

CIVIL REFORMATIONS: RELIGION IN DUNDEE AND HADDINGTON C.1520-1565

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ABSTRACT

CIVIL REFORMATIONS: RELIGION IN DUNDEE AND HADDINGTON,

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Timothy Slonosky

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In 1559-60, Scotland's Catholic church was dramatically and rapidly replaced by a rigorous Protestant regime. Despite their limited resources, the Protestant nobles who imposed the Reformation faced little resistance or dissent from the Scottish laity. A study of burgh records demonstrates that the nature of urban religion was crucial to the success of the Reformation among the laity. The municipal governments of Dundee and Haddington exercised significant control over religious worship in their towns, as they built and administered churches, hired clergy and provided divine worship as a public good. Up until 1560, the town councils fulfilled their responsibilities diligently, maintaining good relations with the clergy, ensuring high standards of service and looking for opportunities to expand public worship. The towns nonetheless acted to protect those who were interested in discussing religious reform. The circulation of reform proposals from the 1520s on accustomed a generation of Scots to the idea that the religious order would eventually be reformed, even if the exact shape of the reform was not yet clear. Many Scots saw the war and plague which devastated Scotland in the 1540s as a sign of divine anger, and sought reforms to prevent further miseries. In Dundee, the Protestants were welcomed partly because of their emphasis on discipline, which was seen as a means of appeasing God. In Haddington, years of war and plague may have caused the burghers to emphasize civic unity and peace and to avoid religious discord, which muted opposition to the Reformation. Even if they were not yet all enthusiastic Protestants, the openness of the urban laity to religious reforms was a crucial aspect to the success of the Scottish Reformation.

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TERMINOLOGY

Throughout the text, Scots terms and expressions have been modernized or translated on first appearance, although in places where the sense can be understood by modern readers the original has been retained. Verse has been kept in the original and a modern rendition is provided in the footnotes. The basic unit of currency was the Scots pound, which through the 1520s to 1560s was about 1/3 to 1/4 the value of the English pound.¹ The sixteenth century was a period of inflation, though it appears to have been more severe in the second half of the century than the first; prices for grain and ale, for example, rose by a little over 200% between 1500 and 1550, but by 600% between 1550 and 1600.² A merk was worth 2/3 of a pound (13s 4d), and a crown was a French coin worth about the same amount. The Scottish New Year began on March 25. Throughout the text the two years have been used, as in 1541-2, to refer to January, February and March; while cumbersome, it saves confusion for anyone wishing to consult the original documents.

¹ A.J.S. Gibson and T.C. Smout, *Prices, food and wages in Scotland 1550-1780* (Cambridge: Cambridge University Press, 1995), 5.

² Gibson and Smout, *Prices, food and wages in Scotland 1550-1780*, 6.

³ HAD/4/6/5 Haddington Court Book 1530-55 f40v-41, f106; Rosalind K. Marshall, *Ruin and Restoration: St Mary's Church*

CHAPTER 1: Introduction

On 27 May 1533, some 121 men of Haddington, a farming town east of Edinburgh, met and chose William Walson, along with Archibald Borthwick, to be their parish clerks. As clerk, Walson had the responsibility of carrying out functions necessary to the running of the church, such as ringing the bells every morning and lighting the lamps before services, as well as assisting the priests in performing the various divine services. He eventually became a priest himself. In 1567, following the Reformation of 1560, Walson would again appear before his fellow townspeople, this time a smaller group of town councillors, asking to be reinstated to the position that he had held before Protestantism, or as he called it, “‘The Imitation of Religion’ was introduced.” The councillors agreed, and established that his duties would include keeping the kirk clean, opening its doors when necessary, administering the water at baptism and singing the psalms on Sundays. He was to be paid eleven shillings a year, and resume his collection of 12d from every “fine house.”³

Great changes had taken place during the thirty-four years between Walson’s two appearances. His physical surroundings had altered, as Haddington had been devastated and rebuilt after the English invasions of 1547-9. The townspeople were different; most of the councillors he had faced in 1567 would not have been present at his initial selection, as war, plague and time created an extensive turnover. Most significantly, his duties had changed; as parish clerk, he had played an important role in the late medieval Catholic cycle of prayers and rituals. The most important of these rituals was the mass, wherein believers held that bread and wine were transformed into the body and blood of Jesus Christ, bringing the divine presence into the profane, mundane world of the Scottish townspeople.⁴ These rituals were understood to protect the townspeople in their earthly lives and aid their entry into heaven, so the burghers

³ HAD/4/6/5 Haddington Court Book 1530-55 f40v-41, f106; Rosalind K. Marshall, *Ruin and Restoration: St Mary’s Church Haddington* (Haddington: East Lothian Library Service, 2001), 23-24.

⁴ See R.W. Scribner, “Cosmic Order and Daily Life: Sacred and Secular in Pre-Industrial Germany” and “Ritual and Popular Religion in Catholic Germany at the time of the Reformation” in R.W. Scribner, *Popular Culture and Popular Movements in Reformation Germany* (London: Hambledon Press, 1987).

ensured that they were performed as frequently as possible. The mass and other Catholic rituals were detested by the Protestants who changed Scotland's religion in 1560 by Act of Parliament, who saw them as acts of idolatry which offended rather than honoured God. The mass was prohibited, the equipment used to perform it destroyed or irreparably altered, the men who carried it out obliged to renounce it. In its place, the Protestants introduced religious practices based on Scripture reading, interior faith and a strict avoidance of sin, enforced through social discipline. Rituals were dramatically reduced and re-designed to reinforce the faith of the community, with opportunities to break the boundaries between heaven and earth occurring far more infrequently.⁵ The Scottish Reformation was, as emphasized by a recent historical account, a "sharp break from the past."⁶ There was, however, continuity among the changes; notably, it was still the burgh community that hired the clerk and set the conditions of his employment, including his liturgical duties, and that administered the parish church. Before and after 1560, it was the townspeople, by their participation, their donations and also their routine acts of administration, who created and sustained much of the religious practice in their towns.

Why had the same people who re-appointed a barely Protestant Walson acquiesced to, or even demanded, the religious changes of the Scottish Reformation that jeopardised his position in the first place? They accepted the Reformation because of an extended religious discussion which took place over the course of thirty years, which accustomed them to the idea that religious changes of some form were coming, and in the context of a series of misfortunes, notably plague and war, which may have convinced them that their current religious practices were not providing the hoped-for divine protection and favour. These disasters likely encouraged the Scots to implement new religious solutions in an attempt to appease God, which caused Dundee to pay close attention to social discipline.⁷ Many Scots were therefore prepared to accept the new religion being imposed rather than risk further misfortune by vigorously defending

⁵ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven: Yale, 2002), 100.

⁶ Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester: Manchester University Press, 2006), 1.

⁷ The most extensive discussion of providentialism is Alexandra Walsham, *Providence in Early Modern England*. Although it focuses on Protestantism, most of the beliefs described can be traced back to the medieval era. See especially p.116-166. Alexandra Walsham, *Providence in Early Modern England* (Oxford: Oxford University Press, 1999). Geneva's Reformation may also have been partly inspired by political and military disasters. Philip Benedict, *Christ's Churches Purely Reformed: A social history of Calvinism* (New Haven: Yale University Press, 2002), 109.

Catholicism. The military and political victory of a group of Protestant nobles and their supporters provided the opportunity for Scotland to become Protestant in 1560, but the Reformation became a success because of the actions of ordinary Scots, such as the burgesses of Haddington, who accepted the new religion and set about implementing it.

Historiography

Various explanations have been offered for the suddenness of Scotland's Reformation, which was imposed by Parliament in the summer of 1560. That Parliament convened after a small army, consisting of a faction of nobles and townspeople and known as the Lords of the Congregation, overthrew the regency of the Catholic, and French, Mary of Guise. Older historiography, inspired by Gordon Donaldson's 1957-8 lecture series published as *The Scottish Reformation*, focuses largely on the failings of the institutions of the late medieval Catholic church, including the behaviour of the church leadership and the distribution of church revenues.⁸ This research created an emphasis on the corruption and inadequacy of the clergy and their supposed neglect of the laity.⁹ The research of Donaldson's pupil, Ian Cowan, famously pointed out that 85% of Scottish parishes had their revenues diverted to non-resident clergy, ecclesiastical institutions and even laymen, who were called commendators. He argued that this weakening of the parish structure led to contempt for the church and eventually caused the Reformation.¹⁰ Holding to this thesis of institutional corruption, Cowan found it hard to understand why the sixteenth-century laity were not outraged by the church's failings: "Parish churches were purged of symbols of idolatry, but the priests themselves were undisturbed, a fact which is difficult to explain except in terms of lack of popular opposition to the old regime despite its shortcomings."¹¹

⁸ Donaldson, *The Scottish Reformation*, 1-2.

⁹ Donaldson, *The Scottish Reformation*, 1-27.

¹⁰ Ian B. Cowan, *The Medieval Church in Scotland*, ed. James Kirk (Edinburgh: Scottish Academic Press, 1995), 11, 12-27, 52.

¹¹ Ian B. Cowan, *The Scottish Reformation: Church and Society in sixteenth century Scotland* (New York: St Martin's Press, 1982), 71.

Modern historians such as Alec Ryrie and Jane Dawson are rightly cautious about accepting such a damning condemnation of the Catholic church.¹² Ryrie offers a largely political explanation instead, arguing that the Reformation occurred because the Scottish elites chose an English, Protestant alliance over a French, Catholic one.¹³ The Protestant activists of the 1550s were, in his view, “not the makers of the revolution of 1559-60; merely its heirs.”¹⁴ Dawson emphasizes international affairs, arguing that the regent, Mary of Guise, adopted a hardline Catholic policy to improve her daughter Queen Mary’s chance of gaining the English throne, which had the side-effect of creating a confrontation with Scotland’s Protestants. The Protestants won the resulting conflict, known as the Wars of the Congregation, because their English allies were more effective than Mary’s French supporters.¹⁵ These studies explain how the Protestants gained military control of Scotland in 1560, but they are less successful at explaining why the Scottish laity, the vast majority of whom were not committed Protestants, acquiesced so easily to the elimination of their traditional religion, especially given the relatively weak position of the Protestants and their limited resources.

The most promising research into the laity’s attitude towards the Reformation comes from local studies. Two of the best are Michael Lynch’s work on Edinburgh and Margaret Sanderson’s on Ayrshire. Both point to the extent of lay control over religious practice in the towns, Sanderson going so far as to title the relevant chapter “The People’s Church.” Lynch emphasizes that the church appeared to meet the needs of Edinburgh parishioners right through the 1550s.¹⁶ When the Reformation came, imposed by outside political forces, most burghers were reluctant to become members of either the hardline Catholic or Protestant factions. The innate conservatism of the burghers limited the Protestant activists to gradual changes and in doing so made the new religion more acceptable.¹⁷ Sanderson, for her part, draws attention away from an exclusive focus on economic, social and political factors and back to the movement for religious reform. She

¹² Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester: Manchester University Press, 2006), 7, 19-20, 25.

¹³ Ryrie, *The Origins of the Scottish Reformation*, 1-2.

¹⁴ Ryrie, *The Origins of the Scottish Reformation*, 135.

¹⁵ Jane E.A. Dawson, *Scotland Re-formed, 1488-1587* (Edinburgh: Edinburgh University Press, 2007), 200-215.

¹⁶ Michael Lynch, *Edinburgh and the Reformation* (Edinburgh: John Donald, 1981), 30.

¹⁷ Lynch, *Edinburgh and the Reformation*, 37, 86, 219, 222.

argues that the religious turmoil from 1530 on prepared the laity for the events of 1559-60, but when it comes to explaining why the majority supported the Reformation, she returns to the corruption thesis, stating that the religious ferment of the sixteenth century "can itself be seen as the laity's answer to their disillusionment with the established church which, having become self-sufficient, self-justifying and preoccupied with secular concerns, appeared to have forgotten that other people were its first responsibility."¹⁸

The difficulty with explanations based on national or international politics or the corruption thesis is that the Scottish laity, whether the burgesses in the towns or the lairds (gentry) in rural areas, exercised a great deal of control over their local churches, as demonstrated by the career of William Walson. Even though Protestantism was imposed nationally by an Act of Parliament, the Lords of the Congregation could not call on the resources of a centralised monarchy in imposing Protestantism. Foot dragging certainly occurred, as in Aberdeen, but widespread, outright resistance, as occurred in England in 1536 or 1549, or throughout the French Wars of Religion, did not.¹⁹ As for the problems of corruption, the laity exercised control over the appointment of the clergy, the terms of employment and even their retirement, and there is little evidence that they were displeased with the service they received. The behaviour of the upper hierarchy of the church and many benefice holders may have made them easy targets for criticism, but they had little direct impact, for good or ill, on the laity.

The laity exercised less control over doctrine, however. The contradiction in lay attitudes towards the Reformation identified by Cowan can be overcome by arguing that the laity were satisfied with the clergy themselves, but not with the outcome of the services they were providing. In other words, the problem was not with the institution of the church but with the failure of its rituals to placate God. Lay thoughts on doctrine are difficult to establish; there are few surviving wills from before 1560, and the record of donations to churches or requests for obituary prayers and services are too few to make any statistical conclusions. Several authors writing in the 1540s

¹⁸ Margaret H.B. Sanderson, *Ayrshire and the Reformation: People and Change, 1490-1600* (East Linton: Tuckwell Press, 1997), 142.

¹⁹ Alan White, "The Mensies Era: Sixteenth-century Politics," in *Aberdeen before 1800: A New History*, eds. E Patricia Dennison, David Ditchburn, and Michael Lynch (East Linton: Tuckwell, 2002), 230.

and 1550s, however, expressed concern with God's wrath at the sins of the Scots, and the actions of Scottish townspeople before and after 1560, especially concerning measures to reduce sin by increasing social discipline, can be seen as responses to these essentially religious concerns.

Methodology

This study examines two Scottish towns, Dundee and Haddington, over the period of 1520-1565. More records survive for Scottish towns than for rural areas, and urban forms of government allowed for greater public involvement than rural areas which were dominated by the lairds or other minor nobles. This greater involvement offers a limited but useful window on lay religious attitudes. The two towns were chosen because of both the similarities and the differences in their experiences during the years in question, especially during the 1540s "Wars of the Rough Wooing" with England. Dundee and Haddington were both occupied by Protestant English forces, and were both devastated in the subsequent fighting. Dundee played an important role in the Scottish Reformation, being one of the first towns to implement Protestant worship publically and contributing militarily to the Protestant army. Haddington, on the other hand, did not have many Protestant burghers and was not significantly involved in the war of 1559-60. Both towns did, nonetheless, implement the Reformation fairly rapidly and with little internal conflict.

These two towns were also selected for the study because they have some of the most complete but largely unstudied or unpublished burgh records for the period in question.²⁰ The core of this study has been burgh court books, which record the disputes brought before the

²⁰ Several local studies do exist for both burghs, including Alexander Maxwell, *The History of Old Dundee, narrated out of the Town Council Register, with additions from contemporary annals* (Dundee: David Douglas, 1884); Alexander Maxwell, *Old Dundee, ecclesiastical, burghal and social, prior to the Reformation*. (Dundee: William Kidd, 1891); J.H. Baxter, *Dundee and the Reformation* (Dundee: Abertay Historical Society, 1960); Iain E.F. Flett, "The Conflict of the Reformation and Democracy in the Geneva of Scotland, 1443-1610: An Introduction to edited texts of documents relating to the burgh of Dundee." Unpublished MPhil thesis (St. Andrews, 1981); Elizabeth Patricia Dennison Torrie, *Medieval Dundee: a town and its people* (Dundee: Abertay Historical Society, 1990); W. Forbes Gray, assisted by James H. Jamieson, *Short History of Haddington* (Edinburgh: East Lothian Antiquarian and Field Naturalist Society, 1944); Rosalind K. Marshall, *Ruin and Restoration: St Mary's Church Haddington* (Haddington: East Lothian Library Service, 2001).

courts, cases prosecuted by the town officials, and orders by the magistrates (called baillies) and councillors concerning municipal administration and expenditure. The records themselves often consist of court decisions, or statements that various individuals wished entered on the record; there is very little sense of discussion, deliberation or division. For Dundee, these records exist from 1520-3 and from 1550 on. In Haddington, they exist from 1530 on, with a gap between 1545 and 1551. The start date of this study is therefore approximately 1520, and the end date around 1565, by which time the initial structure, if not necessarily the spirit, of the Protestant church was established in the two burghs. Particularly interesting evidence from outside these dates has been included when useful. For both burghs there exist for most of the period studied notarial protocol books and burgh registers, or books of 'law,' which generally record legislation passed by the council, as opposed to daily activities. The protocol books contain many routine business transactions, though occasionally when a dispute occurred one or both parties would hurry to the nearest notary to have their version of events recorded on paper. Some of these testimonies are very illuminating.

Charters of donations to churches, altars and almshouses also survive, though not frequently enough to base any firm conclusions about how much and when people were donating to particular institutions. They do, however, provide a sense of what a typical donation looked like. No wills or testimonies survive from either town before around 1565, though some from immediately after the period have been examined. The published records of the Scottish crown, particularly the Accounts of the Lord High Treasurer and the Privy Seal, have some very useful information about people and events in the localities. Some records, particularly those from guilds, diocesan administrations and the friars, which would have been particularly important to understanding the Reformation, appear to be no longer extant. Just enough survives from the guild records – the occasional charter, act book or membership list – to hint at what is missing. William Bryce Moir, Janet Foggie and Margaret Sanderson have done their best to examine the

friars and diocesan administration.²¹ They are able to tell us something about the institutions themselves and their place in Scottish society, but little about their liturgical and instructional functions. The burgh church was perhaps the central feature of urban worship, but the contribution of other institutions to burgh worship must not be forgotten because of the absence of evidence. Also missing from both burghs are kirk session minutes for the years following 1560. There was a kirk session in Dundee as early as 1559 but none of the early records are extant. The burgh records also provide limited information about relations between the burghs and local lairds and magnates. These men certainly exerted a firm influence over the burghers that is not always apparent in the burgh records. The determination of the burghers to act in their own interests should not be underestimated, either.

²¹ Janet P. Foggie, *Renaissance Religion in Urban Scotland: The Dominican Order, 1450-1560* (Leiden: Brill, 2003); W. Moir Bryce, *The Scottish Grey Friars* (Edinburgh: Sands, 1909); Margaret H.B. Sanderson, *Cardinal of Scotland, David Beaton c. 1494-1546* (Edinburgh: John Donald, 1986).

CHAPTER 2: The Political and Economic Situation in the Burghs

A study of the economic and political backgrounds of Dundee and Haddington demonstrates the impact that wider events, particularly war and plague, had on townspeople. As the burghs existed primarily for trade, their inhabitants, both the councillors and the ordinary inhabitants, were sensitive to economic changes.²² Unfortunately for them, medieval and early modern Scottish towns were victims of frequent economic disruption, with boom periods that alternated with decades of decline or depression.²³ The period between 1520 and 1565 saw both extremes. Trade in the two towns thrived during the late 1530s and early 1540s, but the plague of 1545 and the wars of 1547-9 would devastate them, as seen both in their customs receipts and in the amounts paid for rights to the incomes from the towns' mills and burgh customs. Combined with the concentration of overseas exports at Edinburgh, the destruction of the brief period of boom by war and plague must have been especially bitter. Large towns survived by diversifying their economy, but middling and small towns continued to decline throughout the sixteenth century.²⁴ Indeed, Dundee's recovery was helped by the trade in fish, a resource that was little affected by the war, but through to 1565, Haddington never regained its former prosperity.

For the men making decisions on behalf of their fellow townsmen, and those consenting to them, these economic conditions must have weighed heavily on their minds. Trade may have been the main function of the towns, but the burghs were not yet controlled by the exclusive merchant oligarchies that would come to dominate Scottish towns in the seventeenth and

²² Gordon Jackson, "The economy: Aberdeen and the Sea," in *Aberdeen before 1800: A New History*, eds. E Patricia Dennison, David Ditchburn, and Michael Lynch (East Linton: Tuckwell, 2002), 159; Ian Blanchard, Elizabeth Gemmill, Nicholas Mayhew and Ian D. White, "The Economy, Town and Country" in Dennison, Ditchburn and Lynch, *Aberdeen before 1800*, 131.

²³ E. Patricia Dennison and Grant G. Simpson, "Scotland" in *The Cambridge Urban History of Britain*, Vol I, 600-1540, ed. D.M. Pallister (Cambridge: Cambridge University Press, 2008), 729-30; T.M. Devine, "Scotland" in *The Cambridge Urban History of Britain*, Vol II, 1540-1840, ed. Peter Clark (Cambridge: Cambridge University Press, 2008), 154.

²⁴ Devine, "Scotland" in Clark, *The Cambridge Urban History of Britain*, 2:154.

eighteenth centuries.²⁵ During the mid-sixteenth century, municipal government in both towns was dominated at any given moment by a group of about two dozen men. The men who made up the inner ruling group tended to be better off than most of the burgesses but they were not the wealthiest nor were they all merchants. These men handled the administration of their towns, but they did not have enough power or authority to impose unpopular measures on an unwilling population.²⁶ Indeed, the cooperation of the larger population was necessary, as a wider group of one to three hundred men participated in lesser functions, such as the enforcement of burgh and guild regulations, or sitting on assizes and inquests. The resilience of this system of consent and cooperation suggests a high degree of civic harmony, even in times of crisis.

Dundee: History, Location, Economy

Settlement at Dundee, just inland from the North Sea on the Tay estuary, dates possibly to the eleventh century, based on the dedication of the first parish church to St Clement, a popular Danish saint.²⁷ Recent archeological work suggests that the burgh grew along the route north from the harbour, which was further inland than it is today.²⁸ Eventually, several lanes connected the harbour to the market place, called the Marketgait. Between the harbour and the Marketgait, on the site of the current city square, was St Clement's church. The Seagait road left the Marketgait in an easterly direction, heading along the coast towards Arbroath and Montrose, paralleled to the north by the Cowgait. Two miles east was the castle at Broughty, which would play a significant role in the war of 1547-9. Murraygait led off the Marketgait to the northeast, becoming Wellgait and heading towards Forfar and Brechin, passing through the barony of Hiltoun just outside of Dundee. The Nethergait and Overgait left the Marketgait on the west, with

²⁵ Michael Lynch, "The Social and Economic Structure of the Larger Towns, 1450-1600" in *The Scottish Medieval Town*, eds. Michael Lynch, Michael Spearman and Geoffrey Stell (Edinburgh: John Donald, 1988), 264.

²⁶ S.H. Rigby and Elizabeth Ewan, "Government, Power and Authority 1300-1540" in Pallister, *The Cambridge Urban History of Britain*, 1:305; Ian A. Archer, "Politics and Government 1540-1700," in Clark, *The Cambridge Urban History of Britain*, 2:241. Christopher R. Friedrichs, *The Early Modern City 1450-1750* (Harlow, Essex: Longman, 1995), 50-51.

²⁷ David Perry, *Dundee Rediscovered: The Archeology of Dundee Reconsidered* (Perth: Tayside and Fife Archaeological Committee, 2005), 7.

²⁸ Perry, *Dundee Rediscovered*, 8.

the Overgait taking travellers to Perth and other towns to the west, while the Nethergait headed towards the hospital and the field known as Magdalen Green, where its course was halted by the Tay, whose banks were higher up the slope than they are currently. Between the Nethergait and the Overgait is St. Mary's church, which is now surrounded by a shopping centre but when first laid down would have been outside the settlement's built-up parts. Further west, beyond the town's gates (ports), was the hospital, the Dominican friary and a Franciscan nunnery, which shared a site with St James chapel. Also to the west were the town's fields, where plays would be performed. North of the settlement was the Franciscan friary and the Scouring burn, which turned south past the Marketgait to enter the Tay, going through the town's mills along the way. Finally, overlooking Dundee was the steep hill of Dundee Law.²⁹

Dundee probably received its first charter during the reign of William I (1165-1214), when Scotland was experiencing an export boom.³⁰ Originally, Dundee owed superiority to William's brother David, the Earl of Huntingdon, but became a royal burgh during the reign of John Balliol (1292-6). The Scrimgeours, a local family, held the post of constable from 1298 on, but a 1384 settlement essentially eliminated the constable's right to enforce justice in return for a cash payment.³¹ Clashes over jurisdiction would nonetheless continue throughout Dundee's history. In 1359, Dundee was granted its own sherrifdom which expanded its legal jurisdiction, and a charter of 1360 granted all royal revenues to the burgh, except for the "great" custom on exports, in return for a fixed annual payment of £20.³²

Trade was a vital component of Dundee's economy, as indicated by both its likely founding by Danes and by the burgh's growth out from the harbour. Dundee's charter, like those of other burghs, granted its merchants a monopoly in the nearby hinterland, in this case the sherrifdom of Forfar, over the purchase of wool and skins, and mandated that foreign goods

²⁹ Perry, *Dundee Rediscovered*, 7-8.

³⁰ Elizabeth Patricia Dennison Torrie, *Medieval Dundee: a town and its people* (Dundee: Abertay Historical Society, 1990), 23; Blanchard, Gemmil, Mayhew and Whyte, "The Economy, Town and Country" in Dennison, Ditchburn and Lynch, *Aberdeen before 1800*, 133-4.

³¹ Torrie, *Medieval Dundee*, 25.

³² Torrie, *Medieval Dundee*, 25; *The Exchequer Rolls of Scotland*, eds. John Stuart, George Burnett, George Powell McNeill. 23 vols. (Edinburgh: General Register House, 1878-1908), 16:128, 142, 166, 287, 342, 479. See also DCA, CC1 no 17.

brought to Forfarshire be first offered for sale in Dundee.³³ Dundee's prosperity began to grow significantly in the second half of the fourteenth century, despite economic stagnation throughout Europe, as it expanded as a trading community, bringing it into conflict with Forfar, Brechin and especially Perth. Over the course of the fifteenth century, Dundee's share of the customs receipts rose from fifth to third among Scottish burghs, though it is a sign of the economic difficulties of the century that Dundee's actual customs payments declined by two-thirds even as its relative position improved.³⁴

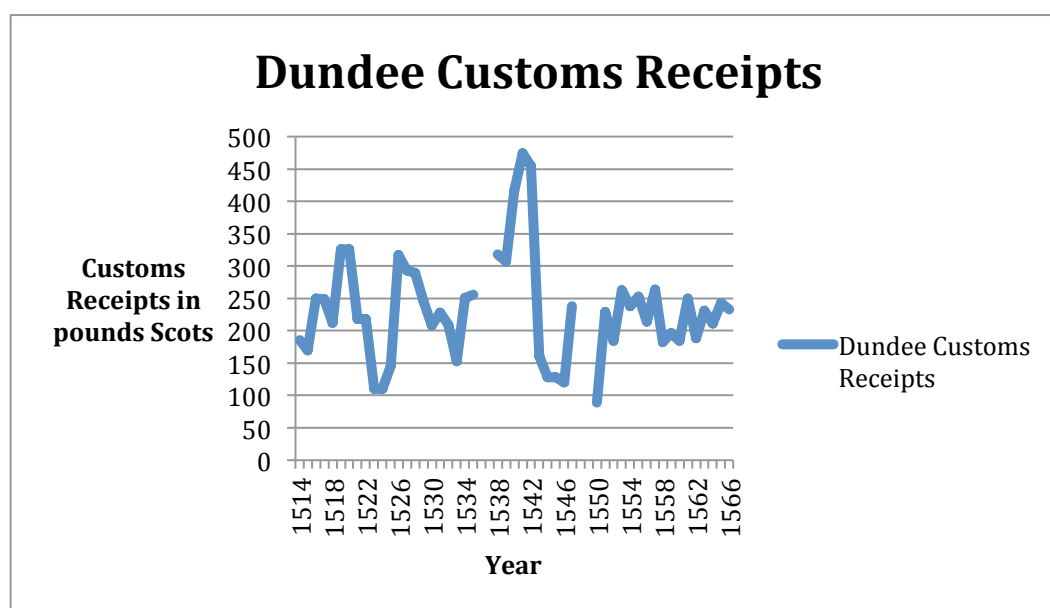


Figure 1: Dundee customs receipts

By the sixteenth century, Dundee was probably Scotland's second-largest burgh, and definitely its second wealthiest. Estimates of Dundee's mid-sixteenth-century population vary, from the 4,000 proposed by J.H. Baxter (based on 1557 figures) to the high estimate of 28,187 provided by Warden.³⁵ Perhaps the 9,000 suggested by the nineteenth-century local historian

³³ Torrie, *Medieval Dundee*, 31; Blanchard, Gemmil, Mayhew and Whyte, "The Economy, Town and Country" in Dennison, Ditchburn and Lynch, *Aberdeen before 1800*, 131.

³⁴ Alexander Stevenson, "Trade with the South, 1070-1513," in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 197; Martin Rorke, "English and Scottish Overseas Trade 1300-1600," *Economic History Review* LIX (2006): 269-70.

³⁵ Warden calculated that if the population in 1652 has been estimated at 10,822, when there were twenty master bakers, and the ratio of master bakers to customers remained constant, then the population in 1554, when there were fifty-two

Alexander Maxwell is the most likely figure.³⁶ By comparison, mid-century Edinburgh is thought to have had a population of about 13,500 and Aberdeen 5,500.³⁷ Between 1500 and 1565 Dundee paid the second-most taxes among Scottish towns, behind Edinburgh.³⁸ Dundee's share of the 1539 levy for border defences was just over 1/8 of the national total (12.6%)³⁹ and Dundonians contributed similar amounts in 1550 and in 1556.⁴⁰

While Dundee's relative position among Scottish burghs was constant during the mid-sixteenth century, its actual economy experienced significant fluctuations. By the sixteenth century, its main exports were salmon, cloth and skins.⁴¹ The period of greatest prosperity was during the export boom of the late 1530s and early 1540s – receipts increased from £152 in 1532-3 to £474 in 1540-1 and £455 in 1541-2.⁴² The dual shock of war and plague ended this prosperity, and receipts fell to a low of £119 in 1546. Accounts for much of 1547-49 are missing,

master bakers, was approximately 28,000. Alex J. Warden, *Burgh Laws of Dundee* (London: Longmans, Green & Co., 1972), 8.

³⁶ Notes compiled for this study, while certainly not an exhaustive survey, indicated some 677 people who are likely to have been heads of households in 1550, after the devastation of plague and war. The figure is based only on information collected in my extracts of the burgh court records, protocol books, charters, and surviving records of various guilds and the Burgess Roll. Some individuals are also present in central government records, such as the Accounts of the Lord High Treasurer and Privy Seal records. A more systematic survey of these records would certainly reveal more individuals, and of course many individuals would not appear in any of these records. Individuals were identified as potential heads of households if they appear in the records as either being married or having children, or identified as having a trade or possessing (either through ownership or rent) a house of their own during the five years before or after 1550 (1545-1555). Given an estimated figure of 4.5 people per household, (a figure used by Torrie, "The Guild in Fifteenth-century Dunfermline" in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 246) this suggests a minimum population of 3046, with a true figure likely to be much higher. J.H. Baxter, *Dundee and the Reformation* (Dundee: Abertay Historical Society, 1960), 7; Alexander Maxwell, *Old Dundee, Ecclesiastical, Burghal and Social Prior to the Reformation* (Edinburgh, David Douglas, 1891), 192.

³⁷ These estimates come with their own uncertainties, of course. E. Patricia Dennison, David Ditchburn, and Michael Lynch, "Preface" in Dennison, Ditchburn and Lynch, *Aberdeen before 1800*, xxvi.

³⁸ Proportionately, in 1535 Dundee paid 38.5% of Edinburgh's contribution, slightly more than Aberdeen (102%), Perth (130%), and 380% and 318% respectively of Stirling and Haddington's contributions. By 1550, the ratio compared to Edinburgh had not changed much - Dundee paid 51% of Edinburgh's contribution, and their contribution compared to Stirling declined to 275% of Stirling's payment. Their contribution compared to the other towns increased, however; 135% of Aberdeen's, 170% of Perth's, and 422% of Haddington's. In 1557, when a discount was granted to Haddington, Dundee's contribution compared to Edinburgh, Aberdeen and Perth stayed fairly stable, at 48%, 127% and 162% respectively, but their share compared to Stirling and Haddington increased dramatically, to 1166% and 808%. *Records of the Convention of Royal Burghs of Scotland, with extracts from other record relating to the affairs of the burghs of Scotland, 1295-1597* (Edinburgh: Convention of Royal Burghs, 1866): 514, 519, 526.

³⁹ £337 9s 7d out of a total of £2666 13s 4d.

⁴⁰ 304 crowns out of a total of 2454 crowns, or 12.4%, raised for the peace embassy; *Records of the Convention of Royal Burghs of Scotland*, 518, 519, 522-3.

⁴¹ National Records of Scotland (NRS) E71/12/1-5. Of course, this only includes goods which were customable, but, as Rorke points out, any trade which flourished became liable to customs. Rorke, "English and Scottish Overseas Trade 1300-1600," 267.

⁴² Customs accounts were not always given in every 365 days. For this study every custom account has been divided by the number of days covered by the account, which was then multiplied by 365 to give a figure for the annual revenue. This method may lead to some distortion, where two years are part of one account (1523-4, for example), or where accounts may include two summers but only one winter (for example, 6 April 1524 to 7 July 1525). Nonetheless, a general trend should be apparent. Figures are drawn from *The Exchequer Rolls of Scotland*, eds. Stuart, Burnett and McNeill, vol. 14:50, 94-5, 97, 191, 264, 330, 371, 441; vol. 15:64, 181, 268-9, 360, 440, 511; vol. 16:39, 60, 149, 226, 364, 377; vol. 17:58, 185, 303, 396, 460; vol 18: 51, 69, 70, 85, 100, 173, 196-7, 222, 256, 282, 332; vol 19: 4, 35, 83, 111, 172, 194, 221, 272-3, 291, 323.

and the 1550s and first half of the 1560s did not match those of earlier years, with annual receipts ranging from £183 (1558) to £264 (1557). What is also evident is that cloth was the dominant export of the early years (£138 in 1528, £179 in 1541) but declined in the 1550s, the best year being 1554-5 with £63. Salmon exports also fluctuated from year to year throughout the period, with a low of £35 in 1513-14, but reached a peak between 1538-42, with customs payments of £129 in 1540-1. After 1550, the range of fluctuation narrowed from £47 to £87. The evidence points to a pick-up in all aspects of Dundee's economy in the late 1530s and early 1540s, which was derailed by the wars of the 1540s and not regained by 1565. In Scotland overall, the cloth trade had returned to the levels of the 1530s by 1560, so Dundee's slow recovery was perhaps testimony to the extent of the damage done in the 1540s.⁴³ It is possible that the losses in livestock and buildings meant that the cloth and skin trade recovered more slowly than fishing, which would have been less affected by English burning and plundering.

The men who were most affected by these fluctuations were, of course, the merchants, especially those who traded overseas. At least forty-eight merchants, mostly but not always men, appear in the records studied, along with fifteen ship captains, many of whom were also effectively merchants.⁴⁴ These merchants could become quite wealthy — the four confirmed merchants whose testaments are available from between 1564 and 1575 had an average wealth of £564, compared to an average of £385 for all nineteen testaments from this period.⁴⁵ The wealth of the merchants ranged from the £1330 possessed by David Spens, who died in Antwerp in 1569, to the £158 of Alex Donaldson who died in 1574. Three mariners or skippers also left testaments (inventories of goods), with an average wealth of £532, and a range of £444 (James Kyle, 1567) to £698 (David Dog 1567). By comparison, the five craftsmen or professionals (including one surgeon, one cooper, two bakers and one maltman) had an average wealth of £355. These five testaments had a narrower range than the merchants, between £245 for John

⁴³ Rorke, "English and Scottish Overseas Trade 1300-1600," 275.

⁴⁴ The term 'mariner' in the Dundee records often appears to mean ship captain - at any rate, many of these mariners were involved in business dealings.

⁴⁵ NRS CC8/8/2/228; CC8/8/3/436; CC8/8/3/465; CC8/8/2/609; CC8/8/11/167; CC8/8/11/167; CC8/8/1/232; CC8/8/1/217; CC8/8/1/225; CC8/8/1/297; CC8/8/1/493; CC8/8/1/470; CC8/8/2/200; CC8/8/2/14; CC8/8/2/57; CC8/8/2/688; CC8/8/3/268; CC8/8/3/517.

Kynneir (undated), a baker, and £620 for William Leggat (1564), a maltman. These men would have been among the wealthier craftsmen, however. In Haddington, and possibly elsewhere, the maltmen would have been considered more as merchants than craftsmen.

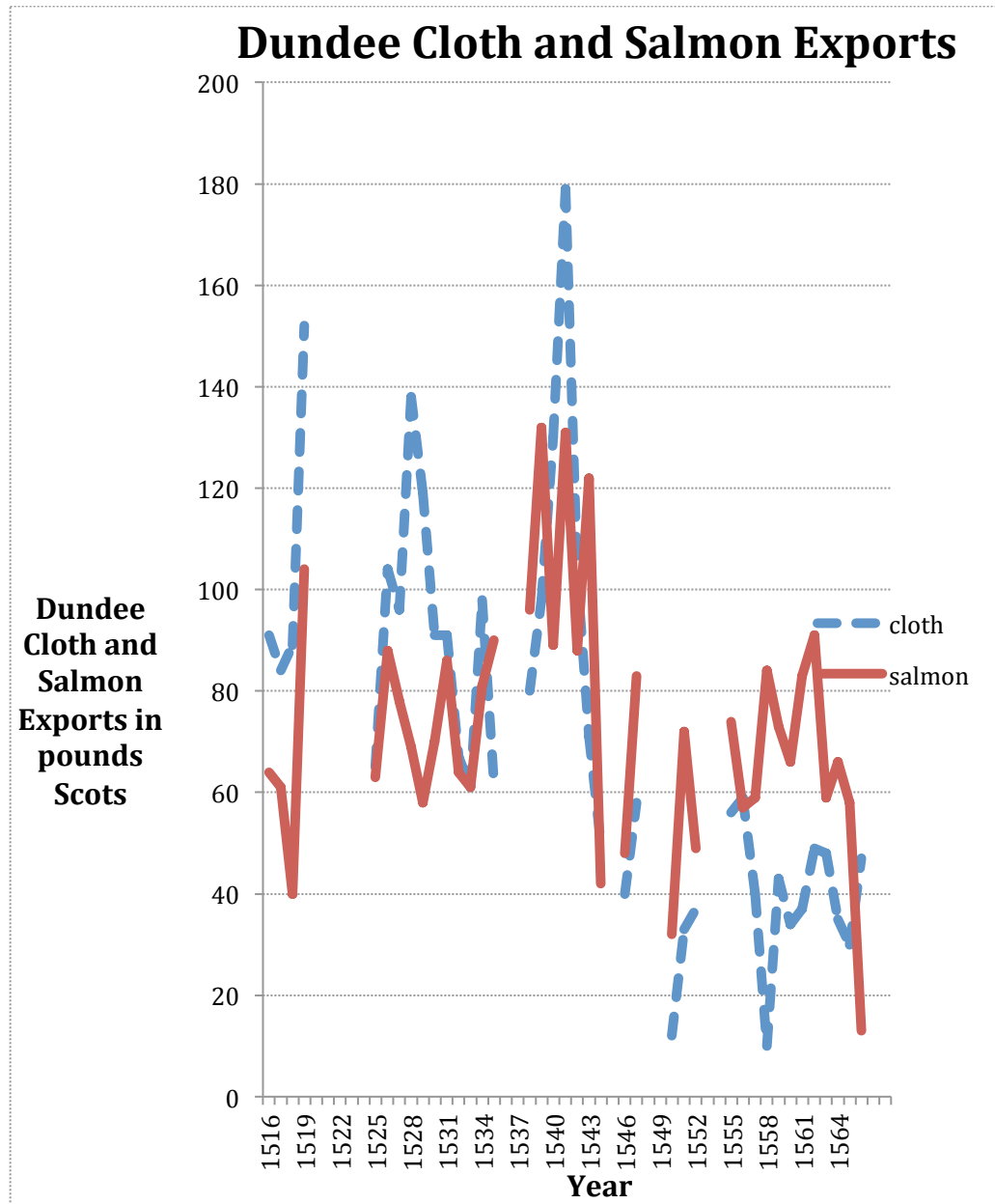


Figure 2: Dundee Cloth and Salmon Exports

The wealth in these testaments was much more than skilled tradesmen or labourers could hope to accumulate. In 1523, for example, William Dougal, who had been injured by Robert Dawson, was to receive 12d for each day that the leech (healer) said he could not work, which would suggest an annual income for labourers of £10, which may have risen to between £15 and £20 by 1560.⁴⁶ Even accounting for inflation between 1525 and 1575, the amount left by the wealthy was about twenty to twenty-five times a labourer's annual income. At the lowest end of the scale, some ten workmen at the common mill dared to complain, probably during the 1520s, that they were working in conditions of slavery, "who have not consented but reclaimed against the thrall in which they are driven."⁴⁷ In response to their protests, the town council revoked all letters of privilege made "or to be made" on behalf of the workmen, perhaps proving their point.⁴⁸

Evidence of manufacturing is harder to trace in the burgh records than trade, as it was mostly merchants who dominated the court and brought issues of debts and business arrangements to be settled. By the mid-sixteenth century Dundee had nine recognized trades: the bakers, the cordiners (shoemaker), the skimmers/glovers, tailors, bonnetmakers, fleshers (butchers), hammermen (metalworkers), weavers, and walkers (fullers).⁴⁹ The trades were dominated by those who would have focused on local production, such as bakers (55 known members), butchers (30) brewers (15), and skimmers (15), although these craftsmen appear more often in the records as they were closely regulated. The records identify relatively few people involved in the cloth trade, including seven fullers or walkers, ten dyers, ten tailors, six cutters and five weavers, for a total of thirty-eight. Manufacturing was nonetheless quite important, and Torrie notes that for the greater part of the sixteenth century Dundee's proportion of the national tax contribution was twice that of its customs payments, indicating that Dundee's wealth was not

⁴⁶ Dundee City Archives (afterwards DCA) Burgh and Head Court Book 1454-1524 f145v; see also the contract between the Dominicans and a mason, DCA Protocol Book 1518-34, t83; Gibson and Smout indicate that Edinburgh wages for masons increased from 2s 6d in the 1530s to 3s or 4s in the 1560s. They also indicate that for urban day-labourers wages increased from 10d and over in the 1530s to 1s 6d in the 1560s - effectively doubling. The estimate of an annual income also took into account the possibility of less work or lower wages in winter. A average of four days a week, or 200 days a year, seems probable, which would imply an income of 10£ a year in 1524, perhaps £15-20 by 1560. A.J.S. Gibson and T.C. Smout, *Prices, food and wages in Scotland 1550-1780* (Cambridge: Cambridge University Press, 1995), 274, 278-285.

⁴⁷ DCA Protocol Book 1518-34, t48/f31.

⁴⁸ DCA Protocol Book 1518-34, t48/f31.

⁴⁹ Perry, *Dundee Rediscovered*, 17 (from A.M Smith, *The Nine Trades of Dundee* (Dundee: Abertay Historical Society, 1995)).

solely due to trade. Part of the discrepancy, Torrie suggests, may be due to Dundee's manufacturing of coarse cloth, which was not subject to customs.⁵⁰ By the end of the sixteenth century, the dyers alone were paying 7% of Dundee's tax contribution, which, as Torrie points out, was "a proportion unmatched by a textile-related trade anywhere else in Scotland."⁵¹ Their importance to the burgh economy was therefore greater than their appearances in the burgh court records would indicate.

Dundee owed its existence as a burgh to trade, but the revenues that could be made that way were precarious. By 1560, the boom of the late 1530s would have been nothing but a memory. Nonetheless there was still decent money to be made by the merchants and ship captains, significantly more so than the craftsmen. Though cloth manufacturing had and would make an important contribution to Dundee's overall economy, it does not appear that the individual craftsmen in the trade became especially wealthy or prominent in burgh affairs during the middle decades of the century. As far as the burgh records indicate, the merchants and craftsmen in the food trades were Dundee's most prominent citizens.

Haddington: History, Location, Economy

Haddington is located just to the north and west of a bend in the river Tyne, about twenty-seven kilometers east of Edinburgh and eleven kilometers south of North Berwick, where it is surrounded by the rich farmland of East Lothian. Settled by the eleventh century or earlier, it was made into a royal burgh in 1124 by David I. The medieval layout of the town can still be discerned by a modern visitor; the Tyne, flowing from the east, first passes south of the neighbourhood of Poldrate, where the town's two mills were located. As the river bends to the north, it passes the parish church of St Mary's on its western bank. About two hundred meters north of St Mary's is the heart of the burgh. The market place lay in the centre of a triangle formed by Market Street, which veers toward the north, and High Street on the southern side, with the Tolbooth forming the

⁵⁰ Torrie, *Medieval Dundee*, 35.

⁵¹ Torrie, *Medieval Dundee*, 36.

eastern boundary.⁵² To the east of the burgh centre, the Tyne is crossed by the Nungait bridge, which connects the burgh to the east bank neighbourhoods of Nungait and, directly across from St Mary's, Giffordgait, the likely birthplace of John Knox.⁵³ North of the bridge, still on the east bank, was the Gimmersmill which belonged to the nearby abbey, on the site of the current PureMalt plant. Past there, the river bends to the east, and the abbey was located about three kilometers downstream.⁵⁴

The wealth that Haddington enjoyed in times of peace was such that during the twelfth and thirteenth centuries the kings of Scotland maintained a residence there. This wealth came from the rich countryside around it, which supported mostly grain crops, with the animals pastured on the wilder lands beyond providing wool and skins for export.⁵⁵ Haddington also lay along the main route taken by invading English armies, however, and the flat countryside around it offered no natural defence, so after the royal palace was burnt in 1216, Scotland's monarchs moved elsewhere. Further English invasions would follow in 1296, 1355-6, 1384-5, and of course during the 1540s.⁵⁶ Edward III's attack in February 1355-6, known as the 'Burnt Candlemass' was especially devastating and destroyed both the parish and Franciscan churches. The parish church which still stands was begun about a century later and was completed in the sixteenth century.⁵⁷ Bigger than even Edinburgh's St Giles, St Mary's was a demonstration of the town's prosperity.

As a farming community, there was not a great divide between town and country, and many inhabitants either owned or worked fields in the surrounding countryside. Arguments about agricultural matters – grain owed to landlords, rent holders and business partners, passages over

⁵² Rosalind K. Marshall, *Ruin and Restoration: St Mary's Church Haddington* (Haddington: East Lothian Library Service, 2001), 7.

⁵³ James H. Jamieson, "John Knox and East Lothian" in *Transactions of the East Lothian Antiquarian and Field Naturalist Society* (1934-8), 69.

⁵⁴ National Library of Scotland. John Wood, Map of Haddington and Nungait. (Edinburgh: J. Wood, 1819), <http://maps.nls.uk/towns/detail.cfm?id=354>, accessed 19/07/2012.

⁵⁵ Haddington was one of Scotland's top five exporters of wool in the fifteenth century, although its relative position and actual exports declined over the course of the century. Stevenson, "Trade with the South, 1070-1513," in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 197.

⁵⁶ *Haddington: Royal Burgh: A History and Guide* (East Linton: Tuckwell Press, 1997), 4, 6; W. Forbes Gray, assisted by James H. Jamieson, *Short History of Haddington* (Edinburgh: East Lothian Antiquarian and Field Naturalist Society, 1944), 2; Michael Lynch, *Scotland: A New History* (London: Pimlico, 1991), 87, 112.

⁵⁷ Richard Fawcett, *The Architecture of the Medieval Scottish Church* (New Haven, Conn.: Yale University Press, 2011), 305.

fields and so on – appear more frequently in the burgh court books and especially in the protocol books of Haddington's notaries than they do in Dundee's. Much of the farmland was owned by the abbeys of Haddington and Newbottle, and disputes involving their tenants were often repledged to their courts.

In the mid-sixteenth century, the economy revolved around the production of grain for domestic consumption and hides and wool for export. Haddington's exports were shipped through Aberlady on the shore of the Forth, where the burgh maintained a customs house. In return, Haddington seems to have imported mostly timber from Fife.⁵⁸ The burgh's merchants occasionally ventured overseas but were not as active as the merchants of Dundee. Indeed, in 1558 Alexander Barnes had to be dispatched to Leith to buy wine.⁵⁹

Throughout this period, Haddington's exports were consistently dominated by skins and wool.⁶⁰ Some of this wool, at least in times of peace, was smuggled over the border from England.⁶¹ As in Dundee, the export trade was at its highest point in a century during the 1530s, paying around £100 a year in customs duties, reaching a peak of £139 3s 1d between August 1538 and August 1539.⁶² When James V travelled to France in 1535 searching for a bride, Haddington's prosperity was such that it paid the fifth largest contribution of any of the Scottish burghs to the special tax that was collected.⁶³ Following the destruction of the 1540s, however, Haddington's economy suffered greatly. During the wars of the Rough Wooing, the export trade collapsed completely. Only £4 8s 8d of customs was collected between March 1545 and October 1551, and for the rest of the period customs receipts remained mostly around £10 a year. A tax collection in July 1557 for Mary Stewart's wedding instructed the collectors to "take consideration of the great ruin poverty and decay of the burgh of Haddington and make modification of their tax" making up the reduction with contributions from towns not affected by the war.⁶⁴ With the

⁵⁸ W. Forbes Gray, *Short History of Haddington*, 85-6.

⁵⁹ NRS E82/27/1 f17.

⁶⁰ Customs receipts consistently included woolfell, hides, wool, woolen cloth, schorlings and lambskins.

⁶¹ Stevenson, "Trade with the South, 1070-1513" in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 193; Rorke, "English and Scottish Overseas Trade 1300-1600," 271.

⁶² Stevenson, "Trade with the South, 1070-1513" in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 193.

⁶³ W. Forbes-Gray, *Short History of Haddington*, 6-8; *Records of the Convention of Royal Burghs of Scotland*, 514.

⁶⁴ *Records of the Convention of Royal Burghs of Scotland*, 525.

discount, Haddington made the twelfth largest contribution. By 1563, when a tax was collected for an embassy to Denmark, Haddington had rebounded somewhat, paying the seventh largest contribution.⁶⁵

Haddington had no formal merchant's guild until 1659, but the wealthiest men in the town came from the ranks of merchants and maltmen. Seventeen individuals active in our period can be identified as merchants, mostly through their involvement in trade disputes or payment of customs dues. A sense of the wealth of those at the upper end of the scale can be gathered from the handful of testaments which survive from the late 1560s; the five examined here in no way provide a satisfactory statistical guide to the population, but they suggest some trends. The wealthiest man, by far, was Thomas Richardson, a merchant with business connections on the Continent where his factors held significant amounts of cash for him – £146 13s 4d in Dieppe and £20 in Flanders. He dealt mostly in iron, iron goods and cloth, based on his inventory at the time of his death in 1567, and he had a considerable net worth of £1464 6s 9d.⁶⁶ Despite his wealth, he was not called on to contribute to the Queen's tax in 1565. Two other merchants, Elizabeth Sinclair, the wife of merchant Patrick Lyell, and Cristell (Christopher) Galloway, had net worths of £421 18s 5d and £551 13s 4d, respectively, on their deaths.⁶⁷ Galloway contributed 20s to the town in 1556-7.⁶⁸

The secret to the wealth demonstrated in these three testaments may have been that the testamentary arrived in Haddington after the difficult years of the 1540s. Thomas Richardson was made a burgess in 1560, under what must have been slightly unusual circumstances, for he was not charged the usual burgess fee but was to pay an amount specially decided by the council.⁶⁹ Perhaps he made his fortune elsewhere while Haddington was suffering, and was recruited as a wealthy migrant by his father-in-law, the merchant Thomas Poynton. Patrick Lyell was also outside the burgh in the early 1550s, as Adam Wilson acted as surety to insure that Lyell settled

⁶⁵ *Records of the Convention of Royal Burghs of Scotland*, 514, 522, 528.

⁶⁶ NRS CC8/8/1/149.

⁶⁷ NRS CC8/8/2/212.

⁶⁸ HAD/2/1/2/1 Burgh Minutes 1554-80, f126.

⁶⁹ HAD/4/2/3/1 Haddington Court Book 1555-60, f18.

in Haddington by Witsonday 1555, under pain of £100.⁷⁰ Cristell Galloway had been in Haddington longer than the others, arriving in 1552, but still avoided the tumult of plague and war.⁷¹ Aberdeen, in a similar circumstance following the plague of 1647, instructed their Provost to recruit good craftsmen from other burghs, so it might not have been unusual for Haddington to restock their burgess roll after a catastrophe.⁷²

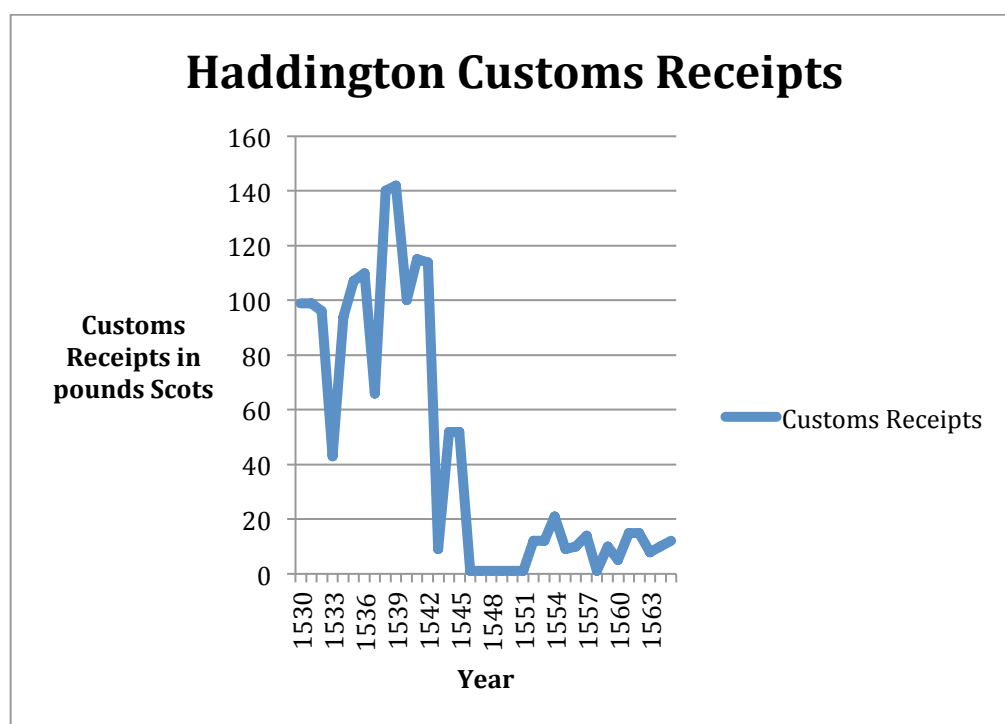


Figure 3: Haddington customs receipts

The remaining two testaments reflect the more modest wealth of craftsmen, even fairly prominent ones. James Ayton, dean of the baker's guild, had a net worth of £168 6s 8d on his death in 1568. Unsurprisingly for a baker, his assets mostly consisted of grain.⁷³ John Douglas, a mason, had a net worth of £58 7s 8d on his death in 1568. He was also considered wealthy

⁷⁰ HAD/4/2/3/1 Haddington Court Book 1555-60, f33.

⁷¹ W. Forbes-Gray, *Short History of Haddington*, 106.

⁷² E. Patricia Dennison, Gordon DesBrisay, and H. Lesley Diack, "Health in the Two Towns" in Dennison, Ditchburn, Lynch, *Aberdeen before 1800*.

⁷³ NRS CC8/8/1/393.

enough to lend money to the town, lending a modest 10s in 1558.⁷⁴ He owned oxen and lent them out for hire, and both owed and was owed considerable amounts of money for land rents.⁷⁵ Douglas was active in burgh politics, serving ten terms as councillor, two as craft representative and one as baillie (magistrate).

The prominence of merchants and maltmen among the town's wealthy can also be seen in the extraordinary taxes and contributions levied on the wealthier burghers. In 1556-7, twelve men and one woman were obliged to lend the town 20s; of these, three were merchants, two maltmen and one a baker (and the baker and one of the maltmen were deacons of their crafts), the other six are unknown.⁷⁶ In 1565, seven men lent the burgh a total of £100. Two were maltmen and at least two were merchants. The impression gained from this admittedly small sample is that wealth in Haddington belonged to the merchants who collected rents in grain, exported hides and imported finished cloth, as well as to the maltmen who dealt in grain. Even the prominent craftsmen obtained nowhere near as much wealth.

In the absence of guild records, it is difficult to discern whether any one trade played an especially significant role in the town's economy. Guild disputes, at least the kind that leave useful records, were not especially common in the burgh court records, and aside from the unsurprising existence of bakers (twelve recorded), tailors (seven), masons (six), maltmen (five), and smiths/hammermen (three), no craft appears disproportionately dominant. Other crafts, according to a 1537 list of those permitted to put on plays on Midsummer's Day, included the butchers, barbers, furriers, wrights (builders), weavers and shoemakers.⁷⁷ Given the exports of woolen cloth and hides there must have been some manufacturing trade in the town, but as in Dundee little trace of such activities can be found in the records.

The income received by the burgh council mostly came from the rental of the two common mills and the small customs, which were auctioned off every year. Hand bells would be rung through the town to gather the 'baillies, council and community' who would then bid on the

⁷⁴ Twenty-three people, in total, lent money to the town in 1557-8. HAD/4/6/73 Treasurer's Account 1558, f11.

⁷⁵ NRS CC8/8/1/420.

⁷⁶ HAD/2/1/2/1 Burgh Minutes 1554-80, f12v.

⁷⁷ HA4/4/6/5 Haddington Court Book 1530-55, f81.

customs. The small customs included the customs of the trone (weighhouse), the fees from the anchorage at Aberlady and the rents from fields and urban tenements owned by the burgh.⁷⁸ For much of our period, the bids for the small customs varied from £40 to £65. Some of the variations may be due to the bidding process, and some of the bids might have been over-optimistic, but generally bids were lower in years of disorder. As war and plague threatened, longer-term bids, at lower prices, were accepted and perhaps even sought by the community. It was not uncommon for two or three men to share a bid; in 1545 the bid was for £170 over five years, or £34 a year, shared by ten men. Bids shot up again in the mid-1550s, dropping slightly in 1559, before increasing again in the 1560s.⁷⁹

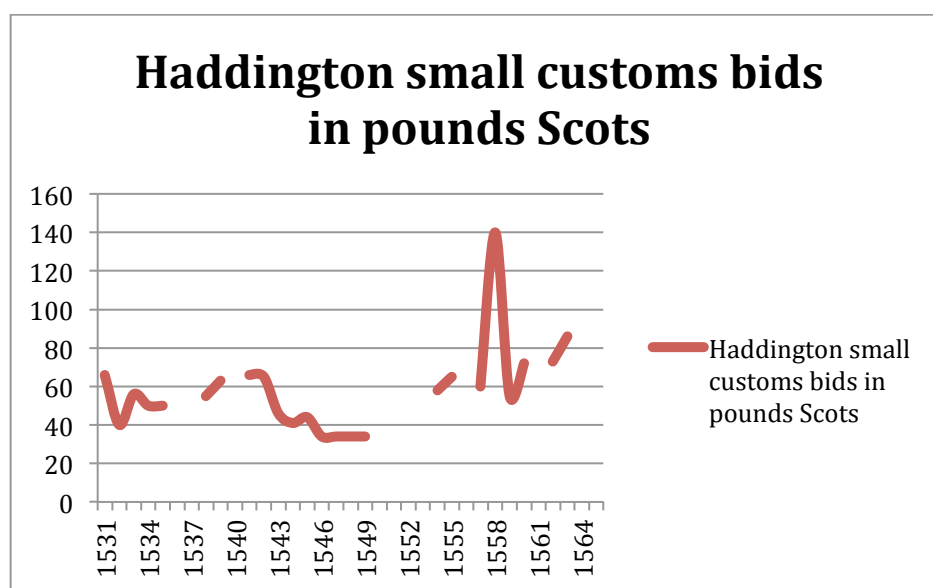


Figure 4: Haddington small customs bids

We have fewer precise amounts for the rental of the two common mills, which were more lucrative, but the same general pattern emerges. In 1554 and 1557, the winning bids, jointly made by John Ayton and John Forrois, were 310 merks, although in 1557 they stipulated that “if it

⁷⁸ Henry M. Paton “Haddington Records: Books of the Common Good,” in *Transactions of the East Lothian Antiquarian and Field Naturalist Society* (1958), 48.

⁷⁹ Prior to 1552, the small customs changed hands from year to year, although some of the same men - Martin Wolson or Wilson, John Rycht, George Symson - reappear on multiple occasions. After 1552, the customs were taken by the same men several years running; John Ayton from 1552 to 1555, Thomas Spottiswode in 1556 and 1557, Alexander Thomas from 1560 to 1565. HA4/4/6/5 Haddington Burgh Court Book 1530-55, f106, 23, 38, 47v, 66v, 98, 147, 147v, 163v, 177v, 192v, 205, 210, 254, 274; HAD/2/1/2/1 Burgh Minutes 1554-80 f136, 4, 22v, 25v, 26, 29, 31, 43v.

shall happen that the said mills or any of them to be burnt and destroyed by Englishmen within the said year” they would receive a rebate from the date of the burning.⁸⁰ Bids decreased slightly in 1558, perhaps demonstrating continuing nervousness about war, before doubling by 1565.⁸¹ From these sources, the burgh might expect revenues of about £270 in the mid-1550s. Against this income the burgh owed every year £20 to the royal Exchequer, £4 to the Abbey for the rent of the mills (which the burgh had unsuccessfully disputed in the mid-fifteenth century) and £5 to the friars. They also paid a number of salaries and fees to their own employees and office holders, including the prebends of the college kirk, the provost, baillies, sergeants, wine tasters, the schoolmaster, clerk, hangman and clock keeper, among others.⁸² Additionally, pensions were awarded for good service: Mr. William Brown, probably the former Provost, for “again getting of an evident of Glaidmure forth of my Lord Bothwell’s hands” received £40. Robert Maitland received eight merks annually for saving the town’s charters from the English. After 1555, however, the payment to the choristers disappears, possibly because the grace period in rent collecting provided for by the Act on Burnt Lands had expired by this time and the clergy could once again collect rents. Payments to the Abbey of Dunfermline (£2), the hospital of Saint Lawrence (£1) and the Abbey of Haddington (£2) were made instead. Other expenses ranged from the timber for the kirk, to a payment to shipwrecked sailors, to travel expenses for the provost. In 1555, the burgh’s total expenses were £286, 18s and 2d. The gap between income and expenditures was therefore very tight and some years may have even gone into deficit, requiring loans or contributions from some of the burghers.⁸³

Sixteenth-century Haddington was a farming and exporting community whose prosperity was dependent on peace. Its relative position among Scottish burghs had been declining since

⁸⁰ HAD/2/1/2/1 Burgh Minutes 1554-80, f15.

⁸¹ Paton, “Haddington Records: Books of the Common Good,” 48. HAD/2/1/2/1 Burgh Minutes 1554-80, f5, f15, f19, f29, f31, f34v, f39, f43.

⁸² In the mid 1550s the prebends of the College church received £41, the burgh’s provost received a fee of ten merks (although this was a subject of dispute), the bailies and treasurer each received £4, the clerk five merks (£3 7s 6d), the clock keeper £3, and the sergeants £110s each. The schoolmaster was paid 20 merks, Mr David Borthwick, for serving as procurator received £10, the hangman 40s, the bellman, “for praying for all cristianis saulis fyre and water,” 13s 4d, the four market searchers each received half a merk, and the ale and winner tasters received 13s 4d a year, divided amongst three or four men.

⁸³ Paton, “Haddington Records: Books of the Common Good,” 48-9, for 1555, 50-1; for 1557-8, 2-3; for 1558, 55-56; for 1559, 59.

the fourteenth century, partly because of the destruction of the wars, and partly because of the loss of the export trade. Like Dundee, by 1560 the boom of the 1530s was a distant memory; unlike Dundee, there was no recovery, even a modest one, in the export trade. By 1560, Haddington's customs receipts were 11% of their 1540 level, compared with 44% for Dundee. The bidding on the common mills and small customs demonstrate that the agricultural economy was recovering, though the burghers would have been very much aware of the havoc that a new war could bring.

Dundee's Municipal Government

The sixteenth and seventeenth centuries are largely held to have been a period of increasing oligarchy in Scotland's burghs, and indeed throughout Europe.⁸⁴ Superficially, this appears to have been the case in Dundee as well, for a small group of about two dozen men, mostly merchants and some of the wealthier craftsmen, played a prominent role in Dundee's government. This group nonetheless still required the consent and cooperation of the wider community to govern effectively.

From the start of our period, Dundee's burgh government followed the form of the Parliamentary act of 1469 with a standing council that elected its successors every October.⁸⁵ The municipal administration consisted of the Provost, four baillies, fifteen to eighteen councillors, one of whom would be elected kirkmaster, a Dean of Guild and a treasurer. Two men served as masters of the Almshouse, a position which was usually held for several consecutive years. Some years, the craft representatives may have been included in the list of regular councillors, which may account for the variation in numbers of councillors in different years. Other years they

⁸⁴ Michael Lynch, "The Social and Economic Structure of the larger towns, 1450-1600" in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 261-2, 264. For a more nuanced view see Rigby and Ewan, "Government, Power and Authority 1300-1540" in Pallister, *The Cambridge Urban History of Britain*, vol. 1; Archer, "Politics and Government 1540-1700" in Clark, *The Cambridge Urban History of Britain*, vol. 2; Friedrichs, *The Early Modern City 1450-1750*, 50.

⁸⁵ Of course, Dundee's system may have predated the Act. *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds. (St Andrews, 2007-2012), 1469/19. Date accessed: 10 October 2012. The archival record of Dundee town council minutes includes a series from 1520-3 and is largely continuous from 1550 on, but for the purposes of this study only those up to 1563 have been examined.

were listed separately. Regulations were enforced by four or five sergeants or officers and two or three wine, beer and meat tasters.⁸⁶

The provost was the leading figure in the burgh administration. During some periods there was a different Provost chosen every year, but from 1550 on James Haliburton was elected each year. Unlike other local lairds, particularly the Grays, Haliburton had distinguished himself in fighting against the English and received a pension of £500 from Mary of Guise.⁸⁷ As he rarely appears in the records as an individual or as making unilateral decisions, it is difficult to tell what his actual role or influence was, though on several occasions decisions were postponed until he could attend meetings. He did not frequently attend burgh business: between April 1557 and April 1558 he attended 5 times out of the 112 days when the baillies held court. When present, he did exercise his authority – leaning on the bakers to obey the bread price regulations, for example.⁸⁸ He also attended Parliaments, and signed the commission to negotiate the marriage of Mary Stuart in 1557, as one of six representatives of the burghs.⁸⁹ As Provost, Haliburton appeared to suit the Dundonians perfectly, lending his authority when necessary and representing the town on the national political stage, but otherwise not interfering with more routine burgh business.

The majority of burgh government was carried out by the baillies, council, assizes and inquests. The baillies held court several times a week to handle the day-to-day administration of burgh affairs and oversee cases relating to debts, unpaid rents, property transfers, business deals as well as trouble (minor assaults and physical disturbances) and slander.⁹⁰ The council, which was elected in October, served year-round. The number of recorded council meetings varied, from four in 1521 to sixteen in 1551, though this variation might simply be due to the scribe's habits; often we only know that the councillors were present at the burgh court because a decision was recorded under some variation of the formula "provost, baillies, council

⁸⁶ In the 1520s these posts tended to go to councillors or former baillies, but during the 1550s these posts as tasters went to men who were not councillors, or who served only for one term.

⁸⁷ *Register of Privy Council of Scotland* (first series), eds. John Hill Burton, David Masson (Edinburgh: H.M. General Register House, 1877), 1:501.

⁸⁸ DCA Burgh and Head Court Book 1555-8, f152.

⁸⁹ *Accounts of the Lord High Treasurer of Scotland*, eds. Thomas Dickson et al (Edinburgh: H.M. General Register House, 1877): 9:475; *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2012), 1558/11/21, A1560/8/7. Date accessed: 19 December 2012.

⁹⁰ For example: DCA Burgh and Head Court Book 1454-1524, f68v, 115v; DCA Burgh and Head Court Book 1560-4, f70, f81v; DCA Burgh and Head Court Book 1561-2, f75, f71v.

and community.” In general, the council was called upon to approve matters involving spending and renting or regulating burgh property (including the kirk).⁹¹ From 1550 on, the amendment of burgh statutes were not recorded in the general court book but in a volume now known as “Dundee Burgh Laws,” suggesting that in mid-century an effort was made to distinguish routine court decisions from legislation.⁹² Assizes and inquests were minor judicial bodies, similar to the modern jury, drawn from the burghers. Assizes ruled solely on guilt or innocence in criminal cases or trials of undesirable people, and sometimes on violations of economic regulations or debt disputes. This was a more restricted role than in Haddington and other small burghs where assizes pronounced on all matters of burgh administration.⁹³ Inquests restricted themselves to matters of inheritance.⁹⁴ There were no set rules about the relationship between town councils and assizes or inquests: up to one-quarter of assize members might have been councillors, or none.⁹⁵ The frequency of assizes and inquests declined over the period studied; out of four sampled years (1522, 1551, 1556, 1562) there were twenty-two in ten months in 1522, and only six or seven in each of the later years. The same decline occurred in Haddington as well.

During the 1550s at least, it appears that each year the four new baillies were drawn from the old councillors, although one or two of the baillies might continue for two, though never three, consecutive years. The previous year’s baillies were reappointed to the council. Normally, a little over half the councillors would repeat from one year to the next, so that, combined with the previous year’s baillies serving ex-officio, two-thirds of each year’s council would be drawn from the previous year’s.⁹⁶ At any given moment during both the 1520s and 1550s this group of men who dominated the town council by serving repeatedly numbered about twenty to twenty-five.

⁹¹ For example: DCA Burgh and Head Court Book 1454-1524, f13, 44v, 64; DCA Burgh and Head Court Book 1550-4, f47v, 52, 85; DCA Burgh and Head Court Book 1555-8, f51v, 63v, 72-3; DCA Burgh and Head Court Book 1561-2, f76v.

⁹² DCA Burgh and Head Court Book Head Court Laws 1550-1612, f2, 29; for a full discussion of the different categories of burgh court meetings, see Ian Douglas Willock, *The Origins and Development of the Jury in Scotland* (Edinburgh: Stair Society, 1966), 53-61.

⁹³ DCA Burgh and Head Court Book 1454-1524, f11, 42v; DCA Burgh and Head Court Book 1561-2, f10; DCA Burgh and Head Court Book 1562-3, f31; Willock, *The Origins and Development of the Jury in Scotland*, 62.

⁹⁴ DCA Burgh and Head Court Book 1550-4, f94; DCA Burgh and Head Court Book 1555-8, f57; DCA Burgh and Head Court Book 1551-2, f116.

⁹⁵ DCA Burgh and Head Court Book 1555-8, f72-3, DCA Burgh and Head Court Book 1550-4, f94.

⁹⁶ Between 1522 and 1524 nineteen men served multiple terms, of whom ten served for all three consecutive years of 1522, 1523 and 1524. Only five men served a single term in this period. Between 1550 and 1563 twenty-nine served multiple, consecutive terms, while fourteen men served only one term (of course, some of those men may have served other terms in the years before 1550 or after 1563). A comparatively small group of six men served multiple but non-consecutive terms during this period.

Membership in this group demanded consistent application - while not every member served every year, very few returned to council after an absence of more than three years. Some men served for only brief periods; it could be that they were found unfit or unwilling for future service, or that an effort was made every year to include one or two men who were not normally members of the ruling group.⁹⁷

The majority of the council was made up of merchants, though it was not exclusively a mercantile body. Of the seventeen men who served multiple terms in the 1520s it is likely that at least eleven were merchants. As the craft representatives were sometimes listed as ordinary councillors it is not a given that all councillors were merchants.⁹⁸ Of the rest, David Carnegie was probably a baker; it is unclear whether he served on council as a craft representative or in his own right. Dundee's Vicar, John Jakson, also sat as a councillor during the years 1522-1524.⁹⁹ Nothing definitive can be said about the remaining four men. Of the men who served multiple terms between 1550 and 1563, a reasonable amount of information survives for twenty-six; of them, at least ten can be positively identified as merchants.¹⁰⁰ As far as we can tell, none of them appear to have been lairds (minor gentry).

The affairs of the merchants were governed by the Holy Blood guild which had been founded sometime between 1165 and 1214.¹⁰¹ The powers of the Dean of Guild and various statutes relating to the merchant guild were formally laid out in a charter of 1515, and an arbitrated agreement sorting out the respective rights and responsibilities of the merchants and craftsmen was made in 1527. Under this agreement, the Dean of Guild was to exercise the powers he already held (likely including collection of an export duty called Holy Blood silver, regulation of entrance to the Guild, and regulating the establishments of new booths or market

⁹⁷ DCA Burgh and Head Court Book 1454-1524, f40v, 105, 158b; DCA Burgh and Head Court Book 1550-1554, f2, 91, 188, 252, 340v; DCA Burgh and Head Court Book 1555-1558 f2, 71v, 144v; DCA Burgh and Head Court Book 1558-1561 f124v; DCA Dundee Burgh and Head Court Book 1562-3, f3. The following discussion of council membership is based on these references.

⁹⁸ One, Andrew Kynneris, a skinner, was identified as a craft representative in 1560 but as an ordinary councillor in 1561.

⁹⁹ *Dundee Weavers Charters*, 10.

¹⁰⁰ The twenty-six are: George Lovell, Robert Anderson, George Spalding, Andrew Annand, Robert Kyd, James Forrester, George Wishart, Thomas Maxwell, Alexander Paterson, James Lovell, George Rollok Sr., James Scrimgeour, Patrick Lyon, James Rollok Sr., James Rollok Jr., John Duncan son of Thomas Duncan, George Hay, Harbart Gledstanis, John Wedderburn, Richard Blyth, George Spens, Alexander Scrymgeour, Andrew Kynneris, William Carmichael, Robert Myln, younger, Alexander Carnegie.

¹⁰¹ Torrie, *Medieval Dundee*, 34.

stalls and collecting fees from them), but was not permitted to introduce any innovations to the detriment of the craftsmen. Craftsmen were allowed to appeal to the provost and baillies if the fines levied by the crafts were too severe. The collector of the Holy Blood silver and each craft deacon were to appear annually before the provost, baillies and other auditors to present their accounts.¹⁰²

Some friction between the council and the inhabitants could be expected. There were occasional incidents of men complaining about court rulings; for example, David Spanky, who was frequently in trouble for breaking various burgh regulations, in July 1551 said, “there was no justice done in the tolbooth,” for which he was sentenced to pay 10s to the almshouse and ask the baillies for forgiveness.¹⁰³ While conflicts with the crafts in general appear to have been rare, there were frequent disputes with the bakers over the price of bread and the use of the common mill. In 1557, Provost Haliburton made one of his rare interventions, requiring the bakers to appear before him to swear an oath to obey bread prices.¹⁰⁴

Despite these incidents, the councillors needed and obtained the consent and cooperation of the burghers to function, as did town councillors throughout Europe. Urban government throughout medieval and early modern Europe was based on the idea that town rulers had an obligation to at least consult and preferably obtain the consent of the community (usually the burgesses), which in Scotland was referred to as ‘the community of the burgh’, although this consultation was certainly not equivalent to modern democratic rule.¹⁰⁵ In Dundee there did not appear to have been large assemblies, as occasionally held in Haddington, but council minutes often refer to the presence of ‘the community,’ though we cannot be sure who was actually present.¹⁰⁶ More concretely, the two dozen or so men who dominated the town council were supplemented by a large number of men who served infrequently either as town councilors, enforcers of regulations or on assizes or inquests. During the 1550s, in addition to the

¹⁰² Warden, *Burgh Laws*, 97-101.

¹⁰³ DCA Burgh and Head Court Book 1550-54, f81.

¹⁰⁴ DCA Burgh and Head Court Book 1555-58, f152.

¹⁰⁵ Rigby and Ewan, “Government, Power and Authority 1300-1540” in Pallister, *The Cambridge Urban History of Britain*, 1:305-8; Friedrichs, *The Early Modern City 1450-1750*, 48.

¹⁰⁶ See Willock, *The Origins and Development of the Jury in Scotland*, 54.

twenty-six frequent councilors, approximately fifty men served occasionally on council, a further three hundred served on inquests and assizes, and many others took their turn enforcing burgh regulations as inspectors of bread, meat, ale and other substances.¹⁰⁷ If this broader group had not agreed with the council's decisions, then burgh politics would have been much more fraught than the evidence suggests. The support and active participation of the larger community was essential to the two dozen men who assumed a disproportionate share of responsibility.

Haddington's Municipal Government

While Dundee's system of government remained stable during our period, Haddington changed from a more communal style of government, common among the smaller burghs in the late medieval period, to one which more closely resembled Dundee's, dominated by about two dozen men. The circumstances of this transition suggest that the result, at least initially, was a reduction in civic participation but not in civic harmony or legitimacy.

Up until 1543, Haddington governed itself in the manner typical of the late medieval Scottish burgh, which allowed, or demanded, wider participation than in Dundee.¹⁰⁸ The burgh court was administered by three baillies, who were elected at Michelmas in early October, but their role was largely limited to the procedural oversight of criminal and civil cases and property transactions. There was no standing town council. A council would be chosen for every Michelmas meeting, and about eight council meetings would be held at other times of the year.¹⁰⁹ Each of those other councils was chosen specifically for each meeting; for only a quarter were a majority of the councilors the same men who had been elected the previous October. It is unknown if these councils were in any way elected or chosen, or if they were simply composed of the burgesses who showed up. An assembly of the community - anywhere from two dozen to two

¹⁰⁷ The problem of different individuals having the same name makes an accurate count difficult, so it is possible that these numbers are slight over-estimates.

¹⁰⁸ Elizabeth Ewan, "The Community of the burgh in the fourteenth century," in Lynch, Spearman and Steele, eds., *Scottish Medieval Towns*, 231; Willock, *The Origins and Development of the Jury in Scotland*, 62-68; Rigby and Ewan, "Government, Power and Authority 1300-1540" in Pallister, *The Cambridge Urban History of Britain*, 1:306.

¹⁰⁹ HA4/4/6/5 Haddington Court Book 1530-55, f115- f143v.

hundred men – was sometimes gathered to make decisions regarding matters of interest to the whole burgh, such as appointments to lifetime positions.¹¹⁰

About a dozen times a year, at irregular intervals, an assize would be empanelled, made up of between eleven and twenty-five men. Often the assize was drawn from the men who happened to attend court that day; a man who passed judgment on a case might a short time later be pleading himself. Assizes ruled on cases brought before them, often of minor physical violence; sometimes they laid out the punishment, sometimes they left it up to the baillies.¹¹¹ The penalties meted out by the baillies varied; for disturbances between neighbours, even violent ones where blood was drawn, a frequent punishment was to appear before the high altar, bareheaded and barefoot, ask the injured party for forgiveness (or agree to be peaceful, if both parties were guilty) and offer a candle to the high altar.¹¹² Sometimes the guilty party had to pay compensation or the cost of medical treatment for the victim.¹¹³ Some cases were referred to the Sheriff's court (which was in the town's jurisdiction after 1542), although the jurisdictional boundaries are unclear.¹¹⁴ For stealing, the usual penalty was to be whipped through the town and then banished, often on pain of death. Death sentences were rare, but one of the court's options.¹¹⁵ Inquests were organized like assizes but dealt with much more limited questions, usually inheritances.

Plaintiffs occasionally requested that cases be transferred to neighbouring courts, especially those of the abbot of Newbottle and the Abbess of Haddington. These transfers were sometimes permitted, but the inhabitants were suspicious of other courts. In 1535, for example, Patrick Eddington requested that his case be transferred back to the baillies if he were to get no justice in the court of the Abbott of Newbottle.¹¹⁶

¹¹⁰ Two meetings in 1533 and 1553, regarding the parish clerkship and the common moor respectively, had named attendances of over 100. Other meetings at which 'the community' was listed as assenting were more common, but it is impossible to know how many people actually attended. HA4/4/6/5 Haddington Court Book 1530-55, f40, 264.

¹¹¹ HA4/4/6/5 Haddington Court Book 1530-55, f17v, f94v.

¹¹² HA4/4/6/5 Haddington Court Book 1530-55, f17, f31v.

¹¹³ HA4/4/6/5 Haddington Court Book 1530-55, f128v.

¹¹⁴ HA4/4/6/5 Haddington Court Book 1530-55, f130. On 19 November 1543 a combined Sherrif and burgh court was held; HA4/4/6/5 Haddington Court Book 1530-55, f187.

¹¹⁵ HA4/4/6/5 Haddington Court Book 1530-55, f66, 77v.

¹¹⁶ HA4/4/6/5 Haddington Court Book 1530-55, f66.

Assizes also ruled on matters pertaining to burgh affairs - in this respect, the different functions of an assize meeting and a council meeting are hard to make out. Assizes dealt with a variety of matters, such as the place of the crafts in the Corpus Christi procession, the lighting of lamps in the church, extraordinary grants to the clergy (to allow a priest to build a house, for example), payments to the baillies, and residence requirements for burgesses.¹¹⁷ Councils, for their part, dealt with plague preparations, proper obedience to baillies, craft regulations, the appointment of burgesses, service in burgh offices, and the upkeep of the clock.¹¹⁸ Both an assize and a council separately called for a particularly undesirable inhabitant to be banished.¹¹⁹ Both, therefore, dealt with craft affairs, burgh administration, and the spending of burgh money, an overlap which was common in the smaller burghs.¹²⁰ Haddington's informal procedures left a lot of power in the hands of men who happened to be in court on any given day.¹²¹ This could lead to occasional controversy (often involving a prominent but disruptive maltman named John Ayton), but the fact that it did not occur more frequently is a testament to the level of consensus in the community. Indeed, the assize itself could be seen as a symbol of burgh solidarity; as Willock argues for Aberdeen, assizes represented "what was by now coming to be regarded as the power from which the baillies derived their authority, no longer the king, but the community of the burgh."¹²² Civic unity was likely enhanced by the practice of leaving decisions open to any burgess who turned up at court.

It is unclear how the baillies and councillors were chosen during this period. In October 1538, at the annual Court of Council meeting which chose the new officers, John Lawta refused to serve as baillie until it was proved that his election was lawful, asking the council either "to admit the town seal that the baillies gave in writing or else to call in the old council and choose the new council and let both the councils" choose the baillies.¹²³ It seems that either the old baillies choose the new baillies, or the old council choose the new council and then both choose

¹¹⁷ HA4/4/6/5 Haddington Court Book 1530-55, f28, 29, 57v, 75v, 106, 175v.

¹¹⁸ HA4/4/6/5 Haddington Court Book 1530-55, f90, 90v, 116v, 118v, 122v, 136.

¹¹⁹ HA4/4/6/5 Haddington Court Book 1530-55, f94, 116v.

¹²⁰ Willock, *The Origins and Development of the Jury in Scotland*, 62, 67.

¹²¹ HA4/4/6/5 Haddington Court Book 1530-55, f6.

¹²² Willock, *The Origins and Development of the Jury in Scotland*, 61.

¹²³ HA4/4/6/5 Haddington Court Book 1530-55, f90v.

the baillies. They may also have been chosen by lot or taken turns, because in 1539-40 the baillie Nichol Swynton demanded that John Peirson take the office of treasurer “because it was land on him.”¹²⁴

Not everyone held the authority of the town council in great respect. In June 1535, a butcher named Robert Barnis was charged to appear before the baillies in the tollbooth to answer for not paying a fine. He spoke “evil and malicious words” to the messengers, telling the baillies to wait until he came. The baillies then decided to go to him, accompanied by “diverse neighbours,” whereupon Robert threatened them with a halberd (battle-axe). The neighbours finally convinced him to go to the tolbooth, where he drew a knife on one of the baillies and would have stabbed him had he not been restrained. As Robert was a repeat offender, who had also tried to rouse the crafts against the baillies on Midsummer’ Eve, when the crafts put on plays, the baillies ordered him banished from the town and his house demolished.¹⁰ He may not have appreciated this application of burgh laws, but it is worth noting that the baillies were accompanied by a crowd of inhabitants, who volunteered for this risky (though doubtlessly exciting) mission, and that the craftsmen did not rally to his appeal. The weight of numbers and public opinion was on the baillies’ side. On the other hand, the town’s sergeants, who carried out the baillies’ orders, caused their own share of disruption, as in 1533 when they were ordered to “be meek in their office and use no evil words to no good man’s wife.”¹²⁵

Not every inhabitant was a burgess, of course. Men were normally made burgesses on payment of £4 if they had no prior family connection, a nominal payment of spice and wine if they were a burgesses’ first son, (or married to the daughter of a burgess without sons) or a fee of 40s for a second son. Occasionally, someone would be made a burgess without payment as a favour to an office holder or someone else to whom the council was grateful (or in debt!). Periodically the council would complain about the baillies violating these practices, though it is unclear if the complaint was that the baillies were demanding too much money or too little.¹²⁶

¹²⁴ HA4/4/6/5 Haddington Court Book 1530-55, f121.

¹²⁵ HA4/4/6/5 Haddington Court Book 1530-55, f44v.

¹²⁶ HA4/4/6/5 Haddington Court Book 1530-55, f102.

It was common for men to begin serving on assizes and inquests as soon as they became burgesses, but rare for them to do so before.¹²⁷ We have the approximate birthdates of a handful of men who sat on assizes, which suggest that it was possible to serve as a councillor, baillie or more frequently on an assize or inquest in one's late 20s and early 30s. More typically, many burgesses never served on any assize or inquest, or did not serve until ten or fifteen years after becoming burgesses. In at least three cases men were elected to council within a year of being made a burges, though a delay of four to five years was also common.

This late medieval pattern of municipal government changed in 1543 when the Haddingtonians decided to appoint a provost, choosing William Brown of Stolencleuth. At the same time responsibility for burgh government shifted away from relatively informal groups of burghers towards more organized bodies. The frequency of council meetings declined by about half to four or five a year.¹²⁸ In three of the four meetings for which we have attendance lists, all the councilors had been elected the previous October, a significant change from pre-1543 practice. The one exception may have been an inquest or an assize which was mislabeled as a council meeting.

The 1550s saw a dramatic increase in the consistency of town councils over the course of the decade. The number of councillors elected each year dropped dramatically, varying from nine to thirteen.¹²⁹ The number most likely included two craft representatives. The provosts and baillies were more likely to have served on the previous year's council (five out of nine), and to sit on the council the following year (eight out of nine), than they had in the 1530s.¹³⁰ Councillors often served consecutive terms, a trend which increased over the course of the decade, from three out of nine from 1552-3 to 1553-4, to five out of nine in 1555-6 to 1556-7, to eight out of eight from 1558-9 to 1559-60.

In the election of October 1560, all the old members were re-elected, although the

¹²⁷ In a handful of cases where it seems that they might have done so, it is always possible that it is another man of the same name.

¹²⁸ HA4/4/6/5 Haddington Court Book 1530-55, f238-f260 (1554); HAD/2/1/2/1 Burgh Minutes 1554-80 f11, 12, 12v; HAD/4/2/3/1 Haddington Court Book 1555-60, f96v, 102v.

¹²⁹ 1555-6 is the only year in which craft deacons (visitors) are listed separately, though there are references to craft elections in 1561 and 1562. HAD/2/1/2/1 Burgh Minutes 1554-80, f29, 30v.

¹³⁰ These figures are based on a sample of elections in 1553, 1556 and 1559.

members rotated through the position of baillie, and no new members were elected. Eleven men sat on council continuously from October 1558 through to October 1561, a degree of consistency unmatched during the period studied.¹³¹ Perhaps the high degree of continuity from the fall of 1558 on was a response to the Reformation crisis, as the rigidity relaxes again during the 1560s. By the October 1565 election, however, the pattern of the early 1550s reappeared; one baillie continued in place, but his partner did not serve on the new council, nor had the other new baillie served on the old council. Three of nine councillors continued, a rate down to the levels of the early 1550s.

As in Dundee, men tended to be either 'in' or 'out' when it came to participating in burgh government. Out of a sample of twenty men who held a town council position at least three times between 1530 and 1565, fourteen had a political career which spanned less than 15 years, although five men had a career of over twenty years.¹³² Their periods of service were quite busy, with fifteen serving at least every second year.¹³³ For most, serving on the town council would mean an intense period of service, though not one that would last a lifetime – that was only for a few, either exceptionally devoted, ambitious or long-lived. Even among the small sample of eight men who served more infrequently, it is striking how compressed their careers were. One, Thomas Eddington, served twice over eighteen years, but the other seven served their turns within ten years – five of them within five years. Men did not drift in and out of council service.

1543 also marked a change in the role of the assize. Before that year, as we have seen, the assize frequently ruled on matters of public concern to the burgh. After 1543, the assize was restricted to rendering verdicts in criminal cases, ranging from insulting words to murder, as in Dundee. The frequency of the meetings of the assize declined dramatically as well: between 1532 and 1542, assizes were held on average eleven times a year. From 1552 to 1559, they

¹³¹ They were: John Ayton, Bernard Thomson, Thomas Dikson, Adam Wilson, James Ayton, John Forrest, Thomas Punton, John Douglas mason, James Oliphant, William Gibson, Alex Barnis.

¹³² Because of the difficulties of variant spellings, and of several men with sharing a name, it is impossible to be certain that all the references have been matched to the correct individual. Where it is especially unclear, I have created separate database entries, distinguished by number, although in some cases the two entries may be the same individual. When a name disappears from the records for ten years or more or then reappears, I assumed that the second appearance refers to a new generation. While my assumptions may be incorrect in some cases, I am confident that the vast majority of entries are correct.

¹³³ Of course, this calculation is slightly complicated by the number of years with missing records.

were held on average 4.2 times a year. Between 1560 and 1565 only three assizes were held - an average of 0.5 a year. After 1543, therefore, it appears that the council took a clearer role in declaring on burgh affairs, leaving the assize to rule on criminal cases.¹³⁴ After 1560, even that role appears to have been taken from the assize, matching a decline throughout Scotland from 1550, perhaps as the Court of Session in Edinburgh took on more criminal cases.¹³⁵ At the same time, the burgh records were divided into two; routine decisions, such as property transactions handled by the baillies and criminal cases handled by the assizes, were written down in what is now called the Haddington Court Book; decisions with a greater bearing on the common good and burgh affairs, now often made by the council, or by the provost, baillies and council, were recorded in what is now known as the Haddington Burgh Register. This suggests that a deliberate effort was being made to organize burgh administration in a more formal manner.

With this decline in the frequency and scope of the assize meetings, and the election of a standing council, came a corresponding decrease in the number of individuals who participated in burgh affairs. During the 1530s, 310 different men sat on at least one assize; in the 1550s, only 123 did so. One hundred twenty-six men served on council at least once during the 1530s; during the 1550s, only thirty-two men became councilors. Only the use of the inquest was more frequent during the 1550s: sixty-five men participated during the 1550s, compared with only thirteen who sat on the only inquest empanelled during the 1530s. The number who served in senior positions - baillie, provost or treasurer - was roughly the same, eighteen to twenty-one. In all, 331 men were involved in some form of burgh government during the 1530s, dropping to just 142 during the 1550s.¹³⁶

The existing records do not provide any sense of why the Haddingtonians decided to appoint a provost and change their municipal constitution in 1543. It is possible that the appointment of a provost was a response to the military crises of the 1540s, when the burghers of Haddington faced English invasion and reacted by building ditches, appointing watchmen and

¹³⁴ As examples: HAD/4/2/3/1 Haddington Court Book 1555-60, f42v, 71; HAD/2/1/2/1 Burgh Minutes 1554-80, f6, 20v, 22, 11.

¹³⁵ Willock, *The Origins and Development of the Jury in Scotland*, 73.

¹³⁶ Information for these numbers come from HA4/4/6/5 Haddington Court Book 1530-55; HAD/4/2/3/1 Haddington Court Book 1555-60.

responding to frequent military musterings. Apart from his service as Provost there is little to be said about William Brown, although it was possible that as a local laird he was appointed to provide some kind of military leadership. Very soon, however, burgesses without any obvious military experience or ability took on the provostship.

The new arrangement was certainly more in line with Parliamentary legislation, especially the act of 1469 which called for the old council to elect the new each year, but it is difficult to see why 1543 should be the year the burghers of Haddington decided to start obeying acts they had been ignoring since the fifteenth century.¹³⁷ It was only in October 1552 that the burgh scribe specifically stated that the old council had chosen the new council, and that both together, with the craft deacons, had chosen the provost and baillies.¹³⁸ The timing of the changes in electoral proceedings was probably due to the regulations passed by the Convention of Royal Burghs in April 1552; the changes in the role and composition of the council, assizes and inquests appear to date from 1543, however.¹³⁹ These developments meant that burgh councils tended to become closed as councillors were able to continuously re-elect each other. That outcome, however, may not have been intended or desired by the Haddingtonians in 1543. At that time, the change may have been largely welcomed, as it freed many burgesses from an unwanted obligation.

For many, holding office was a burden rather than a privilege. As Friedrichs points out (following Max Weber) across Europe civic office-holding was often limited to the wealthy because they could afford to devote their time to tasks that were poorly paid, or not paid at all.¹⁴⁰ Men often refused to serve or agreed only on condition that they be spared future appointments, as Philip Gibson demanded in 1534, when he agreed to be baillie on condition that he not be asked again for three years.¹⁴¹ Eventually, incentives had to be offered for these positions. In

¹³⁷ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2012), 1469/19. Date accessed: 10 October 2012.

¹³⁸ HA4/4/6/5 Haddington Court Book, f231.

¹³⁹ Allowing for the break in records between December 1545 and March 1551-2. *Records of the Convention of the Royal Burghs of Scotland*, 3.

¹⁴⁰ Friedrichs, *Urban Politics in Early Modern Europe*, 18-19.

¹⁴¹ The position of treasurer was especially difficult. In 1542-3, Thomas Poynton, treasurer, complained that "he had obeyed ye town when he had accepted the office of treasurer on him" but that the baillies discharged the fewars (of the mills and possibly small customs) from paying him, and therefore he would account for no more than he received. Smarting from this incident, which put him at financial risk, he evidently refused to serve as treasurer again, for in April the council ordered him to take up the post of treasurer on pain of losing his freedom. By July a compromise had evidently

1542 it was decided that each baillie would receive £3, initially “for this year only,” though in 1546, John Ayton and William Gibson were each given £10 for their service as baillies, and payments were still being made routinely in the 1550s.¹⁴² Sometimes these incentives could be the cause of controversy, as in 1554 when James Oliphant refused to be provost because the previous provost had received a larger fee.¹⁴³

Some men went directly to the crown seeking exemptions, the one granted to Philip Gibson (who seemed especially reluctant to participate) under the Privy Seal emphasized that he was “heavily vexed with infirmity of the gravell and other sickness and also that is corpulent of person so that he might not goodlie endure travel without great danger of his life.”¹⁴⁴ Men who were only called upon to serve on council or assizes may not have had the same bargaining position as those called on to serve as baillies or treasurers, or they may not have been able to afford to buy exemptions from the Privy Seal, but that does not mean that they were any less burdened by being called on to spend hours or even days sitting on council or jury meetings.¹⁴⁵ They may simply have not been interested in the small matters being pursued by the assizes.¹⁴⁶ The narrowing of the range of men who served on the town council, therefore, may have been a way of reducing an unwanted burden as much as it was about concentrating power in the hands of an oligarchy. As Rigby and Ewan point out, in towns with slowing economies, like Haddington, the establishment of oligarchies may have been a conscious attempt to attract and commit the richer townspeople to participation in town government.¹⁴⁷ If these men were oligarchs, they were very reluctant ones.

What is evident, therefore, is that even as Haddington moved in a supposedly more

been worked out where he agreed to serve as kirkmaster, insisting again that he would account for no more than he received, and the council instructed him not to act on any sum of more than 40s without their advice. The problems were endemic to the position, however, and in 1544-5 John Auchar, treasurer, protested that he should not be blamed for money given out at the command of the provost or baillies or for the customars failing to enter their accounts. HA4/4/6/5 Haddington Court Book 1530-55, f54, 79, 108, 121, 180, 183, 205.

¹⁴² HA4/4/6/5 Haddington Court Book 1530-55, f213v.

¹⁴³ Willock, *The Origins and Development of the Jury in Scotland*, 162-3; HA4/4/6/5 Haddington Court Book 1530-55, f246, 258.

¹⁴⁴ HA4/4/6/5 Haddington Court Book 1530-55, f207; see also Willock, *The Origins and Development of the Jury in Scotland*, 162-3.

¹⁴⁵ Willock, *The Origins and Development of the Jury in Scotland*, 148.

¹⁴⁶ Willock, *The Origins and Development of the Jury in Scotland*, 72.

¹⁴⁷ Rigby and Ewan, “Government, Power and Authority 1300-1540” in Pallister, *The Cambridge Urban History of Britain*, 1:312; see also Friedrichs, *The Early Modern City 1450-1750*, 42.

oligarchical direction, leaving both important and routine decisions in the hands of a smaller group of men, there appears to have been no increase in tension within the burgh.¹⁴⁸ In general, in early modern Britain the idea that towns would be ruled by the wealthier members was widely accepted, provided that the broader community was properly consulted.¹⁴⁹ There were few complaints about the system of government being unfair, only complaints from the men asked to serve. Like Dundee, therefore, it appears that burgh politics in Haddington were fairly harmonious.

Dundee Councillors

The councillors who governed Dundee were a reasonably varied group. As we might expect, many were well-off, though they were not necessarily the wealthiest men in the town. The burgh's prominent families were represented, but did not dominate, and, as we have seen, not all the members were merchants. The town council was not open to everyone, but neither was it dominated by cliques or factions.

From the two record sets studied, the most useful information can be gleaned from the 1550-1563 run. In this period we can identify twenty-six men as especially active members, of whom ten can be confirmed as merchants. Most of these merchants were involved in shipping goods back and forth to Flanders and France, principally Dieppe. Four men, at least, were craftsmen or professionals. Two bakers, David Ramsay and Alexander Carnegie, served in senior positions, including baillie and Almshouse masters.¹⁵⁰ To be an Almhouse master was a demanding position, as the Almshouse was the recipient of a great deal of civic revenue and was actively sheltering folk during this period.¹⁵¹ Masters were constantly appearing in the burgh court

¹⁴⁸ There were a series of incidents involving John Ayton, a wealthy maltman who by the 1550s and 60s would serve several turns as Provost. It is unclear whether Ayton had an agenda to obtain power and influence in the town, or whether he was simply an unpleasant character.

¹⁴⁹ Rigby and Ewan, "Government, Power and Authority 1300-1540" in Pallister, *The Cambridge Urban History of Britain*, 1:301, 305, 308.

¹⁵⁰ David Ramsay served as councillor for all years but one, between 1554 and 1561, was baillie in 1560, and Master of the Almshouse in 1562. He was also explicitly identified as a craft representative in the council list of 1561. Alexander Carnegie was Master of the Almshouse from 1550, until he resigned in 1557.

¹⁵¹ DCA Burgh and Head Court Book 1550-1554, f47b.

records collecting annual rents owed to the Almshouse and ensuring a supply of bread. When George Rollock junior took over from Alexander Carnegie and William Carmichael in 1558, he was explicitly discharged from all other council offices.¹⁵² It could be that as the bakers were probably responsible for supplying bread to the Almshouse it was accepted practice that one of their number fill one of the two Master positions.¹⁵³ One other member of the council, Harbart Gledstamis, was a notary active at least from the mid-1540s. In 1551-2 he acted as clerk for the burgh court, and by 1557 was a councillor in his own right.¹⁵⁴

Patrick Lyon appears to have been the central government's representative in Dundee. A member of the guild since 1544 and a councilor until 1553, Lyon also received central government patronage, receiving various grants of non-entries and escheated goods.¹⁵⁵ During the war, it was he who received messages from the governor.¹⁵⁶ He was customer of the burgh from 1550 to his death in January 1564-5.¹⁵⁷ Lyon was also targeted for his links to the central government, as his home was singled out by Henry Durham, who burnt it in 1549 in company with the English soldiers.¹⁵⁸

Without testaments or taxation records it is difficult to determine individual wealth, but at least some of the councillors appear to have been well-off. Of the group of twenty-six men under discussion, at least ten also owned land or urban rental properties. This group was also well-placed to bid on common revenues, such as the windmill and weighhouse, and lend money to cover the town's expenses.¹⁵⁹ George Lovell, merchant, promised £400 to the Queen in 1559, although he may have saved this expense with a £120 loan to the Lords of the Congregation later

¹⁵² DCA Burgh and Head Court Book 1554-1558, f170.

¹⁵³ DCA Burgh and Head Court Book 1555-58, f170.

¹⁵⁴ DCA Burgh Laws 1550-1662 f26; *Registrum secreti sigilli regum Scotorum. The register of the Privy Seal of Scotland*. Edited by Matthew Livingston. Vol. 3, 1542-1548, edited by David Hay Fleming and James Beveridge (Edinburgh: H.M. General Register House, 1908-), 157.

¹⁵⁵ In May 1548 Patrick Lyon and his wife Elizabeth Wedderburn received the gift of nonentries of land of Inverquheich in Perth, following the death of David Earl of Crawford and Dame Isabella Lundy, his wife. *Privy Seal*, 3:442; 8 Aug 1548 he received the goods of Alexander Thorneitoun in the Hayistoun, who stayed away from the army at Haddington; on 25 Aug 1548 he received the goods of John Chesholme in Lunderteris, who was escheated for the slaughter of Thomas Williamson in Liltitoun; *Privy Seal*, 3:459, 462.

¹⁵⁶ *Accounts of the Lord High Treasurer of Scotland*, eds. Thomas Dickson et al, 9:192.

¹⁵⁷ *The Exchequer Rolls of Scotland*, eds. Stuart, Burnett, McNeil, 18: 70; 19: 291-2.

¹⁵⁸ DCA Burgh and Head Court Book, 1561-2 f75.

¹⁵⁹ Andrew Annand rented the Weighhouse for 5 merks 40d each quarter, James Rollok Sr. and Robert Myln younger bid for the windmill, Myln offering £4 for one quarter of the windmill for half the year in 1554; DCA Burgh and Head Court Book 1550-1554, f334; DCA Burgh and Head Court Book 1558-61, f74v, 76.

that year.¹⁶⁰ James Lovell, merchant, could afford to lend approximately £133 (200 merks) to the sons of John Erskine of Dun while in France although he would reclaim the sum from his fellow councillor George Wishart.¹⁶¹ William Carmichael provided one-third of the £500 lent to the council to meet the “present expenses”- the War of the Congregation - in 1559.¹⁶² On the other hand, the two other men who contributed did not serve as councillors at all; in Haddington, the wealthiest men were not necessarily those who served most often.

Among the group of councilors who served several terms, three of Dundee’s prominent families – the Haliburtons, Scrymgeours, Wedderburns – each had one representative, the Lovells had two, and the Rollocks had four.¹⁶³ The Wedderburns and Lovells each had one representative on council in 1520-3, and the Rollocks two. Alexander Haliburton, who served almost continuously throughout the 1550s, may have been a relative representing Provost James Haliburton. In both periods, the most extensive, or most active, of these families were the Rollocks. The repetition of names within families, both immediate and extended, makes it difficult to distinguish individuals¹⁶⁴ (and very risky to assume that names which appear in the records from the 1520s belong to the same individuals who appear in the records from 1550 on), but at least five different members of the Rollocks served various posts, though none of them served as baillie between 1550 and 1563.¹⁶⁵ These five individuals appear to have been descended from one man, George Rollok (1), who was treasurer of Dundee in 1520 and 1523. Of the family, we have the most information about George (2), who was born in 1498 and probably died in 1562. He may be held to have had a career representative of the burgh’s prominent men, as he served as councillor throughout the early 1550s and served as kirkmaster from an unknown date until 1551. He was called upon to serve as an auditor of the Almshouse in 1560, and was able to obtain the benefice of Our Lady Altar for his son, George Rollok (3), paying five merks annually, until such a

¹⁶⁰ DCA Burgh and Head Court Book 1558-1561, 70v; DCA Burgh and Head Court Book 1562-3, f12v.

¹⁶¹ DCA Burgh and Head Court Book 1550-4, f284.

¹⁶² The others being David Ramsay merchant and David Fletcher. DCA Burgh and Head Court Book 1558-1561, f73v.

¹⁶³ Friedrich points out that across Europe close relatives were usually banned from participating in government simultaneously. Friedrichs, *Urban Politics in Early Modern Europe*, 18.

¹⁶⁴ For this reason, when more than three individuals who share a name they will be distinguished, where possible, by number.

¹⁶⁵ George Rollok Sr. (2), James Rollok Sr., George Rollok Jr. (3), James Rollok Jr. and Richard Rollok. The repetition of names is such that the individuals designated as “senior” and “junior” or sometimes “elder” and “younger” were not necessarily father and son, but possibly uncle and nephew or even some degree of cousin.

time as George (3) was fit to serve in person. He inherited eight acres of land in Dudhop from his father, George Rollok (1), who died before 1556, and owned at least two other properties and had rights to half the tithes from Kynreiche. He also participated in the overseas trade, being one of ten merchants who had goods on a ship called the Angel.¹⁶⁶ In December 1561, a George Rollok was one of seven men who accompanied the minister to Edinburgh for a disputation concerning 'papistrie'.¹⁶⁷ As George Rollok (2) died in 1562, this may have been his son, George Rollok (3) who had been preparing for the priesthood but who apparently developed a timely interest in Protestant theology. If it was George Rollok (2) who went, this suggests that an interest in and support for Protestant ideas was not incompatible with an attempt to secure a benefice for one's children.¹⁶⁸

The small group of men who dominated Dundee's burgh government, as far as we can tell, were relatively wealthy, though not all the wealthy men participated in council. Merchants dominated, though there does not appear to have been a rigid boundary between merchants, craftsmen and professionals. The burgh's prominent families do appear among the ruling group, although the position of baillie was not dominated by these families. From the available evidence, it seems that no particular interest monopolized Dundee's town government, which surely helped the council retain legitimacy and authority, and helped the burgh maintain a sense of civic unity and harmony.

Haddington Councillors

Following the changes of 1543, Haddington began to be governed by a smaller group of men, as the structure of burgh government began to resemble those of the larger towns such as Dundee. Haddington's records, unlike Dundee's, preserve some information about taxation which allow for firmer conclusions about relative wealth. At least during the 1550s and 1560s, the men

¹⁶⁶ DCA Burgh and Head Court Book 1558-61, f137v.

¹⁶⁷ DCA Burgh and Head Court Book 1561-2, f37.

¹⁶⁸ DCA Burgh and Head Court Book 1550-1554, f359v; *Privy Seal* vol. 4, 1548-1556 ed. James Beveridge, 597; DCA Burgh and Head Court Book 1558-1561, f137b; DCA Burgh and Head Court Book 1558-1561, f157v; DCA Burgh and Head Court Book 1562-3, f37.

who served more frequently under the new arrangement, while often wealthy, were not necessarily the wealthiest men in the town. The relative wealth of the men discussed can be roughly determined by examining their contributions to the town's finances. The records preserve four sets of loans and taxes on the richest inhabitants which allow us to compare the wealth of these politically active men with their neighbors.¹⁶⁹

The results show that while the men who served more often were wealthier, there were enough exceptions to demonstrate that the burgh government had not simply fallen into the hands of its richest citizens. Out of the eighteen men who served on council three or more times from 1550 on, ten men paid at least one of these contributions, making a combined payment of £96 4s. Five men who served as councillors once or twice made a contribution of £22 4s 4d, twelve men who served on assizes but not councils or inquests made contributions totaling £31 11s 8d, and three people who did not serve in any way, including one woman, made a combined contribution of £5. Assuming that the burden was assessed reasonably fairly, the figures demonstrate that men who served more frequently on council were, per capita, the wealthiest, and that those who served on assizes were wealthier than those who did not. On the other hand, some wealthy people served very infrequently. Fifteen men who served only on assizes or not at all paid more than the twenty-three men who sat on council once or twice. Eight of the men who served most frequently on council paid no financial contributions at all.

It is hard to avoid the conclusion that being wealthy created the opportunity to have a greater involvement in burgh politics, but there was no direct correlation - less wealthy, though probably not poor, men could serve frequently, and some wealthy individuals avoided significant service altogether. Given how often people complained about holding office, or tried to avoid it, perhaps not serving was also a perk of the rich. By comparison, Willock points out that in Selkirk, between December 1534 and October 1535, thirty-seven out of ninety taxpayers sat on at least one assize, along with twenty-seven non-taxpayers, though some of these may have been the

¹⁶⁹ Loan to the town to pay for a tax in 1552 (HA4/4/6/5 Haddington Court Book 1530-55, f220), for the overcost in 1557 (HAD/2/1/2/1 Burgh Minutes 1554-80, f12v), general loans in the Treasury Accounts for 1557-8 (HAD/4/6/73 Treasurer's Account 1558) and for a Queen's tax in 1565 (HAD/2/1/2/1 Burgh Minutes 1554-80, f42).

adult sons of taxpaying householders. The more frequent assize members had been or would become baillies. From this, he concludes that “most assizes were drawn from the ranks of the more substantial citizens and their adult sons, but that not all such persons felt this obligation,” meaning that about twenty-five men were particularly involved in burgh affairs.¹⁷⁰ When it came to involvement in burgh affairs, it was helpful to be well-off, but it was more important to be willing.

On the other hand, at least some people thought that burgh offices in Haddington were worth having. Controversies surrounded the elections of John Ayton and John Thomson to the position of baillie; Ayton was unable to hold onto the office after being accused of violating the burgh’s anti-plague measures in December 1545, and Thomson was accused of bribing his way into the office in 1552.¹⁷¹ The council was also nervous about the baillies’ handling of the common goods, those properties and revenues owned by the burgh, and ordered them to be distributed only with the agreement of the whole council, so there must have been some potential personal benefit to holding the office.¹⁷²

The extent to which wealthy men dominated the town can also be assessed by considering the men chosen to pass with the weekly church collection, a task restricted to “famous and honest men.”¹⁷³ For the year 1557, we have a record of all the men who took a turn passing with the church plate. A vast majority (51 out of 54) of those who took a turn had sat or would sit on council or an assize, but of the twenty-nine men who paid some sort of financial contribution, only eighteen passed with the kirkboard.¹⁷⁴ By the late 1550s, being wealthy made it much more likely that you would participate in burgh affairs, but the wealthy did not have a monopoly on being ‘famous and honest’ any more than they had a monopoly on council positions. It’s also possible that the men who succeeded in dodging councils and assizes also succeeded in avoiding their turn with the kirkboard.

The extent of craft representation on the post-1543 council is hard to make out. Some years, two members are listed as ‘craft representatives,’ sometimes craftsmen are simply listed

¹⁷⁰ Willock, *The Origins and Development of the Jury in Scotland*, 69-70.

¹⁷¹ HA4/4/6/5 Haddington Court Book f214, 234.

¹⁷² HAD/2/1/2/1 Burgh Minutes 1554-80, f27.

¹⁷³ HA4/4/6/5 Haddington Court Book, f139.

¹⁷⁴ HAD/4/6/73 Treasurer’s Account 1558, f3-6v.

as councillors. In 1561, five representatives, from the bakers, wrights and masons, tailors and smiths gathered and elected two men to sit on the council “for the crafts for this year.” This arrangement was not set in stone, however, for the following year the council called on the deacons to present four or six craftsmen to the council so that two of them would be chosen as craft representatives - leaving it up to the body of councillors to decide who would be appropriate to represent the crafts.¹⁷⁵ Craftsmen could also serve in senior positions, however. John Douglas, a mason, was elected baillie in 1556-7, and Barnard Thomson and John Ayton, both maltmen, served multiple terms as baillie and even, in Ayton’s case, as Provost.¹⁷⁶ It could be that while two men were designated to represent the crafts, other craftsmen could serve in their own right. Indeed, in the absence of a formal merchant’s guild, it is hard to see how councillors could be recruited otherwise.

Conclusion

The religious events of the mid-sixteenth century would take place against this economic and political background. In both towns, the inhabitants, especially the merchants and wealthy craftsmen, must have despaired to see the promising economic conditions of the late 1530s derailed by plague and war during the 1540s. The recovery of the 1550s was fragile, and the threat of war in the late 1550s must have been very worrisome. These same merchants and wealthy craftsmen increasingly found the duties of burgh administration concentrated in their hands, a development they did not necessarily greet with enthusiasm. Indeed, narrowing council membership may have been partly intended to secure the participation of the wealthier burgesses. While the two towns may appear to have been dominated by these new oligarchies, the councillors still depended on the participation of the wider community. The following chapters demonstrate that their responsibilities also included overseeing their town’s religious worship. To

¹⁷⁵ HAD/2/1/2/1 Burgh Minutes 1554-80, f29, 30v.

¹⁷⁶ As indicated earlier, maltmen appear to have more in common with merchants than other trades. HA4/4/6/5 Haddington Court Book f214, 233v-234.

what extent, in a time of declining economic fortunes for the burghs, were their decisions about civic religion influenced by their concerns for the economic situation?

CHAPTER 3: The Civic Church

Criticism of the late medieval Scottish church often focuses on the corruption of the prelates and the lay commendators who controlled the country's monasteries, who collected the common people's money but left them with little by way of religious guidance or moral example.¹⁷⁷ For all practical purposes, however, the church encountered by Scotland's townspeople was run not by bishops and abbots but by their own municipal governments. In both Haddington and Dundee, the community, through its governing institutions, exercised authority over a variety of religious affairs, from the physical maintenance of church buildings to backing candidates for the parish vicarage to hiring chaplains and supervising their morals. The extent of the civic authorities' concern for religious affairs means that we may speak of the existence of a form of 'civic religion' in Scotland.

The concept of civic religion has been explored by André Vauchez, Augustine Thompson and Andrew Brown, among others. Their studies frequently focus on the two aspects in which religious devotion was used: to create a more sacred town, and to lend a sacred status to the municipal government.¹⁷⁸ It is the first aspect - the extent to which Scottish townspeople, through their institutions of communal government, sought to develop the quantity and quality of religious worship as a public good – which demonstrates the importance of religion to the burghers and their autonomy in shaping its forms.¹⁷⁹ As Vauchez has observed, "divine worship, because of the repercussions that it could have on the destiny of the community, ended up by being considered

¹⁷⁷ Gordon Donaldson, *The Scottish Reformation* (Cambridge: Cambridge University Press, 1960), 1-4, 20, 27, 36; Ian B. Cowan, *The Medieval Church in Scotland*, ed. James Kirk (Edinburgh: Scottish Academic Press, 1995); 27-8, 52. See also Alex Ryrie, "Reform without frontiers in the Last Years of Catholic Scotland" *English Historical Review*, 119:480 (2006), 30-32, 51, though Ryrie argues that the Catholic reformers recognised doctrine rather than discipline as the key division with Protestantism.

¹⁷⁸ André Vauchez, "Introduction" in *La Religion Civique à L'Époque Médiévale et Moderne (Chrétienté et Islam)*, ed. André Vauchez (Rome: École Française de Rome, 1995) 1; Andrew Brown, *Civic Ceremony and Religion in Medieval Bruges, c. 1300-1520* (Cambridge: Cambridge University Press), 23, 280. Other works focus on Italy, though the nature of Italian city-states and Italian ecclesiastical politics make comparisons with Scotland difficult; see Nicholas Terpstra, *Lay Confraternities and Civic Religion in Renaissance Bologna* (Cambridge: Cambridge University Press, 1995) and Augustine Thompson O.P., *Cities of God*, (University Park, Pennsylvania: Pennsylvania State Press, 2005), 3.

¹⁷⁹ See especially. Sanderson, *Ayrshire and the Reformation*, 10, 22.

as a public service, just as vital as the organization of victuals or of defence.”¹⁸⁰ Working with the secular chaplains and friars, the provost, baillies, councillors, assize members and guildsmen of the town sought to increase, as far as possible, the daily and weekly cycles of the divine offices and to ensure the maintenance and proper performance of the offices. In Haddington and Dundee, and other Scottish towns, the round of worship had several goals: getting the burgesses into heaven, or at least diminishing their time in purgatory, gaining God’s favour and blessings to help the people in their daily lives, inspiring and encouraging the devotion of the townspeople and creating civic unity and harmony.¹⁸¹ In that sense, civic religion in Haddington and Dundee may be defined as the actions of the town council which aimed to benefit the townspeople by promoting and maintaining worship within the burgh.

Like many medieval Scottish towns, Haddington and Dundee hosted a variety of religious institutions, including independent chapels, friaries, hospitals and almshouses. They also had close relationships with nearby abbeys. To some extent, all these institutions and their clergy had links with the townspeople. It was, however, the secular chaplains at the parish church who performed the bulk of the daily and weekly cycles of divine offices. It was these services that were most heavily promoted and closely scrutinized by the townspeople. Before the services could be properly held, however, towns had to invest a great deal of their time and money into building and maintaining a proper space. The parish church, therefore, was the principal focus of the townspeople’s efforts towards civic religion.

Haddington’s principal religious institutions were St Mary’s parish church, the Franciscan friary, the nearby abbey of Haddington and a handful of small chapels and almshouses. The parish of St Mary’s had been granted to the priory of St Andrews by King David I in 1139, and

¹⁸⁰ Vauchez, “Introduction,” 4.

¹⁸¹ David S. Rutherford, *Biggar St Mary’s: a medieval college kirk* (Biggar: Mrs John H. Wilson, 1946) 27, 33; Denis McKay, “Parish Life in Scotland, 1500-1560” in David McRoberts, ed. *Essays on the Scottish Reformation, 1513-1625* (Glasgow: Burns, 1962), 97-99; Audrey Beth-Fitch, *The Search for Salvation: Lay Faith in Scotland, 1480-1560*, ed. Elizabeth Ewan (Edinburgh: John Donald, 2009), 101. For other Scottish towns, see Michael Lynch, *Edinburgh and the Reformation*, 3, 28, 30; Alan White, “The Mensies Era: Sixteenth-century Politics”, in Dennison, Ditchburn and Lynch, *Aberdeen before 1800*, 230. Mary Verschuur, *Politics or Religion? The Reformation in Perth 1540-1570* (Edinburgh: Dunedin Academic Press, 2006), 21-23; Sanderson, *Ayrshire and the Reformation*, 10-22. On the dual functions of the late-medieval mass, see Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580*, 2nd ed. (New Haven: Yale University Press, 2005), 100; R.W. Scribner, “Cosmic Order and Daily Life: Sacred and Secular in Pre-Industrial Germany” and “Ritual and Popular Religion in Catholic Germany at the Time of the Reformation” esp. 40, in R.W. Scribner, *Popular Culture and Popular Movements in Reformation Germany* (London: Hambledon Press, 1987).

ever after the priors had been responsible for the upkeep of the choir and high altar while the burghers were responsible for the nave. In practice, the burghers did most of the work, sending a bill to the Prior and occasionally even being paid. In 1462 for example, when the burgh began rebuilding the church, the Prior of St Andrews agreed to contribute £100 a year for five years.¹⁸² At other times some lobbying was required, even after the Reformation, as in February 1561-2 when a delegation was sent to Edinburgh to meet with the then-prior, Lord James Stewart, which succeeded in obtaining six hundred merks for repairs.¹⁸³

A major rebuilding project in the fifteenth century was a demonstration of the town's status and the devotion of its inhabitants. The rebuilt church was one of the largest parish churches in Scotland, perhaps intended to rival St Giles in Edinburgh. The west front was particularly imposing, a feature usually seen in monastic churches and cathedrals but rarely in burgh churches. According to Richard Fawcett's survey of Scottish church architecture, there is nothing comparable to it in Scotland or England, and it was likely inspired by churches in the Low Countries, particularly the Dominican church in Bruges.¹⁸⁴ Perhaps it served as a demonstration of the townspeople's cosmopolitanism. The relief of a scallop shell inside the church suggests that the church attracted pilgrims but that may simply have been hopeful thinking by its builders.¹⁸⁵ Inside the church, at least twenty-one altars were founded.¹⁸⁶ St Mary's was granted collegiate status around 1539, possibly at the instigation of the town council.¹⁸⁷ The purpose of

¹⁸² Richard Fawcett, *The Architecture of the Scottish Medieval Church 1100-1560* (New Haven: Yale University Press, 2011), 305.

¹⁸³ This money may have been used to build a wall cutting off the nave from the choir and transepts, with the Protestant kirk using the nave and leaving the rest to ruin. W. Forbes Gray, assisted by James H. Jamieson, *A Short History of Haddington* (Edinburgh: East Lothian Antiquarian and Field Naturalist Society, 1944), 24-6; Rosalind K. Marshall, *Ruin and Restoration: St Mary's Church Haddington* (East Lothian Council Library Service, 2001) 24; Henry M. Paton "Haddington Records: Books of the Common Good" *Transactions of the East Lothian Antiquarian and Field Naturalist Society*, 7(1958): 51, 65.

HAD/2/1/2/1 Burgh Minutes 1554-80 f31b; HAD/4/6/73 Treasurer's Account 1558, 13b.

¹⁸⁴ Fawcett, *The Architecture of the Scottish Medieval Church*, 305-307.

¹⁸⁵ *Haddington: Royal Burgh: a history and a guide* (East Linton: Tuckwell Press, 1997), 4-5.

¹⁸⁶ Known altars include the High Altar (Our Lady), St Andrew, St Anne, St Aubert (Cowbert), St Eloi (Blaise), St James the Apostle, St James the Great, St John the Baptist, St John the Evangelist, St Catherine the Virgin, St Michael the Archangel and Saints Crispin and Crispian, St Nicholas, St Ninian, St Peter, Saints Severus and Bartholomew, St Thomas, the Trinity/Holy Blood/St Salvator, The Three Kings of Cologne, St Peter's, St Niniane the Confessor; Marshall, *Ruin and Restoration*, 10; HAD/4/6/5 (1530-55) f45, 47, 101b-102, 112, 166b, 213b; HAD/4/2/3/1 (1555-60) f8b; HAD/4/6/73 Treasurer's Account 1558 f19; HAD 1/16 (formerly NRS B30/21/40/9); Barbara L.H. Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington" *Transactions of the East Lothian Antiquarian and Field Naturalist Society* 10 (1965) 64, 72, 77, 84; Forbes Gray, *A Short History of Haddington*, 25-26; Ian B Cowan and David E. Easson, *Medieval Religious Houses: Scotland*, 2nd ed. (London: Longman, 1976), 180.

¹⁸⁷ W. Forbes Gray, *A Short History of Haddington*, 25.

collegiate status was to organize the chantry priests and chaplains of the various altars in the church into a common body, where they would be better supervised to ensure that they were actually carrying out their appointed functions – namely, saying masses for the dead.¹⁸⁸ In this way the burghs could enjoy a dignified and comprehensive worship cycle, similar to those held in the cathedrals.

Dundee, as a larger town than Haddington, had a more extensive religious establishment. It was unusual among Scottish towns (and maybe unique), in having two parish churches, along with Franciscan, Dominican, and possibly Trinitarian friaries and Franciscan nunnery. There were also a hospital and a variety of smaller chapels. There was no abbey immediately adjacent to the town, although Lindores and Balmerino, on the other side of the Tay estuary, had important roles in the burgh's affairs.

The parish of Dundee was likely established in the eleventh century, before the creation of the diocese of St Andrews or even the official founding of a burgh at Dundee, which would explain why it was part of the older diocese of Brechin.¹⁸⁹ Both churches, St Mary's and St Clement's, were established by the thirteenth century, although a case has been made that St Clement's was built first, as St Clement was a popular dedication in early Scandinavian churches, and the church was built closer to the centre of the original settlement.¹⁹⁰ By the late middle ages however, St Mary's had become the burgh's most important church. A 1256 agreement saw the vicar of St Mary's keep the revenues of the vicarage, paying an annual pension of ten merks to the abbey of Lindores, who had earlier received the rectorship from the bishop of Brechin.¹⁹¹ The convent of Lindores had also (around 1224) received the right to appoint the schoolmaster to Dundee and the surrounding neighborhood, although collation was still required from the bishop of Brechin.¹⁹²

¹⁸⁸ W. Forbes Gray, *A Short History of Haddington*, 25.

¹⁸⁹ Perry, *Dundee Rediscovered*, 24.

¹⁹⁰ Maxwell, *Old Dundee*, 13, 47; Perry, *Dundee Rediscovered*, 24; Torrie, *Medieval Dundee*, 60-1.

¹⁹¹ Perry, *Dundee Rediscovered*, 24; Torrie, *Medieval Dundee*, 69; *The Chartulary of the abbey of Lindores*, ed. John Dowden (Edinburgh: Scottish History Society, 1903), xlvii, 116; *The Chartularies of Balmerino and Lindores* (Edinburgh: Abbotsford Club, 1841), 17.

¹⁹² *Lindores Chartulary*, iv; *Registrum episcopatus Brechinensis*, eds. Patrick Chalmers, John Inglis Chalmers, Cosmo Innes (Edinburgh: Bannatyne Club, 1856), I, no. 41, 62-63.

The thirteenth and fourteenth-century arrangement by which the abbot and convent of Lindores held possession of the rectorship of St Mary's was evidently not a happy one. Presumably, as in Haddington, the burghers wanted to expand their parish church into a building which reflected their perceived status, a construction project the abbey was reluctant to subsidize. The resulting "very great discord, contention, and altercation" were finally resolved in 1442/3 when the town and Abbey made an agreement by which the "burgesses, council and community" of Dundee took over responsibility for the choir, which would normally have been the abbey's responsibility as rector.¹⁹³ In doing so the burgh accepted "the sole burden of constructing, sustaining, reforming and repairing the choir in its walls, windows, pillars, window-glass, wood-work, roof and covering as well above as below; as also of the vestments books, chalices, palls and cloths of the great altar, and ornaments whatsoever in any manner belonging to the choir," receiving in return five merks of annual rents.¹⁹⁴ By 1560, this had increased to ten merks, and the abbey also expected to collect three hundred merks in tithes.¹⁹⁵ The abbey would make a substantial contribution of £500 to the rebuilding of the parish church in the early 1550s.¹⁹⁶ Lindores still claimed the right to appoint the vicar, although the town council's support would be important when disputes occurred between the abbey and the Bishop of Brechin over appointments, as happened in 1553.¹⁹⁷

Once they took over the apparently decayed choir, the Dundonians roofed it with lead and constructed a new aisle and a northern transept. The steeple of St Mary's was completed in the fifteenth-century and like Haddington's displays architectural influences from the Low Countries, possibly as a result of the travels of Dundee's merchants.¹⁹⁸ The completed church was approximately 286 feet long and 174 feet wide (in the transepts), making it one of the largest medieval churches in Scotland, as long as Arbroath Abbey or Glasgow cathedral and wider than

¹⁹³ *Charters, Writs and Public Documents of the Burgh of Dundee* (Dundee: Scottish Burgh Records Society, 1880), 20; Flett, "The Conflict of the Reformation and Democracy," 7-8.

¹⁹⁴ *Charters..Dundee*, 19.

¹⁹⁵ *The Books of Assumption of the Thirds of Benefices*, ed. James Kirk (Oxford: The British Academy, 1995), 32.

¹⁹⁶ DCA Burgh and Head Court Book 1550-54, f197v.

¹⁹⁷ DCA Burgh and Head Court Book 1550-54, f244v.

¹⁹⁸ Perry, *Dundee Rediscovered*, 25; Fawcett, *The Architecture of the Scottish Medieval Church*, 311, 313.

any other Scottish church.¹⁹⁹ Meanwhile the much smaller St Clement's (probably about 42 by 18.5 feet) declined in importance.²⁰⁰ The chaplain of St Clement's granted the feu-ferme of his manse to a relative in 1540, and from then on the kirkyard and lands of that church were increasingly put to secular use.²⁰¹

As in Haddington, the arrangement left the Dundonians free to fulfill their ambitions for an expanded civic religion. The expansion created space for new altars, and the town council held the final authority over their establishment and maintenance. In 1492, for example, not long after the extension of the north aisle was complete, the Weaver (Brabner) craft appeared before council and asked for permission to establish a chaplainry to St Severus the Bishop beside the altar of Magnus the Martyr, itself recently established by Robert and Thomas Seres in the north aisle. The Weavers asked for, and received, certification that Robert and Thomas would not remove their chaplainry, an indication of the cooperation necessary to sustain some of these altars.²⁰² Other crafts, and private patrons, would do the same though as we shall see securing proper funding for the altars was a constant struggle.

The establishment of new altars would continue into the 1520s, and eventually, there would be at least thirty, and perhaps as many as forty-eight, altars or chaplainries in St Mary's.²⁰³ Of the altars whose pre-1560 patrons can be identified, four belonged to a trade or guild,²⁰⁴ five to lay families²⁰⁵ and four belonged to the Burgh.²⁰⁶ The chaplainry of St Salvatours appears to have been in the combined patronage of the King and the Abbey of Cambuskenneth.²⁰⁷ Only one altar, that of Our Lady, can be associated with St Clement's church.

¹⁹⁹ Torrie, *Medieval Dundee*, 62.

²⁰⁰ Maxwell, *Old Dundee*, 48; Torrie, *Medieval Dundee*, 61.

²⁰¹ Torrie, *Medieval Dundee*, 61.

²⁰² *Abstract of Inventory of Charters and Other Writings belonging to the Corporation of Weavers of the Royal Burgh of Dundee*, (Dundee, 1881) 2, 7-10.

²⁰³ Torrie, *Medieval Dundee*, 89; Maxwell, *Old Dundee*, 18, 36.

²⁰⁴ St Severin, Weaver Trade; St Martin, Glover Trade; St Mark, Walker/Fuller Craft; Holy Blood, the Merchant Guild; Torrie adds St Duthac for the Skinners; Torrie, *Medieval Dundee*, 89.

²⁰⁵ St Anthony, St Sebastian, the Scrymgeour family; Magdalen Altar, the Barrie family. Torrie adds St John, the earls of Crawford; St Margaret the Virgin and St Thomas the Apostle, the Spaldings; and St James the Apostle, the Scrymgeours. Torrie, *Medieval Dundee*, 89.

²⁰⁶ St Michael the Archangel, St Agatha and Erasmus, St Ninian's, and St Thomas.

²⁰⁷ *Privy Seal*, 1:157.

In both towns, the physical upkeep of the kirk was the responsibility of the kirkmaster, who collected annuals and supervised repairs.²⁰⁸ This kirkmaster could be a cleric – in the early 1530s Haddington's was Sir Patrick Mauchline – though it was normally a layman.²⁰⁹ Like the treasurer and almshouse master the same man held the position for several consecutive years. Even before the war of 1548-9, repairs were frequent, often requiring timbers as well as more specific items such as locks.²¹⁰ Following the occupations of 1548-9, when Haddington's church steeple was used as an artillery platform and Dundee's church was burned, even more repairs were required.²¹¹ Despite the notion that the physical destruction of the churches can be linked to the decay of Catholic worship, burgh councils vigorously set about restoring their churches, Catholic ornamentation and all.²¹² In Dundee, on 31 December 1551, a meeting was held in Provost Haliburton's lodging, with the baillies, councillors and deacons of craft attending, for the purpose of "certain acts to be made touching the common well of this burgh and the repairing and decorating of their mother kirk."²¹³ Those assembled, on behalf of the whole burgh, decided to restore the practice of burying people in the kirk and ringing bells, "notwithstanding the spoiling and taking away of our bells by our old enemies of England." The same meeting appointed the Wednesday following to review the accounts of the kirkmaster and almshouse master.

Some of these repairs were funded directly by the town council, others were funded by the fees and annual rents which had been donated to the parish church over the years. Often these included the fees paid by new burgesses, and the kirkmasters could sometimes request that particular men be made burgesses.²¹⁴ In Haddington, the kirkmaster might also get money directly from the feuars, who had rented the town's properties and revenues, while in Dundee, in

²⁰⁸ Although sometimes these tasks were taken over by the treasurer.

²⁰⁹ HAD/4/6/5 (1530-55), f16, 41v.

²¹⁰ HAD/4/6/5 (1530-55), f50v, 91, 166-7; HAD/2/1/2/1 Burgh Minutes 1554-80, f5v. In 1557-8 expenses also included fees for nails and cutting holes in the wall to set the timber. HAD/4/6/73 Treasurer's Account 1558, f13-13v.

²¹¹ Paton "Haddington Records: Books of the Common Good," 49. In Dundee, a slater was hired immediately in 1550 to start work on the roof, and in 1552 a wright was hired to install cuppills in the choir; DCA Burgh and Head Court Book 1550-54, f7v, 190v.

²¹² See Donaldson, *Scottish Reformation*, 21-23; Ryrie, *Origins*, 78-79.

²¹³ DCA Burgh and Head Court Book 1550-54, f126.

²¹⁴ Some fees owed to altars in the town's patronage were paid directly to the town's treasurer, though these seem to be exceptional case; HAD/4/6/5 (1530-55), f21v; HAD/4/6/73 Treasurer's Account 1558, f1v; HAD/4/6/5 (1530-55) f11, 54, 85v, 114, 168.

1550 the burgh directed the fines that it levied towards maintaining the church.²¹⁵ On the other hand the kirkmasters were continually warned against spending without the permission of the council.²¹⁶ The council took first pick of incoming cargoes of timber for church repair, as in April 1551 when a ship arrived in Dundee with “two dozen of 16 ells assigned to be bought for the kirk.”²¹⁷ This timber may not have been used right away, for in November 1551 James Scrimgeour resigned his post as kirkmaster, and in doing so insisted that the new kirkmaster receive the timber “lying in the kirk that the same be put to profit of the said kirk” declining responsibility if any of the timber was stolen or taken away.²¹⁸ The councils could be picky about repairs and replacements. In September, 1556, Dundee’s council authorized James Forester, the kirkmaster, to exchange the bell that James Rollok younger had bought in Flanders for a bigger one, authorizing Forester to borrow Flemish money if need be, which the council would reimburse.²¹⁹

The burghs also owned many of the ornaments in the church, though these were often distributed to individual clerics.²²⁰ In Dundee it was laid out in their agreement with Lindores that the council was also responsible for the ritual equipment of the church. Haddington had oversight for the altars in the nave at least, though the ownership of the ornaments of the High Altar is unclear. Both burghs took measures to protect their ornaments in wartime. In May 1545, Haddington’s provost baillies and council handed six chalices to the priests whose altars they belonged to, with various burghers being sureties that the chalices would be returned.²²¹ It is possible that the chalices were being returned to the altars following the crisis of 1542-3, or they might have been distributed as a plague preparation - either in anticipation of the closing up of the kirk, or so that clerics could more easily visit the sick. In Dundee, recovering the ornaments that had been distributed took some time; it was only in August 1557 that the council received from

²¹⁵ HAD/4/6/5 (1530-55), f16v, 60, 61; DCA Burgh and Head Court Book 1550-54, f3.

²¹⁶ HAD/4/6/5 (1530-55), f98v, 183.

²¹⁷ DCA Burgh and Head Court Book 1550-54, f54.

²¹⁸ DCA Burgh and Head Court Book 1550-54, f114.

²¹⁹ DCA Burgh and Head Court Book 1555-8, f69v; DCA Burgh and Head Court Book 1454-1524, f3-5.

²²⁰ HAD/4/6/5 (1530-55), f173.

²²¹ HAD/4/6/5 (1530-55), f210-211v.

David Wedderburn of Cragy a chalice and two oracists, which he had apparently been keeping.²²²

The council's responsibility for furnishings did not end with the Reformation; in March 1562-3 Haddington's council authorized John Swynton to buy a basin "for administration of baptism," to compensate Cuthbert Cokburn for the damage done to his stall near the kirk, and to arrange for the more routine tasks of cleaning and locking the kirk.²²³ In Dundee, the Council also held onto the financial documents relating to the chaplainries, and in September 1554 the provost and baillies assigned a day for the common chest to be opened by Andrew Annand, George Lovell, and John Ferne, keepers of the keys, so that choristers could examine the documents containing the "mortifications and evidence" of the chaplainries of Saint Clement, Saint Ninian and the Rood Altar.²²⁴

The council also exercised authority over how the church space was used. While the primary purpose of the churches was for religious worship, they were also used for rituals which borrowed religious emphasis for temporal use, such as punishments and debt payments, and for purely secular actions such as commerce and meetings. These were not considered insults to the church's dignity but part of the purpose for which the parishioners built the church.²²⁵ There were limits, however. Commercial activity was sometimes a nuisance in Haddington; the craftsmen who blocked entry by crowding the doors with their stalls were forbidden from setting up stands or stalls on any day of the week except Saturday.²²⁶ In both burghs the minor officials (the bellman in Haddington, the sergeants in Dundee) were ordered to keep the poor folk (and in Haddington, dogs) out of the kirk. In Dundee it was specified that the choir should be guarded on festivals and Sundays, and the poor should be expelled on holy days.²²⁷ These decrees can be interpreted in different ways: on one hand, it could be that the councils deliberately tried to exclude poor folk from civic services. As large as they were it was unlikely that the churches were able to hold the entire population of the towns. On the other hand, it could be that poor folk may have used the

²²² DCA Burgh and Head Court Book 1555-8, f140v.

²²³ HAD/2/1/2/1 Burgh Minutes 1554-80, f31v.

²²⁴ Also present at this examination were George Wishart, James Lowell, George Spalding, James Forester and two craftsmen. DCA Burgh and Head Court Book 1550-54, f339v.

²²⁵ See Thompson, *Cities of God*, 23-4.

²²⁶ HAD/2/1/2/1 Burgh Minutes 1554-80, f7.

²²⁷ HAD/4/6/5 (1530-55), f38; DCA Burgh and Head Court Book 1454-1524, f46v.

church as shelter. The decrees also indicate that the burgh's elites took mass attendance seriously, not just on Sundays but on various festival days as well. Access to the kirk was also regulated to limit infection. During the plague of 1545, Haddington's sick were ordered not to attend mass in the kirk but rather to go to the special mass that would be said for them in St Katherine's chapel.²²⁸ In Dundee, the sick were gathered by the East Port, where George Wishart preached to them in 1544.²²⁹ Presumably they also heard orthodox preaching and masses at the same spot. The Council also collected revenues from other uses of the church space. In Dundee in 1521 a fee of 40 pence was set for those who wanted the great bells rung for "any psalms or dirges," and 10 merks for those who wanted to be buried in the choir.²³⁰

The church and chapels were also used as sites of announcements and even political disputes. In 1540 Sir James Mauchlin, curate, carried out the baillies' orders to deliver a warning during "solemn time of mass".²³¹ In January 1556-7 Henry Campbell stood up before a "great multitude of people" at the Saturday high mass in St Ninian's chapel to accuse John Ayton, provost, of breaking the town's bells, finishing his declaration by saying "and therefor I shall accuse him before an higher judge."²³² In April 1558, an agent of Lord James Stewart, commendator of St Andrews priory, ordered Sir Thomas Mauchline, curate of Haddington, at the "time of high mass in presence of the parishioners" to read out an eviction order directed at John Yule.²³³

Like other European towns, the assizes and baillies in Dundee and Haddington also used the church as a site of punishment.²³⁴ Crimes punished included minor acts of physical violence, theft, or disobedience of the municipal authorities. Punishments usually involved appearing in linen cloth, bareheaded and barefoot, and offering a candle to either the high altar or the baillies.

²²⁸ HAD/4/6/5 (1530-55), f213v.

²²⁹ Knox, *History*, 62-3.

²³⁰ DCA Burgh and Head Court Book 1454-1524, f4v.

²³¹ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f84.

²³² HAD/2/1/2/1 Burgh Minutes 1554-80, f11v.

²³³ HAD 4/1/5 Haddington Protocol Book 1548-65, f207.

²³⁴ See Brown, *Civic Ceremony and Religion in Medieval Bruges*, 14, for such rituals in Bruges; in France, Philip Conner, *Huguenot Heartland: Montauban and Southern French Calvinism during the Wars of Religion* (Burlington: Ashgate, 2002), 29; for Scotland, see DesBrisay, Ewan and Diack, "Life in the towns" in *Aberdeen before 1800*, 52.

The candles were to be of a specified weight, from three ounces to two pounds.²³⁵ The ceremony usually took place on a Sunday, either before or after high mass, and the offender would have to ask forgiveness either of the curate, the baillies or the person wronged. In one Haddington case, Gylbert Robison was also ordered to close up his house for twenty days; in another, Mak Man and Marion Man were to sit in a cart at the market cross for three hours.²³⁶ The assizes and baillies also used processions as for public humiliation; in April 1542 Haddington's baillies and council ordered John Scharp and William Mason to pass before the procession of the sacrament on Corpus Christi day, wearing only their linen cloth, before offering the baillies a pound of wax and asking their forgiveness for breaking the clock, and paying for repairs (the burghs were quite touchy about their clock!).²³⁷

The kirk and kirkyards could themselves be spaces of crime and violence; in December 1520 Andrew Walkar was found guilty of violating the statutes against "trollers and procurers" in Dundee's kirkyard and was ordered to offer a pound of wax to the church on the following Sunday. Having not done so, he was sentenced to offer £2 the next Sunday, the amount doubling each Sunday he failed to submit.²³⁸ Walker was separately convicted of stroublance done to George Rollok as baillie, and because the offence was committed in the kirkyard the court ordered him to appear the next Sunday during High Mass "when the priests go in procession and offer a candle of a pound of wax and ask the baillies for forgiveness."²³⁹ In Haddington in September 1531 James Gray was found guilty of "pricking of Adam Harlaw coming forth of the kirk" though his punishment is not recorded. Other crimes were punished severely; in April 1545, James Gothra and his wife Agnes Ogill were threatened with execution should they return to

²³⁵ In 1556, the cost of candles in Haddington was set at 8d for a ragweik or caddess (wool or fabric) candle, and presumably more for wax. HAD/2/1/2/1 Burgh Minutes 1554-80, f9. Augustine Thompson has pointed out the careful attention paid to the quality of wax used in votive candles in Italian communes, where "votive wax quality affected the integrity of a corporate act of worship and devotion. Inferior wax shamed the commune." Thompson, *Cities of God*, 164.

²³⁶ In only one Haddington case is the offence recorded; Gavin Young wife called Mathew Huckstaris a common thief. No punishments are recorded after 1541 (indeed only five are recorded between 1530 and 1541) but this is probably simply because the punishments were not recorded, at least not in any surviving registers; the burgh court records still include trials and guilty verdicts, but often nothing further is written down after the guilty parties were put in the baillies' will. It is a rare piece of luck to find the record of both the offence and the punishment to be written down! HAD/4/6/5 (1530-55) f2, 17b, 31b, 54b, 167.

²³⁷ HAD/4/6/5 (1530-55), f167.

²³⁸ DCA Burgh and Head Court Book 1454-1524, f10.

²³⁹ DCA Burgh and Head Court Book 1454-1524, f10v.

Haddington without proving that a piece of iron in their possession had been bought legally, and had not been stolen from the kirk.²⁴⁰

Municipal responsibility for religion went beyond simply building and administering the physical space. During high mass, for example, the baillies organized the kirkboard collection, which provided alms for the poor. In both towns those who refused to take up the collection were to be fined: in Haddington, 8s and an amount equivalent to the next day's collection, while in Dundee, only the previous day's collection was demanded; when James Man missed his turn in July 1523, he was fined 6s 4d, the amount that had been collected previously.²⁴¹ The need to pass such laws in both towns suggests that this duty was not always popular. In October 1540 Haddington's the council ordered the baillies to find "famous and honest men" to collect with the kirkboard, repeating a similar injunction made in 1531. Each man was to collect in person as substitutes were not accepted.²⁴² Between October 1557 and November 1558 the receipts in Haddington's Treasury accounts record that fifty-three different men took a turn, with the baillies passing in person at Yule and Easter. Only once, Trinity Sunday, did no one pass with the kirkboard. In all, £8 6s 7d was collected in just over a year.²⁴³ Alms collection would occur after the Reformation as well, when the inhabitants were selected to take turns collecting money at the kirk door; just as with the kirkboard, if one missed his turn he was obliged to pay as much as had been collected the Sunday before.²⁴⁴ In Dundee, burgesses were also expected to take turns contributing bread to the Almshouse. In September 1553 John Spens, merchant, failed to provide bread to the Almshouse and was ordered to supply as much bread as had been contributed the previous day; John Duncan, who provided the bread the day before, swore an oath concerning the quantity of bread he supplied.²⁴⁵

²⁴⁰ HAD/4/6/5 (1530-55), f202v.

²⁴¹ HAD/4/6/5 (1530-55), f21v; DCA Burgh and Head Court Book 1454-1524, 149v; see also DCA Burgh and Head Court Book 1454-1524, f11v; DCA Protocol Book, 1518-34, f91.

²⁴² HAD/4/6/5 (1530-55), f139.

²⁴³ HAD/4/6/73 Treasurer's Account 1558, f3-6.

²⁴⁴ HAD/2/1/2/1 Burgh Minutes 1554-80, f35.

²⁴⁵ DCA Burgh and Head Court Book 1550-54, f250.

Divine Services

Town councils not only built and maintained the kirks and regulated the behaviour of the townspeople inside, they also supervised the cycle of divine services held in the churches and the clergy who performed them. Indeed, the town councils held maintaining and increasing worship, both in quantity and quality, to be one of their primary responsibilities. Divine services consisted of a variety of sacred offices: the daily prayers of matins and vespers, the administration of the sacraments, but most importantly the singing of mass, the eucharist.²⁴⁶ The eucharist was a powerful rite which not only was an essential part of obtaining individual salvation but also bound together the Christian community.²⁴⁷ As Eamon Duffy points out, the consecrated host “was the source simultaneously of individual and of corporate renewal.”²⁴⁸ Of the annual Easter communion, a ritual vital in binding together the community, we have no records from Dundee or Haddington; however, dozens or hundreds of masses would be said in any given week, along with many prayers. Many of those masses were performed on behalf of souls in purgatory, but they were also believed to be beneficial for those still on earth.²⁴⁹ It was the proper provision of these masses and prayers that concerned the town councils.

The fifteenth century expansion of the burgh churches not only created architecturally prestigious buildings, it also created the space for more altars and so more masses, as demonstrated by the creation of craft altars in the late fifteen and early sixteenth century. The desire for expansion continued right up to the Reformation. In April 1557 Haddington’s provost baillies and council summoned the prebends of the college kirk “for consultation to be had for augmentation of divine service of the said kirk.”²⁵⁰ In January, 1552-3, it was the provost, baillies

²⁴⁶ For a detailed discussion of the ceremonies that made up the weekly round of worship in Italy between the twelfth and fourteenth centuries, a cycle that would have been very similar to the one practiced in Scotland, see Thompson, *Cities of God*, 242-259. Duffy, *The Stripping of the Altars*, 123-6, details the ceremony of the mass, distinguishing between weekday masses and the weekly Sunday high mass.

²⁴⁷ On the Eucharist, see John Bossy, “The Mass as a Social Institution 1200-1700,” *Past and Present* 100(1983), 29-61; Bossy, *Christianity in the West 1400-1700* (Oxford: Oxford University Press, 1985); Virginia Reinburg, “Liturgy and the Laity in Late Medieval and Reformation France” *The Sixteenth Century Journal* 23(1992), 526-547; Miri Rubin, *Corpus Christi: The Eucharist in late medieval culture* (Cambridge: Cambridge University Press, 1991). For a Scottish perspective, Beth-Fitch, *The Search for Salvation*, 151, 157-181.

²⁴⁸ Duffy, *The Stripping of the Altars*, 92-93.

²⁴⁹ Duffy, *The Stripping of the Altars*, 100-101.

²⁵⁰ HAD/2/1/2/1 Burgh Minutes 1554-80, f12v.

and councillors of Dundee who ordered the dean of guild to prepare the Holy Blood altar for divine service and to appoint a chaplain to serve at it; at the same time they ordered the crafts to return their altars to service.²⁵¹ The quality of services was also a concern in 1540; when James V wrote to Haddington asking them to accept a substitute for Archibald Borthwick, he also told them to accept no other substitutes “because we understand that your choir is weak until you be provided of a provost.”²⁵²

A sense of the continuous ritual cycle which was being carried out at any given moment in the parish churches of Scotland’s large and medium sized towns can be gained from the collegiate church of Biggar St Mary’s, whose organization was similar to the parish churches of Haddington and Dundee, but whose records are better preserved. Biggar St Mary’s was founded by Malcolm, Lord Fleming, to ensure that masses and prayers were said for the benefit of his soul, his families and “those from whom I have taken goods unjustly or to whom I caused loss or injury.”²⁵³ According to the foundation charter of Biggar St Mary’s, dated 1545-6, the college was in the charge of a provost, who was to exercise discipline over the prebends and see that Lord Fleming’s statutes were observed.²⁵⁴ The first prebend was to be the master of the song school, the second was to teach grammar and the third and fourth were to be the sacristans, performing the duties which in the burghs were likely performed by the parish clerk. Three prebends were responsible only for singing in services, while the eighth was to be vicar pensioner of the parish and administer the sacraments to the parishioners. Two of the prebends were elected to be collectors, responsible for gathering the offerings, rents, tithes and other revenues owed to the choristers and distributing them. Four boys, voices unbroken, were to be part of the choir, and six poor old men, called bedesmen, were to be supported by the college in return for singing at high mass and vespers.²⁵⁵

The prebends’ days were filled with services and duties, and were almost as regimented as those of monks. Between 6 and 7 AM a prebend was to sing a mass in honour of the Virgin

²⁵¹ DCA Burgh and Head Court Book 1550-54, f205v.

²⁵² Haddington Burgh Court Book 1530-55, f134-134v.

²⁵³ Rutherford, *Biggar St Mary’s: a medieval college kirk*, 27.

²⁵⁴ Rutherford, *Biggar St Mary’s: a medieval college kirk*, 27.

²⁵⁵ Rutherford, *Biggar St Mary’s: a medieval college kirk*, 29-30.

Mary at the high altar. The rest of the prebends were to be in their stalls for matins at the time the morning bell stopped ringing (7AM), properly clothed in clean white surplices with red hoods, and were to assemble “without talking, whispering and laughter, and without vain and wandering looks, in silence and quietness, and with due gravity, they are to sing, and they are to continue in that spirit to the end.”²⁵⁶ Malcolm Lord Fleming, the founder, further exhorted them to “sing the psalms slowly in the way they ought, and the singing is to be begun together, continue together, and end together, and those who fail in these things are to be severely punished, for the due honour of almighty God is not promoted by singing improperly and carelessly, the intention of the founder is frustrated, the well ordered conscience is hurt, and the edification of those present is not at all obtained.”²⁵⁷ It seems that clerics were known to perform the offices quickly and carelessly, to the dismay of the lay patrons and worshippers. Lord Fleming had clear expectations of what he expected from the clergy, and placed a great deal of importance on the proper performance of the rituals. Burghers would have been no different.

Following matins, between 7:30 and 8AM each weekday and Saturdays a mass would be said. On Mondays the mass would be a requiem, held at the high altar, but on other weekdays the mass would be held at a side altar. At 10AM, the high mass would be sung at the high altar, after which the celebrant, “wearing his stole and alb, will sing the Psalm “de Profundis” and the Collects and Prayers for the soul of the founder and all faithful departed.”²⁵⁸ Between services the prebends were expected to attend to their assigned duties, as well as study and recite private prayers at the altars for the soul of the founder and his family. At 5PM, vespers would be sung, followed by compline, both at the High Altar. In the burgh churches, only one service at the end of the day, evensong, would be held. On the eve of the observed feast days the Vespers of the Dead and the Matins of the Dead were to be sung, along with the Nine Lessons and the Nine Psalms.²⁵⁹ The Provost was to sing the mass on August 15th, The Assumption of the Blessed

²⁵⁶ Rutherford, *Biggar St Mary's: a medieval college kirk*, 33.

²⁵⁷ Rutherford, *Biggar St Mary's: a medieval college kirk*, 33.

²⁵⁸ Rutherford, *Biggar St Mary's: a medieval college kirk*, 33-34.

²⁵⁹ Special services were held on the feast days of All Saints (November 1), The Purification of the Virgin Mary (February 2), Saints Phillip and James (May 1) and the feast of St Peter ad Vincula.

Virgin Mary, the patronal feast of the college. A requiem mass for the soul of the founder was to be sung on the four days following each feast day.²⁶⁰

The parish churches of Dundee and Haddington would likely have followed similar schedules and rules. In addition to the masses said at the high altar, and the daily performance of matins and evensong by the choristers, there would have been a variety of masses sung by chaplains at the side altars; some would have been regularly scheduled, on a weekly or annual cycle, others would have been performed for the recently deceased.²⁶¹ One example of the individual bequests is that left by John Mertyn in 1482, which called for eight choristers and the clerk to sing placebo and dirge annually, likely on St Andrew's Day, and a requiem mass to be sung by fourteen priests annually, as well as a yearly service in the friars' kirk. For this he left annual rents of 33s, as well as 6s 8d to the friars, 10d for bread, wine and lights in the high kirk, and 23s 2d in alms for the poor.²⁶² As these bequests from burghers and also clerics accumulated the required masses must have taken up much of the day (though possibly with a lull in the afternoon), and for any burgher who went into the parish church or indeed any of the chapels, the divine offices would have been a constant background. High mass was also said at the chapels, and appears to have been well-attended. When Henry Campbell was accused in January 1556-7 of defaming John Ayton, Haddington's then provost, the charge specified that he spoke "in tyme of mes in opin auditouris in presence of a great multitude of people on Saturday last bipast."²⁶³

Haddington's choristers also had tasks assigned to them in a manner similar to Biggar St Mary's. One chorister was chosen master (or President) and was responsible for enforcing order, and one chaplain was designated to collect the annuals and take on responsibility for the records

²⁶⁰ Rutherford, *Biggar St Mary's: a medieval college kirk*, 33-34.

²⁶¹ HAD/4/6/5 (1530-55), f40, f48v.

²⁶² Haddington Charters, HAD 1/16 (formerly B30/21/40/5), some parts of the passage are illegible. Other examples can be found at Haddington Charters HAD 1/16 (formerly B30/21/40/7). The dating of 1494 is from Marshall, *Ruin and Restoration*, 9.

²⁶³ HAD/2/1/2/1 Burgh Minutes 1554-80, f11.

and court appearances which were involved.²⁶⁴ Another was assigned as a teacher, and in May 1535 the council gave him £4 10s annually for the children and the books in the choir.²⁶⁵

The councils were also responsible for the logistical measures necessary for divine services, and were not afraid to tell the clerics, especially the parish clerks, to do their jobs. In Haddington in 1539 the parish clerks were admonished for not keeping the oil lamps lit.²⁶⁶ In April 1551 Dundee's parish clerk Sir James Kinloch was accused of "suffering of little wool to be laid in ye kirk," though it is unclear what the wool was to be used for. In time honoured fashion, Sir James blamed his servant and promised to dismiss him.²⁶⁷ In June 1554 the chaplains of the choir complained that John Corntoun did not ring the bells properly and did not lay out fire and water in time for mass and divine service. Corntoun agreed that should he fail again he could be dismissed without "delatour (denunciation) or further process."²⁶⁸ More positively, in December 1555, the council instructed the kirkmaster to pay James Blyth, beadle and common servant in St Mary's, 40s a year for his good service.²⁶⁹

Urban religion would have included other practices, of course, even if few records of these activities survive. Other towns placed a high importance on preaching, and in England and Germany benefices were devoted to funding preachers.²⁷⁰ There is no evidence that either Dundee or Haddington did this, though Aberdeen supported preachers on at least one occasion.²⁷¹ It is possible that such a position existed in the burgh and left no discernable trace, though it is notable that no mention of any casual hire is made in the Haddington treasurer's accounts from the 1550s even though other payments for religious functions such as prayers are included. Preaching of some sort did occur, as there is a set of sermon notes from Dundee held in the National Archives of Scotland, though unfortunately it is largely illegible.²⁷² The various

²⁶⁴ HAD/4/6/5 (1530-55), f101b-102, 142v; HAD/4/1/3 Protocol Book Alexander Symson 1539-42, f101-101v.

²⁶⁵ HAD/4/6/5 (1530-55), f60v.

²⁶⁶ HAD/4/6/5 (1530-55), f106.

²⁶⁷ DCA Burgh and Head Court Book 1550-54, f52.

²⁶⁸ DCA Burgh and Head Court Book 1550-54, f307.

²⁶⁹ DCA Burgh and Head Court Book 1555-1558, f19v.

²⁷⁰ J.J. Scarisbrick, *The Reformation and the English People* (Oxford: Blackwell, 1984); Francis Rapp, *L'Église et la vie Religieuse en Occident à la fin du Moyen Age* (Paris: Presses Universitaires de France, 1971), 131.

²⁷¹ It is unclear if the burgh actually paid them or simply provided them with an opportunity. White, "The Menzies Era," 226.

²⁷² NRS GD45/13/119.

friars also likely preached, though there is no direct evidence of this.²⁷³ Either preaching happened frequently and routinely enough that the burghers never found reason to complain or dedicate specific funding to it, or it was of markedly less interest to them than the mass. Given that reforming preachers, from the late 1520s on, found audiences in the burghs, the former might be the case. The clergy would also have been involved in administering the sacraments, sometimes in the church, as with communion and funerals, other times inside homes, as with anointing the sick. We have no records of these kinds of activities, and no way of knowing how they were divided between the vicars and curates, the chaplains and the friars. The fact that no evidence about these practices survives in the burgh court records, however, might indicate that these functions were not the responsibility of the chaplains employed by the burgh.

Clergy as Municipal Employees

Many of the clerics in burghs were effectively municipal employees, especially the choristers of the principal churches and the chaplains of the altars in the town's patronage. It was the burgh government which hired the clergy for these posts and which ensured that they were doing their duties properly, which supervised the collection of their annuals and which topped up the income of those priests whose benefices were insufficient.

The most important group of clergy in the town's employ were the choristers who essentially received a salary from the towns in return for performing the public services at the high altars. In June 1527 Dundee's baillies and councillors, "with consent of the principle weekly attendants of the choir of the parish church" promised that three of the choristers, sir Thomas Bell, sir Thomas Duchir, and sir James Ramsay would receive "half of the common allowance of the said weekly choristers" in return for their daily service over the next year.²⁷⁴ It is not known how many choristers shared the other half of the allowance. In July 1553, John Mertyne (conspicuously not identified as "sir John" – perhaps he was too young to be in orders) was hired

²⁷³ Rapp, *L'Église et la vie Religieuse en Occident a la fin du Moyen Age*, 130.

²⁷⁴ DCA Protocol Book 1518-34, f90.

to be a chorister in the choir for ten merks a year, to be renewed annually “so long as the council thinks expedient.” He was required to serve at matins and evensong, and the Council gave to sir James Kinloche, parish clerk, the chaplainry of St Thomas the Martyr to help fund Mertyne’s salary.²⁷⁵

It was the town councils, or in Haddington, the whole community which made important clerical appointments. When Haddington’s parish clerk, sir Adam Hepburn, died in 1533, some eighty-six men met to chose a replacement. They decided to appoint two young men, William Walson and Archibald Borthwick, to share the clerkship. Often, one vacancy created a whole series of openings that the town had to manage. In June 1544 the provost, council and community of Haddington gathered to make appointments following the death of sir Patrick Mauchline, chaplain of the Rood altar. Sir Archibald Borthwick, previously holder of half the parish clerkship, was promoted to the Rood altar and to the choir stall attached to it. Sir Adam Brown, who had been unbeneficed but who had been receiving a pension to sing in the choir, was promoted to sir Archibald’s half of the parish clerkship. Sir Robert Symson was given sir Adam’s pension of ten merks, with the promise of being given the next vacant benefice, except for the lucrative benefices of the Rood Altar and St Katherine’s. A proviso promised to increase his salary by five merks if he did not eventually receive a benefice.²⁷⁶ These arrangements meant that the councils had to manage a sort of waiting list for vacancies. For example, in Dundee in October 1558, the council promised Master Andrew Cowper that they would grant him the next chaplainry available in the town’s gift. These sometimes elaborate arrangements demonstrate that the councils were not simply trying to fulfill minimal obligations but were trying to fill their churches with as many choristers and chaplains as they could manage.

In both towns locals were favored for benefices in the town’s patronage. In September, 1532, the “Provost, baillies, councilors and a multitude of the deacons and community of Dundee” agreed that in future if the son of a burghess and an outsider were both equally qualified for a

²⁷⁵ DCA Burgh and Head Court Book 1550-54, f239.

²⁷⁶ HAD/4/6/5 (1530-55), f198v, 209v; HAD/4/1/3 Haddington Protocol Book 1542-44 f97v; Horn, “List of References to the Pre-Reformation Altarages in the Parish Church of Haddington,” 58.

benefice in the town council's gift, that the local man would be nominated. To ensure that this agreement was kept, the assembly delegated the Vicar, John Barry, and two others "to enact them in the act book of the bishop of Brechin, or his commissaries under pain of excommunication."²⁷⁷ In Haddington, when William Walson and Archibald Borthwick were appointed parish clerks, the town specified that should either of them die the benefice was to revert to the town, who would appoint "whom they please and in special to a neighbour of the town most able."²⁷⁸ In 1552, when Robert Symson complained that he had never received one of the benefices promised to him by Haddington's council in 1544, he thought it relevant to point out that he was the son of the late Alex Symson, burgess of the burgh. The provost, baillies council and "other neighbours" found his complaint "consonant to reason" and once again promised him the next available benefice.²⁷⁹ In 1541, when William Kemp handed over his patronage of St James altar to the town in exchange for an annual pension of £10, the agreement specified that after the decease of the incumbent, sir James Mauchlin, the benefice would go to a child of either Thomas Waus or John Kemp, if the child is "found qualified for the said service by said of the town;" whoever received the position was to "make service in the choir as the other chaplains do."²⁸⁰

This preference for locals even extended to boys who were not yet properly qualified. In 1528, Robert Wedderburn, son of James Wedderburn (1450), was appointed to the chaplaincy of St Katharine the Virgin, made vacant by the decease of sir Robert Lam, but had to promise that he would receive collation as soon as possible "and that, in all possibility, he should immediately receive ordination of the presbytery, and abide continually in the daily service of the said parish church of Dundee."²⁸¹ On November 7, 1558, the baillies George Lovell and Andrew Fleshour required George Rollok, himself a former baillie, to agree to pay five merks yearly to the town because his son, having been appointed to the benefice of Our Lady altar, was not yet qualified to

²⁷⁷ DCA Protocol Book 1518-34, f174.

²⁷⁸ HAD/4/6/5 (1530-55), f40-41.

²⁷⁹ HAD/4/6/5 (1530-55), f230v.

²⁸⁰ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f95-95v.

²⁸¹ DCA Protocol Book 1518-34, f113.

serve at the altar.²⁸² When Wolson and Borthwick were made parish clerks in Haddington, it was specified that they were to become priests as soon as they were of age.

The council and the choristers cooperated to ensure that benefice holders were properly qualified. Before appointing sir James Erskin to the chaplainry of St Agatha and Erasmus, martyrs, Dundee's councillors "for observance of their act made by them to the choristers of the said church," had sir John Fethy, Master of the song school, "and expert chantors of the said choir" examine him. He passed.²⁸³

In cases where the altars were insufficiently funded the town council provided subsidies and pensions. For all the complaints by modern historians about the appropriation of church revenues and the poverty of the clergy, the town councils often made up the shortfall without any evident bitterness or reluctance. In November 1533 Haddington granted a subsidy of five merks to sir William Cokburn, chaplain of St Thomas and the John the Baptist altar, and promised to supplement his income further if the benefice turned out to be not worth eighteen merks annually.²⁸⁴ In 1533, therefore, the basic minimum for a beneficed priest appeared to be an annual income of twenty-three merks, (£15), only slightly better than a labourer could expect to earn.²⁸⁵ This income might be augmented with payments for participating in obit masses, or for performing sacraments. Even so, sir William was obliged to seek further financial assistance from the town. In 1536, an assize granted him a further 30s to build his house. Councils might also support a priest in his retirement.²⁸⁶ In 1520, sir Henry Peters was receiving an allowance from Dundee's common goods.²⁸⁷ In 1558, sir James Mauchlin received 40s at each term for St James altar.²⁸⁸ This likely was the payment that followed his apparent retirement, in April 1558, whereby

²⁸² DCA Burgh Court Book 1558-1561, f28v.

²⁸³ DCA Burgh and Head Court Book 1555-8, f30.

²⁸⁴ HAD/4/6/5 (1530-55), f45.

²⁸⁵ See the discussion in Chapter 2. Smout and Gibson, *Prices, food and wages in Scotland 1550-1780*, 274, 278-285.

²⁸⁶ Similarly, in February 1533-4 the baillies with the consent of the council and community granted an annual pension of eight merks to sir Adam Brown for performing daily divine service in the parish kirk, at matins, high mass and evensong. He was promised the next vacant benefice, with the exception of the Rood Altar and St Katherine's. In 1544 he was given sir Archibald Borthwick's half of the parish clerkship. In May 1535, five priests, including sir Adam Brown, were given subsidies ranging from 2.5 merks to £5. Sir Thomas Mauchlin received an additional 2 merks to find lights. In April 1539, the council gave a donation of four merks to Sir John Tait, though there appears to have been some discussion about how to disburse it. HAD/4/6/5 (1530-55) f48b, 60b, 75b, 101.

²⁸⁷ DCA Burgh and Head Court Book 1454-1524.

²⁸⁸ HAD/4/6/73 Treasurer's Account 1558, f17-19.

he made the council “his procurators, actors and factors” with power to administer his tenements as they thought best, in return for an annual pension of £4 and a promise “to do service in the college kirk of Haddington at his power during his lifetime,” a requirement that might also have been made of other retired priests.²⁸⁹ In September 1560 sir James’ pension was increased to 10£.²⁹⁰ This support is evidence both of the good relations between towns and their clerics, and of their desire to fill their divine services with as many participants as possible.

The subsidies could add up to fairly significant amounts. In both 1554 and 1555, Haddington’s council paid £41 to the prebends, perhaps to compensate them for the annuals that were uncollectable following the destruction of the town in 1548-9.²⁹¹ That said, their generosity was not unlimited, for in 1539 they had demanded that sir John Lytle produce evidence that he was to be provided with light as part of his altar service, saying that if evidence is not produced “they will not compel the said altar to find him light.”²⁹² Providing the priests with fire and light was a recurring problem, and in November 1540 the council agreed to deliver to the choristers “fire yearly as they had before.”²⁹³

The burghers were specific in their expectations of their clerical employees, and willing to admonish them for failing to perform their duties properly. When Walson and Borthwick were appointed to be Haddington’s parish clerks, it was specified that both were to do daily service in the choir, at matins, high mass and evensong, and were to become priests as soon as they were of age. The townspeople threatened to undo the appointment if they failed in any of these points, and three sureties were found for each youth to ensure that he would follow the prescribed conditions.²⁹⁴ Sure enough, in 1539 the two were brought before the assize for neglecting their duties of bell-ringing and lamp lighting. The assize ordered them to ensure that the oil lamp over the choir was lit by 5AM, and that it stayed lit until high mass, and that it be lit again at the second bell for evensong and until the doors were locked. They were also ordered to ring the bell in the

²⁸⁹ HAD/2/1/2/1 Burgh Minutes 1554-80, f18.

²⁹⁰ HAD/2/1/2/1 Burgh Minutes 1554-80, f18.

²⁹¹ Paton “Haddington Records: Books of the Common Good,” 48, 50.

²⁹² HAD/4/6/5 (1530-55), f101v-102.

²⁹³ HAD/4/6/5 (1530-55), f140.

²⁹⁴ HAD/4/6/5 (1530-55), f40-41.

morning, for which the inhabitants of the burgh were to pay them thirty-two shillings, and if they would not do so the inhabitants would find a substitute to perform the task for the same payment.²⁹⁵ More generally, in 1540 Haddington's council ordered the master of the college kirk "to punish and correct the faults within it."²⁹⁶ In Dundee, John Mertayne, a singer hired for the choir, was ordered to stop living with Elene Ramsay. He must have complied, for a short time later the unhappy couple came before the burgh court to argue over ownership of a blanket.²⁹⁷

The townspeople intended that their appointees hold the positions in person, an intention challenged by those who tried to build a career beyond the town, such as Archibald Borthwick, who as we saw had been appointed as Haddington's parish clerk in 1533. When he was summoned to royal service in 1540, the council agreed to James V's request that he be allowed to supply a substitute, but reacted angrily when another chorister asked for the same arrangement. The "baillies council and community" present "utterly repelled the said protestation and plainly declared [that] they would receive none by substitute for any of the prebends without they be compelled and coacted for fear."²⁹⁸ Clearly the community felt unable to turn down the king's request, yet was worried about the prospect of their choristers leaving them, replaced by inferior substitutes. As it was Borthwick's arrangement would frequently cause tension. In January 1540-1 the council apparently withheld Borthwick's half of the clerkship's income, causing him to dispatch a messenger to proclaim royal letters from the market cross demanding payment.²⁹⁹ Likely they paid up, but still pressured sir Archibald to serve in person; in May 1541, sir Patrick Mauchlin, president of the college kirk of Haddington, obtained a decree from the bishop of St Andrews ordering sir Archibald's substitute, sir John Story, to remove himself from the choir; sir John demanded that his contract with sir Archibald be honored nonetheless, for he was ready to perform service.³⁰⁰ A year later, in April of 1542 the baillies and council again ordered Borthwick to come and demonstrate his service, resolving to appeal to the king if he did not. These disputes

²⁹⁵ HAD/4/6/5 (1530-55), f106.

²⁹⁶ HAD/4/6/5 (1530-55), f142v.

²⁹⁷ Maxwell, *Old Dundee*, 40; DCA Burgh and Head Court Book 1550-54 (n.p., 18 December 1554).

²⁹⁸ HAD/4/6/5 (1530-55), f134-134v.

²⁹⁹ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f87-87v.

³⁰⁰ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f101-101v.

must have come to a satisfactory conclusion, for in 1544 the provost council and community gathered and promoted sir Archibald to the Rood chaplainry, one of the most prestigious in the town.³⁰¹ Perhaps by 1544, with the death of his royal patron he was back in Haddington for good. Not all priests who sought leave had such a hard battle. In June 1545, when sir Robert Symson, a pensioned but unbeneficed chorister, requested a two years' leave, the councillors agreed provided that a qualified man could be found to replace him. The substitute was to be chosen by the "provost baillies and council with advice of the choir," demonstrating the burghers' determination that posts in the choir not become personal sinecures, but that all who served be vetted and hired by them.³⁰²

Disputes over the right to make appointments were also driven by the burghers' demands for proper clerical performance. In the fall of 1531, a dispute broke out between Dundee and the bishop of Brechin over the appointment of the parish clerk. A meeting was held on September 6, 1531 in the vestibule of the parish church at which Robert Myll, on behalf of the baillies and councillors of Dundee, demanded that sir William Silver prove his rights to the parish clerkship of Dundee and either show up and serve, or resign. Sir William defended his right to the office and offered to provide documentation on a day appointed by the bishop.³⁰³ Growing impatient with the delay, which would have hindered the proper functioning of divine services in the church, on 2 October Dundee's kirkmaster David Rollok "required the provost, baillies and councillors under peril of their souls, to inspect and consider their infetments of those chaplainries of which they were the patrons, within the said church, and to compel the chaplains thereof to fulfill their charge by church censures." Rollok's request was seconded by William Rog, the collector of the crafts.³⁰⁴ In response, Alexander Kyd "acknowledged that they wholly implemented the said charge and requisition whereupon he protested in their [the baillies and councilors] name that this matter was not in their default," likely because they had already brought the matter before the bishop. The

³⁰¹ HAD/4/6/5 (1530-55), f198v.

³⁰² HAD/4/6/5 (1530-55), f210v.

³⁰³ DCA Protocol Book 1518-34, f211.

³⁰⁴ DCA Protocol Book 1518-34, f211.

concerns of the burgh officials demonstrate that the dispute was not simply over patronage, but over the proper provision of divine services.

On 16 October, the forty days within which sir William was supposed to produce his evidence had expired without him producing the documents, and so “Robert Myll, treasurer, by command aforesaid protested that they could now freely dispose upon the said office.”³⁰⁵ On 10 November the council appointed William Drummond as their parish clerk, but evidently expected some opposition from the bishop of Brechin. Their proclamation was an assertion of the town’s right to appoint the parish clerk:

“Alexander Lovell, baillie, in name of the whole community of Dundee presented to John bishop of Brechin, William Drummond clerk of the parish of Dundee, elected by the provost, baillies and community to the said office, according to the tenor of their gift under the common seal of the Burgh, requiring the said bishop to admit the same William as it behoved by law, in and to the said office, and if he would not admit him the said Alexander protested that he should of right be admitted by the bishops of St Andrews, or judges competent.”³⁰⁶

Despite the defiant tenor of Lovell’s declaration, the council did not make a firm stance in defence of Drummond, for on 27 November they tried again, with a different candidate, sir John Fethy. Again the bishop refused to admit the council’s candidate.³⁰⁷ It is not known how the dispute was resolved, but the next reference to sir John Fethy, the following May, identifies him as not as parish clerk but as Master of the Song School.³⁰⁸

Dundee’s council was also willing to intervene in appointments which were indisputably not in their gift, once again opposing the appointments of the bishop of Brechin. On 11 August 1553 Master John Rolland appeared before the council and appealed on behalf of himself and his patrons – the abbot and convent of Lindores – and the parishioners of Dundee against Bishop John of Brechin for refusing to collate him to the vicarage of Dundee, despite the presentation of the abbot of Lindores, patron of the vicarage. Instead, the Bishop had appointed sir George

³⁰⁵ DCA Protocol Book 1518-34, f273.

³⁰⁶ DCA Protocol Book 1518-34, f274.

³⁰⁷ DCA Protocol Book 1518-34, f216.

³⁰⁸ DCA Protocol Book 1518-34, f231.

Wilson.³⁰⁹ The baillies and councilors asked Master John to leave the room, and then called him in again for further questioning, before they, on their own behalf and those of the parishioners, “ripely advised determinedly answered that they would adhere and inhere to the said master John Rolland appellation.”³¹⁰ This time the council had their way and in September 1554 John Rolland, vicar, requested the key to the Vicar’s chamber from James Lovell, burgh treasurer.³¹¹

The town council would also intervene on behalf of the chaplains after they were appointed. In 1522, sir Robert Gray, chaplain of the Holy Rood altar, faced a claim on the altar’s revenues from sir John Barry, vicar. Although the council seems to have had generally good relations with sir John (in fact, he sat as a councillor), in this case they “promised that as patrons they would take on them the burden in law of the said action, to defend the said sir Robert.”³¹² In December 1527, sir Robert again asked for the baillies’ protection, this time “to defend him in the peaceable possession of his house, intromitted with by the servitors of James Scrimgeour, that his patrons and himself should not cause that he could not freely defend himself in the law with the cup and ornaments of the altar.”³¹³ The disputes were not always financial: in August 1523 the choristers appeared before the baillies and announced that they would not sing mass in the presence of Hector Richardson, who they claimed was excommunicated “for violently laying hands on Mr. Robert Fife;” it is not known what the baillies made of their announcement.³¹⁴

The willingness (or responsibility) of municipal governments to support chaplains also extended to those who served in other municipal institutions outside the parish church. In Dundee in March 1534, the chaplain of St Columba, James Ramsay, and his successors, were appointed as chaplains to the hospital by the baillies and the hospital master. The treasurer of the council gave an annual rent of 20s to the chaplain in case he had difficulty collecting the annual rents attached to the hospital.³¹⁵ Master John Rolland, Dundee’s grammar school teacher, was granted the chaplainry of St John as well as a pension of 40s. He resigned these incomes in 1532

³⁰⁹ DCA Burgh and Head Court Book 1550-54, f244b.

³¹⁰ DCA Burgh and Head Court Book 1550-54, f244b.

³¹¹ DCA Burgh and Head Court Book 1550-54, f336.

³¹² DCA Protocol Book 1518-34, t66.

³¹³ DCA Protocol Book 1518-34, f104.

³¹⁴ DCA Protocol Book 1518-34, f27.

³¹⁵ DCA Protocol Book 1518-34, f266.

when he was appointed to the chaplainry of St Michael the Archangel. This appointment was clearly tied to his post as grammar school teacher, as Rolland agreed that should he leave his post at the grammar school he would resign the chaplainry back into the hands of the town council.³¹⁶ Again, this demonstrates that these positions were not personal sinecures, but firmly controlled by the town council.

Altars acquired revenues through donations, which were often in the form of annuals from lands or tenements. The baillies supervised these transactions, a typical example of which took place in November 1524 in Dundee when Robert Halys resigned a tenement to Thomas Carale, baillie, who then gave seizin of the land to sir James Barry, chaplain of the altar of Jesus, the exchange being witnessed by James Wedderburn, baillie.³¹⁷ These transactions did not necessarily take effect immediately; Alexander Nury gave seizin of his lands of Lumlethyn to the Friars Minor, but with the provisions that he would retain the profits of the land for his lifetime, and that his wife would be allowed to live on the lands. The council also ensured that annuals and fines owed to the church and chaplains were collected.³¹⁸ On January 13, 1555-6, for example, Dundee's baillies ordered the officers to make a sweep collecting for all the annuals owed to St. Mary's, an order which apparently had little effect because it was repeated the following March.³¹⁹ In February 1558-9 Haddington's council issued a general order calling for the annuals owing to the prebends and chaplains of the college kirk to be paid, offering to have the annuals pointed provided the clerics could prove that they had collected within the past twenty years "by writ or witnesses."³²⁰ The town council continued to supervise the collection of these annuals after 1560.³²¹

The council's permission had to be sought when chaplains whose benefices belonged to the town alienated land, usually by feuing it. Feuing involved giving tenants secure possession of

³¹⁶ DCA Protocol Book 1518-34, f174.

³¹⁷ DCA Protocol Book 1518-34, f47.

³¹⁸ DCA Burgh and Head Court Book 1550-54, f172, f278v; DCA Burgh Court Book 1558-1561, f159.

³¹⁹ DCA Burgh and Head Court Book 1550-54, f20, f39.

³²⁰ HAD/4/2/3/1 (1555-60), f20v.

³²¹ The council also arbitrated rent disputes, and the clergy did not always get their way. See Chapter 4.

property for a lump-sum payment and a perpetually low annual payment.³²² In May 1552 for example, sir James Wicht, chaplain of St Colanis (Columba?) chaplainry, which was attached to Dundee's almshouse, received permission from the baillies, council and community of Dundee to feu lands belonging to his chaplainry in the Argylis gait, feuing it to John Wicht, his brother, for twelve merks annually, on condition that John spend £40 repairing the tenement.³²³

Some evidence of sixteenth-century donations to Haddington altars survives. Although there is not enough evidence for a detailed chronological analysis, a look at the records reveals some patterns. Between 1520 and 1535, fourteen donations were made by twelve different people, eleven of them laymen. The transactions were largely routine, a set fee for a set service. For the most part people gave either a whole merk or a half merk (13s 4d or 6s 8d), though others gave rents of 10s, 16s or 20s. This got the donor a yearly annual, usually for one's self, parent or spouse. There appears to have been no difference between the service one received for 6s 8d or 13s 4d; it is unclear if there were different rates for different incomes, or if it was simply understood that there was a different level of service for different donations. None of the surviving bequests during the period were especially elaborate, especially compared to those made in the second half of the fifteenth century. After 1535, there is only one donation whose date is certain; Philip Gibson left 20s for "suffrage to be done," as well as 6s 8d to be given to the poor folk, in February 1541-2.³²⁴

Given that between 1520 and 1535 donations were made at a rate of one a year, but that there are few surviving documented donations from before 1520 or after 1535, it can be assumed that the records we have are simply a sample of those that existed, and it would be too hasty to assume that donations dried up after 1535. As we have seen, the town council was still looking to intervene to increase divine service up to 1557, and provided financial support to chaplains throughout the period. What the records can tell us is that donations were largely simple

³²² HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f119.

³²³ DCA Burgh and Head Court Book 1550-54, f154, 333v.

³²⁴ HAD/1/15; HAD/1/16 (formerly NRS B30/21/39/3; NRS B30/21/40/5; NRS B30/21/40/9; NRS B30/21/40/1; NRS B30/21/40/17; NRS B30/21/40/18; NRS B30/21/40/19; NRS B30/21/40/21; NRS B30/21/40/22; NRS B30/21/40/27; NRS B30/21/40/28; NRS B30/21/40/29; NRS B30/21/40/30; NRS B30/21/40/31; NRS B30/21/40/33; NRS B30/21/39/15); HAD 4/1/3 Protocol Book Alexander Symson 1539-42 f29, 57v, 134; HAD/4/1/5 Haddington Protocol Book 1548-65, f159v; NAS B30/21/40/7.

donations to the parish church; elaborate bequests were either out of style or beyond the means of those in the surviving records. Beyond supporting the chaplains of the choir, most donors did not have particular attachments to a given altar - the main civic effort was to support the choir. These donations, along with the services funded by the burgh and required daily of the prebends of the parish church, would have ensured that an extensive series of divine services would have been performed almost every day in Haddington.

Religious Institutions not directly controlled by the Town Council

Institution such as friaries and craft altars also contributed to the burgh's cycle of divine services. Even though they were not under the town council's direct control, municipal governments still exercised some authority or influence over them, ensuring that they adequately sustained and resolving disputes among members of these bodies or between them and other townspeople. Notably absent from the records is any mention of confraternities unrelated to crafts or merchants. It is likely that such confraternities did not exist in either town; even if they were not under the direct jurisdiction of the town council, it is hard to imagine that such communal organizations did not create a single dispute that had to be brought before the burgh court, or a property transaction requiring the baillies' attention. The simplest explanation for such a complete absence of references is that, for whatever reason, there were no non-craft confraternities.

Craft Altars

The craft altars were funded, like other altars, by annuals (donated portions of rental income), but they also received fines and dues from the craftsmen.³²⁵ These funds went towards the books, ornaments and vestments of the altar, and to the salaries of the craft chaplains. The craft chaplains, like the choristers, were regarded as hired employees rather than benefited

³²⁵ DCA, Baxter Craft Lockit Book, 7.

priests, though they had even less security as their position had to be renewed every year.³²⁶

Dundee's walker craft, for example, reserved the right to remove their chaplain if "his demerits require."³²⁷ Serving as a chaplain was not especially lucrative: Dundee's weavers agreed in 1529 to pay their chaplain, sir William Lwyd, £6 annually and sir Thomas Wedderburn, chaplain of the bakers, one of Dundee's most prominent crafts, held two additional benefices, St Michael's altar and the chaplainry of Our Lady in the Cowgait - a rare example of pluralism which may indicate how poorly funded any one of these positions was. The responsibilities of the craft chaplains included saying mass, though the frequency would have varied; the Holy Blood altar in Dundee, run by the merchants' guild, required their chaplain to say divine service on a daily basis, with a solemn mass on Thursdays; it is hard to imagine that the weavers received the same from sir William for six pounds annually.³²⁸ Craft chaplains were also responsible for administering the altar and helping sort out the affairs of the crafts. Sir William Lwyd was responsible for supervising the accounts of the weavers and for his 'Writings,' presumably account-keeping.³²⁹ Furthermore, the weavers decided, "in consideration of the ruinous state of their Altar," to hand over all the documents relating to their craft to sir William, presumably so he could take on the burden of securing his own fees.³³⁰ Sir William was also given the power to call a meeting over the behaviour of any one of the five guild supervisors.³³¹

Despite the low wages paid to the chaplains and the elaborate schedules of fines and fees, the crafts had great difficulties in adequately funding their altars, which caused frequent disputes, refoundations and even mergers, all of which came before the town councils. Dundee's weavers first made arrangements to establish an altar in 1492 for "the growth of grace, and for the honour of St Severus the Bishop."³³² They even collected donations of annual rents, but in 1512 they went back to council to ratify a new series of statutes "for the supplying and upholding

³²⁶ DCA, Baxter Craft Lockit Book, 5.

³²⁷ Warden, *Burgh Laws*, 543.

³²⁸ Warden, *Burgh Laws*, 93-96.

³²⁹ *Dundee Weavers Charters*, 10-14.

³³⁰ *Dundee Weavers Charters*, 10.

³³¹ Warden, *Burgh Laws*, 510-511.

³³² *Dundee Weavers Charters*, 2.

of divine service and repairing of their Altar of Saint Severtne.”³³³ In Haddington, the 1530s saw the tailors (1530), cordiners (1531), bakers (baxters) (1532), and the smiths (1533) gain the approval of the town council for modifying the regulations surrounding the craft altars.³³⁴ Not all of the modifications were rubber-stamped by the council: in July 1535 the council refused the butchers (fleshours) of Haddington permission to gather a weekly penny, and told them that any future collection would require a special licence of the town.³³⁵ In March 1543-4 Haddington's council felt comfortable ordering the skimmers and furriers to be joined to the tailors' altar and to pay their weekly penny to it.³³⁶ The skimmers and furriers may not have been happy about this, for the order was repeated in April 1545. At the same time, the bakers were ordered to pay their weekly penny to the building of cordiners' altar.³³⁷ The series of refoundations of Haddington's craft altars in the early 1530s, followed by mergers in the 1540s, suggests that many crafts had a hard time supporting these altars.

There were disputes within the crafts concerning the administration of the altars. In August, 1486 the bakers of Dundee bought a mass book and presented it to the altar of St Cowburtis (possibly St Cuthbert) “to remain evermore.” Evidently, selling, pawning or simply borrowing the altar's equipment had been a problem, for the craft furthered decreed that “never the mass book, nor the silver chalice, nor the vestment of silk, nor the vestment of bucksay, nor the candles ever be wadsett [pawned] or otherwise removed from the altar.”³³⁸ Sometimes, these disputes came to the burgh court to be resolved. In October 1537, for example, Gilbert Robison had to promise to repay 11s 3d to the furriers' craft box of St James.³³⁹ In October 1538, John Halyburton granted him owing half a merk to the box of St Thomas.³⁴⁰ In February 1532-3 James Schezell was ordered to pay a pound of wax for not contributing 8s to St Aldis altar.³⁴¹ Disputes between chaplains and crafts were also resolved with the community's assistance. An arbiter

³³³ *Dundee Weavers Charters*, 4, 5, 6, 7.

³³⁴ Horn, “List of References to the Pre-Reformation Altarages in the Parish Church of Haddington”, 64, 65, 71; HAD/4/6/5 (1530-55) f16; (St Crispin and St Crispianus were the patron saints of shoemakers. *Marshall, Ruin and Restoration*, 11).

³³⁵ HAD/4/6/5 (1530-55), f61.

³³⁶ HAD/4/6/5 (1530-55), f194v.

³³⁷ HAD/4/6/5 (1530-55), f210.

³³⁸ DCA Burgh and Head Court Book 1454-1524, f162v.

³³⁹ HAD/4/6/5 (1530-55), f84; St James is assumed for St Ames.

³⁴⁰ HAD/4/6/5 (1530-55), f92v.

³⁴¹ HAD/4/6/5 (1530-55), f37v.

resolved a dispute between the wrights and masons on one side and sir William Cokburn, chaplain of St John's altar, on the other, by ruling that the craftsmen could have the image of St John the Evangelist as their patron, provided they found a caution for providing it with wax, mass-cloths, masses and festivals. In exchange for the image of St John they were to make an image of St Doicho to be placed at the altar of St John the Baptist and finally they were to return to sir William 11s 6d of offerings collected at Yule.³⁴²

In Haddington, as in many towns throughout Europe, the Corpus Christi procession caused a dispute among the crafts over precedence, which was also resolved by the town council. In 1532 the masons and wrights claimed that they, and not the baxters, should have the position of greatest prestige, nearest the host. The council decided to resolve the matter by deferring to Edinburgh, requiring the masons and wrights to acquire a document describing the practice there, with the seal of the common clerk. This precedent did indeed favour the masons and wrights (not yet combined into "hammermen"), placing them directly before the host, and nothing more is heard of the matter in Haddington.³⁴³ Though the council, sensibly, deferred to outside practice rather than side with one craft over the other, the careful consideration and costly documentation involved demonstrates the importance of the procession.

The extent to which the religious worship carried out by the crafts was important to the whole community is hinted at by a complaint from Haddington's malters. When they wanted to complain, in February 1539-40, about unlicensed malters competing with them, they phrased their complaint in terms of the hurt being done to their altar of St Andrew.³⁴⁴ It is easy to read this as a cynical attempt to eliminate economic competition, but in order for the crafts to be able to contribute to the burgh's cycle of divine worship, they had to be economically successful. If divine worship was considered a public good, then there was a legitimate case to be made against these 'freeloaders' who were not only not contributing, but hindering the viability of those who were. The divine services provided by the crafts did not simply benefit the guild members, though

³⁴² Marshall suggests that Doicho "is perhaps the Celtic St Duthac." Marshall, *Ruin and Restoration*, 11-12.

³⁴³ HAD/4/6/5 (1530-55), f28.

³⁴⁴ HAD/4/6/5 (1530-55), f118.

they may have been the primary beneficiaries; as such, it was of concern to the whole community that the services be properly provided.

Independent Chapels

Both Dundee and Haddington hosted a number of chapels or altars which had been founded by private patrons, though over time some of these foundations came into the town's patronage.³⁴⁵ Our Lady in the Cowgait in Dundee, for example, was founded by the Duke of Albany in 1414, and by 1429 the Town Council appear to have become the chapel's patrons. In that year the Duke and the council granted the chapel to the Trinitarian convent of Berwick-upon-Tweed, on condition that they support at least three friars there and say daily mass. The town council retained the right of patronage, though otherwise administration was handed over to the Trinitarians. By 1560, however, the chapel appeared to be in secular use.³⁴⁶ Whether the council took over patronage as a deliberate policy to control much of the town worship as possible, or simply as a last resort when no patrons could be found, it is clear that the councils had an obligation to ensure that as much worship as possible was provided.

At least six altars or chapels in Haddington belonged to private patrons.³⁴⁷ The burgh exercised some supervision over these, particularly in ensuring that the proper forms and procedures were followed. In 1539 for example the acknowledgement of George Crosar as heir to his father, and thus patron of St. Salvators altar, was delayed because the inquest demanded to

³⁴⁵ Our Lady in the Cowgait, Our Lady in the Welgait, St Roche and St Nicholas were clearly stand-alone chapels. St Columba and St Colm's may also have been independent. As of 1527, the chapel at the Earl's Inn or Hospice, and the St Nicolas Chapel, were in the patronage of the Earls of Crawford. *Registrum Magni Sigilli Regum Scotorum: The Register of the Great Seal of Scotland* (Edinburgh: H.M. General Register House, 1886) 3:111, no 494. The chapel of St Roque (Roche) may have been belonged to the Scrimgeours, as they owned the nearby lands of Wallace Craigie. A Chapel of St James the Apostle was granted by James Fotheringham to the Grey Sisters in 1502.

³⁴⁶ Other chapels near Dundee may have included a Chapel of St John of the Sklaite Heuchs, which Torrie identifies with the Holy Rood chapel, a chapel of Mary Magdalene, which was in the patronage of the Scrymgeours as of 1491, and a chapel of St Anthony. Perry, *Dundee Rediscovered*, 26-7; Torrie, *Medieval Dundee*, 63-4.

³⁴⁷ Perry, *Dundee Rediscovered*, 26.

³⁴⁸ St Salvator's (HAD/4/6/5 (1530-55), f101-102); the Holy Blood Altar (Haddington Protocol Book 1542-4, f101); St James Altar (transferred to town 1541); Trinity Altar (transferred to town 1539); St Anne's chapel (HAD/4/6/5 (1530-55), f218).

see the mortification and charter of donation of the altar.³⁴⁸ Over time, some of these private foundations too came into the Council's patronage. In 1477, Alexander Barcate, Vicar of Petynane, donated annual rents of 36s 8d to support a chaplain at the altar of St Blaise in St Mary's church in Haddington. He stipulated that on his death the right of patronage would go to John Barcate of Edinburgh and his successors, and if they failed to appoint a successor the right of appointment would go to Haddington's council.³⁴⁹ By 1545 the altar of St Blaise was in the patronage of the town, so at some date the right of appointment must have passed from the Barcate family to the town. Perhaps, at less than £2, the endowment was not sufficient to support a chaplain without a subsidy from the council. When William Kemp set up a benefice for a chaplain to perform an obit at St James altar in 1520, he also specified that the patronage was to go to his successors, and if they failed to the town council. A William Kemp, either the same or a namesake, passed the benefice to the town council in 1545, receiving a pension of £10 annually.³⁵⁰ The willingness of founders to entrust the administration of the altars, and thus of the prayers which would hasten them out of purgatory, demonstrates their trust that their fellow burghers would carry out these responsibilities properly.

The advantages of setting up an altar extended beyond rescuing one from purgatory. Hiring clergy to serve the benefices was up to the patrons, and just as the council preferred to hire locals, private patrons tended to hire relatives, and took measures to see that the rights of their kin would be protected. When William Kemp, a frequent Haddington councillor, sold the patronage of St James altar to the town, he was able to stipulate that the next vacancy be filled with a son of either Thomas Waus or John Kemp.³⁵¹ In 1540, when sir John Crosar resigned St Salvator's and instead took up the lucrative Holy Blood altar, George Crosar the patron then appointed sir William Wolson, formerly parish clerk, to the benefice.³⁵² However, sir William had to promise a yearly payment of ten merks to Sir John. In 1544, George Crosar then resigned the

³⁴⁸ HAD/4/6/5 (1530-55), f102.

³⁴⁹ HAD 1/16 (formerly NRS B30/21/40/4).

³⁵⁰ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f95-95v; Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington," 668.

³⁵¹ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f95-95v; Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington," 668.

³⁵² HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f63-63v.

patronage of St Salvator's to Master William Brown, provost, who was also patron of the Holy Blood altar.³⁵³ When sir John died in 1556, his position at the Holy Blood altar was passed to sir Adam Brown, who was presumably related to Master William Brown.³⁵⁴ It is likely that there had been an agreement between George Crosar and Master William Brown, that Master William would hire Crosar's kin in exchange for the eventual patronage of the altar. Founding an altar could be beneficial both to the soul and to one's descendants.

Not all of these positions were filled so diligently, however, and some chaplainries were given to outside clergy or even lay men. In Dundee Master George Scott, the vicar of Glassery and Longforgan was appointed to the chapel of Our Virgin in the Welgait, which was in the patronage of the Scrimgeours; it seems unlikely that he performed daily service there, although it's possible that he appointed a substitute. The chaplain of St James the Apostle was Master Thomas Scrimgeour, a chanter at Brechin. Patrick Lyon, the customar, was appointed to the chaplaincy of St Adwall in the parish church in April 1559.³⁵⁵

Public Plays and Festivals

Though records are scanty, it appears that religious plays and processions were put on in both Haddington and Dundee under the direction of the town council. A very brief reference survives to a mid-fifteenth century Corpus Christi procession in Dundee.³⁵⁶ The importance of Haddington's Corpus Christi procession was demonstrated by the dispute between the bakers (baxters) and the wrights.³⁵⁷ In 1537 in Haddington the assize, with advise of the baillies, allowed

³⁵³ HAD/4/1/4 Protocol Book 1542-4, f101.

³⁵⁴ HAD 4/4/1/3 Protocol Book Alexander Symson 1539-42, f163v. See also f95. The Three Kings of Cologne altar was founded, probably early in the sixteenth century, by David Fowrouss (Forrest), and in 1553 a Mr Alexander Forrest, provost of the college kirk of St Mary in the Fields, was a chaplain, though that year he resigned the position to the new patron, his nephew John Forrest. Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington," 86.

³⁵⁵ Bardgett, *Scotland Reformed*, 69.

³⁵⁶ Anna Jean Mill, *Mediaeval Plays in Scotland* (Edinburgh: William Blackwood, 1927), 71.

³⁵⁷ HAD/4/6/5 (1530-55), f28-29v.

the crafts to put on plays on Midsummer's Day.³⁵⁸ It is most likely that these plays were associated with the Corpus Christi procession, though they may also have been supervised by the Abbott of Unreason, who was usually associated with May games.³⁵⁹ The burgh did keep 'play coats' in the common chest.³⁶⁰ These craft plays, especially if associated with the Corpus Christi procession, were likely the plays George Wishart had in mind when he complained about the 'vane Clerk play,' which attracted a much bigger audience than his preaching.³⁶¹ There must have been frequent plays in Dundee, for there was a designated play field, where at least two of the Wedderburn plays, one about the beheading of John the Baptist, the other about Dionysius the tyrant, were performed.³⁶²

Other aspects of lay religious life also came under the council's supervision. In one interesting case, the Haddington baillies granted permission to Thomas of Kello to pass in pilgrimage "to Saint James or where it please him."³⁶³ It is not clear why permission was necessary. Perhaps this was a promise to protect his affairs during his absence, in the same way that those who accompanied royal missions received permission, or it was an exemption from the residence requirements expected of a burghess.

Friars

Both Haddington and Dundee had major Franciscan friaries. Although they were not under the councils' direct supervision the friars were linked to the burghers through a series of agreements and bequests and contributed to the town's cycle of divine services. Dundee's friary belonged to the Conventual Franciscans and was possibly the largest in Scotland.³⁶⁴ It was the normal residence of the Conventual Provincial Vicar, and may have housed a school for

³⁵⁸ HAD/4/6/5 (1530-55), f81.

³⁵⁹ Mill, *Mediaeval Plays in Scotland*, 21.

³⁶⁰ HAD/4/6/5 (1530-55), f101v.

³⁶¹ Mill, *Mediaeval Plays in Scotland*, 74.

³⁶² Mill *Mediaeval Plays in Scotland*, 71; Calderwood, *History of the Kirk of Scotland*, ed. Rev. Thomas Thomson, (Edinburgh: Wodrow Society, 1842-9), 1:142.

³⁶³ HAD/4/6/5 (1530-55), f65v.

³⁶⁴ Perry, *Dundee Rediscovered*, 28.

Conventual friars.³⁶⁵ Their house was a convenient meeting place, hosting meetings of the Franciscan province and in 1553 a large Justice Ayre was held there.³⁶⁶ In Haddington, the Franciscans friary, also belonging to the Conventual wing, was just north of the parish church and included its own large church with at least five altars.³⁶⁷ As Conventuals, they were able to receive ground rents of at least £48 9s 4d.³⁶⁸ In return for these rents they, like the chaplains of the parish kirk, were required to perform obit and commemorative services. In 1389, for example, Sir William Haliburton donated a rent worth ten merks annually to fund an altar to St John the Baptist at which he expected daily mass to be performed and an annual mass to be sung on the obit day of his grandfather.³⁶⁹ The only evidence that people were buried in the friary church comes from a charter of 1514. In that year Sir John Congilton endowed the altar of St Duthac, beside which his parents had been buried, with a supply of bread and wine in return for the performance of an annual service, specifying that the arrangement was to be observed as long as three friars remained in the convent.³⁷⁰ This doubt about the ability of the friars to keep up services predicted the gradual decline in the number of friars in Haddington during the sixteenth-century; there were nine friars in 1478, seven in 1539 and 1543, four in 1555, and possibly only two by 1559.³⁷¹ This matches the general decline of the Conventuals in Scotland during the sixteenth century, from a high of about fifty to only thirty by 1559-60.³⁷² The decline in Haddington seems to have taken place in conjunction with the growth of the collegiate church, which may explain the lack of tension between the secular chaplains and friars, as services the friars were unable to provide were taken over by the town's choristers.³⁷³

³⁶⁵ W. Moir Bryce, *The Scottish Grey Friars* (Edinburgh: Sands, 1909), 1:15, 219.

³⁶⁶ *Accounts of the Lord High Treasurer of Scotland*, eds. Thomas Dickson et al, 10:167.

³⁶⁷ John Mair (Major), for one, complained that the original church was too large for their Order, and seemingly approved of its destruction during the 'Burnt Candlemas': "Now I for my part do not think it well that the Minorites should possess churches of this sumptuous magnificance; and it may be well that for their sins, and the sins of the town itself, God willed that all should be given to the flames." John Major, *A History of Greater Britain*, trans. Archibald Constable (Edinburgh: Scottish History Society, 1892), 297. Bryce, *Scottish Grey Friars*, 1:168, 197.

³⁶⁸ Bryce, *Scottish Grey Friars*, 1:197.

³⁶⁹ Bryce, *Scottish Grey Friars*, 1:178.

³⁷⁰ Bryce, *Scottish Grey Friars*, 1:175.

³⁷¹ Cowan and Easson, *Medieval Religious Houses in Scotland*, 126 (from Bryce, 1:193-4) (1478). HAD 1/15 (formerly NRS B30/21/39/3); HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f26v (1539), 134 (1541-2); HAD/4/1/5 Haddington Protocol Book 1548-65, f110b (1555); HAD/1/15 (formerly B30/21/39/17).

³⁷² Bryce, *Scottish Grey Friars*, 1:157. The Observant Franciscans seemed to be the more vigorous order during the sixteenth century.

³⁷³ Bryce, *Scottish Grey Friars*, 1:182.

A handful of charters relating to the friars survive in the Haddington burgh records, including four donations from the early sixteenth century, ranging from 6s 8d to 64s 8d. As far as is indicated, these donations were for annual obits, though likely larger donations received more elaborate services.³⁷⁴ The friary rental book, along with other documents, was handed over to the town council in 1574, but has since disappeared.³⁷⁵ Despite the scanty evidence, there appears to have been a decline in popular enthusiasm for the friars over the sixteenth century, though overall relations with the burgh and council remained good.

Though the friars were not under the town's direct authority, they were still tied to the community by various agreements and obligations. As part of their effort to increase divine worship within the burgh, the Council gave the friars an annual payment of six merks for "furnishing of wine, wax, bread and other necessities things within their kirk of the said burgh to the uphold of divine service."³⁷⁶ It is notable that the agreement does not seem to include preaching, and the emphasis on wine, wax and bread points to a sacramental definition of divine service. The agreement, originally made in 1287, was renegotiated in 1527 to ensure that payments would be more reliable, with the burgh throwing in another set of annuals for good measure, with a promise of payment directly from burgh funds if the friars were still unable to collect.³⁷⁷ The burgh was flexible and generous in upholding the agreement; in 1539, the friars asked for and received an advance of three years on their annuals to help them repair their dortor which had fallen down.³⁷⁸ In 1559, the friars apparently again sought to be paid in advance, and the council ordered the treasurer to pay £5 16s in addition to the 24s already given to the friars, for their 1560 and 1561 rents.³⁷⁹ The council could give out spontaneous alms to the friars as well, especially under the pressures of the Reformation; in August 1559 the council ordered the treasurer to deliver £3 of money to Friar Lawrence Bell.³⁸⁰ In 1564 however they disallowed a

³⁷⁴ HAD/1/15.

³⁷⁵ Bryce, *Scottish Grey Friars*, 1:178.

³⁷⁶ 'ble' has been transcribed as wheat, thus bread, HAD/1/15 (formerly NRS B30/21/39/13).

³⁷⁷ HAD/1/15 (formerly NRS B30/21/39/13); HAD/4/6/5 (1530-55) f74v, 168.

³⁷⁸ HAD/1/15 (formerly NRS B30/21/39/16).

³⁷⁹ HAD/2/1/2/1 Burgh Minutes 1554-80, f23.

³⁸⁰ HAD/2/1/2/1 Burgh Minutes 1554-80, f21v.

payment of twenty merks given to Friar Flock, though it is unclear whether they disapproved of the payment or the lack of a receipt.³⁸¹

Friars could also serve other functions in the town; in October 1556 Friar John Blackburn received 15s for maintaining the town's clock.³⁸² The friary kirk itself was also open to the public, and used by the burghers as a meeting place. It was the customary location in the burgh for disputes to be settled; parties would nominate one to three representatives who would meet at an appointed hour to arbitrate an agreement.³⁸³

The town also sponsored candidates to the Franciscans - or perhaps more accurately, hoped the Order would take care of some problematic inhabitants. In January 1539-40 the council ordered the baillies "and certain honest neighbours to pas to the friars and commune with them" about accepting John Fleming, who was apparently unable to support himself, as a friar.³⁸⁴ This mission was apparently unsuccessful, for burgh records indicate that Fleming was later issued clothing and six pence a day by the treasurer, followed ultimately by an allowance of fifty shillings yearly, after the baillies had gone through the town collecting for him.³⁸⁵ A year earlier, however, George Lyngon, son and heir of John Lyngon in Haddington, joined the friars with no council intervention, though his widowed mother paid the order 20s.³⁸⁶

As with the crafts the town council also intervened in disputes among the friars. In February 1541-2 the Warden, supported by four of his convent, exchanged a set of stones with the burgh for the building of a wall around their grain in the Friar croft; this exchange was opposed by Friar William Sinclair, who claimed that the Warden did not have the power to alienate any of the gear belonging to their convent. The objection was overruled by Haddington's treasurer, John Lawtay younger, who pointed out that Friar William "was neither warden

³⁸¹ HAD/4/6/5 (1530-55), f40.

³⁸² HAD/2/1/2/1 Burgh Minutes 1554-80, f8v.

³⁸³ For example, HAD/4/6/5 (1530-55), f288v.

³⁸⁴ HAD/4/6/5 (1530-55), f116v.

³⁸⁵ Bryce, *Scottish Grey Friars*, 1:185, (from HAD/4/6/5 (1530-55) 29 Jan 1539, 20 July 1540, 27 Oct 1540, 27 April 1542).

³⁸⁶ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f110; Bryce records his name as George Hugo; Bryce, *Scottish Grey Friars*, 1:184.

precedent nor proctor for the place bot a singular man” who had not the power to object in the case.³⁸⁷ Of course, the town council may have had a vested interest in preserving the agreement.

Haddington’s friars were also assigned the supervision of an almshouse and the Hospital of St Lawrence. The almshouse, located in the Poldergait, had been founded by sir John Haliburton, Vicar of Grenlaw, in 1478, and featured two beds reserved for the poor of Dirleton and one put aside for the Warden to offer a night’s shelter to any poor person. These institutions were also responsible for contributing to divine worship in the burgh. Sir John specified that the inmates were to recite the psalter of Our Lady three times, and say five Pater Nosters, Five Aves, and a Credo each night, as well as the De profundis if they were lettered. A friar was to say mass every Sunday, and when the endowment increased on Fridays and Wednesdays as well. On Candlemas Day a mass was to be said by six priests in the friary and parish churches, before forty pence of bread was distributed among the poor.³⁸⁸

About half a mile west of the town was the leper hospital. It was originally founded in 1312 or earlier, and by the early sixteenth century it was the Franciscan wardens who were responsible for pastoral care and who received payments made to the hospital, including twenty shillings of annual rent from the royal farms, paid out by the town council.³⁸⁹ An attached almshouse was supposedly reserved for burgesses of Haddington, though it may have been confused with the almshouse in Poldergait.³⁹⁰ Dundee also owned and maintained an almshouse, which may or may not have been a successor to the various hospitals which are listed as having been established in Dundee.³⁹¹ A separate leper’s hospital existed, possibly in the east of the town.³⁹²

³⁸⁷ HAD 4/1/3 Protocol Book Alexander Symson 1539-42, f134.

³⁸⁸ Bryce, *Scottish Grey Friars*, 1:178

³⁸⁹ Bryce, *Scottish Grey Friars*, 1:181; *Liber St Catherine*, xxvi, 44 (no.v). In 1532 its lands were transferred to the nuns of St Katherine’s of Siennes, outside Edinburgh, and leased to local inhabitants to farm. The town council appointed an official for day-to-day administration. Cowan and Easson, *Medieval Religious Houses: Scotland*, 181.

³⁹¹ One, run by the Trinitarian order, existed in the late fourteenth century. *The Register of the Great Seal of Scotland* 1:331, no. 838. Perry, *Dundee Rediscovered*, 29. There was a hospital of St John the Baptist in the mid-fifteenth century; *Brechin Registrum* 1:93, no. 53.

³⁹² *The Register of the Great Seal of Scotland* 2: 529 no 2446; Perry, *Dundee Rediscovered* 30-1; Maxwell, *Old Dundee*, 16.

Dundee was also home to houses of Observant Dominicans and Franciscan sisters, though not much can be said about their contributions to divine worship or their relations with the burgh council.³⁹³ In light of all the other evidence about the relationships between the towns and other religious communities, however it is likely that they too performed religious observations that contributed to the town's worship.

It is clear that Haddington valued the friars and maintained good relations with them. It is striking, nonetheless, that all the surviving evidence relates to their role in performing masses, and that there is no mention whatsoever of them preaching or providing pastoral care to the inhabitants. It is likely that they performed these functions, which were largely their *raison d'être*, but the lack of references suggests that the priority placed on these activities may be questioned. Dundee appears to have had cooler relations with the friars than Haddington, which may have had to do with the association of the local Conventual friary with the church hierarchy. It is possible that there, too, the decline of the Conventual Franciscans led to a reduction in the numbers and vigour of their local contingent.

Conclusion

Peter Brown has memorably described early medieval monasteries as "powerhouses of prayer."³⁹⁴ With divine services held in expanded parish churches, chapels, friaries and almshouses, the same might be said for the mid-sixteenth century Scottish burgh. Increasing the quantity and quality of divine services was a constant goal of the burghers and their municipal administrators. Such concerns were not limited to Scotland, of course.³⁹⁵ A case study of south-west France by Michelle Fournié has demonstrated that there, the consuls – equivalent of Scottish baillies – took care of the ecclesiastical buildings in the town, owned the religious

³⁹³ Janet P. Foggie, *Renaissance Religion in Urban Scotland: The Dominican Order, 1450-1560* (Leiden: Brill, 2003); 6, 60, 135, 143; Torrie, *Medieval Dundee*, 67; Perry, *Dundee Rediscovered*, 28; *The Register of the Great Seal of Scotland*, 2:560, no 2637; *Privy Seal, 1529-1542*, ed. David Hay Fleming, 2:413.

³⁹⁴ Peter Brown, *The Rise of Western Christendom*, 2nd ed. (Blackwell: Oxford, 2003), 219-231, esp 226.

³⁹⁵ See Friedrichs, *The Early Modern City*, who uses the German city of Braunschweig as an example, 67; for Britain, Gervase Rosser and E. Patricia Dennison, "Urban Culture and the Church 1300-1540," in *The Cambridge Urban History*, 1:366.

ornaments and equipment, organized liturgical life, especially processions, paid salaries to the parish clerk, the bell-ringers, the organ blowers and to the chaplains, and ensured that the clergy fulfilled their obligations. Fournié's conclusion is that the involvement of the municipal authorities was "justified by their acute consciousness of their responsibilities." Like Scottish municipal authorities, "The consuls considered themselves to be the guardians of the community's spiritual and material goods."³⁹⁶

Their conception of spiritual good relied heavily on divine services, especially the mass, even in the context of late medieval Christianity. Though preaching did occur, it does not appear to have been of particular concern to the burgh council or the laity. Likewise pastoral care and the administration of the sacraments are never referred to. Even if the burgh council did not consider these activities to be part of their responsibility, it is still remarkable that no disputes or complaints surfaced in the burgh courts or notarial protocol books. The absence of evidence must not be used a proof of satisfaction, but the lack of complaints or conflict is striking.

To speak, then, of the corruption of the Scottish church and of its failures to reform itself, is a generalization so broad as to be meaningless. The church that Scotland's burghers encountered answered not to the prelates, but to themselves.³⁹⁷ There was certainly potential for corruption without careful, close supervision, but careful close supervision was precisely what the town governments offered. An explanation for the Reformation of 1560 cannot rely heavily on the corruption thesis, at least as far as the burghs are concerned, not can it be claimed that the Scottish laity were indifferent to Catholic religious ritual. Nor, as we shall see in the next chapter, can an explanation rest on corruption's sibling, anti-clericalism.

³⁹⁶ Michelle Fournié, "Confréries, bassins et fabriques dans le Sud-Ouest de la France: des oeuvres municipales," in Vauchez, *La Religion Civique*, 258.

³⁹⁷ See Sanderson, *Ayrshire*, 10-22.

CHAPTER 4: The Urban Clergy

"Droukin Schir Johne latyneless" was Sir David Lindsay's memorable description of the ordinary priest of the Scottish church.³⁹⁸ This charge was substantiated by the sixteenth-century church's own councils and repeated by modern historians who accuse the clergy of ignorance, immorality and negligence.³⁹⁹ A closer examination reveals that there were three main targets of the criticisms: the prelates, who were criticized for their luxurious living and for neglecting their religious duties; the parish vicars, who were criticized for their avariciousness, mortuary dues being especially targeted, and for failing to preach, and friars who were criticized for collecting alms that should have gone to the needy poor and for having excessive influence over kings and housewives alike.⁴⁰⁰ Many of these criticisms, however, did not necessarily apply to the chaplains and unbeneficed priests who made up the bulk of the urban clergy. Bishops had almost no role in religious ceremonies in the towns, and only a small role in the administration of the civic church, although many individual burghers may have found themselves before the bishop's court at one point or another. Urban vicars, meanwhile, may have been as rapacious as their rural colleagues but could also play a positive role in town life. The fact that Scottish towns had only one parish, and thus only one vicar, also meant that burghers were more likely to interact with chaplains. As to the friars, the criticisms leveled at them may in fact have indicated their popularity.⁴⁰¹ In all, the lives and behaviour of the clergy in the towns were less controversial than

³⁹⁸ Sir David Lindsay, "Kittis Confession." In *Sir David Lyndesay's Works: Part V, The Minor Poems*, ed. J. Small and F. Hall (Early English Text Society, 1871. Reprint: New York: Greenwood Press, 1969), 582. The author of the 'Complaynt of Scotland' criticized the clergy for their lack of teaching and for failing to show a good example to the people. R. Wedderburn, *The complaynt of Scotland*, intro. A.M. Stewart (Edinburgh: Scottish Text Society, 1979), 125. Pittscottie, for his part, reported that the Vicar of Dollar accused priests of spending their teinds on "harlattis amd houris and delicat clething, ryottous babcatting and wantoun playing at cairttis and dice, and the kirk rewin and the pulpit down and the pepill nocht instructit in godis word, nor the sacramentis trewlie ministrat to thame as the scriptour of Christ commandis." *The historie and cronicles of Scotland: from the slauchter of King James the First to the ane thousand fyve hundreith thrie scoir fyftein zeir*. Eds. Robert Lindsay, Ae. J. G. Mackay (Edinburgh: Scottish Text Society, 1899-1911), 348-9.

³⁹⁹ Donaldson, *Scottish Reformation*, 11, 15. Cowan, *Scottish Medieval Church*, 2. *Statutes*, 28. Ryrie, for his part, claims the main problem for the church was the perception, rather than the reality, of abuse. "Reform without Frontier," 51; *Origins of the Scottish Reformation*, 16, 19-22.

⁴⁰⁰ Lindsay "The Dreame," in *Works*, 269; Lindsay, "An Dialogue," in *Works*, 152-3; Lindsay, "Ane Satire," in *Works*, 451.

⁴⁰¹ See Foggie, who argues that the Protestants targeted their attacks on the friars to break the link between townspeople and Catholicism. While the friars were generally popular, she supposes, the literary tradition denouncing them and their

one would expect based on the literary and historiographical criticisms of the late medieval Scottish church.

The urban clergy, much like the burgh's churches, were a product of the community they served. The surviving records have few references to their pastoral duties, and none to their sobriety (or lack thereof) but enough material survives to trace their careers, their family connections, their litigiousness and to some extent their education. This material indicates that the clergy served diligently at their posts, were not especially litigious and many of them were not particularly well-off. The clergy maintained many family and social links with the townspeople, and as many as half of the priests active between 1520 to 1560 may have attended university.

In Dundee the vicar was a local figure, with a residence and a role in the burgh's affairs. Dundee's vicar from 1518 or earlier until 1551 or 1552 was Master John Barry, who had attended the University of St Andrews around 1510.⁴⁰² He was evidently a respected and active member of the community, sitting on the burgh council in the early 1520s. In 1527 he was nominated by the merchants to serve as an arbiter in their dispute with the craftsmen, and in 1529 the weavers chose him as one of the auditors of their accounts.⁴⁰³ He was willing to express his opinion on burgh affairs, as in 1530 when he objected to the admission of a woman, Marion Ker, to Dundee's guild.⁴⁰⁴ Master John also had family connections in Dundee, including his sister Janet and his brother Andrew.⁴⁰⁵ Janet had married James Wedderburn (b. 1450) and was the mother of Robert, Master John's successor as vicar, and of James and John who were early Protestants.⁴⁰⁶ He was tutor to William Barry in the early 1520s, and following the occupation of 1549, he

financial litigation meant that Protestants could easily arouse discontent. Foggie, *Renaissance Religion in Urban Scotland*, 231, 235, 237.

⁴⁰² James Maitland Anderson, *Early records of the university of St Andrews; the graduation roll, 1413-1579, and the matriculation roll, 1473-1579* (Edinburgh: Scottish History Society, 1926), 201, 207.

⁴⁰³ Warden, *Burgh Laws*, 97; *Dundee Weavers Charters*, 10.

⁴⁰⁴ His protest may have been due to his fear of losing her guild dues, as he asserted that her admission should not "be any prejudice to his priviledge upon the vestments of whatever women are so admitted." DCA Burgh Protocol Book 1518-34, f174.

⁴⁰⁵ DCA Burgh Protocol Book 1518-34, f18.

⁴⁰⁶ J. K. McGinley, 'Wedderburn, James (c.1495-1553)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/28956>, accessed 26 June 2013].

became responsible for three young orphaned Barry boys.⁴⁰⁷ A Sir James Barry was chaplain of the Jesus altar in the parish church in 1524.⁴⁰⁸

Master John did, it should be noted, bring people before the courts, as vicars were notorious for doing. He pursued Alexander Davidson, cutler, for the dues owed on his wife's death (called the 'kirkright'), after Alexander failed to prove himself a burgess, and pursued another couple for their tithes.⁴⁰⁹ While the clergy were often criticized for over-avariciousness in collecting tithes, these disputes may not have been very common.⁴¹⁰ In England, Christopher Haigh has pointed out that while people did not want to pay more tithes than necessary, they did not object to tithes themselves.⁴¹¹ He also pursued John Fell, butcher, for a stane⁴¹² of molten tallow, though it is not clear if this was owed to him as vicar or was a business transaction gone wrong. In 1522, Master John tried to claim some of the revenues of the Holy Rood altar, held by sir Robert Gray. The council sided with sir Robert, even though Master John was a fellow councilor.⁴¹³ Not much can be said about Dundee's other vicars; Robert Wedderburn did not long survive Master John, and Master John Rolland, who enlisted the council's support in gaining collation from the Bishop of Brechin, left few other traces in the records. The careful consideration that the council put into supporting Rolland's claim indicates the importance of having a vicar of their preference. There was also a curate present, who would be responsible for pastoral care in the absence of the vicar; in 1554 it was sir William Lwyd.⁴¹⁴ From 1558 on the vicar was Master John Hamilton, who complained in January 1560-1 that he had not received any income from the altar for three years past. At that point, the benefice was worth £40 annually.⁴¹⁵

⁴⁰⁷ In the early 1520s he was tutor of William Barry, in the early 1550s he became curator for James Barre, son of Andrew Barre, tutor to Marcus Barry, son and heir of William Barry, and the nearest relative to James Barry, pupil, William's second son.

⁴⁰⁸ DCA Burgh Protocol Book 1518-34, f47.

⁴⁰⁹ DCA Burgh and Head Court Book 1550-54, f27b, f28.

⁴¹⁰ Lindsay, *Major Poems*, 'Dialogue Between Faith, Hope and Experience', line 4687, p.152; 'The Satire of the Three Estates,' line 2003, p.451.

⁴¹¹ Christopher Haigh, *English Reformations: religion, politics and society under the Tudors* (Oxford: Oxford University Press, 1993), 11. See also G.W. Bernard, *Late Medieval English Church* (New Haven: Yale University Press, 2012), 155.

⁴¹² A 'stane' was a unit of measurement, normally sixteen pounds. *Dictionnary of Older Scottish Tongue*, 9:481.

⁴¹³ DCA Burgh Protocol Book 1518-34, f66.

⁴¹⁴ DCA Burgh and Head Court Book 1550-54, f297.

⁴¹⁵ Frank D. Bardgett, *Scotland Reformed: The Reformation in Angus and the Mearns* (Edinburgh: John Donald, 1989) 69; *The Books of Assumption of the Thirds of Benefice*, ed. James Kirk (Oxford: British Academy, 1995), 394.

The records say little about the vicars of Haddington.⁴¹⁶ There it was apparently the curate who performed the high mass, as demonstrated in 1530 when sir James Mauchlin spoke from the pulpit concerning a theft of iron.⁴¹⁷ Other vicars and parsons were an occasional sight in the burgh courts, collecting rents owed to them from tenements in the burgh. Sir Patrick Graham, vicar of the Mannis, for example, appeared in Dundee burgh court in July 1558 to secure a payment of £4 from John Boyes for his 'entry,' the fee due to him upon a tenant's occupation of a property.⁴¹⁸

The remainder of the urban clergy was made up of stipendiary priests who were hired to say mass and administer the various altars and chapels, choristers who sang the main daily services at the parish church, and priests without positions.⁴¹⁹ Some of these would have required financial support from the town councils while they waited for a vacancy, others would have scrambled at a variety of odd jobs, of which working as a legal representative, or procurator, is most obvious in the burgh records. There were friars based at each of the town studied, and monks and priests from elsewhere visited on a regular basis. In addition to the abbey of Lindores, the priory of St Andrews and the abbeys of Scone, Balmerino, and Couper Angus all owned annual rents in Dundee.⁴²⁰ In Haddington, the provost and priests of the college church at Bothans and the church at North Berwick all owned rents in the town.

In both Haddington and Dundee, therefore, the clergy would have been a common presence among the burghers. During the period 1530-65 about sixty-one priests and friars were likely residents of Haddington and another ninety or so would have visited from time to time.⁴²¹ At any given time, then, there were probably thirty to forty resident clerics, and several dozen others who made occasional appearances in the burgh. There may well have been many others who

⁴¹⁶ In August 1559 sir George Reid, vicar, appointed sir Thomas Mauchlin and Thomas Spottiswode his procurators.⁴¹⁶

⁴¹⁷ HAD/4/1/5, f27b.

⁴¹⁸ DCA Burgh and Head Court Book 1558-61, f14.

⁴¹⁹ Chaplains are generally considered to be in possession of stipends rather than benefices, although many chaplains were apparently appointed for life and were responsible for collecting their own annuals. Durkan refers to them as altarists. John Durkan "Chaplains in Late Medieval Scotland" *Records of the Scottish Church History Society* 1979, 91-103, 94.

⁴²⁰ Kirk, *Books of the Assumption of the Thirds of Benefices*, 12, 29-30, 57-8, 331, 352-4, 369.

⁴²¹ As always, different spellings and transcription errors mean some individuals may have been entered twice, or more rarely, different individuals conflated under the same name. Residents were identified by either by having a benefice, a relationship with the town council or residents in the burgh, or by appearing frequently enough in the burgh court that they may as well have been residents.

simply do not appear in the surviving records. In Dundee, the burgh records reveal at least fifty-two clerics resident or especially active in burgh life at some point during the 1550s.⁴²² Of these, thirty-nine held at least one benefice or stipend during the decade and a further four were collecting annuals and so may have held an unidentified position. Of the remaining nine, one was a notary public and three appeared as procurators or litigants on behalf of others, and perhaps made a living as a sort of lawyer (which does not exclude them from holding or desiring to hold a benefice or stipend). One Dominican friar also appeared; doubtless there were other friars though evidently they did not appear in the burgh records. Though several friars lived in the burghs, usually only one was tasked with appearing in the burgh court to collect rents owed to the order and settle other financial disputes.

Clerical Careers

Many urban priests were deeply rooted in their burghs, though they may have left to attend university or engage in business – collecting rents, for example – in other towns. Brief sketches of three priests from Haddington and one from Dundee indicate that the typical burgh priest retained family connections and spent his career slowly moving up to more lucrative positions. Sir Adam Brown first comes to our attention in February 1533-4, when Haddington town council granted him an annual worth eight merks to perform a daily service in the parish church.⁴²³ It was standard practice for councils to give modest salaries to young priests to participate in worship at the parish church while waiting for a vacant benefice or altar. He must have soon been given an altar, albeit not a very well-endowed one, for just over a year later the council decided to give him five merks a term for his shrine.⁴²⁴ This he supplemented with the inheritance he received from his father, after prolonged legal wrangling, which included two

⁴²² All men listed as sir (or 'schir') were counted as clergy, unless specifically identified as a knight or gentry. 'Masters' or 'Misters,' however, were only included if the context or other evidence made it clear that they were clerics. The count excludes those who lived or held benefices outside the burgh and occasionally appeared in the records to claim annuals owed or submit disputes to the burgh council.

⁴²³ HAD/4/6/5 (1530-55), f488.

⁴²⁴ HAD/4/6/5 (1530-55), f606.

tenements shared with his siblings.⁴²⁵ In 1542 he acted as surety (guarantor) for his sister's dowry of £100, as his modest income would not have been sufficient if he was called on to redeem the debt, he must have had property, possibly inherited, to offer as collateral.⁴²⁶ In 1557, however, sir Adam would fail in his attempt to be named his niece's heir, her tenement being awarded instead to Thomas Wod. In 1544 he received sir Archibald Borthwick's half of the parish clerkship, his stipend of ten merks going to sir Robert Symson.⁴²⁷ At some point during these years he had a son named William.⁴²⁸

By the mid-1550s sir Adam had taken on the role of procurator for the priests of the college kirk, appearing in the burgh court to feu land and pursue rents.⁴²⁹ He also occasionally served as procurator for family members.⁴³⁰ In 1555 he rented one of the town's mills, though it is not clear if he did this for himself or on behalf of the choristers.⁴³¹ In January 1556-7, Master William Brown, presumably a kinsman, appointed him as chaplain of the Holy Blood altar.⁴³² He continued to act as procurator for the college kirk, although he increasingly shared the job, especially with sir Thomas Mauchlin. He also served as procurator for Barnard Thomson, who was baillie five times during the 1550s and was later treasurer.⁴³³ At this point he also appears as chamberlain to the Bishop of Moray, collecting crop tithes.⁴³⁴ These activities would also have brought some extra income. On occasion he would appoint procurators himself.⁴³⁵ More dramatically he also appears to have apprehended a pair of Englishmen, who filed a claim against him in February 1556-7 for a horse, a dog and their weapons.⁴³⁶ By 1561 he was still pursuing annuals either on his own tenements or as chaplain of the Holy Blood altar, and

⁴²⁵ HAD/4/6/5 (1530-55), f92, 104b, 108, 129; HAD/4/1/5, f118b.

⁴²⁶ HAD/4/1/3, f155.

⁴²⁷ HAD/4/6/5, (1530-55), f198b.

⁴²⁸ Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington," 90.

⁴²⁹ HAD/4/6/5, (1530-55), f276.

⁴³⁰ HAD/4/6/5, (1530-55), f197b; 289b.

⁴³¹ HAD/2/1/2/1 Burgh Minutes 1554-80, f66.

⁴³² HAD/4/1/5, f163b.

⁴³³ HAD/4/1/5, f219.

⁴³⁴ HAD/4/1/5, f167b, 107.

⁴³⁵ Especially William Brown, Master William Brown and Barnard Thomson. HAD/4/6/5 (1530-55), 74. HAD/4/2/3/1 (1555-60), f99.

⁴³⁶ HAD/4/1/5, f168b.

appearing as procurator for Margaret Brown, who was likely a relation. He died sometime before 1567.⁴³⁷

Our next priest, sir William Wolson or Wilson was appointed to Haddington's parish clerkship along with Archibald Borthwick in April 1533. He would have been a young man or even a boy at that point, and he and Archibald promised to become priests as soon as possible.⁴³⁸ In 1539 a William Wolson matriculated at St Andrews, and that same year William Wolson was first designated as 'sir' in the burgh council minutes.⁴³⁹ In 1540 he was appointed to St Salvator's/Holy Blood altar by its patron, George Crosar. This arrangement appeared to simply have secured his right to succeed to that altar (and possibly some of its income), for he immediately agreed to pay the previous chaplain, sir John Crosar, ten merks annually to serve at the altar, which appeared to be the going rate for a year's service.⁴⁴⁰ Meanwhile, sir William appears to have continued as parish clerk.

From time to time he served as a procurator for others and witnessed documents, especially those involving other clergy.⁴⁴¹ He briefly took a turn as procurator for the chaplains of the choir and served as procurator for sir John Crosar, collecting rents for the Holy Blood altar.⁴⁴² Following the Reformation sir William continued to receive support from the town council; in 1563 the council ordered the sergeants to seize an annual rent of eight merks which he was attempting to collect on behalf of the prebends.⁴⁴³ In 1567 he asked the town council for permission to resume his collection of 12d from each house, as he had done from 1535 until 1560. He had previously agreed that his duties in the Protestant church would include ministering water at baptism, cleaning the church and keeping the church door open at proper times. The council agreed, adding psalm singing to his responsibilities along with a payment of 11s.⁴⁴⁴ These functions appear quite similar to the parish clerk duties he would have been performing since his

⁴³⁷ Horn, "List of References to the Pre-Reformation Altarages in the Parish Church of Haddington," 90.

⁴³⁸ HAD/4/6/5 (1530-55), f106.

⁴³⁹ HAD/4/6/5 (1530-55), f106; Maitland Anderson, *Early records of the university of St Andrews*, 243.

⁴⁴⁰ HAD/4/1/3, f63-63b. Six years earlier sir Adam Brown received eight merks for a year's service HAD/4/6/5 (1530-55), f488.

⁴⁴¹ HAD/4/1/3, f30b, 100b; HAD/4/6/5 (1530-55), f264b.

⁴⁴² HAD/4/2/3/1 (1555-60), f144.

⁴⁴³ HAD/2/1/2/1 Burgh Minutes 1554-80, f356.

⁴⁴⁴ Marshall, *Ruin and Restoration*, 23-24.

youth, when he was told off for not ringing the morning bell and lighting the lamps on time. He seemed a little bitter about Protestantism, however, referring to it as “the ‘Imitation of religion.’”⁴⁴⁵

The final Haddington priest to be examined, sir James Mauchlin, first appears in the records in 1520, when as curate he received an annual rent in exchange for performing an anniversary.⁴⁴⁶ In 1530 he intervened from the pulpit in a dispute over some iron which had supposedly been stolen from a ship; sir James spoke on behalf of the alleged thief, George Ryklington, and was contradicted by William Kemp who spoke to the curate in the pulpit “in presence of all the parishioners.” The incident was controversial enough that the parties immediately had their claims notarized in Alexander Symson’s protocol book.⁴⁴⁷ Sir James acted as procurator for the chaplains of the choir throughout the 1530s and on occasion acted as procurator for lay people as well.⁴⁴⁸ In 1541 he was made chaplain of St James altar, whose patronage William Kemp, who had argued with him in the church a decade earlier, had just delivered to the baillies in exchange for payments of £10 yearly.⁴⁴⁹ It is not known if sir James remained as curate. Throughout the 1540s and 1550s sir James appeared in the burgh records pursuing various rents, witnessing transactions and testifying about annuals paid in the past.⁴⁵⁰ Finally, in 1558 he began a form of retirement, handing over the administration of St James altar to the town council and agreeing to continue to serve in the choir in exchange for a yearly pension of £4, which was increased to £10 in September 1560.⁴⁵¹ That the council was willing to increase his pension after the Protestant regime had been established and his service would no longer be necessary demonstrates the town’s good relations with their priests. Thereafter nothing is heard about him.

The scanty records between 1523 and 1550 make it harder to trace the lives of the Dundee priests. The career of sir William Lwyd, nonetheless, can be traced back to 1529, when as chaplain of the weavers he took on the responsibility of overseeing their accounts, with his

⁴⁴⁵ Marshall, *Ruin and Restoration*, 23-4.

⁴⁴⁶ B30/21/40/17.

⁴⁴⁷ HAD/4/1/5, f27b.

⁴⁴⁸ HAD/4/1/5, f33b; HAD/4/6/5 (1530-55), f33.

⁴⁴⁹ HAD/4/1/3, f95-95b.

⁴⁵⁰ HAD/4/1/3, f106b; HAD/4/6/5 (1530-55) f170; 213b. HAD/4/2/3/1 (1555-60) f29; 39.

⁴⁵¹ HAD/2/1/2/1 Burgh Minutes 1554-80 f18, 24b.

brother, sir David, as his designated replacement.⁴⁵² In 1553, he, his brother and Margaret Wenton, the widow of George Rolland, were cautions (guarantors) for £8 owed by John Rolland and David Aldcorne.⁴⁵³ Aldcorne would ask him to be guarantor again, in 1560.⁴⁵⁴ In April 1554, while Master John Rolland was probably still trying to obtain collation as vicar, sir William served as the curate of Dundee and appeared in burgh court to testify about the amount owed from a tenement to the chaplain of the Rood altar.⁴⁵⁵ Between 1554 and 1556 he appeared in court several times to collect annuals.⁴⁵⁶ His final appearance in the records occurred in 1560-1 when Lord Oliphant demanded that he produce the protocol book of Sir William Robertson, which he had apparently been keeping.⁴⁵⁷

It is evident from the above accounts that many priests stayed in the burgh for most of their lives. They held a few different positions throughout their lives, and were available to friends and family to help with legal affairs and financial transactions. Of course, the nature of the available evidence means we can say little about the lives of the quieter clergy, who may not have had reason to appear in court.

As a group, it appears that the clergy were reasonably well-educated. It is probable that about a third of the clergy had attended the University at St Andrews. It is impossible to know the exact number, as students with common names – John Wilson, for example – were not necessarily the same men who became priests in the burghs. Others may have gone to Aberdeen or Glasgow. In Haddington, up to twenty-six priests, out of thirty-nine resident secular clergy, may have attended St Andrews, while in Dundee as many as twenty-six out of fifty-two secular clergy attended. St Leonard's appears to have been the preferred college, with twenty-two identified attendees as opposed to only eight for St Salvators.⁴⁵⁸ Other priests would have been trained through the local song and grammar schools; while the grammar schools were in the

⁴⁵² *Dundee Weavers Charters*, 10.

⁴⁵³ DCA Burgh and Head Court Book 1550-54, f225b.

⁴⁵⁴ DCA Burgh and Head Court Book 1558-61, f157b.

⁴⁵⁵ DCA Burgh and Head Court Book 1550-54, f297.

⁴⁵⁶ DCA Burgh and Head Court Book 1555-8, f61.

⁴⁵⁷ DCA Burgh and Head Court Book 1558-61, f182.

⁴⁵⁸ Maitland Anderson, *Early records of the university of St Andrews*.

charge of professional schoolmasters, albeit sometimes supported by benefices, the song schools were often taught by one of the choristers.⁴⁵⁹

The available evidence demonstrates that serving in the local clergy was not a road to substantial wealth, except for the few who were lucky enough to get the better benefices or who supplemented their income by working as notaries or procurators. The Dundee rental roll of 1581 allows us to see how much income some of the altars and chaplainries would have brought.⁴⁶⁰ The roll likely only includes the altars owned by the burgh. The incomes provided by the altars ranged from over £22 to £7 13s 4d. Very few would have matched the £20 annual salary promised by Dundee council to Master John Young for his combined services as Reader in the Congregation and Chaplain of the Song School, in July 1559.⁴⁶¹ Given the disparity in the incomes of the various altars, it is not surprising that the chaplains frequently changed roles, seeking the better altars. Given that a yearly salary for a skilled laborer in the 1550s would have been about £10 to £15 a year, and maybe more, we can see that many of the altars would have provided a living below that level.⁴⁶² Of course, the sixteenth century was a time of rapid inflation in Scotland, and the clergy would have been relying on fixed rents and annuals, creating a gradual decrease in their relative worth. It is unclear, furthermore, if the chaplains kept all this income for themselves; in 1560 sir John Murray, chaplain of the Magdalene altar in Dundee, got into trouble with the young Mark Barrie, the altar's patron, for deducting part of the annual without his permission, although the deduction appeared to be in keeping with the Act on Burnt Lands. Clearly, Barrie thought he had a financial stake in the collection of annuals – either he expected a portion of the collection, or, as this took place in 1560, he expected to be able to reclaim the whole of the income with the abolition of the mass.⁴⁶³ Those with the charge of an altar also had expenses – wax, lamps, cloths, hosts and cleaning.⁴⁶⁴

⁴⁵⁹ Denis McKay "Parish Life" in *Essays on the Scottish Reformation 1513-1625*, ed. David McRoberts (Glasgow: Burns, 1961); 151-155; Durkan, 92-3.

⁴⁶⁰ Assuming, of course, that the council had not alienated these rents between 1560-81, as is likely.

⁴⁶¹ DCA Burgh and Head Court Book 1558-61, f74b.

⁴⁶² A.J.S. Gibson and T.C. Smout, *Prices, food and wages in Scotland 1550-1780* (Cambridge: Cambridge University Press, 1995), 274, 278-285.

⁴⁶³ DCA Burgh and Head Court Book 1558-61, f142.

⁴⁶⁴ Durkan, "Late Medieval Clergy," 100.

On the other hand, evidence from England demonstrates that many priests had greater personal wealth than one would expect based on their stipends.⁴⁶⁵ Some of this wealth might be from inheritances or from participating in obits and funerals. John Haliburton, vicar of Grenlaw, for example, left annuals to the friars to fund, among other observances, an annual mass in the parish church on Candlemas, with six priests and the parish clerk, each receiving 12d, presumably paid out by the friars.⁴⁶⁶ Appearing as procurators also probably brought in some extra income. Three Dundee clerics served as procurators for others, as did three of ten non-stipendiary clergy in Haddington, although they probably did not appear often enough to earn a living from that alone. This demonstrates that many had a reasonable education and professional demeanour: it is unlikely that many burghers would have entrusted their legal affairs to “drouken Schir John latyness.”

Rentals owed to Dundee chaplaincies⁴⁶⁷

Choristers:	£83 18s 2d
Chapel of St Salvator	£22 11s 2d
Chapel of St Agatha	£11 6s 8d
Chapel of St Andrew	£13 13s 6d
Chapel of St John the Baptist	£17 13s 4d
Chapel of Our Lady in the Cowgait	£7 13s 4d
Chapel of St Ninian	£8 14s 10d
Chapel of St Catherine	£10 4s 10d
Chapel of the Rood or Holy Cross	£9 16s 8d
Chapel of St Thomas	£8
Church of St John the Evangelist (Slateheughs)	£8 3s 11d
	£21 14s and 16 bolls of victual meat and wheat
Church of St Clement	

Figure 5: Rentals owed to Dundee chaplaincies

After the vicar, and perhaps the curate and chaplain of the Holy Blood altars, the most important priests were the choristers. Though at least one singer was hired who was probably in

⁴⁶⁵ John Pound, “Clerical Poverty in early 16thC England: some East Anglian evidence” *Journal of Ecclesiastical History* (1986): 389-96; 392, 393.

⁴⁶⁶ HAD 1/15 (NAS B30/21/39/3); McKay, “Parish Life,” 89.

⁴⁶⁷ DCA Transcript of Rental Roll, Cosmo Innes.

minor orders, all those who had endowed positions were priests and were referred to as 'the choristers'.⁴⁶⁸ According to the 1581 rental roll, Dundee's choristers collectively were due annuals worth £83 18s 2d. It is unclear how many choristers this money was to be divided among; however in 1527 the council promised to three men, sir Thomas Bell, sir Thomas Ducher and sir James Ramsay, "half of the common allowance of the said weekly choristers" in return for their daily service.⁴⁶⁹ Presumably, more than six men performed service weekly, otherwise the three priests would not have gained any advantage by this arrangement. The share of each man would have amounted to about £14, a barely livable income as inflation increased (though the annuals may have been higher before the burning of 1549, as the Act on Burnt Lands mandated reductions of up to a third for tenements destroyed during the wars of the 1540s).

Given the disparities in the incomes, it is not surprising that the chaplains frequently manoeuvred for better positions. It was rare, but not unknown, for chaplains to hold several posts at once, although many chaplains changed posts frequently. Sir Thomas Wedderburn served as chaplain of the bakers throughout the 1550s, and in 1557-8 was also chaplain of Our Lady in the Cowgait and St Michael's.⁴⁷⁰ Our Lady in the Cowgait earned only £7 13s, so evidently sir Thomas was permitted to find other sources of income.⁴⁷¹ Sir James Kinloch, parish clerk, also had to scrounge for income; in addition to what he received for being parish clerk he was given the chaplainry of St Thomas Martyr in 1553, and then added the job of keeper of the town's clock for five merks annually.⁴⁷² Out of his revenues as parish clerk and chaplain of St Thomas, however, he had to fund a stipend of ten merks (6£) annually to John Mertylene chorister.⁴⁷³ It is also likely that the smaller stipends were for positions where daily mass was not required. As priests were only allowed to say one mass a day, perhaps some combined several posts which only required mass a few times a week.⁴⁷⁴

⁴⁶⁸ DCA Burgh and Head Court Book 1550-4, f239, 249b.

⁴⁶⁹ DCA Dundee Protocol Book 1518-34, f90.

⁴⁷⁰ DCA Burgh and Head Court Book 1550-54, f332b; DCA Burgh and Head Court Book 1558-6, f165; DCA, Baxter Craft Lokit Book, f5, 11, 14.

⁴⁷¹ DCA Baxter Craft Lokit Book f7; DCA Transcript of Rental Roll, Cosmo Innes, 142.

⁴⁷² DCA Burgh and Head Court Book 1550-54, f192b, 237b, 239, 349b.

⁴⁷³ DCA Burgh and Head Court Book 1550-54, f249b.

⁴⁷⁴ J. Schmidt, "A case of Bination Extra Loca Sacra" *Jurist* (1945) 216-234: 221-4; Andrew Meehan "Bination" in *The Catholic Encyclopedia*. Retrieved August 15, 2013 from New Advent: <http://www.newadvent.org/cathen/02568b.htm>.

If some Dundee clerics were busy serving at a variety of poorly paid positions, some benefices saw a high turnover as well. The St Salvator's chaplainry saw three incumbents (Master James Scrymgeour, Master David Lyall, and sir John Wilson) between 1549 and 1557.⁴⁷⁵ As St Salvatour's is one of the wealthier altars for which we have records (£22 2s 4 $\frac{1}{3}$ d), the St Traduan's must have been even more lucrative to encourage Master James's resignation. Similarly, St Michael's altar went through three incumbents during the 1550s (Master John Phillip (1553), sir Thomas Wedderburn (1557-8) and Master John Balsom (1559)).⁴⁷⁶

Some priests, however, stayed in a given benefice for most of their careers. Master Richard Jakson served as chaplain of St Clement's from at least 1540 until 1558, when he apparently retired and resigned the altar in favor of George Rollok.⁴⁷⁷ Evidence that a priest was actually expected to serve and say mass at these posts is provided by the order of the town council that George Rollok (2) pay five merks for a substitute so long as his son, George Rollok (3) was not able to serve. Five merks was a low fee for annual service, as other priests were paid ten merks or even £10, suggesting that mass was not said every day at St Clements.⁴⁷⁸ St Clements held a relatively comfortable income of £21 14s and sixteen bolls of victuals, which explains why Master Richard did not need to secure a more lucrative benefice and why George Rollok was so anxious to secure the post for his son. While clerics were allowed to serve at least two less-well endowed benefices, they were expected to resign wealthier benefices before accepting another post. Some chaplainries, moreover, were in the hands of outsiders who were not among the burgh's clergy. In Dundee, the chaplain of St James the Apostle and the chapel of the Virgin the Welgait were given to outside clergy, while Patrick Lyon, the customer, was appointed to the chaplaincy of St Adwall in the parish church in April 1559.⁴⁷⁹ Town councils were, nonetheless, determined to ensure residency in positions under their control.

⁴⁷⁵ DCA Burgh and Head Court Book 1550-54, f86, f230; DCA Burgh and Head Court Book 1558-61, f165.

⁴⁷⁶ DCA Burgh and Head Court Book 1550-54, f284b; DCA Burgh and Head Court Book 1558-61, f71, 3, 164b. Other benefices which saw a turnover were St Nicholas chapel (Master John Balfour, 1556 or earlier, Master John Watson (1558)), St Matthews Altar (sir John Spens, 1554, Master Thomas Seres, 1557), the Rood altar (sirs George and Robert Gray, 1554, sir Thomas Ducher, 1558).

⁴⁷⁷ DCA Protocol Book of Alexander Wedderburn vol 1 (1554-65), f12b.

⁴⁷⁸ DCA Burgh and Head Court Book 1558-61, f28b.

⁴⁷⁹ Bardgett, *Scotland Reformed*, 69.

Family connections

Many of the clerics had close connections to the town and townspeople. As burghs favoured locals for benefices and private patrons favored kin, many families had several representative among the clergy. These connections ensured that priests remained entangled in worldly affairs, reducing respect for the sacred status of the clergy and sometimes creating acrimony but also sometimes preserving valuable ties between the clergy and the laity, and possibly reducing resentment at the clergy's special status.

In Dundee, we can trace several families who had multiple members in the clergy. The Wedderburns had several clerical members, some of whom had dramatic careers, Robert Wedderburn was the chaplain of St Matthews in 1528, and vicar of Dundee in 1551, although in between he spent some years overseas in France. John Wedderburn, his brother and the reputed author of the *Gude and Godlie Ballatis*, may also have been a priest, but there is no surviving evidence about whether he had any religious posts in the burgh. He fled on suspicion of heresy in 1538-9, going to Wittenberg and returning briefly between 1543 and 1546.⁴⁸⁰ Sir Thomas Wedderburn, relation uncertain, was more present in Dundee, serving as the chaplain of the bakers through the 1550s and as the chaplain of Our Lady in the Cowgait and St Michael's altar.

The Scrimgeours, the prominent local family who occupied the hereditary post of Constable, also had two representatives among the local clergy. Master David Scrymgeour was the chaplain of St Anthony's in 1552, and Master James Scrimgeour was the chaplain of St Salvator's altar in 1549 and the chaplain of St Traduan's altar in 1556.⁴⁸¹ Master James attended St Salvator's college in St Andrews in the mid-1520s, and Master David was a student in St Andrews in the early 1530s.⁴⁸²

⁴⁸⁰ Sanderson, *Early Scottish Protestants*, 137.
J. K. McGinley, 'Wedderburn, James (c.1495–1553)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [http://www.oxforddnb.com/view/article/28956, accessed 26 June 2013].

⁴⁸¹ DCA Burgh and Head Court Book 1550-54 f86,180; DBCB 1555-8, f73.

⁴⁸² Anderson, *Early records of the university of St Andrews*, 115, 177, 133, 134, 233.

Four men with the surname Gray – Duncan, Andrew, George and Robert – were chaplains in Dundee. Little is known about sir Duncan Gray except in that 1558, a Patrick Gray, butcher, was ordered to pay him £6.⁴⁸³ Sir Andrew Gray was the chaplain of St Agatha's chaplainry while sir George and sir Robert were both chaplains of the Rood altar, sir Robert also having served as a chorister in the parish church.⁴⁸⁴ No Grays were listed as members of the burgh council or as prominent burgesses, but some Grays, residents of Dundee, appear in the records, and the Gray family was an important presence in Angus and Forfarshire.⁴⁸⁵

Of other prominent Dundee families, no Lovells or Rolloks appear among the known clerics, although George Rollok (3) appeared to be destined for the clergy when his father obtained the benefice of St Clement's for him, and Charles Rollok, possibly a cousin, was similarly provided for, but chose to become a merchant instead, as in 1554 he gave up his claim to the Rood benefice in favor of sir Thomas Ducher.⁴⁸⁶ That one of the most important merchant families in supposedly pro-Protestant Dundee was determined place their son in the priesthood well into the 1550s indicates the respect with which the townspeople viewed the clergy right up to the Reformation.

In Haddington at least eight clerics are known to have had kin in the burgh. Sir Thomas Mauchlin, sir James Mauchlin and sir Patrick Mauchlin were likely related to Robert Mauchlin (1), who served on a handful of assizes in the 1530s, and Robert Mauchlin (2), who had his expenses paid for travelling to Edinburgh on town business 1558.⁴⁸⁷ Sir Thomas was also related to the Lauter family, who had several members in Haddington, though none of them were especially prominent.⁴⁸⁸ Sir Adam Brown also had extensive family connections. Sir Adam's brother-in-law

⁴⁸³ DCA Burgh and Head Court Book 1558-61, f62b.

⁴⁸⁴ DCA Burgh and Head Court Book 1550-54, f297; DCA Burgh and Head Court Book 1558-61, f19; DCA Protocol Book 1518-34, t6, f27.

⁴⁸⁵ Patrick Gray was a fleshour, Brandan Gray a taxtor (weaver?), James Gray was wine assessor from 1552 to 1554, Sanderis (Alexander) Gray pursued a rent in 1550, and Thomas Gray a baker, and John Gray was master of the Weaver Craft in 1557. DCA Burgh and Head Court Book 1558-61, f62b; DCA Dundee Lockit Book, f32b. Bardgett, *Scotland Reformed*, 4.

⁴⁸⁶ There may also be some relation between sir John Spens, chaplain of St Matthew, and sir William Spens, chaplain of St Barbara.

⁴⁸⁷ HAD/4/6/73 Treasurer's Accounts 1558, f16.

⁴⁸⁸ Sir William Gibson was the brother of Philip Gibson (I), who served constantly as baillie or councillor throughout the 1530s and 40s, and was the uncle of Philip Gibson (II) who also served as a councillor and baillie during the 1550s and 60s. There is no indication that sir William ever held a benefice in the burgh.

was John Auchar, a mason who served as treasurer in 1544. Sir Adam feued two tenements of the Trinity aisle to one William Brown, likely a relative, and was appointed to the Holy Blood altar by the patron Master William Brown. Master William was married to Janet Oliphant, who in her turn was likely related to James Oliphant, who served as provost and in many other town council positions during the 1550s. Sir Adam also acted as procurator for Friar Gilbert Brown of Peblis, possibly another relative. Sir Adam, along with his sisters, was involved in a dispute with his mother and step-father. It is not surprising to find these connections in a small town like Haddington, but it emphasizes that the local clergy were not an alien occupation force but part of the kin and social network of the burgh.

The lives of the priests remained very much intertwined with their families even after their ordination. In 1521, during the early days of his career, sir Thomas Ducher in Dundee tried to claim fifteen merks he asserted were owed to him by his sister, Eufamie Silver, from the land she inherited from their parents. The parents had been accustomed to providing sir Thomas with meat and drink, and obliged Eufame to give him five merks every year to buy a gown, which she did until their death, however, the documents demonstrating this had been taken away from Thomas when he had been sick and “wrongfully held from him to his great skaith (damage),” and Eufame refused to pay him a penny without the documentation. She further claimed that “what her father and mother did for themselves she would do for herself” and remained firm, despite Thomas’s plea that

“she knew perfectly that her mother when she lay on her deid bed and her father stretched beside, that they said both, that they had great concern that they had not provided a way for the said Thomas to live upon, nor could comely, and therefor sought the said Eufame to be kindly to him, and labour for some way for his living, because they got his heritage from him that he should have lived on.”

It is not known whether Thomas was able to obtain any more justice than his curse that “all damage and skaith would come upon her and her heirs.”⁴⁸⁹

⁴⁸⁹ Dundee Protocol Book 1518-34, f36.

There were several similar though less dramatic cases. Sir Adam Brown, for example, who we met above, and his siblings – John, Alexander and Janet – sued their mother Marion Mur and her new husband John Loigan for the possession of two tenements which they thought they should have inherited from their father, William Brown, in a case that dragged on for a year and a half. The episodes demonstrate, apart from the persistence of squabbles among families, that priests, far from surrendering their secular possessions upon entering the clergy, could count on (or hope for) substantial financial support from their families, including portions of inheritances. Sir Thomas Ducher's case also demonstrates the poverty that priests, especially young ones, could suffer. For all the criticism of clerical greed, sir Thomas' parents did not seem to think that his priestly career would be especially lucrative.

Other clerics could also count on the support or assistance of family members in furthering their career or carrying out their duties. Sir James Kinloch, the parish clerk in Dundee, likely owed a great deal of his career success to his brother, William Kinloch, who was kirkmaster between 1550 and 1553 and a member of the town council throughout the 1550s. William was caution for sir James when he became keeper of the clock in 1554; both William and sir James were the victims of stroublance by John Leuch; both William and sir James were made responsible for paying John Mertene a stipend of £10 for service in the choir; indeed, sir James was not permitted to do much without William being made responsible, and seeing as the first reference to sir James is the accusation that he did not provide enough wool for the kirk, perhaps the council was dubious about his competence.⁴⁹⁰ The parish clerkship seems to have been a position essentially in the possession of William Kinloch, for in 1558 his son Robert was appointed clerk, although William was obliged to pay five merks annually until Robert was qualified to serve.⁴⁹¹ It is unclear why James was no longer clerk as he was still alive and collecting annual rents in 1560.⁴⁹²

⁴⁹⁰ DCA Burgh and Head Court Book 1550-54, f5.

⁴⁹¹ DCA Burgh and Head Court Book 1550-54, f52, 232b, 237b, 239, 249b, 349; DCA Burgh and Head Court Book 1555-8 f2; DCA Burgh and Head Court Book 1558-61, f18b.

⁴⁹² DCA Burgh and Head Court Book 1558-61, f154.

James Wigcht, chaplain of Dundee's St Colmis chaplainry until September 1552, also seems to have worked in close cooperation with his brother, John Wigcht. In May 1552, not long before James resigned the chaplainry, with consent of the baillies, council and community he set a land belonging to it in feu to John for twelve merks a year, provided John spent £40 repairing the tenement.⁴⁹³ When he resigned the benefice in September, it was John who took on the responsibility of collecting the rents owed.⁴⁹⁴ Chaplains sometimes sold, rented or feued lands belonging to their chaplainry to their kinsmen, and it is difficult to tell if their relatives paid an honest price. One suspects that they sometimes did not. On 8 November 1527, for example, sir James Ramsay, the chaplain of St Columba, set to his kinsman William Carale "a chamber with loft of the east land of the said chaplainry, for his lifetime," for which William was to pay yearly one pound of wax.⁴⁹⁵

At least one pair of brothers was both priests. In the charter of the Weaver craft in 1529 sir William Lwyd was appointed as chaplain for £6 annually, but should sir William be dismissed as chaplain of the Weavers, the post was to go immediately to his brother. This suggests that the post was promised to the family, who perhaps had links to the guild (in 1529 a John Lwyd is listed as having borrowed 40s from the Weaver craft box) rather than to the individual.⁴⁹⁶

The network of family connections among the clergy and laity remind us of just how many Scots had an interest in the late medieval church. It was not simply a matter of the clergy versus the laity; for some, a clerical career was a family concern, with the resources of a given position being administered by different family members. For others, having a cleric in the family meant having someone with the education and status to appear in court on their behalf. The benefits of clergy extended beyond the priests themselves.

⁴⁹³ DCA Burgh and Head Court Book 1550-54, f154-5, 87b.

⁴⁹⁴ Chaplains often handled the administration of their chaplaincies, although their transactions often had to be approved by the patrons of their chaplaincy. Similar arrangements were quite common in England, though they became infrequent in the later middle ages as doubts about the financial acumen of the chaplains grew. Marie-Hélène Rousseau, *Saving the Souls of Medieval London: Perpetual Chantry at St Paul's Cathedral c.1200-1548* (Burlington: Ashgate, 2011), 56-58. Not so in Scotland, it seems. DCA Burgh and Head Court Book 1550-54, f306b.

⁴⁹⁵ Dundee Protocol Book 1518-34, f104.

⁴⁹⁶ However, in a oath taken a week later, no Lwyd appears among the Masters of the craft; *Dundee Weavers Charters* 10, 14.

Litigation

Most of our knowledge about the clergy comes from the literary and historical works, property charters and court records of financial disputes which make up the majority of surviving documents. Perhaps it is largely the adversarial nature of many of the surviving legal documents, and a couple of well-placed jibes by their literary critics, that have given the pre-Reformation clergy their reputation as being overly worldly and avaricious. We catch occasional glimpses of priests officiating at services, and almost nothing of their pastoral roles; performing baptisms and weddings, administering the eucharist, hearing confessions, visiting the sick or simply praying. These activities surely took place, but there was no reason for anyone to have written about them in the surviving records. It is a dispute over a horse in Haddington which provides a rare example of a priest interacting with the laity outside of court; in June 1532 sir William Lawson, along with Patrick Schort and Robyn Schort testified that “they heard a wife say in birth that Gawin delivered the horse to a boy.”⁴⁹⁷ Was sir William on the scene as a witness, to comfort the woman, or to provide last rites and an emergency baptism during a difficult delivery?

The burgh court records, however, do not simply reveal a grasping, legalistic clergy. A careful study demonstrates that many clerics rarely appear in the burgh or legal records, and lived their lives and performed their duties without resorting to litigation. Those clerics who did appear in burgh courts were treated no differently than anyone else; evidence of their claims, either written or through the testimony of others, was treated as skeptically by the judges as lay people's were. Priests testified as witnesses, but admitted ignorance rather than inventing evidence favourable to each other. Clerics even went to court against each other.

While many priests were certainly prepared to go to court to obtain money they thought was due to them, comparing the clergy to the laity suggests that they did not particularly deserve their notoriety for litigiousness. For comparative purposes, all the court cases in Haddington for May, October, December and January in 1532, 1542 and 1552 have been studied – a set of months which allows us to capture the two head courts in October and January, as well as the

⁴⁹⁷ HAD/4/6/5 (1530-55), f30.

more ordinary but still busy months of May (when rents were collected for the Whitsunday term) and December.⁴⁹⁸ The years chosen are intended to be typical years without too much drama, although that might be too much to ask of any year during the 1540s. For Dundee, with a more limited run of records, ten months from the 1550s were selected, in order to give a picture of activity year-round.⁴⁹⁹ What the results demonstrate is that the clergy participated in just a small fraction of the cases involving financial disputes that came before the burgh court. These disputes were mostly rents owed, payments not made and other uncollected debts. From the combined samples, the clergy accounted for twenty-six out of one hundred and thirty-two cases.⁵⁰⁰ After all, laypeople were very capable of suing each other without the clergy's assistance. In the combined four sample months of 1532, the clergy brought three cases before Haddington's courts to the twenty-two brought by the laity. In 1542 clerics brought four, laypeople fourteen. In 1552, it appears that the laity got a head start on the squabbling that followed the upheavals of the 1540s; they brought thirty-nine cases before the courts, compared to four for the clergy.

That said, if we go outside our sample months and years, we find that beginning in October 1554 Haddington's clergy, along with some of the more prominent landowners, began a concerted effort to start collecting back rents. In January 1554-5 the clergy dominated the court; forty-nine of the seventy annuals claimed went to clerics, either the college kirk (24) the other chaplains (9- St Anne's chapel and the Holy Blood altar), the friars (9) or the Abbey of Haddington (7). Of the twenty-one claims brought by lay people, six were brought by crafts seeking rents owed to their altars.⁵⁰¹ The Act on Burnt Lands, passed in February 1552, gave owners two years to repair their tenements before the lands could be repossessed, so it is not surprising that 1554 saw a wave of repossession processes.⁵⁰² Fifty-three of seventy tenements were listed as belonging to dead tenants, so the wave of claims does not indicate a lay refusal to pay clerics as

⁴⁹⁸ The court records are often thinner for the summer months – perhaps the inhabitants were busy growing the crops and selling the goods that they would spend the rest of the year arguing about.

⁴⁹⁹ October 1550, April 1551, Nov 1551, May 1552, December 1552, June 1553, January 1553, July 1554, February 1555, March 1556-7.

⁵⁰⁰ Seventy-five out of two hundred and two, if January 1554-5, which was not one of the random sample, is included.

⁵⁰¹ HAD/4/6/5 (1530-55), f283b-286.

⁵⁰² *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds ((St Andrews, 2007-2010), date accessed: 13 July 2010).

much as the devastation of plague and the war, which killed many of the inhabitants and left the clerics without the rents which made up their living. As it was, many of the tenements were redeemed, likely by surviving kin, towards the end of the repossession process – probably much to the relief of the clergy, who must not have been excited at the prospect of owning a portfolio of burned out tenements. Despite this burst of legal proceedings, therefore, it is hard to imagine that this process did serious damage to the clergy's reputation, given that many of the lands were unclaimed and that the laity were even quicker to start collecting their own debts.

Haddington: Monthly examples of litigation		
	Lay	Clergy
January 1531-2		0
May 1532	8	1
October 1532	7	2
December 1532	7	0
January 1541-2	8	2
May 1542	2	2
October 1542	2	0
December 1542	2	0
January 1551-2	missing	missing
May 1552	22	2
October 1552	9	0
December 1552	8	2
Total	70	11

Figure 6: Haddington: Monthly examples of litigation

In Dundee as well the laity brought more cases before the courts than the clergy. In total, over the ten months examined, fifteen cases were brought by the clergy and thirty-one by the laity.⁵⁰³ Of the ten sample months between 1550 and 1557, two had more cases brought by clerics than non-clerics. Each month saw between three and seven claims, a number which is more consistent with pre-1549 claims in Haddington. No pattern directly relatable to the Act on Burnt Lands is apparent in Dundee, suggesting that war damage to ordinary homes was not as severe in Dundee as in Haddington. Though the clergy were certainly present in court, these figures do not suggest that as a group they were overly aggressive in collecting rent. While it is

⁵⁰³ DCA Burgh and Head Court Book 1550-54, f2b, 4b, 5b, 6b, 7, 47b, 48, 55, 117, 117b, 118b, 152b, 155, 157, 201b, 202, 202b, 204, 232b, 604, 605, 281b, 319b, 322, 323b; DBCB 1555-1558 f30b, 33, 33b, 106b, 107, 107b, 108, 111, 113.

impossible to know what proportion of the population, especially of the landowners or rent holders, were clerics, and thus whether they were overrepresented, as far as the burghs are concerned it is hard to imagine any court-watcher coming to the conclusion that during this period it was the clergy who were overly litigious and rapacious, oppressing the laity.

Dundee: Monthly examples of litigation		
	Lay	Clergy
October 1550	6	1
April 1551	1	4
November 1551	4	0
May 1552	1	2
December 1552	4	0
June 1553	3	0
January 1553-4	3	3
July 1554	2	1
February 1555	4	2
March 1556-7	3	2
Total	31	15

Figure 7: Dundee: Monthly examples of litigation

Individually, the majority of priests were not especially litigious. Out of forty-three secular clergy who were likely resident in Haddington only twelve had personally appeared in court more than three times on their own behalf (or on behalf of a corporate body they were part of such as the choristers) and three others did not appear personally but had more than three appearances made on their behalf. It took at least four court appearances to repossess a property, so the number of appearances is far greater than the total number of rents pursued. At least seven priests never appeared at all.⁵⁰⁴ The vast majority of court appearances were made by those who took turns as procurator for the choristers of the choir; sir Thomas Mauchlin made eighty-five personal appearances and had eighty-seven appearances made on his behalf; sir Adam Brown made forty-three personal appearances and had forty-five appearances made on his behalf.

⁵⁰⁴ Sir Adam Brown; sir John Frasson, sir Mungo Millar; sir Ninian Cokburn; sir William Lawson; sir Alexander Thompson; sir Alexander Hepburn.

Of the thirty-eight stipendiary chaplains in Dundee during the 1550s, fifteen do not appear to have engaged in any litigation to collect rents.⁵⁰⁵ Another seventeen clerics appeared in the burgh court to collect rents three times or less.⁵⁰⁶ Thirty-two of thirty-eight beneficed clergy, therefore, were not especially litigious, and other clerics who did not engage in litigation very likely never appeared in the burgh records. Of the remaining six, by far the most frequent presence in the burgh courts were sir Thomas Ducher and Master James Scrimgeour who appeared twenty-eight and fifteen times, respectively, as collectors for the rents owed collectively to the choristers. According to the 1581 rental roll, the choristers were owed rents from ninety different properties, so it is not surprising that they were frequently involved in court cases. Master James Scrimgeour, who also served as collector for the chorister in 1550-1, appeared fifteen times to collect rents for the choristers. He only appeared twice on his own behalf. Five other clerics appeared between four and nine times.⁵⁰⁷ The friars are difficult to measure in the same way, for the warden would represent the whole friary, and entries sometimes refer to 'the friars' without specifying an individual. Friar John Congilton of Haddington appeared thirty-six times on his own behalf and also had thirty-six appearances made on his behalf. No other friar appeared a significant number of times, and in Dundee Friar William Gibson, represented the Dominicans. Most priests, therefore, were not especially litigious, and the bulk of the cases that appeared before the burgh courts revolved around the many different annuals owed collectively to the choristers. The vast majority of those annuals, however, were apparently paid without dispute.

When clerics did appear in court to claim annuals, they had no inherent advantage over lay people. Lay people had no hesitation about contesting their claims, and clerics often had to

⁵⁰⁵ James Hamylton, Master Gilbert Oistlar, Master John Balfour, Master John Balsom, Master John Phillip, Master John Rolland, Master John Watson, Master John Young, Robert Wedderburn, sir Alexander Carnegie, sir David Lwydis, sir Robert Gray, sir James Kinloch, sir James Wallace.

⁵⁰⁶ Friar William Gibson, Procurator General for Friars Predicatoris of burgh (1 appearance); James Ramsday (1); Master David Lyall (1); Master David Scrimgeour (3); Master Walter Bourgch (3); sir Andrew Gray (1); sir David Carnegie (2); sir Duncan Gray (1); sir George Duncan (1); sir George Gray (1); sir James Young (1); sir John Barnis (1); sir John Barrell (1); sir John Sowter (2); sir Neyle Layng (1); sir Thomas Wedderburn (3); sir William Lwyd (3).

⁵⁰⁷ Master Andrew Cowper, who appeared four times to claim rents owing to the chapel of St Ninians (nine annuals, worth 8f 14s 6d), Master George Scot, who appeared six times to collect the rent owing to the Chapel of Our Lady in the Welgait, Master Richard Jakson, who litigated seven times to collect rents owing to Our Lady Altar in St Clement's Church (eight annuals, worth £28 2s), sir James Wright, who pursued four rents owing to St Colanis chaplainry, and sir John Murray, who appeared nine times to collect annuals owing to the Magdalene Altar.

submit proof to diligent and cautious judges. In 1530 for example, sir John Young claimed 12s in rent from Haddington's Marion Cok; the case was heard in burgh court on four separate occasions before, in the absence of any evidence produced by Sir John, the court accepted Marion's oath that she owed him nothing.⁵⁰⁸ In October 1535, the baillies instructed sir Henry Kerington to withhold seizing an annual until "it were understand" how much annual the place in question owed.⁵⁰⁹ One of the cases where the Dundee clergy were refused was in June 1552, when Wat Curmannow produced evidence that he owed no annual to the choristers.⁵¹⁰ After the siege of Haddington in 1548, however, other measures had to be resorted to if evidence had been lost or destroyed. The records of the Holy Blood Altar must have been in particular disarray, and sir John Crosar had to rely on the testimony of other clerics about what the altar had paid in the past; sir James Mauchlin and sir William Cokburn testified that Cristiane Kello and John Barnis paid two merks to the altar before the English came, while sir Thomas Mauchlin testified that he knew sir John collected an annual from Cristiane and John "bot he knawis not how meikle."⁵¹¹ In another case, sir John Crosar accepted the oath of his tenants, including again Alex Barnis, about what they paid before the burning of the town.⁵¹²

The careful consideration of evidence does not mean that the clergy were especially distrusted, however. In one case Haddington's baillies accepted the statement of sir William Cokburn, "on his conscience" that Alex Barnis owed him 12s 10d.⁵¹³ In some cases which were closely disputed the parties might agree to arbitration. On 6 August 1551 Dundee's baillies put off the case between the collectors of the choir and Robert Barry and John Burne "in howpe of aggreeans."⁵¹⁴ In December 1552, sir Robert Lawta became involved in a disagreement with William Langlandis over the rent owed by William. The case was to be arbitrated by sir Thomas Mauchlin and Haddington's baillies, but in effect, it was sir Thomas who decided that William

⁵⁰⁸ HAD/4/6/5 (1530-55), f13, 13b, 14b, 15b.

⁵⁰⁹ HAD/4/6/5 (1530-55), f63b.

⁵¹⁰ DCA Burgh and Head Court Book 1550-54, f161.

⁵¹¹ HAD/4/2/3/1 (1555-60), f13b.

⁵¹² HAD/4/2/3/1 (1555-60), f9.

⁵¹³ HAD/4/6/5 (1530-55), f273.

⁵¹⁴ DCA Burgh and Head Court Book 1550-54, f84, 278b.

should pay two merks, and be absolved of all other claims, the baillies simply ratifying the decision.⁵¹⁵

Some disputes could become more acrimonious. On rare occasions, tenants refused to pay the annuals. In November 1541 John Hawschaw was found guilty of wronging sir Patrick Mauchlin while he was seizing an annual, and was ordered by the baillies and council to ask forgiveness of both sir Patrick and of the baillies.⁵¹⁶ For their part, clerics might also evict tenants. On 12 July 1538 John Clerk in Haddington agreed to leave the tenement owned by sir Cuthbert (probably sir Cuthbert Lynd), in return for a payment of ten merks.⁵¹⁷ Given that evictions were usually issued for Whit Sunday in May, this dispute must have dragged on for a couple of months.

A priest might also agree or be obliged to reduce annuals, particularly after the passing of the Act on Burnt Lands which mandated reduced rents on tenements damaged by war.⁵¹⁸ In Haddington in December 1557, sir Thomas Gethrason, chaplain in Preston, agreed to refund three shillings to Thomas Punton after the annual was reduced from fifteen shillings annually to twelve shillings by the arbitrators, who were both clerics.⁵¹⁹ Thomas Syld succeeded in October 1558 in reducing the rent on his tenement, which had apparently been completely destroyed, to one shilling, owed to Master Alex Leviston chaplain of the Holy Blood Altar in Haddington, although he had to promise to build on the tenement.⁵²⁰ The laity might also be called upon to help determine what a rent should be worth. In Dundee a delegation of three baillies and six councillors visited a tenement on the north side of the market gait, and determined that it was worth 16 merks, and therefore, under the Act on Burnt Lands, owed 5 merks 4 schillings and 5 pence to St Gregory's chaplainry.⁵²¹ In April 1558 ten Haddington men, "at command of John Ayton provost" appraised the goods of George Symson, which had been seized as payment for the ten merks he owed to Dene James Abircromby cannon of Holyroodhouse.⁵²²

⁵¹⁵ HAD/4/6/5 (1530-55), f236, 237b.

⁵¹⁶ HAD/4/6/5 (1530-55), f160, 167.

⁵¹⁷ HAD/4/6/5 (1530-55), f89.

⁵¹⁸ DCA Burgh and Head Court Book 1550-54, 77, 77b, 84, 155b, 278b.

⁵¹⁹ Master Alex Forrof priest of the Kirk of the field, and James Balfour parson of Knawis and official of Lothian.

HAD/4/2/3/1 (1555-60), f110.

⁵²⁰ HAD/4/2/3/1 (1555-60), f136.

⁵²¹ DCA Burgh and Head Court Book 1550-54, f176.

⁵²² HAD/4/2/3/1 (1555-60), f125b.

Nor were the clergy determined to protect their interests as a group against the laity. Clerics could represent their clients against other clerics: in Dundee, for example, sir Duncan Makynare defended his client, James Adam, against the claims of the chaplains of the parish church.⁵²³ At one point Friar William Gibson, procurator general for the Dominicans, appeared in court to defend a woman, presumably a tenant, from an annual claimed by another chaplain.⁵²⁴ In March 1550 Dundee's choristers even summoned the vicar, Master John Barry, to court to claim unpaid annuities from him.⁵²⁵

It is difficult to use the burgh court records to build a case against the grasping, avaricious clergy. Certainly, they appeared to claim annuities they felt they were owed, but they do not appear to have been any more aggressive than lay people, nor do they appear to have used deceit or collusion to gain advantage. The vast majority of rents were paid on time, and without any evident acrimony. Indeed, many of the repossession cases were served against vacant and apparently abandoned tenements. Finally, it appears that many priests never appeared in court at all.

In both Haddington and Dundee the clergy generally seem to have been respected members of the community who performed their jobs well. They were resident, present at religious services, and cooperated with the townspeople when necessary. Likewise, the townspeople were willing to offer the clergy their cooperation and support when called upon, amply demonstrated by the willingness of burgh courts to support the chaplains financially, even augmenting their stipends after the Reformation parliament of 1560. The Scottish church as a whole may have had problems, but the burghers had few problems with the clergy of the 'civic church'; after all, the priests were their neighbours, family members, and employees.

⁵²³ DCA Burgh and Head Court Book 1550-54, f270b, see also f361.

⁵²⁴ At other times references were simply made to rents owed to the 'friars.' DCA Burgh and Head Court Book 1550-54, f361.

⁵²⁵ DCA Burgh and Head Court Book 1550-54, f42.

CHAPTER 5: The spread of new ideas, 1520-1547

Historians tracing the origins of the Reformation of 1559-1560 have often dwelt on Scotland's committed Protestants, attempting to determine their numbers, beliefs and influence.⁵²⁶ Among both the nobility and the burghers these committed Protestants were vital in establishing the new kirk, yet it is clear that they were not a majority or even a significant minority of Scots. To understand how a relatively small number of committed activists won over the entire country, it is also necessary to consider, as far as possible, the state of mind of the uncommitted majority. These Scots heard reforming ideas from the 1520s on, rubbed shoulders with their more committed neighbours, and often did their best to protect them from prosecution. It is important not to isolate the more committed Protestants as members of a particular faction but to understand their place in the broader community along with those who were interested in new ideas but who were not necessary militant activists. After all, even among those who were accused of heresy or labeled as Protestants there was a variety of theological positions and degrees of interest.⁵²⁷ What allowed the Reformation ultimately to take place was not simply the triumph of a faction of Calvinists but the sense which must have been growing among the population at large, since the 1520s, that some kind of reform would eventually occur.

Though the events of 1559-60 may have 'represented a sharp break with the past' in terms of established religious institutions and worship, over the previous four decades Scots had become accustomed to intense criticism of the late medieval Catholic Church and to varying proposals about what they should believe and how they should worship.⁵²⁸ Throughout Scotland

⁵²⁶ Alec Ryrie, "Congregations, Conventicles and the Nature of Early Scottish Protestantism," *Past and Present* 191(2006), 45-76.

Margaret H.B. Sanderson, *Early Scottish Protestants 1407-1560* (Edinburgh: Scottish Record Society, 2010); Ian B. Cowan, *The Scottish Reformation: Church and Society in sixteenth-century Scotland* (New York: St Martin's Press, 1982), 89-114; John Durkan, "Heresy in Scotland: the second phase 1546-1558," *Records of the Scottish Church History Society* 24(1992), 320-65; James Kirk, "The Religion of Early Scottish Protestants" in *Humanism and Reform: The Church in Europe, England and Scotland, 1400-1643: essays in honour of James K. Cameron*, ed. James Kirk (Oxford: Backwell, 1991).

⁵²⁷ Ryrie, "Congregations," 48.

⁵²⁸ Alec Ryrie, *The Origins of the Scottish Reformation* (Manchester: Manchester University Press, 2006), 1.

ideas were circulated which can be identified as Lutheran, Zwinglian or Calvinist.⁵²⁹ Other criticisms, such as those of Sir David Lindsay, were focused sharply on the medieval church but were less precise about the preferred alternative. The Scottish Catholic church itself engaged in self-criticism without defining itself sharply against its opponents; indeed, as late as 1562 many people throughout Europe thought that the Council of Trent might result in a pan-European religious compromise.⁵³⁰ For Scottish men and women to expect changes to religious practices and doctrines, it was not necessary that they convert to a specific alternative creed or that they wholly reject current practice. No matter how intense the criticisms, the principle of the civic church was that divine worship would take place in the town, ensuring individual and communal salvation; there was no sense abandoning this until a clear alternative was in place, and even convinced Protestants were reluctant to give up on the mass until they could be sure the whole community would join them.

In both Dundee and Haddington, reforming ideas were circulating from at least the late 1520s to 1547, when the English occupation began. In Dundee, the town council made strong efforts to protect those who held these new ideas while they continued to maintain and even promote their own Catholic civic church. The council does not seem to have believed that the discussion of reforming ideas was a threat to civic peace or communal worship. It is noticeable that religious disputes often involved the friars, leaving the burgh's own church untouched. Haddington did not experience as much religious controversy as Dundee, but even in the quiet agricultural town the laity became familiar with the reforming ideas in circulation.

Dundee

Dundee was both a major seaport with links to Denmark, northern Germany, the Low Countries and France and the closest large town to the university and ecclesiastical centre of St

⁵²⁹ See Kirk, "The Religion of Early Scottish Protestants"; Rev. Duncan Shaw "Zwinglian influences in the Scottish Reformation," *Zwingliana* 17(1988) 375-400; Martin Holt Dotterweich, "Sacraments and the Church in the Scottish Evangelical Mind 1528-1555," *Records of the Scottish Church History Society* 36(2006), 41-71.

⁵³⁰ Ryrie, *Origins*, 102-3; Cowan, *The Scottish Reformation*, 78-79, 82-83; Alain Tallon, *La France et le Concile de Trente (1518-1563)* (Rome: École Française de Rome, 1997), 266-8, 272, 309-10.

Andrews.⁵³¹ It is no surprise, then, that supporters of reforming ideas would come to the town relatively soon after Martin Luther posted his theses in Wittenberg in 1517. Some of these men were clearly supporters of the Lutheran, and later Zwinglian and Calvinist, reformations. Others may have been critical of specific aspects of the late medieval Catholic church without rejecting the whole structure. The members of the latter group cannot be labeled 'Protestants,' although we can say that they were supporters of reforming ideas, or 'reformers'.⁵³² The difference between Catholic 'reformers' and early Protestants is often unclear to modern historians, and was likely unclear to many of their contemporaries as well.⁵³³

St Andrews university became an early centre for the discussion and spread of Protestant-inspired reforming ideas. Much of this discussion was started by Patrick Hamilton, who picked up the new ideas while he was in France, where there was significant discussion of reform among humanistic circles prior to Francois I's crackdown in the 1530s.⁵³⁴ Hamilton returned to St Andrews where Gavin Logie, principal of St Leonard's, as well as canons such as John Duncanson and Alexander Allane became interested in discussing the Bible and Lutheran texts.⁵³⁵ Hamilton's interests demonstrate the blurred lines between Catholicism and Protestantism; while he was an adherent of justification by faith alone, he also composed a choral mass.⁵³⁶ He was initially protected by his kinship to James Beaton, the Archbishop of St Andrews, and the King, but in 1527 the Archbishop finally summoned him on heresy charges. He fled to the continent for a few months but then returned to Scotland. He was arrested and burnt for heresy in

⁵³¹ Thomas Riis, *Should auld acquaintance be forgot: Scottish Danish relations c.1450-1707* (Odense: Odense University Press, 1988), 1:40.

⁵³² The term 'refomer' will be used to describe anyone who expressed serious dissatisfaction with the late medieval Catholic church. The term 'Protestant' will be used to describe those who supported an alternative to the late medieval Catholic church, either by adhering to a specific alternative – often Lutheranism, Zwinglianism or Calvinism – or who rejected crucial aspects of the late medieval Catholic church. Careful use of terminology is necessary to reflect the fact that many of those who wanted changes did not necessarily want a Reformation such as took place in 1560. Lack of detailed knowledge about individuals, however, will necessarily create some blurriness.

⁵³³ Clare Kellar, *Scotland, England and the Reformation, 1534-61* (Oxford: Clarendon Press, 2003), 80-1.

⁵³⁴ Margaret H.B. Sanderson, *Cardinal of Scotland, David Beaton c.1494-1546* (Edinburgh: John Donald, 1986) 77; Nancy Roelker, *One King, one faith: the Parlement of Paris and the religious reformations of the sixteenth century* (Berkeley: University of California Press, 1996), 181.

⁵³⁵ Sanderson, *Cardinal of Scotland*, 76.

⁵³⁶ William Stevenson, "Patrick Hamilton's nine-part mass" *Records of the Scottish Church History Society* 36 (2006) 29-39; Gerhard Muller, "Protestant Theology in Scotland and Germany in the early days of the Reformation" *Records of the Scottish Church History Society* 22(1985) 103-7; Dotterweich, "Sacraments and the Church in the Scottish Evangelical Mind 1528-1555."

February 1528-9.⁵³⁷ An observer, John Lindsay, was said to have told Archbishop Beaton “the reik of Maister Patrick Hammyltoun hes infected as many as it blew upoun”, and the execution did nothing to stop discussion of heresy at St Andrews, although those subsequently accused were quicker to flee and stayed away longer, if not permanently.⁵³⁸ By 1534, Protestant ideas had become sufficiently entrenched that the annual feast at the faculty of arts was abandoned because some members were offended by the accompanying mass.⁵³⁹ The university and priory at St Andrews would continue to produce a stream of men open to discussing Lutheran ideas and the possibilities for reform. It is not surprising that many of them made the short trip to Dundee to preach, or to lose themselves in the bigger town when they came under pressure, or to flee on one of the ships which frequently left for Protestant parts of the continent. These same ships also brought books, both Protestant tracts and texts such as Tyndale’s New Testament translation.⁵⁴⁰

A friar named William Arth was possibly the first to preach in Dundee against the decadence of the bishops, abuses of the use of excommunication, and false miracles in about 1528.⁵⁴¹ Arth was harassed by the servants of the Bishop of Brechin (sadly unidentified) and went on to St Andrews, where his propositions received the support of John Mair, who affirmed them to be free of heresy.⁵⁴² Even in Knox’s telling there is nothing Protestant about the ideas presented; Arth held that cursing was a powerful sanction if used properly and not trivialized (actually, cursing was used by the laity as a way of ensuring that agreements would be respected), complaints against the failings of bishops were commonplace and medieval Catholics were often concerned with distinguishing false from true miracles.⁵⁴³ Indeed, after the Scottish friars, fearing that he had gone too far in his criticisms of the bishop, forced Arth to flee to England, he would be imprisoned by Henry VIII for supporting the Pope.⁵⁴⁴

⁵³⁷ Sanderson, *Cardinal of Scotland*, 75-77.

⁵³⁸ John Knox, *The Works of John Knox*, ed. David Laing (Edinburgh: James Thin, 1895) 1:42; Sanderson, *Cardinal of Scotland*, 82-3. See also Jane E.A. Dawson, “The Scottish Reformation and the Theatre of Martyrdom” in *Martyrs and Martyrologies*, ed. Diana Wood (Oxford: Ecclesiastical History Society, 1993), 259-270.

⁵³⁹ Cowan, *The Scottish Reformation*, 94.

⁵⁴⁰ Sanderson, *Cardinal of Scotland*, 75, *Letters and papers, foreign and domestic, of the reign of Henry VIII*, eds J.S. Brewer, R.H. Brodie, James Gairdner (London: Longman, 1862-1910), 4:1296 no.2903.

⁵⁴¹ Knox, *Works*, 1:36-7; Cowan, *The Scottish Reformation*, 94.

⁵⁴² Knox, *Works*, 1:37.

⁵⁴³ See Ryrie, *Origins*, 20.

⁵⁴⁴ Knox, *Works*, 1:41.

The circulation and discussion of these new ideas increased in the 1530s. Knox specifically singled out Dundee and Leith as places where “merchants and mariners who, frequenting other countries, heard the true doctrine affirmed, and the vanity of the papistical religion openly rebuked.”⁵⁴⁵ Protestantism was fully established in Denmark, a frequent trading partner, by 1537, and England moved towards Protestantism, in fits and starts, from the 1530s on.⁵⁴⁶ These discussions caused the Dominicans and Franciscans to complain to the Lords of the Council in May 1534, although they were as concerned with their own orders as with the laypeople. The Scottish leaders of these orders called for the king to extend the Act of 1525 banning Lutheran books and to act against those who harbored “strangers and others of that sect coming forth of other countries.” They also requested that the king “put remedy to the friars [that] are permitted to pass forth of the realme in apostasy and of the holy preaching making to the people” and to “warn all the governours of religion such as priors and wardens that they take diligent attention and care upon their brethren for eschewing of inconveniences.”⁵⁴⁷ In total, at least seven friars, mostly Dominicans but including one Carthusian, left Scotland for more Protestant friendly areas during the 1530s.⁵⁴⁸ In response, James V wrote to the burghs emphasizing the dangers of books translated out of Latin into Scots, which had appeared primarily in seaports, with Dundee being one of the towns specified.⁵⁴⁹ The Lords of Council also sent letters to the burghs instructing them to forbid strangers and their hosts “to argue, disput or commune [with] of any of the said Luther’s or his disciples opinions.” In response to the plea from the Orders that measures be taken against apostate friars, the lord chancellor turned the matter back to them, requiring them to ensure that “no sermons be made by their brothers where through any new disputable opinions may rise in the common people.”⁵⁵⁰ It seems clear that by the mid-1530s

⁵⁴⁵ Knox, *Works*, 1:61.

⁵⁴⁶ Ole Peter Grell “Introduction,” in *The Scandinavian Reformation*, ed. Ole Peter Grell (Cambridge: Cambridge University Press, 1995), 4; Riis, *Should auld acquaintance be forgot*, 40.

⁵⁴⁷ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2012), 1525/7/32. Date accessed: 26 July 2012; *Acts of the Lords of Council in Public Affairs, 1501-1554: Selections from the Acta dominorum concilli*, ed. Robert Kerr Hannay (Edinburgh: H.M. General Register House, 1932), 424-4.

⁵⁴⁸ Except for the Dominican John Craig, who oddly went to Rome. Sanderson, *Cardinal of Scotland*, 82.

⁵⁴⁹ Leith, Edinburgh, Dundee, St Andrew, Montrose, Aberdene and Kirkcaldy being the others.

⁵⁵⁰ *Acts of the Lords of Council in Public Affairs*, 424-4.

“new opinions,” likely based on Luther, had escaped the universities and friaries and were spreading among the lay people.

Friar Alexander Seton, who had been James V’s confessor and the prior of the St Andrew’s Dominicans, was also known to have been in Dundee, though it is unclear if he preached there. In 1536, he delivered a controversial series of Lenten sermons on the Commandments in St Andrews, complaining that God’s Law had been obscured by traditions. His teachings, according to Calderwood (following Knox), were an attack on the ability of good works to achieve salvation, specifically “that Christ was the end and perfection of the law; that there was no sinne where God’s law was not violated; that remission of sin cometh by unfeigned repentance, and faith apprehending God, the Father, merciful in Christ, his Sonne, and that it lyeth not in man’s power to satisfie for his sinnes. He made no mention of Purgatorie, Pardouns, Pilgrimages, Prayers to Sancts, or suche trifles.”⁵⁵¹ Having given his sermon Seton left for Dundee, but when challenged by another friar in St Andrews returned and defended his preaching, claiming that there was no bishop in Scotland who behaved as Paul had prescribed. The bishops and Franciscans, according to Knox, convinced James V that his confessor was a heretic and so Seton fled to England.⁵⁵² At around this time James Hewat, who had been sub-prior of the Perth Dominicans and was supposedly inclined towards Protestantism, also moved to Dundee.⁵⁵³ The fact that these men were friars would have emphasized to the laity that reform could take place within the current church.

Much of the evidence for the spread of Protestantism and reforming ideas in the 1530s comes from judicial actions. By the early 1530s heresy investigations had spread beyond St Andrews and the regular order to lay people.⁵⁵⁴ The timing of these sporadic bursts of persecution is a better indication of the concerns of the royal and ecclesiastical hierarchy than of the spread and popularity of heretical ideas.⁵⁵⁵ Although Archbishop James Beaton was not a very active persecutor of heresy, the crackdown in the early 1530s which would see five

⁵⁵¹ Knox, *Works*, 1:45-6; Calderwood, *History of the Kirk of Scotland*, 87

⁵⁵² Knox, *Works*, 1:46-48.

⁵⁵³ Sanderson, *Cardinal of Scotland*, 81; Calderwood, *History of the Kirk of Scotland*, 142.

⁵⁵⁴ In the absence of detailed records, the modern historian hopes that the charges were roughly accurate.

⁵⁵⁵ Sanderson, *Cardinal of Scotland*, 74.

executions in 1534 may have been inspired by James V's wish to impress the Pope with his defence of orthodoxy which was necessary to secure papal approval for his plan to tax the clergy.⁵⁵⁶

In Dundee these persecutions began with a more systematic hunt for another friar, the Franciscan Alexander Dik. Although not much is known about Dik's opinions, other than that he left the cloister of Aberdeen as a heretic, the search for him brought royal suspicion on the inhabitants and authorities of Dundee. On 7 May 1532, Adam Otterburn the King's advocate began proceedings against James Scrimgeour, who was provost and constable of Dundee, and the burgh's baillies (James Wedderburn, James Rollok, Alexander Craile).⁵⁵⁷ The charges were that Dik, having left Aberdeen, stayed with his friends in Dundee. There, the constable, baillies and others were aware of his presence, for they "tretit and held him with thame." The magistrates apparently refused to turn him over to the Bishop of Brechin or to the friars, though they did promise to deliver him to the Archbishop of St Andrews should he be accused of heresy. Having accompanied Dik to St Andrews, however, the Dundonians decided not to turn him over after all. They then returned home, where they ignored royal letters to surrender the friar.⁵⁵⁸ The baillies, through their procurator, claimed that they had in fact diligently search for Dik. This claim was apparently rebutted by Friar Lang (later the confessor to James V), who testified to the Lords of Council that people in Dundee (who, or how many, is unknown) "threatened him and his order, saying.... they should pull their cowls over their heads" – hardly evidence of willing cooperation. Lang went on to insist that if trouble came to him or his order, "the wit thereof should be imput" to the people of Dundee, "and they to be accused."⁵⁵⁹ The final verdict by the Lords of Council was to order the magistrates to hand Dik over to the friars in either Aberdeen or St Andrews, but to absolve them of contempt for royal authority, because it could not be proved that they disobeyed

⁵⁵⁶ 1534 was also the year when François I of France turned firmly against the Protestants as a result of the 'Affair of the Placards,' which doubtless left an impression on both James V, his prospective son-in-law, and the future Archbishop David Beaton. Sanderson, *Cardinal of Scotland*, 77, 88.

⁵⁵⁷ One baillie, Alexander Craile, asked for and received an exemption from the proceedings, as he was away in business in Perth when the King's letters were received. It is difficult to say whether this was a sensible move to dodge certain punishment, or a deliberate rejection of solidarity with his fellow magistrates. *Acts of the Lords of Council in Public Affairs*, 371.

⁵⁵⁸ *Acts of the Lords of Council in Public Affairs*, 372; *Accounts of the Lord High Treasurer of Scotland*, 6:38.

⁵⁵⁹ *Acts of the Lords of Council in Public Affairs*, 371.

the royal letters. It is not known what actually happened to Dik. The Lords also acquitted Alexander Wedderburn (elder, most likely), along with James Crail, because they took oaths that they had nothing to do with Dik.⁵⁶⁰ This incident is the first demonstration that the Dundonians were willing, as a civic body, to go to some trouble to defend suspect preachers in their town.⁵⁶¹

At the same time as the government started searching for Friar Dik during the winter or spring of 1532, actions were taken against lay people. The goods of James Watson in Innergowry, a short walk from the centre of Dundee, were escheated (confiscated by the crown) for Lutheranism, and given to Walter Scrimgeour. However, Watson cleared himself of the charges, probably by paying a fine, and his goods were returned to him.⁵⁶² He cannot have changed his opinions too much, for over a decade later he would host the Protestant preacher George Wishart.⁵⁶³ On June 23, a month and a half after the trial of the magistrates for sheltering Friar Dik, James Wedderburn, younger, and John Wait were obliged to appear in the Franciscan friary and, before Mr. James Scrimgeour chanter of Brechin, denied several erroneous points, purging themselves "by their great oath." They also received the testimonials of "twenty honest burgesses" of Dundee.⁵⁶⁴ As James Wedderburn would continue to criticize the church publicly and eventually flee from renewed heresy charges, the testimonials were not so much affirmations of his innocence as an effort to protect a fellow burgher. This incident may have caused further discontent with the Conventual Franciscans in Dundee, who had already been harassed in their attempt to apprehend Dik. Although it was a cleric from Brechin cathedral who conducted the hearing, it is significant that it was held in the Franciscan friary and not in the burgh's own church. The friary may have served as the base for the hierarchy, while St Mary's was the burghers' territory, even if the services in both were essentially the same.

⁵⁶⁰ *Acts of the Lords of Council in Public Affairs*, 372.

⁵⁶¹ See Flett, "The Conflict of the Reformation and Democracy," 21-22.

⁵⁶² *The register of the Privy Seal of Scotland*, 2:173.

⁵⁶³ Calderwood, *History of the Kirk of Scotland*, 189; John Spottiswood, *The History of the Church of Scotland* (Bannatyne Club, Edinburgh: Reprint: New York, AMS 1973), 153.

⁵⁶⁴ Dundee Protocol Book f233; Not much is known about John Wait, except that he was listed as an apprentice baker in 1521, which would probably place him in his mid-20s in 1532. The number of James Wedderburns present in Dundee at the same time makes any positive identification of that individual impossible, but it is likely that he was James, brother of John and Robert.

By the mid 1530s, more Dundonians became adherents of Protestant or reformist ideas, and George Lovell and John Blacat were “suspected of the hanging of the image of Saint Francis” in 1536, which may reflect unhappiness with the friars as much as a rejection of the cult of saints and support for Protestantism.⁵⁶⁵ Royal letters were issued instructing the provost and baillies to search for the two men. George Lovell had become a burgess in 1535 and was the son of a former treasurer and Dean of Guild, and could probably have been found easily had the provost and baillies bothered to look.⁵⁶⁶ There is no trace in the records of a John Blacat, though a John Black was involved in some trading activities in the 1550s, which would possibly have made him a contemporary of George Lovell.⁵⁶⁷ No further reference to the case has been found, suggesting that some sort of informal arrangement was made to cover for the two men. Combined with the case of Friar Dik, this suggests a strong interest by the Dundonians in defending their burgh and inhabitants from prosecution. This interest did not interfere with their desire to maintain Catholic worship practices within the burgh; after all, the two men had attacked the friars, not the burgh’s own church; even the more militant reformers were not about to attack burgh property. The Dundonians could accept discussion and criticism of religious practices while at the same time maintaining their existing forms of worship. This implies that civic unity was not threatened by discussion or the spread of new ideas, but that it was threatened by heresy investigations by outside authorities. It also hints, though with less certainty, that the criticisms were not yet focused intensely on the mass and daily services which were at the heart of the civic worship cycle.

The Dundonians were not intimidated into staying away from discussing reform, and so a heavier wave of persecution began in 1538. Several men were accused of heresy and forced to pay fines, of which Abbott, and soon to be Cardinal David Beaton, would have received a share, as keeper of the Privy Seal.⁵⁶⁸ James Annand, George Annand, Robert Anderson, John Fleshour and Alexander Fleshour were convicted of heresy by a spiritual court and had their goods

⁵⁶⁵ *Accounts of the Lord High Treasurer of Scotland*, 6:307.

⁵⁶⁶ DCA Burgess Roll f29v; DCA Burgh and Head Court Book 1454-1524, f46v, 75, 89v-90, 105, 158v, 169v.

⁵⁶⁷ DCA Burgh and Head Court Book 1550-4 f152; DCA Burgh and Head Court Book 1558-1561, f3v.

⁵⁶⁸ Sanderson, *Cardinal of Scotland*, 88-89.

confiscated by the king, though each paid £20 for pardons.⁵⁶⁹ James Hay was also escheated for heresy and as he was apparently unable or unwilling to buy a pardon, his goods were given to David Wod in the Crag. In February 1547-8 his goods were once again escheated, this time for cooperation with the English invaders.⁵⁷⁰ These convictions did not affect his standing in the burgh, and he sat as a councillor on five occasions during the 1550s.⁵⁷¹ Eight other men were fined lesser amounts for heresy, ranging from about £2 to £6 13s 4d at around the same time.⁵⁷² Others, who may have fled to avoid persecution, had their fines paid by family members. When John Paterson, pursevant, arrived in Dundee on orders from the king to search for the goods of James Rollok and Master John Wedderburn, David Rollok paid £20 for a portion of the goods belonging to his brother, the merchant James Rollok, while Henry Wedderburn paid only 40s for the goods of his brother, Master John Wedderburn.⁵⁷³ There is no specific reference in the surviving records to any spiritual consequences, though these were likely the same Dundonians who, according to Knox, abjured and burned their bills.⁵⁷⁴

The Dundonians got off lightly, for in 1539 David Beaton would mark his appointment as Archbishop of St Andrews with five executions, with most of the victims coming from central Scotland. At least one man escaping this round of persecution, Robert Logie, who was a canon regular at Cambuskenneth and a friend of the Vicar of Dolor (one of those executed), fled to Dundee and then left on a ship, destination unknown.⁵⁷⁵ Though a strong anti-Protestant, Cardinal Beaton's ability to persecute was always limited by his need to avoid losing the support of his vassals and tenants throughout Fife, Angus and the Mearns, some of whom belonged to

⁵⁶⁹ *The register of the Privy Seal of Scotland*, 2:396.

⁵⁷⁰ *The register of the Privy Seal of Scotland*, 3:419. An older James Hay was a signatory of the charter establishing the merchant guild in 1516, and served as treasurer at around the same time. Warden, *Burgh Laws of Dundee*. 96; DCA Burgh and Head Court Book 1454-1524, f68v.

⁵⁷¹ *The register of the Privy Seal of Scotland*, 3:419.

⁵⁷² Gilbert Wedderburn and John Paterson were convicted and received remissions in the same manner as James Annand and company (on September 8 1538), though they only paid £6 13s 4d each. Thomas Kyd, Robert Paterson, Alexander Annand and John Paterson also went through the same process, although they only paid £10 (£2 10s each, if the sum was divided equally). Robert Cant paid £6, 13s 4d for his remission. Nothing is known about how much Richard Rollok paid for his remission. *Accounts of the Lord High Treasurer of Scotland*, 6:377, 7:74, 77, 78, 79; *The register of the Privy Seal of Scotland*, 2:403, 407, 408.

⁵⁷³ *Accounts of the Lord High Treasurer of Scotland*, 6:153.

⁵⁷⁴ Knox, *Works*, 1:61.

⁵⁷⁵ Calderwood, *History of the Kirk of Scotland*, 124.

families sympathetic to reform.⁵⁷⁶ In Dundee itself, for example, two Rolloks were among those fined but Beaton himself also paid a presumably friendly visit to the house of George Rollok.⁵⁷⁷ Ironically, it may have been their very closeness to Scotland's most determined opponent of heresy that helped save the Dundonians from more deadly persecutions.

The accused were mostly young and reasonably prominent in burgh society. Nineteen Dundonians suspected or convicted of heresy during the 1530s can be identified. Twelve of them belonged to one of five families: three Annands, three Wedderburns, two Fleshours, two Rolloks and two Patersons, though it is not known what the exact relationships were.⁵⁷⁸ The accused were relatively young - eleven of the eighteen were made burgesses between 1527 and 1540.⁵⁷⁹ Given that most men appear to have become burgesses in their late twenties, this suggests that many (fourteen of nineteen) of those suspected of heresy were probably well under forty.⁵⁸⁰

It would be this generation that would reach the height of their influence (provided they survived the plague and the wars) around 1560. The accused were also a reasonably prominent group in burgh society; ten were burgesses, another four were the sons of burgesses and

⁵⁷⁶ Sanderson, *Cardinal of Scotland*, 89.

⁵⁷⁷ Sanderson, *Cardinal of Scotland*, 131.

⁵⁷⁸ The Wedderburns – Gilbert, James and Master John – were probably all sons of James Wedderburn (1450), and James and Master John are the brothers supposed to have written the *Gude and Godly Ballatis*. Richard Rollok was either the brother or uncle of James Rollok, depending on which James Rollok was cited in the accusation. Calderwood, *History of the Kirk of Scotland*, 143.

⁵⁷⁹ With the constant caveat that the similarity in names among different individuals makes it difficult to be certain exactly which individual is under discussion, the identifications made above are those I believe to be most likely. Although the Burgess Roll is not especially accurate in regards to dates (having been compiled around 1580), the discrepancies are not likely to be more than five years or so.

⁵⁸⁰ George Lovell, accused in 1532, made burgess in 1535, probably 25-30 at time of accusation; James Annand, made burgess in 1527, accused in 1538, probably 35-40; George Annand, made burgess early 1530s, accused 1538, probably 30-35; Robert Anderson, made burgess 1535, accused 1538, probably about 30; John Fleshour, made burgess 1527 or 1535, accused 1538, probably between 30-40; John Paterson, made burgess mid-1530s, accused 1538, probably about 30; Thomas Kyd, made burgess 1527, accused 1538, probably between 35-40; Robert Paterson, made burgess 1535, accused 1538, probably about 30; Alexander Annand, made burgess 1540, accused 1538, probably between 25-30; James Hay, made burgess 1532 or 1534, accused 1538, probably between 30-35; Richard Rollok, accused 1538, made burgess 1535, probably between 30-35. For the age at which men became burgesses, see Andrew Kynneris, described as "skinner boy" in 1539, made burgess in 1541 (*The register of the Privy Seal of Scotland*, 2:471); David Spens, placed in curatorship of Sir John Spens in 1555, made burgess in 1556. (DCA Burgh and Head Court Book 1555-8, f11; DCA Burgess Roll 35), Mark Barry, placed under custody of John Barry in 1550, made burgess in 1559 (DCA Burgess Roll, 39; DCA Burgh and Head Court Book 1550-4, f13, 14v); Robert Rollok chose George Rollok (1), George Rollok (2) as curators in 1550, made burgess 1560 (DCA Burgh and Head Court Book, 1550-4 f5v); Edmund Brown listed as apprentice baker in 1553, made burgess 1561; (DCA Burgess Roll 35, DCA Burgh and Head Court Book 1550-4, f276v); James Lovell described as bairn in 1525, made burgess 1535 (DCA Burgh and Head Court Book 1454-1524; DCA Burgess Roll 30). Of those who were not necessarily burgesses, Master John Wedderburn was born around 1500, and so would have been around thirty-seven at the time of the accusation against him; James Wedderburn, his brother, if the birthdate of 1495 is correct, would have been thirty-eight at the time of the accusation; John Wait, also accused in 1532, was listed as an apprentice baker in 1521; if he was in his teens then, he would have been in his twenties at the time of his accusation.

possibly burgesses themselves and Master John Wedderburn was a chaplain.⁵⁸¹ At least six of this group were probably merchants.⁵⁸² Of the other four, John Black appears to have been involved in merchant activity, Alexander Fleshour served on several inquests, and John Wait, the only confirmed craftsman, was a baker. The pattern, then, is that young but established men, many linked to the merchant trade, developed an interest in new ideas, although we do not know anything about the content of their beliefs or how firmly they were held. It must be kept in mind that possibly only records of the more prominent cases survive. As long as the penalties were mostly financial, the opinions of the poor may not have been as interesting to the authorities. The accusations did not affect the men's reputations within the town. Six of the group would serve on the town council before 1559, where they would oversee civic religion, which of course remained Catholic until 1559, demonstrating that those interested in reforming ideas still participated in the established church.⁵⁸³ On the other hand, George Lovell and James Rollok would sit on council during the crucial year 1560, when they would finally have had the opportunity to put these Protestant ideas into practice.

The security of their position in the burgh, and the financial, rather than physical, nature of the penalties meant that few accused Dundonians fled. This cannot have been for lack of opportunity; others, particularly friars, used Dundee as their way out of Scotland, and several of the accused were merchants who would have regularly travelled overseas anyway.

The Wedderburns

Two Dundonians who did flee, possibly because they were in greater danger, were James Wedderburn (b. 1495) and Master John Wedderburn. The three Wedderburn brothers – Robert was the other – played important roles in Dundee's religious history. Robert was the Vicar of Dundee in the early 1550s and was possibly the author of the *Complaynt of Scotland*, a text that called for reforms in Scotland's government and church, notably by curing abuses and

⁵⁸¹ Gilbert Wedderburn, James Wedderburn, Richard Rollok and James Rollok were the sons of burgesses.

⁵⁸² George Lovell, John Black, James Annand, George Annand, Robert Anderson, James Hay.

⁵⁸³ George Lovell, James Annand, Robert Anderson, James Rollok, Richard Rollok and James Hay.

emphasizing the protection of commoners. James and John became Protestants, whose biographies were briefly sketched by Calderwood. James had been educated at St Leonard's college in St Andrews, where he likely encountered the reformist ideas of Gavin Logie. He spent some time trading in France and then returned to Dundee where he encountered further reforming ideas from James Hewat, the Dominican, and was forced to purge himself of heresy in 1532.⁵⁸⁴ James turned his hand to play-writing. Though the texts are now lost, Calderwood reports that the plays "nipped the abuses and superstition of the time."⁵⁸⁵ He ridiculed "the abuses and corruptions of the Papists" in a tragedy about the beheading of John the Baptist and in a history of Dionysius the tyrant of Syracuse.⁵⁸⁶ Both these plays were put on in the fields around Dundee, outside the west port. He also showed up Friar Laing, the confessor to James V, who had apparently been conjuring a ghost near Kinghorn. This was probably the same Friar Laing who complained of being abused by the Dundonians in 1532 (indeed, it may have been the same incident).⁵⁸⁷ Without knowing more about the plays or the incident with Friar Laing, it is clear that James popularized criticisms of the existing church, again targeting the friars. These were some of the ways theological ideas picked up at St Andrews and elsewhere were explained to the broader laity. In 1540 he was informed on; a relapsed heretic faced a very real threat of execution, and he wisely fled to France, where he stayed in Rouen and Dieppe until his death.⁵⁸⁸

His brother, Master John Wedderburn, also studied philosophy under Gavin Logie at St Andrews.⁵⁸⁹ According to Calderwood, he became a priest reluctantly but soon became interested in Protestantism and was convicted of heresy in 1538.⁵⁹⁰ As a priest he probably faced more severe punishments than a layman, and so he fled, probably to Germany, and left it to relatives to try and buy back his goods. Master John's goods either were not worth very much or the crown owed his family a favour, for Henry Wedderburn, his brother, only paid £2 for them.⁵⁹¹

⁵⁸⁴ DCA Protocol Book 1518-34, f233.

⁵⁸⁵ Calderwood, *History of the Kirk of Scotland*, 142.

⁵⁸⁶ Calderwood, *History of the Kirk of Scotland*, 142.

⁵⁸⁷ *Acts of the Lords of Council in Public Affairs*, 371.

⁵⁸⁸ Calderwood, *History of the Kirk of Scotland*, 141-2.

⁵⁸⁹ Anderson, *Early records of the university of St Andrews*, 118, 121, 222.

⁵⁹⁰ Calderwood, *History of the Kirk of Scotland*, 142.

⁵⁹¹ *Accounts of the Lord High Treasurer of Scotland*, 7:78.

In Germany he became more fervent after hearing Luther and Melancthon. He then turned his hand to popular entertainment, translating some popular songs into spiritual hymns, which are believed to be the source of the *Gude and Godlie Ballatis*. He also translated some works of Luther and some psalms into Scots. He briefly returned to Scotland after the death of James V in December 1542, but left again after coming under scrutiny from Cardinal Beaton.⁵⁹²

The first surviving edition of the song collection attributed to him, known variously as the 'Psalms of Dundee,' the 'Psalms of Wedderburn,' the 'Godlie and Spiritual songs' or the 'Gude and Godlie Ballates' dates to 1567.⁵⁹³ An edition may have been printed as early as 1542, however, and individual songs may also have been printed or distributed separately as from the 1540s on there were references to religious songs in circulation.⁵⁹⁴ Knox claims that George Wishart, when arrested in 1546-7, sang the fifty-first psalm in Scottish metre, which is included in the collection.⁵⁹⁵ Some internal evidence also suggests that the songs were composed and circulated during the 1540s and 1550s.⁵⁹⁶ Certainly,

"Thocht pest, or sword wald us preuene,
Befoir our hour, to slay us clene.
Thay can nocht pluk ane lytill hair,
Furth of our heid, nor do us deir.
Quhen fra this warld to Christ we wend,
Our wrachit schort lyfe, man haif end
Changeit fra paine, and miserie,
To lestand floir Eternallie.
End sall our dayis schort and vaine,
And sin, quhilk we culd nocht refraine.
Endit salbe our pilgremage,
And brocht hame to our heritage"

⁵⁹² Calderwood, *History of the Kirk of Scotland*, 143.

⁵⁹³ A.F. Mitchell, "Introduction" in *A Compendious Book of Godly and Spiritual Songs*, ed. A.F. Mitchell (Edinburgh, Blackwell, 1897), xiv. Ane Compendious Buik of Godlie Psalmes, Dundee City Library Rare Books Collection. My thanks to David Kett for allowing me to view this fragile document.

⁵⁹⁴ *Acts of the Lords of Council in Public Affairs*, 527; *Statutes of the Scottish Church 1225-1559* ed. David Patrick (Edinburgh: Scottish History Society, 1907), 127.

⁵⁹⁵ Mitchell, "Introduction," xxxv.

⁵⁹⁶ *A Compendious Book of Godly and Spiritual Songs*, 193.

betrays a pessimism that might have been common during the 1540s and 50s, making specific references to plague and war.⁵⁹⁷ Other songs make strong criticisms of the church hierarchy and spread some of the basic tenets of the Protestant message; for example, "Allace that same Sweit Face" criticizes the presumed usefulness of works and Catholic ritual, emphasizing instead the importance of justification by faith:

"Na kynde of outward deid,
How haly that euer it be,
May saue us at our neid,
Nor zit vs lustifie,
Nor zit can mak vs remedie."⁵⁹⁸

The bluntly titled "Ane Carrell Contrair Idolatrie" unsurprisingly criticizes the worship of physical objects, as

"Contrair it is to Goddis command
To trow that help may cum,
Of Idolis, maid by mennis hand,
Quhilk ar baith deif and dum."⁵⁹⁹

Other songs targeted the church itself:

"Thocht thow be Archebishop or Deane,
Chantour, Chanslar, or Chaplane,
Resist thow God, thy gloir is gaine,

⁵⁹⁷ This could be modernized as:

"Though pest, or sword would us prevent,
Before our hour, to slay us clean.
They can not pluk a little hair,
Forth of our head, nor do us dear.
When from this world to Christ we wend,
Our wretched short life, man have end
Changed from pain, and misery,
To everlasting glory Eternallie.
End shall our days short and vane,
And sin, which we could not refrain.
Endit shall be our pilgrimage,
And brought home to our heritage" *A Compendius Book of Godly and Spiritual Songs*, 165; Mitchell, "Introduction," xxxiv, xxxvii.

⁵⁹⁸ This could be modernised as :

"No kind of outward deed,
How holy that ever it be,
May save us at our need,
Nor it us Justify,
Nor it can make us remedy"

A Compendius Book of Godly and Spiritual Songs, 64.

⁵⁹⁹ This could be modernized as:

"Contrary it is to God's command
To trust that help might come,
Of Idols, made by man's hand,
Which are both deaf and dumb."

A Compendius Book of Godly and Spiritual Songs, 71.

And downe, thow sall cum downe.”⁶⁰⁰

Traces of traditional faith also remained, however. “The Conception of Christ” emphasizes the Virgin Mary:

“Thir wordis to hir he did reheirs,

Haill Marie full of grace,

The Lord God is with the”⁶⁰¹

perhaps reassuring Scots that not all the elements of their accustomed faith would be wiped away.

Of course, even if these were songs circulating during the 1550s, it is unlikely that many people would have heard the whole repertoire. Many of the songs included in the printed source were also translated psalms. Heard in bits and pieces, the songs would not necessarily have convinced their listeners of a coherent alternative religion, but emphasized the problems with current religious practice and emphasized a faith based on scripture and devotion to Jesus. The message would have been about the need for religious reform, not necessarily the shape of that reform.

The 1540s

After the death of James V in December 1542 the regent, the Earl of Arran, briefly flirted with a more reformist policy in what is known as his ‘Godly Fit.’ On 21 March 1543 a messenger was dispatched to Dundee with letters proclaiming the act of Parliament permitting possession of the New Testament in English.⁶⁰² Arran also relaxed the ban on heresy, promised some church revenues to the lairds, detained Cardinal Beaton, a staunch defender of the church’s privileges,

⁶⁰⁰ This could be modernized as:

“Though thou be Archbishop or Dean,
Chanter, Chancellor, or Chaplain,
Resist thy God, thy glory is gone,
And down, you shall come down.”

A Compendius Book of Godly and Spiritual Songs 178.

⁶⁰¹ This could be modernised as :

“There words to her he did rehearse,
Hail Mary full of Grace,
The Lord God is with thee”

A Compendius Book of Godly and Spiritual Songs, 84.

⁶⁰² *Accounts of the Lord High Treasurer of Scotland*, 8:179.

and encouraged reformist preaching by appointing sympathetic friars to tour Scotland.⁶⁰³ These measures are regarded as having been pro-Protestant, but it is worth noting that apart from the relaxation of heresy laws there was nothing that suggested adherence to a specific alternative doctrine to Catholicism. The appointed preachers, John Rough and Thomas Gwillam (Williams), for example, would become Protestant but at the time were still members of their orders; Knox said of Gwillam that this doctrine was “wholesome, without great vehemence against superstition.”⁶⁰⁴ Reform within the Church was still very much a possibility. Arran soon abandoned this movement as Scots rallied against the pro-English political position that accompanied it and Cardinal Beaton regained his position of influence.⁶⁰⁵ The few months that the measures were in place, nonetheless, would have spread reforming ideas even further among the general population, and many of the vernacular Scriptures likely remained discreetly in circulation. Even if Knox doubted the sincerity of many who took to carrying the New Testament around, saying that some who “had never read ten sentences in it, had it most common in their hand” there certainly would have been widespread discussion and knowledge of new ideas. After 1543 Protestant books continued to be imported. In 1545 James Rollok, in Veere, likely the same James Rollok who fled in 1538-9 after being accused of heresy, bought £7 Scots worth of books from John Mailer, a London printer associated with Protestantism.⁶⁰⁶ Very few Scots books came from England, so it is interesting that Rollok went out of his way for these items.⁶⁰⁷

Before Arran’s pro-Protestant period ended, he took the opportunity to sponsor the sacking of several Catholic institutions, including both the Franciscan and the Dominican friaries in Dundee.⁶⁰⁸ Much of our evidence about this assault dates from a trial in February and March 1552-3, during which 193 men were charged with the attack on the friaries on 30 August 1543, as

⁶⁰³ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2013), 1543/3/25. Date accessed: 4 November 2013. Calderwood, *History of the Kirk of Scotland* 155-8, Knox, *Works*, 1:95-6; Ryrie, *Origins*, 57-65.

⁶⁰⁴ Sanderson, *Early Scottish Protestants*, 77, 123.

⁶⁰⁵ See Sanderson, *Cardinal of Scotland*, 160-178.

⁶⁰⁶ DCA Burgh and Head Court Book 1555-8, f9v. A John Mailer was a London bookseller, accused of Protestant sympathies in 1540; Diarmaid McCulloch, *Thomas Cranmer: A Life* (New Haven, Yale University Press, 1996), 281.

⁶⁰⁷ Marcus Merriman *The Rough Wooings: Mary Queen of Scots 1542-1551* (East Linton: Tuckwell, 2000), 59.

⁶⁰⁸ Foggie, *Renaissance Religion in Urban Scotland*, 43, 143-4; Ryrie, *Origins*, 66; *The Hamilton Papers: Letters and Papers Illustrating the Political Relations of England and Scotland in the XVIth Century*, ed. Joseph Bains (Edinburgh: H.M. General Register House, 1890-2), 2:38.

well as with giving aid and support to the occupiers of St Andrews who murdered Cardinal Beaton in 1546 and giving assurance to the English in 1547-48. It is impossible to know if those accused participated in all the events described or just some of them.⁶⁰⁹ What is surprising is that only five of the nineteen men accused of heresy in the 1530s appear on the 1552-3 list of accused.⁶¹⁰ For many, being interested in Protestant or reforming ideas did not necessarily mean involvement in acts of iconoclasm or violent Protestantism.

The attacks appear to have been organized and systematic as the assailants concentrated on the interiors of the friaries, destroyed “the ornaments, vestments, images, and candlesticks,” as they stole “the friars’ bedclothes, cowls, napery, pewter plates, tin stoups, and their ‘meal, malt, flesh, fish and coals.’”⁶¹¹ At the same time, possibly when the attackers moved on to Perth, James Williamson, Alexander Makinlay and “several other persons” were murdered.⁶¹² Going in the other direction, the attackers were thwarted in their attempt to sack the Abbey of Arboath but succeeded in damaging two nearby parish churches.⁶¹³

According to the court document the attack was led by Henry Durham, the brother of Michael Durham who was physician to James V and one of Arran’s circle of pro-Protestant advisors.⁶¹⁴ Henry Durham became a burgess and guild member of Dundee in 1535, and was made customer of Dundee on 26 March 1543 – very likely a patronage appointment by Arran’s newly installed regime (and likely a reason for his hatred of Patrick Lyon, his successor). Durham was a member of the faction loyal to the Gray family, and would hold Broughty castle for them. He was also an associate of James Scrimgeour of Dudhop, the constable of Dundee and the

⁶⁰⁹ The names listed on the document, except for those specifically mentioned as leaders of the attacks, should not be taken as a list of participants in the events of 1543. More likely the list includes many people associated with the charge of assuring with the English. As will be seen, this was hardly a voluntary act for Dundee’s burghers. “Indictment of Certain Dundee Burgesses on Charges of Riot and Treason,” trans. Alexander Maxwell, in Alexander Maxwell, *Old Dundee, ecclesiastical, burghal and social, prior to the Reformation*. (Dundee: William Kidd, 1891), 393-395.

⁶¹⁰ George Lovell, John Paterson, James Hay, James Rollok (possibly a different man of same name), John Black. Three of the men (Gilbert Wedderburn, Master John Wedderburn, James Rollok) left Dundee in the meantime.

⁶¹¹ While the damage was clearly significant, Ryrie’s claim that the two houses were “destroyed” appears overstated, as is his claim that the parish churches in the town were also assaulted. As will be evident in later sections, the friaries survived both these attacks and the later English occupation. Ryrie, *Origins*, 66. Foggie, *Renaissance Religion in Urban Scotland*, 143; “Indictment,” 395; Frank Bardgett, *Scotland Reformed: The Reformation in Angus and the Mearns* (Edinburgh: John Donald, 1989), 28.

⁶¹² “Indictment,” 395.

⁶¹³ Bardgett, *Scotland Reformed*, 28.

⁶¹⁴ Bardgett, *Scotland Reformed*, 28.

provost who helped shelter friar Dik.⁶¹⁵ Scrimgeour and Gray, who were kin, were two local lairds who were responsible for shielding the region's Protestants. It is not known if Scrimgeour of Dudhop was himself a Protestant, but Gray most certainly was a supporter, though possibly for factional rather than pious reasons. In 1546 Henry Durham paid a fine of £133 6s 4d, presumably for staying away from the army or cooperating with the English.⁶¹⁶ After handing over Broughty castle to the English in September 1547, he fled to England when the war turned against them. He seems to have stayed away from Dundee through the 1550s, but in 1561-2 he appointed a procurator to try and claim money he felt he was owed, a move which provoked angry counter-suits from those who accused him of burning their houses during the English occupation.⁶¹⁷ He was likely related to the other Durhams in Dundee, as he appointed James Durham his procurator in 1561-2. James was made a burgess in 1552, and was the son of John, also a burgess. He was connected to William Durham, laird of Grange, who in 1548 bought a remission for assisting the English at Broughty castle. Of the other Durhams listed in the Dundee records, only Patrick Durham, a dyer, was also listed on the list of 1552-3.⁶¹⁸

The political and religious dimensions of the 1543 attacks on the friars were therefore closely entwined. Although the attacks have been described as mob violence, the moves against Arboath and Perth, each several miles away in opposite directions, suggests that the destruction was carefully thought out and was not simply a spontaneous local eruption.⁶¹⁹ This attack was probably part of Arran's campaign against the anti-English, pro-Catholic party in Scotland; the commendator of Arboath Abbey, who received the bulk of the Abbey's revenues, was Cardinal Beaton, the head of the Catholic hierarchy and political rival to Arran.⁶²⁰ The friars – at least those who had not apostasized – may have been an important opponent to the Protestants and Anglophiles. Although the violence has been described as iconoclasm, as in 1536 the target was

⁶¹⁵ Dundee Burgess Roll 30; *The register of the Privy Seal of Scotland*, 3:27; Bardgett, *Scotland Reformed*, 28-30.

⁶¹⁶ *Accounts of the Lord High Treasurer of Scotland*, 9:12.

⁶¹⁷ DCA Burgh and Head Court Book 1561-2, f64v, 75, 75v.

⁶¹⁸ *The register of the Privy Seal of Scotland* 2:482, 4:14; *Accounts of the Lord High Treasurer of Scotland* 7:237, 9:13.

⁶¹⁹ Bardgett, *Scotland Reformed*, 28.

⁶²⁰ Bardgett, *Scotland Reformed*, 28; *The Hamilton Papers*, 2:38.

the friars and not the burgh church.⁶²¹ While it is unclear how much broad local support these attacks received, and to what extent they relied on the adherents of the Gray faction, Durham, Gray and their associates continued to back the Anglophile, Protestant cause, even after Arran had shifted his political allegiance to the Catholic faction. Indeed, they apparently supported the Protestants who occupied St Andrews in 1546 and collaborated with the English in 1547.⁶²²

In late 1543 or early 1544, Arran and Cardinal Beaton, freshly reconciled, marched on Dundee to punish heretics. During an expedition in November 1543 seven or eight Dundonians were reportedly arrested and taken with Arran and Beaton to Stirling, though their names and fates are unknown.⁶²³ At the same time, two priests from the surrounding rural areas, John Wigton and David Lindsay, were arrested.⁶²⁴ Arran and Beaton returned in January, at which point they hoped to apprehend the Earl of Rothes, Lord Gray and Master Henry Balnaves. A similar mission had been successful in Perth where they executed five accused heretics and removed the provost to eliminate the protection offered to reformers by the sympathetic burgh council. They faced more opposition in the region of Dundee, however. Although Arran came with a number of soldiers, a confrontation just west of Dundee with the suspect nobles, who had brought three hundred followers, persuaded the Governor and the Cardinal to withdraw to Perth.⁶²⁵ The governor subsequently succeeded in isolating Rothes and Gray from their followers and arrested them, although the show of force may have been sufficient to convince him and Beaton to be less brutal in dealing with heresy than in Perth.

Once safely back in Edinburgh, Arran issued summons to several unnamed inhabitants of Dundee to appear in Edinburgh on March 18, "for breaking the gates and doores of the Black Friars, carrying away chalices, vestments, and the Eucharist."⁶²⁶ Also summoned were men who were to act as cautioners, suggesting that whatever penalties were to be levied were financial.

⁶²¹ Ryrie, *Origins*, 66.

⁶²² *Hamilton Papers* 2: 38; "Indictment," 393-395.

⁶²³ Sanderson, *Cardinal of Scotland*, 174; *Letters and papers Henry VIII* vol 18, part ii, no.425.

⁶²⁴ Cowan, *The Scottish Reformation*, 101-2.

⁶²⁵ George Buchanan, *History of Scotland*, trans. John Watkins (London: 1900), 2:371; Calderwood, *History of the Kirk of Scotland*, 169; Knox, *Works*, 1:113-116; *A Diurnal of Remarkable Occurrents that have passed within the country of Scotland since the death of King James the Fourth till the year MDLXXV*, ed. T. Thomson (Edinburgh: Bannatyne Club, 1833) 30; *Accounts of the Lord High Treasurer of Scotland*, 8:247-8, 252, 258-64.

⁶²⁶ *Accounts of the Lord High Treasurer of Scotland*, 8, 266; Calderwood, *History of the Kirk of Scotland*, 175.

Although several arrests were made, once again nobody from Dundee was sent to the stake or gallows; the strength of support for those suspected of heresy may have encouraged Beaton and Arran to act cautiously. If so, as in the 1530s, local Protestants and reformers were shielded from the full wrath of the central government and church hierarchy, this time by the local nobles and lairds rather than the burgh council.

The preaching of George Wishart

The attacks on images in 1536 and 1543, as well as indicating discontent with the friars, may be an indication that Zwinglian ideas, which were more intolerant of idolatry than Lutheranism, were beginning to take hold. A more coherent exposition of the ideas being developed by the Swiss protestants was expressed by the preacher George Wishart in the mid 1540s. Wishart, an ordained priest, had graduated in Arts from Louvain in 1532. By 1535 he was the schoolmaster in Montrose.⁶²⁷ He was subsequently summoned to appear before the Bishop of Brechin for teaching the New Testament in Greek and fled to Bristol.⁶²⁸ He created controversy there as well with his preaching, being eventually forced to recant by Archbishop Cranmer.⁶²⁹ After leaving Bristol Wishart spent a year at Cambridge, returning to Scotland in the summer of 1543 in the company of the Scottish commissioners who had been in England negotiating the marriage of Queen Mary and Prince Edward. Through Henry Balnaves, one of the commissioners, he may have been associated with the faction of militants around Henry Durham.⁶³⁰ Once back in Scotland, Wishart returned to Montrose and “preached in a house two doors from the church.”⁶³¹

⁶²⁷ According to Alexander Petrie, who wrote in the seventeenth-century. “Wishart, George (c.1513?–1546),” Martin Holt Dotterweich in *Oxford Dictionary of National Biography*, online ed., ed. Lawrence Goldman, (Oxford: Oxford University Press, <http://www.oxforddnb.com/view/article/29793> (accessed November 7, 2013)).

⁶²⁸ Dotterweich, “Wishart.”

⁶²⁹ Dotterweich, “Wishart.”

⁶³⁰ Dotterweich, “Wishart”; Bardgett, *Scotland Reformed*, 30.

⁶³¹ Dotterweich, “Wishart”; Knox, *Works*, 1:125.

Wishart then moved on to Dundee, where his preaching, according to Knox, was on the Epistle to the Romans.⁶³² Initially, his preaching from the pulpit in St Mary's had the support of the council, who allowed him to defy the orders of Arran and the Bishop of Brechin to cease preaching. The pressure on the burgh mounted, however, and the council eventually ordered Wishart to leave. Their willingness to support discussion and fend off central government pressure could only be pursued so far. The man who issued the order was Robert Myll, who had served repeatedly as councillor and baillie. Knox claims that Myll acted "by procurment of the Cardinal" and spoke "in the Queen and Governor's name."⁶³³ If we are to believe Knox, Myll "of old had professed knowledge."⁶³⁴ It is likely that like many Dundonians, Myll was willing to permit the discussion of new ideas and even express an interest himself: however, this does not mean that he was, or ever had been, a committed Protestant. The Earl Marischal and other lairds offered their protection, but it was declined by Wishart who opted to continue preaching publicly in the west. The presence of the nobles suggests that this preaching was an advertised, public event: either Wishart's preaching, in the pulpit of St Mary's, was becoming a local attraction, or a particular hour was conventionally set aside for preaching of one form or another.⁶³⁵ Wishart would also preach from the pulpit in Haddington, as would Knox in Perth. It is possible that it was more common than currently realized for itinerant preachers, emphasizing one message or another, to claim the pulpits of Scotland's medieval churches. Perhaps they were tolerated by the clergy and councils who ran the churches because they were not considered to be unorthodox or even unusual.

Wishart returned some months later when plague struck Dundee. He preached the day after he arrived, this time setting up near the East port, with the sick outside the town boundary and the healthy inside. According to Knox, he based his sermon on Psalm 107, emphasizing that God "sent word and healed them" adding "It is neither herb nor plaster, O Lord, but thy word healeth all." Wishart used this text to emphasize scripture and the importance of faith in God, as

⁶³² Dotterweich, "Wishart"; Knox, *Works*, 1:125; Calderwood, *History of the Kirk of Scotland*, 205.

⁶³³ Knox, *Works*, 1:125-6.

⁶³⁴ Knox, *Works*, 1:125-6.

⁶³⁵ Knox, *Works*, 1:126.

he “most comfortably did entreat the dignity and utility of God’s word: the punishment that comes from contempt of the same; the promptitude of God’s mercy to such as truly turn to him.” He visited the sick and gave out food and drink, “and in that point was the town wondrous beneficial, for the poor were no more neglected than the rich”⁶³⁶

It seems that one of the priests who had been arrested by Arran and Beaton in 1543, John Wigton, was offered his freedom if he would assassinate Wishart. In Knox’s retelling, Wishart perceived that the man was about to attack him, gently disarmed him, and then protected him from the anger of the mob.⁶³⁷ Beaton’s covert assassination attempt may indicate his wariness of acting directly in Dundee, fearing either outright defiance or growing unpopularity in his home territory. Once the plague subsided, Wishart left Dundee, heading to Montrose and then the West. On his way back from Montrose, he passed by Dundee without stopping, and instead went to Innergowry, where he stayed with James Watson, who had previously been accused of heresy.⁶³⁸

Wishart’s translation of the Helvetic Confession, printed in London in 1548, and the records of his heresy trial provide an indication of the kind of ideas he was introducing to the Dundonians.⁶³⁹ The Helvetic Confession was a compromise document of the Swiss Protestants written as part of an effort to unify Swiss and German Protestantism.⁶⁴⁰ It is difficult to know if it exactly matched Wishart’s own opinion, or if he simply thought it would be useful as a central point of agreement for various Protestant movements.⁶⁴¹ It highlights the importance of Scripture and God’s grace (man has free will to do evil but not good) and recognizes two sacraments, baptism and the eucharist, the bread and wine being regarded as “tokens” to be “a nourishment and meat of eternal life.”⁶⁴² The Confession firmly rejects images and ceremonies that ‘serve to

⁶³⁶ Knox, *Works*, 1:129-30. In November 1554 George Spalding was reimbursed for “certane male,” either money or food, distributed by his father William Spalding during the great plague of 1545. DCA Burgh and Head Court Book 1550-4, f348.

⁶³⁷ Knox, *Works*, 1:130; Maxwell, *Old Dundee...Prior to the Reformation*, 87; Calderwood, *History of the Kirk of Scotland*, 1:189.

⁶³⁸ *The register of the Privy Seal of Scotland*, 2:173; Knox, *Works*, 1:132.

⁶³⁹ *The Miscellany of the Wodrow Society*, ed. David Laing, (Edinburgh: Wodrow Society, 1844), 6.

⁶⁴⁰ Philip Benedict, *Christ’s Churches Purely Reformed: A social history of Calvinism* (New Haven: Yale University Press, 2002), 65; Bruce Gordon, *The Swiss Reformation* (Manchester: Manchester University Press, 2002), 146-9.

⁶⁴¹ Dotterweich, “Wishart.”

⁶⁴² “The Confession of Faith of the Swezerlandes” trans. George Wishart, in *The Miscellany of the Wodrow Society*, ed. David Laing, (Edinburgh: Wodrow Society, 1844), 11-24.

subverte the trewe relygion of God,” along with clerical celibacy.⁶⁴³ The Confession also emphasizes the duties of the magistrates, whose power is granted by God to defend true worship from blasphemy, ensure preaching and instruction of the word of God, be liberal towards the ministers of the church, care for the poor, “judge the people by equal and godly laws” and to defend the commonwealth.⁶⁴⁴ It would be interesting to know if this message was preached to Dundee’s councillors, who would take a leading role in introducing reforms to the burgh during the late 1550s.

Wishart’s answers during his interrogation for heresy, as reported in an account printed in 1548 by John Daye, are evasive in his support for these doctrines.⁶⁴⁵ He denied the sacrament of confession, was non-committal on the sacrament of extreme unction and was unconvincing in refuting the charge that he said that the sacrament was a piece of bread. Accused of saying that it was permitted to eat meat on Fridays and Sundays, he replied by quoting Paul’s statement that all things are clean to the clean. In regards to denying prayer to saints, Wishart said that it was certain that one should pray to God but uncertain that one should pray to saints. He refused to preach about purgatory as it was not in the Scriptures.⁶⁴⁶ His evasiveness was not enough, however, to save him from the stake.

It cannot be known how closely the trial reflected Wishart’s preaching, though the accusations may have been based on spies sent to listen to his preaching.⁶⁴⁷ It is likely that his hearers would have heard a more comprehensive attack on the mass than had yet been common in Scotland, at least among the laity.⁶⁴⁸ He also would probably have criticized the cult of saints, images and several sacraments. More clearly than previous preachers (though admittedly our knowledge is very limited) Wishart was proposing major changes to Christian beliefs and

⁶⁴³ “Confession of Faith,” 11-24.

⁶⁴⁴ “Confession of Faith,” 11-24.

⁶⁴⁵ This account was “incorporated verbatim” by Knox and Foxe; Dotterweich, “Wishart”; Ryrie, “Congregations,” 74.

⁶⁴⁶ Knox, *Works*, 149-167.

⁶⁴⁷ Franciscans came to hear his preaching in Inveresk, for example, where they tried to dissuade people from attending. Knox, *Works*, 1:135-6.

⁶⁴⁸ Though some at St Andrews university had been refusing the mass since 1534.

worship.⁶⁴⁹ The church hierarchy evidently realized that the discussion was moving beyond suggesting reform towards a rejection of the mass itself, and with it the structure of the medieval church, based on the repetition of masses and prayers. In March 1546-7, a delegation of “Bishops, Prelates and kirkmen” complained to the governor of the spread of the “pestilencious hereseis of Luther”, and specified that some of them were beginning to criticize the Catholic conception of the “Sacrament of the Alter” (eucharist). Perhaps thinking of men like James Watson of Innergowry or James Hay, they complained that some of those previously converted were relapsing, unpunished. By identifying their opponents as ‘Sacramentis’ the senior clergy indicated that the main battleground of the dispute was the mass. Until the very late 1550s, however, Protestants did not in fact target the masses in the burgh church or the burgh priests.⁶⁵⁰

By 1547, many Dundonians would have been exposed to varieties of new religious ideas.⁶⁵¹ Some of these men had enough interest in these ideas to be accused of heresy, although many of the accused were flexible enough to be willing to recant. A few men were members of a violent, militant Protestant faction led locally by Henry Durham and associated with Lord Gray, and others fled to England or Europe. Many of them may also have been saved from the stake by the protection of their fellow burghers and local lairds and by Beaton’s reluctance to tread too heavily in the regions that were his power base. Even those who were interested in the new ideas, however, continued for the time being to support the Catholic civic religion based on the mass.

⁶⁴⁹ Although his actions can be read in different ways. On one hand Ryrie points out that Wishart tried to stick close to Catholic teachings, but it also appears that Wishart held a eucharistic ceremony prior to his execution which was not a mass, although he had requested, and been denied, the Catholic sacrament. Ryrie, “Congregations,” 74; Sanderson, *Cardinal of Scotland*, 219.

⁶⁵⁰ *Register of Privy Council of Scotland*, 1:61.

⁶⁵¹ See Flett, “The Conflict of the Reformation and Democracy,” 23.

Haddington

Haddington may have been smaller and more isolated than Dundee, but over the two or three decades preceding the Reformation the townspeople would still have had opportunities to become familiar with reforming ideas. Some of these ideas, as in Dundee, may have come from the clergy themselves.

A dispute among priests gives us an indication that the status of the Virgin Mary, particularly whether she had any power to intercede on man's behalf before God, was a controversial topic. In May 1537, sir Mungo Millar, obeying the bishop's command, knelt before the altar of the parish kirk during high mass and asked forgiveness from sir John Tait. Sir Mungo had accused his fellow priest of saying that the Virgin Mary "had no more power than any other woman to do for man." The apology was witnessed by several clergy, including sir James Mauchlyn curat, and "many others diverse."⁶⁵² The accusation was a dangerous one in a time of increasing heresy persecutions, and sir Mungo certainly did not get the benefit of the doubt from either his fellow priests or the bishop for rigorously defending orthodoxy. What the incident does indicate is an awareness in Haddington of attacks on the cult of the Virgin Mary and of the saints, and the seriousness with which such criticisms were taken. Sir Mungo thought that holding such an opinion was serious enough to cause trouble for sir John, and the bishop and clergy agreed, though not with the effect that sir Mungo intended. Moreover, even if many of the townspeople did not hear the alleged initial statement or sir Mungo's accusation, certainly many of them who attended the high mass would have heard his apology, which would still have had the effect of broadcasting the basic questioning of the Virgin's intercessory power. For those who may not have attended the high mass, the sight of a priest apologizing on his knees would have been an important tidbit of local news. Whatever Haddingtonians may have thought of this attack on the Virgin's powers, from this point on they would certainly be aware that the criticism existed. Nothing else is known about sir Mungo, but sir John Tait would continue to have a quiet career as chaplain of the altar of St Michael, Crispin and Crispianus. He collected a number of rents

⁶⁵² HAD/4/1/2 Protocol Book of Alexander Symson 1529-44, f95v.

through procurators, and was still collecting debts in 1564.⁶⁵³ He may have been related to Helen Tait, whose goods were escheated, along with those of her late husband John Riclington, for assisting the English during the siege of Haddington and then for fleeing to England with them.⁶⁵⁴

George Wishart also preached in Haddington during the winter of 1545-6, spreading his reforming ideas. While in Haddington, Wishart first stayed with David Forrest, an apparently committed reformer, and then with the laird of Lethington, who was civil to him, “albeit not persuaded in religion.”⁶⁵⁵ His stay with the laird demonstrates that even men who were not committed followers could be sympathetic and interested in supporting religious discussion. Wishart initially went to Haddington because some of his supporters among the lairds thought he might get a good audience there. The first morning Wishart spoke to a “reasonable” number of listeners, but apparently not as many as would usually be in the church.⁶⁵⁶ That afternoon, and the next day, there were so few listeners that “manie wondered” and thought that the Earl of Bothwell had prohibited people from attending.⁶⁵⁷ By the third day, the lack of interest from the population provoked Wishart to preach, if the Protestant chroniclers are correct, that

“I have heard that in thee, Hadington, would have been at any vain clerk play two or three thousand people; and now, to heare the messinger of the Etenall God, of all thy town and parish there cannot be numbered an hundred persons. Sore and fearefull sall the plagues be that sall insue for this thy contempt.”

Wishart went on to list dire yet prescient predictions of violence and destruction.⁶⁵⁸ Either Wishart truly had a gift for prophecy, or his chroniclers had some assistance from hindsight when they recalled his words. The night after giving this sermon, Wishart was arrested by the Earl of Bothwell at the house of the laird of Ormeston, and was subsequently tried, convicted and executed on heresy charges.

Wishart’s preaching, like the dispute between sir Mungo and sir John, would have increased familiarity with Protestant ideas even if the townspeople appeared unenthusiastic. The

⁶⁵³ HAD/4/6/5 Haddington Court Book 1530-55, f277b; HAD/4/2/3/1 Haddington Court Book 1555-60, f28v, 32, 115, 169v; HAD/4/2/3/2 Court Books 1560-71, f225, 274v, 275v.

⁶⁵⁴ *The register of the Privy Seal of Scotland*, 4:183 no 1136.

⁶⁵⁵ Calderwood, *History of the Kirk of Scotland*, 193-5; Knox, *Works*, 1:137.

⁶⁵⁶ Knox, *Works*, 1:136.

⁶⁵⁷ Knox, *Works*, 1:136-7.

⁶⁵⁸ Calderwood, *History of the Kirk of Scotland*, 194; Knox, *Works*, 1:138.

accounts suggest that there was an interest in religious ideas in Haddington, as Wishart and his supporters apparently did expect that people would show up in the kirk, morning and afternoon, three days in a row to listen to preaching. Even if not as many people turned up as Wishart hoped, even a hundred people was a good crowd in a town the size of Haddington, and certainly enough to ensure the local circulation and discussion of his ideas. If they were the same hundred people each time, then it demonstrates the existence of a core group who were quite interested, and even dedicated to take a certain amount of risk; if it was a different crowd each time, then his total audience can be multiplied. Even the accusation that people stayed away is suggestive: either the inhabitants stayed away of their own accord, which suggests that they were sophisticated consumers of sermons who knew what they did and did not like, or, as Calderwood suspects, they were warned against attending, which would likely pique the same sort of curiosity that may have been aroused by sir Mungo's apology. Certainly the dramatic circumstances of Wishart's arrest and trial would also have inspired some discussion. Wishart's contemptuous reference to "any vain clerk play" attracting an audience of two or three thousand listeners also hints at the interest of Haddingtonians and their rural neighbours in religious entertainment, and thus religious ideas.

While the general population would have been at least somewhat aware of Protestant ideas by the mid-1540s, a few individuals became more deeply committed. The first is of course Knox himself, a Haddington native. Knox was probably born in Giffordgate, across the Tyne from St Mary's and the burgh mills, and attended the Haddington school.⁶⁵⁹ One reference survives to his start as a local priest as he represented Richard Dikson in a dispute over a chalders of grain in 1542.⁶⁶⁰ He claimed to have been introduced to Protestant ideas by Thomas Gwlliams (Williams), a Dominican friar initially from nearby Athelstanefurd, who was one of those appointed to preach by Arran in 1543.⁶⁶¹ Knox spent the early 1540s working as a tutor, probably staying with William Brownfield at Samuelston, about four kilometers from Haddington, in 1540-43, and later as tutor

⁶⁵⁹ James H. Jamieson, "John Knox and East Lothian," *Transactions of the East Lothian Antiquarian and Field Naturalists Society* 3(1934-8) 49-79: 62, 69.

⁶⁶⁰ HAD/4/6/5 Haddington Court Book 1530-55, f174v.

⁶⁶¹ W. Forbes Gray, assisted by James H. Jamieson, *Short History of Haddington* (Edinburgh: East Lothian Antiquarian and Field Naturalist Society, 1944), 32.

to the sons of Hew Douglas at Longniddry, about eight kilometers from Haddington, until he left to join the Castilians in St Andrews.⁶⁶² It was in the company of Hew Douglas that Knox heard Wishart preach in Leith.⁶⁶³

Another man who may have been converted by Wishart's preaching was David Forrest (2), who was praised by Knox as "a man that long has professed the trueth and upoun whom many in that time depended."⁶⁶⁴ Forrest belonged to a prominent local family who bought the Gimmersmill from the Abbey of Haddington. David Forrest (1) had founded the altar of the Virgin Mary and the Three Kings of Cologne sometime before 1522, and had owned several properties and been involved in the wool trade and in brewing.⁶⁶⁵ His eldest son, William, inherited his properties and served as burgh treasurer. Another son, George Forrest, was a sheriff in the Haddington constabulary in 1543, a baillie and wine inspector in the burgh of Haddington, and along with John Riclington (husband of Helen Tait), assisted the English during the siege of 1548-9.⁶⁶⁶ A third son, David Forrest (2) served as baillie and as kirkmaster during the 1530s, and Knox describes him as being one of Arran's counsellors in 1543, before being driven from court around 1546.⁶⁶⁷

Wishart stayed with David Forrest (2) his first night in Haddington. Forrest subsequently joined up with the Castilians who avenged Wishart's execution, escaped severe punishment, and assisted the English during the invasion of 1548.⁶⁶⁸ He returned to England for a period, but returned to Scotland after Mary Tudor ascended to the throne.⁶⁶⁹ In 1554, he was made General of the Mint.⁶⁷⁰ Forrest would encounter Knox on his return to Scotland in 1555, and in 1559 he was deposed from his position as General of the Mint, probably on account of his Protestant sympathies. That winter he travelled to England, along with William Maitland of Lethington and

⁶⁶² Jamieson, "John Knox and East Lothian," 70-71; Knox, *Works*, 1:139.

⁶⁶³ Jamieson, "John Knox and East Lothian," 71.

⁶⁶⁴ W. Forbes Gray, *A Short History of Haddington*, 32; Martin A. Forrest, "David and Alexander Forrest and their part in the Scottish Reformation" *Transactions of the East Lothian Antiquarian and Field Naturalists Society* 25(2003)13-24, 22; Knox, *Works*, 1:137.

⁶⁶⁵ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 14-15.

⁶⁶⁶ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 17-18, 15.

⁶⁶⁷ Along with David Lindsay of the Mount, Henry Belnaves, Sir William Kirkcaldy of the Grange, Thomas Bellenden, David Bothwell, Michael Durham, David Borthwick. Knox, *Works*, 1:106.

⁶⁶⁸ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 17-18.

⁶⁶⁹ *Calendar of State Papers*, 265, no. 576.

⁶⁷⁰ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 19.

Henry Balnaves, as an emissary of the Lords of the Congregation. He was later nominated as an ambassador to England, but never appointed because Mary Stewart seemed to not care for him. In 1562, however, the new Protestant regime restored him as General of the Mint and auditor of the Exchequer.⁶⁷¹

The range of opinions present in one family, like Dundee's Wedderburns, is indicated by David (2)'s brother, Alexander, who had a clerical career and became a church administrator. He received an MA from St Andrews in 1534 and then received several benefices, the most important of which was the provostship of St Mary's in the Fields outside Edinburgh. He was appointed to the altarship of the Three Kings of Cologne in Haddington by his father, though he resigned it in 1553.⁶⁷² In 1547, he also received from the crown two tenements in the Hardgait in Haddington because the owner, Elizabeth Clapen, had fled to England during the war.⁶⁷³ He became the secretary to Archbishop Hamilton, and it was Alexander who oversaw the 1557 investigation, ordered by Hamilton, into the grant of the Gimmersmills to John Forrest, his nephew, by the Abbey. This was apparently done without proper sanction, but the investigation carried out by Alexander's subordinates unsurprisingly found no wrongdoing!⁶⁷⁴ He also had two sons, James and William, and James at least was legitimized in 1553. There is no evidence that Alexander recanted his Catholicism at the Reformation.⁶⁷⁵ The fluidity of religious opinions in this period was such that one family could contain committed adherents of both extremes.

There was clearly knowledge of, and interest in, reforming ideas in Haddington and the surrounding countryside. The discussions of these ideas did not seem to have aroused intense passions, though some committed converts were made. There are no reports of iconoclasm or attacks on the clergy, but by the time of the Reformation in 1559-60, many of the ideas discussed by the Protestants must have been familiar to the Haddingtonians, having been in circulation for over twenty years. In both Dundee and Haddington, then, the burghers would have been exposed

⁶⁷¹ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 20.

⁶⁷² "Documents relating to Haddington" *Transactions of the East Lothian Antiquarian and Field Naturalists Society* 5(1952) 67-80: 68.

⁶⁷³ *The register of the Privy Seal of Scotland*, 3: 340 no. 2151.

⁶⁷⁴ "Documents relating to Haddington," 68; Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 20.

⁶⁷⁵ Forrest, "David and Alexander Forrest and their part in the Scottish Reformation," 17-22.

to much religious discussion in the two decades before 1547. Many of these ideas were criticisms of clerical abuses, such as cursing; others involved access to vernacular scriptures and doubts about purgatory and prayer to the saints. Justification through faith alone was also emphasized. What is most striking is that these discussions, and those who were interested in them, were sheltered by the Dundee council, though without hindering the town's own civic religious practices. It was not until George Wishart's preaching in the mid-1540s that the mass was directly targeted, which would have meant that the existing church would have to be replaced rather than reformed. We cannot know how many people were convinced by Wishart, but the events which followed his execution, which he reportedly predicted, may have convinced many of the truth of his warnings about following false religion.

CHAPTER 6: The 1540s: War and Plague

According to *The Complaynt of Scotland*, a polemic attributed to Robert Wedderburn, Vicar of Dundee, three “vehement plagues” afflicted Scotland in the mid sixteenth-century: “the cruel invasions of our old enemies, the universal pestilence and mortality, that has occurred merciless among the people, and the contention of diverse of the three estates of Scotland.”⁶⁷⁶ Of these, it was war and pestilence that struck Dundee and Haddington particularly hard during the 1540s, leaving scars that would be felt for decades. Many people were killed, whole tracts of buildings were destroyed, and the local economies were crippled. Several Scottish authors writing immediately after the disastrous 1540s attributed these misfortunes to God’s wrath; though we have no direct evidence of their thoughts, it is quite possible that the townspeople did too. There may not be a direct link between the misfortunes of the 1540s and the Reformation of 1560, but the effects of the disasters on the mentality of the survivors should be taken into account, as they attempted to avoid further discord and divine punishment.

Wars and War Scares 1520-47

Since their disastrous defeat at the battle of Flodden in 1513 the Scots had been reluctant to attack England, though in the early 1520s the regent, the Duke of Albany, tried to rouse the Scots to play an active part in their alliance with France, and troubles along the border were endemic throughout the period. Crises once a decade seemed to be the norm, but the burdens placed on the townspeople increased dramatically in the 1540s.

Haddington

As Haddington was situated on the main route between the English border and Edinburgh it was a frequent victim of war. Sometimes the town itself was attacked or occupied by

⁶⁷⁶ Robert Wedderburn, *The Complaynt of Scotland*, ed. A.M. Stewart (Edinburgh: Scottish Text Society, 1979), 1.

the English, more often it was an assembly point for Scottish forces, and frequently its inhabitants were called up to military musters. These summons occurred whenever there was sabre-rattling, a royal expedition against unruly subjects or actual war. In the early sixteenth century, these crises threatened Haddington once a decade, in 1522-3 and 1532-3. During the first episode, it was the Scots, mustering at Haddington, who refused to cross the border as part of a French-English war.⁶⁷⁷ In the 1530s it was Haddington which expected to be attacked, though the English invasion never materialized.⁶⁷⁸

War became a reality from 1542 on, however. Henry VIII had been rebuffed in his attempt to negotiate with James V at York in 1541, which left his northern flank unsecured when he decided to return to war on the Continent.⁶⁷⁹ Starting in 1542, therefore, he launched a series of assaults intended to secure hegemony over Scotland, either through a negotiated settlement or brute force. In August of that year the men of Haddington were summoned to join an army at Lauder, probably the same one which defeated an English raiding force at Haddon Rigg.⁶⁸⁰ In late October the English burned Kelso, and in November the Lords of Council met in Haddington, possibly as a result of measures taken to see off this invasion.⁶⁸¹ The burghers of Haddington took the threat of war very seriously, and beginning in August 1542 placed a watchman on the tolbooth, every man in the town either taking his turn or hiring a replacement.⁶⁸² On 12 December 1542, a little more than two weeks after the disastrous defeat at Solway Moss and two days before the death of James V, all men in Haddington and other sherrifdoms along and near the eastern border were ordered to be ready “at the height of this next morning” “to pass forward for resisting of the Englishmen.”⁶⁸³ Apparently a renewed English invasion to take advantage of Scottish weakness was feared, though the attack never came. Haddington nevertheless increased its level of preparation, ordering a ditch to be constructed on the north side of the town

⁶⁷⁷ Gervase Phillips, *The Anglo-Scots Wars 1513-50* (Woodbridge: Boydell, 1999), 138-143; *Accounts of the Lord High Treasurer of Scotland*, 5: 201, 211, 227.

⁶⁷⁸ Phillips, *The Anglo-Scots Wars 1513-50*, 146-7; *Acts of the Lords of Council in Public Affairs*, 391; *Accounts of the Lord High Treasurer of Scotland* 6:106, 108, 109, 136.

⁶⁷⁹ Phillips, *The Anglo-Scots Wars 1513-50*, 147.

⁶⁸⁰ *Accounts of the Lord High Treasurer of Scotland* 8: 116; Phillips, *The Anglo-Scots Wars 1513-50*, 148.

⁶⁸¹ *Accounts of the Lord High Treasurer of Scotland* 8: 137; Phillips, *The Anglo-Scots Wars 1513-50*, 150.

⁶⁸² HAD/4/6/5 Haddington Court Book 1530-55, f173, 175.

⁶⁸³ *Accounts of the Lord High Treasurer of Scotland*, 8:139.

on 19 December.⁶⁸⁴ The burghers tightened their watch system, and in December 1542 and again in October 1543 fines were mandated, the council specifying in that “none shall be taken to be a watchman but an man,” suggesting that perhaps boys or women were being hired to perform this chore.⁶⁸⁵

In spite of these invasion fears, 1543 was fairly quiet, as a truce with Henry VIII had been bought with the Treaty of Greenwich, which promised the infant Queen Mary to the English prince Edward. Haddington, regardless, continued to maintain its system of watchmen and additionally posted a man at each gate.⁶⁸⁶ In January 1543-4, a payment of £2 each was authorized for a detachment of 24 men sent to Edinburgh to join Lord Bothwell - though this payment was not universally agreed to, being made by “the most part of the town.”⁶⁸⁷ War resumed in 1544, as the Scots refused to follow through with the Treaty. Men were summoned to be ready to join the army in April 1544, presumably to meet the invasion of the Earl of Hertford which departed Newcastle on 1 May.⁶⁸⁸ This force was not successful in fending off the English, and Haddington, along with much of the rest of the Lothians, was burnt by the invading army.⁶⁸⁹ During this invasion, the English left placards informing the Scots that they could “thank their cardinal for this.”⁶⁹⁰ It is hard to say if this propaganda actually turned the Scots against Beaton, but it may have left an impression of religious discord as a source of war.

The invasion of 1544 was just a prelude to the wars to come. The men of Haddington were mustered again in November and December 1544, as well as February 1544-5, when the Scots won a minor victory over a small English invading force at Ancrum Moor.⁶⁹¹ Several levies were organized in 1545 with summons going out to Haddington in March (this army was to assemble at Haddington), May, July, August and September.⁶⁹² The repeated summonses may have also helped spread the plague that was contagious that year. In August 1546 men were

⁶⁸⁴ HAD/4/6/5 Haddington Court Book 1530-55, f175.

⁶⁸⁵ HAD/4/6/5 Haddington Court Book 1530-55, f175, 175v, 185.

⁶⁸⁶ HAD/4/6/5 Haddington Court Book 1530-55, f185; Phillips, *The Anglo-Scots Wars 1513-50*, 157.

⁶⁸⁷ HAD/4/6/5 Haddington Court Book 1530-55, f188v.

⁶⁸⁸ Phillips, *The Anglo-Scots Wars 1513-50*, 162; *Accounts of the Lord High Treasurer of Scotland*, 8:284.

⁶⁸⁹ Phillips, *The Anglo-Scots Wars 1513-50*, 167.

⁶⁹⁰ *Letters and papers Henry VIII*, vol. 19, part 1, no 188.

⁶⁹¹ Phillips, *The Anglo-Scots Wars 1513-50*, 170-1.

⁶⁹² *Accounts of the Lord High Treasurer of Scotland*, 8:284, 332, 339, 351, 353, 362, 374, 397, 401, 407; Phillips, *The Anglo-Scots Wars 1513-50*, 173.

ordered to join the army at St Andrews to participate in the siege of the castle which had been occupied by the assassins of Cardinal Beaton, in September and October they were placed on alert to join the governor in St Andrews, and in November and December they were once again ordered to join the siege.⁶⁹³ In May 1547 the Haddingtonians were ordered to Edinburgh to resist the English.⁶⁹⁴ Oddly, no record exists of any summons to the battle at Pinkie Cleugh, in September 1547. Perhaps the record was simply lost, or the men of the East Lothians left to organize their own defence along the main English invasion route. After seeing only occasional military service, and no actual fighting for thirty years, the wars of the 1540s must have placed a heavy burden on the Haddingtonians, with repeated tours on field armies, a constant rota for local defence, added taxes and the burning of the town in 1549. The worst was still to come, however.

Dundee

Dundee was also called on to mobilize men, money and supplies in response to the war scares of the 1520s and 1530s. In October 1523 for example, the Dundonians were ordered to provision a boat with bread, butter, cheese, ale and fish to be sent to the camp at Eyemouth.⁶⁹⁵ In January 1532-33 Dundee was ordered to provide 36 men and £108 a month to the army gathered to defend against the English, the second highest contribution after Edinburgh.⁶⁹⁶ In 1539 Dundee also contributed £333 for Border defence.⁶⁹⁷ There was less urgency in Dundee, which was further away from the border, than in Haddington in response to the wars of the early 1540s. In May 1544 220 soldiers were raised or passed through Dundee and Perth, heading to Glasgow.⁶⁹⁸ As the crisis intensified in 1545 at least two summonses were issued, to the armies at Roslin Muir and Lauder, and presumably Dundonians were involved (possibly on both sides) at the siege of

⁶⁹³ *Accounts of the Lord High Treasurer of Scotland*, 8:480, 9:31, 32, 41.

⁶⁹⁴ *Accounts of the Lord High Treasurer of Scotland*, 9:76.

⁶⁹⁵ *Accounts of the Lord High Treasurer of Scotland*, 5: 231.

⁶⁹⁶ *Acts of the Lords of Council in Public Affairs*, 391.

⁶⁹⁷ *Records of the Convention of Royal Burghs of Scotland*, 518; *Accounts of the Lord High Treasurer of Scotland*, 7:249.

⁶⁹⁸ *Accounts of the Lord High Treasurer of Scotland*, 8:293.

St Andrews castle in 1546.⁶⁹⁹ As in Haddington few references survive to a muster for Pinkie in September 1547, but when the English captured Broughty castle in September 1547 war truly came to Dundee.

Plague

In the midst of (and possibly because of) these military confrontations plague arrived in Scotland. Plague outbreaks usually killed between 10 to 33% of the population of an infected area, and 60 to 80% of those infected, but also apparently spread randomly, striking some towns, households and individuals but not others.⁷⁰⁰ The very randomness of the disease inclined people to interpret it as God's will, inflicted on the people because of sin of either a national or local variety.⁷⁰¹ As Paul Slack observes, "Religious remedies were normally placed first. Repentance and prayer 'should be preferred above all other medicines' in order to pacify the first cause of epidemics."⁷⁰² The plague which affected Scotland was likely the same outbreak which struck London in 1543, spread throughout southern England in the following year and peaked, in England, in 1546-7.⁷⁰³ In Scotland the *Diurnal of Occurents* reported that "In this time the pest was wonder great in all burghs towns of this realm where many people died with great lack and want of victuals."⁷⁰⁴ Although we cannot know how many people died, twenty years later the memory of the plague of 1545 was still fresh in people's minds.

⁶⁹⁹ *Accounts of the Lord High Treasurer of Scotland*, 8:402, 431.

⁷⁰⁰ Although Audrey Beth-Fitch suggested that pneumonic plague, which has a mortality rate of almost 100%, may have been more common in Scotland than elsewhere. Audrey-Beth Fitch "Assumptions about Plague in Medieval Scotland" *Scotia* 11(1987) 30-40: 30.

⁷⁰¹ Paul Slack, *The Impact of Plague in Tudor and Stuart England* (London: Routledge and Kegan Paul, 1985), 16, 26, 87, 108.

⁷⁰² Slack, *The Impact of Plague in Tudor and Stuart England*, 29 (citing T. Paynel, *A most profitable treatise against the pestilence* [? 1534], sig. Avr).

⁷⁰³ Slack, *The Impact of Plague in Tudor and Stuart England*, 66, 84.

⁷⁰⁴ *A Diurnal of Remarkable Occurents*, 39.

Haddington

The fear of plague first appears in Haddington's sixteenth-century records in 1530, when the Saturday market was cancelled on account of fears of the pestilence raging to the west.⁷⁰⁵ In 1538, the council ordered that any inhabitant of the town who had any sickness in his house should immediately "schwa it to ye baillies" under pain of banishment from the town. The baillies also cancelled the fair of St Mythawell, and all dogs were to be put out of the town.⁷⁰⁶ These were merely preventative measures, however, and there is no evidence of a major plague episode in either of these years.

The plague did strike Haddington in the spring of 1545. Plague was usually at its worst between July and October, when the fleas which transmitted the disease thrived in the warmer weather.⁷⁰⁷ On 23 April the council took a series of anti-plague measures, expelling all poor folk, except for those born in the town who were to receive a token allowing them to receive alms.⁷⁰⁸ Proclamations such as this suggest that even a medium-sized town like Haddington must have received a fairly large influx of poor immigrants. All swine were also to be put out of the town, the owners having fifteen days to do so after which anyone would be allowed to kill any pigs they found.⁷⁰⁹ In October, all sick people were ordered to be moved outside the town, to the south side of St John's port (gate).⁷¹⁰ No sick person was to return inside unless proven to be cured, or 'clengit' by the "principal clenger," and whoever broke the statute was to be executed. Sick people were also to be inspected by the provost and baillies.⁷¹¹ Another act, which called for all those suspected of being infected to leave the town within forty-eight hours, on pain of having their goods seized, half to the provost and baillies and half to the informant, has not been preserved in the records; however, in December 1545 George Forrois (likely Forrest) accused John Ayton and

⁷⁰⁵ HAD/4/6/5 Haddington Court Book 1530-55, f2v.

⁷⁰⁶ HAD/4/6/5 Haddington Court Book 1530-55, f90.

⁷⁰⁷ Slack, *The Impact of Plague in Tudor and Stuart England*, 8.

⁷⁰⁸ HAD/4/6/5 Haddington Court Book 1530-55, f209v.

⁷⁰⁹ HAD/4/6/5 Haddington Court Book 1530-55, f209v.

⁷¹⁰ HAD/4/6/5 Haddington Court Book 1530-55, f213v.

⁷¹¹ HAD/4/6/5 Haddington Court Book 1530-55, f214.

'his complices' of breaking the act. Whether they did so by concealing a sick person or by keeping the seized goods themselves is unknown, but the scandal was enough for Ayton to be deprived of his office of baillie.⁷¹²

Though we have no record of how many people died, the 1545 plague was devastating enough to still be remembered in 1564 when, "the whole council having in their remembrance the great and unrecoverable damage hurt hardship and despoliation of this burgh and of the great ruing of the inhabitants there of in the year of God (1545) be the pest" they banned linen from Danzig from entering the town, on the fears that it was carrying the contagion.⁷¹³ Adam Cokburn was ordered warded in the Tolbooth for violating this act, though he ungallantly blamed the offence on his wife.⁷¹⁴

Dundee

Most of what we know about the 1545 plague in Dundee comes from Knox's account of George Wishart's presence in the burgh. An associate of Wishart's, Knox can be considered a near, if not direct witness. According to him, Wishart had first preached in Dundee in 1544, but was expelled from the town, prophesying as he left that

"I am assured that to refuse God's Word, and to chase from you his messenger, shall not preserve you from trouble; but it shall bring you into it. For God shall send you messengers who will not be afraid of horning, nor yet of banishment....If it be long prosperous with you, I am not led with the spirit of truth. But and if trouble unlooked for apprehend you, acknowledge the cause and turn to God, for he is merciful. But if ye turn not at the first, he shall visit you with fire and sword."⁷¹⁵

According to Knox, the plague began only four days after Wishart issued this prophecy. Once the news reached Wishart in Kyle he returned to Dundee to aid the afflicted, and hoped that they would pay more attention to his message, reportedly saying: "Perchance this hand of God will

⁷¹² HAD/4/6/5 Haddington Court Book 1530-55, f214.

⁷¹³ HAD/2/1/2/1 Burgh Minutes 1554-80, f38.

⁷¹⁴ HAD/2/1/2/1 Burgh Minutes 1554-80, f38.

⁷¹⁵ Knox, *Works*, 1:126.

make them now to magnify and reverence that word which before (for fear of men) they set at light price.” The sick had been quarantined outside the town’s East port and as Wishart preached there, “the whole sat or stood within [the town], the sick and suspected without the Port.”⁷¹⁶ Apart from preaching, Wishart apparently gave physical assistance, visiting, comforting and supplying food and drink.⁷¹⁷ We have no burgh records for this period, and there is no way of separating out the deaths caused by the plagues from those caused by the English invasions. This next trial descended on Dundee and Haddington almost immediately, giving the inhabitants little time to regroup and recover.

War 1547-1550

In 1547 Protector Somerset of England renewed Henry VIII’s war on Scotland. The ‘War of the Rough Wooing’ was intended to secure the marriage of the Scottish Queen Mary to the English King Edward, creating a British dynastic union. Having agreed to the marriage at the Treaty of Greenwich in 1543, the Scots reneged. Henry VIII, and then Somerset were determined to gain the marriage one way or another, and by 1547 Somerset had developed a strategy of military occupation. By establishing fortified strongholds at key points, the English could control important areas of Scotland and secure the allegiance of some local Scots by a process known as ‘assuring.’ An ‘assured’ Scot promised to obey the King of England and oppose his enemies.⁷¹⁸ The English hoped that promoting Protestantism would gain the support of like-minded Scots, and by 1547, the oath of assurance also included a pledge to “utterly Renownce and forseik the usurped pour of the Bysshope of Rome and his successours for ever.”⁷¹⁹ This strategy of persuasion was soon set aside by more immediate military needs, with unfortunate consequences for both Dundee and Haddington. The change in strategy was most troublesome

⁷¹⁶ Knox, *Works*, 1:129.

⁷¹⁷ Knox, *Works*, 1:130.

⁷¹⁸ Marcus Merriman “The assured Scots: Scottish collaborators with England during the Rough Wooing” *Scottish History Review* 47(1968) 10-34: 11.

⁷¹⁹ Although Merriman concludes in his study of assurances that there was not a strong connection between assuring and interest in reforming ideas, in both Dundee and Haddington those who were most involved in collaboration appear to have had Protestant sympathies, or at least, connections to those who did. Merriman “The assured Scots,” 13-14.

for the pro-Protestant, anglophile Scots who fell into disrepute as a result of their association with the heavy-handed English.

Haddington

Along with predicting misfortune for Dundee, George Wishart may have also foretold the tribulations which were to fall on Haddington in 1548 and 1549. Despairing that only a hundred or so people came to hear him preach in Haddington, Wishart had reportedly predicted in early 1546 that

“Fearful shall the plagues be that shall ensue for this thy contempt. With fire and sword shall thou be plagued, even thou, Haddington, in speciall. Strangers will possess thee; and yee inhabitants, for the present, shall either in bondage serve your ennemies, or else be chased from your own habitations, and that because ye have not known, nor will not know, the time of God’s merciful visitations.”⁷²⁰

According to Pittscottie, just before his execution Wishart had a vision of a great cloud which rested above Traprain Law for half an hour. This cloud then divided into two: “the one half, passed west above Haddington and there moved above the town and turned in fire: the other half passed north-west above Inveresk kirk and there appeared to him as if it had been blood descending out of the lift.” Wishart, when asked the meaning of the vision, said

“the cloud that rose above Dumpender law signified to him that [there] should come a council and be held in the said law, which should devise much trouble in Scotland and cause much blood to be shed and in special should wreak and destroy Haddingtoun for were [ever?] and many of the inhabitants thereof”⁷²¹

This prophecy may have been uncannily accurate, or embellished by later writers who had the advantage of observing subsequent events – Knox probably wrote his version around 1566 and Pittscottie sometime before his death in the 1570s.⁷²² Even if the prophecies were embellished

⁷²⁰ Calderwood, *History of the Kirk of Scotland*, 194.

⁷²¹ Pittscottie, *The historie and cronicles of Scotland*, 2:79.

⁷²² Laing, “Introductory Notice” in Knox, *Works*, 1: xxviii.

though, it is possible that versions of the stories were circulating as early as the 1540s and 1550s.

The English marched on Haddington in February 1547-8, beginning a campaign that would last for nineteen months, during most of which Haddington itself would be occupied. Haddington was chosen as the main garrison point for the English forces in south-eastern Scotland, a point from which they could hinder the operations of the Franco-Scottish forces based at Edinburgh, harrass the surrounding countryside and persuade or compel the Scots in the Lothians into assurance with the English. A garrison at Haddington could also be supplied by land from England or by sea through the port at Aberlady. Supply, nonetheless, would prove to be a constant problem for the English.⁷²³ The invaders began fortifying Haddington at the end of April 1548, including “the substance of all the town and fair houses.”⁷²⁴ The tolbooth was reinforced to serve as a central keep, with a gun platform placed on top. An earth wall was built around the remainder of the site, with gun bastions placed at each corner. The garrison was usually about 2500 soldiers, though the exact number varied over the course of the siege.⁷²⁵ Haddington’s parish church, to the south of the town, was outside the fortifications and partially demolished by the English – the walls and steeple remained standing, but the English commander claimed to have broken the vaults of the steeple and the church, torn down the roof and cut and under-propped the pillars. Houses near the Tyne river were cleared away, presumably to deny cover to besiegers, and the town’s gates were closed up.⁷²⁶ The occupying army collected grain and meat from the surrounding countryside, though it is unclear whether the food was given, taken or bought.⁷²⁷

By the end of June 1548, the French and Scots had begun the siege of the English base at Haddington.⁷²⁸ It was then, on 7 July 1548, that a Parliament was held at the abbey of Haddington, outside the range of the guns. The Scots delegates agreed to the marriage of Mary

⁷²³ Phillips, *The Anglo-Scots Wars 1513-50*, 218.

⁷²⁴ *Calendar of State Papers relating to Scotland and Mary Queen of Scots, 1547-1563*, eds Joseph Bain et al (Edinburgh: H.M. General Register House, 1898-), 1: 111.

⁷²⁵ Phillips, *The Anglo-Scots Wars 1513-50*, 218.

⁷²⁶ *Calendar of State Papers relating to Scotland*, 1:114, 125, 123, 135-6.

⁷²⁷ *Calendar of State Papers relating to Scotland*, 1:111, 122-3.

⁷²⁸ *Calendar of State Papers relating to Scotland*, 1:133, 137.

Stewart to the French dauphin, a complete reversal of the Treaty of Greenwich.⁷²⁹ The siege at first went well for the French and Scots, but English reinforcements slipped into Haddington around 8 July.⁷³⁰ A second English resupply expedition was driven off, but a further supply effort in August succeeded, forcing the French to lift the siege in the process.⁷³¹ After clashing with the townspeople in Edinburgh, the French were sent back to Haddington to resume the siege in October. On arrival they almost took the town by surprise assault but were ultimately repulsed with heavy casualties.⁷³² Thereafter the siege lightened and the English were able to resupply their garrison at a level of bare subsistence.⁷³³ The French and Scots slowly began to gain regional dominance, causing many previously assured Scots to reconsider their loyalties and making it difficult for the English to gather supplies.⁷³⁴ In August 1549 the French occupied the port of Aberlady, cutting the English garrison off from the sea. Facing the need to supply Haddington by costly overland convoys, and suffering from disease and hunger the English finally evacuated the town in September 1549.⁷³⁵

Dundee

War came to Dundee in full force immediately after Somerset's decisive victory over Scottish forces at the battle of Pinkie Cleugh in September 1547. The English quickly occupied Broughty castle at the mouth of the Tay, a position which allowed them to dominate Dundee, some three kilometers distant, tax or blockade goods travelling along the Tay to Perth and points further inland, and use the river to raid the surrounding countryside, monasteries and nunneries. This strategic, though small and badly maintained fortification, was turned over by two pro-

⁷²⁹ Calderwood, *History of the Kirk of Scotland*, 256.

⁷³⁰ Phillips, *The Anglo-Scots Wars 1513-50*, 228.

⁷³¹ Phillips, *The Anglo-Scots Wars 1513-50*, 233-7.

⁷³² Marcus Merriman, *The Rough Wooings: Mary Queen of Scots 1542-1551* (East Linton: Tuckwell, 2000), 321; Phillips, *The Anglo-Scots Wars 1513-50*, 239-40.

⁷³³ Phillips, *The Anglo-Scots Wars 1513-50*, 241.

⁷³⁴ Phillips, *The Anglo-Scots Wars 1513-50*, 239-41.

⁷³⁵ *A Diurnal of Remarkable Occurrents*, 48; Marshall, *Ruin and Restoration*, 19; Phillips, *The Anglo-Scots Wars 1513-50*, 251.

English Scots, Lord Gray and Henry Durham. It was these two men, and their adherents, who had been responsible for sacking Dundee's friaries in 1543.

Initially, the English commander, Andrew Dudley, did not devastate the countryside and demand from civilians the exactions common in sixteenth-century warfare, evidently hoping to win the Scots to the English cause through persuasion. He reported to Somerset "I use the country gently as ordered. Diverse gentlemen who favour the word of God would come in if they durst, but wait 'till they see how the world go."⁷³⁶ Dundee, however, did not respond to Dudley's first request to assure, and so he resorted to force. On 27 October 1547, Dudley bombarded Dundee with two ships and threatened to burn the town. The inhabitants surrendered, and a delegation of the town council assured to Dudley, promising to practice and promote Protestantism (specifically, "to be faithful setters forth of God's word"), to sell provisions to the English at fair prices, to pay duty to the English, and to resist the Scottish governor, as far as they could, unless he comes with an army, when they may do "as they are able and think best."⁷³⁷ Dudley attempted to carry out the English strategy of using Protestantism to create a pro-Protestant, pro-English faction, and requested bibles from Somerset. The repetition of his requests, especially in January 1547-8, when he wrote that he was "daily 'cried' on by Dundee and the lords and gentlemen, for a good preacher, and bibles, testaments and other good bookes," suggest that the books and preacher never arrived.⁷³⁸

A Scottish army led by the Earl of Argyll duly arrived at the end of November, re-took Dundee, and used it as a base for an unsuccessful siege of Broughty.⁷³⁹ It was probably to reinforce this army that the Scottish Privy Council ordered three hundred soldiers to be raised: the church prelates and the inhabitants of Dundee were each to raise fifty hagbutmen and fifty spearmen for the space of one month, an expense for which the prelates were to pay £600; presumably the cost to Dundee was the same. A further one hundred horsemen were to be

⁷³⁶ *Calendar of State Papers relating to Scotland*, 1:24.

⁷³⁷ The councilors who assured were included John Scrimgeour, once again provost and constable, Robert Anderson and George Lovell bailies, and George Rollok, Robert Michell, James Rollock, Andrew Annand, James Watson, James Lovell, John Streihmur, John Fotheringham, Richard Rollok, Alexander Paterson, presumably councillors. *Calendar of State Papers relating to Scotland*, 1:33.

⁷³⁸ *Calendar of State Papers relating to Scotland*, 1:35, 50, 61.

⁷³⁹ *Accounts of the Lord High Treasurer of Scotland*, 9:134-9.

raised by the gentry.⁷⁴⁰ Argyll's army left by 18 December. Having been briefly occupied by Scottish soldiers, Dundee, an essentially unfortified town, once again surrendered to the nearby English garrison after fighting in which two or three Scots were killed. On 20 December 1547, Dudley issued a proclamation in Dundee, in the presence of Lord Gray and the lairds of Grange and Balumbie (Henry Lowell), as well as the officers of the town.⁷⁴¹ The councillors took an oath to the English, but not very convincingly. As Wyndam, the commander of the English fleet wrote, "me thought [their oath] very weekly at the Scots hands, but putting there whole trust to the lord Gray, I think chiefly for fear of the Governor and other of his affinite, for disowning of them when we be absente with the ships."⁷⁴² They sent two hostages to Dudley and again agreed to the previous terms of assurance.⁷⁴³ The English also started to ravage the countryside, burning crops, villages and the abbey of Balmerino, although they seemed careful to leave some sustenance for Dundee.⁷⁴⁴

The townsmen were caught between two sides, easily threatened by the nearby English who were nevertheless too weak to hold Dundee against significant opposition from Scottish and French forces. Exposed and having assured with the English, the townsmen feared the arrival of vengeful Scottish forces, and asked for help from Broughty's garrison in preparing their defences.⁷⁴⁵ The English knew that the Scots, both the townspeople and those in the surrounding countryside, would give their loyalty to whoever could offer protection. Dudley therefore worried that a victory by Argyll would discredit the English in front of Gray, Dundee and the assured Scots, complaining to Somerset that "Lord Gray and the town of Dundee and assured people, [are] like to be overrun to my dishonour. I beseech your grace rather discharge me than let me lose my credit with Scotsmen."⁷⁴⁶ The English made of the best of their position, regardless, and on 12 January 1547-8, they sent a small force, twenty to fifty men, to Dundee, and placed guns in

⁷⁴⁰ *Register of Privy Council of Scotland*, 1:79.

⁷⁴¹ *Calendar of State Papers relating to Scotland*, 1:49.

⁷⁴² *Calendar of State Papers relating to Scotland*, 1:51.

⁷⁴³ *Calendar of State Papers relating to Scotland*, 1:48.

⁷⁴⁴ *Calendar of State Papers relating to Scotland*, 1:49-54; *The Scottish Correspondence of Mary of Lorraine*, ed. Annie I. Cameron (Edinburgh: Scottish History Society, 1927), 209.

⁷⁴⁵ *Calendar of State Papers relating to Scotland*, 1:53, 61.

⁷⁴⁶ *Calendar of State Papers relating to Scotland*, 1:55.

the church steeple. Despite the threat of destruction from the Earl of Argyll, the townspeople were still sticking with the English, according to Dudley.⁷⁴⁷ The attempts at making the unwallled town defensible were clearly deemed inadequate, however, as the townsmen fled “with sorrowful hearts” before the return of Argyll’s Scottish troops later in January 1547-8. Where they fled to is unknown; nonetheless, four or five men loyal to the English remained, indicating the persistence of a small but resolutely pro-English faction.⁷⁴⁸ As the English evacuated the undefended town, they stripped the church (St Mary’s) of bells, brass and copper, and burned the Catholic ritual figures (“idols”) within it (although many valuable ornaments had been hidden by the inhabitants before the war began), as well as the steeple which could be used as an artillery position. They left the rest of the town intact, however, hoping eventually to recapture it.⁷⁴⁹

Despite withdrawing from Dundee, the English literally bought time by paying Argyll one thousand crowns, apparently in return for a twenty-one day truce, during which the English received four hundred men in reinforcements. As part of the truce, Dudley was allowed to buy necessities from Dundee and enter the town with a ‘sober’ number of men.⁷⁵⁰ As well as selling provisions to the English, the local inhabitants were paid 5 pence (English money) a day to work on building fortifications for them, and Dudley reported that many Scots were willing to do the work and accept English money. These fortifications were built with timber and frames from houses in Dundee.⁷⁵¹

As 1548 progressed Dundee’s loyalties increasingly turned away from the English. When a force of Scottish horsemen passed through they found support from Dundee, but not from the surrounding region.⁷⁵² In March 1548, Argyll ordered a muster at Dundee of all men between the ages of 16 and 60, on pain of death. Dudley had reported at the end of February that Argyll was having difficulty recruiting men from town or countryside, so perhaps the proclamation

⁷⁴⁷ *Calendar of State Papers relating to Scotland*, 1:65.

⁷⁴⁸ *Calendar of State Papers relating to Scotland*, 1:67.

⁷⁴⁹ *Calendar of State Papers relating to Scotland*, 1:67.

⁷⁵⁰ *Calendar of State Papers relating to Scotland*, 1:71-74.

⁷⁵¹ *Calendar of State Papers relating to Scotland*, 1:91.

⁷⁵² *Calendar of State Papers relating to Scotland*, 1:86-7.

demonstrates that the Scots were obliged to try to use coercion.⁷⁵³ In May 1548, Governor Arran sent letters to Patrick Lyon (the customar) in Dundee, possibly part of the government's efforts to reassert control over the region.⁷⁵⁴ The contact with the governor suggest that Lyon was responsible for organizing part of the Scottish effort in Dundee, and indeed he would be targeted by Henry Durham, who would burn his house in November 1548.⁷⁵⁵ Around this time, James Dog, military captain, became Dundee's provost, a sign of the militarization of the town.⁷⁵⁶ Dudley himself received a warning from the English general Grey of Wilton in June 1548 that local Scots "having liberty there to by your over great familiarity" were planning on killing him.⁷⁵⁷

The English hung on, and on 8 November 1548 made a renewed effort, entering Dundee, expelling the townspeople and spoiling the town. They were initially driven out by a counter-attack of local troops led by captain Dog, but they returned the next day and completed the destruction.⁷⁵⁸ Of all the destruction inflicted on the town, this seems to have been the most severe, for the council records state that November 1548 was the month "the said land was burnt and destroyed be our old Ennemies of England like as the whole remanent of the said burgh was or the most part thereof whom to they [the inhabitants] might not resist."⁷⁵⁹ By the time the French and Scots arrived there was "nobody in it but some poor women and a few men, who were working hard to extinguish those flames which the English had kindled."⁷⁶⁰

After the burning of November 1548, the English continued to make daily raids, cutting off the supplies to the Scottish soldiers stationed at Dundee, who the English estimated to include 120 infantry and 80 cavalry, "beside the Scotish men that inhabit with them, who indeed are not many – only such poor people as serve to bake and brew."⁷⁶¹ By December 1548 the Scots had responded in force, the governor being present and French troops being sent.⁷⁶² The force did

⁷⁵³ *Calendar of State Papers relating to Scotland*, 1:91.

⁷⁵⁴ *Accounts of the Lord High Treasurer of Scotland*, 9:192.

⁷⁵⁵ DCA Burgh and Head Court Book 1561-2, 75-75v.

⁷⁵⁶ *The Scottish Correspondence of Mary of Lorraine*, 273.

⁷⁵⁷ *The Scottish Correspondence of Mary of Lorraine*, 243.

⁷⁵⁸ *Calendar of State Papers relating to Scotland*, 1:167, 168.

⁷⁵⁹ DCA Burgh and Head Court Book 1550-4, f15.

⁷⁶⁰ Alexander Maxwell, *The History of Old Dundee, narrated out of the Town Council Register, with additions from contemporary annals* (Dundee: David Douglas, 1884), 26.

⁷⁶¹ *The Scottish Correspondence of Mary of Lorraine*, 275-278.

⁷⁶² *Accounts of the Lord High Treasurer of Scotland*, 9:266.

not stay long, and the following March the English spoiled the town again, seeking building materials for their fort, and the Scots responded by dispatching yet more French troops.⁷⁶³ The standoff continued through the year, and Broughty was finally retaken in January 1549-50, when the treasury records a series of expenses incurred by the Governor in recovering the castle, including guides, transportation workers and food.⁷⁶⁴

The fallout from the wars continued for some time. In March, 1550, the governor made a payment of forty-six schillings to men hurt at the siege of Broughty who were recovering at the Gray Friars gate.⁷⁶⁵ Intriguingly, a Ramsay (first name unknown) was still holding an Englishman captive, possibly for ransom, in March 1551-2. The prisoner was only freed after repeated requests from the crown, who paid the captive £3 for his trouble.⁷⁶⁶

Collaboration

The behaviour of both the Dundonians and Haddingtonians during the English invasions perfectly matches the findings of an (anonymous) report sent to Mary of Guise, dated 3 June 1548. The author reports that the principal reasons why people assuaged with the English were

“In the first, part of the lieges has taken new appointment of the scripture and has gone against the law and ordinance of holy kirk. Secondly, others [of] the lieges has for fear - them on borders and dry marches, and others upon the shores of the sea or burghs upon the sea of this realm – for safety of them, their wife barnis and goods has favoured and been familiar and assisted to [the] English. Thirdly, others of the lieges has through insolence and regard of particular profit has assisted and taken part with English. [Fourthly], others [of] the lieges has upon less understanding and imprudently taken consent that they might live at more quietness and justice under the English nor [than] our own nation.”⁷⁶⁷

⁷⁶³ *Calendar of State Papers relating to Scotland*, 1:172; *Accounts of the Lord High Treasurer of Scotland*, 9:303.

⁷⁶⁴ *Accounts of the Lord High Treasurer of Scotland*, 9:363-386.

⁷⁶⁵ *Accounts of the Lord High Treasurer of Scotland*, 9:392-3.

⁷⁶⁶ *Accounts of the Lord High Treasurer of Scotland*, 10:68-69.

⁷⁶⁷ *The Scottish Correspondence of Mary of Lorraine*, 240.

Collaborators for religious reasons were likely present in Dundee, and in both towns there were most probably those who sought profit or a quieter life under the English. Many, however, likely cooperated for the second reason, fear. Those who collaborated too enthusiastically either fled or were discredited after the war, while many who cooperated out of fear remained and paid substantial penalties. Many who were interested in Protestantism, however, remained loyal to the Scottish cause, and the English efforts to create a faction of loyal Protestant Scots seems to have only succeeded in driving a faction of militant Protestants out of the country.

Haddington

Many Scots in East Lothian supported and assisted the English, though it is difficult to know how many of them did so under compulsion. Some Scots were allied to the English from the start of the Rough Wooings; in February 1546-7, the goods of the late William Clapen, burgess of Haddington, and of his sister Elizabeth were escheated because they lived in England in time of war. A particularly active collaborator was John Reklington, who had purchased a remission for staying away from the army gathered at St Andrews in 1546. In 1548, during the siege of Haddington, he and George Forrest were praised by the English general Wilford as having “served very honestly during this siege, and have suffered great losses.”⁷⁶⁸ Reklington evidently saw no future in remaining in Haddington after the English defeat, and fled into England, dying soon after. His Scottish goods, and those of his wife, Helen Tait, were nonetheless seized by the crown.⁷⁶⁹

Faced with overwhelming English military dominance, it is not surprising that in early 1548 many more Scots assuaged with the English, supplying them with food as part of the arrangement. How many of these assuaged Scots were inhabitants of Haddington, and how many were from the surrounding countryside, is difficult to establish. In February 1547-8, the English general Grey of Wilton reported from his headquarters in Haddington that almost 1000 Scottish

⁷⁶⁸ Marshall, *Ruin and Restoration*, 19; *Calendar of State Papers relating to Scotland*, 166.

⁷⁶⁹ *The register of the Privy Seal of Scotland* 3:183, 329-30, 340; HAD/4/1/2 Protocol Book of Alexander Symson 1529-44, f95b.

horse had assured with him, including the retainers of the Earl of Bothwell.⁷⁷⁰ At the end of April, as he began work on the fortifications, Grey reported that he had “required the dwellers here about to bring in all they can, and find them “so well willing or so well afraid” that I doubt no want of grain.”⁷⁷¹ The Scottish government did its best to stamp out this collaboration, and not long after the invasion of late winter 1547-8 began, four men of Longniddry had their goods escheated for travelling to Haddington to join up with Lord Grey.⁷⁷² Others moved in the opposite direction; Philip Gibson (I) apparently fled Haddington just before the English arrived, leaving behind some skins, which the English captured and intended to ship to Berwick; along the way, however, they fell into Scottish hands again, and the gift of their eschete was given to one Alexander Guthrie. Fleeing did not do much good for Gibson, for he was dead by the time the letter of escheate was dated, June 20 1548.⁷⁷³ It is impossible to know how many Scots stayed in Haddington, but there surely must have been many refugees.

The English hoped to appeal to those who remained through religion. In June 1548, Grey wrote to Somerset that “Your Grace last winter had resolved to send 2 or 3 preachers of this country ‘borne,’ but they were then unwilling to risk their bodies; they need fear nothing now, and if sent to this town, would be well received, and win many to your purpose.”⁷⁷⁴ There is no evidence that the preachers were sent, but the passage suggests that there were enough Scots still in Haddington to preach to. They were not necessarily enthusiastic Protestants but do seem to have been open to different ideas; at least, perhaps some burghers thought it politic to express such an interest to their new masters. These remaining inhabitants probably did not remain long as the siege intensified; Calderwood reports that when the English finally left, the town was occupied by “those that first would take possession; and those were the Frenche men, with some few ancient inhabitants.”⁷⁷⁵

⁷⁷⁰ *Calendar of State Papers relating to Scotland*, 1:80.

⁷⁷¹ *Calendar of State Papers relating to Scotland*, 1:111.

⁷⁷² *The register of the Privy Seal of Scotland*, 3:427.

⁷⁷³ *The register of the Privy Seal of Scotland*, 3:448.

⁷⁷⁴ *Calendar of State Papers relating to Scotland*, 1:117.

⁷⁷⁵ Calderwood, *History of the Kirk of Scotland*, 261.

It was only once the English evacuated Haddington that most Scots began either to buy remissions or to suffer the forfeiture of goods. Men from all over Scotland were sanctioned for cooperating with the English in Haddington, the accusations normally being variations on “fortifying, assisting and partaking with our old enemies of England in persecuting of the lieges of this realme, and in convoying of powder and victualis to the fort of Haddingtoun, and taking assurance with them, and otherwise dealing, communing and taking with them to the subversion of this realm and lieges thereof.”⁷⁷⁶ In Haddington, the process began with the remission of John Forrous (Forrest) in October 1549.⁷⁷⁷ Thomas Punton had his goods escheated (confiscated) in June 1550, and James Oliphant and Alexander Barnis bought remissions.⁷⁷⁸ Others may have bought remissions at the justice-ayre held in Haddington in January 1553-4, when the royal justiciar arrived to hold court, as did the Dundonians did at theirs, though no detailed records of Haddington’s ayre survive.⁷⁷⁹ Apart from the handful who fled to England, most of those sanctioned likely cooperated out of fear or profit, there being no evidence that they were supporters of a Protestant, anglophile cause.

Dundee

In Dundee, unlike Haddington, there were clear signs of a pro-English party under the leadership of Lord Gray, organized locally by his man Henry Durham. The two had been responsible for attacking the friaries in 1543 and turned over Broughty castle to the English in 1547.⁷⁸⁰ Henry Durham eventually fled to England, though not before assisting the English in burning the town in November 1548. In March 1548-9 he would petition Somerset, complaining that for his efforts on behalf of the Gospel and the English king he was exiled from his country,

⁷⁷⁶ *The register of the Privy Seal of Scotland*, 4:101.

⁷⁷⁷ *The register of the Privy Seal of Scotland*, 4:73.

⁷⁷⁸ *The register of the Privy Seal of Scotland*, 4:151, 332.

⁷⁷⁹ *The register of the Privy Seal of Scotland*, 4:452.

⁷⁸⁰ Maxwell, *Old Dundee...Prior to the Reformation*, 98; *The Scottish Correspondence of Mary of Lorraine*, 203.

and had lost one hundred merks in annual revenue when he surrendered Broughty castle.⁷⁸¹

Somerset's response, if any, has not survived.

In February 1561-2, perhaps thinking he might get a sympathetic hearing under the new Protestant regime, Henry Durham appointed a procurator (legal representative) to pursue John Fotheringham for a payment for a barrel of salmon, dating back to 1549. Patrick Lyon interrupted the proceedings, claiming that during the attack of 9 November 1548 Durham had appeared "in company with Englishmen" and "spoiled his house & burned the same his loss extending to iiij (pounds)." John Fotheringham also complained that his house had been burned by Durham. The court refused to hear the case until Durham appeared in person to defend himself against the accusations, an opportunity he seems to have declined.⁷⁸²

Durham's master, Lord Gray, had assured with the English after being captured at Solway Moss, and apparently agreed to hand over Broughty Castle in March 1546-7.⁷⁸³ Gray was rewarded by the English, who paid him a £1,000 in November 1547.⁷⁸⁴ The most important Scottish collaborator in the region, he was captured by the Scots late in 1548, and was imprisoned in Edinburgh Castle from January 1548-9 on. Paying a fine of £1, 912 10s did not apparently hasten his release, which did not come until 1554. It was only Arran's intervention that saved him from the French, who had wanted to execute him as a traitor.⁷⁸⁵ He was then captured by the English in 1557. In between, the burgh of Dundee sued him for damages caused by his collaboration.⁷⁸⁶

Apart from Gray and Durham, the English benefited from the assistance of other local Scottish gentry. Alexander Whitelaw was an eager ally, offering in December 1547 to "ride on" those who refused to take assurance.⁷⁸⁷ Whitelaw's goods were ordered confiscated by the Scots in February 1548 and given to Alexander Guthrie. Given that letters summoning him were again

⁷⁸¹ *The register of the Privy Seal of Scotland* 3: 389; *Accounts of the Lord High Treasurer of Scotland* 9:12; *Calendar of State Papers relating to Scotland*, 1:102.

⁷⁸² DCA Burgh and Head Court Book 1561-2, f75-75v.

⁷⁸³ *Calendar of State Papers relating to Scotland*, 1:102; *The Scottish Correspondence of Mary of Lorraine*, 203; Bardgett, *Scotland Reformed*, 27.

⁷⁸⁴ *Calendar of State Papers relating to Scotland*, 1:38-39; Maxwell, *The History of Old Dundee*, 25.

⁷⁸⁵ *Accounts of the Lord High Treasurer of Scotland* 9:15, 270; Merriman, *The Rough Wooings*, 332.

⁷⁸⁶ Bardgett, *Scotland Reformed*, 55.

⁷⁸⁷ *Calendar of State Papers relating to Scotland*, 1:52.

issued in March, with the directive that the messenger bring two witnesses with him, it is possible that the crown found it difficult to enforce this particular condemnation.⁷⁸⁸ Whitelaw left Broughty in early 1549, and thereafter served the English on the Borders.⁷⁸⁹ Other Scots stayed behind and had to come to terms with the authorities. Andrew Balfour of Monquhany paid £240 for his assistance to the English in Broughty.⁷⁹⁰ William Durham of Grange paid £225 for communicating with the English in February 1548-9, and Thomas Maule, junior of Panmuir, paid £144 10s.⁷⁹¹ Henry Lovell of Ballumby and his brother David also obtained remissions, though it is not known how much they paid. Whatever the amount, it cannot have been too detrimental to the Dundonians, for David was admitted to the burgess roll in 1551.⁷⁹² John Scrimgeour, who as provost had signed the assurance with the English in 1547 saw his lands and his castle at Dudhope seized by Arran, and retired to Argyll.⁷⁹³

Townsppeople also aided the English. Over the winter of 1547-8 Scots were happy to work for the English, for what the invaders thought were low wages of 5d (English money) a day. Like Durham, Thomas Stewart sailed away with his wife and children on English ships (though he left earlier, in January 1547-8), and the following March the crown gave all his goods to Mathew Hamilton of Mylburn, captain of Blakness castle.⁷⁹⁴ After fleeing Dundee, Stewart wrote Luttrell, probably in 1548, thanking him for his help but asking to be refunded the money he had lent or spent in Broughty.⁷⁹⁵ He wrote again to ask for Luttrell's assistance in regards to his brother, who seems to have been taken prisoner.⁷⁹⁶ In March 1549-50, Thomas Thane had his goods confiscated for communicating with Stewart, still considered a fugitive.⁷⁹⁷ Thane had been made a burgess and a Guild member in or about 1527.⁷⁹⁸ Stewart had not returned in 1552, when his mother was forced to give up the goods of her late husband, which belonged to Thomas and so

⁷⁸⁸ *Accounts of the Lord High Treasurer of Scotland* 9:287, 293; *The register of the Privy Seal of Scotland*, 4:21.

⁷⁸⁹ Merriman, "The assured Scots," 24.

⁷⁹⁰ *Accounts of the Lord High Treasurer of Scotland*, 9:12.

⁷⁹¹ *Accounts of the Lord High Treasurer of Scotland*, 9:13; *The register of the Privy Seal of Scotland*, 4:14.

⁷⁹² *The register of the Privy Seal of Scotland* 4:17; DCA Burgess Roll, 34v.

⁷⁹³ Scrimgeour had also defended the Protestant printer John Scot. Maxwell, *Old Dundee...Prior to the Reformation*, 234; Bardgett, *Scotland Reformed*, 55.

⁷⁹⁴ *Calendar of State Papers relating to Scotland* 1:67; *The register of the Privy Seal of Scotland*, 4:22.

⁷⁹⁵ *The Scottish Correspondence of Mary of Lorraine*, 225.

⁷⁹⁶ *The Scottish Correspondence of Mary of Lorraine*, 270.

⁷⁹⁷ *The register of the Privy Seal of Scotland*, 4:34.

⁷⁹⁸ DCA Burgess Roll, f25v.

therefore passed to Mathew Hamilton.⁷⁹⁹ He may have returned by February 1558-9, when an inquest found him to be son of William Stewart; this inquest may have occurred for other reasons without his presence, however.⁸⁰⁰ In the summer of 1548, after Stewart's departure, Luttrell found a (unnamed) wealthy Scotsman, the 'King's servant' who had a pension of £50, and who lent cloth to the English soldiers and money, a total of £70, to build the fortifications.⁸⁰¹

Other burgesses had their goods seized for accompanying the English in November 1548 when they burned the town. David Gardin, burgess of Dundee, had his goods seized and given to John Doddiss on account of his "coming in company with our old enemies of England to the burgh of Dunde upon the ix day of November last bypast, taking their plane part, and setting of fire in a great part of the said burgh, and [taking] forth of the same diverse goods and gear pertaining to the inhabitants thereof."⁸⁰² He may also have fled, for there is nothing about him in the records following 1550.⁸⁰³ In April the goods of Robert Carmannow, burgess of Dundee, were seized for his "treasonable art and part taking with our old ennemies of England, supplying, [fortifying] and assisting to their burning and destroying the burgh of Dunde, intercommoning with the said enemies, showing of the secrets of this realm to them and daily going and riding with them to their defense and subversion of the realm:" they were given to John Doddiss and Antone Kennedy to share.⁸⁰⁴ Robert was perhaps the son of the Robert Carmannow who signed the charter establishing Holy Blood altar in 1515, but otherwise not much is known about him. Like David Gardin, perhaps he also fled from vengeful neighbours.

The town council had also made an agreement with the English, albeit at gunpoint. Many of the town councillors who assured to Dudley, promising to assist the English and promote Protestantism, would dominate burgh politics throughout the 1550s, and at least three of them were sympathetic or supportive of new religious ideas.⁸⁰⁵ Their initial delay in assuring with the

⁷⁹⁹ DCA Burgh and Head Court Book 1550-4, f171v.

⁸⁰⁰ DCA Burgh and Head Court Book 1558-1561, f50.

⁸⁰¹ *Calendar of State Papers relating to Scotland*, 1:124.

⁸⁰² *The register of the Privy Seal of Scotland*, 4:20.

⁸⁰³ If we assume that he was not the same person as David Gardin, litster.

⁸⁰⁴ *The register of the Privy Seal of Scotland*, 4:33.

⁸⁰⁵ A Robert Anderson had been convicted of heresy in 1538, George Lovell had been suspected of hanging an image of St Francis in 1536, was summoned in July 1558 to Edinburgh to face charges of "wrongful using and [discussing] of Scripture, and for disputing upon erronus opinions and eating of flesh in Lent and other forbidden times" and at some

English suggests that for them, an interest in religious reform did not necessarily imply sympathy for the Protestant English. Despite a further report by Dudley in 1547 that “most of the honest and substantial men favour the Word of God and would be glad to become English” (although in the same letter he asks whether Dundee men could still travel to France, or Frenchmen to Dundee), the activities of many of the townspeople, forced to collaborate with the English and to make the best of a bad lot, should be distinguished from the willing collaboration of Durham, Gray, Stewart and others.⁸⁰⁶ Many of them likely assured out of fear or hope for a ‘quiet’ life. The Dundonians may have been willing to hear the Bible preached and listen to ideas about religious reform, but there is no indication that the militantly Protestant, pro-English faction around Durham and Gray had broad support. What support there was had certainly disappeared by November 1548.

Like the gentry, the burgesses were also penalised for their cooperation. Thomas Forester was the first on record to receive a remission, in June 1548, though it is not known how much he had to pay.⁸⁰⁷ He was probably a merchant; one Thomas Forester was Dean of Guild in 1538 and a delegate to the Convention of Royal Burghs in 1539, and died sometime before 1551, leaving lands owing an annual of four merks to the Almshouse. After receiving his remission in June 1548, he was sent back to Dundee in company of Master John Forsyth to recruit military pioneers (proto-engineers).⁸⁰⁸ In January 1548-9 a messenger was sent to Dundee to summon certain men “that spoiled the town after the burning to underly the law.”⁸⁰⁹ Perhaps as a result of this mission, James Lovell paid a fine of one pound, his remission specifying that he had traded with the English.⁸¹⁰ This was not surprising as he was a merchant, and had earlier been accused of heresy, which perhaps explains his desire to get quickly back into the crown’s good graces. He had assured with the English as a member of the town council, and perhaps did not have much choice in that particular matter. This payment of one pound, however, did not get him off the hook

point in 1559-60 would lend £120 to the Lords of the Congregation. James Lovell was forced to abjure heresy in 1539. *The register of the Privy Seal of Scotland* 2:396, 447; *Accounts of the Lord High Treasurer of Scotland* 6:307, 10:369; DCA Burgh and Head Court Book 1561-2, f12v.

⁸⁰⁶ *Calendar of State Papers relating to Scotland*, 1:35.

⁸⁰⁷ *The register of the Privy Seal of Scotland* 3:449.

⁸⁰⁸ *Records of the Convention of Royal Burghs of Scotland*, 515; *Accounts of the Lord High Treasurer of Scotland* 9:214; DCA Burgess Roll, 29; DCA Burgh and Head Court Book 1550-4, f80.

⁸⁰⁹ *Accounts of the Lord High Treasurer of Scotland*, 9:272.

⁸¹⁰ *The register of the Privy Seal of Scotland*, 4:12.

during the trial which would take place in 1552-3. In February 1548-9, the crown seized the goods of James and gave them to Alexander Inglis. Hay had been admitted a burgess in 1535, and served on the town council in 1550 and thereafter throughout the 1550s, so his activities were not held against him by his fellow burgesses. The following March the crown also confiscated the goods of Andrew Myln. The second son of Robert Myln, not much is known about him, though the burgh owed him money throughout the 1550s, apparently on rent for the mill, tolbooth and other common goods, which had perhaps been bought by his father.⁸¹¹

Poorer men also had to account for their activities. In 1551 David Daw, John Daw, John Davidson, James Davidson and William Annand paid a pound, probably combined, for assisting the English.⁸¹² John Davidson may have been the same man who was admitted burgess in 1552, and was divorced from Jonet Gilchrist in 1556, refunding a dowry of £40 and a stand of clothes.⁸¹³ James Davidson served on an inquest and in 1557 appointed David Wedderburn younger his procurator in his effort to be made heir to Andrew Davidson.⁸¹⁴ It is possible that these men either traded with the English, or perhaps some of the poorer men were among those who worked on their fortifications. Their collaboration was minor enough that they were not ostracized by their neighbours.

Many more Dundonians would pay penalties in March 1552(3) when the Earl of Argyll, as chief justiciar, spent twenty-two days in Dundee, eventually charging and fining 193 men for a variety of acts dating back to 1543. Principally they were charged with assuring with the English in Broughty Castle, and for assisting the men who murdered Cardinal Beaton, principally by “entertaining” and “providing them with victuals.” They were further charged with the attacks on the friaries in 1543 “in company with Henry Durham and his accomplices,” and going on to besiege Perth and killing several people there, and for assisting the “late John Charteris of Cuthelgurdy and his accomplices” in their attack on the castle of Kirkhill, after which they drowned “the lady thereof,” and killing seven French and Italian soldiers of the company of the Prior of

⁸¹¹ DCA Burgh and Head Court Book 1550-4, f10; DCA Burgh and Head Court Book 1558-1561, f132.

⁸¹² *The register of the Privy Seal of Scotland* 4:130; *Accounts of the Lord High Treasurer of Scotland*, 10:9.

⁸¹³ DCA Burgh and Head Court Book 1555-8, f54.

⁸¹⁴ DCA Burgh and Head Court Book 1555-8, f112.

Capua after the siege of St Andrews.⁸¹⁵ Those accused denied the charges “and were by a worthy assize acquitted,” though they did collectively pay the staggering sum of £3, 938, or about £20 per person if the fines were spread out equally.⁸¹⁶

The nature of the collective accusation makes it difficult to discern the extent of the participation of any given individual. The most militant Protestant leaders, especially Henry Durham, had fled at the end of the English occupation, and the accusation was careful to emphasize that the Dundonians had assisted or accompagnied acts led by others: they “accompagnied” Henry Durham and his “accomplices;” they assisted John Charteris; they provided Beaton’s assassins with supplies. The only acts the Dundonians were solely responsible for were the killing of the seven soldiers and assuring with the English.⁸¹⁷ Skirmishes between townspeople and marauding soldiers, even though nominally on the same side, were quite common during the period; and, as we have seen, the assurances with the English were hardly voluntary. Of course, faced with such serious charges it was an easy escape to accuse absent men of being the ringleaders.

A significant number of the influential men in the town were not charged (only fourteen of the twenty-six most prominent men were charged), so the accusations must have had some basis in fact and were not simply a shakedown of the wealthiest and most prominent. Many of those accused were bakers (25), butchers (12) and ironworkers (5), and it is likely that they were accused of provisioning the English and the Castilians, without necessarily participating actively themselves. Only five of the eleven men who signed the assurance with Dudley on October 27 1547 were among those listed, so assuring with the English alone was not sufficient to be charged.⁸¹⁸ Some of the men may have been those who laboured on the English fortifications, though given that at least 146 out of the 193 charged were burgesses, it is unlikely that they

⁸¹⁵ “Indictment of Certain Dundee Burgesses on Charges of Riot and Treason” trans. A. Maxwell, in Alexander Maxwell, *Old Dundee, ecclesiastical, burghal and social, prior to the Reformation*. (Dundee: William Kidd, 1891), 393-395; DCA, TC/CC 1/54.

⁸¹⁶ By comparison, a skilled labourer could earn about £10-15 a year, and £20 seems to have been the minimum salary for a ‘professional’ such as a priest.

⁸¹⁷ “Indictment of Certain Dundee Burgesses on Charges of Riot and Treason.”

⁸¹⁸ “Indictment of Certain Dundee Burgesses on Charges of Riot and Treason.”

would have agreed to do manual labour for five pennies a day.⁸¹⁹ It seems likely, therefore, that those charged either traded with the enemy or were involved with the attacks organized by Henry Durham and John Charteris. Though the fines were stiff, the absence of any more severe punishments makes it plausible that anyone who was deeply implicated would have already fled either with the English or to the Continent, leaving behind sympathisers but not ringleaders. Of course, it may be simply that the Crown thought the Dundonians were worth more alive than dead. If so, the townspeople learned their lesson and kept their head down during the following years.

Following the devastation caused by the English, one can imagine that the townspeople of Haddington and Dundee were thoroughly fed up with the English, who did not follow through on their promises to promote Protestantism, failed to defend their towns against Scottish and French forces, and were finally themselves responsible for their destruction. In Dundee especially they must have been enraged with the Scots who sided with the invaders, especially those such as Durham, Whitelaw and Stewart who fled and left the others to deal with both reconstruction and government reprisals. While Ryrie observes generally that “Scottish Protestants were discredited by association” with the English, it appears that this is particularly true of Dundee.⁸²⁰ In addition to the important individuals identified, this hardline Protestant faction included the kin and clients gathered around Scrymgeour and Lord Gray, who in 1543 mustered 300 followers.⁸²¹ The opprobrium which fell upon this group following the burning of Dundee by the English surely must have neutralized many of the more active early Protestants.

Damage and recovery

In both towns war and plague clearly left a great deal of damage to repair. Men and women were dead, land was laid waste and public buildings were in ruins. The economies of the

⁸¹⁹ Although 5d in English money would have been good pay in a war-ravaged town.

⁸²⁰ Ryrie, *The Origins of the Scottish Reformation*, 8.

⁸²¹ Bardgett, *Scotland Reformed*, 30.

towns would not regain the heights of the 1530s and early 1540s for several decades – indeed, Haddington’s export trade was almost completely wiped out. In both towns the court books were destroyed, making the enforcement of agreements and rent collection in the next decade difficult.⁸²² The devastation to the towns was such that on 11 September 1551 Parliament passed an act concerning “burnt lands and tenements within the burgh of Edinburgh and other burghs.” The act specified that anyone who was owed an annual and contributed to rebuilding the tenement would receive the whole annual once the rebuilding was complete: for owners who did not contribute, 1/4 to 1/6 of the annuals were to be deducted, depending on the form of annual owed. Tenements which were not completely burnt should pay “proportional according to the third penny of the yearly value of the tenement.”⁸²³ Over the next decade, both towns would put considerable resources into repairing the damage, as best they could.

Haddington

The toll of plague and wars on Haddington’s inhabitants can be seen through attempts to recover rents. Of the sixty-eight repossession cases brought before Haddington’s burgh court in 1554, fifty-three were for tenements or lands whose owners were deceased. Rents had gone unpaid since the arrival of the English, a sure sign of the disruption of normal life; George Symson, in giving his account for the hangman’s acres which he rented from the town, deducted £3 for rent “in the Englishmen’s time they lying waste.”⁸²⁴ In other cases, where evidence was lost, witnesses testified about the rent paid until “the coming of ye Englishmen to this burgh.”⁸²⁵ As late as 1557 Katherine Wilson was pursuing Alane Bell for a meat almonry withheld “since the English were in this town.”⁸²⁶ In November 1552 the town council prohibited the export of stone or

⁸²² DCA Burgh and Head Court Book 1550-4, f105.

⁸²³ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds. (St Andrews, 2007-2013), A1552/2/30. Date accessed: 15 November 2013.

⁸²⁴ HAD/4/6/5 Haddington Court Book 1530-55, f257v.

⁸²⁵ Haddington Burgh Court Book 1555-60, f13v, 41.

⁸²⁶ Haddington Burgh Court Book 1555-60, f110.

slates from the town, as well as the moving of stone from one tenement to another.⁸²⁷ The church, which was the product of a century of rebuilding following the fourteenth century English invasions, had lost its roof, suffered broken windows and damage to the steeple, recieved a hole in the wall of the north aisle, and was scarred by cannon and bullet marks.⁸²⁸ It would take twelve years to rebuild, and at that only part of the church was repaired. The baxter craft had to go to court to recover its silver chalice, apparently held by Martin Wilson. It is possible that this chalice had been concealed since the wars, for after almost a year of wrangling in courts Martin Wilson finally agreed in March 1554-5 "to show where the challice of Sanct Cowbertis altar was and if it was redemable."⁸²⁹ Even at that he still failed to produce the chalice, and in July 1555 John Fowrrois promised to recover the chalice from Martin Wilson by next April, or pay £40.⁸³⁰ As a small recompense, in August 1559 the burgh received the gift of all gear left behind by the English, artillery excepted.⁸³¹

It is likely that the failure to recover economically during the 1550s was still a result of the wars, as the herds of livestock needed to be restocked before they could once again be slaughtered for export on a large scale. An act passed by the Convention of Royal Burghs acknowledged that "there is divers and sundry burghs of this realm that through the occasion of the said war, pest, and troubles, that are depaupered and poor and decayed at this time."⁸³² As a result, Haddington was one of six towns asked to revise the tax roll. The outcome of the revision was that out of a tax of £10,000 raised in 1557, Haddington, on account of its "great ruin poverty and decay" had its contribution reduced from £303 12s to £106 3s, the remainder being taken up by the other burghs.⁸³³

Burgh infrastructure had to be rebuilt at considerable expense. In 1554 a total of £38 was paid for repairing the clockhouse, along with £2 for a clock.⁸³⁴ The same year two pounds were

⁸²⁷ HAD/4/6/5 Haddington Court Book 1530-55, f234.

⁸²⁸ Marshall, *Ruin and Restoration*, 21.

⁸²⁹ HAD/4/6/5 Haddington Court Book 1530-55, f270, 271, 273, 288, 288v; HAD/4/2/3/1 Haddington Court Book 1555-60, f8v-10.

⁸³⁰ HAD/4/2/3/1 Haddington Court Book 1555-60, f10.

⁸³¹ *The register of the Privy Seal of Scotland*, 4:138.

⁸³² *Records of the Convention of Royal Burghs of Scotland*, 6-7.

⁸³³ *Records of the Convention of Royal Burghs of Scotland*, 525-6.

⁸³⁴ Paton "Haddington Records: Books of the Common Good," 49.

spent on building a sluice for the mills.⁸³⁵ In 1557, another £30 were spent on a bell for the clock.⁸³⁶ John Forrest, one of the renters of the town's mills, was paid £170 10s by the burgh for rebuilding the mills and dams "after the departing of the Englisemen;" John Ayton, the other feuar, received £201 23d for the same work, as well as for building trenches and putting up pavilions before the arrival of the English.⁸³⁷ In April 1557 the town was divided into four quarters and each householder was required to come on a festival day to clear the passage of the "loch burn" behind St Anne's chapel.⁸³⁸ Work repairing the Tolbooth also took place in 1557, 1558 and 1559.⁸³⁹ It is hard not to imagine the apprehension the Haddingtonians must have felt as war, and accompanying English and French armies, reappeared just as these rebuilding efforts reached fruition.

Dundee

The town suffered so much during the wars that while the English commanders were pleading for Protestant books with which to win the allegiance of the population, the local printer left town and moved to Edinburgh.⁸⁴⁰ The extent of the damage caused by the wars can also be seen by the reconstruction efforts. War damage to the ornaments and valuable possessions of the church, however, was probably minimal, as these items would have been hidden before the start of fighting. St Mary's itself was not so fortunate. The nave and transept had been destroyed, the chancel was defaced and spoiled, and the tower, while still standing, had been burnt and was much damaged. The Council sought to resume divine services as soon as possible and immediately started repairing St Mary's church. The townspeople salvaged what they could by simply walling the choir off from the rest of the ruined church and repairing the roof.⁸⁴¹ Fines for

⁸³⁵ Paton "Haddington Records: Books of the Common Good," 49.

⁸³⁶ Paton "Haddington Records: Books of the Common Good," 54.

⁸³⁷ Paton "Haddington Records: Books of the Common Good," 50.

⁸³⁸ HAD/2/1/2/1 Burgh Minutes 1554-80, f12v.

⁸³⁹ Paton "Haddington Records: Books of the Common Good," 52, 56, 58.

⁸⁴⁰ Maxwell, *The History of Old Dundee*, 69.

⁸⁴¹ Maxwell, *The History of Old Dundee*, 74, 248.

breaking burgh statutes were directed to church repairs, and others were directed to the harbour work.⁸⁴²

Further measures to restore the pre-war functioning of the church and divine services were taken on 31 December 1551, when the council, provost and craft deacons, meeting in Provost Haliburton's lodging, passed certain acts concerning the "reparing and decoration of their mother kirk" and resolved to restore the old privileges of burying people in the church and choir with bells ringing "not with standing the spoliation and away taking of our bells be our old ennemies of England."⁸⁴³ They quickly became impatient with those who refused to accept the return to normalcy, and on 11 January, 1551-2, ordered all burgesses to return and live in the burgh, and to participate in their duties of taxation, walking and warding, under threat of losing their burgess rights.⁸⁴⁴ The council started importing wood from the Baltic and in October 1552 hired Patton Blak, wright, to build cuppils (sloping rafters) in the church.⁸⁴⁵ Shortly after, in November, they convinced the Abbott of Lindoris to contribute £500 towards church repairs, to be paid in instalments.⁸⁴⁶ In December, eight men were ordered to make themselves available, summer or winter, to work on the church.⁸⁴⁷

This reconstruction must have proceeded quite quickly, for on 31 January, 1552-3, Patton Blak the wright was given a bonus of ten merks for having completed the work he was contracted for the previous October, that is the "binding of the cuppilis of the choir and making of skaffattis [scaffolds?] there to and to ye completing of the east window of the choir to the end there of."⁸⁴⁸ The provost, baillies and councillors then ordered the Dean of Guild to prepare the Holy Blood altar to receive divine service, "where it was of before" and to name a chaplain to serve at the altar. At the same time, the crafts were ordered to prepare their altars to be used as indicated in

⁸⁴² DCA Burgh and Head Court Book 1550-4, f94v.

⁸⁴³ DCA Burgh and Head Court Book 1550-4, f126.

⁸⁴⁴ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f2v.

⁸⁴⁵ Maxwell, *Old Dundee...Prior to the Reformation*, 125; DCA Burgh and Head Court Book 1550-4, f190v.

⁸⁴⁶ DCA Burgh and Head Court Book 1550-4, f197v.

⁸⁴⁷ DCA Burgh and Head Court Book 1550-4, f202v.

⁸⁴⁸ DCA Burgh and Head Court Book 1550-4, f210v.

their letters of craft.⁸⁴⁹ As late as March 1556-7 the bakers decided to divert fines to the repair of St Cobett's altar.⁸⁵⁰

The final touch decreed at the January 1553-4 head court meeting was the decision to levy a tax of £200 for the purchase of a new bell. Once installed, this bell was to ring freely for the death of any neighbour (not just burgesses); the only fee was to be 12 pence paid to the sacristan.⁸⁵¹ Obtaining the bell was a complicated matter, however, and in September 1557 James Forester, the kirkmaster, was authorized by the Council to exchange the bell which had been purchased by James Rollok (3) for a bigger one, either in Flanders or wherever he thought best.⁸⁵²

1550s: The threat of war persists

The townspeople still had reason to fear the return of war even after the English were defeated in 1550. Despite the harrowing experience of the 1540s, demands for military contributions were still being made on Haddington throughout the 1550s. Only months after the English occupation was ended, in December 1549 "all manner of men" were once again summoned from Haddington to resist the English.⁸⁵³ In January 1549-50 they were ordered to the siege at Broughty, and in March to meet the governor at Edinburgh.⁸⁵⁴

In 1552 an army was mustered at Haddington, and in December the Haddingtonians, along with the rest of Scotland, were ordered to contribute one footman to a delegation to France for every forty merks of land, although this order was rescinded the next month.⁸⁵⁵ In September 1553, "lords, lairds, gentilmen and other substancious yeomen, both to burgh and to land" were to meet the governor in Jedburgh with twenty days provisions.⁸⁵⁶ In July 1554 the inhabitants of

⁸⁴⁹ DCA Burgh and Head Court Book 1550-4, f205v.

⁸⁵⁰ DCA Baxter Craft Lockit Book, f7.

⁸⁵¹ DCA Burgh and Head Court Book 1550-4, f277v.

⁸⁵² DCA Burgh and Head Court Book 1555-8, f69v.

⁸⁵³ *Accounts of the Lord High Treasurer of Scotland*, 9:362.

⁸⁵⁴ *Accounts of the Lord High Treasurer of Scotland*, 9:369, 389.

⁸⁵⁵ *Accounts of the Lord High Treasurer of Scotland*, 10:147, 154.

⁸⁵⁶ *Accounts of the Lord High Treasurer of Scotland*, 10:211.

Haddington, along with those of Berwick and Lauderdale, were ordered to join up with the lord of Yester, apparently on an expedition against unruly subjects in the Borders.⁸⁵⁷ Sir Adam Brown chaplain, along with some others, captured two Englishmen in Haddington in the winter of 1556-7, taking from them their weapons, horse and a dog.⁸⁵⁸

Fears of English invasion continued throughout the decade; when John Ayton and John Forrest rented the burgh mills for 310 merks in 1557, the agreement included a clause that the council would rebate the fee for each day left in the term, should "the said mills or any of them to be burnt and destroyed by Englismen."⁸⁵⁹ In March 1558 all men between the ages of sixteen and sixty were summoned at gather at Langton with 15 days provisions, and at the same time the brewers and bakers of Haddington and other burghs were to provide the army with bread and ale.⁸⁶⁰ Further summonses went out in June and July.⁸⁶¹ Another summons, of all men between sixteen and sixty went out in August, shortly after countermanded by an order to wait upon James, the Earl of Morton.⁸⁶² In 1558 the town spent a total of £9 on a watchmen on the tolbooth head, who served nightly from Michelmas to Candlemas.⁸⁶³ The following March, letters were sent to Haddington and other towns ordering the towns to shelter "certain men of war with their captains."⁸⁶⁴ These may have been the French soldiers fed by the Haddingtonians from 10 March 1558-9 to 18 May 1559. In April 1559 the council provided five legs of beef and two swine "to the French men," and in August 1559 a delegation was sent to Edinburgh to try to reclaim the £320 still owing to the townspeople for supplying them.⁸⁶⁵ Although the decade turned out to be nowhere as violent as the 1540s, this was still a marked increase in defence spending over the activity of the 1520s and 1530s. The constant stream of summonses, warnings and demands for supplies must have been exhausting, especially for a burgh still struggling to recover.

⁸⁵⁷ *Accounts of the Lord High Treasurer of Scotland*, 10:226.

⁸⁵⁸ Haddington Protocol Book 1548-65, f168v.

⁸⁵⁹ HAD/2/1/2/1 Burgh Minutes 1554-80, f15.

⁸⁶⁰ *Accounts of the Lord High Treasurer of Scotland*, 10:342.

⁸⁶¹ *Accounts of the Lord High Treasurer of Scotland*, 10:359, 375.

⁸⁶² *Accounts of the Lord High Treasurer of Scotland*, 10:383, 388.

⁸⁶³ Paton "Haddington Records: Books of the Common Good," 57.

⁸⁶⁴ *Accounts of the Lord High Treasurer of Scotland*, 10:419.

⁸⁶⁵ HAD/2/1/2/1 Burgh Minutes 1554-80, f20-20v.

In Dundee, as early as August 1550 the burgh was taxed 304 crowns, the second-highest contribution after Edinburgh, towards the peace embassy.⁸⁶⁶ Throughout the decade French soldiers were garrisoned at Broughty, and occasionally had disputes with the townspeople; in December 1551 some Frenchmen were accused of stealing a burgher's kale, and threatening the burgh's officer at sword point when he intervened. The matter was put off until Provost Haliburton's return, and presumably he reached a diplomatic solution, as nothing more is recorded of the incident.⁸⁶⁷ Sometimes it was the burghers who were in the wrong; in January 1554-5 Patrick Gray was ordered to pay £11 10s to "John du Wykace, Frenchmen of the fort" unless he could prove him to have been already paid.⁸⁶⁸ A more violent episode was briefly recorded in May of 1555 when the Lyon herald, Bute pursevant and other royal servants travelled to Broughty to hold a trial of "the slauchter between the Scots and Frenchmen."⁸⁶⁹ It is possible that the Dundonians were growing weary of the French garrison, which may have made them willing to return to war in 1559, running the risk of renewed violence to rid themselves of the nearby soldiers.

Conclusion

During the 1550s Scots everywhere began to assess the damage of the previous decade and consider solutions to the disasters that had occurred. It was not just George Wishart who saw God's hand in the plague and wars. Sir David Lindsay, in *Dialogue Betwix Experience and ane Courteour*, written about 1552, wrote

"That, for the brekyng of the Lordis command,
His Thrynfald wande of Flagellatioun
Hes Scurgit this pure Realm of Scotland,
Be mortall weris baith be sey and land,
With many terrible trybulatioun.

⁸⁶⁶ *Records of the Convention of Royal Burghs of Scotland*, 519.

⁸⁶⁷ DCA Burgh and Head Court Book 1550-4, f130.

⁸⁶⁸ DCA Burgh and Head Court Book 1550-4, f362v.

⁸⁶⁹ *Accounts of the Lord High Treasurer of Scotland*, 10:277.

Therefor mak to thame trew narratioun,
 That al thir weris, this derth, hunger, and Pest
 Was nocht bot for our Synis manifest.”⁸⁷⁰

In the sane vein, he specified idolatry and bad behaviour among the nobility and the clergy as the causes of God’s anger which would continue until they mended their ways, though if the people repented, God would look favourably on them:

“Declare to thame, this mortall miserie,
 Be sweird and fyre, derth, pest, and pouertie,
 Proceedis of Syn, gyf I can rycht discryve,
 For laik of Faith, and for Ydolatrie,
 For fornicatioun, and for Adultrye,
 Off Princis, Prelatis, with mony ane mari & wyve.
 Expell the cause, than effect belyve
 Sall cease; quen that the people doith repent,
 Than God sall slak his bow, quhilk yit is bent.”⁸⁷¹

The author of the *Complaynt* wrote that “there is no thing in this world that comes on mankind as prosperity or adversity, but all proceeds from the divine power.”⁸⁷² Considering

“the cruel dolorous destruction of our noble barrons, and of many others
 of the three estates, be cruel and unmerciful slauchter, and also by
 most extreme violent spoiling and hardship of there movable goods in
 great quantity, and also our old enemeis, by treasonable sedition,
 taking violent possession of ane part of the strengths and castle of the
 border of our realm, and also remain with in the plain man lands far

⁸⁷⁰ This could be read as:

“That, for the breaking of the Lordis command,
 His Threefold wand of Flagellatioun
 Hes Scurgit this pure Realm of Scotland,
 By mortall waris both by sea and land,
 With many terrible trybulatioun.
 Therefor make to them true narratioun,
 That all their wars, this death, hunger, and Pest
 Was not but for our Sins manifest.” Lindsay, *Works*, Parts I-IV, p.2, line 47-54.

⁸⁷¹ “Declare to them, this mortal misery,
 Be sword and fire, death, pest, and povertie,
 Proceeds of Sin, if I can right describe,
 For lack of Faith, and for Idolatrie,
 For fornicatioun, and for Adultrye,
 Off Princis, Prelatis, with many ane mari & wife.
 Expell the cause, than effect believe
 Shall cease; when that the people doth repent,
 Than God shall slak his bow, which yet is bent.” Lindsay, *Works*, Parts I-IV, p3, line 64-72.

⁸⁷² Wedderburn, *The complaynt of Scotland*, 17.

with in our country, and violently possessing an certain of our burghs,
villages and castles”

he was inspired to study the Bible, which revealed that “the divine indignation has decreed an extreme ruine on our realme, but if that we retire from our vice, and also to become vigilant to seek hasty remedy and medicine at him who gives all grace and comfort to them that are most destitute of men’s supple.”⁸⁷³ Pittscottie, for his part, attributed the wars, and Arran’s eventual downfall as governor, to his permitting the prosecution of George Wishart, saying “though I can not tell at this present nothing bot God’s ire and wrath to fall upon that realm that wants an good man and wit to governe it.”⁸⁷⁴

The burghers of Dundee and Haddington, surveying their burnt towns and ravaged communities, must have wondered what they had done to bring such misfortunes upon themselves. It is impossible to know if they shared the opinions of Lindsay, Pittscottie and the author of the *Complaynt* (though if it really was Robert Wedderburn, Vicar of Dundee, we can be sure the Dundonians would have heard his opinions), but it is hard to imagine them not thinking their tribulations were God’s punishments. These punishments were not necessarily over. Through the 1550s the pace of economic recovery was miserable, the threat of war remained and the plague could come back at any moment. Though the burghers of the town immediately restored their Catholic religious services, they must have pondered Wishart’s prophecies and listened a little more attentively to those who identified idolatry and misbehaviour as the source of God’s anger.

⁸⁷³ Wedderburn, *The complaynt of Scotland*, 18.

⁸⁷⁴ Pittscottie, *The historie and cronicles of Scotland*, 2:115.

CHAPTER 7: Reformation

Historians of the Scottish Reformation have often emphasized the role of high politics in the rebellion of 1559-60 and the resulting establishment of Protestantism.⁸⁷⁵ Certainly, the military conflict that became known as the War of the Congregation would not have been a Protestant victory, and would probably never even have begun, if not for the support of many nobles and lairds. A focus on high politics, however, risks ignoring the change in mood among many Scots during the 1550s. It is clear that many Scots were seeking, and others must have expected, some kind of religious reform. The Catholic church launched a series of measures intended to restore clerical discipline, improve relations with the laity and better educate them in the fundamentals of their faith – fundamentals defined, some historians have noted, in a manner which created the possibility of compromise with moderate Reformers.⁸⁷⁶ These reform efforts may have increased lay anxiety about social behaviour and discipline. The Parliament of 1552 passed acts against adultery and other misbehaviour, measures which would be reinforced at the burgh level later in the decade, at least in Dundee. It is possible that these disciplinary measures were a reaction to the plague and war which had struck Scotland during the 1540s. A growing sense of unease about Catholic practices and a desire for stricter punishment of misbehaviour may have increased the appeal of Protestantism among Scots who hoped for an end to God's wrath.

By the second half of the 1550s the regent, Mary of Guise, was considering some form of religious changes, although she never got around to calling an assembly or parliament to deal with the issue. Ultimately, either through misunderstanding or by deliberate provocation, the Dundonians, among others, introduced religious reforms beyond what she was willing to tolerate. The resulting confrontation turned into a full rebellion, during which Dundee halted the civic practice of Catholicism and introduced a burgh-sponsored Protestant regime. Haddington, which

⁸⁷⁵ Cowan, *Reformation*, 109; 111; Jane E.A. Dawson, *Scotland Re-formed, 1488-1587* (Edinburgh: Edinburgh University Press, 2007), 202; Ryrie, *The Origins of the Scottish Reformation*, 119-121, 129-135; Pamela E. Ritchie, *Mary of Guise in Scotland, 1548-1560: a political career* (East Linton: Tuckwell Press, 2002), 206-216, who argues that Mary acted to promote Mary Stewart's claim to the English throne.

⁸⁷⁶ Cowan, *Reformation*, 79-83; Ryrie, "Reform without frontiers" 41, 43, 47, 49-52; Cameron, "Catholic Reform in Germany and the pre-1560 Church in Scotland"; Kellar, *Scotland, England and the Reformation, 1534-61*, 121-135.

was evidently more content with Catholicism and less willing to engage in a confrontation, waited almost until the war was won by the Protestant Lords of the Congregation, and a Protestant regime fully established by the Reformation Parliament of 1560, before reforming their civic church.

The Catholic reforms were initiated by John Hamilton, Archbishop of St Andrews. Hamilton, half-brother to the Earl of Arran and supposedly at one time sympathetic to Protestantism, was appointed archbishop following the assassination of Cardinal Beaton in 1547. He emphasized reform as part of his strategy against heresy, and records of the measures passed survive from the provincial councils held in 1549, 1552 and 1559. The council of 1549 clearly indicated its concern with heresy, stating its desire “to restore tranquility and preserve complete unity in the ecclesiastical estate: intently observing how many heresies cruelly assail the Lord’s flocks committed to their pastoral care, and wishing utterly to extirpate the same, as it were, from the very roots.” The main problems, the attendees declared, were “the corruption of morals and profane lewdness of life” of the clergy and their “crass ignorance of literature and of all the liberal arts.”⁸⁷⁷ As a result, the council enacted legislation against priests who kept concubines, against priests who engaged in trade or farming and against extravagant clerical dress or diets. They attempted to ensure residency and increased preaching by bishops, rectors and designated preachers.⁸⁷⁸ At the same time, in a series of measures that indicate the contemporary areas of controversy, the council instructed the inquisitors of heresy to look out for those who criticized the mass, the intercession of saints, the usefulness of prayers and good works and the existence of purgatory, as well as for those who opposed images in churches and religious “fasts and feasts.” The council further called for searches to be made for “books of rhymes or popular songs containing calumnies and slanders defamatory of churchmen and church institutions” indicating the popularity of the type of songs contained in the *Godly Ballatis*.⁸⁷⁹ As they had in previous decades, the church hierarchy sought to eliminate new ideas

⁸⁷⁷ *Statutes of the Scottish Church 1225-1559*, 84.

⁸⁷⁸ *Statutes of the Scottish Church 1225-1559*, 89-91, 92, 98-101, 104-5, 199.

⁸⁷⁹ *Statutes of the Scottish Church 1225-1559*, 126-7.

being spread by their own ranks, ordering that “if, which God forbid, a preacher should spread errors or controversies amongst the people, the bishop shall interdict his preaching even though he preach in a monastery of his own or of another order.”⁸⁸⁰ The cells of monks were to be searched for heretical books.⁸⁸¹ As in earlier decades, the preaching of reforming ideas by Catholic clergy may have emphasized the need for changes even among Scots who considered themselves loyal Catholics.

Some of these decrees, especially concerning preaching, were restated by the provincial general council of 1551-2.⁸⁸² This council shifted its attention to the laity, and complained of low attendance at mass, calling on curates to note the names of the absent.⁸⁸³ Those who misbehaved or did not take mass seriously were also to be punished (according the will of the bishops’ officials), and trade in churchyards and at church doors was also prohibited on Sundays.⁸⁸⁴ The most significant move by the council, however, was to commission a catechism to further educate the laity.⁸⁸⁵ This catechism was to be read to the parishioners for thirty minutes each week.

The resulting text was written in the vernacular with frequent biblical references, which might be seen as a response to calls for preaching based on Scripture. The catechism discussed the Commandments, the Creed, the seven sacraments, the Pater Noster and, briefly, the Ave Maria. The Catechism also accords with George Wishart, Sir David Lindsay and the author of the Complaynt in emphasizing the physical, earthly consequences of disobeying God: “what are the plagues which God is wont and uses to send to the people for transgression of his commands? They are three in special, hunger, pestilence, and the sword, and repeated in sundry places of the auld testament.”⁸⁸⁶ On the other hand the catechism quoted Leviticus 26 and promised, on God’s behalf, that “If that you go in my laws, and keep my commands and do them, I shall give you rain in time convenient, the earth shall bring forth the corn, the trees shall be full of fruit, you

⁸⁸⁰ *Statutes of the Scottish Church 1225-1559*, 103.

⁸⁸¹ *Statutes of the Scottish Church 1225-1559*, 123.

⁸⁸² *Statutes of the Scottish Church 1225-1559*, 136-7.

⁸⁸³ *Statutes of the Scottish Church 1225-1559*, 139.

⁸⁸⁴ *Statutes of the Scottish Church 1225-1559*, 139.

⁸⁸⁵ *Statutes of the Scottish Church 1225-1559*, 143-7.

⁸⁸⁶ *The Catechism of John Hamilton*, 32.

shall eat your bread with abundance, and shall dwell in your land without fear.”⁸⁸⁷ Scots were expected to grasp that their behaviour had concrete, earthly consequences. Protestant preachers, however, could develop these themes just as easily as Catholics, and during the 1550s it was the Protestants who appeared more determined and energetic.

The catechism also emphasized the clergy's attempts to reclaim Scripture for the Catholics. By means of comparison with and contextualization of passages, Scripture was the first way to identify heresy ahead of the ancient doctors and decrees of the church councils.⁸⁸⁸ Those who listened attentively to the catechism being read may have caught the passage that “God almighty plagued the old Gentiles for their abominable idolatry.”⁸⁸⁹ The passage catechism emphasizes that images are acceptable so long as they encourage Christians to pray to God, rather than to the image itself.⁸⁹⁰ It is possible that some listeners did not grasp the distinction, and focused instead on the dire warnings of misfortune to fall on idolaters.⁸⁹¹

The catechism is also concerned with behaviour, emphasizing that “dancing, unnecessary drinking, wantonness, lecherous songs and touching, whoredom, card-playing and dicing and specially caroling and wanton singing in the kirk” should be avoided on Sundays.⁸⁹² The sin of ignoring the Sabbath “no doubt is one of the special causes of the calamities and great plagues and miseries which we feel daily among us send be the hand of God,” another issue raised by the Protestants as well.⁸⁹³ The catechism is notable, moreover, for downplaying the mass as a sacrifice and ignoring the Pope altogether.⁸⁹⁴ Although the text was designed to reinforce the Catholic faith of the laity, it brought up anxieties and hopes which Protestant preachers may have addressed more emphatically than the Catholic clergy.

Despite these efforts by the Catholic hierarchy, Protestants became more active and confident during the second half of the 1550s. The Catholic provincial council of 1558-9 opened

⁸⁸⁷ *The Catechism of John Hamilton*, 35.

⁸⁸⁸ *The Catechism of John Hamilton*, 46-47.

⁸⁸⁹ *The Catechism of John Hamilton*, 33.

⁸⁹⁰ *The Catechism of John Hamilton*, 52-3.

⁸⁹¹ *The Catechism of John Hamilton*, 57.

⁸⁹² *The Catechism of John Hamilton*, 68.

⁸⁹³ *The Catechism of John Hamilton*, 69.

⁸⁹⁴ The Right Hon. W.E. Gladstone, “Preface,” in *The Catechism of John Hamilton*, ii; Ryrie, “Reform without frontiers,” 35.

with an increased sense of urgency, ordering “in terms of the pious and gracious request of our most illustrious sovereign lady, the queen regent,[...] public procession be made on all Sundays, Wednesdays and Fridays, in all collegiate, parish and all other churches, to pray God for the happy issue of this our general provincial council, for the peace and tranquility of the commonwealth of this realm, and for the removal of errors and heresies.”⁸⁹⁵ The council continued with reforms, and renewed and strengthened injunctions against concubinage.⁸⁹⁶ The clergy slightly modified the hated mortuary dues, eliminating the dues for those with less than 20s and setting a rate of 1/5 for those with less than £10, but retaining the usual usage for those with estates over £10 as well as for burgesses and barons.⁸⁹⁷ The order that all parishioners attend the mass was also repeated. Paul Methven, the Protestant preacher in Dundee, and several other men were mentioned by name as having introduced a new form of baptism. In response the council introduced a special formula to be used by priests when baptizing those children who had received the Protestant sacrament, to ensure their proper christening.⁸⁹⁸ The council also emphasized that the eucharist and marriage could also only be performed by priests.

In introducing the reforming statutes and the Catechism Archbishop Hamilton and his advisors modeled themselves on Archbishop Hermann von Weid of Cologne, who in the 1530s attempted to reform Catholic practices in Cologne so as to include Protestants. Von Weid went so far as to commission Philip Melanchthon and Martin Bucer to establish a set of mutually acceptable religious practices and beliefs.⁸⁹⁹ The goal of the Scottish Catholics may also have been to appeal to many of those who were interested in reform but who were reluctant to leave the Catholic church. The major flaw in the Scottish Catholic effort was that Protestants offered stronger and better defined solutions to the same problems of inadequate preaching, lay sin and misbehaviour, the role of scriptural primacy and the meaning of the sacraments.

⁸⁹⁵ *Statutes of the Scottish Church 1225-1559*, 152.

⁸⁹⁶ *Statutes of the Scottish Church 1225-1559*, 163-5.

⁸⁹⁷ *Statutes of the Scottish Church 1225-1559*, 178-9.

⁸⁹⁸ *Statutes of the Scottish Church 1225-1559*, 186.

⁸⁹⁹ James K. Cameron, ‘“Catholic Reform” in Germany and the pre-1560 Church in Scotland.’ *Records of the Scottish Church History Society*, 20 (1979), 105-117, 105; Kellar, *Scotland, England and the Reformation*, 121.

The Parliament also demonstrated concern with misbehaviour among the Scottish population. The Parliament of 1552 introduced legislation against “execrations and blasphemy of the name of God” and those who disturbed divine service and preaching in the kirk, with a sliding scale of penalties from earls and prelates all the way down to bairns.⁹⁰⁰ A further act concerned adultery, focusing especially on “incorrigible” offenders who ignored spiritual sanctions “to the great peril of their own souls” who were to be outlawed. We do not know much about what specifically Protestant preachers were preaching during the 1550s, but if they were anything like Wishart’s prophecies or Knox’s writings, it is not surprising that between the writers, Catholic clerics, Protestant preachers and the Estates of Scotland, there was an urgent sense that the Scots had to reform themselves to avoid God’s anger.⁹⁰¹

It was in this climate of concern that during the second half of the 1550s, encouraged by committed Protestant preachers coming from Switzerland and England, reformers began to push for changes to religious worship throughout Scotland. Many of these men began to advocate the elimination of the mass and the introduction of new forms of sacraments, providing them with a more clearly Protestant identity than the earlier generation of reformers. Starting in 1558 some of them even began to administer sacraments independently of the Catholic church. Reformers spread the word in urban ‘privy kirks’ and noble and lairdly households. These nobles and lairds, in turn, corresponded and negotiated with Mary of Guise. Although the church hierarchy intermittently prosecuted some Protestants, others received protection from the temporal authorities. It was Mary of Guise who protected Knox from heresy charges in 1556, and Knox subsequently wrote to her, at the request of the Earls Marischal and Glencairne, to request that she might consider how to implement true worship and restrain the bishops’ persecution of

⁹⁰⁰ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds. (St Andrews, 2007-2013), A1552/2/7, A1552/2/8 Date accessed: 8 December 2013.

⁹⁰¹ Knox’s vehement style is well-known, but see as examples from his letter to Mary of Guise, published in 1558: “The Papisticall religion is a mortal pestilence, which shall assuredly bring to death eternall the bodies and souls from which it is not purged in this life” and, addressing Mary of Guise, “I look further, to wit, to the judgements of God, who hath begonne alredie to declare him selfe angrie with you, with your self and your posteritie, yea with the hole realme, above which it suld have ruled. Impute not to fortune, that your first two sonnes were sodenlie taken from you within six hours; and after, your husband reft, as it were, from life and honour, the memoriall of his name, succession, and royall dignitie perishing with him selfe.” Knox, *Works*, 4: 442, 452.

Protestants.⁹⁰² Despite Mary of Guise's apparent rejection of this letter, the Earl of Glencairne, Lords Lorne and Erskine and James Stewart wrote to Knox to report that they were no longer persecuted and that "we daily see the friars, enemies to Christ's Evangel, in less estimation both with the Queen's grace and the rest of the nobility of our realm," demonstrating the isolation of the conservative friars from a growing moderate group.⁹⁰³ Although they were not as radical as Knox would have liked, Scottish Protestants had clear hopes for a new religious settlement.

These relatively modest initial hopes were set out in the First Band of the Congregation, signed in December 1557 by the same nobles who were corresponding with Knox.⁹⁰⁴ The Heads which accompanied Band requested that public worship feature prayers and readings taken from the English Book of Common Prayer. They desired discussion and preaching of Scripture to be allowed in private homes until the regent would permit it publically.⁹⁰⁵ The signers of the Band declared themselves hostile to idolatry, though they did not yet call for the abolition of the mass specifically. It may have been a settlement similar to this that the Dundonians hoped to put into practice.

Becoming Protestant: Dundee

In 1558 Paul Methven began Protestant preaching in Dundee and the surrounding areas. Methven had previously studied in England, been expelled under Mary Tudor, and then become a teacher in Edinburgh's privy kirk. His arrival was the catalyst for the foundation of a Protestant congregation in Dundee, a development that must have placed the town council in an awkward position. On one hand, they had a history of sheltering religious dissent, and at least one senior member of the council, George Lovell, soon joined Dundee's congregation. On the other hand, the council took seriously their task of maintaining the Catholic civic church they had established. They also had to consider the attitude of Mary of Guise and do their best to protect the

⁹⁰² Knox, *Works*, 4:82-3.

⁹⁰³ Knox, *Works*, 1:268, 4:457.

⁹⁰⁴ Less James Stewart, and adding the Earls of Argyll and Morton.

⁹⁰⁵ Knox, *Works*, 1:273-276; Ryrie thinks that 1549 Prayer Books may have been more common, because of English occupation of late 1540s. Ryrie, "Congregations, Conventicles and the Nature of Early Scottish Protestantism", 73.

townspeople from reprisals. For a little over a year, the council tried to have it both ways, sheltering and even cooperating with the Protestant congregation while maintaining the Catholic civil church. When Mary of Guise began to take action against the Protestants, the burgh opted to openly defy her. Having embarked on a political rebellion, the council also broke with Catholicism and reformed the civic church.

Throughout the early and mid-1550s there had been no sign of religious discord in Dundee; indeed the town seemed to be placing its energy into restoring the infrastructure and ornaments necessary for Catholic services. Following Methven's arrival, however, there was a renewed interest in new religious ideas. Unlike in earlier years, this time some inhabitants began to act on some of the proposed changes, beginning with defying the Lenten fast in 1558. In July 1558 George Lovell, David Fergusson, and other Dundonians were summoned to appear before the Justice in the Tolbooth of Edinburgh, along with Methven, to answer "for their wrongful using and discussing of the Scripture, and for disputing upon erroneous opinions and eating of flesh in Lent and other forbidden times contrary the acts of parliament."⁹⁰⁶ The Dundonians, however, were saved by the interventions of a group of Protestant-leaning nobles who were in Edinburgh, and Mary of Guise put off the proceedings on a promise from the accused to reappear upon eight days' warning.⁹⁰⁷ In November 1558, Methven was cited again, this time by the Convocation of the clergy at their assembly in Edinburgh. When he failed to appear, he was banished (apparently with the approval of Mary of Guise) and sanctions were ordered against those who would shelter or feed him.⁹⁰⁸ Methven, nonetheless, again received support from the townspeople of Dundee who "supplied him with provisions, and harboured him from one house to another" even though their appeal to Mary had been denied.⁹⁰⁹ He was also backed by various gentlemen from Fife, Angus and the Mearns, who allowed him to continue his preaching.⁹¹⁰

⁹⁰⁶ *Accounts of the Lord High Treasurer of Scotland*, 10:373.

⁹⁰⁷ "A Historie of the Estate of Scotland from July 1558 to April 1560" in *Miscellany of the Wodrow Society I*, ed. D. Laing, (Edinburgh: Wodrow Society, 1844), 53-54; Buchanan, *History of Scotland* 2:395.

⁹⁰⁸ Buchanan, *History of Scotland*, 2:396; Spottiswood, *The History of the Church of Scotland*, 266.

⁹⁰⁹ Buchanan, *History of Scotland*, 2:396.

⁹¹⁰ Buchanan, *History of Scotland*, 2:396; Pittscottie, *The historie and cronicles of Scotland*, 2:138; Calderwood, *History of the Kirk of Scotland*, 347.

Methven's preaching may not have been the only source of Protestant, and especially Calvinist, ideas in Dundee. In addition to their contacts with Protestant Scandinavia, one of the town's most frequent trading partners was the French port of Dieppe. Dieppoish merchants and sailors were frequently in Dundee and Dundee merchants frequently travelled to the French town, where a Scottish colony, which included the exiled Protestant Dundonian merchant James Wedderburn, was established.⁹¹¹ Dieppe embraced Protestantism just slightly before Dundee did, with a small Protestant group meeting in August 1557 and growing throughout 1558. John Knox himself preached there for several weeks in the late winter of 1558-9. By April 1559, as a seventeenth-century Protestant history asserted, the Dieppoish, especially the sailors, had stopped blaspheming, going to houses of ill repute, associating with "public women" and participating in masquerades and gambling.⁹¹² Given the close contacts between the two ports, it is possible that merchants and sailors were exchanging notes about the new religious ideas in circulation.

Dundee's council began to impose disciplinary changes on the whole community at the semi-annual Head Court meeting, held on 10 January 1558-9. At that meeting the baillies, town councilors and craft deacons passed a series of acts against social nuisances in their community. Panderers (pimps) who were reported to be seducing the wives, daughters and servants of honest men into prostitution were ordered to leave the burgh within twenty-four hours, under pain of banishment from the burgh forever. The inhabitants of whorehouses and bordellos were also ordered to leave the town, also on pain of perpetual banishment, unless they adopted a virtuous manner of living. Vagabonds, nightwalkers, dicers and carders were to be banished or otherwise punished after further investigation into their manner of conversation. Inhabitants were ordered not to house such persons but to turn them over to the baillies. Beggars were to obtain notarized certificates of their inability to work and were to be branded on the cheek if they did not do so. Taverns were not to serve ale or wine after 10PM, on pain of fines for the drinkers and banishment for the tavern keepers. Finally, the council scolded parents and schoolmasters who

⁹¹¹ DCA Burgh and Head Court Book 1550-4, f51, 59, 146, 155v, 156v; DCA Burgh and Head Court Book 1558-1561, 40, 40v, 51, 64, 73, 165v; Michel Mollat, *Le commerce maritime normand à la fin du Moyen Age: étude d'histoire économique et sociale* (Paris: Plon, 1952), 158, 508. My thanks to Philip Benedict for this reference.

⁹¹² Guillaume Daval and Jean Daval, *Histoire de la Réformation à Dieppe 1557-1657*, ed. Émile Lesens (Rouen: F. Cagniard, 1878-9), 7-12.

let children disrupt the time of preaching, although they at least were spared the threat of banishment, instead being warned that they would be punished “with all rigour.”⁹¹³ Of these acts, only the one against disruption of divine service and preaching was the recent subject of an act of Parliament (1552); the others appear to have been driven by local concerns.⁹¹⁴ As early as 1554 an assize had banished two women and ordered a third to stay out of the marketplace, which may have been an early attempt to deal with prostitution.⁹¹⁵ While some of these measures were clearly attempts to deal with local nuisances, it is possible that this was also an attempt to deal with some of the vices for which God was punishing them, as laid out by various writers, the catechism and doubtless local preachers. Notably absent, however, were fornication, adultery and blasphemy against God, which would dominate the council’s concerns as soon as Protestantism was fully established. These concerns could have as easily applied to Catholic communities as Calvinist, though the striking similarities to the regulations introduced by French Protestant towns suggest that their implementation had something to do with the arrival of Paul Methven.⁹¹⁶

The Protestant congregation in Dundee rapidly became more established, moving from defying the Lenten fast to administering their own sacraments by the spring of 1559. Methven reportedly performed baptisms and administered Easter communion to ‘several’ Dundonians, suggesting that Dundee’s Protestant congregation was not very large. Methven performed similar acts in Montrose, a little over 40 kilometers away. In other places it was typical for ministers to be

⁹¹³ DCA Burgh and Head Court Book 1558-1561, f41; DCA Burgh and Head Court Book Head Court Laws 1550-1612, f5.

⁹¹⁴ In 1564 acts would be passed by the Privy Council against bordellos, calling their keepers “plane seducers, abusers and allurers of the young tender and undefiled youth” ordering the keepers to be sentenced to eight days imprisonment and scourging for a first offence, and branding and expulsion for a second offence. The Acts against fornication called for offenders to be fined £40 or eight days imprisonment for a first offence, before repenting openly, double penalties and head shaving for a second offence, and triple penalties plus perpetual banishment for a third offence. *Register of Privy Council* 1: 295-8. McIntosh points out that in England local concerns were often aroused before Acts of Parliament were passed. Marjorie McIntosh, *Controlling Misbehavior in England, 1370-1600* (Cambridge: Cambridge University Press, 1998), 40.

⁹¹⁵ DCA Burgh and Head Court Book 1550-4, f328.

⁹¹⁶ “Règlement Général des États Protestants du Dauphiné” in *L’organisation et l’action des Églises Réformées de France*, eds. Philip Benedict et Nicolas Fornerod (Geneva, Droz, 2012), 264-5; “Discipline de l’église de Saint-Lo” in *L’organisation et l’action des Églises Réformées de France*, 307; Philip Benedict “Pouvoir ecclésiastique et pouvoir séculier dans les villes sous domination Protestante pendant la première guerre de religion” in *La Protestantisme et la Cité*, eds. Philippe Chareyre et Guy Astoul, (Montauban: Société Montalbanaise d’Étude et de Recherche sur le Protestantisme, 2013), 18; Philip Conner, *Huguenot Heartland: Montauban and Southern French Calvinism during the Wars of Religion* (Burlington: Ashgate, 2002), 72-78. McCallum, *Reforming the Scottish Parish*, 37.

based in one town but travel to preach and minister in surrounding communities, so he may still have served principally as minister to Dundee's congregation despite his travels.⁹¹⁷

During the same period there is the first indication that a council of elders of the congregation had been established in the burgh. In March 1558-9, the son and the widower of the late Agnes Branguthie arrived at an impasse over who would continue to occupy her tenement, and the case appears to have been referred to both the baillies and the elders of the congregation. After consulting with the elders, the baillies finally rendered judgment in the case. Although the burgh court would continue to maintain its jurisdiction in this and other similar cases, it appears that the elders were already establishing themselves as an alternate mechanism for settling disputes and possibly enforcing discipline, and that they were recognized as such by the town council.⁹¹⁸ A letter sent to English authorities sometime between October 1559 and 1560 by the provost and council along with John Knox and the elders of the congregation, which requested the release of a Portuguese prize, captured by the Dundee ship the *Lyon* but impounded by the English at Holy Island, emphasized that the masters of the *Lyon*, William Logan, David Witte and John Mezteme (Martin) were "inhabitants of the burgh of Dundee and of the congregation."⁹¹⁹ The formulation suggests that not all inhabitants of the burgh were members of the congregation, but it nonetheless demonstrates the cooperation between the congregation and the town council.

Dundee's Protestant congregation was growing and becoming more assertive, but it was not yet the civic church. Knox would claim that Methven's preaching caused many to renounce idolatry, "and to submit themselves to Christ Jesus, and to his blessed ordinances; insomuch as the town of Dundee began to erect the face of a public church reformed, in which the word was to be openly preached, and Christ's sacraments truly ministered."⁹²⁰ Knox's chronology here is

⁹¹⁷ *Statutes of the Scottish Church*, 186; R. Pitcairn, *Ancient Criminal Trials in Scotland*, (Bannatyne Club, 42, Edinburgh 1833), 2:406-7; Philip Benedict and Nicholas Fornerod "Les 2150 Églises réformées de France de 1561-2" *Revue Historique*, CCCXI (2009), 529-60: 548. Even after the Reformation this continued to be the case; McCullum, *Reforming the Scottish Parish*, 17-22.

⁹¹⁸ DCA Burgh and Head Court Book 1558-1561, f61, 63v. The relationship between the composition of the elders and the town council would certainly merit further study, although the lack of sixteenth-century kirk session minutes for Dundee (and Haddington) make it impossible in this case.

⁹¹⁹ DCA Burgh and Head Court Book 1558-1561, f51v.

⁹²⁰ Knox, *Works*, 1:300.

vague, but he appears to be referring to 1558 and the beginning of 1559. Parsing Knox's writings is always a fraught exercise, but the key term in the passage is perhaps "began." Dundee's Protestant congregation may have been increasingly open in its activities, but they had not yet reformed the town; Knox only mentions that individuals had renounced idolatry, and does not refer to purging idols and chasing priests from the town, as Calvinists did in other towns as soon as they gained sufficient strength.⁹²¹ Indeed, immediately after Knox reports that the Protestants in Edinburgh decided against a "public Reformation" by which he clearly means acts of iconoclasm, preferring to continue to appeal to the Regent for "a godly Reformation."⁹²²

Through 1558 and the beginning of 1559 the congregation in Dundee was asserting an increasingly prominent place in the burgh as demonstrated by the council's recognition of the elders and the disciplinary ordinances which were likely Calvinist in inspiration. The town council, nonetheless, was still taking seriously its responsibility for overseeing traditional religious observance in the burgh. On November 7, 1558, the baillies George Lovell and Andrew Fleshour required George Rollok, himself a former baillie, to agree to pay 5 merks yearly to the town because his son, having been appointed to the chaplaincy of Our Lady altar, was not yet qualified to serve at the altar.⁹²³ Dundee's elites may have been helping themselves to the town's ecclesiastical offices, but they still expected someone to perform the mass. The same court session ordered that money be put aside for repairs to a chapel devoted to St Thomas.⁹²⁴ As this chapel was not one of the town's two principle churches, it is unlikely that it was needed for preaching or other Protestant activities. Even though George Lovell was one of the most committed Protestants in the burgh, as baillie he still ensured that the mass was being properly performed at the altars within the town's gift. A couple of weeks later, on 23 November, the baker craft re-elected sir Thomas Wedderburn as their chaplain at their annual craft meeting.⁹²⁵ Sir

⁹²¹ Denis Crouzet, *La genèse de la Réforme française* (Sedes: Paris, 1996), 572-3; Guido Marnef, *Antwerp in the Age of Reformation, 1550-1577*, trans. J.C. Grayson (Baltimore: Johns Hopkins University Press, 1996), 89; Conner, *Huguenot Heartland*, 24.

⁹²² He elaborates "for the corruption in religion was such, that with safe conscience we could no longer sustain it." Knox, *Works*, 1:301.

⁹²³ DCA Burgh and Head Court Book 1558-1561, f28v.

⁹²⁴ DCA Burgh and Head Court Book 1558-1561, f30.

⁹²⁵ DCA Baxter Craft Lockit Book, f14, 16.

Thomas's position would not be renewed the next year, but it seems that at the time, if Paul Methven had been encouraging the Dundonians to renounce idolatry, the bakers at least were not yet completely convinced.

No arrangements were being made at this stage to confiscate any church revenue or reform the clergy in the town's employ. On 13 January 1558-9, just three days after passing their new disciplinary code, the baillies ordered the town's officers to accompany the choristers of St Mary's in visiting all those who owed rent in order to confiscate goods on the spot.⁹²⁶ The choristers, along with all other property owners, appeared frequently in the burgh court to claim past rents, but this is the first time that the baillies ordered a systematic sweep of all their tenants. Far from being corrupt nuisances, the choristers were being treated as valuable public servants. Finally, on 25 April 1559, just a few days before the arrival of John Knox and two weeks before an iconoclastic outburst at Perth provoked open rebellion, the Provost, baillies, councillors and deacons of craft convened a special meeting to appoint sir John Dene to St Severan's altar ensuring that he be paid all duties belonging to it.⁹²⁷ The fact that the whole town council convened a special meeting to appoint a priest to a chaplaincy indicates that they did not plan on eliminating the mass in the near future.

At least some members of the burgh government must have had mixed feelings as they sought to maintain the delicate balance in the burgh. The council included men who were or who would become committed Protestants, but there is no indication that council policy was determined by religious factions, though attitudes may have been evolving over 1558 and the winter of 1559. James Haliburton was Provost, as he had been for every year since 1550, and while he would become a committed member of the Lords of the Congregation there is no evidence in the burgh records that he exerted much specific influence on burgh affairs.⁹²⁸ It is also difficult to discern whether there were factions on the council especially loyal to him or opposed to him. No lists of the councilors for 1558-9 exist, a particularly disappointing gap in the

⁹²⁶ DCA Burgh and Head Court Book 1558-1561, f42.

⁹²⁷ DCA Burgh and Head Court Book 1558-1561, f71.

⁹²⁸ For a more positive view of Haliburton's influence, see Flett, "The Conflict of the Reformation and Democracy," 70.

records, but the baillies were all experienced members of the town council. The most senior, George Lovell, was certainly a Protestant activist, accused of hanging a statue of St Francis in 1536, and was one of those summoned in July 1558 to face accusations of erroneously disputing Scriptures and breaking the Lenten fast.⁹²⁹ While it is tempting to attribute some of Dundee's religious changes to his influence, it should be noted that he had served as baillie four times previously since 1550. During his previous terms in office, the town council had repaired wartime damages to the St Mary's Church, supported the town's chaplains in their pursuit of back rents, restored the Holy Blood altar, ordered the crafts to resume services at their altars, hired a mass singer, intervened to support their preferred candidate for post of Vicar, and recovered church ritual equipment hidden during the wars.⁹³⁰ His Protestant leanings had not interfered with administering Catholic religious observances in the burgh. Robert Kid had also served as baillie at least four times previously, and George Rollok had served as a councillor and as Master of the Almshouse, one of Dundee's most important civic institutions. Andrew Fletcher, the most junior baillie, had previously served at least one term as a councillor. Even if some of the baillies had Protestant sympathies, their election was wholly in keeping with burgh practice and marked no discontinuity with the councils of previous years. The religious changes which this council would implement were not the work of a particular faction, but were carried out by the same group which had spent much of the 1550s working to restore traditional worship.

The council's policy during 1558 and early 1559 of simultaneously tolerating or even promoting both practices was likely an attempt to play for time as they waited for a broader religious settlement. In other places Calvinists physically took the offensive against Catholic 'idolatry' as soon as they had the strength, and at least some of Dundee's congregation were doubtless waiting for their opportunity.⁹³¹ In the meantime, those councillors with Protestant sympathies had to balance enthusiasm and prudence.

⁹²⁹ DCA Burgh and Head Court Book 1558-1561, f25.

⁹³⁰ DCA Burgh and Head Court Book 1550-4, f3v, 32, 39v, 40v, 42-42v, 81v, 84, 92v, 134v, 205v, 239, 244v.

⁹³¹ Crouzet, *La genèse de la Réforme française*, 572-3; Marnet, *Antwerp in the Age of Reformation*, 89.

The Dundonians had particularly good reason to hesitate in implementing religious changes. Twice in the previous fifteen years, in 1543-4 and 1552-3, the burgh had been visited by the regent after it was implicated in acts of radical Protestantism, and individual burghers had frequently been summoned to answer charges of heresy. In all, between 1538 and 1552, Dundonians paid a total of £4194 in fines for heresy or associated offences. To put that figure in perspective, Dundee, the second wealthiest burgh in Scotland, paid £2527 17s 9d in direct taxes over the same period.⁹³² Despite contemporary affirmations of Dundee's 'zeal and boldness' in their support of Protestantism, it would be very surprising if the wealthy and experienced town councilors risked similar repercussions a third time, especially with a French garrison stationed in nearby Broughty castle.⁹³³

The balance that the town council tried to achieve appears to have been similar to the kind of national compromises being proposed by both sides. Mary did intervene to discharge the Dundonians summoned in July 1558 and similarly acted on behalf of Paul Methven after appeals from the burgesses of Dundee. Despite Knox's invective, there is no reason to doubt her sincerity in promising to consider the demands of the Protestants after the Parliament of November 1558, when she favourably received a petition which called for all Acts of Parliament to be suspended until a General Council on religious matters could convene, presumably ensuring that Protestants could maintain the Scripture reading and ministration of the sacraments mentioned in the preamble. Such a policy of discussion, with an aim at religious concord, would have been similar to the policies promoted in France by her brother, Charles the Cardinal of Lorraine, during the same period.⁹³⁴

These gestures may have given the council the assurances it needed to openly recognize the Protestants. The councillors appear to have been content to retain the mass as a

⁹³² *Records of the Convention of the Royal Burghs of Scotland*, 514, 518, 519, 521, 522, 526; *Accounts of the Lord High Treasurer of Scotland*, 6:350, 376, 377; 7:74, 77, 78, 79; *The register of the Privy Seal* 2:403, 407, 408; DCA TC/CC 1/54.

⁹³³ My thanks to Roger Mason for indicating this point.

⁹³⁴ Ryrie, "Reform without frontiers," 54; Ritchie, *Mary of Guise in Scotland*, 198, 201-4; Stuart Carroll, *Martyrs and Murderers: The Guise Family and the makings of Europe* (Oxford: Oxford University Press, 2009), 37, 119-120. Carroll points out that Guise policy during the late 1550s and 1560, in France as well as Scotland, was to distinguish between those who used religion as a means of sedition, who must be crushed, from those who merely wished to worship differently, who were to be tolerated so long as they behaved.

civic institution, and an option for some, or most of those living in Dundee, at the same time as they permitted vernacular preaching and the administration of discipline (which may not have even been controversial) and Protestant baptism and communion for those who wanted it. This is close to the offer Knox describes the bishops extending to the Lords of the Congregation in 1558, when they offered vernacular prayer and baptism in exchange for preserving the mass, Purgatory, prayers to saints and the retention of their benefices.⁹³⁵ In following this model the council may have hoped to placate the Protestants while avoiding governmental reprisals. Despite the invective of Knox and other reformers directed against the evils of idolatry, it appears that at that moment in time, the Protestants on council were willing to accept the mass in public worship as part of a compromise.⁹³⁶

It is the administering of Protestant sacraments in March 1558-59, however, that appear to have finally driven Mary of Guise to act. Mary had promised to hold a convention on 7 March 1558-9 in Edinburgh, where "shee would send for the nobilitie and estates of the realme to advise for some Reformation in Religion."⁹³⁷ No record of a convocation exists for that date, although a council of the Catholic church was held around that time. At some point, however, decrees were sent out ordering the Catholic observance of Easter; Pittscottie says that the bishops issued a decree on 6 February, and Buchanan asserts that Mary "wrote also to the neighboring assemblies, enjoining them to keep the Easter following after the popish manner. But the orders were generally disobeyed, at which she was soon enraged."⁹³⁸ This was not surprising; Mary might have been open to a religious settlement, but any settlement would be based on, and enforced through, her (and her daughter's) authority. Her decree regarding the Catholic observance of Easter was not necessarily a hardline imposition of Catholicism, but rather an attempt to set the boundaries pending a more permanent settlement. Disobeying her decree was not then a religious issue, but a matter of sedition: it was for rebellion, not heresy, that she summoned the preachers to Stirling on 10 May, and, when they refused to submit, outlawed

⁹³⁵ Knox, *Works*, 1:306; Ryrie, "Reform without frontiers," 41.

⁹³⁶ For the opposite tendency, see Crouzet, *La genèse de la Réforme française*, 574.

⁹³⁷ "A Historie of the Estate of Scotland," 55.

⁹³⁸ Buchanan, *History of Scotland*, 2:398; Knox, *Works*, 1:315-6.

them.⁹³⁹ While she may not have been willing to include altering the eucharist as part of a religious settlement, or at least was not willing to tolerate changes to the sacraments without permission, the co-existence of two forms of sacraments appears not to have caused any unrest in Dundee, at least as far as the burgh records reveal.

When it became clear, however, that Mary of Guise was serious about enforcing the Easter edict, the Dundonians chose the route of open defiance and accompanied the preachers to Perth, just as they had with Friar Dik in 1532. Once the majority of the town, or at least of the council, opted for Calvinism it was inevitable that Catholicism would be purged from the burgh, as happened in other places once the Calvinists gained political control.⁹⁴⁰ At some point between 25 April, when the whole council appointed sir John Dene to a chaplainry, and 5 May, when John Knox arrived to find “the kirk of Dundie reformed,” the town did convert to Protestantism, with Protestant preaching, sacraments and the elimination of “idolatrie.”⁹⁴¹ While there is no evidence to tell if this was the act of the whole community or merely a determined minority, it appears that the council remained largely united from then on in supporting the Protestant cause. Dundee’s reformation was not therefore a Protestant coup, but was rather adopted by the existing, previously Catholic, town council. As in other places, Dundee likely contained a large number of people who were interested in new ideas but who would not commit until obliged to by events; once forced to decide by Mary of Guise, they chose the Protestant cause.⁹⁴²

From the gathering at Perth John Erskine of Dun went on to Stirling, where negotiations with Marie of Guise failed and the preachers were outlawed on May 10, which would prove to be

⁹³⁹ Pitcairn, *Ancient Criminal Trials*, 1:406-7; Buchanan, *History of Scotland*, 2:398; the extent to which the confrontation was also about who had the social status to negotiate religious change was evident in the instructions of the bishops, as recorded by Pittscottie, to not listen to the “new preaching and doctrine of souteris tailzeouris skynneris baksteris.” Pittscottie, *The historie and cronicles of Scotland*, 2:143.

⁹⁴⁰ Benedict and Fomerod, *L’organisation et l’action*, vii; Conner, *Huguenot Heartland*, 24.

⁹⁴¹ In a letter dated June 29, 1559, Knox stated that “the whole Bretherin [apparently referring to the group of Protestant nobility, barons and commoners who were negotiating with Mary of Guise] together did consent, that the ministrie of the Word of God and administratioun of the Sacraments, should be erected; and that idolatrie should be repressed, where the most part of the people should admitt reformation. And so was the kirk of Dundie reformed before my arrival.” It is also possible that the reform took place earlier, and that the appointment of Sir John Dene was a purely administrative matter, and he was not expected to perform the mass. Knox, “Letter to Anna Locke, 23 June 1559,” *Works* 6:22.

⁹⁴² Note Marnef’s findings that there existed in Antwerp “a broad, religious middle group, which could lean, under the pressure of events, one way or another.” Marnef, *Antwerp in the Age of Reformation*, xi, 56-58, 97. Conner observed in Montauban that the same magistrates who sought to repress illegal Calvinist assemblies would, a year later “take commanding roles in the foundation of the Calvinist church.” This was because, he argues, the town’s political elites recognised that the only way to preserve their authority in the face of disruption was to join, rather than oppose, the reformers. Conner, *Huguenot Heartland*, 20-22.

the beginning of the Protestant rebellion. At the end of May, the congregation of Dundee signed the Second Band of the Congregation, which included the agreement that they would “destroy, and put away, all things that do dishonour to his name, so that God may be truly and purely worshipped.”⁹⁴³ Though they may have at one time thought that a religious settlement under Marie of Guise was possible, from this point on the Dundonians were effectively fighting for their survival and a complete Protestant Reformation.

Dundee: Establishing the Reformation

Once Dundee had fully embraced Protestantism, the summer of 1559 was spent reforming the burgh’s civic church and fighting in the war to implement the Reformation throughout Scotland. Many prominent Dundonians spent a good deal of time outside the burgh as they served with the Lords of the Congregation, the army composed of Protestant nobles and townspeople as they campaigned against Mary of Guise throughout 1559-60, first in Fife, then in Perth and then in the Edinburgh/Leith region.⁹⁴⁴ Within the burgh the process of Reformation continued, as municipal resources were diverted to supporting the new Protestant church. As the Protestant form of the civic church required fewer resources than the Catholic version, it did not cause too much difficulty to allow the chaplains to retain their incomes, only gradually absorbing the revenues from their benefices into the municipal finances. The abandoned friaries, however, were immediately sold off or used for infrastructure projects. The town council continued to emphasize lay discipline, continually introducing new laws and modifying existing ones.

After the initial confrontation between Mary of Guise and the Lords of the Congregation in Perth during the middle of May, which ended with an agreement that Mary could garrison the town with Scottish soldiers, the Dundonians may have been involved in the iconoclasm which reportedly took place in St Andrews and other Fife towns.⁹⁴⁵ In the meantime Mary of Guise

⁹⁴³ Knox, *Works*, 1:344. Sadly, the document itself has not survived and we cannot know who belonged to the Congregation or who spoke for it.

⁹⁴⁴ For accounts of the war, see Ryrie, *The Origins of the Scottish Reformation*, 161-3; Dawson, *Scotland Re-formed*, 204-212.

⁹⁴⁵ Knox, “Letter to Anna Locke, 23 June 1559,” *Works* 6:23; Dawson, *Scotland Re-formed*, 205.

gathered troops to confront the Congregation, and the two sides met outside Cupar, armed and drawn up in battle array. The Dundonians were led by their provost, James Haliburton, who had proved an able military leader in the war of 1547-50, and along with contingents from St Andrews and Cupar were deployed behind the horsemen and gentry. The confrontation ended peacefully after Mary's French commanders agreed to withdraw.⁹⁴⁶ A contingent of Dundonians then returned to Perth, where between 24 and 26 June they sacked the Abbey of Scone. Provost Haliburton, his brother Captain Alexander Haliburton, and John Knox all tried to halt the violence, which apparently exceeded the bounds of accepted iconoclastic destruction, but eventually it was the Earls of Argyll and Lord James Stewart who succeeded in calming the crowd. The sacking was resumed the next day, however after a Dundonian was killed by one of the abbey guards.⁹⁴⁷

While pausing in Dundee to reorganize in between these expeditions, on 21 June 1559 the baillies, "with the most part of council deacons and community" borrowed £500 from William Carmichael, David Ramsay and James Fletcher for the "defence of the liberty of their conscience and of their own common will."⁹⁴⁸ The phrasing, recorded amongst the routine entries of the burgh court book rather than in a propagandistic piece of rhetoric, gives a hint of the passions aroused. The council clearly acknowledged both the religious nature of the conflict and that it was being waged with the support of the burgh. William Carmichael, along with George Lovell and George Rollok, was identified by Knox as an associate, and George Lovell would also contribute financially to the Lords of the Congregation.⁹⁴⁹ The formulation "the most part" indicates that this was not a unanimous decision, though it is unknown if that indicated the existence of a Catholic opposition. If so, it was not a decisive player in burgh affairs. The financial contribution made by the Dundonians early in the summer was not quickly repaid, for in October the Earl of Bothwell seized the money which was intended to reimburse them.⁹⁵⁰ The town council had clearly chosen sides in the war and was actively involved in helping to organize the military effort of the Lords of

⁹⁴⁶ Spottiswood, *The History of the Church of Scotland*, 277; Knox, *Works*, 1:351-2; 6:22; Calderwood, *History of the Kirk of Scotland*, 459-65.

⁹⁴⁷ Knox, *Works*, 1:360-1.

⁹⁴⁸ DCA Burgh and Head Court Book 1558-1561, f73v.

⁹⁴⁹ Knox, "Letter to Anna Locke, 23 June 1559," *Works*, 6:27; DCA Burgh and Head Court Book 1561-2, f12v.

⁹⁵⁰ Calderwood, *History of the Kirk of Scotland*, 549.

the Congregation, much as French Protestant towns and congregations would become part of the Huguenot military effort in the French Wars of Religion.⁹⁵¹

The Dundonians continued to participate in the fighting and in the establishment of the national Protestant church which followed. Later in the summer, Provost Haliburton and some of the Dundonians were involved in the fighting around Leith, and again in the occupation of Edinburgh in October 1559.⁹⁵² George Lovell, the Protestant baillie, was reportedly hurt during that campaign.⁹⁵³ In the fall Broughty castle was taken by the Congregation, though it must have been of less strategic importance than during the war of 1547-50.⁹⁵⁴

By the early summer of 1560, Mary of Guise had died and an English army had arrived to reinforce the Congregation. Giving up on their investment of the previous decades, (and as it turned out, centuries) the French signed the Treaty of Edinburgh and withdrew from Scotland. The Lords of the Congregation seized their moment and during the Reformation Parliament of 1560 imposed a Protestant church across Scotland. Dundee continued to play a role in national religious politics and sent a delegation to the Reformation Parliament of 1560, though apart from Provost Haliburton we do not know the identities of the burgh delegates.⁹⁵⁵ On December 13 1561 seven men, mostly prominent councilors, were chosen to accompany the minister, William Christeson, to Edinburgh for a disputation with the “papists”, and were granted £21 in expenses for the trip.⁹⁵⁶ Lacking kirk session records we cannot know if this was a congregation of Dundee’s elders. Dundee’s commitment to Protestantism was further demonstrated by the fact that their delegations to the General Assemblies in 1560 and 1563 were larger than even

⁹⁵¹ *L'organisation et l'action des Églises Réformées de France*, Benedict et Fornerod eds., liv, lxxxiv; Conner, *Huguenot Heartland*, 149.

⁹⁵² Buchanan, *History of Scotland* 2:407; Calderwood, *History of the Kirk of Scotland*, 549; Spottiswood, *The History of the Church of Scotland*, 305.

⁹⁵³ Calderwood, *History of the Kirk of Scotland*, 552; *Accounts of the Lord High Treasurer of Scotland* 6:307; *Records of the Convention of the Royal Burghs of Scotland*, 1, 6, 10.

⁹⁵⁴ Calderwood, *History of the Kirk of Scotland*, 524-8.

⁹⁵⁵ *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2013), A1560/8/1. Date accessed: 12 November 2013.

⁹⁵⁶ DCA Burgh and Head Court Book 1561-2, f37.

Edinburgh's.⁹⁵⁷ Given the usually hand-off approach by Scottish burghs to national politics, this is a strong indication of the desire of local elites to shape the national Reformation.⁹⁵⁸

By 1561 it was became clear that some of the money given to the Lords of the Congregation might not be paid back. The council clearly felt a responsibility towards those who contributed; on 11 October 1561 a meeting of the councillors and craft deacons made arrangements to compensate George Lovell for the £120 that he had contributed. They absolved him of the rent of 10 merks he owed for St Clements kirkyard and gave him the revenues from burgh properties which belonged to the Abbey of Scone, which the congregation had granted to the burgh in payment for the town's debts, presumably incurred during the war.⁹⁵⁹

In the burgh, municipal resources, often the same ones which had supported Catholic worship, were now put to Protestant use. Just as they had with many of the burgh's Catholic chaplains, the town council hired and paid the new Protestant minister and the reader, though they may have received recommendations from the leaders of the Protestant movement. On 7 July 1559, in the presence of Provost Haliburton and many of the deacons, the council promised Master John Young, chaplain of the Song School and Reader in the Congregation, £20 annually.⁹⁶⁰ A month later, on 4 August, they specified that he was to receive the revenues of St John's chaplainry, presumably as a contribution towards the £20.⁹⁶¹ At the same meeting the baillie George Lovell was commanded to provide Paul Methven with "necessary furnishings" while he was in the parish, paid out of the Tolbooth revenues. Methven, however, soon went on to become minister at Jedburgh. His replacement William Christison was appointed by the Lords of the Congregation in July 1560, and on 24 September 1561 the council agreed to pay him 250 merks annually "for his office of Minister in this congregation."⁹⁶² Christison had been a friar, but

⁹⁵⁷ Michael F. Graham *The uses of reform: 'godly discipline' and popular behaviour in Scotland and beyond, 1560-1610* (New York: Brill, 1996), 50.

⁹⁵⁸ In France Huguenot consistories became involved in regional, if not national, military and political planning, and organizing. *L'organization et l'action des Églises Réformées de France*, Benedict et Fornerod eds., lvi; Conner, *Huguenot Heartland*, 149.

⁹⁵⁹ DCA Burgh and Head Court Book 1561-2, f12v.

⁹⁶⁰ DCA Burgh and Head Court Book 1558-1561, f74v.

⁹⁶¹ DCA Burgh and Head Court Book 1558-1561, f75v.

⁹⁶² DCA Burgh and Head Court Book Head Court Laws 1550-1612, f18.

then spent time in Scandinavia where he associated with Protestants. He returned to Scotland in March 1558.⁹⁶³

The town moved quickly to take over administration of the property which had belonged to the friars. On 7 August 1559 David Cokburn and John Sturrok appeared and informed the council about rents they paid to the Dominicans, which would presumably be paid to the town from then on. At the same meeting, the council auctioned off the crops growing on lands belonging to the Franciscans, George Hay successfully bidding £22.⁹⁶⁴ In October 1560, the burgh embarked on a civic rebuilding project, and assigned the stones of the Dominicans to a new bulwark to be built in the harbour, the stones from the Franciscan friary to a new building for the butchers, and the timber from Lindores abbey to a new tolbooth.⁹⁶⁵ The next month the council feued the kirk and kirkyard of St Clements to George Lovell in exchange for 20 merks annually of feu mail and a promise to build a weighhouse.⁹⁶⁶ The same month the council rented the Dominican lands to Thomas Thomson, mason, for a period of three years, for 9 merks and £10, from which any damages he might receive through the dismantling of the Dominican's stones were to be deducted.⁹⁶⁷ John Fletcher bought the stones from the Dominican kirk and walls for 127 merks, and John Brown, cordiner, bought the stones and lime in the Grey Sisters' walls for 16 merks and 10s.⁹⁶⁸ The yard of the Grey Sisters was rented to William Brown for 48s a year for three years.⁹⁶⁹ In December 1560 the council instructed James Lovell, treasurer, to take down the stones of the kirk and steeple of the Franciscans, which were to be applied to the common good of the burgh. By the beginning of 1561 the process of dismantling the physical structures of the religious orders, buildings which had not been under the burgh's control prior to the Reformation and which may have served as a base for the Catholic hierarchy in the town, was well underway.

⁹⁶³ "Christison, William (d. 1599)," Richard L. Greaves in *Oxford Dictionary of National Biography*, online ed., ed. Lawrence Goldman, Oxford: Oxford University Press, <http://www.oxforddnb.com/view/article/70050> (accessed November 14, 2013).

⁹⁶⁴ DCA Burgh and Head Court Book 1558-1561, f76.

⁹⁶⁵ DCA Burgh and Head Court Book 1558-1561, f134v, 135v.

⁹⁶⁶ DCA Burgh and Head Court Book 1558-1561, f145.

⁹⁶⁷ DCA Burgh and Head Court Book 1558-1561, f146v.

⁹⁶⁸ DCA Burgh and Head Court Book 1558-1561, f148.

⁹⁶⁹ DCA Burgh and Head Court Book 1558-1561, f148.

The Catholic ritual equipment belonging to the burgh was also disposed of. In August 1559 the council sold twelve sets of vestments and ornaments used by the priests to John Fletchour for £125, on condition that he alter the vestments so that they could never be used in “papisty” thereafter.⁹⁷⁰ It may have been the dispersal of other church equipment that provoked Alexander Carnegie, on behalf of the craftsmen of the burgh, to complain on 10 October 1560 that common goods or plates of the burgh should not be sold privately but rather publicly auctioned for three days, as was custom.⁹⁷¹

Protestant or Catholic, the kirk building itself was constantly in need of attention, and on 10 December 1561 the council called for “an honest godly and famous man and an most notable within this burgh” to be appointed kirkmaster. The council also ordered that the kirk gate and wall be put up again, continuing the repairs begun after the English invasions, and that all stones, timber and waste in the kirkyard be removed.⁹⁷² Fines of 40s were to be levied on those who brought timber, stones or malt into the kirkyard. The kirkmaster was further instructed to take charge of other church affairs.⁹⁷³

Agreements made by the former church were still upheld, as were the payments due to the chaplains. Contracts which were sealed by being registered with the Archbishop of St Andrews were still regarded as being valid, as demonstrated on 13 December 1560 when Robert Barre produced in burgh court “ane cursing or sentence of the officials of St Andrews” as evidence in the case between him and John Walson in Newtyle.⁹⁷⁴ Though Catholicism was gone, the council and guilds still ensured the livings of the priests.⁹⁷⁵ In December 1562 the cordiners agreed to supply their chaplain, Robert Dunorand, with his meat and drink for his lifetime.⁹⁷⁶ Thomas Ducher continued to collect rents for the choristers. When vacancies opened up as the chaplains either died or moved away, the revenues were taken over by the burghs. In May 1560 for example, David Davidson paid his rent, which was due to St Thomas

⁹⁷⁰ DCA Burgh and Head Court Book 1558-1561, f76.

⁹⁷¹ DCA Burgh and Head Court Book 1558-1561, f132.

⁹⁷² DCA Burgh and Head Court Book Head Court Laws 1550-1612, f20.

⁹⁷³ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f20.

⁹⁷⁴ DCA Burgh and Head Court Book 1558-1561, f165.

⁹⁷⁵ Flett, “The Conflict of the Reformation and Democracy,” 77.

⁹⁷⁶ DCA Burgh and Head Court Book 1562-3, f29v.

Chaplainry, directly to the baillies who were the patrons of the altar.⁹⁷⁷ In March 1561-2 two annual rents which had belonged to the choristers, worth 25s 6d, were assigned to James Blyth, the bellman, for his "ordering of the kirk as use has been in times past."⁹⁷⁸ The burgh treasurer became responsible for collecting the rents formerly owed to the Franciscans.⁹⁷⁹ In December 1565 the town council took a closer look at the altars in its patronage and ordered four men to draw up an inventory of the dues owed to the town.⁹⁸⁰ Ducher only gave over the rents of the choristers to the town in 1567, in return for a lifetime pension of £40.⁹⁸¹ His role as collector for the choristers was replaced by the new position of collector of the Queen's donation, who also had authority to collect the revenues owed to the Franciscans, Dominicans, Franciscan nuns and choristers of the burgh. The position was first assigned to David Ramsay, who was both a councillor and an elder of the congregation.⁹⁸² Some resistance to the town's appropriations occurred, perhaps as people hoped to escape payments altogether, as in November 1560 when the burgh court ordered Margaret Kynlot, the widow of Robert Mylar, to pay her share of the tithe, £8, to George Rollok, collector, to be applied to the upkeep of the minister.⁹⁸³ There is no doubt, however, that the extra revenues benefitted the town council, who replaced their role of managing the chaplains with direct administration of the revenues. This system was not necessarily any simpler, and as late as the nineteenth century the presbytery and town appealed to the Court of Session to sort out the revenues which were owing to the Almshouse (hospital).⁹⁸⁴

Patrons of private benefices retained control over their revenues, although the burgh court still had jurisdiction over disputes which arose. In November 1560, the young Mark Bare appeared before the burgh court to complain that sir John Murray, chaplain of the Magdalene altar within the church, had deducted rents from the chaplainry, presumably in accordance with

⁹⁷⁷ DCA Burgh and Head Court Book 1558-1561, f92v.

⁹⁷⁸ DCA Burgh and Head Court Book 1561-2, f108v.

⁹⁷⁹ DCA Burgh and Head Court Book 1561-2, f72v.

⁹⁸⁰ James Froster, John Fotheringham, Robert Kyd and Alex Carnegie. Warden, *Burgh Laws of Dundee*, 31.

⁹⁸¹ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f46; DCA Burgh and Head Court Book 1561-2, f42.

⁹⁸² DCA Burgh and Head Court Book Head Court Laws 1550-1612, f50.

⁹⁸³ DCA Burgh and Head Court Book 1558-1561, f146.

⁹⁸⁴ *Charters, Writs and Public Documents of the Burgh of Dundee*, xl.

the act on burnt lands, without his consent. Although it is possible that sir John was still drawing some revenues from the benefice, Barre clearly expected the income to come to him as well.⁹⁸⁵

In many ways, though the details changed, the administration of the civic church by the town council continued much as before. The impact of the Reformation on the burgh was perhaps most dramatic when it came to imposing a new disciplinary regime on the laity, especially in sexual matters.⁹⁸⁶ Discipline was a particular feature of the Scottish Reformation and after preaching and administering sacraments it could even be considered one of the three marks of the true church.⁹⁸⁷ Though sixteenth-century kirk session records for Dundee are not extant, and there are only scattered references to the session in the surviving records, the burgh council records show that from 1559 the council took a much greater interest in behaviour, including drunkenness and swearing but especially Sabbath observance, adultery and fornication, than they had in earlier years. Though town councils had always been interested in disorder, the emphasis on protecting preaching and on sexual offences points to an interest in discipline for reason of religion rather than social control. The idea of the reformation of manners, by which elites used the disciplinary emphasis of Protestantism to impose stricter social control over the population, was classically developed by Wrightson and Levine in their study of Terling, and has been echoed by Scottish historians.⁹⁸⁸ As Marjorie McIntosh and other English historians have pointed out, a greater emphasis on discipline was also a periodic response to social disruption during the medieval period.⁹⁸⁹ In Dundee it could be that it was in part this concern for discipline that led people to Protestantism, which promised a stricter implementation of the laws than the Catholic church was willing or able to.⁹⁹⁰

⁹⁸⁵ DCA Burgh and Head Court Book 1558-1561, f142.

⁹⁸⁶ Graham, *The uses of reform*, 48-9.

⁹⁸⁷ Donaldson, *The Scottish Reformation*, 78-9.

⁹⁸⁸ "The Faith of the people" Lynch et al, in *Aberdeen before 1800*, 295; Graham, *The uses of reform*, 343; McCallum, on the other hand, indicates that discipline in the early Protestant kirk "was not an attempt to control any particular group of offenders; rather it was an attempt to uphold biblical standards of church government and behavior as far as possible." McCallum, *Reforming the Scottish Parish*, 220.

⁹⁸⁹ John McCallum, *Reforming the Scottish Parish*, 37; McIntosh, *Controlling Misbehavior in England*.

⁹⁹⁰ See McIntosh's conclusion "For those few places actively troubled by social wrongdoing between 1460 and 1500 whose religious history I have been able to trace in detail, most were receptive to early Protestant views between c. 1530 and 1560 and contained a vigorous Puritan presence by the end of the sixteenth century. The kinds of practical characteristics that accentuated concern with wrongdoing prior to 1500 made those communities especially likely to hear about new religious ideas and may well have predisposed them to be open to such beliefs." McIntosh, *Controlling Misbehavior in England*, 210.

At the Head Court meeting of 2 October 1559, when the Reformation was established in Dundee but not yet secured across Scotland, the burgh passed a new set of laws which intensified the disciplinary structure introduced in January 1558-9. The laws dealt with adultery, fornication, Sabbath observance and the respect due to the town council, minister and elders of the congregation. The adultery law required that any adulterer, man or woman, on their first offence be placed in the iron stocks for three hours, during “the most notable time of day,” after which they were to be taken to the shore and dunked in the sea three times, before being brought back to the market cross and formally banished from the burgh forever.⁹⁹¹ This was a much harsher penalty than that enacted by Parliament in 1552, which called only for obstinate offenders to be outlawed. The council would have the opportunity to put its act against adultery in action on 14 May 1560, when an assize found Agnes Bluk, the wife of David Park, and Nycolas Mason guilty of adultery, and ordered that “the acts of the town maid anent [concerning] adulterers to be executed upon them both.”⁹⁹²

The second law addressed fornication, for which first time offenders were to be punished and admonished by the preacher, before they performed repentance before the whole congregation. For a second offence they were to stand for three hours in the stocks and then be dunked three times in the sea. A further offence was to be punished by perpetual banishment.⁹⁹³ Any master who concealed their servant’s fornication from the deacons or elders was to pay forty shillings to the burgh’s common works. Other laws passed extended the acts against blaspheming the provost or baillies to cover the ministers, elders or deacons of the congregation, and specified penalties for misbehaviour in court. Merchants, craftsmen and butchers were to close on Sunday, which was “to be kept in the meditation of gods word,” and brewers and tavern keepers were not to sell ale or wine during the time of preaching on Sunday, all on pain of an 8s fine.⁹⁹⁴

⁹⁹¹ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f6.

⁹⁹² DCA Burgh and Head Court Book 1558-1561, f84v.

⁹⁹³ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f6.

⁹⁹⁴ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f12.

The absence of kirk session records means we cannot know who the elders were. In Edinburgh, the same men were only occasionally members of the town council and session simultaneously, but served more often before or after their terms on council, and meetings were scheduled so that people might conveniently attend both.⁹⁹⁵ In other Scottish towns there was a high degree of overlap between the town council and the kirk sessions, though admittedly the figures date from the seventeenth century.⁹⁹⁶ Whatever the relationship was in Dundee, the elders were clearly regarded as an arm of municipal government, due the same respect as the councillors. The councillors, for their part, seemed increasingly comfortable legislating not just against practices which disturbed the public but anything which might be against the Godly order. This is similar, of course, to measures taken in French Calvinist towns, where the magistrates were considered to be one of the orders of the church and went to some effort to ensure that Protestants were elected or appointed to key positions.⁹⁹⁷

The existing records include very few cases, suggesting that most cases were recorded in documents which are not extant.⁹⁹⁸ Further legislation by the council indicates that most problems were not satisfactorily resolved. The next year's Head Court meeting, held on 4 October 1560, added a penalty for blaspheming or "commonly to take the name of the lord god in [vain]," offenders to pay 2s for a first fault. Those unable to pay were to stand in the branks (a form of bridled used for punishment) for two hours, a provision which suggests that swearing was perceived to be a problem among the lower orders; for a second offence, they were either to pay 20s or to stand in the branks for six hours; a third offence was to be punished by banishment.⁹⁹⁹ The same meeting amended the laws concerning adultery, replacing automatic expulsion with the

⁹⁹⁵ Lynch, *Edinburgh and the Reformation*, 40-42.

⁹⁹⁶ McCallum, *Reforming the Scottish Parish*, 161-165. See also Philip Conner, who demonstrates a significant overlap between the town government and the consistory in Montauban. Conner, *Huguenot Heartland*, 52.

⁹⁹⁷ The synod of the Dauphiné, for example, held that the magistrates were to uphold peace and public tranquility, promote a public order conforming to Scripture and the glory of God, and to punish heretics, schismatics and those who defy church discipline. *L'organisation et l'action des Églises Réformées de France*, Benedict et Fornerod eds., lxii; "Actes du synode du Haut-Languedoc," in *L'organisation et l'action des Églises Réformées de France*, 40; "Reglement Général des États Protestants du Dauphiné" in *L'organisation et l'action des Églises Réformées de France*, 264-5, 267; "Discipline de L'Église de Saint-Lo" in *L'organisation et l'action des Églises Réformées de France*, 300, 307; Conner, *Huguenot Heartland*, 52, 64, 70-83, 118.

⁹⁹⁸ In 1556-7, for example, there is only one recorded case of violence and one of injurious speech. 1560-1, the busiest year, had six cases of violence, three of injurious speech and one of adultery. These numbers of offences are no justification for the constant legislation and adjustment of existing laws, and many cases must have been recorded elsewhere.

⁹⁹⁹ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f6.

provision that those who were “obstinate in repenting” were to stand in the branks for six hours, and if they persisted in obstinacy were to be dunked in the sea.¹⁰⁰⁰ Apparently not all those convicted were as eager to repent as the council had hoped, and further sanctions were necessary to bring about a more satisfactory repentance. The amendment indicates that these kinds of cases were occupying the baillies’ attention, even if no records survive. One surviving reference dates from 8 October 1560 when the court found Jonet Myln to be “sometime the concubine of William Welscher” and ordered her banished from the burgh forever. As it was proven (somehow) that it was she who had sought out William, he escaped with being “marked.”¹⁰⁰¹

The burgh also took more positive steps to support their communities, which were signs of a new municipal activism. A council meeting of 10 December 1561, recognizing that “the poor and their actions has in time bygone been frustrated and heavily hurt with cost and expense” which cost more than the sums at stake, ordered that the judges hear the cases of the poor first. This is reminiscent of the Catholic church statutes from 1552 which condemned unjust legal actions, obstructive arguments and excessive delays.¹⁰⁰² Furthermore, as the “business of this burgh is wonderfully hurt and hindered in so greatly as almost no man remembers” the baillies and council were to meet every Thursday before noon to discuss the town’s affairs.¹⁰⁰³ An act was made appointing two honest and godly men to visit the dying to make a testament, in order to guard against the practice of hiding the goods of those who died without a testament from their children.¹⁰⁰⁴ It is interesting that this task was not assigned to the elders of the deacons, as it might be in other places.¹⁰⁰⁵

As time went by, those convicted of fornication were still not demonstrating appropriate repentance, and so in January 1561-2 the town council ordered offenders to be imprisoned for two days before they were to make their repentance. Pregnant women, to spare them the danger

¹⁰⁰⁰ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f6.

¹⁰⁰¹ DCA Burgh and Head Court Book 1558-1561, f131.

¹⁰⁰² *Statutes of the Scottish Church 1225-1559*, 128-130, 182-3.

¹⁰⁰³ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f22.

¹⁰⁰⁴ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f23.

¹⁰⁰⁵ In the Dauphiné, for example, the deacons were assigned to look after the goods of the poor. “Reglement Général des États Protestants du Dauphiné” in *L’organisation et l’action des Églises Réformées de France*, 266.

of prison, were to be banished for a year and not readmitted to the town until they publically repented.¹⁰⁰⁶ In 1564, however, the Head Court meeting expressed frustration that pregnant women were getting off too easily – evidently, the immediate sentence of banishment was not being imposed. The revised laws called for a woman who was caught “of whatever estate that she be” to be brought to the market place where her hair would be cut off and nailed to the cukstool, before she made public repentance in the kirk. For a second fault, the woman’s hair was to be again cut off, then she was to be carried in a cart through the town, for which expense she was to pay 2s, before being banished from the burgh for a year and day. Men were to be held in the steeple for forty-eight hours on bread and water, with the additional specification that no one was to keep the offender company except the burgh officers.¹⁰⁰⁷

The council’s role in creating a godly community was made explicit in their crackdown on drunkards in 1561-2, when they noted that “we know to be the command of god that there shall not be any drunks and blasphemers of his holy name among his people.” Anyone found drunk in a ‘drinkhouse’ was to pay 5 merks for their first fault, which fine was to be distributed to the poor, 10 merks for a second fault and £10 for a third.¹⁰⁰⁸ If he or she continued in misbehaviour, they were to appear before an assize of their neighbours, who could banish them for a year and a day, receiving them back only with their open repentance. A drunkard without money was to spend two days and nights in the stocks for a first offence, four days and nights for a second, and for the third offence be placed in the thieves’ hole, before facing an assize and the possibility of banishment.¹⁰⁰⁹ Blasphemers “of the holy name of god” were to receive an assize of their neighbors and face the same penalties as drunkards.¹⁰¹⁰ It was also ordered in December 1561 that sweeps for vagabonds be conducted four times a year, those who housed vagabonds were to lose their freedom if they were burgesses and be banished from the burgh if they were not.

¹⁰⁰⁶ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f23.

¹⁰⁰⁷ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f39.

¹⁰⁰⁸ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f26.

¹⁰⁰⁹ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f26-27.

¹⁰¹⁰ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f27.

In practice, the burgh courts could not always bring themselves to apply these harsh sentences.¹⁰¹¹ In April 1562, Andrew Monter and David Davidson were warned that should they house any vagabonds, or have any drinkers or players in their house after eleven, that they would be banished from the burgh forever.¹⁰¹² The same threat was made in July 1562 against Robert Makkeltir and William Robertson, who confessed “that they blasphemed god and his religion.”¹⁰¹³ The October 1564 Head Court session revised punishments to be less drastic but presumably more likely to be enforced, mandating that those who were caught swearing or blaspheming the name of God were to be immediately put in the stocks for one hour.¹⁰¹⁴ This approach to summary punishment proved popular, for in 1568 the laws were amended to include the provision that the officers of the burgh should be ready at all times to take “command and charge” of drunkards and blasphemers from “any honest man inhabitant of this burgh that apprehends” them and place them in ward in the tolbooth.¹⁰¹⁵ The same meeting decreed a fine of 20s, to be paid to the poor, for those who refused to stop drinking, dancing or playing after nine at night. Not all drunkards were inhabitants of Dundee, however, and outsiders were blamed for provoking whoredom and drawing people away from preaching and prayers “to the great slander of religion.” Wine and ale sellers were not to serve after nine at night or in the morning during prayers and preaching, nor during Sunday afternoon preaching, on penalty of being deprived of the right to sell ale or wine for a year.¹⁰¹⁶

The council explicitly sought to cooperate with the disciplinary structures of the new church. In October 1562, the Head Court passed an ordinance lending their support to ecclesiastical authority, adding to their previous acts (not found in the existing records) that a person warned to appear before the kirk session who refused twice was to be placed in the steeple for twenty four hours and not released until he found caution for the sum of £10.¹⁰¹⁷ It appears that people were avoiding the authority of the local kirk session as well, and in February

¹⁰¹¹ Graham, *The uses of reform*, 49.

¹⁰¹² DCA Burgh and Head Court Book 1561-2, f140.

¹⁰¹³ DCA Burgh and Head Court Book 1561-2, f160.

¹⁰¹⁴ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f39.

¹⁰¹⁵ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f53.

¹⁰¹⁶ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f28.

¹⁰¹⁷ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f31.

1562-3 an act was passed requiring that those who did not appear on the day set by the minister and elders of the congregation to “obey ye order of discipline” were to be fined 20s, which were to be given to the poor, and imprisoned for forty-eight hours, and only released on £10 security. Those without means were to be imprisoned for eight days on bread and water.

By 1564 the Town Council also began to enforce attendance at Sunday services, commanding that anyone who stayed away from either the morning or afternoon preaching be admonished by the minister and assembly for the first three faults, and if they continued to be absent they were to pay a fine of 20s or stand four hours in the stocks.¹⁰¹⁸ This ordinance proved to be perhaps too effective, and in 1567 it was decreed that women were not to bring any children under the age of five to the kirk, on penalty of 8s. By 1568, the town council was willing to extend its interpretation of Sabbath keeping, and ordered the town’s gates to be closed on Saturday evening and not opened until Sunday afternoon. The same meeting ordered that those who disputed “the good true religion and discipline in the kirk” face the penalties contained in the acts of Parliament (exactly which acts is unclear) and that those who heard these opinions to report them, on pain of being deprived of the freedom of the burgh.¹⁰¹⁹ Not everyone in the burgh was happy with the new religion, it seems, though the new disciplinary regime was as much civic as ecclesiastical.

The town council also exercised authority over schoolmasters, and the baillie George Wishart was assigned to supervise the grammar school. Though Wishart was part of the delegation that attended the disputation with the Catholics in Edinburgh, there is no evidence to suggest that the schoolmaster was perceived to be one of the orders of the church, as envisioned by Calvin. When a new schoolmaster was hired in December 1560, the appointment was made by the baillies, councillors and craft deacons, with no evident participation by the minister or elders.¹⁰²⁰

¹⁰¹⁸ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f39.

¹⁰¹⁹ DCA Burgh and Head Court Book Head Court Laws 1550-1612, f55; possibly a reference to the Act passed in December 1567, banning the mass, on pain of death for the third offence, specifying that those who denied the religion were not to be included in the kirk receive any ecclesiastical revenues. *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2013), 1567/12/4. Date accessed: 27 July 2012.

¹⁰²⁰ DCA Burgh and Head Court Book 1561-2, f175.

The Dundee town council continued to play a major role in civic religion after the Reformation. In both periods pleasing God was an essential part of their mandate. What is striking is the rapidity with which they changed emphasis, from ensuring the provision of divine service and the proper performance of the clergy to enforcing proper devout behaviour among the whole population of the burgh. In place of managing an extensive roster of chaplains and an elaborate infrastructure of churches, hospitals chapels and altars, the town council, in conjunction with the elders of the congregation, now focused on enforcing proper behaviour among the entire population. The new Protestant church, with a drastically reduced clergy and schedule of religious services, was undoubtedly easier to maintain and administer, and freed up the baillies' and councillors' time to expand their jurisdiction beyond business disputes and violence to behavioural matters. This change did not take a generation to take effect, at least among the town's leaders, nor was it the result of the triumph of a Protestant faction. The Reformation in Dundee took less than a year, from the imposition of new disciplinary measures in January 1558-9 to the selling of the burgh's Catholic ritual equipment in August 1559. It may have taken some time for the entire population to regard themselves as a Protestant nation, but the speed and ease of the Reformation of Dundee's council and civic church indicates a degree of popularity and acceptance of the new ideas. The Reformation, at least in Dundee, were not something suddenly imposed on a reluctant population by a gang of radical preachers and lords, but evidently something desired by a significant part of the population, who had perhaps become increasingly convinced over the 1550s that stricter discipline among the people was necessary to regain God's favor. The same men, therefore, who oversaw Catholic divine services supervised the Protestant, Calvinist disciplinary regime. The civic church remained, but its practices and theology changed.

Haddington

Haddington's Reformation provides a stark contrast to Dundee's. There were no overt signs of Protestantism or dissatisfaction with Catholicism in Haddington during the late 1550s as any Protestant adherents, such as David Forrest, seem to have left to join the Lords of the Congregation rather than trying to reform the burgh.¹⁰²¹ East Lothian in general was quiet, as the confrontations, iconoclasm and fighting of 1559-60 all took place in other regions of Scotland. The English army that arrived in 1560 to assist the Congregation marched near Haddington but the only trace in the burgh records is a complaint made by an Englishman who sold a horse to Alex Blackburn in June 1560, and who was not paid.¹⁰²² Neither is there obvious evidence of resistance to Protestantism, however. After 1560 the town hired a minister and reader and dismantled some of the physical and administrative structure of the civic church, though with far less gusto than Dundee had.

The uneventful transition to Protestantism was helped by the stability of the town council. During the period of crisis, from October 1558 to October 1561, the town council was dominated by a small group of eleven men who represented no particular faction and were thus likelier able to preserve civic unity through the changes of the Reformation. They were a very experienced group of town councillors; eight had served at least four times already, with Thomas Dikson and John Ayton having served thirteen and ten times respectively. Three men had already served as baillie, three as provost, and John Ayton had held both positions. Only James Ayton had not served as a councillor before 1558, though he had served as deacon of the bakers. They were also fairly wealthy; eight of them had or would contribute financially to the town, though the group was a mixture of craftsmen and merchants; John Ayton and Barnard Thomson were maltmen, James Ayton was a baker and John Douglas was a mason. Alex Barnes had served as a craft deacon, though there is no trace of his trade. Adam Wilson and Thomas Punton were merchants.

¹⁰²¹ HAD/2/1/2/1 Burgh Minutes 1554-80, f20v; though the presence of French soldiers in 1558-9 may have forced caution on any local adherents.

¹⁰²² HAD/4/2/3/2 Haddington Court Book 1560-71, f204; Calderwood, *History of the Kirk of Scotland*, 1:582; HAD/2/1/2/1 Burgh Minutes 1554-80, f20, 20v.

None of the councillors can be identified with a particular religious faction, although several had participated in the administration of the Catholic civic church. Thomas Dikson guaranteed Archibald Borthwick's service in 1533, while James Ayton received £20 from the profits of the parish clerkship and was responsible for recovering the silver chalice owned, and presumably hidden, by the baker craft.¹⁰²³ Several of the men took a turn collecting with the kirkboard.¹⁰²⁴ Others were involved in routine disputes with clerics; Thomas Punton, for example, went to arbitration with a chaplain of Preston over the rent owed by his tenement following the burning of the town.¹⁰²⁵ After the Reformation, John Ayton, John Douglas mason, James Oliphant and William Gibson would all rent parts of the friars' lands, though taking advantage of the opportunity does not imply that they supported the Reformation for material gain. Alex Barnis and Thomas Punton were guilty of assuring and assisting with the English, though there is no evidence that they were religiously motivated.¹⁰²⁶ Haddington's reaction to the crisis was to ensure unity and continuity by entrusting town government to a group of experienced councillors who continued the town's trend of uncontroversial government.¹⁰²⁷

Even after the beginning of the War of the Congregation, it was not until the autumn of 1559 that the friars took steps to avoid the fate of their colleagues elsewhere in Scotland, feuing their lands to the town council on 8 and 9 October. The friars feued their buildings, gardens, dovecots and church to the town council, but maintained their superiority over the land.¹⁰²⁸ The contract specified the "favour and help" provided by the town council in the friars' hour of need, during "this present calmunity urged against religious orders and ecclesiastics in this kingdom."¹⁰²⁹ It is not specified what the friars received in return for giving up their buildings and

¹⁰²³ HAD/4/6/5 Haddington Court Book 1530-55 f40v, f45; HAD/4/1/2 Protocol Book of Alexander Symson 1529-44, f91; HAD/4/2/3/1 Haddington Court Book 1555-60, f9v.

¹⁰²⁴ Alexander Barnis was pursued for not paying rent to a cleric in the early 1550s, and by the town for not contributing to the Lady Altar, but was also pursued for not paying the Queen's tax, so it is more likely that he was suffering financially than that he was taking a principled stand. HAD/4/6/73 Treasurer's Account 1558, f3-6.

¹⁰²⁵ HAD/4/2/3/1 Haddington Court Book 1555-60, f110.

¹⁰²⁶ *Accounts of the Lord High Treasurer of Scotland* 4:131, 332.

¹⁰²⁷ Even John Ayton stayed out of trouble during this period! For an example of magistrates putting civic unity ahead of religious conflict, see Muriel C. McClendon, *The Quiet Reformation: Magistrates and the emergence of Protestantism in Tudor Norwich* (Stanford: Stanford University Press, 1999).

¹⁰²⁸ HAD/4/1/5 Haddington Protocol Book 1548-65, f253v.

¹⁰²⁹ Bryce believes that their lands were originally feued on 10 October 1555, in a document now lost but included in a list of charters handed over to the burgh on 21 April 1574. This, he holds, was part of a general strategy of the Scottish

lands. A notarial charter of 11 October 1559 included a provision that they would be able to take up their possessions again when “they are permitted to live in the habit and under the rule of the Conventual friars as they have heretofore done.”¹⁰³⁰ The arrangement was confirmed on 18 April 1560.¹⁰³¹ The friars must have known for some time that they were being targeted by the Protestants – the ‘Beggars summons’ calling for the friars to give the hospitals and almshouses back to the poor went out in March 1559, and sackings of friars and monasteries took place in May and June.¹⁰³² Evidently there were no mobs or Protestant armies marching through Haddington that summer, giving the friars the time to make orderly arrangements.

Some confusion or disagreements about the status of the friars possessions must nonetheless have lingered, for in July 1560 Friar William Hepburn was found to have broken the lock on the door to the warden’s chamber in the friary, leading Provost James Oliphant to ask for compensation.¹⁰³³ Relations cannot have been too difficult, however, for in August 1560, Friar John Auchinlek, warden of the friary of Haddington, appointed James Oliphant as his business agent.¹⁰³⁴ By March 1560-1, the council had begun renting out the Friars’ lands, mostly to prominent men in the burgh, which brought in at least £10 16S 8d.¹⁰³⁵ Haddington, perhaps not convinced that the Reformation was permanent, was not as quick as Dundee to physically dismantle the friary. The town council first acted to protect the buildings, legislating in October 1561 against the taking of stone from the high kirk or the friars’ kirk, only deciding in 1572 to use the stones in the rebuilding of St Mary’s.¹⁰³⁶

Friar John Auchinlek succeeded as warden of the friars in 1560, and worked to retain control of the friary revenues throughout the 1560s. He successfully kept the revenues out of the

Conventuals, who feued their friaries throughout Scotland. There survives a charter from 15 October 1555, when the friars feued a parcel of land to Thomas Dykest, though one feu charter unfortunately cannot tell much about a trend. HAD/4/1/5 Haddington Protocol Book 1548-65, 110v, f253v. See Haddington Charters, HAD 1/16, for a charter issued Oct 9 1559, and a charter issued 11 October 1559. Forbes-Gray, *Short History of Haddington*, 32-33; Bryce, *Scottish Grey Friars*, 1:150, 178, 187.

¹⁰³⁰ trans. Bryce. Original rendered as “ad vinendum sub habitu et regula conventualem fratrum prout hactenus vixbenit” Haddington Charters, HAD 1/16.

¹⁰³¹ HAD/4/1/5 Haddington Protocol Book 1548-65, f269; see also Haddington Charters, HAD 1/16, issued 18 April 1560.

¹⁰³² Dawson, *Scotland Re-formed*, 203; Lynch, *Edinburgh and the Reformation*, 75.

¹⁰³³ HAD/4/1/5 Haddington Protocol Book 1548-65, f278v.

¹⁰³⁴ HAD/4/1/5 Haddington Protocol Book 1548-65, f279.

¹⁰³⁵ John Ayton, James Oliphant, Walter Gibson, George Crag; HAD/2/1/2/1 Burgh Minutes 1554-80, f27.

¹⁰³⁶ Marshall, *Ruin and Restoration*, 26.

accounts of the Thirds of Benefices, and thus avoided having to turn them over to the crown. The council and he spent the next decade tussling over the income. In March 1566-7 he obtained a letter of the Privy Seal awarding him a yearly pension of £16 from the rents of the friary, in addition to the 6 merks from Ralph Eglington's acres that the burgh had long paid to the friars and a clothing allowance. Friar John must have sought the letter because of difficulty in collecting, as the letter instructs the burgh to pay the 6 merks "for the years past and yearly and termly in all time coming like as his predecessors were answered and paid of before of the same in all times past memory of man, as an contract made between the warden and convent of the place of the Friars foresaid and the said burgh of Haddington bears."¹⁰³⁷ The burgh received the remainder of the revenues, as the same month a charter of the Great Seal gave the lands, annuals and other pertinents of the Friars to the burgh for sustaining a minister and a hospital for the poor, infirm and orphans, excepting pensions to the former friars for the rest of their lives.¹⁰³⁸ Despite these grants, the burgh would not gain full control over the friary accounts until 1572, when Auchinlek finally handed over the whole title and revenues to the burgh in exchange for £22 annually, supposedly to be shared with the one remaining friar, Patrick Allen.¹⁰³⁹ Auchinlek subsequently became reader in Athalstanefurd.¹⁰⁴⁰

It is not known when Catholic masses ended and Protestant services began in Haddington but in June 1560 there is a reference to payment being made on the high altar of the parish church.¹⁰⁴¹ This does not prove that mass was still being said, but it does indicate that the church had not yet been 'cleansed' by Protestants. A reader, Walter Balcanquhall, was appointed possibly around 1561. He was promised fifty merks a year for reading the common prayers in the morning on Sundays, Wednesdays and Fridays.¹⁰⁴² The first minister, Patrick Cokburn, was appointed in 1562. He had attended St Leonard's College in St Andrews around 1525 and then

¹⁰³⁷ *The register of the Privy Seal*, vol. 5, pt 2, p.325.

¹⁰³⁸ *The Register of the Great Seal of Scotland*, 4:443.

¹⁰³⁹ Bryce, *Scottish Grey Friars*, 1:189.

¹⁰⁴⁰ Bryce, *Scottish Grey Friars*, 1:190.

¹⁰⁴¹ HAD/4/1/5 Haddington Protocol Book 1548-65, f277v.

¹⁰⁴² Forbes-Gray, *Short History of Haddington*, 32-33.

went to Paris, eventually becoming a professor of Oriental languages.¹⁰⁴³ In 1531 he was made chaplain of Trinity altar in the St Mary's church by the patron, Master Robert Walston, provost of the Bothans. As the ceremony was handled by a procurator, Master Patrick was probably not in Haddington at the time.¹⁰⁴⁴ He was present in the burgh in 1537, when he witnessed the apology of sir Mungo Millar, who had accused sir John Tait of claiming that the Virgin Mary had no more power than any other woman or man.¹⁰⁴⁵ He then acquired the patronage of James Stewart, commendator of St Andrews priory, which owned St Mary's church, and accompanied him to France in 1548.¹⁰⁴⁶ As a result James Stewart granted him a pension of £50 a year from the kirk of Leuchars, and likely arranged for his appointment as minister to Haddington.¹⁰⁴⁷ It is unclear when he developed Protestant sympathies, whether it was as far back as his time at St-Leonard's or during his service with James Stewart. He was later considered for the superintendancy of Jedburgh before dying in 1568.¹⁰⁴⁸

Other positions were filled more gradually. In March 1567, William Wilson, who had originally been appointed parish clerk in 1533, alongside Archibald Borthwick, appeared before the town council saying that "now since all Clerkships are restored to their offices, with such additions as accords to religion at this present" he was willing to serve in a Protestant manner, to "minister in the parish church with water at baptism" as well as cleaning the kirk and opening it at appropriate times. In returned, he requested permission to resume collecting 12d a year from "each fine house" in the town, as he had done from 1533 until the time that the "Imitation of Religion" had been introduced. The Council agreed to let him resume collecting his 12d, throwing in 40s for keeping the kirk clean and adding the conditions that he sing the psalms on Sunday and serve as chanter.¹⁰⁴⁹ By 1571, the annuities that had belonged to the chaplains were

¹⁰⁴³ Hew Scott, *Fasti ecclesiæ Scoticanæ: The succession of ministers in the Church of Scotland from the reformation* (Edinburgh: Oliver and Boyd, 1915-), 1:368; *Early records of the university of St Andrews*, 116, 222.

¹⁰⁴⁴ HAD/4/1/2 Protocol Book of Alexander Symson 1529-44, f22v.

¹⁰⁴⁵ HAD/4/1/2 Protocol Book of Alexander Symson 1529-44, f95v.

¹⁰⁴⁶ Scott, *Fasti ecclesiæ Scoticanæ*, 1:368.

¹⁰⁴⁷ Scott, *Fasti ecclesiæ Scoticanæ*, 1:368.

¹⁰⁴⁸ Scott, *Fasti ecclesiæ Scoticanæ*, 1:368.

¹⁰⁴⁹ Marshall, *Ruin and Restoration*, 23-24.

diverted to support a schoolmaster – which indicates how small these annuities must have been, that several of them were converted into one salary.¹⁰⁵⁰

As in Dundee the town took on a more active role in distributing welfare. Alms are not frequent entries in the surviving accounts from the 1550s, although a payment of 35s for wine for “strangers” was made in 1557-8 and £6 was given to the poor in the almshouse in 1558.¹⁰⁵¹ Prior to November 1563 a regular alms collection at the church doors on Sunday was instituted, substituting for the kirkboard collections which appear to have been passed around inside the church, for during that month it was ordained that anyone who absented themselves from collecting should pay as much as had been collected the Sunday before – the same rules that applied to the kirkboard collections before 1560. The council also decided how to distribute the alms, granting between five and ten shillings to five men, one woman and one boy.¹⁰⁵² These actions suggest that the full church order, including deacons, was not yet established in Haddington.

The Catholic clergy, meanwhile, were still looked after. Former priests continued to be respected in the community, retaining the title ‘sir’ and the designation of ‘chaplain.’ In March 1561-2, for example, sir Alexander Vye, chaplain, provided testimony in a dispute between John Lyle and Thomas Millar.¹⁰⁵³ The town council continued to uphold their property rights, and the clergy appeared to claim their rents as usual, though less frequently than during the peak years in the mid-1550s.¹⁰⁵⁴ Sir James Mauchlin was awarded a pension of £6 in 1560, on top of the £4 he received for handing over his benefice to the council.¹⁰⁵⁵ Clerics also continued to engage in financial transactions as they had before, sir Thomas Gothrall becoming involved in a dispute with John Forrest in October 1563 and sir John Tait renting out lands that belonged to him through personal inheritance.¹⁰⁵⁶ In 1560, as in Dundee, there was either confusion about whether rents

¹⁰⁵⁰ Marshall, *Ruin and Restoration*, 25.

¹⁰⁵¹ Paton, “Haddington Records: Books of the Common Good,” 53, 57.

¹⁰⁵² HAD/2/1/2/1 Burgh Minutes 1554-80, f35.

¹⁰⁵³ HAD/4/2/3/2 Haddington Court Book 1560-71, f218.

¹⁰⁵⁴ HAD/4/2/3/2 Haddington Court Book 1560-71, f278

¹⁰⁵⁵ HAD/2/1/2/1 Burgh Minutes 1554-80, f24b, f18.

¹⁰⁵⁶ HAD/4/2/3/2 Haddington Court Book 1560-71 f255b, 257, 274.

were still owed to clerics or attempts to avoid paying rents.¹⁰⁵⁷ In August 1561 John Swynton agreed to pay 10 merks to sir Adam Brown chaplain, for the Mertymes term of 1560 and the Witsunday term of 1561, after which sir Adam released the arrestment he made on John's crops.¹⁰⁵⁸ In 1562, a new rental agreement between George Bruche and sir John Tait specified that as well as an annual rent of 24s, sir John was to receive a new pair of shoes every year.¹⁰⁵⁹ As before the clergy sometimes required the assistance of the town council in exercising their rights, demonstrated in June 1562 when a baillie intervened to ensure that Elizabeth, prioress of the Abbey, was able to proceed with a repossession process on a tenement of land.¹⁰⁶⁰ In November 1563 the council ordered the officers to collect a rent from Robert Talis's land and deliver it to sir William Wilson and the prebendaris of the kirk.¹⁰⁶¹ Two chaplains in Haddington's parish church began a repossession process in 1565 on two different tenements.¹⁰⁶² Their role as divine intercessors may have been eliminated, but the former Catholic clergy were still very much a part of the Haddington community.

Haddington was slow to give up Catholic practices and embrace Protestantism, but there does not appear to have been any actual resistance or involvement, on either side, in the Wars of the Congregation. Indeed, the local noble, the Earl of Bothwell, was on the Queen's side but does not appear to have enlisted any support from the town.¹⁰⁶³ The Haddingtonians clearly recognized that it was a time of crisis, as demonstrated by their retaining the same council for three years running, and making a sympathetic but beneficial agreement with the friars. It appears that while the townspeople were not enthusiastic about embracing Protestantism, they were not so devoted to Catholicism as to feel inspired to defend it. Weariness of war, armies and plague likely contributed to their desire to avoid conflict. It is difficult to say what the Haddingtonians thought about the Reformation in their burgh. The parish clerk would grumble about the "imitation of

¹⁰⁵⁷ HAD/4/2/3/2 Haddington Court Book 1560-71 f204, 204v.

¹⁰⁵⁸ HAD/4/2/3/2 Haddington Court Book 1560-71 f204, 204v.

¹⁰⁵⁹ HAD/4/2/3/2 Haddington Court Book 1560-71, f225.

¹⁰⁶⁰ HAD/4/2/3/2 Haddington Court Book 1560-71, f226v.

¹⁰⁶¹ HAD/2/1/2/1 Burgh Minutes 1554-80, f35v.

¹⁰⁶² HAD/4/2/3/2 Haddington Court Book 1560-71, f306v.

¹⁰⁶³ Gordon Donaldson, *All The Queen's Men*, (New York, St Martin's Press, 1983), 43.

religion" as late as 1567, though even acknowledged the Protestant kirk as the only game in town.¹⁰⁶⁴ This slowness may have helped make Protestantism more established in the long run.¹⁰⁶⁵ The council records do not indicate the same concern for discipline that was present in Dundee. Perhaps the lesser concern with discipline explains the decreased enthusiasm for Protestantism. Yet Protestantism was generally accepted, and some councillors who oversaw the Catholic civic church also oversaw the Protestant church. Doubts about Catholicism and the fear of God's wrath may have played a role in Haddington's orderly Reformation, but weariness and the preservation of civic unity may have been more significant.

Conclusion

The rapidity of the Reformation in some Scottish towns, and the willingness of the councillors supervising the civic church to drastically change their religious practices and beliefs, can be at least partially explained by the events of the previous decades. Discussion of new religious ideas, and relations with Protestant trading partners on the Continent and England, prepared Scots, especially those who would mature between 1540 and 1560, for the idea that different religious regimes were possible. They would have slowly familiarized Scots with the idea that the late medieval Catholic religious practices, based heavily on purgatory and the intercession of saints, were perhaps misguided. The plague and wars of the 1540s might have planted in their minds the idea that contemporary religious practices were not pleasing God. Like many Christians before them, they may have concluded that their misfortunes were God's punishment for their sins, a sentiment reinforced by the Catholic clergy. They may have perceived the logical solution to be to place less emphasis on repeating masses, which were not having the desired effect, and more on individual behaviour and faith.¹⁰⁶⁶ The established Catholicism was nonetheless not rejected or held in contempt by the vast majority. Much of the 1550s, therefore,

¹⁰⁶⁴ Marshall, *Ruin and Restoration*, 23-4.

¹⁰⁶⁵ McCallum, *Reforming the Scottish Parish*, 232, though his form of gradual change takes place over decades.

¹⁰⁶⁶ McIntosh sees similar disciplinary efforts in England as a response to social problems linked to rising urban population and increased poverty. McIntosh, *Controlling Misbehavior in England*, 177, 204-5.

was spent trying to establish a settlement which could incorporate new practices without disturbing established practices too much. When the settlement was derailed, as much by miscommunication or misunderstanding as by doctrinal differences, Protestants seized the opportunity to establish a completely new doctrinal regime. In the burghs, the priests may have been replaced by a minister and the many masses for the dead by kirk sessions, but it was still the councillors who were responsible for supervising the civic church. In neither town, moreover, was the Calvinist church order simply imposed; the Dundee town council retained control over the appointment of the schoolmaster, and in Haddington it was the council which administered poor relief. Establishing the Protestant church required some local compromise.

It was the Protestant nobles and lairds who won the war and changed the national religion at the Parliament of 1560, but it was the attitudes of the townspeople and magistrates that ensured Protestantism's success at the local level.¹⁰⁶⁷ In both Dundee and Haddington their attitudes were profoundly shaped by the events of the 1540s. In Dundee they built on existing Protestant sympathies to see a solution in changing behaviour to stave off God's anger, in Haddington they were founded on a fervent desire to avoid any more conflict. The success of the Reformation of 1559-60 was due to the willingness of Scots to accept religious reform and their reluctance to create more discord.

¹⁰⁶⁷ Their rare appearances in the local records make it impossible to know how much influence was yielded by Dundee's Protestant provost, James Haliburton, or by Haddington's nearby Catholic magnate, the Earl of Bothwell.

Conclusion

The Scottish Reformation did not end in 1560 or even 1565, of course. By then, Catholicism had been largely abolished and a national Protestant kirk established, but most Scots were not yet Protestants. Historians now speak not of 'the Reformation' but of 'the Reformations,' a series of events which were sometimes only loosely connected. In England, for example, Christopher Haigh has distinguished between the political Reformations of Henry VIII, Edward VI and Elizabeth, which introduced official Protestantism "statute by statute," and the evangelical Reformation that turned people into Protestants through individual conversion.¹⁰⁶⁸ The 1560 political Reformation in Scotland was one of the cleanest breaks with the Catholic past that occurred during the European Reformations, swifter even than the transformations in some of the Swiss and Imperial cities.¹⁰⁶⁹ At the parish level, however, both the institutions and the culture of Protestantism took several decades to be fully established.

Recent studies of the Reformation after 1560 suggest that one reason why the Catholic majority eventually accepted Protestantism was because it was only imposed gradually. It was decades before most parishes had full-time ministers, so initial worship focused on psalms and prayers which emphasized Christ and Christian piety. Doctrinal instruction only came to many parishes, especially rural ones, towards the end of the sixteenth century as the ministry expanded. Those kirk sessions which were in place during the 1560s focused on a narrow range of offences, especially sexual offences which would have also concerned Scots before the Reformation, and used admonition and fines rather than strict punishment to bring about

¹⁰⁶⁸ Haigh, *English Reformations*, 12. See also Thomas A. Brady Jr, *German Histories in the Age of Reformations, 1400-1650* (Cambridge: Cambridge University Press, 2009), 4.

¹⁰⁶⁹ Brady, *German Histories in the Age of Reformations, 1400-1650* 162-4; Euan Cameron, *The European Reformation* (Oxford: Clarendon Press, 1991), 219-222.

repentance.¹⁰⁷⁰ The example of Dundee indicates that the strict penalties contained in early legislation were quickly moderated.

The political Reformation, meanwhile, was precarious. The Protestants in 1560 could count on the support of several powerful nobles and many lairds, but they did not have the resources or the authority of a more centralized monarchy such as England to enable them to impose Protestantism in the localities. The Acts of Parliament which introduced Protestantism were technically illegal, and the Catholic Queen Mary only supported the Reformation because of the persuasion of her half-brother, James Stewart.¹⁰⁷¹ The implementation of the political Reformation, therefore, was dependent on the cooperation of the local communities. In the burghs, this meant that the town councils had to be willing to make physical changes to the parish churches, sell or destroy ornaments and ritual equipment built up over many generations, hire Protestant clergy and supervise them according to the standards of the new religion. Lay folk had to be found to participate in the kirk sessions, and the population had to come to services. If Haddington and other towns had been as reluctant as Aberdeen was to introduce Protestantism in the 1560s, it is unclear whether the new kirk and its noble and lairdly sponsors would have been able to overcome determined and widespread opposition.¹⁰⁷²

Yet many Scots did not resist the new religion and were willing to cooperate in its introduction. To make sense of this it is necessary to understand what happened before 1560 as well as after. The growth of the reform movement from the 1520s on would have accustomed Scots to the idea that some kind of religious reformation was possible or even inevitable. This growth was spread by the news from England and the Continent, the reports of sailors and merchants who travelled to Protestant ports, the preachers and academics who discussed reforming ideas and the politicians and nobles who embraced reform for factional purposes. These discussions took on a new significance with the coming of plague and war in the 1540s, which devastated the towns and decimated the inhabitants. Many interpreted these events as

¹⁰⁷⁰ McCallum, *Reforming the Scottish Parish*, 40-8, 86-8, 91, 231-2. See also Todd, *The Culture of Protestantism*, 84, 87, 96, 129-32, 221.

¹⁰⁷¹ Jenny Wormald, *Court, Kirk and Community* (London: Edward Arnold, 1981), 122-3, 132-3.

¹⁰⁷² Michael Lynch, Gordon DesBrisay and Murray G.H. Pittock, "The Faith of the People," in *Aberdeen before 1800*, 297-8; Allan White, "The Menzies Era: Sixteenth-century Politics," in *Aberdeen before 1800*, 230-2.

divine punishments for Scotland's sins, ranging from idolatry to adultery. During the 1550s just the possibility of war or plague was enough to cause misery, as demonstrated by the economic depression and the precautions taken against further disasters in Haddington. In this climate of anxiety, the reforms proposed by the Protestants, especially a clampdown on sin and the elimination of the ineffective or even offensive mass, offered the Scots a chance to regain divine favour. In Dundee, disciplinary reforms began before public worship was altered, suggesting that the townspeople were driven as much by concerns about sin as about questions of doctrine or worship. Those less inclined to see the hand of God in these misfortunes may still have been grateful to avoid further conflict. Fear, rather than a hatred of Catholicism, was a major factor in the acceptance of the Protestant Reformation in 1560.

The dramatic nature of the political reformation in 1560 has distracted attention from the people who actually made the religious reformation a success. The important continuities in the Scottish Reformation are not only that the Protestant church retained some aspects of Catholic worship or that the privy kirks grew to become a national church. They also include the religious involvement of ordinary Scots. It was they who had created a vibrant civic church to serve their needs, and it was they who decided that the worship in this church no longer suited them and should be changed.

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