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**A Social Analysis of the Upper Ranks
of the Scottish Peerage,
1587-1625**

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November 1998**

**A thesis submitted to the Faculty of Graduate Studies and
Research in partial fulfilment of the requirements of the
degree of Master of Arts**

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ABSTRACT

Insufficient attention has been paid to the early seventeenth-century Scottish nobility, despite the crucial leadership role which they played in the political happenings leading up to the National Covenant of 1638, events which in turn led to a crisis which embroiled all three British kingdoms. Since the Scottish opposition to King Charles's government in 1637-1638 is now thought to possibly have had its inception much earlier, the reign of his father, James VI, needs to be more clearly examined.

This study looks broadly at the composition of the Scottish peerage in James VI's reign, and specifically at a subset of the Scottish aristocracy who bore the titles of viscount or better between the years 1587 and 1625. Eighty-five subjects are identified, and classified according to the age of their titles, their religious leanings and the geographical regions from which their titles and powers were drawn, to form a number of distinct groups – the established nobility, new peers, Protestants, Catholics (both overt and conforming), peers from the highlands and isles, peers from central Scotland, and peers from the Anglo-Scottish border region.

A social analysis of the total body of these peers and its sub-groupings is undertaken, and focuses on patterns associated with their birth, descent, education, succession, marriage, fertility and death. Where appropriate, the results are compared with data available from studies of the contemporary English aristocracy.

Some of the more interesting findings of this study are that these peers remarried more frequently than their fathers, and had fewer children. As well, over the course of the period 1587-1625, both the age composition of the peerage and the age at death of the peers themselves rose steadily. The study demonstrates that there were both similarities and differences to be found between these Scottish peers and the English aristocracy, and that there were significant differences amongst the various sub-groupings in many areas of the analysis.

It is hoped that this thesis has contributed to a greater understanding of the upper ranks of the Scottish peerage during King James VI's adult reign. Moreover, it is hoped that this work will provide a foundation on which more extensive and longer-term studies of the whole Scottish nobility may be built.

RÉSUMÉ

La noblesse écossaise du début du XVII^e siècle n'a pas été suffisamment étudiée, malgré le rôle crucial qu'elle a joué au cours des événements politiques ayant mené au National Covenant de 1638, événements qui ont abouti à une crise dans laquelle ont été mêlés les trois royaumes britanniques. Puisque l'on croit maintenant que l'opposition au Gouvernement du Roi Charles en 1637-38 a peut-être été amorcée beaucoup plus tôt, le règne de son père Jacques VI doit être examiné plus soigneusement.

Cette étude s'intéresse de façon générale à la composition de la pairie écossaise durant le règne de Jacques VI et plus spécifiquement à un sous-groupe d'aristocrates qui portaient le titre de Vicomte ou mieux entre 1587 et 1625. Quatre-vingt-cinq sujets ont été identifiés et classés selon l'ancienneté de leurs titres, leurs tendances religieuses et les régions géographiques desquelles ils tirent leurs titres et leurs pouvoirs, afin de former un certain nombre de groupes distincts: la noblesse établie, les nouveaux nobles, les protestants, les catholiques (déclarés et secrets), les nobles des highlands et des îles, les nobles du centre de l'Écosse et les nobles de la région frontalière anglo-écossaise.

Ce corps de nobles compris dans son ensemble et les sous-groupes constitués selon les critères mentionnés ci-haut font l'objet d'une analyse qui s'attarde particulièrement aux modèles associés à leur naissance, leur descendance, leur éducation, leur succession, leur mariage, leur fertilité et leur mort. Lorsque cela est approprié, nos résultats sont rapprochés de données tirées d'études sur l'aristocratie anglaise contemporaine. Parmi les plus intéressantes découvertes réalisées grâce à notre étude, nous notons que ces nobles se remariaient plus fréquemment et ont eu moins d'enfants que leurs pères. En outre, la composition d'âge de la noblesse et l'âge du décès des nobles eux-mêmes ont augmenté de façon constante tout au long de la période 1587 à 1625. L'étude démontre qu'il y a des similitudes et des différences entre ces nobles écossais et l'aristocratie anglaise et qu'il y a, à plusieurs égards, des différences significatives entre les divers sous-groupes.

Nous espérons que cette thèse a contribué à une plus grande compréhension des rangs supérieurs de la noblesse écossaise au cours du règne adulte du Roi Jacques VI. Nous espérons également que ce travail fournira les fondations pour des études de la noblesse écossaise, à la fois plus approfondies et couvrant une plus large période.

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1: INTRODUCTION

The Scottish National Covenant of 1638 has received considerable attention from historians over the course of the last decade.¹ Recently, it has been referred to in two separate instances as the 'Nobleman's Covenant' and the 'Nobility's Covenant'.² If this is assumed correctly to mean that the Scottish Covenanters were led largely by noblemen, it raises the question, who were the aristocratic leaders behind the 1637-1638 episode? Keith Brown has stated in the course of his study of their finances that the Scots nobility were expected to provide political leadership for the society against unpopular crown policies, and that an analysis of the Scottish nobility could have considerable implications for our understanding of the Scottish outbreak in 1637.³ A study of the Scottish nobility is called for, there remains only to decide upon the time period that such a study should encompass.

There has been some debate as to whether the opposition which arose in Scotland in 1637-1638 was wholly in response to the government of Charles I from 1625, or if it had deeper roots in the reign of his father, James VI.⁴ Julian Goodare, in his recent analysis of the Scottish Parliament of 1621, contends that "By 1621, many of the battle lines of the Scottish Revolution had already been drawn."⁵ His study reveals a high degree of correlation between votes for or against crown proposals in James's 1621 parliament, and allegiance to crown or covenant in 1638, for those nobles who were active at both junctures. Whether this finding ultimately withstands the scrutiny of other historians or not, it is an indication of a starting point for a study of the Scottish nobility.

The Scottish reign of King James VI spanned the years 1567 to 1625. A complete study of the nobility of his reign would involve approximately two hundred men, and be beyond the scope of the present work. In order to limit this work in accordance with the size strictures of the M.A. thesis, the analysis has been circumscribed in both numbers and time. A smaller subject group, the upper ranks of the peerage, has been extracted from the total Scottish nobility, under the assumption that they formed the traditional leadership of their class and of Scottish society generally.⁶ This study defines the upper ranks as dukes, marquesses, earls and viscounts, excluding the lords of parliament. The reasons for the unusual inclusion of the viscounts with the superior levels of the peerage are that they are few in number, and close to half of them were elevated to earldoms within James's lifetime. The period under study has also been qualified specifically to James VI's adult reign, 1587 to 1625, thus decreasing the number of peers to be examined. This decision disposes of James's uneasy minority, laden with aristocratic coups and a civil war (resulting in changes in peerage fortunes and titles), while including the later years leading to the reign of Charles I. Accordingly, this analysis will comprise all of the Scottish peerage with titles of viscount or better, excluding princes of the royal blood, who held such honours between the years 1587 and 1625. Thus the aggregate of two hundred nobles is reduced to the more easily manageable size of eighty-five. [See *Appendix A*]. Having established a subject group, and having stated the potential implications of a study of the Scottish nobility of the late sixteenth and early seventeenth centuries, let it be understood that the more immediate aim of this particular analysis is to gain a better understanding of the upper ranks of the Scottish peerage during the adult reign of King James VI. This qualified goal was set with a view to making an initial contribution to the

body of work which will likely prove necessary to enrich our knowledge of the role of the aristocracy in the events of 1637.

The greater part of the existing body of work on Scotland in this period uses the same historical figures to excess in illustrating points and arguments. This dilemma has been further compounded by a short supply of recent biographical research.⁷ It is possible that the entire nobility has been generalized or characterized, likely even distorted, by this emphasis on the deeds of a few choice members of the upper peerage. Theories of Scottish life and society have been developed by earlier generations of historians and continue to be produced today, based on what could prove to have been unusual examples of their order.

Two frequently occurring examples in the secondary literature are the earls of Moray and Huntly, who have been heavily used to emphasize a great religious tension amongst the nobility, and thus, in the society.⁸ James Stewart, second earl of Moray, known as "the bonnie earl" and "the brave Protestant earl" was slain by "the cruel Catholic potentate of the north,"⁹ George Gordon, sixth earl and first marquess of Huntly in February of 1592 – not over religion, but in the course of a feud. Huntly received the royal pardon, but ultimately proved obstinate to outward conformity to the reformed religion, and went into exile in France at the king's request in order to avoid religious harassment by the Scottish kirk. The incident provoked a great Protestant outcry, which is said to have forced the king to grant the Scottish kirk the favourable parliamentary legislation known as the Golden Act.¹⁰

Other recurrent figures have been used to generate a vision of unruly magnates beyond the king's control.¹¹ These include John Ruthven, third earl of Gowrie, who,

according to the official accounts, attempted regicide and was killed by the king's entourage at Gowrie House in 1600; Patrick Stewart, second earl of Orkney, found guilty of tyranny and oppression against his people and rebellion against his king, and executed in 1615; and Francis Stewart, fifth earl of Bothwell, "the Lord's sanctified plague"¹² on the king, who was at first outlawed, then attainted by act of parliament, and eventually forced to flee the country in 1595, dying in poverty at Naples in 1612 or 1614.

The common employment of two more examples, George Home, first earl of Dunbar and Alexander Seton, first earl of Dunfermline, have helped promote the idea of a rising aristocracy of service during the reign of James VI.¹³ These two prominent royal servants held numerous offices, including master of the wardrobe, lord chancellor of the exchequer, lord treasurer, royal adviser on Scottish affairs at court, and lord president of the court of session, chief of the 'Octavian' commission, and lord high chancellor of Scotland, respectively, and were rewarded with elevation to the peerage. This idea has been expanded to the level of a historical debate regarding the changing character of James's nobility. With little more evidence than the fact that James VI had more aristocrats involved in his government than his predecessors,¹⁴ numerous historians have argued for and against intra-class antagonism and a widening gap between the old and the new nobility.¹⁵

When the upper ranks of the peerage are considered as a whole, these seven frequently cited figures seem rather extreme examples. For instance, the only one of these peers to die peacefully at an advanced age in his own bed in Scotland was Chancellor Dunfermline. Three died violently, two died in exile, and Dunbar died suddenly in

London. It should therefore be asked and determined if these peers were representative of the upper peerage as a whole.

Given that very little has been written about the peers of this period, either as individuals or as a composite, there is need for an examination of the Scottish aristocracy similar to that undertaken by Lawrence Stone for the English aristocracy some thirty years ago, in so far as the sources will allow.¹⁶ The method of exploration used here will also take the form of a social analysis, but on a more modest scale than Stone's monumental work. It will identify the many individual members of the peerage, and examine the composition of this group, particularly in terms of its vital statistics, succession, marriage and reproduction patterns. The major sources used to find the information and detail necessary for such an undertaking are multi-volume biographical studies, namely, *The Scots Peerage*, *The Complete Peerage*, *The Dictionary of National Biography*, *The Scottish Nation*, and *A Biographical Dictionary of Eminent Scotsmen*.¹⁷ In addition to official publications, the publications of numerous historical clubs and societies, including the Scottish History Society, the Maitland Club, the Bannantyne Club, the Abbotsford Club, the Spalding Club, the New Spalding Club, the Scottish Record Society, the Scottish Burgh Record Society, the Historical Manuscripts Commission, the Royal Historical Society and the Wodrow Society, have been used. The nineteenth century family books compiled by Sir William Fraser have also proved invaluable.

The contributions to the secondary literature of one scholar, Keith Brown, have provided some foundation for this analysis. The only noteworthy descriptions available of the Scottish nobility where they are dealt with on both an individual basis and as an amalgam are delivered in the course of his reports of his research into larger topics. For

instance, while studying the bloodfeud in Scotland during the reign of James VI, he determined that in 1587

...the average age of the higher nobility – the duke of Lennox, Lord Hamilton, and twenty-two earls – was around twenty-seven. Seven of these were children, two were elderly men in their late fifties, three might be described as middle-aged, and the remaining twelve [sic] were in their twenties and early thirties, and it was these men – Glencairn, Marischal, Sutherland, Crawford, and the younger Atholl, Bothwell, Caithness, Errol, Huntly, Mar and Moray – who were to be at the centre of so much of the violence of the next few years.¹⁸

Brown has also written a general essay on the subject of the nobles of James's entire reign, in which he provides a narrative portrait spiced at times with some statistical detail. For example:

Death came for most Scottish noblemen between the ages of forty-five and fifty-five, and there were few who outlived their sixties, the 1st Lord Melville's ninety-four years being a rare exception....only twelve met violent deaths; five on the scaffold, six in feuds, and one in an English raid. What the majority of the remainder died of one does not really know, nor is there much information about their health. However, Angus died of consumption, the 7th Lord Borthwick of 'the Frenche decease', the 5th Earl of Cassillis died after a horse fell on him, and the 5th Earl of Huntly collapsed in a fatal fit during a game of football.¹⁹

In addition, this historian has investigated, among other topics, the finances and indebtedness of the Scottish nobility between the Reformation of 1560 and the 1637 outbreak, English economic clientage in Scotland before 1603, the union of the crowns of Scotland and England in the seventeenth century, the (non-) Anglicization of Scottish courtiers in England prior to 1638, and the limitations of Scottish elite integration into the British aristocracy before the treaty of union. More recently, he has completed a case study of feuds in the regality of Carrick under John Kennedy, fifth earl of Cassillis.²⁰

All of these publications will be drawn upon in the course of this work. It is hoped to expand upon Brown's contribution by providing a snapshot of Scotland's greater nobility, as shown above for the year 1587, at 1587 and four other points in the reign. This series of portraits will be more focused, in that eighty-five rather than two hundred nobles will be analyzed, but it will also aspire to be more comprehensive. This study will not simply examine age or manner of death, but over the course of the next three chapters will analyze the peerage's families and background types, their marriage and reproduction patterns, and the length of time they actively held their titles. The results of these analyses will be used to determine if there were meaningful changes in the composition of the upper peerage over the course of James's reign, and if there existed significant similarities and differences among distinct groups of the peerage, according to their known religious leanings, their geographic distribution, and particularly between the established and the newly-elevated nobility.

ENDNOTES

¹Works on the subject include: John D. Ford, "The Lawful Bonds of Scottish Society: the Five Articles of Perth, the Negative Confession and the National Covenant," *Historical Journal*, 37(1994): 45-64; Allen Macinnes, Charles I and the Making of the Covenanting Movement, 1625-1641 (Edinburgh, 1991); John Morrill, ed., The Scottish National Covenant in its British Context (Edinburgh, 1990); Peter Donald, An Uncounselled King: Charles I and the Scottish Troubles, 1637-1641 (Cambridge, 1990); Terry Brotherstone, ed., Covenant, Charter and Party: Traditions of Revolt and Protest in Modern Scottish History (Aberdeen, 1989); David Stevenson, The Covenanters (Edinburgh, 1988); and David Stevenson, "The National Covenant: a list of known copies," Records of the Scottish Church History Society, 23(1988): 255-299.

²Michael Lynch, Scotland: A New History (London, 1991), 249; Maurice Lee jr., "Scotland, the union and the idea of a 'General Crisis'," in Scots and Britons: Scottish Political Thought and the Union of 1603, ed. Roger A. Mason, (Cambridge, 1994), 50; and Adam Bruce, "Lairds and blood feuds -- the Scottish nobility to the Act of Union: 1707," in The House of Lords, a thousand years of British tradition, eds. R. Smith and J.S. Moore, (London, 1994), 96.

³Keith M. Brown, "Aristocratic Finances and the Origins of the Scottish Revolution," English Historical Review 104(1989): 85.

⁴Some of the more recent works that have addressed this question include: Maurice Lee jr., The Road to Revolution: Scotland Under Charles I, 1625-37 (Urbana, 1985); Peter Donald, An Uncounselled King: Allen Macinnes, Charles I and the Making of the Covenanting Movement; Keith M. Brown, Kingdom or Province? Scotland and the Regal Union, 1603-1715 (New York, 1992); and Julian Goodare, "The Nobility and the Absolutist State in Scotland 1584-1638," History 78(1993): 161-182. An important earlier work is David Stevenson, The Scottish Revolution, 1637-44 (Newton Abbot, 1973).

⁵Julian Goodare, "The Scottish Parliament of 1621," Historical Journal 38(1995): 47. The discussion of his findings is taken from pages 46-47.

⁶Keith M. Brown, "Aristocratic Finances and the Origins of the Scottish Revolution," English Historical Review 104(1989): 85; Keith M. Brown, Kingdom or Province? Scotland and the Regal Union, 1603-1715 (New York, 1992), 35; and Michael Lynch, Scotland: A New History (London, 1991), 250.

⁷Recent biographical works include: Peter D. Anderson, Black Patie: The Life and Times of Patrick Stewart Earl of Orkney, Lord of Shetland (Edinburgh, 1992) and Peter D. Anderson, Robert Stewart, Earl of Orkney, Lord of Shetland, 1533-1593 (Edinburgh, 1982). The following are valuable starting points for biographies, but inadequate in and of themselves due to their brevity and lack of scope: Maurice Lee jr.'s administrative biographies for Alexander Seton, first earl of Dunfermline and George Home, first earl of Dunbar, and to a lesser extent for Thomas Hamilton, first earl of Melrose, John Erskine, second earl of Mar, and Thomas Erskine, first earl of Kellie in Government by Pen: Scotland Under James VI and I (Urbana, 1980); and Keith M. Brown's brief biographies of government personnel, including John Erskine, second earl of Mar, John Graham, third earl of Montrose, Archibald Douglas, eighth earl of Angus, John Hamilton, first marquess of Hamilton, Ludovick Stewart, second duke of Lennox, Archibald Campbell, seventh earl of Argyll, John Kennedy, fifth earl of Cassillis, John Fleming, first earl of Wigton, Alexander Livingston, first earl of Linlithgow, and Thomas Hamilton, first earl of Melrose, in Bloodfeud in Scotland, 1573-1625: Violence, Justice and Politics in an Early Modern Society (Edinburgh, 1986), chapter 8. See also the essays on Francis Stewart, fifth earl of Bothwell and Alexander Seton, first earl of Dunfermline, Edward J. Cowan, "The Darker Version of the Scottish Renaissance: the Devil and Francis Stewart," and Maurice Lee jr., "King James's Popish Chancellor," both in The Renaissance & Reformation in Scotland: Essays in Honour of Gordon Donaldson, eds. Ian B. Cowan and Duncan Shaw, (Edinburgh, 1983): 125-140, 170-182.

⁸D.H. Willson, King James VI and I (London, 1963), 98-99, 106-108; and W.C. Dickinson, Scotland From the Earliest Times to 1603 (2nd ed.; London, 1965), 356-357.

⁹Willson, King James VI and I, 107.

¹⁰Dickinson, Scotland From the Earliest Times to 1603, 357. The so-called Golden Act authorized the presbyterian system of church government. It ratified the liberties and privileges which had been previously granted to the church, theoretically gave the kirk the right to call general assemblies, granted synods and presbyteries the right to meet, stated that presentations to benefices should be directed to the presbyteries, and declared that the (Black) Act of 1584 did not remove the God-given privileges of the kirk in matters of religion and discipline.

¹¹Willson, King James VI and I, especially 96-115 and chapter 7; and Lee, Government by Pen, 4-5.

¹²Gordon Donaldson, Scotland: James V to James VII (London, 1965), 192.

¹³Dickinson, Scotland From the Earliest Times to 1603, 377; Donaldson, Scotland: James V to James VII, 216-225; and Lee, Government by Pen, 9-10, 42-43, and chapters 3-4.

¹⁴Jenny Wormald, "James VI: New Men For Old?," *Scotia*, 2(1978): 73.

¹⁵See in particular the debate between Maurice Lee jr. and Jenny Wormald: Jennifer M. Brown (now Wormald), "Scottish Politics, 1567-1625," in *The Reign of James VI and I*, ed. A.G.R. Smith (London, 1973), 22-39; Maurice Lee jr., "James VI and the Aristocracy," *Scotia*, 1(1977): 18-23; Jenny Wormald, "James VI: New Men For Old?," *Scotia*, 2(1978): 70-76; and Maurice Lee jr., "James VI and the Aristocracy Revisited," *Scotia*, 10(1986): 26-32.

¹⁶Lawrence Stone, *The Crisis of the Aristocracy 1558-1641* (Oxford, 1965).

¹⁷James Balfour Paul, ed., *The Scots Peerage*, 9 vols., (Edinburgh, 1904-1914); G.E. Cockayne, *The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, extant, extinct or dormant*, ed. Vicary Gibbs, 13 vols. in 14, (rev ed.; London, 1910-1959); Leslie Stephen and Sidney Lee, eds., *The Dictionary of National Biography: From the Earliest Times to 1900*, 22 vols., (London, 1959-1960); William Anderson, *The Scottish Nation; or, the Surnames, Families, Literature, Honours, and Biographical History of the People of Scotland*, 3 vols., (Edinburgh, 1882); Robert Chambers, *A Biographical Dictionary of Eminent Scotsmen*, ed. Thomas Thomson, 3 vols., (rev ed.; Glasgow, 1870). These sources will be used with the understanding that while they do contain some errors and inaccuracies, they are still the best composite biographical tools available. For an example of the kinds of criticisms these sources have received, see the reviews of *The Scots Peerage* by Vicary Gibbs in *The Scottish Historical Review*, 3(1905): 79-84; 5(1907): 101-104; 6(1908): 408-410; 9(1911): 172-174; and 12(1914): 91. Consequently, the addenda and corrigenda in the final volume of *The Scots Peerage* was also consulted.

¹⁸Keith M. Brown, *Bloodfeud in Scotland*: 20-21. Dr. Brown only lists 11 of the 12 names in this paragraph. The twelfth, Archibald, eighth earl of Angus, is named in an endnote.

¹⁹Keith M. Brown, "The Nobility of Jacobean Scotland 1567-1625," in *Scotland Revisited*, ed. Jenny Wormald (London, 1991), 68.

²⁰Keith M. Brown: "Aristocratic Finances and the Origins of the Scottish Revolution," *English Historical Review*, 104(1989): 46-87; "Noble Indebtedness in Scotland Between the Reformation and the Revolution," *Historical Research*, 62(1989): 260-275; "English Economic Clientage," in *Scotland and England, 1286-1815*, ed. Roger A. Mason (Edinburgh, 1987): 139-162; *Kingdom or Province? Scotland and the Regal Union, 1603-1715* (New York, 1992); "The Scottish Aristocracy, Anglicization and the Court, 1603-38," *Historical Journal*, 36(1993): 543-576; "The Origins of a British Aristocracy: Integration and its Limitations Before the Treaty of Union," in *Conquest and Union: Fashioning a British State, 1485-1725*, eds. Steven G. Ellis and Sarah Barber (London and New York, 1995): 222-249; and "A House Divided: Family and Feud in Carrick under John Kennedy, Fifth Earl of Cassillis," *Scottish Historical Review*, 75(1996): 168-196.

2: THE SCOTTISH PEERAGE: NUMBERS & COMPOSITION

The origins of the Scottish peerage are somewhat obscure before the twelfth century, from which time historians have been able to trace the modern peerage system back to territorial dignities which were granted in order to meet military requirements. By the late sixteenth century, this order had changed, evolving into a parliamentary peerage with individual titles held as personal and honorific dignities. Title creations were kept distinct from the erection of lands into lordships, which were still granted to ensure that the peer could maintain a status suited to the honour.¹ These titles were heritable, but at this time the descent of a peerage was not always limited to the heirs male of the body of the grantee.² Many could pass to the heir male general, and in some special cases, including Buchan, Moray, and Sutherland, the title could even descend to a female, whose husband could bear this title and sit in the king's council.³

In 1587, the Scottish peerage was composed of the four possible tiers or gradations that had existed in Scotland for several centuries, namely, in descending order, dukes, marquesses, earls, and lords of parliament.⁴ A fifth tier, the rank of viscount, was introduced to Scotland from England by the king in 1606, and interposed between the earls and the lords. As stated in the first chapter, the lords of parliament have been excluded from this study, which focuses upon the superior four tiers of the peerage.

A number of other individuals, both with and without legitimate claims to titles within the four superior gradations of the peerage have also been excluded. Captain James Stewart, sometime earl of Arran and chancellor of Scotland in 1584-1585, has been

purposely omitted. He lived until December 1595, but was stripped of the title by parliament in 1586, for he had usurped it from the insane James Hamilton, the legitimate earl, during a downturn in the Hamilton family fortunes and influence. Two viscounts, Henry Cary first viscount Falkland, and Henry Constable first viscount Dunbar, have been excluded, on the grounds that they were Englishmen, not Scots, granted Scottish titles by King James in 1620, and appear neither to have owned property in, nor visited Scotland in their lifetimes.⁵ James Hamilton, third marquess and first duke of Hamilton has also not been included, for he had only come into his marquessate at this study's terminal date, the death of James VI, his father having predeceased the king by a mere twenty-one days.⁶

Several individuals have been purposely included in this study, due to their family's ultimate success at substantiating their claim to a dignity. In the period covered by this study, there were two families with claims to the title of earl of Morton, a situation which resulted from the political turmoil of King James VI's youth. The honour traditionally belonged to the Douglas family, and was held in this period successively by Archibald, who was also eighth earl of Angus, his heir of tailzie⁷ (to the Morton title) Sir William Douglas of Lochleven, and the latter's grandson William Douglas.⁸ In addition, this study includes the rival claimants, the Maxwell earls of Morton: John eighth lord Maxwell and his eldest son John ninth lord Maxwell.⁹ The eighth lord Maxwell was granted the title of Morton and a share of the Douglas estates after sitting on the assize¹⁰ which forfeited and condemned the Regent of Scotland, James Douglas, fourth earl of Morton in 1581 on the grounds of his complicity in Darnley's murder. The grant of the territorial earldom and regality was rescinded by the crown and restored to the late regent's heir of line and tailzie, Archibald eighth earl of Angus, along with the title in early 1586, but Maxwell

never seems to have been deprived of his title. The eighth lord Maxwell used the title in many instances and was referred to in a number of official charters and commissions as such until 1593.¹¹ His eldest son the ninth lord Maxwell seems never to have been officially recognized or addressed as earl, but used his *de jure* claim to annoy the Douglas earls and foster his feud with them. A number of years after the latter's forfeiture and execution, the eighth lord Maxwell's second son, Robert tenth lord Maxwell cultivated and used influence in court circles to revive successfully the Maxwell claim to the title of earl of Morton. In a patent of 1620, James acknowledged Robert's father's use of this title, and confirmed the right of Robert and his heirs-male to succeed to the eighth Lord Maxwell's dignities. To resolve the conflict between the two families, the king changed the style of the title held by the Maxwells to earl of Nithsdale, which was in any case more appropriate given the location of their estates and land holdings. The change was made more palatable in 1621 when the Privy Council decided to grant the earl of Nithsdale the precedence of the 1581 creation rather than that of the 1620 patent, thereby ensuring that he would not have to pay the fees due to the heralds from all Lords of Parliament created after the king's accession to the English throne in 1603.¹²

Once all of these exclusions and inclusions are ascertained, a total of eighty-five peers who held titles (not all concurrently) at some point during King James VI's majority remain.¹³ [See *Appendix A*] These eighty-five peers can be described, analyzed and grouped in a variety of ways. The first manner of doing so is by examining each tier of the peerage, in total, and over time in specified years.¹⁴ (See table 2-1 below).

**TABLE 2-1: NUMBER OF UPPER PEERS (1587-1625) BY RANK,
IN TOTAL AND IN SELECTED YEARS**

RANK	1587	1597	1607	1617	1625	TOTAL 1587-1625
Dukes	1	1	1	1	1	3
Marquesses	Ø	Ø	2	2	2	3
Earls	23	23	31	29	36	76
Viscounts	Ø	Ø	2	3	3	3
Other	1*	1*	Ø	Ø	Ø	Ø
TOTAL	25	25	36	35	42	85

*Indicates Lord John Hamilton, acting head of the Hamilton family.

Earls were the most predominant class of the peerage in the subject group, composing 89.4% of the sample. The remainder of the titles was equally divided amongst dukes, marquesses and viscounts. Thus there were three dukes, three marquesses, seventy-six earls and three viscounts in the Scottish peerage over the course of the years 1587 to 1625. The total of eighty-five peers was not divided equally over this period, but grew larger as the period advanced: from 25 peers in 1587, to 42 peers by the end of the reign.

In 1587, the upper ranks of the peerage were composed almost exclusively of earls. Twenty-three¹⁵ of the 25 peers were earls, the two exceptions being Ludovick, the young duke of Lennox, and Lord John Hamilton, the acting head of the Hamilton family in light of his brother James, third earl of Arran's mental incapacity. These numbers remained unaltered in 1597: 1 duke, 23 earls, and Lord John Hamilton. This consistency would not continue. In 1607, the upper peerage had increased in size by 44%: the total body was now 36 rather than 25. It was still composed mainly of earls, 31 in number, with the remainder consisting of the duke of Lennox, the two recently-elevated marquesses, and two novel creations, the Scottish viscounts Fentoun and Haddington. In 1617, there were 35 peers, including one duke, two marquesses, twenty-nine earls, and

three viscounts.¹⁶ At the end of the reign in March 1625, the group had grown once again to form a total of 42 peers, including one duke, two marquesses, thirty-six earls, and three Scottish viscounts. As can be seen from these numerical breakdowns within each decade, the upper peerage of Scotland remained largely a body of earls. In 1587, the earls made up 92% of the upper peerage. In 1625, they still formed 85.7% of this now larger body, their number having been augmented by 56.5%.

This evidence of an increase in the size of the upper peerage as a whole is deserving of closer attention. The first growth in their number in the period under study occurred in 1588, on the death of Archibald, eighth earl of Angus. His two earldoms of Angus and Morton were inherited by separate persons, thus increasing the size of the peerage by one. In 1599, King James VI created two marquesses, Hamilton and Huntly, but as these were elevations within the upper peerage,¹⁷ the total was not affected. In 1600, two new earls, Alexander, first earl of Linlithgow, and Robert, first earl of Winton, were created, but in the short term no net gain in the total size of the body resulted, as John, third earl of Gowrie was killed and declared forfeit in August 1600, and James, fifth earl of Buchan died in the summer of 1601, leaving a posthumous daughter as his heir.

The greatest growth in the upper peerage in the period of James VI's adult reign occurred in the years 1605 and 1606, when the erection of many of the former monastic lands into temporal lordships was undertaken and the negotiations for the proposed union of the kingdoms of England and Scotland were underway. In 1605, four earls, Dunbar, Dunfermline, Home, and Perth, were created. In 1606, the king created five earls, Abercorn, Kinghorne, Lothian, Tullibardine, and Wigton, and two viscounts, Fentoun and Haddington. Within a two-year period, the body rose in number from 25 to 36 peers.

This high point was maintained for about three years before the number of peers began to contract slightly, beginning in 1609 with the forfeiture of John, second Maxwell earl of Morton, and the death of James, third earl of Arran, whose title resided in the marquess of Hamilton from this time. The total continued to decline in 1611 on the sudden death of George, first earl of Dunbar, whose honours became dormant when his elder brother and heir forebore to assume the dignity.¹⁸ The rise of the early part of the century was further diminished in 1615, when Patrick, second earl of Orkney, was declared forfeit and executed. These losses without immediate replacements seem to have been a deliberate measure on the king's part, for on refusing the earl of Mar's request to advance Ogilvie of Findlater to the Scottish peerage in 1612, James wrote that a growth in the number of Scottish noblemen does

...more harme then goode to that state [Scotland], and that they excede and surpasse the number of the noblemen heere [England] (which hath given greate occasion of discontentment to this people, thereby alienating there harts more and more from the Union), wee have proposed with oure selff to forbear for a tyme the making or creating any more noblemen there, and to wait all oportunity how they may be reduced to a feware number.¹⁹

The total number of members of the upper peerage was thirty-two at the end of 1615.

After 1615, the size of the upper peerage grew continuously, though never again, at least on an annual basis, as rapidly as it had in 1605 and 1606. New creations and further elevations were made in most of the years during the remainder of the reign: the earl of Roxburghe and viscount Lauderdale in 1616; the earls of Buccleuch, Kellie (a further elevation of the first viscount Fentoun), and Melrose in 1619; the earl of Nithsdale in 1620²⁰; viscount Stormont in 1621; the viscounts of Air and Annan in 1622; the earls of Galloway and Seaforth in 1623; and the earls of Lauderdale and Annandale (further

elevations for the former viscounts Lauderdale and Annan, respectively) in 1624. Thus the upper peerage had increased in size to form a body of 42 peers by the end of the reign, a growth of 68% over the 1587 total, the single largest increase having occurred in 1606, when it grew by 24.1%.

These figures indicate that there was a substantial growth in the upper peerage between 1587 and 1625. Some historians have emphasized this increase in numbers, particularly those after 1604, and neglected to show that some of this growth was tempered by losses. They have developed a theme of a sudden inflation or flood of honours and a decline in the quality of candidates, resulting in a dilution of the peerage,²¹ to add as another facet in the portrait of a period in court history where corruption was a matter of rapid-growing concern.²² James VI has been accused of a similar unsavoury act in English history in his role as James I, where he added sixty-five creations to the English peerage, which was a body of fifty-five on the day Elizabeth I died. From the end of 1615 to the end of 1628 the English peerage as a whole grew by 56%, and the number of earls within this group by 141%.²³ Yet the king has been partially excused in light of his predecessor Elizabeth's renowned parsimony in regard to honours. Since the queen was tightfisted, many of James's elevations and creations in England are viewed as just and long overdue.²⁴

A similar situation in Scotland at the turn of the seventeenth century has been largely overlooked by historians, possibly because it lacks a consequential long-reigning figure to embody this idea of past stinginess creating a need for a growth in honours.²⁵ As Gordon Donaldson stated in 1965, in Scotland:

Very few new peerages had been created since the reign of James IV, and hardly any for persons not connected with the royal house. The only dukedoms were those of Mary's third husband, Bothwell, and James VI's cousin, Esmé Stewart. Some royal bastards became earls,...but the only new earldom created for a man not of royal blood was...that of Gowrie, in 1581.²⁶

Perhaps, as was the case in England, the time for expansion and renewal in Scotland's upper peerage had arrived.

James VI may have been excessively criticized for his actions in Scotland, possibly because his dual role as king of both England and Scotland has led to confusion amongst historians regarding his legacy.²⁷ The history of this period in Scotland has until recently been somewhat clouded by the perspective, structure and traditions of English history.²⁸ As was stated earlier, much ado has been made of James's elevation of lairds and younger sons of nobles and lairds to the Scottish peerage, but unlike the idea of an elite body with tightly controlled admission which prevailed to the south, the Scottish concept of nobility was much more loosely-interpreted until the 1590s. Many of the greater lairds had the status of lesser nobility, without the title of course, but this was not necessarily an obstacle to promotion. It was quite possible for some of the greater lairds or younger sons to cross what Maureen Meikle has called "the virtually invisible divide" between the lairdly class and the nobility in sixteenth-century Scotland.²⁹ This greater social mobility at the highest level allowed James to advance some members of a theoretically subordinate class in order to aid him in the governing of his first kingdom from afar. But when these advancements were viewed through the eyes of historians accustomed to a more guarded system of social mobility, with fewer peers per capita,³⁰ they became a point of contention.

James VI's elevation of lesser nobility and younger sons to the Scottish peerage has also been criticized historiographically, as it became associated with another measure of his reign which was heavily denounced by a number of English royalist historians of the 1650s,³¹ namely, the open sale of English, Irish and Scottish baronetages and other titles within the English and Irish peerages. These creations numbered above two hundred and fifty,³² and undermined the prestige of the monarchy, the aristocracy and the system of titles generally throughout the British Isles, for many of these peerages were sold directly by the crown for cash, or involved the bribery of court patrons, including the duke of Buckingham and his relations, by aspiring but not necessarily worthy purchasers who would go to some lengths in order to be nominated to a dignity. Corrupt practices were further encouraged by the practice of granting blank patents to courtiers to make new peers. These were a cheap form of largess given out by a sovereign whose financial coffers were too empty to provide other bounty.³³ The Scottish sales were limited to the lower ranks of the peerage, especially the order of baronets, and only commenced in 1625 during the reign of King Charles I in order to support Sir William Alexander's colonization of Nova Scotia.³⁴ James's creations within the upper ranks of the Scottish peerage may have been tainted by this associated, but non-related event.

Yet no matter the possible contemporary reasons for the inflation of honours or the criticism this action has received since that time, it is still unfitting to judge the overall significance of the growth of the upper peerage in this period using solely a cursory examination of the total numbers and net growth of the group in question. Indicators other than those of rank and overall size could prove more revealing with regard to changes in the composition of the upper peerage over the course of the period under

study. Therefore I will in succession examine the collective members of this group according to the age of creation of their titles (the old versus the new nobility), their known religious affiliations, and the geographic regions from which their titles and strength originated.

Old and New:

To begin, I must stipulate my definitions of the old and the new nobility, for I have not been able to find suitable, well-defined guidelines as established by previous historians which could be followed. For my purposes, a member of the old nobility is one whose title was bestowed upon him or one of his predecessors before 1587. A member of the new nobility is one whose title was granted to him or one of his predecessors by the adult King James VI in or after 1587. (See table 2-2 below).

TABLE 2-2: NUMBER OF UPPER PEERS (1587-1625) BY AGE OF TITLE, IN TOTAL AND IN SELECTED YEARS

(values shown as percentages of the total no. of peers for that year —ie. line 4)

AGE OF TITLE	1587	1597	1607	1617	1625	TOTAL 1587-1625
Old Peers	25 (100)	25 (100)	23 (63.9)	21 (60)	21 (50)	51 (60)
New Peers	0	0	13 (36.1)	14 (40)	21 (50)	34 (40)
TOTAL	25	25	36	35	42	85

Using this system of reckoning, overall between 1587 and 1625 there were 51 peers who can be classified as old nobility, and 34 peers who can be determined to be new nobility, representing 60% and 40% of the total number of peers, respectively. [See *Appendix B*] In 1587, all of the peers were of the old nobility. This did not change over the course of the next decade, for in 1597 there had as yet been no new elevations to the upper peerage. By 1607 there was a substantial change due to the large number of creations beginning in 1599 and accelerating rapidly in 1605 and 1606. Twenty-three of the old peers remained,

but now they were joined by 13 new peers. In 1617, twenty-one old peers endured, while the number of new peers had increased to fourteen. The proportion of old to new peers now equaled sixty to forty percent. By 1625, a further increase in the number of new peers by seven balanced the two groups at totals of 21 each. Over this period, the old nobility was diminished by a total of four, a contraction of 16%, while the new nobility was increased overall by twenty-one, creating an even balance between the two groups as they stood in 1625.

Religion:

The eighty-five peers who held titles at some point during James VI's adult reign can also be divided into smaller categories using their known religious affiliations. This is not accomplished as easily as the division of the old and the new, for it is much more difficult to determine the religious observances of somewhat obscure figures using the historical sources available. The evidence within such sources is not entirely trustworthy, and for this period one is often forced to rely on the judgments of the compilers of lists of pro-Catholic, pro-Spanish, pro-Protestant or pro-English nobles. Circumspection is required when using any of these lists. For example, the 'Catholic' lists were compiled by visiting Jesuits, who are known to have been over credulous in their belief as to who among the nobility were potential Catholics and supporters of the international Catholic movement.³⁵ John Graham, third earl of Montrose, a Protestant whose conformity was questioned by the kirk due to his political alliances with known Catholics before, during and after the Brig of Dee affair in 1589 and his support for a re-establishment of episcopacy, was on such a Catholic list in 1589, and listed as a pro-Spanish Scottish noble in another list thought to date from 1587.³⁶ The uncertainty regarding his religious

convictions is also reflected in a number of lists compiled by the English in which his name appeared: as a Catholic and malcontent in 1585, 1586, 1588, 1589, 1591 and 1592; as a Protestant in 1593, 1594, 1599 and 1602; and as neutral in 1586.³⁷

For the purposes of this study, I have divided the members of the upper peerage into three categories and used the terms Protestant, Catholic and unknown to describe them. These terms are used loosely in a religious, not a political sense, in order to indicate those of the reformed faith (Protestants), those who kept the mass (Catholics), and those for whom the researcher was not able to find sufficient evidence to determine their form of worship (unknown). More specific denominations were not sought as this process would have increased the likelihood of errors and the size of the unknown category. The group defined as Catholic includes those who are known to have practiced the Catholic religion privately, but out of necessity or choice conformed to the reformed religion publicly.

TABLE 2-3: NUMBER OF UPPER PEERS (1587-1625) BY RELIGIOUS LEANINGS, IN TOTAL AND IN SELECTED YEARS
(values shown as percentages of the total no. of peers for that year –ie. line 5)

RELIGION	1587	1597	1607	1617	1625	TOTAL 1587-1625
Protestants	18 (72)	17 (68)	21 (58.3)	20 (57.1)	25 (59.5)	50 (58.8)
Unknown	0	0	0	1 (2.9)	3 (7.1)	3 (3.5)
Catholics	7 (28)	8 (32)	15 (41.7)	14 (40)	14 (33.3)	32 (37.6)
TOTAL	25	25	36	35	42	85

This said, over the entire period under study, 50 of the 85 peers were Protestants, 32 were Catholics and three were of an undetermined faith.³⁸ (See table 2-3 above and *Appendix C*). This ratio seems to have levelled out after an initial decline and become relatively constant throughout the remainder of the reign, at least as far as can be determined given a steadily increasing number of peers of unknown faith. In 1587, 72%

of the peers were Protestants. Little change had occurred by 1597, when 68% of this group were still Protestant. In 1607, the ratio of Protestant peers fell to 58.3% when the number of Catholics almost doubled, from eight to fifteen peers. Similar ratios for Protestants were found for 1617 and 1625, 57.1% and 59.5% respectively, but there was a rise from zero to three in the number of unknown figures. These calculations are not absolute, but sufficient to allow us to say that approximately one-third or more of the Scottish upper peerage were Catholics at any given time in the reign, possibly slightly higher around 1607 and 1617. This finding for the upper peerage concurs with the statement of John Elder that one-third of all nobles in Scotland were Catholic.³⁹ It is interesting to note that a similar finding was reached by Lawrence Stone in his study for sixty-six English peers in 1580, twenty of whom were Catholic.⁴⁰ One can also see from this discussion that while the proportion of Catholics among the peerage did not rise as the body grew, their relative number did, doubling from seven in 1587 to fourteen in 1625. This is due to James's practice of elevating representatives of Catholic families alongside Protestants. His actions suggest that he favoured loyalty and ability above religious beliefs, and would rather reward all parties than allow or encourage division and faction within the society.

It is interesting to note that in several families, successive holders of the title were not of the same religious faith. This difference has been noticed amongst the Douglas earls of Angus and the Gordon earls of Sutherland. In the instance of the earls of Angus, Archibald and William Douglas, the eighth and ninth earls, were Protestant, while the ninth earl's second son and his eldest grandson, the tenth and eleventh earls, each also named William Douglas, were Catholics. In the case of the earls of Sutherland, the

reverse process occurred. Alexander and John Gordon, the eleventh and twelfth earls of Sutherland were Catholics, while their successor, John Gordon, thirteenth earl of Sutherland was of the reformed faith. There appears to be little similarity between these two cases. The tenth earl of Angus was raised by his family as a Protestant, but is reported to have whole-heartedly converted to Catholicism after having been courted by the doctors of the Sorbonne while in France in 1580, when he would have been approximately twenty-six years of age.⁴¹ The tenth earl of Angus remained true to his new faith despite family pressures, civil disabilities, excommunication, imprisonment, and ultimately permanent exile from Scotland, and was responsible for his wife's adoption of Catholicism and the raising of his children, including the eleventh earl, in the Roman Catholic faith.⁴² John Gordon, thirteenth earl of Sutherland, came from an apparently strong Catholic family: his parents, the twelfth earl and Agnes (or Annas) Elphinstone, Lady Sutherland, were frequently warded in towns and fined for their persistent papistry;⁴³ and his grandmother, Lady Jane (or Jean) Gordon⁴⁴ was an unyielding Catholic, one of the most noted papists in Scotland,⁴⁵ who reportedly kept Jesuits in her company,⁴⁶ faced endless persecution and fines from the kirk,⁴⁷ and was the aunt of the Catholic figurehead, George, sixth earl and first marquess of Huntly. But the thirteenth earl's father died in September 1615 when he was but six years of age, and his mother apparently moved to her jointure house, bore a posthumous son, and died within two years.⁴⁸ His grandmother Lady Jane had departed the family estates on the occasion of her third marriage a decade before his birth.⁴⁹ The young earl and his estates were placed under the guardianship of his uncle Sir Robert Gordon, Lady Jean's fourth but now eldest surviving son, a Protestant, who ensured that John was given a reformed education, beginning in 1616 at

the Dornoch School under the supervision of Mr. John Gray, Dean of Caithness, followed by the University of Edinburgh in 1623, and St. Salvator College at St. Andrew's in 1627, where he became friends with the Protestant James Graham, fifth earl and future marquess of Montrose.⁵⁰ The thirteenth earl of Sutherland from a young age seems to have lacked the influences necessary to retain his family line's traditional religious adherences. Unlike the example of the earls of Angus, there was no deliberate conversion at an adult age within the Sutherland succession, only a gradual change of faith. The direct responsibility for a conversion within this line rests within the broader family, specifically with Sir Robert Gordon.

TABLE 2-4: NUMBER OF UPPER PEERS (1587-1625) BY AGE OF TITLE AND BY RELIGIOUS LEANINGS, IN TOTAL AND IN SELECTED YEARS
(values shown as percentages of the total no. of peers in column 6)

AGE OF TITLE	YEAR	Protestants	Catholics	Unknown	TOTAL
Old Peers	Total	34 (66.7)	17 (33.3)	0	51 [60]*
	1587	18 (72)	7 (28)	0	25
	1597	17 (68)	8 (32)	0	25
	1607	15 (65.2)	8 (34.8)	0	23
	1617	13 (61.9)	8 (38.1)	0	21
	1625	14 (66.7)	7 (33.3)	0	21
New Peers	Total	16 (47)	15 (44.1)	3 (8.8)	34 [40]*
	1587	0	0	0	0
	1597	0	0	0	0
	1607	6 (46.1)	7 (53.8)	0	13
	1617	7 (50)	6 (42.8)	1 (7.1)	14
	1625	11 (52.4)	7 (33.3)	3 (14.3)	21
TOTAL		50 (58.8)	32 (37.6)	3 (3.5)	85 [100]*

*Indicates percentage of the total sample of peers (n=85).

It was observed in this study that there was little or no change in the ratio between those who adhered to the reformed religion and those who favoured Catholicism over the course of the period. When the groups of those practicing the Protestant and the Catholic

religions are examined in more detail against the divisions within the upper peerage between the old and the new nobility, both a similar finding and variations are found. (See table 2-4 above). Overall, an examination of the religious affiliations of the old members of the peerage (created prior to 1587) revealed that two-thirds of them were Protestants, while one-third were Catholics or Catholics who conformed to the state-sanctioned religion publicly. Comparable findings were discovered in an examination of the religious adherences of the old nobility at five different times over the course of the period, when the percentage of Protestants ranged between 61.9% and 72%, and the percentage of Catholics ranged between 28% and 38.1%. Somewhat different proportions were revealed when the members of the new nobility were subjected to similar scrutiny. Overall, 47% of these new peers were Protestants, while almost as many of them, 44.1%, were Catholic. This elevation in the level of Catholics among the new peers may be a reflection of the king's tendency to value highly, and in these instances, reward, the individuals and families who had been loyal to his mother Mary, many of whom were Catholics.⁵¹ These values were somewhat more volatile when they were examined at specific years within the reign, the proportion of Protestants ranging between 46.1% and 52.4%, and the proportion of Catholics ranging between 33.3% and 53.8%. This greater volatility is partially due to the smaller size of this subject group in relation to that of the old nobility, which was fifty percent larger. There is also a greater degree of uncertainty in this smaller group as the three peers with unknown religious affiliations are found among them.

Regions:

James VI's Scottish upper peerage can also be described in a regional fashion, through an examination of the locations from which their titles and powers originated. The factor of geographic regions in Scotland is intriguing, given the varied geography of the country, and the tradition of separating the histories and people of Scotland into those of the borders, the lowlands, and the highlands. In this study, Scotland has been divided into three regions, namely, the northwest and isles, central Scotland, and the borders. These regions bear a resemblance to the traditional territories, but differ in that they do not faithfully follow the demarcation line between Gaelic and non-Gaelic Scotland. The intent behind this regional division is to indicate the distance of the peer from the centre, Edinburgh, rather than establish a difference in the origins of the Scottish people. The first category, the northwest and isles, comprises all of the land and islands northwest of and including the shires of Aberdeen, Perth and Dunbarton, from the isle of Arran in the south, to the isle of Lewis in the west, to the isles of Orkney and Shetland in the north. The border region includes the shires of Berwick, Selkirk, Roxburgh, Dumfries, Kirkcudbright, and to some extent, Peebles. Central Scotland comprises all of the other shires between these two regions, from Wigtownshire in the southwest, to East Lothian in the southeast, to Kincardineshire in the northeast, to Stirlingshire in the northwest. Several shires, due to the nature of their geography, accommodate more than one category in this division. These include Aberdeen, Perth and Dunbarton, which fit into both the northwest and central Scotland, as well as Peeblesshire, which seems to be both a part of central Scotland and the border region.

Once these three geographic regions were determined, the eighty-five peers were sorted within them, [See *Appendix D*] using their titles, local offices and primary landholdings to determine their proper placement, as the most important gauge of power among the Jacobean nobility was the extent and concentration of their lands, following and jurisdictions.⁵² Regions in which a peer was landlord and magistrate, among other possible authority figures, were the main wellspring of his prerogative, influence, strength and wealth, the other potential source of such power being the court. For some subjects, like John, first earl of Annandale, this exercise in geographic categorization was straightforward. [See *Appendix E*] This peer belonged to the border region grouping, given that most of his holdings were situated in Dumfriesshire, where he was earl and steward of Annandale, keeper of the castle of Lochmaben, provost of Lincluden, held the right to the tithes of thirty-two parishes in Annandale, and owned the baronies of Lochmaben, Holywood and Errickstane, and lands at Caerlaverock, Cockpool and Lincluden. He held another barony in the border region, at Dundrennan in Kirkcudbright, as well as lands outside this region, for example, at Falkland in Fifeshire (where he held the office of forester), at Tynninghame in East Lothian, in Cumberland and Surrey in England, and in county Donegal in Ireland.⁵³ Yet his strength and resources as a Scottish peer at the regional level clearly devolved from his ties to the borders.

For other peers, this exercise proved to be not nearly as clearcut. Two examples, those of the earls of Rothes and the earl of Melrose, should suffice to illustrate this dilemma and the manner in which it has been handled. Andrew and John Leslie, the fifth and sixth earls of Rothes, have been placed in two of the regional categories, those of the northwest and isles, and central Scotland, as their territorial holdings and sources of power

were bipolar and somewhat more widespread than those of the earl of Annandale. They were the principal sheriffs of Fife, provosts of the burgh of Cupar in Fife, and commanded numerous estates in Fifeshire, including the baronies of Leslie and Ballinbreich, where Castle Leslie and Ballinbreich Castle were located, and lands at Kilmany, Lindores and Newburgh. The earls of Rothes also had many important holdings further north, including their earldom of Rothes in the shire of Elgin, the barony and lands of Cushnie in Banffshire, and the lands and baronies of Rothienorman, Parkhill and Cairney in Aberdeenshire.⁵⁴ In addition, the sixth earl was appointed commissioner of the peace for Elgin, Forres and Nairn in 1616, and had his position renewed in 1623.

Thomas Hamilton, first earl of Melrose, like the earls of Rothes, has been placed in two regional categories, specifically, central Scotland and the borders. His properties were even more fragmented and dispersed than those of the earls of Rothes, as seems to be the general case with most of James VI's new nobility in comparison with their established counterparts.⁵⁵ His border holdings included the lordship of Melrose in Roxburgh, Castlemilk and other lands in Dumfries, and Coldstream and other lands in Berwick. From 1594 he held the office of assessor to the justice courts of the sheriffdom of Dumfries and the stewartries of Kirkcudbright and Annandale. In central Scotland, he possessed the barony of Monkland in Stirling, the barony of Inverkeithing in Fife, lands at Auchengray in Lanark, and lands in Perth. He also had vast holdings in the Lothians: the baronies of Dalmeny, Drem, Tynninghame,⁵⁶ Binning, Byres, and Ballincreiff (where silver and other metals were found), as well as properties at Priestfield in Duddingston, Luffness, and Humble.⁵⁷

The entire Jacobean upper peerage were sorted into regional divisions in this manner. Sixty-seven peers were fitted into a single geographic category, while eighteen peers were assigned to two such groupings concurrently.⁵⁸ (See table 2-5 below).

**TABLE 2-5: NUMBER OF UPPER PEERS (1587-1625)
GROUPED BY REGIONAL TIES**

REGION	No. of peers 1587-1625	Percentage of total
Northwest and isles	29	34.1
Central Scotland	57	67.1
Borders	17	20.0
TOTAL	103*	121.2*

*These nos. exceed 85 & 100% as 18 peers had ties to more than 1 region.

Overall, by 1625, twenty-nine of these eighty-five peers had important links with the northwest and isles region. Fifty-seven peers had important ties within central Scotland, and seventeen peers were closely connected with the border region. Thus, one-third of these peers derived power from the northwest and isles, approximately two-thirds of them from central Scotland, and about one-fifth of them from the borders,⁵⁹ a region which composed approximately one-ninth of Scotland's total area.

These findings can be examined and extrapolated in a manner similar to that employed earlier to analyze the religious adherences of the old and new nobility, in order to further describe the peers within their regions using the variables of age of peerage elevation and religion. (See table 2-6 below). Of the peers connected to the northwest and isles, 89.7% of the group of twenty-nine were of the old nobility, as only two of the titles, those of Seaforth and Tullibardine, were created during the course of James's adult reign. Twenty of these peers from the northwest and isles adhered to the Protestant religion, while nine practiced the Catholic faith.

**TABLE 2-6: TOTAL NUMBER OF UPPER PEERS (1587-1625) BY AGE OF
TITLE OR RELIGIOUS LEANINGS VS. REGIONAL TIES**
(values shown as percentages of the total no. of peers per region –ie. line 8)

AGE OF TITLE	Northwest & isles	Central Scotland	Borders
Old	26 (89.7)	32 (56.1)	5 (29.4)
New	3 (10.3)	25 (43.9)	12 (70.6)
RELIGION			
Protestant	20 (69)	33 (57.9)	11 (64.7)
Catholic	9 (31)	21 (36.8)	5 (29.4)
Unknown	0	3 (5.3)	1 (5.9)
TOTAL	29	57	17

In central Scotland, 56.1% of the fifty-seven peers associated with this region came from the established nobility, while 43.9% were raised to the upper peerage in this period. Thirty-three of the central peers were Protestants, twenty-one were Catholics, and three held undetermined religious views. Of the seventeen peers placed in the border region category, only 29.4% held titles created prior to 1587, while 70.6% held new titles. Eleven border peers practiced the reformed faith, five were Catholics, and one, William, viscount Air, was of an undetermined faith.

The findings described over the course of the last nine pages are generalizations of course, given that there is little doubt that there were variations within even the smallest categories or groupings discussed. Yet they are revealing nevertheless, in that they demonstrate the rapid growth of a new sub-group within the nobility, the numerical balance between the old and the new peers by 1625, a religious division among these peers which remained fairly constant throughout the period, and the relative proportions of these peers which were associated with specific regions of the country. They show, by and large, that an old peer was more likely to be a Protestant and connected with the northwest and isles, while his newer social equal, who was almost equally likely to be

Protestant or Catholic (with the latter having a slight edge), had ties further south. While such findings require care in their use, given the modest size of the sample and the limitations of historical data collection, they are certainly more informative and provide a greater sense of the composition of the upper peerage than statements about the escalating size of the group. This study will continue providing such detailed analysis in subsequent chapters in order to enhance our understanding of other aspects of the upper ranks of James VI's Scottish peerage.

ENDNOTES

¹ Thomas Innes, "Peerage," in Encyclopaedia of the Laws of Scotland, eds. Dunedin, Wark and Black, (Edinburgh, 1926-1953), vol. ii, 180, 188-190; Thomas Innes, "Peerage Law," in An Introductory Survey of the Sources and Literature of Scots Law, ed. Stair Society, (Edinburgh, 1936), vol. I, 425-427; D.C. Herries, "Scots Peerage Law," Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society, 3rd series, 18(1934): 307, 310; J.H. Stevenson, "The Scottish Peerage," Scottish Historical Review, 2(1904): 1-13, especially 5; Alexander Grant, "The Development of the Scottish Peerage," Scottish Historical Review, 57(1978): 1-27, especially 1,3,5,7,27; Adam Bruce, "Lairds and Blood Feuds -- the Scottish Nobility to the Act of Union: 1707," in The House of Lords -- A Thousand Years of British Tradition, eds. R. Smith and J.S. Moore, (London, 1994), 91; and David M. Walker, A Legal History of Scotland, (Edinburgh, 1995), vol. 3, 636-637.

² D.C. Herries, "Scots Peerage Law," in Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society, 3rd series, 18(1934): 303; Adam Bruce, "Lairds and Blood Feuds -- the Scottish Nobility to the Act of Union: 1707," in The House of Lords -- A Thousand Years of British Tradition, eds. R. Smith and J.S. Moore, (London, 1994), 88.

³ C.S. Terry, The Scottish Parliament: Its Constitution and Procedure, 1603-1707, (Glasgow, 1905), 12; David M. Walker, A Legal History of Scotland, (Edinburgh, 1995), vol. 3, 637; Adam Bruce, "Lairds and Blood Feuds -- the Scottish Nobility to the Act of Union: 1707," in The House of Lords -- A Thousand Years of British Tradition, eds. R. Smith and J.S. Moore, (London, 1994), 88. Ninety-three of the 366 peerages created in Scotland prior to 1707 were descendable to females.

⁴ The rank of marquess was introduced to Scotland in 1476, but there were none in 1587. Thomas Innes, "Peerage," in Encyclopedia of the Laws of Scotland, eds. Dunedin, Wark and Black, (Edinburgh, 1926-1953), vol. ii, 188-189.

⁵ King James challenged the doctrine of territorial qualification for a lord of parliament when he created these two peerages. The historical record shows that he thought it reasonable to confer Scottish dignities upon Englishmen, as he had conferred English dignities upon Scottish subjects. Robert S. Rait, The Parliaments of Scotland, (Glasgow, 1924), 185-186. By not accompanying these creations with lands from which the new peers would likely be permanently absent, James kept the cost of granting these honours to a minimum.

⁶ For Arran see: David Franklin, The Scottish Regency of the Earl of Arran: A Study in the Failure of Anglo-Scottish Relations, (Lewiston, N.Y., 1995); Scots Peerage, vol. 1, pp. 394-398 and vol. 6, pp. 512-514; Complete Peerage, vol. 1, pp. 222-223; DNB, vol. 18, pp. 1195-1198; Scottish Nation, vol. 1, p. 160; and Maurice Lee, Great Britain's Solomon: James VI and I in His Three Kingdoms, (Urbana, 1990), 237-239. For Falkland see: Thomas Longueville, Falklands, (London, 1897), chs. 1-4; J.A.R. Marriott, The Life and Times of Lucius Cary Viscount Falkland, (London, 1907), 46-72; Kenneth B. Murdock, The Sun at Noon: Three Biographical Sketches, (New York, 1939), chs. 2-4; Kurt Weber, Lucius Cary, Second Viscount Falkland, (New York, 1940), chs. 1-2; Scots Peerage, vol. 3, pp. 609-611; Complete Peerage, vol. 5, pp. 239-240; and DNB, vol. 3, pp. 1149-1151. For Dunbar see: Scots Peerage, vol. 3, pp. 295-297; Complete Peerage, vol. 4, p. 513; and DNB, vol. 4, pp. 960-961. For Hamilton see: Hilary L. Rubinstein, Captain Luckless: James, First Duke of Hamilton 1606-1649, (Edinburgh, 1975); Scots Peerage, vol. 4, pp. 375-378; Complete Peerage, vol. 6, pp. 259-262; DNB, vol. 8, pp. 1063-1067.

⁷ Meaning heir of entail.

⁸ The numbering of the Douglas earls of Morton is not uniform in historical and genealogical sources. They will be referred to hereinafter as the eighth earl of Angus, the seventh earl of Morton, and the eighth earl of Morton.

⁹ These individuals will be referred to henceforwards as the first and second Maxwell earls of Morton in order to differentiate them from the Douglas earls.

¹⁰ Meaning jury.

¹¹ See William Fraser, The Book of Carliaverock: Memoirs of the Maxwells, Earls of Nithsdale Lords Maxwell and Herries, (Edinburgh, 1873), vol. 1, 286-287. On the first page he is addressed as Morton in a July 1592 commission of wardenry. On the second page is shown a copy of his subscription as Morton to the Confession of Faith of January 1593.

¹² Scots Peerage, vol. 6, 483-487.

¹³ The titles herein discussed are ultimate titles, meaning that an individual is described by the ultimate title attained in the reign, not including any lesser titles held or gained before the king's death, or further elevations thereafter. Thus the eighth earl of Angus is counted as one individual earl even though he held the second title earl of Morton briefly before his premature death. And the earl of Annandale is counted as an earl only, even though he held the lesser title of viscount Annan between 1622 and 1624. The eleventh earl of Angus is counted as an earl even though he was elevated to marquess of Douglas in 1633.

¹⁴ The years which were chosen within the period 1587-1625 for the analysis of the peerage were the starting-point, 1587, years at ten-year intervals, thus 1597, 1607 and 1617, and the end of the reign, 1625. The peerage were examined mid-way through the year (circa June or July), except in the case of 1625, where the peerage are portrayed as at 1 March.

¹⁵ This number includes George, sixth earl of Huntly, who would later become the first marquess of Huntly; James, fifth earl of Buchan, who was not formally served heir to his mother, the late countess, until 1588; and James, second earl of Moray, who was acting as earl on his wife Elizabeth, countess of Moray's behalf, though she was also not formally served heir to her father until 1588.

¹⁶ Thomas, first viscount Fentoun (afterwards first earl of Kellie); John, first viscount Haddington; and John, first viscount Lauderdale (afterwards first earl of Lauderdale).

¹⁷ Technically, Lord John Hamilton's elevation as marquess of Hamilton should be considered a new creation, as he did not hold the dignity of earl in and of himself. It was his insane elder brother James

who held the family title of earl of Arran until his death in 1609, when the dignity was returned to the second marquess. In this study, I have included Lord John as an honorary peer from the start, so the total number of peers does not change with his 1599 creation.

¹⁸ Complete Peerage, vol. 4, 512.

¹⁹ King James VI to the earl of Mar, Hampton Court, 26 September 1612, Historical Manuscripts Commission, Report on the Manuscripts of the Earl of Mar and Kellie Preserved at Alloa House. N.B., (London, 1904), vol. 137, p. 68.

²⁰ The earl of Nithsdale was created to acknowledge the service and influence of the Maxwells, the legitimacy of their claim to the earldom of Morton, and to settle their dispute with the Douglasses. The king also elevated two Englishmen to the Scots peerage in this year, granting them the titles of viscounts Dunbar and Falkland.

²¹ Rosalind Mitchison, Lordship to Patronage: Scotland 1603-1745, (London, 1983), 10-11; and Gordon Donaldson, Scotland: James V to James VII, (London, 1965), 221.

²² For a good discussion of corruption in early Jacobean court life and politics, see Linda Levy Peck, Court Patronage and Corruption in Early Stuart England, (Boston, 1990).

²³ Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), 99-104 and 775 (appendix III).

²⁴ Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), 99-101; Linda Levy Peck, Court Patronage and Corruption in Early Stuart England, (Boston, 1990), 32-33; and Linda Levy Peck, Northampton: Patronage and Policy at the Court of James I, (London, 1982), 24-25. For a discussion of the need for James to bring an end to Elizabeth's parsimony in the distribution of pensions, lands and offices, see Barry Coward, The Stuart Age: England, 1603-1714, 2nd ed., (New York, 1994), 138.

²⁵ An exception is Jennifer M. Brown (now Wormald), "Scottish Politics 1567-1625," in The Reign of James VI and I, ed. A.G.R. Smith, (London, 1973), 35.

²⁶ Gordon Donaldson, Scotland: James V to James VII, (London, 1965), 217.

²⁷ Jenny Wormald, "James VI and I: Two Kings or One?," History, 68(1983): 187-209. See also Jenny Wormald, "The High Road from Scotland: One King, Two Kingdoms," in Uniting the Kingdom? The Making of British History, eds. Alexander Grant and Keith J. Stringer, (London & New York, 1995), 123-132; and "The Creation of Britain: Multiple Kingdoms or Core and Colonies?," TRHS, 6th ser., ii(1992): 175-194.

²⁸ J.G.A. Pocock, "The Atlantic Archipelago and the War of the Three Kingdoms," in The British Problem c.1534-1707: State Formation in the Atlantic Archipelago, eds. Brendan Bradshaw and John Morrill, (New York, 1996), 172. See also J.G.A. Pocock, "The Limits and Divisions of British History: In Search of the Unknown Subject," American Historical Review, 87(1982): 313.

²⁹ Maureen M. Meikle, "The Invisible Divide: The Greater Lairds and the Nobility of Jacobean Scotland," Scottish Historical Review, 71(1992): 70-74 and 86. Quote taken from title and p. 72.

³⁰ At the end of the sixteenth century, even before these elevations were made, English diplomats recorded their view that Scotland had an excess in the proportion of its nobility to its population: "NUMBERS which being more than so small a kingdom can bear (viz. more than in England and the country less, and less fertile) must needs breed great inconveniency to their commonwealth,...." See uncertain date [early

1580s? or 1602?], author unknown, "The General State of the Commonwealth of Scotland," in Public Record Office (Great Britain), The Calendar of State Papers Relating to Scotland..., ed. J.D. Mackie, (Edinburgh, 1969), vol. 13 (1597-1603), part ii, document 906, pp. 1115-1120. Quote taken from p. 1117.

³¹ See the statements of Gervase Holles, Sir Edward Walker and Sir William Cavendish, marquis (later duke) of Newcastle, in: Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), pp. 96, 120.

³² Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), 755 (appendix III).

³³ Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), chapter 3, particularly pp. 82-128.

³⁴ King Charles also raised a number of English to the Scots lesser peerage. Sir Thomas Fairfax, Sir Walter Aston and Sir Edward Barret became Lord Fairfax of Cameron, Lord Aston Baron of Forfar and Lord Barret of Newburgh, respectively, in 1627. The duke of Buckingham's aunt was created Baroness of Cramond in 1628. Fairfax is supposed to have paid £1,500 for his title. Keith M. Brown, "The Scottish Aristocracy, Anglicization and the Court, 1603-38," Historical Journal, 36(1993): 566-567.

³⁵ Gordon Donaldson, Scotland: James V to James VII, (London, 1965), 220.

³⁶ John R. Elder, Spanish Influences in Scottish History, (Glasgow, 1920), 143 note and 134 note.

³⁷ Catholic reports include: 1586, "Earls of Scotland," in The Calendar of State Papers Relating to Scotland..., ed. William K. Boyd, (Glasgow, 1915), vol. 9 (1586-1588), letter 218, p. 226; 13 October 1588, William Asheby to Sir Francis Walsingham, letter 531, p. 624; and 5 March 1589, same to same, letter 597 inclosure, p. 703; Also [1591], "Papists and Protestants in Scotland," in The Calendar of State Papers Relating to Scotland..., ed. William K. Boyd and Henry W. Meikle, (Edinburgh, 1936), vol. 10 (1589-1593), letter 641, p. 611; and 1 July 1592, "The Nobility in Scotland," letter 713, p. 714; Also Charles Rogers, "An Estimate of the Scottish Nobility During the Minority of James VI and Subsequently, With Preliminary Observations," Transactions of the Royal Historical Society, old series, 2(1873; reprinted 1971): part 5, p. 260; part 12, p. 278; and part 13, pp. 281-282. Protestant reports include: 12 January 1593, "Catalogue of Noblemen in Scotland," in The Calendar of State Papers Relating to Scotland..., ed. Annie I. Cameron, (Edinburgh, 1936), vol. 11 (1593-1595), letter 5, p. 18; and [1594], "Catalogue of Noble-Men," letter 201, p. 256; Also c. March 1589, "Sir Robert Cecil on the State of Scotland," in The Calendar of State Papers Relating to Scotland..., ed. J.D. Mackie, (Edinburgh, 1969), vol 13 (1597-1603), part 1, letter 347, p. 436; Also Charles Rogers, "An Estimate of the Scottish Nobility During the Minority of James VI and Subsequently, With Preliminary Observations," Transactions of the Royal Historical Society, old series, 2(1873; reprinted 1971): part 15, p. 293. In both 1605 and 1610 Montrose was described as a heretic friendly to the Catholics. Billom, 20 July 1605, Father William Crichton to Father Claud Aquaviva (General of the Society of Jesus) in Narratives of Scottish Catholics under Mary Stuart and James VI, ed. William Forbes-Leith, (new ed.; London, 1889), 281; and 1610, William Semple (a Scottish-born soldier of fortune and political agent), 'Della nobilita o nobilij de Regno de Scotia,' in David and Anthony Mathew, "William Semple's Reports on Scotland in 1588 and 1610," English Historical Review, 41(1926), 582.

The neutral characterization can be found in: Charles Rogers, "An Estimate of the Scottish Nobility During the Minority of James VI and Subsequently, With Preliminary Observations," Transactions of the Royal Historical Society, old series, 2(1873; reprinted 1971): part 8, p. 267.

³⁸ The seventh earl of Argyll is believed to have been converted to Catholicism in or before 1610. For the purposes of this study, he is counted as a Catholic in any examinations of the entire period or of specific years after 1610. In examinations of specific years previous to 1610, he is counted as a Protestant.

³⁹ John R. Elder, Spanish Influences in Scottish History, (Glasgow, 1920), 143 note.

⁴⁰ Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965), 741-742. Unfortunately the author did not report any data between the years 1580 and 1641 for this particular group of peers which could be used here as a further comparison with the Scottish upper peerage.

⁴¹ Herbert Maxwell, A History of the House of Douglas: From the Earliest Times Down to the Legislative Union of England and Scotland, (London, 1902), vol. 2, 166.

⁴² Herbert Maxwell, A History of the House of Douglas: From the Earliest Times Down to the Legislative Union of England and Scotland, (London, 1902), vol. 2, 166 and 187; William Fraser, The Douglas Book, (Edinburgh, 1885), vol. 2, 380-381; and DNB, vol. 5, 1274.

⁴³ Scots Peerage, vol. 8, 347; Scottish Nation, vol. 3, 544; David Calderwood, The History of the Kirk of Scotland, (Edinburgh, 1845), vol. 6, 608; Complete Peerage, vol. 12, part 1, 555; and Barbara I.W. Lothian, "A Strange Wooing--Lady Jane Gordon: A Sixteenth Century Portrait," Aberdeen University Review, 34(1951-1952): 231.

⁴⁴ Lady Jean Gordon was the youngest daughter of George, fourth earl of Huntly. She was married in 1566 to James Hepburn, fourth earl of Bothwell, and divorced in the following year. She married secondly Alexander, eleventh earl of Sutherland, in 1573; and thirdly, her first love, Alexander Ogilvie of Boyne, circa 1599. See Barbara I.W. Lothian, "A Strange Wooing--Lady Jane Gordon: A Sixteenth Century Portrait," Aberdeen University Review, 34(1951-52): 225-232.

⁴⁵ [1594], "Catalogue of Noble-Men," in Calendar of State Papers Relating to Scotland..., ed. Annie I. Cameron, (Edinburgh, 1936), vol. 11 (1593-1595), document no. 201, pp. 256-257.

⁴⁶ 4 April 1593, extracts from kirk session minutes, in The Records of Elgin, 1234-1800, ed. Stephen Ree, (Aberdeen, 1908), vol. 2, 29.

⁴⁷ Barbara I. W. Lothian, "A Strange Wooing--Lady Jane Gordon: A Sixteenth Century Portrait," Aberdeen University Review, 34(1951-1952): 232.

⁴⁸ Scots Peerage, vol. 8, 347-348.

⁴⁹ Barbara I.W. Lothian, "A Strange Wooing--Lady Jane Gordon: A Sixteenth Century Portrait," Aberdeen University Review, 34(1951-1952): 231-232; Scots Peerage, vol. 8, 344-345.

⁵⁰ Scots Peerage, vol. 8, 348-349.

⁵¹ Maurice Lee, Great Britain's Solomon: James VI and I in His Three Kingdoms, (Urbana, 1990), 98.

⁵² Keith M. Brown, "The Nobility of Jacobean Scotland 1567-1625," in Scotland Revisited, ed. Jenny Wormald, (London, 1991), 65; and Rosalind Mitchison, Lordship to Patronage: Scotland 1603-1745, (London, 1983), 7.

⁵³ Scots Peerage, vol. 1: 227; Complete Peerage, vol. 1: 165; DNB, vol. 13: 1277; Scottish Nation, vol. 1: 139; Maurice Lee jr., John Maitland of Thirlestane and the Foundation of the Stewart Despotism in Scotland, (Princeton, 1959): 300-301; and 1606 James VI c.72, 1609 James VI c.30, 1617 James VI c.53-

54, 1621 James VI c.74 in Thomas Thomson, ed., The Acts of the Parliament of Scotland, (Edinburgh, 1816), vol. 4: 326, 444, 575, 664.

⁵⁴ Scots Peerage, vol. 7: 292, 297; and Charles Rogers, "An Estimate of the Scottish Nobility During the Minority of James VI and Subsequently, with Preliminary Observations," TRHS, old series, 2(1873, reprinted 1971): 232, 273, 282.

⁵⁵ Ian D. Whyte, Scotland Before the Industrial Revolution: An Economic and Social History c1050-c1750, (London, 1995), 157; and Rosalind Mitchison, Lordship to Patronage: Scotland 1603-1745, (London, 1983), 11.

⁵⁶ Melrose purchased this property from the earl of Annandale in 1628.

⁵⁷ Scots Peerage, vol. 4: 312-313; George Hamilton, A History of the House of Hamilton, (Edinburgh, 1933): 420; Norman W. Moen, "The Government of Scotland, 1603-1625," (unpublished Ph.D. thesis, University of Minnesota, 1958): 457; William Fraser, Memorials of the Earls of Haddington, (Edinburgh, 1889), vol. 1: 160-165; and 1606 James VI c.87-88, 1607 James VI c.29, 1609 James VI c.38, 1612 James VI c.19, 1617 James VI c.45, 1621 James VI c.52-53 in Thomas Thomson, ed., The Acts of the Parliament of Scotland, (Edinburgh, 1816), vol. 4: 339, 391, 449, 484, 563, 640-641.

⁵⁸ These were the dukes of Lennox; the earls of Atholl, Melrose, Menteith, Morton (Douglas), Rothes and Tullibardine; and the viscounts Air, Haddington and Stormont.

⁵⁹ Note that the total of these three fractions exceeds one on account of the peers and titles which fit into more than one geographic region.

3: FEATURES OF THE SCOTTISH PEERAGE I

The sample of eighty-five taken from the upper ranks of the Scottish peerage will be further dissected in the course of the next two chapters by looking at the significant social hurdles in the lives of these peers, their demographic rites of passage. This chapter will focus on their birth, education, and succession or elevation to their titles. Dates associated with some of these events can be found in Appendix F.

(i): BIRTH & FAMILY:

The eighty-five peers under examination were born between c.1528 (Andrew Leslie, fifth earl of Rothes) and 1615 (Charles Seton, second earl of Dunfermline). A full fifty percent of these peers were born by the year 1575, and a further thirty percent had come into the world by 1587. One-half of this group was born between the years 1562 and 1586, while two-thirds issued forth between 1554 and 1592. Only seven were born in or after 1600.¹ If the birth years² of all of these figures are taken and averaged, the mean is found to be the year 1573. Furthermore, a frequency distribution of these birth dates exhibits a normal curve.³ Thus, it can be seen that the better part of this group were slightly younger than, or of an age with the king, James VI, who was born in 1566.

By examining the status of the fathers (or in certain cases, the mothers) of these peers, it can be determined that they came largely from families of a similar social rank. Seventy-two of their number, representing 84.7% of the group, were directly descended from peers of the realm. Fifty-five of them were linear descendants of male members of the upper peerage, fourteen were the sons of lords, the fifth earls of Bothwell and Buchan obtained their titles by reason of their maternal descent, and the first earl of Orkney was

the natural son of a king. Two of the 72 gained their titles through their marriages to countesses, namely, the sixth earl of Buchan and the second earl of Moray.⁴ Only thirteen of the eighty-five peers, representing 15.3% of the group, were sons of men who might have been considered inferior in status. This number may actually be too large, given the wider meaning of the term nobility in sixteenth-century Scotland (vs. England) where some members of landed society, the most distinguished of the lairds, were included among the lesser nobility.⁵ Four of the thirteen peers were the eldest sons of greater lairds, who were in practice recognized and treated like titled nobility, as their power, wealth and following in their respective localities was similar to those of many Scottish noblemen.⁶ Of the nine remaining peers, seven were the sons of lesser lairds,⁷ the first earl of Lothian was the eldest son of a commendator,⁸ and viscount Air was the eldest son of the fifth son of a lord. Thus, overall, the Scottish peerage was still mainly a body of the well-born, with only a handful of social parvenus, despite the emphasis which has been placed on the newness and non-noble backgrounds of many of this number.⁹

The peerage can further be described by examining the family background types of its existing titled members at specific junctures in time over the course of the period. An investigation of this kind at intervals of approximately every ten years revealed fluctuations in the proportions of peers of noble birth and peers of non-noble birth. In 1587, all twenty-five members of the upper peerage were directly descended from peers of the realm. In 1597, ninety-six percent of the twenty-five peers inherited their titles from Scottish peers by right of birth. Ten years later, in 1607, there were thirty-one peers who were directly descended from peers of the realm, but due to a 44% increase in the size of the body, this constituted only 86.1% of the total. There were now five peers

(13.9%) with somewhat more humble family backgrounds, including one who was the son of a greater laird. In 1617, there were thirty-two peers, representing 91.4% of the upper peerage who were linear descendants of peers, one peer (2.8%) who was the son of a greater laird, and two peers (5.7%) who were the sons of lesser lairds. This ratio changed significantly by the end of the reign. In 1625, there were thirty-three peers, representing 78.6% of the upper peerage, who were directly descended from peers of the realm, and nine peers (21.4%) with 'ignoble' family backgrounds, including two peers who were sons of greater lairds.¹⁰

Now that the peers have been placed within the framework of their family background types, it is time to further enlighten ourselves as to where they fit within their own families. Until now it has been observed a number of times that a specific earl was the eldest or second son of some peer or laird. By examining the order of birth of each of the peers among the sons of the family (as they are recorded in the peerages), we might gain some perspective as to who in the family was succeeding to the existing peerage titles or being elevated to the new ones. They will be considered within the context of the sons of the family, as it is not possible to sort them within their total body of siblings. Most records do not indicate the order of female births nor interconnect them with male births, despite the fact that in some instances, inheritance through the female line and even succession through a female were possible in Scotland. Fifty-seven, or approximately two-thirds of the peers under study can be described as the eldest sons of their parents' marriage. Of these fifty-seven, thirteen (15.3% of the total) were only sons. Nineteen peers (22.3%) were second sons of their parents' marriage. Among this group, ten (11.8% of the total) were the eldest surviving sons, and one, the ninth earl of Errol,

was the eldest fit or mentally competent son. Three peers (3.5%), the sixth earls of Eglinton and Rothes and the first marquess of Hamilton, were third sons, the last of these also being the eldest fit son. Four peers (4.7%), the fifth earl of Rothes, the first earls of Dunbar and Dunfermline and the thirteenth earl of Sutherland, were fourth sons, the latter of whom was also the eldest surviving son, while the first earl of Annandale was a ninth son, and the first earl of Orkney was an illegitimate son. Thus, altogether seventy peers, representing 82.3% of the total subject group, can be described as the eldest possible male heirs of their parents' unions, once male sibling deaths *vitâ patris* and mental or physical incompetency are taken into account.

**TABLE 3-1: NUMBER & PERCENTAGE OF UPPER PEERS (1587-1625)
WHO WERE THE ELDEST SONS OF THEIR PARENTS' UNIONS,
IN TOTAL & BY VARIOUS GROUPINGS**

PEER GROUPS	NO. OF ELDEST SONS	NO. OF ELDEST SURVIVING SONS	NO. OF ELDEST FIT SONS	TOTAL	PERCENT-AGE (%)
TOTAL	57	11	2	70	82.3
OLD PEERS	35	6	2	43	84.3
NEW PEERS	22	5	0	27	79.4
PROTEST-ANTS	35	5	1	41	82.0
? RELIG. LEANING	2	0	0	2	66.7
CATHOLICS	20	6	1	27	84.4
NORTH-WEST & ISLES	20	3	1	24	82.7
CENTRAL SCOTLAND	39	7	1	47	82.4
BORDER REGION	11	2	0	13	76.5

The factor of birth order among male siblings can also be examined within the sub-groupings of the upper peerage that were established in the previous chapter. Suprisingly, little variation was found between the different sets of peers within such sub-

groupings. For example, among the old and the new nobility, 84.3% and 79.4% of the peers, respectively, were either eldest sons, eldest surviving sons or the eldest fit sons. When birth order among sons of the family was examined against religious leanings, 82% of the Protestants and 84.4% of the Catholics were found to be actual eldest sons or eldest sons by default. Even within the division into regional categories, where the most variation in the birth order results was found, these findings can not be deemed to be highly significant, as the peers of the northwest and isles, central Scotland, and the borders region were found to be the eldest *de facto* males of their parents' marriages 82.7%, 82.4%, and 76.5% of the time, respectively. It seems that the order of birth of these upper peers was largely independent of the age of their titles, their religious practices and their regional location.

These peers, who we have seen were largely eldest sons in deed if not in fact, can be further depicted by examining their family configurations more closely, specifically determining from which of each of their parents' numerous marriages they originated. It was found that the fathers of the peers were wed between one and four times, with the greater part of them married once or twice (70.6% and 25.9%, respectively), and only a minority married three or four times. The peers under examination were largely the result of their fathers' only or first unions (73, or 85.9%), with only nine peers emerging from their fathers' second marriages, two peers from their fathers' third marriages, and one peer from a liaison outside of marriage. The mothers of the peers were found to have wed between one and three times: 70.6% of them once, 16.5% of them twice, and a significant amount of them, 12.9%, three times. Once again, the peers issued mainly from their mothers' first or only unions (71, or 83.5%), leaving twelve peers emanating

from their mothers' second marriages, one peer from his mother's third marriage, and one peer from outside of his mother's marriage. Thus it can be concluded that the majority of these peers were the products of their parents' first marriages. It is also clear from this study that a number of them must have had extended families, including step-parents, and likely, step-brothers and sisters.

**TABLE 3-2: PARENTS' UNIONS
FROM WHICH THE UPPER PEERS (1587-1625) ISSUED, IN TOTAL
& BY VARIOUS GROUPINGS (values shown as percentages of their peer group)**

(a) FATHERS' UNIONS

PEER GROUPS	1ST UNIONS	2ND UNIONS	3RD UNIONS	OUTSIDE WEDLOCK
TOTAL	73 (85.9%)	9 (10.6)	2 (2.4)	1 (1.2)
OLD PEERS	43 (84.3)	6 (11.8)	1 (2.0)	1 (2.0)
NEW PEERS	30 (88.2)	3 (8.8)	1 (2.9)	0
PROTESTANTS	44 (88.0)	4 (8.0)	1 (2.0)	1 (2.0)
? RELIGIOUS LEANING	3 (100)	0	0	0
CATHOLICS	26 (81.2)	5 (15.6)	1 (3.1)	0
NORTHWEST & ISLES	21 (72.4)	6 (20.7)	1 (3.4)	1 (3.4)
CENTRAL SCOTLAND	52 (91.2)	3 (5.2)	2 (3.5)	0
BORDER REGION	14 (82.4)	3 (17.6)	0	0

(b) MOTHERS' UNIONS

PEER GROUPS	1ST UNIONS	2ND UNIONS	3RD UNIONS	OUTSIDE WEDLOCK
TOTAL	71 (83.5%)	12 (14.1)	1 (1.2)	1 (1.2)
OLD PEERS	41 (80.3)	8 (15.7)	1 (2.0)	1 (2.0)
NEW PEERS	30 (88.2)	4 (11.8)	0	0
PROTESTANTS	41 (82.0)	7 (14.0)	1 (2.0)	1 (2.0)
? RELIGIOUS LEANING	3 (100)	0	0	0
CATHOLICS	27 (84.3)	5 (15.6)	0	0
NORTHWEST & ISLES	21 (72.4)	6 (20.7)	1 (3.4)	1 (3.4)
CENTRAL SCOTLAND	50 (87.7)	6 (10.5)	1 (1.7)	0
BORDER REGION	15 (88.2)	2 (11.8)	0	0

This last factor, issue of which of the parents marriages, can also be examined within the parameters of the three established sub-groupings of the upper peerage. Little disparity was found between the old and the new nobility with regard to which of their fathers' unions they resulted from, but in the matter of which of their mothers' marriages they issued from, there were some differences. Among the old nobility, 80.3% emanated from their mothers' first or only marriages, and nearly 18% issued from their mothers' second or third marriages. Among the new nobility, 88.2% emerged from their mothers' first or only marriages, and 11.8% issued from their mothers' second marriages. Thus, it seems that the mothers of the old nobility were somewhat more likely to have borne future peers in a later marriage than were the mothers of the new nobility.

When the peers were divided and scrutinized according to their religious leanings, there was little distinction between the Protestants and the Catholics as to which of their mothers' unions they issued from, but there was an observable difference as to which of the fathers' marriages was most likely to produce the peers. Among the Protestant peers, eighty-eight percent emanated from their fathers' first or only marriages, and ten percent resulted from their fathers' second or third unions. Among the Catholic peers, 81.2% were produced during the course of their fathers' first or only marriages, 15.6% resulted from their fathers' second marriages, and 3.1% emerged from their fathers' third unions. Thus, the fathers of the Catholic peers were slightly more likely to have had future peers in a later marriage than were the fathers of the Protestant peers.

When the upper peerage were examined within the framework of the three regional categories, disparities were found as to their origins in both of their parents' unions. In the matter of which of their fathers' marriages they issued from, the peers of

the northwest and isles were found to have emanated from first or only marriages in only 72.4% of cases, and second or third marriages in 24.1% of cases. The peers of central Scotland were discovered to have resulted from their fathers' first or only marriages in 91.2% of cases, and their fathers' second or third marriages in only 8.7% of cases. The peers of the borders were found to have issued from their fathers' first or only marriages in 82.4% of cases, and their fathers' second marriages in 17.6% of cases. In the matter of which of their mothers' marriages they issued from, the peers of the northwest and isles were also found to have emerged from first or only unions in 72.4% of cases, and second or third unions in 24.1% of cases. The peers of central Scotland were found to have issued from their mothers' first or only marriages in 87.7% of cases, and second or third marriages in 12.2% of cases. The peers of the borders were discovered to have emanated from their mothers' first or only marriages in 88.2% of cases, and second unions in 11.8% of cases. Thus it seems that generally, the fathers and mothers of the peers of the northwest and isles were more likely to have had the future peers in later marriages than the fathers and mothers of the peers of the borders and central Scotland. This tendency of the peers of the northwest and isles (and to a lesser degree, those with older titles and those with Catholic leanings) may have had serious implications for the age interval between the parent and his or her successor, as well as the age of the peer himself at succession.

An even greater picture of the source families from which the eighty-five subjects of this study were sprung can be gained through a numerical examination of their siblings. Very little attention has been paid to the subject of siblings, despite the wealth of information available within such works as The Scots Peerage and Sir William

Fraser's genealogies of Scottish titled families. One of the few numerical depictions of siblings of this period which has been mentioned repeatedly¹¹ is the incorrect and provocative statement of Sir John Scot of Scotstarvit with regard to the second earl of Lothian's siblings. He claimed that, including the second earl, they amounted to thirty-one in number,¹² when in fact, Mark Ker, first earl of Lothian and his only wife, Margaret Maxwell, had, as far as is known, but twelve children. Another more accurate enumerative representation is that of the second and third earls of Gowrie and their many siblings, as told by Queen Elizabeth I of England in her correspondence with the young King James VI of December 1584, when she instructed him to leash his anger against the recently-executed first earl, William Ruthven, and not to extend it to his wife, Dorothea Stewart and their thirteen fatherless children.¹³

These two examples might cause one to think that it was common for the Scottish upper peerage to come from rather large families. In fact, the average number of siblings recorded¹⁴ was significantly smaller than twelve or thirteen. The eighty-five peers came from families with an average of 7.7 children in total, and had 6.7 siblings – 4.9 full-blooded siblings and 1.8 half-siblings (both legitimate and illegitimate) from their two parents' other marriages and liaisons. If the children who are known to have died young (7.1% of the total) are discounted, these peers came from families with an average of 7.2 children in total, and had approximately 6.2 siblings, broken down into 4.5 full siblings and 1.7 half-siblings. Of course, there was great diversity within the group. Hugh Montgomerie, fifth earl of Eglinton, had no siblings whatsoever, his mother having died soon after his birth, and his father having been slain within two years of his son's birth without producing further issue, despite entering into a second marriage. Alexander

Stewart, first earl of Galloway, had six full siblings. John Stewart, sixth earl of Atholl, had ten full siblings. Andrew Leslie, fifth earl of Rothes, had sixteen siblings, including six full siblings and ten half-siblings. Patrick Stewart, second earl of Orkney, had at least twenty siblings, including seven full siblings and thirteen or more half-siblings,¹⁵ only two of whom are known to have died young.

**TABLE 3-3:
TOTAL NUMBER OF SIBLINGS & AVERAGE NUMBER
OF SIBLINGS PER UPPER PEER, 1587-1625 (N=85 PEERS)**

	TOTAL NO. OF SIBLINGS	MEAN NO. OF SIBLINGS PER PEER (GROSS)	NO. OF SIBLINGS WHO DID NOT DIE YOUNG	MEAN NO. OF SIBLINGS PER PEER (NET)
TOTAL	566	6.7	526	6.2
FULL SIBLINGS	412	4.9	382	4.5
HALF SIBLINGS	154	1.8	144	1.7
MALE	279	3.3	249	3.0
FEMALE	287	3.4	277	3.2

The average number of known siblings can be broken down to show the division of males and females within. These peers had 3.3 brothers and 3.4 sisters in total, which, after the children who are known to have died young are removed, is reduced to 3 brothers and 3.2 sisters. These figures include 2.1 full brothers and 0.9 half-brothers and 2.4 full sisters and 0.8 half-sisters. Once again, there was great diversity within the group in this regard. Twenty-nine of the peers are known to have had half-sisters, and those who did, had between one (eg. Mark Ker, first earl of Lothian) and seven (eg. Charles Seton, second earl of Dunfermline). Only thirteen of the peers did not have full-blooded sisters, while the remainder had between one (eg. John Maitland, first earl of Lauderdale) and nine (eg. William Douglas, ninth earl of Angus). This profusion of sisters is likely to have been of consequence to the wealth of these families, for if they were to marry, they would require substantial tochers, or dowries. A case in point is that of John Fleming,

second earl of Wigton, the combined total tocher for five of whose sisters was 61,000 merks, each portion of which appears to have taken between one and six years to be paid in full.¹⁶ Thirty-four peers are known to have had half-brothers, ranging between one (eg. William Graham, seventh earl of Menteith) and nine (eg. Robert Stewart, first earl of Orkney) in number, while sixty-five peers had full-blooded brothers, ranging from as few as one (eg. George Lindsay, fourteenth earl of Crawford) to as many as nine (eg. John Murray, first earl of Annandale). Of the twenty peers with no full-blooded brothers, thirteen of these also had no surviving legitimate half-brothers from their fathers' other marriages. This last finding suggests a high level of male infertility, and is an indication of the tenuous grasp that these families had on their continued direct succession to their titles.

An examination of the half-siblings revealed that 69.5% were legitimate issue of other marriages of parents of the peers, while the other 30.5% were illegitimate issue. The mothers of the peers were responsible for thirty percent of these siblings, with forty-five legitimate issue and only one illegitimate birth.¹⁷ The fathers were responsible for the other seventy percent of these half-siblings, including sixty-two legitimate and forty-six known illegitimate issue. These forty-seven recorded illegitimate births represent 8.3% of the total sample of siblings. This figure can be compared with the minimum value calculated by Keith Brown for acknowledged bastards born to Scottish peers during the entire reign of James VI, which was sixty-four, or approximately six percent of all recorded births.¹⁸ It is possible that the larger figure can be attributed to the behaviour of the parents of the upper peers, who may have been responsible for a larger ratio of illegitimate births than were found by Keith Brown. Another possibility is that Dr.

Brown may have excluded some known bastards who were not formally recognized or legitimated in law, thus reducing his calculated proportion somewhat. Lawrence Stone did not address this issue in his study of the English aristocracy, but illegitimacy findings for the general population of England are available for comparison. The English illegitimacy ratio has been shown to have ranged between 0.5 and 5.5 percent, reaching a peak in the two decades on either side of the year 1600.¹⁹ Peter Laslett has reported contemporary decadal bastardy ratios for 24 selected parishes in England ranging between 2.5% and 4.6%, with an overall ratio for the period 1581-1640 of 3.8%.²⁰ A more recent study by Richard Adair using 521 English parishes, 1 Welsh parish and 1 Scottish parish (Dunfermline in Fife), found decadal bastardy ratios ranging between 3.0% and 4.3% in the period 1581-1640. This same study found values between 6.3% and 8.4% for the north-west of England, and between 5.9% and 10.8% for the Scottish parish of Dunfermline for the same period.²¹ The illegitimacy ratios calculated for the Scottish aristocracy fall within the range calculated by Adair for Dunfermline parish, but are significantly larger than those calculated for the general English population. They are also larger than a later illegitimacy ratio calculated for Scotland as a whole for the period 1660 to 1760, which was about four percent.²²

When the factor of siblings of the Scottish peerage was examined within the parameters of the three sub-groupings of the upper peerage, some interesting differences were found. For instance, it was found that the old nobility had more siblings in total than the new peers, an average of 6.41 as compared with 5.85,²³ whereas the new peers had more full siblings on average than the old peers, 4.88 as contrasted with only 4.24. This last finding also held true in regard to full-blooded brothers, where the new peers

had, on average, 2.41, while the old peers had but 1.82. Yet these old peers were found to have had more than double the number of half-siblings, 2.18 as contrasted with the new peers 0.97, and had almost triple the number of legitimate half-brothers (0.73 versus 0.26) and illegitimate half-siblings (0.73 versus 0.23).

TABLE 3-4:
MEAN NUMBER OF FULL & HALF SIBLINGS PER UPPER PEER (1587-1625),
IN TOTAL & BY VARIOUS GROUPINGS

(a) FULL SIBLINGS

PEER GROUPS	MEAN NO. OF SIBLINGS PER PEER (NET)	MEAN NO. OF FULL SIBLINGS PER PEER	MEAN NO. OF FULL BROTHERS PER PEER	MEAN NO. OF FULL SISTERS PER PEER
TOTAL	6.19	4.49	2.05	2.40
OLD PEERS	6.41	4.24	1.82	2.41
NEW PEERS	5.85	4.88	2.41	2.47
PROTESTANTS	6.54	4.54	2.02	2.52
? RELIGIOUS LEANING	5.00	4.67	1.67	3.00
CATHOLICS	5.75	4.41	2.16	2.25
NORTHWEST & ISLES	6.59	4.34	1.96	2.38
CENTRAL SCOTLAND	6.30	4.77	2.19	2.58
BORDER REGION	5.18	3.47	1.82	1.65

(b) HALF SIBLINGS

PEER GROUPS	MEAN NO. OF HALF SIBLINGS PER PEER	MEAN NO. OF LEGITIMATE ½ BROTHERS PER PEER	MEAN NO. OF LEGITIMATE HALF SISTERS PER PEER	MEAN NO. OF ILLEGITIMATE HALF SIBLINGS PER PEER
TOTAL	1.69	0.54	0.62	0.53
OLD PEERS	2.18	0.73	0.73	0.73
NEW PEERS	0.97	0.26	0.47	0.23
PROTESTANTS	2.00	0.68	0.64	0.68
? RELIGIOUS LEANING	0.33	0	0	0.33
CATHOLICS	1.34	0.38	0.66	0.31
NORTHWEST & ISLES	2.24	0.72	0.62	0.90
CENTRAL SCOTLAND	1.53	0.56	0.70	0.26
BORDER REGION	1.70	0.53	0.59	0.59

When the peers were grouped according to their religious leanings, there were very few significant disparities with regard to the average number of siblings between the Protestants and Catholics. The exception to this statement arose in the study of half-siblings, where the Protestant peers were found to have had, on average, 2 half-siblings, consisting of 0.68 legitimate half-brothers, 0.64 legitimate half-sisters and 0.68 illegitimate half-siblings, while the Catholic peers were found to have had, on average, 1.34 half-siblings, including 0.38 legitimate half-brothers, 0.66 legitimate half-sisters and 0.31 illegitimate half-siblings. The Catholic peers seem to have had, on average, less than half the number of illegitimate half-siblings that the Protestant peers did.

When the average number of siblings of these peers were examined by regional division, it was found that the peers from the borders had the least number of siblings, the peers from central Scotland had the most full-blooded siblings, and the peers from the northwest and isles had the greatest number of half-siblings and siblings in total. The peers from the northwest and isles had, on average, 6.59 siblings in total, as compared with 6.3 for central Scotland and 5.18 for the borders. The peers of central Scotland had 4.77 full-blooded siblings, including 2.19 brothers and 2.58 sisters, as compared with 4.34 full-blooded siblings for the northwest and isles and 3.47 full-blooded siblings for the borders. The peers of the northwest and isles had 2.24 half-siblings, while the peers of the borders and central Scotland had 1.70 and 1.53, respectively. These last figures included an average of 0.9 illegitimate half-siblings for the northwest and isles, 0.59 for the borders, and only 0.26 for central Scotland. Thus if one were to ignore factors other than age of peerage title, religious leanings and regional location, one could say that generally, a Protestant peer of the old nobility from the northwest and isles was more

likely to have a larger number of siblings in total, as well as a greater number of half-siblings and illegitimate half-siblings, while a Protestant peer of the new nobility from central Scotland was more likely to have a greater number of full-blooded siblings. Using the same reasoning, a Catholic peer of the new nobility from the borders would be expected to have the least number of siblings in total, and a Catholic peer of the new nobility from central Scotland was more likely to have the least number of half-brothers and sisters, including illegitimate half-siblings.

(ii): EDUCATION & TRAVEL:

While there was no legal obligation requiring the provision of a prescriptive education for Scottish children in general at the turn of the seventeenth century,²⁴ high-born male children with the prospect of peerage succession, or at least a prominent station in society, were the most likely to have received formal instruction suited to meeting the expectations of their well-educated monarch and the needs of the state.²⁵ Information regarding Scotland's contemporary education practices and curriculum is somewhat scanty,²⁶ but simply stated, a young gentleman's education consisted of learning the basic skills of reading, writing and speaking Latin at home with a tutor or in a local school, before advancing to university for a liberal arts education. This might be succeeded by one or more of the following: travel abroad, time spent at court, or the pursuit of further instruction abroad in specialty subjects, for instance, law or divinity. Some general details of the education of thirty-six, or more than two-fifths of the peers under study are known. What has been frequently ascertained is where these peers

studied, sometimes by institution, and sometimes by country. Often, what religious framework this education took place within is also known, as this seems to have been the chief concern of the crown and the kirk,²⁷ who wished the nobility to be educated from a Protestant standpoint, and feared the conversion of students to Catholicism during their Continental studies and tours.

At least twenty-six peers, almost three-quarters of those whose education we know something about, spent some time engaged in study in Scotland, some of them in local grammar schools. For example, the twelfth and thirteenth earls of Sutherland attended the school of Dornoch, the second earl of Perth attended the grammar school at Dunblane, the third earl of Gowrie attended the grammar school at Perth, and the first earl of Melrose attended the High School of Edinburgh. Others were privately tutored – the second earl of Mar and the first earl of Kellie at Stirling along with the king by George Buchanan and Peter Young, the eighth, tenth and eleventh earls of Angus in the earl of Morton's household, the second earl of Dunfermline in his cousin and guardian the third earl of Winton's care, the fifth earl of Eglinton with his maternal uncle Robert Boyd of Badinheath, and the second earl of Orkney under the tutelage of a lord of the court of session, Sir Patrick Waus of Barnbarroch. Others occupied themselves in study while at court, including the first earls of Dunbar and Orkney. At least a dozen peers pursued a formal education at one of Scotland's universities for some time during their teenage years.²⁸ The first marquess of Huntly, the eighth and tenth earls of Angus, the fifth earl of Cassillis, the eleventh earl of Crawford, the ninth earl of Errol, and the first earls of Home and Orkney all attended St. Andrews, the fifth earl Marischal attended King's College at Aberdeen, the third earl of Gowrie and the second earl of Perth

attended the University of Edinburgh, and the thirteenth earl of Sutherland attended both the University of Edinburgh and St. Salvatore's College at St. Andrews. Three peers, the eighth earl of Angus, and the third and fourth dukes of Lennox, are known to have studied in England, Angus as an adult exile at the court of Elizabeth I, the third duke at Gray's Inn, and the fourth duke at Trinity College, Cambridge.

At least eighteen peers, one-half of those whose education we know something about, studied abroad. The purpose of such study was to expand upon their previously-acquired arts education, or to pursue higher education as a Roman Catholic, as the Scottish centres of higher learning had been Protestant institutions since the time of the Reformation.²⁹ Twelve peers are known to have undertaken studies in France. This list includes the second duke of Lennox, the first marquess of Huntly, the tenth earl of Angus, the first earls of Dunfermline, Perth, and Orkney (who may have studied under the noted humanist scholar Peter Ramus)³⁰, the ninth earl of Errol, and the second and third earls of Winton. Also in this list are the third duke of Lennox, who attended the University of Bourges, the first earl of Melrose, who studied at the University of Paris, and the second earl of Perth, who attended the universities at Bordeaux and Toulouse. A number of peers are known to have studied in Italy, including the fifth earl of Bothwell, the first earl of Lothian, the first earl of Dunfermline (at the Jesuits College in Rome), the third earl of Gowrie (at the University of Padua) and the second earl of Lothian (also at the University of Padua). In addition, the sixth earl Marischal is known to have studied extensively abroad, and the third earl of Gowrie and the fifth earl Marischal resided with and received instruction from Theodore Beza in Geneva.

It was observed that this group of peers exhibited some variety in regard to the type and breadth of their scholastic and professional training. At least five of the peers, the third duke of Lennox, the first earls of Dunfermline and Melrose, the third earl of Gowrie and the second earl of Perth, received legal instruction in the course of their travels. The first earl of Dunfermline, Chancellor of Scotland from 1605 to 1622, was also schooled in Greek, mathematics and architecture, and may have taken Holy Orders while in Rome.³¹ The third earl of Gowrie's curriculum included chemistry and the natural sciences, as well as the occult and pseudo-scientific ideas.³² The fifth earl Marischal was accomplished in Latin, Greek, Hebrew, foreign languages, laws and customs, court politics, history, antiquities, oratory, arms and "feats of athletic jugglery."³³ At the other extreme were the peers with very little or no formal learning, including the fifth earl of Buchan, who was simply "brought up in the religion"³⁴ of Scotland, viscount Stormont, who was described as "an ignorant man,"³⁵ and the first earl of Roxburghe, who was reputed to be incapable of reading the Latin writs he received in the course of his duties as Lord Privy Seal, and was described as "no scholer" but "near akin to learning."³⁶ In contrast to all of these examples, the twelfth earl of Sutherland received a basic education locally, and did not attend university, either in Scotland or during his two years of travel abroad.

The small size of the sample for which there is available information on education (36 peers, or 42.4% of the total), limits the reliability of the results of further study of this subject. Yet I believe some tentative statements about the country of study of the different peer groups can still be of some value. In a comparison of the members of the old and the new nobility whose educational histories are known, it was found that 86.4%

and 50%, respectively, undertook some or all of their studies in Scotland, while 50% and 64.3%, respectively, engaged in studies abroad.³⁷ When the Protestants and Catholics whose educational backgrounds are known were compared, it was found that eighty percent of the Protestants and sixty percent of the Catholics pursued some or all of their studies in Scotland, and forty-five percent of the Protestants and two-thirds of the Catholics carried out some studies on the Continent. A regional analysis of the peers whose place of instruction is known revealed that eighty percent of those from the northwest and isles, eighty-five percent of those from central Scotland, and two-thirds of those from the borders employed some time in study in Scotland, while half of those from the northwest and isles, eighty percent of those from central Scotland and one-third of those from the borders passed some time in study abroad. Thus one could generally say that the new peers, the Catholic peers and the peers from central Scotland were apparently somewhat more likely to acquire some of their education on the Continent than were the old peers, the Protestant peers and the peers from the borders, though the participation of the latter groups in such activities should not be lightly dismissed. All of these analyses indicate a general preference for foreign study.

The Scottish nobility seems to have engaged in a good deal of travel, and as was stated earlier, they frequently concluded their education with a grand tour, whether they had studied abroad or not. Some details of the lifetime travels of sixty-nine, or 81.2% of the peers under discussion were discovered. It was found that at least fifty-three of them visited England at some time, and thirty-six or more of them spent some time in France. Fourteen or more of them travelled to Italy, at least eight of them visited the Low Countries, six of them travelled to Germany, four of them went to Spain and/or Portugal,

and four of them journeyed to Denmark. At least three of the peers visited Geneva, a further three travelled over to Ireland, and thirteen engaged in unspecified travel abroad.

The principal reasons for these journeys, of course, were to receive a Continental education and to broaden the horizons of these nobles. But there were numerous other explanations, chief among them being the need to journey from Scotland to London with the removal of the Scottish court at James's accession to the English throne in 1603. Another reason was the need to undertake diplomatic missions, either as a chief ambassador or commissioner, or as a lesser member of an entourage.³⁸ Another cause for the peers to engage in foreign travel was military commissions or assignments, either in the service of the Scottish government, for example, the eighth earl of Morton, who led the Scottish regiment of the Duke of Buckingham's expedition to relieve the Huguenots at La Rochelle in France in 1627; or in the service of a foreign power, for example, the seventh earl of Argyll, the first earl of Buccleuch and the fourteenth earl of Crawford, who served Philip III and IV of Spain, the States-General of Holland and Gustavus Adolphus of Sweden, respectively. Some peers left Scotland to go into voluntary or forced exile, in order to escape the persecution of creditors (eg. the seventh earl of Argyll), the kirk (eg. the tenth earl of Angus), or the displeasure of the king or government (eg. the fifth earl of Bothwell and the second Maxwell earl of Morton). Yet another reason for travel was the pursuit of personal interests. For instance, the eleventh earl of Angus spent time abroad engaged in historical and genealogical inquiries, while the earls of Abercorn spent time in Ireland, overseeing their estates and occupying themselves with the Ulster plantation.

The omissions in these travel records, like those for education, again limit the reliability of the results of an analysis of the countries visited by the peers of the three regions, yet a report of the provisional findings may still prove worthwhile. In a comparison of the old and the new nobility who are known to have travelled, it was found that 72.5% and 82.7% of these peers, respectively, had been to England, and 72.5% and 69%, respectively, had been to the Continent. When the Protestants and the Catholics who are known to have travelled were examined in a similar manner, it was found that 87.2% of the Protestants and 60.7% of the Catholics had visited England, 43.6% of the Protestants and 64.3% of the Catholics had been to France, and 64.1% of the Protestants and 82.1% of the Catholics had been to Europe generally. When the known travels of these peers were examined according to the regional sub-groupings, it was found that 80% of the peers from the northwest and isles, 76.6% of the peers from central Scotland, and 82.3% of the peers from the borders are known to have travelled to England; and 75%, 70.2% and 64.7%, respectively, are known to have travelled to the Continent. Thus, this analysis reveals that the old and the new nobility seem to have had similar travel patterns, the distinction being that the new peers seem slightly more likely to have been to England. The study of the Protestant and Catholic peers disclosed marked differences, with the Protestants more likely to have travelled to England, and the Catholics more likely to have travelled to France and the Continent. There was little discrepancy found in the examination of the travels of the peers by region when it came to visiting England, but it was discovered that there was a slight predilection for those of the northwest and isles to have journeyed abroad versus those in central Scotland, and an

even greater tendency for the peers of the northwest and isles to have been to the Continent than the border peers.

(iii): SUCCESSION & ELEVATION:

There are two themes within the topic of the succession and elevation of the eighty-five subjects to the upper peerage which it is possible to examine, specifically, the relation of these peers to those who they inherited their titles from, and their age at the time of their accession of these titles. Many of the peers, forty or 46.5%, succeeded to their titles directly from their fathers. This figure includes the first marquess of Huntly, who inherited his title from his father the fifth earl of Huntly in 1576, and proceeded to be raised to an even greater dignity within the peerage in 1599. Five peers succeeded to their brothers' titles, and a further five inherited titles from their grandfathers. An example of the former is John, second earl of Perth, who succeeded to the title after his brother James, the first earl, died of a "hectic" sickness³⁹ in 1611 at the age of thirty-one. An example of a peer who inherited his title from his grandfather is the fifth earl Marischal. Three peers, the third earl of Moray, the fifth earl of Buchan and the fifth earl of Bothwell had their titles passed on to them through their mothers, the first two through legitimate succession to the countesses of their respective earldoms, and the last through a crown grant recognizing his right to the dignity in consideration of his maternal descent. Two peers each gained their titles by right of their marriages to titled heiresses (the sixth earl of Buchan and the second earl of Moray), by right of inheritance from their uncles (the sixth earl of Cassillis and the eighth earl of Angus to the Morton dignity), and by right of heir of tailzie or entail (the ninth earl of Angus and the seventh earl of

Morton). The thirteenth earl of Crawford succeeded his nephew, and the sixth earl of Eglinton was infeft in the earldom of his cousin in March 1615 after settling a two-and-a-half-year dispute to gain royal confirmation of his transfer of the title at the fifth earl's death in October 1612. The remaining twenty-five, or 29.1% of the peers, were elevated to their upper peerage titles.

**TABLE 3-5:
ORIGIN OF TITLE SUCCESSION—TO WHOM DID THE UPPER PEERS
(1587-1625) SUCCEED, IN TOTAL & BY VARIOUS GROUPINGS**

TITLE ORI- GIN	TOT.	OLD PEERS	NEW PEERS	PROT- EST- ANTS	? RELIG. LEAN.	CATH- OLICS	NW & ISLES	CENT. SCOT- LAND	BOR- DER REG.
F	40	31	9	21	0	19	16	30	2
GF	5	5	0	4	0	1	3	3	1
Br	5	2	3	1	1	3	1	4	1
U	2	2	0	2	0	0	0	2	0
N	1	1	0	0	0	1	0	1	0
C	1	1	0	1	0	0	0	1	0
H of T.	2	2	0	2	0	0	1	1	1
M	3	3	0	3	0	0	2	0	1
Marr.	2	2	0	2	0	0	2	0	0
Elev.	25	3	22	15	2	8	4	16	11
TOT.	86*	52*	34	51*	3	32	29	58*	17

[KEY: F=father, GF=grandfather, Br=brother, U=uncle, N=nephew, C= cousin, H of T.=heir of tailzie or entail, M=mother, Marr.=marriage, Elev.=elevation. The * signifies that the total =n+1 as the eighth earl of Angus is counted twice, once under F for the Angus title, and once under U for the Morton title.]

When the issue of origin of title was examined within the parameters of the three sub-groupings of the peerage sample that were created in chapter two, some interesting findings resulted. When the old and the new nobility were compared, it was found that thirty-three of the old peers had their titles passed on by their fathers or brothers, whereas this occurred to only twelve of the new peers. The titles of some of the old peers were also devolved from their grandfathers, uncles, nephews, cousins or distant cousins, and

mothers, or gained through marriage. Only three of these old peers were raised to their titles, while the remaining twenty-two new peers gained their peerages through elevation. When the succession of these peers was examined according to their religious leanings, it was found that the titles of the Protestants devolved from their fathers in twenty-one cases (41.2%), their grandfathers in four cases (7.8%), their brothers in one case (2%), their uncles, cousins, distant cousins, mothers, or through marriage in ten cases (19.6%), and through elevation in fifteen cases (29.4%). Whereas the titles of the Catholics descended from their fathers in nineteen cases (59.4%), their grandfathers in one case (3.1%), their brothers in three cases (9.4%), their nephews in one case (3.1%), and through elevation in eight cases (25%). None of the Catholic peers acquired their titles from their uncles, cousins, mothers, or through marriage. Thus these two groups were near evenly-matched in the proportion of the peers who were newly-raised to the body, but they stood apart in that more Catholics inherited from their fathers, while the Protestants seem to have inherited from a broader range of relatives in addition to their fathers. When the title descent of these peers was examined by region, some variations were also found, particularly between the peers of the borders and those of the other two regions. These differences are best illustrated through a closer examination of the proportions of peers who acquired their titles through inheritance from their fathers or through elevation. The peers were found to have succeeded their fathers in sixteen instances (55.2%) in the northwest and isles, in thirty instances (51.7%) in central Scotland, and in two instances (11.8%) in the borders. Elevations to the peerage accounted for four peers (13.8%) in the northwest and isles, sixteen peers (27.6%) in central Scotland, and eleven peers (64.7%) in the borders. Thus it can be said that the

better part of these border peers were recent additions to the upper peerage, while slightly more than half of the peers of the other two regions inherited their titles from their fathers, with the remainder tracing their honours to a relatively-balanced mixture of relatives and new grants.

These eighty-five peers succeeded or were raised to titles a total of ninety times,⁴⁰ at a wide range of ages within their lifetimes, between approximately twenty-one months (the fifth earl of Cassillis) and sixty-seven years (the thirteenth earl of Crawford).⁴¹ The mean age for title accession was 28.5 years, with two-thirds of these accessions occurring between the ages of fourteen and forty-nine. A further eleven of these titles were gained by peers aged fifty and above. Thirty, a full third, were acquired when the peer was a minor, under the age of majority, and 30% of these occurred when the peer was a pupil, under the age of legal capacity for males.⁴² This thirty can be compared with the approximately eighty-one English peers, who, according to Stone, acceded to their titles between 1558 and 1641, a figure which also represents one-third of the sample.⁴³ Another method of understanding the significance of this large number of Scottish minor peers is to total up their time spent as titled peers before gaining their full legal majority, an aggregate of approximately two hundred and eighty-five years. This is the equivalent of 3.2 years for every title-holder or 3.4 years for every peer in the sample, a substantial amount of time. One can conclude that succession at a young age seems to have been common in Scotland, but no more common than it appears to have been in England. This might indicate that fathers or other title-holders at this level of society were dying relatively early, or that their heirs were being born late in their lives. One can also speculate that this multitude of minor peers may have provided ample opportunity for the

unscrupulous to take advantage of their property and make decisions which affected their lives. A case in point was the eleventh earl of Sutherland, whose father was poisoned in 1567. The fifteen-year old son succeeded to the title, but his father's rival, the fourth earl of Caithness, had his person and castles seized, purchased his wardship, burned all of the family writs he was able to find, and forced the minor to marry his thirty-two-year old daughter. The young earl escaped in 1569, and sought the protection of the Gordon earls of Huntly, but had to wait until he came of age in 1573 before he was able to begin to rectify his situation and gain a divorce from Barbara Sinclair on the grounds of her adultery and an exploitation of tutorial powers by the earl of Caithness.⁴⁴

When the age of the peers at the time of their succession or elevation to their titles was examined within the parameters of the sub-groupings of the total sample, considerable variations were discovered amongst some of the categories. An examination of the old and the new nobility revealed that the former acceded to their titles between the ages of twenty-one months and sixty-seven years, with the average equalling 23.4 years. The new nobility came into their titles between the ages of six and fifty-nine, with a mean accession age of 35.8 years. This finding can be related to our previous discovery that almost sixty-five percent of the new nobility were elevated to their titles, and suggests that it took them a greater length of time to gain this recognition than it did for those who succeeded directly. It appears from the analysis of the next set of sub-groupings that religious leanings had little to do with age of succession or elevation, for it was found that the mean accession ages for the Protestants and Catholics were 28.9 years and 27.3 years, respectively. More dramatic differences were revealed from an examination of the third set of sub-groupings, the regional divisions. The peers

of the northwest and isles were found to have come into their dignities between the ages of five and fifty-nine years, with an average age of 23.2 years. The peers of central Scotland succeeded or were raised between the ages of 1.75 years and sixty-seven years, with a mean age of 29.2 years, and the border peers acceded between the ages of six years and fifty-nine years, with an average age of thirty-five years. Once again, it seems that this elevated accession age for the border peers is related to the proportion of peers who were raised (64.7%), rather than succeeded to the peerage. Regardless, one can conclude that the new peers acceded to their dignities later in life on average than did the old peers, as did the border peers when compared with those of central Scotland and the northwest and isles.

**TABLE 3-6: MEAN AGE (in years) OF THE UPPER PEERS, 1587-1625
AT THE TIME OF THEIR TITLE SUCCESSION,
IN TOTAL & BY VARIOUS GROUPINGS**

	TOT.	OLD PEERS	NEW PEERS	PRO- TEST- ANTS	? RELIG LEAN.	CATH- OLICS	NW & ISLES	CENT SCOT- LAND	BOR- DER REG.
MEAN AGE	28.5	23.4	35.8	28.9	35.0	27.3	23.2	29.2	35.0

Once these peers had succeeded or were elevated to their titles, they collectively formed the body of the upper ranks of the peerage until such time as they individually died, or were stripped of their dignity. At this time, it might prove propitious to elaborate upon the subject of age, in order to expand upon our knowledge of this body's make-up at specified intervals. The average age and age composition of the peerage as it stood at various points over the period of James's adult reign can now be calculated using both the totals and the designated years from the discussion of the numbers and composition of the peerage in chapter two.⁴⁵

**TABLE 3-7: THE MEAN AGE (in years) OF
THE UPPER PEERS HOLDING TITLES & THE NUMBER
OF MINOR PEERS HOLDING TITLES IN DESIGNATED YEARS**

	1587	1597	1607	1617	1625
MEAN AGE OF PEERS	28.0	34.7	39.7	39.3	40.9
<i>Note:</i>	<i>50% of peers < 25 years old</i>				<i>50% of peers ≥ 40 years old</i>
NO. OF MINOR PEERS	7	4	2	3	4

In 1587, the mean age of the twenty-five contemporary peers was 28 years.⁴⁶ This group included seven minors, seven peers in their twenties, seven peers in their thirties, two peers in their forties and two peers in their fifties. In 1597, the average age of the twenty-five existing peers rose to 34.7 years, but now there were four minors (if you include the twenty-year old third earl of Gowrie), five peers in their twenties, seven peers in their thirties, five peers in their forties, three peers in their fifties and one peer in his sixties. In 1607, the mean age of the peers, now thirty-six in number, rose yet again, to 39.7 years. There were only two minors, as well as eight peers in their twenties, six peers in their thirties, nine peers in their forties, eight peers in their fifties, two peers in their sixties and one peer in his seventies. In 1617, the average age of the peers, now thirty-five in number, declined slightly, to 39.3 years. This group included three minors, seven peers in each of the following age brackets: 20-29, 30-39, 40-49, and 50-59, and four peers in their sixties. At the end of the reign in 1625, the average age of the peers, now a group of forty-two, rose again, to 40.9 years. This company included four minors, four peers in their twenties, twelve peers in their thirties, nine peers in their forties, eight peers in their fifties, four peers in their sixties and one peer in his seventies. The average

age of these peers, when examined at intervals of approximately one decade, was rising almost constantly, and grew by 12.9 years over a period of thirty-eight years. At the beginning of the king's adult reign, one-half of the peers were less than twenty-five years of age. By 1625, one-half were aged forty or more. We saw earlier that the peers were slightly younger than, or of an age with the king. They also aged alongside him.⁴⁷

To summarize, one could say that the majority of the sample of peers exhibited the following qualities: they were descended from peers of the realm, they were, for all intents and purposes, their parents' eldest sons, they issued from their parents' first marriages even if their parents had gone on to remarry, and they had, on average, 6.2 surviving siblings, consisting of 4.5 full siblings and 1.7 half-siblings, or 3 brothers and 3.2 sisters. Furthermore, slightly more than thirty percent of their acknowledged half-siblings were illegitimate, representing 8.3% of the total sample of siblings. These peers appear to have been genuinely well-travelled, and at least three-quarters of those about whose schooling something is known underwent some degree of study in Scotland, while one-half studied abroad. The average age of title accession in this group was 28.5 years, with one-third of the titles devolving on minors. Over forty-six percent of the upper peerage titles to which these peers acceded were inherited from their fathers, 24.4% were inherited from other relations, and 29.1% were new creations. Analyses of the sample over time revealed that the number of peers of non-noble birth was rising, as was the average age of the peers themselves. Some of the more interesting generalizations about the various sub-groupings within the peerage bear repeating. Peers with older titles and peers from the northwest and isles had the greatest number of siblings, peers with older titles or Protestant leanings and peers from the northwest and isles had the most half-

siblings, and peers from the borders had the least number of siblings. Peers with newer titles or Catholic leanings and peers from central Scotland were more likely to have studied abroad. Peers with newer titles or Protestant leanings were more likely to have visited England, while peers with Catholic leanings and peers from the northwest and isles were more likely to have been to the Continent. Between fifty and sixty percent of the peers with older titles or Catholic leanings and peers from the northwest and isles or central Scotland inherited their titles from their fathers, while near two-thirds of the peers with newer titles or from the borders were elevated. These last two groups, the new peers and the border peers, tended to accede to their titles later than average, and about twelve years later than did the peers with older titles and the peers of the northwest and isles.

ENDNOTES

¹ These were the sixth earls of Rothes and Cassillis, the second earls of Abercorn and Home, the thirteenth earl of Sutherland, the fourth duke of Lennox, and the second earl of Dunfermline.

² The exact birthdates of few of these peers are known. In most instances, only the year, or an approximate year, are known. In less than ten percent of cases, only a rough estimate is possible. When a range of likely years has been given in a source, or can be determined from a number of sources, I have chosen to use the mid-point. In cases in which it is known or can be determined only that the peer was born after or before a given year, I have chosen to use the year immediately following or preceding said year. For example, according to Sir William Fraser [*The Scotts of Buccleuch*, (Edinburgh, 1878), vol. I: 242.], Walter Scott, first earl of Buccleuch is thought to have been born soon after 1 October 1586 (the date of his parents' marriage contract). For the purposes of this study, he was likely born c.1587. According to the *Scots Peerage* [vol. 2: 474, 477-478.], John Kennedy, sixth earl of Cassillis was born between 1601 (his parents' marriage contract is dated 2 September 1600) and 25 March 1607. For the purposes of this study, he is thought to have been born c.1604.

³ In a normal curve or distribution, approximately 68% of the sample population falls within one standard deviation of the mean, approximately 95% of the population falls within two standard deviations of the mean, and 100% of the population falls within three standard deviations of the mean. In this instance, 68.2%, 94.1%, and 100% of the birth dates fall within one, two and three standard deviations of the mean, 1573, respectively. If a graph of the birth years vs. relative frequency is plotted, the result is a smooth, bell-shaped curve.

⁴ James Erskine, the second son of the second earl of Mar, was married to Mary Douglas, Countess of Buchan in her own right, the only child and heiress of the fifth earl of Buchan. James Stewart, the eldest son of Sir James Stewart (who soon thereafter was raised to the peerage as the first Lord Doune), married Elizabeth Stewart, Countess of Moray in her own right, the eldest daughter and co-heir of Regent Moray.

⁵ Maureen M. Meikle, "The Invisible Divide," *Scottish Historical Review*, 71(1992): 70 and *passim*.

⁶ These four were William Douglas, ninth earl of Angus, son of Archibald Douglas of Glenbervie and great-grandson of the fifth earl of Angus; William Douglas, seventh earl of Morton, son of Sir Robert Douglas of Lochleven; Robert Ker, first earl of Roxburghe, son of William Ker of Cessford; and John Murray, first earl of Tullibardine, son of the comptroller of Scotland (1566-1583), Sir William Murray of Tullibardine.

⁷ These were the first earls of Annandale, Dunbar, Galloway, Kellie and Melrose, and viscounts Haddington and Stormont.

⁸ Originally, a commendator was a churchman who was appointed by the king to administer and enjoy the revenues of a benefice (an abbey or a priory) which he was not eligible to hold. In the sixteenth century, these offices were extended to laymen, who could draw on the revenues of their religious houses without performing religious duties.

⁹ As discussed in chapter 2, p. 16.

¹⁰ In 1597, the exception was William Douglas, seventh earl of Morton. In 1607, the son of a greater laird was John Murray, first earl of Tullibardine. The other four were the first earls of Dunbar and Lothian, and the viscounts Fentoun (later first earl of Kellie) and Haddington. In 1617, the son of a greater laird was Robert Ker, first earl of Roxburghe and the two sons of lesser lairds were Thomas Erskine, viscount Fentoun (later first earl of Kellie) and John Ramsay, viscount Haddington. In 1625, the two sons of greater lairds were Walter Scott, first earl of Buccleuch & Robert Ker, first earl of Roxburghe, while the other 7 were the 1st earls of Annandale, Galloway, Kellie & Melrose, & the viscounts Air, Haddington & Stormont.

¹¹ Including Complete Peerage, vol. 8: 145, note (g); Scots Peerage, vol. 5: 457; and DNB, vol. 2: 691.

¹² Charles Rogers, "The Staggering State of Scottish Statesmen From 1550 to 1650 By Sir John Scot of Scotstarvet. With a Memoir of the Author, and Historical Illustrations," TRHS, old series, 1 (2nd ed.; 1875, reprinted 1971): 364.

¹³ W. Scott, D. Laing, and T. Thomson, eds., The Bannatyne Miscellany, (reprinted, New York, 1973), vol. 1, part 1: 106. The first earl and his wife had another daughter, Katherine, baptized 28 February 1572, who died young, apparently before 1584.

¹⁴ The discussion of siblings is based upon the number known or recorded. It is likely that not all births were recorded, particularly if a child was born out of wedlock, stillborn, or died soon after birth. The chance of this occurring is believed to have been greater if the child was female. Thus, the data discussed may reflect an underenumeration of siblings, particularly in terms of sisters and illegitimate siblings.

¹⁵ These figures are higher than those shown in the peerage. For an increase in the number of known illegitimate daughters of the first earl of Orkney, see Peter D. Anderson, Robert Stewart, Earl of Orkney, Lord of Shetland, 1533-1593, (Edinburgh, 1982): 130-131.

¹⁶ Francis J. Grant, ed., Charter Chest of the Earldom of Wigtown, 1214-1681, (Edinburgh, 1910): 42-43, items 331-332, 334-339. The amount of a sixth sister's marriage portion is unknown, and two half sisters appear not to have married. A merk was two-thirds of a Scottish pound.

¹⁷ Margaret Erskine, the mother of William Douglas, seventh earl of Morton, bore one of King James V's many illegitimate children, James Stewart, later first earl of Moray and regent of Scotland (1567-1570).

¹⁸ Keith M. Brown, "In Search of the Godly Magistrate in Reformation Scotland," Journal of Ecclesiastical History, 40 (1989): 569.

¹⁹ E.A. Wrigley and R.S. Schofield, The Population History of England, 1541-1871, (London, 1981): 158; and Keith Wrightson, English Society 1580-1680, (New Brunswick, New Jersey, 1982): 84, 145.

²⁰ Peter Laslett, Family Life and Illicit Love in Earlier Generations: Essays in Historical Sociology, (Cambridge, 1977): ch. 3, 116-117 (table 3.1) and 134-135 (table 3.4).

²¹ Richard Adair, Courtship, Illegitimacy and Marriage in Early Modern England, (Manchester, 1996): 50 (table 2.1), 60 (table 2.7) and 22 (table 1.1).

²² R.A. Houston and I.D. Whyte, "Introduction: Scottish Society in Perspective," in R.A. Houston and I.D. Whyte, eds., Scottish Society 1500-1800, (Cambridge, 1989): 4; and Leah Leneman and Rosalind Mitchison, "Scottish Illegitimacy Ratios in the Early Modern Period," Economic History Review, 2nd ser., 40(1987): 53 (figure 6).

²³ These figures and all ensuing ones in this paragraph exclude siblings who are known to have died young.

²⁴ David M. Walker, A Legal History of Scotland, (Edinburgh, 1996), vol. 4: 669.

²⁵ There was a parliamentary act (1496 James IV c.3) issued during the reign of King James IV which ordered all barons and freeholders of means to send their eldest sons to school to study Latin and the laws in order to better administer justice in the realm. The act stated that non-compliance would result in the baron having to pay a substantial fine to the king. The act seems not to have been enforced as "there is no record of a single prosecution or fine for an offence under the Act." James Scotland, The History of Scottish Education, (London, 1969), vol. 1: 38. For the education of James VI, see D.H. Willson, King James VI and I, (London, 1963): 19-27; Maurice Lee Jr., Great Britain's Solomon: James VI and I in His Three Kingdoms, (Urbana, 1990): 31-32; Caroline Bingham, The Making of a King: The Early Years of James VI and I, (New York, 1968): 50-56, 83-87, 95-99.

²⁶ For what is known, see James Scotland, The History of Scottish Education, (London, 1969), vol. 1; and R.A. Houston, "Scottish Education and Literacy, 1600-1800: an International Perspective," in T.H. Devine, ed., Improvement and Enlightenment, (Edinburgh, 1989): 43-61.

²⁷ David M. Walker, A Legal History of Scotland, (Edinburgh, 1996), vol. 4: 669.

²⁸ Even during the eighteenth century, the average university entrance age in Scotland was 14 or 15, with the youngest student aged 12. Students might spend a number of years attending university, but rarely graduated with degrees in the modern manner. Exceptions include the third earl of Gowrie, who obtained a MA degree at the University of Edinburgh in 1593, and the fourth duke of Lennox, who received a MA degree from Cambridge in 1624. James Scotland, The History of Scottish Education, (London, 1969), vol. 1: 151, 153.

²⁹ James Scotland, The History of Scottish Education, (London, 1969), vol. 1: 140-141.

³⁰ Peter D. Anderson, Robert Stewart, Earl of Orkney, Lord of Shetland, 1533-1593, (Edinburgh, 1982): 8, 159.

³¹ DNB, vol. 17: 1199.

³² DNB, vol. 17: 504-509; Keith M. Brown, "In Search of the Godly Magistrate in Reformation Scotland," Journal of Ecclesiastical History, 40(1989): 575.

³³ DNB, vol. 10: 1204; Peter Buchan, An Historical and Authentic Account of the Ancient and Noble Family of Keith, Earls Marichal of Scotland...., (Peterhead, 1820): 51-52; Robert Chambers, ed., A Biographical Dictionary of Eminent Scotsmen, (New ed.; Glasgow, 1870), vol. 2: 419.

³⁴ [1594], "Catalogue of Noble-Men," in Public Record Office (Great Britain), The Calendar of State Papers Relating to Scotland...., ed. Annie I. Cameron, (Edinburgh, 1936), vol. 11, document 201: 256.

³⁵ Charles Rogers, "The Staggering State of Scottish Statesmen From 1550 to 1650 By Sir John Scot of Scotstarvet. With a Memoir of the Author, and Historical Illustrations," *TRHS*, old series, 1(2nd ed.; 1875, reprinted 1971): 390.

³⁶ Charles Rogers, "The Staggering State of Scottish Statesmen From 1550 to 1650 By Sir John Scot of Scotstarvet. With a Memoir of the Author, and Historical Illustrations," *TRHS*, old series, 1(2nd ed.; 1875, reprinted 1971): 369; "Elegy on Sir Robert Kerr, of Cessford, First Earl of Roxburghe," in W. Scott, D. Laing, and T. Thomson, eds., *The Bannatyne Miscellany*, (reprinted, New York, 1973), vol. 1, part 2: 192.

³⁷ These figures exclude England.

³⁸ Among those who filled the position of chief ambassadors or commissioners were the second duke of Lennox, the first marquess of Hamilton, the second earl of Mar, the fifth earl Marischal, and the first earls of Home, Nithsdale and Wigton. The first earls of Dunbar, Dunfermline, Kellie, Linlithgow, Orkney, Perth and Winton were among those who had travelled as lesser members of diplomatic entourages.

³⁹ A wasting disease, possibly tuberculosis.

⁴⁰ The following peers acceded to two separate titles at different times, and were thus counted twice: the first marquess of Huntly (April 1599, 6th earl of Huntly October 1576), the eighth earl of Angus (June 1557, earl of Morton October 1587), the first earl of Annandale (March 1624, viscount Annan June 1622), the first earl of Kellie (March 1619, viscount Fentoun March 1606), and the first earl of Lauderdale (March 1624, viscount Lauderdale April 1616).

⁴¹ The age of these peers at succession or elevation were calculated based upon their estimated birthdates (see this chapter, note 2), and the date of the official charter or service for the title, or the death date of the previous title-holder. In one instance, that of the fifth earl of Glencairn, the exact death date was unclear and encompassed a range of time, 1576-1580, therefore the mid-point, 1578, was used.

⁴² The age of majority was 21 years. The age of legal capacity for males was 14 years. David M. Walker, *A Legal History of Scotland*, (Edinburgh, 1995-1996), vol. 3: 687-688; vol. 4: 669-672.

⁴³ Lawrence Stone, *The Crisis of the Aristocracy 1558-1641*, (Oxford, 1965): 788, appendix xxvii. The figure of 81 is approximate because it cannot be determined how many twenty-year olds, if any, may be grouped in the 20-29 section of this table.

⁴⁴ *Scots Peerage*, vol. 8: 343-346; *Scottish Nation*, vol. 3:544; Barbara I.W. Lothian, "A Strange Wooing—Lady Jane Gordon: A Sixteenth Century Portrait," *Aberdeen University Review*, 34(1951-52): 229-230; Keith M. Brown, "In Search of the Godly Magistrate in Reformation Scotland," *Journal of Ecclesiastical History*, 40(1989): 570. The earl's wardship was entrusted to his sister Margaret, who sold it to John, earl of Atholl, who sold it to the fourth earl of Caithness. *DNB*, vol. 8: 212.

⁴⁵ See: chapter 2, pages 13-14.

⁴⁶ This figure corresponds generally with Brown's calculation of around 27 years. Keith M. Brown, *Bloodfeud in Scotland, 1573-1625*, (Edinburgh, 1986): 20.

⁴⁷ This trend continued beyond the king's death. In 1633, the average age of 20 leading Scottish courtiers was approximately 46 years. Keith M. Brown, "The Scottish Aristocracy, Anglicization and the Court, 1603-38," *Historical Journal*, 36(1993): 555.

4: FEATURES OF THE SCOTTISH PEERAGE II

The analysis and discussion of demographic rites of passage in the lives of the 85 Scottish peers continues in this chapter, the focus now shifting to their marriages, fertility and mortality. Once again, the dates associated with some of these events can be found in Appendix F.

(i): MARRIAGE:

Of the 85 peers under study, 82 were married one or more times in the course of their lives. The three peers who never married were the second earl of Gowrie, who died aged 13; the third earl of Gowrie, a 23-year old who was killed soon after his return from a five-year educational sojourn abroad; and the third earl of Arran, a peer whose name was discussed in the betrothal negotiations of two queens, the future Elizabeth I of England in 1543, and Mary of Scotland in 1561, but who showed definite signs of insanity by the age of 24.¹ The 82 peers who did marry were wed between one and three times. Fifty-two, representing 61.2% of the total sample, were married but once in their lives,² twenty-two were married twice,³ and eight were married three times. This resulted in a total of 120 marriages to 118 women.⁴ Thus, in this sample, those peers who were wed were married an average of 1.46 times.

AGE AT MARRIAGE:

Throughout the period under study, the minimum legal age at which marriage could officially be contracted was the termination of pupillarity, which was fourteen years for males, and twelve years for females. Marriages could be arranged before the age of consent, with betrothals being valid from the age of seven.⁵ In this sample of peers, there are numerous examples of peers who were wed at young ages, but the

averages reflect the delay of marriage to a somewhat more mature age. In an examination of 119 of these first, second and third marriages, it was found that the peer was between 12 and 76 years of age at the time at which his marriage or marriages was formalized, with the average age being about 28.5 years.⁶

When first marriages were isolated from the rest, it was discovered that the Scottish peers were married for the first time between the ages of 12 and 48 years, with the average being about 23 years.⁷ The average age at first marriage was 23.9 years for peers who married only once, and less for those who remarried: 21.1 years for peers who married twice, and 21.5 years for the peers who were married three times. Over half of the peers were married for the first time between the ages of 18 and 28 years, while 16% were aged 30 or more. Almost 45% of the peers were married while still minors, with eleven (13.6%) of them aged fifteen or less. In his study of English peers and their heirs male who lived to the age of thirty, Lawrence Stone found that for the periods 1540-1599 and 1600-1659, 6% and 5%, respectively, were married by the age of fifteen years, signalling a general "postponement of marriage to a more reasonable age," the early twenties rather than the middle teens.⁸ Thus it can be said that the Scottish peers exhibited a somewhat greater tendency than the English nobles to marry early in their lives, but generally followed a similar pattern of marriage delay to the twenties.

There were 30 peers who married two or three times. Their second marriages occurred between the ages of 20 and 58, with a mean age of 37.1 years. The average age at second marriage of those peers who married only twice was about 38.1 years, while those who went on to marry for a third time were married secondly at a somewhat lower age, approximately 34.3 years. Slightly more than three-quarters of these second

marriages occurred while the peers were between the ages of 28 and 47, half while the peers were between the ages of 30 and 44. Eight of the thirty peers entered into third marriages when they were between the ages of 25 and 76. Their average age at third marriage was 51.8 years. At the time of these unions, one of the peers was in his mid-twenties, one was in his early thirties, one was in his mid-forties, two were in their early fifties, one was in his mid-sixties, one was in his late sixties, and the last was in his mid-seventies.⁹ Thirteen of these 38 remarriages occurred while the peer was less than 35 years of age, the lower limit of the range at which Hollingsworth said most of the remarriages among his sample of British peers and their sons were contracted.¹⁰ It might be concluded that these Scottish peers, in addition to marrying earlier in their lives for the first time in comparison with English nobles, tended to remarry earlier in their lives when compared with the British peerage generally.

REMARRIAGE:

There are a variety of reasons why these peers may have remarried. They include the importance of perpetuating the family through the production of legitimate heirs; the desire to have a life partner and sexual companion; the need to have a manager and caretaker for their households (and estates), especially if they contained minor children from their previous marriage(s);¹¹ the hope of fostering new dynastic alliances for social and political gain with the second or third bride's family;¹² an inclination to please the monarch, or possibly, members of their own families; and a wish to enrich themselves with the acquisition of the new wife's dowry property and/or widow's possessions.¹³ The Scottish peers may have remarried for any or all of these reasons, but specifically noted was the dearth of male heirs among them. Ten peers remarried after their first wives died

without surviving male issue (in two of these cases there were surviving daughters),¹⁴ and one peer remarried after obtaining a divorce from a woman who did not bear him any children.¹⁵ A further seven peers who married for a second time had but one surviving male heir each.¹⁶ For some of these peers, their second marriages did not ease their dilemma with regard to male issue. Of the eight peers who married for a third time, four did so after their second wives died without surviving male issue, and one remarried after obtaining a divorce from his second childless wife.¹⁷

Another common theme in the 38 remarriages of these peers was observed. It seems that wealth may have been a factor in their choice of subsequent wives, for nine of their second wives and four of their third wives were widows,¹⁸ one of the second wives was an heiress, and three of the matches received royal support.¹⁹ One remarriage, the second marriage of the sixth earl of Atholl, seems to have been especially driven by finances. He married, secondly, Mary Ruthven, the widow of the fifth earl of Atholl, when he succeeded to his earldom in 1596.²⁰ One can speculate that his motivation for this action may have been to keep the income of the earldom intact, for on the marriage, Mary Ruthven's *terce*, her right as a widow to one-third of her late husband's heritage during her lifetime, became the property of her new husband and was returned to the earldom. Perhaps this marriage was simply a convenient means of ensuring the best financial interests of the earldom and this couple's ten respective minor children who were dependent upon it.²¹ This second union on each of their parts lasted until the sixth earl's death more than seven years later, in the fall of 1603. Whatever the arrangement, the marriage did not produce further children, despite the likelihood that Mary Ruthven

was still of an age to bear children, her second marriage having occurred but sixteen years after her first.²²

One other aspect of remarriage which can be examined is the time intervals between the peers' successive marriages. In most cases, it is near impossible to determine these time periods with the sources available, often as the death date of the earlier wife is missing. Good values or approximations thereof were produced in only ten of thirty-eight instances. Suprisingly, these intervals were found to be quite short. In six cases, the peer remarried within two years of the termination of his previous marriage – in less than one year in four of these cases.²³ Two of the remarriages occurred within about four years of the end of the previous marriages, one within six years, and one approximately eleven years later.²⁴

DURATION OF MARRIAGE:

Despite the apparent frequency and speed of remarriage among these peers, their unions were reasonably stable relationships while they lasted. As has already been determined, more than 60% of these nobles were wed but once in their lives. Only 5% of all of their marriages ended in divorce.²⁵ The few known marital separations seem to have been temporary, as the couples were reconciled.²⁶ Their unions could also be of considerable duration.²⁷ The marriages of these peers lasted between one day (the second earl of Winton's first marriage) and fifty-one years (the ninth earl of Errol's third marriage). The mean length of marriage in this group was about 17.6 years, with first marriages lasting on average the longest, 18.3 years, while second and third marriages lasted 16.2 and 15 years, respectively. Sixty-nine (58%) of the 119 marriages appear to have lasted fifteen or more years. By way of comparison, Lawrence Stone found that the

average duration for marriage among the children of the English squirarchy in the early seventeenth century was twenty-two years,²⁸ and only one-third of marriages among the English nobility in the period 1558 to 1641 lasted less than fifteen years.²⁹ Thus, on average, the marriages of the Scottish peers appear to have been shorter than those of their English counterparts, and generally of insufficient duration to bear a family and raise them all to marriageable age. The union was terminated before this process could be completed. Due to the prevalency of remarriage among this group, it is probable for some of the children of earlier marriages to have been raised by step-parents.

Marriages were usually terminated by the death of one of the spouses. What ratio of these represent the early demise of their wives, and what ratio represents the deaths of the peers themselves? Of the 109 of the 120 unions whose reason for ceasing can be determined, five ended in divorce, at least 46 (or 38.3%) ended with the deaths of the peers, while 58 (or 48.3%) ended due to the death of the wives of the peers. The results are not very different from each other (given that there are eleven undetermined cases), indicating that these women seem to have had only a slightly higher chance of dying first, despite the oft-cited hazards of maternal mortality.³⁰ That is not to say that such a risk was not present. At least four of the wives are known to have died in, or as a result of, childbirth.³¹

THE WIVES:

The 118 women who were married to the peers used in this study make an interesting sample group in their own right, one which can be used in some instances as a basis for comparison with the peers. These women were married between one and four times each,³² resulting in a total of 169 marriages (120 of them to peers in this study) and

an average of 1.43 marriages per person. This compares with an average of 1.46 marriages for each peer, showing that, on average, the men in this study and their wives can be said to have been wed an equal number of times.

It is difficult to determine many of the birthdates of the wives, and thus their ages at marriage or in relation to their husbands. The ages at marriage of 24, or about one-fifth of these wives could be ascertained.³³ At the time of their marriages to one of the 85 peers, they were between 13 and 45 years of age,³⁴ with the mean age being about 21.1 years. This differs significantly from the peers, who, it will be remembered, married between the ages of 12 and 76 years, with an average age equalling 28.5 years. Almost twenty percent of all of the wives of the peers had been married previously, and within the sample there are six women who were widows or divorced.³⁵ If these six women are removed from the calculations, the brides were between the ages of 13 and 32 years at the time of their first marriages,³⁶ with the average age being significantly lower, 17.1 years. At first marriage, the peers were between 12 and 48 years of age, and the average age was 23 years. After the union of the crowns of England and Scotland and the removal of the Scottish court to England in 1603, the Scots began to intermarry with the English.³⁷ Fourteen of the total of 118 women married to the peers under study here were English. Within the smaller sample of the wives whose ages could be determined, there were seven English brides.³⁸ If they are removed from the calculations of age at marriage, it was found that the mean age at marriage (for Scottish brides only) decreased—to 19.9 years for all marriages, and 16.8 years for first marriages. Thus it can be said, based on a study of a sample of their wives, that the peers' brides were usually younger than their husbands, both generally and at first marriage, with the Scottish brides being slightly

younger on average than the English brides. This finding was further substantiated when the ages at marriage of the same 24 women were compared with their 25 husbands taken from among the 85 peers. The men were found to have been anywhere between less than half and approximately 2.3 times the age of the women.³⁹ On average though, the peers tended to be about thirty percent older than their wives at the time of their marriage. Typical examples included the sixth earl of Cassillis and his first wife, who at the time of their marriage were about 18 and 14 years, respectively, and the first earl of Wigton and his second wife, who were approximately 43 and 34 years, respectively.

TOCHERS:

There was very little information in the sources regarding the tochers, or dowries, of these women pledged at the time of their marriages to the peers. The details regarding these transactions which are available have usually come from marriage contracts. These were commonly used by contemporary titled or propertied families to establish, in writing, the mutual promise to marry, the date by which this event should occur, the bride's family's pledge to provide a dowry corresponding with the father's wealth and rank in society, the marriage gift of the groom or his family to the bride, the groom's provision for his bride if widowed, and the couple's provision for their future children, or their children from previous marriages.⁴⁰ By the second half of the sixteenth century, the tocher almost always took the form of money,⁴¹ rather than goods, as is the case in the fifteen examples found amongst the peers and their wives, shown below.

**TABLE 4-1: MARRIAGE TOCHERS OF SELECTED WIVES OF THE
SCOTTISH PEERS, 1563-1632**

PEER	WHICH WIFE	YEAR	TOCHER VALUE
2 nd marq Hamilton	Only	c. 1603	40,000 merks
10 th earl Angus	Only	c. 1585	8,000 merks
6 th earl Atholl	First	1580	9,500 merks
1 st earl Buccleuch	Only	1616	20,000 merks
11 th earl Crawford	First	1573	10,000 merks
6 th earl Eglinton	First	1612	30,000 merks
2 nd earl Kinghorne	First	1618	30,000 merks (£20,000)
3 rd earl Montrose	Only	1563	6,000 merks
2 nd Maxwell earl Morton	Only	c. 1599	20,000 merks
12 th earl Sutherland	Only	1600	20,000 merks
13 th earl Sutherland	First	1632	53,000 merks
2 nd earl Tullibardine	First	1599	15,000 merks (£10,000)
2 nd earl Wigton	Only	1609	28,000 merks
1 st earl Winton	Only	1583	11,000 merks (average of 10-12,000 merks)
3 rd earl Winton	Second	c. 1626	20,000 merks

It is both a difficult and a hazardous task to make a straightforward comparison between any one of these tochers and another for a variety of reasons. For instance, not all of the brides' fathers were equal in wealth and rank in society. As the value of the tocher was supposed to be a reflection of these qualities, there could be vast differences between the tochers of the daughter of a marquess and the daughter of a minor lord. Even within one family, the values of the tochers were likely to vary from daughter to daughter, with the eldest usually having the largest tocher, and her sisters having lesser amounts.⁴² The number of daughters that a father had to dower could also effect the amount he was able to provide each.⁴³ Also, a father might pledge a larger tocher to attract a more prominent

husband for his daughter, inflating it to reflect the wealth or rank of the groom, rather than the father. But the chief concern in comparing these 15 tochers with one another is the rapid rate of inflation during this time. The tochers span the period 1563 to 1632, during which time Scotland experienced both an inflationary price revolution and currency devaluation, with exchange of the Scottish pound falling relative to the English pound by between 3:1 and 4:1 in the 1560s, to 12:1 by 1603, and grain prices increasing six-fold between 1550 and 1600. The price inflation for commodities was not evenly distributed over time, but occurred in great spurts, especially during the 1580s and 1590s, and did not begin to stabilize or level out before the 1620s.⁴⁴ Thus, any comparison of tochers pledged at different times, even within this 60-year period, is risky. Given these limitations, the 15 amounts were examined and averaged in order to create an approximate mean sample value representative of the tochers received by the 82 wedded peers at the time of their marriages. The average amount was 20,750 merks,⁴⁵ with the lowest tocher being that received by the third earl of Montrose on his marriage to the second daughter of the second lord Drummond in 1563, namely, 6,000 merks, and the highest tocher being that of the thirteenth earl of Sutherland on his first marriage to the only child and heir of the first earl of Perth in 1632, namely, 53,000 merks.⁴⁶ There were four separate tochers, pledged c.1599, in 1600, in 1616 and c.1626, whose values (20,000 merks each) approximated the mean amount calculated above.⁴⁷

SOCIAL STATUS:

Social status is an important, but difficult element to study within the context of these sixteenth- and seventeenth-century marriages. There are two facets of social status which will be examined here – the first being rank (ie. level achieved within the peerage),

and the second being age of title (ie. old vs. newly-bestowed dignities). Some questions which this study aspires to answer include: What was the social status of each of the wives of the peers? Were the stations of the peers themselves changed as a consequence of their marriages? What percentage of the peers married into their own class? What percentage did not? And what level of integration (if any) of new peers into older families was achieved?

The wives of the peers came from a variety of social backgrounds, with the largest group amongst these 118 women issuing from old noble families. There were 47 women who were the daughters of longtime members of the upper peerage, 24 women who were the daughters of lords, 21 women who were the daughters of Scottish gentry, and 12 women who were the daughters of recently-elevated (upper) peers.⁴⁸ An advantageous marriage alliance, as many of these certainly were, held the potential for further social elevation. Marriage to three of these women resulted in changes (for the better) to the title or office held by their new husbands.⁴⁹ Many of the other alliances improved the peers' stations in a more indirect manner, providing them with substantial dowries or widow's possessions, and affiliating them with prominent fathers-in-law (or other members of the wives' families) with influence at court or in government.⁵⁰

TABLE 4-2: SOCIAL STATUS AND THE PEERS' MARRIAGES

SOCIAL STATUS OF WIFE'S FATHER	82 PEERS no. of marriages	82 PEERS %	OLD PEERS no. of marriages	OLD PEERS %	NEW PEERS no. of marriages	NEW PEERS %
OLD (UPPER) PEER	48	40.0	34	49.3	14	27.4
NEW (UPPER) PEER	16	13.3	8	11.6	8	15.7
LORD	19	15.8	12	17.4	7	13.8
GENTRY	22	18.3	10	14.4	12	23.6
ENG- LISH	15	12.5	5	7.2	10	19.6
TOTAL	120	99.9	69	99.9	51	100.1

More than half of the marriages of the peers were to members of their own social class. Sixty-four of the 120 marriages joined our peers to the daughters of upper peers, while the remaining fifty-six marriages were between peers and the daughters of lords, gentry, or Englishmen. The old nobility were the most likely to wed women of similar social status. Slightly more than sixty percent of their marriages tied them to the daughters of upper peers, whereas only 43.1% of the marriages of new peers were with the daughters of upper peers. The members of both of these groups were more likely to wed a daughter of an old peer than they were to tie the knot with a daughter from a new noble house. There were forty-eight marriages between a peer and a woman from the old nobility, but only sixteen marriages between a peer and a woman from the new nobility. It can be said that the new peers were slowly integrating with the old nobility. The extent of this integration was limited though, with 27.4% of the marriages of the new peers

being directly into the old nobility, and 11.6% of the marriages of the old peers uniting them with the daughters of the new peers.

MARRIAGE AND THE PEERAGE GROUPINGS:

The peers were examined once again according to the groupings established in chapter 2 (age of title, religious affiliations and regional ties) to determine if there were differences amongst them as to their marriage practices, specifically the number of times they married, and their ages at these times.

**TABLE 4-3:
AVERAGE NUMBER OF MARRIAGES AND AVERAGE AGE AT MARRIAGE
(in years) FOR PEERS AND VARIOUS GROUPINGS AMONG THE PEERS**

GROUP	AVERAGE NO. OF TIMES MARRIED	AVERAGE AGE FOR ALL MARRS.	AVERAGE AGE AT 1ST MARR.	AVERAGE AGE AT 2ND MARR.	AVERAGE AGE AT 3RD MARR.
TOTAL (n=82)	1.46	28.46	22.96	37.10	51.75
OLD PEERS	1.44	26.13	21.31	36.06	41.75
NEW PEERS	1.50	31.06	25.36	38.46	61.75
PROTEST- ANTS	1.45	29.15	22.62	39.25	58.20
? RELIG. LEANING	1.33	30.33	24.50 *	42.00	Ø
CATHO- LICS	1.50	27.38	23.37	34.08	41.00
NORTH- WEST & ISLES	1.43	25.13	21.21	30.67	45.00
CENTRAL SCOTL.	1.51	29.41	23.41	39.27	52.17
BORDER REGION	1.47	28.68	23.06	37.00	63.00

• * Excludes viscount Air.

The mean number of marriages per peer in the various groupings did not vary widely from the overall mean of 1.46, nor did they differ greatly from each other. For instance,

the old and the new nobility were wed, on average, 1.44 and 1.50 times, respectively. Similarly, the Protestants and the Catholics were married, on average, 1.45 and 1.50 times, and the peers from the northwest and isles, central Scotland and the borders were wed an average of 1.43, 1.51 and 1.47 times, respectively.

The ages at marriage of the peers in the different groupings varied much more from the total means and from each other than did the number of marriages per peer. The mean age for all marriages was 28.5 years. Yet the peers from the northwest and isles and the peers who held older titles were married at an average age of 25.1 years and 26.1 years, respectively, while newly-established peers were married at an average age of 31.1 years. This pattern held true for the average age at first marriage, where the mean for the total group was approximately 23 years, the peers from the northwest and isles and the old peers were wed for the first time at 21.2 years and 21.3 years, respectively, and the new peers were married for the first time at 25.4 years. Greater deviation from this model was found when the peers' later marriages were examined. The mean age at second marriage for the total group was 37.1 years. Once again, the peers from the northwest and isles had the lowest average age, 30.7 years. The highest ages were found amongst the peers of undetermined religious leanings (42 years), the peers from central Scotland, and the Protestant peers (both 39.3 years). At third marriage, the mean age for the entire group of peers was 51.8 years. The lowest values observed were those of the Catholic peers and the peers with older titles (41 years and 41.8 years, respectively), and the highest values were those of the peers from the border region and the peers with newer titles (63 years and 61.8 years, respectively). Thus it can be said that, generally, the peers with older titles and the peers from the northwest and isles were married at a

somewhat earlier age than the average for the entire group, while the newer peers, the peers of undetermined religious leanings, the peers from the border region, and the peers from central Scotland were married later than the average for the total group. The trends for age at marriage exhibited by the Protestant and Catholic peers were not quite as well-defined. The Protestant peers were generally wed at an age greater than the group average, except in the instance of their first marriages, where the mean value, 22.6 years, was slightly lower than the group average, 23 years. The tendency for the Catholic peers was the reverse of that exhibited by the Protestant peers: they were generally wed at an age that was younger than the group average, except at first marriage when they wed later, at an average age of 23.4 years.

(ii): CHILDREN:

Marriage was generally followed by the birth of children. As yet, little research has been undertaken on the family in early-modern Scotland,⁵¹ with the subjects of fertility, children and childhood having received little, if any, investigation. Unfortunately, the sources that have been used and the data accumulated from them will not be able to provide in-depth enlightenment on these subjects. What is possible is a numerical exploration of the subject insofar as it relates to the select group of peers chosen for study here. Even this exploration has its limitations, for the children of the peers can only be examined if their births were reported and recorded. Underenumeration of births, and thus children, is a large problem in family studies of the early-modern period, even among select groups like the aristocracy. Babies who were stillborn, or who died soon after their births were not as likely to have their births

registered.⁵² The births of illegitimate children especially appear to have often gone unreported. Hollingsworth found evidence of this when he received a strange sex ratio for illegitimate births in his analysis of four centuries of the demography of the British peerage. He found 207 baseborn sons, but only 131 natural daughters, and concluded that many illegitimate female births had been omitted from the historical record.⁵³ A similar finding emerged from the data collected for the illegitimate children of the peers under study here. Prior to the removal of the children who died young, there were 29 natural sons and 17 or more baseborn daughters. Afterwards, there were 28 sons and 16 or more daughters who were born out of wedlock. This imbalance leads me to suppose that the births of illegitimate female children were not likely to have been reported in full in this case either. Fortunately, sex ratios for legitimate children of the peers, who constitute over 91% of this sample of children, are much more balanced. There were 249 daughters and 246 sons reported to have been born, values which were reduced to 221 daughters and 208 sons after those who died young were removed. When both known legitimate and illegitimate births are taken into account, the sex ratio is roughly even, with male births representing 50.8% of the gross total, and 49.8% of the total after those who died before they reached maturity were removed. Consequently, female births represented 49.2% of the gross total, and 50.2% of the total after those who died young were eliminated.

In total, the 82 peers who married had at least 541 children, both within and outside of their marriages, a total which was reduced to 474 or more after those children who died young were removed. Thus it can be seen that 67, or 12.4% of the total of reported births, died before they reached maturity. Mortality among the children of these

peers seems to have been rather high, certainly when compared with the siblings of the peers discussed in chapter 3, where only 40 (7.1%) of the 566 known siblings died young. Yet these figures are moderate when compared to Lawrence Stone's calculations for child mortality in the English population. He has stated that only two out of three noble children survived their fifteenth year, and that between one-quarter and one-third of all children were dead before the age of fifteen. His child mortality rate in the general population for the period 1610-1629 was approximately 28%, up from 26% for the period 1550-1569.⁵⁴

The best statistical indicators which can be developed from the data on the peers' children are the average number of children per marriage, and the average number of children per peer. These can be seen in tables 4-4 and 4-5 below.

**TABLE 4-4:
TOTAL NUMBER OF CHILDREN AND AVERAGE NUMBER OF
CHILDREN PER PEER (N=82 PEERS)**

GROUP	NO. OF CHILDREN (TOTAL)	AV. NO. OF CHILDREN PER PEER (GROSS)	NO. OF CHILDREN (LESS THOSE WHO DIED YOUNG)	AV. NO. OF CHILDREN PER PEER (NET)
TOTAL	541+	6.60	474+	5.78
LEGITIMATE	495	6.04	430	5.24
ILLEGITIMATE	46+	0.56	44+	0.54
MALE	275	3.35	236	2.89
FEMALE	266+	3.24	238	2.90

It seems that the peers had smaller families than those from which they themselves came from, an average of 6.6 children in total (or an average of 5.8 children once those who died young are removed), as compared with an average family size of 7.7 (reduced to 7.2

once those who died young are eliminated) including themselves and their siblings. The family of each peer was composed largely of legitimate issue of his marriages, and divided relatively evenly amongst boys and girls.

**TABLE 4-5:
TOTAL NUMBER OF CHILDREN AND AVERAGE NUMBER
OF CHILDREN PER MARRIAGE***

GROUP & NUMBER OF PEERS	NO. OF CHILDREN (TOTAL)	AV. NO. OF CHILDREN PER MARRIAGE (GROSS)	NO. OF CHILDREN (LESS THOSE WHO DIED YOUNG)	AV. NO. OF CHILDREN PER MARRIAGE (NET)
BY 1ST (n=82) MARRIAGES	375	4.57	331	4.04
BY 2ND (n=30) MARRIAGES	97	3.23	80	2.67
BY 3RD (n=8) MARRIAGES	22	2.75	18	2.25
BY ALL MARRIAGES (n=82)	494° [corrected figure = 495]	6.02° [corrected figure = 6.04]	429° [corrected figure = 430]	5.23° [corrected figure = 5.24]

• *This table does not include illegitimate issue.

°These numbers differ by one child when compared with the values for legitimate children in table 4-4, as it could not be determined which one of the 11th earl of Angus's two marriages his daughter Anna issued from.

The largest number of children issued from first marriages, an average of 4.6 children (ultimately 4.04 children) per peer. This second streamlined figure for average family size for first marriages is remarkably close to the one obtained by Lawrence Stone for the English aristocracy, 4.11,⁵⁵ suggesting that overall, there was some underlying similarity between the peerages of the two countries in regards to their fertility in their initial marriages. The successive marriages of the Scottish upper peers tended to produce fewer offspring, an average of 3.2 children (ultimately 2.7 children) per peer for second marriages, and an average of 2.8 children (ultimately 2.3 children) per peer for third

marriages. Altogether, the peers had issue an average of six legitimate children each. This mean was reduced to an average of 5.2 legitimate children each once those who died before they reached maturity were eliminated. This last figure also falls between the numbers for mean adjusted legitimate family size (combined) obtained by Hollingsworth for members of the British peerage born between 1550 and 1574, and 1575 and 1599, which were 4.92 and 5.75,⁵⁶ again indicating this fundamental sameness for all British peers in regards to their legitimate fertility.

Given the average durations of marriage calculated in section (I) of this chapter and these averages for the number of children born per marriage, it can be seen that, contrary to popular belief, it is unlikely that the wives of the peers were always pregnant. R.A. Houston has written that demographers who have studied populations with significantly greater fertility rates than early modern Scotland have found that only about five years, or approximately one-quarter of the time during which a woman was married and capable of conceiving, were spent in a state of pregnancy. The average interval between births in early modern Scotland has been calculated to have been between 25 and 30 months.⁵⁷

Yet not all of the marriages of the peers were fruitful. There were a fair number of marriages that were completely childless, or childless in the end. A total of twenty-five of the marriages were entirely without issue, and a further six unions where there was issue became childless when the child or children died young.⁵⁸ Thus more than one-fifth of these unions were completely infecund, and a total of slightly more than one-quarter of the marriages were ultimately unproductive. About half of these infertile unions were first marriages. Once these twelve were factored into the total number of

first marriages, it was determined that 14.6% of first marriages were entirely without issue, and a further 4.9% of these marriages were eventually childless. Remarriages were less likely to yield issue than first marriages. One-third of the second marriages and three-eighths of the third marriages of the peers were completely childless. Once child mortality was taken into account, 36.7% of the second marriages and 50% of the third marriages were without surviving issue. Finding these figures rather high, the Scottish peers were compared to a similar group, with surprising results. In his work, Stone studied childlessness for the English nobility between 1540 and 1660, and found that 19% of their first marriages were childless, and 48% of their second marriages were totally barren. The rates for childlessness in the marriages of these Scottish peers and Stone's sample of the English nobility correspond closely, particularly for first marriages: 19.5% for Scotland, and 19% for England. In his study, Stone also found a high level of male childlessness. No less than 29% of first marriages and 58% of second marriages in his sample produced no legitimate males.⁵⁹ The marriages of the Scottish peers were examined in the same manner, with similar results. It was found that 32.9% of first marriages, 50% of second marriages, and 50% of third marriages ultimately lacked legitimate male issue.

Five of the peers who married had no issue, and thus no legitimate heir of their bodies.⁶⁰ When combined with the three peers who never married, 9.4% of the sample of 85 peers had no legitimate issue whatsoever. In addition to these eight peers, there were another seven peers whose marriages were devoid of legitimate male heirs of their bodies,⁶¹ amounting to 17.6% of the total sample of peers. When child mortality was taken into account, there were a further six peers with no legitimate surviving male

heirs.⁶² Thus almost one in four peers did not have a legitimate son to succeed him, the requirement in the majority of instances for the direct devolution of Scottish peerage titles and honours. A further eleven peers (12.9%) had but one surviving legitimate male heir of their bodies,⁶³ a rather tenuous grasp on the succession given the contemporary high mortality rates for all age groups. Thus three-eighths of the upper Scottish peerage who held titles between 1587 and 1625 had no legitimate son or only one legitimate son to follow them in their titles. This proportion is quite a bit larger than the static figure calculated by Stone for 118 English peerage titles in 1636. He found that 14% of these peers had no living male heir, and a further 13% had but one living male heir.⁶⁴ The number of peers with only one surviving son were comparable, but a greater measure of the Scottish peers had no male heir of their bodies.

This is not to say that the Scottish peers were infertile as a group, by any means. In 25% of their marriages, these peers had more than six children. Even if the children who are known to have died young are excluded from the totals, in 18.3% of the peers' marriages there were more children per marriage than the average number of legitimate issue per peer [a figure which was calculated using the children who did die young, and which was equal to 6 -- see table 4-4]. In his first marriage, the ninth earl of Angus had 13 children, while the first earl of Lothian had 12, and the seventh earl of Morton had 11. Four peers each had 10 surviving children from their first marriages, while four peers had 9 children apiece. Another four peers had 8 children each from their first marriages; and two peers had 7 surviving children each.⁶⁵ The second earl of Mar, the eleventh earl of Angus, the thirteenth earl of Crawford and the seventh earl of Argyll had a great number of surviving legitimate issue in their second marriages (11, 9, 8 and 7 children,

respectively), and the ninth earl of Errol had 11 surviving children from his third union. In 22% of their first marriages, 10% of their second marriages, 12.5% of their third marriages and 18.3% of all of their marriages the peers had more than six children who lived to maturity. If the children who died young are re-introduced, these figures rise to 28%, 20%, 12.5% and 25%, respectively. These percentages are somewhat lower in either state than the overall proportion calculated by Stone for England, which was one-third.⁶⁶ This last finding may partially explain why a greater percentage of Scots peers than English peers seem to have had no male heirs of their bodies. Given that both the Scots and English peers were on average producing the same number of children in their first marriages; that their rates for childlessness and male childlessness in marriage, particularly first marriage, were roughly the same; that the remarriage rates in the two samples were quite close (31.7% for the Scots peers and 28% for Stone's English peers⁶⁷); and that there *appears* to have been a lower mortality rate among the children of the peers in Scotland, it is possible that a greater percentage of the Scots peers lacked male heirs because fewer of them had larger than average families. Of course, this is but one possible explanation, and it can hardly be called conclusive without a comparison of average fertility for remarriages, which cannot be done, as Stone did not publish the necessary data for the English peers.

Over 91% of the children of the peers who are known to us were born in wedlock, while 46, or about 8.5% of these children were illegitimate. Once child mortality is taken into account, there were 44 reported illegitimate issue born to 20 of the peers, representing 9.3% of all surviving children (see table 4-6).

**TABLE 4-6:
PEERS REPORTED TO HAVE HAD ILLEGITIMATE CHILDREN**

PEER	TOTAL NUMBER OF ILLEGITIMATE ISSUE REPORTED	NUMBER OF ILLEGITIMATE ISSUE SURVIVING
2 nd duke of Lennox	1	1
1 st marquess of Hamilton	3	3
2 nd marquess of Hamilton	1	1
10 th earl of Angus	1	1
1 st earl of Annandale	1	1
7 th earl of Argyll	1	1
1 st earl of Buccleuch	5	5
5 th earl of Caithness	2	2
11 th earl of Crawford	1	1
1 st earl of Home	1	1
2 nd earl of Linlithgow	3	3
5 th earl Marischal	2	2
1 st earl of Melrose	2	2
4 th earl of Montrose	1	1
1 st Maxwell earl of Morton	1	1
1 st earl of Orkney	13+	11+
2 nd earl of Orkney	3	3
5 th earl of Rothes	1	1
2 nd earl of Tullibardine	2	2
1 st earl of Wigton	1	1
TOTAL	46+	44+

The illegitimacy rates for the children of the peers are somewhat higher than the rate for the peers' siblings discussed in chapter 3, which was 8.3% (47 illegitimate births out of 566 recorded births). These rates are also higher than the rate computed by Keith Brown for illegitimate births to peers during the reign of King James VI, which was only 6% of all recorded births in noble families.⁶⁸ Clearly, having illegitimate children was a relatively common practice for a good number of the Scots peers of this period, one which they showed little intention of discarding as yet, despite the post-Reformation kirk's disapproval and demands for its eradication.⁶⁹ If averages of this group are taken,

each of these peers are found to have had 0.54 illegitimate issue, and each of the 20 peers reported to have had children out of wedlock are found to have had 2.3 illegitimate issue. This last average is somewhat inflated by the first earl of Orkney's extremely large brood of baseborn progeny, 13. If the first earl of Orkney's children are removed from the calculation, each of the remaining 19 peers are found to have had an average of 1.74 natural children.

Who were the peers reported to have had illegitimate issue? Did they have any other societal attributes in common besides their rank? (see table 4-7 below)

**TABLE 4-7:
NUMBER OF PEERS KNOWN TO HAVE HAD ILLEGITIMATE CHILDREN
GROUPED BY AGE OF TITLE, RELIGIOUS LEANING & REGION**

PEER GROUPS	AGE OF TITLE	RELIGIOUS LEANING	REGION	% OF TOTAL
OLD NOBILITY	13			65%
NEW NOBILITY	7			35%
PROTESTANTS		11		55%
CATHOLICS		9		45%
FROM THE NORTH-WEST & ISLES			7	29.2%
FROM CENTRAL SCOTLAND			12	50%
FROM THE BORDERS			5	20.8%

It seems that the peers who are known to have begotten natural children belonged overwhelmingly to the established nobility (ie. those whose titles were bestowed upon them prior to 1587). They were also slightly more likely to be Protestant than Catholic in their religious adherences, and have ties to central Scotland rather than the outlying

regions. That is not to say that the proclivity for illegitimate births among the peers was restricted to those belonging to these particular groupings – new peers, Catholic peers, and peers from both the border and the northwest and isles regions of Scotland are among those in the list.

**TABLE 4-8:
NUMBER OF CHILDREN & AVERAGE NUMBER OF CHILDREN
PER PEER AND PER MARRIAGE GROUPED
BY AGE OF TITLE, RELIGIOUS LEANING & REGION**

PEER GROUPS	TOTAL NUMBER OF CHILDREN	NUMBER OF CHILDREN WHO SURVIVED	CHILD MORTALITY RATE (%)	AVERAGE NUMBER OF CHILDREN WHO SURVIVED PER PEER	AV. NO. OF CHILDREN WHO SURVIVED PER MARR.
OLD NOBILITY	331	304	8.2	6.33	4.41
NEW NOBILITY	210+	170	19.0	5.00	3.33
PROTESTANTS	304	268	11.8	5.70	3.94
? RELIG. LEANING	15	14	6.7	4.67	3.50
CATHOLICS	222	192	13.5	6.00	4.00
FROM NORTH-WEST & ISLES	200+	179+	10.5	6.39	4.48
FROM CENTRAL SCOTL.	350+	314	10.3	5.71	3.78
FROM THE BORDERS	105	83	21.0	4.88	3.32
TOTAL	541+	474+	12.4	5.78	3.58

There appears to have been marked tendencies amongst those peers who had illegitimate children as to which of the fabricated groupings they were more likely to

belong to. Were such distinctions also found amongst the entire sample group of upper peers with regard to children in general? (see table 4-8 above) The answer appears to be yes. Certain groups were more likely to produce a greater than average number of surviving children per peer and per marriage, while others brought forth a lesser number. The peers from the northwest and isles and those from the established nobility were more liable to have a larger number of surviving issue both per peer (between 6.3 and 6.4) and per marriage (between 4.4 and 4.5). In contrast, the peers from the borders, those whose religious leanings were not able to be determined, and those of the recently-elevated nobility were found to be more apt to have a smaller number of surviving children per peer (between 4.7 and 5.0) and per marriage (between 3.3 and 3.5). The peers from central Scotland appear to have brought forth approximately the average number of surviving issue, 5.7 per peer and 3.8 per marriage. Religious faith does not appear to have been a significant factor in determining the number of surviving children a peer was likely to have, for the peers with Protestant and Catholic leanings are not to be found at either extreme of the range. The averages for both groups are generally equivalent to or slightly higher than the total means.

(iii): LIFESPAN, DEATH & YEARS TITLE HELD:

The eighty-five peers under examination died between 1588 (Archibald Douglas, eighth earl of Angus and earl of Morton, and James Ruthven, second earl of Gowrie) and 1679 (John Gordon, thirteenth earl of Sutherland). Half of the peers were dead by the year 1625, and a further quarter were dead by 1640. Fifty percent of the group died between the years 1611 and 1640. Only seven died after the restoration of the Stewart

monarchy in 1660.⁷⁰ If the death dates⁷¹ of all of these peers are taken and averaged, the mean is found to be the year 1626, the year following the death of king James VI. Thus it can be said that the many peers who were of an age with their king seem to have died within approximately the same timeframe.

James VI's life spanned the years 1566 to 1625, when he died several months short of his 59th birthday. His 85 Scottish peers died between the ages of 13 years (James Ruthven, second earl of Gowrie) and 83 years (Andrew Leslie, fifth earl of Rothes). Their average lifespan was somewhat shorter than that of their king, about 53.4 years.

**TABLE 4-9:
AVERAGE LIFESPAN (in years) OF THE PEERS (1587-1625), IN TOTAL,
FOR THOSE WHO DIED NON-VIOLENTLY, & FOR THOSE
WHO HELD TITLES IN DESIGNATED YEARS**

	TOTAL	78 NON-VIOLENT DEATHS*	1587	1597	1607	1617	1625
MEAN LIFE-SPAN	53.4	55.2	52.0	54.5	56.4	59.7	59.4

*Indicates the 78 peers who did not die in a violent manner—ie. their natural lives were not shortened by murder, suicide or execution.

Violence seems to have been a factor in the mean age at death of the Scottish upper peers. For instance, the average age at death, 53.4 years, can be raised slightly, to 55.2 years, by removing the seven individuals whose natural lives were shortened by violent means.⁷² As can be seen in table 4-9 above, over the period of the reign, the average age at death for those who held titles in the sample years seems to have risen steadily, by between approximately two and three years each decade, until it appears to have levelled off after 1617. One possible explanation for this rise is that it might have been an indirect benefit of James's campaign to lessen the feuding and private violence prevalent until the 1590s within all levels of Scottish society.⁷³ The Jacobean government's general success at

wiping out the bloodfeud, particularly amongst the Scottish nobility and encouraging them to resolve their differences in court may have had a positive effect on the length of their lives.

Of course, another explanation for this increase in the mean age at death may lie in the changing composition of the peerage itself.

**TABLE 4-10:
AVERAGE LIFESPAN (in years) OF VARIOUS GROUPINGS
OF THE PEERS (1587-1625)**

	OLD PEERS	NEW PEERS	PROT- EST- ANTS	? RELIG. LEAN- ING	CATHO- LICS	NORTH- WEST & ISLES	CEN- TRAL SCOT- LAND	BOR- DER REGION
MEAN LIFE- SPAN	51.6	56.1	52.5	67.3	53.6	52.7	53.5	54.0

The influx of new creations seems to also have had an impact on the mean lifespan of the upper peerage, for when the groupings of established and new peers were compared for average lifespan, it was found that the new peers lived, on average, 4.5 years longer than the old peers. Of course it is also possible that these new peers lived longer simply because they were new peers, promoted to the elite levels of society once James's campaign was already underway. It was in their interest as a class to embrace the king's attitudes towards violence and stability,⁷⁴ thereby possibly increasing their own lifespans.

Such a marked difference between the values for mean lifespans was not found amongst other subsets of the upper peerage when this group was examined according to religious leanings and regional ties. The Protestant peers were found to live approximately 1.1 years less than the Catholic peers. Once again, this may be due to the prevalence of members of the old nobility amongst the Protestant group—68% of the Protestant peers were also of the old nobility. The value for the peers of unknown

religious leanings, 67.3 years, cannot rightly be compared to the other more moderate mean values discussed, as it is based on too small a sample size ($n=3$). When the peers were examined for variations in their mean ages at death by region, it was found that there was some increase in average lifespan in the more southerly regions. Those peers with ties to the northwest and isles lived an average of 52.7 years, while their social equals with ties to central Scotland and the borders lived approximately 0.8 and 1.3 years longer, respectively. Once again, this may partially be explained by the lack or prevalence of new peers among the first and last groupings. There were only three new peers with ties to the northwest and isles, whereas all but five of the peers with ties to the border region were newly-established peers. The value for the peers in central Scotland approximates the overall mean for the entire group, possibly as this sub-group had a more balanced mixture of established and recently-elevated peers, 32 old to 25 new.

How does the average age at death for other similar societal groups compare with that calculated here for the Scottish peers? Lawrence Stone did not determine a mean age at death in his study of the early modern English aristocracy, but he did publish a table⁷⁵ showing the distribution of age at death in decades for a portion of his sample group. This subset of 243 included peers extant between 1558 and 1641, but excluded all new creations and those whose birthdate was unknown. These figures have been extracted from said table, and compared to similar age at death distribution calculations for all 85 of the Scottish upper peers in this study—including new creations and those whose birthdates have been estimated (see table 4-11 below). Stone's figures (column 2) have been divided by a factor of 2.86 (column 3) in order to account for the difference in the two sample sizes. As these smaller figures are not accurate representations of Stone's

original data, they cannot be used individually, but they can be used as an aggregate for comparison with the Scots data.

**TABLE 4-11:
AGE AT DEATH (in decades) OF
STONE'S SUBSET OF ENGLISH PEERS EXTANT 1558-1641
& THE 85 SCOTTISH UPPER PEERS EXTANT 1587-1625**

AGE GROUPING	NO. OF STONE'S SUBSET OF ENGLISH PEERS, 1558-1641*	COLUMN TWO DIVIDED BY 2.86	NO. OF SCOTS UPPER PEERS, 1587-1625
0-9 years	3	1.1	0
10-19 years	2	0.7	1
20-29 years	8	2.8	6
30-39 years	35	12.2	8
40-49 years	44	15.4	19
50-59 years	51	17.8	18
60-69 years	52	18.2	18
70-79 years	33	11.5	13
80-89 years	15	5.2	2
TOTAL	243	84.9	85

*Taken from appendix xxvii in Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 788.

These last two columns of figures show both similarities and differences from one another. Both sets of data seem to demonstrate that a great number of peers died between the ages of 40 and 69, while only a small number died before the age of 20 or after the age of 79. Similar proportions of English and Scottish peers (relative to sample size) died during their teen years, as well as in their fifties and sixties. Smaller proportions (relative to sample size) of Scottish peers than English peers died in the 0-9, 30-39 and 80-89 year age groupings, while greater proportions (relative to sample size) of Scottish peers than English peers died in the 20-29, 40-49 and 70-79 year age brackets. Thus it can be concluded that among this sample of Scots peers, when compared to Stone's subset of English peers, there was little child mortality for those who lived long enough to succeed

to their titles, and few who lived beyond their seventies. Like the English, most of these Scots peers died between the ages of 40 and 69, and a significant number died in their thirties. Unlike the English, a good number of these Scots peers died between the ages of 20 and 29.

It has been established that the Scottish peers died, on average, in their early fifties. What were the causes of their deaths? In many cases, this remains a mystery, for suprisingly little was recorded about their ends or their health in general. Something about the circumstances surrounding their deaths could be ascertained in only 33 of 85 instances. The seven peers who died violently have already been mentioned.⁷⁶ Three are said to have perished from old age or grief,⁷⁷ while another three are said to have died from a hectic sickness or rapid consumption⁷⁸ (contemporary names for illnesses now generally thought to have included tuberculosis and other wasting diseases⁷⁹). Two other peers expired of a palsy⁸⁰ (an illness that resulted in paralysis and involuntary tremors), the second earl of Kinghorne fell victim to the plague, the first earl of Lothian died of a boil in his throat, and the twelfth earl of Sutherland perished of a bloody flux (probably dysentery). The third duke of Lennox succumbed to spotted or putrid fever (possibly typhus or meningitis), the fourth duke of Lennox died of a quartan ague (a cyclical fever, probably malaria), the second marquess of Hamilton had a malignant fever (likely a tumour or cancer), and the ninth earl of Angus died from an uncharacterized fever. Four earls died after long illnesses,⁸¹ four other peers died after sudden illnesses,⁸² two earls are each described as being in poor health at the time of their demise,⁸³ and the fifth earl of Atholl is said to have expired in embarrassed circumstances at Perth.

The places of death of 62 of the 85 peers were discovered. Forty-four of these deaths took place in Scotland. The majority occurred across the countryside, at the peers' own residences and estates, rather than in the capital. Only four were found to have expired in Edinburgh, and of these, one died in ward at Edinburgh Castle, and two died on the block.⁸⁴ Fifteen of the peers are known to have died in England between 1611 and 1655, twelve of these in London, two at country estates, and one at his temporary refuge on the Isle of Man during the War of the Three Kingdoms.⁸⁵ Three other peers expired abroad—the tenth earl of Angus in voluntary exile at Paris in 1611, the fifth earl of Bothwell in forced exile at Naples c.1612, and the fourteenth earl of Crawford in the military service of Sweden at Staten in 1633.

Information regarding the burial places of 54 of the 85 peers was uncovered. At least forty-five of the peers were interred in Scotland. In addition, two others may eventually have been laid to rest on Scottish soil—the first Maxwell earl of Morton, who remained unburied in February 1598, more than four years after his death, as his family would not have him put to rest until his slaughter was avenged⁸⁶; and the third earl of Gowrie, whose body was posthumously drawn, hanged and quartered at the cross of Edinburgh, with fragments thereof put on display in Edinburgh, Dundee, Perth and Stirling.⁸⁷ Only six of these peers are known to have been buried in England. These were viscount Haddington⁸⁸ and the second, third and fourth dukes of Lennox, each of whom was interred in Westminster Abbey with their king; the second earl of Tullibardine, who was interred in St. Margaret's, Westminster; and the first earl of Nithsdale, who was laid to rest on the Isle of Man. A further three peers were buried

abroad, the tenth earl of Angus in France, the fifth earl of Bothwell in Italy, and the fourteenth earl of Crawford in Germany.

These findings seem to indicate that the peers may have gone home to their estates in Scotland when ill or aged in order to die, though often enough this journey was only made after death for burial purposes if death crept up on them too quickly. Peers did not elect to stay long abroad unless they were in religious or financial difficulty at home. Peers were drawn to England by the court, but few chose to remain there permanently. Even the first earl of Kellie, who spent the better part of four decades at court in England, left instructions for his body to be transported home and interred at Pittenweem in Fife.⁸⁹ Most of the few peers who were buried in England did so only because they received royal preferment.

Knowing how long the peers lived, while an important statistical indicator, is inadequate if we are to eventually come to understand their political actions and leadership role in the 1620s and 1630s. It is important to determine what proportion of peers were generally able to participate in public affairs. One means of beginning to comprehend this is by discovering the number of years peerage titles were held, and the number of active years they were held. The term active is used to indicate those of age, in fit mental and physical health, who were residing in Scotland or at court. It excludes those who were ill, were still in their non-age or minority, were in exile, were travelling abroad, or who were imprisoned, outlawed, or whose titles had been forfeited by the crown.

Scottish peerage titles for those peers who bore upper peerage titles during the period 1587-1625 were held, on average, for slightly more than 25 years (see table 4-12

below). There were great variations in the length of time titles were held by individual peers, ranging between less than six months (Esmé Stewart, third duke of Lennox) and sixty-four years (John Gordon, thirteenth earl of Sutherland).

TABLE 4-12:
MEAN NUMBER OF YEARS UPPER PEERAGE TITLES WERE HELD
BY THE SCOTTISH PEERS, IN TOTAL & FOR VARIOUS SUB-GROUPINGS
THEREIN (calculated to the nearest quarter year)

	Total	Old Peers	New Peers	Protest -ants	? Relig. leaning	Catho-lics	North-west & isles	Central Scot-land	Border Region
Mean length of time title held	25.25	28.25	20.5	24.75	32.5	25.5	29.5	24.5	18.75

As expected, analysis of the mean length of time titles were held within the previously-established sub-groupings of the total sample group showed that new peers and those with ties to the border regions (most of whom were new peers) tended to hold their titles for shorter periods, while old peers and those with ties to the northwest and isles (the majority of whom were old peers) tended to hold their titles for longer.

The mean for years titles were held drops quite significantly when it is recalculated using only the *active* years titles were held. The average number of years that Scottish upper peerage titles were actively held by the peers who bore them between 1587 and 1625 was only 21 years (see table 4-13 below). Individual peers actively held their titles for between zero months (James Hamilton, third earl of Arran and James Ruthven and Robert Seton, the second earls of Gowrie and Winton) and fifty-five years (George Sinclair, fifth earl of Caithness). An analysis of the mean length of time titles were actively held within the sub-groupings of the total sample group resulted in the

same general findings as those for the analysis of the mean length of time titles were simply held.

TABLE 4-13:
MEAN NUMBER OF YEARS UPPER PEERAGE TITLES WERE
ACTIVELY HELD BY THE SCOTTISH PEERS, IN TOTAL & FOR VARIOUS
SUB-GROUPINGS THEREIN (calculated to the nearest quarter year)

	Total	Old peers	New peers	Protest -ants	? Relig. leaning	Catho- lics	North- west & isles	Central Scot- land	Border region
Mean time title actively held	21	22.25	19.5	20.25	32.5	21.5	22.75	21	17.75

Thus it can be said that among this sample of peers, it was found that the subjects were only able to participate in public affairs, on average, 83% of the time between their succession to the title and their death. During almost 17% of their time as members of the upper peerage, they were incapable of being actively involved in politics and government. This finding, while only a generalization based upon a modest-sized sample group, must be used with care. But it is important in that it makes us aware when studying the nobility that individual peers within this group were subject to frailties and influences which made them incapable of playing a role at any given time.

To summarize, one could say that the majority of the sample of peers exhibited the following qualities in regards to their marriages, fertility and mortality: they were married once or twice, the first time in their early twenties and the second time in their late thirties. They often remarried in order to produce male heirs, and the intervals between their marriages appear to have been short. Their marriages were generally stable, and tended to last between fifteen and eighteen years before one of the partners died. The wives of the peers were generally well-born, and married as frequently as the

peers. They were usually in their late teens at first marriage, and appear to have been about thirty percent younger on average than their husbands. Altogether, the peers had at least 541 children, 8.5% of whom were illegitimate, and 12.4% of whom died before they reached maturity. On average, each peer had 6.6 children, about 4.6 of them in their initial marriages. More than one-fifth of the peers' marriages were ultimately childless, and three-eighths of the peers had one or fewer legitimate sons to succeed them in their dignities. The 85 Scottish peers lived on average until their mid-fifties, with a few dying in their twenties and thirties, and a few reaching their seventies and early eighties. The age at death seems to have risen steadily during the reign, reaching the late fifties in the last decade. Little is known about the medical causes of their deaths, but most died in Scotland. A number died at court in England, but most of these were transported home and interred in Scotland. The peers tended to hold their titles for slightly more than 25 years, 21 of these years actively. A number of generalizations about the various sub-groupings within the peerage can be made. Established peers and peers from the northwest and isles tended to marry younger, have a larger number of surviving children, have shorter lifespans, and hold their titles the longest. The old peers also tended to have more illegitimate children than other groupings within the peerage. In direct contrast, peers with newer titles tended to marry later, have fewer surviving children, live up to 4.5 years longer, and hold their titles for a shorter period of time. Peers from central Scotland also married later and lived longer, but they tended to have the average number of surviving children and hold their titles for the average amount of time. Religious leanings appear to have not been a significant factor in any of these events.

ENDNOTES

¹ It was reported in one list of the Scottish nobility of 1592 that Arran "married this Lord Glames' aunt," but for the purposes of this study he is classified as unmarried. Charles Rogers, "An Estimate of the Scottish Nobility During the Minority of James VI and Subsequently, With Preliminary Observations," *TRHS*, old series, 2(1873, reprinted 1971), sect. XIII, p. 279.

² This figure approximates Keith Brown's finding that two-thirds of the almost 200 Scottish noblemen between 1573 and 1625 were married only once. Keith M. Brown, "The Nobility of Jacobean Scotland 1567-1625," in *Scotland Revisited*, ed. Jenny Wormald, (London, 1991): 69. My figure includes the second earl of Winton, whose marriage was not consummated, and the first viscount Stormont, of whom there is a dubious report of a second marriage. *Scottish Nation*, vol. 3: 525.

³ This number includes the second earl of Linlithgow, of whom there is a doubtful report of a third marriage. Edwin Brockholst Livingston, *The Livingstons of Callendar and Their Principal Cadets: The History of an Old Stirlingshire Family*, (new ed.; Edinburgh, 1920): 114.

⁴ Two women each married two of the 85 peers under study. These were Catherine Clifton, the only daughter and heir of the English Lord Clifton, who was married in succession to the third duke of Lennox and the second earl of Abercorn; and Mary Ruthven, the eldest daughter of the first earl of Gowrie, who married both the fifth and sixth earls of Atholl.

⁵ David M. Walker, *A Legal History of Scotland*, vol. 3: 658-662; vol. 4: 653.

⁶ The calculations resulting from this study of age at marriage are approximate, as the peers' exact dates of birth and marriage are not always fully known. The birthdates calculated in the previous chapter were used again (For their calculation, see chapter 3, note 2). Marriage dates were calculated in the same manner. If the year of marriage was not known, or could not easily be determined, as occurred in 22 cases, the marriage contract date was used. This may result in somewhat lower values for age at marriage, but it at least indicates at what age marriage was being considered, if not actually entered into. In one further case, that of the first marriage of viscount Air, no date could be determined. See Appendix F.

⁷ Keith Brown's calculation of average age at first marriage for his larger sample of almost 200 noblemen in James's reign differs somewhat, being 21 years. Keith M. Brown, "The Nobility of Jacobean Scotland 1567-1625," in *Scotland Revisited*, ed. Jenny Wormald, (London, 1991): 68-69. The peer who is thought to have been 48 years of age at his marriage is the earl of Annandale. He appears to have delayed his marriage until circa 1613. The registration of his grants for the baronies of Dundrennan and Lochmaben in October 1612 make no mention of a spouse, but in a letter of 26 August 1613 (a date which can be verified from other items mentioned in the letter), the future earl of Melrose mentions the arrival of Annandale's wife in Edinburgh. Whitehall, 30 October 1612, in John Maitland Thomson, ed., *Registrum Magni Sigilli Regum Scotorum: Register of the Great Seal of Scotland, A.D. 1609-1620*, (Edinburgh, 1892), vol. 7, 285-286; and Edinburgh, 26 August [1613?], Sir Thomas Hamilton to John Murray, in James Maidment, ed., *State Papers, and Miscellaneous Correspondence of Thomas, Earl of Melros*, (Edinburgh, 1837), vol. 1, 126.

⁸ Lawrence Stone, *The Crisis of the Aristocracy, 1558-1641*, (Oxford, 1965): 652-654 (appendix XXXIII). Quote taken from p. 653.

⁹ These were, in order, the ninth earl of Errol, the eighth earl of Angus, the second duke of Lennox, the first earls of Melrose and Dunfermline, the fifth earl of Rothes, and the first earls of Kellie and Roxburghe.

¹⁰ T.H. Hollingsworth, "The Demography of the British Peerage," supplement to *Population Studies*, 18(1964): 14. The subject group used by Hollingsworth in his discussion of age at marriage, his 'secondary universe', is composed of all the legitimate offspring of the peers of England, Scotland, Ireland, Great Britain and the United Kingdom who died between 1603 and 1938. His comment is true for the cohort

born between 1550 and 1574, and the cohort born between 1575 and 1599. For further details of his subject groups and its division for the purposes of analysis, see pages 7 and 8 of his study.

¹¹ Rosemary O'Day, The Family and Family Relationships, 1500-1900: England, France and the United States of America, (New York, 1994): 115-116.

¹² Ian D. Whyte, Scotland Before the Industrial Revolution: An Economic and Social History c. 1050-c. 1750, (London, 1995): 154.

¹³ According to David Walker, "On marriage all the wife's moveables fell to her husband by virtue of the *jus mariti*....It was a right of full property, not of shared right or of mere administration. It extended to all things deemed moveable by law, corporeal moveables, money, rents, interest, savings made by the wife from earnings or separate estate and profits of her work....The husband had power to dispose of the moveables so acquired,...The husband had the full and sole administration of all moveables belonging to and accreting to the wife during the marriage,...The husband by marriage also acquired a *jus administrationis* over the wife's heritable property, which was a right of management, not of property." David M. Walker, A Legal History of Scotland, (Edinburgh, 1996), vol. 4: 661-662. In law, the wife could not make a testament bestowing her moveables without her husband's consent, though in practice a woman often did make a will without consent addressing the disposition of one-third of her property if the couple had children, or one-half of the property if they were childless. A.D.M. Forte, "Some Aspects of the Law of Marriage in Scotland: 1500-1700," in Marriage and Property, ed. Elizabeth M. Craik, (Aberdeen, 1984): 110.

¹⁴ The eight peers without surviving issue included the second duke of Lennox, the eighth earl of Angus, the ninth earl of Errol, the first and second earls of Home, the second earls of Kinghorne and Tullibardine, and the first viscount Haddington. The two peers with surviving daughters were the first earls of Dunfermline and Melrose.

¹⁵ This was the eleventh earl of Sutherland.

¹⁶ These were the sixth earl of Cassillis, the eleventh earl of Crawford, the first earls of Kellie and Roxburghe, the second earls of Linlithgow and Mar, and the fifth earl Marischal.

¹⁷ The four peers were the second duke of Lennox, the ninth earl of Errol, and the first earls of Dunfermline and Kellie. The peer who obtained a divorce from his second wife (on the grounds of her alleged association with the third earl of Montrose) was the eighth earl of Angus. Only one of these five peers, the first earl of Kellie, had surviving male issue (1 son) from his first marriage.

¹⁸ "Widows...frequently were financially attractive by reason of property acquired in the previous marriage, so that it was quite common for women to marry several times." David M. Walker, A Legal History of Scotland, (Edinburgh, 1995), vol. 3: 678. Lawrence Stone observed a similar, but more accelerated pattern among the English aristocracy, where 40% of the peers' second marriages were to widows. Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 621.

¹⁹ The peers who married widows as their second wives were the second duke of Lennox, the sixth earls of Atholl, Cassillis, Eglinton and Glencairn, the first earls of Kellie and Wigton, the fifth earl of Rothes, and the first viscount Air. The peers who married widows as their third wives were the second duke of Lennox, the eighth earl of Angus, and the first earls of Kellie and Melrose. The peer who married, secondly, an heiress, was the second earl of Tullibardine. The king promoted the second marriage of the second earl of Mar to one of the first duke of Lennox's daughters [DNE, vol. 6: 843], and the third marriage of the first earl of Kellie to a wealthy, three-time widow [Complete Peerage, vol. 7: 101, note g], while the queen supported the first earl of Roxburghe's second marriage to one of her ladies of the bedchamber and preceptress to the royal children. Anne bore the £3,000 (sterling) cost of the wedding ceremony, which took place at Somerset House, and included a pastoral masque, *Hymen's Triumph*, by Samuel Daniel. [Complete Peerage, vol. 11: 218, note a; Linda Levy Peck, Court Patronage and Corruption in Early Stuart

England, (Boston, 1990): 68, 71 (where the cost of the wedding is said to have been £30,000); Ethel Carleton Williams, Anne of Denmark, Wife of James VI of Scotland: James I of England, (London, 1970): 161].

²⁰ The fifth and sixth earls of Atholl were only very distantly related, the sixth earl being a descendant of the eldest brother of Sir James Stewart, the Black Knight of Lorn, who was the father of the first earl of Atholl. Scots Peerage, vol. 1: 447, 440.

²¹ The ten children were Mary Ruthven's 4 surviving young daughters by the fifth earl of Atholl, and the sixth earl of Atholl's 5 sons and 1 daughter by his first wife, Margaret Lindsay.

²² Unfortunately, the sixth earl's eldest son James, who became the seventh earl in 1603, does not seem to have looked to the welfare of Dowager Countess Mary and her daughters (one of whom he married, perhaps because she was one of the co-heirs to her father, the fifth earl) in a manner similar to his father. When the matter was brought before the Privy Council in 1605, the councillors granted the Dowager Countess sustenance, having found her condition to be repugnant, her step-son and his complices having kept her in poor living and sustenance. 31 July 1605, James Maidment, ed., State Papers, and Miscellaneous Correspondence of Thomas, Earl of Melros, (Edinburgh, 1837), vol. 1: 8-9.

²³ The eighth earl of Angus married for the third time within a month of the divorce from his second wife; the first earl of Dunfermline married his second and third wives within five months and one year of the deaths of his first and second wives, respectively; the first earl of Melrose married his second wife eight months after the death of his first wife; the fifth earl of Rothes married his third wife just over a year after the death of his second wife; and the ninth earl of Errol married his third wife about two years after the death of his second wife. The rapid remarriage of these peers may have been prompted by legitimate personal reasons rather than moral laxness and insensitivity. For instance, when the first earl of Dunfermline remarried within five months of the death of his first wife, a woman to whom he had been married for eleven years, he was the Lord President of the Scottish Court of Session, and had four surviving minor daughters and a royal prince (the future Charles I) in his care. Walter W. Seton, "The Early Years of Henry Frederick, Prince of Wales, and Charles, Duke of Albany [Charles I], 1593-1605," Scottish Historical Review, 13(1915): 368-376. He was a busy man with no male heir and a household in need of direction. When he married for the third time in 1607 (within one year of his second wife's death), he was Lord Chancellor of Scotland, still lacked a surviving male heir at age 52, and had six daughters in his care.

²⁴ The second earl of Linlithgow and the first earl of Melrose married their second and third wives, respectively, four years after the deaths of their first and second wives. Viscount Haddington married his second wife six years after the death of his first, and the second duke of Lennox married his third wife eleven years after the death of his second. Lennox may have had cause to delay remarriage for such a long time (given that he had no surviving children). His second marriage had been a complete failure. In a letter to privy councillor Sir William Livingstone of Kilsyth, he wrote:

Because yow tuiche somewhat the turnes betwixe my wyfe and me, I will werrei freilei and trewlie let yow know my resolution in it. Belive than that ther is no powar in earthe that can make me to use [her] as a wyfe. Alwise I protes that nothing shall move me to ony onlowfull meane to red me of hir, althought I confess that ther is no earthlei thing I wiche more then lawfully to be queit of hir, and will trye all lawfull to do it, and yf that may not do that turne then I will be passient and leave it to God and enduret as a just punishment of Gods and greitter nor that I confes I have meritted....Sir, I must confes that till God some way make me quet of hir I shall ever thinke hir as a cross. [Greenwich, 1 April [1605?], Ludovick, Duke of Lennox, to Sir William Livingstone of Kilsyth, Historical Manuscripts Commission, Report on Manuscripts in Various Collections, (Hereford, 1909), vol. 5: 111.]

In 1607, the duke lodged a formal complaint against his second wife, Jean Campbell, for detaining his young daughter Elizabeth (who later died young) from him and not taking care to ensure her of an education and upbringing suited to her estate. Jean Campbell did not appear before the privy council when she was summoned, and was denounced as a rebel. One Montgomerie of Hessilheid had to put up a £10,000

cautionary bond on the duchess's behalf for the delivery of this child to her father by 21 October 1607. [Complete Peerage, vol. 7: 606, note f; Edinburgh, 24 September & 15 October 1607, D. Masson, ed., The Register of the Privy Council of Scotland. First Series, (Edinburgh, 1885), vol. 7: 440, 696.]

²⁵ The marriages which ended in divorce were the eighth earl of Angus's second marriage, the twelfth earl of Crawford's only marriage, and the eleventh earl of Sutherland's first marriage. Three other marriages have been included in this figure, those of the second earl of Winton, the fifth earl of Eglinton, and the second Maxwell earl of Morton. Angus obtained a divorce from his wife for her alleged association with the third earl of Montrose. Jean Ker was granted a divorce from Crawford after he repudiated her and was imprisoned in Edinburgh Castle for debt. Sutherland obtained a divorce from his wife who he was forced to marry when her father exploited his tutorial powers over the earl. Anna Maitland's marriage to Winton was annulled on the grounds of the earl's impotency after he revealed his insanity on the wedding night and had to be separated from his bride and kept under restraint at Seton Palace until his death. Margaret Montgomerie's marriage to her cousin the fifth earl of Eglinton was annulled 7½ years later on her petition. Margaret Hamilton died during the dependence of a divorce suit pursued by Maxwell-Morton against her.

²⁶ For example, the first earl of Home's wife, Christian Douglas (widow of Lawrence, master of Oliphant) is said to have "walked out in 1595 taking the "platte and beste stuffe at Dunglass...with her to fife to her lyving there."" The couple were reconciled, for in 1602 Lady Home was riding the bounds of Innerwick (East Lothian) on behalf of her husband, who was absent on a diplomatic mission to France [Maureen M. Meikle, "Victims, Viragos and Vamps: Women of the Sixteenth-Century Anglo-Scottish Frontier," in Government, Religion and Society in Northern England 1000-1700, eds. John C. Appleby and Paul Dalton, (Phoenix Mill, Gloucestershire, 1997): 181]. The fifth earl Marischal and his first wife, Margaret Home, were also "at parting" in 1595, supposedly "for a fault in the Earl," but were reconciled by October of that year [8 October 1595, George Nicolson to Robert Bowes, in Public Record Office (Great Britain), The Calendar of State Papers Relating to Scotland..., ed. M.S. Giuseppi, (Edinburgh, 1952), vol. 12, document 38: 41]. An exception to this pattern was the breakdown of the 30-year marriage of the first earl of Orkney and his wife, Jean Kennedy, in the early 1590s, which had not been resolved at the time of his death in February of 1593 [Peter D. Anderson, Robert Stewart, Earl of Orkney, Lord of Shetland, 1533-1593, (Edinburgh, 1982): 130-131; and Peter D. Anderson, Black Patie: The Life and Times of Patrick Stewart Earl of Orkney, Lord of Shetland, (Edinburgh, 1992): 47].

²⁷ The length of the marriages of the peers was calculated by taking the difference between the date of death of the peer or his spouse (whichever occurred first) and the date of marriage (or marriage contract date). This exercise was straightforward in 93 cases, had to be approximated in 26 cases, and was not possible in the case of viscount Air's first marriage. Where a divorce occurred, the time that the couple lived together before separation was used.

²⁸ Lawrence Stone, The Family, Sex and Marriage in England 1500-1800, (New York, 1977): 55.

²⁹ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 589-590, 787 (Appendix XXVI).

³⁰ See for example, Rosalind K. Marshall, Virgins and Viragos: A History of Women in Scotland from 1080 to 1980, (Chicago, 1983): 17, 223, 226-227; R.A. Houston, "Women in the economy and society of Scotland, 1500-1800," in Scottish Society 1500-1800, eds. R.A. Houston and I.D. Whyte, (Cambridge, 1989): 128; Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 590, 619; Lawrence Stone, The Family, Sex and Marriage in England 1500-1800, (New York, 1977): 79-80; Antonia Fraser, The Weaker Vessel: Woman's lot in seventeenth-century England, (London, 1984): 69-72, 451, 453-454; and David M. Walker, A Legal History of Scotland, (Edinburgh, 1995), vol. 3: 678.

³¹ The wives of peers who are known to have died while giving birth or soon thereafter are Mary Hay, the only wife of the first earl of Buccleuch, who died within a fortnight of the birth of her sixth child in less than 15 years; Catherine Carey, the first wife of the second earl of Home, who died within a week of her first (premature) birth at the age of 17; Elizabeth Gordon, the first wife of the second earl of Linlithgow,

who died aged 18, 12 days after giving birth to her first child; and Elizabeth Stewart, countess of Moray in her own right and only wife of the second earl of Moray, who died in childbed aged 26 after bearing 5 children in about 10 years. These four deaths may represent only the obvious cases, and not the sum total of deaths resulting from childbirth. A current study of maternal mortality classified female subjects who died within six weeks of a birth, rather than two weeks, as maternal mortality cases, and examined women who died between six weeks and four years of their last recorded birth for lingering deaths or deaths during 'subsequent hitherto unreported births'. Judith Lewis, "'Tis a Misfortune to Be a Great Ladie": Maternal Mortality in the British Aristocracy, 1558-1959," *Journal of British Studies*, 37(1998): 31.

³² Dorothy Smith was married and widowed three times before her fourth marriage to the first earl of Kellie. Eight of these women were married three times, and twenty-eight were wed twice. Twenty-one of these women were widowed and one was divorced before their marriages to the peers in this study. Seventeen women remarried after the deaths of their peers and three women remarried after their divorces from these peers.

³³ See Appendix A2, where the birth, baptismal or death dates of these 24 women have been included.

³⁴ The 13-year old brides were Catherine Carey, the first wife of the second earl of Home; Mary Douglas, countess of Buchan in her own right and first wife of the sixth earl of Buchan; and Anna Maitland, the wife of the second earl of Winton. The 45-year old bride was Frances Howard, third wife of the second duke of Lennox.

³⁵ The 6 women who were married previously were the widow of the third duke of Lennox, Catherine Clifton, who went on to marry the second earl of Abercorn; the widow Jean Fleming, who married the fifth earl of Cassillis; the divorcée Jean Gordon, who was the second wife of the eleventh earl of Sutherland; the two-time widow Frances Howard, who was the third wife of the second duke of Lennox; the widow Sarah Maxwell, who was the second wife of the first earl of Wigton; and the widow Mary Villiers, who married the fourth duke of Lennox.

³⁶ The 13-year old brides were as in note 34. The 32-year old bride was Barbara Sinclair, first wife of the eleventh earl of Sutherland.

³⁷ In the half-century prior to 1603, intermarriage between Scots and English had been discouraged, largely because it tended to fuel violence, and hindered justice and obedience to the crown. The King's Peace Act of 1587 made it illegal for a Scottish subject "To mary with ony englishe woman duelling in the opposite marcheis without his hienes express licence had and obtenit to that effect vnder the greit seill vndir the pane of deid and confiscatioun of all his guidis movable." 1587 James VI c.59, s.15 in Thomas Thomson, ed., *The Acts of the Parliament of Scotland*, (Edinburgh, 1814), vol. 3: 464.

³⁸ The English brides used in the smaller sample were Catherine Carey (eldest daughter of the first viscount Falkland), the first wife of the second earl of Home; Catherine Clifton (the only daughter of lord Clifton of Leighton-Bromswold), wife to both the third duke of Lennox and the second earl of Abercorn; Martha Cockayne (daughter of Sir William Cockayne of Rushton, sometime lord mayor of London), the second wife of viscount Haddington; Grace Fane (daughter of the first earl of Westmoreland), the second wife of the second earl of Home; Frances Howard (daughter of the first viscount Howard of Bindon and widow of Henry Pranell and the first earl of Hertford), the third wife of the second duke of Lennox; Marie or Mary Sutton (the eldest daughter of the ninth lord Dudley), the second wife of the first earl of Home; and Mary Villiers (daughter of the first duke of Buckingham and widow of Charles, lord Herbert of Shurland), wife to the fourth duke of Lennox. The other seven English wives of the Scots peers were Ursula Barnham (daughter of Stephen Barnham and widow of Sir Robert Swift of Rotherham), the second wife of viscount Air; Elizabeth Beaumont (daughter of Sir Francis Beaumont and cousin of the first duke of Buckingham), wife of the first earl of Nithsdale; Anne Cornwallis (daughter of Sir William Cornwallis of Brome), the second wife of the seventh earl of Argyll; Dorothy Knyvett (daughter of Sir Philip Knyvett, bart.), the second wife of the sixth earl of Buchan; Elizabeth Pierrepont (daughter of Sir Henry Pierrepont of Holme Pierrepont and widow of Sir Edward Norreys) and Dorothy Smith (daughter of Humphrey Smith of

Cheapside and widow of Benedict Barnham, Sir John Packington and Robert, viscount Kilmorey), the second and third wives of the first earl of Kellie; and Elizabeth Ratcliffe (daughter of the fifth earl of Sussex), the first wife of viscount Haddington.

³⁹ The eleventh earl of Sutherland and his first wife were approximately 15 and 32 years, respectively, while viscount Haddington and his second wife were approximately 44 and 19 years, respectively.

⁴⁰ David M. Walker, A Legal History of Scotland, (Edinburgh, 1995-1996), vol. 3: 660-662; vol. 4: 655-656.

⁴¹ David M. Walker, A Legal History of Scotland, (Edinburgh, 1995), vol. 3: 661.

⁴² See for example the tochers of Anna and Margaret Livingston, the first and second daughters of the first earl of Linlithgow, respectively married to the sixth earl of Eglinton in 1612 and the second earl of Wigton in 1609, and dowered with 30,000 and 28,000 merks each.

⁴³ An example is the pledge made in his marriage contract of 1616 by the first earl of Buccleuch binding himself, his heirs-male and his successors to provide tochers for the daughters of his union with Mary Hay. If they had only one daughter, she would receive £20,000 Scots. If they had two daughters, the first would receive £20,000 and the second would receive 20,000 merks (a merk was equal to two-thirds of a pound Scots). If there were three daughters, the eldest would receive £20,000, the second would receive 20,000 merks, and the youngest would receive £10,000. If there were more than three daughters from this union, the eldest would receive only 20,000 merks, and the rest of her sisters would have to divide the sum of 50,000 merks amongst themselves. William Fraser, The Scotts of Buccleuch, (Edinburgh, 1878), vol. I: 247-248.

⁴⁴ A.J.S. Gibson and T.C. Smout, Prices, Food and Wages in Scotland 1550-1780, (Cambridge, 1995): 5-6.

⁴⁵ One merk was the equivalent of two-thirds of a Scottish pound.

⁴⁶ The Scots Peerage mistakenly reports this tocher as 5,300 merks in the entry for the thirteenth earl of Sutherland [vol. 8: 350]. In The History of the House of Seytoun the tocher is said to have been 50,000 merks (pledged in 1629, not 1632?), "the greatest portion that was ever given in Scotland, before that time." Richard Maitland, The History of the House of Seytoun to the year M.D.LIX. With the Continuation. By Alexander Viscount Kingston to M.DC.LXXXVII., (Glasgow, 1829): 60.

⁴⁷ To obtain some indication of what these values meant in their contemporary setting, they can be compared with wages from the period. A skilled building worker (a mason or a wright) in Edinburgh or Aberdeen earned 3 or 4 shillings per day in the 1560s, about 6 shillings per day in the 1580s, and 12 shillings per day by 1620. It was not until the 1630s in Edinburgh and the 1660s in Aberdeen that a skilled worker earned 13s.4d., or 1 merk Scots, per day. The average day labourer working in a town earned approximately half these amounts per day (in a combination of food and coin), and did not earn half a merk Scots per day until the middle of the seventeenth century. A.J.S. Gibson and T.C. Smout, Prices, Food and Wages in Scotland 1550-1780, (Cambridge, 1995): 274, 278.

⁴⁸ The remaining 14 wives were the daughters of Englishmen.

⁴⁹ The sixth earl of Buchan and the second earl of Moray gained their titles through their marriages to the countesses of these earldoms. The fifth earl of Cassillis gained his appointment to the office of high treasurer soon after his marriage through the influence of his wife, the widow of lord chancellor Thirlestane.

⁵⁰ Examples of improved associations through marriage include the first earls of Lauderdale and Seaforth, who married daughters of the first earl of lord chancellor Dunfermline (each more than a decade before their respective earldoms were bestowed upon them).

⁵¹ Ian D. Whyte, Scotland Before the Industrial Revolution: An Economic and Social History c1050-c1750, (London, 1995): 153.

⁵² Judith Lewis, "'Tis a Misfortune to Be a Great Ladie": Maternal Mortality in the British Aristocracy, 1558-1959," Journal of British Studies, 37(1998): 34-35. Also observed by Lawrence Stone, The Crisis of the Aristocracy 1558-1641, (Oxford, 1965): 168, 768.

⁵³ T.H. Hollingsworth, "The Demography of the British Peerage," supplement to Population Studies, 18(1964): 47.

⁵⁴ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 168; & The Family, Sex and Marriage in England 1500-1800, (New York, 1977): 66-68 and 69, graph 10.

⁵⁵ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 768, appendix XIIIb.

⁵⁶ T.H. Hollingsworth, "The Demography of the British Peerage," supplement to Population Studies, 18(1964): 29-30, table 19.

⁵⁷ R.A. Houston, "Women in the economy and society of Scotland, 1500-1800," in Scottish Society 1500-1800, eds. R.A. Houston and I.D. Whyte, (Cambridge, 1989): 127-128.

⁵⁸ The completely childless unions were the first marriages of the 7th earl of Atholl, the 5th earls of Cassillis and Eglinton, the 1st earl of Home, the 2nd earl of Orkney, the 11th earl of Sutherland, the 2nd earls of Tullibardine and Winton, and viscount Stormont; the second marriages of the 6th earls of Atholl, Eglinton, and Glencairn, the 2nd earl of Home, the 13th earl of Sutherland, and viscounts Air and Haddington; and the third marriage of the 1st earl of Roxburghe. The 2nd duke of Lennox's first and third marriages were childless. The first and second marriages of both the 8th earl of Angus and the 9th earl of Errol were also childless, as were the second and third marriages of the 1st earl of Kellie. The unions that were ultimately childless were the first marriages of the 2nd earl of Home, the 2nd earl of Kinghorne, the 2nd Maxwell earl of Morton and viscount Haddington; the second marriage of the 2nd duke of Lennox; and the third marriage of the 8th earl of Angus.

⁵⁹ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 168, 768 appendix XIIIa,c.

⁶⁰ These were the seventh earl of Atholl, the fifth earls of Cassillis and Eglinton, the second earl of Winton and viscount Stormont.

⁶¹ These were the eighth earl of Angus, the fifth earls of Atholl and Buchan, the twelfth and fourteenth earls of Crawford, and the first earls of Dunbar and Perth.

⁶² These were the second duke of Lennox, the second earls of Home and Lothian, the second Maxwell earl of Morton, the first earl of Seaforth and viscount Haddington.

⁶³ These were the fourth duke of Lennox, the first marquess of Hamilton, the first earl of Annandale, the sixth earl of Cassillis, the first earls of Dunfermline and Kellie, the second earl of Kinghorne, the sixth earl of Menteith, the fourth earl of Montrose, the first earl of Nithsdale and the sixth earl of Rothes.

⁶⁴ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 169 and figure 12.

⁶⁵ The peers with 10 surviving children in their first marriages were the seventh earl of Menteith, the eighth earl of Morton, and the first earls of Tullibardine and Wigton. Those with 9 surviving issue were the third duke of Lennox, the first marquess of Huntly, the first earl of Abercorn and the sixth earl of Glencairn. The peers who had 8 surviving children from their first marriages were the fifth earl of Bothwell, the sixth earl

Marischal, the first earl of Orkney and the second earl of Wigton. Those with 7 children were the sixth earl of Eglinton and the first Maxwell earl of Morton.

⁶⁶ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 168.

⁶⁷ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 768, appendix XIIIc.

⁶⁸ K.M. Brown, "In Search of the Godly Magistrate in Reformation Scotland," Journal of Ecclesiastical History, 40(1989): 569.

⁶⁹ Michael F. Graham, The Uses of Reform: 'Godly Discipline' and Popular Behavior in Scotland and Beyond, 1560-1610, (Leiden, 1996): 46-47, 280-286. See also pp. 265-268 (quote taken from p. 268), where Graham shows that the elite members of Scottish society were somewhat less likely to be charged or successfully pursued by kirk sessions for sexual breaches. "The average parishioner was to restrict sexual activity to lawful marriage, keep the Sabbath and keep the peace. The notables were expected to do the same, but sexual offenses which were not notorious could perhaps be overlooked; at any rate, the illegitimate children of the prominent were less likely to become a burden on the parish poor fund." It was more important to scrutinize the political and religious orthodoxy of these eminent individuals.

⁷⁰ These were the second earls of Abercorn, Dunfermline and Perth, the sixth earls of Cassillis and Eglinton, the seventh earl of Menteith and the thirteenth earl of Sutherland.

⁷¹ The precise death dates of these peers are not all known. In all but 4 cases, the exact year is known, and was used here. For the purposes of this study, the thirteenth earl of Crawford is said to have died in 1622 (he died before 16 January 1623), the sixth earl of Glencairn is said to have died in 1630 (he died between 20 June 1630 and 2 April 1631), the second earl of Winton is said to have died in 1637 (he was still living in December 1636), and the first viscount Air is said to have died in 1642 (he died sometime between 15 August 1642 and 24 March 1643).

⁷² These were the third earl of Gowrie, who was slain by the king's attendants in his defence during the Gowrie conspiracy; the second Maxwell earl of Morton and the second earl of Orkney, who were executed by the state; the second earl of Lothian, who committed suicide; the second earl of Moray, who was slaughtered in the course of a feud; the first Maxwell earl of Morton, who was met his death in the course of a punitive expedition as a border warden; and the fourteenth earl of Crawford, who was killed by a lieutenant in his regiment while serving Gustavus Adolphus of Sweden.

⁷³ For a discussion of this campaign and its success, see Keith M. Brown, Bloodfeud in Scotland 1573-1625: Violence, Justice and Politics in an Early Modern Society, (Edinburgh, 1986), particularly pp. 259-260.

⁷⁴ Keith M. Brown, Bloodfeud in Scotland 1573-1625: Violence, Justice and Politics in an Early Modern Society, (Edinburgh, 1986): 268-270.

⁷⁵ Lawrence Stone, The Crisis of the Aristocracy, 1558-1641, (Oxford, 1965): 788, appendix xxvii.

⁷⁶ See chapter 4, note 72.

⁷⁷ These were the first earl of Melrose, the seventh earl of Morton and the fifth earl of Rothes.

⁷⁸ These were the eighth earl of Angus, the first earl of Perth and the sixth earl of Rothes.

⁷⁹ This and subsequent definitions or explanations for illnesses were found in The Oxford English Dictionary in 20 vols. (2nd ed.; Oxford, 1989).

⁸⁰ These were the thirteenth earl of Sutherland and the third earl of Winton.

⁸¹ These were the first earls of Dunfermline and Linlithgow, the ninth earl of Errol and the fifth earl Marischal.

⁸² These were the second duke of Lennox, the first earls of Dunbar and Kinghorne, and the sixth earl of Menteith.

⁸³ These were the third earl of Montrose and the eleventh earl of Sutherland.

⁸⁴ The twelfth earl of Crawford died in captivity at the Castle, and the second Maxwell earl of Morton and the second earl of Orkney were beheaded in the city. The fourth to die in Edinburgh was the first earl of Kinghorne. The first earl of Tullibardine may also have died there.

⁸⁵ The peers who died in London were: the second duke of Lennox, the second marquess of Hamilton, the first earls of Annandale, Buccleuch, Dunbar, Home and Kellie, the second earls of Home and Tullibardine, the fifth earl of Cassillis, the sixth earl of Buchan, and the seventh earl of Argyll. The third duke of Lennox died at Kirkby, Northants., and the sixth earl of Rothes at Richmond-on-Thames, Surrey. The peer to die on the Isle of Man in 1646 was the first earl of Nithsdale.

⁸⁶ DNB, vol. 13: 126.

⁸⁷ Scots Peerage, vol. 4: 268; DNB, vol. 17: 508.

⁸⁸ Known in England as the earl of Holderness and baron of Kingston-on-Thames, Surrey, from 1620.

⁸⁹ Keith M. Brown, "The Scottish Aristocracy, Anglicization and the Court, 1603-38," Historical Journal, 36(1993): 574.

5: CONCLUSION

The Scottish nobility were the dominant social order in Scotland, and as such are deserving of the attention of modern scholars. I believe the immediate aim of this thesis, to improve our understanding of the upper ranks of the Scottish peerage during the adult reign of James VI, has been attained. We now know many things about this group and designated sub-groupings therein of which we were previously ignorant. This new knowledge consists of an array of similarities, differences and continuities. Some of the initial findings of the analysis include that the body of peers grew in size by 68% between 1587 and 1625; that this body was evenly split between established peers and newly-elevated peers at the end of the reign; and that at any given time, approximately one-third were of the Catholic faith, some visibly so, while others practiced their religion in a clandestine manner. The upper peerage was strengthened with new additions, who, by 1625, were smoothly integrating with the established peers through marriage. Noble Catholics had not been driven away or collectively converted, but were permitted to quietly sustain themselves and even better their social positions if they conformed to the state-sanctioned religion outwardly. This was possible as promotion and patronage under James VI depended more upon a family history of loyalty and noble service to the crown than personal religious convictions.

James VI's upper Scottish peerage was mostly a body of well-born eldest sons who emerged from their parents' first marriages in the years surrounding 1573. They appear to have been educated and well-travelled, with a good number of them having received some of their education on the Continent. Over 46% inherited their titles from their fathers, while almost 30% were elevated to their titles. They tended to be in their

late twenties at the time of their accession to these titles, but approximately one-third, as was similarly observed amongst the English aristocracy, were minors. Over the course of the period studied here, the mean age composition of the peers rose steadily.

There were a number of these general features in which little variation could be observed between sub-groupings of the body of 85 peers. Birth order amongst sons was found to be largely independent of the age of their titles, their religious leanings, and their regional ties; the parents' unions from which the peers issued were found to be little affected by the age of their titles and their religious leanings; and the extent to which the peer is known to have travelled was found to be chiefly independent of the age of their titles and their regional ties. Similarly, religious leanings were found to have had little correlation to the age of peers at succession or elevation to their titles. This by no means implies that there were no differences observed between sub-groupings with regard to many of these general indicators. The old and new peers were found to have diverging patterns when the countries in which they studied, the origin of their titles, and the age at which they succeeded or were elevated to these titles were examined. The profiles of the Protestant and Catholic groups were observed to deviate from each other as to the origin of their titles, and in the countries in which they were educated and travelled. The peers associated with the three regions into which Scotland was divided in this study were found to have differences when it came to the parents' unions from which they issued, the countries in which they received their educations, the origin of their titles, and their ages at accession to their titles.

The 82 peers in this study who married were wed more frequently than their fathers, an average of 1.46 times per peer vs. 1.34 times. Like the English aristocracy,

these Scottish peers tended to delay marriage until they were in their twenties, but unlike the English, a staggering 45% were married while they were still minors. Their marriages tended to be stable, with a low rate of divorce (5%), but on average, these marriages were shorter in duration than their English counterparts, only about 15 to 18 years. Intervals between marriages appear to have been brief, with remarriages to produce male heirs quite common. These Scottish peers were found to have produced smaller families than those from which they themselves came, an average of 5.8 surviving children per peer vs. the average 7.2 surviving children produced by the parents of the peers. The mortality rate among all children (including those who died young) in these two groups also differed: 12.4% of the peers' children died young, whereas only 7.1% of the peers and their siblings had done so. Illegitimacy rates remained near constant, 8.3% among the peers and their siblings vs. 8.5% among the children of the peers. Like the English aristocracy, the Scottish peers had high levels of both childlessness (19.5% for first marriages, approximately 40% for successive marriages) and male childlessness (32.9% for first marriages, 50% for successive marriages). In Scotland, one-quarter of the peers had more than six surviving children, but this was significantly fewer than the one-third of English peers who had similar high fertility levels. Age at death among this group of peers rose over the course of the period under study, but averaged 53.4 years. These peers tended to hold their titles for an average of 25 years, 83% of which time they were capable of participating in public affairs.

Once again, both similarities and differences in these general features were found amongst the sub-groupings of the peerage. The number of times the peers were married appears to have been independent of the age of their titles, their religious leanings and

their regional ties. The age of the peers at marriage and the number of siblings they had varied within the sub-groupings, as they appear to have been linked in some manner to all three of these variables. The average number of surviving children per peer and per marriage, the siring of illegitimate children, and the number of years they held their titles appear to have been independent of religious leanings, but differences in these areas were observed between the old and the new peers, and the peers from the three regional groupings. There also appears to have been a strong relationship between the lifespans of these peers and the age of their titles.

Now that the total group has been explored, it is time to return to the seven heavily-cited peers discussed in the introduction.¹ It must be determined whether these seven were typical of all members of the upper ranks of the Scottish peerage, or if they were uncommon examples of their order. When compared to the entire upper Scots peerage, this group of seven peers was found to contain a different composition of the age of title, religious and regional sub-groupings. This sample of peers over-represented the old peers, the Protestant peers, and those peers with ties to the northwest and isles region or the Anglo-Scottish border, and under-represented the new peers, the Catholic peers and those peers with links to central Scotland.

Virtually all of the peers in this select sample were born before James VI (instead of shortly thereafter), and were found to have been more than five years younger than the average for all their titled contemporaries in both 1587 and 1597. Their mean age at succession was almost two years less than that of the total group, consequently, they spent an average of four years per peer as minors after succeeding to their title, rather than 3.4 years. These peers appear to have been even better-travelled than their generally

well-travelled fellow peers,² and also tended to have approximately two more siblings than was common for this group.

These seven peers were found to have been wed less frequently than the average for the entire group, a mean of 1.33 times as opposed to 1.46 times, and tended to be older when they did marry (30.5 years vs. 28.5 years for all marriages, 24.3 years vs. 23 years for first marriages). Their marriages tended to last somewhat longer than the group average (20.1 years vs. 17.6 years for all marriages, 23.5 years vs. 18.3 years for first marriages), and they were more likely to end due to the death of the peer, rather than the death of his wife, as was the case for the total group. Despite generally having come from families which had more than the average number of offspring, this small sample of peers did not emulate their parents – they had slightly less than the average number of children per peer and per marriage, but because of a lower child mortality rate, ended up with ratios of surviving children per peer and per marriage equal to those of the larger group. Furthermore, they had a greater proportion of marriages in which there resulted more than six surviving issue. All but one of the seven notorious peers died well before James VI, rather than sometime soon after 1625, as was the norm. They also perished at a younger mean age, 47.6 years, rather than the total group's average of 53.4 years. Thus, these seven peers held their titles, both actively and in total, for significantly shorter periods of time than did the larger group (15.75 years and 19 years for the seven peers vs. 21 years and 25.25 years for the eighty-five peers).

These seven notorious peers corresponded to patterns similar to those of the entire group in but a few instances – in the matter of where the peers received their educations; in the ratio of difference in the ages of the peers and their wives; in the number of

children they produced that survived to adulthood; and in the percentage of peers that were interred in Scotland. Accordingly, I feel confident in stating that while these seven well-known peers most certainly did belong to the upper ranks of the Scottish peerage, they were not standard examples of their order. Given the numerous aspects of their lives in which they have been discovered to have differed from the average, it is not beyond credence that there exist further features in which they were not representative of their rank. More has been, and can continue to be learned by studying the Scottish nobility as a composite group.

Further examination of the Scottish nobility is both warranted and likely to be enlightening, particularly in the area of their participation in government and society, at both the local and national levels. An enhanced understanding of this nobility, not as an abstract entity, but as an active commanding body, both bound to and with a role in the community at large, is called for. A more elaborate profile of this group, based upon an analysis of their degree and patterns of participation, particularly in the years leading up to the reign of Charles I, could only add to our appreciation of aristocratic involvement, and ultimately augment our comprehension of the causes of events in 1637-38.

Initial tabulations of data collected in the course of compiling profiles of the 85 peers in this work revealed that most of the peers participated in Scottish society and government at both the local and central or court levels. Approximately 87% of all peers were involved to some degree in the affairs of both arenas at some time, with individual peers holding as many as thirty positions or roles. At the local level, these positions encompassed such offices as those of provost,³ sheriff, keeper, steward, constable, bailie, forester, coroner, commissioner of the peace, lieutenant, warden, and justiciar, to name

but a few. Many of these peers also participated locally, playing “a disproportionately important role in Scotland’s decentralized political culture”⁴ by sitting on and assisting commissions established for special purposes,⁵ by serving periodic regional justice courts, by mediating in local disputes, or by acting in the interests of specific burghs, of which many were honorary burgesses.⁶ At the national level, there were numerous ways in which these peers participated. They held offices in Scotland’s central government, at court, or in England or Ireland, appeared at sessions of Scotland’s privy council and parliament, or important ceremonial occasions, personally attended the king, served members of the royal family, managed the royal property and finances, acted as ambassadors, hosted foreign dignitaries, and sat on assizes or acted as assessors in court cases of national import.

An initial survey of the participation rate of the individual sub-groupings of the 85 Scottish peers revealed similar high levels of involvement in both the local and national spheres of activity. All of the groupings, with only one exception, were found to have had participation levels ranging between 82% and 94%. The exception was the Catholic group, which was found to have a slightly lower proportion (75%) of its members actively involved in government and society at the local level, possibly due to religious impediments to office.

Admittedly, these figures are only surface data, for they do not indicate the frequency and duration of the individual peer’s participation. But this information is sufficient to allow us to see that there may be some value in an exploration of this topic. For until we know the manner in which the Scottish nobility occupied themselves, it cannot be determined how, or even if, their roles were altered. Did their pattern of

involvement in the affairs of their society change in Charles I's reign? Did they become more, or less, involved in central and local administration? Were only certain elements of the nobility affected, or was this a class-wide phenomenon? One suspects that there was some break with previous patterns, for this would begin to provide some explanation as to why in 1637-38 the kirk reformers looked to the aristocracy for leadership in opposing Charles I, whereas in 1584 the Melvillian resisters to the Black Acts attempted to challenge James VI independently of the nobility.⁷ Thus there is still much to be gained from further study of the Scottish nobility.

ENDNOTES

¹ See chapter 1, pp. 3-5. Specifically these were the first marquess of Huntly, the fifth earl Bothwell, the first earls of Dunbar and Dunfermline, the third earl of Gowrie, and the second earls of Moray and Orkney.

² This statement excludes the second earl of Moray, about whose travels (if any) no information was found.

³ Landed noblemen and lairds were often elected as provosts of burghs, despite parliamentary acts banning this illegal practice [These included – 1503 James IV c.28, 1535 James V c.35, & 1609 James VI c.15 in Thomas Thomson, ed., The Acts of the Parliament of Scotland, (Edinburgh, 1814-16), vol. 2: 244, 349; & vol. 4: 435.]. At times, the crown was actively involved in the promotion of certain peers as provosts [Including the second earl of Mar in the burgh of Montrose in 1599. Holyroodhouse, 23 October 1599, D. Masson, ed., The Register of the Privy Council of Scotland. First Series, (Edinburgh, 1885), vol. 6: 34.]. At least 25 of the peers in this study were provosts at some time between the 1580s and 1620s.

⁴ Roger A. Mason, "Imagining Scotland: Scottish Political Thought and the Problem of Britain 1560-1650," in Scots & Britons: Scottish Political Thought and the Union of 1603, ed. Roger A. Mason, (Cambridge, 1994): 10.

⁵ These activities included the pursuit and apprehension of outlawed individuals or groups, overseeing the finances and repairs of roads, bridges and waterways, surveying woods, collieries and locations for proposed fortifications, and aiding in the pacification of Scotland's highlands and isles and the Anglo-Scottish border region.

⁶ Thirty or more peers in this study were honorary burgesses, some of them of as many as 4 burghs at one time. It was not unusual for their eldest sons, brothers and other family members to be burgesses as well.

⁷ This is not suggesting that in 1584 all nobles were in favour of the Black Acts, simply that the two groups (nobles and ministers) were not united in their efforts to oppose them. Members of the two groups did not even choose to flee to the same exiles after their efforts failed – the ministers congregated in London, while the nobles gathered in Newcastle. Michael Lynch, Scotland: A New History, (London, 1991): 233, 249.

APPENDIX A: SCOTTISH PEERS AND PEERAGES, 1587-1625

[Read as: peerage title, number in succession, (if 1st: date of creation), name, dates held; and other names or titles peer known by]

DUKES

- Lennox 2nd** Ludovick Stewart (1583-1624); earl of Richmond in England 1613, duke of Richmond and earl of Newcastle-Upon-Tyne 1623
3rd Esmé Stewart (1624 February-July); lord d'Aubigny in France 1583; earl of March in England 1619
4th James Stewart (1624-55); duke of Richmond in England 1641

MARQUESSSES

- Hamilton 1st (1599)** Lord John Hamilton (1599-1604); head of family from 1575 (*see also earldom of Arran*)
2nd James Hamilton (1604-25); earl of Cambridge in England 1619
Huntly 1st (1599) George Gordon (1599-1636); 6th earl of Huntly 1576-1599

EARLS

- Abercorn 1st (1606)** James Hamilton (1606-18); master of Paisley; Lord Abercorn 1601
2nd James Hamilton (1618-70)
Angus 8th Archibald Douglas (1557-88); earl of Morton 1587
9th William Douglas (1588-91); laird of Glenbervie 1570
10th William Douglas (1591-1611)
11th William Douglas (1611-60); marquess of Douglas 1633
Annandale 1st (1624) John Murray (1624-40); of Lochmaben; viscount Annan 1622
Argyll 7th Archibald Campbell (1584-1638)
Arran 3rd James Hamilton (1576-81, 1585-1609)
-see marquessate of Hamilton (from 1609)
Atholl 5th John Stewart (1579-95)
6th John Stewart (1596-1603); Lord Innermeath 1586
7th John or James Stewart (1603-26)
Bothwell 5th Francis Stewart (1581-forfeit 1591, d 1612-14)
Buccleuch 1st (1619) Walter Scott (1619-33); Lord Scott of Buccleuch 1612
Buchan 5th James Douglas (1588-1601)
6th Mary Douglas & James Erskine (1601-28 & circa 1617-40)
Caithness 5th George Sinclair (1582-1643)
Cassillis 5th John Kennedy (1576-1615)
6th John Kennedy (1615-68)
Crawford 11th David Lindsay (1573-1607)
12th David Lindsay (1608-20)
13th Henry Lindsay (1620-23)
14th George Lindsay (1623-33)

[Darnley]-see dukedom of Lennox (from 1581)
Dunbar 1st (1605) George Home (1605-11); of Primroknows; of Spott 1593; Baron Home of Berwick in England 1604
Dunfermline 1st (1605) Alexander Seton (1605-22); Lord Urquhart 1588; L Fyvie 1593
 2nd Charles Seton (1622-72)
Eglinton 5th Hugh Montgomerie (1586-1612)
 6th Alexander (Seton) Montgomerie (1612-61)
[Enzie]-see marquessate of Huntly (from 1599)
Errol 9th Francis Hay (1585-1631)
Galloway 1st (1623) Alexander Stewart (1623-49); of Garlies; Lord Garlies 1607
Glencairn 6th James Cunningham (c.1580-1630/31)
Gowrie 2nd James Ruthven (1586-88)
 3rd John Ruthven (1588-1600), forfeit//
[Haddington]-see earldom of Melrose (from 1627)
Home 1st (1605) Alexander Home (1605-19); Lord Home 1578
 2nd James Home (1619-33)
Kellie 1st (1619) Thomas Erskine (1619-39); Baron Erskine of Dirleton in England 1604; viscount Fentoun 1606; earl of Haddington 1627
Kinghorne 1st (1606) Patrick Lyon (1606-15); Lord Glamis 1578
 2nd John Lyon (1617-1646/47)
Lauderdale 1st (1624) John Maitland (1624-45); Lord Thirlestane 1595; viscount Lauderdale 1616; viscount Maitland 1624
Linlithgow 1st (1600) Alexander Livingston (1600-21); Lord Livingston 1592
 2nd Alexander Livingston (1622-48)
Lothian 1st (1606) Mark Ker (1606-09); of Prestongrange; Commendator of Newbattle 1581; Lord Newbattle 1591
 2nd Robert Ker (1609-24)
Mar 2nd John Erskine (1572/73-1634)
Marischal 5th George Keith (1581-1623)
 6th William Keith (1623-35)
Melrose 1st (1619) Thomas Hamilton (1619-exchange title to Haddington 1627-d1637); Lord Drumcairn 1592; Lord Binning & Byres 1613
Menteith 6th John Graham (1578-98)
 7th William Graham (1598-1661); earl of Strathearn 1631-3, earl of Airth 1633
Montrose 3rd John Graham (1571-1608)
 4th John Graham (1608-26)
Moray 2nd Elizabeth Stewart & James Stewart (1570-91 & 1581-92)
 3rd James Stewart (1592-1638)
Morton 7th William Douglas (1588-1606); of Lochleven 1555
 8th William Douglas (1606-48)
 1st (1581) John Maxwell (1581-93); 8th Lord Maxwell 1574
 2nd John Maxwell (*de jure*) (1593-forfeit 1609, exec 1613); 9th Lord Maxwell
Nithsdale 1st (1620 retroactive to 1581) Robert Maxwell (1620-46); 10th Lord Maxwell

Orkney 1st (1581) Robert Stewart (1581-93); of Strathdown
 2nd Patrick Stewart (1593-forfeit 1615)
Perth 1st (1605) James Drummond (1605-11); Lord Drummond 1602/03
 2nd John Drummond (1612-62)
Roths 5th Andrew Leslie (1558-1611)
 6th John Leslie (1611-41)
Roxburghe 1st (1616) Robert Ker (1616-50); of Cessford; Lord Roxburghe 1599/1600
Seaforth 1st (1623) Colin Mackenzie (1623-33); Lord Mackenzie of Kintail 1611
Sutherland 11th Alexander Gordon (1567-94)
 12th John Gordon (1594-1615)
 13th John Gordon (1615-79)
Tullibardine 1st (1606) John Murray (1606-13); Lord Murray of Tullibardine 1604
 2nd William Murray (1613-27)
Wigton 1st (1606) John Fleming (1606-19); Lord Fleming 1572
 2nd John Fleming (1619-50)
Winton 1st (1600) Robert Seton (1600-03); Lord Seton 1586
 2nd Robert Seton (1603-resignation 1606, living 1636)
 3rd George Seton (1607-50)

VISCOUNTS

Air 1st (1622) William Crichton (1622-1642/43); Lord Crichton of Sanquhar 1613; earl of Dumfries 1633
[Annan]-see earldom of Annandale (1622-24)
[Fentoun]-see earldom of Kellie (1606-19)
Haddington 1st (1606) John Ramsay (1606-26); Lord Ramsay of Melrose 1615-18; earl of Holderness in England 1620
[Lauderdale]-see earldom of Lauderdale (1616-24)
[Maitland]-see earldom of Lauderdale (1624-45)
Stormont 1st (1621) David Murray (1621-31); of Gospertie; Lord Scone 1604

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APPENDIX A2: THE SPOUSES OF THE PEERS OF SCOTLAND, 1587-1625

[Read as: **peerage title, number in succession, spouses & English spouses** (number of daughter in sequence if known, name of father of spouse); previously married or will remarry; number of issue in this marriage males+females; if divorced; birth, baptismal or death date]

DUKES

- Lennox 2nd** i) Sophia Ruthven (3rd of 1st e of Gowrie);0
 ii) Jean Campbell (1st of Sir Matt C of Loudoun);1x widow;1+1
 iii) Frances Howard (d of 1st visc H of Bindon);2x widow;0; d. 10-1639 aged 63
3rd i) Catherine Clifton* (only d & heir of lord C);rem (2 Abercorn);7+3; d. 8-1637 aged ~45
4th i) Mary Villiers (d of 1st duke Buckingham);1x widow; rem.;1+1; bapt. 3-1622

MARQUESESSES

- Hamilton 1st** i) Margaret Lyon (only d of 7th lord Glamis);1x widow;2+1
2nd i) Anna Cunningham (4th of 6th e Glencairn); 2+3
Huntly 1st i) Henrietta Stewart (1st of 1st duke Lennox);5+4; b. 1573

EARLS

- Abercorn 1st** i) Marion Boyd (1st of 5th lord B);5+4
2nd i) Catherine Clifton* (only d & heir of lord C);1x widow (3 Lennox);3+0; d. 8-1637 aged ~45
Angus 8th i) Mary Erskine (only d of 1st e Mar);0
 ii) Margaret Leslie (yst d of e Rothes);0;DIV
 iii) Jean Lyon (d of 7th lord Glamis);1x widow;rem;0+1
9th i) Egidia/Giles Graham (d of Sir Rob G of Morphie);9+4
10th i) Elizabeth Oliphant (1st of 4th lord O);rem;3+3
11th i) Margaret Hamilton (only d of 1st lord Paisley);3+3 (0+1?); b. ~1585
 ii) Mary Gordon (3rd of 1st marq Huntly);3+6 (0+1?); d. 1674 age 63 or 64
Annandale 1st i) Elizabeth Shaw (d of Sir Jo S of Broich);1+1
Argyll 7th i) Agnes Douglas (5th of 1st e Morton);1+5; b. 1574
 ii) Anne Cornwallis (d of Sir Wm C of Brome);3+5
Arran 3rd Ø
Atholl 5th i) Mary Ruthven* (1st of 1st e Gowrie);rem x2(incl. 6 Atholl);0+5
6th i) Margaret Lindsay (2nd of 9th e Crawford); 5+1
 ii) Mary Ruthven* (1st of 1st e Gowrie);1x widow;rem.;0
7th i) Mary Stewart (3rd & coheir of 5th e Atholl);rem;0
Bothwell 5th i) Margaret Douglas (1st of 7th e Angus);1x widow;4+4
Buccleuch 1st i) Mary Hay (3rd of 9th e Erroll);3+3

- Buchan 5th** i) Anne Ogilvie (1st of 1st lord O of Deskford);rem;0+1
6th [Mary Douglas & James Erskine (1601-28 & circa 1617-40)]
 i) Countess Mary Douglas (only child & heir of 5th e);2+4; b. 10-1601
 ii) Dorothy Knyvett (d of Sir Philip K of Buckenham);0+1
- Caithness 5th** i) Jean Gordon (only d of 5th e Huntly);3+1
- Cassillis 5th** i) Jean Fleming (only d & heir 4th lord F);1x widow;0; b. 1554
6th i) Jean Hamilton (5th of 1st e Haddington/Melrose);1+3; b. 2-1607
 ii) Margaret Hay (only d of 10th e Erroll);1x widow;1+2
- Crawford 11th** i) Lilius Drummond (d of 2nd lord D);1+0 ?
 ii) Grizel/Griselda Stewart (4th of 4th e Atholl);2+1 ?
12th i) Jean Ker (d of 1st e Lothian);1x widow;rem;0+1;DIV
13th i) Helen Chisholm (d of Sir Jas C of Crombie);2+1
 ii) Margaret Shaw (?);3+5
14th i) Elizabeth Sinclair (d of 5th e Caithness);0+1
- Dunbar 1st** i) Elizabeth Gordon (only child of Sir G of Gight);0+2
- Dunfermline 1st** i) Lilius Drummond (2nd of 3rd lord D);0+5
 ii) Grizel Leslie (4th of master of Rothes);1+2
 iii) Margaret Hay (d of 7th lord H of Yester);rem;1+1
2nd i) Mary Douglas (3rd of 7th e Morton);3+2
- Eglinton 5th** i) Margaret Montgomerie (1st of Rob M, master of Egl);rem;0;DIV
6th i) Anna Livingston (1st of 1st e Linlithgow);5+3
 ii) Margaret Scott (1st of 1st lord S of Buccleuch);1x widow;0
- Errol 9th** i) Margaret Stewart (yst d of 1st e Moray);0; b. 1570
 ii) Mary Stewart (yst d of 4th e Atholl);0
 iii) Elizabeth Douglas (yst d of e Morton);5+8
- Galloway 1st** i) Grizel Gordon (d of Sir Jo G of Lochinvar);2+1
- Glencairn 6th** i) Mariot/Margaret Campbell (d of Sir Col C of Glenurchy);3+6
 ii) Agnes Hay (d of Sir Jas H of Kingask);1x widow;0
- Gowrie 2nd** Ø
3rd Ø
- Home 1st** i) Christian Douglas (2nd of 7th e Morton);1x widow;0
 ii) Mary/Marie Sutton (1st of 9th lord Dudley);2+2; b. 10-1586
2nd i) Catherine Carey (1st of 1st visc Falkland);0; b. 1609
 ii) Grace Fane (d of 1st e Westmoreland);0; b. ~1603 or 1604
- Kellie 1st** i) Anne Ogilvy (d of Sir Gilb O of Powrie);1+1
 ii) Elizabeth Pierrepont (d of Sir Hen P of Holme P); 1x widow;0
 iii) Dorothy Smith (d of Hum S of Cheapside);3x widow;0
- Kinghorne 1st** i) Anne Murray (1st of 1st e Tullibardine);4+2
2nd i) Margaret Erskine (3rd of 2nd e Mar);0+1
 ii) Elizabeth Maule (2nd of 1st e Panmure);rem;1+2
- Lauderdale 1st** i) Isobel Seton (2nd of 1st e Dunfermline);7+8; b. 8-1594
- Linlithgow 1st** i) Helen/Helenor/Eleanor Hay (d of 8th e Erroll);3+2
2nd i) Elizabeth Gordon (2nd of 1st marq Huntly);1+0
 ii) Mary Douglas (2nd of 10th e Angus);1+2

- Lothian 1st** i) Margaret Maxwell (2nd of 4th lord Herries of T);5+7
2nd i) Annabella Campbell (2nd of 7th e Argyll);1+2
- Mar 2nd** i) Anna/Agnes Drummond (3rd of 2nd lord D);1+0
 ii) Marie Stewart (2nd of 1st duke Lennox);7+5
- Marischal 5th** i) Margaret Home (d of 5th lord H);1+2
 ii) Margaret Ogilvie (d of 5th lord O of Airlie);rem;3+1
6th i) Mary Erskine (d of 2nd e Mar);rem;5+3
- Melrose 1st** i) Margaret Borthwick (only child of Jas B of Newbyres);0+2
 ii) Margaret Foulis (d of Jas F of Colinton); 3+4
 iii) Julian Ker (d of Sir Tho K of Ferniehirst);1x widow;2+0
- Menteith 6th** i) Mary Campbell (? of Glenurchy);rem;1+1
7th i) Agnes Gray (d of Pat lord G);7+4
- Montrose 3rd** i) Jean Drummond (2nd of 2nd lord D);3+1
4th i) Margaret Ruthven (2nd of 1st e Gowrie);1+6
- Moray 2nd** [Elizabeth Stewart & James Stewart (1570-91 & 1581-92)]
 i) Countess Elizabeth Stewart (1st of 1st e);2+3; b. ~8-1565
3rd i) Anne Gordon (1st of 1st marq Huntly);2+1
- Morton 7th** i) Agnes Leslie (1st of 4th e Rothes);5+7
8th i) Ann Keith (1st of 5th e Marischal);5+5
1st i) Elizabeth Douglas (2nd of 7th e Angus);rem x2;3+4
2nd i) Margaret Hamilton (d of 1st marq Hamilton);1+0;DIV
- Nithsdale 1st** i) Elizabeth Beaumont (d of Sir Fran B--Buckingham's cousin);1+2
- Orkney 1st** i) Jean Kennedy (1st of 3rd e Cassillis);5+3
2nd i) Margaret Livingston (d of 6th lord L);1x widow;0
- Perth 1st** i) Isabella Seton (d of 1st e Winton);rem;0+1; b. 11-1593
2nd i) Jean Ker (1st of 1st e Roxburghe);5+2
- Rothes 5th** i) Grisel Hamilton (d of Sir Jas H of Finnart);3+3
 ii) Jean Ruthven (d of 3rd lord R);1x widow;0+2
 iii) Janet Durie (d of Dav D of that ilk);3+1
6th i) Anna Erskine (d of 2nd e Mar);1+2
- Roxburghe 1st** i) Margaret Maitland (only d & heir in issue of Wm M of Lethington); 1+3
 ii) Jean Drummond (3rd of 3rd lord D);1+0
 iii) Isabel Douglas (5th of 7th e Morton);rem;0
- Seaforth 1st** i) Margaret Seton (4th of 1st e Dunfermline);1+2; b. 8-1599
- Sutherland 11th** i) Barbara Sinclair (1st of 4th e Caithness);rem;0;DIV; b. 1535
 ii) Jean Gordon (3rd of 4th e Huntly);1x div;rem;5+2; d. 1629 age 83
12th i) Agnes/Annas Elphinstone (1st of 4th lord E);6+4; b. 10-1579
13th i) Jean Drummond (only child & heir of 1st e Perth); 3+1
 ii) Anna Fraser (2nd of 7th lord Lovat);0
- Tullibardine 1st** i) Catherine/Margaret Drummond (5th of Dav lord D);6+5
2nd i) Cecilia Wemyss (1st of Sir Jo W of that ilk);0
 ii) Dorothy/Dorothea Stewart (1st & heir of 5th e Atholl);2+1

- Wigton 1st** i) Lilius Graham (only d of 3rd e Montrose);4+6
 ii) Sarah Maxwell (1st of Lord Herries of T);1x widow;rem;0+2; d. 2/3-1636 aged ~60
- 2nd** i) Margaret Livingston (2nd of 1st e Linlithgow);3+5
- Winton 1st** i) Margaret Montgomerie (1st & heir of 3rd e Eglinton);5+1
- 2nd** i) Anna Maitland (only d of 1st lord Thirlestane);0;DIV; b. ~1590
- 3rd** i) Anne Hay (1st of 9th e Erroll);5+4
 ii) Elizabeth Maxwell (only d of 6th lord Herries of T);6+6

VISCOUNTS

- Air 1st** i) Euphemia/Eupheme Seton (d of Jas S of Touch);1x widow;3+2
 ii) Ursula Barnham (d of Steph B);1x widow;0

[Annan]-see earldom of Annandale (1622-24)

[Fentoun]-see earldom of Kellie (1606-19)

- Haddington 1st** i) Elizabeth Ratcliffe (d of 5th e Sussex);2+1
 ii) Martha Cockayne (d of Sir Wm C of Rushton);rem;0; bapt. 5-1605

[Lauderdale]-see earldom of Lauderdale (1616-24)

[Maitland]-see earldom of Lauderdale (1624-45)

- Stormont 1st** i) Elizabeth Betoun (d of Jas B of Creich);0

Chief sources:

Paul, James Balfour, ed. The Scots Peerage. 9 vols. Edinburgh, 1904-1914.

Cockayne, George Edward. The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, extant, extinct or dormant. Rev. ed. Edited by Vicary Gibbs. 13 vols. in 14. London, 1910-1959.

**APPENDIX B:
THE SCOTTISH PEERAGE ACCORDING TO
AGE OF TITLE CREATION:
THE OLD AND THE NEW**

<i>OLD (created before 1587)</i>	<i>NEW (created in or after 1587)</i>
Lennox	Abercorn
Hamilton	Annandale
Huntly	Buccleuch
Angus	Dunbar
Argyll	Dunfermline
Arran	Galloway
Atholl	Home
Bothwell	Kellie
Buchan	Kinghorne
Caithness	Lauderdale
Cassillis	Linlithgow
Crawford	Lothian
Eglinton	Melrose
Errol	Nithsdale
Glencairn	Perth
Gowrie	Roxburghe
Mar	Seaforth
Marischal	Tullibardine
Menteith	Wigton
Montrose	Winton
Moray	Viscount Air
Morton (Douglas)	Viscount Haddington
Morton (Maxwell)	Viscount Stormont
Orkney	
Roths	
Sutherland	

APPENDIX C: THE RELIGIOUS LEANINGS OF THE SCOTTISH PEERS

For comments in square brackets, use symbols in key under table; Comments in round brackets refer to the voting behaviour of the peer in the matter of the articles of Perth in the Parliament of 1621 (pro=in favour; anti=opposed; abst=abstained), source: Julian Goodare, "The Scottish Parliament of 1621," Historical Journal, 38(1995): 48-51.

PROTESTANTS		CATHOLICS*
Hamilton 1	Menteith 7(anti)	Lennox 2(pro)
Hamilton 2	Montrose 3[suspect]□	Lennox 3
Angus 8	Montrose 4	Lennox 4
Angus 9	Moray 2	Huntly
Annandale	Moray 3	Abercorn 1
Arran 3	Morton 7	Abercorn 2(pro)
Atholl 5	Morton 8(abst)	Angus 10
Atholl 6[indifferent]°	Orkney 1[indifferent]°	Angus 11(pro)
Atholl 7	Orkney 2	Argyll[convert]^
Bothwell	Roths 5	Caithness
Buccleuch(pro)	Roths 6(anti)	Crawford 11
Buchan 5	Roxburghe[suspect]□(pro)	Crawford 12
Buchan 6(abst)	Seaforth(anti)	Crawford 13
Cassillis 5[suspect 1595]□	Sutherland 13	Crawford 14
Cassillis 6	Tullibardine 1	Dunfermline 1(pro)
Dunbar	Tullibardine 2(pro)	Dunfermline 2
Eglinton 5[indifferent]°	Viscount Haddington(abst)	Errol(pro)
Eglinton 6(anti)	Viscount Stormont(pro)	Home 1
Glencairn		Home 2
Gowrie 2		Linlithgow 1(anti)
Gowrie 3		Linlithgow 2
Kellie(pro)		Morton Maxwell 1
Kinghome 1		Morton Maxwell 2
Kinghome 2(pro)		Nithsdale(pro)
Lauderdale(abst)		Perth 1
Lothian 1		Sutherland 11
Lothian 2(pro)		Sutherland 12
Mar(pro)		Wigton 1
Marischal 5(pro)		Wigton 2(pro)
Marischal 6		Winton 1
Melrose(pro)		Winton 2
Menteith 6		Winton 3(pro)

KEY: *Catholics: includes those who practice Catholicism privately but conform to Protestantism publicly
 □suspect: their religious conformity brought into question by the kirk
 °indifferent: officially Protestant but perceived as indifferent to religion
 ^convert: the previously Protestant Argyll converted to Catholicism in or before 1610

**APPENDIX D:
THE SCOTTISH PEERS BY REGION**

NORTHWEST & ISLES	CENTRAL SCOTLAND	BORDERS
Dukes Lennox 2-4*	Dukes Lennox 2-4*	Annandale
Marq Huntly	Marq Hamilton 1-2	Bothwell
Argyll	Abercorn 1-2	Buccleuch
Arran	Angus 8-11	Dunbar
Atholl 5-7*	Atholl 5-7*	Home 1-2
Buchan 5-6	Cassillis 5-6	Lauderdale 1
Caithness	Crawford 11-14	Melrose 1*
Errol	Dunfermline 1-2	Morton D 7-8*
Menteith 6-7*	Eglinton 5-6	Morton Maxw 1-2
Moray 2-3	Galloway 1	Nithsdale 1
Morton D 7-8*	Glencairn 6	Roxburghe 1
Orkney 1-2	Gowrie 2-3	Visc Air*
Roths 5-6*	Kellie 1	Visc Haddington*
Seaforth 1	Kinghorne 1-2	Visc Stormont*
Sutherland 11-13	Linlithgow 1-2	
Tullibardine 1-2*	Lothian 1-2	
	Mar 2	
	Marischal 5-6	
	Melrose 1*	
	Menteith 6-7*	
	Montrose 3-4	
	Perth 1-2	
	Roths 5-6*	
	Tullibardine 1-2*	
	Wigton 1-2	
	Winton 1-3	
	Visc Air*	
	Visc Haddington*	
	Visc Stormont*	

- Peer(s) are put into the regional category(ies) in which their most important landholdings (or offices) are located.
- * indicates peers that fit more than one regional category

APPENDIX E: MAP OF SCOTLAND SHOWING GEOGRAPHIC REGIONS, SHIRES, & THE LOCATIONS OF THE PRIMARY LANDHOLDINGS OF THE EARLS OF ANNANDALE, MELROSE & ROTHES

KEY:

GEOGRAPHIC REGIONS are printed in capital letters and underlined.

SHIRES are printed in capital letters.

Locations of primary landholdings are marked by a symbol and numbered *[see below]*.

Regional divisions are marked by a single dotted line. (-----)

The border with England is marked with double solid lines. (=)

Names printed in round brackets are isles, not shires.

SYMBOLS USED:

first earl of Annandale: Δ

first earl of Melrose: □

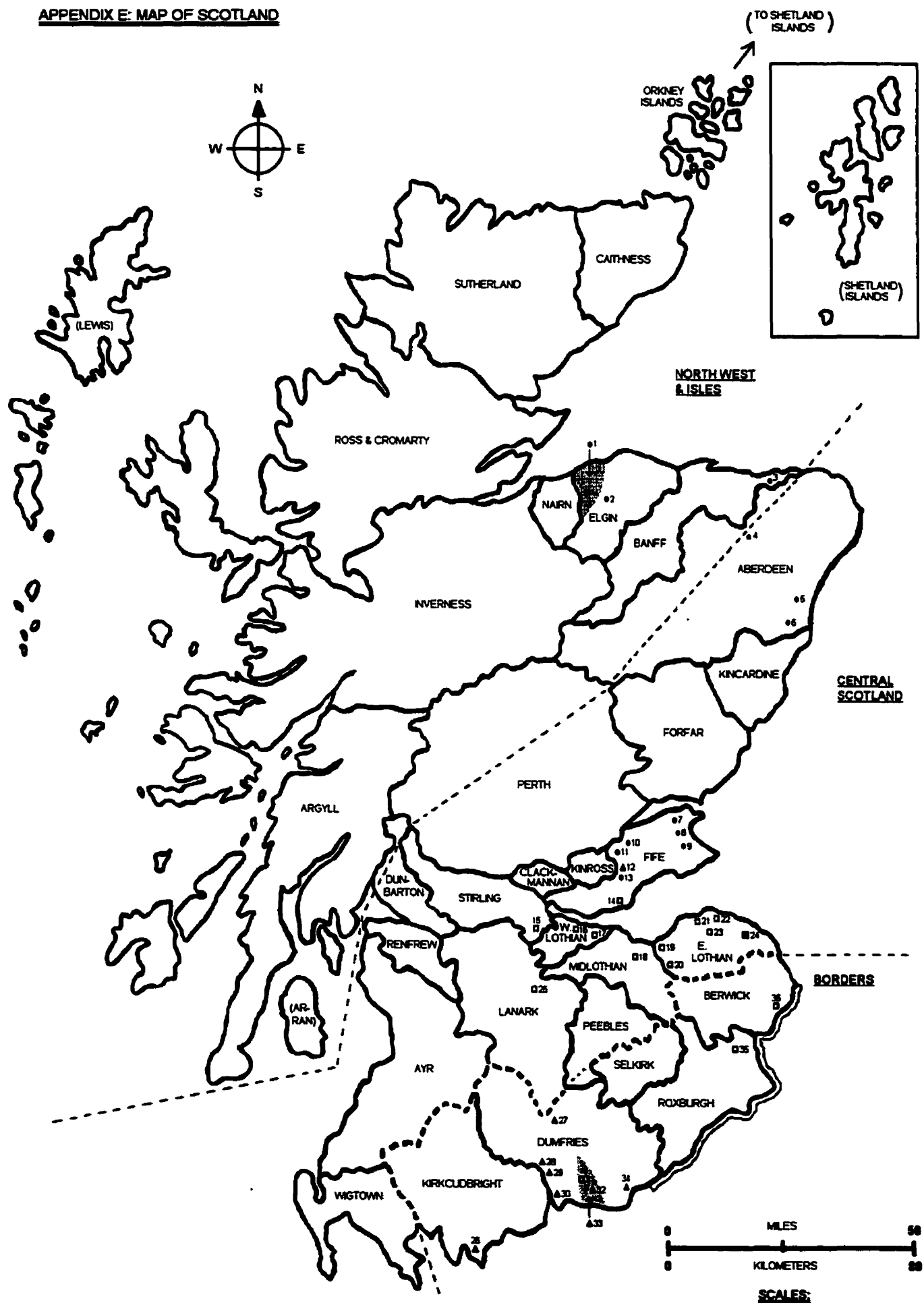
fifth & sixth earls of Rothes: ●

NUMBERING USED:

1 Forres	13 Leslie	25 Auchengray
2 Rothes	14 Inverkeithing	26 Dundrennan
3 Cushnie	15 Monkland	27 Errickstane
4 Rothienorman	16 Binning	28 Holywood
5 Parkhill	17 Dalmeny	29 Lincluden
6 Cairney	18 Priestfield (Duddingston)	30 Caerlaverock
7 Kilmany	19 Ballincreiff	31 Castlemilk
8 Cupar	20 Humbie	32 Lochmaben
9 Ballinbreich	21 Luffness	33 Annandale
10 Newburgh	22 Drem	34 Cockpool
11 Lindores	23 Byres	35 Melrose
12 Falkland	24 Tynningham	36 Coldstream

Map based upon: "Map of Scottish counties and principal burghs" found in A.J.S. Gibson and T.C. Smout, Prices, Food and Wages in Scotland 1550-1780, (Cambridge, 1995), p. xvi.

APPENDIX E: MAP OF SCOTLAND



APPENDIX F: IMPORTANT DATES IN THE LIVES OF THE SCOTTISH PEERS

Date format: day-month-year; month-year, or year.

Date in *italics* indicates contract date.

PEER	BIRTH	SUCCESSION /ELEVATION	MARRIAGE	DEATH
D. Lennox 2	29-9-1574	7-1583	1) 20-4-1591; 2) 8-1598; 3) 16-6-1621	16-2-1624
D. Lennox 3	c.1579	2-1624	1607	30-7-1624
D. Lennox 4	6-4-1612	7-1624	3-8-1637	30-3-1655
M. Hamilton 1	c.1541	4-1599 (family head 1-1575)	c.1-1578 [betw. 30-12-1577 & 10-2-1578]	6-4-1604
M. Hamilton 2	c.1589	4-1604	c.9-1603 [betw. 30-1-1603 & 6-4-1604]	2-3-1625
M. Huntly 1	c.1562	10-1576;4-1599	21-7-1588	13-6-1636
Abercorn 1	c.1575	7-1606	c.1602 [bef. 1603]	23-3-1618
Abercorn 2	c.1603	3-1618	1632, early in	c.1670
Angus 8	c.1555	6-1557;10-1587	1) 12-6-1573 2) 25-12-1575 3) 11-8-1587	4/5-8-1588
Angus 9	c.1532	3-1589	1552	1-7-1591
Angus 10	c.1554	7-1591	c.5-1585 [betw. 12-4-1585 & 24-6-1585]	3-3-1611
Angus 11	c.1589	3-1611	1) 1601 2) 15-9-1632	19-2-1660
Annandale 1	?mid-pt. 1565	6-1622;3-1624	c.1613	9-1640
Argyll 7	c.1575	9-1584	1) 24-7-1592 2) 11-1610	10/11-1638
Arran 3	c.1538	1-1575	Ø	3-1609
Atholl 5	22-5-1563	4-1579	24-1-1580	28-8-1595
Atholl 6	c.1566	3-1596	1) <i>6-10-1582</i> 2) <i>31-3-1596</i>	8/10-1603
Atholl 7	1583	8/10-1603	<i>12-9-1603</i>	1626
Bothwell 5	1563	6-1581	c.1577	c.1612
Buccleuch 1	c.1587	3-1619	<i>10-1616</i>	20-11-1633
Buchan 5	c.1565	9-1580	c.1598	26-8-1601

Buchan 6	c.1593 (after 12-1592)	3-1617	1) 18-6-1615 2) c.5-1632 [betw. 8-1628 & 2-1636]	1-1640
Caithness 5	c.1566	1583	1585, soon aft 29-7	2-1643
Cassillis 5	c.1575	12-1576	3/4-11-1597	10/11-1615
Cassillis 6	?mid-pt. 1604	11-1615	1) c.1-1622 [betw. 12-1621 & 1-3-1622] 2) 2-1644	4-1668
Crawford 11	c.1552	2-1573	1) 12-2-1573 2) 12-1581	22-11-1607
Crawford 12	c.1576	11-1607	c.9-1607 [betw. 4-3-1606 & 8-4-1609]	6-1620
Crawford 13	c.1553	6-1620	1) c.1585 [bef. 26-7-1586] 2) 2-12-1599	Bef. 16-1-1623
Crawford 14	?mid-pt. 1592	1-1623	21-5-1621	1633
Dunbar 1	?mid-pt. 1562	7-1605	c.1589 [bef. 1-2-1590]	20-1-1611
Dunfermline 1	1555	3-1605	1) c.1590 2) 27-10-1601 3) 1607	16-6-1622
Dunfermline 2	11-1615	6-1622	11-1632	5-1672
Eglinton 5	c.1584	4-1586	8-1604	4-9-1612
Eglinton 6	1588	3-1615 (he claimed title 10-1612)	1) 22-6-1612 2) c.7-1643 [betw. 11-1642 & 3-1644]	7-1-1661
Errol 9	1564 bef. 30-4	10-1585	1) 6-1584 2) 1-1587 3) c.6-1589 [betw. 4-1588 & 10-7-1590]	16-7-1631
Galloway 1	c.1580	9-1623	16-10-1600	1649
Glencairn 6	c.1552	Betw. 1576 & 2-1580	1) 5-9-1574 2) 28-10-1610	Betw. 30-6-1630 & 2-4-1631
Gowrie 2	1575 bef. 25-9	7-1587	Ø	Fall 1588
Gowrie 3	c.1577	Fall 1588	Ø	5-8-1600
Home 1	c.1567	3-1605	1) 9-1-1586 2) c.1605 [after 1602, bef. 28-6-1607]	5-4-1619

Home 2	c.1607	9-1620	1) fall 1622 2) c.1-1627 [aft 5-1626, bef. 20- 9-1627]	13-2-1633
Kellie 1	1566	3-1606;3-1619	1) 30-11-1587 2) 1604 3) c.9-1635 [aft 11-1631, bef. 6- 1639]	12-6-1639
Kinghorne 1	1575	7-1606	6-1595	19-12-1615
Kinghorne 2	13-8-1596	12-1615	1) 19-6-1618 2) 1641, soon after 20-8	12-5-1647
Lauderdale 1	1594, early in	4-1616;3-1624	1610, bef. 5-6	18-1-1645
Linlithgow 1	c.1554 (1553 or later)	12-1600	1-1584	24-12-1621
Linlithgow 2	c.1585 (1584 or later)	12-1621	1) 5-1611 2) 10-1620	Betw. 11-6 & 20-12-1648
Lothian 1	c.1553	7-1606	c.1587 [bef. 1588]	8-4-1609
Lothian 2	c.1587 (before 1588)	4-1609	1611, 27-5 or soon after	6-3-1624
Mar 2	c.1562	3-1573	1) 10-1580 2) 7-12-1592	14-12-1634
Marischal 5	1553	10-1581	1) 2-1581 2) c.1599	2/5-4-1623
Marischal 6	c.1585	4-1623	10-1609	28-10-1635
Melrose 1	1563	3-1619	1) 1588 2) 1597 [betw May & Aug] 3) 9-1613	29-5-1637
Menteith 6	c.1573	9-1578	1588	12-1598
Menteith 7	c.1590	12-1598	1612, soon after 30-3	1661, after April
Montrose 3	1548	5-1571	1563	9-11-1608
Montrose 4	1573	11-1608	12-12-1593	14-11-1626
Moray 2	c.1568	1-1581	23-1-1581	7-2-1592
Moray 3	c.1582	2-1592	2-10-1607	6-8-1638
Morton 7	c.1540	6-1589	19-8-1554	27-9-1606
Morton 8	c.1584	11-1606	4-1604	7-8-1648
Max/Morton 1	24-4-1553	10-1581	17-2-1572	6/7-12-1593
Max/Morton 2	c.1586	12-1593	c.4-1599 [betw 1-4-1598 & 19- 4-1600]	21-5-1613
Nithsdale 1	c.1587 (after 1586)	8-1620	28-10-1619	5-1646

Orkney 1	1533 between 26-2 & 2-6	10-1581	12-1561	4-2-1593
Orkney 2	c.1565—betw. Summers of 1565 & 1566	2-1593	17-8-1596	6-2-1615
Perth 1	c.1580	3-1605	19-4-1608	18-12-1611
Perth 2	c.1584	12-1611	9-1613	11-6-1662
Roths 5	c.1528	11-1558	1) 28-6-1548 2) c.1574 [aft. 3-10-1573] 3) 11-1592	1611
Roths 6	c.1600	1611	1616, bef 11-11	23-8-1641
Roxburghe 1	c.1570	9-1616	1) 5-12-1587 2) 3-2-1614 3) c.12-1646 [aft. 10-1643, bef. 1-1650]	18-1-1650
Seaforth 1	c.1593	12-1623	5-6-1614	15-4-1633
Sutherland 11	6-1552	6-1567	1) 1567 2) 13-12-1573	6-12-1594
Sutherland 12	20-7-1576	12-1594	5-2-1600	11-9-1615
Sutherland 13	9-3-1609	9-1615	1) 14-2-1632 2) 24-1-1639	14-10-1679
Tullibardine 1	c.1547	7-1606	c.1573 [bef. 1574]	6/8-1613
Tullibardine 2	1574	6/8-1613	1) 10-1599 2) 9-1604	1627, early in
Wigton 1	1567	3-1606	1) 1-1586 2) c.1-1610 [aft 4-1608, bef. 21- 10-1611]	4-1619
Wigton 2	c.1589	4-1619	1609, bef. 2-9	7-5-1650
Winton 1	c.1552	11-1600	19-5-1583	22-3-1603
Winton 2	1583	3-1603	1-2-1603	Living 12-1636
Winton 3	12-1584	6-1606	1) 26-4-1609 2) c.1-1626 [aft 1624, bef. 1- 1628]	15/17-12-1650
V. Air	c.1587 (before 1588)	2-1622	1) UNKNOWN 2) c.1629 [bef. 16-6-1630]	Betw 15-8- 1642 & 24-3- 1643
V. Haddington	c.1580	6-1606	1) 2-1608 2) c.7-1624	1/2-1626
V. Stormont	c.1569 (before 1570)	8-1621	2-1604	27-8-1631

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