an independent Government in Scotland. At a meeting in Rothesay at which Argyll and Loudon and a few others were present but which lacked authority on account of the want of a quorum, it was decided to call a meeting of Parliament about the middle of November.[3] The place fixed upon as most convenient for the proposed meeting was Finlairg, near the west end of Loch Tay in Perthshire, which was central in position and could with comparative ease be guarded against surprise by the English army. The proclamation calling the Parliament was duly made at Killin, and to it was added the notification that though the meeting "could not by reason of the enemy be proclaimed at Edinburgh Cross as formerly, yet it should be as effectual to all intents and purposes."[4] Though this Parliament was called in the name of the Committee of Estates, it was spoken of on all hands as having been summoned by Argyll, he being incomparably the most eminent of the small knot of politicians on whose authority the step in question was taken.[5]

A month before the proposed meeting of the Scotch Parliament, Argyll addressed a letter to General Monck asking that endeavours should be made to secure a peaceful settlement of matters. "I desire to know from you," he said, "as one having chiefe trust in this Kingdome, if it were not fit that some men who have deserved Trust in both Kingdomes may not meet to good purpose in some convenient place, as a meanes

[1] Firth, *Scotland and the Commonwealth*, p. 23.
[2] *Ibid.*, p. 25.
[3] *Ibid.*, p. 26.
[4] *Mercurius Politicus*, No. 76 (quoted in Burton, vol. vii. p. 48).
[5] Whitelocke, *Memorials*, p. 489; *Scotland and the Commonwealth*, pp. 337, 338.

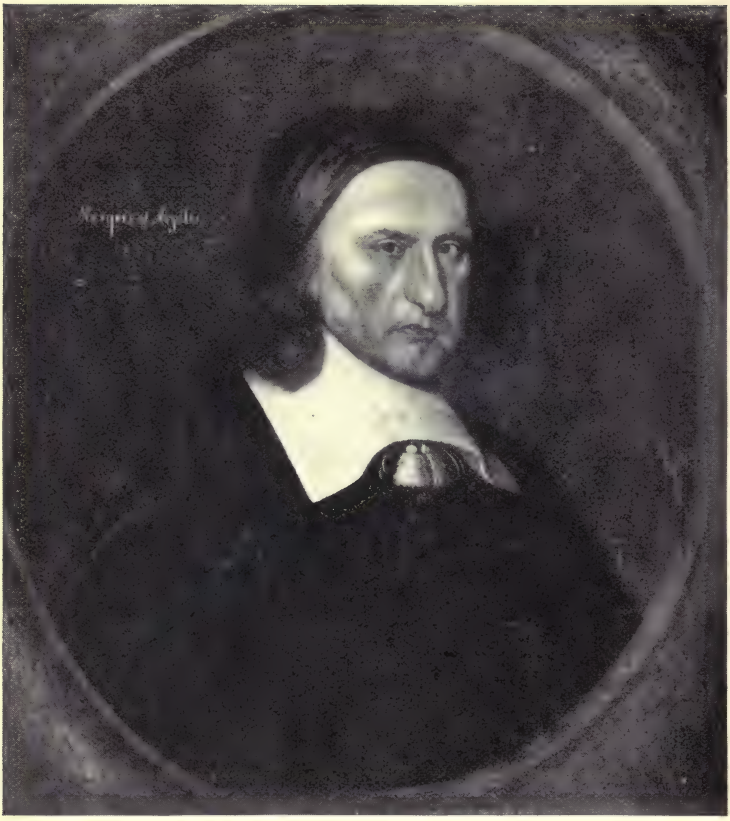
to stop the shedding of more Christian blood?" Had this suggestion been accepted, Argyll would probably have followed it up by requesting permission for the Scotch Parliament to assemble in order to appoint commissioners for drawing up such a treaty. But Monck replied by saying that he could not treat without authority from the Parliament of England.[1] The action of the officers of the English army, in taking the members of the Committee of Estates prisoners and sending them to London, was a plain intimation that the Parliament of England did not intend to recognize any authority or jurisdiction in Scotland but that which it might set up there. Consequently it is not surprising that Argyll's proposal was at once rejected. His next step was to request an interview with Monck or with officers appointed by him, with a view to arranging for his own personal submission to the Parliament of England. This was at once agreed to. A pass was sent to him granting him permission to travel to Perth with not more than thirty armed servants, there to meet with Colonel Brayne and Major Pierson on the 19th of November; but he was required not only to give no countenance to the "pretended Parliament by him called to meet at Kickillum [Kirk of Killin?]," but to use his utmost endeavours to hinder its meeting.[2] Yet he neither responded to the summons of the Lord Chancellor by presenting himself at the meeting which he had called, nor travelled to Perth to confer with the English officers. The alleged reason in both cases was an illness which prevented his leaving home. The proposed meeting of the Scotch Parliament proved a fiasco, for only three members appeared on the day appointed. All they could do was to express their sympathy with the Chancellor, and to assure him that he had done everything that could be expected of him, but that hope of obtaining assistance in any further struggle to maintain an independent Government in Scotland would be utterly vain.[3]

In December of 1651 commissioners were appointed by the English Parliament to order and manage affairs in Scotland, and to arrange for the country being politically united with England. Some of their number had an interview with Argyll

[1] *Scotland and the Commonwealth*, pp. 333, 335.

[2] *Ibid.*, p. 338. The conjecture as to the place meant by "Kickillum" is Mr Firth's in the volume from which our quotation is taken.

[3] *Ibid.*, pp. 26, 27.



MARQUESS OF ARGYLL in 1652 (?).

"The Newbattle Portrait."

From Original in Newbattle Abbey.

at Dumbarton, at which the latter repeated his former scheme of a discussion of the questions at issue by trustworthy representatives of both nations; but he was obliged to acquiesce in the mode of procedure decided upon by the English commissioners. He declared his willingness to do all that he could do with a safe conscience "for the peace and union of this Island," and hoped that he would never be found to be a cause or occasion of the contrary, but he refrained from any formal act of submission to the English Parliament. In a news-letter, dated 2nd March, 1652, we have a faint glimpse of the Marquess in his home surroundings. "Hee hath noe souldiery," says the writer, "about his house at Innerara [Inveraray], nor any show of leavying an Army, his chaplin usually prayes for the King under the notion of a distressed prince.[1] There are noe persons of quality with him only his son (the Lord Lorne), his Lady, and 4 daughters."[2] His hesitation and his desire to postpone the evil day of submission at last exhausted the patience of the English authorities, who resolved upon sending a military expedition through the Highlands to compel him and all other chiefs of clans to engage for themselves and their followers to live peaceably under the Parliament of the Commonwealth of England. The irritation caused by his attitude towards the English commissioners is reflected in a letter written on 27th April. "Arguill is now," it says, "againe seeking to come in, the pitcher goes often to the conduit but at last is dasht in peeces. He solicites hard and sends letter after letter, and one messenger after another, using all the means he can through his best policy to obtaine 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 of his put offs and overreaching intentions, which will be a snare probably to himself. His curiosity in aiming too high will cause such delayes, as will give us opportunity when grass is more grown[3] to fall to action. For we shal shortly be enabled to come upon

[1] Under the year 1655 Blair says that "public remembering of the King by name, in the public prayers, was left off by almost all the ministers of Scotland; yet still he was prayed for, not only in families and in secret, but in public, *being involved in some general* [*phrase*] *that did clearly enough design him to all intelligent hearers*" (*Life*, p. 325).

[2] *Scotland and the Commonwealth*, p. 38.

[3] *i.e.* when the season was further advanced and forage for horses could easily be got.

him and the rest that stand out with a double infall [attack]; I hope we shall find no very great difficulty to reduce his country."[1]

The expedition into the Highlands was organized and carried out by Major-General Deane, Monck having been compelled by a serious illness to leave Scotland. Before the English forces entered his territory the Marquess had an interview with Deane, in which he formally submitted to the Parliament of the Commonwealth.[2] As one of the conditions of the surrender was that various places of strength in Argyllshire were to be occupied by English garrisons, the negotiations between the Marquess and the Commander-in-Chief in Scotland were not concluded and published until some weeks later, when this condition had been carried into effect. In the speech at his trial in which he defended himself Argyll declared that he had been compelled by threats to agree to the terms Deane imposed upon him;[3] and there can be no doubt that this was a true representation of matters. However courteous in manner the English General may have been, the Highland chieftain was quite at his mercy; and terms agreed upon while an overwhelming force was upon its way to carry them into effect can scarcely be called other than compulsory.

Yet the irritation which the agents of the English Government may have felt at Argyll's long hesitation to admit that the conquest of Scotland by the army of the Sectaries was an accomplished fact need not affect us. We need not ascribe his conduct to merely restless ambition to play again the part of a dictator in Scotland, such as he had virtually been time after time until the fatal shock of Charles I.'s execution had thrown the Scotch world of politics into confusion. The prominent place which he had occupied for years in the Government of Scotland had involved him deeply in financial obligations into which he had entered in order to raise funds for the public service. The disappearance of an independent Government in Scotland which was pledged to provide for these debts out of taxation meant ruin for him, since he not only ran the risk of losing the money he had advanced to the Government but was left at the mercy of any of the State's creditors who chose to come down upon him as a guarantor. This, indeed, was the hapless condition in which

[1] *Scotland and the Commonwealth*, p. xxii. [2] *Ibid.*, p. 361.
[3] *State Trials*, vol. v. p. 1427; *Scotland and the Commonwealth*, p. 48.

he found himself until the obligations of the Scotch Parliament were accepted by the English, and arrangements were made for the repayment of the debts due to him.[1] That there was combined with this strong practical reason for resistance to the subjugation of Scotland by England an objection grounded upon patriotic feelings is quite possible, though it would be absurd to lay much stress upon this view of matters. For, when we assert that a man has strong financial reasons for adopting a certain policy, reference to other and more sentimental motives which may influence him is generally regarded as superfluous. As a matter of fact, however, the main interest of Argyll's history so far as we are concerned was now largely over; since for some years the voyage of his life, before its heroic and triumphant close, was "bound in shallows and in miseries."

One of these unhappy experiences consisted in the humiliation of seeing his territory invaded and occupied by an English army. He acquiesced in the inevitable with as good a grace as he could assume, though the effort must have heavily taxed even his power of dissembling his feelings. The forces which entered Argyllshire were under the command of Colonel Overton, and immediately after the interview between Deane and the Marquess the latter hastened into his own country to receive the invaders as guests.

A few paragraphs extracted from letters written from the Highlands by members of the English army will give our readers a vivid idea of their experiences and of the attitude towards them of Argyll and his clansmen. William Clerke, a military secretary, writing from Leith to the Speaker, on 13th July, says: "The party under Colonel Overton, which landed at Tarbut in Cantire, were met by the Marquesse of Argyles Steward by his appointment with a complement [compliment], but we heare not what they have done since."[2] Five days later, "A Letter from the Highlands" gives us some interesting particulars. "Our Forces here," says the writer, "blessed be God (after their long march), are in good health. The Marquesse of Argyle doth entertaine Col. Overton, Col. Reid, and Col. Blackmore in much state; and makes many pretences of love and affection, but who knows not that it is but constrained? The Marquesse is

[1] *State Papers, Dom.*, 1656–57, p. 18.
[2] *Scotland and the Commonwealth*, p. 362.

no stranger in the art of Politicks; but we shal make use of him accordingly. He hath so sent out commands to the Countries under his Dominions, that the Inhabitants doe somewhat civilly intreat our Souldiers where they come. This is a mountainous and an odde Country in some places, yet in other places rich and good in the vallies. But the people [are] very simple and ignorant in the things of God, and some of them live even as bruitish as heathens. . . . Some of the Highlanders have heard our preaching with great attention and groanings, and seeming affection to it." In another letter dated the following day, 19th July, we read: "Having setled some Garisons in Cantyre, we divided our forces and sent Col. Reid, with the major part to Innerary, and yesterday was sevennight begun our march, with above 700 horse, dragoons and foot, from Tarbet towards Dunstaffenage, in hope to have found our ships which garison there; and after four hard dayes march, we got thither, viewed that [place] and another within a mile or two of that, called Dunolley, finding them very strong, but no provisions being come, although wee stayed there two nights, wee were forced to act the King of France's part, to face about.[1] . . . If we doe heare they arrive at their designed Port, we shall take another ramble and scramble againe; but over such Mountaines and Mosses, such Places and Passes, such Lakes and Loughs did never poor people wander; yet with such cheerfulness we do anything to promote the publick Service, Argyle beyond measure assisting us in person, presence, men, friends, provisions, or any thing else."[2]

The Articles of Agreement between the Marquess of Argyll and Major-General Deane which were signed on the 19th of August were evidently framed so as to save the honour and credit of the former as far as possible, and they partook of the nature of a treaty as well as of a capitulation. On the one hand, the Highland chieftain undertook to do nothing either directly or indirectly to the prejudice of the Parliament of the Commonwealth of England or of the authority exercised by them in Scotland, and promised to use his utmost endeavours to secure

[1] Evidently an allusion to the well-known nursery rhyme—

"The King of France with twice ten thousand men
Marched up a hill and then—marched down again."

[2] *Scotland and the Commonwealth*, p. 363.

that his children and family and vassals and tenants should do the same. If any of them were inclined to violate this engagement the Marquess was pledged to give information of the fact to the officers of the nearest garrison, or to the Commander-in-Chief in Scotland. On the other hand, Argyll stipulated that this article was not to be understood as "hindering his good endeavours for the establishing religion according to his conscience." It was also agreed that either the Marquess or Lord Lorne would give himself up as a hostage, if the Parliament or the Council of State should require it. If these conditions were observed the Parliament undertook to respect the Marquess's person, property, and rank, and to abstain from placing a garrison in his chief residences at Inveraray and Carrick, unless, indeed, some extraordinary occurrence should make it advisable to depart from this stipulation. Five garrisons were planted within his territory, at Dunstaffnage, Dunolly, Lough, Kincairn, and Tarbert. At the same time Argyll formally accepted the union of England and Scotland; and it is significant of the almost royal position which he occupied, even in this time when its splendour had somewhat faded, that it should have been thought desirable by the English Government to publish the document in which that acceptance was expressed. It ran as follows:—"My duty to Religion, according to my Oath in the Covenant, always reserved, I doe agree (for the Civill part) of Scotland being made a Commonwealth with England, That there be the same Government without King or House of Lords derived [extended] to the people of Scotland, and that in the mean time while [until] this can be practicable I shall live quietly under the Parliament of the Commonwealth of England and their authority. *Sic subscribitur*, ARGYLE."[1]

A little incident that happened before the English army got out of the wilds of Argyllshire must have brought home to the soldiers the fact that in a country of that kind a resolute

[1] *Scotland and the Commonwealth*, pp. 48–50. The editors of *The Deeds of Montrose* (published in 1893) in their preface accuse Argyll of inconsistency in thus compounding with Cromwell. They say: "If it was impossible to accept Charles and his royal supporters without [acceptance of the Covenant and League] in 1650, how was it possible to accept Cromwell without it in 1652?" The question seems somewhat fatuous. Charles II. was very much at the mercy of the Covenanting leaders at the time specified, while the latter were in their turn at the mercy of Cromwell at the latter date. Argyll's submission to the English Government was reluctant, and extorted from him at the point of the sword.

enemy might easily inflict upon them serious loss, if not utter destruction. The rumour had been circulated throughout the district that after leaving garrisons in the places above mentioned the troops which were on their return were carrying off the Marquess of Argyll as a prisoner, and the clansmen gathered to rescue him. They evidently, however, abstained from attack in consequence of discovering their error. The description of the danger incurred and of the feelings of the soldiers, which is given in a news-letter of the time, is worth quoting. "Having setled our Garisons in the Highlands," says the writer, "and concluded amicably with Argyle, the 21 instant [August] wee marched from Innerary 5 miles, where wee incamped neer Arkinlesse for a day, in which time the Major-Gen. [Deane] being formerly gone on board of Cap. Sherwin's Frigot, the wind falling fair, he set sail for Ayre; and on Monday morning wee began our march again, and are now, blessed be God, lately arrived at this place [Paisley]; though the treacherous Highlanders, who carried fair to us while we continued in their Country, upon our departure gathered betwixt 1000 and 1500 of them together to an impregnable Passe, called Glen Crow, and where onely we could but file over, they in the interim standing secure upon advantageous and inaccessible Rocks, and undoubtedly fully resolved when they came thither to act according to their opportunity; yet God, who restrains the fury of the most savage beasts, doth also muzzle the mouthes and stop the outrages of bloody-minded men. . . . In fine, we advanced one by one over the Passe, they stood every way prepared to take their advantage upon us, yet had not the power or the spirit to do it. In all which time wee drew up our men under their noses, untill our Rear-guard was got over, and then we advanced a mile further, and encamped that night and heard no more of them."[1]

When the soldiers arrived at Dumbarton they were joined by the Major-General, who informed them that three out of the five garrisons left in Argyllshire had been surprised by the Highlanders, and that only those in Dunstaffnage and Dunolly were left.[2] There is no evidence that this had been done by

[1] *Scotland and the Commonwealth*, p. 366. It is to be hoped for the credit of human nature that there were none to be recognized in the menacing crowd who had been conspicuous for their deep attention and their groans of compunction when the military divines had held forth in Inveraray and other places in Argyllshire.

[2] *Ibid.*, p. 366.

Argyll's orders or at his suggestion; but there can be no doubt that the achievement would give him satisfaction, and that his clansmen knew that it would. He, however, rescued a number of the English soldiers who were suffering somewhat rigorous imprisonment, and he treated them very hospitably, giving them money for their journey and passes to secure their safe departure out of his territory. He offered to restore to the English Government the posts that had been captured, but it was not thought necessary or worth while to reoccupy them; so that the article in the terms of Agreement which provided for a strong military hold being kept upon Argyllshire was very considerably modified.[1] Indeed the military occupation was reduced to something like a mere form;[2] for by a supplementary Agreement concluded on the 27th of October, 1652, it was conceded that if the country remained peaceable the troops in the garrisons of Dunstaffnage and Dunolly would not be brought up to any greater strength, and that no additional forces would be brought into the country, "except on some urgent occasions to march through the Country for the peace of the Island, or reducing those that might be refractory."[3] As a precautionary measure, however, the Major-General required the Marquess of Argyll to give up eighteen brass cannon and five hundred muskets which were in his possession, and he agreed to pay a reasonable price for them upon their being landed at Ayr.[4] On the whole, the Marquess succeeded in obtaining better terms for himself than could have been reasonably expected, and he retained at the end of the negotiations his hereditary status of a potentate of almost independent rank.

Reduced as was the power of the Marquess, it was still sufficiently great to render Charles II. apprehensive lest an alliance should be formed between the Highland chieftain and the Protector which would serve to weaken the Royalist cause in Scotland. In a letter from the Hague, written on the 14th of October of this same year, the King again placed on record his indebtedness to the Marquess and renewed his promises of liberally rewarding the services the latter had

[1] *Scotland and the Commonwealth*, pp. xxii, 368.

[2] They then numbered only 120 foot-soldiers, 12 horse-soldiers, with their officers.

[3] *Scotland and the Commonwealth*, p. 60.

[4] *Ibid.*, p. 58. It is perhaps worth noticing that he agreed to pay 1s. 4d. Sterling per lb. for the brass, and 8s. Sterling for each musket.

rendered to him. The following were the terms in which Charles wrote:—"My Lord, since both by my absence and ill fortune, I want occasion and means to put myselfe in any probability of giving you so reall an acknowledgment of those respects to my person, and affection to my interests, you have so effectively shewed att my being in Scotland, as they deserve, I shall herewith desire your Lordship to be satisfied with the thanckfullnesse I shall ever conserve in my minde towards you, untill some good opportunity make me as capable as I shall be ready to show myselfe really Your Lordships most affectionate friend to serve you, CHARLES R."[1] We believe that in some quarters admiration for Charles II. has been or is being sedulously cultivated. The difficulties under which the process must be carried on call for a certain measure of commiseration, which any sympathetic heart will be forward to render. We do not, however, envy the person who could read this letter and not be inspired by a deep loathing for the royal perfidy of which Argyll was the victim.

Though the Scotch nobility and gentry had suffered many severe losses in the royal cause, and though the country was to so large an extent occupied by English forces, advantage was taken of the fact that England and Holland were embroiled in conflict to light again the fire of civil war in the Highlands. As early as 25th June, 1652, Charles II., at the request of some of the Highland chiefs, gave his sanction to the undertaking and appointed General Middleton to the command of troops that might be raised for renewing the war with England, giving him the title of Lieutenant-General.[2] But owing to Middleton's illness nothing further was done for some time. As the delay occasioned some impatience among the royal supporters, the Earl of Glencairn, who offered his services to the King, received a commission as Commander-in-Chief until Middleton should arrive in Scotland; and he zealously exerted himself to make the best possible use of the meagre materials at his disposal for entering upon a new campaign against the powerful enemy.[3] The Marquess of Argyll kept quite aloof from the scheme, and early in 1653 he informed Colonel R. Lilburne, the commander of the English forces in Scotland, that MacDonald of Glengarry and five or six other chieftains were engaged in some undertaking against the Government.

[1] *Hist. MSS. Report*, vol. vi. p. 613.
[2] *Scotland and the Commonwealth*, p. 46. [3] *Ibid.*, p. 99.

The English General was not inclined at first to attach much importance to the efforts of "the rabble" whose movements were brought under his notice, but in a very short time the rising assumed such dimensions that he found himself without sufficient armed force to suppress it.[1]

On the 27th of July the royal standard was set up at Killin, and from various parts of Scotland, Highlands and Lowlands, volunteers began to assemble at the rendezvous.[2] One Royalist noble after another hastened to recognize the commission given to Glencairn and to raise small bodies of recruits to serve under him. In the Presbyterian churches throughout Scotland prayers had been continuously offered for the King with whom the nation was in covenant, though he was now in exile. The fact, however, that a rebellion in his interests had now been set on foot directed the attention of the authorities to the danger of permitting the practice, and notice was issued prohibiting it.[3] Colonel Lilburne on his own authority proceeded to the still more drastic measure of forcibly dissolving the General Assembly. This took place on the 20th of July; and by the decision of the English officer an end was put to the ecclesiastical court which for fifteen years past had been so powerful an engine of government in Scotland. The Assembly had just met and prayers had been offered for the King, when Lieutenant-Colonel Cotterel entered and ordered the members to dismiss. His words were accompanied by a display of military power similar to that made by Cromwell in dissolving the Long Parliament three months before, and they were reluctantly obeyed.[4] The reason assigned for this violent act, so calculated to outrage the religious feelings of the people of Scotland, was a desire on the part of the authorities to hinder anything being done which might aid the Royalist insurrection in the Highlands.[5]

Though the Marquess of Argyll not merely kept aloof from the rising of the King's partisans but at an early date put Colonel Lilburne on his guard against it, he was unable to keep his clan and family free from the distraction which always attends on civil war.[6] Both his sons

[1] *Scotland and the Commonwealth*, p. 85. [2] *Ibid.*, p. 186.

[3] *Ibid.*, p. 192; *Life of Robert Blair*, p. 309.

[4] *Scotland and the Commonwealth*, p. 162; Baillie, *Letters*, vol. iii. p. 225; *King's Pamphlets*, E. 708 (23).

[5] *Life of Robert Blair*, p. 307.

[6] See App. VI., Letter I.

were strong Royalists, and the elder of them, Lord Lorne, after the King's standard had been raised at Killin, lost no time in offering himself as a volunteer to fight under it. From the first his inclinations had led him to adhere to the royal party. For children to take a different course in politics and religion from that followed by their parents is by no means a rare phenomenon, especially when the parents are very pronounced and strenuous in the support of any particular cause. Nor need we attribute the fact of such divergence to mere depravity of nature or any other discreditable cause. Those who hear one side of matters very much insisted upon are often inclined from intellectual weariness to revolt from it, and to think sympathetically of its contrary; and if they have inherited any of the force of character displayed by their parents they are likely to manifest it in promoting what the latter would have abhorred. Lord Lorne had scarcely more than come to years of manhood when he was prepared to face the risk of drawing his sword in defence of a cause to which his father might be opposed. Soon after the execution of Charles I. he wrote to offer his services to Charles II. He cannot then have been more than twenty-two years of age, and for some time past he had been engaged in foreign travel, so that, as he said in the letter referred to, for two years he had been such a stranger to home that he had but seldom heard of the state of his parents' health. He zealously protested against the calumnies which had been heaped upon his father, in which he had been accused of approving of the execution of the King and the abolition of Monarchy; and he declared his conviction that his father was a loyal subject and a very true and real servant and well-wisher of the royal house. "Nevertheless," he went on to say, ". . . I protest to you before God, I am so farre loyall to his Majestie that if I thought my father meant otherwise then he professes, and were, as some have beene pleased to call him, ane enemie to Monarchicall Government or the King's Majestie, I would not only differ from him in opinion . . . but allso quite all the interest I have in him rather than prove disloyall to my lawfull prince or to the government we have lived so happily under these many hundred yearss."[1]

The well-known Royalist proclivities of Lord Lorne were calculated to bring his father into suspicion with the English authorities now that the rising had taken place in the Highlands.

[1] *Scotland and the Commonwealth*, p. xlvii.

The latter's submission, under constraint, to the Government of Cromwell rendered it easily credible that he desired the success of this attempt to overthrow it. The appearance of his son and of gentlemen of his clan among the rebels would make it very difficult for him to convince the authorities that he was not in collusion with those who were taking up arms in the royal cause. Consequently we cannot be surprised that he exerted himself energetically to prevent Lord Lorne's compromising him by joining in the insurrection. Baillie says, probably in reference to the precautions taken by the Marquess, that his son had reason to complain of "being but coarselie used" by him.[1] The unhappy condition of matters at Inveraray is disclosed in a letter from Argyll to Colonel Lilburne, probably written on Wednesday, 20th July. In it he refers to the fact, already communicated by him to the English commander, that some of the Royalists had assembled at a house about two miles away from the castle. In consequence of this he says that he had taken some men into his company for the defence of his own person, "which," he adds with a touch of bitterness, "God knowes is not soe much worth." He then proceeds to tell of the course taken, much to his displeasure, by Lord Lorne. "I desired," he says, "to know if I was cleare in my owne family, whereupon I cal'd for my eldest sonne, that I might put him to it (as I did) to declare to mee if he was free from engagements with these people now stirring, and that he would assure mee he would never engage with them. He declared that he was not resolved to engage with them but would not declare in the negative, though he said to some in private he resolv'd not to joyne with them; however imediately after his goeing out of my sight hee tooke horse and went to Glenurquhy where it seem'd he appointed a meeting with Auchinbreck, MacNachtane, Sir Arthur Forbes, and such as are of that crew; but imediately after I knew of his resolucion I caused my last warning [to] come to his hands, whereof the inclosed is a copie, soe what resolucion he takes on it, I know not, for he went but from this upon Monday [the 18th] after 12 a clocke."[2] The letter he sent to his son, a copy of which he enclosed to Colonel Lilburne, commanded and entreated him to refrain from rebellion, and it was couched in the strongest and most affecting terms. "Hearing," it began,

[1] *Letters*, vol. iii. p. 250.
[2] See App. VI., p. 381.

"you are upon a course for disturbing the quietnes and peace of [the] country in generall, and drawing new troubles upon this shire, and my family in particular, whereupon there may follow soe much guiltinesse and prejudice. Therefore if there be in you either feare of God, or respect to His law in your obedience to your Parents, or any feare of the curse pronounced in God's Word against the setters lightly [despisers] of either father or mother, or if you desire not their curse to follow you in all your waies, These are requiring you as you will answere for it one day before the Throne of God, and as you desire to be free of all the guiltinesse and prejudice which will follow such waies, and as you desire to enjoy anything that is mine, or would eschue to deserve my curse, that you will hearken to my counsell to forbeare such courses." The letter concludes with invoking upon his son all dire judgments of Heaven which filial disobedience has reason to fear, if he were to continue in his present course, and with reminding him of the Divine mercy which the penitent may count upon.[1] No right-minded person can fail to be touched with sadness at reading of these unhappy relations between the father and the son; and there can be no doubt that on the day when the letter was written Argyll felt that nothing more bitter in earthly experience remained for him to taste. In addition to this communication from his father, a letter of protest and advice was sent to Lord Lorne from a number of prominent members of the clan Campbell, his "affectionate friends and cousins," who were then assembled at Inveraray, in which, while expressing their willingness to assist him in all lawful ways, they declare his present time of action to be both imprudent and evil.[2] On the other hand, there were some of his kinsmen, of whom Campbell of Auchinbreck was the principal, who supported him in taking the Royalist side — "vaine men" and "sons of Beliall" they are called in an unsigned letter to Colonel Lilburne, but which there is every reason to believe was written by their indignant chief.[3]

The Royalist insurgents were far from being united among themselves, and by their mutual enmities and disputes they nullified to a large extent the many advantages which they possessed in the then condition of Scotland. No sooner had Lord Lorne ridden in to give the aid of his sword and influence

[1] Firth, *Scotland and the Commonwealth*, p. 167.
[2] *Ibid.*, p. 168. [3] *Ibid.*, p. 261.

to the cause than he met with MacDonald of Glengarry, a hereditary enemy of his family and clan; and at once we are told they fell out and drew upon each other. They were prevented from fighting by those present, but they parted in bitter enmity.[1] Glencairn, it is said, regarded Lorne with distrust and slighted him;[2] and very shortly afterwards the latter was on hostile terms with Lord Kenmure, another of his associates and his own cousin. This dispute arose from what occurred in connexion with an expedition which they led into Argyllshire. Some thirteen years before this time the Marquess of Argyll had either invited or accepted as tenants a number of Presbyterian families from the counties of Ayr and Renfrew and had settled them in his estate of Kintyre, and recently the Lowland colony there had received some fresh accessions of persons of the same stamp.[3] All were stalwart and zealous supporters of the Covenant, and they were very strongly inclined to maintain the policy of Argyll and in this crisis to cast in their lot with the soldiers of Cromwell rather than with the Royalists. On receiving information that a rising in Kintyre in the English interests was imminent, Lord Lorne and Lord Kenmure went thither with some five or six hundred horse and foot to hinder or to suppress the movement. The English Commander-in-Chief was somewhat disappointed and irritated to hear from Argyll that any attempt to oppose this expedition would be fruitless, as the people of the district would not resist his son, and he declared that if the Lowland settlers acted in like manner he could only conclude that something very like "juggling" was being practised at his expense, since he regarded the tenants in question as quite under Argyll's influence.[4] Sufficient resistance, however, was made to avert this suspicion. At the approach of the Royalists these Lowlanders took possession of the castle of Lochheid, and fortified it, in the hope that either from Argyll or from the English garrison at Ayr aid would be despatched to them, and that they would be able to offer strenuous resistance to the enemy. But as this hope was not realized they surrendered the castle to Lord Lorne, and received from him better terms than his colleague considered they deserved. It is by no means likely that Lord Lorne was inclined to deal harshly with persons

[1] Firth, *Scotland and the Commonwealth*, p. 222.
[2] Baillie, *Letters*, vol. iii. p. 250.
[3] *Scotland as it Was and Is*, Duke of Argyll, p. 218.
[4] Firth, *Scotland and the Commonwealth*, p. 243.

who were probably among the most trustworthy and well-doing tenants on the estate to which he was heir; so that it is likely that they were more favourably treated on that account than they would otherwise have been. At any rate, Lord Kenmure considered that too great partiality had been shown them and departed to lodge a complaint with Glencairn.[1]

But, though the Marquess of Argyll may have incurred some slight suspicion by his failing to hinder the invasion of Kintyre, the English Government had abundant proof of his good faith in the aid which he gave to Colonel Cobbett in an expedition into the Western Islands. This officer, after taking possession of the island of Lewis and establishing a garrison there and in a stronghold on the coast of Ross-shire, landed in Mull and occupied Duart Castle. While he was there the Marquess visited the island and persuaded the inhabitants to engage to live peaceably and to obey the authority of Parliament, as the rest of the shire of Argyll had agreed to do. The vessels, however, which contained provisions for the English troops were wrecked in a great storm on the 23rd of September, and Colonel Cobbett had to return by land. He conveyed his men over from Duart Castle to Dunstaffnage in boats, and marched thence through Argyll's country to Dumbarton—an undertaking of great danger in consequence of the risk of their being intercepted by the Royalist troops. Their indebtedness and gratitude to the Marquess for timely aid are expressed in a letter from the Commander-in-Chief in Scotland to Cromwell. "Had not Lord Argill," he says, "and his people bene good guides to him, and assisted him with anything they could, the party in all likelyhoode might have miscarried, [so] that Col. Cobbett acknowledges his saifety was under God in the Lord Argill's favour to him."[2]

[1] Baillie, *Letters*, vol. iii. p. 250.

[2] Firth, *Scotland and the Commonwealth*, pp. 275, 221.

CHAPTER XVIII

Monck suppresses the Royalist Insurrection in Scotland—Argyll burdened by Debt—Arrested in London but liberated—Lord Lorne surrenders to the Protector's Government—Connexion between Argyll and the Protesters—He enters the Parliament of Richard Cromwell—Restoration of Charles II.—Argyll goes up to London and is committed to the Tower—Writes *Instructions to a Son*—Is sent down to Edinburgh for Trial.

WE have no intention of attempting to relate in detail the events of the guerilla warfare which was waged in Scotland for a whole year from this time, as the Marquess of Argyll had but little active connexion with it. Suffice it to say that the Royalists strove to irritate and exhaust their opponents without coming to an open engagement with them; while the latter were additionally handicapped by the fact that they got little effective information or aid from those of the population who were supposed to be hostile to the Royalist cause. Indeed the general opinion of the mass of those who strenuously supported the Covenant seems to have been that the Sectaries were more objectionable and dangerous enemies than the Malignants. A stronger hand than Lilburne's was needed to guide the war, and ampler supplies of money and of men were needed than it had been possible to give while the struggle with Holland engrossed the attention of the Government. At last, when the war with Holland was over, Monck was sent down to Scotland and succeeded in a few months by "the methods of barbarism" in stamping out the fires of rebellion which had been smouldering for so long.[1] The Marquess of Argyll lent somewhat more active aid to Monck than he had done to Lilburne, for we are told of their conferring together for the conduct of military operations.[2] But, unfortunately, during the later stages of the war several incidents occurred in connexion with Lord Lorne and his father which illustrate the dreadful tendency of civil war to dissolve the ties of filial affection and

[1] Gardiner, *Commonwealth and Protectorate*, vol. ii. p. 416.
[2] Baillie, *Letters*, vol. iii. p. 259.

piety. Thus we hear of a fierce conflict between the forces of the father and those of the son in which wounds and death were inflicted,[1] of the son's intercepting a vessel laden with provisions for his father's men,[2] and of his driving away cattle from his father's lands, and of its being found necessary for Argyll to apply to the English authorities for protection against the insolence and violence of his son.[3] These events belong to the later months of the year 1654.[4] Baillie, writing well on in the following year, gives us these details of the sad business. "The domestick divisions," he says, "among them are so real and true as makes both their lives bitter and uncomfortable to them; and the great burthen of debt puts their verie house in a hazard to ruine, if the English be no more kind to them than they have been, or it seems they will be. The father sought a garisone to lye in Argyle, to keep it from his son's violence; bot when it was on the way, he repented, and gott a new order for their returne; yet they would [goe] on; yea, took up his owne best house of Inneraray, made the kirk and schooll their stables, and hardlie at this very time have been gotten removed. The people's great hatred lyes on him above any one man, and whatever befalls him, few does pitie it: at this very time his state is very staggering."[5]

The burden of debts, for the most part obligations as guarantor to persons who had supplied funds for State purposes, was now a very serious matter for the Marquess of Argyll. In writing during the summer of 1654 to Colonel Lilburne the Marquess expressed his willingness to meet the English General for conference in any place he might choose, provided that he were protected from "the violence of his creditors."[6] The naïve declaration implied in this that in his Highland retreat he was safe from "hornings," writs, warrants, and judgments of court, and all the legal apparatus for the recovery of debt, is amusing, especially as the writer is evidently quite unconscious of there being anything extraordinary in this condition of matters. And indeed it is easy to believe that few warrant officers would find much pleasure or success in journeying into Argyllshire to

[1] Nicoll, *Diary*, p. 140.

[2] Firth, *Scotland and the Protectorate*, p. 175.

[3] Whitelocke, *Memorials*, p. 590 (quoted in *Dict. of Nat. Biog.*, "Archibald Campbell, 9th Earl").

[4] *i.e.* according to our reckoning as closing in December.

[5] *Letters*, vol. iii. p. 288.

[6] Firth, *Scotland and the Commonwealth*, p. 166.

trouble the MacCailein Mor with inconvenient demands for money, or to present to him legal documents of a disagreeable tenor. The man who would accomplish such a feat would be entitled henceforth to rest upon his laurels, quite as much as he who had been daring enough to beard the lion in his den and had lived to tell of it. But, away from the protecting shadow of the great mountains set round about his home and deprived of the bodyguard of loyal clansmen, things were different. Nicoll, a Writer to the Signet in Edinburgh, who has left a *Diary* of considerable historical value, depicts vividly the deplorable condition to which the Marquess was reduced at this time, when he showed himself outside his territory. The unsympathetic tone of the writer is, we may say, in accordance with his general practice of seeking to reflect the public opinion of his time—in other words, of fawning upon the powerful and trampling upon the unfortunate. As in a former quotation from the same author,[1] we think it worth while to preserve his quaint spelling. "In the moneth of November 1654," he says, "the Marques of Ergyll repaired to Dalkeith, quhair Generall Monk remayned for the tyme, and thair complened greatlie of his sone the Lord of Lorne, and of the havie injureis done be his sone to the father. At quhich tyme he resaved (I meane the Marques) much effrontes and disgraces of his creditouris, quha being frustrat and defraudit be the Marques of thair just and lauchfull dettis, spaired not, at all tymes as he walked, ather in streit or in the fieldis abroad, [to call him] 'a fals traitour.' Besyde this, his hors and hors graith [harness], and all uther houshold stuff, wer poyndit in Dalkeith and at Newbottill, and brocht in to Edinburgh, and thair comprysit [forcibly sold] at the Mercat Croce for dett."[2]

From this intolerable condition of matters the Marquess got some temporary relief by applying to the Law Courts for a suspension of debts due by him, which he obtained under an Act recently passed for the benefit "of distrest persones and dettouris" in certain cases of extremity.[3] This, so far as Scotland was concerned, gave him a breathing-space and an opportunity for arranging his affairs. But in the following year one of his principal creditors took action against him in London, whither he had gone to obtain from the Government of the Protector the payment of the debts promised to him by the Scotch Parliament and referred to

[1] See p. 242. [2] P. 140.
[3] *Ibid.*, p. 143.

in one of the articles of the treaty he had made with General Deane. The article in question stipulated that his estates, lands, and debts were to be free from sequestration,[1] and under this arrangement he now sought to have his burdens lightened by the Council of State. In November, 1655, he was arrested in Westminster by the creditor above referred to, Elizabeth Maxwell, the widow of the Earl of Dirleton,[2] for a debt apparently of £1000 Sterling, for meal supplied to the Scotch army in England during the campaign of 1644–45. For this debt others besides Argyll were pledged, but the creditor came down upon him for repayment. The Marquess protested against the matter being dealt with by any but the Scotch Judges, and the legal authorities in England took the same view; but the Countess of Dirleton was so obstinate in resisting the orders of the Council that at last, after many months of wrangling, a warrant was issued for arresting her on the ground of contumacy.[3] Ultimately the Countess was paid, and the Marquess, on presenting a petition to the Protector's Government, received assurance of the payment of upwards of £12,000 Sterling due to him by the authorities in Scotland. A grant was made to him of a sum, not exceeding £3000 Sterling per annum, upon the excise of wine, etc. in Scotland until the whole amount should be paid. It is interesting to notice that the Colonel Cobbett who counted himself so much under obligation to the Marquess for safety during his perilous journey through Argyllshire proved himself a friend in need. He advanced £1000 Sterling needed for paying off the Countess of Dirleton, and he received repayment from the Office of Excise out of the first money that fell due to the Marquess.[4] Yet this amount for which the Council of State accepted liability was only a portion of the debts incurred by Argyll in the public service. He himself says in his petition to the Protector: "Being ready at all times to venture all for the interest of the three nations, I laid out large sums therefore both in England and Scotland, for many of which I am still bound."[5] These pecuniary troubles continued to the very end in spite of the Marquess's strenuous efforts to overcome them; for we find him on 9th June, 1659, making terms with a creditor for the payment of the comparatively

[1] Firth, *Scotland and the Commonwealth*, p. 49.
[2] He had died at Holyrood, 26th April, 1650 (Balfour, *Annals*, vol. iv. p. 8).
[3] *State Papers, Dom.*, 1655–56, *passim.*
[4] *Ibid.*, 1656–57, 17th February; also *Hist. MSS. Com.*, 1899, p. 111.
[5] *State Papers, Dom.*, 1655–56, 15th July.

small sum of £100 Sterling, for which he had become security at the request of his kinsman the Earl of Loudon. In his letter he refers to the risk he ran of being again arrested for debt, and he explains that he would not be able to pay the amount in question until Candlemas (2nd February), when his rents would come in.[1] We need not again refer to this source of mortification and anxiety in the life of the Marquess. It forms part of the suffering which resulted from the career on which he entered as the champion of civil and religious liberty, and it is no more discreditable to him than the cost incurred by a Government in carrying through a righteous war. In pecuniary matters he was honourable and generous and public-spirited, and, but for the crushing losses inflicted by Montrose and the MacDonalds in Argyllshire—for which he received but inadequate compensation—he would probably have escaped a considerable portion of the burden of debt which weighed so heavily upon him. Debts that result from self-indulgence, or prodigality, or carelessness, entail a certain amount of discredit which does not necessarily attach to those which are incurred in the public service. This may seem a truism, but it is worth while to remind our readers of it; for the Marquess of Argyll has been subjected to so much carping criticism that we feel it is only fair to protest against some of it for which there is least ground.

In August of 1655 his son, Lord Lorne, concluded terms of surrender with the English Government,[2] and thereafter was in such relations of intimacy with his father as to be again under the same roof with him, but it is to be feared that some time elapsed before cordial intercourse between them was resumed. A kinsman of Argyll's, Alexander Brodie of Brodie, visited Rosneath at this time, and he has recorded in a diary his impressions of what he witnessed in the household of the Marquess. "I saw," he says, "the incurable wounds that were in the family by difference, implacableness, unsubmissiveness, humour, asperitie, etc., and by other burdens." He seems to have been somewhat wanting in tact or good sense, for he says that he expressed to the Countess his dissatisfaction with both her son and her husband, as though that were likely to make matters better. "To my Ladi Argyl," he says, "I did express my unsatisfiednes with her sone's unsubmissiveness . . . ., also her husband's deep recenting of and keeping in his mind injuries, and offences, and

[1] *State Papers, Dom.*, 1659, 9th June.
[2] *Dict. of Nat. Biog.*, vol. viii. p. 331.

prejudices."[1] Both father and son had passed through trying experiences, and they felt, no doubt, very keenly the miseries which the political and religious dissensions that had raged in Scotland had inflicted upon their house. As they were now on opposite sides in politics, it is not to be wondered at if they were inclined each to blame the other for some share of the disasters which had come upon them.

In the more important concerns of Church and State Argyll was henceforth but little involved. His religious sympathies were with the Protesters or Remonstrants rather than with the Resolutioners—or, in other words, with those whose attachment to the Covenant was stronger than to the King, whose sincerity in accepting what they held as so sacred lay under grave suspicion. For a time they resented the part played by Argyll in the brief episode of Charles II.'s visit to Scotland and his installation as Covenanted King, and consequently his overtures to them were at first somewhat coldly received.[2] But in course of time their relations with him became so close that he acted as their representative in London in negotiations with Cromwell.[3] In the unhappy condition of the Church of Scotland at that time, with its constitution and powers maimed by the suppression of its supreme court, Cromwell became the umpire between the Protesters and the Resolutioners; and, though he saved them from the dishonour and loss which would have resulted from their being at liberty to attempt to subject each other to ecclesiastical discipline, his relationship to the Church was in many ways highly unsatisfactory. In the existing circumstances the two parties found it convenient from time to time to appoint agents or representatives to plead their cause with the Protector. One of those who frequently acted in the interests of the Resolutioners was James Sharp, minister of Crail, who, a year after the Restoration, incurred deep blame by his acceptance of the Archbishopric of St Andrews, and who met with an appalling

[1] Brodie's *Diary*, p. 150. The Marquess went up to London in September, 1655, and remained there for some time. An odd notice of him is found in Evelyn's *Diary* under date 28th May, 1656. He and Lord Lothian and some other Scotch noblemen, all strangers to the diarist, visited him in Sayes Court. He notes the fact that the Marquess mistook some turtle-doves in the aviary for owls. The fact that Evelyn calls him the "old Marquess" has no bearing upon the question of the latter's age, as the passage in the diary was evidently written up or supplemented after the Marquess's execution, when Evelyn felt there was a risk of his readers mistaking the father for the son. The ninth Earl is mentioned by him once or twice as "the young Marquess."

[2] Baillie, *Letters*, vol. iii. p. 249.

[3] *Life of Robert Blair*, p. 329.

death eighteen years later. On one occasion, at least, the Marquess of Argyll checkmated his procedure by requesting that the action to which the agent of the Resolutioners had persuaded the Protector should be delayed until the opinion of some of their opponents had been ascertained.[1]

One of the ties by which Argyll was connected with the party of the Protesters or Remonstrants, though he had also devoted friends among the Resolutioners, was doubtless the special characteristics of their religious life. "Their ministers," we are told, "were for the most part distinguished by a quality which has never failed to win the hearts of Scottish Christians; they were men of unction; they were fervent preachers of the doctrines of grace. Among them were some who have never been surpassed in that respect in the history of the Scottish pulpit."[2] There can be no doubt that over the earnest and devout spirit of the Highland chieftain, with its share of the native impulsiveness and fervour of the Celtic temperament, the qualities of the preaching above described would possess a great charm.

So far as any share in the political events during the later years of the Commonwealth was concerned, Argyll had still less influence than in those of an ecclesiastical character. He sat as one of the thirty representatives for Scotland in Richard Cromwell's brief Parliament, but he took little part in the business transacted in it. He had refused in Oliver's time to act in this capacity, but, for reasons which he afterwards explained at his trial, he felt constrained to agree to the request from the people of Aberdeenshire to become their member.[3] General Monck used all his influence to hinder his being chosen, on the ground that he was "disaffected to the English interest" and might be hostile to the Government of the Protector. The office of Sheriff of Argyllshire, which he held by the authority of the Commonwealth, was regarded for some reason or another as a disqualification; but this difficulty was evidently set aside and the Marquess took his place in Parliament.[4] In consequence, apparently, of the objection to his election he seems not to have acted as member for Aberdeenshire for longer than one month of the three for which that Assembly lasted (27th January to 22nd April, 1658–59).

[1] *Life of Robert Blair*, p. 329.

[2] Morison, *Johnston of Warriston*, p. 136.

[3] *State Trials*, vol. v. p. 1403.

[4] *Biog. Brit.*, "Campbell (Archibald, Marquis of Argyle)," p. 191 n.; *Scotland and the Protectorate*, p. 411.

His reappearance in public life at this time was therefore of a somewhat faint and shadowy character. Few who saw him then could have suspected, if they had not already known his career, how important a part in the history of both Scotland and England he had played; though the sound of his name could scarcely have failed to recall to those who were acquainted with the events of the last twenty years the commanding ability he had so often displayed, and the striking and romantic vicissitudes of fortune through which he had passed.

The Restoration of Charles II. was welcomed in Scotland with the same exuberant joy as was manifested in the southern kingdom. The fullest confidence was felt by the great majority of the people in his goodwill towards those who had acknowledged him as their lawful Sovereign from the very moment of his father's death, and who had striven at such a great cost to place and maintain him upon the throne. The fact that he had repeatedly sworn to keep not only the National Covenant but also the Solemn League and Covenant induced many to expect that he would zealously support the policy in Church and State to which the nation had committed itself but against which Cromwell had persistently set his face. They little suspected that instead of the whips of Cromwell they were to feel the scorpions of Charles II. The only section of the nation which was anxious regarding the future was the extreme wing of the Covenanting party, known as the Remonstrants or Protesters, with whom the Marquess of Argyll had been associated for some time. Baillie, whose invaluable letters give us such vivid pictures of the varying moods of the nation, and whose words must seem to many of our readers to come in from time to time like a chorus in a Greek play, tells us of their forebodings and fears. "I have heard," he says, "some of them preach these three last Sundays, bot not a word tending to any thanks, or any joy, for the King's returne; albeit they have some prayers for him. Their studie is to fill the people with fears of Bishops, Books [Liturgy], destroying of the Covenant, [and] setting up of profanitie."[1] Events fully justified their melancholy prophecies, which seemed to many at the time to be mere croaking. We may well believe that Argyll was not less clear-sighted than those with whom he was so closely associated; but it is by no means likely that he had any fears for his own personal safety. Only those who were actively concerned in the trial and execution of

[1] *Letters*, vol. iii. p. 404.

the late King had reason to dread the Restoration. Could he who had with his own hands placed the crown on Charles's head at Scone be in danger of being classed with them? It was true that he had aided in suppressing the rising under Glencairn and Middleton, which Charles II. had sanctioned. But then, on the other hand, Monck, who had with such severity crushed out that insurrection, now stood highest in the King's favour.

Yet, if we may believe the stories afterwards recounted, there were not wanting omens which might have prepared Argyll for the fate that was awaiting him. Thus we are told that his sister the Countess of Kenmure, that "gracious lady" who had been a correspondent of Samuel Rutherford, had been taught some little skill in physiognomy by an old servant of the house, and had years before told her instructor that the knowledge he had imparted to her had enabled her to foresee that the Marquess "would die in blood." On the night on which Charles II. arrived in England Baillie's son-in-law and daughter were at Rosneath, and they observed that "all the dogs that day did take a strange yowling and glowring up to My Lord's chamber windows for some houres together."[1] A still more definite intimation of the evil determined against him was afforded, it was said, to one of his companions when he was playing at the bullets on the occasion of his last visit to Kintyre. He was engaged in that pastime with some gentlemen of the country; and one of them, when the Marquess stooped down to lift the bullet, turned pale and said to those about him: "Bless me! What is that I see? My Lord with his head off, and all his shoulder full of blood!"[2]

[1] Baillie, *Letters*, vol. iii. p. 466.

[2] Wodrow, *Analecta*, vol. i. p. 73. The story is told on the authority of Mr Lachlan Campbell, a minister in Kintyre. Two more similar stories may be here inserted. They are given in Law's *Memorialls* (Edinburgh, 1818). "The late Lord Marquis of Argile in the year 1657, being in Falkirk, travelling towards Edinburgh, a dumb man being there, did make a sign of his end, and taking up Reider's Dictionary, casts up a place and points at it in Virg. *Æneid*,—'Inque humeros cervix collapsa recumbit' [ix. 434], making mention of the beheading of a certain person, which the beholders could not read nor expound; but the minister coming into the same room, who was Mr Edward Wright, the same who was Principall of the College of Glasgow afterward, they told the matter to him, and desired him to expone that sentence which the dumb man had pointed at; and he told it was relating [to] a man that was beheided. Mr Edward Wright told this to myself. Another instance relating to this same noble person: When this same Lord Marquis of Argyll went up to see the King after his return from exyle in the year 1661; when he went from Inerara to go to London he went in his birline [galley] to Rosneath. Mr Alexander Gordon, minister there, with

It is quite probable that in the secret counsels of the King the resolution had been formed, from the moment that his restoration became certain, to begin the policy of reaction against the Covenant by striking a blow at Argyll. It is certain that if this had been determined upon the fact was so carefully concealed from the victim that, without much exaggeration, his apprehension might be described as entrapping him. Other nobles who had been as much engaged as himself in the events before 1650, which could now be described as rebellion, had presented themselves at Court and had been favourably received, and he had no definite reason for suspecting that matters would be different in his own case. He sent up his son, Lord Lorne, who was received by Charles II. with great kindness, and by this the Marquess was led to believe that a similar welcome would be afforded him. Under this delusion, which there is every reason to believe was encouraged by the King without going so far as to give any assurance of goodwill,[1] Argyll was tempted, against the advice of some of his friends,[2] to leave his Highland retreat, from which he could only have been taken by force by an army, and to make his appearance at Whitehall, on Sunday, 8th July, 1660.[3] Earlier on that day he had called several times at the lodgings of Clarendon, the Lord Chancellor, in order to arrange for an

some others, accompanyed him to the boat, and after the said noble lord had taken boat, and was upon his voyage, the said Mr Gordon returning home with another, meets a dumb man who falls a whynning and mourning, and having a staff in his hand, laid down the staff on the ground, and lays his body on the ground, laying his neck upon the staff, and smytting the upper part of his neck with the edge of his hand, he arose from the ground and pointed at my Lord Argile in the birline, which accordingly fell out, for he was beheaded" (p. 116). Law says naïvely: "It's hard to defyne how these dumbies that are so naturally comes at this knowledge" (p. 113). Probably many of our readers will find themselves in agreement with him on this point.

[1] It is stated in a contemporary letter printed in Fraser's *Red Book of Grandtully* (vol. ii. p. 151) that Argyll was twice invited by Charles II. to come to London. We regard this as incredible on the ground that the Marquess would most certainly have insisted upon such invitations, had they been given, as being virtually equal to a safe-conduct. His son, Lord Lorne, seems to have informed him that he was under the impression that a personal interview with the King was all that was needed to secure the royal favour (*Argyll Papers*, p. 17), and this may have been suggested to him with the view of entrapping his father. But a direct invitation from Charles for the Marquess to visit London seems utterly improbable.

[2] *Ibid.*, p. 17: "Sir J. Stewart, provost of Edinburgh, advised the Marquess, when come the length of Edinburgh, to retire to the Highlands and wait there, and meddle with nothing. But nothing would prevail. I think Mr Robert Douglas advised the same." See also Wodrow, *History*, vol. i. p. 130.

[3] Kennett, *A Register and Chronicle*, p. 202.

interview with the King, but he had not been admitted to see him. Argyll, however, intercepted him as he was entering his coach, together with his son, on his way to Whitehall. The Chancellor brusquely refused to engage in conversation with him. "Not one word, my Lord," he exclaimed; and with that, as the narrator says, he stepped into his coach, pulled his son in hastily after him and drove off. The Marquess went by the river, and he arrived at Whitehall before the Chancellor. He again attempted to address the powerful Minister as he passed through the ante-chamber; but Clarendon waved him off and whispered to his son, "That is a fatal [doomed] man."[1] Argyll thereupon sent in Lord Lorne, who had unconsciously been used to decoy him into the hands of his enemies, to inform the King that he was waiting in the outer chamber and wished to kiss his hands. Clarendon and Albemarle had already been closeted with Charles, and the result of their brief consultation was soon announced. The King returned no reply to Lord Lorne, but secretly sent for his secretary, Sir Edward Nicholas, whom he ordered to instruct Sir Edward Walter, the Garter King-at-Arms, to arrest the Marquess on the charge of treason.[2] The blow was unexpected and humiliating. From the chamber crowded with curious spectators, among whom probably he could not discern a single friendly face, the Marquess was removed in a coach to the Tower. He earnestly begged Sir Edward Walter to allow him to see and speak to His Majesty, but his entreaties were in vain. To others the request might seem utterly unreasonable, in view of the serious crime with which he was charged; but Argyll himself may well have thought that the man who had acknowledged a load of obligations to him, which he had promised to repay "on the word of a King" with the highest honours which he had to give, would in a personal interview be easily induced to lay aside the resentment or to accept an explanation of the possible misunderstanding by which his favour was now overcast. Some of Argyll's enemies were anxious to prevent his having an opportunity of exercising his persuasive eloquence to charm away the anger of the King.[3] They might have spared themselves all anxiety, for that anger was too deep-seated to be thus dissolved. On the

[1] *Argyll Papers*, p. 16.
[2] *Memoirs of the Affairs of Scotland*, Sir G. Mackenzie, p. 13.
[3] *Argyll Papers*, p. 16; *Biog. Brit.*, "Archibald Campbell."

evening of the arrest the King received congratulations from many of his English nobles, and from ladies prompted by enemies of Argyll, upon the step that he had taken in securing one whose past career might well make them dread him as the opponent of new schemes against civil and religious liberty.[1]

Immediately on hearing of his arrest the Marchioness of Argyll went up to London and was granted free access to her husband, but she was unable to obtain for him permission to have an interview with the King.[2] For upwards of five months he lay a prisoner in the Tower, and, though during that time the thought may have sometimes passed through his mind that release might come only in the form of a bloody death, we can scarcely doubt that his sense of innocence, or of immunity from offences which the law could punish, was too strong to allow him to dwell for long upon this idea. One of the ways in which he relieved the tedium of confinement was in the composition of a little book entitled *Instructions to a Son*, which was published in Edinburgh in the following year. This was not the first time that he had appeared as an author, for his speech, delivered in the Painted Chamber before the Committee of the Lords and Commons in 1646, had been published immediately afterwards; but on neither of his literary efforts could he have founded any claim to be remembered by subsequent generations. For indeed he had no great skill with the pen, and, though his less pretentious compositions in the form of letters are fairly numerous, they are somewhat featureless and indefinite. He was one of those who rather *did* things worthy of being related than *wrote* things worthy of being read[3]—it being given but to few to be conspicuous both in the world of action and in that of letters. In the little volume in question we have a series of brief essays, which follow those of Lord Bacon at a great distance, in which such subjects as Religion, Marriage, Travelling, Study, and Exercise, are handled. In an edition of the book published in 1743 some *General Maxims* are added, evidently from the same hand, which in a similar manner deal with topics like the Duties of a Prince, War, Courage, Command, Fortune, and Victory. Those who know of the charge of want of

[1] *Memoirs of the Affairs of Scotland*, Sir G. Mackenzie, p. 13.
[2] Baillie, *Letters*, vol. ii. p. 447.
[3] *Mémoires de Casanova*, vol. i. p. 4.

courage which has been brought against the Marquess will naturally turn with some curiosity to see what he has to say about that virtue. They will, however, not find much that is interesting in the chapter, as the ideas and the terms in which they are couched are quite commonplace. Yet a second reading of it may reveal a reference in one of the paragraphs to critical events in the Marquess's own life on which the charge in question had been based. The passage is somewhat ambiguous, as the words chosen seem a little to darken the counsel they contain. The writer is desiring to impress upon his readers that true courage does not always demand a rush upon danger when things are utterly desperate. "Matters of danger," he says, "not despair, are the true objects of valour; every virtue is tied to rules, and bounded with limits, not to be transgressed; the extremes alter all goodness if they be pitch'd upon. Courage loseth its merited honour, if willfullness and overguided petulancy overbear it; a well-grounded reason, without prejudice to a man's honour, may justly countermand a rash and inconsiderate resolution [resoluteness]."[1] A later sentence in the same essay is probably more in accordance with the spirit of the heroic reader, though to some it may seem strange upon Argyll's lips: "'Tis better to trust in valour than in policy."[2] On the whole the book is disappointing to the biographer seeking for references to the chequered and romantic life of the author, for most of its contents might have been written by any one, in almost any country, and at any period in the world's history. The few allusions it does contain to his special circumstances and experiences we have already made use of in the course of our narrative.

On the 7th of December, 1660, the Marquess of Argyll, and Sir John Swinton of that ilk, the latter of whom had been one of the Judges in Scotland appointed by Cromwell, were sent down by sea to Edinburgh for trial. They were in charge of a Major Grant, afterwards governor of Dumbarton Castle,[3] and were despatched from London on board the *Eagle* man-of-war. The voyage lasted for nearly a fortnight, and the weather was so stormy that the vessel very narrowly escaped shipwreck

[1] P. 109 (edition of 1743). [2] P. 111.

[3] Nicoll, *Diary*, p. 323. On 30th November, 1660, the order was given by the King to Sir J. Robinson, Lieutenant of the Tower, to deliver the Marquess of Argyll in safe custody to the Earl of Middleton (*Hist. MSS. Com.*, vol. xi. app. vii. p. 2).

or foundering at sea. The Marquess's fellow-prisoner was not likely to be very congenial society for him though they were companions in misfortune, for he is described as being "ane fanatik persone and ane quaker."[1] Swinton had gone over to Cromwell in 1651, and he had been excommunicated by the religious authorities in Scotland, as well as outlawed by the civil power. After the battle of Worcester the post of a Judge in Scotland had been conferred upon him; and now he was in the unpleasant position of having to figure at the bar as a criminal in that city where he had occupied a seat upon the judicial bench. It was shortly before this that he had joined the sect of those commonly called "Quakers" and had exposed himself to the suspicion of fanaticism and lawlessness which was then persistently associated with a section of Christian society which for a long time past has afforded many examples of purity, gentleness, and other law-abiding virtues. A curious distinction between him as an excommunicated and "forfeited" traitor, and Argyll, who was accused but not yet convicted of crime against the State, was made on their landing at Leith. The authorities of that town, attended by troops with displayed colours, received the two prisoners, conducted them to the foot of Leith Wynd, and delivered them over into the custody of the Edinburgh officials, who were in like manner accompanied by soldiers in full military state. The ex-Judge was taken in charge by "the town officers," led through the streets bare-headed, and locked up in the Tolbooth or common jail. The Marquess, on the contrary, was subjected to no ignominy in the matter of dress, and, after being "tenderly convoyed" between two bailies or city magistrates of Edinburgh, was handed over to the governor of the Castle for imprisonment in that fortress.[2] Thousands of men and women poured out of the city to witness the strange procession,[3] attracted principally, we may well believe, by curiosity to see the Marquess, whose power and dignity and influence had so often been manifested in that city in earlier days. Yet, though some may have exulted over the humiliation of their

[1] Nicoll, *Diary*, p. 309.

[2] *Ibid.*, p. 309.

[3] Lamont, *Diary*, p. 162. Our readers may wish to be informed concerning Swinton's fate. He was tried for high treason and condemned to forfeiture and imprisonment in Edinburgh Castle. He was imprisoned for some years, and after his release his life was passed in wanderings, chiefly in Scotland. He died at Borthwick early in 1679, at the age of about fifty-eight years (*Dict. of Nat. Biog.*).

opponent, and others may have been awestruck at this evidence of the power of One who often puts down the mighty from their seat, it would have been passing strange if, in the hearts of multitudes who had turned against him, some revulsion of feeling did not take place, and if his faithful championship of the Covenant for so many years did not receive its due meed of acknowledgment and praise.

CHAPTER XIX

Argyll's Trial before Parliament—Three Classes of Charges brought against him—His eloquent and skilful Defence of himself—A Passage-of-arms with the Lord Advocate—A supplementary Charge of Complicity in the guilt of Regicide brought against him—He is acquitted of this—Monck forwards Letters which secure his Condemnation—His Sentence—The Reason for Monck's Animosity towards him.

ON the 31st January, 1661, a herald in his coat appeared before Argyll in the Castle to serve him with the formal summons to attend in Parliament and to answer the charge of treason that would be brought against him.[1] No special unfairness was shown to him in the form of trial to which he was subjected—that by Parliament rather than by the ordinary process of law; for according to ancient Scotch usage it was quite competent for the legislative body to constitute itself a judicial court for the trial of any form of crime. The fact, however, that the persons by whom the case was to be decided were either political friends or political opponents of the accused, and that members of Parliament were likely to be affected by public opinion, or by Court influences, in coming to a decision, was sufficient to condemn this mode of procedure. Yet in Argyll's time there had been too many recent precedents of the kind to allow much weight to be attached to the request which he put forward to be tried by a Court of Justice rather than by Parliament.[2]

The Marquess of Argyll desired the Parliament to instruct Sir John Nisbet, a distinguished lawyer, who was three years later appointed Lord Advocate, to undertake his defence in co-operation with other of his colleagues at the bar; but he refused to act, and six advocates of good standing were chosen to plead for the accused.[3] Among them was one, Mr George Mackenzie, who afterwards gained for himself an unenviable

[1] *Memoirs of the Affairs of Scotland*, Sir G. Mackenzie, p. 34.
[2] *Ibid.*, p. 36. [3] Wodrow, *History*, p. 132.

reputation and *soubriquet* in consequence of the part he played later on in the reign of Charles II., as Public Prosecutor in the cases of some of the Covenanters. The aid which advocates were then able to render to clients placed in the position of Argyll was very slight. They spoke at the risk of being themselves accused of treason if any of their words reflected upon the Government, and in the present instance the claim they put forward in the usual terms to be allowed a certain latitude in this matter was not entertained. At the very outset they were called to account for advice which they had given the Marquess to ask for a trial before an ordinary Law Court rather than before Parliament. The request was regarded as bordering upon a contumacious declinature to recognize the authority of Parliament to conduct such a trial, and it was not only refused but treated as offensive.[1]

It is not our intention to follow in detail the course of the trial of the Marquess, or to attempt to unravel the intricacies of Scotch legal procedure of that time in cases of treason. It is enough for our purpose to set forth the charges brought against Argyll and to indicate his line of defence, as well as to describe the various stages of the trial. On the 13th of February he was brought down from the Castle in a coach, with three of the magistrates of Edinburgh, attended by the Town Guards, to the Parliament House, where he had for so many years been the principal figure in the deliberations of the Estates and in administering the government of Scotland.[2] In accordance with the usual custom on the occasion of a criminal trial before Parliament, the Royal Commissioner, the Earl of Middleton, on taking his seat put on his hat. The accused and his advocates were stationed upon a platform specially erected for the purpose near the entrance door.[3] The formal accusation of High Treason was brought against Argyll by Sir John Fletcher, then Lord Advocate. The task of prosecuting on a capital charge a man who had for so many years been the leading figure in the political life of Scotland was an unpleasant one, but Fletcher undertook it with zeal. Had he been a man of good character, or had he discharged his present functions with decency, we might have been inclined to credit him with regarding his employment in prosecuting Argyll as a painful duty incumbent

[1] *Memoirs of the Affairs of Scotland*, Sir G. Mackenzie, p. 36.
[2] Wodrow, *History*, vol. i. p. 132.
[3] *Memoirs of the Affairs of Scotland*, Sir G. Mackenzie, p. 34.

upon him because of the office he held. But, as he was afterwards compelled to resign his office for receiving bribes and for other misdemeanours,[1] and as during the trial of Argyll he assailed the accused with scurrilous abuse,[2] we need not believe that he possessed feelings capable of being harrowed up by being called upon to seek the condemnation of one so much in every way his superior. The Lord High Commissioner who presided over the trial was the Earl of Middleton, a bitter enemy of the Marquess, who was high in favour with Charles II., and who was credited with urging on the prosecution in the hope of obtaining for himself a goodly share of the Argyll estates.[3]

The reports of the trial which have come down to us are very voluminous, and from them we see that the whole of the public life of Argyll for the past twenty-two years had been closely scrutinized, and a heterogeneous mass of charges of a more or less heinous character had been based upon a malign interpretation of it. For convenience we may group these charges in three classes.[4] The first contained those which were connected with his conduct during the Civil War: as, *e.g.*, the share he had had in the invasion of England in 1644, the delivering up of Charles I. to the English at Newcastle, his opposition to the Engagement, the part he had taken in the Whiggamore Raid, the reception of Cromwell and of an English army in Scotland after the battle of Preston, and the execution of the Marquess of Huntly and the Marquess of Montrose. The second class consisted of charges of cruel and barbarous murders, perpetrated by officers under his command upon persons acting under the King's authority, of which many details were recounted. The third class contained charges of his having concurred in the usurpation of Oliver Cromwell, his opposition to the Earls of

[1] Nicoll, *Diary*, pp. 419, 421.

[2] *State Trials*, vol. v. p. 1503.

[3] Burnet, *History of My own Times*, vol. i. p. 135.

[4] *Ibid.*, p. 132; *State Trials*, vol. v. p. 1369. The formal record of the trial, with an account of proceedings from day to day, and depositions of witnesses, etc., has disappeared (Burton, *History*, vol. vii. p. 150). In the volume of *State Trials* to which we often refer, the main documents are preserved in the indictment against the Marquess and his reply to it, and in his petitions and speeches. Other particulars are given in Wodrow's *History*, the *Acts of Parliament of Scotland*, Burnet's *History of My own Times*, Baillie's *Letters*, Nicoll's *Diary*, etc.; so that there is no difficulty in making out the general character and stages of the trial. The lack of the formal record would doubtless be a very serious obstacle in the way of one who wished to give a technical account of the proceedings. We have to keep in mind the fact also that these Parliamentary trials were not bound by law and precedent, and so were likely often to be capricious and irregular in character.

Glencairn and Middleton on the occasion of the rising in the Highlands, his having been present on the proclamation of Richard Cromwell as Protector and having sat in his Parliament. To these was afterwards added a charge of having planned with Cromwell in Edinburgh the trial and execution of Charles I. As over against these accusations many of the general public in the three kingdoms might be inclined to set the Marquess's services to Charles II., of which his setting on his head the crown at Scone was the consummation and the symbol, this action was with clumsy and unblushing impudence referred to as aggravating the guilt of his treason. All these evil things it was said he had done in forgetfulness of duty, honour, and reputation, and also of the dignity vouchsafed him in being allowed the trust and honour of setting the imperial crown upon the royal head.[1] It is to be hoped that our readers will forgive our adding that Argyll might also have been accused of having forgotten that he had had the privilege and honour at the same time of filling the empty pockets of Charles with money. This is not a matter to which, so far as we know, Argyll made any reference in the way of complaint or claim; but we have it on the best authority that the King was indebted to him in this way. In the letter written in 1650 which we have already given[2] Charles speaks of £40,000 Sterling as due to Argyll; and that this was not merely money advanced or guaranteed by him for State purposes is proved by an admission of the King's some years later. In a conversation between him and Don John of Austria about Scotch affairs reference was made to Argyll, and the King alleged in favour of the genuine loyalty with which he credited him that he (Charles) had received more money from him than from any other person in Scotland.[3] Argyll's being so heavily in debt was puzzling to many in his time; "for," as Baillie says, "he got much, and was allwayes sober and spareing."[4] But what we have now said may serve to cast some light upon the mystery.

The net in which it was sought to entangle the Marquess was spread so wide that it seemed almost hopeless to escape it. Not only was zeal shown in collecting evidence against him, but he

[1] *State Trials*, vol. v. p. 1375.

[2] See p. 253.

[3] *Acts of Parliament of Scotland*, vol. vi. pt. ii. p. 905; Thurloe, *State Papers*, vol. v. p. 604.

[4] *Letters*, vol. iii. p. 466.

was hindered the liberty and opportunity of doing anything in the way of preparing defence. While he was in London he asked to be allowed to have the evidence of certain persons taken by commission, in order to meet some charges which he anticipated might be brought against him, but this was refused;[1] and, after the charges were formulated and the indictment served upon him, the proceedings in connexion with the trial began without leaving him time to prepare adequately for his defence. As he himself complained, he had only had as many days for answering the accusations as his adversaries had had months for collecting them.[2] From every quarter charges were raked up, and persons were urged to present complaints to Parliament against him, while obstacles were put in his way as if for the express purpose of consuming the too brief time at his disposal for drawing up answers to them.[3] In these circumstances he asked permission to cast himself upon the royal mercy, instead of attempting to deal with the multitudinous and various accusations which the Lord Advocate had drawn up in his indictment. This plea was, however, at once refused;[4] and there was no option but for him to accept the inevitable and to deal with the charges brought against him as best he might. So serious were the accusations in the indictment that indeed it was highly desirable in the interests of justice and of Argyll's own reputation that they should be investigated rather than set aside by the exercise of the royal prerogative of mercy.

When Argyll addressed himself to the task of answering the charges brought against him, the skill and eloquence with which he defended his public career and repelled the calumnies by which his enemies had tried to overwhelm him aroused general admiration,[5] and they began to regain for him some of the popularity which he had long enjoyed but lost for a time, and which was soon to be transformed into the veneration which surrounds the name and memory of a martyr. The first class of charges, according to the division we have adopted, had to do with his conduct during the Civil War and was soon disposed of. He pointed out that he was accused of many things which had been done by the Estates of Parliament and by the Commission of the Assembly for which he as an individual member could not accept full responsibility; that he had never acted in public

[1] Wodrow, *History*, vol. i. p. 131.
[2] *State Trials*, vol. v. p. 1428.
[3] Wodrow, *History*, vol. i. p. 132.
[4] *State Trials*, vol. v. pp. 1434–36.
[5] Burnet, *History of My own Times*, vol. i. p. 133.

matters without the sanction of these bodies; that in some of the proceedings complained of he did not happen to be involved; and that both in 1641 and 1651 Acts of Indemnity had been passed by Parliament and had received the royal sanction, which prevented any charges in connexion with events previous to these dates being pressed against him. Still, however, he proceeded to deal with special accusations based upon what had happened in the period covered by the Acts of Indemnity, and he showed that much in the way of slander and misrepresentation was to be found in them. With regard to the second class of accusations of acts of barbarity and cruelty alleged to have been perpetrated by officers of the Marquess upon persons in arms for the King, his exculpation was full and complete. "I never," he said, "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."[1] So far as some of the items specified were concerned he was in London when they were committed, and they had not taken place in consequence of his orders. It was well known, he said, that great outrages had been committed by the MacDonalds on his people; and he believed his people, when they had the better of them, had taken cruel revenges: this was to be imputed to the heat of the time and to the tempers of the people, who had been much provoked by the burning of his whole country, and by much blood that was shed. And, as to many stories laid to the charge of his men, he knew some of them were mere forgeries, and others were exaggerated much beyond the truth; but what truth soever might be in them, he could not be answerable but for what was done by himself or by his orders.[2] These charges, like those in the first of the classes

[1] *State Trials*, vol. v. p. 1385.

[2] Burnet, *History of My own Times*, vol. i. p. 133. A curious illustration of the superstition prevalent in that age, as well as of the extravagance of the charges brought against the Marquess, is afforded by a reference made in the formal indictment to a miracle by which the Divine anger against the accused was said to have been displayed. In connexion with the charge of hanging a number of prisoners on a tree at Dunoon, some circumstances are related as aggravating the iniquity of the act. "Insomuch," the indictment says, "that the Lord from heaven did declare His wrath and displeasure against the aforesaid inhuman cruelty, by striking the tree whereon they were hanged, in the said month of June, being a lively fresh growing ash-tree, at the Kirk-yard of Denoone, amongst many other fresh trees with leaves, the Lord struck the said tree immediately thereafter; so that the whole leaves fell from it, and the tree withered, never bearing leaf thereafter, remaining so for the space of two years; which being cut down, there sprang out of the very heart of the root thereof a spring like unto blood popling up, running in several

referred to, were connected with events covered by the Acts of Indemnity.

In the meantime Lord Lorne had been engaged in London in endeavouring to mitigate the royal displeasure against his father, and he had succeeded so far as to secure the writing of a letter from Charles II. to the Earl of Middleton to the effect that the Lord Advocate was to admit the plea urged by Argyll, and to drop all charges which were connected with events belonging to the period before 1651, when the second Act of Indemnity was passed.[1] So far from this being a remarkable concession to the accused, the Acts in question could not have been set aside without a gross and scandalous breach of faith towards those protected by them, such as would have imperilled the life and property of many in Scotland besides Argyll. It, however, served to clear the case against him of the greater part of the offences laid to his charge. A concession of a more genuine and valuable kind was made by Charles in the additional directions sent to Middleton that when the trial of Argyll was ended the whole record of it was to be laid before the King, and that sentence was not to be pronounced by Parliament until this had been done. The Lord High Commissioner, however, strongly protested against these instructions as expressing distrust of the justice of Parliament. He said in reply that he durst not let them be known unless he received a second and more positive order, which he hoped would not be sent, as it would be certain "to discourage this loyal and affectionate Parliament." In accordance with this remonstrance the order in question was cancelled.[2]

The only matters now alleged against Argyll were various instances of compliance with the Government of Cromwell, and

streams, all over the root, and that for several years thereafter; until the said murderers or their favourers perceiving that it was remarked by persons of all ranks (resorting there to see the miracle), they did cause houck out the root, covering the whole with earth, which was full of the said matter like blood. Of the which cruel murders, the said persons, and especially the said Marquis of Argyle," etc. etc. (*State Trials*, vol. v. p. 1382). We can imagine the scorn and indignation that would have been displayed by writers of a certain school if this had been found in the indictment against a Royalist drawn up by a Covenanting prosecutor. Even respectable historians who write from an Episcopalian and Royalist point of view seem to take it for granted that superstition and fanaticism were manifested exclusively by the Presbyterian party in that age. The above extract may serve to explode that absurd fancy.

[1] Burnet, *History of My own Times*, vol. i. p. 134

[2] *Ibid.*, vol. i. p. 134.

any share he might be proved to have had in concocting with the English General the trial and execution of Charles I., which took place so soon after the meeting in Moray House. Argyll's case seemed so satisfactory that his second son, Lord Neil Campbell, who went up to London to see his brother, Lord Lorne, spoke somewhat too openly concerning the likelihood of his father's escape from the perilous position in which he stood.[1] With regard to his compliance with the Government of the usurper, the Marquess pointed out that when the nation had been conquered he had been one of the very last to surrender, and that such enforced submission had never at any time been reckoned as a crime. In the terms which he had made with the English he had merely agreed to live peaceably under a government without a King and House of Lords, and he had never expressed or affected approval of such a form of government. In connexion with this matter a stirring passage-of-arms took place between him and the Lord Advocate, Sir John Fletcher, which must have brought a smile to the faces of most of those present, though the incident was connected with the humiliation of that exalted legal functionary. "In one speech," says Burnet, "excusing his compliance with Cromwell, Argyll said, what could he think of that matter, after a man so eminent in the law as His Majesty's Advocate had taken the engagement? This inflamed the other so much, that he called him an impudent villain, and was not so much as chid for that barbarous treatment. Lord Argyle gravely said, he had learned in his affliction to bear reproaches; but if the Parliament saw no cause to condemn him, he was less concerned at the King's Advocate's railing."[2]

Very little was made by the prosecution of the charge against Argyll of having disloyally abstained from giving aid to the Earls of Glencairn and Middleton in the insurrection which under the royal sanction they had promoted in the Highlands. His helpless position at the time as virtually "a prisoner on demand," in consequence of the Articles of Capitulation which he had been obliged to conclude with General Deane, freed him from a considerable amount of his responsibility in the matter. He was able to strengthen this part of his defence on the technical ground of not having received any formal notice from either Glencairn or Middleton requiring his

[1] Baillie, *Letters*, vol. iii. p. 465.

[2] Burnet, *History of My own Times*, vol. i. p. 134.

assistance—a point of considerable importance, as according to law only those who refused when specially summoned were liable to punishment for disobedience. He reminded the Earl of Middleton that he had on one occasion sent him a request to meet him and confer on public matters but had received no reply.[1]

Argyll had but little trouble in answering the various other items of the general charge of compliance with the Government of the usurper. His presence at the proclamation of the Second Protectorate of Oliver Cromwell in 1657, which had been incorrectly described in the indictment as that of Richard Cromwell in 1658, he explained to have been accidental and unpremeditated. He happened to be in Edinburgh and "was commanded by General Monck to wait on the Council before he knew any intention of such a proclamation."[2] This statement of his was confirmed by a letter of Monck's specially written to testify to its truthfulness.[3] The absurdity and injustice of treating presence when the proclamation was made as an offence, now that the vastly greater offence of making it had been condoned, were not referred to by the defender, but they can scarcely have escaped the notice of some of his judges.

His brief tenure of office as a member of the Parliament which sat under Richard Cromwell afforded very little ground on which to base an accusation of treason. It was, he said, the only visible power or authority in the country, and as Scotch affairs were brought before it it was but reasonable to take advantage of the opportunity which it afforded of protecting the interests of the people of Scotland. His purpose in becoming a member of Parliament under the Protector was not only to safeguard his own just rights, but also to do what in him lay to secure the laws and judicatories and religious institutions of his country from injurious interference, and to obtain equitable arrangements in the matter of taxation. The anticipation and

[1] *State Trials*, vol. v. p. 1400. [2] *Ibid.*, vol. v. p. 1403.

[3] *Hist. MSS. Com.*, vol. vi. p. 617. Monck certifies in the letter here printed that Argyll was present with other members of the Scotch nobility then in Edinburgh, because of a request from the Council for their attendance at the ceremony of proclaiming Richard Cromwell. Argyll himself, however, declares that this was a mistake, and that it was at the proclamation of Oliver Cromwell's Second Protectorate that he was present, and his statement is confirmed by independent testimony (Lamont, *Diary*, p. 124). The probable explanation of the discrepancy is that Argyll, like many others, had applied to Monck for a certificate of the kind, and that it had in his case been inaccurately given.

hope of being able to do something in the way of promoting the interests of Charles II. weighed also with him, he declared, in forming the decision to enter Parliament.[1] There is no reason to doubt his assertion; for, though he had engaged to live peaceably under a government without King or House of Lords, he had never concealed his predilection for the type of constitution which he had endeavoured to set up—that of the rule of a Covenanted King whose power in civil and ecclesiastical matters was limited by Parliaments and General Assemblies. Bitterly as the King and his Cavalier partisans might loathe this ideal constitution, Argyll was regarded by the Sectaries as a Royalist at heart.[2]

The temper of the Parliament was described by the Earl of Middleton, Argyll's bitter enemy, as "loyal and affectionate" towards the King and likely to be discouraged by any favour shown to the accused. But, even in the opinion of a large number of this partial and hostile assembly, presided over by one who allowed no restraints of decency to veil his animus against the Marquess and his anxiety to secure his condemnation,[3] it was clear that no definite evidence of guilt had been brought before them, and it seemed possible that the case might conclude with an acquittal. The last determined onset was made upon Argyll in an attempt to convict him of the crime of having concerted with Cromwell the trial and execution of Charles I. For this charge there was not a shred of evidence, or even reasonable ground for suspicion. Time after time, from the meeting of Parliament in the beginning of 1649 at which the Marquess had denounced the crime of regicide down to his last speech upon the scaffold, he expressed his abhorrence of the proceedings against the late King, and he vehemently denied the connexion with them which his political opponents persistently strove to establish. On the present occasion he said: "And whereas that most horrid and abominable crime of taking away the precious life of the late King, is most maliciously and falsely charged upon me; if I had the least accession to that most vile and heinous crime, I would esteem myself unworthy to live, and that all highest punishments should be inflicted upon me; but my witness is in heaven, and my record on high, that no such wicked or disloyal thought ever entered into my

[1] *State Trials*, vol. v. p. 1403. [2] Firth, *Scotland and the Protectorate*, p. 411.
[3] Burnet, *History of My own Times*, vol. i. p. 135.

heart."[1] The Parliament of Scotland would have been lost to all sense of righteousness and truth if it had consented to the deep iniquity of taking away life on the ground of a suspicion so remote and unsubstantiated. Therefore we are not surprised that, although Argyll's enemies were in the majority, strong protection was afforded him against this unjust and odious procedure by some who on other grounds would have condemned him. Sir John Gilmore, the President of the Court of Session (the supreme court of justice in Scotland), zealously took up his defence on this point against the Earl of Middleton, who was most vehement in urging the charge. A long and animated discussion arose in which they were the principal speakers, and the debate lasted many hours. When the matter was put to the vote Argyll was acquitted on this charge by a large majority. His joy was great, and he seemed at the time but little concerned as to anything that might now befall him.[2]

Yet there was reason for anxiety on his part. Two of his relentless enemies, the Earl of Glencairn and the Earl of Rothes, the latter a son of the man who in the beginning of the struggle with Charles I. had been the most truculent supporter of the popular party, had gone up to London to announce progress and to advise concerning future procedure.[3] Argyll's heart sank at the thought of what might be done against him, and, though doubtless he hoped that the bitterness of death was past, the shadow of danger still menaced him. The project of attempting an escape from the Castle was suggested to him or devised by him, and some of his friends entered zealously into it. For a few days during an interval in his trial he kept his bed, and his wife went and came regularly to and from the Castle in a covered chair. One day he put on some of her clothes and was on the point of stepping into the chair, when for some reason or another he altered his mind and resolved to face the worst that might befall him. It may be that a touch of the constitutional timidity with which many credited him shook his resolution; it may be that he thought the scheme a hopeless one, or that in his circumstances an escape of this kind would be discreditable for a man of his standing.[4]

[1] *State Trials*, vol. v. p. 1434.
[2] Burnet, *History of My own Times*, vol. i. p. 135.
[3] Mackenzie, *Memoirs of the History of Scotland*, p. 37.
[4] Burnet, *History of My own Times*, vol. i. p. 134 ; Wodrow, *History*, vol. i. p. 152.

According to the procedure in Scotch law the proof of matters alleged in the indictment had been led, and all that the accused had to say in reply had been heard. The next stage, after "probation" on both sides had been closed, was to debate the case and to vote upon the prisoner's guilt or innocence. The Acts of Indemnity had disposed of a great number of the accusations, and by vote of Parliament another and the weightiest of all—that of plotting the late King's death—had been dismissed. Wodrow tells us that he was informed on undoubted authority that, after all the debates were pretty much through, Gilmore arose and said: "I have given all the attention I was capable of to the whole of this process and 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." The strong impression which this statement was calculated to make was, however, counteracted to a large extent by Middleton's reply. With loathsome servility the Royal Commissioner exclaimed: "What Sir John has said is very true: we are all of us, or most, guilty, and the King may pitch on any he pleases to make examples."[1] The only question now was as to whether the various actions summed up in the charge of compliance with the usurpers amounted to treason or not. The debate had just begun and Argyll's friends were preparing to do their utmost for him, when a packet brought direct from London by a messenger was presented to the Lord High Commissioner. As the messenger was a Campbell the first thought in the minds of many who were present was that he brought some document in favour of the Marquess—a warrant or letter of remission—which might close the case happily for him. When the packet was opened it was found to contain private letters written by Argyll to Lilburne and Monck when they were in command of the forces of the English Commonwealth in Scotland, and which the latter, to his eternal infamy, had sent down to secure the condemnation of the Marquess.[2] The letters, all of which we give in an Appendix, were amply sufficient for the purpose. The cruel pressure of circumstances had driven Argyll into supporting the action the English Government had taken in suppressing Glencairn's rebellion, and into intimate association with

[1] *Argyll Papers*, p. 13.

[2] Mackenzie, *Memoirs of the History of Scotland*, p. 39; Burnet, *History of My own Times*, vol. i. pp. 135, 136; Firth, *Scotland and the Protectorate*, pp. 104 n., 177 n. The letters themselves are in App. VI.

agents of the usurper. The accused acknowledged that he had written these letters, and after they were read no doubt could remain in the minds of any that, though Argyll's submission to the Government of the Commonwealth had been at first a matter of compulsion, he had afterwards co-operated in some of the proceedings which the Government of the Restoration could fairly describe as treasonable. This had been the outcome of the conference in London. "O my soul, come not thou into their secret; unto their assembly, mine honour, be not thou united! for in their anger they slew a man. . . . Cursed be their anger, for it was fierce; and their wrath, for it was cruel."

The reading of the letters was contrary to the forms of justice, since the proof on both sides had been closed; but the friends of Argyll were too dismayed to raise what would probably have been a fruitless debate on the ground of a merely technical irregularity in the proceedings. They left the court, and the decision to condemn the Marquess to death was carried unanimously by the remaining members. The young Marquess of Montrose alone refused to vote, on the ground that he had too deep reason for resentment against Argyll to allow him with decency to act as a judge in the matter. The proposal was made to execute him, as in the case of Montrose, by hanging, but it was not carried; and the less ignominious punishment of beheading was decided upon, but without the other horrible circumstances of mangling the dead body which so often disgraced executions for treason in that age.[1]

On the following day, Saturday, 25th May, 1661, Argyll was brought to the bar of the House to receive his sentence in the presence of Parliament. It ran as follows: "That 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 27th 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 Cross."[2] This last was a heraldic ceremony usual in cases of treason. The number of members present in Parliament on that day was extremely small, and they consisted almost exclusively of those who were thoroughgoing supporters of the Court policy. When Argyll came to the bar to receive his sentence he reminded the Parliament of the enactment of the Emperor Theodosius that a

[1] Burnet, *History of My own Times*, vol. i. p. 136.
[2] Wodrow, *History*, vol. i. p. 150.

sentence of death should not be executed till thirty days after it had been passed, and added: "I crave but ten, that the King may be acquainted with it." This was refused, and he was ordered to kneel to receive his sentence. He replied: "I will, in all humility," and immediately knelt down. In the absence of the Lord Chancellor, the sentence of death was pronounced by the Earl of Crawford, who was President of the Parliament. This noble had been in both friendly and hostile relations with Argyll since the day he had discussed with Montrose the propriety of appointing him a military dictator.[1] He had adhered to the Hamiltonian party in politics and had been the Marquess's antagonist on the occasion of the duel to which we have referred on an earlier page.[2] The present sentence he regarded as unjust, and yet in virtue of his office it fell to him to pronounce it—a task which he performed with tears streaming down his face.[3] After the sentence Argyll was about to speak, but he was interrupted by the sounding of trumpets.[4] When there was silence he said: "I had the honour to set the crown on the King's head, and now he hastens me to a better crown than his own." He then addressed the Lord High Commissioner and Parliament in these words: "You have the indemnity of an earthly King among your hands, and you have denied me a share in that, but you cannot hinder me from the indemnity of the King of Kings, and shortly you must be before His tribunal. I pray He mete not out such measure to you as you have done to me, when you are called to account for all your doings, and this among the rest." He was then removed to the Tolbooth or common jail of Edinburgh in which for the two past nights he had been confined.[5]

The reason why so much unrelenting animosity was shown to Argyll is not far to seek. Some may have detested his politics, others may have desired to obtain a share of his property,[6] while the King himself may have vindictively cherished a determination to avenge the humiliations he endured when in

[1] See p. 113. [2] See p. 209. [3] *Life of Robert Blair*, p. 385.

[4] Our conjecture is that the sentence of condemnation was followed by the formula, "God save the King," immediately after which there was a flourish of trumpets.

[5] Wodrow, *History*, vol. i. p. 150.

[6] Wodrow, *Analecta*, vol. ii. p. 52: "It is said that Middleton and Glencairn, at that time, wer soe sure, as they thought, of their will, that they had meetings and minutes betwixt them of ane equall division of the Marques of Argyle's estate among them."

Scotland and the tutelage in which Argyll had then held him. But none of these motives would probably have been strong enough to secure his destruction had they not been seconded by the fear of what he might yet do if he were allowed to live. The overthrow of the Covenant and of Presbyterianism in Scotland, and a reversal of the measure of political liberty which the struggle for religious liberty had brought with it, had been decided upon by the Government of the Restoration, and they were likely to find in Argyll one who would foil their schemes. His rank and reputation and the position he occupied as an almost independent potentate in Scotland would enable him to play over again the part he had played in the reign of Charles I. in organizing and leading an opposition to arbitrary government and Episcopacy. Though far from being of robust health he was still comparatively young in years, and it may well have seemed to his enemies that they had much to fear from him. As Baillie says: "The man was very wise, and questionless the greatest subject the King had; sometime much known and beloved in all the three dominions: *it was not thought safe he should live.*"[1] Resentment on account of the past was supplemented by dread of his power in the future, and hence every point was strained to hurry him to the scaffold. We have seen that one serious technical irregularity occurred at the trial in the admission of evidence after proof had been closed. Another and even more gross irregularity consisted in his being executed without the authority of a death-warrant signed by the King. These circumstances show a discreditable eagerness to take his life, but they need not be insisted upon by his defenders. They have more weighty reasons for accounting the trial an infamous travesty of justice than any technical objections to procedure can afford, and they would reckon his death a judicial murder even though the forms of law had been most pedantically observed.

The eagerness on the part of the Government to serve out to Argyll the same punishment as the English regicides received, though he was acquitted of any complicity in their guilt, shows us the resentment cherished against him, as well as the desire to hinder his becoming a leader of the opposition to the political schemes which had been resolved upon for Scotland. However reprehensible the action of the King and of his leading advisers was, it was not unintelligible. The conduct of Monck in

[1] *Letters*, vol. iii. p. 465. The italics are ours.

the matter is difficult to understand. Nothing can ever palliate his guilt, but some slight clue to one of the motives influencing him is discoverable in the irritation which he felt towards Argyll, whose relations with the Government of the Protectorate had not been altogether amicable. For two years after the Marquess had concluded terms with Major-General Deane, the two English Commanders-in-Chief in Scotland, Lilburne and Monck, formed and expressed favourable opinions concerning his "good affection" to the Government of the Protector. It was during this period that the letters were written which were afterwards used with fatal effect against him.[1] The action of Lord Lorne in joining the Royalist insurrection brought suspicion of collusion on his father, though, as we have seen, the grounds for such suspicion were quite inadequate. Early in 1658 an Adjutant-General Smith [2] brought evidence before Monck which seemed to show that the surprisal of the English garrisons in Argyllshire, soon after the Marquess's capitulation, had taken place with his knowledge or sanction; and at the same time other occurrences tended to prove that his Royalist sympathies were still unextinguished, and even to suggest that possibly he had secret relations with that party. In March of 1659 Monck said of him: "In his heart there is no man in the three nations does more disaffect the English interest than he."[3] All this may have exasperated Monck at the time; but, now that he had himself become a Royalist, the grounds for suspicion against the Marquess, which he had formerly entertained, should have been recommendations to his favour and goodwill. For if those suspicions were well founded they simply showed that for a long time past, if not all through the interregnum, the Scotch chieftain had cherished an attachment to the Monarchy and the House of Stewart which Monck himself had but recently manifested. It was for compliance with the Protector's Government that Argyll was condemned; while Monck's resentment was, so far as we can trace its origin, founded on the fact that his compliance had not been in his opinion thoroughgoing and steadfast. Neither he, therefore, nor the Government of the Restoration, of which he was in this matter the accomplice or the tool, can be acquitted of deep and cold-blooded villainy in the treatment of the Marquess.

[1] Firth, *Scotland and the Protectorate* (Scottish Hist. Soc.), pp. 61, 110.

[2] *Ibid.*, p. 412. His adventures as given in his narrative remind one of some of Dugald Dalgetty's experiences in Inveraray.

[3] *Ibid.*, pp. lx, lxi.

CHAPTER XX

The Marchioness of Argyll's fruitless Appeal to the Royal Commissioner—Covenanting Society deeply moved by the Marquess's Condemnation—A Letter of Encouragement received by him—His Letter to the King—His Demeanour on the Scaffold—His Death and Funeral—Various Testimonies to his Integrity and Innocence—His Intellectual and Moral Characteristics—Conclusion.

AFTER the Marquess of Argyll had received his sentence, he was removed to the Tolbooth, where he found his wife waiting to receive him. Upon seeing her he said: "They have given me till Monday to be with you, my dear, therefore let us make for it [prepare for it]."[1] She embraced him with tears and said: "The Lord will require it, the Lord will require it." Amid the lamentations of his wife and friends the Marquess was perfectly composed, and said: "Forbear, forbear; truly I pity them, they know not what they are doing: they may shut me in where they please, but they cannot shut out God from me; for my part I am as content to be here as in the Castle, and as content in the Castle as in the Tower of London, and as content there as when at liberty; and I hope to be as content upon the scaffold as [in] any of them all." With some of that simplicity which formed such a winning element in his religious life he told of a comforting sentence he had lately heard quoted by an "honest" (*i.e.* Covenanting) minister in the Castle, and how he had endeavoured to put it in practice. The quotation was from the passage in the history of David, where we are told that after Ziklag was taken and burned the people spoke of stoning him, but "*he encouraged himself in the Lord.*"[2]

On the evening of the day on which the death-sentence was passed on Argyll the Marchioness went down to Holyrood to intercede with the Earl of Middleton for delay at least, to allow time for an appeal to the King in the hope of obtaining a

[1] "To make for," *i.e.* to lay one's account against an expected event.

[2] Wodrow, *History*, vol. i. p. 152.

reprieve. She had an interview with him and found him confused with wine, yet quite able to understand the purport of her request. He treated her courteously; but we are told "when she came to propose her suit he told her he could not serve her there. It was, he said, as much as his life was worth, and would, though he should give it, be fruitless, for he had received three Instructions from the King, which he behoved to accomplish —to rescind the Covenants, to take the Marquise of Argyle's head, and to sheath every man's sword in his brother's breast." For days afterwards it is said that he was melancholy and irritated at the thought that in his drunkenness he had blabbed State secrets which had been entrusted to him, and that possibly he was a ruined man.[1]

During the Marquess's imprisonment, and especially during the few days which separated his receiving sentence from its being executed upon him, it might be said that in Scotland "prayer was made without ceasing of the Church unto God for him." By the permission of the authorities, a fact which should be remembered to their credit, some of the most zealous Presbyterian ministers who had long been his personal friends were allowed to be with him in prison, not only to administer consolation and sympathy, but to be witnesses of his serenity, cheerfulness, and piety in the face of death. Those whose names have come down to us in this connexion are Mr Robert Douglas, Mr George Hutcheson, and Mr David Dickson. Another minister, Mr James Guthrie, who belonged to the extremer section of the Covenanting party and had been deeply involved in the stormy politics of his age, was also at that time in the Tolbooth as a prisoner under a death-sentence. Mr Douglas and Mr Hutcheson conducted Divine service and preached in the prison on the last Sunday of the Marquess's life; while Mr Dickson, a very dear and valued friend, shared his cell that night and prayed with him during the time before and after sleep. By his desire his wife had said the last farewell to him on the Sunday evening and thus left the day of his death free from the saddest of all his leave-takings.[2]

It would have been strange if in the tension of feeling in so many minds something of a supernatural cast had not been reported as occurring in answer to prayer. It is said that, on the minds of several in different parts of the country and on that of the Marquess himself, on the evening before his death and

[1] Wodrow, *Analecta*, vol. i. p. 68. [2] Wodrow, *History*, vol. i. p. 153.

during the day on which it occurred, the words were impressed, "Son, be of good cheer, thy sins are forgiven thee," as having special reference to him. Early on the Monday morning he was occupied in signing papers, adjusting accounts, and transacting other business in connexion with his estates, and "a number of persons of quality" were in the room with him. While he was thus employed he was overcome by feelings which for a time he tried to conceal by turning to the fire in the grate and stirring it up with the tongs. At last he burst into tears and exclaimed — his thoughts taking their colour from the occupation in which he had been engaged during the forenoon — "I see this will not do! I must now declair what the Lord has done for my soul! He has just now, at this very instant of time, sealed my chartour in these words, 'Son, be of good cheer, thy sins are forgiven thee!'"[1] To some of his friends he spoke of his having prayed to God to be strengthened to overcome the strain of timidity which he acknowledged to be in his nature; and none could deny that the prayer had been answered, or, if they hesitated to accept a supernatural explanation of his present undaunted courage, that in the glow of generous and exalted feeling the Marquess had triumphed over that fear of death which holds so many of us in lifelong bondage.

The historian Wodrow records a letter received by Argyll from a minister whose name is not mentioned, which gave him great encouragement on the morning of this day so eventful for him. Some sentences of it may be quoted here as showing the position which the Marquess occupied in the estimation of a large section of his countrymen, and the affection for him which had revived in the hearts of many. "My Lord," it ran, "I hope by this time you know that God sendeth no man a warfare upon his own charges; the report of your seasonable and suitable support, and of what the Lord doth to your soul, with your rising integrity before the world, as it was clear to others before, so it doth much comfort us over many things, so that we can speak with the adversary in the gate. We reckon it was a mercy to the Cause (if I may speak so), and to many friends of it, that God hath brought your Lordship upon the stage; He hath vindicated His reproached work in spite of reproach, so that it will be advantageous for the nation: neither do I doubt but it was a singular mercy to yourself, and shall be a relief to your oppressed name, which this day is visibly come

[1] Wodrow, *Analecta*, vol. i. pp. 117, 164.

above water. If you had been in favour with the greatest of men, and had the world smiling upon you, I much question if it had been so well with your soul and conscience, and if you had had that room in gracious hearts, which I can confidently say now you have. . . . Your Lordship may reckon your labours and sufferings sold at a good rate, when you consider how many souls have been refreshed these twenty-three years bygone; the reward of which we wish may now richly return to your bosom; so are many wishing this day who never saw your face, to whom your name and chain are savoury. Be of good courage, and God shall strengthen your heart, and be your guide even unto death."[1]

One of Argyll's last actions before leaving the prison for execution was to write a letter to the King couched in simple and dignified terms, in which, after protesting his innocence of all the charges brought against him, except that of compliance with the usurpers after they had conquered the country—an offence which he says was "an epidemic disease and fault of the time"—he asked for the royal protection to be extended to his wife and children. "These, I hope," he says, "have not done anything to procure your Majesty's indignation." And he added: "Since [my] family have had the honour to be faithful subjects, and serviceable to your royal progenitors, I humbly beg my faults may not extinguish the lasting merit and memory of those who have given so many signal proofs of constant loyalty for many generations." In the concluding passage of the letter he asks that arrangements may be made for the payment of his creditors out of the income and debts due to himself and to his son.[2]

At twelve o'clock he dined[3] with his friends and was quite calm and cheerful, and after dinner, according to his custom, he withdrew and lay down for a short nap. When he returned to the company he again expressed his sense of God's nearness to him, and of the Divine mercy in the forgiveness of his sins. The summons to execution was expected at two o'clock in the afternoon. Some reference was made to the fact, when the Marquess discovered that the prison clock had been stopped since one, and that the hour of departure was now close at hand. He deprecated the would-be kindness which had prompted the

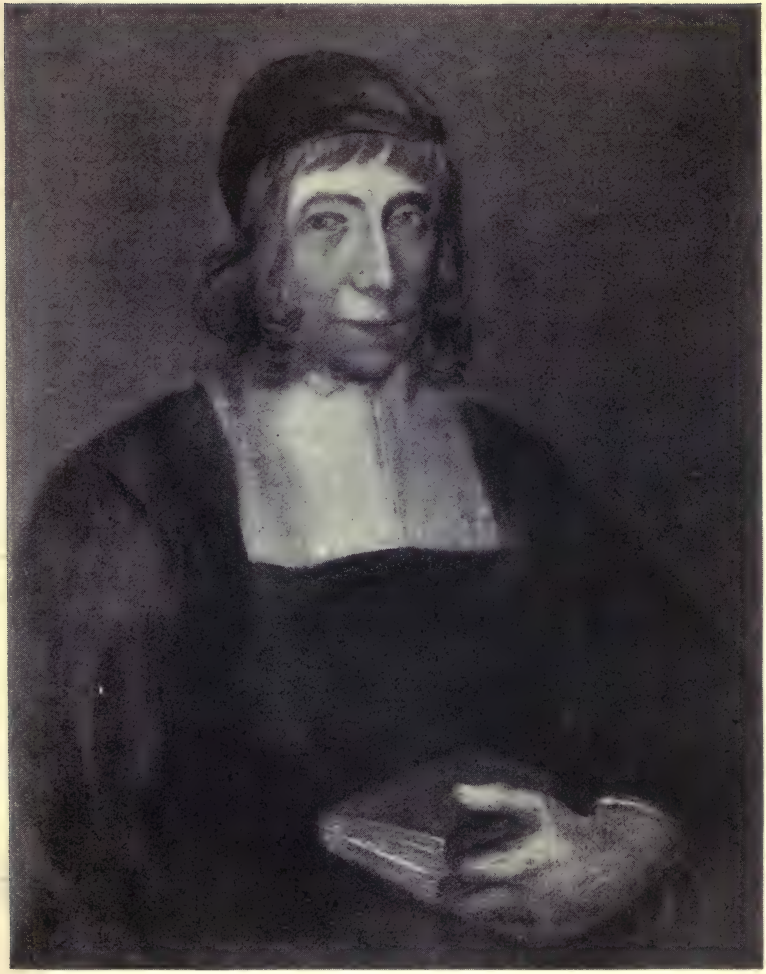
[1] *History*, vol. i. p. 153. [2] *Ibid.*, vol. i. p. 153.

[3] "In Scotland the executions are after dinner" (Burnet, Supplement to *History of My own Times*, p. 81).

action, and he knelt down and prayed aloud in affecting terms. As soon as he had ended he received word that the bailies who were to conduct him to the place of execution were below and were waiting for him. On this he called for a glass of wine and, according to the quaint Scotch custom which long continued in use, asked a blessing upon it standing, and then said: "Now, let us go, and God go with us." When he had taken his leave of those in the room who were not to go with him, he said as he went towards the door, probably to one of his advocates, Mr Mackenzie, that he would not die as a Roman braving death, but as a Christian without being affrighted.[1] His farewell to the minister, Mr James Guthrie, who was to suffer death in like manner on the Saturday of the same week, suggests a companion picture to that of Strafford on his way to execution receiving the blessing of Archbishop Laud. We give the story in Wodrow's words: "When going down he called Mr James Guthrie to him, and embracing him in the most endearing way, took his farewell of him. Mr Guthrie at parting addressed the Marquess thus, 'My Lord, God hath been with you, He is with you, and God will be with you; and such is my respect for your lordship, that if I were not under the sentence of death myself, I could cheerfully die for your lordship.' So they parted for a very short season, in two or three days to meet in a better place."[2]

The Marquess was accompanied to the scaffold by various noblemen and gentlemen, a list of whom he had furnished to the authorities to obtain permission for them to be present: among them were his sons-in-law, the Earl of Caithness and the Earl of Lothian; his kinsmen, the Earl of Loudon and Montgomerie of Skelmorlie; Mr Hutcheson and Mr Hamilton, ministers; Mr Trail, his chaplain; and Mr Cunningham, his physician. They were all dressed in mourning, including the Marquess, who, as he went along the street, had on his hat and cloak and was unbound. The sight of him walking calmly to his death, as though his action were quite voluntary, was thought by the authorities likely to impress beholders in his favour, or at any rate to suggest that the terror which they wished to inspire was not shared by their victim; and care was taken that the next to suffer should be pinioned and bare-headed on his way to

[1] *Memoirs of the History of Scotland*, Sir G. Mackenzie, p. 40.
[2] *History*, p. 155.



Rev. JAMES GUTHRIE, Minister at Stirling.
Executed at Edinburgh, 1st June 1661.

the scaffold.[1] On each side of the Marquess city magistrates walked, and the procession was attended by a detachment of the Life Guards on horseback, with carbines and drawn swords, while soldiers with displayed colours lined the street.[2] The demeanour of the crowds that watched Argyll pass and that surrounded the place of execution was quiet and respectful. "However he had been much hated by the people," says Baillie, "yet in death he was much regrated by many, and by none insulted over."[3]

With undiminished serenity he mounted the scaffold and saluted courteously those who were upon it, and then Mr Hutcheson engaged in prayer. Thereafter the Marquess addressed the people and spoke for half an hour with great composure and collectedness. His speech had been carefully written out, and it contained not only a vindication of his public life from the charges brought against it but warnings against evil living and religious indifference, and presentiments of fiery trials in the near future by which the faith of many would be put to a severe test. The general tone of the speech may be judged from its concluding paragraph, which ran as follows:— "Some will expect that I will regret my own condition; but truly I neither grudge, nor repine, nor desire I any revenge. And I declare I do not repent my going to London; for I had rather have suffered anything than lie under such reproaches as I did. I desire not that the Lord should judge any man, nor do I judge any but myself: I wish, that as the Lord hath pardoned me, so may He pardon them for this and other things, and that what they have done to me may never meet them in their accounts. I have no more to say, but beg the Lord that since I go away, He may bless them that stay behind."[4] During his speech his friends noticed that he nervously played with some of the buttons of his doublet, fastening and unfastening them, and that while he spoke he moved to different corners of the platform, as though the restraint which he had imposed upon himself was beginning to give way. But the nervousness, if such it was, went no further.[5]

Mr Hamilton then prayed, and after him the Marquess

[1] Wodrow, *Analecta*, vol. i. p. 108. Burnet says: "All go to their execution on foot in Scotland" (Supplement to *History of My own Times*, p. 81).

[2] Nicoll, *Diary*, p. 334.

[3] *Letters*, vol. iii. p. 466.

[4] Wodrow, *History*, vol. i. p. 156 n.

[5] *Memoirs of the History of Scotland*, p. 42.

prayed aloud and took leave of all his friends on the scaffold. He gave the executioner a napkin with some money in it. With a smile he said to his son-in-law, the Earl of Caithness, that he had promised him his silver watch and would now pay his debt, and with that he put it into his hands. Other things that were in his pockets he gave to those about him. To the Earl of Lothian he gave a double-ducat, and to the Earl of Loudon his silver pen. He then bowed to those on the scaffold and threw off his doublet. As he drew near to the rough guillotine, popularly called "The Maiden," Mr Hutcheson said to him: "My Lord, hold now your grip sicker." He answered: "Mr Hutcheson, you know what I said to you in the chamber. I am not afraid to be surprised with fear."[1] His physician, Mr Cunningham, afterwards told Bishop Burnet that he touched the Marquess's pulse, and that it was beating at the usual rate, calm and strong.[2] Before he knelt down he turned to those near him, and said in the hearing of all: "I desire you, gentlemen, and all that hear me, again to take notice, and remember, that now when I am entering on eternity, and am to appear before my Judge, and as I desire salvation and expect eternal happiness from Him, I am free from any accession, by knowledge, contriving, counsel, or any other way to his late Majesty's death; and I pray God to preserve the present King His Majesty, and to pour His best blessings on his person and government, and the Lord give him good and faithful counsellors."[3] He then knelt down cheerfully, and after he had prayed for a little he gave the signal by lifting up his hand. The axe fell and struck off his head; and he was now in the ranks of those who had been faithful unto death. The indecent haste with which his execution had been carried through may be judged from the fact that the warrant for it was not signed in London until the 28th of May, 1661, the day after his death.[4]

[1] Wodrow, *History*, vol. i. p. 157.

[2] *History of My own Times*, vol. i. p. 136.

[3] Wodrow, *History*, p. 157 n.

[4] *Hist. MSS. Com.*, vol. v. p. 203; Wodrow, *Analecta*, vol. ii. p. 103. The blunders perpetrated by Clarendon in connexion with his narrative of Argyll's trial and execution are both numerous and shamefully careless. He says that he was convicted of murders on clear evidence, whereas the Acts of Indemnity precluded the necessity of even discussing the charges in question; and he goes on to tell that on the day of condemnation he was hanged on a gallows—amid universal joy—along with a seditious preacher named Gillespie (*Life*, vol. ii. p. 30). Gillespie, who was pardoned, is confused with Guthrie. It is surely but seldom that such a heap of clotted falsehood is presented to a reader as authentic history.

His head was set up on the spike on the west end of the Tolbooth on which that of Montrose had been fixed. His bleeding body was carried by his friends to the little church of St Magdalene in the Cowgate, and thereafter to Newbattle Abbey, the residence of his kinsman, the Earl of Lothian; and in the night-time a month later it was taken in a carriage of Earl Marischal's, drawn by six horses and attended by a numerous company, to the family vault on Holy Loch. The funeral procession passed through Linlithgow, Falkirk, and Glasgow, to Kilpatrick and thence by boat to Dunoon and Kilmun.[1] And there in his native Highland soil, surrounded by mountains, emblems of God's protection, his body was laid within sound of the sea-waves, which might be taken to represent the turbulent ocean of political life on which for so long he had been tossed. He had now reached a higher shore and could look back and gaze on the dangerous water with a heart glad at the deliverance granted him.[2] Three years later, by permission of Charles II., the head affixed upon the Tolbooth was taken down and buried beside his body at Kilmun [3]—surely an apt illustration of the saying of Scripture that "the tender mercies of the wicked are cruel."[4]

Though, as Lord Bacon reminds us, there is no passion in the mind of man so weak but it masters the fear of death,[5] and though it may be, as he says, as natural to die as to be born, yet the spectacle of a serene, dignified, and resolute acceptance of the stroke that divides soul and body never fails to impress men with a measure of astonishment as well as of admiration. Even a weak and vicious criminal may succeed, by summoning up so poor a sentiment as vanity, in maintaining for a brief period the appearance of stoical calm upon the scaffold; but Argyll's courage had to meet a far greater strain than is implied in an effort of that kind. He was surrounded by friends who, though silent, resented and lamented, as he well knew, the sentence then about to be executed, and by general consent the grief of those we love is one of the circumstances of death which show it terrible. Yet so far was Argyll unaffected by this and

[1] Baillie, *Letters*, vol. iii. p. 466.

[2] "E come quei, che con lena affannata
Uscito fuor del pelaga alla riva,
Si volge all' acqua perigliosa, e guata."
Dante, *Inf.*, i. 22.

[3] *Life of Robert Blair*, p. 469; *Hist. MSS. Com.*, vol. vi. p. 607. The date was 8th June, 1664 (*Red Book of Grandtully*, vol. i. p. cix).

[4] Prov., chap. xii. 10.

[5] *Essays*, 2.

other trying experiences in connexion with the last scene of his life that he was able to speak for half an hour in as composed and quiet a manner as that in which he had ever addressed the Parliament or the General Assembly. Even his enemies were astonished at his demeanour upon the scaffold; and the thought that it was partly due to the worth and greatness of the cause of which he had for so many years been the champion could not be altogether banished from the minds of some of them. The Earl of Crawford, who had once been challenged by Argyll to fight a duel and who had with tears pronounced the death-sentence upon him in Parliament, openly declared his opinion that the Marquess had been supported in his last hours by a higher than earthly power. In reply to a brutal remark of Middleton's as to the dead man's now suffering the penalty of evil deeds, he asserted that he was convinced that the courage which had so deeply impressed all spectators must have been due to some supernatural assistance, for it was not Argyll's natural temper.[1]

The feelings which the tidings of Argyll's trial and death awakened in the minds of those who had been more or less closely associated with his public life, may be guessed from notices in Baillie's *Letters* and in Blair's *Autobiography*—to both of which we have repeatedly referred in the foregoing pages as authorities for the history of the Marquess and his times. Baillie speaks as one who had been for some years past a political opponent of the man for whom he once had cherished an unbounded admiration. "Argyle," he says, "long to me was the best and most excellent man our State of a long tyme had enjoyed; but his complyance with the English and Remonstrators took my heart off him these eight years; yet I mourned for his death, and still prayes to God for his family. His two sons are good youths, and were ever loyall."[2] The tone of Blair's reference to the Marquess is more cordial. "The sentence against Argyle," he says, "was much cried out against, especially because he was condemned for compliance with the usurpers—whereas some that sat on the bench and condemned him were more guilty of that than he—publicly disowning and renouncing the King and his family, both at London and in Edinburgh. . . . The generality of God's people were much affected with his death; for whatever had been his escapes [escapades] and complying

[1] Burnet, *History of My own Times* (quoted in *Dict. of Nat. Biog.*, vol. viii. p. 328).
[2] Vol. iii. p. 466.

with the usurpers, he was a man that ever owned the good Cause and the work of reformation of religion, and lived devoutly himself, always keeping a good order in his family. All did compassionate his religious lady and children."[1]

Some idea of the poignant grief with which Argyll was mourned by the inner circle of his family and friends is given us by a letter written in Edinburgh on the evening of the day of execution by Lord Ker of Newbattle, afterwards fourth Earl of Lothian, to his wife, Lady Jane Campbell, the Marquess's second daughter, whom he had married in the beginning of the previous year. The letter bears the very form and pressure of the time to which it belongs, and gives us, as it were, a glimpse into the hearts of those upon whom the grief of such a sad bereavement fell with crushing force, at the time when that grief was still new and full. In our opinion it is one of the most touching letters on record. It runs as follows:—"Deare Hearte, I am confident of you so farre (that since the removall of your Father was so well known to and expected by you all this whyll) the hearing by me, who was an eye and eare witness of his heavenly, Christian, grave, yet magnanimous and resolute cariage in this last and greatest step in all his lyfe, will give you greater joy and comforte then any resonable sorrowing can overcom. Truly, deare hearte, I was ever a lover of your Father, but this last action of his hath made me an admirer likewayes, and I am sure his beheaviour this day hath galled very many of his enemies. God was pleased to uphold him wonderfully in his sufferings, and I am sure he would not change one moment of his immortell condition for all the happiness immaginable this world can afforde; and, as he said att the receiving of his sentence, I am confident God hath crowned him with an immortell crown of glory. I trust, God willing, to com forth to-morrow. In the meantyme, deare hearte, comforte yourselfe in the true Comforter, who will never be hidde from any that seekes him. I am your most affectionate Husband till death, KER."[2] Only a man of generous, noble strain could have written such a letter; and we may be quite sure that, had Argyll been such as the enemies of the cause he represented have striven to persuade the world he was, the memory of him could never have inspired feelings like those here

[1] P. 385. A magnificent monument to the memory of Argyll in St Giles's Cathedral, Edinburgh, was unveiled on 27th May, 1895.

[2] *Correspondence of the Earls of Ancrum and Lothian*, vol. ii. p. 448.

disclosed. The fact that such a testimony could be given to Argyll vindicates, we consider, the position with regard to him which we have taken up; and, though we despair of finally quenching by anything we have written the spirit of calumny which has done its worst so far as he is concerned, we think that we have set down an array of facts which will render it difficult for the detractor of the great Marquess of Argyll to resume his hateful work.

The last speech of Argyll was printed and widely read, and so great was the impression produced by it that the Government took steps to suppress it.[1] But their efforts were in vain; and at a later period it found its place in the popular literature which contained the records of the dying speeches and testimonies of those who had suffered for the Covenant. On the day after his execution the Act Rescissory was passed in the Scotch Parliament, which abolished at a stroke all Acts and decisions of Parliament since the year 1641, and which left Episcopacy standing as the legal form of Church-government in Scotland. The treachery which marked the action of the Government in initiating this change, and the cruelty with which they carried it through to the bitter end, will never be forgotten, but the history of their proceedings belongs to a later period than that of our story. One result of the Act Rescissory, so far as the subject of our biography is concerned, is that the Acts of Indemnity of 1641 and 1651, by which he had shielded himself against a flood of accusations, were repealed; and, in a public document which appeared shortly afterwards, the authorities were not restrained by considerations of decency from allowing many of the accusations in question to be brought up again as though they had been offences of which the Marquess had been found guilty. The attempt to justify their action in taking his life, by endeavouring to blacken his character after his death, may be left to the contempt which it deserves.

His widow survived him seventeen years and died 13th March, 1678, at the age of sixty-eight. The last notice of her which we find makes it clear that she had been worthy of her heroic husband. "His noble lady," says Law, "Lady Margaret Douglas, a lady of singular piety and vertue, bore this sad stroak, with other both personal and domestic afflictions, with great patience and incredible fortitude, giving herself always to prayer and

[1] Wodrow, *History*, vol. i. p. 246.

fasting, and ministering to the necessity of the saints."[1] The title of Earl of Argyll and the family estates were restored to the Marquess's elder son by a patent dated 16th October, 1663.[2] Twenty-two years later Archibald, the ninth Earl, perished like his father upon the scaffold, after a misguided and unsuccessful attempt to overthrow the Government of James VII.

Our readers will naturally expect us to say something in the way of describing the main characteristics of the Marquess of Argyll, whose story we have followed to its tragic close. Anything in the way of formal panegyric would be foreign to the purpose, and, we hope, to the spirit of this biography; though we freely confess our belief that the virtues possessed by Argyll vastly outweighed the faults which, in common with us all, he possessed, or those which unfriendly eyes have discerned in him. Had this not been the case, the firm hold which he has now maintained upon the respect and affection of so many of his fellow-countrymen for nearly two and a half centuries would be inexplicable.

Even his enemies themselves are constrained to bear witness to the astonishing intellectual gifts which he possessed, and which enabled him to guide and control the politics of Scotland for so many years, and to make a deep impression upon English political life during the period when the two nations were united in offering resistance to the arbitrary government of Charles I., and in breaking down the military power by which he would fain have maintained it.[3] The trial and execution of the King, followed as they were by war between the two nations, overthrew all his plans and ultimately led to his fall from power. His steadfast support of the cause of the Covenant sprang from religious conviction, and so identified was he with that cause that, as Wodrow says, "it was buried with him in the grave for many years."[4] Yet he ever sought to impress upon his fellow-countrymen moderate counsels, and he himself walked in a way removed alike from fanaticism and indifference. Episcopacy with its "ceremonies" appeared to him to be foreign to the genius of his nation rather than unscriptural; and such

[1] *Memorialls*, p. 10.

[2] *Dict. of Nat. Biog.*, vol. viii. p. 332.

[3] A testimony to his force of character and intellectual ability is given by Clarendon in a letter of 18th March, 1647. "I have," he says, "a sadder [more serious] apprehension of mischieve from that Scotch Arguyle then [than] from the whole packe of both kingdomes" (Lister, *Life of Clarendon*, vol. iii. p. 49).

[4] Wodrow, *History*, vol. i. p. 159.

matters he regarded as subordinate to the main interests of religion.[1]

His political opinions were undoubtedly in advance of those of his time, for his ideal constitution was a Monarchy limited by the checks which the collective wisdom of statesmen has succeeded in imposing upon the royal prerogative. Largely through his influence the Democracy in Scotland succeeded to a considerable measure of the power which had been wrested from the King; so that Argyll cannot be accused of securing advancement for his own order by the humiliation of the Monarchy. The worst that can be said of him in this respect is that he made the career possible of a noble's succeeding by aid of the Democracy in checkmating both the power of the Throne and that of the Aristocracy, and that he was by some thought to have himself followed that course.

So far as his political influence and career are concerned, our data for forming an opinion regarding them are abundant. The case is different when we come to speak of the depth and sincerity of his religious life. Here we have to do with matters which are but imperfectly known to us. Suffice it to say, therefore, that whatever sins he might have to deplore before God in his outward life he manifested a high degree of devoutness; that often it seemed from his habits and idiosyncrasies that the life of an ecclesiastic would have been much more congenial to him than that of a politician; and that nothing could quench the ardour of his attachment to the Church of which he was both a defender and an ornament.

From every quarter, both from friends and from enemies, we have testimonies to his charm of manner: it consisted in a certain unassuming simplicity combined with great gentleness, affability, and courtesy.[2] Beneath this apparent genial pliability lay a fixedness of purpose which could not be overcome, and a memory for wrongs received which his enemies came to dread[3] and which his friends were inclined to deplore as verging on implacability. "His wit was pregnant," says Clarendon, "and his humour gay and pleasant, except when he liked not the company or the argument."[4] Few who had

[1] *Instructions to a Son*, p. 22.

[2] Gordon, *Britane's Distemper*, p. 56.

[3] Clarendon says: "He carried himself so that they who hated him most were willing to compound with him" (*History*, vol. i. p. 368).

[4] *Ibid.*, vol. ii. p. 100.

but a casual acquaintance with him could have suspected the vast range of mental ability and the daring political plans which were veiled by what they thought his unaffected plainness of manner. Hence words like "subtle," "crafty," and "dissimulating," were applied to him by those who might rather have accused themselves of denseness and superficiality.

It was his misfortune rather than his fault that for a time, at any rate, he was alienated from his father and from his son by differences which sprang from divergence in matters of religious belief and of politics, respectively; but otherwise in his home-life he seems to have been both exemplary and happy. His high position in Scotland as an almost independent potentate might easily have led him to manifest ostentatious splendour in his style of living. But, so far from this being the case, his habits in this respect were sober and sparing; and in him we see the unusual combination, which to our mind is very attractive, of economy in small matters along with bountiful and princely generosity on worthy occasions. No accusation of seeking to profit by the disorders of the State to promote his own selfish interests was ever made against him; while for public purposes he freely—perhaps too freely—employed his own private fortune and credit, and thereafter was called to undergo the cruel experience of seeing his possessions ravaged and destroyed by a public enemy. Other characteristics of the Marquess have already been pointed out in the course of our biography, so that what we have now said must be regarded as merely supplementary touches to complete the portrait we have endeavoured to present.

Montrose and Argyll have been compared to Cæsar and Pompey, of whom it was said that the one could not endure a superior and that the other would not have an equal.[1] Such historical parallels are of little value, except as rhetorical exercises, and they have often but slight foundation in fact. A more specious parallel might be traced in the varying characters of the sons of Isaac. Montrose recalls the attractive qualities of Esau, while in Argyll we see much of the moral and spiritual strength of Jacob. In Montrose we have impulsiveness and chivalry, combined with a certain levity in forsaking one cause and embracing another, and a brilliancy of heroic achievement which suddenly died down and left behind it no lasting benefit or even result; while there were in Argyll a strong suscepti-

[1] Clarendon, *History*, vol. i. p. 392.

bility to religious impressions, a keen shrewdness of judgment, and a tenacity of purpose which remind us of Rebekah's favourite son. Our instinctive feelings lead us to receive into our hearts the one type of character, while our maturer judgments approve the other as greater and more worthy. Still another though a fainter feature of resemblance may be traced between Argyll and the Hebrew patriarch in the halo of glory which surrounds the close of their lives. The piety of both then shone forth most clearly, their parting words were caught up and treasured as though they had been holy oracles, and, in spite of all their failings, it was felt that there had been that in their lives which would make them influential for good in the ages yet to come.

THE END

APPENDICES

APPENDICES

APPENDIX I

PARTICULARS OF FAMILY HISTORY

THE following particulars of family history may be of interest to some of our readers.

ARCHIBALD CAMPBELL, 7th Earl of Argyll, born in 1575 (*Herries Peerage*, p. 1), died in London shortly before 4th September, 1638 (*Black Book of Taymouth*, p. xix).

Married (1) on 24th July, 1592, Anne, fifth daughter of William Douglas, 8th Earl of Morton. She was born in 1574, and died Sunday, 3rd May, 1607, about midday (*Epicedium*, etc., Edin. 1607).

Their children were—

Anna, born in 1594, contracted 27th to 30th June, 1607, to be married to George Gordon, Lord Enzie, afterwards 2nd Marquess of Huntly.[1] She died, leaving issue, 14th June, 1638, at Aberdeen, and was buried in St Machar Cathedral. Her husband was beheaded in Edinburgh, 22nd March, 1649.

Annabella, married in 1611 Robert Ker, 2nd Earl of Lothian, who was on Saturday, 6th March, 1624, found dead in bed at Newbattle Abbey with his throat cut. The author of the crime, if the death were not by suicide, was never discovered. His wife is described by Scot of Scotstarvet as "a woman of a masculine spirit but highland-faced." He also relates some scandal concerning her (*Staggering State*, 1872, p. 91; see also, Masson, *Life of Drummond*, p. 297). She retired to the Continent, and died at Antwerp in 1652 (*Correspondence of Earls of Ancrum and Lothian*, p. C). She left two daughters, Anne and Joanna. Anne married William Ker, her kinsman of the Fernihurst family, who was by creation the 3rd Earl of Lothian. Their son, Robert Ker, Lord Newbattle, married Jane, second daughter of the Marquess of Argyll. Of Joanna, Scot says she left the kingdom shortly after her sister's marriage, "being much slandered for incontinency, and

[1] That she was actually married at this early age, incredible as it may seem, is proved by an Epithalamium written on the occasion, a copy of which is in the British Museum. Her age on her marriage is given as thirteen in *The Book of Aboyne*, p. 527.

is now in Holland in a boor's house, teaching children" (*Staggering State*, p. 92, probably written soon after 1662).

Jean, contracted in 1624, married in 1628 (1) Sir Robert Gordon of Lochinvar, created Lord Lochinvar and Viscount Kenmure in 1633, who died at Kenmure, 12th September, 1634, in his thirty-fifth year. She married (2) on 28th or 29th January, 1640, Sir Henry Montgomerie of Giffen, son of Alexander, 6th Earl of Eglinton. Her second husband died without issue, 3rd May, 1644.

Mary, married on 23rd August, 1617, Sir Robert Montgomerie of Skelmorlie, who died before 22nd May, 1654.

Elizabeth, died unmarried (*Records of Argyll*, p. 5).

Archibald, afterwards 8th Earl, and 1st and only Marquess of Argyll. He was born probably early in 1607, and was beheaded 27th May, 1661.

On 30th November, 1610, the 7th Earl of Argyll married (2) Anne, daughter and heiress of Sir John Cornwallis of Brome, Suffolk, an ancestor of Lord Cornwallis. She was a Roman Catholic. The marriage took place at the Parish Church of St Botolph, Bishopsgate; and she died at the Earl's house in Drury Lane, London, 12th January, 1634–35, and was buried on the 13th at St Martin's-in-the-Fields.

Their children were—

James, born in the end of 1611, created Lord of Kintyre, 12th February, 1626; and afterwards on 28th March, 1642, created Earl of Irvine, and Lord of Lundie, in Forfarshire. Baillie says of him, 17th June, 1645, "My Lord Irvine, this day, took a fitt of ane apoplexie: it's thought he cannot live long" (*Letters*, vol. ii. p. 281). He sold the estate of Kintyre to his half-brother, the Marquess, raised a regiment of soldiers and entered the French service under Louis XIII., and he died without issue about the middle of September, 1645.

Mary, married James, 2nd Lord Rollo, on 20th March, 1642, by whom she had issue. Lord Rollo's first wife, Dorothea, was a daughter of John, 4th Earl of Montrose. Lord Rollo was thus first of all a brother-in-law of the Earl of Montrose and then of his rival, the Marquess of Argyll. His first wife died in 1638 without issue.

Isabella, born in 1614, became a *religieuse*; lived to be at least eighty years of age; received a pension of £50 Sterling per annum from James VII., dated 7th January, 1687–88 (*Treasury Reg.*, vol. iii. p. 310); was living in Brussels in 1694 (see letter quoted below).

Henry and *Charles* (?), twin sons, born in 1616, to whom the Queen Anne and Prince Charles stood as sponsors on 24th January of that year. Henry died at the age of twenty. Habington the poet has an elegy upon him, in which he speaks of his having been "in warre." His brother, whose name we conjecture to have been Charles, probably died in infancy.

Victoria, who became a *chanoinesse religieuse* of St Augustine, and received a pension of £40 Sterling per annum at the same time as her sister Isabella, as noted above.

Barbara, also became a *religieuse*, and was in the Abbey of English Benedictines in Brussels. She received a pension of £40 Sterling per annum at the same time as her sisters.

Anne, born 1619, in 1633 her parents prosecuted for sending her to be popishly brought up abroad. A warrant was issued that year to attach "Anne Browne, *alias* Coriate, *alias* Campbell," which suggests her being smuggled abroad under assumed names. On 21st December, 1640, she is described as "now wife to Mr Bulleyn, the Earl of Lindsay's chaplain" (*Hist. MSS. Report*, vol. iv. p. 34). Afterwards, apparently on becoming a widow, she became a *religieuse* like her sisters.

Clement Walker, in his scurrilous *History of Independency*, gives some particulars with regard to these daughters by the 7th Earl of Argyll's second marriage. He says that £12,000 Sterling was left for their maintenance and marriage portions, and that the Marquess of Argyll got himself appointed, instead of the person nominated in the will of their mother, to have charge of their affairs. He asserts that the eldest, who married Lord Rollo, should have received a dowry of £5000 Sterling but only got £1000 Sterling "or thereby," and that the others were "reduced to go to monasteries" in order to deprive them of their portions, as there was a clause in the will that if they became nuns they would only receive a lump sum of £300 Sterling. He states that all but one had then (in 1661) taken upon them the religious vows, and that she was likely to follow her sisters' example. We understand from this that Lady Anne had now become a widow and was thus at liberty to enter a convent. We see no reason to doubt some of the items of information contained in the book above referred to, though they are blended with insinuations against the good faith of the Marquess for which no proof of any kind whatever is adduced, and which on various grounds are highly improbable.

An interesting notice of these *religieuses* is given in a letter written by James, Earl of Perth, Lord Chancellor of Scotland, to his sister, the Countess of Erroll. It is dated August, 1694, and says: "We went to Bruxelles the 16th July where we waited for the second time on our old great-aunt Mad[lle] d'Argile, who is near 80 years old. She was daughter to the old Earl, the Marquises father, one of four *religieuses*, their fifth sister having been mother to this Lord Rollo. She speaks no English, is a good soul as lives, and in esteem with all the great folks at Bruxelles. She had another sister a *chanoinesse religieuse* of Saint Augustine, Lady Victoria, a very fine lady. She herself is a most excellent musician, and though her voice fails much she sings true still, and plays finely on many instruments, but chiefly the organ. She

composed a song for my wife, and made words and all, which shoes she is not quite broke: her name is Isabell. Her other sister at Bruxelles was in the Abbey of English Benedictines; Lady Barbara was her name; both she and Lady Victoria are dead lately." [We are indebted to the kindness of Lady Russell, of Swallowfield, Berkshire, for a copy of this letter.]

Family of ARCHIBALD, 8th Earl, and 1st and only Marquess of Argyll. He married, 6th or 7th August, 1626, his cousin's daughter, Margaret, second daughter of William, 9th Earl of Morton, by whom he had issue. He was executed Monday, 27th May, 1661. His wife, who was born in 1610, survived him, and died 13th March, 1678 (Law's *Memorialls*, p. 10 n.).

Archibald, born at Dalkeith, 26th February, 1629 (see App. III., Letter XVII.), afterwards 9th Earl of Argyll. At the age of thirteen he was appointed captain in the Scotch regiment raised to serve in France under his uncle, the Earl of Irvine (see App. IV.). There was a proposal of a marriage between him and Lady Anne, the elder daughter of the Marquess of Hamilton, in 1641–42 (Napier, *Life of Montrose*, vol. ii. p. 374 n.). The marriage portion fixed was 100,000 merks [£5555, 11s. 1⅓d. Sterling], the yearly jointure 15,000 merks [£833, 6s. 8d. Sterling], and the penalty of resiling 36,000 merks [£2000 Sterling], "all remeid of law excluded." But this arrangement was never carried out. Lord Lorne married (1) on 13th May, 1650, Lady Mary Stewart, eldest daughter of the 4th Earl of Moray, at Moray House, Edinburgh, by whom he had issue, and who died May, 1668 (Lamont, *Diary*, p. 257); and (2) on Friday, 28th January, 1670, Lady Anne Mackenzie, dowager Lady Balcarres, who died in 1706. He was beheaded 30th June, 1685.

Neil, of Ardmaddie, Argyllshire, governor of Dumbarton Castle, born probably in 1630 or 1631, as in 1645 he was at the University of Glasgow along with his brother (*vide* Preface to D. Dickson's *Commentary on the Apostolical Epistles*, Glasgow, 1645). He married (1) on 23rd January, 1668, Lady Vere Ker, third daughter of the 3rd Earl of Lothian (Lamont, *Diary*, p. 254). She died in 1674; by her he had issue: Charles, who joined the Earl of Argyll in the rising of 1685, and who was in consequence condemned to death but had his sentence commuted; and Archibald, afterwards Bishop of Aberdeen, and a strong non-juror (d. 1744): and married (2) in 1685, Susan, daughter of Sir Alexander Menzies, 1st Baronet of Weem, and left issue. The marriage contract is dated 13th and 20th March, and apparently should have been post-nuptial, as it provides for two sons by name, the elder of whom, Neil, must have been born in 1683 at latest, for he was admitted advocate in 1704. According to the local histories of New Jersey, U.S.A., Lord Neil Campbell took refuge there in the end of 1685, and was accompanied by many members of his

kindred and clan (*Metuchan and her History*, E. M. Hunt, 1870).[1] He died in 1692, and was buried on 11th April of that year in Greyfriars Churchyard, Edinburgh.

In a pamphlet entitled *Scots Mist*, published in 1685, some details are given with regard to these sons. Of Archibald, afterwards 9th Earl of Argyll, it is said: "He was sent abroad to be bred at Geneva, with recommendations from his father to that Kirk and to the Presbyterians of France, where he kept correspondence between his father and them." Of the younger son it says: "He was lately proved to have been privy and consenting to all his father's treacherous compliances with the English in Scotland, and to have been actually in arms with them."

Anne, died unmarried, evidently after 10th July, 1657 (see Letter XXXIV. in App. III.), and before 19th October, 1663, when Nicoll in his *Diary* speaks of two sisters of Lord Lorne's (*Jane* and *Mary*) as being with him the only surviving members of the family.

Jane, married in January, 1660 (contract dated 3rd, 9th, and 10th January), Robert Ker, Lord Newbattle, eldest son of the 3rd Earl of Lothian, who succeeded him as 4th Earl in 1675; on his uncle's death became 3rd Earl of Ancrum in 1690, and was created Marquess of Lothian, Viscount of Briene, etc., 23rd June, 1701. He was born 8th March, 1636, and died in London, 15th February, 1703. She died leaving issue, 31st July, 1712.

Mary, born after 1634, married (1) on 23rd September, 1657, George, 6th Earl of Caithness, at Rosneath. Her tocher was only £22,000 Scots [£1833, 6s. 8d. Sterling] (Lamont, *Diary*); he died in 1676: (2) married on 7th April, 1678, as second wife, Sir John Campbell, of Glenurquhy, afterwards on 13th August, 1680, created Earl of Breadalbane and Holland. He was the Breadalbane implicated in the Massacre of Glencoe. She had a son by him. A very pretty portrait of her is in Holyrood Palace.

Isabella, born in Edinburgh, 20th May, 1650, the day of Montrose's execution; died apparently before 19th October, 1663 (see above, under Anne, the note from Nicoll, *Diary*). Her name does not appear in any previous notices of the family, but is given by C. K. Sharpe, on the authority of a MS. in the Advocates' Library, in his edition of *Law's Memorialls*, p. 10 n.

In the genealogy given in *Records of Argyll*, which belongs to 1634,

[1] We have received this item of information from Alden Freeman, Esq., of East Orange, New Jersey, himself a descendant of a John Campbell, an early settler in the district, who was, there is every reason to believe, a prominent member of the illustrious clan of which our Marquess was in his time the chief. He seems to have left Scotland for America towards the close of the reign of Charles II., and to have died in December, 1689. It is extremely interesting to know that in that part of the United States there are those who are proud of their descent from some branch of this great historical family, though the period of their separation from their kinsfolk in Scotland is now to be measured by centuries.

it is said Lord Lorne had then two sons and two daughters; consequently Mary must have been born after that date.

In the volume of the *Historical MSS. Commission Reports* containing the Argyll Papers, there is a curious contract between the Marchioness of Argyll and a John Campbell, clothier in Musselburgh, dated Edinburgh, 17th November, 1652, which we may insert here. "By this contract John Campbell binds himself to remove from Musselburgh to Inveraray, along with his family and two workmen, before 1st February, 1653, and with his two workmen to attend on his work weekly for twelve months. John was to be held accountable for what should be got for any work he might do during this time to others by her Ladyship's order. At the end of a year an agreement as to his wages was to be made with him. The Marchioness on her part was to pay the expenses of the removal of the tailor and his family, to furnish him with a house before the expiry of the twelve months, and to supply all the materials necessary for his work. He was also to have a 'cail-yaird,' two cows, grass, and two acres of land; and during the first twelve months he and his servants were to have their Sunday's meat furnished by the Marchioness. The weekly wages to be given at first were ten shillings to John himself, six shillings to one of his men, and five shillings to the other, which they might have either in money or in victuals" (*Report*, vol. vi. p. 631).

APPENDIX II

BALLADS CONNECTED WITH THE MARQUESS OF ARGYLL

GILDEROY

THE earliest version of this ballad was published in London in 1650. The following version of it contains some slight changes on the original by the authoress of "Hardiknute," which adapt it for modern readers. (Pinkerton's *Select Scottish Ballads*, vol. i. p. 62.)

Gilderoy was a bonnie boy,
Had roses tull his shoone;
His stockings were of silken soy,
Wi' garters hanging doune.
It was, I weene, a comelie sight,
To see sae trim a boy;
He was my jo and hearts delight,
My handsome Gilderoy.

Oh! sike twa charming een he had,
A breath as sweet as rose;
He never ware a Highland plaid,
But costly silken clothes;
He gain'd the luve of ladies gay,
Nane eir tull him was coy:
Ah! wae is mee! I mourn the day,
For my dear Gilderoy.

My Gilderoy and I were born
Baith in one toun together,
We scant were seven years, beforn
We gan to luve each other;
Our dadies and our mammies, thay
Were fill'd wi' mickle joy,
To think upon the bridal day
'Twixt me and Gilderoy.

For Gilderoy, that luve of mine,
Gude faith, I freely bought
A wedding sark of holland fine,
Wi' silken flowers wrought;
And he gied me a wedding ring,
Which I receiv'd wi' joy;
Nae lad nor lassie eir could sing
Like me and Gilderoy.

Wi' mickle joy we spent our prime,
Till we were baith sixteen,
And aft we passed the langsome time,
Among the leaves sae green;
Aft on the banks we'd sit us thair,
And sweetly kiss and toy;
Wi' garlands gay wad deck my hair
My handsome Gilderoy.

Oh! that he still had been content
Wi' me to lead his life;
But ah, his manfu' heart was bent
To stir in feates of strife:
And he in many a venturous deed
His courage bauld wad try,
And now this gars mine heart to bleed
For my dear Gilderoy.

And when of me his leave he tuik,
The tears they wat mine e'e;
I gave to him a parting luik,
"My benison gang wi' thee!
God speid thee weil, mine ain dear heart,
For gane is all my joy;
My heart is rent sith we maun part,
My handsome Gilderoy."

My Gilderoy, baith far and near,
Was fear'd in every toun,
And bauldly bare away the gear
Of many a lawland loun.
Nane eir durst meet him man to man,
He was sae brave a boy;
At length wi' numbers he was tane,
My winsome Gilderoy.

Wae worth the loun that made the laws,
To hang a man for gear;
To 'reave of life for ox or ass,
For sheep or horse or mare!
Had not their laws been made sae strick,
I neir had lost my joy,
Wi' sorrow neir had wat my cheek
For my dear Gilderoy.

Giff Gilderoy had done amisse,
He mought hae banisht been;
Ah! what sair cruelty is this,
To hang sike handsome men!
To hang the flower of Scottish land,
Sae sweet and fair a boy!
Nae lady had sae white a hand
As thee, my Gilderoy.

Of Gilderoy sae fraid they were,
They bound him mickle strong;
Tull Edenburrow they led him thair,
And on a gallows hung:
They hung him high aboon the rest,
He was sae trim a boy;
Thair dyed the youth whom I lu'ed best,
My handsome Gilderoy.

Thus having yielded up his breath,
I bare his corpse away;
Wi' tears that trickled fur his death
I washt his comelye clay;
And siker in a grave sae deep,
I laid the dear-lu'ed boy;
And now for evir maun I weep
My winsome Gilderoy.

For further particulars with regard to the celebrated outlaw we may refer our readers to Spalding's *Memorialls of the Trubles in Scotland*, vol. i. p. 437. (Spalding Club edition.)

THE BONNIE HOUSE O' AIRLIE

It fell on a day, and a bonnie summer-day,
When green grew aits and barley,
That there fell out a great dispute,
Between Argyll and Airlie.

Argyll has raised an hunder men,
An hunder harness'd rarely;
And he's awa' by the back o' Dunkeld,
To plunder the castle o' Airlie.

Lady Ogilvie looks o'er her bower window,
And O, but she looks weary,
And there she spied the great Argyll,
Come to plunder the bonnie house o' Airlie.

"Come down, come down, my Lady Ogilvie,
Come down and kiss me fairly."
"O, I wadna kiss the fause Argyll,
Though he should na leave a standing stane in Airlie."

He has taken her by the left shoulder,
Says, "Dame, where lies thy dowry?"
"O, it's east and west yon wan water-side,
And it's down by the banks o' the Airlie."

They hae sought it up, they hae sought it doun,
They hae sought it maist severely;
Till they fand it in the fair plum-tree,
That stands on the bowling-green o' Airlie.

He has ta'en her by the middle sae sma',
And O, but she grat sairly!
And he's set her doun by the bonnie burnside,
Till they plundered the castle o' Airlie.

"O, I hae seven braw sons," she says;
"The youngest ne'er saw his daddie,
But though I had an hundred mae,
I gie them a' to King Charlie!

"But gin my gude lord had been at hame,
As this nicht he is wi' Charlie,
There durst na a Campbell in a' the west,
Hae plunder'd the bonnie house o' Airlie."[1]

"Of this ballad," Aytoun says, "there are many versions, with a great variety of readings; but the above, I have reason to believe, is the original." In a version published in Kinloch's *Ancient Scottish Ballads* (London, 1827), the epithet "gley'd" [squint-eyed] is several

[1] *Ballads of Scotland*, edited by W. E. Aytoun, D.C.L. (Edinburgh, 1870).

times applied to Argyll, and the exploit of burning the house of Airlie is represented as agreed upon between that chieftain and Montrose. This incident in Scotch history is probably indebted for its prominence in ballad and song to the smooth and poetical sound of the word "Airlie." The historian Spalding (*Memorialls*, vol. ii. p. 51) says that in 1641, by order of the Estates, "the staitlie hous of Mugdok" belonging to Montrose was demolished. But no ballad-maker or lyrical poet has as yet ventured to weave this name into any of his compositions.

APPENDIX III

LETTERS FROM MEMBERS OF THE ARGYLL FAMILY

We here give the full text of five letters from the 7th Earl of Argyll, and twenty-six from his son the 8th Earl and 1st and only Marquess of Argyll, copied from originals in the possession of the Earl of Morton at Dalmahoy, which have been most obligingly placed at our service by His Lordship. From the same source we have obtained a letter from the Marchioness of Argyll, and two from her daughter, Lady Anne Campbell, who was spoken of as a wife for Charles II.

Letter I

My ŭarie good Lord,—Least the being ignorant of my procedings sould mak souch a frend as your Lo[rdship] is, uncertaine hoŭ to proceed to plesur me at this tyme whone the ignorance of sum and the malecie of uthers hes gifin place be my absence to say what thay plais against me, zour Lo. [your Lordship] schal knoŭ that I cam to serŭe the King of Spaine, with the King of Inglands lisence with certain exceptions, as zour lo. wil persaŭe be the coppie of the same wh^{ch} the Spaneich Embassadeur (who ŭes the procureur of it) did send me. I haif eŭir sence obserŭed al my Injunctions, onlie I can not goodlee trust my lyf til a king in wrath as I heir his Ma^{tie} is, til I be moir certaine of his faŭor, tho I asseur zour lo. I can not uaeil [well] know whairin I haif offended, for his Ma^{ties} hes gifin under his hand to the Spaneich Embassadeur leiŭe to any of his subjects to serve ather the Empereur, the King of Spaine, or the Archduk, and to me, ane particulier licence as I haif said alreddy. Zour lo. considering thir [these] things wil I doubt not be bold to interseed with his Ma^{tie} that I get not actuall ŭrong, for a suppoised undeutifulnes wh^{ch} I have not zit [yet] commited nor dis neŭir intend to commit, God willing. Whon I know that zour lo. hes resaŭed this my letter by ane other from zou, I schall alŭay gif zour lo. a treu relatione of al my procedeings, desyring to haif the continuance of zour frendschip, wh^{ch} I schal labour to mereit as,—Zour lo. frend to serŭe zou,

Argyll.

Bruxl. *the* 23 *of July* 1620.

Letter II

My Lord and Cousing,—Tho I haif wraitin many letters vhairof I haif nevir resaŭed any ansŭair from zour lo. zitt will I nott leiŭe of to lett zou knou hou willing I am to do zou any serŭice vhairby I may schau my thankfulnes for the cair ze haif had of my hous in my absence. I heir my sone hes beine att court whois estait I would glaidly heir, for wh^{ch} caus and concerning uthers of my affairs I haif ŭraitin [written] to Mr Al^{x} Coluill and to Wm Stirling that thay may cum unto me, for I heir I am much wronged by misreports and mistakings. It will pleis zour lo. thairfor to haist thair cuming as ze schall alluays haif me to remaine,—Your lo. cousing to serve zou, Argyll.

Bruls. *the* 12 *of May* 1626.

Letter III

Address: To my ŭary good lord and cousing the Erle of Mortoune.

My varie good Lord,—As I labour by all my actions to expres my loŭe to my soone and cair of my hous, so haifing toght [thought] on a bussines vh^{ch} is considerable for the adŭanceing of the one and seceuring the uther, I haif appointed thir [these] baeriers Ar^{d} Campbell and Vill^{m} Stirling to impert the particulier to zour lo. that ze may (as on vho is interesed, to gif zour best adŭyse to inhable zour frends to serue zou) call my soon and lett him heir that wh^{ch} I think heirefter schalbe hable to lett the Vourdle [world] knou, hou mouch I love my hous, above all uther temporall good, sua [so] recommending this to zour lo. vyse consideratn I rest,—Zour lo. Cousing to serve zou, Argyll.

From my hous this fryday at nyt.
[? Drury Lane ; before 1630 ; perhaps May or June, 1629.]

Letter IV

Address: To my varie Ho^{rbl} lord and cousing the Erle of Mortoun, lord Thesorier of Scotland. [*N.B.*—He was treasurer from 1630 to 1635.]

My ŭarie good Lord,—As I haif beene stil trublsum to zou in my complents concerning my soone of Lorne, so I think good too lett zour lo. lykŭays understand of his amendment. He hes sent to pay the merchants and promesses to performe the rest: Wh^{ch} this good beginnig maks me confident in: Your lo. good counsaile hes wroght this good

effect; to whome I moust acknouledge my self obleiged and my soon no les, for besyds the blissing God gifs for being deutifull to parents, wh^ch is the greatest good, if euir my fortoune be bettred, I schall better his, for efter necessarie foud [food], my hous is my nyxt cair, and for the noblenes I find in zow as I am I am zours, and vhon I am moir it schalbe for zour seruice that schall euir remaine,—Your lo. Cousine and fathfull Frend to serue you, ARGYLL.

DROURIE LAINE, *the* 7 *of Nov.* [1630-1635 ?]

LETTER V

Address: To my Noble lord and cousing the Erle of Morton, Thessorer of Scotland.

MY LORD,—I haif vraetin [written] to my soon to haif cair to secur me of the annuetie deu to me from his brother befoir he putt his monie or asseurance for it out of his hands, vh^ch I will intrait zour lo. to remember of unto him, both as his father and a frend unto me who am,—Your lo. Cousin to serve zou, ARGYLL.

HAMERDEN, *the* 28 *of July* [1630-1635 ?].

LETTERS OF 8TH EARL AND 1ST MARQUESS OF ARGYLL

LETTER VI

Address: To my mouch Honored lord and cousing, the Erle of Mortoune.

MOST HONO^LL LORD AND DEAR FATHER,—According to your Lo. desyr in your Lo. last letter I have done, and hes directed this bearer to your Lo. with such things as I could have in heast, and withall I have sent to your Lo. the extract of that act mad in King Jams last parliament quhair Kintyr sould be lyabl to the debt, all to be used as your Lo. thinks best. To mak your Lo. kno the better hou bussi they ar to my preiudice I have sent your Lo. the coppie of Sir William Alexanders letter quhairin he lyes in on point, for I never receaved word nor wryt from his Ma. [Majesty] in that busines; and if thay have taxed me for my ungrait carieg to my brother (quhich I kno they doe) your Lo. shall be ansuerabill for the contrair, for besyds I haue been mad ane strainger to all his busines since he cam hear, I have sindrie tyms offered if he wold go toe scools he sould nather want for his honour nor for his contentment (quhich he will not deny), besyds sumthing he hes gotten for his necessitie bot not for his prodigalitie, and yit am content his Ma. wold

appoint your Lo. with others of our nobil freinds and the freinds of Argyll to tak sume cours to prevent any evill may fall out hearafter. I have given information to the bearer quhat thes peaple that ar about my brother maks him to doe, that your Lo. may think of it, and doe as your Lo. thinks best for me; and my last suit to your Lo. is that quhen your Lo. shall come from that place your Lo. wold leave such direction with Sir Robert Kar[1] or any other your Lo. thinks fit to advertise your Lo. quhen any hote dealing shall be for my father that I may advyse quhat shall then be my best. If his Ma. wold promise it himself it wold be far best in all thir [these] things. As I have ever done, I wait on your Lo. directions and shall ever remain,—Your Lo. most loving Sone to serve you, LORNE.

INNERRARAY, 16 *Ap.* 1627

LETTER VII

Address: To my very Hono[ll] good lord and father, the Erle of Mortone.

RIGHT HONORABLE AND DEAR FATHER,—Plais zo[r] Lo. be advertissed that efter I had directed Mr Robert Barklay unto zo[r] Lo. my occasions drew me to Kyntyr, quhair my brother had remaned about sum sax oulkis [weeks] bot neuer com within the castle till the verie nicht befor my cuming, and they that my disgrace micht be the mor remarkable, by the pernitious counsaill of sum baise villains they seduced a treacherous servant of myn to delyver the keyeis, and so entered within the castle and tuk possession w[th] out any preceiding sentence, and thair efter receaved me as a guhest bot not as a maister. Morover quhen I wes content to overleuk this intolerable vrong by the aduyce of sum of my best frindis, and only to reestablishe him that was the ordinair keiper of my hous giving him expresse comand to serũe and honor my brother in all things, y[r] by [thereby] to maintaine my possession till decision of law or appointment of frinds, zit neuertheles my broy [brother] was so far from being content with my humble cariage, that immediatlie efter I turned my bak, by the persuasion of his young counsello[rs] he expelled my servant and so disgraced me and him. Morover thay directed George Vachop, Mcnachtans Man, to my father, whom they have incensed agains me by thair misinformations as zo[r] Lo. may perceave by the copie of his letter heir inclosed. By this y[t] I have vrettin yo[r] Lo. may perceave how I have bene vexed and tempted, and left to myself, and how great missing I have had of zo[r] Lo. prudence and fatherlie counsaills in my grittest difficulteis. All this I tak from the Lord my God, quho can

[1] Sir Robert Kerr of Ancrum, gentleman of the bed-chamber, and keeper of the privy-purse to James VI. and Charles I. In 1633 created Earl of Ancrum.

turn all for the best in his appointed tyme, desyring zo^r Lo. according to zo^r accustomed goodnes and cair that ye have had of me since I com in this vorld now to direct me w^th zo^r comfortable counsaill, quhen I am destitut and straitted, assuring zo^r Lo. that I am that powerfull of my self that I shall do nothing unworthie of a christian and a nobill man, and if yo^r Lo. cum not speedilie home, q^lk I could hartlie wiss, vreet [write] to my Lo. chaunceler that he may supplie yo^r Lo. absence with his counsaill and concurrence, and signifie unto his Lo. that I am not insensible of that proof that he hes alreddy given me of his kyndnes q^lk I shall neuer forgeit. Quhen yo^r Lo. hes considdered of all that is passed, ye will sie that my enemeis ar not idle, so on the vth. [other] part as I will not presum to direct yo^r Lo. hou to do in particulars zit as I haive don formerlie so now I am to put yo^r Lo. in rememberance to prepair his ma^tie that as I in many occasions have had experience of his princelie fauor, so he vold be plaised to continou towards me, quhen I am most put to it, thus wissing unto yo^r Lo. all health and prosperitie and expecting with all diligence yo^r Lo. ansuair, as I shall ever remain,—
Your Lo. most affectionet Sone and Seruant, LORNE.

I houpe your Lo. will pardon me that I have not wreten this with my aun hand, for I am so taken up with busines heir, and wryting of letters to others quhom I will use greater ceremonie with than your Lo., bot this is al treuth tho not al the treuth.

OTTIR, 8 *May* 1627.

LETTER VIII

Address: To my very hono^ll lord and dear father, the Erle of Mortone.

MY HONORABLL LORD AND DEAR FATHER,—I most regrait to your Lo. my sisters doings in going to Ingland, quhich I was never privi to bot on night befor shooe tooke jurney, and then it was impossibll for any to mak hir shainge hir resolutions. Yit be hir discourses I perceaved shoo wold be desyrouse to bring over hir father, and least it had been suspitious in me I durst not desyr hir not to be rasch (for hir fathers weall) in ane busines of such importance; yit your Lo. may doe as you think goode. This bearer M'Nachtan hes moved me to desyr your Lo. according to your Lo. dyet [?inditement] to appoint him ane meeting of my freinds with my brother, quhairin he wil sho himself ane good instrument (quhen it is done I shall beleeve it), and in the mean tym your Lo. may give him such ane countenance as his dealing thair deserves, and I wisch rather then I sould truble your Lo. thair, I might have the happines to wait on your Lo. hear as becometh,—

(I had wreten other particulars to your Lo. if I expected they sould find your Lo. at court),—Your Lo. loving Sone and Servant, LORNE.

DALKEITH, 4 *July* 1627.

LETTER IX

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

MY HONORABILL LORD AND DEAR FATHER,—I mervell much I heard nothing from Lawers since my pairting from your Lo., for his aune presence might doe some good hear besyds all I can doe, always if he be als busie els quhair as I shall be hear, your Lo. may assoor your self to have on company readie for shiping again [? against] your Lo. day appointed: and in my opinion (saiving your Lo. aun judgment) it will be fit that ane ship be readie as I wrote to your Lo. befor and withall your Lo. may advertise the Laird of Lawers according to your Lo. resolution. So wisching your Lo. good success in all your noble interpryses I rest,—Your Lo. loving Sone and Servant, LORNE.

INNERRARAY, 30 *Ag.* 1627.

LETTER X

Address: To my honorabill Lord and dear father, the Erle of Mortone.

MY HONB[L] LORD AND DEAR FATHER,—I receaved your Lo. letters and his Ma[ties] from Georg Donaldsone, and I wisched from my heart thair had been any of my freinds quho wold heave undertaken the listing of ane company from thir [these] pairts to your Lo.; for imedialy after your Lo. letters com to my hands I advertised that man quhom I beleeved wold [have] imbreaced the busines, yit quhen he com, both fearing the shortnese of the tym and the unwillingnes of the peaple, he wold not undergo it, always your Lo. shall not slip any good occasion for placeing of your Lo. captans; tho I shall deall quhen all my freinds ar present to see if thair be any will undertak the busines. I heave wretten this day to Lawers to have his peapll in readines again[st] the 15 of this instant, for altho I heave appointed myn to be hear again[st] the 10, yit I fear it shall be the 15 befor they be all readie. Always [notwithstanding] in this and all other things concerns your Lo. thair shall be nothing wanting in me to proove myself,—Your Lo. loving Sone to serve you, LORNE.

INNERRARAY, 3 *Sep.* 1627.

I heave sent this inclosed letter to your Lo. to be thoght on and prevented as your Lo. thinks fit.

Letter XI

Address: To my hono[ll] lord and dear father, the Erle of Mortone, theis—

My honorabl Lord and dear Father,—I most creave your Lo. pardon for keeping of this bearer so long, for quhen I fand so litl resolution in young Lauers freinds (as your Lo. may perceave be thair letters) I could not send him to your Lo. with uncertantie, for quhen Lawers himself went out of this I remitted his resolution (as your Lo. may see be the coppie of my letter to his father) to his freinds, and fred my self of that chairg of furnisching him with any men, so I keeped still the bearer untill I might give your Lo. coumpt [? information] of ane Captan. Now your Lo. shall kno that (as I am oblidged) if the busines wer my oune I could be no mor ernest in it nor I am in your Lo. and seeing your Lo. knoes the natur of this peapell how requisit it is to heave on of thair oun to comand them I heave mad choise of the laird of Barbrek (as your Lo. geave me warrand) to be thair C[aptain] upon thir [these] conditions, that I sould furnisch him iii[xx] men and himself the other fortie upon that sam rait as your Lo. and Lauers agrieed, and your Lo. to heave the placeing of all the officers. Only I most entreat your Lo. not to dispon upon [dispose of] his cullowis untill I advertis your Lo. and your Lo. shall expect quhat other men I gait shall be shiped heir (godwilling once this nixt week) to be disponed as your Lo. and I shall agree. I have advertised the skper and sent the Ilsmens letters according to your Lo. direction, and shall ever acknowledg my self fortunat in finding the occasion quhairin I may proove myself,—Your Lo. loving Sone to serve you, Lorne.

Innerraray, 13 *Sep.* 1627.

I houp your Lo. will heast this gentlmans patent.

Letter XII

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

My honorabll Lord and deir Father,—I am sorie I sould heave so iust occasion to regrait to your Lo. the slones in provyding the ships, for as I wret last to your Lo. I had all my men appointed to the Tarbet to have been shiped thair, as I shew your Lo. and was my self this far on my way (reddie to apprehend some quho wold not goe willingly) quhen I receaved this inclosed ansuer, and seeing the skipper hes undertaken to be reddie the last of this moneth, I wil yit (tho it be

trubulsum as your Lo. may kno seeing the men ar reddie) stay till then: and I houpe your Lo. will give such direction that they may nather stay any longer for ships nor after they ar shiped; for if they doe I dar not undertak bot many may run away (tho they seem nou willing): so remitting all this to your Lo. oune resolution I rest,—Your Lo. loving Sone to serve you, LORNE.

ORCHARD, 20 *Sep.* 1627.

Your Lo. most give me leive to bleam you for my disapointing at this tym: thairfor I intreate your Lo. to have the greater cair in tym cuming.

LETTER XIII

Address: To my hono[ll] lord and deir father, the Erle of Mortone.

MY HONORABLL LORD AND DEIR FATHER,—I heave receaved this day such letters as I have sent to your Lo. and I can not mervell anoch that such ane busines of importance hes been wrocht unknoen to your Lo or any other of my freinds, yet seeing I am ingadged in your Lo. service I will not leave it undone for any thing can concern my self, bot I heaue directed this bearer to your Lo. both to creaue your Lo. advyce to my self, and with such other directions quhich I remit to his relation: only I most assoor your Lo. (if it be so as it seems) befor I suffer such contempt as I find the beginnings of alreadie (my brother being wretten toe and I neglected) your Lo. shall expect ane man mor to your Lo. service, for I will rather chose to be free abroad then ane sleave at hom to suffer any thing unworthie of,—Your Lo. loving Sone to serve you, LORNE.

INNERRARAY, 29 *Sep.* 1627.

LETTER XIV

Address: To my hono[ll] lord and deir father, the Erle of Mortone.

MY HONORABLL AND DEAR FATHER,—Your Lo. can expect no other neues from this bot to hear that all your Lo. freinds ar in good health and longs to hear of your Lo. good successe in all your busineses, and if it wer necessar I would intreate your Lo. to doe that quhich your Lo. thinks best for him quho shall ever remain,—Your Lo. loving Sonne and Servant, LORNE.

DALKEITH, 28 *Jann.* 1628.

Letter XV

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

Most honorabll and dear Father,—I will bleam your Lo. sloness and not your unkyndnes that I hear so seldome from your Lo. Yit I shall stryve to mak the best construction on it if I hear from your Lo. shortly quhat is done in my busines; for my Lord Seafort is to be at court shortly (with my Lord chancler) quhom your Lo. knoes to stand in such termes as he does; thairfor I houpe your Lo. will be the lese freind to him (tho your Lo. be intreated) that he may be disapointed both in his dealing for the Bisshoprik of the Isls, and in the preiudce of my busines. Always I wisch your Lo. may not be slo in your oune busines, least your Lo. neglect mak your self bear the bleam of your oune misfortoune, and if I can be any way steadabll your Lo. may ever comand me,—Your Lo. loving Sonne to serve you, Lorne.

Dalkeith, 1 *Ap.* 1628.

Letter XVI

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

Most honorabll and dear Father,—I spak my Lord of Mar and some other Lords of the excheker yisterday concerning my assingment to some deiuties quhairwith I am to be payed of tuo thousand pound (as your Lo. knoes), and I find I shall be directly refoosed, except your Lo. purches ane particular letter to my Lord of Mar, commanding him to exped it for such reasons (quhich I will not troubll your Lo. with, bot hes wreten them to Sir William Alexander quhom I think will sho them to your Lo.); and in all this I find it on thing amongs freinds to intertain freindship in the generall, and aneother to descend to particulars for I wold not [have] beleeved my Lord of Mar wold heave shoen himself so in my particular quhairin I was not ane preparative [mover]. Always your Lo. may (if you think good) advyse in it with Sir William Alexander and let me kno quhat your Lo. resolves, for in this and all other things I will ever be that bold as to troubll your Lo., for the quhich your Lo. can heave no mor bot,—Your Lo. loving Sonne to serve you, Lorne.

Dalkeith, 4 *July* 1628.

I houpe your Lo. will be cairfull to advertise the king that he doe nothing with my father in the particular of his esteat till I be thair, and if your Lo. be absent, quhich I pray God may not be, I houpe your Lo. shall both speak in that befor you go and leave your Lo. directions to me.

Letter XVII

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

My honorabll Lord and Father,—As I kno your Lo. will be glaide to hear that your dochter is saifly brocht to bed, so I doubt not bot the mor because it is of ane sonne: quhairfor I will presum the mor boldly to intreat your Lo. to remember of your self, and hou dangerouse it is to heave the cure to prepair quhen the disease is cum to ane hight, yet I assoor my self of your Lo. cair, not doubting of your wisdom, and shall ever houpe for the best, only stryving for my self in any service I can doe to deserve the name of,—Your Lo. loving Sonne to serve you,

Lorne.

Dalkeith, 26*th Feb.* 1629.

Letter XVIII

Address: To my hono[ll] lord and dear father, the Erle of Mortone.

My honorabll Lord and loving Father,—Of all evells the least most be chosen, quhairfor seeing your Lo. most ather suffer justly (being ingadged as I hear nou) if I should refoose to free my lord Hamilton, or I [be] unjustly censured if I shall, I will rather tak my ventour then bring your worde in question, not for respect to any man but your Lo. self: thairfor let your Lo. tak it upon you only for theas lands that ar presently the Marquisese, and doe in it as your Lo. thinks best, still desyring the Kings Ma[tie] to see me perfectly establisched in the rest: otherwayes your Lo. may think with your self I mak ane ivell bargan. Always remiting all to your Lo. self, I rest,—Your Lo. loving Sonne to serve you,

Lorne.

Dalkeith, 27 *Feb.* 1629.

Letter XIX

Address: To my very hono[ll] lord and dear father, the Erle of Mortone.

My honorabll Lord and dear Father,—I heave receaved ane letter from my father deated the 20 of Apryll, quhairin he only shoes me that he is to be in Ingland about the end of May and desyrs me to sho so much to his freinds also; bot (quhich I mairvaill most of) he nather commands me to come nor stay. Thairfor I must intreat your Lo. to advyse me quhat is best, and according to your Lo. advertisement I shall doe. I cannot bot advertise your Lo. with Sir Donald Gorroms intention in going thither, for I shall be abll to proove that his men of lau and

agents said he could not suffer to be under me any way, and it seems so, for I being in your Lo. house of Dalkeithe, did never hear of him till he was gon. Thairfor let me intrait your Lo. that he and such unhonest men to me as he is (quho speaks to me on way and does quyt contrarit quhich I shall mak good) may not find your Lo. friendship for any mans requeist: for if such peapll as your Lo. knoes the best of those ar, may not find some lose by losing me your Lo. may think hou much the mor unabll it will mak me (of your Lo. have to comand me with [*sic*]) to sho my self,—Your Lo. loving Sonne and Servant, LORNE.

DALKEITH, 4 *Jan.* [1629 ?]

LETTER XX

Address: To my hono[ll] lord and dear father, the Erle of Morton.

MY HONORABLL LORD AND FATHER,—Heaving some wrets to passe with my mother in law, quhich I durst not trust to hir self, hes made me direct this bearer that at your Lo. sight all things may be ended. As this bearer and the wrets themselves will informe your Lo. thair is ane busines quhairin I heave been spoken be the Marquis of Hamilton direction, for dimitting of all richt I heave to the Justitiarre of his lands in Arran, quhich I think very hard, seeing thair was not on word of it till my richt was esteblisched in my own person, and I kno if it be done now it shall suffer the worst construction. Yet seeing my father is thair, your Lo. may speak with him in it, and seeing I kno your Lo. will be wroght upon in it, I intreat your Lo. let me kno your Lo. advyse, and your Lo. shall kno my resolution. I heave made bold to trubll your Lo. with this at this tym to preveen thair dealing with your Lo., that your Lo. should not ingadge your self in any thing may tuch upon the honor or wealfair of on over quhom your Lo. may shelleng [challenge] so much authoritie to command him as,—Your Lo. Sonne and Servant,

LORNE.

I houpe seeing your Lo. is nou red of Sir Archbald Campbell, your Lo. will not dispose of his company over his sonns head.

LETTER XXI

MY HOB[ll] LORD AND DEAR FATHER,—The letter I heave receaved is to that sam effect your Lo. hes hearde, and howsoever I tak it, I will suspend my judgment till I see your Lo., quhiche shall be with Gods grace once this nixt week, so I rest,—Your Lo. affectionat Sonne to serve your Lo., LORNE.

ROSNEITHE, 5 *Ja.*

Letter XXII

Address: To the Most Hono^{ll} Lord and my dear father, the Erle of Mortone, Th^{r} of Scotlande.

My hob^{ll} Lord and dear Father,—Altho I shall not be very troublsume to your Lo. in this kynd, yit for this bearer I most intreat your Lo. favour in his composition for ane confirmation he is to creave befor your Lo. in excheker, for I kno him to be ane very honest man, and quho oblidges me. Thairfor quhat extraordinar favour your Lo. shoes him, I kno your Lo. will finde him very thankfull for it, quhairfor I shall be suirtie, for he is on of them in Glesgow, quhairof he is clerk, most respective to me, quhiche I houpe will mak your Lo. accept him the more favourabllie, so shall I ever remaine,—Your Lo. affectionat Sonne to serve you, Lorne.

Rosneithe, 10 *Mar.* [1630–1635].

Letter XXIII

Address: For my most Hob^{ll} lord and dear father, the Erle of Mortone, Th^{r} of Scotlande.

Most Horabll Lord and dear Father,—I have wretten alreadie to sho your Lo. for quhat reasons my freinds hes thoght it unfit I sould come thair, and to intreat your Lo. to heast the dispatch of my fathers letters, and nou withall I intreat your Lo. (as your Lo. knoes best hou) to remember his Ma. of that favour he did me in bestowing that lyfrent and essheat on me, and as his Ma. promised befor he wold doe nothing to my preiudice befor I wer acquanted with it. I houp your Lo. wil have ane cair of thir [these] and other things that may concerne me, seeing I kno others ar not eydle to my preiudice, bot seeing nou your Lo. may doe for your Lo. freinds I rest,—Your Lo. loving Soone to serve you, Lorne.

Aberdour, 18 *Mar.* [1630–1635].

Letter XXIV

Address: To my most honored Lord and dear father, the Erle of Mortone.

My honorabil Lord and dear Father,—I regrait nothing so much as my aun misfortune that now quhen I have mainest busineses and of greatest importance to doe, I sould want your Lo. advyce quhich ever hithertils hes directed me; for amongst the rest of directions quhich I

have receaved from my father thair is on impossibl, that thair sould be 130[1] pund sterling layd in William Diks[2] hand to be desposed on as his Lo. thinks good, quhich is altogither impossibil, yit may be esilier excoosed then ane thing mor facil. I have lykways hard be Mr Alexander Colvils relation (and sumthing be your Lo. letter) quhat difficulties thair was to gait my brother out of ingland, and so far as I can coniectour no lese to keep him hear; for altho I was in Argyl quhen he cam home, yit so soone as I hard of it I made heast and cam doun thinking to find him in your Lo. hous, bot he has been al the tym in Ed^r, quhair be the advyce (of quhom I kno not) they have passed the signator of Kintyr, with ane resignation of my fathers lyfrent mad be himself, and as I hear mynds presently to creave possession and doe as they please. Bot for that becaus I kno I have lau and reason on my syd, they shal be stronger then I before they get it: and altho my brother hes caried himself to me as ane strainger as yit, quhich I behold patiently, yit til I speak to himself particularly I wil wryt no mor of this busines to your Lo., bot wisches your Lo. al happines quhair you ar, with ane saif return hom quhair your Lo. shal find me,—Your Lo. most loving and obedient Sonne, LORNE.

ED^R., 5 *Decem.*

LETTER XXV

Address: To my very hono^ll Lord and father, the Erle of Mortone.

MOST HONORABIL LORD AND DEAR FATHER,—I doubt not bot befor this your Lo. hes receaved my last letter quhairby your Lo. knoes of that meeting quhich I have had with my freends, quhom I have found so deutiful to me in every particular as I wisched, both in thos that concerned my father, and that betuix me and my brother; and in that especially becaus in it they find I have gotten greatest wrong, quhich they have shoen my father be thair letter, quhich is now at Glenorquhy getting his hand to it, or els I had directed it to your Lo. with this bearer. Always for the particulars I have directed heer ane memorandum of them to your Lo. Only for my brothers ingrait carieg in al his busineses your Lo. shall kno he hes done them al be himself unknown to me, and quhair I thoght his intention in cuming hom had been to have gon to the scoole and thair passed his tym for ane quhyl: now I find (as himself says) having gotten the King's confirmation to Kintyr, without debt, and his fathers without reservation

[1] Or 13^c [£1300 Sterling]: the original is difficult to decipher.

[2] William Dick, a wealthy Edinburgh merchant and Lord Provost of the city, was in January, 1642, created a baronet of Nova Scotia. He lent much money to Charles I., and afterwards to escape annoyance gave £69,934 Sterling to the Parliament. He was thrown into prison by Cromwell, and died at Westminster, 19th December, 1655, in a condition of poverty (Scot's *Staggering State*, 1872, p. 21 n.).

of his lyfrent, he craves sum present satling, and then mynds to retir bak to ingland; bot my freends hes stayed him upon ane letter (most favorable for me) they have directed to my father, quhich shall go be your Lo. And altho my freends thoght it most fit I sould come to your Lo. and the King to informe him mor particularly of that busines, and to secoor my self again of his Ma. favour (quhairon they brag so much), yit heaving your Lo. so happily thair at such ane tym, I wil doe nothing unknoen to your Lo., bot wil intreat your Lo. as you loues my weell (quhich I kno your Lo. does as your aun), that your Lo. wold think on al thir [these] things, and especialy on this, that your Lo. may direct to me your Lo. advyce quhat is best nixt to be done, and with als great heast as your Lo. can, for if your Lo. thinks fit I come, my freends thinks so toe. So remiting al this to your Lo. fatherly cair without ceremonie your Lo. shal ever haue pour to comand me as,—Your Lo. most loving Sone to serve you, LORNE.

E^R^, 25 *Jann.*

LETTER XXVI

Address: To my very honorabil Lord and dear father, the Erle of Mortone.

MY HOBLE LORD AND DEAR FATHER,—I heave stayed the bearer two days waiting for the wrets of Kintyr. Wee ar all so desyrous of your Lo. hom cuming and the sooner the better, that wee heave put this bearer to the pains to bring advertisment to all your Lo. freinds of ane paremptour dyet for meeting whair your Lo. pleases, bot I think your Lo. will choos this place. I heave desyred my brother to intreat your Lo. if you think it good to speak with S^r^ Harie Knowls. So wisching your Lo. ane happie jurnay I rest,—Your Lo. affectionat Sonne to serv you, LORNE.

ED^R^, 25 *Jun.*

LETTER XXVII

Address: For my most Hono^ll^ Lord and dear father, the Erle of Morton.

MY HOBLL LORD AND DEAR FATHER,—Your Lo. will hear all what hes passed her from others and how the Duk of Hamilton is mad Gnll, the Erle of Callander L.-Gnll, and the old Gnll, Gnll-L. David Leslie, Gnll-Major Holburne: with many other officers, both hors and foot, have quit chairg; the whole church are dissenting to the ingagement, and declairs it unlawfull. But I cannot furnisch your Lo. at this tym with the churches papers, to wit, the representation, thair declaration, with the remnant papers. What shall be the event God knowes. The

hous of Commons is now full 340, and indeed ar for a present satling as your Lo. will finde by thair leat vots. If your Lo. be desired [? desirous] to cum from that think it happines that you ar thair and free of our present business. I speak it reali for your Lo. advantag for without all complement I am,—Your Lo. affectionat Sonne and humbll Servant, ARGYLL.

EDR., 15 *May* [1648].

LETTER XXVIII

Address: For the Erle of Mortone.

MY HOBLL LORD AND DEAR FATHER,—Befor I went to Dunstafnag all the vessels that wer thair cam to this firth, so it was impossibll for me to send your Lo. boat, which I am heartili sorie for, becaus shee cannot serve me to so muche use as in being usefull to you. Besyds shee will be unservicabll to ather of ous till shee be dressed the nixt summer, for many things will spoill with a litll lying idll. Your Lo. will hear from others the condition of affairs her and in England bettr then I can tell you. My fear is that our Maister be still aboosed, for the plt [Parliament] heave voted his answer a refoosall of the propositions,[1] which they never did befor, which is preparatorie to any thing they pleas to say agains the King, but God hes all mens hearts in his hand. Sum heave been very active to the disbanding of our armie, which suffers divers constructions always to satisfie sum who ar stumbled at it till my lord chancr and Lanerecks report cum bak. They say a bettr affected on shall be quicklie on foot. Howsoever I beleeve notwithstanding all [that] is past, the armie will be keept up by the meeting the 12 8br [October] till the kingdome look about them. But what may interveen God knowes. I shall wisch the best tho my fears be great. Otherwayes I intreat your Lo. consider the incloased and let me know from your self what is best to be donne in it. After our frequent meeting I shall heave mor to troubll you with. Your dochter is this day beginning to be seek, but the bearers pairting maks that I can say no mor. My lord Lanerick and Callander pairted from this on Wedensday. My lord chancr goes Godwilling on Teusday. This with my service to my lady and all your good companie is this tyms troubll from,—Your Lo. affectionat Sonne and Servant, ARGYLL.

EDR., 2 8br [1647].

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[1] On 21st September, 1647, both Houses voted Charles's answer a refusal of the nineteen propositions (*Lords' Journal*, vol. x. p. 440; *Commons' Journal*, vol. v. p. 331).

Letter XXIX

Address: For the Erle of Mortone.[1]

Right hono^ll^ dear Brother,—I told you of a chairg I had got from a Englisch man for a debt of your fathers, which every on says to me is payed: and leist by my negligence the Erle of Morton should suffer preiudice I have resolved to indeavour to get a suspention, which I think will not be had without a cationer. Thairfor if I stand in need of on I intreat you to len your name for me: and besyd the ordinar claus in such bands, I doe by theis oblidg my self to releeve you of any dainger or lose, and being both my lord Mortons concernment and myn I houpe you will doe it and oblidge,—Your affectionat Brother to serve you,

Argyll.

Campbell [? Campbeltown], 21 *Feb.* [1648–1649 ?].

Letter XXX

Address: For S^r^ James Douglas,[2] sonne to the Erle of Mortone.

My hobll Lord and dear Nepheu,—I creave your Lo. pardon that I have not answered two of your Lo. letters which I receaved. The last was concerning the admiralitie of Orknay, to have sum allowance for it in byrun duties. I must confess thair is much reason for severall particulars, that cannot be soon understood her, and after they ar known they can hardly get a hearing becaus of the multitud of other greater affairs. So my humbll opinion is that any thing your Lo. desyrs her let it be presented thair; for if it be in thair instructions it will be at last remited thair, and if it be not any freinde you have thair in the Counsell may procoor you a recomendation to his highnes, and I will use my best indeavor to get a dispatch. If I knew any better way for your Lo. I wold both advyse it and concur. I have signed a Commission as on of your Lo. curators to the Erle of Traquair, but I declaired I wold signifie to your Lo. that the particular soum must first be condisscendet upon, which is du to him; and that any Commission to him might not prejudg any former, nor my Lord Dunfermlin and my releef, and your Lo. and the rest of your freinds wold look to that

[1] This was the 10th Earl of Morton, who died in Orkney in 1649, his predecessor, Argyll's cousin and father-in-law, having died in 1648.

[2] Sir James Douglas was the second son of William, 9th Earl of Morton. His eldest brother and nephew were 10th and 11th Earls respectively; on the death of the latter in 1681, Sir James Douglas became 12th Earl of Morton. He died in 1686.—There seems to be some mistake about the address of this letter. The contents seem to refer to William, 11th Earl, who succeeded in 1649. His sister Anne married William, 7th Earl Marischal, who is referred to in the letter. The allusion to the debts of the grandfather of the person receiving the letter seems to agree with the supposition that he is the 11th Earl.

befor you conclud it, tho indeed I think his condition be hard by his ingadgments for your grandfather, which deserves consideration so far as can be. Your sister the Countes of Marshall is desyring sum such thing may be donne for what is du to hir. I houpe your Lo. will pardon me for so long silence, for tho I may be slow to wret, yit I houpe never to faill in any dutie that is in the power of,—Your Lo. affectionat Uncle and Servant, ARGYLL.

[? London : probably after September, 1655, and before 15th August, 1656].

LETTER XXXI

MY HOBLL LORD AND DEAR NEPHEW,[1]—At my Lord Traquairs being her he often spoak to me concerning that debt he aleadges owing to him by your Lo. grandfather, which he says he is willing to instruct befor your own freinds, and after that is donne he promises to deall as fairly with your Lo. in the way of his satisfaction as is possibll for him. But becaus I desyr to doe your Lo. all the service I can, I thought it most usefull for your Lo. every way to have his propositions in wreting, which I send your Lo. the double of, her incloased, that your Lo. may tak them to your consideration by the advyce of the rest of your freindes. For I cannot deny (only looking to your Lo. good in it) I think them very fair, except thair be sum other thing known to your Lo. and others in the busines, which I never heard of. I have indeed seriously considered his paper, and I confes freely I have heard no proposition for your Lo. affairs in Orknay that I lyk better; for tho I know many will be jealous of my Lord Traquairs medling in your affairs, yit your Lo. must consider if thair be a just debt owing to him, he must be satisfied. And if your Lo. get his assistance (as the papir bears) both in getting up the rents and bringing others to coumpt without a factor's fiall [? retainer], I think it may proove advantagious to your Lo. But I submit my judgment in this to your self and other freinds upon the place. Only let me tell your Lo. again it was ever my opinion that sum active man might have particular employment in your affairs, or I could never see how your Lo. busines could be rightly managed. And now becaus I am named in the paper and leist my absence might be any impediment to your affairs, I did fullie communicat my thoughts in the particulars to the Erle of Lothian, who I know will impairt them treuly to your Lo. And with respect to your famelie and becaus it is your Lo. good I consider most in the busines, I am content your Lo. acquaint the rest of your freinds with my thoughts of the busines and in all things command me as,—Your Lo. affectionate Uncle to serve you, ARGYLL.

LONDON, 15 *Ag.* 1656.

[1] This is William, 11th Earl of Morton, who succeeded in 1649 and died in 1681.

Letter XXXII

Dear Brother,—It his pleassed God to restor our nephue to health after ane loung alarming seikness; he is now busse at his bouk; and much affected when he heirs what conserns him gos not right wher ye ar; and indeid so is moe [more] of us, but our Lord seis good to humbell this land in everie corner of it in on way or other, so that ther is no aduice can be given but a paciant wating for our lord who will in due tym arays with healling under his wings, and tell then I know nothing better then to wat at his fitt stull for derectsion; for he will disapoynt non that coms to him: and that ye may know the way of doeing this the better, I have sent you this inclosed, which is set furth by ane freind who is heir.[1] It is worth your parushing and the Lord give you the right ush of it; this I ame,—Your affectionat Sister and Servant, Margaret Douglas.

Inneraray, 22 *Jan.*

Letter XXXIII

Address: For Sir James Douglas in Orkney.

Dear Cousin,—I long to hear from you. It was not willingly that I brock my trist to you, but I hop you have no reason to regrat you kept it. I shall be glad to hear you have resolved to make God your God upon his own tearmes, and shall not faithlesly pray to see the fruits of his free mercies in your cariage, (at lest) some years after this. Pardon this ill writ, it is from,—Your very affectionat Cousin and humble Servant, Anne Campbell.

30*th July* 1655.

Letter XXXIV

Address: For the Earl of Morton.

My noble Lord and dear Cousin,—Tho I must acknowledge my self in your debt for a letter, and therefor shall not dout you do your cousins heir the honor to remember us, yett your long absence maks me jealous you dout we deserve the name which I assure you is very much affected by me of,—My Lord, Your most affectionat Coussin and humble Servant, Anne Campbell.

10 *July* 1657.

[1] Perhaps the sermons of David Douglas, preached at Inveraray and written out at the desire of the Marchioness of Argyll. He was transported to Glasgow in 1639. These sermons were afterwards published with the co-operation of the Rev. Mr Durham, under the title of *The Sum of Saving Knowledge.*

APPENDIX IV

A LETTER FROM THE MARQUESS IN 1642

In the volume entitled *The Family of Kilravock*, 1290–1847, published by the Spalding Club, the following letter is given without note or comment. We give it as supplementing our brief account of an episode in Scotch history which seems to be known to but few. It has value to us here as giving some details of family history, and as exhibiting Argyll in the somewhat novel character of recruiting-sergeant for the King of France.

From the Marquess of Argyll

Richt honorable,—Whairas the kingis majestie hes beine pleased with advyse of the counsall to grant warrand to the Erle of Irwing, my brother, for levying a regiment for serving the French king as a regiment of guard, which no doubt will be both honourable and advantagious in all tyme comeing, ffor breding of younge noblemen and gentlemen of this kingdome; and in regaird my sone the lord of Lorne is allowid to be the first capitane of that regiment, the capitanes of that regiment being all younge noblemen and gentlemen of qualitie; and that I am to levy my sones company, consisting of ane hundred and ffiftie men, in the in countre, and heirin to be troublesome to non bot such as ar my reall frends, amongst which I am confident of yow; thease ar thairfor earnistlie to requeist yow to provyde some younge abill men to be of my sones company, such as ye can convenientlie have, and to send thame to Edinburgh so soone as possiblie may be, at the farthest betuix and the tuentie of July nixtocum, whair my sones lieutennent, my cowsine, Mr Archibald Campbell, sal be ready to resave them and gif tham pay from the day ye sall tak thame on, so long as they remane heir; or utherwayes so much in ane sowme as sall be aggreit upone during the tyme of ther abode heir; and thair sal be shipping and sufficient provisione for ther transporting to France; and everie ane of thame sall have ane suite of apparell, with hat, stockings, and shoes. And as ye sal be pleasit to further this my requeist, so ye may be confident that I will tak it as a most singular favoure done to me, and ever acknowledge myselff thairby obleidgid to remaine,—Your assurit and loveing Freind,

Argyll.

Edin^r^, pennult *Junii*, 1642.

Let me lykewyes intreat that I may heir from yow with this bearer what I may expect anent the premisses. ARGYLL.

To the richt honorable the Barrone of Kilraik.

[We are indebted to G. Bain, Esq., Nairn, for pointing out to us the above letter.]

APPENDIX V

A FURTHER EXAMINATION OF THE CHARGE AGAINST ARGYLL IN *DEEDS OF MONTROSE* (p. 277)

(*Edited by Canon Murdoch and Mr H. F. Morland Simpson*, 1893)

Messrs Murdoch and Simpson, the editors of *Deeds of Montrose*, with an emphasis for which there seems but little occasion, repudiate the idea that Montrose had really disobeyed royal orders in invading Scotland. "That the King," they say, "continued up to the very last to urge the expedition is beyond question. The evidence for this is, in truth, so complete and overwhelming, that only ignorance and malignant prejudice can stoop to repeat the base forgery of Argyll" (p. 277). The allusion in this last sentence is to the statement made by Sir James Balfour and quoted in our text (p. 235), that Argyll asserted in Parliament four days after Montrose's execution that he had received a letter from the Earl of Lothian, then with Charles II. in Breda, "which showed him that His Majesty wes no wayes sorey that James Graham was defait, in respect he had made that invasione without and contrarey to his command." There may have been some writers so credulous as to believe the statement thus ascribed to Charles II., though we confess that we have not met with their works. In view of the proclamations and speeches of Montrose himself in which he declared that he had obeyed royal orders in invading Scotland, and of the fact that he was afterwards spoken of as "His Majesty's Commissioner" in State documents,[1] it seems mere imbecility to affect to believe that he had acted upon his own responsibility in invading Scotland. We have already in the text of our volume dealt briefly with the assertion that the alleged letter from the Earl of Lothian was a fabrication of Argyll's, but perhaps our readers will excuse our again referring to the matter here at greater length.

The first point to which we desire to draw attention is the calm assumption on the part of Messrs Murdoch and Simpson that the charge of crime they thus make is beyond question. The ordinary reader would imagine from the passage above quoted that the truth of the accusation was either notorious or that the editors of the *Deeds of Montrose* were in possession of ample evidence in support of it, though

[1] *e.g.* in the indictment of Argyll (*State Trials*, vol. v. p. 1415).

they did not produce that evidence. Yet as a mere matter of fact the whole ground on which the charge is made is already known to the reader: namely, it has been suggested that, at the time when the alleged letter referred to in Parliament must if genuine have been written, it was improbable that Charles II. had heard of the defeat of Montrose. How utterly at variance this suggestion is with the facts of the case we shall leave our readers to judge from the account we have above given in the text of the tidings that came to Breda before the letters in question were despatched to Edinburgh. Even if it could be shown that authentic news of the defeat of Montrose did not reach Charles until a much later date, the tidings or rumours to which we have referred would furnish ample ground for the repudiation of Montrose, if that were a course the King was prepared to take in case of his failure to carry out his undertaking successfully.

We say again that the matter is not to be settled by comparing the date, if it could be discovered, when the actual tidings of defeat, as distinguished from rumours, arrived at Breda, with the date at which the letter read in Edinburgh on 25th May must have been despatched; for, as we have pointed out, the rumours current would be enough to furnish ground to Charles II. for a statement of the kind attributed to him. The editors of the *Deeds of Montrose* are the last persons in the world who need be surprised at the King's conduct, for they more than once speak of duplicity as characteristic of Charles II.[1]

The fact that in the brief summary given by Sir James Balfour of Charles II.'s direct letter to the Parliament no reference is made to the defeat of Montrose, is perhaps of no special significance. The very occasion of his writing to dissociate himself from the undertaking on which Montrose had embarked implies that he *had* heard of defeat. Had he heard a rumour of victory, is it not probable that he would have refrained from writing and would have waited to see "whereunto this would grow"?

If, however, it was a fact that in Charles's letter to the Estates no direct reference to the defeat of Montrose was contained, Argyll's action in reporting his comments upon that event from information supplied by the Earl of Lothian is in itself remarkable. If our readers will allow us for a moment to leave the region of dates, facts, evidence, and arguments, and to enter that of pure conjecture, we shall give what seems to us the most probable explanation of the whole incident. It is our opinion that Charles on hearing the news or rumour of the defeat wrote his letter to the Estates, and made no reference to his having heard it. The information which he had received may still have been sufficiently indefinite or uncertain to allow him to ignore it in this communication addressed by him to the authorities in Scotland; and our conjecture is that he wished to appear to have written the letter independently of

[1] See pp. 251, 263, *et passim*.

that information. We also think that in conversation with the Earl of Lothian, or with one of the other Scotch commissioners in Breda, whose animosity against Montrose was boundless, he expressed himself in terms which he knew would be acceptable to them, and said that he was not sorry at what was said to have happened, since "James Graham" had acted contrary to orders. Our supposition is that this was reported as an item of news to Argyll by his kinsman, the Earl of Lothian, and was skilfully used by him in his speech in Parliament. Charles was now forsaking his Royalist supporters to form an alliance and treaty with the Covenanting party. His sincerity was, to say the least of it, doubtful, and Argyll was anxious to attach him firmly to his new political associates. And so, if our readers will allow the use of a mixed metaphor, the skilful politician played a trump card to clinch the alliance between Charles and the Covenanters by disclosing the remark which the former had made, perhaps rashly and hastily, concerning his lieutenant's defeat. The result to be expected was that a breach would be formed between Charles and the Royalists by this cruel repudiation of the ablest and most devoted member of their party, and that the King would be irrevocably committed to his alliance with the faction now dominant in Scotland. After the Restoration the scattered portions of Montrose's body were collected together by royal orders, and a magnificent State funeral was decreed and carried out in honour of his memory, while at the same time instructions were given that Argyll's dissevered head was to be placed on the same spike on the Tolbooth as that on which that of his rival had been fastened. All this looks like a tardy and remorseful act of expiation on the part of Charles of his crime towards Montrose. We have not the least doubt that the bitterness of Charles's hatred of Argyll was partly due to the latter's having discredited him so deeply by disclosing his treachery to the man who had served him with such unswerving loyalty. Had Charles been able to assert that the words attributed to him and reported in public to the Estates of Parliament were a fabrication either of the Earl of Lothian or of the Marquess of Argyll, is it conceivable that he would have omitted to hasten to clear himself from the slur thus cast upon his honour?

There is, we think, no reasonable ground for suspicion in the fact that the actual letter quoted by Argyll was not laid on the table of Parliament. The letter was apparently a private one from the Secretary of State, who happened to be his niece's husband, and not a State paper. No doubt, if the truthfulness of Argyll's announcement had been challenged at the time the whole text of the letter would have been given; or if the matter had been brought up at his trial it is quite probable that the accused would have been able to clear himself of any charge of false-dealing by producing the original document. But it was not until Mr Napier in his *Life of Montrose* (1840) drew attention to

what he thought was a discrepancy of dates that any doubt was thrown on Argyll's veracity in the matter. The supposed discrepancy probably led to the statement by some partisan writer that Argyll was quite capable of forging the letter, and this vague suggestion has apparently crystallized into the definite reference to "the base forgery of Argyll" in the passage above quoted.

The editors of the *Deeds of Montrose* are somewhat oppressed by a sense of Argyll's general iniquity, and they freely express their feelings to their readers in the course of their editorial labours. Sir Peter Teazle spoke of himself as early in his matrimonial career experiencing the sensation of being "nearly choked with gall." Messrs Murdoch and Simpson seem to run a somewhat similar risk when they have occasion to mention Argyll. "A dangerous fanatic," "a weak or crafty bigot," a man "of malice and ambition," and "a satyr," are epithets which they apply to him on two consecutive pages of their work (pp. xl and xli), and, as we have seen, they attribute to him the crime of forgery attended by specially iniquitous circumstances, which call for the adjective "base" to designate them. Our biography of Argyll will enable our readers to judge of the justice of the descriptions which they give of his character and career. We have no hesitation in expressing our opinion that the abusive terms in which they refer to the great statesman are unjustifiable, and that such a comparison as that of him to "a satyr" is as monstrously grotesque and out of place as it would be if it were applied to either of themselves. They speak of Montrose as "being the victim of a heartless monarch" (p. xli), which surely implies that he was sent or encouraged by Charles II. to invade Scotland and was then repudiated by him. If it does not mean this we scarcely know what it can refer to. And yet is not this an acceptance of the accuracy of the letter quoted by Argyll which they so hastily and unreasonably reject? A couple of sentences further on we read that Montrose was Argyll's victim! Was he any one else's victim? He took his life—a life already legally forfeited—in his hand and ventured to invade Scotland with the full knowledge that death would be the penalty of failure; and he met the death he had amply earned. He yielded to his fate with heroic courage, and he made no complaint of being this man's victim or that man's victim.

In our Preface we refer to our opinion that the late Dr Gardiner in forming an estimate of Argyll was unconsciously biassed by the partisan literature dealing with Montrose, in which he was thoroughly versed. We think we see an illustration of this in the way in which he treats the above incident. He believes that Argyll received a letter from Lothian, and that it contained some cruel and treacherous utterances of Charles, but he suggests that they were exaggerated by Argyll. "On the whole," he says, "the most likely explanation is that Argyll, trusting to Charles's eagerness to be received in Scotland, and his well-known easiness of character, did not scruple to distort or exaggerate

phrases which, as spoken, bore a comparatively, though only a comparatively innocent meaning."[1] We confess that we consider this decision to be strangely incongruous with this historian's reputation for judiciousness. Beyond "impressions" unfriendly to Argyll he has no ground for convicting the Covenanting statesman of a crime akin to forgery, and yet he goes the length of passing a virtual sentence of condemnation upon him. Exaggeration or distortion of words or sentiments could only be established by evidence, and of this not a scrap is forthcoming. It would be a poor commentary upon this historian's acuteness in forming judgments, if Argyll, to whom he uniformly attributes high political sagacity and statesmanship, were really guilty of a petty fraud like that thus ascribed to him, which might possibly have been exposed upon the spot by any one of his hearers challenging his veracity and demanding to see the text of the letter from which he quoted. No man of his intellectual ability and political astuteness would have gratuitously run the risk of being at once unmasked as a calumniator and a forger.

In conclusion we desire to state our strong conviction that the charge of "base forgery" made by Messrs Murdoch and Simpson should be withdrawn by them, since they have no evidence wherewith to support it. It is not open for them to remand Argyll in the meantime on the ground that he lies under grave suspicion, though testimony to prove his guilt is lacking. The public are the judges who alone are entitled to remand historical personages against whom charges may be brought, or to pronounce upon them verdicts of "innocent," "not proven," or "guilty." It would be a grievous miscarriage of justice if the counsel for the prosecution were also to assume the office of the judge. If he has not evidence to support the charge he formulates, he should be allowed no other option than to withdraw it.

Since writing the above we have received the following statement from Mr H. F. Morland Simpson for insertion in our work. It is in the form of a paragraph bearing to be from us, and containing an account which he authorizes us to give of the present position occupied by the editors of the *Deeds of Montrose* with regard to the above matter. It is as follows:—

"In answer to a letter addressed to Canon Murdoch as to the grounds on which the above charge was made in 1893, Mr H. F. Morland Simpson has replied to the effect that the editors had too implicitly followed Napier's statement of dates in his appendix, p. 535, to *Life and Times of Montrose* (1840), from which that writer had drawn the conclusion that at the date of the alleged statement Argyll could not have received any such letter from Lothian; but subsequent examination of these dates in the light of the documents published by the late

[1] *Commonwealth and Protectorate*, vol. i. p. 258.

Dr S. R. Gardiner (*Charles II. and Scotland in* 1650) shows that Napier had confused Old and New Style, leaving it, in Mr Morland Simpson's judgment, doubtful whether some such letter from Lothian may not actually have reached Argyll within the dates specified. The present writer has, therefore, Mr Morland Simpson's authority for stating that the charge of forgery laid to Argyll is not substantiated, responsibility for the alleged statement resting between Charles, Lothian, and Argyll—and, of course, Balfour, to whom we owe our knowledge of the statement. The point requires further elucidation; but at the time of writing Mr Simpson was unable to give it that close, careful revision which it demands."

All we have to say about this statement is that in our opinion the point has been sufficiently elucidated in this Appendix, and that as long as the sole evidence on which a charge of such a serious crime as forgery was made against Argyll has, even in the opinion of his accusers, disappeared, an ample retractation of the charge should have been supplied us for insertion in this volume. As matters now stand, we think that our readers will agree with us in wishing that the virtual withdrawal of the accusation had been accompanied by an expression of regret that it had ever been made.

APPENDIX VI

THE FAMOUS SIX LETTERS SENT BY MONCK TO SECURE ARGYLL'S CONDEMNATION

THE originals of these letters are in the archives of the Argyll family at Inveraray, having been purchased by the 8th Duke from a collector of antiquities into whose hands they had come. The history of them is given by Sir William Fraser in his report on the Argyll Papers in vol. vi. of the *Reports of the Historical MSS. Commission.* For some time they had disappeared, and their existence was doubted in the absence of evidence to confirm Burnet's statement that Monck had furnished private letters to secure the condemnation of the Marquess. But the publication of Sir George Mackenzie's *Memoirs of the History of Scotland* early in the nineteenth century confirmed Burnet's narrative, and the discovery of the letters themselves with the formal endorsement that they were produced in court by the Lord Advocate in Edinburgh, on 24th May, 1661, leave no doubt as to Monck's infamous action.[1]

The handwriting of the letters is very crabbed and the ink with which they were written has faded, but otherwise the documents are in good condition and only one or two words are difficult to decipher or of uncertain significance. Along with the letters themselves there is a careful transcript of them by an accomplished expert which we have collated with the original and found to be accurate. In our transcript the spelling is modernized for the reason that in scores of instances while the words were plain enough the precise spelling was uncertain, and we thought it better to follow the course we have adopted than to give a piebald version of ancient and modern spelling.

The significance of the letters for the purpose for which they were used will be apparent to the reader who keeps in mind the position in which Argyll was then placed. To use an expression which will be familiar to many—he was between the devil and the deep sea. On the one hand, the army of the Commonwealth had a firm grip of Scotland, and the suspicion of bad faith on his part would have led the English Government, with whom he had concluded a treaty, to crush him at once; on the other hand, the Earl of Glencairn and the Earl of Middleton had the royal authority for the rebellion they set on foot in Scotland,

[1] See *Biog. Brit.*, article "Archibald Campbell."

and Argyll's resistance to it exposed him to the charge of treason if ever Charles II. came to the throne. The Marquess's position was rendered still more precarious by the fact that his son had joined the Royalist insurrection, as the suspicion of collusion between father and son naturally would be suggested to all who heard of Lord Lorne's action. Argyll, therefore, from the mere instinct of self-preservation, as well as from the desire to keep his pledges to the Government of the Commonwealth, would feel bound to supply the English authorities with early and full information concerning their enemies' movements and to co-operate with them energetically in endeavouring to suppress the revolt. In the volumes entitled *Scotland and the Commonwealth* and *Scotland and the Protectorate*, by C. H. Firth, M.A.,[1] we have the record of his anxieties and struggles during this period, and the information therein contained is supplemented by the letters in this Appendix. Of these letters the first and second appear in the volume *Scotland and the Commonwealth*, and are there numbered cxxiii. and cxxvi. The text we give is necessarily more accurate than that which Mr Firth found in the *Clarke MSS.*—the only source then at his disposal. The third, fourth, fifth, and sixth of the letters appear here for the first time.

In Letter I. we find the Marquess giving information to Colonel Lilburne, the Commander-in-Chief in Scotland, of the movements of prominent Royalists in his neighbourhood, and an explanation of the reason why he had just raised a company of soldiers. He had found himself in danger and had adopted this measure of self-defence. He is careful to give full details of his son's procedure in order to clear himself from blame and from suspicion; and he offers to give himself up to the English Government, if called upon to do so, and promises to do all in his power to hinder the spread of the rebellion that had been set on foot. A copy of the letter he speaks of as being enclosed, in which he entreats and commands his son to give up his present course of conduct, is given in *Scotland and the Commonwealth* and is there numbered cxxiv.

In Letter II. he gives further particulars regarding his son's movements and sets down the names of the principal leaders of the Royalist insurrection who have any connexion with Argyllshire.

In Letter III. similar information is given concerning the rebels, and the writer places himself absolutely at the disposal of the English Government, and protests that in spite of all the detraction to which he may be subjected he is faithful to his plighted word.

In Letter IV. to Monck's secretary, Mr Clerk, he records the endeavours he is making to secure the payment of Cess to the English Government, and gives an explanation of the action of some of his tenants in Kintyre in raising a troop of soldiers. These persons he speaks of as "lowland planters," *i.e.* they were farmers from Ayrshire

[1] Scottish History Society's publications.

and other Lowland districts whom he had invited to settle in Kintyre and who were devoted Covenanters. They had recently adopted measures of self-defence against the Royalists by raising and equipping a company of soldiers, and the Marquess apologizes for his oversight in omitting to give notice that this was about to be done by them, and he pledges his word that these military preparations are comparatively insignificant and have not been inspired by any disloyal motive.

In Letter V. to Monck himself he gives more particulars concerning his son's proceedings and tells of having intercepted some of the enemy's papers, and refers to letters which he had written to Monck but might possibly have miscarried.

In Letter VI., written to Monck to vindicate himself from suspicions of unfaithfulness and treachery under which he had fallen, he protests that, if his honesty or affection to the English authorities should on examination be found wanting, he was willing to be considered and treated as the unworthiest of men.

Altogether Argyll in these letters had accumulated evidence of zealous co-operation with the Government of the Commonwealth in suppressing the Royalist insurrection—a course of action which was sufficiently near treason to secure his condemnation when Charles II. regained power. According to English law, obedience to a reigning sovereign was not allowed to rank as treason against the legitimate sovereign who had been supplanted by a rival; but, even if Scotch law admitted this plea, Cromwell's not being formally a king would prevent its being urged in Argyll's case. His conduct was well known to Glencairn, who, at some period in the year 1653—probably towards the close of it—requested from Charles a warrant under his hand declaring Argyll a traitor.[1] Argyll's doom, therefore, was sealed the moment his confidential correspondence with the Government of the Commonwealth was laid on the table of Parliament by the Lord Advocate.

I

For the Right Honourable Colonel Lylburne, Commander-in-Chief of the forces in Scotland, these—

[*July*, 1653.]

RIGHT HONOBLE,[2]—I have not yet seen my servant James Campbell whom I sent to your Honor after my meeting with my nephew. I sent the last week ane letter to him wherein I desired him to acquaint your

[1] The editors of *Deeds of Montrose* (1893), p. xli, ask why Argyll did not support Glencairn. We need not do more than remind them of the sacredness of a promise. He had pledged himself to live peaceably under the Government of the Commonwealth.

[2] *Clarke MSS.*, "Mr Macpherson."

Honor with M'Naughton's return to a son[1] of his within five[2] miles of this, 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 at my return hither I desired to know if I was clear in my own family. Whereupon I called for my eldest son, 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, and that he would assure me that he would never engage with them. He declared that he was not resolved to engage with them, but would not declare on the negative, tho he said to some in private he intended not at all to join with them. Howsoever immediately after his going out of my sight he took horse and went to Glenorquhy, where it seems he had appointed a meeting with Auchinbreck, M'Naughton, Sir Arthur Forbes, and such as are of that crew. But immediately after I knew of his resolution I caused my last warning come to his hands, whereof the enclosed is a copy. So what resolution he takes on it I know not, for he went but from this upon Monday after twelve o'clock. This much I declare unto your Honor 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 might hinder their designs in a great measure I had come myself to your Honor upon any hazard. And if your Honor require it let me be protected from violence of creditors, and I shall wait on your Honor where 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 M'Donald came here on Monday, whom I find 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 from raising men, which I do find them very inclinable to obey. And I pray God 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 Honor, but that I am,—Your very humble Servant, ARGYLL.

It is the way of all that take them to such ways as these people 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 purpose.

The above letter is endorsed:

"*Marq. of Argyll's, concerning his son, July*, 1653."

[1] *Clarke MSS.*, "ane house."

[2] *Ibid.*, "two miles."

II

For the Right Honorable Colonel Lilburne, Commander-in-Chief of the forces in Scotland.

RIGHT HONORABLE,—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 tho as I wrote in my former letter to you my son had professed that he intended not to join with the Highlanders, yet since his parting from this I hear he has resolved the contrary. And so your Honor'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 Honor's letter, and has gotten any certainty that I have of my son's resolutions after that. Likewise yet I may assure your Honor 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, M'Naughton, Straquhurre,[1] and Ardchattan. For the whole rest of the gentlemen of the shire are here with me at present, professing their unsatisfaction of this way, which they are to make known to himself this day; and tho 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 M'Donald tells me that he is to write to your Honor, 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 duty concerning the Cess; and I am confident if they had present money, it would be instantly satisfied. And tho it be never so inconsiderable that is to be had in money, it shall be received, and obligements under their hands for payment of the rest at a certain day, whereof your Honor shall have an account, so soon as I can. For, hearing that your Honor was to remove from Dalkeith, I have only sent a footman[2] 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 Honor. For in everything I desire, with the Lord's assistance, to walk uprightly, and so I shall remain,—Your Honor's very humble Servant, ARGYLL.

INVERARAY, 21 *of July*, 1653.

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[1] *Clarke MSS.*, "Gdoquhire." Straquhurre is evidently Strachur on Loch Fyne.
[2] *Ibid.*, "a gentleman."

The above letter is endorsed:

"*Marq. of Argyll, 21st July, 1653, concerning his son, the Lord Lorne.*"

III

The Right Honorable Colonel Lilburne, Commander-in-Chief of the forces in Scotland, these—

Right Honorable,—I received your Honor's letter from Dalkeith, the 24th of August. I doubt not but your Honor knows that the Highlanders who came together (and very inconsiderable) are divided and most part gone home. Only I hear my Lord Kenmore and M'Naughton, and, as some say, my son 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 Honor I know not the man you mention, Cornett Redpath, neither heard I ever of him. I know, indeed, M'Naughton kept severals 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 Honor anent the Assess I am striving to make good, though all the impediments are cast in my way that disaffected people can. And if I had not some few men in arms to assist me in it, I could do little; so much are ignorant people led by example, and do what I can, I profess ingenuously to your Honor that it will be impossible to get it in money. I think I may get sufficient [? loans] at reasonable rates, wherein I have commanded the bearer to speak to your Honor more particularly. I acknowledge it was a very great oversight that your Honor was not acquainted, before the gentleman in Kintyre sent for those commodities which your Honor mentions. And if I had known of the doing of it, it had not been so; but the truth is, if it be no more than I imagine, your Honor I hope will not disallow of it, upon the ground that it is done. For, when I removed M'Naughton from his charge in Kintyre I did to him and the lowland planters prejudice against him was 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 will assure your Honor, 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 220. So I cannot imagine their provisions in furniture [? equipment] will exceed that quantity. This is the truth of all the business to my

knowledge. So I entreat your Honor 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 only able to sustain His own and guide them in a way they know not. I want not [*i.e.* am not without] presently [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 Honor any more, but rest,—Your Honor's humble Servant, ARGYLL.

ROSNEATH, *the 30th Aug.* 1653.

IV

For Mr Clerk, Secretary to General Monck, Commander-in-Chief of the forces in Scotland.

SIR,—I received a letter this morning from the Earl of Glencairn by M'Naughton's trumpet [*i.e.* 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. My Lord Burly and Sir James Halket came here, who are engaged in several sums of money for me; and tho I have several sums owing 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 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 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.—I am, Your Friend to serve you, ARGYLL.

GLASGOW, *25th May* [1654].

The above letter is endorsed:

"*Marq. of Argyll, concerning Glencairn's Trumpett.*, *25th May*, 1654.

"*Edinb.*, *24th May*, 1661. *Produced by the L. Advocate in Parliament for proving acts of hostility, and assisting of the English by counsel, and acknowledged by my Lord Argyll to be all written and subscribed with his own hand.*"

V

For General Monck, Commander-in-Chief of the Forces in Scotland.

Right Honorable,—After my last to your Honor I received these from my son, and the last of them is from a place within four miles of this, and tho I could not but be ill-satisfied with the way that he never spoke of an assurance [*sic*] 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 Honor 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 has 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 Nicol's man, who was formerly taken by M'Naughton. His reason which he pretends was that M'Naughton had released him, upon his engagement to go straight to your Honor 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 mementoes [? memoranda] in another sheet of paper. I doubt not but your Honor has heard of an engagement betwixt some of the M'Gregors and the Laird of Lenie (?), 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 Honor both anent the garrison and of Rosneath; but I know not if my letters may not have miscarried. I shall trouble your Honor no more at this time, for I am,—Your Honor's most affectionate humble Servant,

Argyll.

After I had enclosed my letter I received your Honor's, and tho 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 [*sic*] that Daniel O'Neill has in service in the hills is strong, for he was only in Balcarres regiment and had his capitulation.

The above letter is endorsed:

"16*th Dec.* 1654, *Marq. of Argyll, concerning the meeting with his son Lorn.*

"*Ed.*, 24 *May*, 1661. *Produced by my Lord Advocate and acknowledged by my Lord Argyll to be all written and subscribed with his own hand.*"

VI

For Gn[ll] Monck, Commander-in-Chief of the forces in Scotland.

Right Honorable,—I doubt not but your Honor knows there is nothing more grievous to an honest heart than to be thought otherwise, especially by such whom they honor and desire to serve. I had not said a word at this time, if John Nichols had not commanded me to wait on him till he knew your Honor's pleasure anent his stay here, for I had his consent once to my going to wait on your Honor, and was ready to part this morning. But now he has resolved the contrair. 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 misconstruct me, take place with your Honor; neither let anything which has fallen out, hinder your Honor from doing that which you shall find necessar for the publick service; and tho 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 Honor find any want in me either of honesty or affection to the service your Honor was about, I shall be content to be accoumpted [*i.e.* accounted] and used as a most unworthy person. My request is that your Honor may be pleased to call for me to wait on you and let me have your Honor'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 Honor 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 Honor's affectionat humble Servant,

Argyll.

The above letter is endorsed:

"14 *Sept.* 1654. *Marq. of Argyll, ane prejudice being taken ag[t] him.*

"*Edn.*, 24 *May*, 1661. *Produced by the L. Advocate in Parlia[t] and acknowledged by my Lord Argyll to be his own hand-writt all over and the subscription to be his own hand-writt.*"

APPENDIX VII

"*Account of the Routing of the Scottish Rebels at Philiphauch, signed by Lords Argyll, Crawford, and others.* For R. Bostock, London, Sept. 18th, 1645."

The above is the title of a contemporary broad-sheet, preserved in the British Museum, and catalogued under the heading of "Archibald Campbell, 1st Marquis of Argyle." It places beyond dispute the fact of his having taken part in the battle at which Montrose was routed, and disposes satisfactorily of the scurrilous affront to him which Aytoun has versified in his well-known ballad. As we lay claim to no skill in objurgation, we gladly avail ourselves of Messrs Murdoch and Simpson's handiwork, and say that henceforth "only ignorance and malignant prejudice can stoop to repeat" the statement in the ballad, and remarks akin to it which have been made concerning Argyll's conduct at Inverlochy.

The following is the full account of the battle of Philiphaugh from the above broad-sheet.

"Right Honourable,—The Lord hath this day, here at Philiphauch n^{r} Selkirk, appeared gloriously for His people. The Rebels foot are all cut off, and the horse totally routed; many prisoners are taken, amongst whom are Sir Alexander Leslie their Generall-Major, their Agitant-Generall Stuart, Sir John Hay, Sir William Rollock, Colonel Hay, and Sir Robert Spotswood, whom the Earl of Lanerick took, and from him the signet with his own hand. The Particulars are not so well-known, that we can write all. Onely, God be praised, we have lost no noblemen, or chief officer. This we thought fit to acquaint you with from the Field, that as you joyned with our dear Brethren in fasting for us, so you may joyn with them and us in giving God the praise who hath wrought this and all our works for us. We hear Generall-Major Munro is landed, and the Generall-Lieutenant David Leslie will be as active in prosecuting as God hath made him in being the Instrument of this begun Deliverance. Let God have all the glory from you and from,—Your affectionate Friends,

"Argyle, Crawford, Lindsay, William Scot, Balcleuche, Lauderdaill, Lanerick, Yester, Bargeine, Rutherford, Forrester.

"Philiphauch, *the* 13*th of Sept.* 1645.

"To the Right Honourable the Commissioners of the kingdom of Scotland, residing at London."

From our knowledge of the Marquess's style of composition we have no hesitation in affirming our conviction that the above account of the battle was of his drawing up. The phrase at the close of it, "The Instrument of this begun Deliverance," is exactly in accordance with the want of skill in literary expression which we have pointed out as among his characteristics. The opening phrase as to "God's having appeared gloriously at Philiphauch near Selkirk" is worthy of being compared with that ascribed to Cromwell at sunrise on the morning of Dunbar: "Let God arise, let His enemies be scattered" (Carlyle, *Cromwell*, vol. iii. p. 37).

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