

HENRY BALNAVES

A Study of a layman's contribution  
to the Reformation in Scotland  
in the sixteenth century

by

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## INTRODUCTION

This thesis attempts to assess the contribution of a layman, Henry Balnaves of Halhill, to the success of the Reformation in Scotland. In spite of the fact that numerous authorities have dealt with the history of the Reformation in Scotland in the sixteenth century, very few have written about the people who supported, encouraged, and actively fought for the outstanding figures of the period. There are many individuals who played important roles in the unfolding of the events of the times who have been passed over by most authors. Because so much attention has been directed to the endeavours of a few outstanding personalities, especially John Knox, the full story of the Reformation has not been told. Without the support and guidance of people like Henry Balnaves, Knox would not have been able to carry out his mission. Indeed, without Balnaves, Knox might never have become a minister.

The writer of this thesis trusts that in narrating Balnaves' biography new insights and a different perspective have been given on this fascinating, though complex, period in Scottish affairs. It is to be hoped that students of Scottish history will begin to work on the wealth of material available in the original sources which deals with the laity, whose lives were equally as fascinating and important to the nation as were those of Queen Mary, John Knox, Maitland of Lethington, and Cardinal Beaton.

In Conclusion I wish to acknowledge the great assistance given to me by my Director of Studies, Dr. W. Stanford Reid of McGill

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## Chapter I

### THE IMPENDING CRISIS

Like many European countries of the day, Scotland in the sixteenth century could be described as predominantly feudal in outlook and social structure, but with distinct tribal characteristics. Although the Scots inhabited a small geographical area, a feeling of national consciousness did not exist because each tribe or clan determined its own interests, and cared little for the welfare of the country as a whole. In times of a grave national crisis, when Scottish independence became threatened, patriotic feelings replaced, momentarily, clan allegiances, allowing mutual co-operation until the defeat of the enemy. As soon as victory was assured, the normal course of clan rivalry resumed.

The reason for the superiority of individual groups over the central authority lay deeply embedded in Scottish history. The two main causes were the dynastic misfortunes of the successors of Bruce and the chaos created by almost continual war with England. Geographical factors also contributed to the instability of the nation. Like their counterparts in Gaul, the Scottish kings had to extend their authority over a country divided into three distinct geographical areas; the Highlands, the Lowlands, and the Borders. For the most part, the King could not enforce his will upon these districts without a standing army because of the inhabitants' preoccupation with brigandage and disorder. Highlanders robbed Lowlanders, and vice versa; Borderers raided the English. If a situation became critical, the only way in which the King could

maintain law and order was through the financial and military aid of several of his greater nobles, for which he had to provide considerable patronage.<sup>1</sup>

While this situation had improved in the sixteenth century, there were times when little progress could be noted. For example, instability increased sharply during a regency, when rival factions fought each other in order to become the decisive influence in forming the government's policies. The struggle of the House of Douglas during the regency of James V typifies this situation.

As a result of the ineffectual policy of the central authority, the word of the local noble was law. The King's decrees received scant consideration. Sometimes a great noble would have enough followers to constitute a small army. On one occasion the Earl of Huntly and his allies led seven thousand men. When the Earl of Arran was Governor, he maintained over seven thousand men and a household staff of approximately two hundred and sixty.<sup>2</sup> As the nobles' wealth was measured in terms of the amount of land possessed, they were not rich in a monetary sense. Because of the system of land holdings, the crown and nobility frequently ran out of money - a situation which made them prone to accept bribes from England and France, and which helps to explain why their allegiances

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<sup>1</sup>The main bulwarks of the Royal prerogative in the Highlands were the Gordons (Earls of Huntly) and the Campbells (Earls of Argyle); in the Borders, the Hepburns (Earls of Bothwell) and the Humes; in the Lowlands, the Stewarts and the Douglasses. Clan feelings predominated in the Highlands, whereas the Lowlands were typically feudal in outlook.

<sup>2</sup>I.F. Grant, The Social and Economic Development of Scotland before 1603, (Edinburgh: Oliver and Boyd, 1930), p. 175.

changed in every Scottish crisis in direct relation to the inducement offered.

Few nobles had sufficient funds and sometimes their followers never received any remuneration for their services. Nevertheless, the ancient system of land tenure, which virtually prohibited the crown from interfering in the affairs of a noble and his tenant, strengthened the power of the nobility so that they commanded the loyalty of their subjects. To a large extent, the tenant was at the mercy of his lord.<sup>3</sup>

John Major, a contemporary writer, describes the peasants' lot:

They keep a horse and weapons of war and are ready to take part in his quarrel, be it just or unjust, with any powerful lord if they have only a liking for him and with him if need be, to fight to the death.<sup>4</sup>

If the nobles possessed insufficient funds, the crown found itself in a worse position. The financial resources available to the monarch in sixteenth century Scotland were totally inadequate. Tax collection had become an hereditary right of the sheriffs so that abuses could be carried on by the same family from one generation to another. Needless to say, much of the money collected never reached its destination. Consequently, the Royal Exchequer was usually depleted. Unlike the English monarchs, who successfully levied taxes, the Scottish crown could only do so in times of a grave national threat or on certain special occasions. During Mary's reign, a levy

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<sup>3</sup> A. Teulet (ed.), Relations Politiques de la France et de l'Espagne avec l'Ecosse au XVIe Siècle, (Paris: Plon Frères, 1862), I, 197ff.

<sup>4</sup> J. Major, The History of Greater Britain, A. Constable (ed.), (Edinburgh: Scottish Historical Society, 1892), p. 47.

of twelve thousand pounds was made in October, 1566 for Prince James' baptism.<sup>5</sup>

Even if the monarch desired to maintain a standing army to control the country, it was financially impossible due to the system of taxation. Moreover, the attitude of the average Scot did not enhance the authority of the crown. When Mary of Lorraine tried to create a standing army, she was informed that the Scottish ruler was "King of Scotland" and not the "King of Scots". This meant that, as far as the Scots were concerned, the king was not to interfere unnecessarily with the personal lives of his subjects. The nobles would defend the country voluntarily. Therefore, there was no necessity to place a powerful force at the regent's disposal which could become the tool of his advisors to be used against them.

The net result of this situation was that in spite of the fact that Scotland possessed a form of government - CROWN, PRIVY COUNCIL, PARLIAMENT - the enforcement of law and order was severely hampered. These bodies were dominated by certain factions who placed their own interest above the national welfare, and their internal feuding and mutual suspicions impeded the enforcement of the laws enacted. As a result, the crown's authority was ineffectual.

Agriculture formed the country's main economic basis. Throughout the sixteenth century one traditional agricultural method prevailed - the "infield" and "outfield" system. This was particularly true of the

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<sup>5</sup>The Register of the Privy Council of Scotland, (1545-69), J. Burton (ed.), (Edinburgh: H.M. General Register House, 1877), I, 485-87. Hereafter designated, R.P.C. of Scotland.

Lothians and in most areas of the Highlands and Lowlands. The "infield", or most productive land, was tilled by joint farmers in intermediate strips or "runrig". Barley and oats were the main crops with wheat, peas, and beans of secondary importance. The "outfield" was most suitable for pastureland, but sometimes sections could be ploughed. Most land was held on a short term lease, so that eviction became a popular weapon for keeping tenants in line.<sup>6</sup>

Henry Balnaves held property at Halhill under such a system and probably tilled his lands by this method. As we shall see, he lost his possessions several times because he incurred the wrath of some powerful noble.

Since agriculture formed the main bulwark of the economy, nobles possessed more power and influence than town leaders. But as trade increased, the towns began to play an important role in the life of the nation. During Balnaves' youth, the shipping centres became influential in the political and economic life of Scotland and ultimately one of the dominating factors in the success of the Scottish Reformation.

In the sixteenth century, Scotland was sparsely populated. While statistics are only approximate, it has been estimated that the total population did not exceed six hundred thousand.<sup>7</sup> The towns were small, the largest being Edinburgh with a population of nine thousand in 1560.<sup>8</sup>

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<sup>6</sup>Teulet, op. cit., I, 197-206.

<sup>7</sup>D. Skelton, Maitland of Lethington and the Scotland of Mary Stuart., (London: Blackwood and Sons, 1887), I, 43.

<sup>8</sup>Grant, op. cit., p. 351.

The reason for this lies in the fact that industry was not very important at this time.<sup>9</sup>

However, trade increased gradually. Scotland traded mainly with the Baltic countries, especially Denmark, although extensive trade was carried on with England and France.<sup>10</sup> Fish, horses, wool, and hides and some food products formed the major exports; while metal works, flour, lead, naval supplies, clothes, wine, and salt made up the chief imports. When trade developed, a new social unit became prominent in Scottish society, i.e., the middle class. As a result of, and in conjunction with, the rise of the middle class, the Scottish coastal towns, especially the east coast ports, increased in size and significance; for example, Dundee, St. Andrews and Montrose in Fife, as well as the older established ports of Aberdeen and Leith. These were the main centres of Scottish foreign trade.

One prominent writer has stated: "The burghs, the burgher class, and economic problems as a whole, were not very important in Scottish politics in the sixteenth century."<sup>11</sup> This statement is far from accurate. The towns were small, but it is untrue to say that they were of little or no importance to the political and religious life of the nation in the sixteenth century. Why? Because it was through the trading activities of the middle class, especially with Holland and

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<sup>9</sup> W.S. Reid, "The Middle Class Factor in the Scottish Reformation", Church History, XVI (1947), p. 138.

<sup>10</sup> Ibid.

<sup>11</sup> M. Lee, James Stewart, Earl of Moray, A Political Study of the Reformation in Scotland, (New York: Columbia University Press, 1953), p. 11.

Denmark, that many Reformation teachings reached Scotland. As early as 1527 Scottish merchants, engaged in trade with Holland, shipped home large quantities of the New Testament in English, probably Tyndale's version.<sup>12</sup> Fife, for example, became impregnated with Lutheran ideas, and is frequently referred to in the original sources as a 'hotbed of Heresy'. All the port towns were focal points for Lutheran propaganda and these new ideas quickly permeated other areas. Because of the political implications of the Reformation in Scotland, in which the middle class played such a predominant role in ousting the Roman Catholic French and establishing an English Protestant alliance, and because they did so much to secure the triumph of the Reformation, it is self-evident that Lee's remarks are not supported by the history of the period.<sup>13</sup>

The effectiveness of the spread of the new teachings is exemplified by the fact that in 1528 Patrick Hamilton was burned at the stake as a heretic.<sup>14</sup>

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<sup>12</sup>Reid, op. cit., p. 147

<sup>13</sup>Throughout this story, we shall be referring to people like Lord Ruthven, Erskine of Dun, Sandilands of Calder, David Lindsay of the Mount, Earl of Glencairn, etc., who were middle class or related to members of the middle class. They all influenced the political and religious situations of the time. They were all receptive to the new religious teachings.

<sup>14</sup>John Knox, The History of the Reformation in Scotland, W.C. Dickinson (ed.), (London: Nelson and Sons, 1949), I, 14. Hereafter designated - Knox, History.

It seemed inevitable that the members of the different strata of society would intermarry. This happened in Scotland between the nobility and the middle class. Sometimes it is difficult to distinguish clearly between the two groups. Each had a profound influence on the other. In this way, the social and political life of the nation became affected by the interactions of the middle class upon the nobility.

Then again, with the increase of trade and the opportunities which arose from it, individualism gained in significance. A person, by astute planning and daring, could rise from humble beginnings to a position of wealth and influence because more opportunities for advancement and independence had become available. The Scottish trait of rugged individualism became pronounced as a result of the policies of the middle class in Scotland at this time. As the merchants traded with foreign countries, they became more aware of their own national identity, so that as trade increased it directly enhanced Scottish nationalism. This helped motivate the Scots to overthrow the yoke of Roman Catholicism and to determine their own religious policies. Consequently, in Balnaves' youth, Scotland, as a nation, was becoming self-conscious in a new and vigorous way.

Lee is wrong in his assessment for another reason. Contacts abroad and association with new ideas, made the merchants of Scotland more cognisant of new scientific and religious beliefs prevalent in Europe. Frequently, they became receptive to new learning and formed the nucleus from which new religious and political ideas spread in Scotland. Without the atmosphere created by the middle class, men like Balnaves would not have been nearly as successful in winning

over their fellow countrymen to the Reformation view-point, and thereby overcoming the power of the Roman Catholic Church in Scotland.

The Church was one society which stood in unique relationship to other Scottish institutions. While the burghers, nobles and even the monarch were short of finances, though endowed with some measure of power and prestige, the Roman Catholic Church was, in contrast, wealthy, powerful and hopelessly corrupt and, as a church, had become spiritually bankrupt. Only a cataclysmic event could have shaken this society from the sloth, corruption, ignorance and lethargy into which it had fallen. As one writer states:

The state of religion in Scotland, immediately before the Reformation, was deplorable in the extreme . . .  
Of Christianity, almost nothing remained but the name.<sup>15</sup>

What were some of the abuses rampant during the formative years of Balnaves' life? Appointments to high church offices had fallen into the hands of the King and his advisors. As a result, unworthy persons were appointed frequently to high offices in the church with no thought given to their ecclesiastical ability. The action of James V in naming five of his illegitimate children to rich benefices, illustrates the degeneration which existed. One of these children, Lord James, later the Earl of Moray, became prior of St. Andrews when he was seven years old. This type of activity, disgraceful enough for one generation, could be perpetuated legally by a system known as feu-farming which enabled the higher clergy to grant church lands to their relatives or friends in such a way that they would receive the emoluments in perpetuity no matter what happened to the original donor. As the

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<sup>15</sup> T. McCrie, The Story of the Scottish Church from the Reformation to the Disruption. (London: Blackie Co., 1875), p. 4.

ideals of the Reformation spread there was a sharp increase in the practice of feu-farming, especially amongst the higher clergy who feared that their possessions might be confiscated by the Protestants as had happened in other countries. Even the Pope became concerned at the increase of this type of activity, but he was unable to curb the practice.<sup>16</sup>

Corruption was intensified by the low educational standards of both the laity and the clergy. As some of the churchmen could not read, how could they instruct the people in worship and godly living? The circumstances shocked some of the principal men of the day. There is one interesting comment written by Archibald Hay to Cardinal Beaton:

I declare I often wonder what the bishops were thinking about when they admitted such men to the handling of the Lord's Body, who scarcely know the alphabet. They come to that Heavenly table without having slept off yesterday's debauch . . . These abuses, which have held sway for many years, must be rectified . . . It is intolerable that entrance to the Church should lie open to all, without selection, and that some entrants should bring with them utter ignorance, others a false pretense of knowledge, some a mind corrupted by the greatest sins and trained in the most scandalous excesses, certain of them a studied intention to do harm, so that there is no greater danger to be feared from the most noxious animals than from this offscouring of most abandoned men.<sup>17</sup>

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<sup>16</sup>R.K. Hannay, "A Study in Reformation History", Scottish Historical Review, xxiii (1925-26), p. 32.

<sup>17</sup>A.R. MacEwan, A History of the Church in Scotland, (London: Hodder and Stoughton, 1918), I, 447. Quoting - Ad Daviden Betoun Card, Panegyrieus.

One prominent example of clerical ignorance illustrates succinctly the depth to which clerical education had plunged.

. . . Buchanan informs us that in 1545, when severe laws were enacted against the reading of the New Testament, such was the blindness of the priests, that many of them, scandalized at the term NEW, maintained that it was a dangerous book lately written by Martin Luther, and cried out, 'they would have no NEW Testaments; give them the OLD one'.<sup>18</sup>

Ignorance of the Scripture did not prevent the priests from making money out of the practices of the faith. Even death did not relieve a person of his obligation to the church. No sooner was the body buried, than the relatives would be besieged with warnings to have Masses said that the soul might fly from purgatory. Many censures were levied against those who did not co-operate. As one author points out, even Divine Worship was desecrated:

Divine service was neglected; the churches were deserted (especially after the light of the Reformation had discovered abuses and pointed out a more excellent way); so that, except on a few festal days, the places of worship, in many parts of the country, served only as sanctuaries for malefactors, places of traffic, or resorts for pastime.<sup>19</sup>

The Roman Catholic Church knew of the state of its degeneracy. From time to time the clergy were called upon to reform their scandalous lives. A few quotations from a Roman Catholic source attest to the need for reform.

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<sup>18</sup> McCrie, op. cit., p.6.

<sup>19</sup> McCrie, Life of Knox, (Glasgow: Griffin and Co., 1844), p.13.

The Provincial Council of 1549 points to the causes which scandalized the nation.

And whereas there appear to have been mainly two causes and roots of evils which have stirred up among us so great dissensions and occasions of heresies, to wit, the corruption of morals and profane lewdness of life in churchmen of almost all ranks, together<sup>20</sup> with crass ignorance of literature and of all liberal arts . . .

Item this synod exhorts that neither prelates nor their subordinate clergy keep their offspring born of concubinage in their company, nor suffer them directly or indirectly to be promoted in their churches, nor under colour of any pretext to marry their daughters<sup>21</sup> to barons or make their sons barons out of the patrimony of Christ.

Prelates shall have a care that they maintain and keep as their personal servants and permanent domestics, such as are not reputed to be gamblers, recognized fornicators, drunkards, brawlers, buffoons, night-walkers, or blasphemers of God's name and addicted to profane swearing.<sup>22</sup>

This intolerable state of affairs was perpetuated by persecution and the suppression of free inquiry. The Scriptures were not read to the people. Effective preaching of the Word of God was either prohibited, suppressed, or never attempted because of lack of knowledge. As one famous Bishop of Dunkeld remarked: "I have lived well these many years, and never knew either the Old or New Testament".<sup>23</sup>

During Balnaves' youth, the tide began to turn. New knowledge and fresh ideals became a cleansing force which swept away these tragic

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<sup>20</sup> Statutes of the Scottish Church (1225-1559), D. Patrick (ed.), (Edinburgh: Scottish History Society, 1907), pp. 84, 89ff.

<sup>21</sup> Ibid., p. 92.

<sup>22</sup> Ibid., p. 94.

<sup>23</sup> McCrie, The Story of the Scottish Church, p. 6.

and evil corruptions. But such abuses had become so ingrained in the Roman Church that only a reformation could correct the situation.

Attempts were made at reforming the old order, but to no avail. Even the King, surrounded by bishops, cardinals and others who represented the worst aspects of the depth of degradation of the officials of the church, knew the magnitude of the offences. He attempted some measures of reform. As far as he was concerned the bishops must mend their ways:

. . . he exhorted them to reform their fashions and manners of living, saying that, unless they did so, he would send six of the proudest of them unto his Uncle in England.<sup>24</sup>

When this warning was not effective, at a meeting of the Estates in March 1546, an act was passed for "the reforming of kirks and kirkmen":

Because of the negligence of divine worship, the great dishonesty in the Kirk through not making of reparation to the honour of God Almighty and to the Blessed Sacrament of the Altar, the Virgin Mary and all the Holy Saints and also the dishonesty and misrule of kirkmen both in wit, knowledge and manners is the matter and cause that the kirk and kirkmen are lightlied and condemned: for remedy thereof the King's grace exhorts and prays openly for all archbishops, ordinaries and other prelates and every kirkman in his own degree to reform themselves, their obediencaries and kirkmen under them, in habit and manners to God and man.<sup>25</sup>

Had the prayers of the monarch been answered, the impending religious revolution might have taken a different form. Unfortunately,

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<sup>24</sup> MacEwan, op. cit., I, 450.

<sup>25</sup> Ibid.

his admonitions fell on deaf ears. It seemed to be impossible for the church to rid itself of so many deep rooted abuses. The three councils which met during the last decade of Roman Catholic supremacy in Scotland passed excellent resolutions against the prevailing vices but these acts were not effective. As P.H. Brown states:

the best proof that a religious revolution was needed is the fact that the church was fully conscious of its own short comings, yet was powerless to get itself in order.<sup>26</sup>

Time was running out for the Roman Catholic Church. The sparks which flew from Luther's hammering of the articles on the church door ignited the hearts and minds of men in all walks of life and thereby spelled out the doom of the old order. The new theological teachings wrenched Scotland from the corruption of the 'auld kirk'.

The principal figure in the unfolding of this drama was John Knox. As subsequent chapters will reveal, he was affected by the conditions of the church and by the preaching of new theological ideas which were brought into Scotland from England and the Continent. He received the support of many lay people, motivated by a genuine desire to serve their God in all things. While some aided him for less worthy motives, the vast majority of Knox's adherents acted out of conviction. One such figure was Henry Balnaves of Halhill who brought considerable influence to bear upon Knox himself, upon various Regents of Scotland, and, in particular, upon Henry VIII of England, so that the Reformation's cause triumphed in Scotland. Working under the

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<sup>26</sup>P.H. Brown, John Knox, (London: Adam and Charles Black, 1895), I, 42-43.

general situation of the times, briefly outlined in this chapter, he, more than any other individual, typified the kind of man to whom Knox could turn for support, both financial, political and intellectual, in the struggles that culminated in the coming of Protestantism to Scotland. It is the purpose of this thesis to try to elucidate the contribution of Henry Balnaves of Halhill to this revolutionary cause.

## Chapter II

### THE CIVIL SERVANT (1526-1542)

As there is no available documentary evidence concerning the early life of Henry Balnaves, the factors which influenced him during this formative period of his development have to be implied. Unfortunately, they cannot be substantiated by concrete references. Any comments written concerning this part of his life must be considered as conjectural. Nevertheless, the remarks which secondary authors have made seem, in the light of his later life, to be reasonable and trustworthy.<sup>1</sup>

He was born in Kirkaldy, Fifeshire, about the year 1502. Although the names of his parents do not appear in the records of the period, his interest in farming and his close association with two local lairds, Sir James Kirkaldy of Grange and Sir James Melville of Raith, would seem to support the belief that his father may have been a tenant of either of these nobles. Balnaves was probably of humble birth and by his own initiative rose to a prominent position in the social, political and religious life of his generation. In other words, he was a self-made man.

In his early youth he travelled through Flanders to Cologne in order to attend a school for poor children which was supported by the generosity of the town's people. The school accepted him and he

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<sup>1</sup>I am indebted to D. Calderwood for information on this subject. Unfortunately, he never tells us where he obtained his facts. See D. Calderwood, The History of the Kirk of Scotland, (Edinburgh: Wodrow Society Publications, 1842), I, 158ff.

"profited both in the lawes and in religion".<sup>2</sup> These two disciplines provided him with the necessary qualifications which he used to advantage on his return to Scotland: the former enabled him to rise in the judicial field which culminated in his appointment as Secretary of State during the early years of the regency of the Earl of Arran; the latter gave him fundamental insights into the religious ideas of his day which ultimately bore fruit in his book, *The Confession of Faith*, which appealed to no less a revolutionary than John Knox. It is impossible to prove at what point in his career he became a Protestant. All references to him after his return to Scotland indicate that he favoured wholeheartedly the Protestant religion. It is quite possible that the school which he attended in Europe had Protestant teachers. He may have conversed with Lutheran divines while abroad. It cannot be denied that, whatever influences moulded his theological thinking, at a very early age he had become conversant with the spirit and tenor of the Reformation movement.

On returning to Scotland, he continued his intellectual pursuits at St. Salvator's College, St. Andrews. We know this because on December 7, 1526, he became a student of this institution and is referred to as "Magister Henricus Balnavis - Nationis Albaniae".<sup>3</sup> Nowhere has a reference been made to the date of his graduation from the university. It is impossible to state with certainty that he

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<sup>2</sup>Ibid., p. 158.

<sup>3</sup>Early Records of the University of St. Andrews, 3rd Series, J.M. Anderson (ed.), (Edinburgh: T.A. Constable, Scottish Historical Society, 1926), VIII, 225.

completed the course offered. His studies may have been interrupted. Because he is referred to as Magister, a title which was used to designate a person with a master's degree, it seems logical to infer that Balnaves possessed such a degree.<sup>4</sup>

Throughout this period St. Andrews was both the ecclesiastical and educational centre of Scotland and played an important part in the life of the nation. The Castle and Cathedral were about the same age, the latter having been completed by Lamberton in 1318. In 1410 the University was constituted by a Papal Bull. Thirteen doctors of divinity, eight doctors of law, with doctors learned in logic, rhetoric, and philosophy, composed the teaching staff.<sup>5</sup> Philosophy and humanities were excellently taught. In every sense of the word, St. Andrews was a university town. "St. Andrews, . . . was a truly academic city - a dark, sombre, ruinous, mildewed, ill-lighted, badly paved, old-fashioned, old-mannered, secluded place".<sup>6</sup>

Catholicism could be seen both at its best and at its worst in this metropolitan city. For centuries its Bishops had been the

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<sup>4</sup>The Works of John Knox, D. Laing (ed.), (Edinburgh: J. Thin, Wodrow Society Publications, 1895), III, 406. Laing implies that while Balnaves was a member of St. Salvator's College, he practised law at the Consistory Court which gave him experience that resulted in his appointment as a member of the College of Justice. His reasoning is confused. I believe it was after he had been at the College that he became a member of the Consistory Court, because the original source telling of his admittance to St. Salvator does not provide any clue to substantiate Laing's inference that he practised law. It does imply that he was a student. Furthermore, he is never referred to as being an instructor at the college. The most logical explanation is that he studied law at this time.

<sup>5</sup>Skelton, op. cit., I, 180ff.

<sup>6</sup>Ibid., p. 176.

"Primus" and since the fifteenth century its Archbishops had been the Metropolitans of Scotland. While pageantry and splendour were the order of the day, there was a more sombre side to the situation. Here, corruption, simony and ignorance flourished under the watchful eye of David Beaton.<sup>7</sup> While Balnaves was at St. Salvator's College, Beaton was sowing the seeds which would ultimately lead to his own murder and the success of the Reformation movement. Balnaves, as we shall see, played an active and vital role in the latter. His life at St. Andrews prepared him for this task.

In order to comprehend the significance of Balnaves' contribution to the Reformation in Scotland, it is necessary to understand the general political situation at this time. While Balnaves attended St. Salvator's College, Scotland lacked political stability. In 1525, Angus was the chief person in Scotland. Although a council of eight had been appointed that year to advise the young King, their divided interests made it possible for Angus to become master.

Events in Europe helped him indirectly. On March 31, 1525, the King of France suffered defeat at the battle of Pavia and was taken prisoner. This made France less interested in Scottish affairs so that the Scots, who favoured Albany, the absentee Regent, could not count on any quick support from abroad. Moreover, Wolsey's thinking concerning events in Europe changed. He had tried to hold a balance of power between the Emperor (Charles V) and the King of France (Francis I). But with Francis a captive and the resulting humiliation

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<sup>7</sup>J. Herkless, Cardinal Beaton, Priest and Politician, (Edinburgh: William Blackwood and Sons, 1891), pp. 72ff.

of the country Wolsey, fearing Charles V, arranged for an alliance with France in 1525, (August 30). Naturally, the pro-French party in Scotland was on the horns of a dilemma. With France and England on a relatively friendly basis, their anti-English attitude embarrassed France. Although Angus was opposed by Queen Margaret, (the widow of James IV), and the Earl of Arran, the latter changed his allegiance towards the end of the year and sided with Angus; an action which made the latter virtually supreme in Scottish affairs. As the King was fourteen years old, Angus decided he should be allowed to enter on his prerogatives.

The one real obstacle to Angus' complete domination of the country was the opposition of the Earl of Lennox who, twice during 1527, tried to remove the King from Angus' control. The Hamiltons and the Douglasses were too powerful and Lennox lost his life in a battle near Linlithgow. Angus, now that he was supreme, at a meeting of the Estates in November caused his enemies' possessions to be forfeited and distributed among his relatives and friends.<sup>8</sup> His success was short lived. The tide turned in a sudden and unexpected manner.

In February, 1528, Archbishop Beaton had Patrick Hamilton burned at the stake outside St. Salvator's College as a heretic. As often happens, the common people reacted on behalf of the accused, not the accuser. By killing Hamilton, Beaton gave the Reformation in Scotland its first martyr, thereby enhancing its cause because the sympathy extended to

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<sup>8</sup> Wigton Papers, J. Dennistoun and J. MacDonald (eds.), (Edinburgh: Maitland Club Miscellany, 1840), II, Pt., II, 368ff.

<sup>9</sup> Knox, History, I, 12ff.

him was soon transferred to the views for which he died.

Six months later, the King escaped from Angus and the Douglasses and took refuge in Stirling Castle which was controlled by Angus' enemy, John, Lord Erskine.<sup>10</sup> Without the King as a hostage, Angus' power crumbled. Although only seventeen years old, backed by his friends, King James banished Angus beyond the Spey. His lands were fortified and by November, Angus and his family sought refuge in England.

The young King turned to affairs of State. His tasks were made easier by the political situation in Europe. Francis I was back on the throne. His release resulted in an alliance of Henry VIII, Clement V, and the Republic of Venice against Charles V. The immediate effect of this alliance on Scotland is rather curious. Angus had represented English interests in Scotland. Consequently, his overthrow by James V upset Henry VIII. But, because England and France were co-operating to defeat Charles V, Henry VIII could not deal harshly with Scotland for fear of upsetting the French. The English King had to make the best of a bad situation and sign a five year peace treaty with Scotland in 1528.

The years of peace enabled James to solidify his position. Much of his time was spent in bringing the Borders and the Highlands

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<sup>10</sup> An Historical Account of the Senators of the College of Justice from its inception in 1532, G. Brunton and D. Haig (eds.), (Edinburgh: T. Clark, 1865), p.39.  
J.B. Paul, The Scots Peerage, (Edinburgh: D. Douglas, 1911), V, 609ff. In 1525 Lord Erskine obtained a charter constituting him and his heirs as captain and keeper of Stirling. In 1532, he was chosen Lord of Session.

under control. In these pursuits, he had some success, though not without a struggle. Convinced that the Border chieftans were encouraging lawlessness in the area, the King placed in ward, the Lords Bothwell and Hume; and the lairds, Maxwell, Johnston, Buccleugh and others. At the end of June, 1530 he marched on the Borders where he caught and hanged John Armstrong of Glenockle and four hundred and eighty-seven of his comrades. Feeling that his power was great enough, he released all the Borders held in ward, except Bothwell. His triumph was a two-edged sword. Because, while unruly, they were the national defence which Scotland had against England. By weakening their position, he was giving England an added advantage as Solway Moss proved. Undaunted, James now put the Highlanders in order.

In all these proceedings, James alienated many of his nobles. He tended to rely for advice on clergy who at this time were wealthy and corrupt, as we have shown. Although seemingly loyal to the Roman Church, James devised a means to deprive it of much of its possessions. The instrument which he used to advantage was the College of Justice. It was founded in 1532. He hoped it would correct the short-comings of the "Daily Council". He modelled it after the Parliament of Paris on the suggestion of the Archbishop of Glasgow and most probably David Beaton, who knew intimately the French institution.<sup>11</sup>

The membership was comprised of fifteen people ; seven of whom were laymen, and seven clerical and the president who must always be a cleric.<sup>12</sup> All were nominees of the crown. Although the King intended

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<sup>11</sup> Brinton and Haig, op. cit., xxi.

<sup>12</sup> Ibid., p. xxxii.

this court to check the lawlessness of the country, in the process of establishing it he ran into conflict with many prelates. Justice might be commendable and necessary, but someone would have to pay for it. James decided that as the clergy were the only ones in a position to bear the costs they should be taxed. He imposed a tax on ecclesiastical benefices which created a certain amount of discontent and embarrassment. James wanted an annual contribution of £10,000 although only £1,400 were actually needed for the purposes of the College.<sup>13</sup> After considerable haggling, the clergy agreed that enough benefices would be set aside which would provide the College with the required £1,400 annually. Moreover, they agreed that in the ensuing four years the King would receive a donation totalling £72,000.<sup>14</sup> While these measures were unpopular with the clergy, the King had his way.

His influence over the College of Justice was enhanced further by the fact that the chancellor could replace the president. In addition, the King could nominate three or four extra members to the permanent body, if he so desired.<sup>15</sup> It is obvious that all the members obtained their posts due to royal favour, or through the influence of some person close to the King. Balnaves had several friends who were favourites of the young King. The two most important were

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<sup>13</sup>W.S. Reid, "Clerical Taxation; The Scottish Alternative to the Dissolution of the Monasteries, 1530-1560", Catholic Historical Review, XXXV, No.2, (July, 1948), p. 139.

<sup>14</sup>Ibid., p. 140.

<sup>15</sup>P.H. Brown, History of Scotland to the Present Time, (London: Cambridge University Press, 1911), I, 397.

Sir John Melville of Raith and his son-in-law, Sir James Kirkaldy of Grange.

Shortly after his return from studying abroad Balnaves became a procurator of the Consistory Court of St. Andrews.<sup>16</sup> As many important cases were heard here he gained considerable legal experience which helped to qualify him for the position of an advocate in the College of Justice a few years after its formation.<sup>17</sup> While a procurator in the Consistory Court, he frequently visited John Melville of Raith. Laing states that Melville was Balnaves' patron.<sup>18</sup>

Melville of Raith succeeded to his father's lands of Raith, Pitconmark and Torbain on October 29, 1502. These were in Fife in the parish of Kirkaldy. When James IV married Princess Margaret of England in the summer of 1503, Melville was knighted.<sup>19</sup> In October 1526, a further honour was bestowed upon him when he became a "Master of Artillery" for life. Two months later he joined the Earl of Lennox, the King's friend, in his attempts to rescue the King from the domination of Angus. In July, while Angus accompanied by the King and Lord Hume marched on the Borders, Walter Scott, laird of Buccleugh, who was a retainer of Lennox, launched an attack. A fierce fight followed but Angus won. Undaunted, a second attempt was made by Lennox and his followers, including Sir John Melville. In the beginning of

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<sup>16</sup>Calderwood, op. cit., I, 158.

<sup>17</sup>Laing, op. cit., III, 406.

<sup>18</sup>Ibid.

<sup>19</sup>The Scots Peerage, VI, 86.

September they proceeded from Stirling, whose captain and constable was John, Fifth Lord Erskine of Nesbit.<sup>20</sup> At Linlithgow they were routed by Angus and the Hamiltons. Lennox lost his life. The young King mourned his special friend because he felt Lennox was the only person in the kingdom who could have delivered him from Angus' control. Sir John was pardoned for his part in the attack in August, 1527.<sup>21</sup>

The King's friendship and admiration of Lennox helps us to understand why Sir John Melville ranked so high in the royal favour until the King's death in 1542. About 1540, Sir John was given control of Dunbar Castle, where he guarded the highland chiefs whom the King brought back as hostages from his expedition to the Isles that year.<sup>22</sup>

That Melville was sympathetic to the Reformation we know, not only because of his association with and patronage of Henry Balnaves, but also because he, along with his son-in-law, Sir James Kirkaldy of Grange, were included in a list of heretics prepared by Cardinal Beaton and presented to the King in July, 1540 with the recommendation that their estates be forfeited. This forfeiture would provide the King with considerable money which James needed desperately should Henry VIII declare war.<sup>23</sup> When Kirkaldy pointed out to the King the

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<sup>20</sup> Brunston and Haig, op. cit., p. 20.

<sup>21</sup> The Scots Peerage, VI, 86.

As early as 1520, Sir John Melville, David Wemyes of Wemyes and their neighbours, formed a common band for mutual defence. Since that time, this nucleus increased to include Kirkaldy of Grange, Erskine of Dun and others, all of whom favoured the new religious views and supported the country against the Douglasses.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

treachery of the prelates, their advice was strongly rejected.

According to Knox, James replied:

Pack you, jefwells: get you your charges, and reform your own lives, and be not instruments of discord betwix my nobility and me, or else, I vow to God, I shall reform you, not as the King of Denmark, by imprisonment does, neither yet as the King of England does, by hanging and heading; but I shall reform you by sharp whingers, if ever I hear of such motion of you again.<sup>24</sup>

As long as James was King, in spite of the power and influence of Cardinal Beaton, Balnaves and his friends were safe. Accusations could be made against them for being sympathetic to the Reformation. But the prelates were unsuccessful in their attempts to oust them from Royal favour.

It is of great interest to note that while the College of Justice was formed of seven clerical and seven lay representatives since its inception in 1532, James packed the lay membership with his personal friends many of whom had worked for his release from Angus and who were openly sympathetic to the Protestant Faith.<sup>25</sup> Furthermore, he chose as president, Alexander Myln, Abbott of Cambuskenneth, "an exemplary churchman, learned, pious and full of good works both spiritual and temporal." He was eager for reform in the lives of the clergy.<sup>26</sup> Backed by such influential people and considering the feelings of many of the members

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<sup>24</sup>Knox, History, I, 34.

<sup>25</sup>The Scots Peerage, vols. VI, VII, VIII passim.  
Brunton and Haig, op. cit., passim.  
i.e. Thomas Majoribanks of Ratho; (32), George Leslie, Earl of Rothes; (32), William, Lord Ruthven; (39), Hugh Rigg; (37), Thomas Scott of Petgormo; (32), Robert, Lord Maxwell, Master of Royal Household; Sir Thomas Erskine of Brechin; (35), Thomas Bellenden of Auchinoul; (35), John, Fifth Lord Erskine of Nesbit; (32), to name but a few. (The numbers designate the year in which the appointments were made).

<sup>26</sup>Knox, History, I, xix, 15, II, 467.

of the College of Justice towards the corrupt state of the Roman Church, it is not difficult to see why a man of Balnaves' learning, temperament and religious views advanced rapidly in the various positions of State, which he held during James' reign, in spite of the power and opposition of Cardinal Beaton.

Just how long he remained at the Consistory Court cannot be determined by the evidence which is available. He became a clerk in the service of James Kirkaldy of Grange - Lord High Treasurer - on the recommendation of Sir John Melville. He obtained the position, not only because of his ability, but also through political favouritism and family influence. James Kirkaldy, the Treasurer, had married Janet, the ninth child of Sir John Melville.<sup>27</sup> The close relationship between the Melvilles and Balnaves is further borne out by the fact that, in his will, Balnaves left all of his possessions to Sir James Melville of Halhill, whom he describes as his "son adoptive".<sup>28</sup> As Sir John Melville was Kirkaldy's father-in-law, it is not surprising to find Balnaves employed in a legal capacity in the latter's Department of State.

If my conjecture concerning his stay at St. Salvator's College is correct, he probably became a fully qualified advocate about 1527.<sup>29</sup> In a memorandum dated November 16, 1537, Mr. H. Lauder, Thomas Majoribanks and Henry Balnaves are described as "chief" advocates in session along

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<sup>27</sup> The Scots Peerage, VIII, 282.

<sup>28</sup> Ibid., VI, 90.

For a complete copy of his will, see Laing, op. cit., III, 427-430 inc. Sir James Melville of Halhill was the son of Sir John Melville. Therefore, Sir James Kirkaldy was his brother-in-law.

<sup>29</sup> Supra, 17.

with five others.<sup>30</sup> In January, 1537-8, he acted as procurator for Gilbert Cassellis in an action involving the will of the late Dame Isobel Wallace.<sup>31</sup>

On July 29, 1538, he became a member of the College of Justice. His admission is described in the following manner:

Master Henry Balnaves produced a writ subscribed by the King, admittand him to be one of the nomer of the setz of sessioun' and at the desire of the Lords took the usual oath.<sup>32</sup>

When he became a member of the College of Justice he was known as Henry Balnaves of Halhill because of a grant of land presented to him by the King, which had previously been occupied by William Cumming of Inneralochy. The lands were of Easter Collesy but commonly called Halhill.<sup>33</sup> Needless to say, they were situated in Fifeshire. The

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<sup>30</sup> M.S. Collection from Acts of Parliament, in possession of Laing. Vide, Laing, op. cit., III, 406.

<sup>31</sup> Acts of the Lords of Council and Session, IX (MSS) Microfilmed extract by W.S. Reid, fol. 18.

<sup>32</sup> Acts of the Lords of Council in Public Affairs, Scotland. (1501-1554). R.K. Hannay (ed.), (Edinburgh: H.M. General Register House, 1932), p. 471.

<sup>33</sup> Registrum Magni Sigilli Regum Scotorum, (1513-1546), J. Paul and J. Thomson (eds.), (Edinburgh: H.M. General Register House, 1883, III, No. 2005. Hereafter designated - R.M.S.R.S.

Registrum Secreti Sigilli Regum Scotorum, (1529-1542), J. Beveridge (ed.), (Edinburgh: H.M. Stationery Office, 1952), II, No. 3109. Hereafter designated R.S.S.R.S.

The Exchequer Rolls of Scotland, (1529-1536), G. McNeill (ed.), (Edinburgh: H.M. General Register House, 1898), XVI, 499.

For complete extract, see Laing, op. cit., III, 418ff.

grant was made on August 10, 1539.

At this point we shall digress from Balnaves' duties and consider his possessions and domestic state. Halhill was granted to him and his wife, Christine Scheves, and their heirs in hereditary tenure. In addition to Halhill, Balnaves possessed other properties which he obtained by the practice of feu-farming. In essence, feuing was a method whereby land could be held in heritable tenure for a fixed rental. After 1503, feuing became more general on the crown lands. Between 1508-1509 the Stewarty of Fife was feued. The feu-farms varied in size. Some were quite small while others were feued "en bloc" like the Barony of Stratherne.<sup>34</sup>

In addition to Halhill, he held in tenure the lands of Petcute and Murefield and entered an agreement for them on Whitsunday 1543. His rental amounted to 31s 6d per annum.<sup>35</sup> In the accounts of March 6, 1543, he is charged 15s 8d and later on that year, he paid another 11s 12d.<sup>36</sup> These lands were situated in Fifeshire and were under the administrative control of the Archbishop of St. Andrews. The Metropolitan See was responsible for collecting the rents. Balnaves actually possessed these lands as early as March 11, 1541, but he did not pay the rental until 1543 because Cardinal Beaton discharged him of the augmentation during the remaining term of Katherine

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<sup>34</sup>I.F. Grant, op. cit., Chapter V, *passim*.

<sup>35</sup>Rentale Sancti Andree, (1538-1546), R.K. Hannay (ed.), (Edinburgh: Scottish Historical Society, 2nd series, 1937), IV, 134.

<sup>36</sup>Ibid., pp. 175, 204-205.

Scott's tack.<sup>37</sup> Her husband, Thomas Scott, a Justice Clerk and son of William Scott of Buccleugh, who tried to help Lennox free the King in 1526, died in 1539 under peculiar circumstances most troubling to the King who had a terrible vision when this man died. Scott exclaimed at his death "I am damned, I am damned" and appearing to the King in a dream, accompanied by a hoard of devils, he declared:

O woe to the day that ever I knew thee, or thy service; for, for serving of thee against God, against his servants, and against justice, I am adjudged to endless torment.<sup>38</sup>

In order to understand the significance of this situation, it is necessary to remember that during this period Cardinal Beaton was actively engaged in routing heretics. The King's position was insecure. Sir James Hamilton of Finnart, who was the illegitimate son of the Earl of Arran and who had killed the Earl of Lennox in his attempted liberation of the King in 1526, had recently become reconciled to the King and had become an Extraordinary Lord of Session and Master of Works. But Sir James was found guilty of an attempted plot to assassinate the King.<sup>39</sup>

The Accusation was made by his cousin, Sir James Hamilton, Sheriff of Linlithgow, a man who favoured religious reforms and was sympathetic to the new views.<sup>40</sup> When Sir James discovered the plot against the King he sent his son to warn the royal party, which was

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<sup>37</sup> Ibid., p. 134.

<sup>38</sup> Knox, History, I, 29.

<sup>39</sup> The Scots Peerage, IV, 36.

<sup>40</sup> Calderwood, op. cit., I, 139.

at this time proceeding to Fife. As soon as the King heard the report, he sent the sheriff's son to the Exchequer House to inform Sir James Learmonth, the Master of Household; Sir James Kirkaldy, the Treasurer; and Thomas, Lord Erskine, the Secretary. Sir James Hamilton was immediately arrested and at the insistence of Kirkaldy and the others, the King had him tried and executed.<sup>41</sup> Shaken somewhat by this experience, the King tended to rely more heavily on the advice of Kirkaldy.<sup>42</sup>

We see Kirkaldy at work not only in the last episode, but in connection with the lands granted to Catherine Scott. Kirkaldy had been given the lands belonging to Lord Glamis many years previously. In 1543 John, Lord Glamis, tried to get them back. It is interesting to note that in the Acts of Parliament rescinding the forfeiture of the Glamis' estate, Thomas Scott is charged with having falsely accused Lord Glamis. No doubt the lands which Balnaves received - Petcute and Murefield - formed part of the Glamis' estate.<sup>43</sup> These lands were actually either part of or close to those of Kirkaldy. Sir James Kirkaldy arranged, when Scott had turned informer prior to his death, that Balnaves should obtain these lands.

We observed that Scott, on his deathbed, had a troubled conscience. While the circumstances are not clear, he had apparently

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<sup>41</sup>Ibid., p. 140.

Laing, op. cit., I, 28, n. 4.

<sup>42</sup>This was pointed out in connection with the lists of heretics submitted by Cardinal Beaton but no action was taken due to Kirkaldy. Supra, 25.

<sup>43</sup>Acts of the Parliament of Scotland, (1424-1567), J. Thomson (ed.), (London: 1814), II, 422. Hereafter designated Acta, Parl. Scot. The Scots Peerage, VIII, 281ff.

changed his mind about Balnaves and his friends and must have been informing on them to the Cardinal. Knox tells us of an incident which happened immediately after Scott's death:

He was most oppressed for the delation and false accusation of such professed Christ's Evangel as Master Thomas Majoribanks, and Master Hew Rigg, then advocates, did confess to Master Henry Balnaves; who, from the said Thomas Scott, came to him, as he and Master Thomas Bellenden were setting in Saint Giles Kirk, and asked him forgiveness in the name of the said Thomas.<sup>44</sup>

Perhaps Balnaves figured that possession of his lands would incline him to give the forgiveness asked of his former friend, turned informer. Whatever the reason, Balnaves possessed Petcute and Murefield which were part of the larger estate on a section belonging to the Lordship of Monymele.<sup>45</sup> From March 11, 1541-1542, Balnaves paid 31s 4d in rent.<sup>46</sup> In 1543, he paid in two instalments, the first covering the Whitsunday Period - 15s 8d; and the second - 11s 12d for the Martimas rental.<sup>47</sup> A further reference is made by the Chamberlain of St. Andrews, the Rector of Lammyntoune that during 1543-44, Balnaves paid 15s 4d for Petcute and Murefield.<sup>48</sup> The last reference to this land occurs in 1545 when, according to the new evaluation roll for the Lordship of Monymele, the rental for Balnaves' holdings amounted to £7 8s 8d.<sup>49</sup> Hereafter, there are no further references to Balnaves and

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<sup>44</sup>Knox, History, I, 29.

<sup>45</sup>Rentale Sancti Andree, (1538-46), p. 118.

<sup>46</sup>Ibid., p. 134.

<sup>47</sup>Ibid., pp. 165-167,

<sup>48</sup>Ibid., p. 172.

<sup>49</sup>Ibid., pp. 204-205.

these lands. After the murder of Cardinal Beaton, Balnaves was exiled (1548) and all his possessions were taken from him. However, he recovered Halhill in 1556.

These lands are important to our story because they show, conclusively, the favour with which Balnaves was regarded by the crown in spite of the machinations of the Cardinal. They also help to illustrate the bonds of friendship between the high officials of government who favoured the Reformation.

The confirmation of the charter of the lands of Halhill is interesting for another reason. It contains the first reference to Balnaves' wife, Christine Scheves. Her brother was Patrick Scheves of Kemback, Fifeshire. They were related to the late Archbishop of St. Andrews, William Scheves.<sup>50</sup> His brother, Henry, owned extensive lands in Kiliquiss, Fifeshire, and began the family of Scheves of Kemback.<sup>51</sup> There is a direct lineage which can be traced from Christine and Patrick back to Henry, the Archbishop's brother.<sup>52</sup>

In 1540 Balnaves, as we have seen, had risen from obscurity to a prominent position in the affairs of State both as an advocate and as a civil servant. As a clerk and auditor for Kirkaldy of Grange, the Treasurer, we find his name appearing frequently in the Treasury Accounts. From September 1538 to the fall of 1541, he is listed quite

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<sup>50</sup> R.M.S.R.S., (1421-1513), II, No. 1467.

<sup>51</sup> Ibid., No. 2210.

<sup>52</sup> Dictionary of National Biography, S. Lee and L. Stephen (eds.), (London: Smith Elder Co., 1908), XVII, 905.

regularly as an auditor of the accounts along with a group of other officials.<sup>53</sup> Most of the references are routine; one or two will illustrate the type of work in which Balnaves was engaged at this time.

On June 8, 1540, he assigned 1000 marks owed by Lundy to the King, to David Lindsay of the Mount and his wife, which amount Lundy was to have paid by midsummer 1541. As the date had passed and the sum was not forthcoming, the Lords ordained that letters of distraint should be sent.<sup>54</sup>

Then again, on September 6, 1540, Balnaves signed, along with Sir James Kirkaldy and Lord Erskine, the roll of David Wood of Craig, Comptroller of Scotland.<sup>55</sup> In 1568, an act was passed in the Barony Court of Coldingham by David Allan of Ranton and James Craw in East Reston ratifying a rollment of the Court of Coldingham dated April 6, 1541, which was produced by William Home of Eymouth. It concerned Homes' complaint that his mill was being abused by those who came to grind their corn. The precedent contained in the judgment of April 6, 1541, which was given by Balnaves, was upheld.<sup>56</sup>

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<sup>53</sup>Accounts of the Lord High Treasurer of Scotland, J.B. Paul (ed.), (Edinburgh: H.M. General Register House, 1911), VII, 2, 46, 47, 51, 63, 364. Hereafter designated Treasurer's Accounts.  
Accounts of the Masters of Works, for Building and Repairing of Royal Palaces and Castles, H.M. Paton (ed.), (Edinburgh: H.M. Stationery Office, 1957), I, 196-197, 232-235, 263, 292.

<sup>54</sup>Acts of the Lords of Council in Public Affairs, Scotland, (1501-1544), p. 488.

<sup>55</sup>Exchequer Rolls of Scotland, (1537-1543), XVII, 269.

<sup>56</sup>The Historical Manuscripts Commission, D.M. Hume (ed.), (London: Mackie and Co., 1902), CXXVIII, 207.

On November 24, 1541, Master John Chisholme stated he had compounded with the treasurer for £1,000. Apparently some misunderstanding had arisen over the account because Balnaves admitted receiving the money and discharged Chisholme.<sup>57</sup> In December of the same year, Balnaves refused to pay Elizabeth Hume, daughter of William Hume, 1,000 marks which had been promised to her by the King. Apparently she wanted the money for her own purposes, but as it was to be paid to her and her husband when she was given in marriage, Balnaves would not release the money. As she needed the money for clothing and living purposes, the Lords overruled Balnaves and let her have it.<sup>58</sup>

In December, 1542, Balnaves authorized a payment to be made for a shipment of copper from Denmark. This copper had been purchased by Alexander Lyall and shipped to Scotland.<sup>59</sup>

In addition to his official duties Balnaves spent some time helping his friends. In December, 1537, he acted in his capacity as an advocate in a suit by Sir James Kirkaldy against David, Earl of Crawford, concerning the lands of Rathillet and others.<sup>60</sup> Incidentally, one of the latter's daughters became one of the King's mistresses.<sup>61</sup>

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<sup>57</sup>Acts of the Lords of Council in Public Affairs, Scotland. (1501-54). p. 509.

<sup>58</sup>Ibid., p. 510.

<sup>59</sup>Treasurer's Accounts. (1541-46). VIII, 152.

<sup>60</sup>Acta Dom. Conc. et Session. IX, folio 476 and folio 526 quoted by C. Rogers -Three Scottish Reformers, (London: English Reprint Society, 1874), p. 16. This is not referred to in the Acts of the Lords of Council in Public Affairs.

<sup>61</sup>Knox, History, I, 39.

In the same year he acted on behalf of Gilbert of Cassillis, who was sympathetic to the Reformation movement and who later became Treasurer of Scotland (1554), and Hugh Campbell of Loudoun, Sheriff of Ayr. The controversy stemmed from the ownership of the lands of Trabrauch (Crabrauch?) left by the late Dame Isobel Wallace, in 1512-1513.<sup>62</sup>

As a commissioner to Parliament, Balnaves' name appears in the parliamentary records between 1538 and 1544.<sup>63</sup> Throughout these years, he served occasionally on various commissions relating to the domestic and political affairs of Scotland. In January, 1540, he and Thomas Bellenden of Auchinmail acted as special commissioners concerning Border troubles. Bellenden was the son of Patrick Bellenden and in 1535 became an ordinary Lord of Session and in 1539 he was Justice Clerk.<sup>64</sup>

In this connection, the representatives met at Coldstream and an agreement was made by Andrew Ker of Ferniehurst, Warden of the Middle Marches of Scotland, for the extradition of rebels and fugitives belonging to both kingdoms. As there had been no negotiations for a long time concerning border disputes, the commission agreed to meet at Roxburgh in England the next month (February 17) and again ten days later in Scotland at the town of Jedburgh.<sup>65</sup> All complaints within the

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<sup>62</sup>Acts of the Council and Session, IX, (MSS), folio 118.

<sup>63</sup>Acta, Parl. Scot., II, 352, 355, 368, 384, 403, 446.

<sup>64</sup>The Scots Peerage, II, 63.

<sup>65</sup>Letters and Papers: Foreign and Domestic of Henry VIII, (1540-1541), J. Gairdner and R.H. Brodie (eds.), (London: H.M. Stationery Office, 1896), XV, Nos. 94, 114. Hereafter designated L. & P. of H. Sir William Eure was chief negotiator for England. Thomas Bellenden and Henry Balnaves were chief negotiators for Scotland.

boundaries of the Middle Marches of both countries were to be received and settled at these meetings. In addition, arrangements were to be made for successive meetings on the advice of both Kings in order to settle any disputes. By these measures, they hoped that the truce would not be broken and that peace between the two countries could be maintained.<sup>66</sup>

On January 26, 1540, Sir William Eure sent a letter to Cromwell in which he records Bellenden's views of the Scottish Court on clergy reforms. In this letter there is a reference to the fact that, lately, the King and the Court had been listening to popular plays ridiculing the clergy. These plays were probably some of the ones written by Sir David Lindsay. A convention of the Estates had been called. Although Eure did not know the reason, he suspected it had something to do with clergy reforms.<sup>67</sup> No doubt this reference is to the Parliament of 1541 in which several acts were passed affirming the ancient faith and the supremacy of the Pope and, at the same time, recommending clerical reforms. As Beaton's influence was supreme at this time, there was little hope of the clergy enforcing the legislation. Nevertheless, the Scottish envoys desired Eure to send, by secret messenger, all of the acts relating to the reforms of the clergy and the suppression of the Roman Catholic Church passed by England.<sup>68</sup> Armed with these acts, they hoped to influence the Scottish King in actively

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<sup>66</sup>Ibid., No. 94.

<sup>67</sup>Ibid., No. 114.

<sup>68</sup>Ibid.

enforcing the laws in Scotland relating to the Reformation in the lives of the clergy. No doubt, they hoped to discover new ways to discredit the influence of Papal authority in Scotland. This same document refers to the reviewing of three ships by King James which were prepared to take him to France for discussions with Francis. There is no doubt that Cardinal Beaton had planned to keep the Scottish King in line by a strong alliance with France.

The meetings of Kings had been very prominent throughout the past several years. Charles V had visited England and France. Henry VIII conversed with Francis I. Why then, should Henry and James not hold a meeting to iron out their differences? The pro-English faction wanted such a meeting. Kirkaldy of Grange tried to persuade James to meet with Henry.<sup>69</sup> The suggestion was made in secret in the hope that Beaton and the pro-French group would not learn of it. The urgency felt by Kirkaldy and his friends, including Balnaves, was brought about by the actions of the Cardinal who at this time (summer 1541) was actively preparing for war. Moreover, Beaton went to France and shortly after his departure, Eare reported that a ship arrived from France loaded with guns and other weapons.<sup>70</sup> Aware of Beaton's intentions, Henry was anxious that a meeting be arranged. While these proceedings were taking shape, Balnaves, Kirkaldy, Bellenden and others were at Jedburgh.<sup>71</sup> Apparently, they were on routine business

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<sup>69</sup> Herkless, op. cit., p. 183.

<sup>70</sup> The Hamilton Papers, (1532-1543), J. Bain (ed.), (Edinburgh: H.M. Register House, 1890), I, Nos. 70, 73.

<sup>71</sup> L. & P. of H. XVI, No. 832.

under the direction of the Earl of Argyle, who was Chief Justice of  
Kyre.<sup>72</sup>

By the fall of 1541, Balnaves and Bellenden were sent once more as ambassadors from the King of Scotland to Henry VIII to arrange a meeting between the two Monarchs. Because of Beaton's activities abroad in trying to establish a Catholic league against England, and cognisant of the Cardinal's arrangements for war preparations in Scotland, Henry also desired a conference with his nephew. In all probability, it was James who took the initiative in setting up this meeting.<sup>73</sup> While Henry would have preferred to meet the Scottish King at London or Windsor or Hampton Court, he finally condescended to meet James at York early in September. In reporting to the Council of England on these negotiations, Sir Thomas Wharton, the English representative, pointed out that opinion in Scottish Court circles was sharply divided on this issue. Kirkaldy, Bellenden and Balnaves and many other barons actively supported the meeting, but they were opposed by many of the clergy and a few of Beaton's staunch lay supporters who did all in their power to dissuade James from leaving Scotland. Frustrated by this state of affairs and embarrassed at not being able to obtain a firm commitment from James, the pro-English group, especially Balnaves and Bellenden, found it necessary to make excuses for the King's procrastinations. They pointed out that there were many adverse influences at Court and that the King's many and sudden journeys made

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<sup>72</sup> Ibid.

<sup>73</sup> Herkless, op. cit., pp. 183ff.

it almost impossible to predict what would happen.<sup>74</sup>

Henry, in spite of the lack of a firm promise by James, travelled to York on September 20, 1541, for the rendezvous. Once more his plans were frustrated by Cardinal Beaton. James did not appear. The reason for his change of heart has been attributed to Beaton's clever manipulation of events.

Before Beaton left for France he had extracted from James V a solemn promise that the King would not meet with Henry VIII without his permission. As James was not one to be bound by mere verbal utterances, the reason for his failure to go to York is not fully explained by his assurances to the Cardinal. Money helped James keep his word. The clergy made him an offer of some £3,000 a year from their benefices.<sup>75</sup> They felt very strongly that if James left Scotland, Henry VIII would, no doubt, capture him or persuade him to expedite a revolution in religion similar to the English Reformation. Had this happened, it would have meant the end of the Roman Church and the French Alliance.

In January, 1542, in order to placate Henry VIII, James sent ambassadors to England to present his excuses for not coming to York and to arrange for further adjustments in the disputes on the Borders.<sup>76</sup>

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<sup>74</sup>The Hamilton Papers, I, No. 85, L. & P. of H., XVI, No. 1143.

<sup>75</sup>Keith, op. cit., I, 45, n. 1.

<sup>76</sup>R. Holinshed, Chronicles of England, Scotland and Ireland, J. Hooker (ed.), (London: 1807-08), II, 188ff.

Little progress was made. Gradually the two countries drifted towards open hostilities which eventually culminated in the Battle of Solway Moss, a critical point in the history of Scotland.

One final effort was made to prevent war. In September, 1542, John Erskine of Dun; William, Lord Ruthven; Sir Thomas Erskine of Brechin; Henry Balnaves and others met with the English representatives at York to try to iron out their differences.<sup>77</sup> The English felt that the Scots were only trying to procrastinate while James was preparing for war.

The years 1538-1542 were very important in the life of Henry Balnaves because his abilities were recognized by the crown. He rose steadily in the civil service as an ordinary Lord of Session, as a member of Parliament, and as a treasury clerk. Moreover, his legal training made him a valuable member of several Border Commissions.

In this period, the friendships and enmities made would be a powerful influence in Balnaves' later years in his contribution to the Scottish Reformation. Already we have seen something of the impact which the new religious views exerted on Balnaves and his closest friends; Kirkaldy of Grange, the Melvilles of Raith and others. Throughout the story of the Reformation in Scotland, much depended on the influence of these laymen who were Balnaves' friends in deciding what the course of events would be. It is indicative of the spread of the new learning that a man like Balnaves and his closest associates could hold

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<sup>77</sup>The Hamilton Papers, I, Nos. 167, 175, 181. L. & P. of H. XVIII, 399. No.

the positions which they did in spite of the opposition and crafty dealings of Cardinal Beaton and his pro-French nobles. The success of the Reformation in Scotland is bound intimately with the political struggle of the Scots in determining who should be Scotland's ally - France or England. That England won out was in no small measure due to the activities of Balnaves and the English Party.

### Chapter III

#### BALNAVES AND THE ENGLISH PARTY (1542-1546)

Throughout the last chapter, the King's attitude to reform was indicated. His loyalty to those who had helped him in his regency struggles wavered but very little. Because of this, many who were sympathetic to reform had the protection of the crown, a situation which infuriated Cardinal Beaton and delighted Henry VIII.

Immediately prior to Solway Moss, James changed somewhat. In the fall of 1542, Norfolk invaded Scotland and destroyed Kelso, but as winter approached his stores became depleted and he withdrew to England. James felt that the time had come to strike as he had some 36,000 men at Fala Moor. His plans were thwarted in a most unexpected manner. The nobles refused to attack England. While their disloyalty may be hard to justify from a legal point of view, their action showed common sense and prudence. Once again, as was pointed out in the first chapter, the King of Scotland was not necessarily "King of the Scots". The reasons for their decision at this time were relatively simple and straightforward. If Scotland attacked England and Henry won, who would rule the land? If the King was killed, he had no heir. Then again, as far as the majority was concerned, the struggle really lay, not between Scotland and England, but between French interests in Scotland and England.<sup>1</sup> Rebuffed and mortified in this unexpected manner, the Scottish King

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<sup>1</sup>Knox, History, I, 33.  
Holinshed, op. cit., II, 207ff.

retired to Edinburgh and the nobles to their own areas. Beaton influenced the King with promises of financial aid and also, according to Knox, he produced his list of heretics, which had been presented previously in 1541 but had been rejected by the King on Kirkaldy's advice. In view of the nobles' actions in refusing to invade England, James was more sympathetic to the Cardinal at this time.<sup>2</sup>

Without stating specifically why they were to assemble, the King summoned his followers to meet on November 24 at Lochmaben; from here the attack on England would be launched but in a most curious way.<sup>3</sup> The Cardinal and the Earl of Arran would feign a raid at the East Border near Haddington while the King stayed at Lochmaben to hear the outcome.<sup>4</sup> Regardless of who won the victory, Beaton and the King would be out of harm's way.

The military course of the war is not vital to our story. That the Scots were completely routed is universally acknowledged by all historians. Although a political defeat, the Battle of Solway Moss

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<sup>2</sup> Knox, History, I, 34-35.

Herkless in his book Cardinal Beaton - Priest and Politician, p. 195, discredits Knox's account of the presentation of the lists on the grounds that it could not have been prepared on such short notice, and that it could not have influenced the outcome of the battle. His argument is very weak. It is in keeping with Beaton's character that he would do such a thing if it would help destroy the King's confidence in his loyal nobles who were favourable to religious reform. Had the Scots won Solway Moss, Beaton would have had a free hand in destroying men like Kirkaldy, Maitland, Balnaves, etc. His treachery is borne out further by his disallowing the King to say openly why he wanted his followers to meet at Lochmaben on November 24. For these reasons, I believe Knox can be trusted in his account of the presentation of the lists. Calderwood, op. cit., I, 146, supports Knox's statement.

<sup>3</sup> Knox, History, I, 35.

<sup>4</sup> Holinshed, op. cit., II, 208.

is much more significant to the religious history of the nation because many of the prisoners taken to England returned to Scotland as adherents of Henry VIII, fortified in their determination to overthrow the supremacy of the Church of Rome.<sup>5</sup> Solway Moss focused more clearly than ever the need for Scotland to decide whether France or England was her true ally. To many of the nobility and the laity, the wiser choice was an alliance with England. Solway Moss brought all these things to a head. After this event, the shape of future things cast its shadow irrevocably over Scotland.

The immediate result was the King's death. As soon as he learned of the rout, sick at heart, he returned to Edinburgh where he met the Cardinal. Afterwards, when he was alone, he looked at his possessions, especially his jewels and other substance, and then fled secretly to Fife to Kirkaldy's home.<sup>6</sup> Before long, he visited the Earl of Crawford, whose daughter, as Knox says, "was one of his whores".<sup>7</sup> He left Crawford's and by December 8, reached Falkland where he took to his bed. Shortly after hearing of the birth of his daughter, Mary, he died.<sup>8</sup>

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<sup>5</sup> Especially such men as the Earls of Cassillis, Glencairn; Lords Fleming, Maxwell and Oliphant and the Lairds Ayrton, Langton, Ormiston, and Moncrieff, Vide. A Diurnal of Remarkable Occurrents that have passed within the Country of Scotland since the death of James IV till the year 1575. (Edinburgh: Maitland Club Publications, 1833), p. 25.

<sup>6</sup> Calderwood, op. cit., I, 131.  
Knox, History, I, 39. Here he was well received by Kirkaldy's wife, and son, William; Sir James being absent.

<sup>7</sup> Ibid., p. 39, n. 3.

<sup>8</sup> December 14, 1542.

With his death, the struggles between the pro-French and pro-English factions began in earnest. As the Queen was only a few days old, the country faced a long regency. While Scotland possessed men of ability who could have guided the country safely through this period, the situation became aggravated by the internal struggles within the realm. With whom should Scotland cast her lot? This was the great question of the day and the struggles for supremacy between the two factions weakened Scotland politically, making her susceptible to plans and plots of the monarchs of England and France.

Solway Moss marks the end of an era in Scottish history and is the turning point between the old ways and the new. With this engagement divisions sharpened, intensified, and loyalties cemented, so that the stage was set for a battle to the finish between the two major factions in Scotland. On the one hand, the pro-English group, fortified by the success of England and the return of the Solway Moss prisoners pledged to aid the English-Scottish alliance, hoped to bring peace to Scotland and reforms in the realm of ecclesiastical affairs. On the other hand, headed by Cardinal Beaton, the pro-French group was more than ever determined to strengthen bonds between France and Scotland and to sharpen the discord between Protestant England and Roman Catholic Scotland. It looked for a while that the latter might succeed. But, due to the hard work and influence of laymen like Henry Balnaves, the tide turned and the reform group triumphed. In this chapter we shall see how the events took shape which led eventually to the establishment of the Presbyterian Kirk in 1560.

After James' death little time passed before a government was formed. Cardinal Beaton produced a will which he claimed belonged to

the late King. This document declared that Beaton and the Earls of Argyle, Huntly and Moray should be Governors of the realm.<sup>9</sup> On the Monday following the King's death, the contents of the will were proclaimed at the Market Cross in Edinburgh. The proclamation, while impressive from the Cardinal's point of view, was in reality of no value whatsoever, because the nobility did not believe that the will represented the true wishes of the late King.

Aware of the Cardinal's treachery, the Laird of Grange, Henry Balnaves, Thomas Ballantyne and Sir David Lindsay of the Mount, with others, advised the Earl of Arran to summon the nobility together, a week after the Cardinal's proclamation, to investigate the latter's claims.<sup>10</sup> On December 22, 1542, Arran was proclaimed Governor of Scotland.<sup>11</sup> The Cardinal's opposition to Arran was that he objected

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<sup>9</sup> Knox, History, I, 40; Calderwood, op. cit., I, 153; Spottiswoode, op. cit., I, 141; Holinshed, op. cit., II, 210; Keith, op. cit., I, 63ff.

A great controversy has raged over the authenticity of the will. The general consensus of opinion is that it was forged, Mr. A. Lang being the exception. While I believe it to have been forged, the issue is not relevant to this story because whether it was genuine or not, Balnaves and the pro-English group believed it was a forgery and proceeded to have Arran elected Governor.

<sup>10</sup> Calderwood, op. cit., I, 161; Knox, History, I, 41, 48; Sir James Melville; Memoirs of His Own Life, 1549-1598, J. Thomson (ed.), (Edinburgh: Maitland Club, 1827), p. 71.

<sup>11</sup> Keith, op. cit., I, 64; Spottiswoode, op. cit., I, 141; Knox, History, I, 41.

James Hamilton, second Earl of Arran, was next in succession to the Crown after Mary, Queen of Scots, if his father's divorce was valid, Vide: The Scots Peerage, IV, 358ff.

to the rule of one man, especially a Hamilton:

For who knows not (said the Cardinal) that the Hamiltons are cruel murderers, oppressors of innocents, proud, avaricious, double and false, and finally, the pestilence in this commonwealth.<sup>12</sup>

Arran replied:

Defraud me not of my right, and call me what ye please. Whatsoever my friends have been, yet unto this day, has no man cause to complain upon me, neither yet am I minded to flatter any of my friends in their evil doings; but by God's grace [I] shall be as forward to correct their enormities, as any within the realm can reasonably require of me. And, therefore, yet again, my Lords, in God's name, I crave that ye do me no wrong, nor defraud me not of my just title before that ye have experienced of my government.<sup>13</sup>

Knox goes on to point out that:

At these words, were all that feared God or loved honesty so moved, that with one voice they cried, "That petition is most just, and equity, it can not be denied".<sup>14</sup>

In spite of the Cardinal's wishes, Arran became Governor, which is indicative of the powerful influence exerted by Balnaves and other laymen in the affairs of Scotland at this time.

Balnaves and his associates favoured Arran primarily for religious reasons. They knew he was on the list of heretics presented to the King by the Cardinal, and they believed that he favoured religious reforms.<sup>15</sup> Furthermore, they felt that his position in relation to the Cardinal would mean his alignment with them against French interests in Scotland. Consequently, he would favour, if he did not actually support, English interests. At least he would aid them

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<sup>12</sup>Knox, History, I, 41.

<sup>13</sup>Ibid.

<sup>14</sup>Ibid.; The Hamilton Papers, I, Nos. 261-267, 271-273.

<sup>15</sup>Knox, History, I, 42; Calderwood, op. cit., I, 154.

indirectly by not opposing their policy of furthering ties with England. In all this, they made one great mistake. They failed to assess accurately Arran's character. Scotland needed a strong man at the helm, one who could dictate policies and bring them to fruition. She needed a man who could control effectively the cross currents of interest in the nation and make them flow harmoniously for the benefit of the country. Arran was not a strong character. He could not fulfil the obligations imposed upon him. His vacillating policies frustrated the course of the Reformation again and again. Nevertheless, in 1542, because of his position in relation to the succession, he was the logical choice as leader for those who opposed Beaton. Arran's position would have taxed to the utmost the most skilled and astute politician. On the one side stood the Cardinal and his group; on the other, there was Henry VIII, friend or foe, according to his whim in any given situation.

At the end of 1542, when Arran became Governor, Henry VIII desired an alliance with Scotland. On learning of James' death, he immediately took steps to win over, to his way of thinking, the Scottish prisoners taken at Solway Moss.<sup>16</sup> The more important prisoners, the Earls of Cassillis and Glencairn and the Lords Fleming, Maxwell and Gray, were summoned by Henry to Hampton Court on December 27, 1542, where they were royally entertained. Henry advocated the marriage of his young son, Edward, to Mary of Scotland. By this move he hoped forever to bring about a mutual union between England and Scotland.

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<sup>16</sup>Holinshed, op. cit., II, 211.

His suggestion was favourably received by the Scottish prisoners.<sup>17</sup>

Two days later, the Council of Scotland was advised that Henry agreed to return the Solway Moss prisoners.<sup>18</sup> They returned to their homeland on January 20, 1543.<sup>19</sup>

Henry VIII took advantage of the climate of opinion to send home the Earl of Angus and his brother, Sir George Douglas, along with the Solway Moss group. The former had been banished from Scotland by James V in 1528.<sup>20</sup> As their years in England made them favourable to the English point of view, they would use what influence they had to aid Henry in his policies towards Scotland.

What did the Solway Moss prisoners agree to do? They promised to try to arrange the marriage of Edward and Mary. They also pledged themselves to have Mary brought to England, using as an excuse the fact that she was betrothed to Edward. Should the Cardinal become too obnoxious and hamper their intentions, he was to be arrested and sent to England. Furthermore, if Arran proved obstinate, he too would be taken by force and delivered to Henry VIII. In addition to these conditions, the prisoners were to have the young Queen surrounded by people favourable to the English alliance. Only men acceptable to Henry VIII would occupy the important offices of State. Should anything happen to the Queen, they pledged themselves to help Henry VIII

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<sup>17</sup>Spottiswoode, op. cit., I, 142.

<sup>18</sup>The Hamilton Papers, I, Nos. 266, 276.

<sup>19</sup>Ibid., I, No. 389.  
Diurnal of Occurrents, p. 26.

<sup>20</sup>The Scots Peerage, I, 187.

to assume control of Scotland.<sup>21</sup> Immediately after the return of the "assured Scots", it looked for a time as if the English party would succeed in all of its undertakings. At first everything went in its favour.

The Douglasses were not enthusiastically received by many of their countrymen. Their past actions and deceitful dealings had not been forgotten, even by those who favoured the English alliance. The Cardinal, supported by Argyle, Murray, Huntly and others, opposed the admission of the Douglasses to the Council of Scotland. It was suggested that Sir George give some guarantee of his good faith. Arran overruled this stipulation stating that he personally would vouch for his good behaviour.<sup>22</sup> The Cardinal's opposition became intensified because on the previous day Arran handed him some correspondence which indicated conclusively that Henry VIII was working through the Douglasses to capture Beaton.<sup>23</sup> The Cardinal attempted to win Arran to his point of view, but to no avail. Arran suspected this prelate of negotiating for the Duke of Guise to come to Scotland with an army and take over the administration of the country.

The Cardinal's efforts to separate Sir George Douglas and Arran failed. They both agreed that as soon as Angus returned, the

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<sup>21</sup>The Hamilton Papers, I, Nos. 275-277; Spottiswoode, op. cit., I, 142; Keith, op. cit., I, 64ff.

<sup>22</sup>L. & P. of H., XVIII, Pt. I, No. 64. This was on January 21, 1543.

<sup>23</sup>The Hamilton Papers, I, No. 285.

Cardinal would be arrested and sent to Henry VIII if he still wanted him.<sup>24</sup> Sir George advocated sending ambassadors to Henry VIII immediately. Arran agreed and stated that the ambassadors would be Sir George, Sir James Learmonth and Henry Balnaves, "who was treasurer to the last King and so remaineth".<sup>25</sup> They would go to England to conclude all such causes as the King might desire and to obtain an abstinence from war for at least four months so that both countries could settle their differences by peaceful negotiations.<sup>26</sup> Parliament was to meet in March.

Beaton's failure to separate Sir George Douglas from Arran resulted in the Cardinal's arrest and imprisonment on January 26, 1543.<sup>27</sup> At first he was warded at the Earl of Morton's house at Dalkeith. He remained there for a few days and was transferred to Seton for most of February, after which he went to Blackness Castle, the state prison.<sup>28</sup>

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<sup>24</sup> Keith, op. cit., I, 67; L. & P. of H., XVIII, Pt. I, No. 64; The Hamilton Papers, I, No. 285.

<sup>25</sup> Ibid. This is the only reference which I have been able to find that states Balnaves was treasurer of Scotland. There is abundant evidence to prove that he worked for the treasurer, Sir James Kirkaldy. He may have been acting treasurer when Sir James was not available, which would explain some of Balnaves' actions. Had he been treasurer, there would be more references to his position in the original sources.

<sup>26</sup> L. & P. of H., XVIII, Pt. I, Nos. 96, 109, 303, 305. The Hamilton Papers, I, Nos. 291, 335, 337, 338.

<sup>27</sup> Diurnal of Occurrents, p. 26; The Hamilton Papers, I, Nos. 285-289.

<sup>28</sup> He was in prison from the end of January 1543 until March 21, 1543. Rentale Sancti Andree, pp. 138, 148.

Spottiswoode in his work has identified the meeting of the Council in January with that of the Estates in March. He says the Cardinal was arrested and warded at Dalkeith in March when the Estates met. As we have already pointed out, this took place in January, not March. Until March 21, the Cardinal was at Blackness Castle. Spottiswoode has confused the actions taken in January and credited them to the Estates' meetings in March. In this he is incorrect. Vide, Spottiswoode, op. cit., I, 142.

His imprisonment, in reality, amounted to little more than house arrest. He retained the services of his chef and spent approximately £380 for supplies.<sup>29</sup> Nevertheless, he was disposed of for the time being so that he could not actively interfere with affairs of state. In the weeks following Beaton's imprisonment, Sir George Douglas and Angus once again exerted a powerful influence in Scottish affairs.<sup>30</sup>

If Beaton could not interfere personally in the events of the day, he had strong followers who could protest on his behalf. By arresting the Cardinal, Arran alienated the clergy. The Earls of Argyle, Huntly and Murray, who were Beaton's friends, determined to upset the influence of Sir George Douglas. Before the Estates met, they held a meeting with Arran and demanded that he release the Cardinal immediately. The clergy acted quickly on behalf of their leader:

The public services of religion were instantly suspended; the priests refused to administer the sacraments of baptism and burial; the churches were closed; a universal gloom overspread the countenances of the people; and the country presented the melancholy appearance of a land excommunicated for some awful crime. The days, indeed, were past, when the full terrors of such a state of spiritual proscription could be felt; yet the Catholic party was still strong in Scotland; they loudly exclaimed against their opponents for so doing an act of sacrilege and injustice; and the people began in some degree to identify the cause of Beaton with the independence of the country.<sup>31</sup>

For the moment their protests fell on deaf ears. Arran held firm in his loyalty to Sir George Douglas. Beaton remained a prisoner.

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<sup>29</sup>Rentale Sancti Andree, p. xiii.

<sup>30</sup>The Hamilton Papers, I, Nos. 285, 289.

<sup>31</sup>p.F. Tytler, History of Scotland, (Edinburgh: 2nd edition, 1841), V, 318.

The Estates met on March 12, 1543. Arran was appointed Governor of Scotland and tutor to the young Queen during her minority.<sup>32</sup> This angered Henry VIII as he had hoped his "assured Scots" would have taken steps to have him made the Governor.<sup>33</sup>

The Archbishop of Glasgow, Gavin Dunbar, Chancellor of the Realm, made a formal proposal concerning the marriage of Edward and Mary and the establishment of peace with England. Parliament approved the appointment of the ambassadors suggested by Arran and instructed them to negotiate with Henry VIII, concerning the conditions for the marriage.<sup>34</sup> Parliament cautioned the ambassadors on two important points in connection with their deliberations: Scotland would not permit the young Queen to leave the country until she was of marriageable age; Scottish independence was to be protected. No agreement could be made which would jeopardise native Scottish rulers from succeeding to the crown. The one concession which they might make to the English King was that, if he desired, two Englishmen and two ladies with their servants could attend the young Queen in Scotland. But, Henry VIII would have to assume full financial responsibility for them, if they

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<sup>32</sup> Acta, Parl. Scot., II, 411.

<sup>33</sup> The Hamilton Papers, I, Nos. 299, 336.

This is just one incident among many which illustrates that the Scots were primarily loyal to their own country. They would use Henry VIII to their own advantage, but unlike the French party, they would not sell out completely to a foreign sovereign.

<sup>34</sup> L. & P. of H., XVIII, Pt. I, Nos. 303, 305.  
The Hamilton Papers, I, Nos. 335, 337.

Sir James Learmonth, Sir William Hamilton of Sanquhar and Henry Balnaves, were appointed the ambassadors.

came.<sup>35</sup>

This parliament illustrates vividly the influence of Balnaves and other laymen in the religious situation in Scotland. Because the Cardinal had pursued a relentless policy of persecution of heretics, those who favoured the reform teachings embraced them at considerable peril to themselves. In spite of Beaton's influence, the reformed faith progressed. With Beaton temporarily out of the picture, a Bill was introduced at the meeting of the Estates which, considering its implications, was both daring and novel. It illustrates the extent to which laymen were willing to go to secure religious toleration. This Bill is very important to the religious history of Scotland because it is the first public act passed favouring a reformation in religious affairs.

Lord Maxwell, who had a distinguished career as Admiral, Master of the Royal Household, Lord of Session, Keeper of several Border Castles, and an ardent friend of Balnaves, introduced the Bill.<sup>36</sup> Its general tenor is as follows:

It is statute and ordained, that it shall be lawful to all our Sovereign Lady's lieges to have the Holy Writ, to wit, the New Testament and Old, in the vulgar tongue, in English or Scotch, of a good and true translation: and that they shall incur no crimes for the having and reading of the same, providing always that no man dispute or hold opinions, under the pains contained in the Acts of Parliament.<sup>37</sup>

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<sup>35</sup>L. & P. of H., XVIII, Pt. I, No. 402.

<sup>36</sup>The Scots Peerage, VI, 479ff.

<sup>37</sup>Acta. Parl. Scot. II, 415.

In view of the fact that in his book A Confession of Faith, Balnaves refers constantly to the importance of Holy Writ, and because of his legal training, it would seem reasonable to conclude that he either drafted the Bill, or at least aided Maxwell in its preparation.

Gavin Dunbar, the Archbishop of Glasgow, opposed the Bill. He wanted a Provincial Council of the clergy to meet and debate the merits of reading the Scriptures in the Vernacular.<sup>38</sup>

Unfortunately, Hansard was unknown at this time, but Knox implies that a lively debate ensued. Henry Balnaves and Lord Ruthven argued in favour of the Bill. They were opposed by Hay, Dean of Restalrig, the Archbishop and other clergy.<sup>39</sup> The clerics maintained that the church recognized three languages; Latin, Greek and Hebrew. Balnaves and Ruthven argued that even St. Chrysostom complained that his people did not read the Psalms and other religious writings in the vernacular. Furthermore, as Christ commanded His Gospel to be preached to all creatures, His command must of necessity be carried out in the language of the people. If it is lawful to preach in the vernacular, they argued, why should it be unlawful to read in the vernacular?

Confronted with this line of reasoning, the clerics agreed that Scripture could be read if the translation was accurate. Balnaves and Ruthven challenged them to show how a translation might be incorrect. After "much searching", the clerics said that Love was used in place of Charity. But when asked to define the difference and to explain Agape, "they were dumb".<sup>40</sup>

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<sup>38</sup> Ibid.

<sup>39</sup> Knox, History, I, 44.

In note 5, Dickinson points out no Dean of Restalrig by the name of Hay has been traced. Laing, op. cit., I, 99, Note 6, implies that Thomas Gibson, Dean of Restalrig and Beaton's suffragan was probably the person referred to by Knox.

<sup>40</sup> Knox, History, I, 44.

As a result of these arguments, the Commissioners of Burghs and a part of the nobility required of Parliament that it might be enacted;

That it should be lawful to every man to use the benefit of the translation which then they had of the Bible and New Testament, together with the benefit of other treatises containing wholesome doctrine, unto such time as the Prelates and Kirkmen should give and set forth unto them a translation more accurate.<sup>41</sup>

This act was proclaimed as law at the Market Cross, Edinburgh, March 19, 1543.<sup>42</sup> With its proclamation, Balnaves and his fellow laymen successfully concluded a moderate, reasonable act on behalf of the Reformed faith in Scotland.

The meeting of the Estates is important to the life of Henry Balnaves for a personal reason. As soon as Arran had become Regent, he raised Balnaves to the important position of Secretary of State for life. What did this office involve? The Secretary of State in the first half of the sixteenth century did not rank amongst the top ministers. He did not make policy, but carried it out. He could be best described as the highest civil servant in the realm. The Secretary spent much time abroad in the diplomatic interest of the nation. He usually possessed considerable diplomatic ability. He was keeper of the King's signet, which gave him a unique entree into the inner Councils of the realm and placed him in an advantageous position for making appointments and seeing who received royal favour.

The day by day duties involved reading, correspondence, preparing documents for the Governor's signature, taking dictation from

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<sup>41</sup>Ibid.

<sup>42</sup>Acta. Parl. Scot., II, 425.

the Governor or supervising others, interviewing persons, meeting ambassadors, attending council meetings, and generally being the Governor's confidential advisor in all things.<sup>43</sup>

Henry VIII hoped that a Mr. Drummond would be made Secretary because on March 27, 1543 Sadler reported to the King that he had approached the Regent concerning the Secretaryship. Arran replied that he had bestowed the office on Balnaves, who was one of the Commissioners to England.<sup>44</sup> By these transactions, it is evident that while Balnaves favoured the English alliance, he was not Henry's choice for Secretary, a fact which implies that Henry would have preferred someone in that office who would serve his interests ahead of those of Scotland. Balnaves, as the marriage negotiations reveal, acted first and foremost in Scotland's interests and agreed with the English King only on those matters which would benefit Scotland the most. Unlike some of the "assured Scots", Balnaves cannot be accused of being an English pawn.

One of the important decisions which the Estates made was to negotiate with the King of England concerning his desire to marry Prince Edward to Mary of Scotland. From March until July 1543, Balnaves occupied himself with these matters.

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<sup>43</sup>The Hamilton Papers, I, No. 341. L. & P. of H., XVIII, Pt. I, No. 399. Keith, op. cit., I, 69. G.R. Elton, The Tudor Revolution in Government, (Cambridge: At the University Press, 1953), chapters I, II, IV, V passim. This book explains the various duties, and the changing character of the position of Secretary of State in England. The situation in Scotland concerning the duties of the Secretary of State were quite similar.

<sup>44</sup>The Hamilton Papers, I, No. 341. L. & P. of H., XVIII, Pt. I, No. 399.

As early as January 30, 1543, in writing to Suffolk, Arran had requested a safe conduct for the ambassadors who would have some thirty horses with them and would be away at least four or five months.<sup>45</sup> On February 3, 1543, Suffolk notified Arran that the safe conduct had been granted and, furthermore, that the King of England earnestly desired that no battles would take place between the two countries in order that the negotiations might proceed uninterrupted.<sup>46</sup> As the Regent decided that Parliament should discuss the marriage proposals, nothing was done until the Estates had commissioned the ambassadors.<sup>47</sup>

Balnaves and his party planned to leave for England on March 21, 1543, but remained an extra two days in order to receive Communion. They left on March 23, 1543.<sup>48</sup>

On April 11, 1543, the Scottish ambassadors met with the English representatives and delivered letters from the Governor. The following day they dined with the Council. Learmonth declared the Governor's good will towards both the marriage proposals and the King of England. After him, Balnaves gave a discourse in which he concurred with what Learmonth had said. He went on to point out that while the Scots were interested in the proposals they were well aware of Henry's interests in controlling Scotland. He reminded them that the marriage proposals had

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<sup>45</sup>L. & P. of H., XVIII, Pt. No. 96.

<sup>46</sup>The Hamilton Papers, I, No. 291.

<sup>47</sup>Ibid., Nos. 335, 337.  
L. & P. of H., XVIII, Pt. I, Nos. 303, 305.

<sup>48</sup>The Hamilton Papers, I, No. 338.

originated with Henry VIII in the first place and not with the Scots.

...Henry Balnaves made a certayne discours of their desyre to this allyaunce and amitie, framinge his tale, nevertheless, as though it had beene desyred by us, wherein was some altercation amongst theim and the matter playnly opened howe it was moved by the presentors, upon th'ande of God, which happened upon their apprehentioun.<sup>49</sup>

Henry VIII did not like Balnaves' forthright statement of the King's intentions. The English ambassadors suspected that they were not going to have things their own way without some shrewd diplomacy.<sup>50</sup> Whereupon they asked what conditions the Scots proposed. The ambassadors pointed out that they had the power to negotiate, provided the young Queen remained in Scotland until she was of marriageable age. Furthermore, Arran was to remain Governor not only during her minority but for as long as he lived. If he died before Edward and Mary had a child, Scotland would appoint a Governor of its own choosing. Their laws and customs must not be tampered with by the English.<sup>51</sup>

A few weeks later, May 4, 1543, Balnaves and the other ambassadors were empowered to conclude a peace and league with England. By this time the commission was enlarged by the arrival of Sir George Douglas, and William, Earl of Glencairn, who were to help in working out a peace treaty.<sup>52</sup>

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<sup>49</sup>L. & P. of H., XVIII, Pt. I, No. 402.  
Wm. Fraser, The Douglas Book, (Edinburgh: 1885), IV, 358.

<sup>50</sup>The English ambassadors were: Lord Audley, the Chancellor; the Duke of Norfolk, Treasurer; the Bishops of Winchester and Westminster; the Lord St. John, Chamberlain; Sir John Gage, Comptroller of the King's Household. Keith, op. cit., I, 72.

<sup>51</sup>L. & P. of H., XVIII, Pt. I, No. 402.

<sup>52</sup>Ibid., No. 502.  
Diurnal of Occurrents, p. 27.

The negotiations dragged on for the next two months. Henry VIII was disturbed and angered by the Scots' insistence on keeping the young Queen in Scotland. Neither side would concede. The proceedings need not be discussed in detail, but one or two points are of interest as they reflect directly upon Balnaves. On May 18, Sir George Douglas returned to Scotland with the prospects for a conclusion of the deliberations. Henry VIII demanded that the young Queen be delivered to England when she was eight years old or ten at the latest. Hostages must be provided, including six earls and barons or their heirs, and two bishops. They must be approved by Henry VIII. The English King agreed to those appointed by the Scottish Parliament as Mary's custodians, except Erskine and Seton. He demanded that he be allowed to appoint people of his own choosing for her education and wholesome nurture. In addition, he wanted her married to Edward when she was seven years old, and definitely not later than her twelfth birthday. Finally, peace would prevail between the two lands. When Queen, she would have a dowry equal to that of English Queens. Henry's dislike of Balnaves and the other two ambassadors is borne out by the fact that he instructed Sir George to have them recalled. A new commission, composed of Sir George, Glencairn and any other three persons, would conclude the negotiations.<sup>53</sup>

The Scottish Parliament met on June 8th and decreed that Henry VIII could not send more than twenty people to Scotland to assist Mary. The amount of the dowry must be specified in the contract

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<sup>53</sup> L. & P. of H., XVIII, Pt. I, No. 577.  
The Hamilton Papers, I, No. 374.

and there must be a reasonable ransom of the prisoners still in England. Henry's request to recall Balnaves and the others was ignored.<sup>54</sup> He spoke secretly to Glencairn, Sir George and Sir James Learmonth, offering them high positions if his demands were agreed to. He deliberately excluded Balnaves and Hamilton as he did not find them well disposed to his conditions.<sup>55</sup>

The negotiations which had been in progress since March were finally concluded, for all practical purposes, at Greenwich on July 1, 1543, when a double treaty was signed between the two countries. In essence, it was agreed that when Mary was ten years old she would marry Edward and from that day peace would exist between the two countries until one of them died. This treaty was a far cry from what Henry had originally envisaged. Thanks mainly to Balnaves and Hamilton, the Estates' instructions were upheld and Mary remained in Scotland. Scotland did not sever all connections with France as Henry had wished. Finally on August 25, 1543, the Governor solemnly ratified the treaty and the Great Seal of Scotland was affixed to it.<sup>56</sup>

The release of the remaining Solway Moss prisoners and their ransom formed an integral part of the negotiations. Balnaves played a major role in securing their release and fixing the sums which would

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<sup>54</sup>L. & P. of H., XVIII, Pt. I, No. 671.

<sup>55</sup>Ibid., No. 804. This was on July 7, 1543.

<sup>56</sup>Acta, Parl. Scot., II, 425, 426.  
L. & P. of H., XVIII, Pt. I, No. 804; Hamilton Papers, I, No. 419.  
Diurnal of Occurrents, p. 27.

have to be paid.<sup>57</sup> The majority of these prisoners actively supported the Lords of the Congregation a decade later in their struggles to establish the Presbyterian Kirk in Scotland.

The ambassadors, their tasks completed and no doubt feeling considerable satisfaction at having held out against the tirades of the English King, returned home on July 21, 1543.<sup>58</sup>

During the five months that Balnaves occupied himself in England with the marriage and peace negotiations, events took place in his native land which would undo most of what he had tried to accomplish. The Catholic party, pro-French in its sympathies, worked hard to secure the adherence of the Regent and to overthrow those who advocated an alliance with England and reforms in religion.

Beaton's imprisonment ended on March 21, 1543, although the pretence of his confinement was carried on for a little while. His arrest, as we noted, aroused some of the nobility and all of the clergy. This was to be expected. The people became angered at Beaton's arrest, not because they held the Cardinal high in their affections, but they

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<sup>57</sup>L. & P. of H., XVIII, Pt. I, No. 805.  
Foedera, VI, Pt. III, 97ff.

The amounts were as follows:

Earls of Cassillis and Glencairn £1,000 each; Lords Somerville, Maxwell and Fleming, 1,000 marks each; Lord Gray, £500; Lord Oliphant 800 marks; Oliver Sinclair £500; George Home £200; Robert Erskine £200; Wm. Seton 200 marks; Patrick Hepburn 500 marks; James Pringle 400 marks; James Sinclair £100; Alexander Sinclair £100; John Maitland 200 marks; Henry Maxwell £100; the Lords Craigie, Monkereth, Carsy, 300 marks each; John Leslie 200 marks; John Carmichael £200.

<sup>58</sup>L. & P. of H., XVIII, Pt. I, No. 938.  
The Hamilton Papers, I, No. 419.

realized that Angus had had a hand in the affair. They trusted this traitor far less than they did Beaton. For a while Arran remained firm in his alliance with the Douglasses. Yet for some uncertain reason, Arran made a tactical error. He permitted the Cardinal to be moved from Blackness Castle to St. Andrews.<sup>59</sup> This move was sheer folly because the Cardinal controlled St. Andrews. In fact, it was his stronghold. Sending him there not only gave him his liberty, but the power to make himself a vital force in the events of the time; a force that ultimately controlled the Regent.

Perhaps the real reason behind the Regent's change of heart is to be found in the arrival of two relatives from France, in the persons of the Earl of Lennox and John Hamilton, Abbot of Paisley; Arran's illegitimate brother. The former had returned at Beaton's request. He was a serious contender for the regency. Both he and Arran descended from Princess Margaret, daughter of James III; Arran through his father, and Lennox, through his mother. A shadow of illegitimacy hung over Arran, which could have resulted in Lennox being the legitimate contender for the crown after Mary.<sup>60</sup> With the influence of the church behind him, Beaton could have used the Regent's questionable birth effectively in setting up Lennox as Regent. The Abbot of Paisley, who

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<sup>59</sup>Keith, op. cit., I, 74 gives several reasons why Arran behaved as he did at this time. They are not very convincing. They seem more like weak attempts at self-justification. Douglas agreed to the move saying it was one way of getting control of the Castle. But as French gold was beginning to pour into Scotland, one wonders how much Douglas was trying to play both sides in his own interests.

<sup>60</sup>The Scots Peerage, IV, 358ff.

later became Archbishop of St. Andrews, was devoted to Rome and the French alliance. Strong in character, resolute of purpose, persuasive in argument, he quickly dominated his weaker, vacillating brother, and became the undisputed head of the House of Hamilton.<sup>61</sup> Fearful of Lennox and prodded by Paisley, Arran wavered and procrastinated. He feared Beaton's popularity and growing strength, but his own position made it impossible for him to rid himself of the Catholic party.

Arran's vacillation suited Beaton because between his release in March and the conclusion of the marriage negotiations with England, he had amassed a small army. Lennox, Argyle, Huntly, Murray, Bothwell, and Hume joined forces. Arran did not have the strength to oust them.<sup>62</sup> Moreover, on June 30, a fleet arrived from France bearing 2,000 troops, besides money, artillery and small arms. Beaton, at his own expense, supplied food for two of the ships, and gave money to erect Hume Castle. No doubt these activities help to explain why the Catholic lords were so enthusiastic in supporting him.<sup>63</sup> On July 24, Beaton and the Catholic lords pledged themselves by secret bond to defend the realm and the young Queen.<sup>64</sup> Three days previous to this, they had marched on Linlithgow with some seven thousand followers, intending to capture the

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<sup>61</sup>Ibid., p. 362; Diurnal of Occurrents, p. 27; Laing, op. cit., I, 105ff.

<sup>62</sup>The Hamilton Papers, I, No. 389.

<sup>63</sup>Ibid., Nos. 394, 397, 400.

<sup>64</sup>Ibid., No. 446.

Queen. Fortunately for the English party, Linlithgow was well fortified by Lord Erskine of Nisbet, a colleague of Balnaves in the College of Justice. The Cardinal's attempt ended in failure.<sup>65</sup>

This same day Balnaves returned home after concluding the marriage negotiations with England. Arran, fearful of Beaton, determined to have a showdown. He prepared a force of some eight thousand men and planned to march on Linlithgow July 23, 1543, to negotiate with the rebels or, if necessary, to fight.<sup>66</sup> He wanted to avoid bloodshed, and immediately appointed Balnaves, Learmonth, the Earl of Rothes, and Sir Adam Otterburn as negotiators between himself and Beaton.

Sadler, aware of the seriousness of the situation, asked Henry VIII to send £1,000 to Arran. Henry responded and urged Arran to declare Beaton and his followers traitors. He further offered to take care of any Borderers who might make trouble. In addition, he suggested capturing the French ships which had come to Scotland.<sup>67</sup> But for the moment his offers were ignored.

The ambassadors from the Governor met with the Cardinal's party and tried to negotiate a settlement which would prevent an outbreak of civil war. The Cardinal laid down four main conditions. The Queen must be removed from Arran's control and placed in the custody of four Scottish nobles appointed by Parliament. The Governor should act on the

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<sup>65</sup>Ibid., No. 419; The Scots Peerage, V, 609ff; L. & P. of H., XVIII, Pt. I, No. 938.

<sup>66</sup>Ibid.; The Hamilton Papers, I, No. 419.

<sup>67</sup>Ibid., Nos. 418, 419.

advice of a council, similarly appointed and not just on the whims of certain of his followers. Should he not agree to a council, his resignation was insisted upon. Lastly, Angus and Douglas must leave the Court for the time being.

The Governor consented to the demand that the Queen be placed in the care of certain nobles, but modified the Cardinal's suggestion to the extent that he and the Cardinal would each nominate two people to look after her. She would be in the hands of the four nobles. He agreed to a council. But the last two demands were refused outright.<sup>68</sup>

The tensions eased gradually and, in spite of the Cardinal's demands concerning Angus, they met soon afterwards on cordial terms. Both parties agreed that a convention must be held to sign the treaties recently negotiated by Balnaves and the others between England and Scotland. Beaton suggested to Glensairn that he would like to have a more cordial relationship with Henry VIII. This surprised those who favoured an English alliance, but when they learned that a French ship had recently arrived with considerable sums of money, they suspected treachery on the part of the Cardinal.<sup>69</sup>

Henry, desiring that the treaties be signed, nibbled at the bait and suggested that Sadler have an interview with the Cardinal. Henry demanded Beaton's exclusion from the proposed council unless he

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<sup>68</sup> Ibid., No. 424; L. & P. of H., XVIII, Pt. I, No. 944. The following negotiated on behalf of the Cardinal: Sir John Campbell of Calder; Lord Erskine; the Bishop of Orkney; and the Earl of Montrose.

<sup>69</sup> The Hamilton Papers, I, No. 426.

resigned his Cardinalship and allowed church reforms.<sup>70</sup> Although the Cardinal pretended that he wanted to sign the treaties, he refused to go to Edinburgh, using as his excuse that he feared for his safety.<sup>71</sup> Henry VIII again resorted to promises and threats. He offered Beaton the Primacy of England, even while retaining his title of Cardinal, if he would sign the treaties and ally himself with the English party. At the same time he ordered that the Borderers, friendly to the Cardinal, be attacked.<sup>72</sup> Henry VIII acted as he did because he was determined that the treaties must be signed before the Papal legate arrived in Scotland. If Beaton signed, there would be no question as to their validity.<sup>73</sup>

In order to negotiate, an agreement was reached whereby seven representatives of each party would meet at Linlithgow to sign the treaties and to discuss ways of releasing the tensions threatening the Kingdom.<sup>74</sup> They met and consented to the terms. Furthermore, they

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<sup>70</sup> Ibid., No. 435.

<sup>71</sup> Ibid., No. 452.

<sup>72</sup> Ibid., Nos. 457, 458.

<sup>73</sup> Ibid., No. 461.

<sup>74</sup> Ibid., No. 443 ; L. & P. of H., XVIII, Pt. II, No. 14. The Governor's representatives were: Earls of Cassillis, Glencairn, Marshall, Lord Maxwell, Abbot of Paisley, Sir John Learmonth and Henry Balnaves. The Cardinal's representatives were: Lords Montrose, Erskine, Fleming, the Bishops of Orkney and Dunblane, Sir John Campbell of Calder and Mr. Mark Carr. Malcolm, Lord Fleming, had at first favoured the Reformation in Religion and the English alliance. But by April, 1543, he changed his allegiance for personal reasons. He fought with Sir George Douglas over a Sheriffship and his attitude to the Governor can be determined by his own words, "He, (the Governor) was the greatest dissembler, and the most inconsistent man in the world." Consequently Fleming joined Beaton and  
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commanded the Wardens of the Marches to keep the peace. They agreed that a conference should be held which would ratify the treaties of the three Estates. In the meantime, the Governor would prepare hostages and determine the ransom of the prisoners.<sup>75</sup> In accordance with this arrangement, Arran ratified the treaties publicly at the Abbey Church of Holyrood on August 25, 1543. The Cardinal did not attend, nor did any of his party.<sup>76</sup>

On August 11, 1543, there is a reference in the Exchequer Rolls to the fact that Balnaves received £400 for the expense which he incurred in the interests of Scotland while negotiating with England. On the same day he signed the Rolls along with John, Abbot of Paisley; James Kirkaldy, Gray, David Wood, and others.<sup>77</sup> Moreover, on September 29, 1543, the accounts of Sir Edward North, Treasurer of

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<sup>74</sup> -continued - by so doing saved himself from a charge of treason. The State Papers and Letters of Sir Ralph Sadler, A. Clifford (ed.), (Edinburgh: A. Constable and Company, 1809), I, 145, 242, 258, 269. Hereafter designated -Sadler's State Papers. The Scots Peerage, VIII, 537ff. Sir John Erskine probably yielded to family pressure and sided with the Cardinal. His son, Robert, held the Charter to the lands of Kellie in Aberdeenshire, and Sheirgarten. His eldest son succeeded him as Abbot of Dryburgh and commendator of Inchmahome and has been described as "the most pestilent papist within the realm."; The Scots Peerage, V, 609ff; Knox, History, II, 21, n. 4.

<sup>75</sup> L. & P. of H., XVIII, Pt., II, No. 14.  
The Hamilton Papers, I, No. 443.

<sup>76</sup> Foedera, VI, Pt. III, 97.  
The Hamilton Papers, I, 459.

<sup>77</sup> The Exchequer Rolls of Scotland, (1542-1556), XVIII, 33, 39.

Augmentation, indicate that Balnaves received £40 from Henry VIII for his services as ambassador from Scotland during the marriage negotiations.<sup>78</sup>

Between August and November the political and religious climate in Scotland changed drastically due, in large measure, to the blunderings of Henry VIII. Once the treaty with England had been signed, Scottish merchants sent ships laden with goods to England to reactivate what had been a lagging market due to the uncertainties of the time. Henry VIII seized some Scottish ships while in English harbours. The reaction in Scotland was instantaneous and decisive. A wave of hatred against Henry VIII and his policies swept Scotland. Sadler's house was surrounded by an angry mob and his life threatened.<sup>79</sup> Even the Governor became an object of popular scorn because of his association with those interested in furthering an alliance with England. In contrast, Beaton, because he epitomised the anti-English sentiments, became the most popular man in the country.

Between September 4th and 8th, Arran, under the influence of the Abbot of Paisley, switched allegiance and aligned himself with the Cardinal and the pro-French party. Giving his son to the Cardinal as a pledge of his sincerity, Arran renounced his Protestant faith and was received back into the Church of Rome. Bothwell held the towel

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<sup>78</sup>L. & P. of H., XVIII, Pt. II, No. 231.

<sup>79</sup>Sadler's State Papers, I, 282ff.

over his head as he received the Sacraments.<sup>80</sup>

The Cardinal's triumph was epitomised by the crowning of the young Queen at Stirling on Sunday, September 9, 1543. Sadler describes the ceremony. "On September the ninth, the Queen was crowned at Stirling with such solemnity as they do use in this country, which is not very costly."<sup>81</sup> Arran assigned all of the strong places in the country to Beaton. A Council was formed to advise the Governor. Arran remained Regent, but in name only. He would be directed by the Council in all things.<sup>82</sup>

In spite of the Cardinal's craftiness and popularity, the English party continued to enjoy the loyalty and support of many influential Scotsmen including the Earls of Angus, Glencairn, Marischal, Cassillis, Rothes, and Sir George Douglas. In addition, the Lord of Grange, Sir James Learmonth and Henry Balanves remained loyal. The Earl of Lennox soon joined them and became a powerful supporter, not only of the alliance with England, but of the reform movement in religion as well.<sup>83</sup>

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<sup>80</sup> The Hamilton Papers, I, Nos. 501, 626.; Knox, History, I, 50ff. Calderwood, op. cit., I, 165.

<sup>81</sup> Sadler's State Papers, I, 282ff.

<sup>82</sup> The members of the Council were: The Queen Dowager, the Cardinal, the Archbishop of Glasgow, the Bishops of Moray, Orkney, Galloway, and Dunblane; the Abbots of Paisley and Couper; the Earls of Angus, Huntly, Argyle, Moray, Glencairn, Lennox, Bothwell, Marischal and Cassillis. But Angus, Cassillis and Glencairn never met with this Council. -Vide, Keith, op. cit., I, 80.

<sup>83</sup> After Beaton's successful alignment with the Governor, Lennox fell from favour as the Cardinal felt he was of no further value to him politically. Lennox's interest in Lady Margaret Douglas helped him come over to the English side. Sadler's State Papers, I, 323, 326ff.

The events of the next few weeks illustrate the potential power of the Cardinal and the Catholic party. The Lords Maxwell and Somerville were seized on their way to England with "treasonable papers" and imprisoned in Edinburgh Castle.

On October 25th, members of the English party met at Douglas Castle to decide their course of action now that Arran had defected. They agreed to work together no matter what happened. They wrote to the King of England asking for financial support.<sup>84</sup> This letter, carried by Lord Somerville, was the "treasonable papers" referred to at the time of his arrest.

Towards the end of November, 1543, the Cardinal scored another triumph. He and the Governor had been in Dundee for a few days. Arran sent for the Earl of Rothes and Henry Balnaves who were with Lord Gray at Huntly Castle, in Perthshire, about seven miles west of Dundee.<sup>85</sup> The Earl of Rothes was a member of Parliament. He had been a favourite of King James V and had accompanied the King to France in 1536. As recently as July, 1543, Arran had sent the Earl of Rothes to the Cardinal to try to settle the internal disputes which threatened to

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<sup>84</sup>Tytler, op. cit., III, I.

Lord Somerville was soon removed to Blackness Castle, Lord Maxwell escaped and joined the Earls of Angus, Cassillis, and Glencairn, Sir Hugh Campbell of Loudoun, Sheriff of Ayr, and James Douglas of Drumlanrig, on December 10, 1543, when they decided to resist the Cardinal by force. Keith, op. cit., I, 81. The Hamilton Papers, II, No. 250. Diurnal of Occurrents, p. 31.

<sup>85</sup>Knox, History, I, 53.

break into a civil war.<sup>86</sup> Lord Gray, on the other hand, owned extensive lands in Perthshire and was a Solway Moss prisoner who had been placed in the custody of the Archbishop of York.<sup>87</sup> Both men favoured the English alliance and were personal friends of Henry Balnaves. Because of their political tendencies and their religious outlook, neither was liked by the Cardinal.

Acting on Beaton's orders, the Governor ordered them to come to Dundee. This they did, but with a following of some three hundred men. Realizing their strength, and fearing for his own safety, the Cardinal refused to allow the Governor to converse with them. Balnaves, Lord Gray and the Earl of Rothes, on their part, refused to approach the Governor as long as Beaton was in his company.<sup>88</sup>

The Cardinal ordered the Governor to leave Dundee and proceed towards Perth. Seeing the movements of the Governor, and fearing he planned to attack, Balnaves and the Lords arranging their followers in battle order, started to march towards Arran's party. Beaton would not risk a fight. Instead, he sent Kirkaldy of Grange and the Provost of St. Andrews, (Sir James Learmonth) to inquire why they blocked the way. Balnaves and his followers replied that, knowing Beaton's hostility to them and seeing the Governor proceeding towards them, they thought they would be attacked. They pointed out that the Governor had ordered them

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<sup>86</sup> The Scots Peerage, VII, 279ff.  
Incidentally, part of his lands of Creighton were sold to Andrew Barton and his son in 1527.

<sup>87</sup> Ibid., IV, 280ff.

<sup>88</sup> L. & P. of H., XVIII, Pt. II, No. 425.

to meet with him. They had come in obedience to his request. The messengers reported this to the Governor and the Cardinal. Beaton arranged for the Abbot of Paisley, Master David Panter, the lairds of Buccleugh and Cowdenknowes to talk to Balnaves and the two Lords. In these conversations it was made abundantly clear to the Cardinal's agents that they would obey the Governor in all lawful commands but they would not trust him as long as Beaton was present, no matter how many promises were made to them of the Regent's good intentions.

The crafty Cardinal saw his opportunity. He and his followers left the Governor and marched off. Immediately after his departure, Balnaves, the Earl of Rothes, and Lord Gray separated from their followers and conversed with the Governor, who still had some retainers with him. The Governor pleaded for a reconciliation on their part with the Cardinal, and he implored Balnaves to work out an agreement. While the conversation took place, they were all slowly riding towards Perth. Beginning to suspect that all was not well, Balnaves and his friends stopped and decided to rejoin their followers. The Governor insisted that they continue and as Knox says, "partly by flattery and partly by force, they were compelled to obey him."<sup>89</sup> No sooner had they reached Perth than they were seized and thrown into Blackness Castle.<sup>90</sup> In this connection it is interesting to note that

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<sup>89</sup>Knox, History, I, 55.

<sup>90</sup>L. & P. of H., XVIII, Pt. II, Nos. 425, 428, 433, 445; The Hamilton Papers, II, Nos. 116, 117, 118; Diurnal of Occurrents, p. 29; Knox, History I, 52-55; Calderwood, op. cit., I, 169-171. Lord Gray was later removed to Dalkeith and the Earl of Rothes was sent to the Governor's house at Cragnetham. Balnaves remained in Blackness Castle from November 26, 1543 until June 4, 1544. He was deprived of his office of Secretary of State.

of the three people arrested, the Cardinal wanted Balnaves more than the others. As the Laird of Brunston reported to Sadler, "The Cardinal desired the custody of Henry Balnaves because he loved him worst of all."<sup>91</sup> The evidence indicates that had it not been for Balnaves, the Earl of Rothes and Lord Gray would not have been arrested at this time.

The principal reason for the Cardinal's anxiety to have Balnaves out of the way was that he feared his ability to turn even the Governor from him. He must have realized, by the tenor of the marriage negotiations, that Balnaves' 'loyalties were first and foremost for the well-being of Scotland. In spite of his negotiations with England, he had not as yet received a pension and, therefore, was not in the pay of Henry VIII. Realizing that Balnaves was acting out of conviction and for no other reason, and cognisant of the fact that he could not be bribed, the Cardinal had to arrest him if he wished to prevent Balnaves from influencing Scottish affairs at this time.

By December, the Cardinal's power was supreme, much to the annoyance of Henry VIII. The English ambassador showed his monarch's anger and perplexity by pointing out that he could no longer ascertain the intentions of Sir George Douglas, Angus, Cassillis, and Glencairn. But of one thing he was certain; "they sit still and do nothing to the great perplexity of their friends and the embolding of their adversaries."<sup>92</sup> On December 1, 1543, the Privy Council of England voiced

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<sup>91</sup> L. & P. of H., XVIII, Pt. II, No. 425.  
The Hamilton Papers, I, No. 116.

<sup>92</sup> L. & P. of H., XVIII, Pt. II, No. 428.

the King's displeasure. He had, he claimed, kept his promise to Sir George, but nothing had been done by the Scots to deserve his support. Balnaves, Rothes, Gray, Somerville, and Maxwell had all been arrested; the strongholds were no longer secure, the marriage treaty was threatened and the hostages had not been sent.<sup>93</sup>

Henry's anxiety was not unfounded for in the Parliament which assembled on December 3rd, Beaton had his way. The treaty with England, on which Balnaves had worked so hard, was declared null and void, and the ancient treaties with France were renewed. Stringent laws against heresy were enacted. Angus' conduct was declared treasonable. Two significant appointments were made. Beaton became Chancellor and the Abbot of Paisley was made Lord Privy Seal.<sup>94</sup>

Under the Cardinal's influence, Parliament passed stern measures against those favourable to England and the new religion. Those who had signed the letter at Douglas Castle asking for English aid, which led to Somerville's arrest, were declared traitors. Those who had tried to remove the young Queen from the Cardinal's influence faced immediate imprisonment. The Abbot of Paisley replaced Kirkaldy of Grange as Treasurer.<sup>95</sup> In addition, the Cardinal arrested and had killed, or exiled, many ordinary citizens suspected of heretical

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<sup>93</sup>Ibid., No. 450.

<sup>94</sup>Diurnal of Occurrents, pp. 29ff; Acta. Parl. Scot., II, 427, 428, 429. Keith, op. cit., I, 82ff, Appendix No. IV, 344 contains the Act passed by Parliament.

leanings.<sup>96</sup> Perth and Dundee bore the brunt of Beaton's anger.

Early in January, 1544, Angus, Lennox, Glencairn and Cassillis decided to act. They assembled a large force at Leith. The Governor and the Cardinal were at Edinburgh and the "English Lords" hoped to draw them out of the capital and engage them in battle. The Cardinal stood fast realizing that, due to lack of provisions, the volunteers would soon disengage themselves and return home. As Beaton expected, this actually happened. This misadventure resulted in the virtual capitulation of the English party. Sir George Douglas gave himself up as a pledge of his good behaviour. He was warded at Blackness Castle. Angus was arrested on April 3, 1544, and cast into the same prison. Consequently, Balnaves and Sir George spent most of the winter under the same roof.<sup>97</sup> Lennox, realizing that the forces could not be maintained, fled secretly at night and continued to cause trouble for the Cardinal until April, when he was besieged in the Castle of Glasgow and captured. Some of his followers were hanged for their part in the insurrection.<sup>98</sup>

Glencairn, who took part in the attempted attack on the Cardinal, allied himself with Lennox. On April 8th, they sent Hugh Cunningham

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<sup>96</sup> Knox, History, I, 55; Calderwood, op. cit., I, 171. Spottiswoode, op. cit., I, 148. Those who were hanged included James Hunter, William Lamb, William Anderson, James Rannelt. Those who were banished; Sir Henry Elder, John Elder, Walter Peper, Lawrence Pullar and many others.

<sup>97</sup> The Hamilton Papers, II, No. 149; Knox, History, I, 51. Calderwood, op. cit., I, 168.

<sup>98</sup> The Hamilton Papers, II, No. 250  
Diurnal of Occurrents, p. 31.

and Thomas Bishop from Dumbarton to negotiate with Lord Wharton and Sir Robert Bowes, Commissioners of the English King, who were at Carlisle. A month later, Glencairn joined them and signed a contract with the English. The Earls promised to assist Henry VIII. In return, Lennox was promised Lady Margaret Douglas, and the Governorship of Scotland if, and when, Arran and Beaton were defeated. Lennox's pension continued and Glencairn was paid one thousand crowns for his efforts. On July 13th, Henry gave Glencairn a pension of £250 per year and also one to his son valued at £125.<sup>99</sup>

Henry VIII, angered at Arran's policies, after the marriage treaty was declared null and void, decided to raze Scotland. In May, 1544, he sent Hertford with a fleet.<sup>100</sup> Although his force brought devastation to the country, Henry VIII did not obtain his objectives. The Queen was still secure. Arran remained Governor. Once more Henry relied on intrigue. As we have seen, an agreement was reached with Lennox and Glencairn. The latter attacked the Governor at Glasgow and was badly defeated. Lennox's attempts fared no better. He attacked Dumbarton Castle in August but was repulsed. Defeated, he fled the country and took refuge in England.<sup>101</sup>

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<sup>99</sup>Keith, op. cit., I, 87.

<sup>100</sup>The details of this invasion are not too important to this thesis. Leith, Edinburgh, Holyrood suffered most. He returned to England by land, revaging places like Musselburgh, Preston, Seton, Haddington, Dunbar, etc.

<sup>101</sup>Foedera, XV, 19ff; Diurnal of Occurrents, pp. 33ff.  
The Hamilton Papers, II, No. 416; C.S.P. (Scotland), I, No. 46.

One result of the sending of Henry's ships was the immediate release from Blackness Castle of Sir George Douglas and Angus. They were set free in the hope that their followers would not join the English forces.<sup>102</sup> Giving them their freedom proved to be a two-edged sword, because the Douglasses immediately plotted with the Dowager to overthrow Arran. A meeting of the nobles was held on June 3, 1544. At the instigation of the Douglasses, some of those assembled agreed to oppose the policies of Henry VIII. Many of them were dissatisfied with Arran's government and the proposal was put forth that the Queen Dowager become Regent in Arran's place, and that Angus be made Lieutenant-General of Scotland under her.<sup>103</sup> For some months, this startling attempt by the Douglasses cut across traditional Scottish loyalties. Instead of having either a pro-English or a pro-French group, the nobles found themselves aligning with either the Dowager or Arran. The history of the period is made all the more complicated by the attacks launched on Scotland by England so that it is virtually impossible to untangle the confusion of the period. So equal were both groups that each summoned Parliament in November. Arran, backed by the Cardinal, won out. The Douglasses' intended Parliament was declared illegal and they had charges of treason laid against them.<sup>104</sup>

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<sup>102</sup> Knox, History, I, 57.  
Calderwood, op. cit., I, 177.

<sup>103</sup> C.S.P. (Scotland), I, No. 47.

<sup>104</sup> Diurnal of Occurrents, pp. 33-36.  
R.P.C. of Scotland, I, 2.

It is almost impossible to narrate with certainty the activities of Balnaves at this time. As was pointed out, he remained in Blackness Castle from November, 1543 until June 4, 1544. Throughout his imprisonment and after his release, he received letters from the Governor.<sup>105</sup>

In the Treasurer's Accounts are several references to the wages paid to a messenger bearing correspondence to Balnaves from the Governor. In March, 1544, a boy received two shillings for bearing a letter to Balnaves from the Governor.<sup>106</sup> Then again, on June 4, 1544, a messenger was paid five shillings for delivering a letter from the Governor to Balnaves, who was apparently at Halhill.<sup>107</sup> On June 14, Balnaves received another communication from Arran for which the bearer received three shillings six pence.<sup>108</sup> On June 23, 1545, a letter from the Regent was sent to Master James Foullis, Thomas Bellenden, William Lamb, the parson of Lypk, Henry Balnaves, and Thomas Wemyss, and other lords ordering them to come to Linlithgow. The messenger received twenty-two shillings for his errand.<sup>109</sup> During August, 1545, Balnaves' servant brought a letter from his master to the Governor for which he received eight shillings.<sup>110</sup>

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<sup>105</sup> Unfortunately I have not been able to locate this correspondence in any of the sources available at McGill University, which leads me to assume that these letters have been lost.

<sup>106</sup> Treasurer's Accounts, VIII, 276.

<sup>107</sup> Ibid., p.300.

<sup>108</sup> Ibid., p.301.

<sup>109</sup> Ibid., p.384.

<sup>110</sup> Ibid., p.312.

Towards the end of September, 1545, Thomas Wemyss and Henry Balnaves received further writings from the Governor. The next day a messenger was sent bearing a letter from Balnaves to the Earl of Argyle.<sup>111</sup>

On June 10, 1544, a curious entry is made concerning Balnaves which relates to dining expenses. It is to Mr. Henry Balnaves, "by mandate as per the quittance of Master George Monpenry, Balnaves' servitor, St. Andrews, two crowns."<sup>112</sup> The last entry in the Treasurer's Accounts concerning this period of Balnaves' life indicated that on April 26, 1545, Matthew Hamilton, Captain of Blackness Castle, received for the expenses of Henry Balnaves while he was in prison, 68 crowns of the Sun <sup>113</sup> -£74:16:10.

Why Balnaves was released from Blackness Castle on June 4, 1544 remains somewhat of a mystery. But the truth may be found in the actions of the Douglasses who, as we have seen, summoned many of the nobility to meet at Stirling on June 3rd. At this time they voiced their opposition to England as well as to the Governor and attempted to have the Dowager replace Arran as Regent. The next day, Balnaves left Blackness, and went immediately to his home at Petcute.<sup>114</sup> Because of the correspondence between the Governor and Balnaves, while the latter was in Blackness and immediately after, it seems logical to infer

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<sup>111</sup> Ibid., p.409.

<sup>112</sup> Rentale Sancti Andree, IV, 194.

<sup>113</sup> Treasurer's Accounts, VIII, 367.  
Crown of the Sun was a gold coin valued at £1:2:0.

<sup>114</sup> Ibid., p.300.

that in this instance Balnaves sided with the Governor against the Douglasses. Throughout his career he supported the English party against a French alliance. As an important ambassador to England, in working out the marriage treaty, he showed himself to be concerned primarily with Scottish interests. Sir George Douglas worked with Balnaves at that time. Now seeing that the Douglasses had turned their backs on Henry VIII and were openly advocating an alliance with the Dowager and France, Balnaves probably decided that Scottish interests could best be served by supporting the Governor, in spite of all his faults. Balnaves had always maintained that he would be a faithful follower of the Regent in all things lawful. Therefore, what little evidence exists indicates that at this time he remained consistent and backed the Governor against the Douglasses. One thing is certain, he acted out of conviction. At no point in his career can it be proved that he acted because of a bribe from Henry VIII. There is no evidence to indicate, or to imply, that he was bribed at this time.

Balnaves received a letter on June 14, 1544, at Halhill. On July 6, he served on a commission to France led by William, Earl of Marischal, along with James Kirkaldy of Grange, Sir George Meldrum of Fyfe, Alexander Fraser of Phillorth, John Wishart of Pittaro, and others. <sup>115</sup>

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<sup>115</sup> R.S.S.R. Scotland, III, No. 857.

Marischal was definitely pro-English and in favour of the reformed faith. He had invited George Wishart to go to the country with him when the Cardinal began to enforce the legislation against heretics. He was a member of the College of Justice. He accompanied Mary of Lorraine to France in 1550 along with Glencairn. He certainly never favoured her, as subsequent history reveals. On her death bed she apologized to him and two others for all the trouble she had caused in Scotland. Most of the others favoured the Reformation.

Knox, History, I, 61, 116, 122, 321; Scots Peerage, VI, 46ff.

The Governor promised them a safe conduct. Moreover, while they were in France, for some eighty days, their families and possessions would not be disturbed or molested in any way.

Unfortunately, the purpose for which they were sent abroad is not stated. Undoubtedly, the Governor's letter to Balnaves concerned this commission. In view of the activity of the Douglasses, Arran may have tried to bring pressure to bear from France on the Dowager to make her relinquish her claims to the Regency. Whatever the purpose of their journey, the Governor saw fit to entrust his hopes to a group primarily pro-Reformation and pro-English, but in Balnaves' case, loyal to him in lawful issues. The fact that Balnaves accompanied Marischal to France does not indicate that Balnaves was now suddenly pro-French.

In the following months, Balnaves virtually disappeared from the records of the period. Little is known of his activities during 1545. Shortly after the commission under Marischal returned from abroad, there is a reference to Balnaves. On December 11, 1544, David Hamilton of Preston was granted all of the possessions belonging to James Sandilands of Saint Monanis. The latter forfeited his possessions and was put to the horn because he attacked Balnaves and his servants while they were plowing the lands of Petcute. He was charged with "cruel striking and dunging of thame, and cutting of his oxen."<sup>116</sup>

Why the attack took place is unknown. It may have been for political reasons, or it could have resulted because of some personal desire for revenge on the part of Sandilands, if Balnaves had rendered

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<sup>116</sup>R.S.S.R. Scotland, III, Nos. 997, 998.

some judgment that had displeased him.

While the evidence is inconclusive, the words "cruel striking and dunging" seem to imply that Balnaves and his workers sustained injuries by the attack. If these injuries were severe, it would explain why Balnaves suddenly disappears from the scene for almost a year. It is quite possible that he remained at Halhill recuperating from this attack. In any event, Balnaves continued to possess his lands as on April 8, 1546 he paid £7:8:8 for the fall rent.<sup>117</sup>

The year 1545 marks a turning point in Balnaves' career. He had served his King faithfully as a member of the College of Justice, and as an intimate employee of Kirkaldy of Grange in the Treasury. After the Monarch's death, Balnaves capabilities were recognized by the Regent who promoted him to the position of Secretary of State, in spite of Henry VIII's desire that the post be filled by someone of his own choosing. As Secretary of State, Balnaves worked earnestly for an honourable alliance with England. Throughout the period, he maintained his opinions favouring religious reforms. These led to the loss of his position as Secretary of State when Beaton gained control of the Governor. In spite of this, after his release, he sided with the Governor against the plot of the Douglasses to establish Mary of Lorraine as Regent.

One feature of his public life stands out above all others. He always seemed to act out of the conviction that what he favoured would be in the best interests of his native land. He did not mind

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<sup>117</sup>Rentale Sancti Andree, IV, 205.

incurring the displeasure of the King of England or Cardinal Beaton, or the Governor, in carrying out his duties. In a period when many Scottish loyalties shifted according to the amount of bribery offered, it is refreshing to find a man like Balnaves working earnestly in the interests of his country.

It was his determination to do what he thought was right that led to his friendship with John Knox and to his exile in France, which forms the next episode in this layman's contribution to the Reformation in Scotland.

## Chapter IV

### THE RELIGIOUS EXILE (1546-1556)

Two events overshadow all other happenings in Scotland in 1546; the martyrdom of George Wishart and the murder of Cardinal Beaton. Although he did not actively participate in either, Balnaves' life was profoundly affected by these two murders. Because of them he became an exile, spending at least eight years in a French prison and forfeiting all his possessions.

While the details surrounding the deaths of Wishart and Beaton are of great interest and importance to Scottish political and religious history, they are not sufficiently connected with Balnaves' story to make it necessary to recount them in any detail. However, a few remarks will illustrate why these happenings led Balnaves to join Beaton's murderers in St. Andrews' Castle.

Wishart, a Scotsman by birth and upbringing, had fled Scotland in 1538 to escape a charge of heresy levelled by John Hepburn, Bishop of Brechin. Wishart was employed as a school master in Montrose and had taught his pupils the Greek New Testament. The following year he preached against the worship offered to the Blessed Virgin Mary at Bristol. This time when challenged, he made a public recantation of his position. From Bristol he went abroad and remained in Germany and Switzerland until after James V's death. In 1543, he was a member of Corpus Christi College, Cambridge, and in either 1543 or 1544 he returned to Scotland. Knox claims that he returned with the commissioners who signed the treaty with England. Unfortunately Knox misdates the

treaty. Had Wishart returned in 1543, he would have come back with Balnaves, Learmonth and the others in August. This is most unlikely because he is not mentioned in the documents of the period. Had he been with them, there would have been some reference to his presence. In all probability, he re-entered Scotland in either 1544 or 1545. On his return, he preached in many parts; especially Montrose, Dundee, Ayreshire, Leith, and East Lothians. In January, 1546, he was arrested by Beaton's agent, the Earl of Bothwell. Eighteen charges relating to the sacraments, saints, purgatory, etc., were preferred against Wishart and he was condemned by the Cardinal, acting as "legatus a latere." On March 28, 1546, Wishart met martyrdom by fire in front of St. Andrews Castle, the proceedings being observed by Beaton.

Wishart, while in Scotland, enjoyed the active support and protection of many of those who favoured religious reforms. Many of his adherents favoured an alliance with England. Undoubtedly, Knox became a great admirer of Wishart for Knox used to carry Wishart's two-handed sword for him. Whether Wishart was the Scottish agent used by Brunston and others in the pay of Henry VIII to try to murder Cardinal Beaton has not been proved conclusively. In any event, he would have been aware, because of his close association with the men involved, of their determination to rid Scotland of a very popular, stimulating and earnest reformer. Within three months, Beaton was assassinated. The impetus to his murder lay directly in his slaughter of Wishart.<sup>1</sup>

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<sup>1</sup>  
Crichton, Laird of Brunston, Laird of Grange, Master of Rothes, John Charteris, Sir George Douglas, Earls of Glencairn and Cassillis, all plotted at one time or another to slay Beaton. They were all in the  
(continued)

As Wishart was closely associated with many of Balnaves' intimate friends, there can be no doubt that he knew the reformer personally. He must have heard him preach many times and admired his teachings. It was probably after Wishart's return to Scotland in 1544-45 that Balnaves first became acquainted with John Knox, who was also a staunch adherent of Wishart. Knox tutored two of Hugh Douglas' sons and the eldest son of the Laird of Ormiston.<sup>2</sup> The latter was a great friend of Kirkaldy of Grange - Balnaves' staunch supporter - so that Balnaves must have known the young tutor and at some of the meetings where Wishart preached, there can be little doubt that Balnaves was introduced to Knox.

By killing Wishart, Beaton signed his own death warrant. The reformer was a popular figure who had many powerful and influential allies. He had become endeared to the people of Dundee for his actions during a plague in that area. When he was martyred many in Scotland withdrew their allegiance to the Cardinal and openly favoured the followers of Wishart. His death gave Beaton's enemies a paramount excuse for ridding Scotland of the influence of the Cardinal. John Leslie, brother of the Earl of Rothes, and Norman Leslie, the Master of Rothes declared openly their intentions to assassinate Beaton.<sup>3</sup>

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<sup>1</sup> (continued) pay of Henry VIII. A full account of Wishart's life and his relation to these men is given in the following works: Laing, op. cit., I, Appendix No. IX; Knox, History, I, 60-74; Calderwood, op. cit., I, 184-224; Spottiswoode, op. cit., I, 150-163; Herkless, op. cit., Chapters VIII-IX passim; Diurnal of Occurrents, pp. 40ff.

<sup>2</sup> Laing, op. cit., I, 139.

<sup>3</sup> Knox, History, I, 76.

Finally, on Friday, May 28, 1546, John and Norman Leslie arrived in St. Andrews where they joined forces with William Kirkaldy, Sir James' son.<sup>4</sup> The next morning some eighteen persons gathered outside the Castle in small groups.

Shortly after the drawbridge lowered, Kirkaldy engaged the sentinel in conversation while his fellow conspirators quietly entered the castle. The guard informed Kirkaldy that the Cardinal was still asleep. When Norman Leslie approached, the sentry became suspicious and attempted to have the drawbridge raised. Leslie, perceiving the sentinel's suspicions, cracked him over the head and after removing the keys, cast the unconscious guard into the moat. Kirkaldy immediately blocked the rear exit so that no one could sneak out. The Cardinal, awakened by the commotion, inquired what was happening. When told that the Leslies had taken the castle, he tried the rear gate only to find it guarded by Kirkaldy; whereupon Beaton returned to his room and barricaded himself inside. This was to no avail as the attackers threatened to burn down the door; whereupon either the Cardinal or his servant opened the door. The Cardinal sat in a chair and cried:

"I am a priest; I am a priest; ye will not slay me." . . . But James Melville (a man of nature most gentle and most modest) perceiving them both in choler, withdrew them, and said, "This work and judgment of God (although it be secret) ought to be done with greater gravity!" and presenting unto them the point of the sword, said, "Repent thee of thy former wicked life, but especially of the shedding of the blood of that notable instrument of God, Master George Wishart, which albeit the flame of fire consumed

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<sup>4</sup>Ibid.

before men, yet cries it a vengeance upon thee, and we from God are sent to revenge it: For here, before my God, I protest, that neither the hetterent of thy person, the love of thy riches, nor the fear of any trouble thou could have done to me in particular, moved, nor moves me to strike thee; but only because thou hast been, and remain an obstinate enemy against Christ Jesus and his holy Evangel." And so he struck him twice or thrice through with a stog sword, and so he fell, never a word heard out of his mouth, but "I am priest; fye, fye: all is gone."<sup>5</sup>

Meanwhile people gathered around and, suspecting foul play, called for the Cardinal. The great Beaton made his final appearance but not in the usual manner. His attackers tied some sheets to an arm and leg and hung the body over the wall so that all could see that the task had been accomplished. And thus the people left "without Requiem Aeternam and Requiescat in pace, sung for the soul."<sup>6</sup>

Had Beaton patronized the arts and taken a positive approach to the corruption of the church of which he was leader in Scotland, history might have assessed his capabilities differently. Unfortunately, he did neither. He embodied in his person, by his love of wealth, power and women, some of the worst features of the life of the clergy in sixteenth century Scotland. In no way can the Church of Rome justify him, nor, except perhaps for Andrew Lang, has any attempt at justification been made. In the eyes of those who committed the murder, they had rid Scotland of its arch-enemy, a man who opposed ecclesiastical reform, burned sincere religious people, favoured France and dealt unscrupulously with friend and foe alike.

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<sup>5</sup> Ibid., pp. 77-78.

<sup>6</sup> Ibid., p. 78; L. & P. of H., XXI, No. 948; Calderwood, op. cit., I, 219ff.

What part, if any, did Balnaves take in the Cardinal's murder? There is no reason to suppose that he was unaware of the plots to rid Scotland of the Cardinal. It would be naive to think he would not be in sympathy with such a scheme because of his interest in furthering the Reformation and the English alliance. Moreover, he had personal reasons for wishing the Cardinal out of the way. It was the influence brought to bear on Arran by Beaton that resulted in Balnaves' long imprisonment in 1544. He lost his position as Secretary of State due to the activity of the Cardinal. For all these reasons, Balnaves would have favoured the removal of the Cardinal. But to favour a man's death is one thing; to murder him is another story entirely.

Two writers maintain that Balnaves participated in the Cardinal's death. In the Diurnal of Occurrents, the author states that "Petmellie, Henry Balnaves, and John Knox with others took part in the said treason."<sup>7</sup> Chalmers, in his Life of Queen Mary, refers to Balnaves as "one of the assassins" several times.<sup>8</sup> Spottiswoode does not list Balnaves as one of the murderers, but he claims that the day following the murder, Balnaves joined the assassins in St. Andrews Castle.<sup>9</sup> All three are incorrect in their assessment of the situation, as the evidence from the original sources illustrates most clearly.

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<sup>7</sup>Diurnal of Occurrents, p. 42.

<sup>8</sup>G. Chalmers, Life of Mary Queen of Scots, (London, 1822), III, 184, 185, 340.

<sup>9</sup>Spottiswoode, op. cit., I, 167.

Balnaves continued to act in the Privy Council of Scotland until August 3, 1546, which proves conclusively two things: first, that he did not join the assassins in the Castle the day after Beaton's murder; second, that he could not have actively participated in the stabbing.<sup>10</sup> Had he entered St. Andrews immediately after the Cardinal's demise, he would not be sitting as a Clerk of the Judiciary of the Privy Council on August 3, 1546, some two months after the crime had been committed. Moreover, the chief question to be settled at that meeting was whether or not murdering a Chancellor of Scotland constituted an act of treason. "All agreed that it was, according to law."<sup>11</sup> The word "all" implies that Balnaves concurred in the judgment that, from a legal standpoint, those who had engaged in the slaughter of the Chancellor had in effect committed a treasonable act against the State. Had Balnaves been one of the killers he would not have been taking part in these deliberations. His innocency of Beaton's murder is further proved by a decree of the Privy Council in June, 1546, which names those responsible for Beaton's death. Balnaves' name is not mentioned in this list.<sup>12</sup>

Although he did not personally have a hand in Beaton's murder, Balnaves' sympathies lay with those who had committed the crime.

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<sup>10</sup>R.P.C. of Scotland, I, 33.

<sup>11</sup>Ibid., p. 34 ; L. & P. of H., XXI, Pt. I, Nos. 1369, 1404.

<sup>12</sup>R.P.C. of Scotland, I, 31ff.; Acta, Parl. Scot., II, 457, 468.

Most of those involved were his close friends and companions. It is not surprising, therefore, to learn that, like many other prominent Scotsmen, he joined the assassins in the castle. The date on which he entered St. Andrews remains somewhat of a mystery.

As his name disappears from the Privy Council after August 3, 1546, it may be conjectured that Balnaves entered the castle sometime between August and November, 1546, but there is no evidence to prove the exact date. It would seem logical that he entered the castle in August because most of his friends joined the conspirators shortly after the Cardinal's murder.<sup>13</sup> The evidence is inconclusive because he could have gone to Halhill and farmed for a while. It is plausible that he remained at Halhill until November only joining those in the castle after the Governor had made several unsuccessful attempts at besieging it. In any event, Balnaves had entered the castle by November because in that month he and Norman Leslie went by sea to England.<sup>14</sup>

Balnaves continued to act as a member of the Privy Council until early August, 1546. Between Beaton's death and that date, several measures were passed that were significant. One of Arran's first tasks was to bring the murderers to justice. The Earl of Huntly was chosen Chancellor in Beaton's place. On June 10, 1546, the Estates assembled at Edinburgh and those concerned with Beaton's

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<sup>13</sup> Keith, op. cit., I, 124.

<sup>14</sup> L. & P. of H., XXI, Pt. I, No. 461.

murder were declared guilty of treason. Plans were put forward whereby the castle would be recaptured from the conspirators. However, they were so poorly organized that the siege dragged on until December.<sup>15</sup>

The clergy were so desirous of revenge that they agreed, "to pay £3,000 a month for four months and the same amount for every month the siege continued beyond that time." It is very doubtful that this money was ever collected.<sup>16</sup> Why was it that the Governor could not overcome approximately one hundred and fifty men in St. Andrews Castle? The answer is two-fold. First, Beaton had made the castle one of the strongest and most luxurious fortifications of the day. Second, the besieged had access to the sea so that they could obtain help from England. In addition, Arran, Mary of Lorraine and the Douglasses had so many diverse interests that while in theory they were united, in actual fact, there was little common action between them.

Balnaves had become noted in Scottish affairs of State because of his dealings with the English. Once again, he found himself as an ambassador to the English King, but this time he represented the rebels. Henry VIII sent ships to Scotland laden with supplies to aid the besieged in November, 1546.<sup>17</sup> William Kirkaldy had escaped to England on October 26, and negotiated for the goods. He returned with

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<sup>15</sup>R.P.C. of Scotland, I, 23-58 passim.

<sup>16</sup>Reid, Clerical Taxation, p. 148 ; R.P.C. of Scotland, I, 56.

<sup>17</sup>Diurnal of Occurrents, p. 43; Knox, History, I, 80 ;  
Foedera, XV, 131-134; L. & P. of H., XXI, Pt. I, No. 1369.

the English vessels.

When the English ships (there were eight altogether) returned home from St. Andrews Balnaves and Norman Leslie were on board. They left the castle at considerable peril to their lives. Under support of artillery fire from the ships, Balnaves and Leslie lowered themselves by ropes to small boats waiting in the bay below the castle. The Governor's men fired on the boats and at the two men. Fortunately, they were not hurt, but some of the boats were sunk. In addition to sinking the smaller craft, considerable damage was done to the larger ships in the harbour, killing many of the sailors and finally forcing the vessels to withdraw.<sup>18</sup> On November 29, 1546, the ships arrived in London.<sup>19</sup>

The ambassadors were well received by English officials who spared nothing to make them welcome.<sup>20</sup> On December 7, the English

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<sup>18</sup> Ibid., XXI, Pt. II, No. 461.  
This was on November 20, 1546.

<sup>19</sup> The Scottish Correspondence of Mary of Lorraine 1543-1560, 3rd series, Scot. Hist. Soc. Pub., A.J. Cameron (ed.), (Edinburgh: Constable Ltd., 1927), X, No. CXXVI.  
Foedera, VI, Pt. III, 151; L. & P. of H., XXI, Pt. II, Nos. 461, 501, 743. Diurnal of Occurrents, p. 43 states that John Leslie went to England at this time, but a letter from Selve to the King of France quoted in the above reference in the L. & P. of H., says that Norman Leslie went with Balnaves. Further references in the L. & P. of H., indicate that Norman and not John Leslie went at this time. Both Knox and Calderwood state that John Leslie accompanied Balnaves. As Norman Leslie was the "Master of Rothes", and not John, I conclude that the Diurnal of Occurrents, Knox and Calderwood are incorrect in identifying John Leslie as the man who accompanied Balnaves. It was Norman Leslie who went to England with Balnaves.

<sup>20</sup> L. & P. of H., XXI, Pt. II, No. 501.

Council convened and granted Leslie and Balnaves £100 each for their efforts.<sup>21</sup> On December 10, Selve wrote to the Admiral of France that

he feared for the loyalty of the Governor. It seemed very strange that Arran with his army would not capture the castle with so few in it, and what was even more perplexing to the French interests was that the Regent could not prevent the conspirators from going to and from England. Selve heard that Leslie and Balnaves were to meet the English Council the next day.<sup>22</sup> Actually, the Scottish emissaries met with the English Council the same day and Balnaves made several suggestions for dealing with the situation in Scotland. Every effort had to be made to have the Governor withdraw his forces and stop the siege. As the English King had previously promised to help them, his policies could be carried out more quickly and with greater success if the siege ceased. If the Governor did not agree to withdraw his supporters, the English King must threaten to attack Scotland by land and sea. If this did not prove effective, English ships should continue to supply the castle with food and munitions. Then again, proclamations could be made in the Border regions advising the inhabitants that if they supported a peace with England and favoured the marriage of Edward and Mary, England would regard them as friends. To scare the Governor, Lennox must be sent to Carlisle, pretending to lead a westerly attack. If all this failed, as a final resort, some

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<sup>21</sup> R.P.C. of Scotland, I, 556<sup>56</sup>.  
L. & P. of H., XXI, Pt. II, No. 508.

<sup>22</sup> Ibid., No. 518.

ten thousand men had better be shipped to St. Andrews and take the castle by force. The rest of the document continues in Balnaves handwriting and makes the following proposals; that if the King sent an army to Leith, doing no harm by the way, the whole country would be drawn to the King's side. If they approached from the south side of the Forth, the Governor would withdraw from St. Andrews fearing either an attack on Edinburgh, or the seizure of the young Queen at Stirling, or finally that he would be surrounded and all other means of support for him would be cut off.<sup>23</sup>

Balnaves' plan for delivering the castle was based obviously on his knowledge of the Governor. He felt that with a little bluffing on England's part, the Regent would be brought to heel and that accounts for his insistence that Lennox pretend to attack. But if the bluff failed, he felt sufficiently strong about the situation at home that as a final choice the English must invade Scotland swiftly and with such numbers that immediate victory would be assured before France could become involved in the dispute.

A week later, on December 19, a dispatch was sent to the Scottish ambassadors informing them of the situation at home. The Tuesday after the ambassadors had left, the Governor offered those in the castle restitution and pardon if they surrendered the castle and his son. They refused; whereupon the Governor's followers brought cannons into position and in a few days heavy batterings began. Many were

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<sup>23</sup>Ibid., No. 524.

This source contains an interesting addition in Hertford's handwriting to the effect that Balnaves and Leslie would be given a £1,000 pension.

hurt and killed on both sides. From November 22 till December 10, the besieged were without meat but finally two men escaped to the Laird of Montquhany with a letter "to our friend whom you know - to get us fresh meat". The messengers were spotted and the Governor's forces kept a close watch. The Governor again offered them an appointment or he would slay at least four of their supporters. They made no answer. Finally, Arran tried again to effect a reconciliation. They consented and that night (December 17) the Justice Clerk, and Provost of Aberdeen asked if they would accept a reasonable appointment. They said they would like to hear it. The Governor's agents returned the next morning "with our own friend whom we desired", offered them the castle and Governor's son until all things were settled. The Earls of Huntly, Marischal, and Lord Gray, had talked with the besieged near the castle wall and offered them an opportunity to obtain food if William Kirkaldy was given as a pledge. This they refused to do. Finally, David and James Kirkaldy were acceptable to the Governor and the besieged agreed to let them be their hostages.

The Scottish ambassadors were urged to remind the English King of their great shortage of provisions, especially money. They advised that the currency should be either French or some foreign exchange so that its English origin would not be suspected. Furthermore, Henry VIII should have the Emperor write to the Pope and try to delay the granting of a Papal Absolution for those involved in Beaton's murder. The besieged had demanded a pardon from the Pope before they would surrender the castle. By delaying the Absolution valuable time would be gained in which to receive further aid. The money must be sent immediately and once received, the ship should depart quickly so that the besieged could pretend to the

Governor that the English offered provisions which were refused.<sup>24</sup>

There is little doubt that both sides were anxious to delay as much as possible until foreign aid arrived.<sup>25</sup> While tentative agreements were put forward the main conditions varied little. The besieged would keep the castle and the Governor's son until a pardon had been granted from the Pope for their slaying of Beaton. They would give hostages as a guarantee that as soon as the Absolution arrived, the castle would be surrendered. The State of Scotland would never try them for Beaton's murder. They would enjoy their complete freedom. They would continue to hold the Governor's son as a pledge of the Regent's sincerity.<sup>26</sup>

Meanwhile, Balnaves and Leslie remained in England soliciting help from Henry VIII. Selve and La Garde wrote to Francis I that the Bishop of Ross had informed them that the English King had sent £60,000 to Newcastle to pay for the military offensive against Scotland which included sending two armies by sea to land some fifteen thousand troops at St. Andrews and Dunbarton respectively. Another force of thirty thousand would march on Scotland. There is another interesting comment to the effect that as soon as the surrender of the castle was made known, Balnaves and Leslie were arrested by the

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<sup>24</sup> Ibid., No. 576.

R.P.C. of Scotland, I, 57ff.

Lord Gray, who accompanied Huntly and Marischal, probably was the man described as "our own friend", the provider of provisions for the castle. He had been a close friend and associate of Balnaves.

<sup>25</sup> Ibid., pp. 54ff.

The holders of the castle had Balnaves and Leslie negotiate with England. In November the Governor appealed to France for powerful support, especially money and troops.

<sup>26</sup> Ibid., I, 58ff; Acta Parl. Scot., II, 470  
Knox, History, I, 80ff; Keith, op. cit., I, 126ff.

English who were greatly angered with events in Scotland.<sup>27</sup> This is entirely unfounded because the castle remained in the hands of the besieged until July, 1547, when the French captured it. Writing in February, 1547, Otterburn reported to the Queen Dowager that the Scottish ambassadors were "greatly caressed" when they arrived and are still "well heard" of here.<sup>28</sup> The Bishop's report of their arrest is disproved completely by the negotiations themselves.

It is doubtful that Henry VIII planned to assault Scotland immediately with such a force as indicated by the Bishop of Ross, but it agrees in principle with the suggestions made by Balnaves on December 10, 1546. Had the English King lived, the story of the siege at St. Andrews Castle would undoubtedly have had a very different ending. Henry VIII died on January 26, 1547, before Balnaves and Leslie had secured all of their hopes. With his death, their labours in England became disrupted for a few days. While there is no evidence to substantiate or prove that they attended the King's funeral, it would seem logical that they would. But they were not idle for very long, as the documents of the period indicate.

On February 6, 1547, in the City of London, the Lord Protector ordered that over £1,000 be given to Henry Balnaves to defray the costs of defending the castle. The breakdown of how the money was to be spent is interesting; six pence per day was allocated for some four

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<sup>27</sup> L. & P. of H., XXI, Pt. II, No. 743.  
This letter is dated January 25, 1547.

<sup>28</sup> The Scottish Correspondence of Mary of Lorraine, No. cxxvi.

score (iiiixx) men within the castle for six months, from the beginning of December past, reckoning twenty-eight days to the month; the sum of £336 for the wage of forty (XLte) horsemen at eight pence per day for six months to help guard the castle from surprise attack; £125 for the Master of Rothes; £100 for Laird of Grange; £50 for David Monypenny; £62 for Henry Balnaves; £62 for John Leslie; £50 for James Leslie; £50 for William Kirkaldy. These latter amounts being pensions granted to the persons listed. There is a further reference that Balnaves was given £63:10:0. In addition, £50 was granted to John Brende for the expenses which he would have in connection with escorting Balnaves and his company to Berwick. Leslie was to remain in England to receive news from Scotland and to work in the interest of both realms. Balnaves was charged with the responsibility of administering the monies granted. The pensions mentioned above were granted for life and payable twice yearly.<sup>29</sup> This is the first evidence we have of Balnaves receiving a pension from England for his services.

Balnaves returned to Scotland sometime during February and joined with the Master of Rothes and the Lord of Grange in promising to further the marriage plans of Edward and Mary and do their utmost to withstand the Governor's attempts to take over the castle.<sup>30</sup>

In a document dated March 9, Balnaves, Leslie, Monypenny, and the Kirkaldys, signed an agreement at St. Andrews Castle. They

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<sup>29</sup> Acts of the Lords of Council of England, J.R. Dasent (ed.), (London: H.M. General Stationery Office, 1890), II, 12-13. Hereafter designated-Acts of the Privy Council; Calendar of Patent Rolls, I, 193.

<sup>30</sup> C.S.P. I, No. 3.

pledged themselves to support the marriage, to keep the Governor's son as a hostage and, if required, to turn him over to the English, and to hold the castle against the Governor. In return, Edward VI was to provide six score persons who would guard the castle inside, and forty horsemen who would ride near the castle and prevent a surprise attack. Then again, artillery, munitions and money would be sent regularly.<sup>31</sup> Two days later, Balnaves witnessed a letter from Lord Gray to Edward VI asking for aid in dealing with his foes, and pledging his loyalty to England.<sup>32</sup> The next month at Easter (April 10), John Knox entered St. Andrews Castle. He had been persecuted by the Bishop of St. Andrews and intended fleeing to the continent, but his pupils' parents urged him to go to St. Andrews instead, where he would benefit from the security of the castle and continue to instruct their children.<sup>33</sup> He taught them grammar, literature, and a catechism, as well as Holy Scripture. Before he entered the castle, he had lectured them on St. John's Gospel but had not completed his discourses. Shortly after Easter, he continued his instruction on the Fourth Gospel, in the castle chapel. Others decided to listen, especially Balnaves and John Rough, the preacher. They were so impressed with what they heard that they urged Knox to become their minister. He refused, stating that he did not have a

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<sup>31</sup> Foedera, VI, Pt. III, 151.

<sup>32</sup> Ibid., p. 155.

<sup>33</sup> Knox, History, I, 82.

He had with him Francis and George Douglas, sons of Hugh Douglas of Longniddry and Alexander Cockburn, oldest son of John Cockburn of Ormiston.

lawful calling. Undaunted, Balnaves and Rough consulted Sir David Lindsay of the Mount and agreed that they would give a charge to Knox to be their preacher. Rough preached a sermon on the election of ministers, pointing out that a congregation had the power from God to call a man whom it felt would be a suitable person. Turning to Knox, he said:

Brother, ye shall not be offended, albeit that I speak unto you that which I have in charge, even from all those that are here present, which is this: In the Name of God, and of His Son Jesus Christ, and in the name of these that presently call you by my mouth, I charge you, that ye refuse not this holy vocation, but that ye tender the Glory of God, the increase of Christ his Kingdom, the edification of your brethren, and the comfort of me, whom ye understand well enough to be oppressed by the multitude of labours, that ye take upon you the public office and charge of preaching, even as ye look to avoid God's heavy displeasure, and desire that he shall multiply his graces with you.

And in the end he said to those who were present:

Was this not your charge to me? And do ye not approve<sup>34</sup> this vocation? They answered, It was, and we approve it.

Knox goes on to say that he burst into tears and fled to his room where he was greatly agitated by the responsibility placed upon him. He soon recovered and had a fight with Dean John Annard ("a rotten papist") who had given Rough a lot of trouble. The next Sunday, Knox preached his first sermon, a lengthy tirade against the enormities of the Roman Church.

According to Knox's own history Balnaves, more than any other person, was responsible for his accepting the call at this time.<sup>35</sup> In

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<sup>34</sup>Ibid., p. 83.

<sup>35</sup>Ibid.

He states emphatically-"but especially Master Henry Balnaves and John Rough". The word 'especially' is significant in that it precedes Balnaves' name and he is mentioned prior to John Rough which indicates in Knox's thinking Balnaves was of greater influence in persuading him to become a preacher.

view of Knox's later importance to the Reformation in Scotland, Balnaves deserved recognition for having persuaded this turbulent reformer to give up a teaching career and become a preacher. Getting Knox to accept his calling turned out to be one of the major contributions which Balnaves, a layman, made to the Reformation in Scotland. Had he and Rough not succeeded in securing Knox, the whole course of Scottish history from that date would be vastly different. From the time Knox entered St. Andrews Castle until Balnaves' death, both men worked together in bringing about the Reformation in Scotland. If Knox's dating can be trusted, Balnaves did not hear his first sermon preached in St. Andrews Castle because the former arrived April 10 and by April 18, the latter was at Berwick. Therefore, it required very little time to persuade Knox to accept the call though it is evident that considerable pressure was brought to bear on him by Balnaves and Rough.

Balnaves left St. Andrews on April 14, accompanied by Sir John Borthwick, a man who had been charged with heresy by Cardinal Beaton and had fled to England to save his life. He had held the rank of Captain and, at King James V's request, he had attended Sir Ralph Sadler in February, 1540, when the latter came to the King's Court.<sup>36</sup> Why he accompanied Balnaves is not known. He seems to have collaborated with the Scottish ambassador - perhaps giving advice on the

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<sup>36</sup> Sadler's State Papers, I, 19; Laing, op. cit., I, 553-554.  
C.S.P. (Scotland), I, No. 18; Scottish Correspondence of Mary of Lorraine, cxxxi; C.S.P., I, Nos. 10, 14.

military questions involved in defending the castle. They had a rough passage because in a letter to Lord Somerset, Balnaves indicates that the winds were unfavourable and he was indisposed. Therefore, he would require excellent horses or he might be delayed further.

In this same letter, Balnaves asked Somerset to send John Leslie out into the country to hawk or hunt with friends while they talked about "some things" at length. Then the Duke could recall John and question him, but while he must be well treated, he should not know of Balnaves' presence in England.<sup>37</sup> Apparently, Leslie had preceded Balnaves to England but why he had to be kept ignorant of Balnaves' actions is not discussed. It is not likely that Balnaves mistrusted his loyalty because Leslie had helped slay the Cardinal. One thing is certain, Balnaves insisted that Leslie be kept ignorant of his presence which would indicate that for some reason Leslie was under suspicion at this time. Perhaps Leslie had been using money from England for his own purposes.

By April 29, Balnaves and Borthwick had reached London (we know this because Otterburn advised the Queen Dowager of their arrival). Apparently he placed great significance on their presence as he states "I dreid sayr the end of this mater of St. Androis". He seemed to think they would solve the problem quickly and effectively. No doubt he believed they would be successful in persuading the English to

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<sup>37</sup>C.S.P. (Scotland), I, Nos. 14, 18.

attack Scotland along the lines previously suggested by Balnaves.<sup>38</sup>

Two weeks later Otterburn again corresponded with the Dowager in which he pointed out that Balnaves was well served by land and sea and had left on May 8, accompanied by the best "gunna in Yngland".<sup>39</sup>

On May 4, 1547, Sir Edmond Peckham, Treasurer of England, was ordered to give Balnaves £336 for the wages of the men in St. Andrews Castle as well as £224 to pay the horsemen at the castle. These were in addition to the sums granted to pay the pensions previously noted. When Balnaves returned home, he was carrying approximately £1,050 with him.<sup>40</sup> Once again, he was escorted by John Brende. He was accompanied by a Mr. Archane de Arrain, one of the King's gunfounders, a master gunner and several servants and his guide,<sup>41</sup> John Brende. This was the last trip which Balnaves made before the capture of the castle by French forces. Had the English carried out Balnaves' first plan, St. Andrews Castle would never have fallen into French possession. Unfortunately, the English chose to encourage their allies by financial support, rather than give them the required men and munitions to accomplish the task quickly and effectively. After the castle was lost and the inhabitants made prisoners the English acted but it was too late. Had it not been for Balnaves' diplomatic negotiations in obtaining financial aid from England, the castle would have been

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<sup>38</sup> Scottish Correspondence of Mary of Lorraine, cxxxi.

<sup>39</sup> Ibid.

<sup>40</sup> R.P.C. of Scotland, II, 89.

<sup>41</sup> Ibid., 90.

surrendered much earlier.

The uneasy truce which had prevailed between Arran and the besieged since the early part of 1547 continued, but both sides felt strongly that the conditions of the truce would not be fulfilled satisfactorily.<sup>42</sup> Finally, the Papal Bull arrived granting absolution to Beaton's murderers. It contained a phrase -"Remittimus crimen irremissibile", (we pardon this unpardonable crime). The besieged argued that if the crime was unpardonable, the pardon could not be considered valid and, therefore, they would not surrender the castle.<sup>43</sup>

Arran realized that he could not take the castle without foreign aid. Therefore, he sought aid from France in November, 1546.<sup>44</sup> At that time the French paid little attention to his request. With the death of the King of France, on March 30, 1547, Henry II ascended the throne. He was a weak monarch and consequently his advisors, Francis, Duc de Guise and Charles, Cardinal of Lorraine, brothers of Mary of Lorraine, became the most influential men in France. As Mary, Queen of Scots, was an asset to them in their schemes and intrigues, France sent a fleet to capture the castle and re-established Arran's

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<sup>42</sup> Keith, op. cit., I, 127.

<sup>43</sup> Knox, History, I, 94; A. Lang, John Knox and the Reformation (London: Longmans, Green and Co., 1905), p. 27; Scottish Correspondence of Mary of Lorraine, No. cxvii; C.S.P. I, Nos. 10, 14. A controversy has raged over the date of the arrival of the Papal Bull. Lang argues convincingly that it came in April, and not June, as stated by Knox. If it came in April, it explains more convincingly why Balnaves was returning to Scotland with a gunfounder and a master gunner.

<sup>44</sup> R.P.C. of Scotland, I, 54ff.

authority over the country. Commanded by Leo Strozzi, Prior of Capua, a fleet of some sixteen to twenty galleys approached the castle.

The next day, the besieged were called upon to surrender to the Frenchmen. This they refused to do. What part Balnaves played in these negotiations was not recorded, but in view of his previous diplomatic activities on behalf of Scotland, it seems reasonable to assume that he acted as their spokesman on this occasion. Rebuffed in their attempts at an easy victory, the French fired on the castle for a couple of days. They did not have everything their own way. The castle guns fired on the galleys and wrecked one completely and battered others. The fleet withdrew to Dundee and waited while the Governor arrived with his forces. On July 24, the castle was attacked by land and sea. The situation in the castle was further aggravated by an outbreak of plague, which Knox says was a judgment of God upon some of them for their corrupt lives. The combined efforts of the Prior of Capua and Arran proved insurmountable. Now that the supply line to England had been blockaded, the besieged capitulated upon certain conditions being granted to them.

Balnaves was probably responsible for the terms of surrender. The castle would be handed over to Strozzi on the following conditions: the lives of all those within the castle must be spared; they would be taken to France; finally, if they were not satisfied with their treatment in France, they should be deported to a country of their own choice, Scotland excepted.<sup>45</sup>

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<sup>45</sup>  
Diurnal of Occurrents, p. 43; Knox, History, I, 94ff; Brown, John Knox, I, 80; Keith, op. cit., I, 29; Calderwood, op. cit., I, 255; Lang, loc. cit., p. 27. Lang has shown that Knox is incorrect in his dates. The galleys arrived approximately July 24 and the castle capitulated July 29.

Apparently these conditions met with the Prior's approval because the castle was surrendered. However, the agreement was not honoured by the French. The principal persons in the castle were arrested and conveyed to France where they became either galley slaves or prisoners. Before leaving Scotland, the French stole the valuables in the castle and razed the building.<sup>46</sup> They left for home on August 7, 1547. Knox narrates that all the vessels ran aground on a sand bank and were in great danger. They managed to work themselves free and arrived at Fécamp, and then sailed up the Seine to Rouen where the "principal gentlemen, who looked for freedom, were dispersed and put in sundry prisons".<sup>47</sup> The enthusiasm of the pro-French was epitomized in a couplet, which Knox says "was their song of triumph":

Preasts content you now; Preasts content you now,<sup>48</sup>  
For Normond and his company has filled the galleys fow.

The French tried to make the Scottish gentlemen see the error of their ways. They urged them to reconsider their opinions of the Mass. In this connection, Norman Leslie, James Kirkaldy, and David Monypenny of Pitmilny were held in the Castle of Cherbourg where the Captain endeavoured to make them recant. Those who were at Mont Saint Michael, especially William Kirkaldy and Peter Carmichael, received

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<sup>46</sup> Diurnal of Occurrents, p. 44; Brown, John Knox, I, 80; Knox, History, I, 96. The spoils amounted to £100,000.

<sup>47</sup> Ibid., 97.

<sup>48</sup> Ibid.

<sup>49</sup>  
the same treatment. All refused to change their opinions. Knox has a most interesting comment on Balnaves:

Master Henry Balnaves, who was in the Castle of Rouen, was most sharply assaulted of all; for because he was judged learned (as he was, and is, indeed), therefore learned men were appointed to travail with him, with whom he had many conflicts; but God so ever assisted him, that they departed confounded, and he, by the power of God's Spirit, remained constant in the truth and profession of the same, without any wavering or declining to idolatry.<sup>50</sup>

The identity of those who came to persuade Balnaves to recant is not known. Judging from Knox's statement, the Roman Catholics tried harder to win him over than any of the others. There are no grounds for suspecting that he received harsh treatment while at Rouen. The pressures brought to bear on him were intellectual, rather than physical. He remained faithful to his beliefs and must have argued with his learned advisors in a most skilful and convincing way, if he sent them away "confounded".

There is very little evidence to reconstruct the events in Balnaves' life during his imprisonment. However, several facts illuminate parts of the story. His stay at Rouen seemed more like house arrest than a prison sentence. He could correspond with others. Visitors were permitted. He obtained the necessary materials upon which he wrote his treatise - The Confession of Faith.

The English attitude towards Balnaves throughout his imprisonment indicates the high esteem in which he was held by the English

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<sup>49</sup>Ibid., p. 107.

<sup>50</sup>Ibid.

Government. It illustrates Balnaves' importance in the affairs of State, in particular in furthering the English alliance. Throughout the remaining months of 1547 the English tried to secure Balnaves' release. In October the Abbot of Dryburg was informed that his breach of promise made the government discredit any Scottish promises, believing them to be a nation of promise-breakers, unless he endeavoured to have two of the best taken at St. Andrews, (Balnaves and Rothés) released immediately.<sup>51</sup> The Abbot had requested a "non-entry according to bond" but the English procrastinated in granting him permission to re-enter the country, hoping to use his influence in securing the release of Balnaves and Rothés. In December, the Abbot wrote to Lord Wharton complaining about the sharpness of the latter's communications and stating that he had approached the Queen Regent on behalf of the prisoners. The Queen had written to the ambassador inquiring about the release of these two gentlemen. The Abbot, becoming exasperated by the tactics of the English, offered to pay the sum required and more, if the re-entry would only be approved.<sup>52</sup>

Four days later (December 15, 1547) the Abbot wrote to Warwick indicating that the Warden of the West Marches demanded £500 sterling as a surety from the prelate. He pointed out that he had implored the Queen to write to the King of France on behalf of Balnaves, the Master

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<sup>51</sup> Calendar of State Papers, Foreign Series, Elizabeth, J. Stevenson and A. Crosby (eds.), (London: H.M. General Stationery Office, 1863-1874), I, No. 877. Hereafter designated, For. Cal. Eliz.

Calendar of State Papers, Foreign series, Edward VI, W.B. Turnbull (ed.), (London: Longman, Green and Company, 1861), No. 284. Hereafter designated, For. Cal. Ed. VI.

<sup>52</sup> Ibid., No. 284; For. Cal. Eliz., I, No. 1021.

of Rothes, Kirkaldy and others.<sup>53</sup> Unfortunately, the attempts failed and the prisoners remained in their various places of confinement.

On October 16, 1548, £10:0:0 was paid by Privy Council officials to Davy Robertson, a messenger coming from Balnaves who was still a prisoner in France.<sup>54</sup> Unfortunately, the contents of this communication have not been found. There are several references to money paid by the English to various people who assisted Balnaves or acted as messengers on his behalf. But the purpose of their actions has not come down to us. On December 13, 1547, the sum of 100 crowns was sent to Balnaves. On April 7, 1549, Alexander Clerk, who served Henry Balnaves, received a reward of £5:0:0.<sup>55</sup> A fortnight later, a messenger who is not named, received £60:0:0 to be delivered to Balnaves in France by way of reward.<sup>56</sup> This payment represented the half-yearly amount of a pension granted to Balnaves for life in 1550. In granting the pension of £124:0:0 per annum, it was stipulated that the grant was made "for services to the King's father by the King's servant, Henry Balnaves".<sup>57</sup> As we have already pointed out, Balnaves did not allow himself to be bullied by the English King, nevertheless, he strove constantly and consistently for an English alliance and this pension by

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<sup>53</sup> C.S.P., I, No. 101.

<sup>54</sup> Acts of the Privy Council, II, 226.

<sup>55</sup> Ibid., pp. 153, 274.

<sup>56</sup> Ibid., p. 276.

<sup>57</sup> Calendar Patent Rolls, III, Pt. II, 211.

This pension had been retroactive to Christmas of Edward VI 's first year on the throne.

Edward VI is a token of English gratitude for Balnaves' efforts in promoting a treaty and peace with England.

On May 19, 1549, Sir Thomas Holcroft, an English Commissioner, was setting out on a commission with Sir John Harington, Sir Francis Luke, guided by John Brende to study various problems relating to Scotland. They were ordered to do as much as possible to secure the release of Henry Balnaves, the Laird of Grange and others. They had orders to try to exchange other Scottish prisoners so long as these gentlemen were released.<sup>58</sup>

While these efforts were being made on his behalf, Balnaves seems to have carried on inquiries of his own. On January 28, 1550, the English Council introduced a secret agent to Sir John Masone, describing the man as "one that Balneys the Scot hath committed of trust to be in France". This gentleman was to bring intelligence reports to Masone. The agent received £10:0:0.<sup>59</sup> In view of this, combined with the other people already referred to who received payments for going to Balnaves, it is quite evident that while at Rouen he enjoyed considerable freedom which enabled him to communicate not only with John Knox, but with English agents as well. The last reference to Balnaves in the English documents at this time refers to the delivery of £50:0:0 in June 1554 to him. This was part of the half-yearly payment of his pension.<sup>60</sup> Throughout his imprisonment,

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<sup>58</sup> C.S.P., I, No. 347.

<sup>59</sup> For. Cal., Ed. VI, No. 284.

<sup>60</sup> Acts of Privy Council, V, 46.

it is evident that the English supplied him with funds and tried by diplomatic means to secure his release. Their efforts were in vain for several years.

Scotland's attitude was the complete reverse to that of England. In Scottish eyes, Balnaves was many things; a traitor to the nation; an associate of those who murdered Cardinal Beaton; an advocate of English interests; and finally a protagonist against an alliance with France. The Government of Scotland did not procrastinate in taking steps to show its displeasure towards Balnaves.

On August 7, 1547, the day that the galleys sailed for France, Robert Hamilton, Captain of Dunbar, received a letter promising him the lands and possessions belonging to Henry Balnaves who is described as being put to horn for his treasonable activity against the State. The charter to these lands was confirmed in 1549 and later in 1551.<sup>61</sup> Therefore, it did not take the Regent and the Queen Mother long to decide who would receive the spoils.

The following year, a charge of treason was formally laid against Balnaves and witnesses were summoned to testify against him. On December 5, 1548, Adam Macullo was sent to Fyfe to "summand ane assis to the laird of Raith and to excute summondis of treason upon the laird of Pitmille and Henry Balnaves". He received 34 shillings for his efforts. He later received an additional 10 shillings for hiring a horse in this connection.<sup>62</sup>

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<sup>61</sup>  
R.S.S.R.S., III, No. 2368; IV, Nos. 1128, 1519.  
R.M.S.R.S., IV, Nos. 345, 674, 675.

<sup>62</sup>  
Treasurer's Accounts, IX, 263, 287.

Witnesses were summoned to testify against Balnaves. L. Cunningham was sent to Cowper to summon witnesses to testify against Pitmille and Balnaves. He obtained 12 shillings for his journey.<sup>63</sup> Someone came "over the water" to testify. Apparently the weather was very bad and he had a rough passage. He received 59 shillings.<sup>64</sup> Unfortunately, this witness is not named, nor does the account indicate where he came from. The expression "over the water" probably refers to someone coming from France as it is unlikely anyone would be coming from England to testify against Balnaves.

There is no other reference to the implementation of the summons of treason against Balnaves by Parliament, except for a reference on July 4, 1549 granting his lands to Robert Hamilton of Briggis which states that he was convicted of treason by Parliament.<sup>65</sup> Therefore, it is fairly accurate to state that he was formally deprived of his position as a member of the College of Justice by July, 1549. He lost his possessions as early as August 1547.

While in English eyes he was worth saving, as far as Scotland was concerned he would remain a prisoner in France. As we have seen, English efforts to have him released ended in failure. He remained abroad from August, 1547, until March, 1556, when he and the lairds of Brunstone, Ormiston, and Grange had their forfeiture rescinded.<sup>66</sup> He

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<sup>63</sup> Ibid., p. 286.

<sup>64</sup> Ibid., p. 282.

<sup>65</sup> R.M.S.E.S., IV, No. 345.

<sup>66</sup> Balfour Annals, I, 305.

received back his lands of Halhill on June 26, 1558.<sup>67</sup> On February 11, 1563, he was reappointed a Lord of Session replacing Sir John Campbell of Lundy, who had died.<sup>68</sup> The reason for the release of Balnaves and the others at this time is to be found in the political events in Scotland. The Queen Mother, who had become Regent, faced wide-spread hostility and, as a conciliatory measure whereby she hoped to gain favour with some of the nobility, the prisoners in France were released.

There can be little doubt that the actions of Norman Leslie also helped in the release of Balnaves and the others. He had joined the French forces and died in 1554 at the battle of Renti. His heroism impressed the French authorities and the King of France interceded on their behalf.<sup>69</sup>

This decade in Balnaves' life illustrates his religious and political attitudes during adversity. He believed that Scotland must make an alliance with England if the influence of the Roman Catholic Church and France was to be lessened in Scottish affairs. He felt that by establishing an alliance with Protestant England, the Reformed faith would be able to spread unhindered. Moreover, Scotland would be free to determine its own destiny as the English would not meddle in

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<sup>67</sup>R.M.S.R.S., IV, No. 1288.

<sup>68</sup>Brunton and Haig, op. cit., pp. 23, 62.

<sup>69</sup>Percy, op. cit., p. 211; Knox, History, I, 111, n. 10.

Knox claims that due to the intercession of the Queen Dowager with the Cardinal of Lorraine and the King of France, "the gentlemen that remained in prisons were ... set at liberty in the month of July, Anno 1550; who shortly thereafter were called to Scotland, their peace proclaimed, and they themselves restored to their own lands. Knox has dated the release incorrectly. As we have shown, it was not until 1556 that the main gentlemen in prison were released.

Scottish internal affairs as obnoxiously as the French. Therefore, he risked his life trying to solicit English aid for those in the Castle of St. Andrews. One of his contributions to the Reformation in Scotland was his ability to obtain funds and other aid from the English in order for the Scots to resist the French and the Roman Catholic Church.

While he sympathized with those who murdered Beaton, he did not actively share in the Cardinal's death. He used his talents to aid those who did. By entering the castle he came into close contact with John Knox. Realizing the potential which this man possessed, Balnaves, with Rough's aid, persuaded him to become a full time preacher. Without Knox, Scottish history would be vastly different. Balnaves, in persuading Knox, made an inestimable contribution to Scottish history.

Balnaves, as a layman, held to religious views in spite of the pressure brought to bear upon him while in exile. It is a testimony to the depth of his faith and the sincerity of his convictions that he was able to confound those sent to win him back to Roman Catholicism. The depth of his knowledge of his faith is borne out by the fact that he was able to write a treatise on his beliefs. As this work is that of a layman, and one of the earliest treatises written by a Scotsman explaining his Protestant beliefs, it will be considered in detail in the following chapter.

## Chapter V

### THE CONFESSION OF FAITH

Balnaves wrote a treatise entitled The Confession of Faith while imprisoned at Rouen. He sent it to Knox, who was so impressed that he divided the work into chapters; wrote a preface to it and a short summary. Moreover, Knox added a few marginal comments. There are no grounds for suspecting that he in any way tampered with, or altered, the text. The work as printed, in my opinion, reflects the thoughts of the author. This little Confession of Faith illustrates most succinctly the breadth of knowledge possessed by Balnaves. It reflects the extent to which laymen knew their faith in the sixteenth century.

For many years the treatise could not be found. After Knox died, his secretary, Richard Bannantine, found a child playing with a manuscript. It turned out to be Balnaves' treatise. Thomas Vautrollier, a publisher, printed the work with Knox's preface, summary and marginal comments in 1584. The work was dedicated by the publisher to Alison Sandilands, Lady of Ormiston. Knox had been befriended by the Sandilands when he acted as a tutor to the family.<sup>1</sup>

The book is divided into twenty-eight chapters as follows:

- Ch. 1. What should be the study of man; and what man should do in time of tribulation.
- 11. How man comes to the knowledge of God. Where should man seek God; and how he should receive him. And by whom we should offer our petitions.

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<sup>1</sup> Writings of Edward the Sixth, -British Reformers Series, (London: The Religious Tract Society, 1840), V, VI.

- Ch. III. The fruit of tribulation unto the faithful.
- IV. What the faithful do in time of tribulation. What we have of our own nature and what of Jesus Christ. What Adam did after his transgression. The goodness of God shown unto Adam. The promise to Abraham.
  - V. The comfort of Adam in all afflictions, and the example left to us therein.
  - VI. Wherefore we should rejoice in tribulation. The diversity of opinions touching the article of justification, and who are just before God. What is the substance of justification; and why the article thereof should be holden in memory.
  - VII. What Adam and Eve, seeking wisdom against God's commandment, obtained, and what they obtain which seek justification other ways than the scriptures teach.
  - VIII. Wherefore Cain slew Abel. How long God suffered the article of justification to be pursued by the seed of Cain. The idolatry, which abounded between the days of Noah and Abraham.
  - IX. God renewed to Abraham the promise made to Adam of the blessed Seed, whereto Abraham believing, is pronounced just. The wrong judgment of the fleshly man touching the chosen of God.
  - X. The wrong opinion of the Jews of the promised Seed. Wherein the ungodly place justification. Jeremiah. The head of the serpent trodden down by the death of Jesus Christ. The article of justification preached after the death of Christ.
  - XI. How Satan hath deceived the world after Christ, and wherewith he hath clad himself. Wherein the wicked Jews gloried, and wherein the pope and his kingdom.
  - XII. The division of justice (righteousness) in general, with the definition of every part thereof. The cause that no man is just by the law. Scriptures and examples proving all men, except Jesus Christ, to be sinners.
  - XIII. The justice of a christian. The questions of the wicked against the manifest will of God, taught in the scriptures. Tokens declaring the serpent's seed.
  - XIV. Of Adam's gifts before his fall no man hath experience. The law given to Moses, and why man may not fulfil the law.
  - XV. What remained in man after his fall, and what man may do thereby. The office of the law, and what shall man, accused thereby, do. The conclusion of Paul.
  - XVI. The diversity of names of that justice which is acceptable before God. Justice is plainly revealed in the gospel. What it is to live in faith, or by faith.
  - XVII. The definition of faith. The method of St. Paul in writing and teaching, and the necessity of good works. Wherefore justice is ascribed unto man. Who spoileth God of his glory.
  - XVIII. The cause wherefore God loveth us. Whereby cometh the heritage. The constancy of Abraham in faith, and his obedience. Jesus Christ payeth for us that which the law requireth. Who spoileth Christ of his office.

- Ch. XIX. As the good tree beareth good fruit, so the good man worketh good works. But as the fruit maketh not the tree good, so works make not the man just. For, as the tree is before the fruit, so the man is just before the work be good. The cause why we should work good works.
- XX. An answer to all scriptures which our adversaries allege for themselves, against the justification of faith. Wherefore works are commended in scriptures. An argument proving that no works justify.
- XXI. The opinion of the wicked, seeking their own glory. The works commanded by God and done without faith, are abomination before him. Whereby cometh the new birth. Paul refuseth his works, seeking no justification thereby.
- XXII. What works christians should do.
- XXIII. What the reason of man persuadeth to be done in the matter of religion.
- XXIV. What works pastors should teach unto their flocks. All true christians are made kings and priests in Christ's blood.
- XXV. The offices of princes, magistrates, and judges.
- XXVI. The office of a bishop.
- XXVII. The office of the fathers to the sons; householders to their families; and of husbands to their wives. What kind men were chosen to be bishops in the primitive church.
- XXVIII. The duty of the master unto the servant, and the contrary. Of the subject to the prince. Of the son to the father. The honour which the sons ought to give the parents.<sup>2</sup>

Knox, in his preface, advises the reader in the following manner:

Consider, brethren; it is no speculative theologian who desires to give you courage, but even your brother in affliction, who partly hath experience what Satan's wrath may do against the chosen of God. Rejoice (yet I say) spiritually, and be glad; the time of the battle is short, but the reward is eternal. Victory is sure, without ye list to fly (which God forbid) from Christ. But that ye may plainly know whereby Satan and the world are overcome, and which are the weapons against whom they may not stand, ye shall read diligently this work following; which, I am sure, no man having the Spirit of God shall think tedious, because it contains nothing except the very scriptures of God, and meditations of his law, wherein is the whole study of the godly man both day and night, knowing that therein are found only wisdom, prudence, liberty, and life. And therefore, in reading, talking, or meditation thereof, he is never satiated. But, as for the ungodly, because their works are wicked, they may not abide the light. And therefore they abhor all godly writings,

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<sup>2</sup>Ibid., pp. 111, 1v.

thinking them tedious, though they contain not the length of the Lord's Prayer. But according to the threatening of Isaiah the prophet, saying, Because they condemn the law of the Lord God, he shall condemn them. Their hearts shall be hardened, in the day of anguish and trouble they shall despair, and curse the Lord God in their hearts. They shall be numbered to the sword, and in the slaughter shall they fall. Then shall they know that their works were vain, and that they placed their refuge in lies. Their vestments of spiders' webs, which are their vain works, shall not abide the force of the Lord's wind; but they shall stand naked, and the works of iniquity in their hands, to their extreme confusion. And this shall apprehend and overtake them, because they call light darkness, and darkness light. That which was sweet, they called bitter; and by the contrary, that which was bitter, they called sweet, seeking salvation where none was to be found. But you, most christian brethren, humbly I beseech, and in the blood of Jesus Christ I exhort, that you read diligently this present treatise. Not only with earnest prayer, that you may understand the same aright, but also with humble and due thanksgiving unto our most merciful Father, who of his infinite power hath so strengthened the hearts of his prisoners, that in despite of Satan they desist not yet to work, but in the greatest vehemency of tribulation seek the utility and salvation of others.

It is not my purpose to commend, or advance this work with words, as commonly writers of profane or human science do, seeing the verity is only to be commended by itself. But one thing boldly I dare affirm, that no man who cometh with a godly heart hereto, shall pass from the same without satisfaction. The firm and weak shall find strength and comfort, the rude and humble rejoicing, by the omnipotent spirit of Jesus Christ, to whom be glory before his congregation. Amen.<sup>3</sup>

Balnaves wrote a short collect for the reader which exemplifies the spirit of the book:

The love, favour, mercy, grace, and peace of God the Father, God the Son, with the illumination of God the Holy Ghost, be with you all, my beloved brethren, who thirst after the knowledge of the word of God; and most fervently desire the same to the augmentation and increasing of the church of Christ, daily to flourish in godly wisdom and understanding, through faith unfeigned, ever working by love. Amen.<sup>4</sup>

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<sup>3</sup>Ibid., pp. 10-11.

<sup>4</sup>Ibid., p. 12.

In order to summarize the ideas contained in the treatise, and thereby to illustrate the religious knowledge which this layman had of his faith, a short analysis of his concepts, rather than a brief summary of each chapter, will be given.

### GOD

Balnaves had a very orthodox and traditional concept of God which is in harmony with the theology of the early undivided Church. God is Almighty, of infinite power, mercy, justice and love. He is the creator and sustainer of the Universe. Because God is Holy, evil cannot come into his presence. Evil exists by Divine permission, but evil cannot be attributed to God. There never was a time when God was not. He is without beginning and ending. He is the same yesterday, today and forever.

God has revealed Himself as a Trinity of Persons. Therefore, God is not a philosophical principle but a Being with whom man can communicate. The Three Persons of the Godhead, Father, Son and Holy Spirit, are distinct in one substance of the Trinity. The Godhead is not divided, nor may the Persons be confounded.

God created the Universe "ex nihilo" by the creative action of the Word, i.e. The Son of God, Jesus Christ. The Saviour of Mankind is Begotten of the Father. He is equal to the Father in Divine Nature. At a fixed time the Word became Incarnate and dwelt among us. Jesus was very man as well as very God. He was born of the Virgin Mary and lived to show the Glory of the Father. He preached, taught, healed and suffered in order to reveal the fulness of God's love for his creation. He suffered the most vile death for our

redemption and rose again the third day for our justification. After forty days he ascended into Heaven where he sits on the right hand of God the Father as our advocate. By his sacrificial death the power of evil has been conquered and the Justice of God vindicated. Sin has been dealt with effectively forever by the Crucifixion. Through faith in Christ, we become sons of God and heirs of the promise.

The Holy Spirit, the Comforter, as promised by Christ, descended at Pentecost to lead men into the true knowledge of God through Christ. The function of the Holy Spirit is to instruct the followers of Christ in all truth. By the Holy Spirit all creatures have life, and are sustained by His activity. The Holy Spirit is the Third Person of the Trinity who proceeds from the Father and the Son.

Balnaves sums up his doctrine of God by advising man that he must know God as Three Persons distinct in One Substance of the Godhead. Man, to truly know God, should believe in the ancient creeds as confessed in the Holy Church of Christ and as taught by Athanasius. He gives the men of his generation this practical word of advice:

Ascend no higher in the speculation of the Trinity, than thou art taught in the Scriptures of God. If thou wilt have knowledge of the Father, seek him at the Son; If thou wilt know the Son, seek him at the Father. For none knoweth the Son but by the Father and none may come to the knowledge of the Father but by the Son.<sup>5</sup>

#### MAN

Man was created in the image of God and set in dominion over all other creatures. He was formed out of dust and by the breath of God

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<sup>5</sup> Ibid., Chapter II.

Balnaves' concept of God is found principally in chapters II, XIV, XVI, XVIII and XXI.

he has life. Originally man was perfect and lived in full harmony with God. He had intelligence and knew the difference between good and evil. But man chose to disobey the will of God and thereby man fell from Grace and was expelled from the Garden of Eden.

By disobedience, man tried to usurp God's glory for himself. Man sets himself up in opposition to God and tries to live without the Love of God. Nevertheless, because man was made in God's image, man cannot escape his longing to have communion with God. There is in human nature a longing which can be fulfilled only by faith in God through Jesus Christ. Without grace, fallen man cannot by the use of reason and judgment alone become what he was intended. Man's nature is such that he will become evil in spite of his good intentions. Only faith can help man approach his original perfection. Balnaves does not develop the doctrine of total depravity. He believes that notwithstanding the fall, there remained with man some knowledge, power and free will which pertained to his original state of perfection. Nevertheless, all men since Adam have the same tendency to disobey God. Their nature is imperfect so that they cannot of their own power and strength be perfect. Whatever they do without faith is of the nature of sin. By faith, man's achievements may be good and purposeful.<sup>6</sup>

#### SATAN

Balnaves conceives Satan as an adversary of mankind working directly contrary to the will of God. Satan is the embodiment of all that which is against the goodness of God. Lucifer was expelled from

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<sup>6</sup> Ibid., Chapters I, V, VII, XIV, XV, XIX passim.

Heaven because he tried to make himself equal to God. Therefore, the devil is a fallen angel. The devil's chief aim is to deceive man and to make him turn against God. Before Christ, Satan moved man to rebellion by deceit. He persuaded Eve to disobey the moral law and induce Adam to follow in her footsteps. Since man chose to follow Satan's advice, he has been in subjection to the rebellious will of the devil. Satan is a master of persuasion who entices man to glory in his own accomplishments and to ignore God. Satan uses any means available to lead man astray. It was a direct result of the activity and persuasive power of Satan that Cain slew Abel and after the flood Ham, Noah's third son, sinned.

After Christ's meritorious death and resurrection when the power of Satan was broken, the devil transformed himself into a new light. He assumed a holy attitude and entered the Church most subtly. He disguised himself in works, with pride, vain glory, hypocrisy, diffidence, despair and idle faith. The devil corrupts by false persuasion even the most sacred acts of man so that they are used contrary to God's intention. Without a lively faith in the Victory of Christ, all men are captive to the evil influences of Satan. Satan is the arch-deceiver of mankind who continually persuades man to rebel against the Love of God. He will continue this role until the Day of Judgment.<sup>7</sup>

#### ORIGINAL SIN

Man was made perfect because God could not, by definition, make him otherwise. Nevertheless, in order to make man free, God gave man

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<sup>7</sup> Ibid., Chapters VII-XIII passim.

the possibility of going against the Divine Will. Man (Adam) chose to disobey the will of God and thereby spoiled forever his original righteousness. Since Adam, human nature has a tendency to disobey the laws of God. This basic will to rebel against the will of God is original sin. From it, all evil flows. As Balnaves states it,

"this corruption of nature is called original sin, which is the wanting of original justice that should have been in man according to his first creation. This corruption of nature followed the fall of Adam, in all men, that the nature of man may not truly obey the law of God, nor fulfil the same, for the inherent faults and concupiscences in the best of men, engendered of his corrupted nature and so cannot be pronounced just by the law, because of the deeds of the law no flesh shall be made just before God."<sup>8</sup>

As all men have descended from Adam, they share in his corruption and rebellion. This tendency to sin is so inherent in man that he is never purged from it as long as he lives.

#### LAW

To obey God is to love God with all thy heart, with all thy mind, power and strength; and thy neighbour as thyself. This law was printed pure and clean in the heart of Adam, who had free will and power of himself to do the same.<sup>9</sup>

This law God gave not only to man but to all creation, -beast, sun, moon, elements and all the creatures. Why? So that in His creation God might be glorified and by this law man might know his Maker, glorify and obey Him. This law is fulfilled in one way only, namely, by obedience.

By the misuse of freedom, man chose to disobey God and thereby failed to obey the law. Nevertheless, God did not change the law.

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<sup>8</sup>

Ibid., pp. 38-39.

<sup>9</sup>

Ibid., p. 45.

After the fall, God set forth the law through the prophets and preachers. By the unchangeableness of the law, man was able to discern more perfectly the extent of his weakness and imperfection. The law is not sin, but sin is made known by the law. This is why St. Paul claims that the law works anger and hatred.

The Decalogue, given by Moses, was but an uttering and declaration of the law of nature, which Christ proved by many sayings.

The law never changes; it is perfect, just, holy and good. Therefore, man must not attribute any fault to God nor to the law, but must find in his most imperfect nature the reason why he is unable to fulfil the law. As all men are under the law of nature and Moses and as all have fallen short of the law and are sinners, none is just. Because none is just, none fulfils the law. As none fulfils the law, the law can pronounce none just before God. Balnaves asserts that St. Paul rightly concludes that, therefore, according to the law, no flesh is just before God, except Christ who alone fulfilled the law. By His fulfilment of the law, we are all in debt to Christ because He is the consummation and fulfilment of the law and that justice which the law requires. By faith in Christ, we are made perfect. Therefore, if anyone seeks to be just, he must believe in Christ and not the law and lesser works. The law is given by Moses but Grace and Truth by Jesus Christ.

By its perfection, the law accuses man of imperfection. By His perfection, Christ fulfils the perfection of the law and saves those who believe in Him. He is the end, the consummation of the law.

Faith in Him alone may justify man before God.<sup>10</sup>

#### GOOD WORKS

Faith alone justifies and gives life, but this faith is not something which encourages idleness. On the contrary, faith stimulates the individual so that he is all the more capable of using his talents to the glory of God and the edification of his fellow man. Nevertheless, just as a tree which bears abundant fruit is not made a good tree by its product, so man who engages in good works is not made good by his endeavours. Works do not make an individual faithful, moral or honourable. His work bears witness to his excellence of character. Good work is a by-product which testifies to his justifying faith. As our Lord says in St. Matthew's Gospel, one cannot gather grapes from thorns, nor figs from thistles, so it is with man. Until one is justified by faith all of his endeavours are overshadowed by his sinful nature and do not make one faithful and righteous. The only way in which one may produce good works is to be good. The only way one can be truly good is to be made good by faith in Christ.

Balnaves postulates two kingdoms and two kinds of subjects in those kingdoms which are contrary to each other. One kingdom is that of Christ, the other the kingdom of the devil.

The kingdom of the devil is man's natural realm because of his fallen nature. This kingdom has three characteristics, -incredulity, despair and envy. In this realm, man is continually subservient to the will of the devil and, therefore, is unable to do anything that is not in the nature of sin. For in this dominion sin is the ruling prince and all who are unredeemed are subject to an evil will. They

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<sup>10</sup>  
Ibid., Chapters XIV, XV passim.

cannot do anything except of the nature of evil which results in unrighteousness and death.

Man is born into the kingdom of the devil, but he can by re-birth; that is, by baptism and regeneration, escape his natural citizenship and become a citizen of the Kingdom of God. His citizenship is purchased, not with gold, nor silver, but by the precious blood of Jesus Christ. In this kingdom, through the merits of Christ, man may by an active faith work abundantly in love. Here the three primary characteristics are faith, hope and charity. In this realm, sin is overcome and man may live righteously and do great good for the glory of God and the well-being of his neighbours.

In dealing with those who claim that St. James attributes works as justifying man before God, Balnaves points out that the Holy Scriptures, written by the inspiration of the Holy Spirit, cannot be contrary to each other. He explains the Epistle of St. James in this way. - The faith of which St. James speaks is historical or idle faith. This faith is dead without works. He points out that even the devil knows, believes and dreads. But the devil does not believe that Christ redeemed him and obtained remission of his sin. It is only those who have a lively faith in the redemptive activity of Christ who can produce good works. Good works flow from this faith. These good works testify to the fact that he who does them is justified by faith.

Good works, in themselves, cannot redeem a man. Works may justify one man before another outwardly and declare a man just before his neighbour, in exercising deeds of charity, which have God's approval and are acceptable to Him. These works testify to a man's

faith in God. The Holy Scriptures speak constantly of works made perfect through faith. Therefore, man's works witness to his faith and to his obedience to Christ. Therefore, no matter what excellent works a man may do, without faith, they are of the nature of sin and do not justify one before God. These works cannot save nor justify in themselves. Salvation is a free gift from God which cannot be bought nor earned. Works may testify to salvation but they cannot in themselves procure salvation.<sup>11</sup>

#### SCRIPTURE

Balnaves does not postulate any particular theory concerning the inspiration of Holy Scriptures. He takes for granted that the Scriptures are inspired and in them one may come to know the will and purpose of Almighty God.

He believes that the Scriptures can teach us all that we need to know of the nature of man and of God. He exhorts his fellow man to study the Scriptures diligently. They are not to be read as one would read secular works like those of Hector, Alexander, Plato, Aristotle and others. One must read the Scriptures with a humble heart and open the mind to the influence of the Holy Spirit. He refers to the Holy Spirit as being the "schoolmaster" of the Scriptures, who will teach the reader all things necessary to salvation. Balnaves states most forcefully that the understanding of the Scriptures is not of man's wisdom or knowledge. Godly men, moved by the Holy Spirit, may comprehend the Scriptures. The Scriptures are most difficult for those who

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<sup>11</sup>Ibid., Chapters XIX, XX passim.

lack faith. He urges that one should not be put off by those who claim that the Scriptures can only be comprehended by great clerks. These men do not know the teachings of the Sacred Writings.

On the contrary, the wisdom of the Scriptures is readily available to faithful men. It is the privilege and duty of men of faith to know the Scriptures and abide by them. They are not to be dreaded or feared, but are to be read so that one may come to know God.

The Old Testament, the Apocrypha and the New Testament form the Canon of Scripture as far as Balnaves is concerned but the New Testament fulfils the Old and, therefore, in order to comprehend the Old Testament, it must be interpreted in the light of the revelation of God in the New Testament. He believes most firmly that the Scriptures contain all things necessary for salvation and any belief which a Christian holds must be proved convincingly by Holy Scripture and not just from some isolated proof text.

His use of Holy Scripture indicates his knowledge of the Bible and his familiarity with it. His book on the Confession of Faith illustrates most convincingly this layman's knowledge of the Bible and the extent to which its teachings were made his own. He urges his men to be diligent in reading the Scriptures and understanding their faith, so that they would be convinced Christians and not just lip servers.<sup>12</sup>

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<sup>12</sup> Ibid., Chapters II, XIII, XVII, XXIII passim. Appendix A illustrates his ability to use the Bible.

### THE CHURCH OF ROME

Balnaves points out that since the death of Christ freed man from the grip of the devil, Satan had to work very subtly if he were to lead man astray. The devil accomplished his purpose by transforming himself into an angel of light. In a form of holiness, the devil entered the Church and succeeded in corrupting even the most sacred things pertaining to the Christian faith. The Church of Rome of the sixteenth century exemplified the triumphs of the devil.

The ministers of the Church became slothful and by their neglect of the study of Holy Scriptures, they profaned the teachings and sacramental life of God's Holy Church so that the very essentials of the Christian religion became corrupted. Indeed, the Jewish people had a greater and truer knowledge of God than the Church of Rome in the sixteenth century.

The Roman Catholic Church lost its true succession from the Apostles. The true succession is to be found in the knowledge of the Scriptures and in the ability to teach and preach the truths contained in the Bible and to administer the Sacraments as the Scriptures command. By neglecting the study of the Bible, the Church of Rome has maintained a ceremonial and a carnal succession only; its appeal to Canon law, the authority of the Church, the example of the Fathers, the authority of the Pope and the General Councils count for nothing because they have become a superstructure devoid of all Christian significance. No Pope can make a Bishop when the candidate has no knowledge of the Scriptures, is unable to rule his flock, cannot preach and impart the teachings of Christ and in some cases cannot read.

Balnaves points out that the Pope might just as well try to make an ass speak or become a man, or a blind man see. It would be just as great a miracle as he claims to be doing when he consecrates a bishop so unworthy of office.

The Church of Rome has fallen into heresy because it teaches doctrines not found in Scripture. They are entirely man made and of no Christian significance. For Example -

The superstitious worshipping of saints; going on pilgrimages; purging those in purgatory, hallowing of water, or other elements; foundation of masses to public or private idolatry; offering of sacrifices not commanded in the Word of God; choice of meats; forbidding of marriage in the Church of God, and abominable abuses of the whole Christian religion by the shaven, anointed, or smeared priests, bishops, monks and friars; having only their vocation of man, and by man.<sup>13</sup>

The Church of Rome shows its domination by Satan because it persecutes and murders those who are trying by virtue of their knowledge of the faith contained in the Word of God to instruct mankind in the Christian faith.

Then again, the officials of the Roman Church have neglected their calling by engaging in secular pursuits unbecoming ministers of the Word. They become so engrossed in worldly things that they neglect the faith and those to whom they are to administer the Word and Sacraments.

Balnaves despairs completely of the Church of Rome, but hopes that through the light of the Holy Scriptures the Christian faith may be upheld and the abuses dealt with.<sup>14</sup>

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<sup>13</sup> Ibid., p. 91.

<sup>14</sup> Ibid., Chapters XI, XXIII, XXVI passim.

### VOCATION

Man has been made in the image of God and, therefore, the creature must strive to do the will of his Creator. There are two kinds of Godly vocations. The one is immediate by God, like the Prophets of the Old Testament and the Apostles in the New Testament. The other is "mediate by man, and immediate by God." For example, Joshua was called by Moses to be a governor; in the New Testament, St. Paul calls Timothy and Titus to be bishops. Every man has a vocation. He will learn what his vocation should be by the study of the Word of God and the testimony of his own conscience.

Balnaves develops at considerable length the idea of vocation. There is a general vocation, by which we are called by Christ to be members of the faith. There is but one fellowship of all the faithful and one body, that is, one Church, whose only head is Christ. The Church is undivided. There is only one faith, one baptism, one God and one Father of all. There is only one hope, one aim for the Christian, namely, eternal life.

As we have one Lord; therefore, we should be of one mind, and not divided through discord and envy. There is but one profession of faith in the Christian religion and vocation in spite of the fact that there seems to be many professions and opinions. What is the true faith?

That faith which the Apostles of our Lord Jesus Christ, together with the patriarchs and prophets, have professed and given to all nations through their teaching and preaching, as testify the Holy Scriptures. Upon the which foundation, the whole Church of Christ is builded. Therefore, by one baptism, we are all made clean and purified, and by which we are engrafted in Christ, and made the

people of God, purified from our sins, and altogether buried with Christ. There is amongst us all but one power or strength of baptism; and in one name, of the Father, Son and Holy Spirit, we are baptized. And so we are made one body unto Christ, being many members, comparted and joined together unto Him.<sup>15</sup>

Continuing this theme of unity in the Christian profession, Balnaves points out that before God there is no distinction of persons. There is but one Estate in God's sight. Therefore, all men are equal before God. We are all, whether Kings, pope, priests, magistrates, etc. the Holy People of God who believe unfeignedly. Although there may be special vocations in one fellowship, the fact of the one general calling by God to be His people should never be forgotten nor neglected.

Because men have forgotten their primary vocation and dealt with secondary vocation, the Church has become corrupt and enormities have spoiled the people of God. As God has called us all to serve Him, we should remember our different talents and not be envious or jealous of others but respect those whose abilities differ from ours and love one another for the way his or her particular talent glorifies God. Balnaves says that if only we would do this there would be no strife in the body. If we followed this general vocation, there would be no jockeying for another's job. He continues:

For, if the prince and superior will do his duty to the subject, and the subject his duty to the superior, there would be no disobedience. The minister of the Word to the auditor, and to the flock committed to his care; the auditor to his minister of the Word, then there would be no division in the church. The father and mother to the children, and the children to the parents, then there would be no dishonouring. The lord to the servant, and the servant to the lord, then there would be no contempt nor trouble in the commonweal. And so we would all look upon Christ our head, and be ruled with His word and seek no other way beside it ...<sup>16</sup>

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<sup>15</sup> Ibid., p. 95.

<sup>16</sup> Ibid., pp. 97, 98.

Balnaves then proceeds to divide man's special vocations into four main categories - the office of a prince, the office of administration of the Word of God, the office of father and mother, and the office of servant. He gives a dissertation on the obligations of each of these vocations.

#### PRINCES, MAGISTRATES, JUDGES

He advises those invested with legal authority to never forget that they are God's creatures and equal to the poorest in God's Kingdom and full of man's natural inclinations to sin. Therefore, because of the great trust given by God in this special vocation His Word should be studied seriously and diligently so that God's justice will be administered. Those in this vocation must have knowledge, understanding and abundant humility. Great care must be taken to guide the citizens in goodness and sweetness. The two fatal pitfalls to this vocation are - respect of persons and the receiving of rewards. The first because justice is not given to the humble, and the second because justice is abandoned altogether.

Those in this Estate should be pure and clean, without crime. Because they have been entrusted with so high a dignity, God requires great obedience from them. Balnaves makes reference to what happened to Saul who, in men's eyes, appeared great but in God's eyes was unworthy.

#### BISHOPS, MINISTERS

The second Estate pertains to those who are bishops, or ministers of God's Word. Their chief concern should be to preach the pure and sincere Word to the flock entrusted to them. They must

counsel the weak and feeble and administer the Sacraments in due form, according to the Word of God. He admonishes them not to exceed the bounds of their vocation. They are commanded to be a mirror, an example to the flock, "in teaching the Word, in good life and honest conversation, in love and charity, in faith and chastity; ever exercising thyself in reading, exhorting and teaching".<sup>17</sup> Those in this office shall not meddle in secular affairs or business. This is not their vocation. They should follow the example of the Apostles in all righteousness and godly living; in faith, love, patience, meekness. If they concentrate on these things, it will be abundantly clear that theirs is a great charge and work, and not a great dignity or lordship. But if they take thought of the dignity, rent and profit, then their primary work will be neglected and the flock, the community and the Church will suffer because of it.

Their primary task is to preach and teach. Not only should they read and teach the Scriptures, but they should command the people to do the same. This was the method employed in the early Church. It is absolutely essential that this Estate feed the flock. If not, the faith is neglected and the devil triumphs. In addition, it is incumbent upon this Estate to instruct men in behaviour and conversation; the poor to the rich and the rich to the poor; the servant to the master, the master to the servant.

They must be ready to suffer death for the faith that the revelation of God may be taught according to the Holy Scriptures and

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<sup>17</sup>Ibid., p. 103.

abuses kept out. They should be so busy learning God's Word that they will not have time for vain superstitions.

#### HOUSEHOLDERS

The office of householder requires diligence in the ruling of a family so that the members will be brought up in godliness. A man must love his wife as Christ loved the Church so that they may be, in reality, one flesh. Moreover, wives must love their husbands and be subject to them as the man is the head of the household, just as Christ is head of the Church. A husband must work hard to provide for his family. He must see to it that they are occupied lest they become idle and fall into some vice. He must teach them the love of God and use all things with discretion so that he will not provoke his children to wrath.

Women must exercise themselves in the nourishing and bringing up of their families and ruling the home in those things which the husband permits. Women should not waste God's time in making pilgrimages, sitting half the day in Church babbling upon a pair of beads, speaking to sticks and stones. If they want to pray (and they should), learn the Lord's Prayer, the Ten Commandments and the Creed in the vernacular. Study the Scriptures and try to live a godly life.

#### MASTERS, SERVANTS

The last Estate which Balnaves comments upon is that of servants and masters and vice versa. A servant should be obedient to his superior: first of all, the prince, for he has been chosen by God to rule. If he rules badly, pray for him. Children must obey their parents in humility. Likewise servants should obey their masters - in all things doing the will of God.

### JUSTIFICATION BY FAITH

In order to comprehend Balnaves' belief concerning Justification by Faith, it is necessary to understand his concepts of faith and justice. Faith is defined in terms of the writer to the Hebrews. "Faith is the substance of things hoped or looked for; the argument or matter of things not seen, without which it is impossible to please God. Therefore, faith is the true and perfect thought of the heart, truly thinking and believing God ..."<sup>19</sup> By putting his trust in God, who is merciful, he may know that his sins have been forgiven and his transgressions paid for by the just love of Christ. Because of Christ's pacifying of God's justice, sinful man through faith in Christ may be counted just before God.

Faith in Christ is retroactive as far as the Old Testament believer is concerned. Because of the promise in Genesis III that the seed of woman should tread down the serpent's head, etc. so the faith of the Old Testament fathers and the Christian faith is one and the same faith. The only difference lies in the fact that the Old Testament believers had different signs, symbols and ceremonies. They believed in the coming of the Messiah who would fulfil the prophecies made concerning Him and we believe that Christ is the Messiah and has fulfilled the prophecies. The Old Testament fathers looked to the first coming; we now look to the second advent. The old fathers were made safe by faith without the deeds of the law. If the fathers were made safe, without the deeds of the law, works will not be of any help to the believer. Faith only justifies before God.

Balnaves proceeds to expound on the glorious references in

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<sup>19</sup> Ibid., p. 52

Hebrews XI, all of which support the contention that man is made just by faith and not by works. Realizing that he may be accused of belittling good works, Balnaves declares most forcefully that good works are important to man. Good works are the gift of God which should be done by all Christians. It is only in the article of justification that good works must be excluded so that there will be no misunderstanding concerning the nature of salvation.

All men have sinned and, therefore, deserve damnation. But the free giving love of God without consideration of man's works redeems sinful man. It is only by faith in Christ that we are made just before God.

What is justice? Balnaves states that justice or righteousness is generally understood by philosophers to refer to "obedience and outward honesty, according to all virtues of moral manners, the which a man may do and perform of his own power and strength." This is universal justice. These moral manners and discipline are most excellent. Nevertheless, they cannot justify a man in the sight of God Almighty.

Political or civil justice is the obedience given by a subject to his prince or superior. This is of the natural law and is a good work; because, without it there could be no order in society. The princes and higher powers must obey the will of God. But neither the prince nor the subject adequately fulfils this justice.

The ceremonial justice is the fulfilment and obedience of the statutes, ordinances and traditions of old imposed by the Pope, other bishops, councils, schoolmasters and householders for good rule and order. It is a good work but does not win salvation.

The justice of the moral law, in the law of Moses, is God's law and far exceeds the other kinds of justice. It is the perfect obedience required of man according to all the works and deeds of the same. This does not only apply in external and outward deeds, but also in the affections and motions of the heart, i.e., "thou shalt love God with all of your heart," etc. So it is that the law of nature and the law of Moses are joined together. The justice of the law is to fulfil the law perfectly. There never was a human being, save Jesus Christ, who could do this. Because of man's failure to fulfil the law, there is no possibility of being made just by the law. Balnaves then refers to such Biblical figures as Adam, Noah, Abraham, Moses, Job and David, and shows how they failed to fulfil the requirements of the law of nature and Moses' law. He even enlists support for his contentions by referring to St. Augustine and St. Bernard. They, too, believed that the just shall live by faith. Because all men have failed to meet the requirements of the law, the law cannot make them just. The Christian is made just by the blood of Jesus, who fulfilled the requirements of the law and by faith in Him the Christian is received into the grace, favour and mercy of God.

Balnaves then declares that the enemies of true religion will pose three questions:- why did God give the law, or what purpose was there in giving it when man could not fulfil it? If a man may not be made just through works and deeds of the law, why should man do any good works? How were the fathers made just? He compares those who ask these questions to the serpent who wanted to know why God forbade the eating of the fruit. Those who are baffled always wail, "why did God do this or that?"

Balnaves answers the questions in humility. He points out that we are finite and cannot comprehend the mysteries of God. We have an answer in the Scriptures and the carnal mind should not try to inquire of the words of God except those within one's capacity and the reason of man. The Scriptures provide man with all the knowledge concerning God's nature and Man's that is needed. Therefore, to answer the question, one must read the Scriptures and he will learn the truth.

In answering the questions, he begins with the doctrine of God in the Holy Writings and explains why the law was given, which we have already discussed in his concept of the law near the beginning of this chapter. Balnaves proceeds to explain that the various usages of the word justice - the justice of God, the justice of faith, the justice of Christian man are all the same. The first is called the justice of God because it proceeds only from God's mercy. The second, the justice of faith, because faith is the instrument whereby through Christ we obtain the mercy of God. The third, because of faith in Christ, with all our faults, we receive the love of God, and are made just by Christ's blood. All these names for justice are one and the same thing.<sup>20</sup>

Justification by Faith for Balnaves "is to cleave and stick fast by God, knowing him our maker and creator, and to believe firmly and undoubtedly that we are not righteous, nor just, of ourselves, nor yet by our works, which are less than we; but by the help of another, the only begotten Son of God, Christ Jesus, who hath delivered and redeemed us from death, the devil and sin; and hath given to us eternal life, as

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<sup>20</sup>Ibid., Chapters X - XVII passim.

hereafter at length shall be declared. Above all things, the said article is to be holden in memory, recent among the faithful; and at every time and hour driven and inculcated in their ears as it were by a trumpet. Without the which faith, the Church of Christ is made so dark and misty, that no place shall be found, whereupon to build the perfect works of faith."<sup>21</sup>

The Confession of Faith, written by Balnaves is significant because it testifies to the author's grasp of the theological ferment of his day. It shows the depth of his theological knowledge. He is able to give a reasoned and skilled argument for his faith.

As a layman, he is capable of producing a very readable work which may be used by others to deepen their own knowledge and to be aware of the fact that those who have broken from the Ancient Church have not done or believed anything contrary to the Scriptures.

His use of Holy Scriptures shows most forcefully the impact which the Bible made on the Christian layman in the sixteenth century. Balnaves is knowledgeable in the Old and the New Testament and in the Apocrapha. He is skilled and able to use arguments from the whole of the Scriptures to make his point. Not only that, but he shows a tremendous grasp of the Unity of the Scriptures. He does not believe in proof text. Each belief which he holds is weighed in the light of the Bible as a whole.

Finally, his Confession of Faith shows most clearly the extent to which a layman was able to grasp and make his own the central issues

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<sup>21</sup>Ibid., p. 24.

of the Reformation. He stands in harmony with Calvin's Institutes, though he does not quote from them directly.

In writing the Confession of Faith, Balnaves shows the gulf that was so apparent between the ideals of the reformers concerning knowledge of the faith and the ignorance, so typical of the Roman Catholic Church Hierarchy. Skilled in law, Balnaves presents a carefully argued, soundly documented, reasoned study of his beliefs. In this he accomplished what the majority of the Roman Catholic clergy of his day could not have done. His work is a testimony to the influence of the Reformed faith on the laity in Scotland.

## Chapter VI

### BALNAVES AND THE LORDS OF THE CONGREGATION (1556-1561)

While Balnaves remained a prisoner at Rouen, significant changes took place in Scotland. After the fall of St. Andrews Castle, the English woke up to the serious threat posed by French successes in Scotland. The Duke of Somerset crossed the Border in September, 1547, with eighteen thousand men and marched along the east coast, accompanied by a fleet commanded by Lord Clinton. The Scots met him at Musselburgh with a much larger force. Unfortunately, Arran and his associates made a tactical error. They abandoned their strong position and advanced towards the English on low ground, called Pinkie Cleuch. Caught in a cross fire between Clinton's galley and Somerset's cannon, and fighting at a great tactical disadvantage, the Scots experienced one of the worst defeats in the nation's long struggles with the English. Some ten thousand lost their lives and approximately fifteen hundred were taken prisoner.<sup>1</sup> In the weeks following, English forces razed the country, capturing many of the important castles and strongholds, including Dalkeith Castle, Musselburgh, Dunbar and Haddington.<sup>2</sup> In spite of their victories, the English failed to capture the Queen, who was hidden on the island of Inchmahome in the Lake of Menteith.

France finally came to Scotland's rescue in the summer of 1548.

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<sup>1</sup> Knox, History, I, 99-101; Calderwood, op. cit., I, 245ff; Diurnal of Occurrents, pp. 44, 45.

<sup>2</sup> Ibid., p. 45.

Commanded by André de Montalembert, Sieur d'Esse and Leo Strozzi, a fleet, transporting six thousand men, arrived in the Firth of Forth in June.<sup>3</sup> They aided the Scots, but not until certain conditions had been agreed to. At Haddington Abbey, the French ambassador, D'Oysel, laid down the French conditions. The Queen would go to France and marry the Dauphin. Unhappy about this demand, suspicious of what it might mean, but desperate for immediate relief, the Estates agreed. By August, the young Queen had arrived at her destination.<sup>4</sup>

For another year, the French tried to oust the English. They encountered much resistance and found that, on the whole, many of the Scots were half-hearted in their campaigns. In time, due to pressures at home, Somerset relinquished his hold on Scotland by signing the Treaty of Boulange in March, 1550.<sup>5</sup>

Now that the French dominated Scottish politics, the Queen Mother became the most important person in the realm and she lost no opportunity to win the Scots to her cause. Whereas her earlier attempt to replace Arran as Regent had failed, her second attempt had favourable results. In order to make her schemes effective, she journeyed to France in September, 1550, accompanied by some of the leading nobles; Huntly, Cassillis, Marischal, Sutherland, Maxwell, Fleming, Sir George Douglas and Lord James to name but a few.<sup>6</sup> While abroad,

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<sup>3</sup>The Hamilton Papers, II, No. 602.

<sup>4</sup>C.S.P., I, No. 134; Acta, Parl. Scot., II, 481; Diurnal of Occurrents, p. 46.

<sup>5</sup>Ibid., p. 48; C.S.P., I, No. 150.

<sup>6</sup>Calderwood, op. cit., I, 272; Knox, History, I, 116.

she conspired with her brothers, the Duc de Guise and the Cardinal of Lorraine, to influence Henry II, King of France, so that he would assist her in becoming Regent. Henry obliged by offering certain inducements to the Scots, particularly the Earl of Arran. The King created Arran Duc de Châtelherault, and decreed that his eldest son would be commander of all the Scots' bands in France. In addition, Huntly, Sir George Douglas and the others received attractive offers if they would co-operate. As a result of bribery, the Bishop of Ross, the Commendator of Kilwinning and Sir Robert Carnegie, close relatives of Arran, returned to Scotland and sought his resignation.

Arran wanted his own son to marry the Queen of Scotland, but as the French influence made this impossible, he decided to accept the Duchy of Châtelherault and offered to resign when the Queen was twelve years old. Her mission accomplished, the Queen Dowager returned to Scotland, calling at the English Court on the way.<sup>7</sup>

Mary of Lorraine disliked the arrangement whereby Arran would remain Regent until the Queen was twelve years old. She summoned a council of the chief nobles and demanded of them when her daughter would become twelve. It is indicative of the close relation of both nations that the Parliament of Paris debated the same issue. Both councils decided that, as far as royalty was concerned, the date should be reckoned from the earliest possible time. This decision enabled the Queen Mother to assume the Regency some seven months before the Queen's birthday. On April 12, 1554, she was proclaimed

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<sup>7</sup> R.P.C. of Scotland, I, 108, 117.  
Calderwood, op. cit., I, 272.

Regent by the Estates. This was the first time in Scottish history that a woman occupied such an important office. Knox is particularly scathing in his account of the event:-

...and she made Regent in the year of God 1554; and a crown put upon her head, a seemly a sight (if men had eyes) as to put a saddle upon the back of an unruly cow.<sup>8</sup>

The fact that a French woman could become the Regent of Scotland indicated the extent to which Scottish sovereignty had become subjected to French interests. The newly created Regent determined that she would have her way. In order to make her accession more secure, the great offices of State were handed over to the Frenchmen.<sup>9</sup> Areas in the country which did not comply with her wishes were quickly brought to heel. Even the great Catholic Lord, Huntly, was made to bow to her determination. She suspected him of double-dealing and consequently stripped him of the Earldoms of Moray and Mar and ordered him to France for five years. Money assuaged her wrath and, upon payment of a considerable fine, she permitted him to remain in Scotland and to hold, nominally, the office of chancellor.<sup>10</sup>

Whereas Arran had been weak and ineffective in his conduct of public affairs, Mary of Lorraine possessed French power to make her will law. She took a personal interest in administration and tried to bring

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<sup>8</sup> Knox, History, I, 116.

<sup>9</sup> Villenmore became Comptroller; de Rubay was entrusted with the Great Seal and colleague to Huntly, the Chancellor; D'Oysel, the French Ambassador, became the chief advisor; all the important castles, except Edinburgh, were controlled by Frenchmen. Leslie, op. cit., I, 251; Brown, History, II, 31.

<sup>10</sup> R.P.C. of Scotland, XIV, . . . 12, 13; Calderwood, op. cit., I, 283.

law and order to the various parts of the nation particularly the administration of justice which was improved on the advice of Mr. Henry Sinclair.<sup>11</sup>

In 1555, Parliament passed some forty-one Acts, some of which were excellent and for the good of the realm.<sup>12</sup> Moreover, she tried to alleviate the plight of the peasants who were feeling the effects of feuing and inflation.<sup>13</sup> She marched on the Highland Clans and chastised them for their disorderly behaviour.

In spite of the excellent qualities which she possessed, her handling of Scottish affairs resulted in civil war. The first three years of her Regency gave Scotland some degree of stability. Her leniency towards the Reformed faith at this time helped to maintain peace. Nevertheless, the Scottish nobles resented bitterly the French influence in high places and, like any army of occupation, the French soldiers became very unpopular with the people. Gradually resentments built up so that hostility towards the French became applied to the Regent as well. Popular feelings of hatred were so common that in the Parliament of 1555 an Act was passed prohibiting people from speaking evil of the Queen's Grace or Frenchmen.<sup>14</sup>

The following year, she tried to gain the allegiance of those who favoured religious reforms by releasing Balnaves and others who

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<sup>11</sup> Brunton and Haig, op. cit., p. 59; Keith, op. cit., I, 161.

<sup>12</sup> Acta. Parl. Scot., II, 492.

<sup>13</sup> The Scottish Correspondence of Mary of Lorraine, pp. xiv-xv.

<sup>14</sup> Acta. Parl. Scot., II, 492.

were still detained in France. As we have indicated, she had an ulterior motive for her clemency. At the same Parliament she advocated that, for purposes of national defence, a standing army be created and maintained by a permanent property tax.<sup>15</sup> The Scottish nobles reacted quickly and decisively. Some three hundred assembled at the Abbey Church of Holyrood and the Lords of Calder and Wemyss were sent to present their objections to the Regent. They refused to have an inventory made of their possessions on which they would be taxed to pay for foreign soldiers. If Scotland needed protection, they would defend the country as their ancestors had done. The Regent, cognizant of their determination, and fearing open hostility towards herself, abandoned her schemes.<sup>16</sup> But in advocating the establishment of a standing army, she aroused the suspicions of many of the nobility, especially those who were sympathetic to England and who were primarily interested in Scotland being relatively free from any foreign domination.

The next year, 1557, Mary of Lorraine blundered once more. Henry II of France was at war with Spain and in time-honoured fashion requested Scotland to harass the English because Philip of Spain had married Mary of England. Determined to place her family interests above those of Scotland, Mary of Lorraine, at a meeting held at Newcastle, advocated war with England. Once again the Scots pointed out that such a venture was not in Scottish interests. In spite of

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<sup>15</sup>Buchanan, op. cit., II, 387ff; Calderwood, op. cit., II, 318.

<sup>16</sup>Ibid., p. 319.

their position, the Regent ordered D'Oysel to fortify Eyemouth. Hostilities ensued, contrary to the wishes of Châtelherault, Huntly, Argyle, Cassillis and others. Because of their determination, the Regent had to be satisfied with minor hostilities in the Border areas.<sup>17</sup>

Meanwhile, France faced a critical period in her history at the Battle of St. Quentin on August 10, 1557, at which time Paris came close to being captured. It was essential, therefore, that Scotland should be unquestionably loyal to France. On October 30, the King of France suggested to the Scottish Estates that the time had come for Mary of Scotland to wed the Dauphin, as required by the Haddington Treaty of 1548. The Estates sent nine ambassadors to negotiate a marriage treaty, instructing them to guarantee that the ancient laws, liberties and privileges of Scotland would be protected. If the young Queen died without heirs, Châtelherault would succeed to the throne. On April 18, 1558, the marriage treaty was signed, giving Scotland verbose guarantees of liberty and security. The next week, Mary of Scotland married the Dauphin of France amid great splendour.<sup>18</sup>

As later history proved the treaty was, in reality, a sham because, previous to its approval, Mary of Scotland signed three documents in which she agreed to: (1) give Scotland to the King of France as a free gift if she died childless; (2) the French King should be

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<sup>17</sup>A. Teulet, Relations Politiques de la France et de l'Espagne avec l'Ecosse au XVIe Siecle, (Paris, 1862), I, 291.

<sup>18</sup>The ambassadors were: Lord James, Lord Fleming, Erskine of Dun, the Earls of Rothes, Seton and Cassillis, the Bishops of Glasgow and Orkney and the Archbishop of Glasgow. Keith, op. cit., I, 166, Appendix No. xi, contains a copy of the marriage contract; Acta. Parl. Scot., II, 504; Teulet, Relations Politiques, I, 302-311.

paid a million pieces d'or or more to compensate for his expenses incurred in her education and (3) that the succession would be in French interests.<sup>19</sup>

After the celebrations had been completed, the ambassadors returned to Scotland. It is interesting to note that four of them died on the way - a suspicious coincidence when poison was a standard practice in ridding oneself of unsympathetic diplomats.<sup>20</sup> Those who lived reached Scotland in October. Parliament met in November and approved their work. This parliament agreed that the Crown Matrimonial should be taken to France by Lord James and the Earl of Argyle which meant that the Dauphin would be King of Scotland while Mary lived. Mary of Lorraine was now at the height of her power. French interests were guaranteed. Her prestige and power were precarious for events occurred which would result in Civil War at home and lead to the triumph of the Reformation.

Since the assassination of Cardinal Beaton, the new religious outlook continued to flourish in Scotland, especially in the port towns. The Acts of the Privy Council testify to the spread of reformed opinions. Several Acts were passed attempting to curb the spread of Lutheran teachings.<sup>21</sup> In 1551, an Act was passed forbidding the printing of "ballads, songs, blasphemous rhymes" against the church. In the following year, the Provincial Council advocated the publication of

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<sup>19</sup> Keith, *op. cit.*, I, 169.  
A. Labanoff, (ed.), Recueil des Lettres de Marie Stuart, (London: 1852) I, 50-56.

<sup>20</sup> Orkney, Rothes, Cassillis, Fleming died.

<sup>21</sup> R.P.C. of Scotland, I, 28, 29; II, 82, 83, 84.

Archbishop Hamilton's Catechism. This admirable document sought to reform the life and practices of the Church of Rome in Scotland. It illustrates the degree to which the Roman Catholic Church had plunged into degradation.<sup>22</sup>

Events in England furthered the spread of new religious ideas in Scotland. In 1553, Mary Tudor ascended the throne and the vigorous persecution which followed caused many to flee to Scotland, where they engaged in spreading the new ideas. Two of the most famous refugees at this time were William Harlow and John Willocks.<sup>23</sup>

Knox returned from abroad in 1555 and remained for approximately ten months. On his arrival he stayed with James Syme and began to preach secretly. Erskine of Dun, David Forrest and others flocked to hear him argue against the Mass. Erskine of Dun invited Knox to his home where he remained for a month. The principal men of that area came to hear him and acknowledge the truth of what he said.<sup>24</sup> Wherever he went, his eloquence enthralled those who heard him. Finally his presence could no longer be ignored by the authorities and he received a summons to appear at Edinburgh on May 15, 1556. Knox appeared but supported by such a following, headed by Erskine of Dun, that the authorities dared not arrest him. For ten days Knox preached to great

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<sup>22</sup> Patrick, op. cit., I, 136ff.

<sup>23</sup> Calderwood, op. cit., I, 303; Knox, History, I, 118ff.

<sup>24</sup> Ibid., I, 120ff.

Some of the important persons influenced by Knox during his stay in Scotland at this time were: Lord Erskine, The Earl of Argyle, Lord James Stewart, Prior of St. Andrews, Laird of Barr, Robert Campbell of Kinneanclench, Earl of Glencairn.

gatherings. He even wrote a celebrated letter to the Dowager who received it ungraciously, a fact that Knox did not readily forget.<sup>25</sup> While in Edinburgh he received an urgent call from Geneva and returned to the Continent.

Knox's stay in Scotland at this time proved to be very important to the history of the Reformation because he influenced so many leaders of the people and won them over to his way of thinking. The direct result of his visit was the formation of a common band, known as the Lords of the Congregation, in 1557. For the first time, those who opposed the corruptions of the Church of Rome organized into an effective group. Resistance to the Church had been sporadic, but now those who wished reform banded together determined to accomplish their aims.

The Earls of Argyle, Glencairn, Morton, Lord Lorne and John Erskine of Dun and others signed the following covenant:

We, perceiving how Sathan in his members, the Antichrists of our time, cruelly doth rage, seeking to downthring and to destroy the Evangel of Christ, and his Congregation, ought, according to our bounden duty, to strive in our Master's cause, even unto the death, being certain of the victory in Him: The which our duty being well considered, we do promise before the Majesty of God, and his congregation, that we (by his grace) shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward and establish the most blessed word of God and his Congregation; and shall labour at our possibility to have faithful Ministers purely and truly to minister Christ's Evangel and Sacraments to his people. We shall maintain them, nourish them and defend them, the whole Congregation of Christ, and every member thereof, at our whole powers and waring of our lives, against Sathan, and all wicked power that does intend tyranny or trouble against the foresaid Congregation. Unto the which holy word and Congregation we do join us, and also does forsake and

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<sup>25</sup>Ibid., I, 122ff; Brown, John Knox, I, Bk. IV, Chapter II passim.

renounce the congregation of Sathan, with all the superstitions, abomination and idolatry thereof: And moreover, shall declare ourselves manifestly enemies thereto, by this our faithful promise before God, testified to his Congregation, by our subscriptions at these presents - at Edinburgh, the third day of December, the year of God 1557: God called to witness.

sic subscribitur,

A. Earl of Argyle; Glencairn; Morton; Archibald Lord of Lorne;  
John Erskine of Dun; et cetera.<sup>26</sup>

By this bond the signers pledged themselves to serve God, even if it meant death, by furthering the hearing of His Word and the administration of the Sacraments. They agreed to aid and defend those who preached the reformed views.

But what is just as significant, they pledged themselves to live their own lives in accordance with the revealed Word of God made known to them in the Scriptures. Negatively, it meant a determined effort to forsake the "Congregation of Satan and with all the superstitions, abominations and idolatry thereof". Their resistance to the evils of the day was not just a passive objection. The Covenant made it abundantly clear there was to be open hostility to the practices of the Church of Rome which did not conform with the pure Word of God. The exact phrase used is "And moreover, shall declare ourselves manifestly enemies thereto, by this our faithful promise before God, testified to his Congregation, by our subscriptions at these presents at Edinburgh, the third day of December, the year of God, 1557".<sup>27</sup>

The Lords of the Congregation knew what they wanted. They held several meetings in which they clarified their aims and outlined their course of action. They did not want to use force and tried to gain

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<sup>26</sup> Knox, History, I, 136, 137.

<sup>27</sup> Ibid.

their objectives by diplomatic means. They wanted the prayers in the Book of Common Prayer to be read in all the parishes on Sunday and on Holy Days, with lessons from the Old and New Testaments; if the Curates could not read, then some worthy person who could, should do so. They advocated freedom to receive doctrine, preaching and interpretation of Holy Scriptures in their homes, without great assemblies of peoples, until such time as the Regent permitted public meetings.<sup>28</sup>

It was decided that Sandilands of Calder would present a five point proposition to the Regent on their behalf. They wanted: freedom to convene publicly or privately so that they could pray in the vernacular; freedom to read and interpret the Scriptures; freedom to administer Baptism and Holy Communion; and finally they urged the reform of the wicked, slanderous and detestable life of the prelates and of the State Ecclesiastical.<sup>29</sup>

The Roman Clergy protested vigorously and the Queen Regent compromised and allowed the Lords of the Congregation to meet, provided they did not hold public assemblies in Edinburgh or Leith. It looked as if a peaceful solution could be reached. Unfortunately, the Dowager had no intention of keeping her word. Walter Miln, a pious, old man, was arrested and burned at the stake on April 28, 1558.<sup>30</sup> The Lords of the Congregation protested. The Regent pretended that she had not been informed of the martyrdom until afterwards. The Lords drew up a

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<sup>28</sup>Ibid., p. 138.

<sup>29</sup>Ibid., pp. 149ff.

<sup>30</sup>Ibid., p. 153.

petition in which they advocated that the Roman Catholic clergy be deprived of their authority to try heretics, and that those accused should be allowed to defend themselves.<sup>31</sup> Once again, the Regent procrastinated and acted in a deceitful way. Finally, the Lords of the Congregation presented a Protestation to Parliament. This document was much more forceful in its tone and demands. But it never formed part of the Parliamentary records as its admission was blocked. However, the Protestation was read in the form of a letter and the Regent promised to consider it.<sup>32</sup>

The year 1558 ended with the Regent securely in control. But her position at the end of the year was far different to what it had been earlier. She could look back upon the past year with some degree of satisfaction. The young Queen had married the Dauphin and the marriage negotiations had been approved by Parliament. France and Spain would soon be at peace and, therefore, French support for her policies would be even more available. She felt she could afford to play the Catholic and deal with the Protestants in a decisive manner. She was becoming alarmed at the popularity and potential power of the Protestant party. One event signalled a new danger to the Regent. In November, 1558, Mary Tudor died, thus changing completely the complexity of the religious situation in that realm because Elizabeth was not a Roman Catholic. Undoubtedly, she would reverse Mary's policy and favour the Protestant cause.

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<sup>31</sup>Ibid., pp. 154, 155.

<sup>32</sup>Ibid., pp. 156 - 158.

The year 1559 began ominously for the success of the Regent's plans. Although the main motives in the Reformation had been religious and nationalistic, new motives became apparent in January, 1559, with the publication of the "Beggars' Summons". This revolutionary document was posted in the religious houses of Scotland and advocated open rebellion:

The blind, crooked, lame, wedowes, orphans, and all other poore visited by the hand of God, as may not worke, to the flockes of all friers within this realme, we wish restitution of wrongs past, and reformation in times comming, for salutation.

Yee yourselves are not ignorant, and though yee would be, it is now (thankes be to God) knowne to all the world by his most infallible Word, that the benignitie, or almes of Christian people, pertaineth to us alone, which yee, being whole of bodie, strong, sturdie, and able to worke, what under pretence of povertie, and neverthelesse possessing most easilie all abundance, what through clocked and hidden simplicitie, though your pride is knowne, and what through fained holinesse, which now is declared superstition and idolatrie, have these manie years, expresslie against God's Word, and the practice of His holie apostles, (to our great torment, alas!) most falselie stollin from us. And as yee have, by your false doctrine and wresting of God's Word, learned of your father Satan, induced the whole people, high and low, into sure hope and beleefe, that to clothe, feed, and nourishe you, is the onlie most acceptable almes allowed before God, and to give a pennie or a peece of bread once in a weeke is enough for us; so have yee perswaded them to build you great hospitalls, and to mainteane you therein by their force, which onlie pertaineth now to us by all law, as builded and given to the poore, of whose number yee are not, nor can be reputed, neither by the law of God, nor yitt by no other law proceeding of nature, reasoun, or civill policie. Wherefore, seeing our number is so great, so indigent, and so heavillie oppressed by your false meanes, that none taketh care of our miserie, and that it is better to provide for these our impotent members which God hath given us, to oppone to you in plaine controversie, then to see you heerafter, as yee have done before, steale from us our loodging, and our selves in the meane time to perishe, and dee for want of the same; we have thought good, therefore, ere we enter in conflict with you, to warne you in the name of the great God, by this publick writting affixed on your gates where yee now dwell, that yee remove furth of our said hospitalls, betwixt this and the feast of Witsonday nixt, so that we, the onlie lawful proprietors therof, may enter therto, and afterward injoy the commoditeis of the church which yee have heertofore wrongfullie holdin from us: certifeing you if yee faile, we will at the said terme, in whole number and with the

helpe of God, and assistance of his sancts on earth, of whose readie support we doubt not, enter and take possession of our said patri-  
monie, and eject you utterlie furth of the same.

Let him, therefore, that before hath stollin, steale no more; but rather lett him worke with his hands, that he may be helpfull to the poore.

Frome all citeis, touns, and villages of Scotland, the first of Januarie.<sup>33</sup>

It was against this background that the Regent decided to act.

She summoned a Provincial Council of the clergy to meet in March. Although she did not know it, it was to be the last Provincial Council of the Roman Catholic Church to meet in Scotland to settle a religious issue. Had some of its better recommendations been implemented, peace might have continued.<sup>34</sup>

The Regent forbade all unauthorized persons to preach upon pain of death and ordered her household to attend Mass. Easter was to be observed according to Roman Catholic custom. When the Lords of the Congregation protested that she was contradicting her promises, she made the famous reply:

It became not subjects to burden their Princes with promises,  
further than it pleaseth them to keep the same.<sup>35</sup>

Meanwhile Protestant preaching increased greatly so that within a short time nearly all of Perth embraced the New Faith. The Regent was furious and ordered the Provost, Lord Ruthven, to suppress the heretics. He replied: "That he could make their bodies come to her Grace, and to prostrate themselves before her, till that she were fully satiafed of their blood, but to cause them to do against their conscience

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<sup>33</sup> Calderwood, op. cit., I, 423-424.

<sup>34</sup> Patrick, op. cit., I, 148-149.

<sup>35</sup> Knox, History, I, 159.

The Earl of Glencairn and Sir New Campbell of London, Sheriff of Ayr - acted as ambassadors on behalf of the Lords of the Congregation.

he could not promise."<sup>36</sup> Mary of Lorraine responded by summoning the preachers to appear before her at Stirling on May 10, 1559. They came accompanied by an 'unarmed' force, including John Knox, who had recently returned to Scotland. Erskine of Dun explained their intentions to the Regent. He maintained that they had come to support the preachers to indicate their popularity and to guarantee them fair treatment. He advised the preachers to stay at Perth and not to approach Stirling. When they did not appear, the Queen had them put to the horn and those who accompanied them.<sup>37</sup> This was the straw that broke the camel's back.

The next day, Knox preached a violent sermon at Perth against the enormities of Rome. After the sermon a priest came to celebrate Mass. There was some trouble with a youth who threw a stone and broke an image. The people rose to the occasion and within a short time had demolished all the 'symbols of idolatry' in the place. They carried their work of destruction throughout the town and within a short time several monasteries were wrecked.<sup>38</sup>

As civil war loomed ominously, both sides armed. The Regent ordered levies from Clydesdale, Stirlingshire and Lothian to join her French forces at Stirling on May 24. Meanwhile, the Lords of the Congregation consolidated their position at Perth and, as they were in

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<sup>36</sup> Ibid.

<sup>37</sup> Ibid., pp. 160-161; Lang, John Knox and the Reformation, Appendix A. Knox maintains that the Regent dealt with craft and deceit. He implies that Erskine of Dun had been advised by the Regent to notify the preachers not to come. Lang has tried to show that the Regent was a model of virtue and honour.

<sup>38</sup> Knox, History, I, 162-163.

open rebellion, sought to justify their actions by a series of manifestos sent to the Regent, the priests and the Nobility. Briefly, these documents stated the intention of the reformers to live as faithful subjects, but under the Word of God; in particular the manifestos addressed to the Nobility disavowed any rebellious purpose, emphasizing that the struggle was religious in character and not primarily political.<sup>39</sup>

On May 24, the Regent marched towards Perth with a force of some eight thousand men and camped at Auchterarder. She sent the Lords Argyle, James and Sempill to inquire why the town had been armed and was in defiance of her. The Lords of the Congregation maintained that all they desired was freedom of worship. They requested that if they were permitted to live their lives unmolested they would disband. Knox pointed out to the Queen's ambassadors, in rather strong language, that the Regent in opposing religious reforms was an enemy of God and a tool in the hands of Satan.

Undoubtedly, the Regent would have liked to deal with him once and for all but when she had learned that Glencairn was approaching Perth with some twenty-five hundred troops, she thought it best to negotiate. Once again, the Earl of Argyle, Lord James, accompanied by the Abbot of Kilwinning (Gavin Hamilton) interviewed the Protestants and the following agreement was reached. Both armies would disband and the town would be left open to the Queen. None of the inhabitants would suffer persecution for embracing the Protestant religion. No

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<sup>39</sup>Ibid., pp. 164-172.

Frenchmen would enter the town or come within three miles of it.  
Finally, all differences would be debated at the next Parliament.<sup>40</sup>

The Protestants withdrew and, contrary to the agreement, the Regent occupied the town with French forces, which she later changed to Scots in French pay. She treated the townspeople harshly and established Roman Catholic worship.<sup>41</sup>

Lord James and the Earl of Argyle kept their promise and joined forces with the Lords of the Congregation. They went to St. Andrews, the seat of Archbishop Hamilton. Knox followed and, in spite of a threat against his life, preached openly on June 11, 1559. He compared the corruption of the Roman Church to the dealers in the Temple of Jerusalem which our Lord overthrew. Taking the hint, Knox reports that the Protestants "did agree to remove all monuments of idolatry, which they also did with expedition."<sup>42</sup>

On learning of the situation the Regent, confident of her strength, marched from Falkland to St. Andrews by way of Cupar. Lord James and the Earl of Argyle anticipated her action and strengthened Cupar, which was decidedly Protestant in its leanings. They were reinforced by detachments from Fife and Lothian so that when the Regent

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<sup>40</sup>Ibid., pp. 173-179; Keith, op. cit., I, 200; Brown, John Knox, II, 12ff. Calderwood, op. cit., I, 451-461.

Although Lord James and the Earl of Argyle were sympathetic to the Reform movement, they were still supporting the Regent, hoping that a peaceful settlement could be reached. They promised to join the Protestants if the Regent broke the agreement. The Protestants at Perth were represented in the negotiations by Erskine of Dun and Wishart of Pitarrow.

<sup>41</sup>Knox, History, I, 179-180; Lang, loc. cit., pp. 121-123.

<sup>42</sup>Knox, History, I, 182.

arrived she faced over three thousand armed and angered Scots. As her forces were inferior both in numbers and morale, she had to negotiate once again. It was agreed that an eight day truce would follow wherein the Regent's forces would leave Fife and efforts would be made to reach a permanent understanding.<sup>43</sup>

The truce accomplished nothing except to make both sides realize that the issues would be resolved on the battle-field. The same day that the agreement was signed at Cupar, D'Oysel informed the French ambassador in London that more troops were essential if the Regent's power was to be maintained.<sup>44</sup> Acting on Knox's advice, the Lords of the Congregation appealed to Elizabeth of England to help them in their plight.<sup>45</sup> Meanwhile, they decided to rescue their followers at Perth. They approached the town with such a force that it capitulated immediately. By the end of June, 1559, the Lords of the Congregation had taken over Perth, Dundee, St. Andrews, Stirling and Edinburgh. Mary of Lorraine fled to the Castle of Dunbar.<sup>46</sup>

Outwardly it looked as if the Lords of the Congregation would sweep all before them. Unfortunately, the destruction of church property which accompanied their first success alarmed some of their supporters. Knox regretted bitterly the burning of the Abbey and

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<sup>43</sup> Ibid., pp. 185-186; For Cal. Eliz., I, No. 321.

<sup>44</sup> Teulet, Papiers d'Etat, I, 311.

<sup>45</sup> Lang, loc. cit., p. 132; Knox, History, I, 287 n. 4.

<sup>46</sup> Ibid., pp. 189-192; C.S.P., I, 216-218; For. Cal. Eliz., I, No. 335.

palace of Dundee, which he blamed on the "rascal multitude."<sup>47</sup> There is no doubt that the leaders of the Congregation tried to stop looting by the common people but the temptation was too great for many and instead of removing idols, as Knox desired, they went much further and engaged in looting for their own ends. The Regent claimed, somewhat effectively, that Lord James was trying to take over the government, not out of religious convictions only, but that he wanted to set himself up as the King of Scotland.

Because these forces were made up of volunteers, many of the followers returned home to look after their own affairs when they had been away for more than a couple of weeks. For example, when Edinburgh was first captured, the Congregation had a following of some seven thousand men, but after three weeks they could only count on approximately fifteen hundred.<sup>48</sup> This was to be a problem which the Lords of the Congregation had to consider very carefully during the next twelve months while they triumphed in their battles with the Regent. By July, 1559, both sides faced each other. Neither could concede without losing face. It had to be a battle to the finish. With this long introductory background, it is high time that the story of Balnaves resumed.

What was Balnaves' attitude towards Mary of Lorraine? In 1555 he seemed to have favoured her as Regent because he wrote to her from Paris expressing his gratitude for the general revocation which she had issued.

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<sup>47</sup> Knox, History, I, 191.

<sup>48</sup> Miscellany of the Wodrow Society, D. Laing, (ed.), (Wodrow Society Publications, 1844), I, 61. Hereafter designated - Wodrow Misc. Incidentally, P.H. Brown - John Knox, II, 23 states that Edinburgh was taken on July 29, 1559. This is an obvious error and should read June 29.

Moreover, he thanked her for the kindness shown to his wife, "quha has na other help bot your grace". This seems to imply that the Regent had made some arrangements concerning his wife when Hamilton of Briggis took over Halhill in 1547.<sup>49</sup> In addition, the main purpose of his letter was to advise her that he was sending her instructions pertaining to the Regency which might counteract the advice of her advisors so that she would not jeopardize the Crown of the young Queen or her own position. He requested her not to reveal her source of information so that her advisors, seeing her ability in these matters, would be confounded by her skill and would not endeavour to give false advice. He concluded by commanding her Regency to the Grace of God and asked that she be guided by the Holy Spirit so that she may rule according to the Grace of God and her own salvation<sup>50</sup> thereby keeping Scotland at peace.

Unfortunately, his exact advice has not been preserved. At this time the Regent was following a moderate policy and had not as yet gone all out in her attempts to subject Scotland to French domination.<sup>51</sup> We know indirectly what Balnaves advised because in 1559, Sir James Melville narrates that Henry Balnaves was in "great credit" with the Lord James because of the great service he and his associates had rendered to Scotland in advising the Regent against the marriage and transportation of the Crown matrimonial to France. He may have been

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<sup>49</sup>Scottish Correspondence of Mary of Lorraine, No. CCIX.

<sup>50</sup>Ibid.

<sup>51</sup>Keith, op. cit., I, 161-162.

giving her secret counsel respecting Queen Mary's position in relation to France in 1555.

This passage in Melville's memoirs indicates that shortly after his return, Balnaves and some associates rendered Scotland a notable service in advising the Queen Regent against the marriage of the Queen and the transporting of the Crown matrimonial to France. Although Lord James had been one of the commissioners negotiating the marriage settlement with France, he seems to have admired Balnaves' wisdom. As the succession was a particularly important part of the negotiations, it seems logical to imply, based on the insinuations in Sir James Melville's remarks, that Balnaves was one of the chief architects of the instructions given to the commissioners who were to go to France to negotiate the marriage. The clause briefly went as follows:

To obtain from the King of France a ratification of his former promises made to the Duke of Châtelherault, for aiding and supporting him in his succession to the Crown of Scotland, if the Queen should chance to die without children of her own body. Item, To obtain a declaration to the same purpose from her Majesty and the Dauphin. Item, A discharge to the said Duke for all his intromissions with the public money, &c during his government. 3tio, To obtain from the Queen and Dauphin a promise, in ample form, to observe and keep the liberties and privileges of the realm of Scotland, and the laws of the same, whole and entire, as in the days of all her royal progenitors Kings of Scotland. 4to, That the Queen and her future husband grant a commission for a Regent to govern the kingsom of Scotland.<sup>52</sup>

These conditions resemble the attitude of Balnaves towards the negotiations with Henry VIII when he incurred the King of England's displeasure for safeguarding Scottish interests. While the official documents do not mention him at this time, these remarks by Melville

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<sup>52</sup>Ibid., p. 157.

show conclusively that Balnaves was acting as an advisor in these important deliberations.<sup>53</sup>

Melville's comments threw some light on the activities of Balnaves in 1559. When the Regent marched against Lord James and the Earl of Argyle in June, 1559, at Cupar Muir, Balnaves was with Lord James. Sir James Melville, who was in the service of Montmorency, came from France to ascertain the truth of allegations that Lord James aspired to the Crown of Scotland. At Cupar Muir, no doubt while the Regent's and Lord James' emissaries were negotiating the eight-day peace, and met Balnaves, Sir James persuaded Balnaves to arrange a meeting with Lord James Stewart. Balnaves advised Sir James to speak plainly and bluntly, assuring him of a fair and honest answer.<sup>54</sup>

Apparently Sir James was satisfied that Lord James was in reality loyal to the Regent but, because of her bad advice from France, he had been forced to oppose her. It was made quite clear that Lord James did not aspire to the Crown.<sup>55</sup>

Between June and July Balnaves remained with the Lords of the Congregation, probably working with Kirkaldy of Grange. There is no evidence to support this fact but, in view of his writings to Cecil on July 19, 1559, it is obvious that he was aware of the situation and of the previous correspondence sent to England by the Lords of the Congregation. As this correspondence was written by Kirkaldy and Knox, Balnaves no doubt advised them because of his previous experience in

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<sup>53</sup> Melville, op. cit., p. 81.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

negotiating with the English.<sup>56</sup>

Finally, on July 19, 1559, Balnaves once again entered into negotiations with England on behalf of those who favoured reforms in religion. In his letter to Cecil, Balnaves began by stating his awareness of Cecil's desire for the furtherance of Christ's Holy religion and thanked him for his kindnesses. He then pointed out that the Lords of the Congregation were striving for two things. First, the setting forth of God's glory according to His Holy Word. Secondly, the preservation of Scotland from complete domination by France. He said:

We must both join to resist our common enemy who, by the Bishop of Rome's authority, pretends no less title to your realm than to this. So labour with your sovereign, as I shall do here, that my Lord's message to her Grace may take good success.<sup>57</sup>

Mr. Whitelaw carried this message to Berwick where he arrived on August 3, 1559. He left the same night to return to Scotland accompanied by John Knox. Cecil desired to speak with Knox but he maintained to Croft that he had to return to his flock and that he was not qualified to negotiate on so great matters. He recommended to Croft that Balnaves, or some other wise man, should be sent to Cecil. Croft urged Cecil to act as he felt both realms would be in great peril if the Lords of the Congregation did not succeed.<sup>58</sup> Knox and Whitelaw arrived at Stirling on August 6, 1559, but Whitelaw was chased for three

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<sup>56</sup> C.S.P.(Scotland), I, Nos. 48-63. Throughout July, the Lords of the Congregation communicated frequently with England, advising Cecil that they were fighting for their religious convictions and for the release of Scotland from French control.

<sup>57</sup> Ibid., No. 64; C.S.P., I, No. 495; For.Cal.Eliz., I, No. 1030.

<sup>58</sup> Ibid., No. 1124; C.S.P., I, No. 513.

miles before he escaped. A convention had been called for August 10, 1559, at Stirling.<sup>59</sup>

Cecil worried about the state of affairs in Scotland because the situation involved some complex diplomacy. Were it not for French power, England would have intervened in Scotland by sending forces by land and sea as had been done in the past. If he could count on Spain's support Cecil would no doubt have declared war. At this time, Spain's position was uncertain. Therefore, because France through Queen Mary of Scotland was claiming sovereignty over England, Scotland was the obvious battleground whereby the claims of France could be dealt with successfully. The way to accomplish this was to aid secretly the Lords of the Congregation and strengthen their position in Scotland. Both Lord James and Cecil realized the importance of Châtelherault. They had a pawn which they hoped to use effectively in winning him from the Regent. The pawn was his Protestant son, presently in France. Therefore, they devised means of getting young Hamilton into Scotland to influence his father on their behalf.<sup>60</sup> In this they succeeded and he arrived in Scotland on September 10, 1559, and joined his father under the pseudonym of M. de Beaufort.<sup>61</sup> He had fled France because his Protestant beliefs caused him trouble with the French monarch.<sup>62</sup>

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<sup>59</sup> C.S.P.(Scotland), I, No. 84.

<sup>60</sup> Ibid., No. 93.

<sup>61</sup> For. Cal. Eliz., I, Nos. 1323, 1337, 1351, 1365.

<sup>62</sup> Teulet, Documents Relatifs, I, 312.

Meanwhile, the Regent marched on Leith (July 23). As the Lords of the Congregation were caught unawares, a conference was proposed to negotiate a settlement. The Duke and the Earl of Huntly met with Lord James and Glencairn on the east slope of Calton Hill, where the following were agreed to:

1. The Protestants, not being inhabitants of Edinburgh, shall depart next day.
2. They shall deliver the stamps for coining to persons appointed by the Regent, hand over Holyrood, and Ruthven and Pittarrow shall be pledges for performance.
3. They shall be dutiful subjects, except in matters of religion.
4. They shall not disturb the clergy in their persons by withholding their rents, &c., before January 10, 1560.
5. They shall not attack churches or monasteries before that date.
6. The town of Edinburgh shall enjoy liberty of conscience, and shall choose its form of religion as it pleases till that date.
7. The Regent shall not molest the preachers nor suffer the clergy to molest them for cause of religion till that date.
8. Keith, Knox and Spottiswoode add that no garrisons, French or Scots, shall occur in Edinburgh, but soldiers may repair thither from their garrisons for lawful business.<sup>63</sup>

The Lords left Edinburgh and on August 1, 1559, signed a common bond agreeing that they should not negotiate separately with the Regent. They did this in order to bind themselves together against the craftiness of the Dowager.<sup>64</sup> They decided to assemble at Leith on September 10, 1559, to discuss further their situation and to plan their strategy. They had a practical reason for disbanding. It was harvest time and they had to tend to their crops.

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<sup>63</sup>For, Cal. Eliz., I, 1056; Wodrow Misc. I, 64.  
Teulet, Papier d'Etats, I, 326ff; Knox, History, I, 201ff.  
Lang, loc. cit., p. 141; Keith, op. cit., I, 219ff.  
Spottiswoode, op. cit., I, 285-286.

Although he is not referred to specifically, it is quite reasonable to presume that Lord James had Balnaves as an advisor in the negotiations.

<sup>64</sup>Knox, History, I, 206; Keith, op. cit., I, 224-225.

On August 1, 1559, as we have shown, Knox was in England about to return with Whitelaw, Balnaves' messenger.

On July 10, 1559, Henry II of France died from wounds received in a tournament. Mary of Scotland was now Queen of France. This meant that more than ever, French resources would be at the disposal of the Queen Dowager. This state of affairs, coupled with Knox's account of the July 24th agreement with the Regent, made Cecil realize that England must act. Early in August, Sir Ralph Sadler reached Berwick bearing £3,000 to be used as he saw fit.<sup>65</sup> Although the amount was not very adequate, the morale of the Lords of the Congregation was lifted by it because at last they had tangible proof that England would help them in their struggles.

On August 20, 1559, Sadler and Croft wrote to Cecil informing him that they had sent a secret communication to Knox requesting that Balnaves, or some other trusty man, might come to Berwick secretly to confer.<sup>66</sup> The same day Croft wrote to Knox advising that if Balnaves came he had best do so by sea to Holy Island and stay there quietly and negotiate. He was to be prepared to narrate how the Lords of the Congregation intended to proceed and what they expected of England.<sup>67</sup> Four days later, Cecil wrote to Sadler stating that the young Earl of Arran should be with him in about ten days and they would proceed to Berwick. He concluded his letter by saying that he wished Henry Balnaves to be with Sadler.<sup>68</sup>

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<sup>65</sup> Sadler's State Papers, I, 387ff; Brown, John Knox, II, 42.

<sup>66</sup> For. Cal. Eliz., I, No. 1221; Sadler's State Papers, I, 399.

<sup>67</sup> For. Cal. Eliz., I, No. 1244.

<sup>68</sup> Ibid., No. 1239.

In August approximately one thousand French soldiers, with their families, arrived at Leith. The inference was all too clear to the Protestants. The time for decisive action had arrived. Knox informed Sadler and Croft that Balnaves was on his way to Berwick to negotiate on behalf of the Lords of the Congregation.<sup>69</sup>

He arrived on the first Wednesday in September and the next day Sadler and Croft conferred with him. As this was the first time Balnaves had met Sadler he reviewed the actions of the Lords of the Congregation. The Regent had broken the recent agreement of July 24 by setting up the Mass in the Abbey of the Holyroodhouse and by adding to the number of Frenchmen in the country. Furthermore, she had misgoverned the country by abasing the Congregation without the consent of Council. They had been delayed in acting against her because the Regent by deceitful procedure had kept their forces somewhat occupied. He told how she strove to stir up Sir James McDonald and other Irishmen against the Earl of Argyle who, being occupied with local affairs, could not support the Lords. Argyle dealt with the Irish so quickly that the Regent's hopes were not realized. The Lords had been held back by the lateness of the harvest, but the preachers were winning converts every day. Balnaves narrated further that the Lords of the Congregation had consulted Huntly and Châtelherault in particular. The Duc promised not to take the Regent's part and would leave further decisions to his son. Balnaves urged that the young Earl be sent as soon as possible. Huntly also agreed not to support the Regent for the time being. Moreover,

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<sup>69</sup>Ibid., No. 1270.

many of the younger Borderers favoured the new faith and were against the Regent.

Balnaves pointed out that the Lords of the Congregation were to assemble at Stirling on September 10 or 12. He hoped to have some good news for them from the English.

Sadler and Croft said England would do all she could without breaking her recent treaty with France. Balnaves agreed that if peace could be maintained both sides would be better off. He indicated that the Lords of the Congregation hoped to win over Scotland and thereby openly arrange a treaty with England. They hoped to restore Châtelherault and if not him, then his son. He urged the English to supply financial aid in order that the Congregation might maintain one thousand harquebusiers and some three hundred horsemen for two or three months.

The English ambassadors replied that they did not doubt that Queen Elizabeth would aid the Scots. Sadler pointed out that Scotland had not been very grateful for the financial assistance given by Henry VIII. Balnaves retorted that in this case England wanted Scottish aid. Finally they agreed to provide £2,000 which would be picked up secretly at Holy Island six days hence. Sadler pointed out to Cecil that more money should be granted for various reasons, but he did not hand over more until he was sure of the Queen's wishes.

One very interesting event comes to light in this letter. While Balnaves was negotiating with Sadler and Croft and recommending the immediate return of the young Earl of Arran, the latter was in the Castle having arrived some three hours after Balnaves. The Earl, "knowing him to be his assured friend", asked to see Balnaves, which

he did. Both rejoiced at seeing each other again. On September 7, at night, Balnaves left secretly for home by way of Holy Island. The Earl left a little later.<sup>70</sup>

In writing to Cecil on September 12, Sadler and Croft indicated that the young Earl of Arran had arrived home safely. In this letter he said Balnaves and Whitelaw had asked permission to buy ten geldings for the Lords and required the Queen to issue safe conducts.<sup>71</sup>

If invective is a criterion, Balnaves' importance at this time is attested to by D'Oysel who wrote to the French envoy in England, among other things, that Balnaves was "le plus ingrat paillard qui suit au monde, et qui a eu de grandes intelligences en Angleterre."<sup>72</sup>

Shortly after Lord Hamilton arrived in Scotland, his father, the Duc, joined the Lords of the Congregation. Although he was vacillating and unreliable his position in relation to the succession lent prestige to the side with which he became identified. With the Duc on their side, the Lords of the Congregation could claim royal favour for their actions. They could challenge seriously the Dowager's claims to the Regency. While they were negotiating with the Duc, they learned of the Regent's decision to fortify Leith in spite of their recent agreement in this connection. Disregarding their protests, she continued to fortify the town and more Frenchmen poured into Scotland. By the end of September, the Lords of the Congregation realized that war alone would resolve the situation.<sup>73</sup>

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<sup>70</sup> Ibid., No. 1323.

<sup>71</sup> C.S.P., I, No. 538.

<sup>72</sup> Teulet, Papiers d'Etats, I, 344.

<sup>73</sup> For. Cal. Eliz., I, Nos. 1377, 1344; Sadler's State Papers, I, 461ff. Knox, History, I, 229ff.

On September 23, 1559, Balnaves wrote to Sadler and Croft, advising them of the proceedings which had transpired since his return. He had gone to Stirling on September 16, where the Lords had assembled. The Earl of Arran was with them. He communicated secretly with a few of the Lords advising them of the ideas of England and of the fact that they had £2,000 to help them. It was agreed that all counties should be prepared to be in readiness within four days' warning. As they did not know the Duc's position, they went to Hamilton on September 19. The Duc joined them and wrote to Huntly advising him and his friends to cast their lot with the Lords of the Congregation. While there, news of the proceedings at Leith reached them. They wrote to the Regent advising her to stop fortifying, or they would act. She did not reply. The Lords of the Congregation agreed to assemble all of their followers on October 15, pledging themselves to stay together until the Regent was deposed. In addition to attacking Leith, they decided to intrigue with Lord Erskine to go to Edinburgh Castle. Lord James was to meet with Erskine the next Sunday to make an agreement. He asked for more of the same, which he brought with him, at the end of the month, if their men were to be kept together. Mr. Whitelaw, the bearer of this letter, should be told where and when the money could be obtained, so that Balnaves could make secret arrangements to have it picked up. He could not come himself because the Lords of the Congregation needed him. He closed by saying that the actions of the French at Leith had inflamed the Scots to such an extent that he believed Scotland would soon be rid of French influence.<sup>74</sup>

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<sup>74</sup>For. Cal. Eliz. I, No. 1365.

This letter indicated Balnaves' importance in the deliberations of the Lords of the Congregation at this time. No doubt, because of his long association with the Duc, and his friendship with the Duc's son, he helped greatly to persuade the former Regent to join the Lords of the Congregation. Then again, the Lords of the Congregation sent several communications to the Queen Dowager at this time. Balnaves probably helped to draw them up. He was the one person present sufficiently skilled in law to advise them on the legal consequences of their actions. Because the Lords could not let him leave to go to Berwick for more funds, his importance to them must have been very great indeed.<sup>75</sup>

Balnaves' letter reached Sadler and Croft on September 29 and they wrote to Cecil urging assistance for the Lords of the Congregation. Balnaves also told of the Regent's intrigues with the Graymes who attacked repeatedly Lord Maxwell so that he was unable to leave the marches and come to their aid. Because of foul weather the harvest was only a quarter completed so that the Lords were uncertain as to when they would be able to convene.<sup>76</sup>

Cecil replied to their letter on October 3, stating that the Queen was very pleased with proceedings in Scotland. He advised Sadler and Croft that they should reward the Lords Ormiston, Kirkaldy, Henry Balnaves and Alexander Whitelaw "with what remains on their hands".

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<sup>75</sup>Knox, History, I, 229ff.

He gave in detail the communication of the Lords of the Congregation at this time.

<sup>76</sup>For. Cal. Eliz., I, No. 1399.

Furthermore, he advised them that £3,000 would be sent in the very near future.<sup>77</sup>

On October 15, the Lords of the Congregation assembled their forces and the next day, with the Duc at the head, they entered Edinburgh. The Dowager had fled Edinburgh with the Archbishops of St. Andrews and Glasgow, the Abbot of Dunfermline and Lord Seaton the day before the arrival of the Lords of the Congregation.<sup>78</sup> Because of her previous activities in fortifying Leith, she felt that, protected by the fortifications and her three thousand trained French forces, she could withstand the attacks of the unskilled men of the Lords of the Congregation. If the siege were prolonged, she knew that of necessity their numbers would dwindle.

The Lords of the Congregation realized what she had in mind. They wrote demanding that she cease to fortify the town and that she remove the French soldiers. The Dowager replied that such a letter should have been from a prince to his subjects and not from his subjects to their prince.<sup>79</sup> Therefore, the Lords assembled at the Tolbooth on October 21, 1559. They chose a policy making council comprising the Duc, the Earls of Arran, Glencairn, Argyle with the Lords James, Pittarrow, Ruthven, Boyd, Maxwell, Durn, Henry Balnaves, Kirkaldy and the Provost of Dundee. A religious council was set up consisting of

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<sup>77</sup> Ibid., II, No. 19; C.S.P. (Scotland), I, No. 117; Sadler's State Papers, I, 485.

<sup>78</sup> Wodrow Misc. I, 68; For. Cal. Eliz. II, No. 120.

<sup>79</sup> Keith, op. cit., I, 231.

the Bishop of Galloway, Knox, Goodman and Willock.<sup>80</sup> They took the boldest step in their history by formally deposing the Regent in the name of Francis and Mary.<sup>81</sup> Balnaves' importance in the proceedings and in the eyes of the Lords of the Congregation is proved by the fact that he was one of the very few without a title to be elected to the council.

On October 21, after the sermon, Balnaves advised Randolph, the English ambassador in Scotland, of their proceedings and asked him to inform Sadler and Croft of the situation. Balnaves narrated how the Lords had entered Edinburgh on October 18 and the next day they wrote to the Regent demanding that the French leave the town. Because the Regent refused to reply, they intended to proclaim her an enemy of the State. Once she was deposed, the Council already chosen, would rule Scotland. She was to be deposed formally on Monday, October 23, 1559. Balnaves felt that all hope of a peaceful solution to the problems of the affairs of State had vanished. Only war could resolve the situation.<sup>82</sup>

In a letter dated October 25, Sadler and Croft informed Randolph that his letter of October 22 had been received. They advised him to urge the Lords of the Congregation to act quickly against Leith because the French were sending at least four thousand troops. They complained that Balnaves had only written one letter to them since his return. They wanted to hear from him personally. In addition, they were most

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<sup>80</sup> For. Cal. Eliz. II, No. 116; C.S.P., I, No. 551.

<sup>81</sup> Ibid., No. 120; C.S.P.(Scotland), I, No. 550, 556  
Knox, History, I, 249ff; Calderwood, op. cit., I, 541ff

<sup>82</sup> For. Cal. Eliz., II, No. 120.

anxious to know what Huntly and Morton were doing.

Randolph must have informed Balnaves of their anxiety to hear from him because he wrote to them on October 28. In this letter Balnaves pointed out that he had sent Alexander Whitelaw with a letter telling them of the Lords' decision to assemble and depose the Regent. He asked Sadler for funds to pay the troops. As they chose not to reply, "either by word or writing", he had Randolph write in cipher an account of the proceedings and indicating the seriousness of their need for substantial financial assistance, if they were to hold their forces together for any length of time. He pointed out that he had asked Randolph to state that the Lords needed money to maintain three thousand foot soldiers and three hundred men for two to three months at the very least. So far Sadler and Croft had chosen to ignore his request.

This letter indicated Balnaves' temperament in dealing with the English. In spite of the Lords' dependence on the English for financial assistance, he did not hesitate to tell the English what he thought of their procrastinations. He told Sadler and Croft that they had been slothful in their duties as they had had plenty of time to write, or send word by Captain Drury. Balnaves pointed out further that he had been very busy and that the Lords were carrying out their intentions in the face of considerable danger. He implied that Sadler and Croft, safely at Berwick, many miles from the scene, did not seem to appreciate the seriousness and urgency of the situation. Therefore, if the English ambassadors wanted the French out of Scotland, they had better provide the funds immediately or else the opportunity to triumph would be lost forever. He advised them that the Laird of Ormiston had been

appointed to bring the money and to tell them of the state of affairs.<sup>83</sup>

On October 31, Cecil wrote to Sadler and Croft indicating that Queen Elizabeth was very disturbed by the Lords of the Congregation's obvious lack of power and understanding. He stated that Goodman's and Knox's names were most "odious" here. Elizabeth had not forgiven Knox for his notorious "First Blast of the Trumpet against the Monstrous Regiment of Women."<sup>84</sup> Undoubtedly, her antagonism towards him influenced the dealings in aiding the Lords of the Congregation. In contrast to this, Balnaves' high esteem with England at that time was emphasized in this same letter. Apparently Balnaves was expected to come to England but Cecil thought that the journey was much too dangerous to attempt and advised against his coming at that time. Cecil wanted to know how many Scots were helping the Regent as well as how many Frenchmen. He advised the ambassadors that the Lords of the Congregation must triumph before November 20 or the French would have received reinforcements by then.<sup>85</sup>

The same day that Cecil wrote to the ambassadors, they wrote to Randolph acknowledging his and Balnaves' letters which the Laird of Ormiston had brought. They advised that they did not have sufficient money available although they expected it momentarily.

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<sup>83</sup> Ibid., No. 153; C.S.P., I, No. 555; C.S.P. (Scotland), I, No. 123. The same day Lord James wrote to Croft urging that they comply with Balnaves' requests. vide, For. Cal. Eliz., No. 154; C.S.P. (Scotland), I, No. 124; C.S.P., I, No. 556.

<sup>84</sup> Knox, History, I, 285.

<sup>85</sup> For. Cal. Eliz., II, No. 167.

Nevertheless, they decided to send £1,000 in French crowns with Ormiston and they urged the Lords to keep the transaction secret.<sup>86</sup>

Ormiston's mission became known to the Queen Regent, probably through a spy called Blackadder, although Lord Ruthven was suspected as well.<sup>87</sup> The Earl of Bothwell, acting on behalf of the Regent, lay in wait for Ormiston near Haddington. The Earl seized, injured and robbed him of the £1,000 which Sadler and Croft had sent to the Congregation. When this became known, the Lords of the Congregation, numbering four hundred horsemen and three hundred footmen with certain pieces of ordnance, marched on Crichton Castle hoping to seize Bothwell. He fled on a horse without even having time to put on a saddle or his own boots. The Lords placed some forty soldiers in the house and sent the Captain of the place to Bothwell commanding the immediate return of Ormiston's money. If he did not comply his castle would be destroyed. Meanwhile, the French learned that so many of the Lords were occupied in chasing Bothwell, they seized the opportunity and attacked, seizing some of the Lords of the Congregation's ordnance and killing a dozen footmen at least.<sup>88</sup>

The English were very upset at the Ormiston affair because it would provide conclusive proof that they were aiding the Lords of the

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<sup>86</sup> Ibid., No. 171.

<sup>87</sup> A letter in cipher from Mr. Randolph to Sir Ralph Sadler and Sir James Croft deciphered, Cotton Library and Lawyers (Advocates) Library (Edinburgh) -quoted in Keith, op. cit., I, 387.

<sup>88</sup> For. Cal. Eliz., II, Nos. 183, 189; C.S.P., I, No. 560; C.S.P. (Scotland), I, No. 127; Sadler's State Papers, I, 523-524; Knox, History, I, 259ff.

Congregation. If the French wished to do so, they could claim that England had not honoured the last treaty between France and England. The English advised the Scots to claim that the money belonged to Ormiston and was for his own purposes, even though this feeble excuse, they realized, would not convince anyone.<sup>89</sup>

If the English were upset over the Ormiston affair, their disturbance was mild compared to that of Balnaves. Sadler and Croft had said something to Ormiston about the way in which Balnaves was handling the funds granted to him, implying a misuse of the grants. Balnaves replied to their charges on November 4. He stated that their insinuations implying that he did not spend the money on the military needs but gave it to certain individuals was unfounded. He paid fifteen thousand footmen a month's wages with the money. In addition, he gave Lord Gray and Alexander Whitelaw sufficient funds to pay for one hundred horsemen. Sadler and Croft had instructed him to have them paid. Balnaves goes on to state that;

I deliverit to the Erle of Glencarn and Lord Boyd 500 crowns, which was the best bestowed money that I ever bestowed, either of that or any other; the which if I had not done, our hoyll interprize it hatht here stayed, both in joyning with the Duke, and cuming to Edinburgh, for certain particular causes that war betwis the said lords and the Duke, which war sett down by that means to me so secrete, that it is not knowne to many. Now judge you my ple. But in tymes to cum I shall save myself from such blame with the Grace of God. I think I desservit more thanks.<sup>90</sup>

He goes on to state that he served God first in these matters and as he had conducted himself honourably and to the best of his ability

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<sup>89</sup> C.S.P., I, No. 560; For. Cal. Eliz., II, No. 183.

<sup>90</sup> For. Cal. Eliz. II, No. 183; Keith, op. cit., I, 403-406.

in the interests of Scotland, he did not have time for tales. He pointed out that each company of soldiers cost £290 monthly, and a hundred horsemen about £230 monthly. With great sarcasm he tells them to figure out what it would cost to pay for two thousand footmen and three hundred horsemen.<sup>91</sup>

Sadler and Croft quickly advised Randolph to assure Balnaves that "they take his doings in good part and are his assured friends." They did not mean to offend him in any way.<sup>92</sup>

Ormiston's mishap seemed to trigger a series of events in which the Lords of the Congregation met defeat. On November 6, the French attacked their supply line and nearly captured the Earl of Arran and Lord James. This skirmish resulted in a humiliating defeat for the Lords of the Congregation. They were divided amongst themselves, their soldiers wanted pay, disagreements were rife.<sup>93</sup> Balnaves realized the seriousness of the situation. He wrote to the English ambassadors the same day (November 6) urgently requesting £1,000 if all was not to be lost.<sup>94</sup> Two days later Sadler and Croft advised Cecil that they had written to comfort the Lords of the Congregation and to promise them financial aid. A Scot by the name of Baxter thought it just as dangerous to send money by sea or land so they sent him back to the Lords to work out some safe method of transporting money secretly so that it would be ready when the messenger came to take it to Scotland.<sup>95</sup>

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<sup>91</sup> Ibid.

<sup>92</sup> Sadler's State Papers, I, 548, letter No. cxii.  
C.S.P., I, No. 560; For. Cal. Eliz., II, No. 189.

<sup>93</sup> Knox, History, I, 262-263.

<sup>94</sup> C.S.P., I, No. 561; C.S.P. (Scotland), I, No. 128; For. Cal. Eliz., II, No. 200.

<sup>95</sup> Ibid., No. 211

As a result of the defeat on November 6, the Lords retired to Stirling dejected and despondent. Knox preached a fiery sermon which sparked a new hope in their hearts. They decided to split their forces. Châtelherault, Glencairn, Boyd and Ochiltree would defend the west and Arran and Lord James would take up their position in Fife. In order to keep intelligence between the districts, Balnaves was appointed Secretary to Châtelherault, and Knox to Lord James.<sup>96</sup> At this time they decided to send Maitland of Lethington to England along with Sir Robert Melville of Murdochairnie to explain their position to the Queen and Council and to plead for open intervention.<sup>97</sup> The Lords agreed to assemble at Stirling on December 19.

Knox implies that the Duc and his party left immediately for Glasgow.<sup>98</sup> As Balnaves was acting as their secretary, he probably accompanied them. The Lords intended to consolidate the discontented elements amongst their followers and, indeed, in the populace.

Unfortunately, we know very little about what happened in this interval. The original sources contradict each other. Sadler and Croft wrote to Cecil on November 15, that a Scottish herald, called Ross, reported that Balnaves and young Lethington had left for England.<sup>99</sup>

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<sup>96</sup> Knox, History, I, 299.

<sup>97</sup> Ibid., p. 271; C.S.P., I, No. 589

<sup>98</sup> Knox, History, I, 276.

This implication is unfounded. It was after November 19 that they left. On November 17, Arran wrote to Cecil from St. Andrews. On November 19, Balnaves wrote to Sadler and Croft, vide, C.S.P., (Scotland), I, No. 140.

<sup>99</sup> For. Cal. Eliz., II, No. 272.

The herald was wrong in stating that Balnaves went with Lethington because on November 19, Balnaves wrote to Sadler and Croft from St. Andrews. Thomas Barnabie accompanied Lethington. For. Cal. Eliz., II, No. 328.

In this despatch, an interesting statement occurs which indicates the important position and influence which Balnaves held in the eyes of the Dowager. As soon as she heard of Lethington's departure she sent her Chancellor, de Rubay, to England to try to countermand any agreement which Lethington might make with the English. The Chancellor pointed out to Sadler and Croft that the Dowager had pardoned all the Burgesses of Edinburgh and urged them to return to their business pursuits. He then stated that "she would receive the Duc and the Lords to her Grace if they would put away Henry Balnaves, young Lethington and Ormiston, by whom they are abused."<sup>100</sup>

Therefore, the Dowager considered those three men to be the vital personages in the affairs of the Lords of the Congregation. No doubt she realized that the three of them were involved in securing English assistance and if they could be put out of the way, perhaps she could foil the Lords' plans due to lack of support from Elizabeth. It is interesting to note that she placed them above Knox, the Duc and Lord James at this time, as those who influenced decisively the affairs of the Lords.

On November 19, Henry Balnaves wrote to Sadler and Croft stating that it was the explicit intention of the Lords of the Congregation to keep Scotland free from the tyranny of Frenchmen. He stated that Lethington had been sent to Queen Elizabeth fully instructed, so that she would know exactly how they felt and what they desired. While they

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<sup>100</sup> Ibid; C.S.P.(Scotland), I, No. 139; C.S.P., I, No. 576.

awaited Lethington's return, the Lords made residence in Glasgow and St. Andrews in order to keep the areas in order and to enlist more followers. Balnaves felt quite confident that their numbers would increase daily. He stated that Randolph, who was delivering his letter, would tell them in great detail of the events in Scotland.<sup>101</sup>

The same day Balnaves sent a despatch to Cecil outlining the proceedings of the Lords of the Congregation since the Convention at Stirling, their attack in Edinburgh, and retreat to Stirling. There was no hope of reconciliation because they desired religious freedom and the expulsion of the French. Cecil should have realized that these two aims were of great benefit to the English security. Therefore, the Scots required English aid which would "be a terror to their enemies and comfort to their friends." He urged Cecil to influence the Queen to act on Lethington's reasonable requests.<sup>102</sup>

It was probably shortly after Lethington's departure with the letters from Balnaves, Arran and Lord James, that Balnaves left for Glasgow to take up his duties as secretary to the Duc and the Lords.

As soon as the Duc reached Glasgow, he had the images and altars in the churches removed. He seized the Archbishop's castle. James Beaton, who was Archbishop of Glasgow and a great favourite of the Dowager, appealed to the Regent for help. She immediately sent Lords Sempill, Seton, Ross, and French soldiers. They soon regained the castle as the Duc withdrew from the place. Believing that the castle

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<sup>101</sup> Ibid., No. 587; For. Cal. Eliz., II, No. 298;  
Selections Illustrating the Reign of Queen Mary, J. Stevenson (ed.),  
(Edinburgh: Maitland Club Publications, 1834), p. 78.

<sup>102</sup> C.S.P.(Scotland), I, No. 146; For. Cal. Eliz., II, No. 296.

was secure, the French withdrew the next day. But by November 29, the Duc controlled the area once again. He issued a public proclamation commanding all the clergy to join the Congregation or else have their benefices seized and be declared enemies of God.<sup>103</sup>

In spite of their proclamation, a new persecution was planned by those of the old Faith, whereupon the Lords decreed that, since the Roman Catholic Church had compelled the royalty of its adherents by threats and cursings, forbade the holding of consistory courts for the enforcement of the ancient laws. This edict applied specifically to Brechin. The Lords ordained further that those who held consistory courts would be punished by death.<sup>104</sup> This proclamation was issued from Dundee on December 14, 1559.

While the Duc tried to gain control over his troublesome district, good news came from England. On December 1, 1559, Lord James and the Duc acknowledged receipt of £6,000 from Sadler and Croft. In a memorandum it is stated that the Lords of the Congregation received the same several times from Sadler and Croft through the efforts of Balnaves and Alexander Whitelaw. This meant that England had granted at least £6,000 since Balnaves' trip to Berwick.<sup>105</sup>

Randolph who, as we noted, left Scotland with Lethington, refers to Balnaves in a memorandum dated December 12, 1559. If the Queen did not send him back to Scotland, he was concerned who should communicate with Balnaves, or the Laird of Grange, touching affairs pertaining to

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<sup>103</sup> Keith, op. cit., I, 246-247; Spottiswoode, op. cit., I, 307-308.

<sup>104</sup> Ibid., pp. 247-248.

<sup>105</sup> For. Cal. Eliz., II, No. 356.

the Lords of the Congregation wherein he himself could not travail. <sup>106</sup>

A little before Christmas, Robert Melville returned from England with articles worked out by the young Lethington. As previously planned the Lords assembled at Stirling. Once again Balnaves was back at Stirling. Their deliberations were interrupted by the Dowager. Since early in December reinforcements had arrived from France and had landed at Leith. More were to follow. However, their numbers were severely reduced due to a storm off the coast of Holland. They lost some eighteen companies. <sup>107</sup> The French, late on Christmas eve, marched from Edinburgh, hoping to surprise the Lords at Stirling. The next day another detachment, commanded by D'Oysel, joined them. In all, <sup>108</sup> some two thousand five hundred men marched against the Lords.

Knox reported that the Lords answered the articles presented by Melville with all diligence. They formed the Treaty of Berwick signed the next year. The French marched to Linlithgow, ransacked the Duc's house and then approached Stirling. In the face of such odds, the Lords dispersed. The Duc, the Earls of Argyll, Glencairn and their friends, including Balnaves, retired to Glasgow. Lord James and the Earl of Arran went to St. Andrews. They were to await reinforcements before assembling again. <sup>109</sup>

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<sup>106</sup> Ibid., No. 400.

<sup>107</sup> For. Cal. Eliz., II, Nos. 508, 575; Wodrow Misc., I, 74.

<sup>108</sup> Ibid.; Teulet, Papier d'Etats, I, 404; C.S.P.(Scotland), I, No. 163.

<sup>109</sup> Knox, History, I, 276.

This time the French marched on Fife, intending to capture St. Andrews. Lord James and his group fought bravely and did all in their power to hinder the French advance. Knox states, "for twenty and one days they lay in their clothes, their boots never came off, they had skirmished every day, yea, some days from morn to even".<sup>110</sup>

Things looked black. Then, after a month, the tide turned. Admiral Winter arrived on January 23, 1560, with the English fleet. The French supply route to France was now effectively severed.<sup>111</sup> On December 31, Sadler and Croft had written to Arran and Lord James advising that the Duke of Norfolk, Lord Grey and the English Navy would come to their rescue. Unfortunately, fierce storms delayed them.<sup>112</sup> Now the French were in trouble. D'Oysel retreated towards Stirling, cut off from his supplies and hampered at every turn by Lord James' forces. It was not until he reached Linlithgow that the French commander felt secure.<sup>113</sup>

The Queen Regent still held Stirling but on the whole she was confined to the general area surrounding Edinburgh and Dunbar, her main force being at Leith. Now that the English had arrived her position was most precarious. From a military point of view, the wars of the Lords of the Congregation had been won. All that they needed to do was to formalize their relations with England, and French domination in Scotland

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<sup>110</sup> Ibid., I, 278-279; Sadler's State Papers, I, 667ff.

<sup>111</sup> For. Cal. Eliz., II, Nos. 441, 623.

<sup>112</sup> C.S.P. (Scotland), I, 162.

<sup>113</sup> Wodrow Misc., I, 77-78; Sadler's State Papers, I, 698ff.

would be over forever. By the end of February, 1560, England and Scotland had signed a mutual defence pact.

Balnaves played a prominent role in negotiating the Treaty of Berwick. Balnaves had accompanied the Duc to Glasgow when the French attacked the Lords at Stirling at Christmas. During the month of January, information concerning the Duc's activities was practically nonexistent. While Arran and Lord James were battling for their lives, the Duc and Glencairn remained aloof. Knox felt that the Duc had once more begun to vacillate in his allegiance. Lang asserts that the Duc, fearful of the French successes, was terrified, and gained heart after the Winter's arrival.<sup>114</sup> Brown asserts that the Duc, although he later denied doing so, had written to Francis II asking pardon and promising his fidelity to France for the future.<sup>115</sup> The action is typical of the Duc. But this time, he had been proved innocent of the charge against him.<sup>116</sup> Because of his loyalty to the Lords of the Congregation it is difficult to explain why Balnaves would have remained in the Duc's company, if all of Knox's charges are right.

On February 4, 1560, Randolph reported that Brunston had arrived at Glasgow with a message from the Duke of Norfolk desiring a commission to conclude a treaty with England. At Maxwell's urging, the Duc thought that Carlisle would be a good place to meet with Norfolk. The Duc sent

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<sup>114</sup>Lang, John Knox and the Reformation, p. 164.

<sup>115</sup>Brown, John Knox, II, 69, note 1.

<sup>116</sup>Lang, loc. cit., pp. 280-281.

He proved conclusively that the letter was a forgery perpetrated by Mary of Lorraine.

Brunston to Fife to interview Lord James and the Earl of Arran, urging them to come to Carlisle with all haste.<sup>117</sup>

Knox wrote a blistering reply to the Duc. He stated that he had written more than once to Balnaves complaining of their behaviour. He demanded to know why they did not attack Stirling, where he said the French were few in number. He stated that the English were greatly concerned about the Duc's behaviour. As far as Knox was concerned, he felt that their cause would fail because of their lack of wisdom and diligence. He pointed out that if the venture failed, the Duc would suffer the greatest loss. Then he stated:

...I cannot cease, both to wonder and lament, that your whole Council was so destitute of wisdom and discretion as to charge this poor man, the Prior, to come to Glasgow, and thereafter to go to Carlisle, for such affairs as are to be entreated. Was there none amongst you, who did not foresee what inconvenients might ensue his absence from these parts?

Knox then accused them of neglecting the English in the Firth. He demanded more time for Lord James to rest after his strenuous efforts. "If he goes, he'll not find six men to accompany him". Then followed a series of invectives against the Duc's councillors and admonitions to those around the Duc to rally and urge him to remain staunch in the cause. Knox concluded that he wrote to him in haste.<sup>118</sup>

Brown stated that "Knox carried his point".<sup>119</sup> In this matter he was mistaken. In spite of all of Knox's invectives, Lord James, the

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<sup>117</sup>

Knox, History, I, 299; For. Cal. Eliz., II, No. 687.

<sup>118</sup>

Knox, History, I, 299-301.

Unfortunately Knox's correspondence with Balnaves has not been preserved. It would be interesting to know Balnaves' reaction to this letter.

<sup>119</sup>

Brown, John Knox, II, 69.

Master of Maxwell, and the other Lords arrived in Glasgow on February 10, to discuss the proposal to negotiate with the Duke of Norfolk. They decided to send Lord James, Lord Ruthven, the Master of Maxwell, the Laird of Pittarrow, and Henry Balnaves, to meet the Duke of Norfolk on February 23, 1560. Randolph instructed Admiral Winter to have a ship ready at Pittenween to take Lord James, Ruthven, Pittarrow and Balnaves to Berwick.<sup>120</sup> Knox's charges were more emotional than accurate. It is interesting to note that, in spite of his charges, Balnaves was chosen to deal with the English once again.

On February 23, 1560, Randolph reported to Sadler and Croft that he was feeling somewhat better. He trusted that Balnaves told them what had happened. Apparently, after receiving their letters on February 8, he went to Dumbarton to converse with a prisoner called La Marque. He had a terrible fall getting out of the boat. The Earl of Arran and Balnaves were present with Randolph because when Arran called Randolph by name, La Marque got suspicious. He thought at first that Randolph was a Scot. Then Randolph made a curious statement. He said "that by reason of a letter from Henry Balnaves to the Duke he (La Marque) has been straighter looked unto".<sup>121</sup>

The Treaty of Berwick was signed on February 27, 1560. In essence it constituted an alliance between England and Scotland for mutual defence against France. Queen Elizabeth allowed an army to enter Scotland and

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<sup>120</sup> For. Cal. Eliz., II, Nos. 687, 703, 710, 727, 765, 774;  
C.S.P., I, No. 647; Wodrow Misc., I, 79; Knox, History, I, 302.  
The Master of Lindsay also went. Lord Maxwell went by land.

<sup>121</sup> For. Cal. Eliz., II, No. 763; C.S.P., I, No. 661.

assist the Lords of the Congregation in driving out the French soldiers. <sup>122</sup>

Backed by English aid the Lords of the Congregation would master Scotland in a few months. The Treaty of Berwick epitomized what Balnaves had sought since the reign of Henry VIII. He must have been very gratified to see his life work consummated at last. <sup>123</sup> The Treaty was ratified by the English on March 29, 1560, and by the Scots on May 10, 1560. <sup>124</sup>

The exact date that Balnaves returned to Scotland is unknown but in all probability he left Berwick shortly after February 27, 1560, and joined the Duc of Chatelherault to report on the negotiations. One month later (March 17) Balnaves wrote to Sadler. He Acknowledged receiving a letter from the English ambassador which had been written on March 14, 1560. Balnaves wrote from St. Andrews. He reported that the Duc and Arran were at Glasgow. He urged the English to send their army immediately because the Dowager was using their delay to great advantage in causing many Scots to believe that the English would never honour the Treaty of Berwick. Balnaves proposed that as soon as he knew the date of the arrival of the English troops he would spread rumours of their coming two or three days before. By doing this he believed that the French would retreat to their fortifications and the Scots would be freer to rally their forces. Balnaves reported that Huntly, whose allegiance

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<sup>122</sup> Knox, History, I, 302; For. Cal. Eliz., II, No. 781; Wodrow Misc., I, 79.

<sup>123</sup> Knox, History, I, 302-307, Vide, Appendix B.

<sup>124</sup> C.S.P.(Scotland), I, pp. 82, 100; Diurnal of Occurrents, p. 56; C.S.P., I, No. 665.

had been doubtful, promised his support. Since the Treaty of Berwick many uncommitted Scots had rallied to the aid of the Congregation. A Scotsman named Livingstone, who was in England, delivered a letter to a Scotsman, sent to the Queen Dowager by the Cardinal of Lorraine and the Duc de Guise. But, "because they cannot break the cipher, Balnaves is sending it to Cecil, because he feels it contains information of great importance".<sup>125</sup>

On March 27, 1560, Throckmorton informed Cecil of the situation in France. Apparently the French counted on the King of Spain to aid them in their struggles to maintain Scotland. He concluded his remarks by stating that he had no doubt that the miracles Cecil hoped to work in Scotland would be at the hands of Balnaves, some of the Melvilles,<sup>126</sup> and the Lord of Grange.

The French realized the implications of the Treaty of Berwick. They negotiated with Elizabeth on March 2. On March 19, the Dowager, through Lord Erskine, tried to negotiate with Lord James to forestall an English invasion. Queen Elizabeth felt that Scotland could be won without a struggle and delayed sending the army for one month. Balnaves saw the folly of this thinking and hence his letter of March 17 urging immediate action. Realizing that the French were stalling for time the Queen took Balnaves' advice. Early in April some eight thousand English troops, commanded by Lord Grey, joined the Lords of the Congregation at Prestonpans.<sup>127</sup>

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<sup>125</sup> For. Cal. Eliz., II, No. 871; C.S.P., I, No. 688.

<sup>126</sup> For. Cal. Eliz., II, No. 905.

<sup>127</sup> Ibid., II, No. 908

While he was not mentioned specifically, undoubtedly Balnaves accompanied his associates and was at Prestonpans. Vide, Keith, op. cit., I, 267, N. 1.

On April 6, the two armies besieged Leith. They inflicted heavy casualties on the French and drove them into the town. Their triumph was short lived. The siege dragged on with little success. Both sides gained partial victories in the various skirmishes which took place. As time elapsed all parties grew sick of the encounter. It was not until the death of the Queen Dowager on June 10 that a settlement was negotiated.

Balnaves is mentioned specifically on May 31, when the Duc of Châtelherault signed a Bond of Manrent in favour of the Earls of Angus and Morton, guaranteeing them their possessions. Balnaves signed along with Maitland of Lethington and others as witnesses at Edinburgh on May 31. At the same time, the Earls of Angus and Morton made out a similar Bond of Manrent pledging their loyalty to the Duc. If they failed they would pay £10,000. This was witnessed by Balnaves.<sup>128</sup> What part he played in the negotiations which finally resulted in the Treaty of Edinburgh is unknown. He probably acted as an advisor to the Duc and Lord James. He must have been jubilant over the success of the negotiations.<sup>129</sup>

The Treaty of Edinburgh, essentially an agreement by England and France, coupled with the concessions which accompanied it, guaranteed Scottish independence. The Scots recognized Mary and Francis as their lawful sovereigns; Elizabeth's claims to the English throne were acknowledged; Francis and Mary ceased to use the title and arms of

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<sup>128</sup> Wm. Fraser, The Douglas Book, (Edinburgh: 1885), III, 250, 251, 440.

<sup>129</sup> Because of the uncertainty of the part played in these negotiations by Balnaves, they have not been described in detail.

the Queen of England; French and English forces were to withdraw; England and France would cease preparations for war; Parliament was<sup>130</sup> summoned for July 19, 1560.

The Treaty of Edinburgh gave the Lords of the Congregation a complete victory. Originally they had taken up arms in order to preserve their religious liberty. They realized that to be free religiously meant to be free politically. At last, after several years of trial and error, success and failure, victory came to them. Balnaves, as we have shown, played an integral part in the affairs of Scotland during these critical and crucial years. Now that victory had been gained, the Scots must set about reconstructing their nation along new lines and new loyalties. Balnaves, once again, was called upon to serve his native land.

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<sup>130</sup> Acta. Parl. Scot. II, 534; Diurnal of Occurrents, p. 60ff. Keith, op. cit., I, 300ff; Knox, History, I, 323ff.

## Chapter VII

### BALNAVES AND RECONSTRUCTION 1560-1571

July, 1560, saw peace restored to Scotland. By the middle of the month the English had withdrawn and the French had embarked. Cecil remarked that everywhere goodwill prevailed: "the French being glad to be gone, the English glad to carry them, and the Scots were glad to curse them hence".<sup>1</sup>

John Knox officiated at a great service of Thanksgiving at St. Giles Church on July 19. His prayer at the end indicated most clearly the trends which the Lords of the Congregation would follow. They would clean up the corruptions of the Church of Rome, restore civil liberty and justice, further friendship with England, and win the whole nation to the Protestant faith. In order to accomplish the latter, a committee composed of Commissioners of Burghs and certain of the nobility, assigned the Protestant clergy to various areas, Knox retaining St. Giles Church.<sup>2</sup>

In accordance with the Treaty of Edinburgh, Parliament assembled on August 1, although a week later the attendance was still incomplete.<sup>3</sup> This was one of the most important national assemblies in Scottish history. The numbers of those in attendance, especially from the lesser nobility, indicated the interest in this Parliament. The victory against Rome and France had been won. Success created many difficult problems

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<sup>1</sup> C.S.P., I, No. 864.

<sup>2</sup> Knox, History, I, 334; Wodrow Misc., I, 63.

<sup>3</sup> Diurnal of Occurrents, p. 61; C.S.P., I, No. 880.

which had to be solved if victory was to endure. The legality of the assembly, while of academic interest, is of no importance to this essay because those involved believed in the legality of their actions and conducted their affairs in earnest.

Religion took priority over secular matters at this assembly. Knox harangued the delegates daily from the prophet Haggi, urging them to set aside personal ambitions and interests and to concentrate on erecting the House of God. The Scots who obtained their wealth from confiscating churches, rejected Knox's ideas but the majority, sick of corruption, sided with him.<sup>4</sup> The Estates instructed the ministers to draw up a statement of Faith. This task Knox and his colleagues completed in four days. Their declaration resulted in the Confession of Faith which, with a few dissenting votes, was passed on August 17.<sup>5</sup> On August 24, three acts were ratified which abolished Papal jurisdiction; all laws favourable to the Church of Rome were repealed and the saying of Mass was forbidden.<sup>6</sup>

Parliament authorized the Divines to draw up a treatise on Church government and related matters. It was not presented to the August meeting, but was read at the meeting of the Estates in January 1561. This document was the famous Book of Discipline.

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<sup>4</sup> Knox, History, I, 335.

<sup>5</sup> C.S.P. (Scotland), I, 452; C.S.P., I, Nos. 882, 886; Keith, op. cit., I, 321; Knox, History, I, 338ff.

<sup>6</sup> Acta. Parl. Scot., II, 534-535; Knox, History, I, 340ff; Rait, R.S., Parliament of Scotland, (Glasgow: 1924). pp. 48ff.

While all these events were taking shape Balnaves continued to act in close association with Lord James Stewart. On August 19, Randolph reported to Cecil that on August 15, late at night, Lord James summoned him to his lodgings where he found Argyle, Morton, Pittarrow, Lethington and Henry Balnaves. They discussed who should be sent to England and the purpose of the journey. They wanted to thank England for her help in accomplishing the victory but, at the same time, they desired negotiations in order to preserve harmony on the Borders and to enhance the peace with England.<sup>7</sup> They believed the best way to obtain their desires would be to marry Elizabeth to Arran. England would automatically support the Lords of the Congregation against Roman Catholic practices and French influence, if Elizabeth married Arran. If Mary died without issue, Arran would become King and then both countries would be united under a joint monarchy.<sup>8</sup>

All this wishful thinking remained unfulfilled because Elizabeth was not disposed to marry! Cecil earnestly tried to persuade her to follow up her advantage in Scotland. As the Queen was at the height of her flirtation with Lord Dudley, her secretary's efforts did not succeed.<sup>9</sup> In December, 1560, Elizabeth formally rejected the marriage proposals.<sup>10</sup>

Little information exists to indicate Balnaves' activities from the August Parliament until the end of the year. When he is mentioned

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<sup>7</sup> C.S.P., I, No. 886; For. Cal. Eliz., III, No. 434.

<sup>8</sup> Teulet, Relations Politiques, II, 150; C.S.P. (Scotland), I, No. 469.

<sup>9</sup> For. Cal. Eliz., III, Nos. 262, 347.

<sup>10</sup> Ibid., No. 436; C.S.P., I, Nos. 926, 927, 945.

he is with Lord James. For example, in November Randolph, writing to Cecil, makes a passing remark that he had obtained the advice of Lord James, Pittarrow and Balnaves.<sup>11</sup> He was probably with Lord James when news reached Scotland of the sudden death of Francis II on December 5, 1560.<sup>12</sup>

Because of the political situation the Estates were summoned in January, 1561. Francis' death gave the Lords of the Congregation one great advantage. They need not fear a French invasion. Elizabeth's rejection of Arran paled in significance because of these new circumstances. Francis' death solved some problems and created others. Mary would, in all probability, return home. However poor her health might be, she had outlived her husband and would be able to devote herself entirely to Scottish affairs. Particularly, she would endeavour to rekindle the old alliance between the two countries. If this happened, the Lords of the Congregation would be in a precarious position.

The Parliament of January, 1561 is of momentous importance to the history of religion in Scotland because the Book of Discipline was presented for ratification.<sup>13</sup> The Confession of Faith had dealt with the theological aspects of the new religious movement in Scotland. The Book of Discipline concerned itself with the means of setting out, in a practical way, the methods whereby the Protestant faith would grow and survive. Therefore, the Book of Discipline is concerned with such

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<sup>11</sup>For. Cal. Eliz., III, No. 711.

<sup>12</sup>Knox, History, I, 347ff.

<sup>13</sup>Knox, History, I, 345.

matters as: who may be ordained; how they are to be selected, trained, sustained and supervised; who were to be the superintendents; how they would be elected. Tremendous emphasis is placed on the need for schools and universities. The Book deals with the question of marriage, burial, reparation of churches and the punishment of those who profane the sacraments.<sup>14</sup>

Not all of those assembled agreed with the contents of the Book of Discipline, particularly with respect to financial matters. Consequently, it was never formally approved. Knox was unhappy that not all had agreed with the content of the work, especially the Lords Erskine, Crawford, Cassillis, Somerville and others.<sup>15</sup>

Fearing a division within their ranks over the financing of the church and anxious about Queen Mary's attitude towards them, the Assembly agreed to send Lord James to see the Queen. The Lords decided to call Parliament into session in May. Lord James delayed his departure until March so that he could follow personally developments at home.<sup>16</sup> He procrastinated for another reason. Mary sent word (on January 12) that commissioners were coming to Scotland on her behalf. Moreover, Mr. Gilles de Noailles would follow with specific proposals concerning the renewal of the French alliance. Furthermore, she was writing to forgive and forget.<sup>17</sup> They arrived on February 18.

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<sup>14</sup> For the complete work, Ibid., II, 280ff.

<sup>15</sup> Ibid., I, 344ff note 5; II, 324ff.

<sup>16</sup> C.S.P., I, No. 958.

<sup>17</sup> Recueil de Lettres de Marie Stuart, A. Labanoff (ed.), (London: 1852) I, 80-84; Diurnal of Occurrents, p. 64; C.S.P.(Scotland), I, No. 518.

Balnaves was one of the people whom the Queen was hoping to win over by her friendly approach. The English ambassador in Paris, Throckmorton, wrote to Queen Elizabeth on January 23 that: "she (Queen Mary) writes severally, kindly to tham all, amongst the rest to Lethington, Henry Balnaves and Grange, promising absolution of all things past, though next to the Earl of Arran, there are none in that realm whom she bears less affection".<sup>18</sup> Balnaves' unpopularity with the monarch was due to his belief in an alliance with England and his strong support of the Lords of the Congregation in their efforts to establish the Protestant faith in Scotland.

In February, 1561, Balnaves spent some time in Edinburgh with the Duc de Châtelherault. About February 26, the Duc sent Balnaves and a man called Forbes to St. Andrews to meet with the Earl of Argyle, Lord James Stewart and Lord Erskine, to report what news he had received from France.<sup>19</sup> Some of the Lords of the Congregation had been very upset by the fact that the Duc, without seeking any advice, had written to the Queen. They suspected him of double-dealing. With the Duc's previous record, their suspicions are not too surprising. However, he seemed to have been acting in good faith, although Lethington and Lord James were very angry. It seems probable that he sent Balnaves and Forbes to tell them of the Queen's reply in order to placate them. It appears that his news was not very startling as the contents of the Queen's letter was not recorded by Randolph. Knox states that the

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<sup>18</sup> For. Cal. Eliz., III, No. 919.

<sup>19</sup> Ibid., III, No. 1034; C.S.P., I, No. 964.

Earl of Arran "stood constant with his brethren".<sup>20</sup>

On April 20, Throckmorton wrote to Cecil urging that Glencairn, Argyle, Lethington, Morton, Balnaves and others be granted a pension from Queen Elizabeth. No doubt Throckmorton feared that the Queen of Scots might be able to persuade some of them to break with the Lords<sup>21</sup> of the Congregation and turn their backs on the English alliance.

A few days later, May 1, Throckmorton wrote to Queen Elizabeth that Mary of Scotland had no love for Lethington, Grange and Henry Balnaves and stated that "whereof he is nothing sorry".<sup>22</sup> He pointed out that Mary was trying to do all in her power to win them over. She seemed quite hopeful that she would succeed.

Mary returned to Scotland on August 19. Randolph reported to Cecil that the Queen of Scotland was determined to have an ambassador to serve her in England. Henry Balnaves and David Forrest were mentioned. Randolph was quite puzzled because he knew that the Queen "loved neither of them".<sup>23</sup> There is no evidence to prove that Balnaves ever acted on behalf of the Queen. His name disappears from the records for a year and we do not have any concrete evidence to prove his whereabouts. Because of his previous experience in Border problems he may have accompanied Lord James in November, 1561, when he began a concerted effort to bring the Borderers under control.

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<sup>20</sup> Knox, History, I, 356.

<sup>21</sup> For. Cal. Eliz. IV, No. 125.

<sup>22</sup> Ibid., No. 158; Keith, op. cit., II, 30.

<sup>23</sup> C.S.P., I, No. 1038.

Because of his position and his friendship with Lord James, he probably took part in the celebrations on February 8, 1562, when Lord James married Agnes Keith, daughter of the Earl Marischal. Knox married them and an enormous feast followed at the Abbey of Holyrood. This upset Knox, who felt that there was too much festivity.<sup>24</sup>

In the Parliament held in May, 1562, Knox states that the Laird of Grange, Master Henry Balnaves, John Leslie and Alexander Whitelaw were restored. As there is no record of this restoration, and because he was granted repossession of his property in 1556, it is my contention that Knox has confused the issue and misdated this proceeding.<sup>25</sup>

On February 11, 1563, Balnaves was reappointed to the College of Justice. He replaced Sir John Campbell of Lundy who had died.<sup>26</sup>

After such a long absence, Balnaves probably enjoyed returning to the duties as a justice. Although I have been unable to find any specific cases which he heard, there can be little doubt that he functioned as a member of the College of Justice throughout 1563 and ensuing years. There is one brief reference to Balnaves in the Exchequer Rolls for 1563 which states simply that Balnaves was an auditor of the Exchequer along with John Wishart of Pittarrow and others.<sup>27</sup>

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<sup>24</sup> C.S.P.(Scotland), I, No. 561; Knox, History, II, 32.

<sup>25</sup> Brunston and Haig, op. cit., p. 61.

<sup>26</sup> Brunston and Haig, op. cit., p. 62.

<sup>27</sup> Exchequer Rolls, XIX, 228.

In August, 1563, Balnaves and the Lord of Grange are mentioned in Randolph's letters. He stated that he would do all in his power to win Queen Mary of Scotland away from French influence. In doing so he needed help. Therefore, what should he offer to those whom he hoped to approach? At this point he stated that Balnaves and the Lord of Grange had received a pension from King Edward, but had it stopped by Queen Mary.<sup>28</sup>

By implication, we may assume that Randolph hoped to solicit Balnaves' aid in his negotiations with Queen Mary Stewart. At this time Elizabeth became aware of Maitlands' voyage to France concerning the possibility of arranging a marriage between his Queen and Don Carlos of Spain. The prospect of having Mary married to a Roman Catholic Prince infuriated and annoyed Elizabeth. Hence the increased English activity to persuade Mary to marry someone sympathetic to Elizabeth.<sup>29</sup>

Unfortunately it is not known what part Henry Balnaves played in the complex marriage efforts of Mary Stewart. Because of his previous experience in negotiating with Henry VIII, he probably advised Lord James and Lethington in their negotiations on behalf of Mary.

In December, 1563, at a meeting of the Assembly, it was decided that the Book of Discipline needed to be revised. A committee was chosen including the Earl Marischal, Lord Ruthven, the Secretary, the Commendator of Kilwinning, the Bishop of Orkney, the Register Clerk, the Justice Clerk, Henry Balnaves, David Forrest, and George Buchanan.

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<sup>28</sup>For. Cal. Eliz., VI, No. 1094; C.S.P., II, 18.

<sup>29</sup>C.S.P.(Scotland), II, No. 19.

Any two or three of them were to meet and revise the Book of Discipline and to report their findings to the next Assembly, or to Parliament if it met before the Assembly.<sup>30</sup> As no report of their findings was presented, it is doubtful that they were able to secure sufficient agreement to present a report.

For the next three years Balnaves' name disappeared from the original sources. Presumably, he continued to act as a member of the College of Justice. It was not until 1566 that he was mentioned specifically. On July 9, 1566, Balnaves was in Edinburgh sitting with the Lords of Council hearing a case between Thomas Ramsey and William Cowart. Apparently, Cowart and some associates were using some of Ramsey's lands illegally. Therefore, Ramsey pressed charges against them. The Council ordered them to leave the lands immediately.<sup>31</sup>

The past three years were of great significance in Scottish history, but we must pass over them very briefly. Mary married Darnley; Riccio, the Italian, was murdered; and the Chase-about Raid took place. However, by 1567, Mary was not in such an exalted position. She and Darnley drew apart. Finally, the celebrated incident at "Kirk of Field", where Darnley was blown up, took place.

It is not important to the story of Henry Balnaves' life to trace the complex situations which existed after the "Kirk of Field" murder. This aspect of Scottish history has been narrated in great detail. Mary,

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<sup>30</sup> The Book of the Universal Kirk of Scotland, T. Thomson (ed.), (Edinburgh: Maitland Club, 1889), I, 41.  
Calderwood, op. cit., II, 247.

<sup>31</sup> Fraser Papers, V, 225.

shortly after the murder, wrote to the Archbishop of Glasgow outlining her policy towards whoever murdered her husband. She resolved to avenge his death. Although few in Scotland expected Mary to grieve, they did not expect her to ignore his murderer completely. She decided to follow the latter course and did nothing to bring Bothwell to trial.

The uproar in Scotland and abroad was so great that Mary finally made some concessions. On March 24, she consented to Bothwell's trial for the murder of her husband. Bothwell was permitted to sit at the Privy Council meeting which organized it.<sup>33</sup> This meeting took place on March 28, 1567, and the trial was to be held on April 12, 1567, under the Earl of Argyle as Justice General, assisted by four justices. There was some controversy as to the names of the four assistants. Keith claimed that they were Robert Pitcairn, the commendator of Dunfermline, Lord Lindsay, James McGill and Henry Balnaves. He was supported in this opinion by others.<sup>34</sup> However, Laing claimed that Keith was only guessing.<sup>35</sup>

The trial was a farce because the Queen did not prosecute. Lennox made only a half-hearted complaint. Consequently, there could be no verdict rendered. Bothwell went free.

Shortly afterwards, Bothwell captured the Queen. Because he was so good to her, she forgave him at a meeting of the Lords of Session on May 12, 1567! Balnaves attended this session. Not only did the Queen

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<sup>33</sup> R.P.C. of Scotland, I, 504-505.

<sup>34</sup> Keith, op. cit., II, 541; Chalmers Caledonia, (New Club Series), II, 852. F. Scheim, James Hepburn, Earl of Bothwell, Chapter I, *passim*.

<sup>35</sup> Laing, History of Scotland, I, 69.

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forgive Bothwell, but she stated that she intended to honour him.  
Three days later she married him.

The leaders of the Reformation in Scotland preached the Gospel effectively. Disgust at Mary's behaviour in marrying her husband's murderer swept the nation. Her unpardonable behaviour cost her the throne and eventually her life.

Catholic and Protestant lords united and on June 15, 1567, they faced Mary at Carberry Hill. Mary surrendered without a struggle. Because she would not promise to renounce Bothwell she was committed to the fortress at Lochleven. Moray became Regent; in July the Queen abdicated. On December 4, 1567, Balnaves' name appeared in the Acts of the Regent and Council, approving the imprisonment of the Queen in June.<sup>37</sup>

In January, 1568, Balnaves along with David Forrest and others signed an account in the Thirds of Benefices concerning money to be paid by Sir William Murray.<sup>38</sup> Throughout most of February, March, April, May, and June, Balnaves attended the Privy Council sessions.<sup>39</sup> The business was routine. In February they heard Commissioners from the various Burghs, i.e. Edinburgh, Stirling, Dundee, Glasgow etc. On March 4, there was an interesting entry to the effect that the King, acting through the Regent with the consent of the Council had engaged

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<sup>36</sup> C.S.P., II, No. 913.

<sup>37</sup> Ibid., II, No. 632.

<sup>38</sup> Thirds of Benefices, XLII, 189.

<sup>39</sup> R.P.C. Scotland, I, 615, 619, 623, 628.

a Dutchman - Cornelius de Vois and his associates - to try to find gold and silver mines in Scotland.

In July, Balnaves attended the General Assembly of the Kirk which was held at Edinburgh. The deliberations commenced on July 1, under Mr. John Willock, Superintendent of the West, as Moderator.<sup>40</sup> The Assembly covered many varied topics including the following: the trial of the Superintendent of Fife for not being diligent in visiting and being careless in censoring adulteries; a method of voting procedure was adopted; a book entitled "The Fall of the Roman Kirk" was to be revised; the Treatise of Excommunication, written by Knox, was to be revised; and finally the following -

Anent the appointing or augmenting of ministers' stipends; by advice of my Lord Regent's Grace and Counsel, the Clerk Register, the Laird of Pittarrow and Mr. Henrie Balnaves, assemblie should thinkemeet, or anie two of them.<sup>41</sup>

While the Book of Discipline outlined the way in which stipends were to be raised, few ministers received an adequate income. The results of the commission set up by the Assembly in 1568 have not been recorded so it is not possible to state what changes were suggested or how long Balnaves worked on the commission. By September, he was attending sessions of the Privy Council and continued to be present until the end of the month.<sup>42</sup>

Throughout the summer of 1568 the political situation in Scotland worsened. On May 3, a messenger advised Moray, who was at Glasgow, that

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<sup>40</sup> Calderwood, op. cit., II, 421.

<sup>41</sup> Ibid., II, 427; Book of the Universal Kirk, I, 129.

<sup>42</sup> of  
R.P.C. Scotland, I, 640ff.

the Queen had escaped from Lochleven. She was moving westward in Hamilton territory and gathering many supporters. A week later (May 8) a group including nine earls, nine bishops, twelve abbots and priors, eighteen lairds and some ninety lesser men had banded together and pledged to restore their Queen.<sup>43</sup>

Moray wondered what he should do. As the Queen's strength was concentrated in the western part of the country it seemed wise for him to retreat. This would place him at a big disadvantage, psychologically. Therefore, he determined to rally his forces. Within ten days he had an army of some four thousand men.<sup>44</sup> The Queen's force marched towards Glasgow. It was superior in number but not in leadership. On May 13 at Langside, near Glasgow, Moray won a decisive victory due, in large measure, to Kirkaldy's superior tactics.<sup>45</sup> Terrified of the course of events the Queen fled to England and threw herself at the mercy of Elizabeth. She never again set foot in Scotland.

Elizabeth, faced with Mary's arrival, had to decide her policy towards Scotland. Cecil, as always, was anxious to support Moray. Elizabeth, in time honoured fashion, hoped to make the best of the situation without antagonizing Mary's friends abroad. Mary must remain in England, but Elizabeth must have a convincing reason for retaining her. Moreover, if the Scots could not prove their case against their sovereign, Elizabeth's position would be inexplicable. Therefore, the English Queen decided

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<sup>43</sup>Nos.  
C.S.P.(Scotland), II, 404-405.

<sup>44</sup>Calderwood, op. cit., II, 405ff.

<sup>45</sup>Diurnal of Occurrents, p. 130-131.

to pretend to favour Mary. Should Moray's evidence prove to be conclusive she would, in view of the new situation, turn to Mary. By a clever manipulation of circumstances Elizabeth cajoled Mary into letting her act as mediator between the Queen of Scotland and her rebellious subjects. It would not be a trial but a hearing!<sup>46</sup>

The net result was the York-Westminster Conference in 1568-69. Moray had considerable trouble in forming a commission. His chief followers, fearing Mary might be restored by Elizabeth, were not anxious to take any risks. Should this happen they would incur the Queen's disfavour for life. By September 27, 1568, the commission was formed. The principal persons were the Regent Morton, Lindsay, the Bishop of Orkney and the Commendator of Dunfermline. Their advisors would be McGill, Balnaves, Buchanan and Maitland of Lethington.<sup>47</sup>

The commissioners left Edinburgh while a plague was striking down many of the citizens. They arrived at Berwick on September 27 and approximately a week later reached York, where they met the English Commissioners Norfolk, Sadler and the Earl of Sussex. Mary's representatives were Lord Herries and Bishop Leslie.

The first session of the conference was held on October 7. Mary's agents accused Moray of rebellion and treason. Moray stalled for

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<sup>46</sup> C.S.P.(Scotland), II, No. 424; Lee, op. cit., Chapter X passim; Calderwood, op. cit., II, 414ff.

<sup>47</sup> For. Cal. Eliz., VIII, No. 2552; Melville, Memoirs, Diurnal of Occurrents, p. 138; Calderwood, op. cit., II, 427ff; Skelton, op. cit., II, 280. Maitland went to England because Moray was afraid to leave him behind lest he cause a lot of trouble.

time until he could assess Elizabeth's intentions. He wanted to know if the English commissioners had the authority to render a verdict against Mary for her connection in the murder of Darnley; if so, would they make their decision immediately? If they proved Mary guilty, would Elizabeth turn her over to the Scots? Finally, would Elizabeth recognize James VI? Norfolk, caught off-guard, claimed he had to consult his government.<sup>48</sup>

Unsatisfied with the progress of the conference, Moray decided to show the English Commissioners the celebrated Casket Letters. Norfolk, who had been negotiating secretly with Lethington for Mary's hand in marriage, received a severe shock. Showing the Letters damaged Lethington's schemes and, in anger, he informed Leslie of what had happened.<sup>49</sup>

The episodes which followed the revelation of the Casket Letters and the complex interaction of the various people are not important to our story. But, by the end of October, Elizabeth was disenchanted by the Conference at York and ordered it to assemble at Westminster, where she and Cecil could keep their eyes on the proceedings. Consequently, on November 25, the meetings were held at Westminster. Balnaves continued to attend, though no evidence has come to light to indicate what he advised the Regent in the maze of intrigue and double-dealing which characterized these sessions.

Melville gives an insight. The Regent, for a long time, refrained from accusing the Queen of being an accomplice in Darnley's

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<sup>48</sup> Lee, op. cit., p. 238.

<sup>49</sup> Melville, Memoirs, p. 211; C.S.P. (Scotland), II, No. 529.

murder. Because the deliberations were dragging on and nothing had been accomplished, and anxious about conditions at home, he decided to accuse the Queen of aiding in her husband's murder. On November 26, Moray produced his addition to his October charge which accused the Queen of murder. Melville described the scene. Cecil asked if they had the accusation. John Wood, plucking the paper out of his pocket, said "yes", but did not deliver it to Cecil. Whereupon the Bishop of Orkney snatched it from him and started to present it to the conference. Wood tried to grab it back and the Bishop started to run. A hilarious scene ensued with Wood chasing the Bishop.

Balnaves only made resistance and called for Secretary Lethington who waited outside the Council house. He came in and, angered at the proceedings, whispered on the Regent's ear that he had shamed himself and lost his reputation forever".<sup>50</sup>

The Regent and Maitland drew even farther apart.

M. Lee in his biography of James Stewart, the Earl of Moray, said that this particular episode was staged in order to give the Earl an excuse if the charges were not acceptable to European public opinion.<sup>51</sup> He could claim that they were presented against his will. This could be true, but in view of Maitland's anger it would seem that the presentation at that time was genuine. Because Balnaves summoned Maitland it would seem that he was siding with him against the Regent. Unfortunately there is not sufficient evidence to prove conclusively what Balnaves thought. In view of the fact that Balnaves continued to be a trusted advisor of the Regent while Maitland fell from favour, it appears that Balnaves

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<sup>50</sup> Melville, Memoirs, p. 211.

<sup>51</sup> Lee, op. cit., p. 243.

decided that the Regent was following the best policy under the circumstances. Furthermore, Balnaves' previous efforts in seeking to establish an alliance with England, and his distrust of Mary's policy towards the Protestants, would not harmonize with Maitland's policy of supporting Mary.

By charging the Queen with murder the fat was in the fire. There could be no hope of reconciling Mary and the Regent. Moray produced the Casket Letters. On December 14 or 15 the English Council reviewed the case and decided in Moray's favour. The Political situation in Europe was tense. Spain and England were on the verge of open hostilities and an alliance between France and Spain was more than a possibility. Because of this situation Elizabeth discredited the Regent's case. Moray and his colleagues met the English commissioners on January 10 and Cecil stated the Queen's decision. As far as she was concerned, nothing had been said which impaired their honour and their allegiance. Moreover, the Regent had said nothing which caused Elizabeth to think badly of Mary.<sup>52</sup> Thereby, Elizabeth pronounced a typical judgment. Both sides were innocent despite the evidence! But justice never bothered Elizabeth when it was politically expedient to ignore the issues!

Fortunately for Moray this decision, in the long run, proved favourable. He could return home, while Mary remained in an English prison. With a grant of £5,000 from Elizabeth, Moray and his colleagues left for Scotland and arrived at Edinburgh on February 2, 1569.<sup>53</sup>

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<sup>52</sup> Calderwood, op. cit., II, 471ff.

<sup>53</sup> Diurnal of Occurrents, p. 139.

Shortly after their return, James Wood, Secretary to the Regent, was ordered to go to England with certain documents which would undermine the Duke of Norfolk in Elizabeth's eyes. Wood desired the bishopric of Murray, which was vacant, not because he wanted the revenues but he claimed that having it would give him an honourable and impressive title. He made one mistake. He asked Balnaves to get it for him. This request indirectly illustrates Balnaves' influence with the Regent. Melville, in recording the incident states:

The said Henry Balnaves, being indeed sic a man as Master Jhon wold appere to be, was very angry and likyed him never after that.<sup>54</sup>

This incident testifies to Balnaves' character as an honest official who would not use his influence to obtain unworthy appointments.

Balnaves continued to sit in the Privy Council. In June, 1569, he witnessed the contract of marriage between Christina Boswell and James Melville, his 'son adoptive'.<sup>55</sup> Throughout August and September he was present at the various sessions.<sup>56</sup> Sometime after his return he received £62:8:0 in connection with his lands at Halhill.<sup>57</sup>

In October, 1569, Balnaves opposed a petition by the Archbishop of Glasgow to obtain a benefice granted to David Cunningham.<sup>58</sup> This is the last act which I have been able to discover concerning Balnaves. He

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<sup>54</sup> Melville, Memoirs, p. 215.

<sup>55</sup> Laing, op. cit., VII, 416.

<sup>56</sup> <sup>of</sup>  
R.P.C. Scotland, II, 17, 29, 30.

<sup>57</sup> Exchequer Rolls, XX, 52.

<sup>58</sup> Events of Queen Mary and James VI, (Maitland Club Publications, 1833), p. 37.

died at Leith in February, 1569-70.<sup>59</sup> He left his estate to James Melville, his 'son adoptive'.

#### CONCLUSION

The biography of Henry Balnaves is interesting for several reasons. His life shows most clearly the extent to which the teachings of the Reformed faith affected those who earnestly embraced it. By the study of Sacred Scripture Balnaves knew his religion and could give an intelligent reason for his belief. In spite of banishment and the loss of his possessions he never wavered in his religious convictions. He never sacrificed his principles for expediency. Even learned theologians who came to argue with him while he was in Rouen were forced to retire "confounded" by his learning, sincerity and willingness to stay in captivity rather than to sacrifice his faith for personal freedom. Unlike some of his countrymen who embraced the Reformed faith for worldly gains, Balnaves typifies those countless Scotsmen who sincerely took to heart the new teachings and lived according to their insights in spite of personal deprivations.

Balnaves' life is of intense interest because of his political outlook. In the political struggles of his time he represents many Scots who believed that Scotland should align herself with England, and not with France. His whole policy illustrates this point of view. He sought an English alliance which would be beneficial to Scotland without sacrificing, in any way, Scottish independence. He worked for the realization of this goal because he believed in it. In an age when

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<sup>59</sup>Laing, op. cit., III, 427.

Scotsmen tended to change their political views in direct relation to the amount of bribery offered, it is refreshing to find Balnaves and his associates working in the interests of their native land without being influenced by monetary considerations. Balnaves' attitude to Henry VIII shows this sincerity most succinctly. He did not mind incurring the wrath of the English monarch when he felt that Henry's demands must be opposed because they were detrimental to Scottish independence.

Balnaves' loyalty to those in lawful authority is illustrated by his attitude to the Earl of Arran. Balnaves tried to befriend the Governor. It was only after Arran's treachery that Balnaves joined those who were in revolt. Realizing that Arran had become completely subservient to French interests, the only way of freeing Scotland from the persecutions of Rome would be to fight the Governor. Therefore, Balnaves took up arms against the Regent and joined the insurgents in St. Andrews Castle. By his diplomatic negotiations with the English he secured financial and military aid for the insurgents. Had his advice been acted upon by the English the Reformation in Scotland could have been realized a decade earlier. His activities led to his exile abroad but on his return he continued his endeavours on behalf of the Lords of the Congregation and obtained considerable financial support which ultimately led to the triumph of the Reformation in Scotland.

His career as a Civil Servant is exemplary in that he devoted himself wholeheartedly to the tasks which he had been called upon to do. Because of his ability he rose from the position of a clerk in the Treasurer's office to one of the highest civil service positions in the

realm. namely, Secretary of State, in spite of the opposition of Henry VIII. In all of his positions he showed himself to be honest and fair. In an age when bribery was commonplace, nowhere has any evidence come to light that anyone ever succeeded in bribing Balnaves.

As a layman he was quick to recognize the genius of John Knox. One of Balnaves' most significant contributions to the Reformation was his success in persuading Knox to abandon his teaching career and become a preacher. Without Knox there would have been no Scottish Reformation as we know it, and without Balnaves there might never have been John Knox the Reformer.

By his loyalty to Scottish interests, by his diplomatic activity with England, by his intelligent understanding of the faith, by his willingness to suffer adversity for his beliefs, by his civil service activities at home, Balnaves, as a layman, contributed significantly to the success of the Reformation in Scotland.

APPENDIX A

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## APPENDIX B

### THE CONTRACT AT BERWICK

James Duke of Châtelherault, Earl of Arran, Lord Hamilton, second person of the realm of Scotland, and apparent (heir) to the Crown, the Council, Nobility, and principal Estates of the same: To all and sundry (to) whose knowledge these presents shall come, greeting. We have well considered, and be fully persuaded in what danger, desolation, and misery, the long enmity with the kingdom of England hath brought our country heretofore: how weighty and flourishing it shall become if those two kingdoms, as they be joined in one island by creation of the world, so may be knit in a constant and assured friendship. These considerations, grounded upon a most infallible truth, ought no less to have moved our progenitors and forefathers than us; but the present danger hanging over our heads, by the unjust dealing of those of whom we have always best deserved, hath caused us to weigh them more earnestly than they did. The misbehaviour of the French ministers here hath of late years been so great; the oppression and cruelty of the soldiers, the tyranny and ambition of their superiors and rulers so grievous to the people; the violent subversion of our liberty, and conquest of the land, whereat they have by most crafty and subtle means continually pressed so intolerably to us all, that at last, when we could not obtain the redress by humble suits and earnest supplications presented to the Queen Dowager, who both for duty's sake and (the) place she did occupy, ought to have been most careful of our estate; we have been, by very necessity, constrained not only to assay our own forces, but also to implore the Queen's Majesty of England aid and support, which her Majesty has most gently granted upon certain covenants, specified in a Treaty, passed at Berwick, betwix the Duke of Norfolk's good Grace, Lieutenant for her Majesty, on that one part, and certain our Commissioners, on that other part: Whereof the tenor followeth:

At Berwick, the twenty seventh day of February, the year of our Lord God 1559. It is appointed and finally contracted betwix the noble and mighty Prince, Thomas Duke of Norfolk, Earl Marshal of England, and lieutenant to the Queen's most excellent Majesty of the said realm, in the name and behalf of her Highness, on the one part, and the right honourable Lord James Stewart, Patrick Lord Ruthven, Sir John Maxwell of Terregles knight, William Maitland of Lethington younger, John Wishart of Pittarrow, and Master Henry Balnaves of Halhill, in the name and behalf of the noble and mighty Prince, James Duke of Chatelherault, second person of the realm of Scotland, and the remaining Lords of his part, joined with him in this cause, for the maintenance and defence of the ancient rights and liberties of their country, on the other part, in form as hereafter followeth:

That is to say, That the Queen's Majesty, having sufficiently understood, as well by information sent from the Nobility of Scotland, as by the (manifest) proceedings of the French, that they intend to conquer the realm of Scotland, suppress the liberties

thereof, and unite the same unto the Crown of France perpetually, contrary to the laws of the same realm, and to the pacts, oaths, and promises of France; and being thereto most humbly and earnestly required by the said Nobility, for and in name of the whole realm, shall accept the said realm of Scotland, the said Duke of Châtelherault, being declared by Act of Parliament in Scotland to be heir apparent to the Crown thereof, and the Nobility and Subjects thereof, unto her Majesty's protection and maintenance, only for preservation of the same in their old freedoms and liberties, and from conquest, during the time that the marriage shall continue betwix the Queen of Scots and the French King, and one year after: And for expelling out of the same realm of such as presently and apparently goeth about to practise the said conquest, her Majesty shall with all speed send unto Scotland a convenient aid of men of war, on horse and foot, to join with the power of Scotsmen, with artillery, munition, and all other instruments of war meet for the purpose, as well by sea as by land, not only to expel the present power of French within that realm, oppressing the same, but also to stop, as far as conveniently may be, all greater forces of French to enter therein for the like purpose; and shall continue her Majesty's aid to the said Realm, Nobility, and Subjects of the same, unto the time the French ( being enemies to the said realm ) be utterly expelled hence: And shall never transact, compone, nor agree with the French, nor conclude any league with them, except the Scots and the French shall be agreed that the realm of Scotland may be left in due freedom by the French: Nor shall leave the maintenance of the said Nobility and Subjects, whereby they might fall as a prey unto their enemy's hands, as long as they shall acknowledge their Sovereign Lady and Queen, and shall indure themselves to maintain the liberty of their country, and the estate of the Crown of Scotland: And if in case any forts or strengths within the realm be won out of the hands of the French at this present, or at any time hereafter, by her Majesty's aid, the same shall be immediately demolished by the Scotsmen, or delivered to the said Duke and his party foresaid, at their option and choice; neither shall the power of England fortify within the ground of Scotland, being out of the bounds of England, but by the advice of the said Duke, Nobility, and Estates of Scotland.

For the which causes, and in respect of her Majesty's most gentle clemency and liberal support, the said Duke and all the Nobility, as well as such as be now joined, as such as shall hereafter join with him for defence of the liberty of that realm, shall, to the uttermost of their power, aid and support her Majesty's arm against the French, and their partakers, with horse-men, and foot-men, and with victuals, by land and by sea, and with all manner of other aids to the best of their power, and so shall continue during the time that her Majesty's army shall remain in Scotland.

Item, They shall be enemies to all such Scotsmen and French as shall in anywise show themselves enemies to the realm of England, for the aiding and supporting the said Duke and Nobility, to the delivery of the realm of Scotland from conquest,

Item, They shall never assent nor permit, that the realm of Scotland shall be conquered, or otherwise knit to the Crown of France, than it is at this present only by marriage of the Queen their Sovereign to the French King, and by the laws and liberties of the realm, as it ought to be.

Item, In case the Frenchmen shall, at any time hereafter, invade or cause to be invaded, the realm of England, they shall furnish the number of two thousand horse-men and one thousand foot-men, at the least, or such part of either of them, at the choice of the Queen's Majesty of England; and shall conduct the same to pass from the Borders of Scotland next England, upon her Majesty's charges, to any part upon the realm of England, for the defence of the same. And in case the invasion be upon the north parts of England, on the north part of the water of Tyne, towards Scotland, or against Berwick, on the north side of the water of Tweed, they shall convene and gather their whole forces upon their own charges, and shall join with the English power, and shall continue in good and earnest prosecution of the quarrel of England, during the space of thirty days, or so much longer as they were accustomed to tarry in the fields for defence of Scotland, at the commandment of their Sovereign, at any time bypast.

And also, the Earl of Argyle, Lord Justice of Scotland, being presently joined with the said Duke, shall employ his force and goodwill, where he shall be required by the Queen's Majesty, to reduce the north parts of Ireland to the perfect obedience of England, conform to a mutual and reciprocal contract, to be made betwix her Majesty's lieutenant or depute of Ireland being for the time, and the said Earl; wherein shall be contained what he shall do for his part, and what the said lieutenant, or depute, shall do for his support, in case he shall have to do with James Macdonnell, or any others of the Isles of Scotland, or realm of Ireland. For performance and sure keeping whereof, they shall for their part enter to the aforesaid Duke of Norfolk the pledges presently named by him, before the entry of her Majesty's army in Scots ground, to remain in England for the space of six months, and to be exchanged upon deliverance of new hostages, of like or as good condition as the former; or being the lawful sons, brethren, or heirs of any of the Earls or Barons of Parliament, that have, or hereinafter show themselves and persist open enemies to the French in this quarrel; and so forth, from six months to six months, or four months to four months, as shall best please the party of Scotland; and the time of continuance of the hostages shall be during the marriage of the Queen of Scots to the French King, and one year after the dissolution of the said marriage, until further order may be had betwix both the realms for peace and concord.

And, furthermore, the said Duke, and all the Nobility, being Earls and Barons of Parliament, joined with him, shall subscribe and seal these Articles and accounts within the space of twenty or thirty days, at the uttermost, next following the day of the deliverance of

the said hostages; and shall also procure and persuade all others of the Nobility that shall join themselves hereafter with the said Duke, for the causes above specified, likewise to subscribe and seal these Articles at any time after the space of twenty days after their conjunction, upon requisition made to them on the part of the Queen's Majesty of England.

And, finally, the said Duke, and the Nobility joined with him, certainly perceiving that the Queen's Majesty of England is thereunto moved only upon respect of princely honour and neighbourhood, for the defence of the freedom of Scotland from conquest, and not of any other sinister intent, doth by these presents testify and declare that (neither) they, nor any of them, mean by this account to withdraw any due obedience to their Sovereign Lady the Queen, nor in any lawful thing to withstand the French King, her husband and head, that during the marriage shall not tend to the subversion and oppression of the just and ancient liberties of the said kingdom of Scotland; for preservation whereof, both for their Sovereign's honour, and for the continuance of the kingdom in ancient estate, they acknowledge themselves bound to spend their goods, lands, and lives. And for performance of this present Contract for the part of England, the Queen's Majesty shall confirm the same, and all clauses therein contained, by her letters patent, under the Great Seal of England, to be delivered to the Nobility of Scotland, upon the entry of the pledges aforesaid within the ground of England.

(In witness whereof, the Commissioners for the Duke of Chatelherault and Nobility of Scotland before named have subscribed these presents, and thereunto affixed their seals, the day, year, and place aforesaid:

James Stewart  
Patrick L. Ruthven  
John Maxwell  
W. Maitland  
John Wishart  
Henricus Balnaves)

In witness whereof, the said Duke's Grace of Norfolk hath subscribed these presents, and thereunto affixed his seal, the day, year, and place foresaid.

(Tho. Norfolk)

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