Piracy and the Southwest Burghs of Scotland in an Irish Sea Context, 1560-1625

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Contents

Abbreviations

AA	Ayrshire Archives
AANHS	Ayrshire Archaeological and Natural History Society
APCE	*Acts of the Privy Council of England. New Series,* ed. J. R. Dasent, 46 vols (London: Public Record Office, 1890-1964)
AUSC	Aberdeen University Special Collections
Ayr Burgh Accounts	*Ayr Burgh Accounts 1534-1624*, ed. G. S. Pryde (Edinburgh, Scottish History Society, 1937)
BL	British Library
Calendar of Salisbury Manuscripts	*Calendar of the Manuscripts of the Most Hon. the Marquis of Salisbury, Preserved at Hatfield House, Hertfordshire*, 16 vols, eds S. R. Scargill-Bird and G. Dyfnallt Owen (London: His Majesty's Stationery Office, 1883-1973)
CMRI	*A Calendar of Material relating to Ireland for the High Court of Admiralty Examinations 1536-1641*, ed. J. C. Appleby (Dublin: Irish Manuscripts Commission, 1997)
CSP, Domestic	*Calendar of State Papers, Domestic Series, of the Reign of Elizabeth, 1601-1603 with Addenda 1547-1565*, ed. M. A. E. Greed (London: Longman, 1870)
CSP, Scotland	*Calendar of State Papers Relating to Scotland and Mary, Queen of Scots, 1547– 1603,* 13 vols, eds J. Bain et al., (Edinburgh: General Register House, 1898-1969)
CSPI, James	*Calendar of State Papers Relating to Ireland, of the reign of James I, 1603-1625 preserved in Her Majesty's Public Record Office, and elsewhere*, eds. C.W. Russell & J. P. Prendergast (London: Longman, 1880)
ERBG	*Extracts from the Records of the Burgh of Glasgow, A.D. 1573-1642*, 11 vols, eds J. D. Marwick and R. Renwick (Glasgow: Scottish Burgh Records Society, 1876-1916)
Hayes-McCoy, *Scots Mercenary Forces*	Hayes-MacCoy, G. A., *Scots Mercenary Forces in Ireland (1565-1603): An Account of Their Service during That Period and of the Reaction of Their Activities on Scottish Affairs, and of the Effect of Their Presence in Ireland, together with an Examination of the Gallóglaigh or Galloglass* (Dublin: Edmund Burke Publisher, 1937; reprinted 1996)
Kirkcaldy Burgh Records	*The Kirkcaldy burgh records, with the annals of Kirkcaldy, the town's charter, extracts from original documents, and a*

	description of the ancient burgh, ed. L. MacBean (Kirkcaldy, 1908)
KTCR	*Kirkcudbright Town Council Records 1576-1604, transcribed by Miss B Johnston and Miss C. M. Armet at the Instance of John, IV Marques of Bute*, 2 vols, i, (Edinburgh: Oliver & Boyd, 1939)
NLS	National Library of Scotland
NRS	National Records of Scotland
ODNB	*Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004; online edition 2008-22) www.oxforddnb.com
RCRBS	*Records of the Convention of Royal Burghs of Scotland*, 7 vols, eds J. D. Marwick and T. Hunter (Edinburgh, 1866-1918)
RPCS	*Register of the Privy Council of Scotland, 1545– 1625,* eds R. K. Hannay and John Hill Burton, 14 vols (Edinburgh: General Register House, 1877-98)
RPS	*The Records of the Parliaments of Scotland to 1707*, eds K. M. Brown et al (University of St Andrews, 2007-22), www.rps.ac.uk
SPO	*State Papers Online, 1509-1714* (Gale Centage Learning: 2007-2017), https://www.gale.com/intl/primary-sources/state-papers-online-early-modern
TDGNHAS	*Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, Third Series (Dumfries, 1912-2022)
TNA	The National Archives (Kew)

Stylistic conventions

Stylistic Conventions

Monetary values given in this thesis in pounds are that of pounds Scots, unless otherwise specified.

In Scotland, the Julian Calendar was used, meaning the beginning of the new year was on 25 March, before changing to 1 January in 1600. Any dates given before 25 March in this dissertation have been amended to indicate the crossover (i.e. 3 March 1596-7).

Where Scots language quotations and sources have been used, some translations have been provided by the writer. All translations are taken from *Dictionary of the Scots Language* website http://www.dsl.ac.uk

Maps

Tables and figures

Tables and figures

Abstract

Piracy is an understudied aspect of Scottish history, most often being analysed through the prism of governments and state institutions. Maritime historians of Scotland have largely focused on eastern trading burghs and the North Sea region, given the larger volume of trade and shipping emanating from these ports. The mariners of the southwest, however, operated in a different maritime environment to those on the east coast of Scotland. The tumultuous waters of the Irish Sea, which connected the western burghs to the seafaring communities of England, Wales, Ireland, Man, and the Scottish Highlands, were also the setting for English naval operations in Ireland and the civilising policies implemented by both Tudor and Stuart monarchies. To date, there are no comparative studies which systematically analyse piracy in the Irish Sea, certainly not from a Scottish perspective.

This thesis will survey piracy in the Irish Sea, before moving on to analyse state responses to piracy as they affected the Irish Sea communities. The Scottish western burghs will be placed within their 'archipelagic' context, analysing piracy alongside themes of naval control, diplomacy, and state formation. In doing so this thesis aims to highlight the ineffectiveness of state responses, and elicit local and regional nuances not present in state-centric or national studies. It will also place piracy affecting the western burghs within its immediate local context. Through a set of local case studies, it will reassess characterisations of Gaelic piracy on the west coast of Scotland, challenging perceptions of Gaelic seafarers as coastal raiders. It will assess how southwestern Scots participated in piracy, through illicit trading networks in the Irish Sea, and outside of the reach of central governing authorities. It will also make the case that local innovations, tailored to individual communities, must be further assessed as responses to piracy in historiography of piracy. In doing all of this, it hopes to realign how piracy is framed in Scottish historiography (and indeed that of the wider archipelago), to include the western maritime theatres in addition to eastern and northern coastlines traditionally assessed by scholars.

The impact of the Covid-19 pandemic on this research

The Covid-19 pandemic has had a substantial impact on this thesis. After the outbreak of Covid-19 in November 2019, and subsequent lockdown and travel restrictions throughout the United Kingdom in March 2020, the thesis had to be rethought and realigned. The most significant impact of the pandemic was on archival research which had still to be carried out by early 2020. After a fruitful trip to the National Archives in Kew in December 2018, a return trip planned for summer 2020 had to be cancelled due to restrictions. This meant that the most important resource used in this research, the records of the High Court of Admiralty of England, has not been fully explored.[1] In addition to this, access to local archives, planned for early 2020, has also been limited. The Ayrshire Archives, closed for some time before research for this thesis began due to renovation and relocation plans, have not reopened at the time of submission. Similarly, access to Glasgow City Archives, which reopened in January 2022, has not been possible due to time constraints.[2] Furthermore, research trips to the Public Records Office of Northern Ireland and the Manx National Heritage archives also had to be cancelled. Originally a full case study of piracy around the Isle of Man in the late sixteenth and early seventeenth centuries had been planned for inclusion but had to be excluded. Furthermore, research into the maritime communities in Ireland has featured less in this thesis as a consequence of lockdown and travel restrictions.

In more general terms, the lack of access to libraries throughout the writing process has resulted a limited number of secondary resources being consulted, beyond what was available through online resources. This problem was significantly lessened with the reopening of Stirling University library in autumn of 2021. However, this thesis was written while living and working in Glasgow, and travelling to Stirling on a regular basis was not practical given ongoing restrictions throughout Autumn 2021. Access to the resources of Glasgow University library also helped alleviate the situation but was not granted until the reopening of the SCONUL programme in January 2022, two months before submission. The writing of later chapters of the thesis, which focus on piracy after the regal union and local case studies of piracy in the southwest, have been most affected by the pandemic. The research for the local case studies was incomplete at the outbreak of the pandemic, and thus, they have had to be

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[1] This is particularly apparent in relation to the post-1603 material in the HCA collections. The sheer volume of material contained in these collections meant that a two-week trip to Kew in 2018 did not allow for the whole period covered by this thesis to be consulted. Therefore, a limited amount of material for the early seventeenth century from these collections has been included.

[2] Lack of access to these archives is particularly regrettable as they hold the records of the 'convention of western burghs', a regional forum of the western towns of the Clyde and Ayrshire, and possibly Galloway. This forum has been identified by Alan R. MacDonald, who traces its existence to the mid-sixteenth century, and has shown how it lobbied the Scottish Parliament successfully regarding restrictions on trade, fishing, and interaction with the Gaelic clans of the western Highlands and Islands. Investigation of these records in relation to wider maritime affairs may add further depth to arguments presented throughout this thesis. See A. R. MacDonald, *The Burghs and Parliament in Scotland, c.1500-1651* (London: Taylor and Francis, 2007), p. 99. Ayrshire Archives, Court and Council Records 1580-96, B6/11/2; Glasgow City Archives, Glasgow Council Act Book, 1573-81, C1/1/1, 1598-1601, C1/1/5.

limited to the late sixteenth century, rather than covering the whole reign of James VI in Scotland, pre- and post-1603.

Acknowledgements

Introduction

Aims and Objectives

This thesis will assess piracy in the Irish Sea and adjoining waterways, particularly as it affected the royal burghs on the southwest coast of Scotland. At its core, it will answer three main research questions addressing national and transnational, regional, and local contexts. Firstly, it will assess the effectiveness of state and centralised institutional responses to the problem of piracy in the Irish Sea region. Historiography assessing piracy in England and Ireland has traditionally approached the subject from the perspective of the state, while Scottish assessments of piracy have overlooked the Irish Sea region in preference for a focus on the North Sea and east coast. Secondly, it will investigate how the process of state formation affected piracy in the Irish Sea, given that different nationalities, cultures, and communities shared the same maritime space. Related to this, the attempts by both Tudor and Stuart monarchies to impose authority on the peripheral areas of their respective kingdoms – and the associated 'civilising' policies – forced many of the disaffected and displaced into piracy. These aspects of state formation have yet to be properly incorporated into studies of piracy. Thirdly, it will examine how the Scottish western burghs themselves approached piracy; both to reduce it and, in some cases, to facilitate it. Local studies of piracy in Scotland are few in number, yet piracy was often treated as a local problem, and often required local solutions. The local dimension to piracy has yet to be assessed from a Scottish perspective, particularly accounting for the western burghs.

In answering these questions, this thesis will reframe the debate around piracy in the British and Irish archipelago, incorporating new perspectives to the study of maritime depredation. In its analysis of the central and institutional responses to piracy in the Irish Sea, it aims to demonstrate how these efforts to reduce piracy were insufficient, underlining the need for a local perspective. This leads to another key aim of this thesis: to analyse piracy within wider regional and archipelagic contexts which, in this case, was related to state formation and the associated 'civilising' policies. Scholars of piracy have highlighted the fluctuations in numbers of reported attacks, and have outlined some contributing factors, but analysis tends to fall short of wholly integrating regional and local contexts into their analysis. By analysing piracy in the Irish Sea against geopolitical developments in the archipelago, this thesis will offer a deeper insight into piracy in the region than has been offered in existing scholarly analysis. In doing so, the research also aims to bring Gaelic piracy, and by association, the Gaelic communities of Scotland and Ireland, into the discussion. As this thesis will show, shipping from the western burghs was threatened by Gaelic pirates, a direct result of displacement of Gaelic communities due to Scottish and English civilising policies and efforts to plant Gaelic lands in their respective kingdoms. This threat was far less pronounced on the eastern and northern regions of Scotland, and Gaels have been somewhat excluded from scholarship to date or examined purely within a Highland context. Finally, this research aims to bring new and valuable perspectives to the study of local communities living at the interface between land and sea. In analysing how the communities of

southwest Scotland addressed piracy at a local level, this thesis aims to bring nuance to the debates regarding piracy in the archipelago, unearthing innovative local solutions to piracy, but also shining light on piratical networks that were facilitated within these communities, placing them within the illicit black market of pirated goods which spanned the Irish Sea.

In order to achieve these aims, this thesis will be approached from an archipelagic perspective. This approach, articulated most clearly by Alison Cathcart, builds on the ideas of J. G. A. Pocock and the New British History school of thought. Cathcart applied a more integrated approach to British and Irish maritime history, advocating a shift away from national narratives of state formation and central politics, while bringing the communities of the peripheries to the forefront of her analysis.[1] By placing the western burghs within an archipelagic – rather than national – context, this approach synchronises well with new ideas in Atlantic scholarship which seek to place maritime communities at the forefront of their analysis. Generally speaking, these studies have assessed maritime space within the Atlantic and Caribbean as they were defined by the communities within them, rejecting imperial boundaries set by polities in Europe. Ideas prominent in these approaches will be applied to the Scottish western burghs in the Irish Sea region, and this thesis will place a greater emphasis on aspects of piracy which have enjoyed less scrutiny by academic scholars. In particular, it will integrate the pirate traditions of the Gaelic regions of the archipelago, often mentioned, but rarely comprehensively analysed, into its analysis. This is particularly important when assessing the western burghs, as they shared land and maritime space with Gaels of the western Highlands and Islands of Scotland, and were subject to sustained piratical attacks at the hands of Highlanders during the period investigated in this research.

There are, of course, limitations to these approaches which must be acknowledged at the outset. Models presented by the New British History school of thought, for example, have been accused of discounting European or international perspectives.[2] Indeed, an archipelagic approach may treat Britain and Ireland as an insular world, particularly around the Irish Sea, which connects the Three Kingdoms (or four nations). While national narratives have favoured the North Sea region, this is, in part, due to the higher volume of maritime activity there. National narratives have also unearthed much of the European connections of Scottish mariners. Steve Murdoch, for example, has exposed piratical altercations between Scots and mariners of northern European nations, as well as England.[3] National

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[1] J. G. A Pocock, 'British History: A Plea for a New Subject', *The Journal of Modern History* 47, no. 4 (1975), pp. 601-621; A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago, c.1550-1625* (Oxford: Peter Lang, 2021); A. Cathcart, 'The Maritime Dimension to Plantation in Ulster, ca. 1550-ca. 1600', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 95-111; A. Cathcart, 'The Statutes of Iona: The Archipelagic Context', *Journal of British Studies* 49, no. 1 (2010), pp, 20-1. This thesis will draw heavily on Cathcart's work and the 'archipelagic' approach to the study of these islands. For a full discussion on this approach, see Chapter 4, pp. 101-4.
[2] Pocock, 'British History: A Plea for a New Subject', pp. 601-21; Cathcart, *Plantations by Land and Sea*, p. 25; *The British Problem, c. 1534-1707: State Formation in the Atlantic* Archipelago, eds. B. Bradshaw & J. Morrill (Basingstoke: Palgrave, 1996), *passim*.
[3] S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2010), pp. 111-152.

studies, or studies approached from the political centre, also provide valuable insight into how polities reacted to piracy. After all, the problem of piracy was addressed by central polities and centralised courts. This thesis does not necessarily discount national studies, as such studies are invaluable. Rather, it seeks to offer an alternative view of piracy, and unearth nuances at a local level which are not present in historiography to date. By adopting an archipelagic approach, analysing peripheral regions and local communities which are unaccounted for in national narratives, it becomes evident that these are precisely the places where pirates operated or found shelter – and thus, must be included in the historiography of piracy.

In order to achieve the aims of this thesis, it will be structured in three parts. The first will consist of a survey of piracy in the Irish Sea at the outset. Much of what is covered in the first part explores new historiographical territory. The Irish Sea region has been largely omitted from Scottish and, to a lesser extent, English and Irish scholarship on piracy in the sixteenth and seventeenth centuries. There is an exploratory element to this research, and a survey and outline of piracy in the Irish Sea will be required. Broadly speaking, it will then move on to assess state and central institutional responses to piracy, and how piracy was addressed in the Irish Sea, given that existing national narratives have been weighted towards the North Sea and English Channel. This research looks to reframe the debate regarding piracy away from the state-centric narrative, and on to the maritime communities themselves, but it is also necessary to account for central and institutional efforts aimed at limiting piracy.

In the second part, this thesis seeks to understand how early modern polities engaged with piracy in a shared maritime space. The second chapter will analyse the Irish Sea in terms of naval control of the maritime space, particularly that of the English crown's forces there, in the absence of any Scottish crown presence. Efforts to pacify these waters will be analysed in relation to the stemming of piratical activities, incorporating three small case studies of the communities of the Scottish Highlands, the Scottish western burghs, and the Isle of Man, revealing how pirates operated in the area. The following chapter will continue along the same line of enquiry, analysing how the Scottish and English crown's anti-piratical measures were implemented, and how they affected piracy in the Irish Sea. It will analyse the separate initiatives from each crown and their governing institutions, before going on to assess the effectiveness of the diplomatic exchanges regarding piracy between the Scottish and English monarchies during the late sixteenth century. Chapter 4 will then analyse piracy in the Irish Sea following the regal union of 1603, as James VI of Scotland became James I of England and Ireland after the death of Elizabeth I. It will show how localised piracy persisted in these waters, despite the scholarly narrative which suggests that professional piracy declined as pirate crews moved west in the early seventeenth century. This chapter demonstrates how local and also archipelagic contexts to piracy in the aftermath of union diverge from the established historical narrative which purports a wholesale decline in piracy after the union of the crowns in 1603.

The final section of the thesis, also consisting of three chapters, will then go on to analyse piracy from regional and local perspectives, given that communities in the Irish Sea were not sufficiently protected from piracy by their respective state governments. It will make the case that the study of piracy must incorporate regional and local perspectives in order to gain a comprehensive understanding of the subject, but must also relate to wider themes, in this case state formation and associated civilising policies. Chapter 5 will analyse how the new constitutional framework of the archipelago offered Scots of the southwest an opportunity for investment and employment through the plantation schemes in Ulster. However, when the wider archipelagic context to this is considered, it becomes clear that the civilising policies of the Stuart composite monarchy had a destabilising effect on the maritime environment of the North Channel, leading to a surge in piratical attacks on burgesses of the southwest participating in plantation schemes in Ireland, particularly at the hands of displaced Gaels. The relationship between piracy and the plantation schemes in Ulster in the early seventeenth century has yet to be assessed within scholarship, and this chapter shows how, despite the apparent decline in piracy more generally, the North Channel region was still not cleared of pirates during the plantation era, and still presented a significant risk for the burghs of the southwest.

Following this, Chapters 6 and 7 of this thesis will evaluate how Scots of the southwest participated in piracy, and guarded against it, in their local communities. These chapters will use local case studies, based primarily on local source material, to bring new light to the study of piracy in the Irish Sea. Chapter 6 will show how, in the burghs of the Solway, piracy was facilitated by local officials and regional magnates, while providing new evidence on piratical crews operating in the Irish Sea. It will also provide the first substantial analysis of piratical networks in the southwest of Scotland, highlighting the relationship between pirates and illicit traders at sea and the consumers of illicit goods on land. Finally, Chapter 7 will assess how local communities dealt with piracy in the late sixteenth century. It will present a case study of Ayr which demonstrates how piracy continued to plague the local community in the absence of any state intervention in Scotland's western seaboard. It brings to light the activities of the Mariners' Society of Ayr, a local organisation tailored to the needs of the maritime community, and the only one of its kind to factor piracy into its constitution. The local and regional approaches used in the final three chapters show how these types of studies have implications beyond the localities on which they focus.

Historiography
Maritime Studies

As scholarly enquiry into the maritime world progresses, a new maritime historiography is emerging which moves away from a state-centred approach to the study of the seas. Scholars have begun to study how maritime communities viewed their own geopolitical and geographic setting, rather than how these settings were defined by the imperial entities of the time. As new approaches to maritime history have

emerged, so too have questions at the heart of scholarly enquiry. This is most apparent in Atlantic histories which have diverged from traditional national narratives.[4] Ernesto Bassi's study of the Greater Caribbean in the nineteenth century focuses on the 'geopolitical imagination' of seafaring communities, emphasising what the inhabitants of these communities considered to be their own political and geographical surroundings, as opposed to the borders and regulations imposed by imperial governing centres. This has ensured that ports not traditionally viewed as important hubs of commerce can come to the fore, bringing new perspectives to the historiography of empires in the Atlantic which incorporate forgotten or marginalised communities.[5] Bassi's methodology and ideological framework can be used as a template when studying ports in neglected areas of the coast, such as those of southwest Scotland or the Isle of Man. Studying interactions between maritime communities across imperial or national boundaries is crucial in unearthing how illicit activity was carried out, and how it was perceived by its perpetrators. As this thesis aims to incorporate new maritime perspectives into the historiography of the archipelago, particularly those which avoid a state-centric approach, ideas presented in works such as Bassi's will be implemented in the study of the southwest, which will be viewed in its immediate maritime context – both in terms of geography and also the sociopolitical developments in the Irish Sea and North Channel.

Studies of illicit trade in the Atlantic have also utilised an inter-imperial approach in their analysis. Wim Klooster, for example, considers the position of the Portuguese in the Spanish colonies while under the rule of the composite Habsburg monarchy. The relationship between the centre of imperial power and the satellite region is shown here to be convoluted and undefined, and restrictions set on Portuguese trade in Spanish Atlantic territories difficult to enforce. Klooster analyses Portuguese informal trade in Spanish colonies as it relates to the regulations imposed by the Habsburg empire, and demonstrates the difficulties in both defining and enforcing navigational restrictions in far-flung territories.[6] This new line of scholarly enquiry also raises questions about Scotland's position within

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[4] For a discussion on the developing historiography of the Atlantic, see D. Armitage, 'Three Concepts of Atlantic History', in *The British Atlantic World, 1500-1800*, eds. D. Armitage and M. J. Braddick (Basingstoke: Palgrave, 2002), pp. 11-30. For works which have diverged from traditional national narratives, see D. W. Meing, *The Shaping of America: A Geographical Perspective on Five Hundred Years of History. Volume 1: Atlantic America, 1492-1800* (New Haven: Yale University Press, 1986); A. L. Hatfield, *Atlantic Virginia: Intercolonial Relations in the Seventeenth Century* (Philadelphia: University of Pennsylvania Press, 2004); B. Cunliffe, *Facing the Ocean: The Atlantic and its Peoples, 8000BC-AD 1500* (Oxford: Oxford University Press, 2001).
[5] E. Bassi, *An Aqueous Territory: Sailor Geographies and New Granada's Transimperial Greater Caribbean World* (Durham: Duke University Press, 2016). See also, J. R. McNeill, *Mosquito Empires: Ecology and War in the Greater Caribbean, 1620-1914* (Cambridge: Cambridge University Press, 2010).
[6] W. Klooster, 'Inter-Imperial Smuggling in the Americas, 1600-1800', in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. by B. Bailyn & P. L. Denault (Cambridge: Harvard University Press, 2009), pp. 141-180. See also, C. J. Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713* (New York: New York University Press, 2011). For an example of this approach being applied in a different geographical setting, see E. Tagliacozzo, *Secret Trade, Porous Borders: Smuggling and States along a Southeast Asian Frontier, 1865-1915* (New Haven: Yale University Press, 2005).

the Stuart composite monarchy in the early seventeenth century, and its relationship with English communities in the same maritime environment. This research will investigate how piracy and illicit trading persisted among the maritime communities of the Irish Sea and across the North Channel, despite attempts of Tudor and Stuart monarchies to restrict these practices.

Studies of individual communities in the Atlantic have also influenced this research. Michael Jarvis' maritime social history of Bermuda in the eighteenth century shifts the perspective to the experience of the British-American mariners who settled there and investigates the role they played in connecting the various communities of the Atlantic Ocean. Jarvis takes an 'organic' approach to Atlantic history; exploring how 'three races and scores of cultures' interacted, becoming increasingly interconnected by their shared use of the sea.[7] Jarvis' methodology used to study communities in the North Atlantic can be applied to the waters of the Irish Sea, where a multitude of peoples and cultures coexisted in the same maritime space. These Atlantic histories have all shown that new methodologies and approaches to the study of the sea can bring new and varied results. These methods are transferrable to different time periods and also to other maritime environments and have yet to be applied to the Irish Sea. At the same time, Atlantic world frameworks are especially helpful as they emphasise the mobility and interconnectedness of maritime communities within specific regions or localities, despite the perceived boundaries imposed by central or imperial polities. This approach matters greatly to this thesis, and also to the study of piracy. The mobility of pirate crews in the Irish Sea was a defining characteristic of their operations. The use of marginalised ports in the Irish Sea (including in the southwest of Scotland) were also a key feature of these operations. The lack of effective naval apparatus in the area, as well as the disconnect from the political centre in some areas of the southwest were contributing factors as to how port towns, like Kirkcudbright and Whithorn, facilitated piracy during the period under investigation. However, this thesis will not completely discount the activities of states and central institutions, or studies which portray their activities. On the contrary, it will incorporate these responses to piracy into its analysis, and demonstrate how they must be assessed against local, regional and archipelagic contexts, in fitting with much of the scholarship mentioned here which offers a fresh perspectives on maritime history.

In addition to drawing on Atlantic scholarship, the abundance of maritime studies within English historiography has also provided a wealth of scholarly material for this research to draw inspiration from. Nicholas Rodger's authoritative naval history of Britain provides the benchmark for more specialised works. Rodger presents an account of naval policy, strategy, operations, and shipbuilding, alongside a succinct account of the wider maritime context of the kingdoms in what is

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[7] M. J. Jarvis, *In the Eye of all Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (Chapel Hill, North Carolina University Press, 2016), p. 5; See also, D. Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009)

now Britain and Ireland up to 1660.[8] His work is a synthesis of existing scholarship, yet also presents original research on British maritime history, while his narrative also pays much attention to the non-English regions of the British Isles, including the Gaelic ones. More specialised works which focus on the maritime history of England have also shaped this research. Kenneth Andrews' study of early English overseas expansion, in which he chronicles the long process of empire-building through two centuries of frustrated attempts by English entrepreneurs to penetrate overseas markets, combines economic and maritime history to produce a narrative which diverged from imperialist attitudes within scholarship at the time of publication.[9] Studies of prominent individuals have also provided a lens through which to view the Elizabethan marine, particularly those engaged in maritime plunder and its administration.[10] Meanwhile, scholarship on the wide-ranging and varied research into English seapower has been enhanced through studies which have questioned long-held misconceptions regarding English superiority at sea.[11] These studies are important given the lack of Scottish maritime historiography for the period. Much of what we know about maritime activity in the Irish Sea comes from maritime studies of England and Ireland which focus on activity in the Irish Sea in relation to national objectives or in relation to the Tudor state apparatus. The response of the English state to piracy, and the English state's efforts to control the Irish Sea, will be assessed throughout this thesis, however, this study aims to diverge from these studies in methodology and approach, as outlined above.

Within Irish maritime historiography, Connie Kelleher has shown how the Gaelic O'Driscoll lords dominated the maritime environment of southwest Ireland. Through the use of both historical and archaeological material Kelleher contends that the O'Driscolls were able to rule by maintaining control over the community's maritime capabilities, and also by instituting an administrative system which incorporated ships, coasts and waterways. The importance of the sea to people of the southwest of Ireland is demonstrated through the large revenues received by the O'Driscolls from fishing, as well as their participation in the hired maritime mercenary trade and privateering.[12] The maritime environment

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[8] N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London: Harper Collins, 1997).

[9] K. R. Andrews, *Trade, Plunder and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630* (Cambridge: Cambridge University Press, 1984). Andrews' wider body of work has had a significant impact on this thesis. See also, K. R. Andrews, 'The English in the Caribbean 1560-1620', in *The Westward Enterprise: English Activities in Ireland, the Atlantic and America, 1480-1650*, eds. K. R. Andrews, N. P. Canny and P. E. H. Hair (Liverpool: Liverpool University Press, 1978), pp. 103-23; K. R. Andrews, 'The economic aspects of Elizabethan privateering', *Bulletin of the Institute of Historical Research* 25 (1952), pp. 84-7.

[10] H. Kelsey, *Sir Francis Drake: the Queen's Pirate* (London: Yale University Press, 2000, reprint of 1998 version); J. McDermott, *Martin Frobisher: Elizabethan Privateer* (New Haven: Yale University Press, 2001); R. W. Kenny, *Elizabeth's Admiral: The Political Career of Charles Howard, Earl of Nottingham, 1536-1624* (Baltimore: John Hopkins University Press, 1970).

[11] N. A. M. Rodger, 'Queen Elizabeth and the Myth of Sea Power in English History', *Transactions of the Royal Historical Society*, xiv (2004), pp. 153-174; D. M. Loades, *England's Maritime Empire: Seapower, Commerce and Policy, 1490-1690* (Harlow: Longman, 2000); C. A. Fury, *Tides in the Affairs of Men: The Social History of Elizabethan Seamen, 1580-1603* (Westport: Greenwood, 2001).

[12] C. Kelleher, 'The Gaelic O'Driscoll lords of Baltimore, Co. Cork: settlement, economy and conflict in a maritime cultural landscape', in *Lordship in Medieval Ireland: Image and Reality*, ed. by L. Doran & J.

in Ireland is also analysed in Jim MacLaughlin's study of Irish sea fisheries from the ninth to the nineteenth centuries, which traces the development of coastal fishing communities. MacLaughlin deals with themes of exploitation of coastal communities and the regulation of the fishing trade, as well as with the attempts of the central authorities to impose order in the coastal (mostly Gaelic) areas of Ireland, and with piracy, smuggling and illicit activity.[13] Meanwhile, maritime archaeology has contributed to the field. The scholarship of Colin Breen and John Raven, and their investigation of maritime lordships in late-medieval Gaelic Ireland, has shown Gaelic society to be outward-looking; they argue this was a society not limited by the physical landscape, but connected locally, nationally and internationally by maritime social groupings bound by culture and marriage, in some instances across the North Channel.[14] Irish maritime historiography has contributed much toward what we know about the Irish Sea region and the early modern maritime communities who operated in those waters. These are important local and regional studies that emphasise the importance of such approaches. They challenge broader general narratives by presenting the divergence of localised contexts and responses to maritime matters.

Early modern maritime history of Scotland, on the other hand, has not enjoyed the same degree of scholarly assessment as that of England and Ireland. It has predominantly, but not exclusively, been concerned with naval warfare. The assertions in James Grant's *Old Scots Navy*, suggesting Scotland's naval strength remained feeble into the eighteenth century, have continued to influence historians' views on the lack of a Scottish naval presence before the union of 1707.[15] This collection of source material relating to Scottish naval activity between 1689 and 1710 has painted a bleak picture which has resonated even outside of the period under scrutiny. Steve Murdoch has overturned such perceptions of Scottish naval activity in his study of Scottish maritime warfare (and piracy) from 1513 to 1713. Murdoch shifts the focus away from the Scottish crown's small retinue of naval ships held throughout the sixteenth and seventeenth centuries and presents an analysis of privateering squadrons and Scottish participation in the empires of allies, to put forward a more positive view of Scotland's participation in

Lyttleton (Dublin: Four Courts Press, 2007), pp. 130-159. For a similar study of the O'Donnell lordship in medieval Tyrconnell, see S. Egan, 'By Land and by Sea: The Role of the Maritime Sphere in the Expansion of O'Donnell Power ca. 1380-1500', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 16-31.

[13] J. MacLaughlin, *Troubled Waters: A Social and Cultural History of Ireland's Sea Fisheries* (Dublin: Four Courts Press, 2010), pp. 1-5, 121-150, 192-3.

[14] C. Breen and J. Raven, 'Maritime Lordship in Late-Medieval Gaelic Ireland', *Medieval Archaeology*, 61(1) (2017), pp. 149-182. See also A. O'Sullivan & C. Breen, *Maritime Ireland: An Archaeology of Coastal Communities* (Stroud: The History Press, 2011 reprint), pp. 13-5, 23-5, 199-209; C. Breen, 'Maritime Connections: Landscape and Lordship along the Gaelic Atlantic Seaboard of Scotland and the North of Ireland during the Middle Ages', *Journal of the North Atlantic*, Special Edition 12 (2019), pp. 3-15

[15] *The Old Scots Navy from 1698-1710*, ed. J. Grant (London: Navy Records Society, 1914). For modern works which present a similar assessment of Scotland's naval capabilities, see B. Lavery, *Shield of Empire: The Royal Navy and Scotland* (Edinburgh: Birlinn, 2007), pp. 1-35; E. J. Graham, *A Maritime History of Scotland, 1650-1790* (East Linton: Tuckwell Press, 2002).

the European maritime world.[16] A similar view is taken by Allan Macinnes, who analyses Scotland's standing among nations in the lead up to the Anglo-Scottish Union of 1707, incorporating the Scots' willingness to circumvent international regulations. This is a refreshing departure from established narratives, and also a valuable insight into Scotland's sea-borne trade in the early seventeenth century. Macinnes' argument that official records cannot be taken as accurate representations of Scotland's economy is particularly resonant with this research.[17] This argument will be well-utilised to show how the Scottish ports in the North Channel and Irish Sea have been marginalised and under-represented by Scottish economic historians. This thesis will build on these ideas, demonstrating how delving deeper into areas of history which have been overlooked in general studies can reveal how marginalised communities persevered despite a lack of trading resources.

Despite Scotland's maritime scholarship falling behind that of its neighbours, there is a burgeoning historiography which takes in the perspective of maritime communities in the peripheral regions of Scotland. Aonghas MacCoinnich, for example, has analysed the plantation schemes in Lewis, as well as several aspects of the Scottish crown's policies of colonisation in Gaeldom as a region. MacCoinnich's work is important in highlighting the disparities in source material (and also subsequent histories) which unfairly represents the Gaelic seafaring communities in the early modern period.[18] In addition to this, Cathcart has placed Scotland's maritime communities within their wider archipelagic contexts in the sixteenth and seventeenth centuries. Cathcart's archipelagic outlook on the history of Britain and Ireland is integral in forming the approach used in this research. This thesis aims to show how piracy affecting the western burghs was a result of events and developments spanning the archipelago, and Cathcart's emphasis on the plurality of communities and actors who influence developments resonates strongly with this research.

Piracy

Piracy has featured prominently within English maritime historiography, particularly during the Elizabethan and Jacobean eras. Scholars have identified professional operations of English pirates during this period, and are in general agreement that the Elizabethan state retained an ambiguous relationship with maritime plunder. However, historians are less in agreement regarding what actually constitutes a pirate. The distinction between the Elizabethan pirate and privateer has been a matter of

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[16] Murdoch, *Terror of the Seas?*. A more recent study of the navy is C. Helling, *The Navy and Anglo-Scottish Union, 1608–1707* (Woodbridge: Boydell & Brewer, 2022) who argues that the navy is a lens through which we can evaluate the creation of Britain. While an interesting study this contributes little to any analysis of piracy.
[17] A. I. Macinnes, *Union and Empire: The Making of the United Kingdom in 1707* (Cambridge: Cambridge University Press, 2007), pp. 47, 137-154, 219. See also, S. Murdoch, *Network North: Scottish Kin, Commercial and Covert Associations in Northern Europe, 1603-1745* (Leiden: Brill, 2006), who also argues that the Scots had success through circumventing mercantilist restrictions and practices.
[18] A. MacCoinnich, *Plantation and Civility in the North Atlantic World: the case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015; A. MacCoinnich, 'The Maritime Dimension to Scotland's "Highland Problem", ca. 1540-1630', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 51-56.

contention which has never been totally resolved by historians. Kenneth Andrews argued that 'the proper distinction between privateering and piracy is a legal one: the privateer had a commission from a recognised authority to take action against a designated enemy; the pirate had no commission and attacked anyone.'[19] Andrews acknowledges that there are significant complications which blur the lines between the two designations, but nonetheless retains the view that private enterprise with legal or state backing was to be distinguished from piracy.[20] Steve Murdoch takes a similar view: '[u]nlike naval commanders or privateers, pirates worked for no state or potentate but for their own personal gain.'[21]

This view has been revised by some English maritime historians, most notably Nicholas Rodger and Harry Kelsey. Kelsey takes a sterner view towards privateers than most historians, defining a pirate as 'a mariner who robbed from the ship of another mariner.'[22] He largely ignores the term 'privateer' as, he argues, it 'invests these sixteenth-century rascals with more dignity than their contemporaries were willing to give them.'[23] Rodger offers a more intricate analysis of the problem surrounding definitions of piracy, evidencing that the distinction between the two terms is based on various interpretations surrounding letters of marque and letters of reprisal.[24] In short, letters of marque were granted during wartime and allowed recipients to plunder ships of an enemy nation. Letters of reprisal often were granted as retribution for individuals who, during peacetime, had suffered at the hands of subjects of a foreign ruler and had failed to obtain justice in a foreign court. These usually allowed the victims to plunder a certain value of goods from ships of the state by which they had been wronged. However, several factors significantly muddy the waters between outright piracy and state-sanctioned robbery at sea. The increasing commercialisation of the privateering industry resulted in widespread de-regulation and disorder while the willingness of officials at various levels to overlook piracy for their own gain also added to the confusion. This was further compounded by the state of 'undeclared war' between England and Spain which clouded perceptions of 'peace' and 'war'.[25] With regard to the classifications of maritime plunder, the English context must be considered, given the lack of surviving Scottish documentation and subsequent historical analysis. The argument that stratification should be based solely on legal definitions falls short when it is recognised that the courts and officials who issued the documents sanctioning privateers have been proven to be ineffectual or corrupt. As the same legal documents that sanctioned privateers were vulnerable to forgery or were sold as blank copies to prospective seafarers, or amended to suit their needs, it is evident such documents were a license to commit piracy, or, frankly, piracy with a safety net. But perceptions are also important here. The legal

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[19] K. R. Andrews, *Elizabethan Privateering: English Privateering during the Spanish War 1585-1603* (Cambridge: Cambridge University Press, 1964), p. 5.
[20] *Ibid.*, pp. 3-7.
[21] Murdoch, *Terror of the Seas?*, p. 111.
[22] Kelsey, *Drake*, p. 11.
[23] *Ibid.*
[24] Rodger, *Safeguard of the* Sea, pp. 199-200.
[25] *Ibid.*

definition of a pirate may have been clear in England, but it was not always applied, particularly to those privateers who have featured so prominently in English historiography.[26]

Literature on piracy in the archipelago has been bolstered by the wide body of work produced by John C. Appleby. Appleby has published widely on English and Irish piracy in the late sixteenth and early seventeenth centuries and his study of Tudor age piracy chronicles the transition from late-medieval plundering to the professional criminality at sea exhibited in the Elizabethan era. Appleby covers almost all aspects of venture piracy, from small-scale local piracy to international expeditions across the Atlantic. The causes, consequences and facilitation of piracy by the state are analysed throughout, and the weaknesses of the Tudor state in curtailing maritime violence are exposed. Appleby also shows how mariners made a career out of piracy, but also how much localised piracy was a result of opportunity or circumstance.[27] In addition, he has analysed local and regional aspects of piracy in England, Ireland and Wales, as well as the transition to deep-sea plunder under the new Jacobean regime in the early seventeenth century.[28] Appleby is a leading scholar of piracy, whose research covers many facets of maritime depredation, and his work has significantly shaped this thesis, particularly with regard to venture piracy. However, there are limitations of Appleby's work regarding his approach and the conclusions drawn from source material. Appleby clearly defines rises in piratical activity in England and Ireland, but rarely incorporates analysis of wider phenomena which contributed to these rises. Furthermore, Appleby's analysis of Ireland rarely accounts for activity beyond the English communities there, whereas Gaelic piracy in Ireland is not fully incorporated into the analysis.

The legal and institutional responses to maritime depredation have also been explored by scholars whose work has highlighted the competing and conflicting jurisdictions between central and local authorities for prosecuting pirates, as well as the importance of perception in legal courts prosecuting pirates.[29] Such studies of the legal process for the prosecution of pirates sit alongside studies

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[26] Sir Francis Drake serves as an obvious, yet fitting, example of this. Drake pirated in the Mediterranean, the Atlantic, and the Pacific, sometimes while on state-sanctioned voyages. He was knighted by Elizabeth I after he brought home a massive haul of treasure which he took in piracy from Iberian vessels. The law on what constituted a pirate was not applied to Drake in England. Yet, to the Spanish, *El Draque* was an arch-pirate, with a substantial bounty placed on his head by Phillip II of Spain. See Rodger, *Safeguard of the Sea*, pp. 238-53.

[27] J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009).

[28] J. C. Appleby, 'The Problem of Piracy in Ireland, 1570-1630', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (Hampshire: Palgrave MacMillan, 2007), pp. 41-55; J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon Volume I: From Early Times to the Late Eighteenth Century*, eds M. Duffy, S. Fisher, B. Greenhill, D. J. Starkey and J. Youings (London: Conway Maritime Press, 1992), pp. 90-7; J. C. Appleby, 'Pirates and Communities: Scenes from Elizabethan England and Wales', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-c. 1600*, eds J. C. Appleby and P. Dalton (Farnham: Ashgate, 2009), pp. 149-172; J. C. Appleby, 'A Nursery of Pirates: The English Pirate Community in Ireland in the Early Seventeenth Century', *International Journal of Maritime History* 2, no. 1 (1990), pp. 1-27; J. C. Appleby, 'Jacobean Piracy: English Maritime Depredation in Transition, 1603-1625', in *The Social History of English Seamen, 1485-1649*, ed. Cheryl A. Fury (Woodbridge: Boydell & Brewer, 2012), pp. 277-300.

[29] L. M. Hill, 'The Admiralty Circuit of 1591', *Historical Journal* 14 (1971), pp. 3-14; C. Harding, ''*Hostis Humani Generis*' – The Pirate as Outlaw in the Early Modern Law of the Sea', in *Pirates? The Politics of Plunder*, ed. C. Jowitt (Palgrave MacMillan, 2006), pp. 20-38; R. G. Marsden, 'The Vice-Admirals of the

that analyse piracy in relation to wider English maritime developments.[30] Historians have also begun to explore new aspects of piracy, and have moved beyond simply assessing its impact on politics and trade. Mark Hanna traces the development of piracy in the British Empire from the Elizabethan era through the so-called 'Golden Age' and into the mid-eighteenth century. Hanna investigates the symbiotic relationship between the water and land, highlighting how pirates at sea depended on conditions on shore to operate. Hanna outlines the landed conditions required for piracy, exploring the reliance of some ports (or pirate nests) on short-term gains to combat economic hardship which, in turn, fostered piracy and created 'plunder economies'.[31] Hannah's study provides a solid methodological template which can be applied to the Scottish southwest, where ports like Kirkcudbright and Whithorn experienced economic slumps and supplemented this with dealings in piracy. Hanna also analyses the English (later British) empire in its embryonic state during the late sixteenth century. His study analyses the foundations laid for later pirate traditions in the Atlantic, and successfully applies Atlantic scholarship to an area of the archipelago in the sixteenth century.

Scholars have recently begun to analyse the positive effects piracy could have on economies.[32] In his investigation of illicit trading in Munster, Keith Pluymers argued that illegal trading and piracy often have not been factored into assessments of economies. Pluymers argues that the Baltimore economy in the early seventeenth century relied on illicit activity, and this in turn connected the province of Munster to the wider world. Pirate crews helped create networks far beyond Ireland, and Pluymers presents a compelling case that piracy and smuggling were driving forces in Baltimore's development.[33] Similarly, Connie Kelleher has outlined the economic impact of pirate communities in Munster, offering a geographical and archaeological contribution to the debate. Kelleher argues that the symbiotic relationship between complicit local officials, plantation undertakers, and pirates, stimulated the local economy in remote ports that were situated in landscape conducive to piracy.[34] The study of

Coast', *English Historical Review* 22, no. 87 (1907), pp. 468-77; John C. Appleby and Mary O'Dowd, 'The Irish Admiralty: its organisation and development, c.1570-1640', *Irish Historical Studies* 24, no. 95 (1985), pp. 299-326.

[30] Rodger, 'Queen Elizabeth and the Myth of Sea Power in English History', pp. 153-174; C. L'Estrange Ewan, 'Organized Piracy round England in the Sixteenth Century', *Mariner's Mirror* 35, no. 2 (1949), pp. 29-42.

[31] M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015). For other studies which investigate the relationship between pirates and communities on land, see K. P. MacDonald, *Pirates, Merchants, Settlers and Slaves: Colonial America and the Indo-Atlantic World* (Berkeley: University of California Press, 2015); D. J. Starkey, 'Pirates and Markets', in *The Market for Seamen in the Age of Sail*, ed. L. R. Fischer (Liverpool: Liverpool University Press, 1994), pp. 59-81.

[32] Starkey, 'Pirates and Markets', Jarvis, *In the Eye of All Trade*, pp. 82-5.

[33] K. Pluymers, ''Pirates' and the Problem of Plantation in Seventeenth-century Ireland' in *Governing the Sea in the Early Modern Era: essays in honour of Robert C. Ritchie*, eds P.C. Mancall & C. Shammas (Los Angeles: Huntingdon Library Press, 2015), pp. 79-108.

[34] C. Kelleher, 'Pirate Ports and Harbours of West Cork in the Early Seventeenth Century', *Journal of Maritime Archaeology* 8, no. 2 (2013), pp. 347-366. See also, Kelleher, 'The Gaelic O'Driscoll Lords of Baltimore'. Kelleher's recent monograph on piracy in southwest Ireland has also contributed significantly to scholarship on piracy in Ireland in the seventeenth century, and is discussed at length throughout Chapter 4 of this thesis. See C. Kelleher, *The Alliance of Pirates: Ireland and Atlantic Piracy in the Early Seventeenth Century* (Cork: Cork University Press, 2020).

piracy's effects on micro economies has shifted the way in which scholars view illegal activity at sea. While early modern states and central governing institutions sought to eradicate piracy, studies of small-scale economic aspects explain why piracy was able to flourish despite the efforts of centralised administrations. This thesis will analyse individual maritime communities operating as pirate nests in the late sixteenth century, and will draw heavily on this approach to demonstrate how piracy affected the local economies in ports in the Irish Sea.

Scottish historiography of piracy, in contrast to England and Ireland, has been scant during the period between 1560 and 1625, but has been the subject of several studies by David Ditchburn assessing the late medieval period.[35] In assessing Scotland's relationship with the Hanseatic League in the 1440s, Ditchburn illustrates how Scots went about participating in piracy and how this affected trading relations with foreign powers, leading to disruptions to trade and, in some cases, trading embargoes against Scotland.[36] Ditchburn has also demonstrated how Scottish mariners protected themselves against piracy, arguing that Scottish merchants often had to guard their own shipping due to the state's unwillingness and ineptitude in defending Scottish shipping – an argument that will be presented throughout this thesis.[37] The most comprehensive assessment of Scottish piracy in the late sixteenth and early seventeenth centuries comes from Steve Murdoch in his monograph assessing Scottish maritime warfare. Murdoch's chapter on Scottish piracy demonstrates the episodic spikes in Anglo-Scottish hostilities and presents an argument that the policing of British waters and the personal rule of James VI contributed to a decline in piracy around the time of the regal union.[38] Murdoch's work is important to this thesis, as it offers the most detailed analysis of Scottish piracy during the period under investigation. This research hopes to add to the historiography of Scottish piracy, and offer an alternative approach to the study of piracy. Murdoch's analysis of piracy is integrated into a wider study of Scottish maritime warfare. The conclusions reached in this work will not necessarily be challenged. Indeed, Murdoch's study has national parameters, and it is understandable that analysis would mainly

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[35] D. Ditchburn, 'Bremen Piracy in the Scottish Periphery: The North Sea World in the 1440s', in *Ships, Guns and Bibles in the North Sea and Baltic States, c. 1350-c.1700*, eds A. I. Macinnes, T. Riis & F. G. Pedersen (East Linton: Tuckwell Press, 2000), pp. 1-16; D. Ditchburn, 'The Pirate, the Policeman and the Pantomime Star: Aberdeen's Alternative Economy in the early Fifteenth Century', *Northern Scotland* 12 (1992), pp. 19-34; D. Ditchburn, 'Maritime Ports and Transport, c1200-1500', in *Scottish Life and Society: A Compendium of Scottish Ethnology*, ed. K. Veitch (Edinburgh: John Donald, 2009), pp. 23-52.

[36] Ditchburn, 'Bremen Piracy in the Scottish Periphery', pp. 1-16.

[37] D. Ditchburn, 'Piracy and War at Sea in Late Medieval Scotland', in *Scotland and the Sea*, ed. T. C. Smout (Edinburgh: John Donald, 19922), pp. 35-58.

[38] Murdoch, *Terror of the Seas?*, pp. 111-152. Murdoch's study has been important for this research although his arguments which assess the role of the Scottish state in reducing piracy are applicable in the North Sea region and the eastern ports. This thesis will present arguments to the contrary regarding the impact of Scottish central authorities on piracy in the Irish Sea. Murdoch acknowledges that his chapter cannot cover the whole spectrum of piracy in Scotland, and states clearly that there should be further research into ports and regions of Scotland where piracy flourished (*Ibid.*, p. 150). For Murdoch's wider publications on maritime history, see S. Murdoch, 'Breaching Neutrality': English prize-taking and Swedish Neutrality in the First Anglo-Dutch War, 1651–1654', *Mariner's Mirror* 105, no. 2 (2019), pp. 134-147; A. D. M., Forte, A. Little and S. Murdoch, 'Scottish Privateering, Swedish Neutrality and Prize Law in the Third Anglo-Dutch War, 1672-1674', *Forum Navale* 59 (2003), pp. 37-65.

account for activity in the eastern ports, given that there was much more shipping activity in these ports in the sixteenth century. Rather, this thesis aims to demonstrate how piracy should be assessed based on a particular maritime environment. For example, Murdoch's conclusion that there was a 'demonstrable decline in English piracy in Scottish waters' after the union of 1603, is not disputed.[39] However, this thesis will show how, in the Irish Sea and North Channel, the union of 1603 had piratical repercussions for Scots operating there, namely, the plantation schemes in Ulster and state intervention in the western Highlands led to increased Gaelic attacks on Scots of the southwest.

Gaelic piracy will feature heavily throughout this thesis. Scholars have assessed the piracies of the Gaelic clans of the western Highlands and Islands, and have drawn attention to the superior sea power of the Highland galley in the rough waters of the North Channel, as well as the violent nature of attacks.[40] However, there are still significant misconceptions within scholarship on Gaelic piracy, and a considerable bias in some historical works of piracy toward Lowland or Anglophone communities, which this thesis will address throughout. Much of the scholarship on Gaelic piracy is becoming out-dated, and fresh perspectives in recent years have been welcome. Works by Forte and Macinnes have contributed greatly to our understanding of Gaelic piracy in the sixteenth century, but their analysis has perhaps added to subsequent one-dimensional characterisations of Gaelic piracy as 'subsistence sea raiding'.[41] More recently, Domhnall Uilleam Stiùbhart has provided nuance to debates around the nature of Gaelic piracy during this period in his study of the Macneills of Barra. Stiùbhart has shown how their piratical enterprise placed them within an oceanic black market of illicit traders, and also uncovers their connections to venture pirate communities in England.[42] Indeed, as this thesis aims to bring a fresh perspective on Gaelic piracy, in keeping with an archipelagic approach to the study of the seas, discussions around Gaelic piracy are critical to the analysis presented throughout this research – not least because one of the main threats to the shipping of the western burghs was Gaelic piracy.

Local and regional studies

This research will draw from, and build on, many of the local histories of communities in the Irish Sea. Much recent maritime historiography outlined above has sought to realign debates around centre-periphery, placing communities and peripheral coastlines at the centre of their analysis. From a Scottish perspective, the towns of the southwest have featured less in national histories than those on the east

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[39] Murdoch, *Terror of the Seas?*, p. 128
[40] For the links between Gaelic sea power and piracy, see J. Macinnes, 'West Highland Sea Power in the Middle Ages', *Transactions of the Gaelic Society of Inverness* xlviii (Inverness, 1976), pp. 518-56. For an assessment of an individual case of Highland piracy, see A. D. M. Forte, 'A Preliminary Account of an Early Sixteenth Century Episode of Highland Piracy', *Scottish Gaelic Studies* 24 (2008), pp. 207-14.
[41] Appleby, *Under the Bloody Flag*, p. 22.
[42] D. U. Stiùbhart, 'Three Archipelagos: Perspectives on Early Modern Barra' in *Castles and Galleys: A Reassessment of Historic Galley-Castles of the Norse-Gaelic Seaways*, ed. P. Martin (Laxay: Island Book Trust, 2017), pp. 172-195.

coast. Due to the relative lack of surviving evidence from the sixteenth century, historians have been unable to utilise much statistical economic data for the period. Both trade and maritime historiography of Scotland have generally focused on Scotland's east coast, particularly regarding the burghs. This is in itself unsurprising. The royal burghs of the east coast enjoyed more plentiful trade and contained larger populations than their west coast counterparts, and thus have been more favourable as subjects of individual studies by academics.[43] The urban history of Scotland is also vital in the study of the western burghs, particularly with regards to the case studies presented throughout. The burghs of Scotland, and their relationship to the political centre, have been analysed by Alan R. MacDonald. MacDonald assesses burgh organisation, individually and collectively, and shows how it was the economic interests of the burghs as an estate which took precedence over their participation in national political affairs. The Convention of Royal Burghs, an institution which also made efforts to curtail piracy, is shown to wield considerable autonomy from central power structures in Scotland.[44]

There are many local and regional studies which will be utilised in the study of the southwest. In particular, the Ayrshire and Galloway regions have produced plentiful material from academic historians and local history societies. The long-running publications of the Ayrshire Archaeological and Natural History Society (AANHS) and the Transactions of Dumfries and Galloway Natural History and Antiquarian Society (TDGNHAS) contain a wealth of material relating to the history of both areas, and of the towns and sea ports on their coasts. Individual works by John Strawhorn provide a foundational knowledge of the history of Ayrshire's main sea ports.[45] Similarly, James Paterson's genealogical works on Ayrshire's landed families have been a particularly useful resource.[46] More detailed analysis of the burgh of Ayr, the premier port on Scotland's west coast until the seventeenth century, is offered throughout the various articles in Annie Dunlop's edited volume on the long history of the burgh.[47]

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[43] M. Lynch, 'Introduction: Scottish Towns 1500-1700', in *The Early Modern Town in Scotland*, ed. M. Lynch (Surry Hills: Croom Helm, 2010), pp. 4-5; S. G. E Lythe, *The Economy of Scotland in its European Setting* (Edinburgh: Oliver & Boyd, 1960); J. Butt and S. G. E. Lythe, *An Economic History of Scotland 1100-1939* (Blackie: Glasgow, 1975); I. F. Grant, *The Social and Economic Development of Scotland before 1603* (Oliver & Boyd: Edinburgh, 1930).

[44] A. R. MacDonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (London: Taylor and Francis, 2007). Scotland's urban history has also been bolstered by several important edited volumes. *The Early Modern Town in Scotland*, ed. M. Lynch (London: Croom Helm, 1987); *Aberdeen Before 1800: A New History*, eds. E. P. Dennison, D. Ditchburn and M. Lynch (East Linton: Tuckwell, 2002). See also T. Pagan, *The Convention of the Royal Burghs of Scotland* (Glasgow University Press: Glasgow, 1926). Many urban studies of the burghs in the southwest are outlined below.

[45] J. Strawhorn, *Ayrshire: The Story of a County* (Ayr: AANHS, 1975), pp. 34-37, 52-60; J. Strawhorn, *The History of Ayr: Royal Burgh and County Town* (Edinburgh: John Donald, 1989); J. Strawhorn, *The History of Irvine: Royal Burgh and New Town* (Edinburgh: John Donald, 1985).

[46] J. Paterson, *History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols (Ayr, 1847).

[47] *The Royal Burgh of Ayr: Seven Hundred and Fifty Years of History*, ed. A. I. Dunlop (Edinburgh: Oliver & Boyd, 1953). Analysis covering burghs in Ayrshire can also be found in G. S. Pryde, 'The Burghs of Ayrshire', *Ayrshire Collections*, Second Series, iv (Ayr: AANHS, 1958); H. McGhee, 'The Old Harbour of Ayr (From earliest times to the Union of the Crowns)', *Ayrshire Collections*, Second Series, i (Ayr: AANHS, 1950); W. Dodd, 'Ayr: A Study of Urban Growth', *Ayrshire Collections*, Second Series, x (Ayr: AANHS, 1972).

Ross MacKenzie's study of Ayr's export trade in the late sixteenth century offers statistical analysis of the harbour's coquet book. MacKenzie has compared this source to the official records and has noted the sizable difference between the number of exports recorded in the local sources and those recorded in the custumar's accounts, showing that Ayr's exports were considerably larger than official data shows for the period.[48]

Similarly, there are several local histories which place the maritime world of the Galloway burghs in context.[49] These studies analyse local trade and shipping, and account for piracy and other illicit activity within the burghs. James Robinson's study of the burgh of Kirkcudbright charts the development of the town and port throughout the late-medieval and early modern periods. Robinson shows how the area 'literally swarmed with pirates, and Kirkcudbright Bay and the adjoining waters appear to have been a favourite haunt'. In the sixteenth century, according to Robinson, this was a result of either a lack of competency or a wilful disregard in capturing pirates on the part of the magistrates.[50] Similarly, W. S. Borthwick has analysed a single instance of piracy in the burgh of Whithorn in 1565, and shown the complicity of the local magistrates and gentry and the protracted process of recovering stolen goods once unloaded by pirates.[51]

Early modern analysis of the Clyde burghs has mainly focused on the city of Glasgow. Historians have traced its development before its meteoric rise to prominence as a city of industry in the seventeenth and eighteenth centuries.[52] J. D. Marwick's study of the burghs of the Clyde and their interaction with neighbouring towns, though, is a notable exception to this. Marwick tracks the development of the River Clyde through the trade, conflicts and rivalries of the burghs on the west coast of Scotland.[53] A case has been made by Christopher Smout that Glasgow's growth and development was underway as far back as the late sixteenth century. Smout argues that Glasgow capitalised on its geographic location to form a hub of exchange for Highland and Irish goods going to Scotland's east

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[48] R. Mackenzie, *Ayr's Export Trade at the end of the 16th Century* (Darvel: AANHS, 1988), p. 12

[49] R. C. Reid, 'Early Records of Kirkcudbright', in *TDGNHAS*, Third Series, xxii (Dumfries, 1942), pp. 142-153; A. Murray, 'Customs accounts of Dumfries and Kirkcudbright 1560-1660), *TGDNHAS*, Third Series, XLII (Dumfries, 1965), pp. 114-132; A. Murray, 'The Customs Accounts of Kirkcudbright, Wigtown and Dumfries, 1434-1560', *TDGNHAS*, Third Series, xl (Dumfries, 1963), pp. 136-62; A. E. Truckell. 'Extracts from Dumfries Burgh Court Records', *TDGNHAS*, lxxii (1997), pp. 112-5; W. McDowall, *History of the Burgh of Dumfries* (Edinburgh, 1867; Dumfries: Rooskie Press, 2006 reprint).

[50] J. Robinson, *Kirkcudbright* (Dumfries, 1926), pp. 135-8.

[51] W. S. Borthwick, 'A Case of Piracy: 1565', in *TDGNHAS*, Third Series, xxiii, (1946), pp. 11-18.

[52] T. M. Devine, 'The Development of Glasgow to 1830: Medieval Burgh to Industrial City', in *Glasgow. Vol. 1: Beginnings to 1830*, eds. T. M. Devine and G. Jackson (Manchester: Manchester University Press, 1994), pp. 1-16; J. McGrath, 'The Medieval and Early Modern Burgh' in *Glasgow. Vol. 1: Beginnings to 1830*, eds T. M. Devine and G. Jackson (Manchester: Manchester University Press, 1994), pp. 17-62; T. C. Smout, 'The Glasgow Merchant Community in the 17th Century' *Scottish Historical Review* 47 (1968), pp. 53-71. For an appraisal of the county of Renfrew, see W. M. Metcalfe, *A History of the County of Renfrew* (Paisley, 1905).

[53] J. D. Marwick, *The River Clyde and the Clyde Burghs* (Glasgow: Scottish Burgh Records Society, 1909). See also, D. Murray, *Early Burgh Organisation in Scotland*, 2 vols (Glasgow, 1924-32).

and southwest trading centres.[54] This argument is particularly interesting as Smout does not rely on overseas trading records to show the strength of a burgh's industry in the late sixteenth century but shows that there are other lines of inquiry for a researcher to follow. These histories of the seaports of southwest Scotland offer valuable information about the inner workings of the burgh and speak to the significance of their location on the Irish Sea coast.

However, the parochial and antiquarian nature of many of these studies does not align with the approach of this thesis. Generally speaking, their outdated methodology and analysis also limit their utility as the foundation of research which looks outward from the southwest, although Smout's work is one notable exception. Many of these studies are valuable resources for extracting local nuances, given the authors' intricate knowledge of the local source material, and their knowledge of individual burghs will be used in local case studies. However, these studies are limited by their narrow scope and have little appeal beyond the areas which they investigate. While they display a deep understanding of the local context, more up-to-date research is required into the maritime history of the southwestern burghs. The gap in recent literature relating to these ports in the early modern period is unfortunate. This thesis will offer analysis of the burghs which analyses local piracy against national and transnational, or indeed, archipelagic contexts. It will broaden the scope and appeal of southwest Scotland, by applying an intellectual framework in maritime history which is based on ideas in Atlantic scholarship which have been applied across various regions and time periods, with global appeal.

In keeping with such an approach, this research will also investigate how the burghs of the southwest interacted with the communities around the Irish Sea. There are several academic studies of trade across this body of water which have influenced this thesis.[55] Donald Woodward's investigation of trade in the Irish Sea in the early modern era accounts for all maritime communities, but takes a predominantly Irish perspective. Irish Sea trades were, according to Woodward, never dominated by any of the Irish ports, which relied on English, and later Scottish and Welsh shipping to carry their goods across the sea.[56] J. R. Dickinson's work on the Isle of Man has taken a similar approach. Dickinson has shown the Isle of Man to be an important trading entity in the Irish Sea, wholly

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[54] T. C. Smout, 'The Development and Enterprise of Glasgow 1556-1707', *Scottish Journal of Political Economy*, 6(3) (1959), pp. 194-198.

[55] A. K. Longfield, *Anglo-Irish Trade in the Sixteenth Century* (London, 1929); D. M. Woodward, 'The Overseas Trade of Chester, 1600-1650', *Transactions of the Historic Society of Lancashire and Cheshire* 120 (1968), pp. 23-34; *Documents Illustrating the Overseas Trade of Bristol*, ed. J. Vanes (Bristol: Bristol Records Society, 1979); S. Flavin and E. T. Jones, *Bristol's Trade with Ireland and the Continent 1503–1601: The Evidence of the Exchequer Customs Accounts* (Dublin: Four Courts Press, 2009).

[56] D. M. Wooward, 'Irish Sea trades and shipping from the later middle ages to c. 1660' in *The Irish Sea: Aspects of Maritime History*, ed. by M. McCaughan and J. C. Appleby (Belfast: Institute of Irish Studies, 1989), pp. 35-46. In a similar vein, Woodward's study of Elizabethan Chester analyses the imports and exports from the most important port in north-west England in the late sixteenth century. The mercantile relationships with Ireland and the Isle of Man reveal a bustling maritime network in these waters at the close of the sixteenth century. D. M. Woodward, *The Trade of Elizabethan Chester* (Hull: University of Hull Publications, 1970), pp. 5-35, 66-9, 106-124.

distinguished from the kingdoms of England, Scotland or Ireland. Most importantly, Man was outside of any kingdom's admiralty jurisdiction in the Irish Sea. Dickinson assesses the trade of the Isle of Man, incorporating smuggling, which was a lucrative business due to Man's position in the centre of the north Irish Sea.[57] This research will develop this view, using a combination of Scottish and English sources to show that the Isle of Man was also a haven for smuggling and piracy for mariners from other parts of the British Isles in the late sixteenth century. Studies of trade and migration across the Irish Sea are useful indicators of the volume of shipping present, which in turn encouraged piracy.

State Formation

A central theme of this research will be the relationship between maritime plunder and state-building, in particular in relation to composite monarchy and empire.[58] David Armitage has shown how these concepts were often intertwined before the genesis of the British Empire. Armitage traces the roots of both empire and composite monarchy in England back to the Norman invasion, and subsequently the Angevin empire. Scotland, too, was a composite monarchy before the seventeenth century which incorporated the Shetlands, Orkneys, the Western Isles and at one time the Isle of Man.[59] How states imposed their authority is an important consideration when assessing the communities of the Irish Sea in the sixteenth and seventeenth centuries, given that some communities there were considered peripheral, lawless, or uncivilised. While empire-building is often associated with territorial acquisitions overseas, how the various peoples and territories within the archipelago fit into different forms of empire will be considered throughout. Armitage views the plantation of Ulster under James VI and I as the first specifically British (Anglo-Scottish) venture in empire-building. This coincided with James' drive for a complete union of his multiple kingdoms, and was a continuation of his internal colonisation efforts before 1603.[60] How these ventures affected piracy and illegal trade in the Irish Sea has yet to be properly assessed, particularly from a non-English perspective.[61]

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[57] J. R. Dickinson, *The Lordship of Man Under the Stanleys: Government and Economy, 1580-1704* (Manchester: Chetham Society, 1996), pp. 331-342. See also, J. R. Dickinson, 'The Overseas Trade of the Isle of Man 1576-1755, *Transactions of the Historic Society of Lancashire and Cheshire* 154 (2005), pp. 1-30; T. Thornton, 'Scotland and the Isle of Man, c. 1400-1625: Noble Power and Royal Presumption in the Northern Irish Sea Province', *The Scottish Historical Review* 77, no. 1 (1998), pp. 1-30.

[58] For discussion on composite monarchies, see Elliot, 'A Europe of Composite Monarchies', pp. 48-71; J. H. Elliot, 'Atlantic History: A Circumnavigation', in *The British Atlantic World, 1500-1800*, eds. D. Armitage and M. J. Braddick (Basingstoke: Palgrave MacMillan, 2002), pp. 253-70.

[59] D. Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), p. 27; A. Cathcart, 'Island Empire: James VI and I and the Isle of Man in an Archipelagic Context' in *Scotland and the Wider World: essays in honour of Allan I. Macinnes*, eds. N. McIntyre and A. Cathcart (Woodbridge: Boydell & Brewer, 2022), pp. 34-48.

[60] *Ibid*., pp. 24, 57-60.

[61] Cathcart, *Plantations by Land and Sea*, p. 295. While Cathcart argues that James VI had not managed to secure the seas there is no sustained analysis of the impact of piracy in the North Channel.

The attempts by Tudor and Stuart monarchs to impose imperial authority in their own kingdoms has received much scrutiny by historians. Jane Ohlmeyer has assessed colonisation efforts in Britain and Ireland from the late sixteenth to the early seventeenth century. Ohlmeyer demonstrates how the 'frontier zones' – the Anglo-Scottish Borders, the Scottish Highlands and Islands, and north and west Ireland – were the subjects of continuous policies aimed at bringing these societies into cultural, political and religious homogeneity with their respective kingdoms. This was intensified when James VI inherited the frontier societies of England and Ireland.[62] Similarly, Nicholas Canny has argued that there was a continuation in policy and attitude toward plantation in Ireland from the late sixteenth century until the Cromwellian period, highlighting connections between negative perceptions of the Irish people and Tudor and Stuart imperial policy in Ireland.[63] The perceptions of Gaelic peoples as backward or indolent had ramifications throughout the maritime world of the archipelago. Displaced and disaffected Gaels, now landless or broken men, were often forced to the seas. As yet, however, the historiography of state-building in the early modern period has paid scant attention to maritime matters, despite the fact that in Scotland, England and Ireland, respective central government response to piracy in the Irish Sea was often linked to wider efforts to create order on land. Similarly, piracy historiography has yet to fully incorporate this strand of state formation into its analysis. Links between piracy and efforts to 'civilise' the marginalised areas of the kingdoms have been obscured by state-centric approaches to piracy. This thesis aims to show that the process of state-building and the reduction of piracy around the archipelago were more closely linked than historians of either concept have purported. Piracy must be assessed against wider developments, and for the Scots of the southwest operating in the Irish Sea and North Channel, displacement of neighbouring Gaelic communities, and the conflicts which ensued, had a direct effect on rises in piracy.

Studies of the effects of such policies from the perspective of these communities have also been well-utilised in this thesis. MacCoinnich has studied the plantation efforts in the Outer Hebrides from the 1590s until 1630. MacCoinnich views the plantation of Lewis as a means to boost Scottish crown revenue, but also to civilise part of James VI's Gaelic region and showcase his plantation agenda to his future English subjects at the outset.[64] Similarly, Cathcart has analysed how James VI and I's attempts to civilise the Gaelic regions of his kingdoms of Scotland and Ireland resonated throughout the

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[62]J. H. Ohlmeyer, ''Civilizing of those Rude Partes': Colonization within Britain and Ireland, 1580s-1640s', in *The Oxford History of the British Empire: Volume 1: British Overseas Enterprise to the Close of the Seventeenth Century*, ed. N. Canny (Oxford: Oxford University Press, 1998), pp. 124-145. See also, A. I. Macinnes, 'Making the Plantations British, 1603-1638: A Problematic Historiography', in *Frontiers and the Writing of History, 1500-1850*, eds. S. G. Ellis and E. Raingard (Hannover-Laatzen: Wehrhahn, 2006), pp. 95-125; A. I. Macinnes, 'Crown, Clans and Fine: The 'Civilizing' of the Scottish Gaeldom, 1587-1683' *Northern Scotland* 13, no. 1 (1993), pp. 31-55. For studies of frontier policy in specific region, see A. Groundwater, *The Scottish Middle March, 1573-1625: Power, Kinship, Allegiance* (Woodbridge: Boydell & Brewer, 2010); Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell Press, 2004); MacCoinnich, *Plantation and Civility*.

[63] N. P. Canny, *Making Ireland British, 1580-1650* (Oxford: Oxford University Press, 2001), pp. 1-58.

[64] A. MacCoinnich, *Plantation and Civility*.

archipelago. This is particularly relevant to the burghs of the southwest who were ordered to provide ships, money and manpower for the operations against Gaelic clans in the early seventeenth century, while inhabitants of the region would later become part of the Scottish effort to plant in Ulster. Cathcart's wider body of work has been invaluable to this research, while her recent appraisals of the archipelagic and maritime contexts to the plantations in Ulster have been a welcome addition to existing scholarship and have been useful in helping formulate ideas for this research.[65] These studies which analyse governing policy from the perspective of specific regions highlight the conflict between central political authority and peripheral communities in early modern Britain and Ireland. This conceptual framework will also be useful throughout this thesis when analysing how this manifested at sea, and will help shape the argument that imperial policy in peripheral areas in the kingdom also affected those operating in the Irish Sea, including the burgesses of the southwest.

Plantation

As this research considers theories of composite monarchy and analyses piracy throughout the changing constitutional relationship between the kingdoms of the British Isles and Ireland, it is also pertinent to consider the maritime dimension of the plantation efforts in Ireland, particularly in the province of Ulster. As the union of the crowns opened up plantation to Scots, and brought new opportunity for legitimate trade across the Irish Sea and North Channel, the volume of shipping in these waterways also increased. Piracy has been factored into several studies of the Ulster plantations after 1603. Michael Perceval-Maxwell, in his magisterial study of Scots in Ulster in the early seventeenth century, has shown how those travelling to the plantations from the 'still-untamed' west coast of Scotland in ordinary vessels were subject to piratical attacks as late as 1635. Perceval-Maxwell demonstrates that the islands and inlets on either side of the North Channel were infested with pirates, and even on disembarking from their journey, travellers were still subject to attacks.[66] T. W. Moody has outlined how Sorley MacDonnell, son of James MacDonnell of Dunluce, preyed on shipping heading for the Ulster plantations, and plundered Scottish towns on the west coast in 1616.[67] Raymond Gillespie's study of the plantations in east Ulster highlights the dangers of crossings due to the physical hazards and the dangers of piratical attacks.[68] These works illustrate that piracy was by no means eradicated in the plantation era and that the waterways between the north of Ireland and the west of Scotland were still

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[65] A. Cathcart, 'The statutes of Iona: the archipelagic context', *Journal of British Studies*, 49(1) (2009), pp. 4-27; Cathcart, 'The maritime dimension to plantation in Ulster', 95-111; Cathcart, *Plantations by Land and Sea*, especially 194-5, 231-2 regarding the southwest burghs.
[66] M. Perceval-Maxwell, *The Scottish Migration to Ulster in the Reign of James VI* (London: Routledge & Kegan Paul, 1973), p. 151.
[67] T. W. Moody, 'Sir Thomas Phillips of Limavady, Servitor', in *Irish Historical Studies*, 1(3) (1939), pp. 251-272, 261.
[68] R. Gillespie, *Colonial Ulster: The Settlement of East Ulster 1600-1641* (Cork: Cork University Press, 1985), p. 25.

somewhat unregulated.[69] Although not maritime studies, the work of these individuals account for piracy but its mention within the wider historiography of plantation remains circumstantial.

Studies of the plantations in Ulster in the seventeenth century have highlighted the increased activity of the Scots (and the English) in the region as the Stuart dynasty attempted to impose what it perceived to be order and civility. The work of Robert J. Hunter has enhanced our knowledge of the practicalities and the consequences of plantations in Strabane and Donegal. For Strabane, Hunter has extracted valuable data on the personnel involved in plantation which allows for a deeper understanding of an individual plantation. For Donegal, Hunter has drawn broader conclusions from source material which is less detailed than that of Strabane – a problem which often occurs when studying clandestine activities such as piracy. Hunter argues that Donegal plantations urbanised at a slower rate than more populated plantations, but the county did become incorporated administratively into a more centralised Ireland[70] Hunter's studies of individual localities during the plantation era highlight how microhistories, when properly contextualised within a broader historical framework, can be valuable additions to the wider scholarship of the period. This research will utilise a similar approach when studying individual port towns on the west coast of Scotland. As Hunter and Perceval-Maxwell have enhanced our knowledge of the Scottish and English experiences in colonial Ultser, recent research from Gerard Farrell has presented a nuanced analysis of the experience of the Irish who were being colonised. Farrell attempts to shift the perspective from that of the invader, to that of the people being invaded, and in doing so has brought a greater understanding of the Gaelic community there and the relationship between the indigenous population and the colonisers, many of whom came from southwest Scotland. This line of argument poses interesting questions about the maritime world, and how those displaced by plantation reacted at sea, which will be investigated in Chapter 5.[71]

Methodology and Source Material

This study will borrow ideas from Atlantic and Caribbean histories, as well as archipelagic studies of Britain and Ireland, so as to properly account for regionality and environment. These studies place subjects within their immediate maritime setting, which is particularly apposite when studying illicit activities. Piracy was conducted differently within different maritime environments, and this thesis

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[69] For wider studies of Ulster plantations, see Canny, *Making Ireland British*; P. Robinson, *The Plantation of Ulster: British Settlement in an Irish Landscape* (Dublin: Gill, 1984); J. Bardon, *The Plantation of Ulster: The British Colonisation of the North of Ireland in the Seventeenth Century* (Dublin: Gill and Macmillan, 2011). Alison Cathcart has recently placed Tudor and Stuart plantations in Ulster within their wider archipelagic and maritime contexts, see Cathcart, *Plantations by Land and Sea*.

[70] *Strabane Barony during the Ulster Plantation 1607-1641*, ed. R. J. Hunter (Belfast: Ulster Historical Foundation, 2011), pp. 31-76; R. J. Hunter, 'Plantation in Donegal' in *Donegal: History and Society* (ed. by W. Nolan, Liam Rayne & Mairead Dunlevy (Dublin: Geography Publications, 1995), pp. 283-324, 311-319.

[71] G. Farrell, *The 'mere Irish' and the Colonisation of Ulster, 1570-1641* (London: Palgrave Macmillan, 2017), pp. 1-26.

seeks to draw out nuances not immediately apparent in national studies. How pirates operated in the North Sea, or the Mediterranean, did not necessarily reflect how pirates operated in the Irish Sea. This is also a crucial consideration when assessing how communities reacted to piracy, and how they protected themselves against it, thus highlighting the value of a local perspective. For example, the Irish Sea and North Channel contained a larger number of displaced Gaels of the western Highlands and the north of Ireland than other maritime spaces in the archipelago and, therefore, necessitated different approaches to protecting shipping from physical violence.[72]

This study will present a survey of piracy in the Irish Sea at the outset. A dataset has been compiled using available manuscript and digital source material which covers the whole of the Irish Sea, to facilitate this. Scholars have correctly identified surges and slumps in piratical activity during the period, and have presented strong arguments as to what caused these fluctuations. Yet it is commonplace among scholars of piracy to allude to periodic surges and slumps in piratical activity. John Appleby's description of piracy retaining a 'protean and prosaic'[73] quality most effectively illustrates this phenomenon. Appleby, in his study of English piracy during the Tudor era identifies several periods during Elizabeth I's reign in which piratical activity escalated. In the early 1560s, Elizabethan piracy rose as the new regime struggled to maintain relations with France and curb depredations on Spanish trade while establishing royal authority domestically. In the early 1570s, there was a rise in piracy due to international crises and an unstable geopolitical landscape in Europe. In the late 1570s, piracy surged due to a growing uncertainty around international relations and a burgeoning enterprise surrounding letters of reprisal. Piracy again rose markedly after the outbreak of hostilities with Spain in the late 1580s and early 1590s and the growing uncertainty (or obfuscation) around legal and illegal plunder.[74] Harry Kelsey, a leading scholar of Elizabethan maritime history, also identifies the early 1590s, following the defeat of the Spanish Armada, as the 'boom years for pirates' due to confusion and corruption surrounding the use of letters of reprisal.[75] Clive Senior, too, has identified periods of heightened maritime aggression in his study of English piracy in the early seventeenth century. Piracy surged from 1603, due mostly to the exodus of unemployed mariners to bases in Ireland and the Barbary coast, and began to decline from 1615 due to the loss of such places of refuge.[76] Scholars' penchant for describing rises in piracy alongside prose arguments leaves doubt surrounding the evidence used, and therefore damages the credibility of the argument.[77] This survey looks to counter

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[72] For a full discussion on this, see Chapter 1, pp. 42-5, and Chapter 7, pp. 168-72.
[73] Appleby, *Under the Bloody Flag*, p. 1.
[74] *Ibid.*, pp. 80-7, 113-127, 145-158, 211-229.
[75] Kelsey, *Drake*, pp. 372-3.
[76] C. Senior, *A Nation of Pirates: English Piracy in its Heyday* (David & Charles: London, 1976), pp. 13-21, 145-52.
[77] One notable exception to this is Steve Murdoch's study, which presents appendices of Anglo-Scottish piratical attacks for the period under study. However, while this is a national study, it is weighted towards the waters of the North Sea, and somewhat overlook the communities of the Irish Sea. Murdoch, *Terror of the Seas?*, Appendix III:1, Appendix III:2, pp. 363-72.

these shortcomings in analysis of piracy. However, in the compilation of the accompanying dataset, much of the evidence collated had to be discounted as it did not provide sufficient detail to constitute an attack which can be included with certainty. As such, a full quantitative account of piracy in the Irish Sea can never be accomplished.

This research will also make use of case studies throughout. In Chapter 2, focused case studies of the Isle of Man, the western Highlands and Islands, and the Scottish southwest, are presented as a means of demonstrating the extent of control exerted by the English crown's naval patrols in the northern regions of the Irish Sea.[78] In Chapter 6, a case study of the burgh of Kirkcudbright will illustrate how piracy was facilitated within a burgh of southwest Scotland, unearthing the corruption of local officials and urban elites, alongside the participation of the landed and professional classes around the burgh in the piratical networks in the southwest. Chapter 7 ends the thesis with a case study of Ayr, which brings to light the unique methods used in the burgh to guard against piracy. The chapter shows how institutional innovations at a local level, which have not been considered by recent historians, played a crucial role in safeguarding against piracy in the locality. The use of the case study methodology at several points in this thesis is in keeping with the transnational and archipelagic approaches to maritime history employed throughout. While they display the nuances which are not present in national studies, these case studies are presented alongside data relating to the wider Irish Sea communities in order to highlight the importance of the local situation for wider national and transnational contexts. Case studies offer an in-depth and detailed appraisal of an individual subject, in this case regional maritime communities, and in this research they have provided a deeper understanding of piracy than that hitherto available in existing historiography.

Source Material

The source material used throughout this thesis also helps facilitate new lines of scholarly enquiry. In particular, the local source material used in the case studies, the digital resources, and the manuscript material from the English Admiralty Court, have all added new dimensions to scholarship on piracy in the Irish Sea. The *State Papers Online* [*SPO*] database allows electronic access to the vast collection of state papers held predominantly in The National Archives and British Library. The level of detail available in these manuscript sources vastly outshines that of the calendars, which have traditionally

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[78] Regional case studies have made a valuable contribution to our knowledge of various aspects of Scottish society in the sixteenth and seventeenth centuries. See, M. Sanderson, *Ayrshire and the Reformation: People and Change, 1490-1600* (East Linton: Tuckwell Press, 1997); M. Lynch, *Edinburgh and the Reformation* (Edinburgh: John Donald, 1981); M. Brock, 'Plague, Covenants, and Confession: The Strange Case of Ayr, 1647-8' *The Scottish Historical Review* 97.2, no. 245 (2019), pp. 129-152; S. Mowat, *The Port of Leith: Its History and its People* (Edinburgh: John Donald, 1997[?]), p. 21; S. Adams, 'James VI and the Politics of South-west Scotland', in *The Reign of James VI*, eds J. Goodare and M. Lynch (East Linton: Tuckwell, 2000), pp. 228-40.

served as a key resource for scholars of piracy. The SPO database has not yet been used to study piracy from a Scottish perspective, and it provides much evidence on piratical operations in the Irish Sea and North Channel. The use of this database was essential in conducting research during the Covid-19 pandemic and the ensuing closure and inaccessibility of archives.[79] Electronic access to the state papers has provided much of the material for chapters which analyse how national institutions and officers of state address the problem of piracy. They are essential in uncovering state responses to piracy; as well as the strategies for securing the Irish Sea and North Channel; and the diplomatic interactions between Scottish and English monarchies and diplomats – all of which are covered in Chapters 2, 3 and 4 of this thesis. In addition to this, the eye-witness accounts of captives on board piratical cruises of disaffected Gaels in the early seventeenth century, outlined in Chapter 5, bring a new dimension to scholarship on piracy in the North Channel. As well as unearthing the details of these extensive piratical cruises, they also show the connections between piratical activities of disaffected Gaels and the policies of the state which have displaced them. They outline the need for piracy to be assessed against wider phenomena affecting the maritime environment – in this case, the civilising missions of James VI and I and the events around the Islay Rising of 1615. As useful as these state papers are for the study of piracy, this resource is only composed of English state papers. The absence of Scottish source material on piracy has been a regrettable reality for the thesis more generally. These papers do contain material relating to Scotland, as well as correspondence of Scots communicating with English state actors, but they do highlight the dearth in Scottish source material for piracy during the period.

In addition, source material from the English High Court of Admiralty, which also has yet to be applied in a study of Scottish piracy, has been indispensable. The confessions of pirates contained in these records have been used in the investigations of the wider Irish Sea and in the localities of the southwest. The volume and depth of the data contained in these sources has been invaluable. In particular, the confessions of the pirate Andrew White, which form the basis of a case study in Chapter 6, and attached as an appendix to this thesis, have provided valuable insight into the workings of a pirate operating in the Irish Sea and of a pirate network on land in southwest Scotland. Recent scholarship on piracy has pointed to the connections between pirates and illicit networks of traders on land who facilitate smuggling and piracy by offering an outlet to offload their goods.[80] Rarely though, if ever, has an illicit network in Scotland been so clearly defined in a confession which implicates so many powerful actors in the region. White's confession, and many others used in this thesis, have provided a level of detail into the workings of sixteenth and seventeenth century pirates which facilitates a deeper analysis of Scottish piracy which has hitherto not been present in existing historiography.

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[79] Each time the *State Papers Online* database is referenced throughout this thesis indicates that the full manuscript record has been consulted, unless a specific calendar is referenced. Calendars are used only in the event that the full manuscript record is not available.

[80] Hanna, *Pirate Nests*, *passim*.; Pluymers, 'Pirates' and the Problem of Plantation', pp. 79-108.

This detail, though, must be treated with a heightened degree of suspicion by the researcher. Pirates, by their very nature, are clandestine, and the source material through which their actions are recorded reflect this. Questions arise regarding the reliability of accounts, particularly during the act of confessing one's own crimes, given that the consequences of piracy usually resulted in execution for rank and file pirates. Surprisingly little attention has been paid to this aspect of piracy research in scholarly works on the subject. Questions also arise around the motivations behind these confessions, as well as the circumstances by which they are taken. On the one hand, we know that pirates were at times drafted into the service of the English crown and utilised for their skills as mariners – often in pursuit of catching other pirates.[81] This may allude to their motivations for providing detailed confessions. The proverbial carrot of a lighter sentence or pardon in exchange for service was a tool used by port authorities and officers of state who sought to identify more pirates and find effective means of pursuing them. On the other hand, the circumstances around how confessions are extracted during interrogations in the sixteenth century must also be considered. One of the most glaring examples of forced confessions in the same time period is that surrounding witchcraft. Historians have demonstrated clearly that forced (and false) confessions of witchcraft were common in the sixteenth century.[82] How far this applies to pirates during this period is unclear. Evidence pertaining to these shadowy practices is not forthcoming in piracy confessions, but the possibility cannot be discounted. With this all of this in mind, it should be made clear at the outset that pirates may not be confessing their full list of misdeeds, and the details provided may not always be fully accurate. Such is the nature of source material surrounding deviancy and criminal behaviour.

The local source material used in the case studies of this research has also brought a much-needed fresh perspective to the study of piracy. This evidence from the localities will facilitate a re-evaluation of, as well as a contribution to, the historiography surrounding piracy within the locality. Piracy historiography has produced several local studies of Irish Sea communities (although none in Scotland). These local studies contribute much to our understanding of how pirates operated at a local level in England and Ireland.[83] How piracy was prevented or contested at a local level, though, is still relatively unexplored, certainly in Scotland. The source material used in this thesis will contribute to both of these aspects of piracy in the southwest of Scotland. They will show how many of the conditions required for pirates to flourish, as outlined in Atlantic and Caribbean studies, is also present in the Irish Sea in the late sixteenth century. These include complicit magistrates, geographical and marine environmental factors, and dearth in legitimate trade. Exposing these conditions will be achieved through utilising a combination of local burgh records and pirate confessions which unearth a piratical

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[81] Rodgers, *Safeguard*, pp. 347-50. Pardons were used a recruiting tool for naval service in Elizabethan and Jacobean England. Former pirates were often viewed as the most useful tools for catching other pirates or, more importantly, defending the realm.

[82] For discussion on this subject, see B. Levack, *Witch-hunting in Scotland: Law, Politics and Religion* (Oxford: Routledge, 2008), pp. 1-15.

[83] Appleby, 'Devon Privateering', pp. 90-7; Kelleher, 'Pirate Ports and Harbours of West Cork', pp. 347-366.

network in the southwest. How communities contested piracy will also be evident in the local source material used in this thesis. The records of Mariner's Society of Ayr and other local burgh records, which have not been used in maritime historiography, shed new light on how Scottish seafaring communities themselves sought to alleviate the effects of piracy and losses at sea.

The impact of the Covid-19 pandemic on this research has also greatly diminished the available source base for this research. Before the first lockdown in March 2020, trips to the British Library and The National Archives at Kew provided much of the manuscript material used in this thesis. Further trips to Aberdeen University Special Collections, the National Library of Scotland and the National Archives of Scotland had also provided much source material regarding piracy utilised in this thesis. However, trips to the Manx National Heritage archives, the Public Records Office of Northern Ireland, the Mitchell Library in Glasgow, and the Dumfries and Galloway Archives were all abandoned. This has restricted this research in two key areas. Firstly, the inclusion of pirate activity in some of the communities of the Irish Sea, most notably the Isle of Man and Ireland, have been limited. Secondly, much of the research intended to be carried out for the post-1603 period has had to be postponed, limiting the analysis of piracy between 1603 and 1625. Thankfully, State Papers Online and the English High Court of Admiralty records have provided a wealth of material regarding piracy and plantation.

Chapter 1: Survey of Piracy in the Irish Sea, 1560-1603

They passed to sea and within four days foregathered with an empty hoy passing to Norway. Within 5 or 6 days they foregathered with a fleet of Hollanders, being great sails, of which they took two and a "busche" laidened with timber, into which they put the folks who were in the other two ships, and within four days came to Montrose... and seeing the town in armour, he passed up the north side to Brechin, from that to Torry beside Arbroath, to S[t] Andrews, and last to S[t] Monan's, where he was taken... This man was executed at Lyeth the 22 of July, and is to hang in chaynes to thexample of others.[1]

Introduction

This is an extract from the examination of a Scottish pirate named Peter Fisher who was caught in the north of Scotland in 1574 after a long stretch at sea plying his trade as a mariner. Fisher was hired to serve on merchant ships, and spent time as a galley slave, but the majority of his employment was aboard pirate ships. He spent time in ports in France, Norway, the west of Scotland, and the south of England, before he was apprehended, interrogated, and put to death.[2] Pirates by nature were elusive and mobile; they were not in the habit of remaining within the same environment for extended periods of time. The oscillatory nature of piracy in the sixteenth century is well-documented by historians although demonstrating the extent of piratical activity by mariners of any nation, or in any maritime environment, has proved challenging. Scholarship on the subject has outlined several factors contributing to rises in piracy. Piracy may rise due to a state's diplomatic standing with another; whether it can exert its authority in the peripheral or coastal regions of a kingdom; or whether it has the ability to command the waterways which surround a kingdom using naval forces. Piracy was also influenced by socio-economic factors such as population growth, unemployment rates in maritime communities, general economic hardship, environmental factors, and, of course, greed and opportunity.[3] Data presented throughout this thesis will show how, despite periods of heightened aggression and periods of more peaceful maritime relations, the threat of piracy was never ruled out in the Irish Sea in the sixteenth century.[4] Investigations of how piracy fluctuated, and was addressed by early modern national polities, are crucial to our understanding of criminality at sea. After all, perpetrators and victims of piracy were judged based on their nationality as well as their actions, and sea rovers of all descriptions often used nationality as a criterion in determining their prizes at sea.[5] Equally important, though, are investigations of how

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[1] *Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603 (CSP, Scotland)*, v, ed. W. K. Boyd (Edinburgh: H. M. General Register House, 1907), pp. 24-5.

[2] *Ibid*.

[3] C. Harding, '*Hostis Humanis Generis'* – The Pirate as Outlaw in the Early Modern Law of the Sea', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (London: Palgrave MacMillan, 2007), pp. 24-31; Appleby, *Under the Bloody Flag*, pp. 80-7, 113-27, 145-58, 211-29; K. R. Andrews, *Trade, Plunder and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630* (Cambridge: Cambridge University Press, 1984), pp. 27-8, 97-8, 129-34; N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London: Harper Collins, 1997), pp. 191-200; 343, 348-51.

[4] This is also apparent in the years following the regal union, when there was a reduction in reported cases of piracy, yet pirates still troubled mariners in the Irish Sea and North Channel, see Chapter 4, pp. 115-8 and Chapter 5, pp. 127-9 of this thesis for a full discussion on this.

[5] Andrews, *Elizabethan Privateering*, pp. 2-6; Murdoch, *Terror of the Seas?*, pp. 111-3.

maritime communities interacted within their own maritime environment. This chapter will present a survey of the Irish Sea and its communities that existed around the coast, and that traversed and interacted across its tidal streams. It will contextualise the Scottish seafaring communities of the southwest within the wider maritime environment in which they operated. In doing so, it seeks to understand how these maritime communities interacted, but also how they utilised these waters for the purposes of piracy.[6]

Historical Context

The Irish Sea, the small body of water that separates the British Isles from the island of Ireland, is almost entirely surrounded by landmass. It is connected to the Atlantic Ocean by two channels – one in the south and one in the north. To the south, between Pembrokeshire in south Wales and County Wexford in southeast Ireland, St George's Channel measures forty-four miles at its widest. In contrast, the North Channel is a much narrower passage, measuring only twelve miles between the Mull of Kintyre on the west coast of mainland Scotland and County Antrim in Northern Ireland.[7] The marine environment in the Irish Sea presents significant challenges to navigation. The unique tidal regime concealed jagged coastlines and made for dangerous sea crossings. The tidal streams, a result of Atlantic waters entering the Irish Sea basin from opposing channels, also made for uncomfortable journeys. Significantly for this study, the tidal stream entering the Irish Sea from the north made the northern region of the Irish Sea its 'most hazardous' and created particular difficulty for shipping in the area.[8] This small, intimate body of water will serve as a primary focus of this work, which, when possible, will seek to avoid using a state-centred approach to maritime history.

In the sixteenth century, the maritime communities that existed around the edges of the Irish Sea were of English, Welsh, Irish, Anglo-Irish, Lowland Scottish and Gaelic Scottish composition, alongside the Manx people of the Isle of Man in the centre of the Irish Sea. These diverse groups of people were connected through their shared use of the water. Early modern maritime communities viewed the sea not as a barrier, but as a resource, a highway, and as a conduit for mercantile activity. The Irish Sea connected these communities, who shared and competed within the same maritime space, often in harmony, but also in conflict. Just as the Atlantic Ocean has been described as the 'inland ocean

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[6] This chapter is accompanied by a dataset of piratical attacks in the Irish Sea between 1560 and 1603, compiled from various sources. These attacks do not constitute the whole range of piratical depredation in the Irish Sea. They do not include references to pirates within a particular location when further details of an attack are not given. They also do not include reports of piracy which do not specify aggressors or victims. They are a set of piratical attacks which contain enough detail to constitute an attack between one Irish Sea community on another, where the location is specified as being within the bounds of the Irish Sea or its adjoining waterways. See Appendix 1.

[7] R. H. Buchannan, 'The Irish Sea: The Geographical Framework', in *The Irish Sea: Aspects of Maritime History*, M. McCaughan & J. C. Appleby (eds) (Belfast: Institute of Irish Studies, 1989), pp. 1

[8] *Ibid.*, pp. 2-3.

of western civilisation'[9], the Irish Sea can be viewed as an inland sea connecting the various communities within the British and Irish archipelago during the sixteenth and seventeenth centuries. These diverse communities, though, were ruled by only two sovereigns in the sixteenth century: the monarch of England, who also ruled over the kingdom of Ireland, the principality of Wales, and the dominion of Man; and the monarch of Scotland, whose northern kingdom bordered England and whose western Highlands and Isles were closely connected to Ireland through a shared Gaelic culture and kinship, trading connections with the western burghs, and the shared use of fishing grounds in the North Channel.

At the outset of this study in 1560, Elizabeth I was queen of England and she ruled until her death in 1603. Throughout her long reign, Elizabeth continued the policy of her Tudor predecessors of asserting English supremacy over Ireland through military conquest and, thus, attempted to extend English control over the Irish Sea.[10] In 1560, the Scottish monarch, Mary, Queen of Scots, was in France where she had been since 1548. In 1558 she had married the dauphin Francis and they became king and queen of France following the death of Henri II in 1559. But the death of Francis II of France in December 1560, which ended Scotland's dynastic union with France, meant that Mary, no longer queen consort, left France for Scotland in 1561. Thus, Mary returned to Scotland a widow in 1561 to take up her personal rule but by this time the Reformation Parliament in Scotland had realigned the country on a confessional basis.[11] The official recognition of Protestantism as the established religion in Scotland brought the country in line with England while the Treaty of Edinburgh, signed in July 1560, ushered in a new era in Anglo-Scottish relations hitherto unknown to the two quarrelsome neighbours – an era of official peace and amity.[12]

Mary's reign as a Catholic monarch of a Protestant country was not long, lasting only until 1567 when, following her forced abdication, her infant son James was crowned. Between James VI's coronation at the age of one, and the beginning of his majority rule around 1585, Scotland was governed mainly by a series of four regents; the most consequential of whom was that of James Douglas, fourth Earl of Morton (1572-1579).[13] Elizabeth's longevity, tumultuous though her reign was, provided an anchor for the Tudor state, unlike in Scotland, where central politics was far more chaotic. Crucially, though, even under the Catholic Mary, Queen of Scots, the prospect of any Anglo-Scottish conflict was reduced significantly. The ensuing state of diplomatic amity in which the two old enemies found

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[9] C. J. H. Haynes, 'The American Frontier – Frontier of What?', *American Historical Review* 51, no. 2 (1946), p. 209.
[10] S. G. Ellis, *The Making of the British Isles: The State of Britain and Ireland, 1450-1660* (London: Routledge, 2013), pp. 216-22.
[11] G. Donaldson, *Scotland: James V-James VII* (Edinburgh: Mercat Press, 1965, 1998 reprint), pp. 102-6.
[12] The Treaty of Edinburgh secured the withdrawal of both English and French troops from Scotland, leaving effective control of Scotland in the hands of the Protestant Lords of the Congregation.
[13] J. E. A. Dawson, *Scotland Re-formed 1488-1587* (Edinburgh: Edinburgh University Press, 2007), pp. 302-25; Donaldson, *James V-James VII*, pp. 107, 157-67, 171-83.

themselves had significant repercussions in the waters of the British and Irish archipelago. Officially this stance was upheld until the regal union of 1603, following Elizabeth I's death, but maritime conflicts and piratical attacks between the two nations did not abate with the cooling of diplomatic relations. In fact, the maritime relationship became strained, primarily due to pirates and privateers operating in the waters of the archipelago.[14]

Given that the Irish Sea and its adjoining waterways connected the three kingdoms of England, Scotland and Ireland, how this maritime space was controlled by the two sovereigns in the archipelago is important. Throughout the late sixteenth century, governing institutions in England, Ireland, and Scotland, all set about curtailing localised piracy. In England, maritime aggression had been a problem for Elizabeth I from the outset of her reign in 1558 as traditions of maritime depredation had been upheld and even encouraged during the reign of her father, Henry VIII.[15] For Elizabeth, this activity damaged diplomatic relations with other major European powers, most notably France and Spain. Scotland, too, had engaged in maritime depredation throughout the fifteenth and sixteenth centuries, and these traditions were not altered by the signing of the Treaty of Edinburgh.[16] Measures set out by the governing centres of the archipelago were not sufficient in reining in the depredations of pirates in local waters, and the existing institutional frameworks for redressing victims of pirates were dilatory and ineffective, leading to a chain of reprisals and counter-reprisals to compensate victims for their loss at sea.

The waters of the Irish Sea were also used heavily by the naval forces of the English state. The English crown claimed sovereign jurisdiction over land on either side of the Irish Sea, but its legal authority did not apply to the maritime space between them. The Irish Sea was dominated by English mariners and was the maritime setting for England's campaigns in Ireland. Plantations and military campaigns required a large-scale naval presence supplemented by the transport of men and supplies across the sea. Therefore, the English policy towards Ireland for long periods during the late sixteenth century consisted of maintaining an almost constant, albeit often limited, naval presence in the Irish Sea and around the Irish coasts.[17] English attempts to subdue these waters were inextricably linked to their attempts to subdue the Irish population. These problems were compounded in the late sixteenth century by the movement of Scottish Highland mercenaries across the North Channel into Ireland to participate in these conflicts against Elizabeth I's forces, creating more diplomatic tension between England and Scotland. In addition, the resources allocated by the English state into these waters were, for most of

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[14] S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2009), pp. 113-27.

[15] J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009), pp. 81-7; N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London: Harper Collins, 1997), pp. 182-4.

[16] D. Ditchburn, 'Piracy and War at Sea in Late Medieval Scotland', in *Scotland and the Sea*, ed. T. C. Smout (Edinburgh: John Donald, 1992), pp. 35-58; Murdoch, *Terror of the Seas?*, pp.111-117.

[17] D. Loades, *The Tudor Navy: An Administrative, Political and Military History* (Aldershot: Scolar Press, 1992), pp. 56, 91, 93, 111,156 190, 219, 270-1.

the sixteenth century, insufficient to exert any meaningful or lasting control over the waterways, and it was this deregulation in the maritime theatre that contributed to rises in piracy throughout the period.[18]

The constitutional make-up of the British and Irish archipelago was altered in 1603 on the death of Elizabeth I. As the Scottish monarch, James VI, inherited the crowns of England and Ireland, the issues associated with competing claims of sovereignty in the Irish Sea were lessened somewhat. Now, with the Stuart monarchy theoretically ruling over the three separate kingdoms of the archipelago, the interests in one kingdom could be furthered using the resources of another. James VI and I could set about extending royal authority throughout the whole of the archipelago. Before the death of Elizabeth, both monarchs had contended with their respective 'frontier regions' throughout their kingdoms, in which each monarch sought to impose 'civilising' policies. For Elizabeth, this was the Gaelic regions of Ireland and the Border Shires in the north of England.[19] In Scotland, the Gaelic regions in the Highlands and Islands, and the Border Shires on the southern edge of the kingdom were particularly resistant to royal authority. It was not uncommon in the late sixteenth century for either monarch to manipulate the instability in these regions to further their own ends. For example, the use of Highland mercenaries in Ireland against the forces of Elizabeth I was at times advantageous to James VI, who benefitted by weakening the English state in Ireland.[20] However, the frontier policies throughout the archipelago were given cohesion in 1603 with the creation of the British composite monarchy.[21] These frontier regions – the Border Shires, the Scottish western Highlands and Islands, and Gaelic Ireland – all touched the waters of the Irish Sea, the maritime theatre in which these policies were to be enforced.

Piracy in the Irish Sea, then, existed despite the efforts of the English and Scottish crowns, and the presence of English crown forces, in the late sixteenth and early seventeenth centuries. Maritime historians have devoted much attention to the activities of some of the communities within this maritime theatre, however, there are still significant gaps in our knowledge regarding many of the seafaring populations of the region. These include the Gaelic communities in Scotland and Ireland, the islanders of Man, and the Lowland Scots from the southwest of Scotland. The latter of these will be the central focus of this thesis. How Lowland Scots of the western burghs traversed the wider milieu of English, Welsh, Irish and Highland exchanges during the late sixteenth century has not been systematically analysed by historians. The positioning of Scotland's burghs on the west coast exposed them to threats

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[18] C. Lennon, *Sixteenth-century Ireland: The Incomplete Conquest* (Dublin: Gill & Macmillan, 1994), pp. 56-7.
[19] J. H. Ohlmeyer, ''Civilizing of those Rude Partes': Colonization within Britain and Ireland, 1580s-1640s', in *The Oxford History of the British Empire: Volume 1: British Overseas Enterprise to the Close of the Seventeenth Century*, ed. N Canny (Oxford: Oxford University Press, 1998), pp. 124-145.
[20] A. MacCoinnich, *Plantation and Civility in the North Atlantic World: The case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), pp. 104-5.
[21] J. H. Elliot, 'A Europe of Composite Monarchies', *Past & Present* 137, no. 1 (1992), pp. 53-4; B. P. Levack, *The Formation of the British State: England, Scotland, and the Union 1603-1707* (Oxford: Clarendon Press, 1987), pp. 172-3, 190-3.

of piracy from Gaels to the north and west, and also from English and Welsh pirates and privateers to the south.

In Scotland, only towns which had been granted royal burgh status were permitted to conduct international trade. They were also granted the privilege of parliamentary representation and a place in the Convention of Royal Burghs. As such, the merchant community in early modern Scotland naturally resided in royal burghs, from where the bulk of shipping was conducted. On the west coast of Scotland, there were nine royal burghs: Glasgow, Dumbarton and Renfrew, all situated in the River Clyde; Ayr and Irvine, situated further south on the Ayrshire coast near the Clyde estuary; and Dumfries, Kirkcudbright, Wigtown and Whithorn, all situated on the Solway Firth in the West March of Scotland – Scotland's western Border shire.[22] Crucially, there were no royal burghs in the Highlands, and Gaels on Scotland's western seaboard had not been officially authorised to conduct international trade. The burghs of Ayrshire and the Clyde estuary were located behind Kintyre, where Highland galleys operated, meaning that the journey out of Scotland could be dangerous from its beginnings. Similarly, the burghs on the Solway Firth were situated firmly within the Scottish West March, where conflict with their English counterparts was ongoing throughout the sixteenth century.

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[22] The royal burgh of Rothesay, created around the turn of the fifteenth century, was not considered part of this bloc of southwestern burghs. It conducted minimal trade and rarely featured in any maritime activity in the late sixteenth or early seventeenth centuries.
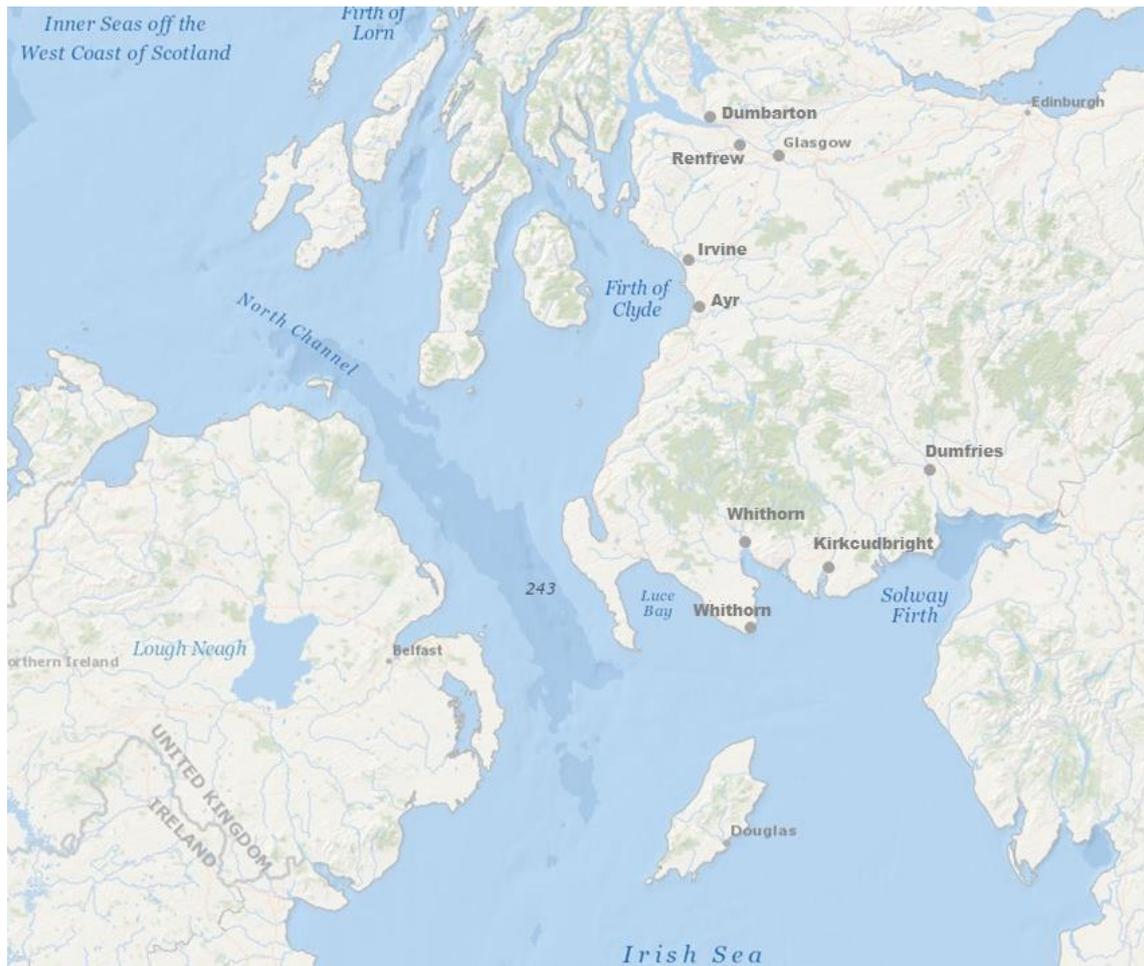
Map 1: The Royal Burghs of Southwest Scotland in the year 1560.

Southwest Scotland and the Communities of the Irish Sea

The trading burghs on the southwest coast of Scotland are traditionally overlooked within the wider

historiography of Scotland. Ports on the east coast, which are more closely connected with the European

continent, have enjoyed a greater level of scrutiny from scholars. An over-reliance on economic data

from the Exchequer Rolls and Convention of Royal Burghs' tax assessments has, over the past century,

resulted in economic histories of Scotland which convey a distorted vision of Scotland's commercial

past because, as will be argued later, it does not take account of illicit trade taking place in this region.[23]

S.G.E. Lythe's appraisals of the Scottish economy during the sixteenth and seventeenth centuries, while

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[23] Pioneering studies of the burghs and their trade have highlighted the primacy of the east coast ports in the sixteenth century. For examples of this see I. F. Grant, *The Social and Economic Development of Scotland before 1603* (Oliver & Boyd: Edinburgh, 1930) and T. Pagan, *The Convention of the Royal Burghs of Scotland* (Glasgow University Press: Glasgow, 1926). For a non-economic study of the burghs which fully incorporates the western towns, see A. R. MacDonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (London: Taylor and Francis, 2007).

making monumental contributions to scholarship, serve as particular examples of this.[24] The primacy of Scotland's larger trading burghs within economic scholarship has resulted in a large-scale omission from general studies of Scotland's commercial ties with Ireland and Man, as well as the economic connections of the Scottish Lowlands with the western Highlands and Islands. This has also resulted in a dichotomy in scholarship: where conclusions reached in general studies do not align with those local or regional studies of the period. Local studies uncover much of the activity on the west coast, often been overlooked in historiography, and help provide a deeper understanding of the environment in which pirates in the Irish Sea operated and preyed on merchant shipping.[25]

The towns on the southwest coast operated in an environment that was wholly conducive to maritime depredation. They were, to varying extents, geographically isolated from the protection of Scottish anti-piratical measures.[26] However, their place within the institutional confines of the Scottish state was certainly evident in the late sixteenth century. With a total of nine royal burghs, all with international trading rights and representation in Parliament, labelling these communities as 'peripheral' would perhaps be an overstatement. Politically and culturally, these towns were quite firmly embedded in the composition of the Scottish kingdom. Nonetheless, when considering the geographical position of these towns, in combination with their own maritime activities, it is abundantly clear that they were closely connected with communities situated on the periphery of the kingdoms in the archipelago. The burghs of Ayr, Irvine, Renfrew, Dumbarton and Glasgow all shared maritime or land space with Gaelic communities of the Highlands, and were also closely connected with the Irish communities in Ulster a short distance across the North Channel.[27] The burghs of the Solway provided a maritime gateway for the people of the borders. As part of the West March of Scotland, which was bordered by Scotland's Middle March and England's West March, these towns were part of the frontier which joined the

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[24] S. G. E Lythe, *The Economy of Scotland in its European Setting* (Edinburgh: Oliver & Boyd, 1960), pp. 250-2; J. Butt and S. G. E. Lythe, *An Economic History of Scotland 1100-1939* (Blackie: Glasgow, 1975), Chs. 1-4. Conversely, T. C. Smout, *A History of the Scottish People 1560-1830* (William Collins: Glasgow, 1969) and, later, I. D. Whyte, *Scotland before the Industrial Revolution, An Economic and Social History c1050-c1750* (London: Longman, 1995) somewhat rectify this.

[25] For localised studies of the west coast burghs, see T. C. Smout, 'The Development and Enterprise of Glasgow 1556-1707, *Scottish Journal of Political Economy* 6, no. 3 (1959), pp 194-212; R. MacKenzie, *Ayr's Export Trade at the end of the 16th Century* (Darvel: Ayrshire Archaeological and Natural History Society, 1988); R. C. Reid, 'The Early Records of Kirkcudbright', *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society (TDGNHAS)*, Third Series, xxii (1942), pp. 142-153. Martin Rorke has shown cohesion of the east and west burghs in their exploitation of the west Highland fisheries throughout the sixteenth century, see. M. Rorke, 'The Scottish Herring Trade, 1470-1600', *The Scottish Historical Review*, 85.2, no. 218 (2005), pp. 158-63; See also, A. MacCoinnich, 'The Maritime Dimension to Scotland's "Highland Problem", ca. 1540-1630', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 51-56.

[26] For discussion on the maritime environment which allowed piracy to function, see Chapter 6, pp. 151-4 of this thesis. Scottish anti-piratical measures largely depended on privateering ventures out of the east coast ports. See Murdoch, *Terror of the Seas?*, pp. 113-127. The unbalanced nature of the measures enacted by the Scottish state in the late sixteenth century is demonstrated in Chapter 3, pp. 84-9 of this thesis.

[27] For recent research which has incorporated the southwestern burghs into the maritime environment of the North Channel, see A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago* (Oxford: Peter Lang, 2021); A. Cathcart, 'The Maritime Dimension to Plantation in Ulster, ca. 1550-ca. 1600', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 95-111.

kingdoms of Scotland and England. Commercial connections with the Isle of Man and the English, Welsh and Irish towns further south in the Irish Sea were also well-established.[28]

The links between western Gaeldom and the burghs on the west coast have not been fully investigated by scholars of early modern Scotland. Aonghas MacCoinnich has recently analysed the maritime dimension to Highland-Lowland relations in the west of Scotland, paying particular attention to the commercial aspects of the complex relationship between clansmen and burgesses in the late sixteenth and early seventeenth centuries. In addition to the regular commercial interactions between the burghs of Ayrshire and the Clyde and the Highlands, MacCoinnich also points to the use of Gaelic interpreters in the service of Ayr burgesses as further evidence of close ties between the Gaelic and Lowland maritime communities.[29] These commercial links with the Gaels of the western Highlands and Islands demonstrate that there is a nuance to Highland-Lowland relations on the west coast, which also has implications for studies of piracy in the communities on Scotland's western coastlines. Indeed, analysis of the trade and fishing activity of these burghs indicates that there was significant traffic between these coastal ports to the Western Isles. The burghs of Ayr, Irvine and Renfrew all had fishing interests around the lochs of the western Highlands, while Ayr itself had a whole fleet for herring fishing in the Isles.[30] Ayr also exported significant amounts of wine to the Isles, and we know that the burghs of the Clyde enjoyed regular trade with Highlanders.[31] Whilst Gaelic piracy remained a threat to the burghs of the southwest throughout the sixteenth century, these communities also enjoyed commercial relationships with some of the Gaelic communities to the north. This relationship is clearly multifaceted and nuanced, and goes beyond maritime raiding and pillaging.

Exploring the western burghs' links with ports and communities farther south in the Irish Sea and across the North Channel is also paramount in uncovering piratical activities affecting these communities. Links with English communities have been explored in Robert Mackenzie's study of Ayr's exports in the later sixteenth century, as well as several publications of local historical societies.[32] Studies of Irish Sea trade in the late sixteenth century also explore Scottish links with trading ports such

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[28] A. Murray, 'The Customs Accounts of Dumfries and Kirkcudbright, 1560-1660', *TDGNHAS*, Third Series, xlii (Dumfries, 1965), pp. 114-32; Reid, 'Early Records of Kirkcudbright', pp. 142-53.

[29] MacCoinnich, 'The Maritime Dimension to Scotland's "Highland Problem"', pp. 50-60. The Lowland burghs' relations with the House of Argyll are also discussed out in Chapter 7, pp. 178-9 of this thesis.

[30] J. D. Marwick, *The River Clyde and the Clyde Burghs: the City of Glasgow and its old relations with Rutherglen, Renfrew, Paisley, Dumbarton, Port-Glasgow, Greenock, Rothesay, and Irvine* (Glasgow: Scottish Burgh Records Society, 1909), p. 34; MacKenzie, *Ayr's Export Trade*, p. 9; 'Notarial Note-Book of John Mason, Clerk of the Burgh of Ayr:- 1582-1612', ed. J. Shedden-Dobie, *Archaeological and Historical Collections Relating to Ayrshire and Galloway*, vi (Edinburgh: Ayrshire and Galloway Archaeological Association, 1889), p. 232.

[31] National Library of Scotland (NLS), Minute-book of the Mariners' Society of Ayr, MS 941, f. 4; Marwick, *Clyde Burghs*, pp. 40-1.

[32] Mackenzie, *Ayr's Export Trade*; Reid, 'The Early Records of Kirkcudbright', pp. 142-153; A. E. Truckell, 'Early Shipping References in Dumfries Burgh Records', *TDGNHAS*, Third Series, xxxiii (1956), pp. 132-75; A. E. Truckell, 'Early Shipping References in Dumfries Burgh Records (Part II)', *TDGNHAS*, Third Series, xxxiv (1957), pp. 29-58.

as Liverpool, Bristol, and Chester. However, these show only minimal trade with Scottish ports during most of the sixteenth century, reflecting the adversarial relationship between the two nations before 1560; but even after diplomatic relations became officially friendly, these trades remained relatively small.[33] Similarly, the relationship between the Scots of the southwest and the Isle of Man is approached, to some extent, in Dickinson's study of the Isle of Man, as well as in Thornton's appraisal of Scotland's constitutional relationship with Man. Dickinson outlines a slow but steady trade with the southwestern ports of Scotland, and identifies individual Scots who settled in Man and traded with their homeland in the late sixteenth century; whilst Thornton makes a compelling case for a continuation in Scoto-Manx relations despite Scotland's territorial loss of the island in the fourteenth century, although struggles to provide a strong case for this based on economic data.[34] These studies provide part of a foundational knowledge of the connections shared between the Scots and other communities in the Irish Sea.

However, as D.M. Woodward has pointed out in his appraisal of trade in the Irish Sea, many of the traditional sources used for economic studies 'reveal only the minimal level of legitimate trade'.[35] Indeed, the seizure of two Scottish barks in 1577, that had traded at Beaumaris with 'no Cockett or certificate made', before sailing north to do the same at Chester, is illustrative of the illicit trading undertaken by Scottish merchants in the Irish Sea.[36] With this in mind, it is clear that existing studies of commercial connections across this particular body of water can provide a basis for researching other aspects of maritime connections, such as piracy or illicit trade, but they cannot provide a clear and reliable representation of the true extent of maritime activity between these communities. From a Scottish perspective, there are still gaps in our knowledge regarding connections with some regions of the Irish Sea which warrant investigation all on their own. Scotland's commercial relationship with Welsh seafaring communities is a particularly striking example of this, as is its connection with Ireland beyond the province of Ulster, particularly the Lowland connection. Scottish merchants and pirates traded regularly with Welsh ports such as Carmarthen, Beaumaris and Milford Haven, and even owned

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[33] For studies of trade in the Irish Sea, see T. O'Neill 'Trade and Shipping on the Irish Sea in the later Middle Ages', in *The Irish Sea: Aspects of Maritime History*, eds. J. C. Appleby and M. McCaughan (Belfast: Institute of Irish Studies, 1989), pp. 27-32; D. M Woodward, 'Irish Sea trades and shipping from the later middle ages to c. 1660', in *The Irish Sea: Aspects of Maritime History*, eds. J. C. Appleby and M. McCaughan (Belfast: Institute of Irish Studies, 1989), pp. 35-46; A. K. Longfield, *Anglo-Irish Trade in the Sixteenth Century* (London, 1929). For Scottish links with individual ports and communities in the Irish Sea, see D. M. Woodward, *The Trade of Elizabethan Chester* (Hull, 1970), pp. 35-7, 40, 131-3, Appendix II; *Documents Illustrating the Overseas Trade of Bristol*, ed. J. Vanes (Bristol: Bristol Records Society, 1979), pp. 16, 23, 64, 65-6, 169-70. There are no studies of Irish Sea trade which approach the subject from a Scottish perspective.
[34] T. Thornton, 'Scotland and the Isle of Man, c. 1400-1625: Noble Power and Royal Presumption in the Northern Irish Sea Province', *The Scottish Historical Review* 77, no. 1 (1998), pp. 1-30; J. R. Dickinson, *The Lordship of Man Under the Stanleys: Government and Economy, 1580-1704* (Manchester: Chetham Society, 1996), pp. 331-342.
[35] Woodward, 'Irish Sea trades', p. 35.
[36] British Library (BL), Lansdowne MS 25, f. 11 (no. 5), Orders neglected at the Port of Chester. with articles to prove that a seizure of Scotch barks, by the Comptroller of Chester, was lawful, Aug. 1577.

ships as part of a consortium with Welsh merchants. Conversely, Scottish pirates in the Irish Sea preyed on Welsh shipping as a matter of course, as did the Welsh prey on Scots.[37] Much of what we know of Scotland's relationship with Ireland during the late sixteenth century comes from studies of the mercenary activities of the Scottish Gaelic communities, and has focused primarily on the northeastern province of Ulster.[38] Given the existence of gaps in historical scholarship, this research into the activities of southwestern Scots has uncovered some connections with Irish Sea communities outside of piratical attacks.[39] Through the study of piracy, it becomes clear that the Scots of the southwest were more active in the Irish Sea than has been reflected in scholarship thus far. This underpins the need for a more thorough investigation into these waters and the need for new approaches to research on piracy.[40]

England

Almost half of instances of piracy examined for this study feature English aggressors, thus far outweighing any other community or nation in the Irish Sea. This is to be expected, given England's larger population, thriving merchant communities, and superior sea power. Some of England's maritime communities were engaged in piracy and privateering in Mediterranean and Atlantic theatres, so were products of deep-rooted plunder traditions.[41] The information on English attacks is taken primarily from reports in English sources, which have remained the most abundant resource for maritime history of the British and Irish archipelago. This poses two immediate problems when researching piracy affecting the burghs of southwest Scotland. Firstly, victims of English attacks are characterised in English records by their nationality (in this case 'Scottish'), which makes it difficult to differentiate between Scotland's Gaelic and non-Gaelic communities. Secondly, the English predilection for piracy and superior

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[37] *SPO*, SP 52/42 f.82, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587, SP 52/10 f.29, Complaints against Andrew White, &c, 27 February 1564-5, SP 52/44 f.5, Douglas to Walsyngham, 4 May 1589; *Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603 (CSP, Scotland)*, v, ed. W. K. Boyd (H. M. General Register House: Edinburgh, 1907), p. 235.

[38] G. A. Hayes-MacCoy, *Scots Mercenary Forces in Ireland (1565– 1603): An Account of Their Service during That Period and of the Reaction of Their Activities on Scottish Affairs, and of the Effect of Their Presence in Ireland, together with an Examination of the Gallóglaigh or Galloglass* (Dublin: Edmund Burke Publisher, 1937; reprinted 1996); M. Prendergast, 'Scots Mercenary Forces in Sixteenth Century Ireland', in *Mercenaries and Paid Men: The Mercenary Identity in the Middle Ages* ed. J. France (Leiden: Brill, 2008), pp. 363-82.

[39] In February 1596-7, Thomas Kyming, a merchant of Irvine residing in Dublin, was able to pass intelligence to Sir Henry Bagenal in Carrickfergus about Spanish preparations for an invasion of Ireland. He came about this information due to a piratical attack by the Spanish on some other Irvine merchants connected to Kyming. See *SPO*, SP 63/197 f.329, Dublin Castle. Thomas Kyming, a Scottish merchant of the town of Eirwin (? Irvine), to Marshal Bagenall, 4 February 1596-7.

[40] Research into Scotland's piratical relationship with communities in Ireland has been curtailed by the Covid-19 pandemic, and therefore, could not be included in this chapter.

[41] Wrigley et al. estimate the English population to be 3,212,504 in 1556, rising to 4,310,420 in 1606. The demographic history of Scotland is more problematic due to the poor quality and limited number of sources in the sixteenth and early seventeenth centuries. Whyte estimates the population of Scotland was around 500,000-700,000 in 1500, rising to around 1,100,000 in 1700. R. S. Davis, J. E. Oeppen, R. S. Schofield and E. A. Wrigley, *English Population History from Family Reconstruction 1580-1837* (Cambridge: Cambridge University Press, 1997), p. 614; Whyte, *Scotland before the Industrial Revolution*, pp. 112-3.

maritime capabilities, combined with the reactive approach to tackling piracy by the Elizabethan state, has meant that only the most consequential or definitive cases have survived in the records.[42] Elizabethan maritime aggression toward the Scots in the late sixteenth century varied considerably over time and in relation to the wider political context of the archipelago and the European continent. What this evidence reveals is that English piratical attacks on Scots in the late sixteenth century correlate with spikes in piracy more generally in the waters surrounding the archipelago. The table below (Figure 1) demonstrates a correlation between Anglo-Scottish hostility and general unrest at sea. This suggests that in times of uncertainty or instability in Elizabethan England – such as during the religious crises of the early 1570s or when the threat of Spanish invasion grew – the English were more likely to plunder their northern neighbour and ally.

Aggressor(s)	Victim(s)	Victim Origin	Location	Date
English Pirates	John Crawford	Ayr	Irish Sea	1571
Leonard Sumptar	A Scottish ship	Scotland	Irish Sea	1574
English Pirates	Ayr merchants	Ayr	Irish Sea	1578
English Pirates	Irvine merchants	Irvine	Irish Sea	1578
George Birde	A Scottish ship	Scotland	Southern Irish Sea	1582
Clinton Aitkinson	A Scottish ship	Scotland	Southern Irish Sea	1583
Thomas Cooke	Robert Browne	Orkney	Dursey Island	1587
Thomas Cooke	Richard Prickard/John Osborne	Tenby/Ayr	Milford Haven	1587
English pirates	George Pady	Leith	Milford Haven	1588
Captain Adams	A Scottish ship	Scotland	Bristol	1589
Jasper Norris	A Scottish ship	Scotland	Scilly Isles	1597

Figure 1: English attacks on Scottish shipping contained in Appendix 1

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[42] For discussion of the reaction to piracy by the Elizabethan state, see Chapter 3, pp. 76-82 of this thesis.

Figure 2: Piratical Attacks in the Irish Sea, 1560-1603
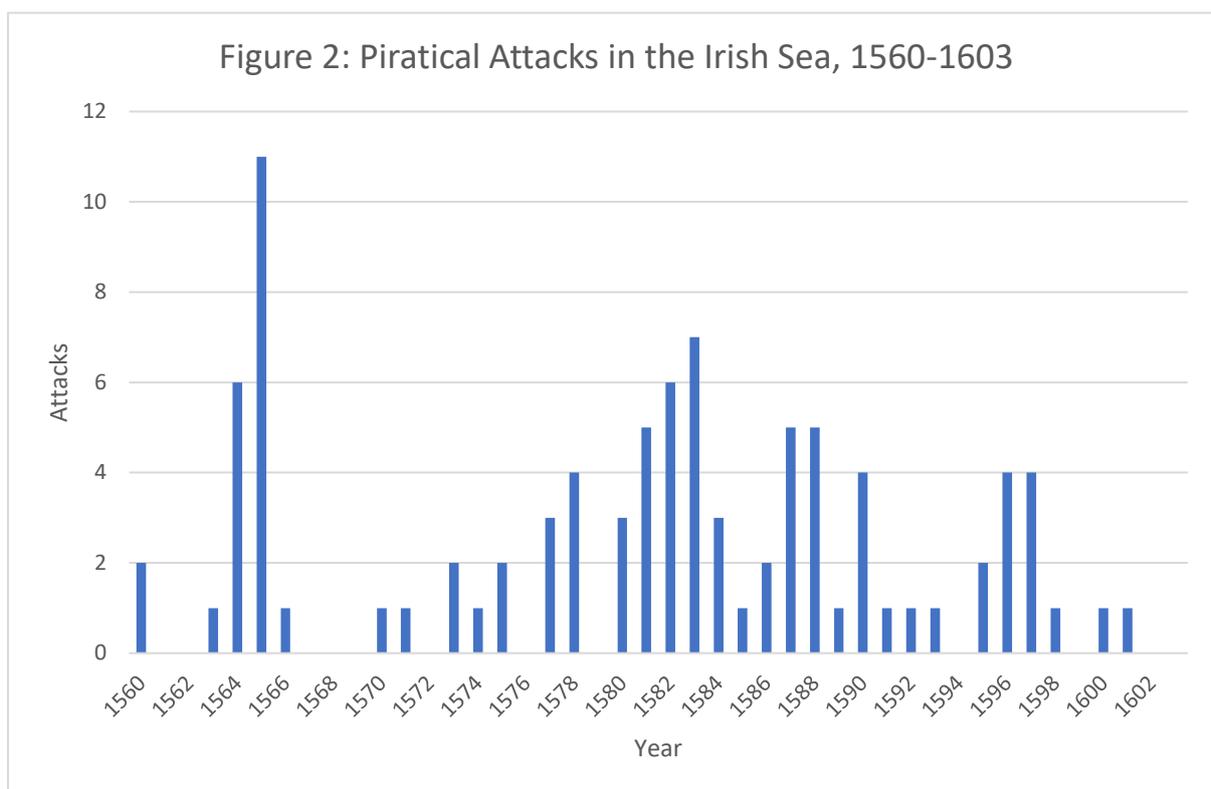
There is no dearth of historiography on English maritime aggression, and the activities of many of the English seafaring communities in the Irish Sea have been the subject of much academic research.[43] The southwest region of England has received the most attention from scholars of piracy in England, due to this region's heavy involvement in the practice throughout the sixteenth century.[44] However, English pirates operated out of other bases in the Irish Sea. John Appleby has outlined the connections between Irish piracy and English and Welsh piracy across the Irish Sea – a connection Appleby limits to the east and south of Ireland, where the 'venturing of pirates' was to be distinguished from the coastal raiding and plundering of the north and west, meaning that English pirates were active across an area which spanned the whole breadth of the southern Irish Sea in the late sixteenth century.[45] As mentioned above, surges in English piracy in the waters of the archipelago have been identified by Appleby in the early

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[43] M. G. Hannah, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015), pp. 21-57; Appleby, *Under the Bloody Flag*, pp. 80-6, 146-58, 221-3, 237-9; Kelsey, *Drake*, pp. 11-40, 240-80; C. L'Estrange Ewen, 'Organized Piracy round England in the Sixteenth Century', *Mariners' Mirror* 35 (1949), pp. 29-42.

[44] For local and regional examples, see Hannah, *Pirate Nests*, pp. 21-57; J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon Volume I: From Early Times to the Late Eighteenth Century*, eds. M. Duffy, S. Fisher, B. Greenhill, D. J. Starkey and J. Youings (London: Conway Maritime Press, 1992), pp. 90-7; J. Youings, *Ralegh's Country: The South West of England in the reign of Queen Elizabeth I* (University of North Carolina Press: Raleigh, 1986).

[45] J. C. Appleby, 'The Problem of Piracy in Ireland, 1570-1630', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C Jowitt (Palgrave Macmillan: Basingstoke, 2007), pp. 42-5.

1570s, the early 1580s, the late 1580s, and the early 1590s.[46] Similarly, Steve Murdoch's appraisal of Anglo-Scottish piracy, mostly in the North Sea, has documented a surge in cases in the early 1570s and the late 1580s.[47] When the evidence analysed in this section is reviewed against existing scholarship on Elizabethan piracy, they do in fact correlate. The surges and slumps identified in historiography are largely reflected in the evidence used in this chapter. The venture piracy practised by English maritime communities in the late sixteenth century was carried out mostly in the southern waters of the Irish Sea, and was particularly potent around the coast of Wales and in the Bristol Channel.

Wales

The relationship between Welsh port towns and piracy during the Elizabethan era is somewhat different to their English counterparts. In his study of the gentry in southwest Wales, H. A. Lloyd argued that above all other activities, it was piracy which presented the local officials there with the most 'opportunity and hazard' in their role as crown administrators.[48] This, according to Lloyd, was a result of a coastline 'liberally sprinkled with discreet bays' lying adjacent to a trading route up the Bristol Channel which provided a 'fine hunting ground' for local pirates.[49] There are surprisingly few outright studies of Welsh piracy in this period, given Wales' role in the Elizabethan marine. Wales is often incorporated into studies of piracy in England, and is rarely treated as a distinct maritime region, despite there being sufficient evidence of English-Welsh maritime aggression to justify such an approach.[50] This has been addressed by John Appleby, who has demonstrated the important role Welsh port towns played in Elizabethan piracy. Appleby's works have portrayed Wales not as a region where piracy developed and flourished, like the English West Country, but rather as a secure haven where pirates could bring in their plunder and find a market for it.[51] Appleby places south Wales within a wider network in the southern Irish Sea, which also included the southwest coast of England and southern Ireland, which facilitated piracy through organised commercial dealings conducted by subterfuge.[52] Indeed, south Wales can be viewed as a safe place for pirates to land, receive shelter, and distribute goods through local networks of illicit trade.

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[46] Appleby, *Under the Bloody Flag*, pp. 113-27, 145-58, 179-91, 211-29.
[47] Murdoch, *Terror of the Seas?*, pp. 116-7, 118-22.
[48] H. A. Lloyd, *The Gentry of South-west Wales* (Cardiff: University of Wales Press, 1968), pp. 161-7.
[49] *Ibid*., p. 161.
[50] English attacks on Welsh mariners can be seen in TNA, HCA 1/42 f.63, 1/44 f. 74, 1/45 f.45-6. Welsh attacks on English shipping can be seen in TNA, HCA 1/42, f. 45-6; *APCE,* ix, p. 267. For older studies of Welsh piracy, see D. Mathew, 'The Cornish and Welsh Pirates in the Reign of Elizabeth, *English Historical Review* 39, no. 155 (1924), pp. 337-348; C. E. Hughes, 'Wales and Piracy, A Study in Tudor Administration, 1500-1640' (University of Wales, Unpublished M.A. Thesis, 1937).
[51] J. C. Appleby, 'Pirates and Communities: Scenes from Elizabethan England and Wales', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-c. 1600*, eds. J. C. Appleby and P. Dalton (Ashgate: Surrey, 2009), pp. 159-167; Appleby, *Under the Bloody Flag*, pp. 158-164
[52] Appleby, 'Pirate Communities', p. 163, 171-2.

One of the most prolific and notorious pirates of the Elizabethan era, John Callice, was a Welshman who operated out of the ports in south Wales and was well-known to English authorities. His depredations were many, and his activities began to reflect poorly on Welsh officials. In 1576, a strongly worded letter from the Privy Council was sent to Sir John Perrot, then Vice-Admiral of south Wales, informing him that they did 'mervell at the negligence of suche as are Justices in those partes'.[53] Throughout the Elizabethan era, reports of pirate hauls being brought into ports such as Milford Haven, Haverfordwest, Beaumaris and even Cardiff reached the authorities in London.[54] Often these reports were followed by lists of buyers which sometimes included local officials and magistrates, and on one occasion, Sir John Wogan was ordered to investigate a network of buyers of a pirate haul taken from a Scottish merchant that included himself.[55] The source material which most strongly supports the hypothesis that Wales' role in the murkier aspects of the Elizabethan maritime world was that of a safe haven for plundered goods, comes predominantly from state papers and official documents.

The victims of piratical attacks by Welshmen originate from communities in Scotland, England, and France, but the majority contain unknown victims due to insufficient detail in the evidence. Welsh victims of piracy are, in large part, due to the activities of a pirate crew led by Andrew White, operating out of Whithorn in the 1560s. White himself was an Englishman, but led a Scottish crew out of a Scottish burgh. White's chosen route on his piratical voyages began in the mouth of the Severn, and continued northwards in the Irish Sea, so Wales featured prominently in his attacks.[56] The most striking aspect of the evidence relating to Wales is not the volume of piracy featuring Welsh aggressors or victims, but rather, the amount of piratical attacks which happen near or around the Welsh coast, a Welsh port town, or the wider Bristol Channel where many Welsh port towns linked to piracy were located. Wales' role in the Elizabethan pirate networks in the late sixteenth century was as 'a secure haven for pirates', who were often sheltered by local landed interests in the area.[57] The open markets in Wales clearly encouraged pirates to ply their trade close to the Welsh ports, in close proximity to their intended destination. The Welsh coastline was shaped perfectly for discreet activity, and has been shown to contain officials who looked favourably on pirates. This has largely complemented existing assessments of English and Welsh communities in the Irish Sea, as evidence on venture piracy practised in Lowland

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[53] *APCE*, ix, p. 267.

[54] *SPO*, SP 52/42 f.82, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587, SP 52/44 f.5, Douglas to Walsyngham, 4 May 1589, SP 52/42 f.122, Memorial of Instructions to Sir John Wogan, 4 December 1588; *CSP, Scotland,* v, p.235; *Calendar of the Manuscripts of the Most Hon. the Marquis of Salisbury, Preserved at Hatfield House, Hertfordshire* (*Calendar of Salisbury Manuscripts*), iii, ed. S. R. Scargill-Bird (London: His Majesty's Stationery Office, 1889), p. 202.

[55] Following his rebuke by the English Privy Council, Sir John Perrot investigated several piracy cases in Wales, and returned a comprehensive list of buyers of the goods and those who had aided the pirates, *SPO*, SP 12/111 f.81, Certificate by Sir John Perrot, February 1577. For the case involving Sir John Wogan, see SP 52/42 f.122, Memorial of Instructions to Sir John Wogan, 4 December 1588.

[56] TNA, HCA 1/38, ff. 124-141. White's activities and origins are explored in more detail in Chapter 2, pp. 63-4 and Chapter 6, pp. 141-4 of this thesis.

[57] Appleby, 'Pirates and Communities', pp. 158-60. See also, Mathew, 'Cornish and Welsh Pirates', pp. 337-48.

communities is more definitive and more readily accessible in the source material. This is not the case for Gaelic piracy, as practised by some in the western Highlands and Islands of Scotland.

Figure 3: Piracy committed in the Irish Sea by Geographic Location, 1560-1603

- Irish 2%
- Other 6%
- Welsh 12%
- Scottish 32%
- English 48%
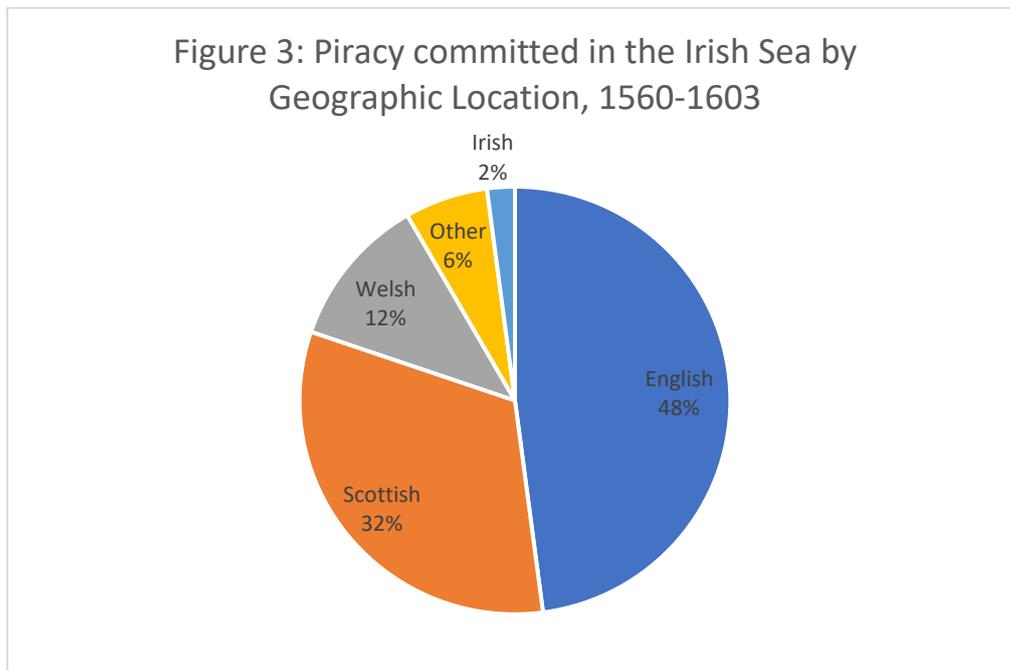
The Scottish Highlands

The maritime relationship between the Scottish Highlands and Lowlands has often been portrayed as one of conflict. Steve Murdoch views the late sixteenth century as the beginning of the end of the traditional relationship between the crown and what he terms the 'unreconstructed Gaels of the western seaboard'. Murdoch acknowledges that for many within Gaeldom, there was little recourse in a political system that accorded them little representation. However, Murdoch also asserts that the sixteenth-century legal system could only view the actions of some Gaelic sailors as piracy, even when taking orders from social superiors.[58] Evidence gathered for this study may explain why this view has been taken by some scholars. Of four attacks which provide enough information they feature Highlanders as aggressors on Scottish Lowlanders. In 1583 and 1584, there were two attacks on Scottish Lowland ships in the waters inhabited by the supporters of Angus MacDonald of Dunyvaig. These attacks happened in Rathlin Island and in the North Channel, where Lowlanders were travelling to fishing areas in Lough Foyle. In 1590, a group of MacDonalds ambushed at least one merchant ship of Ayr on the Ayrshire coast; and in 1595 a party of Hebridean mercenaries spoiled the west coast of Scotland *en route* to Ireland.[59]

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[58] Murdoch, *Terror of the Seas?*, p. 135.
[59] Appendix 1.

From these four attacks over the course of a short window of time, it can be discerned that the MacDonalds featured prominently in Highland attacks on southwestern burgesses, and that connections to Ireland were a point of fissure between Lowlanders and Gaels. However, at face value this evidence is misleading for a number of reasons. Firstly, the episode in which Highlanders spoiled towns on the west coast in 1595 also included the region of Argyll in the Highlands, and the evidence used is a reference to a series of attacks, rather than one episode. The lack of specificity in the manuscript record – an intelligence report from an English diplomat to the English ambassador to Scotland – has resulted in this series of attacks being quantified as one record, although it is likely that more attacks occurred.[60] Secondly, the threat of Gaelic piracy was present throughout the period under investigation in this research. The surviving evidence which with certainty can be attributed to Gaelic aggressors and quantified as piratical attacks has provided snapshots of Highland-Lowland piracy, rather than a full and accurate representation.[61] Thirdly, the evidence which has survived on Highland-Lowland piracy does not account for Lowland aggression toward Highlanders. The reasons for this are twofold: reports of Lowland maritime aggression on Highlanders are largely absent from Scottish official source material, most likely as the Highlanders had little recourse or even inclination to report crimes to the central authorities; and Lowland piracy largely preyed on merchant shipping, which was easier to overcome than Highland galleys. Chapter 2 of this thesis presents an in-depth analysis of Gaelic piracy in the northern theatre of the Irish Sea. The piracies of the MacDonalds, in particular, were linked to the mercenary trade in Ireland, and the social dislocation of Gaelic communities due to the Scottish crown's 'civilising' policies in the western Highlands and Islands. Scholarship on piracy has yet to fully incorporate these wider phenomena, and as a result, has left significant gaps in our understanding of Gaelic maritime aggression.[62]

While there is a dearth of material containing direct Lowland piracy toward Highlanders, maritime violence did occur. One instance of this, in 1579, can be seen in the records of the Convention of Royal Burghs, who set out measures to destroy fishing equipment and structures on the shorelines of Inverness-shire, where 'greit clannis and surnames prevallis', in order to prevent Gaelic communities making a living from fishing in the waters around their homes.[63] Aonghas MacCoinnich's research into

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[60] *SPO*, SP 52/56 f.62, George Nicolson to Robert Bowes, 26 July 1595.

[61] Gaelic aggression throughout the period can be seen in primary material which alludes to attacks, and secondary material which analyses it. See *SPO*, SP 52/55 f.100, George Nicolson to Robert Bowes, 8 May 1595, SP 52/69 f.46, George Nicolson to Sir Robert Cecil, 25 December 1602; BL, Lansdowne MS 143, The petition of William Nicholas, to Q. Eliz…, f. 226; J. MacInnes, 'West Highland Sea Power in the Middle Ages', *Transactions of the Gaelic Society of Inverness*, xlviii (1976), pp. 518-556; Rodger, *Safeguard*, pp. 167-9, 289-91; S. Murdoch, *Terror of the Seas*, pp. 134-40.

[62] See Chapter 2, pp. 67-73 of this thesis. For discussions on Gaelic piracy, see Macinnes, 'West Highland Sea Power', pp. 543-9; Murdoch, *Terror of the Seas?*, pp. 134-8; D. U. Stiùbhart, 'Three Archipelagos: Perspectives on Early Modern Barra' in *Castles and Galleys: A Reassessment of Historic Galley-Castles of the Norse-Gaelic Seaways*, ed. P. Martin (Laxay: Island Book Trust, 2017), pp. 172-80.

[63] *Records of the Convention of Royal Burghs of Scotland (RCRBS)*, i, ed. J. D. Marwick (Edinburgh, 1866), pp. 101-2; For the exploitation of Highland fisheries by Lowland burghs, see Rorke, 'The Scottish Herring Trade', pp. 158-65; MacCoinnich, 'The Maritime Dimension to Scotland's "Highland Problem"', pp. 50-3.

the MacLeods of Lewis has alluded to the external pressure on Gaelic communities exerted by incoming Lowlanders, who, with the backing of the crown, were able to exploit the marine resources around the northwest Highlands and Islands.[64] The 'wider human' aspects, which, according to MacCoinnich, are so often overlooked by historians when assessing the Gaelic regions of Scotland, must be taken into account when assessing the maritime relationship between the Lowland burghs and Highland communities on the west coast of Scotland.[65]

Instances of the 'wider human aspects' alluded to by MacCoinnich are difficult to locate in historical record. An episode in 1593 involving George Smollet, a burgess of Dumbarton, offers a glimpse of Lowland aggression toward Highlanders, and demonstrates the ramifications that this could have on stability of the west of Scotland. These attacks by Smollet also allow for a shift in perspective to that of the Highland victim. The Scottish Privy Council received a joint complaint by inhabitants of Glasgow and Renfrew against Smollet for attacking Islesmen 'baith be sey and land' as they came south to trade with the burghs, robbing their goods and even imprisoning some in the process.[66] Smollet's attacks allude to a commercial relationship between the Highlands and the burgh of Glasgow. This relationship has been outlined by Christopher Smout who argues that Glasgow's trade with Highlanders in the late sixteenth century was critical in its later development as a major hub of commerce.[67] Indeed, Smollet's attacks 'by sey' caused disruption to this relationship, which resulted in the Dumbarton burgess being denounced as a rebel, but it remains unclear who he attacked and how many times he engaged in this activity – accentuating the problems relating to Gaelic representation in historical records. In this case, the Privy Council was made aware of Lowland aggression on Highland visitors only because of the consequent effects on other traders from neighbouring burghs in the southwest.[68] Piracy on the west coast did not always fall within clear-cut parameters, and that treatment of Gaels as aggressors within historiography requires further nuance.

Studies which have informed our view of piracy in the Irish Sea have, naturally, relied on source material which clearly outlines piratical attacks. This is critical in understanding venture piracy, whether professional or opportunistic, in the Lowland communities mentioned in this chapter. However, the lack of representation of the Gaelic communities in historical records has inhibited investigations into Gaelic

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[64] A. MacCoinnich, '"His spirit was given only to warre": conflict and identity in the Scottish Gàidhealtachd, c. 1580- c. 1630', in *Fighting for Identity: Scottish Military Experience, c. 1550-1900*, eds. S. Murdoch & A. MacKillop (Boston: Brill, 2002), p. 145; A. MacCoinnich, 'Sìol Torcail and their lordship in the sixteenth century', in *Crossing the Minch: Exploring the Links Between Skye and the Outer Hebrides* (Port of Ness, Isle of Lewis: The Island Book Trust, 2008), pp. 19-29,

[65] MacCoinnich, 'Siol Torcail', p. 19.

[66] *Register of the Privy Council of Scotland (RPCS)*, First Series, v, ed. D. Masson (Edinburgh: H. M. General register House, 1882), p. 87. For further discussion on Smollet's attacks as a hindrance to Highland commerce, see Cathcart, *Plantations by Land and Sea*, pp. 239-40. For discussion of Highland commercial ties to the burgh of Glasgow, see T. C. Smout, 'The Development and Enterprise of Glasgow 1556-1707', *Scottish Journal of Political Economy* 7, no. 3 (1960), pp. 194-212.

[67] Smout, 'The Development and Enterprise of Glasgow', pp. 196-8.

[68] *RPCS*, v, p. 87.

maritime depredation, which, as this thesis will demonstrate, is intricately linked to wider socio-political phenomena within the archipelago. The omission of Lowland attacks on Highlanders from the historical record is regrettable and problematic. It becomes increasingly challenging to utilise any quantitative analysis when assessing the piratical activities on Scotland's west coast as the data is weighted in favour of Lowlanders. This relationship between these maritime communities requires further investigation and will be assessed throughout the remainder of this thesis. The extent to which Scottish Lowlanders attacked Highlanders remains as yet unknown. Lowlanders in the Irish Sea did, however, practice piracy themselves, and this has been well-documented in historical record.

Scottish Lowlanders as Aggressors

For the purposes of this chapter, the Scots have, where possible, been categorised regionally as originating from 'Lowland Scotland' or 'Highland Scotland', depending on their origins. Where this is not possible, due to the absence of specificity in the records, they have been categorised as originating from 'Scotland'. This complicates efforts to assess maritime aggression of the western burghs (or indeed that of the Highlanders) in the Irish Sea, as it is highly likely that there were more instances of Lowland piracy than what the records (which can be conclusively identified as 'Lowland' Scots) show. When assessed by nationality, rather than separated into regional communities, records of Scottish attacks in the evidence gathered for this study show Scots targeting Welsh, English, Anglo-Irish, and French vessels and merchants in the Irish Sea and North Channel. There was also one case of a Scottish burgh attacking shipping of another in the River Clyde. But half of these attacks are at the hands of Andrew White and his crew, operating out of Whithorn between 1560 and 1565. White himself was from Somerset in England, however, he used a Scottish crew, preyed on English and Welsh shipping, and sold his plunder in Scottish ports. He was also well-known to English and Scottish authorities as a prominent pirate leader preying on English shipping in the region.[69] White's operations are discussed in detail in later chapters, but it is his extraordinary confession in the High Court of Admiralty records which provides most of the information on this particular pirate. White was unscrupulous in his attacks, but his chosen route and *modus operandi* were constructed around preying on English and Welsh shipping, although he did chance upon some French shipping in his hunts for plunder.[70]

Alongside White, other Scottish pirates operated in a similar fashion, although significantly less information has survived regarding other crews, their composition, methods, and operations, resulting in a more difficult task of both quantifying and qualifying their operations. One record relates to the pirate crew under the leadership of Leonard Robertson operating out of Kirkcudbright, who

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[69]Appendix 1; TNA, HCA 1/38, ff. 124-137v; *SPO*, SP 52/10 f.29, Complaints against Andrew White, &c, 27 February 1564-5.
[70] Appendix 1; TNA, HCA 1/38, ff. 124-137v.

attacked a Welsh merchant in the Irish Sea in 1575.[71] This incident is the only one which has enough surviving information in the record, and can be attributed to Robertson's crew. However, data from regional and national sources help shed light on Robertson's career as a pirate. We know from burgh records of the locality in which he operated that he obtained burgess status in Kirkcudbright before 1575, and that he was pursued for non-payment of debts on several occasions between 1575 and 1577. These records also detail how Robertson and his crew were banished from the burgh in 1577 for 'drinking tulzeing [fighting] and harlottrie of ane greit part' and that he sailed in a 'man of weir'.[72] Described by the Scottish Privy Council as a 'pirat', his network of buyers (country and urban elites of the Galloway region) were also exposed for dealing with him, and he was banished soon after.[73] It is also probable that Robertson was the Scottish pirate named 'Robinson' captured at Waterford a few months later in January of 1577-8 by Sir William Drury, Lord President of Munster, and who 'did great harme to her Ma[jes]t[y]s subjects in the streames of this Realme [Ireland]'.[74] As the case of Leonard Robertson demonstrates, in order to obtain a firmer grasp of piracy in the region, it is necessary to go beyond statistical analysis, useful as it may be. The evidence reveals that Scottish attacks on subjects of Elizabeth I in the late sixteenth century were plentiful. While they were more likely to happen further south in the Irish Sea, locations in Ireland and in the River Clyde also feature, reminding us that the waters around the west of Scotland were not solely inhabited by Gaelic pirates.[75]

Analysis of the piratical behaviour of Scottish burgesses within the dataset compiled for this chapter has helped identify the favoured targets and locations of Scottish pirates in the Irish Sea. When this is complimented with further qualitative analysis, a greater understanding of Scottish piracy in these waters can be reached. As has been shown above, Lowlanders were not above utilising violent methods when faced with an opportunity to profit at the expense of their neighbours on the west coast. The supposed predilection toward violence which has at times been attributed to the Gaels by Scottish historians has been less prevalent in scholarship assessing Lowland society.[76] Inter-clan warfare within the Gaeldom is viewed as a way of life in the Highlands and Islands. In the same vein, inter-burgh conflicts were still rife by the close of the sixteenth century. Many of these conflicts were taken to courts, or settled within the institutions of Scottish state apparatus, such as the Privy Council or the

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[71] Appendix 1; SPO, SP 52/10 f. 29, Complaints against Andrew White &c, 27 February 1564-5.

[72] *Kirkcudbright Town Council Records 1576-1604, transcribed by Miss B Johnston and Miss C. M. Armet at the Instance of John, IV Marques of Bute (KTCR)*, 2 vols, i, (Edinburgh: Oliver & Boyd, 1939), pp. 5, 7, 9, 37, 39, 41.

[73] *RPCS*, i, pp. 603-4.

[74] *SPO*, SP 63/60 f.6, President Drury to the Privy Council, 16 January 1578.

[75] Appendix 1.

[76] For a discussion on the lasting preconceptions in Scottish historiography toward Gaelic population up to the late twentieth century, see R. Oram, 'A Celtic Dirk at Scotland's Back? The Lordship of the Isles in Mainstream Scottish Historiography since 1828', in *The Lordship of the Isles*, ed. R. Oram (Leiden: Brill, 2014), p. 17. The view of the Gael as an unruly descendant of the Viking raider can be seen in Macinnes, 'West Highland Sea Power', pp. 518-556. More recently, Steve Murdoch's characterisation of the western Highlands as 'unreconstructed Gaels' has epitomised this perspective, Murdoch, *Terror of the Seas?*, p. 135.

Convention of Royal Burghs. It should be remembered that the burghs enjoyed privileges granted by Scottish governments that were not available to many Highland clansmen. When these privileges were not sought in time, or did not reach a favourable outcome, however, the burghs themselves could resort to violence. In Kirkcudbright in 1598, a dispute with the neighbouring burgh of Dumfries led to an armed raid into the town led by the three baillies of Dumfries.[77] These types of inter-burghal conflicts also retained a maritime element. In 1580, burghal competition among the Clyde burghs reached boiling point when the burgh of Renfrew purchased salt from an Ayr merchant, which was viewed by Glasgow and Dumbarton as an encroachment on the privileges of the City of Glasgow. This resulted in men of the burghs of Glasgow and Dumbarton attacking the boats carrying the salt up the Clyde, using armed men. They took the boats, cargo and men of Renfrew, imprisoned them without process, and refused to release their prisoners until the Privy Council intervened and ordered the case to be tried in the courts.[78]

Burgesses of the southwest were indeed capable of utilising the methods often attributed to Highlanders. In 1577, a band of twenty-four men of the southwest – which included the son of an Ayrshire laird and burgesses of Glasgow and Ayr – robbed a French ship which had anchored near the island of Little Cumbrae on the north Ayrshire coast after the visitors had traded with the burgh of Irvine.[79] This is in itself a straightforward robbery, but is similar to acts of piracy committed on visiting vessels which were at anchor by Highlanders during the same period. Likewise, an Ayr merchant, Gilbert Thomson, found this out in 1584, when he was blown to Rathlin Island off the northeast coast of Ireland by stormy weather and was robbed by a band of MacDonald kinsmen.[80] In1566, a merchant ship of Bristol was blown north to the Kyles of Bute and, while at anchor, was boarded by a band of Highlanders 'faigning the[m]selfe to be m[er]chants', who then robbed them of their goods and murdered some crew members.[81] Similarly, in 1581-2,when a French consortium were recovering stolen goods sold at Kirkcudbright, William Stewart of Monkton, posed as a customs official to board the ship and re-steal the goods.[82] Localised piracy on the west coast of Scotland can generally be separated into two categories: the organised or opportunistic 'venturing' piracy practised by Lowland burgesses, and the Gaelic piracy of the clans of the Highlands and Islands, in much the same way that Appleby differentiates piracy practised by Irish sailors.[83] However, these examples serve as a reminder that there is a nuance to the study of piracy, and that reducing piracy to broad classifications does not always fit within a regional or local perspective.

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[77] R. C. Reid, 'Early Records of Kirkcudbright', p. 149.
[78] *RPCS*, iii, pp. 300-2.
[79] *RPCS*, ii, pp. 653-4.
[80] *RPCS*, v, p. 393.
[81] *SPO*, SP 52/12 f.53, Elizabeth to Mary, April 1566.
[82] *RPCS*, iii p. 447.
[83] Appleby, 'The Problem of Piracy in Ireland', p. 43.

Conclusion

As Kenneth Andrews highlighted in his appraisal of privateering, the lack of specificity within the historical record leads to an under-representation of seaborne plunder.[84] Alongside this, scholars of other types of criminal activity have also demonstrated the pitfalls of quantifying practices which are by nature clandestine behaviours.[85] Studies which have informed our knowledge of piracy in the Irish Sea are often framed within a national narrative, rather than assessing how communities interact within one maritime environment.[86] Such studies are essential to our understanding of piracy within the early modern era, particularly with regard to how early modern polities dealt with pirates. This chapter has presented a survey of the communities engaged in piracy in the Irish Sea and specifically that activity affecting the burghs of the southwest. It has laid the foundations for the following investigation will incorporate local, regional, and archipelagic contexts to piracy in the late sixteenth and early seventeenth century.

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[84] Andrews, *Elizabethan Privateering*, p. 248.

[85] R. Ross, 'Homicide in Early Modern England 1549-1800: The Need for a Quantitative Synthesis', *Crime, Histoire & Sociétés* 5, no. 2 (2001), pp. 33-67; G. R. Elton, 'Introduction: Crime and the Historian', in *Crime in England 1550-1800*, ed. J. S. Cockburn (London: Methuen, 1977), pp. 1-14.

[86] Appleby, *Under the Bloody Flag*; Murdoch, *Terror of the Seas?*.

Chapter 2: Piracy and Naval Control in the Irish Sea, 1560-1603

> there ar certene marchannttes (perteaneing to the erle of tirone & odonnell and the rest if hir ma[jes]ties rebells) gone to glasgow and the borrows of the west contre of Scoteland to bie powder and lead and munitions to uphold the fornamed rebells... if this powder of Scotland be stayed from the rebells, within one half yeir they will be all banished from Yrelande – Sir James McDonnell of Dunluce, 1597[1]

Introduction

This chapter will address the relationship between piracy and control of the sea by early modern polities. The Irish Sea, as a maritime space, separated the lands of England, Wales and Scotland from Ireland, and was a highway used by mariners of all of these territories, as well as those visiting from other states. Although the coastlines of the Irish Sea contained communities under the rule of two monarchies, those of Scotland and England, the waters used by Scottish and English subjects for the majority of maritime activity lay eastward. As a result, the maritime presence of both the Scottish and English crowns was minimal in the western maritime theatre.[2] The Irish Sea and North Channel in the late sixteenth century were patrolled by English crown forces in order to facilitate the extension of Elizabeth I's sovereign authority in Ireland. Pacifying these waters was necessary in order to maintain a regular flow of supplies to Ireland to sustain the English governing populace and armed forces in that kingdom. Therefore, English naval forces had a vested interest in securing control of the waters around the west of Scotland and the north part of the Irish Sea. These efforts, though, were sporadic and under-funded throughout the late sixteenth century.[3] English crown patrols were faced with opposition of Scottish Highland clans raiding or moving across the Channel to Ireland; and with piratical crews operating out of Scottish Lowland communities and around the Isle of Man, where pirates were accommodated by the local populace. This chapter will assess the Elizabethan regime's attempts to exert naval supremacy in the waters in the northern theatre of the Irish Sea. This is particularly apposite given that naval patrols were a key preventative measure used by states to reduce piracy. In doing so, this chapter will demonstrate that the Irish Sea offered markets to pirates in several regions and, through an archipelagic approach, provide new dimensions to the existing historiography regarding the English naval presence in the Irish Sea in the late sixteenth century. It will argue that the Elizabethan regime's approach to control of these waters fell short due to lack of resources and, during the last decade of Elizabeth's reign, the maritime

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[1] *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2021), SP 52/61 f.56i, James Maconnell, of Dunluce, to Mr. Bowes, 25 September 1597.

[2] For assessments of trade in Scottish towns, see S. G. E Lythe, *The Economy of Scotland in its European Setting 1550-1625* (Edinburgh: Oliver & Boyd, 1960), p. 181; M. Lynch, 'Introduction', in *The Early Modern Town in Scotland*, ed. M. Lynch (London: Croom Helm, 1987), pp. 4-10; M. Rorke, 'Scottish Overseas Trade, 1275/86-1597' (Unpublished Ph.D. Thesis, University of Edinburgh, 2001). For perspectives on naval presence of the Scottish and English crowns during the late sixteenth century, see S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2010), pp. 111-127; D. M. Loades, *The Tudor Navy: An Administrative, Political and Military History* (Aldershot: Scolar Press, 1992).

[3] Loades, *The Tudor Navy*, pp. 156, 190-1, 219; T. Glasgow, 'The Elizabethan Navy in Ireland', *Irish Sword*, vii (1966), pp. 291-307.

capabilities of the English fiscal naval state, were not capable of exerting significant control over these waters. As efforts to control the sea were frustrated, in part, by piracy, this chapter will assess the impact of piracy through individual case studies of maritime communities in the northern theatre of the Irish Sea.

Challenges to English Control of the Irish Sea

In recent years, scholars of maritime history, particularly those of the Atlantic regions, have analysed how the sea was interpreted by early modern polities and sea-faring communities, in relation to state-building and territorial expansion.[4] It has been shown that in the sixteenth century the exercise of political authority by early modern states had not yet developed into what we would recognise as that exerted by sovereign nations in the modern political landscape.[5] Lauren Benton contends that the historically weak legal regimes in the early modern period have left an enduring view of the ocean as a place of inherent lawlessness; a 'legal void' outside of the regulatory capability of polities.[6] However, when the early modern mariners' experience of maritime space is brought into consideration, the importance of sea routes and trade routes become immediately apparent, dispelling notions of the ocean as an empty wilderness. Polities regulated ocean corridors and sea lanes, and claimed jurisdiction over trade routes and also some of the natural resources of the sea, most notably fish.[7] From a state-building perspective, control of these routes was essential for European states as conduits for trade through maritime spaces, and also as a means of exerting control through exported violence of armies and navies.[8] In the Irish Sea, the English crown – embroiled in a centuries-long conflict in Ireland – sought to exert control over the sea lanes between the two kingdoms throughout the late sixteenth century. For the English, sea power remained vital for supplying and feeding the army in Ireland; supporting plantation efforts in Ulster, Leinster, and Munster; maintaining communications with successive Lord Deputies and regional governing officials; and, crucially, exploiting the natural resources of Ireland in order to offset the drain on the exchequer caused by long-running English campaigns there.[9]

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[4] See L. Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), pp. 104-111, 112-120; J. Glete, *Warfare at Sea, 1500-1650: Maritime Conflicts and the Transformation of Europe* (London: Routledge, 2000); P. E. Steinberg, *The Social Construction of the Ocean* (Cambridge: Cambridge University Press, 2001); J. E. Thomson, *Mercenaries, Pirates and Sovereigns* (Princeton: Princeton University Press, 1994).

[5] Thomson, *Mercenaries, Pirates and Sovereigns*, pp. 7-19. See also,

[6] Benton, *A Search for Sovereignty*, p. 105.

[7] *Ibid.*, p. 104-112. In the waters of north of Ireland and the west of Scotland, fish was a particularly sought-after resource which caused considerable friction between maritime communities. For examples of both the Scottish and English crowns exploiting the natural resources of fish which sustained Gaelic communities in these waters, see A. MacCoinnich, *Plantation and Civility in the North Atlantic World: The Case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), pp. 95-6; A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago c.1550-1625* (Oxford: Peter Lang, 2022), pp. 157-9.

[8] Glete, *Warfare at Sea*, pp. 60-9.

[9] K. R. Andrews, *Trade, Plunder and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630* (Cambridge: Cambridge University Press, 1984), pp. 184-6; N. A. M. Rodger, *The Safeguard of the*

In the sixteenth century, monarchs did not attain what we would recognise as sovereignty today even within their own kingdoms. Political authority in Scotland and England, for example, was exercised to varying degrees over different regions of each kingdom.[10] Indeed throughout the sixteenth century respective monarchs implemented various polices aimed at extending royal authority across their respective realms. However, English ambitions of exerting political authority over the whole of the kingdom of Ireland were never realised, even despite the concerted efforts of Elizabeth I, and numerous studies have assessed the political, social, military and cultural aspects of English rule in Ireland during the late sixteenth century.[11] The maritime and wider archipelagic contexts to English presence in Ireland, however, have been largely overlooked but are vital to our understanding of piracy in the Irish Sea and North Channel. It has been estimated that the garrison in the English Pale quadrupled in the first two decades of Elizabeth's reign.[12] In order to support such garrisons, and the English administrative and military presence in Ireland as a whole, supplies were sent routinely from England, while the queen's ships were ordered to patrol the coasts of Ireland to rid the waters of pirates, secure safe transportation of men and supplies, and maintain regular communication between London and Dublin. Thus, the same resources required for the wars in Ireland were also expected to patrol the seas in an effort to combat piracy. At the same time, from the outset of her reign, Elizabeth I's naval priorities were the defence of England from foreign aggressors and, therefore, the number of ships committed to Ireland, although varied throughout her long reign, were always limited.[13] The small number of ships involved in Irish service at any time throughout the late sixteenth century was not sufficient to pacify the waters around the coast of Ireland, particularly in the north.[14] While Elizabeth was aware she did not have authority over the waters of the Irish Sea and North Channel, she certainly wanted to control what happened in those waters, primarily to maintain smooth communications between the two kingdoms she governed, while also limiting the threat of external interference in Ireland.

Sea: A Naval History of Britain, 660-1649 (London: Harper Collins, 1997), pp. 189-90; A. Cathcart, 'The Maritime Dimension to Plantation in Ulster, ca. 1550-ca. 1600', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 95-97, 101-6; N. P. Canny, *Making Ireland British, 1580-1650* (Oxford: Oxford University Press, 2001), pp. 121-159.

[10] See J.H. Ohlmeyer, ''Civilizing of those Rude Partes': Colonization within Britain and Ireland, 1580s-1640s', in *The Oxford History of the British Empire: Volume 1: British Overseas Enterprise to the Close of the Seventeenth Century*, ed. N Canny (Oxford: Oxford University Press, 1998), pp. 124-145.

[11] For in-depth studies of these aspects of Elizabethan Ireland, see S. G. Ellis, *Tudor Ireland: Crown, Community and the Conflict of Cultures, 1470– 1603* (London: Longman, 1985); G. Farrell, *The 'Mere Irish' and the Colonisation of Ulster, 1570– 1641* (Cambridge: Palgrave MacMillan, 2017); J. McGurk, *The Elizabethan Conquest of Ireland. The 1590s Crisis* (Manchester: Manchester University Press, 1997)

[12] C. Brady, 'Conservative Subversives: The Community of the Pale and the Dublin Administration, 1556-86', in *Radicals, Rebels, and Establishments: Historical Studies, XV*, ed. P. J. Corish (Belfast, 1985), p. 17; W. Palmer, *The Problem of Ireland in Tudor Foreign Policy 1485-1603* (Woodbridge: Boydell Press, 1994), pp. 3-5.

[13] Palmer, *The Problem of Ireland in Tudor Foreign Policy*, pp. 73-81; Rodger, *Safeguard*, pp. 199-203, 238-53.

[14] Loades, *The Tudor Navy*, pp. 56, 91, 93, 111,156 190, 219, 270-1; Glasgow, 'The Elizabethan Navy in Ireland', pp. 291-307.

One of the key challenges for English naval control of the Irish Sea was the deployment of appropriate shipping in the region. In 1566, Captain George Thornton, a former pirate, was given command of a small squadron of four royal warships, which consisted of the *Saker* (a sixty-ton warship), the *Hare* (a forty-ton bark), and the *Makeshift* and *Post* (two brigantines). These were short-range vessels, suited to the Mediterranean, and proved cumbersome in the rougher seas of the North Channel, unlike the nimble Highland galleys that dominated the waterways there.[15] This squadron's operations set the tone for English naval activity in the Irish Sea for the next three decades. Often, the ships assigned to this role were unfit for the task or were too few in number to operate effectively. From 1576, Thornton had the command of a series of large pinnaces and was to be supported by smaller craft in the Irish Sea and North Channel, but accurate reports of the exact number of ships in Irish service are sporadic. Meanwhile, regular English naval patrols of the Irish coasts were rare during Elizabeth's reign, in stark contrast to the English coastlines of the North Sea and English Channel.[16] In attempting to gain control of the waterways between England and Ireland and to combat piracy, whether venture piracy or Gaelic piracy, the English crown's efforts fell short in part due to a lack of adequate shipping and regular patrols of the waters, a result of a depleted treasury and greater priorities elsewhere. When environmental factors are also considered, it becomes more apparent how difficult Thornton's role in the service of the crown had become.

The combination of wind, weather, and tides also presented a significant challenge to the early modern mariner in the waters of the Irish Sea.[17] Recent research into plantation schemes in Ireland by Alison Cathcart has acknowledged the maritime dimension to English activity in Ireland; neatly articulating not only the dangerous conditions, but also how the intricate knowledge of the waterways that mariners of the Irish Sea communities had was vital in traversing the harsh marine environment.[18] The maritime routes between Scotland and Ireland were used by Lowland burgesses, who fished in the waters around the north coast of Ireland and traded with the communities there (including some illicit trading in arms and ammunition). They were also used by members of some of the Gaelic clans of the Highlands and Islands, whose presence in the north of Ireland had threatened English policy there through long-term migration and settlement in the region. The activities of Highland mercenaries, who fought in the campaigns of their Irish neighbours against the English crown, were a further source of disturbance.[19] In contrast, the English frequently reported being blown off course due to wind and

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[15] Glasgow, 'Elizabethan Navy in Ireland', p. 292-4; Loades, *The Tudor Navy*, pp. 169, 178, 187, 193, 194, 207, 214, 219. Loades notes that the *Post* sank off the coast of Ireland in 1566 (*Ibid.*, p. 194).

[16] Cathcart, *Plantations by Land and Sea*, pp. 91-2, 171-172, 178; Loades, *The Tudor Navy*, pp. 156, 190-1, 219; McGurk, *Elizabethan Conquest of Ireland*, pp. 137-59, 165-84.

[17] See R. H. Buchanan, 'The Irish Sea: The Geographical Framework', in *The Irish Sea: Aspects of Maritime History*, eds. M. McCaughan and J. C. Appleby (Belfast: Institute for Irish Studies, 1989), pp. 1-3. The unique tidal regime is outlined fully in page 1 of this thesis.

[18] Cathcart, *Plantations by Land and Sea*, pp. 1-22, 90-2; Cathcart, 'The Maritime Dimension to Plantation in Ulster', pp. 102-6.

[19] Studies of Scottish activity in Ireland during the sixteenth century often overlook the activities of Lowland burgesses there. Notable exceptions are G. A. Hayes-MacCoy, *Scots Mercenary Forces in Ireland (1565–*

weather. These difficulties were compounded by the unique tidal regime in the Irish Sea, which could make sailing northward difficult even in favourable conditions.[20] Thus, the problems caused by the climate and maritime conditions in the Irish Sea significantly impeded the English efforts to impose the authority of the crown in Ireland by controlling the waterways between the two kingdoms. It was not only crown patrols which were affected, but also the efforts to supply the army in Ireland, which, in turn, created harsher conditions on the ground.[21] As the same resources and personnel were used to both supply the forces in Ireland and counter piratical activity, it is unsurprising such efforts saw little progress in terms of controlling the waterways. The attempts to exert control of the sea lanes in this region of the archipelago, particularly with reference to Scotland and Ireland, have yet to be assessed in relation to piracy in the late sixteenth century.

English Control of the North of the Irish Sea: Case Studies

Although the English administration, and those they gave commissions to, failed to secure control over maritime corridors in the Irish Sea, they did seek to reduce the amount of piracy in these waters. The main problem facing the anti-piratical efforts of the English crown's ships was the lack of resources and unfavourable conditions. Despite the substantial evidence which demonstrates how English officials profited from piracy, and how the English privy council and the implementation of the law was not capable of properly dealing with it, Elizabeth certainly regarded piracy in the Irish Sea as a problem, mostly due to the diplomatic nuisance that followed aggression in these waters on the part of English shipping.[22] Elizabethan policy towards Scottish shipping was based on limiting diplomatic distractions which followed attacks on Scottish mariners. On inheriting her throne in 1558, Elizabeth I became queen of a country already deeply immersed in piracy. This was an era of disorder at sea amongst

1603): An Account of Their Service during That Period and of the Reaction of Their Activities on Scottish Affairs, and of the Effect of Their Presence in Ireland, together with an Examination of the Gallóglaigh or Galloglass (Dublin: Edmund Burke Publisher, 1937; reprinted 1996); Cathcart, *Plantations by Land and Sea*. For examples of Scottish Lowland presence in Ireland, see *Register of the Privy Council of Scotland (RPCS)*, First Series, v, ed. D. Masson (Edinburgh: H. M. General register House, 1882), p. 393; *Kirkcudbright Town Council Records 1576-1604, transcribed by Miss B Johnston and Miss C. M. Armet at the Instance of John, IV Marques of Bute (KTCR)*, 2 vols, i, (Edinburgh: Oliver & Boyd, 1939), pp. 311, 380, 431; Ayrshire Archives, Ayr Burgh Records, Miscellaneous Volumes, Cocket Book 1577-1632, GB244/B6/29/1. This manuscript volume has no folio or page numbers. Entries are recorded by date. For examples of Ayr's carrying trade, see entries for 9 June 1589, 9 October 1589, 15 October 1589, 19 October 1590, 15 August 1591, 12 July 1593 5 May 1597.

[20] Buchanan, 'The Irish Sea', p. 3. For English reports of unfavourable conditions and difficulty navigating, see *APCE*, ix, p. 116; *SPO*, SP52/28 f. 210, Robert Bowes to Burghley and Walsingham, 19 July 1580, SP 63/205 f. 205, The Earl of Essex and the Council to the Privy Council, 15 July 1599, SP 63/25 f. 35, Captain George Thornton to Sir William Cecil, 2 July 1568.

[21] For an extensive investigation of English supply apparatus, mostly from the Irish Sea ports, see McGurk, *Elizabethan Conquest of Ireland*, pp. 137-183.

[22] L. M Hill, 'The Admiralty Circuit of 1591', *Historical Journal* 19 (1971), pp. 3-14; K. R. Andrews, *Elizabethan Privateering: English Privateering During the Spanish War 1585-1603* (Cambridge: Cambridge University Press, 1964), pp. 22-9. The limitations of English anti-piratical measures are more fully explores in Chapter 3, pp. 78-81 of this thesis.

western European nations. International rivalries and wars of religion, compounded pre-existing commercial rivalries, and created a melting pot of competition and opportunity for European mariners looking to make a profit, not least of all pirates.[23] Elizabeth came to the throne during a period of war with France, a country closely allied with Scotland. The Treaty of Edinburgh, signed by the commissioners of England, France and Scotland in 1560, saw the end of French hegemony in Scotland and set the political tone of the British and Irish archipelago for the next four decades. The diplomatic relationship would be tried and tested at various times, but the official relationship between the English and Scottish crowns remained cordial (if at times suspicious and even mischievous).[24] Throughout the late sixteenth century, Anglo-Scottish relations were continually strained by piratical attacks. The communities in the north of the Irish Sea basin were both affected by piracy, and participants in it, in the same maritime theatre that was utilised by English vessels supplying the army in Ireland and attempting to stem the flow of Gaelic mercenaries into Ulster. There are some excellent studies of piracy in Irish Sea communities, however, there are some communities there which have been overlooked in historiography.[25] The following case studies seek to highlight maritime communities that are often neglected in the wider historiography, facilitating an understanding of their role in the piracy that occurred within the wider Irish Sea region. They showcase the mobility of pirate crews in these waters, highlighting how they operated in the Irish Sea despite the English naval presence there, and underline the need for an archipelagic approach to piracy.

Isle of Man

Throughout the later decades of the sixteenth century, the activities of many mariners from communities in the Irish Sea were carried out away from the prying eyes of English crown agents. The Isle of Man, in the centre of the Irish Sea, was a prime location for this. The semi-autonomous island, governed at this time by the Stanley Earls of Derby as Lords of Man, lay outside of the jurisdiction of the English Admiralty Courts. Man's relationship with the English crown was peculiar, in that the title of King of Man was bestowed upon English Lords, but the island retained its own laws, customs and institutions.[26]

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[23] J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009), pp. 79-80
[24] *Ibid.*, pp. 80-6; Murdoch, *Terror of the Seas?*, pp. 69-70.
[25] For studies of individual pirate communities in the Irish Sea communities in England, Wales, and the south of Ireland, see J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon Volume I: From Early Times to the Late Eighteenth Century*, eds. M. Duffy, S. Fisher, B. Greenhill, D. J. Starkey and J. Youings (London: Conway Maritime Press, 1992), pp. 90-7; J. C. Appleby, 'Pirates and Communities: Scenes from Elizabethan England and Wales', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-c. 1600*, eds. P. Dalton & J. C. Appleby (Ashgate: Surrey, 2009), pp. 149-172; M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015), pp. 21-57; K. Pluymers, 'Pirates and the Problem of Plantation in Seventeenth-century Ireland' in *Overseas Commerce and the Governing of Maritime Space in the Early Modern Era*, eds. P. Mancall and C. Shammans (Los Angeles: Huntingdon Library Press, 2015), pp. 79-107.
[26] The Kingship of Man had been vested in the Stanley family by Henry IV of England in 1406 and successive heads of the Stanley family held the title 'King of Man' until the late fifteenth century when Thomas Stanley adopted the title 'Lord of Man' rather than 'King of Man'. See Alison Cathcart, 'Island empire. James VI & I and

In the sixteenth century, Man was not fully incorporated into the English state but, while it was part of the estate of an English noble family who were answerable to the English crown, it remained in effect a separate polity.[27] The island retained its own governance structures, including its annual parliament, and its own legal system. Its unique position in the centre of the Irish Sea, in close proximity to the southwest coast of Scotland, the north and east coasts of Ireland, and the west coast of England and Wales, made it a hub of activity in the Irish Sea. Historiography of the Isle of Man has shed light on piratical and smuggling activities on the island after 1650, yet very attention has been paid to these activities in the sixteenth century.[28]

Man's connections with piracy in the sixteenth century are partly a result of the island's constitutional anomaly within the British and Irish archipelago. David Cressy's study of England's island communities demonstrates the autonomy held by the Earls of Derby during the late Tudor and early Stuart periods, and the ferocity with which they defended their rights to hold 'absolute dominion' over the island.[29] Man often served not as a pirate nest in itself in the late sixteenth century, but as a welcome place of refuge for those partaking in illicit activity in the Irish Sea, as there were no laws on Man which prohibited fraternising with pirates. Evidence in the records of the English High Court of Admiralty shows how the island was used by pirates in the 1560s as a place to stop and resupply during their voyages. In September of 1561, John Poole and George Thornton[30] (the latter would later become a senior English naval officer in the Irish Sea) were examined as pirates in the Tower of London, where they detailed their recent voyages from Scotland to the Canary Islands, stopping in the Isle of Man on several occasions.[31] While on Man, they formed a trading relationship with the comptroller of the island, Robert Calcott, who was responsible for customs in the ports there. Thornton and Poole were able to

the Isle of Man in an archipelagic context' in Neil McIntyre and Alison Cathcart eds., *Scotland and the Wider World: essays in honour of Allan I. Macinnes* (Boydell & Brewer: Woodbridge, 2022),pp. 34-48 at pp. 38-9.

[27] J. R. Dickinson, *The Lordship of Man under the Stanleys: Government and Economy in the Isle of Man, 1580-1704* (Manchester: Chetham Society, 1996), pp. 2-5, 18-19; D. Cressy, *England's Islands in a Sea of Troubles* (Oxford: Oxford University Press, 2020), pp. 60-4.

[28] Illicit trade and piracy in Man after 1650 is discussed in Dickinson, *The Lordship of Man under the Stanleys*, pp. 326-342; R. C. Jarvis, 'Illicit Trade with the Isle of Man', *Transactions of the Lancashire and Cheshire Antiquarian Society*, lviii (1974), pp. 245-67; L. M. Cullen, *Anglo-Irish Trade, 1660-1800* (Manchester, Manchester University Press, 1968), pp. 146-51.

[29] Cressy, *England's Islands*, pp. 59-64, 62. A case in 1624, in which the English Admiralty Court unsuccessfully attempted to retrieve a French ship seized by Dutch pirates and taken to the Isle of Man, demonstrates the autonomy wielded by the Stanleys when pressured by the English central governing institutions, in this case the High Court of Admiralty and the Pricy Council. See *APCE*, xxxix, pp. 337-8; Cressy, *England's Islands*, p. 63

[30] See above, pp. 54-5 for Thornton's activities as an officer of the English crown in the Irish Sea.

[31] TNA, HCA 1/36, ff. 86-92. Poole and Thornton were examined by William Paulet, first Marquess of Winchester, Lord Treasurer of England, Sir William Cecil, later Lord Burghley, Principal Secretary to Elizabeth I, Sir Edward Warner, Lieutenant of the Tower of London, and a Doctor Vale, a judge of the Admiralty Court. Part of their remit in this interrogation concerned the activities and whereabouts of another English pirate named Thomas Champneis, who had been apprehended at the same time as Thornton and Poole, but had subsequently escaped custody. The information obtained within these examinations relating to Champneis may be what secured Thornton his pardon shortly after in 1562, given the presence of such high-ranking officials in the Tudor state. See *SPO*, SP 70/29 f.28, The Bishop of Aquila to Cecil, 5 August 1561; *APCE*, vii, p. 129.

pay for victuals from Calcott, and sell him cloth and fine clothing they had taken in piracy. Ultimately, though, the presence of the Earl of Derby's commissioners on the island were the undoing of these pirates, who were apprehended in their custody, to be transported to the Tower of London where they remained at the mercy of the queen and her servants.[32] This episode is a reminder that while Man was geographically distant from the prying eyes of both London, and the Stanley lords and their representative (who were largely absent), when the English commissioners were on the island, it was not a safe place for pirates.

During their travels, Thornton and Poole had interacted with the pirate captain William Hanson on the Isle of Man, who also found himself in front of the admiralty to answer for his crimes in December of 1561. Hanson, like Thornton and Poole, operated in the Irish Sea and the Canary Islands, but also visited ports in Wales, Cork, the north of Ireland, and the west of Scotland to offload pirated goods. While on the Isle of Man, Hanson dined with the comptroller, Calcott, and paid for his crew's stay by giving the comptroller and the governor of Man several luxury silk cushions each, which had been robbed from a Flemish ship.[33] Hanson and his crew had to make a swift dash for Scotland from Man as they were tipped off that the English commissioners of the Earl of Derby had landed on the island.[34] In both these examinations, the respective crews visited ports all over the Irish Sea, and were victualled on the Isle of Man. These cases demonstrate that for English pirates operating in far-flung destinations against European mariners, the local perspective remains significant. These pirates required the illicit markets found in Ireland, Wales and Scotland to unload their goods, and depended on the participation of local elites to forego customs payments in exchange for cheap wares. In order to maintain these piratical cruises, it was to the Isle of Man in the north of the Irish Sea that these two crews looked to supply their ships and men.

Indeed, these cases also illustrate much about how the admiralty court operated with regard to reducing piracy. Interrogating judges sought to uncover the extent of pirates' depredations, as well as contacts in ports who sheltered the pirates and bought their wares. The judges were also deeply concerned with uncovering knowledge of other pirates. Those examined in the cases relating to Man reveal extensive depredations across the Irish Sea and further afield. They show how closely connected the regions assessed in this chapter were in the black market of illicit goods, and underscore the value of local case studies within an archipelagic approach. Pirate confessions, as discussed in the Introduction to this thesis, are not without their limitations as historical source material – particularly

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[32] TNA, HCA 1/36, ff. 86-92. For the duties assigned to the comptroller of Man, see Dickinson, *The Lordship of Man Under the Stanleys*, pp. 29-30.

[33] TNA, HCA 1/36, ff. 93-100v. The term 'Governor' is not always used in the sources. In this case, the term 'Captain of Man' is used, and in other cases, 'Lieutenant of Man' describes the same position. The three terms are interchangeable.

[34] TNA, HCA 1/36, f. 95. Hanson's depredations were wide-ranging, from the Canary Islands to Brittany; in the Irish Sea, he frequented ports in Wales and Ireland. He also unloaded his goods in 'Lowgh Royall' in the west of Scotland to an un-named local lord there.

regarding the motivations for confessions and the accuracy of the details given. Some motivations are easily discerned, though. Captain George Thornton, analysed in this chapter as both pirate and naval officer, clearly had received a pardon in exchange for naval service to the crown.[35] Thornton also names other pirates during his examination and, therefore, the motivation to avoid punishment by implicating others is evident throughout the source material. This is apparent in Hanson's case too. Both Hanson and Thornton reported interacting with the pirate Thomas Champneys and gave details on his movements.[36] This tactic, used extensively by interrogators, is evident throughout the period covered in this chapter. In the 1570s, for example, several examinations of pirates reveal the movements of John Callice, and it is clear that the judges of the admiralty were making a conscious effort to find Callice, one of the most notorious pirates of the late sixteenth century.[37] The mobility of pirates at sea, combined with the favourable conditions on land (in sympathetic ports and havens), is what allowed them to evade the efforts of the English admiralty and crown's naval officers in the Irish Sea. Man's geographical proximity to other regions of the archipelago, while retaining its own autonomy, made the task of controlling the waters of the Irish Sea, and also reducing piracy, more difficult for the English admiralty.

Man's unique constitutional position within the Elizabethan polity played a part in enabling piracy within the Irish Sea in the opening years of Elizabeth's reign. Interrogations of smugglers operating in the Irish Sea reveal Man's use as a marketplace and its allure for pirates in the early 1560s. Richard Reynolds moved around ports and havens in the Irish Sea in 1562. He confessed to selling goods in Beaumaris and Conwy in Wales, and also in Chester, Man, and some Irish ports. Reynolds' disposition details how he interacted with magistrates in the towns where he sold his goods – all taken in piracy – and received business from merchants in Chester and Liverpool. While Reynolds himself was not a pirate, he was trading illicitly on the spoils of piracy, and his deposition reveals how a piratical attack could initiate a chain of illicit trading beyond the first sale. It was in Man though, where Reynolds was able to buy a boat and receive victual for his smuggling enterprise.[38] Similarly, John de la Hay, another smuggler apprehended around the same time, had interacted with pirates on the Isle of Man. De la Hay was a merchant of Chester, who was being interrogated for buying Portuguese oils on Man which he confessed had been taken 'pirateouslye', before he sold them back to the Portuguese merchants at

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[35] Thornton was an ex-pirate captured some time in 1561, who escaped the gallows and received a pardon in 1562. He most likely served the crown in a naval capacity against the French between 1562-3, and from 1566, spent the rest of his life in service to the crown in the Irish Sea region, where he became the highest-ranking officer there. See Glasgow, 'Elizabethan Navy in Ireland', pp. 292-3. Thornton's examinations, and his myriad piracies are found in The National Archives (TNA), High Court of Admiralty (HCA): Oyer and Terminer Records, Examinations of Pirates and Other Criminals, HCA 1/36, ff. 86-92. His pardon can be found in *Acts of the Privy Council of England (APCE)*, vii, ed. J. R. Dasent (London: Public Record Office, 1893), p. 129
[36] TNA, HCA, 1/36, ff. 86-92, 93-100v.
[37] TNA, HCA, 1/40, ff. 17-18v, 18v-19v, 33v-44v; See Appleby, *Under the Bloody Flag*, pp. 145-58 for an assessment of Callice's depredations.
[38] TNA, HCA, 1/36, ff. 193-196v.

'th'earl of Derby his house'.[39] Both of the smuggling operations outlined here followed similar methodologies, but they took different routes and visited different ports. They interacted with magistrates and noblemen, and with other merchants in the urban areas. Clearly, these journeys were facilitated by personal connections in ports connected as part of an illicit network across the Irish Sea, with Man in the centre.

The island continued to be used as a marketplace and place of refuge for pirates throughout the late sixteenth century. In 1578, the English Privy Council and Court of Admiralty sent letters of assistance to the Earl of Derby and other officers of the Isle of Man on behalf of some English merchants who had been spoiled by Scottish pirates. Presumably, these pirates were now in Man, and could not be apprehended there by English officials.[40] A more serious case occurred a decade later in 1588 when a ship of Bremen was spoiled by English pirates and brought to the Isle of Man. Pressure was then exerted on Elizabeth I by the King of Denmark, whose merchants had been particularly unfortunate at the hands of English pirates.[41] Charles Howard, later first Earl of Nottingham, the Lord Admiral, along with the English Privy Council, recommended a course of action to be taken by the Earl of Derby and his officers on Man, who had jurisdiction in the island.[42] Evidently, little was done as the merchant who had been spoiled, Everhard Schroder of Bremen, was still complaining in 1590, while it had since been discovered that some of the Earl's officers on Man had purchased some of the goods thus colluding in illegal activity.[43] The dearth in historiography surrounding the illicit activity of Man before 1650 is regrettable. However, consultation of English source material reveals that Man was indeed used by pirates as a place of refuge in the late sixteenth century. The constitutional status of Man within the archipelago clearly worked in favour of pirates and other types of fugitives attempting to escape the reach of the English state, who could entice local agents with exotic wares or stolen goods at reduced prices, while the geographic location of the island and the conditions of the wider Irish Sea region ensured ongoing piratical activity.

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[39] TNA, HCA, 1/36, ff. 136v-197v. In this interrogation, de la Hay outlines how he bought the Portuguese oils from pirates on Man. Meanwhile, the Portuguese merchants who had been robbed managed to gain restitution for their stolen goods through the Admiralty Court, and then bought the same goods back from de la Hay, no doubt at a cheaper price than what they were worth. He also confessed to operating in several other ports around the Irish Sea.

[40] *APCE*, x, p. 25.

[41] *SPO*, SP 75/1 f. 246, The Substance of the King of Denmark's Letter to Her Majesty, 24 January 1588. The King of Denmark had been notified of numerous attacks on Danish shipping at the hands of English merchants. The English crown's response to this was sympathetic, but also sought to alleviate some of the blame by invoking the increased fears among English sailors due to the ongoing conflict with Spain at that time. See Appleby, *Under the Bloody Flag,* pp. 221-2.

[42] *SPO,* SP 75/1 f. 246, The Substance of the King of Denmark's Letter to Her Majesty, 24 January 1588; *APCE*, xvi, p. 362.

[43] *Calendar of the Manuscripts of the Most Hon. the Marquis of Salisbury, Preserved at Hatfield House, Hertfordshire* (*Calendar of Salisbury Manuscripts*), xiii, ed. S. R. Scargill-Bird (London: His Majesty's Stationery Office, 1915), pp. 429-431.

The constitutional position of the island came under scrutiny during the last years of the century and into the next. A dispute amongst the Stanley family over the inheritance of the Derby estate went unresolved for sixteen years from 1594 until 1610, leaving the governance of Man (as part of this estate) in the hands of the English crown while a long legal battle ensued.[44] The English immediately appointed Sir Thomas Gerard of Bromley as governor of Man. Alongside this appointment came orders to fortify the island. In 1595, the English Privy Council ordered arms and munitions be sent to Gerard from the city of London, and similar orders were sent to Chester in an extensive list of arms and munitions amounting to £460 sterling to be transported to Man.[45] This development came against a backdrop of ongoing hostilities with Spain, in which the English feared a Spanish attack, either on England's coasts or through Ireland. These fears were intensified with the outbreak of the Nine Years' War in Ireland in 1593, which necessitated a much higher English military presence in Ireland, and therefore, a greater need for supplies for the army there.[46]

The English clearly appreciated the strategic significance of the Isle of Man in the centre of the northern Irish Sea. The idea of Man as a stepping stone to Ireland for the English war machine may well have resonated with government officials in England. However, the situation on the ground proved trickier to manage. The communication between the central government in London, the supply and levy centres in the northwest of England, and the theatre of war in Ireland, was also hindered by the difficulties of sea travel.[47] The problems of communication across the Irish Sea during the Nine Years' War were exemplified again on 1 May 1600, when Captain George Thornton arrived in Man from Carrickfergus to be supplied with victuals for the army in Ireland. Thornton carried with him an order from Sir Henry Docwra, at that time in command of 5,000 troops in Ulster, to collect victuals for the army in Man. However, the lieutenant governor of Man, Captain Robert Molineux, produced orders from the Privy Council in England not to provide any victual without payment, and therefore, Thornton had to leave without victual for the army. This was not rectified by the Privy Council in England until 21September 1600.[48] The English clearly seized their opportunity to use Man as a supply base, in the hope of speedy allocation of resources to the war in Ireland, on top of tightening their control of the

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[44] Dickinson, *The Lordship of Man under the Stanleys*, pp. 26-9, 40-1; Cressy, *England's Islands*, pp. 61-2. The death of Ferdinando, fifth Earl of Derby, in 1594 provoked an inheritance dispute between his three daughters and his brother, William, the sixth Earl.

[45] *APCE*, xxv, p. 142; *SPO*, SP 12/254 ff. 69-70, List of Arms, 23 October 1595.

[46] Rodger, *Safeguard of the Sea*, pp. 282, 289-91; McGurk, *Elizabethan Conquest of Ireland*, pp. 7-24; D. McGettigan, *Red Hugh O'Donnell and the Nine Years War in Ireland, 1594– 1603* (Dublin: Four Courts Press, 2005), pp. 76-91.

[47] For a full and detailed appraisal of the English crown's supply of men and resources to Ireland during the Nine Years' War, see McGurk, *Elizabethan Conquest of Ireland*, pp. 137-84.

[48] *Calendar of Salisbury Manuscripts*, x, p. 136; *APCE*, xxx, pp. 670, 675. Sir Henry Docwra at this time was in charge of establishing garrisons along Lough Foyle to split the Irish forces in Ulster, a significant undertaking, which necessitated 5,000 troops and 200 cavalry. J. McGurk, "Docwra, Henry, first Baron Docwra of Culmore (bap. 1564, d. 1631), army officer." *Oxford Dictionary of National Biography (ODNB)*. 23 Sep. 2004; Accessed 3 Feb. 2022. https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-7725

waters between England and Ireland, given Man's strategic position. The anxiety over Spanish attacks on the English coast, or Spanish intervention in Ireland, forced the English to act to strengthen their presence in the Irish Sea, and they set about utilising Man to this effect. However, breakdowns in communications between central authorities in London or Dublin, the western supply ports in the northwest of England, and the English forces in Ulster, were not improved by the English presence on Man from 1594.

Indeed, the crown's control of Man during the last decade of Elizabeth's reign did not result in the tranquil sea crossings and undisturbed supply lines that were hoped for by the English. A piratical attack in 1598 also demonstrates that the Isle of Man still retained some allure for enterprising criminals looking to unload stolen goods despite any increased English presence in these waters or on the island. This was the case when Thomas Venables arrived with goods robbed from a merchant of Waterford which he 'solde and disposed in the Isle of Man, the cittie of Chester and other places thereaboutes'.[49] Finally, the new crown-appointed Governor of Man, Sir Thomas Gerard, was responsible for fortifying the island, supplying the army in Ireland, and also levying troops for the Earl of Essex's expedition to Cadiz in 1596. In order to cover his own expenses, he 'indulged in a little privateering'.[50] Gerard and Francis Clifford, fourth Earl of Cumberland, owned the ship and pinnace that plundered a ship of Hamburg in 1597 and was ordered to be stayed at Portsmouth after selling the goods. The outcome of this case is unknown, so whether their plunder was legally endorsed also remains uncertain.[51] It is clear that by the end of Elizabeth I's reign, the English had not exerted the level of control over the Irish Sea that the central authorities in London had hoped for. Plans to use of Man as a staging post or supply base for the Nine Years' War in Ireland, which came as a result of an inheritance dispute, were hindered by ongoing communication problems and by the conditions of the Irish Sea. The English presence on Man was clearly not enough to eradicate illicit activity associated with the island.

Southwest Scotland

In addition to Man, the Irish Sea pirates also visited – and operated from – ports and havens on the southwest of Scotland. Much of the Scottish plunder in the Irish Sea and North Channel was opportunistic, but evidence outlined here suggests there were some pirate crews whose operations were calculated and indeed professional. In the early 1560s, the pirate captain Andrew White operated out of the burgh of Whithorn, on the southwestern tip of Scotland. White's activities are analysed in detail as part of a case study in Chapter 7, but his operations merit inclusion here. White evaded capture for approximately three years during his freebooting voyages around the Irish Sea and English Channel,

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[49] *APCE*, xxviii, p. 281.
[50] *The History of Parliament: House of Commons 1558-1603*, ed. P. W. Hasler, ii (London: Her Majesty's Stationary Office, 1981), pp. 184-5.
[51] *APCE*, xxvii, pp. 19-20, 62, 169-70.

and his *modus operandi* remained consistent while operating as a pirate. After attacking French vessels in the English Channel, White would then visit the Bristol Channel and plunder Welsh or English vessels, before moving north targeting merchants of Chester exiting the mouth of the River Dee, and then move further north to unload his loot in Whithorn.[52] He is also reported to have been selling French wine to the towns of Ayr and Irvine: 'better cheape than you drinke london beare in your howse'.[53]

White's actions reveal much to be considered. He repeated his cycle at least five times, according to his confession, and was able to do so without detection fairly regularly. On completing each cycle, he returned to Whithorn and sold his goods to the same prominent nobles and merchants. White was committing crimes in the waters around the territory of one monarch, Elizabeth I of England, and briefly stepping over the edge of her realm into the territory ruled by another monarch, Mary, Queen of Scots, to dispose of the goods. The environment in the Irish Sea was well-constructed for this type of piracy. Evading the over-stretched Elizabethan navy in the 1560s was easily accomplished by experienced sailors. White, as a former lieutenant on an English ship during the French Wars of Religion in 1562-1563, was experienced in naval warfare and navigation. That he was sheltered by local elites in Whithorn and easily found a market for stolen goods outside the jurisdiction of the Elizabethan state also encouraged his piratical behaviour.[54] In the 1560s, the conditions in the Irish Sea, and in certain Scottish port towns on its shore, fostered the conditions required for piracy, and there was a lack of any meaningful policing of these waters by either the Tudor or Stuart monarchies.

Whithorn was not alone among Scottish port towns in the Irish Sea encouraging piracy in the late sixteenth century. One case of partial success for the English crown in pursuing pirates came in 1565, when Captain George Thornton, aboard the queen's ship *Hare*, was able to chase an English pirate crew to Kirkcudbright from the Isle of Man. He was unsuccessful in capturing the pirates, but was able to attain their ship and a prize from the local 'lord of yt contrye', who had seized the goods as the pirates arrived.[55] Thornton was met with resistance in Kirkcudbright, where he was 'alwaise threatned w[i]th great slewes of bothe horsmen and fotmen' under the command of the local 'lord' trying to retrieve the prize for himself.[56] The English crown agents could not enter Kirkcudbright for the pirate (or prize), as it was outside of their jurisdiction. In the southwest of Scotland, they relied on the goodwill of the local magistrates to enter ports, which, generally, was granted. However, Kirkcudbright did not oblige on this occasion. Thornton took the pirate ship from the harbour, but could

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[52] TNA, HCA 1/38, ff. 124-137v; *SPO*, SP 52/10 f.29, Complaints against Andrew White, &c., 27 Feb 1564-5
[53] *SPO*, SP 52/9 f. 199-200, Randolph to Cecil, 24 December 1564.
[54] TNA, HCA 1/38, ff. 130v, 138-138v.
[55] *SPO*, SP 63/25 f.35-35v, Captain George Thornton to Sir William Cecil, 2 July 1568. I would like to thank Professor Alison Cathcart for this reference. It is unclear who the local 'lord' of Kirkcudbright mentioned by Thornton is. The most likely candidate is Sir Thomas MacLellan of Bombie, but this remains uncertain. MacLellan of Bombie's proclivities for some of the murkier practices as an urban magistrate and nobleman are discussed at length in Chapter 6 of this thesis.
[56] *Ibid*.

not set foot on land. Not much could be done by Kirkcudbright's magistrates as this was a well-known pirate ship, and it is likely that they could not overcome an English pinnace fitted for war. The best they could do was keep them at sea and hold the cargo in the burgh. The English crew were refused victuals and had to visit the Isle of Man for these instead.[57]

Kirkcudbright was still harbouring pirates a decade later. A pirate crew under the leadership of a local burgess Leonard Robertson was able to offload a large quantity of Spanish wine to prominent local officials, merchants and lairds around Kirkcudbright in 1575. Robertson plundered the *Trinity of Helberie* belonging to Anthony Hanky of Chester in the River Dee, in a similar fashion to Andrew White, before returning to Kirkcudbright and selling the cargo for at least £170 sterling.[58] Little more is known about Robertson other than that he was expelled from the burgh of Kirkcubright in 1577, in true pirate fashion, for 'drinking tulzeing [fighting] and harlottrie of ane greit part'.[59] Kirkcudbright was also being used as an illegal market in 1581, when two Scottish pirates, Patrick Turner and Robert Graham, robbed a French ship on the north-east coast of Scotland, then made their way to the other side of the country to unload their goods.[60] Kirkcudbright's appeal to pirates and illicit traders is epitomised in 1582, when a large consortium of French merchants had three ships plundered whilst on a trading voyage to Rouen, Antwerp and Zeeland.[61] After plundering somewhere between northern France and the Low Countries, this outfit either sailed north around the tip of Scotland past the Highlands, or braved the English Channel and Irish Sea to reach their destination, where they unloaded their goods 'to the liegis of this realme'.[62] Kirkcudbright clearly had an appeal as a safe-haven for pirates, and was used by pirates from further afield than the Irish Sea.[63]

Further north on the southwest coast, pirates from other port towns operated in the waters between Scotland and Ireland. Much has been written about the Gaelic clans and their Highland galleys, who commanded the waterways of the North Channel, but there were also men from the southwest who plundered there. This was mostly small-scale opportunistic plunder, but one case in the 1580s demonstrates how the lack of policing in these waters could be exploited by those with the capabilities to do so. Thomas Capron, a merchant of Dublin, was robbed in April 1581 and again in April of 1582, both while fishing in the north of Ireland by Ayrshiremen. The first attack on Capron came at the hands of an Ayr merchant named Robert Jameson, who spoiled goods to the value of £200 sterling in the

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[57] *Ibid.*

[58] *RPCS*, ii, pp. 603-5. This attack is also covered in R. C. Reid, 'Early Records of Kirkcudbright', in *TDGNHAS,* Third Series, xxii (Dumfries, 1942), pp. 142-153.

[59] *KTCR*, i, p. 41.

[60] *RPCS*, iv, 134-5.

[61] *RPCS*, iii, pp. 446-7.

[62] *RPCS*, iii, pp. 446.

[63] The reasons for Kirkcudbright being so well-equipped for this are analysed in greater detail in Chapter 6, pp. 148-53 but for the purposes of analysing the level of control exerted by the English crown, it is quite clear that the small Scottish port towns in the Irish Sea were ideally positioned for offloading stolen goods.

'north part of Ireland'.[64] The second attack, a year later, is given in much more detail in the source material. After Copran had fished in the River Bann in April 1582, four barks of the burgh of Glasgow spotted him at anchor at the Skerries, a group of small islands near Portrush, and came 'hard by him' to ascertain what he had on board. They then passed this information back to Adam Montgomery, fifth Laird of Braidstane (father of the later planter in Ulster), known to the English author of this document as a 'pirat and rober', who quickly mobilised his men and ammunition for an attack on Capron's small fishing bark, which they took while slaying one man and wounding many more.[65] What is most significant about this report, is the four Glasgow barks off the coast of Portrush who 'rode... hard by him' before sending word to Braidstane; and also the other 'Scottes so riding in that road seing the lamentable accident [who] would neither assist the poore m[er]chant... nor yet intreat for the safety of the poore people'.[66] There was clearly a significant Scottish maritime presence in the north of Ireland in the early 1580s. The attack by Braidstane suggests that he was able to mobilise for piracy quickly, and that the North Channel was not necessarily safe for a Dublin merchant, given that he had been attacked by Lowland Scots twice in the space of a year. The passage between Scotland and Ireland was open to piratical behaviour as well as other illicit practices before the closing decade of the sixteenth century.

There were clearly areas in the southwest of Scotland where pirates found sanctuary. Kirkcudbright and Whithorn are the most evident examples. These ports are easily accessible to those sailing north and wishing to avoid detection by English naval patrols. Evidence from the examinations of pirates shows that, on occasion, pirates found buyers of goods further north on the Ayrshire coast. In 1570, a merchant of Chester, Fulke Aldersley, was examined by the English admiralty as an aider and abettor of pirates while trading in Scotland. Aldersley had gone to Ayr, where he met with Scottish ships for a trading voyage to Edinburgh, while fishing in Orkney and Shetland on the way. On their return, they spoiled a ship of Bristol – most likely an opportunistic attack – and offloaded their goods at Ayr.[67] Many of the examinations which feature southwestern ports showcase similar characteristics to those mentioned above in Man. There were magistrates in the southwest willing to engage with pirates, and the southwest of Scotland offered an escape from English admiralty – frustrating efforts to reduce piracy in the maritime space between England and Ireland. Even the larger ports, at times, provided opportunity to offload pirated goods. Undoubtedly, pre-existing personal relationships on land were required for these interactions to take place. Ports like Ayr were not open markets for pirates. Even in Man and Kirkcudbright, there is surviving evidence of magistrates pursuing or capturing pirates. Nonetheless, research has shown how pirates were attracted to ports where economic imbalances were

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[64] *SPO*, SP 52/42 f.83, Spoils committed upon the Scots by the English since 1581, 2 December 1587; British Library, Add MS 11405: MISCELLANEOUS PAPERS of Sir Julius Cæsar, Judge of the Admiralty..., Spoiles comitted uppon the English by Scottish pirates since 1 Aprill 1571. and a vewe of Scottish iniustice, ff. 102-5.
[65] *SPO*, SP 52/42 f.83, Spoils committed upon the Scots by the English since 1581, 2 December 1587.
[66] *Ibid*.
[67] TNA, HCA, 1/39, ff. 75-77v, 78-79v.

evident, and where central authorities found it difficult to patrol.[68] The case studies of Man and southwest Scotland have demonstrated that pirates were offered markets in the north of the Irish Sea, and could also receive sanctuary in these places, or even a base of operations, frustrating English patrols. It was not only the burghs of the southwest of Scotland that saw, and were involved with, piracy.

Gaelic Piracy and the Control of the North Channel

By the late sixteenth century, several Highland clans had gained a reputation for piracy: most notably, the MacNeills of Barra, the MacLeods of Lewis, the MacLeans of Duart, and the MacDonald kindred on either side of the North Channel.[69] The forfeiture of the MacDonald lordship of the Isles to the Scottish crown by James IV's minority government in 1493 initiated a period of social and economic dislocation in the western Highlands and Islands resulting in a series of rebellions in the first half of the sixteenth century, a time which also saw many Scottish Gaels seek settlement or employment as mercenaries across the North Channel.[70] Clan Iain Mhor (Clan Donald South) were particularly troublesome for the English and Scottish monarchies in the North Channel (and the lands on either side of it) due to their command of the waterways separating their lands in Kintyre in Scotland and Antrim in Ireland.[71] By the late sixteenth century the MacDonalds had become an increasingly unruly clan. The gradual expropriation of Clan Donald's lands and power in the Western Isles since the collapse of the Lordship of the Isles in 1493, coupled with the pressures of internal and external feuding, contributed to deteriorating relations with the Scottish crown, which is also reflected in their activities at sea.[72]

In addition to the friction with the Scottish crown, the maritime lordship of Clan Donald South had become a 'proverbial thorn in the side of the English Crown' by the latter half of the sixteenth century.[73] The MacDonalds had established a base in the Glens of Antrim in the late 1390s and had gradually consolidated their settlement there throughout the fifteenth century. Their ability to exploit

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[68] D. J. Starkey, 'Pirates and Markets', in The Market for Seamen in the Age of Sail, ed. L. R. Fischer (Liverpool: Liverpool University Press, 1994), pp. 59-81

[69] J. Macinnes, 'West Highland Sea Power in the Middle Ages', *Transactions of the Gaelic Society of Inverness*, xlviii (Inverness, 1976), p. 539; A. Cathcart, 'Crisis of Identity: Clan Chattan's response to government policy in the Scottish Highlands, c. 1580-1609', in *Fighting for Identity: Scottish Military Experience, c. 1550-1900*, eds. A. Mackillop and S. Murdoch (Boston: Brill, 2002), p. 165; D. Gregory, *History of the Western Highlands and Isles of Scotland, from AD 1493 to AD 1625: With a Brief Introductory Sketch, from AD 80 to AD 1493* (Edinburgh, 1836; Edinburgh: John Donald, 2008 reprint), pp. 232-3.

[70] A. Cathcart, 'A Spent Force? The Clan Donald in the Aftermath of 1493', in *The Lordship of the Isles*, ed. R. Oram (Leiden: Brill, 2014), pp 256, 268-70; Hayes-McCoy, *Scots Mercenary Forces in Ireland*, pp. 8-37.

[71] This has been well-demonstrated within historiography of the region. See David Stevenson, *Highland Warrior: Alasdair MacColla and the Civil Wars* (Edinburgh: John Donald, 2003 reprint), pp. 22-3, 25; Maccoinnich, *Plantation and Civility*, pp. 42-44. For the maritime dimension to the MacDonald dominance of the North Channel, see Cathcart, 'The Maritime Dimension to the Plantation in Ulster', pp. 97-99. Specific examples of MacDonald piracies in the late sixteenth century are covered at length in Chapter 1, pp. 42-4 of this thesis.

[72] A. Cathcart, *Kinship and Clientage: Highland Clanship, 1451-1609* (Leiden: Brill, 2006), pp. 176, 202; Gregory, *History of the Western Highlands and Islands*, pp. 232-3. Stevenson, *Highland Warrior*, pp. 22-5

[73] Cathcart, 'The Maritime Dimension to the Plantation of Ulster', p. 97.

resources from either side of the Channel; transport men and munitions (and even cattle) readily between the lands of two different sovereigns; and communicate easily across these lands, all provided the Clan Donald South with a wide maritime powerbase that was not obstructed or diminished by water. Indeed, the command of the waterways between the Western Isles and Ulster in the sixteenth century lay firmly in the hands of the Gaelic communities there, most notably the MacDonald kindred, and not the English crown forces.[74] From the English perspective, keeping the waters around Ireland clear of pirates and under their own control was essential for keeping their army and administration in Ireland supplied but resourcing this, for a cash-strapped monarch, was another matter altogether. It was also essential in that they could keep the Irish isolated, and part of this was dependant on reducing the Scottish Highland population in Ireland and stopping the seasonal migrations of Highland mercenaries. As Chapter 1 of this thesis has already shown, MacDonald command of the waterways between Scotland and Ireland resulted in piratical attacks on western burgesses.[75]

Other notable Highland clans associated with piracy in the sixteenth century were also active in the waters of the North Channel, and also frustrated English efforts to bring order to the northeast of Ireland.[76] It is also important to note that the Gaeldom was not a homogenous political entity, separate clans had different identities and allegiances throughout the concluding decades of the sixteenth century. One striking example of a clan who took to piracy, though, is the Macleans of Duart, who had earned a reputation as pirates in the mid-sixteenth century due to the activities of the ferocious sea rover Allan MacLean of Torlusk and Gigha, known as *Ailean na'n Sop*.[77] By the later decades of the sixteenth

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[74] S. Duffy, 'The Lords of Galloway, Earls of Carrick, and the Bissets of the Glens: Scottish Settlement in Thirteenth-Century Ulster', in *Regions and Rulers in Ireland, 1100-1650. Essays for Kenneth Nicholls*, ed. D. Edwards (Dublin: Four Courts Press, 2004), pp. 37-50. Some nuance is required here regarding the Scottish and Irish branches of Clan Iain Mhor. The two branches of Clan Iain Mhor largely cooperated until 1586, when, after some shrewd manoeuvring on the part of Sir John Perrot, Lord Deputy of Ireland, the Antrim estates of Clan Iain Mhor were partitioned. Thus, the Antrim MacDonnells, as the Irish branch are known to historians writing in English, gained a measure of legal autonomy from the Dunyvaig lordship in Islay. This autonomy was first fully exercised in 1596, when Sorley Boy MacDonnell's son, James MacSorley MacDonnell, occupied the Glens of Antrim in opposition to Angus MacDonald of Dunyvaig. This is a generalisation of the turbulent and convoluted developments within wider politics of the Western Isles and east Ulster. For a more detailed appraisal, see C. Brady, 'East Ulster, the MacDonalds and the provincial strategies of Hugh O'Neill, earl of Tyrone, 1585-1603', in *Scotland and the Ulster Plantations: Explorations in the British Settlements of Stuart Ireland,* eds. W. P. Kelly and J. R. Young (Dublin: Four Courts Press, 2009), pp. 41-61. See also, H. McDonell, 'MacDonnell, Sorley Boy [Somhairle Buidhe MacDhomhnaill]', *ODNB*, accessed 5 February 2022; F. A. MacDonald, 'MacDonald, Angus, of Dunyvaig and the Glens', *ODNB*, accessed 5 February 2022.
[75] Chapter 1, pp. 44-6
[76] The turbulent internal politics of the Gaeldom throughout the later sixteenth century cannot be fully explained here. And certainly, there were more clans active in these waters than those which have been mentioned, but these are the most visible perpetrators of piracy. For detailed accounts of political developments within the Scottish Gaeldom, see Gregory, *History of the Western Highlands and Islands*, pp. 151-301; R. Crawford, 'Warfare in the West Highlands and Isles of Scotland, c. 1544-1615' (Unpublished Ph.D. Thesis, University of Glasgow, 2016), *passim.*; E. J. Cowan, 'Clanship, kinship, and the Campbell acquisition of Islay', *Scottish Historical Review* 58, no. 166, Part 2 (1979), pp. 132-157.
[77] Macinnes, 'West Highland Sea Power', p. 544; J. P. MacLean, *A History of the Clan MacLean from Its First Settlement at Duard Castle, in the Isle of Mull, to the Present Period: Including a Genealogical Account of Some of the Principal Families Together with Their Heraldry, Legends, Superstitions, Etc* (Cincinnati, 1889), pp. 88-9.

century, a decades-long feud between Sir Lachlan Mor MacLean of Duart and Angus MacDonald of Dunyvaig enticed the MacLeans into an alliance, alongside the Campbells of Argyll, with the English in their efforts to limit Macdonald-led Scottish participation in the Nine Years' War in Ulster after 1594.[78] MacLean's feud with MacDonald of Dunyvaig, ongoing since 1561, had a ripple effect on the western Highland region, and the wider archipelago, due to the webs of kinship and allegiances which were spun throughout the Scottish Highlands and Islands, and indeed Ulster.[79] MacLean of Duart entered English service readily, and it was Captain George Thornton, by now the senior naval commander in the north of Ireland, who orchestrated this on behalf of the queen.[80] The English policy of dealing directly with Scottish Highland clans against their neighbours and Gaelic counterparts in Ireland was a result of several factors: namely; the allure of their martial and naval abilities, the lack of authority of the Scottish crown in the western Highlands and Islands, and the need for the English to isolate the Irish by stemming the flow of personnel and supplies across the North Channel.

The MacLeans of Duart's influence in the western archipelago was bolstered by their allies – one of which was particularly prolific in piracy. The MacNeills of Barra, who were not an influential clan on the Gaelic mainland, gained influence in the western archipelago by utilising their considerable sea power. This clan had pirated as far down the Irish Sea as the Bristol Channel, and harassed the English from their galleys in the North Channel and the waters on the west coast of Ireland during the lifetime of Ruari Og MacNeill of Barra, whose career, according to Rodger, 'would have done credit to a vice-admiral of Devon'.[81] Elizabeth I was well aware of their piratical reputation and their attacks on her ships, but her protests to James VI of Scotland went unanswered. Under Ruari 'Tartar' O'Neill of Barra, this clan's piratical enterprises saw them attack shipping in the southwest of England, the west of Ireland, and further north around Shetland.[82] The MacNeills, like many other clans in the closing decade of the sixteenth century, were also drawn into the conflicts of the Nine Years' War. Together with their more powerful MacLean allies, they provided troops against the MacDonald-led mercenary forces moving across the North Channel to Ulster. Alongside piracy, the mercenary trade was also vital for the MacNeills' subsistence as a clan.

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[78] Gregory, *The History of the Western Highlands and Islands*, pp. 218, 230-235; W. T. MacCaffrey, *Elizabeth I: War and Politics, 1588-1603* (Princeton, Princeton University Press, 1992), pp. 324-6.

[79] Cathcart, *Plantations by Land and Sea*, pp. 226-232; Rodger, *Safeguard of the Sea*, pp. 289-90

[80] *SPO*, SP 52/57 f.33, Lauchlan MacLean of Dowart to Robert Bowes, 5 October 1595.

[81] Rodger, *Safeguard of the Sea*, p. 290.

[82] D. U. Stiùbhart, 'Three Archipelagos: Perspectives on Early Modern Barra' in *Castles and Galleys: A Reassessment of Historic Galley-Castles of the Norse-Gaelic Seaways*, ed. P. Martin (Laxay: Island Book Trust, 2017), pp. 172-80; S. Murdoch, *Terror of the Seas?*, pp. 118-20; A. Jennings, 'Latter-day Vikings: Gaels in the Northern Isles in the 16th century', *Journal of the North Atlantic*, Special Volume 4 (2013), pp. 35-42. The MacNeill's of Barra, arguably more than any other Scottish clan, relied on plunder as a means to prosper. Domhnall Uilleam Stiùbhart has placed them within an oceanic black market of illicit traders stretching from the Mediterranean across the north Atlantic. The word 'enterprise' is entirely appropriate when attributed to the MacNeills of Barra's approach to piracy.

Although they were unrelenting in their piracy throughout the sixteenth century, the MacNeills were also unscrupulous in choosing victims, and were not averse to attacking England's enemies. In fact, when they made piratical raids on the west coast of Ireland in 1602 for spoils from 'the rebels' (in this case meaning the O'Malley kindred in County Mayo), the English were happy to allow Gaelic infighting to take place.[83] George Nicolson even made the astute suggestion that the queen should allow the English crown ships to keep the MacNeills safe at sea and escort them safely to the rebels.[84] In the same letter, Nicolson also mentioned that MacLean of Duart's son was seeking vengeance on Angus MacDonald of Dunyvaig for the murder of his father. 'God send good news of sound revenge!' was his take on proceedings.[85] By the close of the sixteenth century, the English had become more sentient to their surroundings in the northeast of Ireland. They had spent several centuries attempting to colonise these lands, and were continually impeded due, in part, to the maritime connections of the Gaelic world. By the mid-1590s, their burgeoning intelligence network allowed them to pit Gaelic clans against each other, but this was a counter-productive policy and increased conflict both on land and at sea. The social and economic dislocation in western Gaeldom spilled into the maritime theatre and into Ireland. Piracy and mercenary activity went hand-in-hand with many of the Gaelic clans on the western seaboard in the late sixteenth century. That these activities took them across all regions of the archipelago could only frustrate the English as they sought to exert ruling authority over Ireland and control the waterways between the two kingdoms to which the English crown laid claim.

There is strong evidence that some Highland clans frustrated the English crown in the North Channel and Irish Sea. From a wider maritime perspective this has been analysed by scholars, most notably Alison Cathcart and Aonghas MacCoinnich. As regards piracy, though, Gaelic activity in these waters has been under-represented in historiography. In recent years, Steve Murdoch has shown how deteriorating relations with the Scottish state led many Gaels of the western seaboard to be tried as pirates in the late sixteenth century. Domhnall Uilleam Stiùbhart research into the activities of the MacNeills of Barra has added much-needed nuance to Gaelic piracy. Stiùbhart has shown that there was also a commercial element to their piratical enterprise. The MacNeills were connected to the network of black-market operations across the Irish Sea, and even had a young boy fostered with a merchant of Devon named William Nichol.[86]

Evidence of western Highland participation in the commercial operations of pirates in the Irish Sea is limited, but not completely absent from the record. As the case studies above have shown, pirates found markets and shelter in ports and havens in Man and the southwest of Scotland. In the 1560s, the

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[83] *SPO*, SP 52/68 f.18, John Auchinross to George Nicolson, 13 February 1601-2.

[84] *SPO*, SP 52/68 f.84, George Nicolson to Robert Cecil, 14 July 1602. By this point, the MacNeills had lost much of their influence in the northern archipelago. Lachlan Mor MacLean had been murdered in 1598 by the MacDonalds, and the MacNeills could no longer rely on the protection of a powerful ally. Stiùbhart, 'Three Archipelagos', p. 180.

[85] *Ibid*.

[86] Stiubhart, 'Three Archipelagos', p. 176-7.

pirate Thomas Phettiplace confessed to offloading goods in the Highlands. Phettiplace was a career pirate, operating in the North Sea and Mediterranean before offloading his goods in the Irish Sea. He depended on markets in Ireland, the north of England and Scotland to offload his stolen goods. One of Phettiplace's depredations, a Portuguese ship laden with sugar from the Americas, was taken to 'Loughkincaryn in john mackonnils c[ou]ntry'.[87] What is most revealing about Phettiplace's examination, though, is that while in Kintyre, he sold his sugar to merchants of 'Ayre Edinboroughe and other places in Scotland'.[88] Phettiplace's activities help illustrate how piracy, and the short-term profits which came with associating with pirates, connected mariners from these communities round the Irish Sea. While there is certainly ample evidence to demonstrate MacDonald maritime aggression toward Scottish and English Lowland mariners, Phettiplace's confession provides a glimpse into illicit commercial connections of a Gaelic clan. Aonghas MacCoinnich provided evidence of a similar incident in 1603, in which a 'well-oiled operation' in Barra saw an English supply ship lured there under the guise of protection only to be rifled and sold to Lowland middlemen from Ayr and surrounding smaller ports.[89] These cases provide nuance to debates around the nature of Gaelic piracy. Phettiplace and others were able to visit the Highlands to offload their stolen goods, much like they did in other regions of the Irish Sea. The evidence of Gaelic commercial connections with pirates is fragmentary, but nonetheless adds further weight to assertions made elsewhere in historiography which shed light on the Gaeldom's (illicit) links with Lowland mariners.

Nonetheless, Gaelic piracy differs from that of Lowland piracy. While Lowlanders and those in authority would readily condemn any such activity on the part of Gaels as barbaric, it cannot be denied that these were often violent attacks. At the same time, such activity should not be disconnected from its causes. As with cattle-raiding in the Highlands, which more often than not had an economic agenda, so violent activity and raiding by sea was motivated not simply by the act of violence itself. Many of those involved in piracy had been displaced or dispossessed, the result of policies implemented by the centre. Loss of land, or loss of the resources to land, forced many to resort to piracy.[90] Such activity frustrated English naval patrols in the waters of the North Channel and wider Irish Sea region, while the need for patrols to provide secure passage between England and Ireland in turn frustrated attempts to tackle piracy. In order to fully appreciate the complexity of piratical activity in these waters an archipelagic approach is required; national studies are not adequate for providing a nuanced analysis of piracy. The case studies presented here illustrate the need for an understanding of various community

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[87] TNA, HCA 1/36, ff. 12-14. Loch Kilkerran is now known as the Campbeltown Loch in Kintyre. In the 1560s, Kintyre was still held by the ClanDonald South.

[88] *Ibid*.

[89] MacCoinnich, *Plantation and Civility*, pp. 294-295. The examinations related to this incident can be found in TNA, HCA 13/37, Records of the Instance and Prize Courts, Examinations, etc. 1604-1605, ff. 2-2v, 2v-3v, 3v-4v.

[90] A. Cathcart, 'Crisis of Identity? Clan Chattan's response to government policy in the Scottish Highlands, c.1580-1609' in Steve Murdoch and A. Mackillop (eds), *Fighting for Identity. Scottish Military Experience, c.1550-1900*, (Leiden, 2002), pp. 163-84, 178.

and local responses to piracy during this period, while also appreciating the wider national, archipelagic, and transnational contexts within with pirates operated.

Conclusion

Overcoming the challenges to establishing control of the waters of the northern theatre of the Irish Sea had remained a constant problem for the English during the three decades leading up to the 1590s, and without much progress. Historians are divided over the reasons for this and the stagnation before the last decade of Elizabeth I's reign, emphasising a number of factors. David Loades' assessment is the most optimistic regarding the administration of the Elizabethan fiscal naval state in the immediate aftermath of the Spanish Armada. Loades stresses the importance of the English support and maintenance framework which developed during the Anglo-Spanish war, and allowed vessels to be repaired and redeployed much quicker than England's enemies, as well as being more efficient with resources. He also draws attention to the increased number of private vessels in the seas around the archipelago during a surge in privateering which followed the Armada, a result of the reluctance of the queen to properly organise crown finances to cover the costs of naval defence.[91] D. B. Quinn and A. N. Ryan's assessment of English naval capacity in the age of colonisation points to the wider political context of Tyrone's rebellion which 'turned Ireland into a major theatre of war which absorbed the energies and resources of the Elizabethan government', but it was the ineptitude and lack of offensive capabilities of Spain's navy in reinforcing Tyrone which granted England the upper hand in the waters around Ireland during the rebellion.[92] More recently, Alison Cathcart has provided the maritime context to England's plantations in Ulster before 1603, where she calls for more nuance to the debates around English naval supremacy in the region. Cathcart views advances in English ship-building towards the end of the sixteenth century as a welcome development for the English, as 'over the later decades of the century the English gradually began to assert their naval strength more forcefully in the North Channel region'.[93] This, however, did not lead to wholesale naval control of the region, argues Cathcart. It was also not an indicator of the triumph of English shipping over that of the Highland galley in the North Channel. The English agents in Ireland were aware of the need for smaller craft to be used in the North Channel, despite developments in ship-building which favoured the use of the galleon elsewhere, but

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[91] Loades, *The Tudor Navy*, pp. 269-281.

[92] D. B. Quinn and A. N. Ryan, *England's Sea Empire, 1550-1642* (London: Allen & Unwin, 1983), pp. 123-5. Indeed, English victory against the Spanish invasionary force at Kinsale in 1602 effectively ended Tyrone's hopes of Spanish intervention in the Nine Years' War. With the main theatre of war in Ulster, in the north of Ireland, Spanish troops landing in the south allowed the English to blockade the Spaniards, and forced Tyrone to march his army southward, through rough terrain during winter. See also Rodger, *Safeguard of the Sea*, pp. 291-2.

[93] A. Cathcart, 'The Maritime Dimension to Plantation in Ulster', p. 104.

English shipping at this time was overstretched and the supply chain was unreliable, in part due to the conditions in the Irish Sea and North Channel.[94]

Contemporary evidence shows that the English were indeed relying more on smaller craft elsewhere, as a letter from an unknown English naval commander to Lord Burghley demonstrates. This commander was keen to make a stealthy attack on the Spanish Atlantic fleet and the harbours around Cadiz, and was requesting:

> 2,000 land forces, 20 large and 40 smaller vessels, with rowing pinnaces; 12 are to be petty galliasses built on purpose to lie low in their ordnance of 48 or 50 pieces each, and to require small draft of water; the pinnaces to have 10 or 12 oars on a side, and tow the fleet in a calm, and take prize the provision vessels going for Andalusia and Portugal.[95]

This commander, who may well be the Earl of Essex, shows an awareness of the naval tactics which were emerging at the time using smaller, more nimble vessels alongside heavier warships with firepower. That this commander went on to propose paying for this fleet using the spoils from Spanish shipping suggests that he was also well aware of the dearth of royal finances available for large naval exploits.[96] This use of smaller craft was also welcomed in the Irish Sea and North Channel. In 1598, at the request of Thomas Butler, tenth Earl of Ormond, and the Irish Privy Council, the English Council ordered two extra pinnaces 'to be sent to serve on the Irish Coast between Ireland and Scotland for the hinderaunce of such succour either of men, victualles or any other provisions wherewith the rebelles may be supplied out of Scotland'.[97] Likewise, in 1600, Sir George Carew reported that he was enjoying success in the west of Ireland through the use of 'crompsters', which

> freed these coasts of Irish pirates, and cleared the river of Shannon from the exercise of the traitors' galleys... they had blocked up the river from trade, and thereby restrained the merchants of this town from their ordinary traffic until their coming, since when not one of the said galleys is to be seen, nor any piracy along these coasts used.[98]

The English clearly gained some momentum in the North Channel towards the end of the sixteenth century. However, any successes in the final years of Elizabeth's reign were short-lived. In order for the English to be successful in these waters, they needed to maintain a constant naval presence. The overstretched naval forces, alongside supply problems, left English agents in Ulster without naval protection. In 1600, orders were given for ships to be made serviceable for the garrison at Derry, but these provisions were never made.[99] Captain George Thornton had to cruise the North Channel while 'his ship so yll indures the seas, that he complayns he is not able to ly out in a storme, nor can doe

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[94] Cathcart, 'The Maritime Dimension to Plantation in Ulster', pp. 102-6.
[95] *SPO*, SP 12/256 f. 152-3, [unknowm] to [Sec. Cecil], 1597.
[96] *Ibid*.
[97] *APCE*, xxviii, p. 496.
[98] *SPO*, SP 63/207/3 f.285, Sir George Carew to the Privy Council, 17 June 1600. Cromsters were an English derivative of the crommesteven, a small Dutch warship similar to a hoy in England.
[99] *SPO*, SP 63/207/4 f.166, The Lord Deputy Mountjoy to the Privy Council, 13 August 1600.

good uppon those galleys, they are so swifte of sayle'.[100] Evidently the lack of appropriate shipping for staying Highland galleys was not overturned in the following years. In 1602, the burghs of Glasgow and Dumbarton complained to James VI about the *Tramontana*, a warship of around 140 tons, which had been effectively staying Scottish merchant shipping travelling to Ireland.[101] That this larger pinnace was staying Scottish merchant ships, and not galleys, speaks to its effectiveness in the Irish Sea. Merchant ships laden with cargo were not nearly as quick or nimble as Highland galleys or English pirate ships. The presence of larger shipping in the area at this time demonstrates that the English crown forces were still not fully equipped to deploy the appropriate maritime forces capable of subduing the waters in the north of the Irish Sea, corroborating arguments made by Cathcart.

Meanwhile, the defeat of a fleet of Highland galleys by the English off the Copeland Isles in 1595 has been regarded as a catalyst for a change in English fortunes in asserting their maritime dominance in the region and thus stemming the flow of Gaelic mercenaries into Ulster.[102] This certainly speaks to the direction in which events were moving at this time, however, this victory may in fact have been the result of a turn of good fortune for the English, who had the advantage of time and place, and intelligence from a passing merchant ship.[103] The diminishing presence of Highland mercenaries in Ulster, which is generally believed to have halted around 1601-1602, has also been attributed to wider phenomena such as clan feuding in the western Gaeldom, and growing frustration of Irish Lords who resented the expenses and unreliability of the Highlanders.[104] The English were strengthening their control over the waterways which separated Ireland from England and Scotland by the end of Elizabeth I's reign. Victory at Kinsale in 1601 effectively ended the threat of Spanish intervention in Ireland, and the increased resources allocated to Ireland from the outset of the Nine Years' War helped English agents in Ireland make progress in clearing the seas of undesirable shipping. Yet, English patrols in the North Channel were still irregular by 1603, and English efforts to secure the seas were still frustrated by piracy and illicit activity in the maritime communities to the north of the Irish Sea throughout the sixteenth century. The case studies used in this chapter – the Isle of Man, southwest Scotland, and the western Highlands and Islands – show that English control of sea corridors of the northern Irish Sea and North Channel was not achieved in the late sixteenth century. The tolerant atmosphere and the open marketplace for illicit goods that had accommodated pirates on the Isle of Man for decades persisted

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[100] *SPO*, SP 63/207/6 f.24, Sir Henry Dockwra to the Privy Council, 2 November 1600. My thanks to Dr Alison Cathcart for this reference.

[101] *SPO*, SP 52/69 f.1, George Nicolson to Sir Robert Cecil, 6 September 1602.

[102] R. Crawford, 'Noble Power in the West Highlands and Isles, p. 127-29.

[103] Cathcart, 'The Maritime Dimension to Plantation in Ulster', pp. 105-6; Cathcart, *Plantations by Land and Sea*, pp. 203-4.

[104] A. I. Macinnes, *Clanship, Commerce and the House of Stuart, 1603-1788* (East Linton, Tuckwell Press, 1996, 2000 reprint), p. 58; A. MacCoinnich, '"His spirit was given only to warre": conflict and identity in the Scottish Gàidhealtachd, c. 1580- c. 1630, in *Fighting for Identity: Scottish Military Experience, c. 1550-1900*, eds. A. Mackillop and S. Murdoch (Boston: Brill, 2002), pp. 133-4; J. Goodare, 'The Statutes of Iona in Context', *Scottish Historical Review* 77 (1998) pp. 52. For an opposing view, which places the end of the mercenary trade around 1596, see Crawford, 'Noble Power in the West Highlands and Isles'.

and, arguably, increased as the situation in Ireland took priority for English crown. Meanwhile, the piracy practised by the communities of the southwest of Scotland and the western Highlands and Islands also continued despite growing English maritime presence in the area – as did participation in illicit trading and profiteering during the Nine Years' War. English shipping in the region was overstretched and at times unsuitable for the maritime environment. Because of the focus on shipping related to pacifying Ireland, less attention has been paid to the extent of piratical activity in the Irish Sea at this time, while the effort of the Tudor regime to counter the challenge of maritime violence has been hitherto marginalised. While naval patrols were the main preventative measure used by states to combat piracy, these were not sufficient, and the resources of such patrols hindered by the war effort in Ireland. Piracy cannot be examined in isolation but assessed alongside these wider local, national and archipelagic contexts that impacted on the effectiveness of state efforts to deal with this maritime region. Indeed, this northern region of the Irish Sea, the narrow corridor between two separate kingdoms under different jurisdictions, has not been the focus of detailed study and yet, as the next chapter will demonstrate, piracy in this region placed a considerable strain on the governing administrations of the Tudor and Stuart monarchies the later decades of the sixteenth century.

Chapter 3: Piracy, the State, and Anglo-Scottish Diplomacy, 1560-1603

> Quhat amitie this is and how great herschippes the same has caryit wt it thes thrie yeiris bygane to the estate of merchand is wthin this realme farre above the calamities susteinit be thame in tyme of weir[1] – King James VI of Scotland, 1580

Introduction

The previous chapter analysed one of the fundamental ways in which states limited piracy in the early modern era – naval patrols. This chapter will continue by analysing how far separate measures enacted by the two monarchies in the British and Irish archipelago in the late sixteenth century succeeded in limiting maritime disorder, before going on to examine how these monarchies interacted diplomatically in matters of piracy. One of the overarching aims of this thesis is to assess how national institutions sought to alleviate piracy, and how this affected the Irish Sea communities. This chapter will analyse both English and Scottish solutions employed by their respective sovereigns and by their governing institutions and will demonstrate the limitations in both cases. The reactive measures employed were not capable of limiting future piratical attacks, instead, they sought compensation for victims already aggrieved. The lack of any robust naval control in the Irish Sea, combined with the lack of effective action against piracy at a national level, meant that the monarchs of both countries often resorted to a diplomatic approach to Anglo-Scottish piracy. Diplomacy was one of the main tools available to states in seeking to limit the piracies of another nation, and this has yet to be fully analysed from a Scottish, and indeed Irish Sea, perspective. This chapter aims to bring to light these diplomatic interactions between the Tudor and Stuart monarchies[2]. It will also demonstrate how, in Scotland, piracy was addressed alongside the efforts of the crown to create order on land and extend sovereign authority into the peripheral regions; arguing that piracy, as a form of maritime disorder, should not be viewed in isolation, but assessed in conjunction with wider developments throughout the archipelago.

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[1] *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2021), SP 52/28 f.84, James VI to Robert Bowes, 5 July 1580.

[2] Diplomatic solutions to piracy had been common since the late medieval period, as evidenced in the work of David Ditchburn. Yet, the interactions between the monarchies of Scotland and England have received only limited scrutiny from scholars of early modern piracy. See D. Ditchburn, Piracy and War at Sea in Late Medieval Scotland' in *Scotland and the Sea*, ed. T. C. Smout (Edinburgh: John Donald, 1992), pp. 43-45; D. Ditchburn, 'Bremen Piracy and the Scottish Periphery: The North Sea World in the 1440s', in *Ships, Guns and Bibles in the North Sea and Baltic States, c. 1350-c. 1700*, eds. A. I. Macinnes, T. Riis and F. Pedersen (East Linton, Tuckwell Press, 2000), pp. 4-16. For discussion on how Anglo-Scottish diplomacy related to piracy during the late sixteenth century, see S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2009), pp. 111-20. Murdoch draws particular attention to the practice of sending detailed lists to the neighbouring court as a means of gaining redress for victims of piracy.

English Piracy During the Reign of Elizabeth I, 1558-1603

Historians of Elizabethan England have assessed the extent of crown involvement in the piratical activities of the English marine. Mark Hanna has shown how Elizabeth I may have been stridently opposed to small-scale, localised piracy against allies, but this meant little when piracy was so deeply engrained in the lives and fortunes of local officials and seafaring communities.[3] John Appleby has shown how English depredations ranged from full-scale piratical invasion of Spanish territories across the Atlantic to the widespread localised piracy which could be 'opportunistic and haphazard', and could be carried out under the leadership of professional sea rovers such as John Callice, who operated out of Milford Haven in Wales.[4] Kenneth Andrews' work on Elizabethan privateering has outlined the deregulation that accompanied the privateering ventures in Elizabethan England, and how the sea war became the platform for wider plunder of English allies.[5] These works illustrate how multifaceted, nuanced, and convoluted discussions on Elizabethan piracy can become, which has resulted in a multitude of opinions surrounding the subject.[6] While Elizabeth I's government sought to restrain piratical activity in English waters, particularly against allies, the queen also supported voyages across the Atlantic, plundering Spanish and Portuguese traders.[7] This thesis is primarily concerned with the waters of the Irish Sea, and will be mainly investigating acts of localised piracy, but these often intertwined with more far-flung ventures of English mariners. An investigation into the initiatives to limit localised piracy by the Elizabethan state reveals that the methods employed, though more extensive than those in Scotland, struggled to suppress English depredations, and thus did not ease the diplomatic headache that followed periods of aggression at sea.

Interventions addressing piracy by the Elizabethan State

Elizabethan measures to limit piratical attacks on Scottish shipping, and shipping of other nations in general, reflect a regime who viewed piracy (particularly as it was conducted by English and Welsh mariners) as a serious problem. Instructions given out to Vice-Admirals in the localities in 1563 stressed

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[3] M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015), p. 21.

[4] J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009), pp. 124, 139-44, 146-58. This scholar's wider body of work covers piracy in England, Wales and Ireland at length. See J. C. Appleby, 'Pirates and Communities: Scenes from Elizabethan England and Wales', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-c. 1600*, eds. J. C. Appleby and P. Dalton (Farnham: Ashgate, 2009), pp. 149-172; J. C. Appleby, 'The Problem of Piracy in Ireland 1570-1630' in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (Basingstoke: Palgrave MacMillan, 2006), pp. 41-55.

[5] K. R. Andrews, *Elizabethan Privateering: English Privateering during the Spanish War, 1585-1603* (Cambridge: Cambridge University Press, 1964), pp. 3-60, 222-238. See Also, K. R. Andrews. *Trade, Plunder and Settlement: Maritime Enterprise and the Genesis of the British Empire* (Cambridge: Cambridge University Press, 1984).

[6] For wider discussions on piracy and the Elizabethan state, see N. A. M. Rodger, 'Queen Elizabeth and the Myth of Sea Power in English History', *Transactions of the Royal Historical Society*, xiv (2004), pp. 153-174; L. M. Hill, 'The Admiralty Circuit of 1591', *Historical Journal* 14 (1971), pp. 3-14; C. L'Estrange Ewan, 'Organized Piracy round England in the Sixteenth Century', *Mariner's Mirror* 35, no. 2 (1949), pp. 29-42.

[7] H. Kelsey, *Sir Francis Drake: The Queen's Pirate* (New Haven: Yale University Press, 2000), pp. 85-6, 372.

the importance of finding suspected pirates in 'any port or creek' who had plundered the Spanish or any other 'friendly Power'.[8] These sentiments were reiterated in 1565 and 1569 via commissions and a proclamation by the queen.[9] These commissions of 1565 constituted a national initiative to tackle the problem of English and Welsh piracy on the coastlines. Commissioners were ordered to appoint trustworthy deputies to investigate all 'havens creeks and laden places', and send regular reports to the English Privy Council on their activities.[10] These initiatives made it clear that the English Privy Council recognised the importance of investigating discreet places where illicit business was conducted, as well the need to suppress the activities of those who aided pirates or who benefitted from piracy on shore. The English government was aware of how the business of piracy was conducted, but in the 1560s, they simply could not patrol these areas of the coastline or depend on the coastal commissioners and their deputies to carry out the work to the degree that was required, particularly without pay or incentive.[11]

The limited impact of these interventions led to more commissions being established in 1577 as the Elizabethan regime struggled to cope with the diplomatic fallout which followed attacks by English and Welsh mariners. These commissions, unlike those of the 1560s, signalled a renewed determination by the Elizabethan regime to reduce piracy on the coasts of England, Wales and Ireland. They expanded the powers of the commissioners to investigate matters of piracy in the localities, and also summon those who reputedly dealt with pirates.[12] At the same time, lists were compiled of all commissioners in each county, consisting of some of the most influential family names in the area, with an increased emphasis on reporting to the Privy Council, indicating that it intended a greater level of oversight of the new commissions.[13] These commissions relied upon the most influential men inside maritime communities, who appointed their own deputies and were responsible for inspecting individual coastlines and port towns for pirates. Despite the renewed fervour in tackling piracy more generally in the late 1570s, localised piracy was becoming a serious problem for the English administration. Local crews continued to operate from bases in southwest England, south Wales, and southwest Ireland, causing considerable damage to England's relationship with its allies.[14] The commissions have been analysed at length by John Appleby, who has demonstrated how they were met with resistance from populations in localities where piracy was most commonplace; how the regime

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[8] *Calendar of the Manuscripts of the Most Hon. the Marquis of Salisbury, Preserved at Hatfield House, Hertfordshire* (*Calendar of Salisbury Manuscripts*), i, ed. S. R. Scargill-Bird (London: His Majesty's Stationery Office, 1883), pp. 286-7.

[9] *Acts of the Privy Council of England (APCE)*, vii, ed. J. R. Dasent, (London: Her Majesty's Stationary Office, 1893), pp. 260, 267, 272-3 278-90; British Library (BL), Lansdowne MS 146: A Collection of various Proceedings and Methods of Redress against Piracies, chiefly between the Years, 1577 and 1584, By the Queene. A proclamation against the maintenaunce of pirates. Otelands, 3 August 1569, ff. 92-3.

[10] *APCE*, vii, pp. 279.

[11] Appleby, *Under the Bloody Flag*, pp. 98-100.

[12] BL, Lansdowne MS 146, A commission for Causes of Piracy, f. 4.

[13] BL, Lansdowne MS 146, Names of the Commissioners for matters of Piracy appointed in the several counties, 1577, ff. 17-20v.

[14] *Ibid*., 145-58; Appleby, 'Pirates and Communities', pp. 163-6.

had to depend on commissions populated with corrupt or inept officials; and how the measures set out by central authorities 'were focused more on the consequences rather than the causes of maritime plunder'.[15]

The interventions mentioned above have been covered in historiography. What has not been analysed are the English state interventions which came alongside them which specifically targeted Anglo-Scottish depredations in the late 1570s.[16] This is particularly relevant from an Irish Sea perspective, as many – although not all – of the problematic localities which impeded the general commissions mentioned above were situated in the English west country or south Wales, and many of the pirates from these localities had attacked Scots in the Irish Sea. Material contained in the British Library has helped provide insight into the workings of these Scottish commissions. The first was concerned with practical matters, and aimed to recoup the losses of Scottish merchants. It was empowered to 'arme forth so manie shipps and vessels', but also was required to 'victuall the same shipps to take upp mariners'.[17] The other Scottish commission established in 1577 was aimed at expediting the legal process for hearing Scottish cases, and was to be administered by admiralty court judges, as well as piracy commissioners in the localities.[18] Alongside the commissions, the English regime sent letters to every port town in England, the tone of which was in equal part scolding (for recent apathetic enforcement of piracy laws), and threatening (of the consequences of further negligence). Officers in port towns were ordered to take bonds from masters of ships carrying 'warlyke fourniture', certifying that they would not harm subjects of the realm of Scotland, and send these bonds to Thomas Lewis, a judge of the High Court of Admiralty.[19] Through analysis of these three documents, it becomes clear that the English Privy Council, in conjunction with the Admiralty Court and local piracy commissioners, were confronting Anglo-Scottish piracy on several fronts, and the measures presented in 1577 constitute the most comprehensive attempt to reduce Anglo-Scottish piracy in the sixteenth century.

Indeed, the expediency by which the English regime sought to limit the damage of piracy caused to its northern neighbour is evident in the correspondence of high-ranking English officials at the time. In 1577, Sir Francis Walsingham, Elizabeth's Secretary of State, wrote to William Cecil, Lord Burghley, warning of the consequences of ignoring the 'daily spoils' on the Scots. 'Surely, if there be no way of redress found out of hand,' wrote Walsingham, 'it cannot but breed an alienation of the

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[15] Appleby, *Under the Bloody Flag*, pp. 158-167, 146.

[16] Appleby has drawn attention to a portion of the activity of the English Privy Council with regards their particular concern for Scottish depredations at this time, but this is brief and omits the Scottish commissions. Appleby, *Under the Bloody Flag*, p 159.

[17] BL, Lansdowne MS 146, A Commission for the Scottish Causes of Piracy (1577), ff. 9-9v.

[18] BL, Lansdowne MS 146, A Commission for hearinge and ending of Scottish Complaintes for Piracies, ff. 17-20v.

[19] BL, Lansdowne MS 146, Mynute of Letters sent unto every Porte Towne for the taking of Bandes of the Masters of such shippes as shall be bound to the seas, that they shall not endomage any of the subjects of the Realme of Scotland. Richm., June, 1577, f. 18.

goodwill of that nation, which imports her majesty as much almost as her cro[wn] is worth, if the state of things at home and abroad be rightly looked on'.[20] The measures aimed at reducing Anglo-Scottish piracy, though, were only met with limited success as attacks continued for some years afterwards, as this thesis has shown.[21] In the years leading to 1585, and the outbreak of war, England's attention was focused firmly on Spain and an unofficial war of reprisal, in which the Elizabethan regime entered into an alliance with private interests, causing considerable problems for Scottish merchants due to their unruly aggression.

In 1582, the English Privy Council issued a three-year suspension of admiralty jurisdiction in corporate towns due to the increased complaints by subjects of allied states, and even English mariners, regarding English piracy. The English government was particularly concerned with the spoil of French vessels but included all those subjects 'of other princes estate beinge in good league & amitie'.[22] This was a new method employed by the Elizabethan regime, targeting the lowest tier of culpable administrators: the port authorities in the localities. Evidently, this did not produce the intended result. Records of the English High Court of Admiralty show that there was no cessation of piratical activity in the Irish Sea during the years this suspension was in place.[23] Indeed, Anglo-Scottish piracy was still a problem in 1586, when Charles Howard, later first Earl of Nottingham, Lord Admiral of England, wrote to the Scottish ambassador, Archibald Douglas, expressing his regret for the 'manifold and great robberies and spoils daily committed against Scottishmen'.[24] This was a result of yet another upsurge in English attacks on Scottish shipping, when Scottish merchants were caught in the crossfire as England's privateers became increasingly belligerent in the prizes that they took as the Anglo-Spanish conflict (1585-1604) intensified. Anglo-Scottish depredations continued during and after the Armada

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[20] *Calendar of State Papers re lating to Scotland and Mary, Queen of Scots, 1547-1603 (CSP, Scotland)*, v, ed. W. K. Boyd (Edinburgh: H. M. General Register House, 1907), p. 230-1.

[21] See Chapter 1, pp. 37-39; Murdoch, *Terror of the Seas?*, pp. 117-27, Appendix III:1.

[22] *SPO*, SP 12/156 f.34, Order in Council for the suspension of Admiralty jurisdiction by corporate towns and privileged persons, for the term of three years, for matters of depredations and piracies, 16 December 1582. This was part of a longer struggle for admiralty jurisdiction between central and local power structures in England. Many port towns had been granted their own independent admiralty jurisdictions before Elizabeth's reign. This was further complicated by the appointment of Vice-Admiral positions to powerful families in the coastal regions of Elizabeth's realm, particularly those which looked favourably on pirates. It is unlikely that this assertion of central authority over admiralty jurisdiction amounted to any substantial change on the ground at this time, as many ship owners and local officials still asserted the rights of these localities when brought before a judge in the years following 1582, and were still doing so in 1595. For more in-depth discussion of the clash of local and central admiralty jurisdiction during Elizabeth's reign, see Hanna, *Pirate Nests*, pp. 27-30; Hill, 'The Admiralty Circuit of 1591', 3-14; R. G. Marsden, 'The Vice-Admirals of the Coast', *English Historical Review* 22, no. 87 (1907), pp. 468-477; L. H. Laing, 'Historic Origins of Admiralty Jurisdiction in England', *Michigan Law Review* 45, no. 2 (1946), pp. 163-82.

[23] The National Archives (TNA), High Court of Admiralty (HCA), Oyer and Terminer Records, Examinations of Pirates and Other Criminals, 1583-1590, HCA 1/42, ff. 2-25v, 26-32v, 33-35v, 36-37, 38-40, 41-41v, 63-63v. These cases all cover the Irish Sea and contain confessions of pirates who spoiled several foreign ships during their travels. Almost all of them contain at least one spoil of a Scottish merchant.

[24] *Calendar of Salisbury Manuscripts*, iii, p. 202.

campaign in 1588.[25] The Elizabethan regime, from the queen's coronation until the outbreak of the Anglo-Spanish war in 1585, made several attempts to reduce English depredations through the mechanisms of state; and for a period in the late-1570s, made a conscious effort to specifically reduce Anglo-Scottish piracy. The policies enacted at the political centre, though, were inhibited on several fronts when put into practice in the localities, and piracy continued to threaten the status of mutual amity between England and Scotland.

The Problems facing State Interventions

The measures applied by the English state throughout the late sixteenth century were met with considerable resistance in those coastal shires which had traditionally been sympathetic towards piracy. In a study of the Admiralty Court circuit of 1591, L. M. Hill has demonstrated how the *de jure* authority of statutes and procedures broke down due to the conflict of interest between the central governing institutions and the provincial administrations on the coast. Hill lays out several factors which contributed to this. The liberal dispensing of letters of marque and reprisal by the Lord Admiral, along with his tendency to run the Admiralty Court as his own fief, meant that the privateering industry became overpopulated and underregulated. The administrative apparatus available to the High Court of Admiralty was not capable of controlling the vast English coastline, and was made more difficult in problem areas due to the local populations who worked closely with pirates, smugglers and unruly privateers. Finally, the absence of comprehensive policy and lack of political impetus at the centre to reign in unruly privateers (who essentially operated piratically), impeded directives aimed at imposing order on the English coast.[26] Hill's study of the failed Admiralty Court circuit in 1591 is crucial to our understanding of the factors which obstructed the imposition of directives from central governing authorities and coastal communities. However, there were more obstacles to overcome than judicial shortcomings.

From Elizabeth's accession in 1558 until her death in 1603, the Elizabethan state depended heavily on an alliance between the crown and private interests in order to develop and maintain English sea power. During peace time, piracy was viewed as a local problem, where commissions appointed by the centre were populated by local gentry in the coastal regions, and were responsible for seeking out and capturing pirates. The biggest problem here, was that the local gentry in many coastal regions of England and Wales were highly complicit in piracy and smuggling. Studies of Elizabethan piracy have highlighted this many times over.[27] During wartime, the Elizabethan naval forces were dependent on

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[25] Appleby, *Under the Bloody Flag*, pp. 211-229; Andrews, *Elizabethan Privateering*, pp. 3-52. English pirate crews continued to cruise in the Irish Sea for the rest of Elizabeth's reign. See TNA, HCA 1/44, 1590-1597, ff. 2-2v, 3v-4v, 44-44v, 49-50, 217-217v, HCA 1/45, 1597-1601, ff. 6-6v, 42v-44, 75-76, 160v-163.
[26] Hill, 'The Admiralty Circuit of 1591', pp. 3-14.
[27] For studies of the Elizabethan West Country, see Hanna, *Pirate Nests and the Rise of the British Empire*, pp. 21-51; J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon,*

the support of private vessels, and those who participated required incentives. This is particularly apposite in the years closely preceding and following the Spanish Armada crisis, and in 1585, there is a significant shift in policy away from curtailing belligerent and aggressive English shipping, as the war with Spain became inevitable.

Instructions distributed by the Lords of the Privy Council show exactly how this was to be attained. The importance of this document, in terms of Elizabethan policy towards privateering, cannot be understated. The message to those who sought reprisals was clear: 'that it shall be lawfull for the said m[er]chants and others to set upon by force of Armes, and to take and app[re]hende upon the seas any of the shipps or goods of the subiects of the King of Spaine, in as ample and full a mann[e]r as if it is in the time of open warre'.[28] It was clearly stated that these prizes should be taken to port immediately, and that no harm should come to any subject of 'any other prince or state beinge in good League and Amitie' with England. Those who brought in prizes taken from Iberian shipping would not be 'reputed or chalenged for any offender against anie her Ma[jes]t[ie]s Lawes, but shall stand... fre[e] and freed as under her Ma[jes]t[ie]s Lawfull p[ro]teccon', and were also permitted to sell their prizes openly in any English port town to 'all mann[e]r of persons'.[29] The prizes were to be divided up between the merchants, the victuallers, and the captain and crew, providing incentive right down the social chain for England's mariners to get involved with the war at sea.[30]

These new guidelines for attacking foreign shipping incentivised plunder to a level hitherto unknown to the Elizabethan state. These reprisals differed from the traditional method of gaining redress, by first seeking justice in foreign courts of the offending aggressor. English privateers now had an intended target at the outset, and there were widespread incentives to participate. These were no longer based on righting singular injustices. The granting of reprisals was at the discretion of the Lord Admiral or his judges, and the confirmation of the prizes was within the remit of the authorities of port towns in England and Wales.[31] This left significant room for obfuscation and made circumventing procedure quite straightforward. Studies have shown how the period of war at sea with Spain (1585-1604) created significant maritime disorder due to its dependence on private vessels in attacking the enemy, as crown ships in service at this time primarily retained a defensive functionality.[32] As England

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Volume I: From Early Times to the Late Eighteenth Century, ed. by M. Duffy et. al. (London: Conway Maritime Press, 1992), pp. 90-97. General studies of Elizabethan piracy and privateering also point to these regions as being problem areas. See Andrews, *Elizabethan Privateering*, pp. 3-22; Rodger *Safeguard of the Sea*, pp. 343-6.
[28] BL, Lansdowne MS 146, A Collection of various Proceedings and Methods of Redress against Piracies, chiefly between the Years, 1577 and 1584, Orders set downe by the Lords of Her Majesties Council, to be observed by such as shall set forth shippes for reprisalls. (9 July 1585), f.92-3.
[29] *Ibid*.
[30] *Ibid*.
[31] *Ibid*.
[32] For analysis on the use of private vessels as an attacking force from 1585, see Rodger, 'Queen Elizabeth and the Myth of Sea-Power', pp. 153-174; Appleby, *Under the Bloody Flag*, pp. 193, 211-229; D. M. Loades, *England's Maritime Empire: Seapower, Commerce, and Policy, 1490-1690* (Harlow: Longman, 2000), pp. 122-31.

engaged in consolidating a maritime presence against the Spanish empire, the use of private interests to build sea power blurred the lines between legal and illegal depredation.

The problems associated with deregulation of the privateering industry were also deepened significantly by the corruption and complicity of Elizabethan officials at both state and local levels. This was endemic throughout the whole of Elizabeth's reign. From Lords Admiral all the way to port authorities and local commissions, the potential for individual gain associated with maritime depredation resulted in support for piracy in many localities throughout the Tudor dominions of England, Ireland and Wales. Powerful men at the Elizabethan court could and did profit from private ventures operating outside of the regulations of the Admiralty Court.[33] This was not part of any policy of the Tudor state, which remained officially opposed to any type of misbehaviour. This uneasy relationship between official state policy and the murky operations of state representatives is most accurately summarised by Nicholas Rodger:

> In her [Elizabeth's] situation, it was impossible to run a naval or foreign policy unaffected by private affairs. She might not have been personally concerned with slaving on the Guinea coast in defiance of the monopoly claimed by Portugal, in illegal trade with Spanish America, in piracy all over the eastern Atlantic – but her navy was managed by and dependent on men who were.[34]

This was also the case in the localities. Local and regional studies demonstrate how areas like the English West Country and Wales accommodated pirates on land, and that some of their biggest supporters were from the merchant class and the political leaders in the area. Certainly, many practitioners of piracy participated in local commissions and even held the position of Vice-Admiral.[35] A striking example is the Killigrew family, whose powerbase lay in Cornwall. Sir John Killigrew, Vice-Admiral of Cornwall, was a blatant supporter of pirates, and his family were well-versed in the sale of pirated goods to local markets.[36]

Conclusions of the local and national studies mentioned here are reflected in source material relating to Scots operating the Irish Sea. Surviving evidence also shows that the commissioners for piracy in problematic localities faced difficulties in executing their commissions on the ground. This had particular implications for Scots operating in the Irish Sea. In 1587, Sir Thomas Perrot, a commissioner for piracy for the county of Pembrokeshire, wrote to Sir Julius Caesar, a judge of the Admiralty Court, outlining the difficulties he was facing recouping the recent losses of Scottish and Irish merchants to well-known pirates who were offloading their goods in Haverfordwest.[37] Perrot's

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[33] R. W. Kenny, *Elizabeth's Admiral: The Political Career of Charles Howard, Earl of Nottingham, 1536-1624* (London: John Hopkins Press, 1970), pp. 42-5, 63-8.
[34] Rodger, *Safeguard of the Sea*, p. 343.
[35] Appleby, 'Devon Privateering from Early Times to 1688', pp. 90-97; D. Matthew, 'The Cornish and Welsh Pirates in the reign of Elizabeth', *English Historical Review* 39 (1924), pp. 337-348.
[36] Hanna, *Prate Nests*, pp. 28-29.
[37] BL, Lansdowne MS 143: A large collection of papers concerning Admiralty causes, with some recommedatory letters of particular suits from Sir Francis Walsingham, Lord Burghley &c, principally between the years 1584

complaints reveal the convoluted process of recovering goods once they had been dispersed, as well as the obstacles thrown up by the human aspects of interrogations. Perrot wrote of the high expectations of the complainers, who would accept 'onelie what they woulde have, and not what in reason they shoulde have'. Perrot also indicates that after interrogating all known buyers of pirated goods, taking oaths that they would provide recompense as per his commission, the recovery of the goods became impossible once they had been sold on further. Merchants would then plead ignorance, thinking the goods to have been properly customed, and claiming to have purchased the good 'bona fide'.[38] Further, some of the pirated goods of the Scots and Irishmen had been brought in by the 'sercher of this havon, who had a good commission out of the Admiraltie', before being sold on, demonstrating the activities of unruly privateers during the period of war in the late 1580s also helped facilitate the movement of pirated goods obtained outside of their commissions.[39]

Similar letters were sent by Sir John Wogan, also of Pembrokeshire, in 1589, who complained that the 'maiors and officers' of corporate towns 'will not Suffer me', when investigating the dispersal of goods pirated from two Scots – one of Ayr and one of St Andrews – which had been brought into ports in south Wales.[40] Wogan had also written to Sir Francis Walsingham two days earlier emphasising his good conduct in investigating this case, which had reached the Privy Council through complaints of the Scottish ambassador, Sir Archibald Douglas.[41] Wogan was under suspicion of helping pirates offload the goods, and this case underlines the reality faced by central figures, even those as high-ranking as Walsingham and Douglas. While the piracy commissions set up in 1577 offered commissioners wide-ranging powers in investigating those helping pirates or buying their cheap wares, the local officials that they depended on could encounter difficulties in their jurisdictions, in which plausible deniability and counter-accusations made recovering pirated goods increasingly difficult. Furthermore, the participation of piracy commissioners in illicit trading, and even sheltering pirates, also obstructed attempts of the Elizabethan regime to placate diplomatic allies who had been plundered by English or Welsh subjects. Despite efforts by the English state, complicity at both local and central levels by a multitude of state officials, regional landed and urban elites, and wider mercantile communities, meant that maritime depredation went largely unchecked during Elizabeth I's reign. When combined with the judicial shortcomings and the dependence on private interests for naval power, these problems obstructed any hope that the measures enacted by central authorities would stem the flow of piracy and limit diplomatic fallouts with allied states.

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and 1604, Sir Thomas Perrot, to Mr. Doctor Cæsar; concerning certain Irish and Scots robbed by Cooke, Smith, and other pirates. Harouldstone, 11 Jul. 1587, ff. 222-223v.

[38] *Ibid*.

[39] *Ibid*.

[40] BL, Lansdowne MS 143, Sir John Wogan, to Sir Julius Cæsar; certifying what he had done touching his commission in the Scottish cause, Bulston 26 May, 1589, ff. 280-280v.

[41] BL, Lansdowne MS 143, Sir John Wogan, to Sir Francis Walsingham touching the Scottish cause. Bulston, 24 May 1589, ff. 280-280v.

Scottish Piracy during the Reigns of Mary, Queen of Scots and James VI, 1560-1603

From a Scottish perspective, state interventions in piracy are less evident than in England. This may be a contributing factor in why the topic of piracy has had very little scrutiny from academic historians of the early modern period. Steve Murdoch's assessment of the Scottish response to piracy in the late sixteenth century is the only modern study specifically dedicated to analysing Scottish piracy in this period, albeit as part of a longer narrative on maritime warfare. Murdoch rightly shows the lengths that the Scottish authorities went to in apprehending pirates who were causing strains on diplomatic relations, particularly with England.[42] Murdoch is also right in his assertion that '[f]ew men convicted of piracy in the early modern period did not end their days dangling from the end of a rope'.[43] What Murdoch perhaps overlooks here is the swathes of Scottish mariners who were not apprehended and who evaded punishment by the Scottish state. In the decades between the Treaty of Edinburgh in 1560 and the accession of James VI to the thrones of England and Ireland in 1603, the Scottish state struggled to curtail the activities of pirates. The lack of historiography and source material for this period is unfortunate. The absence of Admiralty Court records has also led to difficulties in assessing the extent of Scottish piracy at this time, and has significantly impeded historians' efforts to understand how piracy was dealt with in the late sixteenth century. Much of what has been written about Scottish piracy, including in this thesis, has depended on English source material to form a basis for conclusions. This significantly impedes our attempts to understand the extent and nature of Scottish piracy during this period.

The Scottish Privy Council

The difficulties presented by lack of scholarship and source material notwithstanding, the existing evidence shows that Scotland was similar to its southern neighbour in how policy towards piracy was directed in the late sixteenth century. In terms of outright policy, matters were mostly delegated to the Privy Council. In Scotland, though, there is less evidence of state intervention in piracy than in England during the period under investigation. Perhaps the chaotic nature of Scottish central politics has contributed to this. The Marian Civil War (1568-1573) and ensuing period of regencies (1571-1581) meant that Scottish central politics, and the authority of political figures, were on a precarious footing

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[42] Murdoch, *Terror of the Seas?*, pp. 113-127. Scottish studies which incorporate piracy into wider analysis include A. MacCoinnich, 'His spirit was given only to warre': conflict and identity in the Scottish Gàidhealtachd, c. 1580- c. 1630, in *Fighting for Identity: Scottish Military Experience, c. 1550-1900*, ed. by S. Murdoch & A. Mackillop (Boston: Brill, 2002), pp. 133-162; J. MacInnes, 'West Highland Sea Power in the Middle Ages', in *Transactions of the Gaelic Society of Inverness*, xlviii (1976), pp. 518-556; A. D. M. Forte, 'A Preliminary Account of Early Sixteenth-Century Highland Piracy', *Scottish Gaelic Studies* 24 (2008), pp. 207-14.

[43] Murdoch, *Terror of the Seas?*, pp. 126. Murdoch also contends that his study of piracy cannot account for all areas and coastlines of Scotland, and that more regional studies can lead to a deeper understanding of particular maritime communities (*Ibid.*, pp. 148-9).

during these years. James VI did not reach political maturity until the mid-1580s.[44] The Scottish Privy Council records show no sign of any comprehensive attempt to limit piracy until 1587, when James VI began exerting his political authority. Orders were issued for the eastern and northern shires in 1587 to be in readiness against piracy by arming themselves 'with munitioun, artaillerie and all other weirlike engines, to repair togidder or severallie to sic pairtis as they salbe appointit'.[45] Curiously, these orders omitted the western shires, but were followed by a 'Proclamation for suppressing broken men on the Borders and pirates', in which those of the southern shires (which included the shires of Ayr, Renfrew, Dumfries, Wigtown and Kirkcudbright) were to be in 'reddines to repair to sic pairtis be sey or land'.[46] Piracy in the southwest was being addressed in conjunction with disorder in the Border regions at this point. This constitutes the first time the Privy Council had instituted any initiative which was concerned with piracy since the 1540s. Before 1587, they had intervened in many piracy cases, but this was on a case-by-case basis, and was reactive, rather than putting forward dedicated initiatives to suppress piracy, in contrast to England.[47]

These measures in 1587 are episodic. The Scottish Privy Council put forward no proactive initiatives in the remainder of James' reign which attempted to reduce piracy through a set policy. Rather, what was put forward were reactive measures to deal with individual cases and problems as they arose. In the mid-1590s, the Council intervened in several cases of alleged piracy by Patrick Stewart, second Earl of Orkney. In 1596, Orkney had seized a ship of England after his own ship was taken by English pirates, and he claimed to have received no redress through the courts in England. In response to English complaints, King James, 'in respect of the happy amitie and gude nichtbourheid' with England, ordered Orkney to return the seized ship, but requested aid from Elizabeth in delivering redress to Orkney for his goods that were seized by English pirates.[48] The mention of amity is important here, as it is frequently used on either side of the border when dealing with cases of illegal seizure or even outright piracy. The diplomatic approach to piracy was often the last resort after the failure of the victim to gain any redress in foreign courts.

A case in 1600 demonstrates how cases of piracy could result in precarious diplomatic situations. A ship of Dunkirk, which at this time was operating in the service of the Spanish monarchy, appeared at Leith and the crew requested to come ashore for supplies and refreshment. James and the

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[44] J. E. A. Dawson, *Scotland Re-formed 1488-1587* (Edinburgh: Edinburgh University Press, 2007), pp. 302-325; M. Lee, *Government by Pen: Scotland Under James VI and I* (London: University of Illinois Press, 1980), pp. 4-5. Scholars have disagreed over when exactly James VI began his personal rule. Lee places this event around 1585, whilst Dawson contends his political apprenticeship ended in 1587. James was intervening in cases of piracy as early as 1580.

[45] *Register of the Privy Council of Scotland (RPCS)*, iv, ed. D. Mason (Edinburgh: General Register House, 1881), pp. 196.

[46] Ibid., p. 196.

[47] Standard examples of Privy Council intervention in matters of piracy before 1587 include: *RPCS*, i, pp. 39, 104, 336-7, 517-8, ii, 222-3, 405, 603-4, 636-8, iii, 255, 368-89.

[48] *RPCS*, v, 284-5. Orkney was also involved in a similar case with merchants of Gdansk (*RPCS*, v, pp. 195-6).

Council decided that 'in regard to the friendschip and amitie standing between his Hienes and the said King of Spayne' they could not refuse this request, 'beinge answerable to the mutuall points of dewtie' required of early modern monarchs whose realms enjoyed officially friendly relations. However, with Spain still at war with England, and the Dunkirk privateers operating in the Channel, accommodating subjects of the Spanish king could cause considerable backlash from across the border. Later, as it emerged that these Dunkirkers carried 'ane grit quantitie of Inglis wairis', James issued orders forbidding anyone from buying any of the English goods from the Dunkirkers, hoping to show that he took special care towards 'his darrest suster and hir gude subjects'.[49] At this stage, James did not risk upsetting the King of Spain by detaining these Dunkirk privateers, who had clearly robbed an English ship. This proved to be a miscalculation, as they reappeared six months later with another English ship and goods, which they had taken by murdering some of the crew and taking the rest prisoner, before trying to offload them in Fife. James issued orders to detain them, and there were orders sent out prohibiting the purchase of goods from enemies of England, but nothing more is known about the fate of these Dunkirkers.[50]

Unlike in England, where specific commissions for piracy were set up which made several local elites and their deputies accountable, in Scotland, the Privy Council delegated matters of piracy to specific noblemen within particular regions. Evidence of this tactic in the southwest pertains only to the Wardens of the West March, who at various times were ordered to recoup the losses of foreign merchants to piracy in Galloway. This applied only to investigating specific cases of piracy in Galloway, and tracking down the buyers of pirated goods.[51] In terms of securing the coasts, including keeping them free from pirates, this matter was also delegated to regional magnates.

Historians have drawn attention to the status of the Earls of Argyll as *in-law* Lieutenants of the crown in the Isles, and with that receiving admiralty commissions from 1582. This role was more closely linked with subduing the western Highlands and Islands, and the maritime operations connected to that, than making a conscious effort to reduce piracy. Given the strong historical links of the House of Argyll to the western burghs throughout the sixteenth century, it is likely that this role also pertained to the waters of the Clyde estuary as well as the Western Isles.[52] Indeed, Argyll's Lieutenancy was extended to cover the Solway when needed to tackle disorder in the West March, as in 1580.[53] Yet a

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[49] *RPCS*, vi, p. 43.
[50] *RPCS*, vi, p. 113.
[51] *RPCS*, i, pp. 503-4, ii, pp. 150, 601, 636-8.
[52] A. MacCoinnich, 'The Maritime Dimension to Scotland's "Highland Problem", ca. 1540-1630', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 44-72, 49, 69; A. Campbell of Airds, *A History of Clan Campbell. Volume 2. From Flodden to the Restoration* (Edinburgh: Edinburgh University Press, 2002), pp. 92, 161-2. Murdoch, *terror of the Seas?*, pp. 135.
[53] *RPCS*, iii, p. 317. The links between the House of Argyll and the western burghs are discussed in MacCoinnich, 'Highland Dimension', pp. 49, 69. They are also discussed in Chapter 7, pp. 179-81 of this thesis. The absence of admiralty records in Scotland for the period hinders further investigation of the role of the Earls of Argyll in capturing pirates in the southwest, if indeed they ever attempted this.

land dispute between Colin Campbell of Ardkinglass and Humphrey Colquhoun of Luss in 1582 sheds some light on the issue. In this dispute, the Scottish Privy Council granted Campbell of Ardkinglass the right to hold 'admirall courtes, as depute to Colene, Erle of Ergyle'.[54] Evidently, Argyll's status as Lieutenant in the Isles granted him the right to hold admiralty courts. The remit of these courts, or the frequency with which they were held remain unknown. Yet, from the scant evidence available, it can be inferred that the council relied heavily on powerful regional magnates to investigate piracy, and also that piracy was not treated as a singular issue, but was addressed in relation to other issues of the time, including disorder in the Border regions and the western Highlands, particularly in the west. The Privy Council, as a governing institution, did not set out any concrete policy towards stopping pirates. The diplomatic approach was preferred, with the king (or regent) stepping in when they felt it necessary to apprehend Scottish aggressors, or to assert pressure on English institutions, ministers, or even Elizabeth herself to do the same. Piracy was viewed as a greater problem when there were diplomatic ramifications to the actions of Scottish pirates, or, in this case, accommodating foreign pirates on Scottish shores.

The Convention of Royal Burghs

While the Privy Council failed to adequately address piracy in Scottish waters, the Convention of Royal Burghs also took several courses of action in the late sixteenth century. The Convention was an assembly of representatives from the royal burghs of Scotland – those towns with international trading privileges. In effect, this assembly was the parliamentary estate of the burgesses meeting in an extra-parliamentary setting, often in preparation for Parliament sitting. The Convention tended to be composed of merchants, who wielded the most influence within the urban localities, and whose cargoes were the primary targets of pirates. This institution gave the urban estate in Parliament a collective consciousness, allowing them to wield a unified voice within the national legislature.[55] Analysis of the records of the Convention reveals that piracy was viewed as a serious problem by burgesses, and that the burghs were willing to cover the expenses. In 1574, a ship and bark were commissioned by the Convention to clear the east coast of Scotland of pirates, and to help secure goods using a convoy system through English waters.[56] Other initiatives were less orthodox. On 27 January 1575, the Convention took its own diplomatic approach, writing to the Prince of Orange to address attacks on Scottish ships

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[54] *RPCS,* iii, p. 543.
[55] For a full discussion of the constitution and powers of the Convention of Royal Burghs, see T. Pagan, *The Convention of Royal Burghs of Scotland* (Glasgow, 1926), pp. 1-52; J. D. Mackie and G. S. Pryde, *The Estate of the Burgesses in the Scots Parliament and its relation to The Convention of Royal Burghs* (St Andrews, 1923); A. R. MacDonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (London: Taylor and Francis, 2007), pp. 7-10, 57-66.
[56] *Records of the Convention of Royal Burghs of Scotland (RCRBS)*, i, ed. J. D. Marwick (Edinburgh, 1866), pp. 27, 31.

at the hands of privateers from Flushing, circumventing the Scottish crown and Privy Council.[57] Piracy was discussed at length over a six-day meeting in July of 1580, in which it was agreed that the most common danger to Scottish shipping was 'the piratis of the inglis natioun'. The Convention also decided to raise money for an expedition to destroy the fishing equipment around the shire of Inverness, due to clashes of Highland and Lowland fishing interests in these waters, where 'greit clannis and surnames prevallis'.[58] In the same meeting, a collection was made to raise silver for the ransom of Scottish captives of Moroccan pirates, and a tax raised on all royal burghs for commissioners to be sent to England to lobby for their interests.[59]

The most remarkable initiative conceived by the Convention regarding piracy came in 1575, when it enacted a controversial statute which dictated that all safe goods and even whole ships were made liable in the event of an attack by pirates, in order to compensate the losses sustained when a ship was pillaged. The Convention also empowered the magistrates of sea ports to levy a tax on all personnel on board the ship to help compensate for these losses, granting them the power to arrest anyone who refused, and to confiscate a ship and the safe goods until compensation was made.[60] This was a thinly-veiled attempt to protect the commercial interests of the merchant community in the burghs, at the expense of ordinary sailors. The Convention declared the act to be observed 'inviolably' and, while it was reasserted in 1580, a clause was inserted exempting clothes, sea chests and goods taken on at a later port in an attempt to placate the outraged sailors.[61] This did not have the desired effect; and subsequently the fury of the maritime community was unleashed in a letter to the Privy Council in September 1580. The letter presented a united front of 'skippers, awneris, maisters, and mariners' in a robust defence of their own interests. The sailors argued, correctly, that the convention had acted without proper commission from the king (or his regent, Morton) to pass a national act. The maritime community

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[57] *RCRBS*, i, p. 44; The increase in attacks at the hands of Flushing privateers is a result of the resurgence of hostilities in the Low Countries, where William of Orange was leading a revolt against Phillip II of Spain, resulting in unruly privateering by the inhabitants of the Low Countries more generally. The Scottish complaints coincide with English complaints in the same year, which compelled Elizabeth I to send an envoy to William of Orange to address the damage done to English shipping by Flushing warships. See Appleby, *Under the Bloody Flag*, pp. 139-144.

[58] *RCRBS*, i, pp. 101-2.

[59] *Ibid*. The 'Barbary Corsairs', as they have become known to historians writing in English, were Muslim pirates of the Ottoman Empire operating out of some Mediterranean ports in northern Africa from the sixteenth century until the early nineteenth century. European victims of the Barbary pirates were often taken into captivity. Historiography of Britain and Ireland largely focuses on their activity in the early seventeenth century, when the volume of attacks against western shipping intensified, but these attacks were not uncommon in the sixteenth century. See A. G. Jamieson, *Lords of the Sea: A History of the Barbary Corsairs* (London: Reaktion Books, 2012), pp. 75-99. For the activities of these pirates in the early seventeenth century, see T. Gray, 'Turks, Moors, and Cornish Fishermen: Piracy in the Early Seventeenth Century', *Journal of the Royal Institution of Cornwall*, NS X (1987-90), pp. 257-75; H. Barnby, "The Sack of Baltimore," *Journal of the Cork Historical and Archaeological Society* 74 (1969), pp. 101–29.

[60] *RCRBS*, i, pp. 44-5.

[61] *RCRBS*, i, pp. 99-100. The reissuing of acts of Parliament is discussed in J. Goodare, 'Parliament and Politics', in The History of the Scottish Parliament: Parliament in Context, 1235-1707, eds. K. M. Brown & A. R. MacDonald (Edinburgh: Edinburgh University Press, 2010), pp. 244-274.

continued by emphasising that 'in tymes bygane, quhen thair schippis and guidis were pilleit, thay offerit thamselffis ready to defend and withstand the pyrattis', and when they had asked for the assistance of the merchants, 'they alluterlie refusit'.[62] There is clearly friction here between the merchant community and the wider maritime community in Scotland, who had no other recourse but to complain to the Privy Council.

The Convention of Royal Burghs was operating here on murky legal grounds. The Convention itself was not a legislative body, and could not enforce national initiatives without the ratification of the crown and Parliament. However, as a meeting of representatives of single burghs, each of which enjoyed considerable autonomy and were regulated by their own town councils, this rendered the matter somewhat ambiguous. Indeed, interests of the merchant class were fully represented in the Convention, and in municipal and national government.[63] Requirements that representatives sent to the Convention should be exclusively from a merchant guild were continually echoed throughout the sixteenth and seventeenth centuries.[64] That the merchant class retained a hold on the burgh representation at a national level was also mirrored in the urban localities. The wealthiest merchants generally retained the most influence on town councils, which tended to be run like oligarchies. Municipal government also generally retained a continuity with urban families and those with wealthy connections.[65] With all of this in mind, it is clear that this initiative put forward by the Convention of Royal Burghs was in the interests of the merchants, and was likely to be enforced by municipal authorities in seaports. The tenacity displayed in the mariners' protests to the Privy Council suggests that it caused considerable friction between the merchants and the wider maritime community, who bore the brunt of the costs to defend against pirates whilst also risking life and limb on occasion.[66]

Ultimately, the Council reacted by recognising that the Convention had indeed usurped the authority of the crown, and that if the law took effect it would cause 'great hurt of his Hienes croun and estate royall'. They were also fearful of the precedent that could be set by allowing the Convention to set the terms for a national taxation initiative, however small.[67] The maritime community did not receive a favourable outcome on this occasion, though, as the Council decided it was outside their own remit,

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[62] *RPCS*, iii, p. 308.

[63] D. M. Walker, *A Legal History of Scotland*, iii, (Edinburgh: T&T Clark Ltd, 1995), pp. 216, 343-5; Mackie and Pryde, *The estate of the burgesses in the Scottish parliament*, pp. 1-11, 17-20; Pagan, *The Convention of Royal Burghs of Scotland*, pp. 13-19; I. D. Whyte, *Scotland before the Industrial Revolution: An Economic and Social History c.1050-c.1750* (London: Longman, 1995), pp. 68, 70-1.

[64] The Convention first stipulated that representatives should be exclusively drawn from the merchant community in 1574, and reinforced this requirement in 1578, 1601, and 1603. *RCRBS*, i, 25-6, 30-1, 75, ii, 102-3, 130-1. For more detailed discussion on the qualifications of burgesses in the Convention, see MacDonald, *The Burghs and Parliament*, pp. 44-5, 57-62; Pagan, *The Convention of the Royal Burghs of Scotland*, pp.32-3.

[65] Whyte, *Scotland before the Industrial Revolution*, pp. 196-198; C. Mair, *Mercat Cross and Tolbooth* (Edinburgh: John Donald, 1988), pp. 78-83.

[66] The need for local solutions to safeguard against piracy and loss of cargo at sea is the focus of Chapter 7 of this thesis.

[67] *RPCS*, iii, pp. 308-9.

and referred the case to the Admiralty Court, records for which have not survived.[68] The outcome of this case is unknown, but it remains an important case nonetheless in the study of how national institutions sought to limit the effects of piracy. This attempt sought to limit the commercial damage, rather than alleviate the physical dangers posed to sailors, and placed the expenditure of compensating lost goods primarily in the hands of the sailors themselves. Initiatives put forward by national institutions were at times unfair, and at other times ineffective. The Scottish state in the late sixteenth century, in the various forms that it took under different regents and monarchs, almost always preferred the diplomatic route when dealing with England, whose sailors were the most frequent aggressors.

Piracy and Anglo-Scottish Diplomacy

How the governing institutions of England and Scotland dealt with their respective piracy problems is illuminating. Neither were fully able to present a coherent defence of their own shipping, or rein in pirates of their own nation. Any initiative taken by either state was undercut by complicity of local officials or was undone by a lack of direction or continuity.[69] Reactive measures had no way of safeguarding from future attacks, this was done by naval patrols, but as Chapter 2 of this thesis has shown, these were insufficient in the Irish Sea and North Channel. The tendency to rely on privateers or on localities to fix the problem for themselves meant that piracy continued in the waters of the Irish Sea throughout the sixteenth century. Both England and Scotland used diplomacy as a means of reducing piratical attacks on their own subjects, seeking to exert diplomatic pressure on their counterpart across the border in the hope of gaining redress for piracy.[70]

Elizabeth and Mary

> it is well known that pyratts be counted com[mo]n enemyes to all states so we req[ui]re yow to have some good regard thereto, and that ye occasion of ye collor of them in that Co[un]trey may be redressed which is a presence of Lre of marque. – Queen Elizabeth I to Mary, Queen of Scots, 25 August 1561[71]

This letter from Elizabeth to Mary is the first of many which would pass between the two sovereigns touching on the troubles caused by pirates. In this case, Elizabeth was acting on diplomatic pressures of the Spanish ambassador, who was complaining of English and Scottish pirates using false letters of marque against Spaniards. Mary responded by ordering that Scottish letters of marque against any Christian Prince were to be suspended, and forbidding any of her subjects from dealing with English

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[68] *Ibid*.

[69] Hanna, *Pirate Nests*, pp. 21-4; Appleby, 'Pirate Communities', pp, 150-6; Murdoch, *Terror of the Seas?*, pp. 111-5.

[70] For the sake of continuity and brevity, this section will omit the regencies of the Earls of Moray, Lennox and Mar (1567-1572) as this period saw no meaningful reform on piracy, and each regency was, arguably, too short to merit inclusion.

[71] *SPO*, SP 52/6 f. 128, Elizabeth to Mary, 25 August 1561.

pirates.[72] This correspondence would set the tone for the next four decades of diplomatic intervention in matters of piracy, although subsequent interactions were never as smooth as this one. In 1565, Mary wrote to Elizabeth chastising her for the treatment her subjects had received from English pirates, and lamenting how a Scottish merchant, after going through a lengthy and unsuccessful court battle in England, 'nathing findis he bot a new pane... quhill finalie, as disparit to get ony recompans, he mon constrenitlie reteir him self hamwart, rather nor to contract further debt'. Mary rounded off her letter by demanding Elizabeth give 'scharp charge' to her justices.[73] The English queen responded in kind: pressure was exerted on Mary through the English ambassador at the Scottish court, Thomas Randolph, and cases of Scottish piracy on English shipping were frequently put in front of the Scottish queen through her agents or by Elizabeth's own letters. It became common practice in these interactions to highlight specific cases in which merchants had failed to gain redress in the face of evidence of piracy, and many of these attacks occurred in the Irish Sea or its adjacent waters.[74]

Elizabeth sent petitions north in 1565 on behalf of merchants of Chester, Haverfordwest and Carmarthen, who had all been victims of Andrew White. White was English, but his base of operations was in Whithorn, on the southwest coast of Scotland, and his victims were primarily English and Welsh merchants.[75] Elizabeth also wrote to Mary a year later demanding redress for a merchant ship of Carlisle which had been blown north into the Kyles of Bute, where it was boarded by Scottish pirates disguised as merchants, who murdered the crew and took the ship and goods.[76] Both the Scottish and English regimes during the reign of Mary employed the same diplomatic approach to piracy, and frequently evoked the state of amity between the two countries as leverage on the other.[77] The reality was that neither regime in the 1560s stood any chance of alleviating their respective piracy problems but they had to be seen to be trying while also taking the opportunity of such efforts to assert their own royal authority. In the light of the difficulties that victims of piracy faced in gaining redress in foreign Admiralty Courts, it is unsurprising that monarchs and governments were frequently drawn into disputes over Anglo-Scottish piracy.[78] The use of diplomacy by a monarch to pressure their counterpart

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[72] *SPO*, SP 52/6 f. 138, Mary to Elizabeth, 5 September 1561.

[73] *SPO*, SP 52/10 f.22, Mary to Elizabeth, 7 February 1564-5.

[74] It should be noted here that the relationship between Elizabeth I and Mary, Queen of Scots was far more nuanced and multifaceted than being solely concerned with piracy. This turbulent relationship has been well-covered by scholars. See A. Fraser, *Mary, Queen of Scots* (London: Phoenix, 2009 reprint); J. Dunn, *Elizabeth and Mary: Cousins, Rivals, Queens* (London: Harper, 2003); P. J. Holmes, 'Mary Stewart in England', in *Mary Stewart, Queen in the Three Kingdoms*, ed. M. Lynch (Oxford: Blackwell, 1998), pp. 195-218.

[75] *SPO*, SP 52/10 f.29, Complaints against Andrew White, 27 February 1564-5. White's piracies are covered at length in Chapter 6, pp. 140-8 of this thesis.

[76] *SPO*, SP 52/12 f.53, Elizabeth to Mary, April 1566.

[77] In one instance, Elizabeth sent one of her diplomats, Henry Killigrew, to the Scottish court to meet with Queen Mary with orders to declare Elizabeth's desire for amity between the two nations, but also to bring up several points of issue, including the passing of Scots into Ulster to aid the campaigns against the English, the state of the Scottish borders, and the attacks on English shipping by Scottish pirates, *SPO*, SP 52/12 f.72, Instructions for Henry Killigrew, 15 June 1566.

[78] As mentioned above, Scottish admiralty records for the late sixteenth century have not survived. In England, beyond prosecuting clear-cut cases of robbery at sea by rank-and-file pirates, the Admiralty Court was incapable

served only to gain compensation in a small number of cases. Piracy was endemic in areas outside the reach of either government, and Anglo-Scottish piracy would continue for the remainder of the sixteenth century. The failure of government officials and governing institutions to apply any effective preventative measures, rather than the *ad-hoc*, reactive ones outlined in this chapter, meant that the diplomatic approach to piracy could not solve the problem at its foundation. The failure of either regime to collaborate with the other only served to perpetuate the problem of Anglo-Scottish piracy, despite both frequently proclaiming their desire for the maintenance of amity. Diplomacy is particularly important as it was a key mechanism of both the English and Scottish states used to address piracy by the other. This has not been adequately covered n historiography, and is entirely relevant in an Irish Sea context given the concentration of attacks there between different communities in the shared maritime space.

Diplomacy and Piracy under the Regent Morton, 1572-1581

After the deposition of Mary, Queen of Scots and three short regencies between 1567 and 1572, political power in Scotland fell to James Douglas, fourth Earl of Morton, who also held the position of Lord Admiral.[79] As Anglo-Scottish piracy began to strain diplomatic relations between the two countries, the burghs on the west coast of Scotland suffered at the hands of English pirates within the Irish Sea. In 1574, the burgh of Ayr became the subject of a potential attack with diplomatic ramifications. English superior sea power and diplomatic standing saved two English pirates from the scaffold after their misadventures in the North Channel. Leonard Sumptar and Roger Freeman, merchants of Bristol, were captured in Loch Ryan and detained in Ayr, with counterfeit money which had been taken 'in pyracie in furth of ane Scottis schip'.[80] Whilst Sumptar was detained in Ayr, the town received 'great and owtrageous threatenings to be unfriendlie intr[e]atit and delt w[i]th' by seamen of Bristol. This compelled Morton to intervene to stay a trial after lobbying from Elizabeth I's ambassador, Sir Henry Killigrew.[81] Morton, as regent, maintained a policy of cooperation with England throughout his career, and at the time of this incident, was concerned with maintaining peace within Scotland and retaining amicable relations with her southern neighbour since the departure of English troops from Edinburgh in 1573.[82] How far these wider political concerns influenced Morton's decision to intervene in this single case cannot be certain. In the end, though, he did recognise the threats from the town of Bristol as weighing upon his decision. The threat of an attack on Ayr by private interests in Bristol was enough

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of dealing with the vast multitudes of cases of unruly privateers who pushed the boundaries of legality by plundering neutral or allied shipping, which, retrospectively, can be viewed as piracy. See Rodger, *Safeguard of the Sea*, pp. 343-5; Hill, 'The Admiralty Court Circuit of 1591', pp. 3-9; Andrews, *Elizabethan Privateering*, pp. 22-31.

[79] Dawson, *Scotland Re-formed*, pp. 261-5; Murdoch, *Terror of the Seas?*, pp. 10-11.

[80] *RPCS*, ii, pp. 405-6. The origin of this counterfeit money is unknown, but the names of the Scots involved in this case are left out of the Privy Council records, which would suggest that they were not innocent themselves.

[81] *SPO*, SP 52/26/2 f.137-9, The Regent Morton to Henry Killigrew or Walsingham, 22 September 1574.

[82] Dawson, *Scotland Re-formed*, pp. 280-3, 299-300.

to move the Lord Admiral to intervene. Morton saw the legal case of the two pirates as 'being sa slender, as it gevis us na uther debtoure bot a deid man', and intervened personally to stay their execution 'gif for the gude amyteis cause I did not rather awerpasse thingis'.[83]

It was also under Morton that the practice of sending detailed lists of piratical attacks on Scottish shipping south to the English court was adopted. This would later be continued by James VI once he reached his majority. Morton set about expediting English cases in Scotland, and in return expected the same to be carried out for Scottish cases in England which were making slow progress. One such case was that of Thomas Broun, a merchant of Irvine, who had been seeking redress of his goods at the hands of pirates since some time before 1576.[84] Morton's complaints of the drawn-out process in England, as well as numerous English piracies against Scotland's shipping, may have prompted the English regime to form the committees to address Scottish cases of piracy which were first implemented in 1577. Morton's brand of diplomacy relating to Anglo-Scottish piracy can be characterised as being conciliatory, in comparison to Mary, Queen of Scots, and later James VI. Morton relied on the goodwill of the English in order to maintain his own grip on power in a hostile Scottish court. Under the regent Morton, the Scottish state employed new diplomatic tactics which would later gain some success for James VI.

Officers of state also played an important role in diplomatic relations. Walsingham in particular displayed an understanding of the endemic nature of piracy throughout the waters of Europe, and concluded that ultimately, 'they cannot be rooted out'.[85] He used the perceived inherent wickedness of pirates to absolve the English state of its failure to curb piracy against its neighbour to the north, but did see the advantages of a united Protestant assault on piracy around the British Isles:

> Shall the looseness of a few pirates cause the professors of one self same God to arm themselves one against another? They should remember that every kingdom divided in itself shall come to ruin. In the profession of the Gospel they are one kingdom... Division will be their ruin.[86]

Walsingham's well-intentioned sentiments were echoed in Scotland by Morton, whose political outlook was directed towards closer ties with England. Under Morton, there was a considerable upsurge in diplomatic interventions in cases of piracy, which is to be expected due to the rise in Anglo-Scottish hostilities at sea. Following Morton's execution, diplomatic interventions in matters of Anglo-Scottish piracy remained common, but Morton's conciliatory approach was not always favoured by James VI.

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[83] *SPO*, SP 52/26/2 f.137-9, The Regent Morton to Henry Killigrew or Walsingham, 22 September 1574.
[84] *CSP, Scotland*, v, p. 297; *APCE*, ix, p. 269.
[85] *Ibid.*, p. 558.
[86] *Ibid.*, p. 558.

James VI and the Diplomacy of Piracy, 1585-1603

The personal reign of James VI, which began in the mid-1580s, saw reforms in government and the administration of the law. Attempts from the political centre in the 1580s and 1590s to penetrate the localities can be viewed as part of a transformative period in Scottish politics which saw a more active central government.[87] James set about stamping out the bloodfeud in the localities, as well as pacifying the troublesome region of the Highlands and the Borders.[88] Piracy during James' personal rule in Scotland has yet to be systematically analysed by historians for the years preceding the regal union of 1603.[89] In contrast to England, piracy in Scotland was not addressed as a singular problem. As this chapter has demonstrated, many of the government interventions which tackled piracy in the southwest were related to wider efforts to create order throughout James' kingdom – the use of Argyll as Lieutenant in the Isles, and the arming of the West March by sea and land are particularly potent examples of this. When viewed alongside James' attempts to exert sovereign authority throughout the peripheral regions of Scotland, and his interactions with Elizabeth I of England, it becomes clear that James saw piracy as a nuisance akin to the disorder associated with the Border reivers or Gaelic mercenaries in the Highlands and Islands, the latter of which had piratical implications in the Irish Sea and North Channel. The connections between piracy and wider disorder in Scotland, from a central governing perspective, are particularly resonant for the burghs of the southwest. Given their proximity and connections to the peripheral regions, the value of an archipelagic approach becomes apparent.

As outlined above, the Scottish state's anti-piratical measures fell short of protecting Scottish shipping in the waters of the archipelago in the late sixteenth century. Under James VI, the practice of sending detailed lists of cases of piracy going through the English courts was maintained and intensified. James sent ambassadors to the English court specifically to advocate for assistance in the Admiralty Court for Scottish merchants in 1586, and continually sent the Scottish ambassador, Sir Archibald Douglas, instructions for him to pursue Scottish causes in the courts. In 1589, James instructed Douglas to deal specifically with Walsingham, and it is likely that he was aware he would have more chance of success than contacting Lord Burghley.[90] James himself exerted pressure at the same time, by sending a letter through a personal messenger who was the brother of a piracy victim.[91] This seems to have had

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[87] J. Wormald, 'The Reign of James VI: 1573-1625', in *Scotland: The Making and Unmaking of the Nation c. 1100-1707, Volume 2: Early Modern Scotland: c. 1500-1707*, eds. B. Harris and A. R. MacDonald (Dundee: Dundee University Press, 2007), pp. 19-25; Lee, *Government by Pen*, pp. 5-11.

[88] K. M. Brown, *Bloodfeud in Scotland 1573-1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh: John Donald, 1986), pp. 215-9; Wormald, 'The Reign of James VI', p. 23. See A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago* (Oxford: Peter Lang, 2021), pp. 225-77.

[89] As outlined above, Steve Murdoch's study of maritime warfare is the only work to comprehensively analyse the role of Scottish state in suppressing piracy during the reign of James VI.

[90] *SPO*, SP 52/38 f.66, James VI. to Elizabeth, 24 September 1585; *Calendar of Salisbury Manuscripts*, xiii, pp. 298-9, iii, pp. 398.

[91] *SPO*, SP 52/44 f.13, King James to Walsingham, 11 May 1589.

the desired effect, as Walsingham then wrote to Julius Caesar, a prominent judge of the Admiralty Court, seeking to expedite Scottish cases on the order of the queen.[92]

Diplomacy as a tool in limiting violence and robbery at sea could yield positive results in specific cases. However, it was almost exclusively a reactive, rather than preventative, measure. In most cases in the English Admiralty Court, redress was far from guaranteed, and closer to improbable.[93] When viewed within the wider process of reducing piracy in the early modern era, analysis of the lists sent south of the border demonstrates not only the slow and dilatory process, but also the sheer volume of cases that required the attention of a monarch (or regent) in the 1570s and 1580s. In 1587, a list containing forty-seven cases stuck in the English Admiralty Court dating back eighteen years to 1569, provides meticulous details of each case. The victims and offending parties, the values of the goods taken, witnesses provided, and even details of the fate of the pirates in each case were all included.[94] This may be viewed as an attempt by James VI to gain control of maritime disorder as he began his personal rule, and looked to assert his own autonomy from Elizabeth I. Remarkably, this list included only one example of spoils on a ship from the west coast of Scotland, *The Mary* of Ayr, belonging to John Osborne, which had been taken by prominent pirate captains Thomas Cooke and Richard Smith operating out of Milford Haven in Wales.[95] Undoubtedly the list is far from comprehensive and will not accurately capture the extent of maritime violence involving Scots in general, but neither does it accurately reflect the geographic balance of piratical attacks on Scottish shipping. Evidence shows that there were far more attacks on Scots and members of Scottish coastal maritime communities in the Irish Sea during this period.[96] Similar lists were sent south in 1577 and 1578, under the regent Morton, and another sometime after 1590, under James.[97]

The response from the English government to Scottish lists of piratical attacks was predictable. They sent their own lists back to the Scottish court reminding them of the unresolved cases of Scottish attacks on English shipping. Surviving examples of these lists were sent in 1587 and 1596.[98] Similar unofficial lists also existed, such as one sent by Walsingham to Lord Burghley in 1577 that detailed English attacks on Scots by one particular pirate crew, and lists from either side of the border in the

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[92] BL, Lansdowne MS 143, Sir Francis Walsingham, to Mr. Doctor Caesar; concerning the causes of certain Scottishmen, 11 Aug. 1589., f. 248.

[93] Rodger, *Safeguard of the Sea*, pp. 149, 343; C. L'Estrange Ewen, 'Organized Piracy round England in the Sixteenth Century', *Mariner's Mirror* 35, no. 2 (1949), p. 37.

[94] *SPO*, SP 52/42 f.82, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587.

[95] *Ibid*.

[96] See Chapter 1 of this thesis, pp. 37-40, 46-8 for a detailed analysis of Anglo-Scottish piracy in the Irish Sea at this time.

[97] *A Catalogue of the Manuscripts in the Cottonian Library deposited in the British Museum, 1744-1827 (Cottonian Manuscripts)*, ed. J. Planta (London: Record Commission, 1802), p. 108; *CSP, Scotland*, v, p. 297; BL, Add. MSS 11405, *MISCELLANEOUS PAPERS of Sir Julius Caesar, Judge of the Admiralty…*, 'Spoiles and piracies comitted upon the Scots by the English since the 1 of Aprill 1569', ff. 90-100.

[98] *SPO*, SP 52/42 f.83, Spoils committed upon the Scots by the English since 1581, 2 December 1587; SP 52/58 f.92, English merchants Spoiled by Scots, May 1596.

possession of Julius Caesar, judge of the admiralty.[99] The Scots did have some success in lobbying the English court and ministers (and even the queen) under James VI. James' more assertive brand of diplomacy than what was displayed by the regent Morton seemed to have had an effect. The lists sent by James have been covered by Steve Murdoch, who argues that the reaction of the English authorities in the late-1580s was positive and genuine, due to the intervention of the queen. [100]

Although diplomatic interventions had some successes in producing some sort of response from central authorities, there were also dozens of unreported or unsuccessful cases which did not gain redress for the victim. Often, even the intervention of the king could not guarantee success. Within the Irish Sea, Welsh pirates operated out of the port of Milford Haven, plundering a ship belonging to John Osborne, a merchant of Ayr, in May 1587, mentioned above. This contingent was under the command of the pirate captain Thomas Cooke, and operating freely out of this port.[101] Cooke was also responsible for attacking the ship of Robert Brown, a merchant of St Andrews, in the same year. Both Brown and Osborne lobbied through the Scottish ambassador, but only Brown seems to have had any success. Sir John Wogan was commissioned by the English Privy Council to investigate Brown's stolen cargo, and given a list of the personnel who purchased it around the local area. Acting on recommendations from the English Lord Admiral, the English Privy Council were 'desirous bothe for Justice sake and for maintainment of good friendship and neighboure hood wth the Scottish king'.[102] The language used here may point to a genuine desire on the part of the English councillors to see some redress for attacks on Scots, but that meant little to the merchants like John Osborne of Ayr whose stolen cargoes remained unaccounted for. As has been demonstrated in this chapter, officials like Sir John Wogan could also hinder efforts of central figures, even when diplomatic pressures were exerted.

James also frequently invoked the status of mutual amity between Scotland and England in his diplomatic correspondence, both in his letters to Elizabeth and in his instructions to his ambassadors.[103] He was particularly conscious of this as his claim to the throne of England steadily strengthened throughout the 1590s. The suppression of piracy was closely connected to wider efforts to pacify violence and illicit activity throughout James' kingdom during the late 1590s. While James was engulfed in crises from 1595 on the Anglo-Scottish border and with the Gaelic mercenary trade across the North Channel, his efforts in limiting any diplomatic fallouts with Elizabeth intensified. James had

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[99] *Cottonian Manuscripts*, p. 108; BL, Add. MSS 11405, Spoiles comitted uppon the English by Scottish pirates since 1 Aprill 1571. and a vewe of Scottish iniustice, ff. 102-105
[100] Murdoch, *Terror of the Seas?*, pp. 118-9.
[101] *SPO*, SP 52/42 f.82, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587.
[102] *CSP, Scotland*, ix, p. 442; *SPO*, SP 52/42 f.121-2.
[103] *SPO*, SP 52/41 f.14, King James to Queen Elizabeth, 26 August 1586; SP 52/38 f.66, James VI to Elizabeth, 24 September 1585; *Calendar of Salisbury Manuscripts*, xiii, pp. 298-9. How far declarations of support for the maintenance of friendship and amity were genuine on either part is questionable. Mutual suspicion between the two monarchs was a running theme in their relations from 1587 until Elizabeth's death in 1603. See S. Doran, 'Loving and Affectionate Cousins? The relationship between Elizabeth I and James VI of Scotland 1586-1603', in *Tudor England and its Neighbours*, eds. S. Doran and G. Richardson (Basingstoke: Palgrave MacMillan, 2005), pp. 203-34.

been content to overlook the passing of mercenaries into Ireland or Border reivers into England when it was politically expedient.[104] During James' personal rule in Scotland, he had shown a willingness to defy Elizabeth, disagreeing and disobeying at times, invoking her fury at others, but never pushing the boundaries far enough to threaten the amity between the two nations (although, perhaps the payments of a hefty English pension weighed more on James than the declarations of friendship).[105] As the possibility of succession loomed, James could no longer be perceived as a king who could not control all of his own subjects in his kingdom.

As the king became increasingly concerned with creating order in the western Highlands and Islands, he made plans for the erection of burghs in the Highlands and a Lowland plantation on the Isle of Lewis.[106] In the Borders too, James sought to bring an end to Anglo-Scottish conflict, beginning with a proclamation for good order along the Border shires. This was followed up a month later with a letter to Elizabeth which declared his 'sincerity and goodwill' towards prosecuting those 'troublers of the peace and amity' who continually plagued Anglo-Scottish diplomatic relations.[107] The burghs of the southwest were also subject to pressure from the Scottish crown against profiteering in the Nine Years' War from 1595, but proclamations were still being issued against this in 1602. From the late 1590s, James moved towards creating order throughout his kingdom, through civilising policies, plantation, forfeiture, or, in the case of the southwestern burghs, the threat of confiscation of their properties. All the while, James continued to intervene in cases of piracy, and pursue the redress of pirated goods for his merchants in the English court, using the status of amity as a tool of rhetorical leverage in his diplomatic discourse.[108] James had some successes, but his government failed to adequately protect its own merchant shipping or to enact any meaningful preventative measures to limit piracy, even after he succeeded Elizabeth in 1603. Scottish piracy, like Gaelic mercenaries, Border reivers, and feuding nobles, was viewed as a threat to James' authority, and increasingly throughout his reign, a threat to his relationship with Elizabeth. English piracy, however, was an irritant which James actively sought to

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[104] Macinnes, 'Crown, Clan and Fine', pp. 31-2; Cathcart, *Plantations by Land and Sea*, pp. 237-8. Aonghas MacCoinnich even contends that James used the perceived barbarous nature of his west Highland Gaelic subjects as a 'cloak of plausible deniability' in his failure to stem the flow of Scottish Gaelic mercenaries into Ulster. See A. MacCoinnich, *Plantation and Civility in the North Atlantic World: The Case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), pp. 103-4.

[105] S. Doran, 'Loving and Affectionate Cousins?', pp. 206-16, 218-28.

[106] *RPS*, 1597/ 11/ 41, Date accessed: 18 February 2022; *RPCS*, v, p. 455. For a full assessment of the plantation schemes in Lewis, the first which took form in 1598, see MacCoinnich, *Plantation and Civility*.

[107] *SPO*, SP 52/61 f. 36, Proclamation by King James VI, 26 September 1597, SP 52/61 f.46, King James VI to Queen Elizabeth, 20 October 1597. A. Groundwater, *The Scottish Middle March, 1573-1625: Power, Kinship, Allegiance* (Woodbridge: Boydell & Brewer, 2010), pp. 181-2.

[108] *SPO*, SP 52/63 f.9, King James VI to Queen Elizabeth, 16 September 1598. James intervened in a piracy case in 1602, in which he ordered George Sinclair, fifth Earl of Caithness, to apprehend Jeremy Luif, a pirate of Dunkirk, who was in the north of Scotland after robbing English ships and murdering English mariners. James was particularly irked that Scots were buying the pirated goods from Luif, which he saw as 'tending so greatly to the slander of the country and the break of the peace and amity standing betwixt the two realms'. *SPO*, SP 52/68 f.53, King James VI to the Earl of Caithness, 22 May 1602.

limit, and was not averse to utilising a more assertive brand of diplomacy than that which had been common under Morton in the pursuit of this goal.[109]

Conclusion

Piracy persisted in the waters of the British and Irish archipelago beyond the regal union of 1603, despite the separate steps taken by the Scottish and English governing administrations in the late sixteenth century. English officers of state, as well as the English Privy Council and Admiralty Court, all recognised the dangers piracy caused to mariners, and also so England's diplomatic relationships. The commissions of 1577 established a framework which, in theory, offered wide-ranging powers in the localities, enabling commissioners to investigate piracy and also the dispersal of goods. This chapter has added a Scottish dimension to existing scholarship on this subject and, argues that before the Armada campaign, the English were indeed making efforts to limit Anglo-Scottish depredations. Source material presented here has also demonstrated how these committees were impeded by personnel within the localities, who were often involved in illicit activities themselves, or were unable to trace stolen goods through black markets which spun a web of shadowy transactions. North of the border, measures enacted to protect Scottish mercantile interests did little to protect Scottish mariners from the dangers of piracy. State initiatives in the late sixteenth century did not limit piracy in the Irish Sea. All of the tools used in tackling piracy by the Scottish state in the late sixteenth century were also used in the wider attempts to create order on land. In the southwest, disorder in the West March and piracy were to be resolved in tandem, and defence of the coasts – responsibility of which had been ceded to Argyll – was also linked to suppressing disorder in the western Highlands. This is also applicable to diplomacy – the other key mechanism used in reducing Anglo-Scottish piracy. Diplomatic attempts to limit piracy met with some successes, yet the lack of cohesion between the two administrations meant that at all times in the late sixteenth century, mariners ran the risk of being attacked by pirates. From a Scottish perspective, the response of the Scottish state to piracy in the late sixteenth century has yet to be analysed in detail. This thesis has added to existing historiography by providing analysis of the response of the Convention of Royal Burghs and also incorporating the diplomatic dimension to piracy. It has argued that the measures implemented by both the English and Scottish regimes were insufficient in reducing piracy to any meaningful extent in the Irish Sea. It has built on conclusions reached in national studies of piracy, and shown how contemporary national responses could not contain attacks in the Irish Sea. It has also shown that, particularly in southwest Scotland, responses to piracy were closely linked to efforts to create order on land, emphasising the need for an archipelagic perspective, which assesses these wider efforts to extend authority into peripheral regions of the archipelago. Given the ineffective

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[109] Even by 1598, James was employing harsher language in piracy cases than the usual references to good friendship and amity. James chastised Elizabeth for the conduct of the crew aboard a Bristol man of war, who sank a Scottish ship trading with Spain, demanding punishment for the town of Bristol. *SPO*, SP 52/63 f.9, King James VI to Queen Elizabeth, 16 September 1598.

response by national institutions, this chapter has also underlined the importance of localised responses to piracy, which will be assessed in Chapters 5, 6 and 7 of this thesis.

Chapter 4: Piracy and the Regal Union

> After the death of our most Gracious Queen Elizabeth of Blessed Memory, our Royal King James, who from his infancy had Reigned in Peace with all Nations; had no imployment for those Men of Warr… all these were Captains amongst the Pirates, whom King James mercifully Pardon'd; and was it not strange, a few of those should command the Seas. – Captain John Smith[1]

Intro

This passage is taken from a brief treatise entitled *The Bad Life, Qualities and Conditions of Pyrats* (1629), in which Captain John Smith assessed piracy and the transition between the reigns of Elizabeth I of England and James VI and I of Scotland, England and Ireland. Smith argues that the end of hostilities at sea left a surplus of mariners who, devoid of any prospects of employment, turned to piracy, predominantly out of the Barbary ports in North Africa. Smith had no sympathy for pirates, but offered a solution to those downtrodden sailors: 'regain therefore your wonted Reputations and endeavour rather to Adventure to those fair Plantations of our English Nation'.[2] According to Smith, a poor sailor or soldier would make more in one year in a plantation than he could from seven years of piracy. Evidence of this is not forthcoming in his treatise, but Smith was a seasoned mariner, explorer, and coloniser, who himself favoured policies of overseas colonisation to bring about English prosperity.[3] Smith's contemporary assessment of piracy is also reflected in the historiography of Jacobean England. Historians have generally perceived the shift of organised piracy across the Atlantic as a result of the surplus in mariners after the conclusion of the Anglo-Spanish war (1585-1604). The interpretation of James as a monarch who sought to avoid war and bring peace is apt, but the notion that his regime brought on the shift in piracy through brokering peace with Spain requires some revision.[4] This chapter seeks to analyse the state of piracy in the Irish Sea following the regal union of 1603, and the new constitutional composition of the British and Irish archipelago. In doing so, it will pay particular attention to the burghs of southwest Scotland, analysing themes of naval command and state formation in these waters, placing the burghs within the wider political and geographic context of the region. This thesis has analysed piracy in relation to naval control and state intervention in the Irish Sea in the late sixteenth century. In this chapter, it

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[1] J. Smith, *The true travels, adventures, and observations, of Captain John Smith, into Europe, Asia, Africa, and America, from ann. dom. 1593-1629* (London, 1630), printed in *A Collection of voyages and travels, some now first printed from original manuscripts...*, ii, eds. A. Churchill & J. Churchill (London, 1732), p. 401

[2] *Ibid*.

[3] For a full discussion on Smith's treatise on pirates, see M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015), pp. 58-62.

[4] This view of James and the new regime in England is espoused in N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London: Harper Collins, 1997), pp. 346-351; Hanna, *Pirate Nests*, pp. 53-5; C. Senior, *A Nation of Pirates: English Piracy in its Heyday* (David & Charles: London, 1976), pp. 7-8. John Appleby refines this view, arguing that the shift to deep-sea, long-range plunder was also a result of the legacy the English anti-Iberian depredations in the Atlantic theatre, and the new loosely-regulated colonial ventures. J. C. Appleby, 'The Problem of Piracy in Ireland, 1570-1630', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (Hampshire: Palgrave MacMillan, 2007), pp. 46-7.

will assess these themes against the constitutional changes which accompanied the regal union of 1603, given that many of the issues present were no longer exacerbated by competing monarchies in shared maritime, and indeed, land space. In line with the aims of the thesis to assess piracy alongside the processes of state formation, this chapter will address issues of cooperation of the English and Scottish administrations and naval apparatus, as well as the coordinated efforts to enact civilising policies under one monarch.

Piratical Attacks in the Irish Sea in the aftermath of the Regal Union

In the years following the regal union, there is a decline in reported piratical attacks in the wider Irish Sea region. As mentioned above, the movement of English and Welsh pirate crews across the Atlantic and into the Mediterranean saw many mariners of the communities in the English West Country and Wales move away from traditional bases situated in the Irish Sea. However, this did not lead to a wholesale cessation of piratical attacks. What the records show, and what has been reported in historiography, is a reduction in venture piracy coming out of English and Welsh ports on the mainland.[5] Reports in the admiralty records show that pirates were still active in the south of the Irish Sea, albeit in a reduced number. Deep-sea pirates operated freely along the southern coast of Ireland, particularly at Kinsale, as is reflected within historiography. However, localised, opportunistic piracy in the waters of the Irish Sea is still visible in the records of the Admiralty Court. In 1607 alone, three piratical attacks around the coastline of Cork were all carried out by English pirates.[6] A few years later, pirates of Devon, Wales, and Bristol were also operating in the south region of the Irish Sea.[7] Among these cases, one episode in 1609 involving Welsh magistrates finding gold in the breeches of a pirate hunter, who had apprehended two pirates on the Welsh coast, speaks to the corruption that could still exist, and that old habits had not quite been shaken off in the early years of regal union.[8] Indeed, an altercation between a ship of Leith and a ship of Bristol off the coast of Cornwall also shows how Anglo-Scottish maritime tensions had not completely abated by 1610.[9]

In the years leading up to the general pardon of 1612 and the Act Against Piracy in 1614 (discussed at length below) piracy was again causing problems for the English authorities in the Irish Sea. Pirate captains haunted the waters around the south of Ireland, and also the Bristol Channel.

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[5] Senior, *Nation of Pirates*, pp. 13-42; Rodger, *Safeguard of the Sea*, pp. 346-52; Appleby, 'The Problem of Piracy in Ireland', pp. 46-7; Hanna, *Pirate Nests*, pp. 58-63.

[6] The National Archives (TNA), high Court of Admiralty (HCA), Records of Instance and Prize Courts: Examinations and Answers, HCA 13/97, ff. 4v-5, 19v-20, 69v-17; K. Pluymers, 'Pirates and the Problem of Plantation in Seventeenth Century Ireland', in *Governing the Sea in the Early Modern Era: Essays in Honor of Robert C. Ritchie*, eds. P. Mancall & C. Shammas (San Marino: Huntingdon Library press, 2015), pp. 79-83.

[7] The National Archives (TNA), High Court of Admiralty (HCA), Oyer and Terminer Records, Examinations of Pirates and Other Criminals, HCA 1/47, ff. 6, 52-54, 61-2, 70-71, 90-93, 138.

[8] TNA, HCA 1/47, ff. 52-54.

[9] TNA, HCA 1/47, ff. 70-71.

Captain Miller, an English pirate, arrived in Kinsale in 1612 with a cargo of pirated goods he received from Dutch cohorts who had robbed a French ship.[10] A Captain William Baugh cruised from Dover to the coast of Ireland, taking prizes such as the *Greyhound* of La Rochelle and the *Bull* of Dieppe, finding a market for the goods at Kinsale.[11] A series of depositions in 1612 regarding Baugh's wide-ranging depredations even saw Sir William St John, the crown's chief naval officer in Irish Service and most useful pirate hunter, in front of a judge of the admiralty implicated in embezzling a pirated cargo of Baugh's at Kinsale.[12] Pirates in the Bristol Channel also attacked boats of Wexford and Dublin in these years, and it is clear that many pirate captains were still active in the Irish Sea in the decade following the death of Elizabeth I and the beginning of the Stuart composite monarchy.[13] The admiralty records showcase piracy as being generally centred around the southern regions of the Irish Sea in the years leading up to the general pardon and new legislation aimed at tackling piracy in Ireland, however, the north of the Irish Sea and the North Channel also suffered at the hands of pirates at this time.

Instances of piracy in Scottish official records also suggest a decline in Anglo-Scottish piracy following the regal union of 1603. Piracy is largely absent from the records of the Privy Council in the years following James VI's departure south. However, burgh records for these years do allude to recurring problems of piracy, from both Gaelic and English aggressors. In 1605, the Convention of Royal Burghs complained of the damage being done to the fishing industry, due to the 'the violence and barbarous crueltie, abusis, and extortiouns of the hielandis and cuntre men' who attacked fishermen in the Isles.[14] This does not constitute piracy, yet speaks to the friction between the Scottish Highlands and Lowlands at this time which resulted in maritime violence. On 23 June 1610, the burgh of Glasgow prepared a petition on behalf of all of the western burghs against the 'speciall men of the Ilis' – the chiefs – who were understood to be visiting Edinburgh as a cohort two days later. The burgh complaint set out a grievance for 'the oftin oppressioun done be thame, thair kin, freindis, servandis, and dependerris, in taking thair gudis furth of thair barkis, schippis, and boitis, and vthirwayis oppressing thame in taking of grit sowmes of money'.[15] This underlines the importance of the Highland dimension to debates around maritime security, and indeed piracy. Despite combined efforts of the Stuart naval apparatus to maintain order in sea corridors between Scotland and Ireland, as well as the 'civilising' missions active in the Highlands, these records allude to continuing friction between the west coast burghs and their Highland neighbours.

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[10] TNA, HCA 13/42, f. 101.

[11] TNA, HCA 13/42, ff. 71-71, 78-80, 83, 109.

[12] *A Calendar of Material relating to Ireland for the High Court of Admiralty Examinations 1536-1641*, ed. J. C. Appleby (Dublin: Irish Manuscripts Commission, 1997), pp. 124-138.

[13] TNA, HCA 1/47, ff. 61v-62v, 13/98, ff. 11v-12, 40v-41.

[14] *Records of the Convention of Royal Burghs of Scotland (RCRBS)*, ii, ed. J. D. Marwick (Edinburgh, 1870), p. 203.

[15] *ERBG*, ii, p. 315.

In terms of outright piracy, when the burgh of Edinburgh was granted funds to rig out a ship for chasing pirates on the east coast of Scotland in 1610, the burgh of Ayr protested that a similar venture should be implemented 'agains the piratts in the west seyis'.[16] The burgh of Ayr was particularly proactive in chasing pirates in these years. In 1609, the burgh outfitted a ship on its own to chase English pirates, and sent the provost to Edinburgh to secure a commission for the same purpose. In 1616, the burgh paid expenses to the king's soldiers who visited the burgh in search of 'the pirate, James MacDonnall'.[17] Evidence of piracy affecting the burghs of the southwest in the years following the regal union of 1603 is not as abundant in Scottish official records for the late sixteenth century, however, the evidence from local source material does suggest that the efforts of the Stuart monarchy in that maritime theatre were not sufficient to clear the sea of pirates.[18] This was particularly relevant after the introduction of plantation schemes in Ulster, which encouraged the participation of Lowland Scots, and is the focus of the following chapter. As this thesis has shown, piracy in the west of Scotland, when assessed through an archipelagic lens, is most effectively assessed alongside wider developments in the archipelago. This chapter will continue to assess piracy in accordance with the themes assessed in Chapters 2 and 3 of this thesis – naval control and government interventions – in light of the developments in state formation that accompanied the regal union.

The Archipelagic Context

Studies of piracy in the aftermath of James' accession to the English and Irish thrones have stressed the changing nature of piracy from the outset of the Jacobean period. Many studies of piracy during this time, however broad their approach may be, focus on regions where piracy is most apparent in the early seventeenth century. Appleby's study of the English pirate community in Ireland accounts for piracy exclusively in the English pale and the ports of Munster, where English pirates were expanding their activities. This study does not account for English engagement with the Gaelic regions in the north and west of Ireland; nor does it account for Scottish and English plantations in Ulster.[19] It focuses on a specific type of piracy around Ireland – that of the merchant venturers. It ignores that other type of piracy more common in the north and west of Ireland – Gaelic coastal raiding. Similarly, Hannah's study of piracy in the burgeoning British empire accounts for the move westward to bases in Ireland and across the Atlantic, and southward to the Mediterranean, in the early seventeenth century as English

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[16] *RCRBS*, ii, 305-6.
[17] *Ayr Burgh Accounts*, pp. 241, 243, 262.
[18] Reliance on printed burgh records is enough to demonstrate that piracy was still apparent in these waters during the period. However, access to burgh records of Ayr, Dumfries and Glasgow in local archives would add much substance to this section.
[19] J. C. Appleby, 'A Nursery of Pirates: The English Pirate Community in Ireland in the Early Seventeenth Century', *International Journal of Maritime History* 2, no. 1 (1990), pp. 1-27; See also, Appleby, 'The Problem of Piracy in Ireland'.

(or British) mariners adapted to the new regime.[20] Kelleher's study of piracy in Munster during the early seventeenth century is framed within the landscape of emerging global empires, incorporating Irish and English participation in the Atlantic theatre.[21] These studies all accomplish what they set out to do, building on important previous studies, or bringing fresh new perspectives to the study of Jacobean piracy. Yet, piracy historiography has still to fully incorporate perspectives on the internal colonisation projects within James' own kingdoms.

Studies have examined how the English, Scottish, or 'British' crown governments interacted with these regions throughout the early modern period. Over the past three decades the 'New' British and Irish historiography, as it is still known, has adopted an approach to British and Irish history which seeks to transcend national boundaries, abandoning the limitations of studying national narratives in isolation, and instead embracing the plurality of peoples and cultures within the archipelago.[22] This chapter, which is primarily concerned with the impact of regal union in the short term, will lean on such an approach, as does this thesis more generally. With James VI of Scotland's accession to the English and Irish thrones in 1603, the constitutional fabric of the British and Irish archipelago was altered. This was primarily a dynastic union, extending the territories under the dominion of the house of Stuart, which now ruled over those formerly governed by the Tudors.[23] The issues arising from competing monarchies in the sixteenth century, and the diplomatic challenges outlined in Chapter 3, were lightened somewhat – although by no means diminished – when James VI of Scotland became James I of England and Ireland. From a maritime perspective, the king could now coordinate policies and resources of each individual kingdom in the service of the others.[24]

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[20] Hanna, *Pirate Nests*, Ch. 2.

[21] C. Kelleher, *The Alliance of Pirates: Ireland and Atlantic Piracy in the Early Seventeenth Century* (Cork: Cork University Press, 2020). See also C. Kelleher, 'Pirate Ports and Harbours of West Cork in the Early Seventeenth Century', *Journal of Maritime Archaeology* 8, no. 2 (2013), pp. 347-366.

[22] J. H. Ohlmeyer, 'Seventeenth-Century Ireland and the New British and Atlantic Histories', *The American Historical Review* 104, no.2 (1999), pp. 446-462. The 'New British History' builds on the work of J. G. A. Pocock, who pioneered this approach in 1975, when he called for British history to 'denote the plural history of a group of cultures situated along an Anglo-Celtic frontier'. See J. G. A Pocock, 'British History: A Plea for a New Subject', *The Journal of Modern History* 47, no. 4 (1975), pp. 601-621, 605. Studies of the early modern 'British' state which espouse this approach J. H. Ohlmeyer, 'Civilizinge of those Rude Partes': Colonization within Britain and Ireland, 1580s-1640s', in *The Oxford History of the British Empire: Volume 1: British Overseas Enterprise to the Close of the Seventeenth Century*, ed. N Canny (Oxford: Oxford University Press, 1998), pp. 124-45; N. P. Canny, *Making Ireland British, 1580-1650* (Oxford: Oxford University Press, 2001); S. G. Ellis, *The Making of the British Isles: The State of Britain and Ireland, 1450-1660* (London: Routledge, 2007).

[23] B. P. Levack, *The Formation of the British State: England, Scotland, and the Union 1603-1707* (Oxford: Clarendon Press, 1987), pp. 2-5, 27-30; J. H. Elliot, 'A Europe of Composite Monarchies', *Past & Present* 137, no. 1 (1992), pp. 48-53. For more on the Scottish context to regal union and its long-term ramifications, see R. A. Mason, 'Debating Britain in Seventeenth-Century Scotland: Multiple Monarchy and Scottish Sovereignty', *Journal of Scottish Historical Studies* 35, no. 1 (2015), pp. 1-4; J. Wormald, 'O Brave New World? The Union of England and Scotland in 1603', in *Anglo-Scottish Relations from 1603-1900*, ed. T. C. Smout (Oxford: Oxford University Press, 2005), pp. 13-35.

[24] For examples of this, see A. Cathcart, 'The Statutes of Iona: The Archipelagic Context', *Journal of British Studies* 49, no. 1 (2010), pp. 20-1; S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2009), pp. 127-34.

In the initial stages of the Stuart composite monarchy, James inherited existing civilising policies in place within his three kingdoms. In Scotland, Highland and Border policy was often intertwined.[25] Strategies employed by James VI between the beginning of his personal rule in Scotland and the regal union in 1603 were based upon earlier precedents enacted by successive Stewart monarchs throughout the sixteenth century, though with 'considerable [sic] more vigour than many of his predecessors'.[26] James also sought to implement policies of plantation, first in Kintyre and the islands of Islay and Giga in 1596, then in the Isle of Lewis in 1598.[27] James VI's attempts to pacify and civilise his Border and Highland regions were aimed at extending royal authority into what were perceived as lawless regions of a kingdom; but, for the Gaelic areas, they were also attempts to maximise crown revenue by introducing commerce to these regions, and further integrate them into Lowland Society through a process of assimilation of language, religion, culture and education. Similarly, the English crown had been pursuing 'civilising' policies in Gaelic Ireland for centuries before the death of Elizabeth I.[28] During Elizabeth's reign, the English embarked on several expensive military campaigns, as well as plantations beyond the English Pale, such as those in Munster and Ulster in the second half of the sixteenth century.[29]

Frontier policies enacted by the Scottish and English crowns in the Gaelic regions of the archipelago were entirely separate before the regal union of 1603. Indeed, it was not unknown for either kingdom to manipulate the instability in these regions toward their own ends.[30] The plantation schemes in east Ulster, though, which began in 1606, and the full-scale plantation of the region following the

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[25] A. I. Macinnes, 'Crown, Clans and Fine: The 'Civilizing' of the Scottish Gaeldom, 1587-1683' *Northern Scotland* 13, no. 1 (1993), pp. 32-5; *Register of the Privy Council of Scotland (RPCS)*, iv, D. Mason (ed.) (Edinburgh: General Register House, 1881), pp. 781-87; *The Records of the Parliaments of Scotland to 1707 (RPS)*, K.M. Brown et al eds (St Andrews, 2007-2022), 1587/7/70, Date accessed: 21 March 2021.

[26] A. MacCoinnich, *Plantation and Civility in the North Atlantic World: The Case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), p. 95. James VI, like his grandfather, James V, and his great-grandfather, James IV, sought to make Highland and Border chiefs and landlords accountable for their tenantry or clansmen. This was done through the issuing of a General Band throughout the Highlands and Borders, which sought individual sureties from local elites for the good behaviour of their followers and tenants – a policy first initiated in the Borders in the 1520s. James VI, like his predecessors, also planned several military-naval expeditions into the Isles from 1596 onwards. See J. Goodare, *The Government of Scotland 1560-1625*, (Oxford: Oxford University Press, 2004), pp. 220-26.

[27] The latter initiative sought to plant Lowland adventurers from burghs in Fife in lands forfeited from the lordship of the MacLeods of Lewis. This plantation scheme, akin to the English-style plantations in Ireland, was attempted on three occasions between 1598 and 1609, and was rebuffed each time due mainly to the resistance of the MacLeods. See MacCoinninch, *Plantation and Civility*, chs. 1-3.

[28] For a discussion on Tudor state formation in frontier regions in the late fifteenth and early sixteenth centuries, see S. Ellis, *Defending English Ground: War and Peace in Meath and Northumberland, 1460–1542* (Oxford: Oxford University Press, 2015), pp. 6-10, 22-26, 80-111.

[29] Canny, *Making Ireland British*, pp. 60-66; A. Cathcart, 'The Maritime Dimension to Plantation in Ulster, ca. 1550-ca. 1600', *Journal of the North Atlantic*, Special Volume 12 (2019), pp. 101-6.

[30] Ohlmeyer, 'Civilizinge of those Rude Partes', p. 127; Macinnes, 'Crown, Clans and Fine', pp. 33, 34. G. A. Hayes-MacCoy, *Scots Mercenary Forces in Ireland (1565– 1603): An Account of Their Service during That Period and of the Reaction of Their Activities on Scottish Affairs, and of the Effect of Their Presence in Ireland, together with an Examination of the Gallóglaigh or Galloglass* (Dublin: Edmund Burke Publisher, 1937; reprinted 1996), pp130-1.

'Flight of the Earls' a year later, may be viewed as James asserting his British agenda on Ireland. Lowland Scots were now encouraged to enter into plantations schemes in Ulster, and the formerly Gaelic province was now to be fully integrated into British Lowland society in an initiative which involved all three of James' kingdoms.[31] Similar developments in frontier policy can also been seen in the Borders.[32] On succeeding the English throne in 1603, James' vision of a British kingdom was applied to these troublesome shires. He abolished the term 'Borders' in 1604, and the lands which made up the former marches were from then to be known as the 'Middle Shires'. The administrative framework of these lands was also reformed, replacing the office of warden on either side of the border with a set of commissioners, whose jurisdiction encompassed the whole of the former marches in both Scotland and England.[33]

In the context of the western Highlands and Islands, James' attempts to pacify this region culminated in the Statutes of Iona in 1609. These were a series of seven statutes brokered by Andrew Knox, Bishop of the Isles, with leading Hebridean elites. They sought to restrict the militarised aspects of Gaelic society, provide Lowland education for the sons of Highland elites, increase economic productivity of the Highlands, uphold religion, and increase crown rents from the region.[34] Historians' engagement with the Statutes of Iona have generally viewed them as being effective in bringing Gaelic society closer to Lowlands by a process of assimilation.[35] Crucially, for this chapter, it was James' 'three-kingdoms' approach to the Hebrides, outlined by Alison Cathcart, which allowed him 'to adapt policy as circumstances dictated' in the archipelago.[36] It was this approach which saw the use of English ships in Irish service in the North Channel and the Isles of Scotland in the years following regal union (see below).

The maritime context to James' civilising policies has yet to be explored in relation to piracy. The environment that the seafarers of southwest Scotland primarily operated in – the North Channel and the Irish Sea – were precisely where these policies needed to be enforced at sea. Creating order in these waters was imperative in facilitating plantation schemes in Ulster and Lewis in the years following

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[31] This view is espoused in A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago* (Oxford: Peter Lang, 2022), pp. 259-60.

[32] A. Groundwater, *The Scottish Middle March, 1573-1625: Power, Kinship, Allegiance* (Woodbridge: Boydell & Brewer, 2010), pp. 80-3, 161-2, 170; M. Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell Press, 2004), pp. 252-77.

[33] Groundwater, *The Scottish Middle March*, pp. 7-8; M. Lee, *Government by Pen: Scotland under James VI and I* (London: University of Illinois Press, 1980), 44-7, 72-4.

[34] For an in-depth discussion of the text of the statutes, see M. Macgregor, 'The Statutes of Iona: text and context', *Innes Review* 57, no. 2 (2006), pp. 138-150.

[35] For discussions around the effectiveness of the Statutes of Iona, see A. I. Macinnes, *Clanship, Commerce and the House of Stuart* (East Linton: Tuckwell Press, 1996), pp. 56-87. See also, J. Munro, 'When Island Chiefs Came to Town', *Notes & Queries of the Society of the West Highlands and Island Historical Research,* xix (1982), pp. 11– 19; Macgregor, 'The Statutes of Iona', pp. 111-181; J. Goodare, 'The Statutes of Iona in Context', *Scottish Historical Review* 77 (1998) pp. 31-57.

[36] A. Cathcart, 'The Statutes of Iona: The Archipelagic Context', *Journal of British Studies* 49, no. 1 (2010), pp, 20-1.

regal union. It was also necessary to 'drive a wedge'[37] between the Gaelic communities in Ireland and Scotland, who for centuries had mutually benefitted from mercenary activity across the North Channel. In the decade following the regal union, this wedge would come in the form of a small fleet of ships belonging to the English crown in service in Ireland, which sporadically visited the area and then left to deal with pirates elsewhere in the Irish Sea. The same ships and officers in this service were used in apprehending pirates in the wider Irish Sea, particularly around the Munster coastline, providing a direct link between endeavours to 'civilise' the troublesome regions of the Stuart kingdoms and endeavours to reduce piracy in the waters connecting them.

Jacobean Naval Control of the Irish Sea and State Interventions in Piracy

This thesis previously demonstrated how the English crown was forced to commit more naval resources to Ireland during the Nine Years' War due to the fear of Spanish reinforcements.[38] As the English began to assert their maritime strength in the North Channel at the close of the sixteenth century, they began relying on a strategy of using smaller craft, often in support of larger warships, to maintain order in these waters.[39] As their drawn-out war with Spain progressed, more attention was diverted to the Nine Years' War due to the imminent arrival of Spanish reinforcements in Ireland.[40] The process of reducing piracy in the area had intensified in the 1590s, and was already underway before the union of 1603. However, the end of the Nine Years' War, and peace with Spain a year later, also meant there was less impetus around the north of Ireland to maintain order in the waters there. By 1608, the fleet of ships used in Irish service during the Nine Years' War had become less effective in the northern theatre of the Irish Sea and in the North Channel.[41] Reports speak of a fleet of ships in disrepair or unfit for the purpose of reducing piracy, suggesting that very little actually changed in the immediate aftermath of the union in terms of how the English crown operated in these waters. This thesis has demonstrated the oscillatory nature of piracy in the decades leading up to union, and it is clear that piracy was never completely eradicated during this period.[42] The new regime in England and Ireland, and the old one in Scotland, still faced problems of localised piracy throughout the British archipelago in the immediate

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[37] Ohlmeyer, 'Civilizinge those Rude Partes', p. 127.

[38] See Chapter 2, pp. 69-72.

[39] *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2021), SP 12/256 f. 152-3, [unknowm] to [Sec. Cecil], 1597; SP 63/207/3 f.285, Sir George Carew to the Privy Council, 17 June 1600; *APCE*, xxviii, p. 496.

[40] D. M. Loades, *The Tudor Navy: An Administrative, Political, and Military History*, (Aldershot: Ashgate, 1992) pp. 261-281; D. B. Quinn & A. N. Ryan, *England's Sea Empire, 1550-1642* (London: Allen & Unwin, 1983), pp. 123-5.

[41] *Calendar of State Papers Relating to Ireland, of the reign of James I, 1603-1625 preserved in Her Majesty's Public Record Office, and elsewhere (CSPI, James)*, ii, eds. J. P. Prendergast and C. W. Russell (London: Longman, 1874) p. 455.

[42] See Chapter 1, pp. 37-49 of this thesis.

aftermath of the union.[43] What did change was the English, Irish and Scottish naval apparatus (such as it was) were now working in tandem at the direction of James VI and I.

Historical debates over the impact of the regal union of 1603 have been approached from a range of perspectives in the centuries between that time and the present.[44] How far the Stuart composite monarchy affected Scotland from a maritime perspective has had significantly less attention from scholars in recent years. The most detailed appraisal comes from Steve Murdoch, who asserts that while James' drive for further union between Scotland and England ultimately failed, the concept of British cooperation filtered through royally-sponsored institutions, allowing for English naval warships to more effectively police Scottish waters. This, according to Murdoch, resulted in two 'complementary' strands of maritime policing: Scottish vessels (whether private or authorised by the Lord Admiral of Scotland) and 'British' naval vessels.[45] From an English historiographical perspective, the year 1603 has predominantly signalled regime change, and a new royal dynasty, rather than a constitutional shift in the three kingdoms. Maritime historians have highlighted how James' accession to the throne signalled new directions in foreign policy. James favoured policies of peace (and trade) with Spain and across the Atlantic. His rule looked to new fishing enterprises, colonial ventures in the Americas, cessation of war in Ireland, and consolidation of his territories through plantation and displacement of indigenous peoples and local populations.[46] In terms of English piracy, much has been made of the move westward to ports in the south of Ireland and across the Atlantic, and southward to the north African ports in the Mediterranean. However, around the British and Irish archipelago, as historians have pointed out, localised and opportunistic piracy still persisted.[47] Connie Kelleher's recent study of the Munster coastline shows how piracy adapted under the new regime, moving to bases in southwest Ireland, away from the English West Country, where English piracy had traditionally flourished. Kelleher links piratical development in Munster to the ongoing plantation process and displacement of local Gaelic lords. Ultimately, Kelleher concludes that the decline of piracy in Munster in the 1620s is linked to much wider phenomena, such as the fall of Mamora, expansion of competing empires, and the shifting economic practises of the seventeenth century, rather than any measures put forward by the crown.[48] How far the policies and initiatives enacted by the Jacobean government impacted piracy was a matter of controversy, even to contemporaries.

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[43] Rodger, *Safeguard of the Sea*, p. 348.

[44] A comprehensive account of the contemporary and historiographical perceptions of the union is given in Mason, 'Debating Britain in Seventeenth-century Scotland', pp. 1-24.

[45] Murdoch, *Terror of the Seas?*, pp. 127-134.

[46] Rodger, *Safeguard of the Sea*, pp. 347-350; Senior, *A Nation of Pirates*, pp. 7-13; Hanna, *Pirate Nests*, pp. 56-69.

[47] Rodger, *Safeguard of the Sea*, pp. 348; Appleby, 'The problem of Piracy in Ireland', p. 46-8.

[48] Kelleher, *The Alliance of Pirates*, pp. 62-86, 222-229, 252-3. It must be stressed at this point that Kelleher's recent publication is a welcome addition to scholarship on Irish piracy, using similar approaches and asking similar questions asked by this thesis, however, the maritime environment on the southwest coast of Ireland is markedly different to that of the northeast.

James VI of Scotland, on becoming James I of England and Ireland, set about putting an end to private warfare at sea, due to the detrimental effect it could have on the peace settlement he negotiated with Spain. Elizabethan privateers who had profited from the hybrid war effort, which relied on private enterprise to supplement the crown's navy during the queen's reign, were no longer favoured by a monarch who had no use for them.[49] James' preferred strategy of dealing with the pirate captains who were still operating around his coastlines was one of rehabilitation through pardons, with the choice of retirement or entering the king's service. The process of offering pardons had become somewhat convoluted in the initial years of James' reign. Many pirate leaders flirted with the idea of a pardon, however there were many stumbling blocks preventing them from accepting one.[50] Kelleher's investigation into the effect of pardons on the pirate communities of Munster shows how pirates were deterred by the duplicitous nature of some officials entrusted with offering pardons, as well as by their own piratical nature, and by the offers of foreign princes to enter their service unharmed.[51] The process of issuing pardons also sowed confusion among high-ranking officials too. Sir Arthur Chichester, Lord Deputy of Ireland from 1605, wrote to the Robert Cecil, first Earl of Salisbury, England's Secretary of State in 1609 advising that the Vice-President of Munster expected a large fleet of pirates to land there to winter, and that he was unsure whether he was able to issue pardons while they visited. Chichester himself was unwilling to authorise this without the express consent of the king or his Privy Council in England.[52] In order to solve these problems, a general pardon was finally issued in 1612, offering pirates a chance to retire and allowing them to hold on to any plunder currently in their possession.[53]

Chichester was not fond of the idea of pardoning pirates. He had faced a gruelling task in suppressing piracy in Ireland during his tenure as Lord Deputy from 1605. He wrote in 1613; 'I utterly dislike the Course of composeing or capitulateing with Pirates which rebates the Edge of his Ma[jes]t[y']s justice and dignity Roiall'.[54] Chichester held a deep personal aversion to negotiating with pirate leaders, and offering them favourable terms was, to the Lord Deputy, a slight on his own honour.[55] Other contemporaries also viewed discussions with pirate leaders to be a fruitless endeavour. Sir Henry Mainwaring, one of the best-known mariners of the era, shared this view. Mainwaring, described aptly

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[49] Rodger, *Safeguard of the Sea*, pp. 346-9; Senior, *A Nation of Pirates*, pp. 40-1.
[50] Hanna, *Pirate Nests*, pp. 54-5; R. W. Kenny, *Elizabeth's Admiral: The Political Career of Charles Howard, Earl of Nottingham, 1536-1624* (London: John Hopkins University Press, 1970), pp. 267-71. For an individual case of a pirate leader reluctant to take a pardon, see C. Senior, 'Robert Walsingham: A Jacobean Pirate', *Mariner's Mirror* 60 (1974), pp. 141-2. It is important to note here that the king initially preferred harsher methods of dealing with pirates, but changed course after advice from officials, including Sir Julius Cesar and Charles Howard, first Earl of Nottingham, the Lord Admiral. Those who had lived through the Elizabethan era knew from experience that chasing down pirates and patrolling the coastlines was a waste of time and money. See Hanna, *Pirate Nests*, pp. 54-5.
[51] Kelleher, *The Alliance of Pirates*, pp. 243-8.
[52] *SPO*, SP 63/227 f.79, Sir Arthur Chichester to Salisbury, 17 August 1609.
[53] Senior, *A Nation of Pirates*, pp. 40-1; Rodger, *Safeguard of the Sea*, p. 348.
[54] *Letter-Book of Sir Arthur Chichester*, ed. R. Dudley Edwards, *Analecta Hibernia* 8 (1938), p. 12.
[55] Appleby, 'The Problem of Piracy in Ireland', p. 42.

by Kelleher as a 'pirate-hunter turned pirate turned pirate-hunter',[56] was well aware of the predatory nature of most pirates, and how difficult it would be to overturn characteristics he viewed as inherent to English sea dogs. Mainwaring himself took a pardon in 1616, and was subsequently knighted by the king two years later, when he presented James with a written discourse on piracy which aimed to address the problem head on. Mainwaring went on to have a glowing career in royal service, and distinguished himself as a naval commander. He advised the king; 'your highness must put on a constant immutable resolution never to grant any Pardon, and for those [pirates] that are or may be taken, to put them all to death, or make slaves of them'. For Mainwaring, any leniency to pirates would only lead to more piratical behaviour, and would not solve the problem.[57] For the most part, Mainwaring was correct, in that many pirates who took pardons during James VI and I's reign resorted to their old ways. Many did join royal service, but the majority reverted to a life of plunder.[58] The general pardon of 1612, along with the broader strategy of individual pardoning, signalled the first major policy shift concerning piracy since the days of Queen Elizabeth I. Its success was limited, at best, but it was not the only initiative aimed at reducing piracy.

A decade after the inception of the new regime and the creation of the Stuart composite monarchy, piracy in the Irish Sea, and throughout the archipelago, had clearly transformed. Large-scale operations were no longer tacitly sponsored by the state, and were not based primarily in the English West Country. They had moved westward to the south coast of Ireland, and southward to the Mediterranean, and had larger aspirations of deep-sea plunder. That being said, records show that piracy still persisted in the Irish Sea, as it always had, and Ireland was now at the forefront of government plans to stem its effects. Henry Mainwaring, in his treatise on piracy in 1618, viewed Ireland as the key to stopping English piracy. It was the 'great earth for foxes'; not only used by many as a base of operations, but also used by those who had bases further afield, who stopped in Ireland before travelling to North Africa or across the Atlantic.[59] Much of the contemporary commentary and also subsequent historiography is focused on the south coast of Ireland, and the large English communities of pirates there in the early seventeenth century. However, the north coast of Ireland still suffered piratical attacks, which were, in part, due to the persistence of another form of piracy, that of Gaelic raiding.

In 1610, in a letter to the Privy Council in England, Chichester lamented that Lough Foyle was overrun with pirates, who 'have lately robbed divers barks, both English and Scotch, and have killed some that have made resistance', a sign that the efforts to maintain order in these waters (as discussed below) were still ongoing by 1610. He concluded his letter: 'I wish wee had a commission for the

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[56] Kelleher, *The Alliance of Pirates*, p. 251.
[57] *The Life and Works of Sir Henry Mainwaring*, ii, eds. G. E. Mainwaring & W. G. Perrin (Navy Records Society, 1921), p. 42. The irony was clearly lost on Mainwaring who advised such draconian measures after receiving his own pardon.
[58] Rodger, *Safeguard of the Sea*, p. 348; Kelleher, *The Alliance of Pirates*, 243-252; Senior, *A Nation of Pirates*, pp. 71-3.
[59] *Life and Works of Sir Henry Mainwaring*, ii, pp. 46-7.

adjudginge and executinge of piratts and prizes here, who doe more vexe and disturbs the kingdome than can be understood to others'.[60] The Act Against Piracy in Ireland in 1614 theoretically closed a loophole in the Irish statutes which afforded pirates the right of the clergy. It gave officials the right to apprehend, try, and execute pirates within Ireland if they were found guilty, whereas before they had to be apprehended and sent to England to face trial.[61] However, much like the Elizabethan innovations aimed at stemming piracy in English and Irish waters, this statute failed in its directives when put into practice. According to Kelleher, who provides the most thorough analysis on this legislation, it was ineffective in peripheral areas, where pirates tended to operate. The corruption of officials in localities also served in weakening the enforcement of the act.[62] Much like the Elizabethan innovations outlined in this thesis, the Jacobean strategy of pardons and rehabilitation failed on a human level. So, too, did legislation passed in the political centre, which was also difficult to enforce in the peripheries. The nature of pirates and local officials during the time period, although they transformed their operations, remained practically unchanged. What did change in the Irish Sea, however, was the Anglo-Scottish maritime relationship which had proven to be so capricious and delicate in the sixteenth century.

Cooperation in the Three Kingdoms: A Maritime Dimension
Lord Ochiltree's expedition to the Isles

The innovations of state directed at reducing piracy had limited effects. By 1608, James VI and I's policies aimed at reforming the 'barbarous' elements in the archipelago were also at the forefront of his plans for his three kingdoms. The Nine Years' War in Ireland had ended in 1603, and the subsequent 'Flight of the Earls' had left large portions of land in Ulster escheated to the crown. Private plantation schemes were underway in Antrim and Down, as was a further plantation scheme on the Isle of Lewis. In the Borders, too, James' commissioners had made steps towards reforming his 'Middle Shires', with a border commission in both kingdoms, each of which executed, banished, or imprisoned several malefactors.[63] James' drive for a further union of his kingdoms had fallen short, but the king continued to coordinate policy in his three kingdoms from London, acutely aware of the implications that events in one kingdom could have on another. The rebellion of Sir Cahir O'Doherty in Derry in 1608 was one such event. Alison Cathcart has shown how this local uprising provoked a 'combined naval and land

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[60] *SPO*, SP 63/229 f.57, Sir Arthur Chichester to Salisbury, 27 June 1610.
[61] Kelleher, *The Alliance of Pirates*, pp. 239; Hanna, *Pirate Nests*, p. 66.
[62] Kelleher, *The Alliance of Pirates*, pp. 239-40.
[63] Cathcart, 'The Statutes of Iona', pp. 4-27; Maccoinnich, *Plantation and Civility*, pp. 92-174; Lee, *Government by Pen*, pp. 45-7. It should be noted that several of the reforming policies mentioned here produced mixed results. The border commissions were over-worked and underpaid, and operated with considerable friction between the Scottish and English commissions. A. Groundwater, *The Scottish Middle March, 1573-1625: Power, Kinship, Allegiance* (Woodbridge: Boydell & Brewer, 2010), pp. 187-96; A. J. Kesselring, 'Marks of Division: Cross-Border Remand after 1603 and the Case of Lord Sanquhar', in *Crossing Borders: Boundaries and Margins in Medieval and Early Modern Britain: Essays in Honour of Cynthia J. Neville*, eds. S. M. Butler and K. J. Kesselring (Leiden: Brill, 2018), pp. 258-80.

force of English, Irish, and Scots in a coordinated effort to prevent the rebels receiving aid from, or shelter in, Scotland.'[64] Cathcart demonstrates how the O'Doherty rebellion sparked fears among governing elites in Ireland, Scotland, and England, who were concerned that upheaval in the north of Ireland could also have a destabilising effect in the Western Isles of Scotland. It is within this archipelagic context that we must view the events of 1608 which saw a naval expedition into the Isles, using the English crown's most senior admiral in Irish service as a commander and advisor to the Lieutenant in the Isles.[65]

The 1608 expedition to the Isles, headed by Andrew Stewart, third Lord Ochiltree, as Lieutenant in the Isles, was a military-naval endeavour, co-ordinated by the king and the Scottish Privy Council, with the aim of pacifying the Hebridean islands. It was supported by troops and ships in the service of the English crown in Irish waters, and resulted in the capture and garrison of several strongholds on the islands of Islay and Mull, as well as the arrest and imprisonment of most of the main Highland chiefs.[66] From an archipelagic maritime perspective, the aid from ships in service in England and Ireland, as well as the participation of Sir William St John, remain among the most noteworthy aspects of this expedition. Scottish participation in the suppression of the O'Doherty rebellion, at the behest of the king, had facilitated communication between governing authorities in Ireland and Scotland.[67] This was maintained throughout the preparations for the Isles expedition, since the Scots still had troops serving in Ireland throughout this period. Sir William St John, the crown's foremost pirate catcher in the Irish Sea, sailed to the west coast of Scotland in July of 1608 with orders from the Lord High Admiral of England, in command of the *Advantage*, stopping in Loch Ryan on the Galloway coast to join with the *Moon*, a small ship used in Irish service. The orders from the Lord Admiral informed St John that after

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[64] Cathcart, 'Statutes of Iona', pp. 17-8.

[65] This expedition was also part of the preparations for a third attempt at plantation in Lewis, after two failed attempts in 1598 and 1606. See D. U. Stiubhart 'Three Archipelagos: perspectives on early modern Barra' in *Castles and Galleys: a reassessment of the historic galley-castles of the Norse-Gaelic seaways,* ed. P. Martin (Laxay: Islands Book Trust, 2017), pp. 178-81.

[66] This expedition has been widely discussed within the historiography of the western Highlands and Islands of Scotland, particularly within the context of civilizing the Highlands and in relation to the Statutes of Iona. Allan Macinnes has called it the 'first comprehensive subjugation of the Isles', Macinnes, 'Crown, Clans and *Fine*', pp. 34-5. Aonghas MacCoinnich has also covered the expedition at length, and contends that the success of Ochiltree and Knox 'owed a great deal to the presence of English armed shipping', Maccoinnich, *Plantation and Civility*, pp. 134-6, 297-9. Conversely, Alison Cathcart has placed the expedition of 1608 within the wider context of the British and Irish archipelago, illustrating how events in Ireland and Lewis influenced events in the Western Isles in 1608, and thus, the perceived success of Ochiltree and Knox in 1608 and 1609 was more of an acknowledgement of the Highland chiefs that 'crown intervention was not going to go away', and that ongoing resistance to the crown was not in their best interests. Cathcart, 'Statutes of Iona', pp. 20-22, 26-7. The most comprehensive narrative of the events of this expedition is still that of Donald Gregory. See D. Gregory, *History of the Western Highlands and Isles of Scotland, from AD 1493 to AD 1625: With a Brief Introductory Sketch, from AD 80 to AD 1493* (Edinburgh, 1836; Edinburgh: John Donald, 2008 reprint), pp. 318-328.

[67] See *SPO*, SP 63/222 f.21, Deputy Chichester to the Privy Council, 16 July 1607; *RPCS*, viii, pp. 497-98.

the expedition, the *Mercury*, an English-built galley, was to 'remane thair for ever' in the Isles in possession of the Scots.[68]

In terms of outright military or naval conflict, this expedition came upon very little. It was delayed due to slow mustering of troops from the burghs and shires in the southwest; Ochiltree reported that 'nouther Glasgow, Galloway, the steuartrie of Kirkcugbrycht, nor the gritest parte of the baronis of Renfrew hes be ony of thair presenceis acknowlegeit his Majesteis proclamatioun', meaning that only nine hundred men in total were raised. Nevertheless, Ochiltree proceeded, sailing from Ayr and arriving in Islay on 2 August 1608 near Dunyvaig with his fleet, which consisted, at this point, of two English ships (The *Advantage* and the *Moon*, under the command of Sir William St John) with two Scottish ships, alongside ten additional smaller bark, numbering fourteen in total. It should be noted at this point that the targets of the expedition were military in nature, the larger ships on the expedition functioned mostly as supply and transport vehicles for the army, or in providing blockades of Islay and Mull. The taking of Dunyvaig Castle was relatively straightforward. After some equivocation on the part of Angus MacDonald of Dunivaig, the threat of a full siege by Ochiltree was effective enough to warrant a surrender of the castle, and also the fort at Loch Gorm on the other side of the island, which was summarily demolished. While at Islay, the expedition also set out to hunt down Irish supporters of O'Doherty who were sheltering there, out of reach of Chichester, finding two notable malefactors who were subsequently imprisoned. Ochiltree also received the surrender of several other notable Highland chiefs on Isla, including Hector McLean of Duart.[69]

After subduing the inhabitants of Islay, and making the king's intentions known, Ochiltree then moved to Mull, where he took possession of Duart castle from Hector MacLean. It was here that the expedition met with the English galley, the *Mercury*, along with a supporting ship containing artillery. The *Mercury* joined the expedition late, with scant supplies, and was immediately judged 'unmeete', struggling to handle the tides and weather in the Isles. Sir William St John agreed to victual the crew out of his own ships until a solution could be found as to what course of action to take. Ochiltree's solution for this vessel was to have her and her crew sent back to England for good, rather than remain there to serve in the Isles, on the counsel of St John, who knew 'be panefull experience' how difficult it could be to maintain a ship not fit for service in those waters.[70] Mistakes made here regarding shipping

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[68] *RPCS*, viii, pp. 514, 515. The *Mercury* was built between 1590 and 1592 as a galley, but may have been converted to a pinnace in the early years of James' reign in England. There is some confusion among historians as to whether this vessel was indeed converted. See Loades, *The Tudor Navy*, Ch. 9; R. Winfield, *British Warships in the Age of Sail, 1603-1714* (Barnsley: Seaforth, 2009), p. 689. It was still referred to as a 'gallay' by the Lord Admiral in 1608, and referred to as containing 'rowaris' by the Scottish Privy Council the same year, so it can safely be concluded that this small vessel was capable of taking to oar. *RPCS*, viii, pp. 514, 515, 521.
[69] *RPCS*, viii, pp. 521-2; Gregory, *History of the Western Highlands*, p. 322.
[70] *RPCS*, viii, p. 524. The English-built galleys were not of the same constitution as the galleys of Norse descent used in the western Highlands. They were much larger, and traditionally used for coastal raiding in France, closer to the galleys used from medieval times in the Mediterranean. They were not capable of navigating rough waters and rugged coastlines, and by the seventeenth century were becoming outdated. See Loades, *The Tudor*

sent to the Isles as a result of decisions made in London are strikingly similar to those made in 1566, when Captain George Thornton, Sir William St John's predecessor, was sent two brigantines for service in the north of Ireland which were unfit for that service, and were decommissioned within two years.[71]

Part of Ochiltree's commission required him to destroy all 'birlingis, limfadis and galleyis'[72] belonging to the Islesmen, thereby reducing their maritime capabilities. While at Mull, Ochiltree hesitated on that front, believing that by doing so, he would leave the Islemen open to attack and spoil from Highland galleys on the mainland adjacent to the Isles. The Lieutenant suggested that to solve this problem, he would need the Privy Council to grant him permission to destroy the galleys of the mainland which could threaten the Islesmen, and also the castles and strongholds there for good measure. To this point, the council were in agreement, although their response cautioned Ochiltree to limit this task to those deemed 'unansuerable personis' in the Highlands.[73] This was a warning not to destabilise the precarious situation in the region, as well as not to harm clans who maintained favourable relations with the crown, such as the Campbells of Argyll and the MacKenzies of Kintail. It is unclear exactly how far Ochiltree went in destroying the shipping of the Islemen in 1608. The only surviving accounts of his exploits come from his reports to the Council and his own correspondence during the expedition.

Following the garrisoning of Duart castle on Mull, Ochiltree held court with the chiefs of the Isles where he laid out the demands of the crown. He invited them to hear a sermon preached by the Andrew Knox, Bishop of the Isles, on the king's ship *Moon*, where he informed the chiefs that they were now his prisoners, sailing for Ayr and thereby ending his expedition.[74] Ochiltree's expedition in 1608 is significant in that it was a considerable show of force from the Stuart composite monarchy in the Isles. It is remembered in the historiography of James VI's civilising policies primarily for culminating in the kidnap of several Highland chiefs. However, in terms of maritime security, this expedition went further than that of the following year, which was 'primarily economic and diplomatic' in nature.[75] It is difficult to ascertain exactly how far Ochiltree went in reducing the maritime capabilities of the clans. His report to the Privy Council stated that 'he had brokin and destryit the haill galleyis, lumfaddis, and birlingis that he could find', but he also claimed that the chiefs whom he kidnapped came 'frelie and of thair awne accord' so his report is not entirely trustworthy.[76] Gaelic piracy continued in the North Channel in the years following the Statutes of Iona, as discussed in the following

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Navy, ch. 2, Glossary; *The Oxford Companion to Ships and the Sea*, ed, P. Kemp (Oxford: Oxford University Press, 1988) pp. 335-6.
[71] See Chapter 2, page 52 of this thesis.
[72] *RPCS*, viii, p. 737.
[73] *RPCS*, viii, pp. 545-5.
[74] *RPCS*, viii, pp. 173-4; Cathcart, 'Statutes of Iona', pp. 20-1, 23-4; The incarcerated chiefs were Hector Maclean of Duart; Donald Gorm MacDonald of Sleat; Donald MacDonald of Clanranald; Lachlan Maclean, brother of Hector; Alexander Macleod, brother of Roderick Macleod of Dunvegan; and Alan Maclean, son of Charles Maclean of Ardgour. The notable exceptions here are Angus MacDonald of Dunyvaig (who surrenderd later on his own), and Sir Rory Mor Macleod of Dunvegan, who suspected a trap.
[75] Macgregor, 'The Statutes of Iona', 116.
[76] *RPCS*, viii, pp. 174, 175.

chapter. It is clear that the maritime capabilities of Islesmen were not hindered to any great extent in the years following.[77]

Indeed, the expedition itself was not without its shortcomings. It was delayed by several months due to problems acquiring funding and forces from the burghs and shires of the west.[78] The ships and forces sent to the Isles were significantly less than intended, and the capture of the chiefs on board the *Moon* was more of a result of Ochiltree's duplicity than any military or naval victory.[79] The episode with the English galley which appeared late, without supplies, and utterly unfit for service, was not a showcase for English naval superiority – quite the opposite. Nonetheless, this expedition did achieve what it set out to. It secured the co-operation of Hebridean elites with the crown through a show of force, utilising English and Scottish ships and officers in this pursuit; and it laid the foundations for Bishop Knox's expedition the following year, which saw real and meaningful change in the relationship between the crown and the Hebridean elites. In terms of naval control in the North Channel, 1608 can be viewed as the chief undertaking of the crown in these waters following the regal union. Indeed, various historians agree that the expedition was the culmination of a decade or so of 'forceful policies' of the crown being brought to bear on the Hebridean chiefs as James sought to extend order in the Western Isles, especially given the uncertainty of the situation in the north of Ireland prior to the commencement of the Plantation of Ulster in 1610.[80] Certainly Ochiltree's expedition was not aimed at piracy but rather at controlling both the movement of Highlanders over the water and pacifying the communities that existed around the edges of that body of water. Indeed, complaints of piracy by Islesmen on shipping of the western burghs were still being heard in the years following the expedition (see below), which outlines the main problem in creating order in these waters. The few successes the Tudors or Stuarts did have in the northern region of the Irish Sea, were effective while they were in operation, however, they did not go far enough to address the problem of Gaelic piracy which was endemic to the region, and in order to maintain any control, a constant naval presence was required.

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[77] See Chapter 5, pp. 119-22, 130-7 of this thesis.

[78] Records of the western burghs are not forthcoming on how much each contributed. Records of the burgh of Glasgow document a contribution of a bark with an additional 30 men for the expedition as well as a total of £721 Scots toward the agreed £2,700 that the burghs were to pay. The bark and men were likely on the expedition, as the burgh raised the money for their pay, but Ochiltree claimed not to have received money from most of the burghs, including Glasgow, and the burgh was still raising money for the "Isles raid" in April of 1609. *Extracts from the Records of the Burgh of Glasgow, A.D. 1573-1642 (ERBG)*, i, ed. J. D. Marwick (Glasgow: Scottish Burgh Records Society, 1876), pp. 282-7, 294, 301. Ayr's treasury accounts record hospitality for Ochiltree, Sir William St John and Owen Wynne, captain of the king's ship *Moon*, but nothing is present regarding what the burgh contributed for the expedition. *Ayr Burgh Accounts 1534-1624*, ed. G. S. Pryde (Edinburgh, Scottish History Society, 1937), pp. 235-6.

[79] For a differing view, which places more agency on the part of the Highland chiefs, see Cathcart, 'Statutes of Iona', pp. 26-7.

[80] Domhnaill Uilleam Stiùbhart, 'Murder in Barra, 1609? The Killing of the 'Peursan Mór'', *Béascna* 8 (2013), 144–78 at 156; Domhnaill Uilleam Stiùbhart, 'Three Archipelago: perspectives on early modern Barra' in P. Martin (ed.), *Castles and Galleys: a reassessment of the historic galley-castles of the Norse-Gaelic seaways* (Laxay, 2017), pp. 172–95, 180-2; Colin Helling, *The Navy and Anglo-Scottish Union, 1603-1707* (Woodbridge, 2022), 19–21.

The Wider Irish Sea

There was no discernible change in how piracy was tackled in the Irish Sea in the immediate aftermath of the regal union, in terms of operation. National approaches to the study of piracy in this period, be it from a Scottish, English or British perspective, have all demonstrated that the Stuart monarchy and the separate governments in its kingdoms still faced a significant challenge in reducing piracy.[81] In the Irish Sea, traditionally patrolled by English crown vessels in the absence of any Scottish presence there, the situation remained the same. Much like in the late sixteenth century, English ships patrolled these waters in pursuit of pirates and maintaining supply lines to Ireland. Toward the end of Elizabethan period, Captain George Thornton, a former pirate, had been the foremost commander in the waters of the Irish Sea.[82] Throughout the first decade of the Jacobean regime, it was Sir William St John who took this mantle. St John was an accomplished pirate hunter. He apprehended pirates of Bristol on the way to Ireland in 1610, and was also responsible for the apprehension of a prolific pirate leader named Captain Harris in 1611.[83] In the latter case, St John's apprehension resulted in the confiscation of a pirate haul containing £1000 worth of cargo and a diamond ring stolen from a French ship.[84]

As a naval commander, he was used by Sir Arthur Chichester and the Lord Admiral to patrol the Irish coast, commanding the king's fleet, which varied in size depending on necessity of the moment. The main vessels commanded by St John were the *Tramontana* and the *Lion's Whelp*, warships of the burthen of 140 tons and ninety tons respectively. They were usually accompanied by several smaller pinnaces, as they were likely to be outsailed by pirate ships.[85] There were indeed some successes in apprehending pirates in the waters around Ireland, as well as in the northern theatre of the Irish Sea, where the objective of the crown was to pacify the Gaelic communities there. In 1607, St John had been employed to cruise the northeast coast of Ireland in the *Lion's Whelp* to protect shipping from the fleet of galleys assembled by Angus MacDonald of Dunivaig.[86] He was commended for his service by the English Lord Admiral, after taking a pirate on the Irish coast and for his service with Lord Ochiltree in 1608. The Lord Admiral wrote to the earl of Salisbury 'that if his M[ajesty]s West Islands of Scotland Continew in Obedience to his M[ajest]y, as now they doe. This gentleman is the chiefe cause of it.'[87]

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[81] S. Murdoch, *Terror Of the Seas?*, pp. 127-89; Rodger, *Safeguard of the Sea*, pp. 348-9; Senior, *Nation of Pirates*, pp. 48-50.

[82] *APCE*, xxviii, p. 496. Thorntons service is outlined in Chapter 2, pp. 51-3 of this thesis.

[83] TNA, HCA 1/47, ff. 90-93, 61-2.

[84] TNA, HCA 1/47, ff. 61-2.

[85] Kelleher, *The Alliance of Pirates*, pp. 143-4. The *Tramontana* was built in 1586, to succeed an older Henrician relic, the *Popinjay*. It is often characterised as a pinnace, leading to the assumption that it was a small vessel, but 140 tons is large for the area. Small pinnaces are often confused with the larger fully-rigged pinnaces, which could carry heavy ordnance. Pinnaces could reach 500 tons. It is also sometimes referred to as the *Tramontane* in sources and historiography. The terms are interchangeable. The latter is an Anglicisation of the Italian former, meaning 'north wind'.

[86] *SPO*, SP 63/222 f.21, Deputy Chichester to the Privy Council, 16 July 1607.

[87] *SPO*, SP 14/47 f.21, Earl of Nottingham to Salisbury, 3 July 1609.

What St John's activities in the Western Isles were is unclear beyond what is reported by Ochiltree, and the Lord Admiral may have overestimated the 'obedience' to the king there in 1608, however, it can be concluded that his mission was successful. Ochiltree reported that St John 'behavis himself verie cairfulie and honestlie in all occasionis'. Sir William St John, as the chief naval officer in the Irish Sea region, enjoyed some success in the north of Ireland and the west coast of Scotland.

However, as in the late sixteenth century, these successes were short-lived due to the crown's reluctance to commit naval forces to the northern theatres of the archipelago. The main problem for naval control in the Irish Sea, besides the influx of pirates on the southwest coast of Ireland, was that the king's fleet was overstretched. While the fleet had some small successes in the northeast of Ireland, it was continually called to the south, where pirates menaced the harbours around Munster and Bristol.[88] St John, like Captain Thornton before him, was a reliable pirate hunter and naval commander. Yet, the task of patrolling the whole of the Irish Sea and North Channel (including the flourishing pirate nests in the south of Ireland) was not manageable with a small fleet of ships. As the fleet departed the north, it left these seas open to piratical attack. One significant development, though, is that English attitudes towards Scotland as a naval partner were now changing. Steve Murdoch's assessment of Anglo-Scottish naval cooperation has also alluded to this. Murdoch has pointed to the new approach sought by James in defending British waters which focused on cooperation between his separate realms. Many naval ships of the crown sent to Scotland were now complimented by private ships of the Lord High Admiral or other influential figures.[89] However, this new-found cooperation did not create a 'Stewart-British 'Navy Royal''[90], certainly not in the Irish Sea region. Private Scottish ships may have been commissioned to supplement English ships in Scottish waters, but this did not amount to any sort of British navy, and such a term is perhaps an over-statement of Scottish naval capabilities.[91] Nonetheless, the naval relationship between Scotland and England had clearly changed for the better after the regal union. That English officials in Ireland were now concerning themselves more with protecting both Scottish and English shipping in the Irish Sea and further afield, signals new attitudes toward Scottish mariners.

Acts of cooperation were also reciprocated. In 1610, the Scottish Privy Council examined pirates who had committed crimes in Ireland, and sent them to England with records of their examination for further prosecution there.[92] This was the case again in 1620, when pirates were found in Scotland to have committed crimes in Munster, and their examinations were forwarded to authorities

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[88] *SPO*, SP 63/222 f.21, Deputy Chichester to the Privy Council, 16 July 1607; SP 63/228 f.44 Remembrances concerning the Public, given to Mr. Treasurer, 29 Jan 1610.
[89] Murdoch, *Terror of the Seas?*, pp 127-8.
[90] *Ibid*. p. 157.
[91] English authorities in the years after the regal union did seek the help of Scottish shipping in the North Channel. Their supplier in this regard was the Earl of Argyll. See *SPO*, SP 63/222 f.21, Deputy Chichester to the Privy Council, 16 July 1607.
[92] *CSPI, James*, iii, p. 477.

there as they implicated locals who had interacted with them.[93] The king himself was the driving force behind any naval cooperation between his realms. This is evident in 1618, when he wrote to the Master of the Ordnance and the Lord Treasurer, ordering them to prepare 200 pieces of cast-iron artillery (cannons) to be sent to the 'ships and Mariners of the realme of Scotland' who have 'sustained great losse and damage at sea by Pirats'.[94] As the regal union took effect, James VI and I began to allocate more resources of the English toward his Scottish subjects. In terms of maritime stability around the archipelago, the interests of Scotland and England were united under James' monarchy. Nonetheless, government policies and legislation proved to be difficult to enforce in the peripheral regions, as they had been under Elizabeth. They were susceptible on a human level to corruption of officials, and the attempts to pardon pirate leaders yielded limited results. Attempts to patrol the north of Ireland and maintain maritime stability were hindered, in part, due to the needs of other far-flung territories under Stuart rule. The new constitutional arrangement in the three kingdoms opened up opportunities for mariners of Scotland. For the burghs of southwest Scotland, operating in the maritime environment assessed in this chapter, the most significant of these opportunities came in the form of plantation in the Irish province of Ulster, discussed in the next chapter.

Conclusion

Piracy, in various forms, persisted after the regal union of 1603. The large-scale relocation of venture pirates away from ports in the English West Country and South Wales, to bases in Ireland, the Mediterranean, and the Americas, reduced the scale of attacks in the Irish Sea. Furthermore, the fleet of ships in the crown's Irish Service, also used for clearing the waters of pirates, did have some successes. However, these were undermined by various external factors which have not been incorporated into research assessing piracy in the early seventeenth century. Against the backdrop of James' projects for asserting his imperial kingship throughout the whole of his three kingdoms, the need to clear the seas of pirates became a priority. Efforts to do so were continually frustrated by the pirates operating out of ports in Munster, where pirates were given safe haven and a market to offload their stolen cargoes.[95] This chapter has demonstrated how acts of localised depredation persisted over the whole of the Irish Sea and North Channel. Policies enacted by the Jacobean state in England and Ireland, most notably the general pardon of 1612 and the Act Against Piracy in 1614 – were undermined by the lack of enforcement in peripheral areas. Consultation of national source material has reinforced assertions in historiography regarding the changing nature of piracy in the early seventeenth century. However, the preoccupation with venture piracy, and the Anglophone communities involved in the new

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[93] *SPO*, SP 63/235 f.208, Ironworks. Sir Richard Moryson to [unspecified], 23 November 1620
[94] *SPO*, SP 14/103 f.138, Draft of warrant for John Moreton to transport 200 pieces of cast-iron ordnance to Scotland, for defence against damages by pirates, 10 November 1618.
[95] Kelleher, *The Alliance of Pirates*, pp. 62-86; Kelleher, 'Pirate Ports and Harbours of West Cork'; Appleby, 'A Nursery of Pirates', pp. 2-7.

far-flung enterprises, has left gaps in our knowledge of piracy in the early decades of the seventeenth century. James VI and I's ambitions for a British kingdom, although unsuccessful, spurred the king towards creating order in the frontier regions of the archipelago. The regal union afforded James VI and I the resources of the English crown to utilise his 'civilising' missions throughout his three kingdoms, and the same ships and officers used in this service were also the crown's chief pirate hunters in the Irish Sea. A more cooperative relationship with Scotland yielded some positive results in stemming piracy, as evidenced in the naval expedition to the Isles in 1608. This eventually led to renewed relations with Gaelic elites, but the order which it sought to create in the North Channel was short-lived, as the crown could not maintain a presence there. Mariners of the southwest continued to be subject to piratical attacks after the regal union, particularly on the way to plantations in Ireland, and this changing maritime environment will be the focus of the next chapter.

Chapter 5: Piracy and the Ulster Plantations

> and for that wee knowe them to be men apt to rise with everie storme that shall threaten us, and of the brood of rebells who will never be loyall[1] – Sir Arthur Chichester, Lord Deputy of Ireland, to King James VI and I, 1615

Introduction

Sir Arthur Chichester wrote these words in a letter to James VI and I informing the king of a plot to reassert Gaelic hegemony in Ulster in 1614. Unhappy with the new order in Ireland's northern province since the implementation of the plantation schemes, a band of disaffected Gaels from prominent Ulster families sought to initiate a rising which would cause destruction in several of the new settlements.[2] One of the leaders of this plot, Sorley MacDonnell of Antrim, was also heavily involved in the Islay Rising in the west of Scotland, which sought to reclaim the ancestral home of the Clan Donald on Islay. No rising in Ulster materialised in the early years of the plantations, but the maritime environment in the North Channel was not fully secure. Following on from the previous chapter, which demonstrated how the Stuart composite monarchy sought to control the Irish Sea and North Channel, this chapter will place the plantations within an archipelagic context, showing how they fit into the wider civilising schemes of the Jacobean regime, and how this affected piracy in the region. It will demonstrate how the plantations altered the maritime environment of the early seventeenth century, opening up new opportunities for Scots of the southwest. It will then analyse what this meant in terms of piracy, through a general investigation of piracy around the plantations, and then in relation to the displaced Gaels in Scotland and Ireland during the plantation era. Piracy has been recognised by historians of the plantations in Ulster as being a significant problem for shipping in the area. However, the lack of engagement with Gaelic regions within piracy historiography has resulted in a significant gap in our knowledge of maritime depredation in the region in the early decades of the seventeenth century. This chapter will address this by using material from state papers containing rare eyewitness accounts of piratical voyages in the North Channel. These are connected to the events surrounding the Islay Rising of 1615 and demonstrate a direct link between the attempts of the Stuart monarchy to exert imperial authority throughout the whole of the archipelago and Gaelic piracy in the North Channel. As displaced and disaffected Gaels in the western Scottish Highlands and Ulster took to the seas, their targets included those of the southwest making the journey across to the plantations in Ulster.

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[1] *Miscellany of the Abbotsford Club. Volume First*, ed. J. Maidment (Edinburgh: Abbotsford Club, 1837), p. 280.

[2] *Ibid.*, p. 280.

Piracy in the North Channel after 1603

The English Admiralty Court records feature several piracy cases relating to the North Channel and the Ulster plantations.[3] As early as 1603, Gaelic piracy had begun to disrupt the supply lines to Ireland which had opened up with regal union. A ship of London, the *Anthony*, carrying a cargo of supplies belonging to the king and bound for Lough Foyle, had somehow landed as far north as the Isle of Barra, where the cargo was then raided by thirty locals under the leadership of Rory MacNeill. The ship was blown there by 'foule weather', and subsequently emptied under the pretence of hospitality from their host, MacNeill.[4] However, it was not only Gaels who preyed in these waters. In 1615, a fishing boat of Newcastle operating in the north of Ireland was taken by a Captain Tucker, whose origins remain unknown. Tucker's man of war subsequently cruised towards Kintyre in Scotland, and then headed south in the Irish Sea, where he took a Welsh ship.[5] By the second decade of the seventeenth century, piracy in the North Channel was still being practised by Gaels and by venturing pirates alike. However, a case in the admiralty records from 1619 reminds us that ships operating out of ports in Ulster were also victims of piracy elsewhere. The *Mayflower* of Londonderry, while travelling to London, was accosted by a ship of La Rochelle near the Isle of Wight, the crew of which boarded the *Mayflower*, plundered some cargo, but ultimately let them continue on their way.[6]

The English High Court of Admiralty records are a valuable resource for piracy around the archipelago, however, they do not showcase the full extent of the problem, and data from other sources helps supplement these cases. The absence of records for the Scottish High Court of Admiralty between the years 1558 and 1627 has been an unfortunate reality for research on piracy during this period. An early case in these records does go some way towards providing valuable evidence of piracy in the area. A trial of English pirates in 1630 provides exquisite detail on their activities, showing how much damage one cruising pirate ship could exert. This crew began their depredation on the coast of France or Spain, then sailed to Shetland, where they took on a Scottish pirate named George Boig. They then sailed around the north coast of Scotland and landed as far south as the Isle of Man. There they boarded a Scottish ship belonging to a man of Fairlie in Ayrshire, stealing the cargo and capturing two crew members. This crew then took a small ship of Largs and a bark of Glasgow in the Clyde, before heading south to prey on the passage to Ulster from Portpatrick. There they chased ferry boats sailing to and from the plantations, before heading to Gourock in the Clyde to unload their haul, where they were eventually apprehended.[7] This crew seemed to favour plundering small shipping and chose to operate

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[3] Research in the Admiralty Court records for this section is still incomplete. A trip to London had been planned to finish investigating the seventeenth century before the pandemic.
[4] The National Archives (TNA), High Court of Admiralty (HCA), Records of Instance and Prize Courts: Examinations and Answers, HCA 13/37, ff.2-2v. This case is also discussed in Chapter 2, p. 68 for its connections with wider operations in Irish Sea piratical networks.
[5] TNA, HCA, Oyer and Terminer Records, Examinations of Pirates and Other Criminals, HCA 1/ 48, ff.55v, 56.
[6] TNA, HCA 13/43, ff. 127-8.
[7] *High Court of Admiralty, Scotland. Records, 1627-1750* [CD-Rom], eds. S. Mowat & E. Graham (2005), AC7/2, p. 362.

in peripheral areas, in true pirate fashion, so were well-suited to the North Channel. They caused a great deal of damage to the shipping of the west coast of Scotland, and this case is demonstrative of how smaller operations could suffer, a reality not always reflected in historical records of piracy, where only the most consequential of cases come to the fore. The records which have survived of pirate cases in the area offer a glimpse into the dangers which historians of the plantations have alluded to in their research. When these are combined with wider geopolitical and military events of the region during this time, the dangers faced by Scottish mariners heading to the plantations become even more apparent.

Piracy cases which have survived in Admiralty Court records are indeed informative in demonstrating how pirates operated in the North Channel region in the early seventeenth century. In order to fully understand the nature, causes, and consequences of Gaelic piracy in this period, piracy must also be assessed against the backdrop of wider developments. In relation to plantation in Ulster, piracy is often mentioned in historiography as a matter of circumstance, rather than as a focal point of study. In 1939, T. W. Moody wrote of the 'continual danger' settlers faced from pirates in the North Channel in the plantation era, and likened them to the dangers posed by 'wood-kernes' on land.[8] Raymond Gillespie's important work on the plantations refers to the North Channel as 'pirate infested', but provides only a handful of examples from the 1630s.[9] Perceval-Maxwell, too, referred to the pirates 'who lurked among the islands and inlets' of Scotland's west coast and the dangers faced by pirates alongside natural disasters and rough weather associated with the difficult crossings.[10] Scholars of plantation Ireland are clearly in agreement that piracy posed a significant danger to settlers. That they mention pirates circumstantially is unsurprising. Their studies of the plantations are not maritime studies, and they do not set out to analyse piracy. Yet, studies which do analyse piracy in Irish or Scottish waters in the early seventeenth century are somewhat lacking in their analysis of piracy in the North Channel.[11] The lack of engagement with the Gaelic regions of northeast Ireland and the west of Scotland by historians of piracy may account for the absence of meaningful studies in the North Channel. Crucially, it is the preoccupation with venture piracy which has prevented any meaningful analysis in these regions. Early modern piracy was not exclusively a result of profiteering on the part of mariners (whether opportunistic or organised); it could also be a result of environmental phenomena, economic

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[8] T. W. Moody, 'Sir Thomas Philips of Limavady, Servitor', *Irish Historical Studies* 1, no. 3 (1939), p. 261.
[9] Gillespie, *Colonial Ulster*, p. 25.
[10] Perceval-Maxwell, *Scottish Migration to Ulster*, p. 151.
[11] Studies of Piracy in the waters around Ireland in the early seventeenth century include J. C. Appleby, 'A Nursery of Pirates: The English Pirate Community in Ireland in the Early Seventeenth Century', *International Journal of Maritime History* 2, no. 1 (1990), pp. 1-27; J. C. Appleby, 'The Problem of Piracy in Ireland, 1570-1630', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (Hampshire: Palgrave MacMillan, 2007), pp. 41-55; C. Kelleher, *The Alliance of Pirates: Ireland and Atlantic piracy in the Early Seventeenth Century* (Cork: Cork University Press, 2020); C. Kelleher, 'Pirate Ports and Harbours of West Cork in the Early Seventeenth Century', *Journal of Maritime Archaeology* 8, no. 2 (2013), pp. 347-366; K. Pluymers, 'Pirates and the Problem of Plantation in Seventeenth Century Ireland', in *Governing the Sea in the Early Modern Era: Essays in Honor of Robert C. Ritchie*, eds. P. Mancall & C. Shammas (San Marino: Huntingdon Library Press, 2015), pp. 79-108.

downturn, or, in the cases outlined in this chapter, the civilising policies of the crown and the wider geopolitical climate.[12]

As discussed in the Introduction of this thesis, source material which records instances of piracy has to be viewed through the lens by which it is recorded. Motivations of those giving confessions, as well as the circumstances by which they are taken, will always be a limitation which must be considered by researchers. It is an unfortunate reality that historians may never understand the full extent of piratical activity in any region. Gaelic piracy has been differentiated from venture piracy by leading scholars of piracy, and also in this thesis. This, though, does not mean that the two forms of piracy in the British and Irish archipelago were not connected. Source material relating to the suppression of venture pirates in the south of Ireland also pertains to the suppression of rebellion in the north of Ireland. In 1607, as plantation schemes were in their embryonic phase, the Lord Deputy of Ireland, Sir Arthur Chichester wrote to the English Privy Council from Dublin to warn of the impending rebellion of Angus MacDonald of Dunyvaig and Donald Gorm MacDonald of Sleat with aims to retake Kintyre and accost the coasts of Antrim. Chichester directed Captain William St. John, the crown's chief naval officer and pirate catcher in Irish service, to move north to secure the waters on Ireland's northeast coast and to move against those rising in the Isles.[13]

Analysis of this source is revelatory in a number of ways. Firstly, St. John was to be provided men by the Earl of Argyll (the King's Lieutenant in the Isles). The cross-Channel connection of disaffected Gaels was causing problems for the crown in the Kingdoms of Ireland and Scotland. Resources and personnel from both kingdoms were being utilised in the suppression of piracy and of Gaelic rebellion. Security in the north coast of Ireland was dependant on Argyll, and was intricately linked to the maritime activity in the western Highlands and Islands of Scotland. Security in the western Highlands was also dependant on the resources of the English crown in Ireland. The symbiotic relationship between piracy and the destabilised geopolitical climate in the Gaelic regions was a result of crown attempts to exert authority over peripheral territories in Scotland and Ireland. Secondly, Chichester's letter also stressed the need for a more permanent presence of the crown in the North Channel. The Lord Deputy detailed how he often needed to resort to 'hire & man out suche sorrie vessels as we can gett'. The lack of effective shipping and crews, continued Chichester, had also left those in crown service no choice but to resort to similar tactics that were applied when approaching pirates – surprise and subterfuge. The maritime aspects of subduing Gaelic subjects was approached by contemporaries in the same way as piracy. Thirdly, reports in this letter also show other disaffected

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[12] For discussions of the factors which pushed mariners into piracy, see J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009), pp. 22-3; N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London: Harper Collins, 1997), pp. 345-6.

[13] *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2021), SP 63/222 f.21-2, Deputy Chichester to the Privy Council, 16 July 1607.

Irish Gaels joining with MacDonald of Dunyvaig in 1607, in this case Cathbarr Oge O'Donnell, a discontented brother of Rory O'Donnell, first Earl of Tyrconnell.[14] Disaffected clansmen were still operational in the waters of the North Channel, and did not necessarily reflect the status of their leaders. While the O'Donnells of Tyrconnell may have capitulated to the crown, not all clansmen observed this. This is an important consideration when assessing piracy in the North Channell. While historiography has generally purported a cessation in piracy in home waters in the aftermath of regal union, as well as a greater compliance of Gaelic lords in Ulster and the western Highlands, those clansmen who felt displaced and disaffected continued to act – often in rebellion and often in piracy, as this chapter will demonstrate. Much of the piracy uncovered in this chapter is related to these phenomena, and had a resounding impact on the shipping of the western burghs. In this chapter, a closer inspection of the Gaelic dimension of piracy reveals nuances that have not yet been uncovered within existing historiography. It is through an archipelagic approach that the links between these disaffected communities, and their piracies affecting the western burghs, are brought to light.

Plantations in Ulster: History and Context

The Plantation of Ulster began, officially, in 1609. A scheme for planting English and Lowland Scottish settlers in lands in Ireland's northern province was conceived by Sir Arthur Chichester, Lord Deputy of Ireland, shortly after the 'Flight of the Earls' in 1607. The scheme (later amended by the English Privy Council) can be viewed as a direct consequence of the departure of the Earls of Tyrone and Tyrconnell, along with a large retinue of family and followers. Indeed, James' initial plans for Ulster after the conclusion of the Nine Years' War had been one of conciliation and cooperation with the Irish elite.[15] However, there is a much longer and broader context to plantation in Ulster which must be considered. Perspectives on the Ulster plantations have analysed the economic, political, and societal implications of the schemes throughout the three Stuart kingdoms in the early seventeenth century.[16] A more recent evaluation of the plantations does so from the perspective of the indigenous Irish population; arguing that the process of colonisation in Ulster does not begin in 1609, but was a process of 'gradual and faltering encroachment by the state'.[17] Indeed, earlier plantation efforts had been made in Ulster during

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[14] *Ibid*.

[15] M. Perceval-Maxwell, *Scottish Migration to Ulster in the Reign of James I* (London: Routledge & Kegan Paul, 1973, 1990 reprint), pp. 71-4; A. Cathcart, 'The Statutes of Iona: The Archipelagic Context', *Journal of British Studies* 49, no. 1 (2010), pp. 4-27, 5, 14-15.

[16] Perceval-Maxwell, *Scottish Migration to Ulster*. This remains one of the most comprehensive studies of the plantations, with a focus on the Scottish participation, and is mostly concerned with political and social aspects and their implications for Scottish settlers who migrated to Ulster. Localised case studies have more intricately examined economic, religious, demographic, and environmental aspects plantation society. See R. Gillespie, *Colonial Ulster: The Settlement of East Ulster 1600-1641* (Cork: Cork University Press, 1985); *Strabane Barony during the Ulster Plantation, 1607-1641*, ed. R. J. Hunter (Belfast: Ulster Historical Foundation, 2011, 2021 reprint).

[17] G. Farrell, *The 'Mere Irish' and the Colonisation of Ulster* (Cambridge: Palgrave MacMillan, 2017), p. 1. This approach offers a new perspective in the study of the Ulster plantations. Farrell challenges established

the reign of Elizabeth I of England, all of which had been unsuccessful.[18] Ulster during the reign of Elizabeth I was dominated by powerful Gaelic families, whose powerbases spanned large territories in central and west Ulster. The powerful lordships in the region had played a part in upholding traditional Gaelic structures of society, and keeping the influence of the English crown limited in comparison to other Gaelic areas of Ireland.[19] As this thesis has demonstrated, the flow of Highland mercenaries into Ireland to aid resistance to the English crown, had maritime and indeed piratical implications in the region. The long process of colonisation in Ireland, combined with separate Scottish efforts to pacify the western Highlands and Islands contributed to piratical attacks on the western burghs.

The destruction caused by the Nine Years' War (1594-1603) altered Ulster's landscape and demographic structure quite drastically by the time of its conclusion. Depopulation and destruction of crops and livestock were a direct consequence of the war and the casualties that came with it. Migration away from the theatre of war to other parts of Ireland, and further afield, also accelerated the process of depopulation. English victory at Kinsale in 1601 had effectively brought an end to any meaningful resistance efforts in Ireland. Ulster's history of uprising against scorched earth policies of Tudor administrations from the mid-sixteenth century was halted by the Nine Years' War and the subsequent flight of the Earls.[20] This, combined with relatively stable economic conditions in Lowland Scotland and England at the outset of the seventeenth century, provided the push and pull factors necessary for migration to Ulster during the plantation schemes. The opportunity for cheap expansion across the North Channel through plantation resulted in a flurry of applications to the venture from all over Lowland Scotland.[21] Scottish merchants and mariners had been trading and fishing unofficially in the north of Ireland for decades, and would have been well acquainted with the landscape there. It was well known in the English intelligence network from the 1570s until the closing stages of the Nine Years' War that Scottish western burgesses were provisioning the mercenary trade to Ireland, and Lowland pirate networks have been identified operating in Lough Foyle in the 1580s – one of which included the father of the prominent planter Hugh Montgomery, Viscount of the Ards.[22] Economic and environmental factors in both Scotland and Ireland induced many in the southwest to engage with

historiography on many fronts, not least of which, the common narrative that Ulster was a barren wilderness before the arrival of English or Scottish settlers (see pp. 71-85).
[18] N. P. Canny, *Making Ireland British, 1580-1650* (Oxford: Oxford University Press, 2001), p. 121; Perceval-Maxwell, *Scottish Migration to Ulster*, p. 7.
[19] Gillespie, *Colonial Ulster*, pp. 1-6, 8-18.
[20] Farrell, *The 'Mere Irish'*, pp. 71; S. G. Ellis, *The Making of the British Isles: The State of Britain and Ireland 1450-1660* (London: Routledge, 2013), pp. 273-85.
[21] T. M. Devine and S. G. E. Lythe, 'The Economy of Scotland under James VI: A Revision Article', *The Scottish Historical Review* 50, no. 150 (1970), pp. 91-106; Gillespie, *Colonial Ulster*, pp. 34-8; Perceval-Maxwell, *Scottish Migration to Ulster*, pp. 19-41; 92-111.
[22] *SPO*, SP 63/50 f. 74, John Crawford, burgess of Ayr to Walter Devereux, earl of Essex, 5 February 1575; SP 52/59 f. 47, Walsingham to Thomas Randolph, 15 March 1581; SP 52/42 f.83, Spoils committed upon the Scots by the English since 1581, 2 December 1587, SP 52/68 f.59, Proclamation of King James VI against sending aid to the rebels in Ireland, 27 May 1602.

plantation in Ulster, bringing many Scots into the region and fostering closer human connections between the two coastlines.

The archipelagic context surrounding plantation in Ulster is also significant. Allan Macinnes has referred to the plantation scheme as 'a loyalist buffer between the Gaels of Ireland and Scotland'.[23] The opportunity to plant Scottish Lowlanders and Englishmen in Ireland's Gaelic stronghold was a welcome development for James VI and I's civilising agenda for his three kingdoms. Displacement of the Gaelic population was an intended outcome of plantation in Ulster at the outset. The planting of perceived 'civil' people and institutions – those of government, education, and Protestant religion – were vehicles for reform, but there was a commonly held view that the Irish population in Ulster was incapable of reform. James VI and I's civilizing agenda now encouraged participation of southwestern Scottish society in this venture, offering opportunity for trade, investment and employment a short distance away.[24]

Within a Scottish Highland context, the conception of official plantation schemes in Ulster from 1607 and their implementation in 1609 and 1610, coincided with the ongoing efforts to extend royal authority into the Gaelic regions of Scotland. The Statutes of Iona were signed by the chiefs of the Isles on 23 and 24 August 1609, and were officially registered, alongside a general Band, by the Scottish Privy Council on 27 July 1610.[25] In Lewis, the Fife Adventurers' attempt to plant a colony of Lowlanders there was rebuffed by the MacLeods for a third and final time, and subsequently the lands were granted to Kenneth MacKenzie of Kintail on 20 July 1610.[26] The MacKenzie acquisition of the Isle of Lewis signals a shift in policy in the northern Hebrides away from the Lowland plantation model. The Scottish crown was once again relying on powerful mainland Gaelic clans in the Isles. This policy was also applied in the southern Hebrides, and would have a significant effect on Scots of the southwest travelling to Ulster plantations in the years following the registration of the Statutes of Iona.

In the southern Hebrides, the Statutes of Iona had taken effect with many of the leading elites. A period of calm relations and regular dialogue had resulted in many chiefs paying rents and arrears to the crown for their estates. However, events in the Highlands would have repercussions in Ireland and the southwest, and it was once again the displaced MacDonald kindred who were at the heart of it. The Islay Rising of 1614-1615 saw the MacDonalds of Islay attempt to retake their ancestral home of Dunyvaig castle on Islay (discussed below). Dunyvaig had been garrisoned by Lord Ochiltree in 1608,

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[23] A. I. Macinnes, 'Crown, Clans and Fine: The 'Civilizing of Scottish Gaeldom, 1587-1638, *Northern Scotland* 13, no. 1 (1993), pp. 35.
[24] Canny, *Making Ireland British*, pp. 165-242.
[25] M. Macgregor, 'The Statutes of Iona: Text and Context', *Innes Review* 57, no. 2 (2006), p. 117; *Register of the Privy Council of Scotland (RPCS)*, First Series, viii, ed. D. Masson (Edinburgh: H. M. General Register House, 1887), pp. 24-6, 26-8.
[26] A. I. Macinnes, *The British Confederate: Archibald Campbell, Marquess of Argyll, 1607-1661* (Edinburgh: John Donald, 2011), p. 46, 46-50; A. MacCoinnich, *Plantation and Civility in the North Atlantic World: The Case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), pp. 176-180, 185.

and again by Bishop Knox in 1609, after it had been willingly surrendered by Angus MacDonald of Dunyvaig. The attempted acquisition of Islay in 1613 after Angus' death, by his cousin Sir Ranald MacDonnell of Dunluce, spurred the MacDonalds of Islay into an uprising, and increased the fissure between the Scottish and Irish contingents of the Clan Donald.[27] It was to the Campbells of Argyll and Cawdor that the crown looked to suppress the uprising, and it was John Campbell of Cawdor who eventually gained possession of Islay. Like the MacKenzies of Kintail, the Clan Campbell had history of crown service in the west of Scotland and were expanding in the early seventeenth century. Archibald Campbell, seventh Earl of Argyll, received titles to lands in Kintyre and Jura in 1607, after services against the Clan Gregor. Shortly after, he began evicting the principal tenants in former MacDonald lands. Evidently, the appeals from Angus MacDonald of Dunyvaig to Sir William Stewart of Houston in 1597 and subsequently to the king himself in 1606 failed to overturn the crown's support for the Campbells of Argyll in Kintyre.[28] The civilising missions in the Isles, combined with Campbell aggression and expansion throughout MacDonald lands, induced a reaction from the displaced MacDonalds, which retained a distinct maritime (and piratical) element in the North Channel, while many in southwest Scotland were engaged in plantation efforts in Ulster.

Maritime Dimension to Plantation

English resistance to a Scottish presence in Ireland throughout the sixteenth century had prevented any meaningful settlement of Lowland Scots. The Irish Parliament passed an Act in 1556 forbidding Irish people from marrying Scots or bringing them into the country. This act was aimed at preventing mercenary forces from entering the service of the northern chiefs, and was also a response to the success of the MacDonnells gaining a foothold in the east of Ulster. However, it did contain a clause which prevented 'bringinge any Scottishe merchaunts or Scottishe meryners into this realme with merchaundise', which directly affected the burghs in the southwest.[29] This, of course, did not prevent Scots from interacting with communities in Ulster throughout the sixteenth century, but the regal union

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[27] MacGregor, 'Statutes of Iona', pp. 124-129, 165; Macinnes, 'Crown, Clans, and Fine', pp. 36-7. Sir Randal MacDonnell was himself a planter in Ulster. He had managed to retain an amicable relationship with the crown despite his involvement in the Nine Years' War. His brother, Sir James MacDonnell of Dunluce, had offered his services to James VI in subduing Angus MacDonald of Dunyvaig in 1596, fermenting the rivalry between the two branches of the clan. J. M. Hill, 'The Rift within Clan Ian Mor: The Antrim and Dunyveg MacDonnells, 1590- 1603', *The Sixteenth Century Journal* 24, no. 4 (1993), pp. 865-71.

[28] Macinnes, 'Crown, Clans and Fine', pp. 36-7. William Stewart of Houston was granted a commission of Lieutenancy in the Highlands and Islands in 1596. He visited the Isles in the same year to receive submission of several chiefs, including MacDonald of Dunyvaig, who presented lists of his principal tenants and landholders in Kintyre to Stewart, professing his and his dependants' loyalty to the king and promising good behaviour. See *RPCS*, v, 296, 309, 312 324, 324n; *Highland Papers*, iii, ed. J. R. N. MacPhail (Edinburgh: Scottish History Society, 1920), pp. 73-9. MacDonald also wrote to the Privy Council and the king in 1606 in light of his deteriorating fortunes, promising obedience and service, as well as future rents for his lands in Islay and Kintyre. *Highland Papers*, iii, pp. 86-7, 87-8.

[29] *The Statutes at Large, Passed in the Parliaments Held in Ireland, From the 3rd Year of Edward II, A. D. 1310, to the 26th Year of George III. A. D. 1786*, viii, ed. J. G. Butler (Dublin, 1786), p. 274.

of 1603 and subsequent plantation projects encouraged a Scottish Lowland presence in Ulster.[30] Early plantation efforts began from 1604 under Hugh Montgomery, sixth Laird of Braidstane in Ayrshire, later Viscount Montgomery of the Ards, and James Hamilton, later Viscount Clandeboye. These plantation efforts opened legitimate trading opportunities along the short crossing routes from southwest Scotland to Ireland.

These early plantations by two Ayrshiremen preceded the official government plantation of Ulster, which was launched over 1609 and 1610. These private plantations were subject to less stringent regulations than the official plantations. The *Montgomery Manuscripts* provide a rare glimpse into life in an early plantation. This account shows how Montgomery had the wisdom to populate his settlement with his own family and friends from the southwest of Scotland, which included several Montgomery lairds; David Boyd, brother to the Lord Boyd of Kilmarnock; Shaw lairds of Greenock; as well as several English tenants from landholding and professional families.[31] As well as populating the land with chosen elites, in the summer of 1606, Montgomery brought with him 'divers artificers, as smiths, masons and carpenters' in order to begin construction of his main settlement of Newtown. In doing so, he was able to speed up construction of his own castle, but also quickly create a town structure to accommodate planters from the lower orders.[32] Montgomery and Hamilton's early efforts to build new communities in Antrim and Down were supplemented by supply lines from Portpatrick and Stranraer on the Galloway coast, which could make the crossing in three hours with favourable winds.[33] The infrastructure created soon after the regal union of 1603 to cope with the logistical challenges of establishing new plantations ushered in a period of unprecedented connection between the Scottish southwest and the northeast of Ireland, not least because the latter was now populated in large part by families settled from the former. Materials, goods and people all moved more freely across the Channel without the need for clandestine operation.

It is difficult to ascertain how much the plantations actually caused cross-Channell traffic to increase (if at all), given the limited source material for the period. Alison Cathcart has pointed to the reciprocal trading benefits to the burghs and the plantations in the early seventeenth century, which resulted in pirates 'exploiting the burgeoning cross-channel trade'.[34] Surviving accounts from Ayr, Dumfries, Dumbarton, Glasgow and Renfrew all show regular contact with ports on the northeast coast of Ireland.[35] The *Ulster Port Books*, which account for harbours in Londonderry, Coleraine,

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[30] Perceval-Maxwell, *Scottish Migration to Ulster*, pp. 4-18; E. J. Cowan, 'Clanship, Kinship, and the Campbell Acquisition of Islay', *Scottish Historical Review* 58 (1979), pp. 132-157.
[31] *The Montgomery Manuscripts: Compiled from Family Papers by William Montgomery of Rosemount*, ed. G. Hill (Belfast, 1869), pp. 51-55; Gillespie, *Colonial* Ulster, pp. 30, 50-1.
[32] Gillespie, *Colonial Ulster*, p. 59.
[33] *Ibid.*, pp. 55, 60-1.
[34] Cathcart, *Plantations by Land and Sea*, p. 291
[35] National Records of Scotland, Custumar Accounts, Ayr E71/3/6(1610), 7(1618), 8(1626-7); Dumbarton, Glasgow and Clyde (Renfrew) E71/9/1(1619), 2(1621); Dumfries E71/10/5-6(1621). Surviving customs accounts for the early seventeenth century do not show accounts for every year.

Carrickfergus and the Lecale ports in County Down during the years 1612-1615, show a healthy trade with ports in the west of Scotland. The majority of arrivals in the Ulster ports during these years now came from Scottish destinations, and not only from royal burghs. Larger ports such as Ayr, Dumbarton and Glasgow feature heavily in these records, but smaller ports begin to also appear regularly. A sample between March and September 1614 in the port of Londonderry, reveals that boats of Dumbarton appear on seventeen occasions, and from Renfrew sixteen times, Ayr seven and Glasgow once. In addition, boats from Saltcoats, Largs and Greenock also visited twelve, four and three times respectively; with Wemyss, Rothesay and even the tiny port at Fairlie also featuring.[36] Evidently, Ireland was no longer considered an international trade destination, and the need for a royal burgh charter from the king was no longer required in order to trade there. This opened the possibility for smaller maritime enterprises to find a new avenue for conducting business.

Indeed, many of the boats documented in Ulster from ports on the west coast of Scotland are recorded as 'Small boat of Greenock', or with similar terminology.[37] Larger vessels still tended to appear from the royal burghs on the west coast, with smaller craft operating out of the less influential ports, but customs records for the Clyde burghs record 'Ane small boate to irland', and 'ane lyttil boate to Irlande' at several points.[38] This is a crucial point regarding piracy in the North Channel, as the piracy cases examined in detail in this chapter all demonstrate that pirates generally preyed on small craft in the area. This is especially true for the piratical cruises of Coll Ciotach and Sorley MacDonnell examined below. Coll Ciotach, for example, 'took a fisherman's boat of some five or six tons which was laden with oats for Scotland', and also another 'about the burthen of 12 tons.'[39] Plantation efforts in the early seventeenth century clearly created opportunity for Scots of the west coast. The maritime environment between Scotland and Ireland transformed in the years following the regal union of 1603 and the end of the Nine Years' War. Closer connections to residents across the Channel meant more activity in the waters connecting Scotland and Ulster. However, the source material exhibited in this chapter shows that this also brought an increased danger of piratical attack.

In addition to piracy, other illicit activities are also visible in the source material at the time. The problems which James VI had faced while monarch of Scotland in the 1580s and 1590s regarding the sale of arms and ammunition across the Channel by the burghs of the west coast had now disappeared, but they had resurfaced in another form. Legitimate trade now carried less stringent regulations, but the plantations in Ireland were not to be treated as an extension of the Scottish border. The movement of people across the Channel now became the most pressing issue facing the authorities

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[36] *The Ulster Port Books 1612-15*, eds. R. J. Hunter & B. Scott (Belfast: Ulster Historical Foundation, 2012), pp. 60-71.

[37] *Ulster Port Books*, p. 8, passim.

[38] National Records of Scotland, Custumar Accounts, Dumbarton, Glasgow and Clyde, E71/9/1, ff. 4, 5.

[39] *Calendar of State Papers Relating to Ireland, of the reign of James I, 1603-1625 preserved in Her Majesty's Public Record Office, and elsewhere (CSPI, James)*, v, eds. C.W. Russell & J. P. Prendergast (London: Longman, 1880), pp. 103-5.

in these ports, who in turn were answerable to the crown. By July 1616, the Scottish Privy Council had issued a proclamation restricting which western ports could trade across the Channel. The list included all the major ports and a few select smaller ports between the Solway to the Clyde firths. It now required anyone travelling between the two countries to carry a 'pasporte' informing magistrates on either side why they were visiting.[40] The proclamation was designed to stop criminals who crossed from Ireland to Scotland escaping to avoid prosecution. It had become a problem on both sides of the border, as had illicit trading outside of the main ports using the small creeks and bays on the rugged coastlines on either side.[41] The Privy Council in Scotland appointed commissioners from prominent local landed families to oversee the new system: William McLellane of Overlaw in Kirkcudbrightshire was appointed for the Galloway and Carrick regions, while John Cunningham of Raws was appointed for the remaining districts of Ayrshire and the Clyde region.[42] The Privy Council in Ireland had also issued a similar proclamation to tackle the same problem two years before, however, as it failed to act in tandem with its Scottish counterpart in 1616, it had little effect, so maritime disorder was only being tackled from one side.[43] As chapters 2 and 3 of this thesis have shown, smuggling and other illicit activities, like profiteering, could encourage piracy by providing a market for stolen goods.[44]

The new-found connections between official ports in southwest Scotland and northeast Ireland had some unwanted results. The teething problems of plantation in the 1610s had not dissipated by 1624 when James VI wrote to his Privy Council in Scotland ordering renewed efforts to suppress disorder in the border between Scotland and England and in the waterways between Scotland and Ireland.[45] In that time, the Scottish Privy Council had also disciplined customs agents in Ayr, Irvine and Dumfries for failing to provide customs accounts, and had disciplined a skipper of a Glasgow ship for violently attacking a searcher who was acting on their behalf to investigate a suspicious cargo.[46] The Privy Council, as the chief mechanism for implementing crown policy after the monarch moved south to London is 1603, acted swiftly after receiving the king's request in 1624. Within four months, they had summoned representatives from the western burghs along with the landed interests who owned the rivers, lochs, and creeks where illicit trading and illegal immigration had been facilitated, to resolve these problems. They had also sought the advice of Hugh Montgomery, now Viscount of the Ards, and James Hamilton, now Lord Clandeboye. The foremost Scottish lords of plantation were, in this case, treated essentially as colonial governors. Clandeboye provided a helpful response. He suggested more stringent regulations on passages across the Channel, more rigid checks on documentation, and stronger management of magistrates' behaviour on both sides. The Viscount Ards, on the other hand, was more

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[40] *RPCS*, x, pp. 566-70.
[41] *RPCS*, x, pp. 566-70; Perceval-Maxwell, *Scottish Migration to Ulster*, pp. 280-6.
[42] *RPCS*, x, pp. 566-70.
[43] Perceval-Maxwell, *Scottish Migration to Ulster*, pp. 246, 283.
[44] See Chapter 2, pp, 54-60 and Chapter 3, pp. 78-81 for discussions around these topics.
[45] *RPCS*, xiii, pp. 428-9.
[46] *RPCS*, xii, pp. 142, 330-2.

abrupt and pessimistic in his response. Ards spoke of the neglect of the law and of the self-serving magistrates appointed to enforce the law in these regions. He was of the opinion that shipping could not possibly be controlled in the outlets and creeks so prevalent on both coastlines. The only solution to the problem, according to Ards, was a ferry system which regulated supply.[47] The Viscount had recently been denied a chance to gain a monopoly on trade by setting up a ferry system at Donaghadee after the objection of another planter – probably Clandeboye.[48] Therefore, by the closing years of the reign of James VI and I, the plantations in Ulster were still causing his governments in Scotland and Ireland problems with maritime disorder. By this point, two decades had passed without any definitive solution, due in part to the difficult geographical composition of either coastline, partly due to self-serving magistrates, and partly due to a lack of unity among leading Scots in Ireland. That being said, there were clearly advantages to plantation in terms of economic opportunity for the maritime communities on the west coast. How far this increased activity and maritime disorder fed into the hands of pirates has yet to be analysed in historiography.

The Islay Rising of 1615
Context

Maritime disorder was, of course, not a new problem for the English administration in Ireland. The English admiralty was again concerned with the region in 1611, when the Lord Admiral sent a Captain Wood to 'Continew still in Scotland' as 'the Islanders or pirats are playing the Rebels'.[49] The links between Gaelic rebellion and piracy have not been fully analysed in historiography. That the interests of the crown of Scotland were now the same interests of the English governing and naval apparatus in Ireland was clearly having an impact in the North Channel by the time of the Islay Rising in 1615 and the piratical cruises by the two MacDonald kinsmen under investigation in this chapter. Events surrounding the Islay Rising of 1615 caused a flurry of piratical activity in the west of Scotland and in the north of Ireland. One of the greatest threats to maritime order in the North Channel was the Clan Donald South.[50] With the Antrim and Islay branches of the Clan Donald operating as completely separate entities from 1596, the fortunes of the Islay MacDonalds, under the leadership of Angus MacDonald of Dunyvaig, were fading; while Sir Randall MacDonnell of Dunluce consolidated his position in Antrim from 1603, after capitulating with the crown following the conclusion of the Nine Years' War.[51] Faced with increasing pressure from the Scottish crown throughout James VI's reign,

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[47] *RPCS*, xiii, pp. 543-5, 553-4, 514-6.
[48] *Ibid*, pp. 515.
[49] *SPO*, SP 14/63 f.22, Lord Admiral Nottingham to [Salisbury?], 8 April 1611.
[50] See Chapter 2, pp. 65 for a summary of the split between the MacDonalds of Islay and the MacDonnells of Antrim.
[51] D. Stevenson, *Highland Warrior: Alasdair MacColla and the Civil Wars* (Edinburgh: Birlinn, 2014 reprint), pp. 30-5; Hill, 'The Rift within Clan Ian Mor', pp. 865-875. Historical sources and historiography often fluctuate between the Scottish spelling of 'MacDonald' and Irish spelling of 'MacDonnell'. For the sake of

Angus MacDonald of Dunyvaig's bitter feud with Lachlan Mor MacLean of Duart also weakened his position. MacDonald of Dunyvaig's inability to resolve the feud, and his refusal to submit to the crown, led to a rift in relations between Angus and his son, Sir James MacDonald of Knockrinsay.[52] By the time the plantations in Ulster were underway, the Scottish branch of the Clan Donald was wracked with internal strife. The increasing pressure on the clans of the Isles by the crown during the reign of James VI also weakened the position of the Clan Donald. Sir James MacDonald was back in crown custody by 1604, and his father was forced to hand over Dunyvaig castle to Lord Ochiltree in 1608, marking the end of effective MacDonald control of their ancestral home.[53]

After the death of Angus MacDonald of Dunyvaig in 1613, a successful bid for Islay from his cousin, Sir Randal MacDonnell of Dunluce, induced one of Angus' illegitimate sons, Ranald Og, to seize Dunyvaig castle from the small garrison left there by Bishop Knox in 1614, thus initiating the series of skirmishes known as the Islay Rising. There were several conflicts over the ancestral home of the MacDonalds between March 1614 and September 1615, resulting in the eventual Campbell acquisition of Islay.[54] The intricate narrative surrounding the military conflicts are discussed elsewhere in historiography, and do not warrant investigation. Campbell victory in the Islay Rising sealed the fate of the Clan Donald in Islay. However, there were also maritime, and indeed piratical, implications to this rising which directly affected the maritime communities of the southwest which must be considered. These come mainly at the hands of two leading insurgents of the rising, Sorley MacDonnell of Antrim, and Col MacGillespie MacDonald, commonly referred to as Coll Ciotach.

Coll Ciotach's Piratical Cruise (March-May 1615)

Coll Ciotach has received much attention in historiography. Known as the father of the great military general Sir Alasdair MacColla, Coll led a tumultuous life. He was one of the principal architects of the Islay Rising, and has been remembered by Edward Cowan for his 'double-dealing' in the 'sordid story of treachery' in 1615.[55] Viewed by David Stevenson as an astute, if wily, political operator in the western Highlands, Coll's leadership in the early stages of the rebellion and his ability to evade capture demonstrate his prowess in the region. Remarkably, Ciotach survived in the Highlands for another thirty years after the events in Islay in 1614 and 1615, ending his life hanged from the mast of his own galley in 1647 by Campbells, after facing the justice of the Marquess of Argyll and the Covenanting regime.[56]

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continuity, the Irish spelling will be applied to the Antrim branch of the Clan Donald, while the Scottish variant will be applied to the Islay and Kintyre branch.

[52] D. Gregory, *History of the Western Highlands and Isles of Scotland, from AD 1493 to AD 1625: With a Brief Introductory Sketch, from AD 80 to AD 1493* (Edinburgh, 1836; Edinburgh: John Donald, 2008 reprint), pp. 272-3, 280-2, 288-9; Cowan, 'The Campbell Acquisition of Islay', pp. 133-5, 143-5, 147-8.

[53] Stevenson, *Highland Warrior*, 23-9; Hill, 'The Rift within Clan Ian Mhor', pp. 877-9; Cowan, 'The Campbell Acquisition of Islay', pp. 149-55.

[54] Cowan, 'The Campbell Acquisition of Islay', pp. 133-157, 157.

[55] Cowan, 'The Campbell Acquisition of Islay', p. 154.

[56] Stevenson, *Highland Warrior*, pp. 47-59, 343.

However, between Coll's involvement with Angus Og on Islay up to February 1615, and joining forces with Knockrinsay in May of 1615, he sailed around the North Channel pillaging at sea and on land after evading Campbell of Cawdor's forces. Of all of Coll's exploits, it is this piratical voyage which this thesis is primarily concerned with.

Map 2: Seventeenth century map of the North Channel.[57]

Coll cruised the waters of the North Channel as an outlaw during the period Islay was occupied by Campbell of Cawdor. All we know of Coll's depredations during this time is based solely on the recollections of Robert Williamson, a mariner captured by Coll in March of 1615.[58] Williamson was aboard a ship belonging to Henry Robinson of Londonderry when he was captured, and was used by Coll as a labourer for ten weeks before he escaped, providing his account of Coll's activities to English authorities. Williamson gave his account to Sir Thomas Phillips of Limavady, an English captain in service to the crown in Ireland. Phillips was part of the English naval support provided by the crown against Angus Og in 1614, and was himself a planter in Ulster, so was well acquainted with the geopolitical climate of the region.[59] Williamson's account is retrospective, and exact dates are not given, but the ten weeks he spent as a captive of Coll likely spanned from early March until 12 May 1615, when he dates his escape from captivity. Privy Council records show that Coll escaped Islay while being pursued by Campbell of Cawdor in early February 1615, and according to David Stevenson, over the next few months, he 'wandered the seas seeking safety', before being able to join Knockrinsay in May

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[57] This map showcases the environment in which Coll and Sorley roved. I would like to thank Professor Alison Cathcart for the reference for this map.

[58] The three months covered here are also featured in R. Black, 'Colla Ciotach', *Transactions of the Gaelic Society of Inverness*, xlvii (Inverness, 1976), pp. 205-12.

[59] *CSPI, James*, v, pp. 103-5, 507, 525-6, 528, 530-1; Moody, 'Sir Thomas Phillips', 260-1. Phillips would later fall victim to piracy himself, at the hands of Coll's ally, Sorley MacDonnell (see below). Williamson's examination, which provides the details of Coll's voyage is found in a document entitled 'Examination of Robert Williamson taken before Sir Thomas Phillips, 13th day of May 1615', *CSPI*, v, 103-5.

1615.[60] The account given by Williamson is somewhat difficult to dissect. He was unable to recall exactly how many boats were pirated by Coll. As valuable as these accounts are for unearthing the nature of Gaelic piracy in the early seventeenth century, they must be recognised as somewhat limited due to being reliant on the memory of captives who spent weeks at sea before providing their accounts. The long period in custody also meant that on narrating his ordeal, Williamson was unable to recount events in chronological order, but the events have been pieced together in the narrative that follows.

Shortly after Williamson was captured in March of 1615, Coll made a covert visit to Islay (then occupied by Campbells), 'to confer with friends there'. He then sailed around the Isles of Scotland, seeking shelter from allies on Mull, Colonsay, Canna, Uist, and even sheltering as far north and west as Hirta in the remote Isles of St. Kilda. Williamson estimated that there were only twenty people inhabiting Hirta, and their store of supplies and thirty sheep were summarily taken by Coll. He then returned to the North Channel, visiting Rathlin Island, where 'taking the principal men of the island, and having them bound all night', he damaged all the boats there so as to prevent anyone alerting the authorities.[61] It is at this point that the archipelagic context to Coll's piratical cruise in the North Channel must be incorporated. Coll's visit to Rathlin was a result of his connection to disaffected members of the Antrim MacDonnells. In 1614, a plot was hatched by some of the disaffected leaders within the ranks of the Antrim MacDonnells, as well as other powerful Gaelic families in Ulster.[62] Two confessions in the English state papers revealed the plans to start a rising in Ulster, with the aid of Islemen in Scotland, particularly enlisting the help of 'Collo McGilaspicke', confirming Coll's links to this band of disaffected Ulstermen.[63] Indeed, Sorley MacDonnell of Antrim, whose activities are discussed below, was among these plotters, and had been with Coll during the first stage of the Islay Rising under Angus Og, and was with him in the latter stages under the leadership of Sir James MacDonald of Knockrinsay.[64] Cohesion between the Irish and Scottish branches of the Clan Donald had clearly dissipated by 1596, particularly at elite level. Evidently though, there was still some connection among the ranks of the disaffected MacDonnells of Antrim, and the displaced MacDonalds of Islay.

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[60] *RPCS*, x, 303, 738-9; Stevenson, *Highland Warrior*, pp. 58.

[61] *CSPI, James*, v, pp. 103-5. Rathlin Island at this time was under the control of Sir Randal MacDonnell, who had secured the leadership of MacDonnells of Dunluce, and was capitulating with the English crown. J. H. Ohlmeyer, *Civil War and Restoration in the Three Stuart Kingdoms: The Career of Randal MacDonnell, Marquis of Antrim, 1609-1683* (Cambridge: Cambridge University Press, 1993), pp. 18-27, 65.

[62] These plotters sought to capture several towns in Ulster that were then controlled by planters, to take hostages which they would exchange for the freedom of several imprisoned Irish leaders. Led by Alexander MacDonnell, the son of James MacDonnell of Dunluce, who had died in 1601, the leaders of this plot were not content with the new order in Ulster, and were particularly disaffected with the approach taken by Sir Randal MacDonnell, who was cooperating with the crown and operating as a planter in Ulster, albeit a very prominent one. See *SPO*, SP 63/233 f.44-6, The Examination of Teage O'Lennan taken by Thomas Foster, gent, Provost Marshal of the County of Londonderrie, 9 April 1615; *CSPI, James* v, pp.72-3.

[63] *SPO*, SP 63/233 f.44-6, The Examination of Teage O'Lennan taken by Thomas Foster, gent, Provost Marshal of the County of Londonderrie, 9 April 1615; *CSPI, James*, v, pp.72-3.

[64] Stevenson, *Highland Warrior*, pp. 62, 65.

After subduing the leading men of Rathlin, Coll then sailed to Bonamargy on the Ulster coast, and it is from this point that Coll begins to engage in piracy. At Bonamargy, he robbed a fishing boat carrying oats to Scotland.[65] He then sailed to Lough Neagh, where he reunited with Sorley MacDonnell, and on their return, they took a Glasgow boat bound for Lough Foyle, killing a Scotsman in the process. From the Glasgow boat, Coll took 'salt, five hogsheads of wine, eight hogshead of beare, and three score Scots gallons of *aqua vita*, and some money'.[66] Williamson reported to have overheard Coll discussing plans with his MacDonald kinsmen, in which he expressed a desire to 'disperse his company and live himself in the Island of Eyley and Kenilier [Islay and Kintyre] in secret manner among his friends'. However, after linking with his MacDonnell allies, he swore to 'pillage and rifle all those that he could overcome without sparing of any', and that he would 'make himself as strong as he might with all speed, and would attempt the regaining of the castle in Eyley'. Soon after, Williamson was able to make his escape to alert authorities to Coll's presence.[67]

There are several illuminating details which this account brings to light. Firstly, the use of a signal fire by Coll on the mainland to alert his company of his return from Lough Foyle, 'being a token between them, that on sight thereof he should bring the boat for him', speaks to their knowledge of the maritime space which they were occupying.[68] His ability to avoid detection in the Isles and the north coast of Ireland during a crown-sponsored expedition, as well as being able to navigate to St Kilda, also speak to the maritime prowess of Coll and his company. As the MacDonalds of Dunyvaig were progressively displaced in Islay and Kintyre due to the civilising policies of James VI and I, their attempts to reclaim their ancient possessions destabilised the maritime space in which they operated. The violence used in this short piratical cruise registered victims in the remote northwest on St Kilda, and several Lowlanders travelling to plantations in Ulster. Not all the attacks in this account can be considered as piratical – some of Coll's plunder was on land – but the three which are recorded in this account suggest that Coll was pirating due to necessity. As Coll moved around the western archipelago, he received victuals and supplies from allies while he remained in hiding. After reuniting with Sorley and his accomplices, Coll began to take what he needed from passing ships around the coast of Antrim. Piracy in this case was used as a means if sustenance for Gaels with significant martial and naval abilities who had been displaced. Coll's piracies were not for profit, rather, a means of sustaining

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[65] *CSPI, James*, v, pp. 103-5. Bonamargy was also in the possession of Randal MacDonnell, and would go on to be the location of a Franciscan friary of which MacDonnell was the patron. Ohlmeyer, *Civil War and Restoration*, p. 27.

[66] *CSPI, James*, v, pp. 103-5; According to Black, it was after reuniting with his Irish companions that Coll abandoned the strategy of laying low, and from here engaged in more rebellious behaviour. See Black, 'Colla Ciotach', pp. 213-4.

[67] *CSPI, James*, v, pp. 103-5.

[68] *CSPI, James*, v, pp. 103-5. This practise has been identified by Audrey Horning as being evidence of Scottish and Irish connection in the late sixteenth century. Signal fires were lit in Antrim by Irish MacDonnells to alert their Scottish kinsmen of an impending attack, and thereby request reinforcements. See A. Horning, *Ireland in the Virginian Sea: Colonisation in the British Atlantic* (Chapel Hill: University of North Carolina Press, 2013), pp. 57-8.

resistance to the displacement of the Clan Donald, which was a result of the crown's plantation policies in Ulster and the Western Isles.

Sorley MacDonnell's Piratical Cruise (March-August 1616)

Coll Ciotach and Sorley MacDonnell had joined with Sir James MacDonald of Knockrinsay by May of 1615 for an assault on Dunivaig Castle, which ended in failure.[69] After the final phase of the Islay Rising in September 1615, Sorley's activities are difficult to trace. He made an escape from Islay, eluding the Earl of Argyll's forces, before sheltering in Inishowen in Donegal, possibly in the company of Knockrinsay. From there, he was reported to be 'in the wo[o]des of Ireland'[70] and disappears from historical record for several months. Sorley MacDonnell was an illegitimate son of Sir James MacDonnell of Dunluce, and therefore a grandson of Sorley Boy MacDonnell, and a nephew of Sir Randal MacDonnell of Antrim. Identified by the Scottish Privy Council as 'McSoirleis base sone', he was well-known to them through his reputation as a leader of the Irish support for the Islay Rising.[71] To Sir Arthur Chichester, he was 'a notable villaine with Sir James McConnell'; part of the 'brood of rebels who will never be loyall, nor conforme themselves to anie lawdable or civill course of life'.[72] Remembered by George Hill as 'one of the most active and intelligent among the adherents of Sir James of Isla',[73] his capabilities in warfare and navigation rival that of his accomplice, Coll Ciotach. He was part of the consortium of disaffected Irishmen who sought to restore Gaelic hegemony in Ulster in 1614 in the failed plot led by his half-brother, Alexander MacDonnell. Generally, the Antrim MacDonnells were on favourable terms with the crown by the time Ulster was planted, and Sorley's actions outlined below should not be taken as an extension of MacDonnell policy in Ulster.[74]

Sorley MacDonnell is reported in historiography to have gone on a 'free-booting cruise between the west of Scotland and the north of Ireland' in the months following the Islay Rising, in which he plundered several merchant ships, before sailing around the tip of Scotland, through the Orkneys and on to Dunkirk where he was apprehended. Sorley achieved this by commandeering an English merchant ship in Larne harbour in Antrim and forcing the captain, William Power, to sail the ship in his misadventures.[75] Investigation of state papers for the period confirms this report, and reveals a fascinating and sordid episode of piracy similar to that of Coll's outlined above, which alludes to desperate behaviour befitting an outlaw being pursued by the crown. The details are extracted from

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[69] Crawford, 'Warfare in the West Highlands', pp. 218.
[70] *RPCS*, x, 764-5.
[71] *RPCS*, x, pp. 489, 758, 759, 764, 769-70.
[72] *Miscellany of the Abbotsford*, pp. 280-1.
[73] G. Hill, *An Historical Account of the MacDonnells of Antrim* (Belfast, 1837), p. 229.
[74] For a full discussion of MacDonnell cooperation with the crown in the early seventeenth century, see Ohlameyer, *Civil War and Restoration*, pp. 17-48; Perceval-Maxwell, *Scottish Migration to Ulster*, pp. 60-7, 229-34.
[75] Moody, 'Sir Thomas Philips of Limavady, Servitor', p. 261.

examinations taken after the events described below, thus rendering a concise timeframe difficult to ascertain. However, it is clear that the piratical events mentioned here are linked to the rising of 1615.

The examinations which reveal Sorley's activities following the failed rising are of William Power, the pilot on a Dublin ship which was captured at Larne by Sorley around the beginning of March 1616; and John O'Conlon, a mariner aboard a ship attacked by Sorley at Carrickfergus on 20 April the same year. As rare eyewitness accounts to Gaelic raiding in the North Channel in the early seventeenth century, these examinations are invaluable. William Power was captured by Sorley while he was aboard the *Golden Grayce* of Dublin, freighted by Sir Thomas Phillips. Sorley and twenty four accomplices boarded the ship, and forced Power to sail for Kintyre in the west of Scotland. According to Power, while on the east coast of Kintyre, Sorley attempted to murder 'a gentleman of that Countrey, dweling upon the seaside', but failed in the attempt. They then attacked an unspecified castle in Kintyre belonging to the Earl of Argyll, where they set fire to the castle doors and 'ryfled the Castle, and the Towne about it'.[76] Sorley and his crew then sailed northward along the coast of Kintyre, where they lured 'two gents of that land' on board their ship, on the pretence of selling them whisky and wine. Sorley and his men then sprung out of the hatches on the deck and assaulted these men, killing one of them who dived overboard to swim for shore. MacDonnell and his crew then sailed to the northern Hebrides, where they met a Scottish boat, from which they took the cargo of whisky and took two men prisoner, in an act of outright piracy. The crew then sailed south, returning to the north of Ireland, visiting Rathlin around the beginning of April, and it is here that the two accounts of Sorley's misadventures converge.[77]

Sorley's actions in Kintyre had aroused the ire of the Scottish Privy Council, who, on 29 March 1616, granted a commission of 'fire and sword' to Colin Campbell of Lundy and other Campbell lairds to pursue 'ane bastard of Sir James McSoirllis' for the murders and robberies committed by Sorley and his crew.[78] By this point, Sorley was back in the north of Ireland, outside of the boundaries of Lundy's commission. William Power was still a prisoner on board when they took John O'Conlon's bark near Carrickfergus as it travelled to Coleraine on 20 April 1616. O'Conlon was taken on board as a prisoner, and used as a labourer amongst Sorley's crew. His account of the voyage also described the activities of Sorley and his men as they cruised around the North Channel, corroborating that given by Power.

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[76] *SPO*, SP 63/234 f.55-7, William Power's Examination, 4 August 1616. This castle was named in the source as near 'Loghkilkeran'. Loch Kilkerran (now known as the Campbeltown Loch) is near the site of Smerby Castle, where Angus MacDonald of Dunyvaig was held prisoner by his son Sir James of Knockrinsay after he set fire to his house in 1598. Lands in Kintyre had been granted to Archibald Campbell, seventh Earl of Argyll, in 1607. Argyll subsequently evicted tenants in the former MacDonald lands and began a programme of plantation there, albeit with lukewarm enthusiasm. Campbell lordship in Kintyre would eventually lead to the establishment of Campbeltown as a burgh in 1617, but it would be much later in the seventeenth century before there was any meaningful progress on this. See A. I. Macinnes, *Clanship, Commerce and the House of Stuart, 1603-1788* (East Linton, Tuckwell Press, 1996, 2000 reprint), p. 68; A. Cathcart, *Plantations by Land and Sea: North Channel Communities of the Atlantic Archipelago c.1550-1625* (Oxford: Peter Lang, 2022), pp. 280-3.
[77] *SPO*, SP 63/234 f.55-7, William Power's Examination, 4 August 1616.
[78] *RPCS*, x, 769-70.

After taking O'Conlon's bark, two Scottish ships were taken in piracy as they passed by Rathlin Island on the way to the plantations. Of these three boats, Sorley left nothing on board, taking all of the goods and supplies from each one. Sorley remained in the area, cruising the North Channel, where he encountered a ship of Barnstaple in Devon, and a French bark, both of which were attacked and robbed.[79] Sorley then spent three days 'drinkinge & making mery' with the locals of Rathlin, before sailing for Scotland. At Sanda Isle, at the southern end of the Kintyre Peninsula, he divided his spoils, and prepared for another assault on Islay. On the way, the ships in his small fleet were separated by 'tempestuouse weather', and as he drifted, he met a Scottish boat, which he robbed and took some of the men on board prisoner.[80] Both O'Conlon and Power mention Sorley executing a man named Beattie from the Scottish boat, but Power is more explicit. His account describes how this man had 'killed some of Sowrleys men formerly', so was taken ashore 'and there they hanged him, in the Iland of Saney [Sanda] and after dragged him into the sea, where they left him'.[81] Sorley then moved towards Islay, but was 'unable to recover' the island, which was by this point securely in the hands of Campbell of Cawdor. Sorley then moved northwards, sailing between the territories of the MacLeans, MacLeods and MacDonalds of Sleat, slaughtering and stealing livestock as he went. While in the Western Isles, he met a boat of Leith, which he took, before heading around the north tip of Scotland and on to Dunkirk in France where he was apprehended after William Power happened to be spotted by an English acquaintance who alerted the authorities there.[82]

Sorley's depredations in 1616, after the failure of the Islay Rising, far outweigh that of Coll's in the previous year. His piracies were frequent and brutal. The accounts analysed here document nine acts of outright piracy, which were accompanied by violence, in the six-month period that is covered by the prisoners on board his ship. Historical documentation relating to acts of piracy in the early seventeenth century rarely provide multiple eye-witness accounts which corroborate each other. These accounts by prisoners of Sorley provide an invaluable insight into how Gaelic piracy was conducted during this period. Like Coll, Sorley had the broader aim of reasserting MacDonald hegemony in the region, and his piracies were a conduit to realising this, as well as a way to provide sustenance as he cruised the waters of the North Channel as an outlaw. Sorley also plundered on land, and attacked the Campbell settlements in Kintyre – the former lands of the MacDonalds of Islay. Coll and Sorley's maritime capabilities and geographical knowledge of the region allowed them to evade capture on several occasions, despite the efforts of the Jacobean regimes in Scotland and Ireland. Their motivations, too, are linked to the wider geopolitical landscape of the archipelago. Both Coll Ciotach and Sorley MacDonnell were affected by the 'civilising' policies of the Stuart composite monarchy.

[79] *SPO*, SP 63/234 f.53-5, John O'Conlon's Examination, 1 August 1616; SP 63/234 f.55-7, William Power's Examination, 4 August 1616.
[80] *SPO*, SP 63/234 f.53-5, John O'Conlon's Examination, 1 August 1616.
[81] *SPO*, SP 63/234 f.55-7, William Power's Examination, 4 August 1616.
[82] *SPO*, SP 63/234 f.53-5, John O'Conlon's Examination, 1 August 1616; SP 63/234 f.55-7, William Power's Examination, 4 August 1616.

There is a direct link between efforts of the crown to exert sovereign authority throughout the whole of the British and Irish archipelago and Gaelic piracy in the North Channel. For the Scots of the southwest, the efforts to supplant Gaelic society in Ulster with a 'British' Lowland society provided opportunity, but it left them open to attack from the Gaels who had been displaced by the state, not least of which were those of the Scottish and Irish branches of Clan Donald South. Not much detail is given on the Scottish merchant ships which were attacked, in terms of who they belonged to or where they were coming from. What is clear though, is that they were freighted for the north of Ireland with merchandise and supplies for the plantations there. Sorley MacDonnell's activities highlight not only the extent of depredations which occurred around this time, but the destabilising effect that one pirate ship could have on trade. Piracy in this region, at this time, was not curtailed by the crown's admiralty, which, as the last chapter has shown, was overstretched and occupied elsewhere. For the mariners of the west coast of Scotland, access to the plantations across the North Channel clearly changed the maritime environment in which they operated. However, the maritime instability of the region on both sides of the Channel was linked to wider geopolitical events, as is demonstrated here with piratical events surrounding the Isla Rising in 1615.

Conclusion

The tendency to analyse piracy from the perspective of venture pirates and their communities in Ireland in the early seventeenth century has obfuscated our view of piracy around the British and Irish archipelago. The piratical cruises outlined in this chapter surrounding the Islay Rising registered at least twelve boats which fell victim to piracy in the space of one year – not to mention the victims of their raids on land. We will likely never know how many boats these individuals actually robbed, or who the victims were – such is the nature of piracy records. The victims of these piratical cruises have not been accounted for in the source material traditionally consulted in national studies of piracy, as they come from rare accounts of prisoners on board Gaelic ships. The extraordinary detail of these piratical cruises is a reminder that the cases in admiralty records and in records of governing institutions provide only a snippet of the true extent of piracy, and this is precisely why studies must incorporate local perspectives and local source material. Piracy in the North Channel during the early years of the planation era in Ulster was, for the most part, a consequence of the 'civilising' policies of James VI and I in the Gaelic regions of Ulster and the western Highlands and Islands of Scotland. The plantations in Ulster sought to expand Lowland society into a region populated with Gaelic people, offering opportunity for investment, migration, and labour to Lowland Scots. This had a profound effect on the maritime environment between Scotland and Ireland, drastically increasing the traffic in the sea highways. Those Lowland Scots who lived on the interface between land and sea were encouraged to participate in the plantations, and in doing so, became victims of the depredations of displaced and disaffected Gaels. The wider archipelagic context is also critical here in understanding what conditions led to the

depredations affecting mariners of the southwest participating in plantation. The Islay Rising between 1614 and 1615 had a destabilising effect on the maritime environment between Scotland and Ireland. Members of the Clan Donald were among those who suffered the most damage from crown policy in the early seventeenth century. While Chapter 4 of this thesis outlined how piracy, in general terms, declined in the early seventeenth century, it is clear that it had by no means been eliminated in the North Channel, continually posing a danger to the Lowland communities engaging with plantations.

Chapter 6: Pirates of the Scottish Southwest: A Case Study of Kirkcudbright in the late Sixteenth Century

> And ffurther this ex[amina]t[e] saieth that he did not at any tyme comytte any other offence then the offence and pyracyes before in this ex[ami]nacon confessed for the w[hi]ch this ex[amina]t[e] most humbly submytteth him to gode and to the Quenes ma[jes]t[ie]s m[er]cie desyringe your hon[our]s to be good and m[er]cifull to hym[1] – Confession of Andrew White, pirate, 1565

Introduction

This thesis has analysed piracy in the Irish Sea from a state-centric perspective, in terms of naval control and government interventions. It has argued that government interventions in piracy were not able to make any significant progress in stemming the flow of piratical attacks in the Irish Sea throughout the sixteenth century. Steve Murdoch has lamented the paucity of scholarly works on Scottish maritime history, and in his analysis of piracy, has called for more in-depth studies of local communities.[2] Certainly, studies of piracy in communities outside of Scotland have demonstrated their value in drawing out nuances and allowing for a deeper analysis of piracy than is available in national or indeed international studies.[3] This thesis also aims to analyse piracy at grassroots level, and has done so in the previous chapter by assessing piracy in the North Channel during the plantation era. It demonstrated how the rich detail present in more localised analysis can complement wider studies of piracy. The final two chapters of this thesis will aim to contribute further analysis on localised piracy in the southwest, assessing how piracy was practiced and also guarded against in the burghs themselves – elements of Scottish and indeed Irish Sea piracy which have not been fully recognised in existing historiography. This chapter is primarily concerned with the development of piracy in the burghs of Solway Firth, most notably, the small burghs of Whithorn and Kirkcudbright. It aims to offer a deeper analysis of piratical networks on land than has been offered by historiography of Lowland Scotland in the period thus far. In particular, it seeks to highlight the participation of the lairds in marginalised areas where illicit activity was possible, and sometimes required, to sustain communities bereft of trade. In the burghs of the Solway Firth, this is most apparent from the 1560s until the 1580s. Firstly, this chapter will analyse the extraordinary examinations of an English pirate who operated out of Whithorn, to demonstrate how piracy was managed by local landed elites in the area, drawing on the rich detail of the source material. Studies often remark on the clandestine networks and illicit markets on land which facilitated piracy in

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[1] The National Archives (TNA), High Court of Admiralty Records (HCA), Oyer and Terminer Records, Examinations of Pirates and Other Criminals, HCA 1/38, f. 137v.

[2] S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare, 1513-1517* (Leiden, Brill, 2010), pp. 1-2, 148-9.

[3] C. Kelleher, 'Pirate Ports and Harbours of West Cork in the Early Seventeenth Century', *Journal of Maritime Archaeology* 8, no. 2 (2013), pp. 347-366; K. Pluymers, ''Pirates' and the Problem of Plantation in Seventeenth-century Ireland' in *Governing the Sea in the Early Modern Era: essays in honour of Robert C. Ritchie*, eds P.C. Mancall & C. Shammas (Los Angeles: Huntingdon Library Press, 2015), pp. 79-108; J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon Volume I: From Early Times to the Late Eighteenth Century*, eds M. Duffy, S. Fisher, B. Greenhill, D. J. Starkey and J. Youings (London: Conway Maritime Press, 1992), pp. 90-7.

the localities, but rarely provide evidence of wider participation, which will be provided in this chapter. It will then move on to a more intricate case study of the burgh of Kirkcudbright, showcasing its appeal as a market for pirates and analysing the personnel involved in creating such a market for pirated goods. Due to the lack of historiography of piracy on Scotland's southwest coast, this chapter will engage with local studies of the burghs of the Solway Firth, and with wider historiography of piracy in the British and Irish archipelago. It will draw on ideas from the history of the Atlantic maritime world, particularly with regards to piracy's links with market forces and geography in the early modern period.

Piracy in the Southwest: the case of Andrew White

Prominent historians of piracy in the British and Irish archipelago have identified two traditions of localised piracy which flourished from the late medieval period. Firstly, there were the merchant venturers, who operated from Lowland coastlines in England, Wales, the English Pale and Lowland Scotland; and there were the raiding pirates who inhabited the Gaelic regions of Ireland and the Scottish western Highlands and Islands.[4] These traditions, which persisted throughout the sixteenth century, were reflective of the different geographic, political, socioeconomic, and cultural structures of Gaelic and Lowland societies. John C. Appleby's appraisal of piratical tradition differentiates the 'commercialised seaborne plunder' of Lowlanders and the 'subsistence sea raiding' practiced by Gaels.[5] Appleby's characterisation of Gaelic piracy as 'subsistence sea raiding' is perhaps too general a characterisation of Gaelic piracy, as Chapters 2 and 5 have shown, but there are certainly some distinctions to be made between Highland and Lowland piracy in the late sixteenth and early seventeenth centuries, insofar as southwest Scotland is concerned during this period.[6]

In southwest Scotland, piracy and maritime disorder were generally characteristic of the commercialised venture piracy common in England, Wales, and the Irish Pale. Of course, random acts of opportunistic plunder were rife among merchants and mariners of the southwest like they were in other regions of the archipelago, including the Gaelic ones, but the small amount of evidence that we do have of calculated commercial piracy is akin to that practised in other Lowland communities. Examples of career pirates in the region are scarce, but the confessions of Andrew White, who operated out of Whithorn in the early 1560s, provide a blueprint for a successful pirate operation – that is, until his capture by English authorities in the Irish Sea in 1565.[7] Insight into White's operations are taken primarily from his two examinations, preserved in the records of the High Court of Admiralty of

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[4] J. C. Appleby, *Under the Bloody Flag* (Stroud: The History Press, 2009), pp. 21-2; N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain 660-1649* (London: Harper Collins, 1997), pp. 166-168. Often, merchant piracy in the Irish Sea and North Channel was opportunistic, rather than organised.
[5] Appleby, *Under the Bloody Flag*, p. 22.
[6] For in-depth discussion on the nature of Gaelic piracy in the Irish Sea and North Channel, see Chapter 2, pp. 64-8 and Chapter 5, pp. 130-7 of this thesis.
[7] See Appendix 2.

England.[8] His confessions are invaluable to this research, in that they provide a level of detail which goes beyond what is usually available in official source material and state papers, particularly with regard to the participation of the lairds and peers of Lowland Scotland.

The limitations of pirate confessions have been discussed throughout this thesis, and are also applicable to White's own interrogations. These are attached to this thesis as an appendix. Appendix 2 outlines the myriad piracies of White over a number of years. It is clear that White was aiming for a pardon in his confessions, as his second ends with White submitting himself 'to the Quenes ma[jes]t[y']s m[er]cie desyringe your hons to be good and m[er]cifull to hym'.[9] Confessions in the Admiralty Court, generally, are formulaic. Interrogators wish to know where pirates learned their trade, what military-naval skillset they might have acquired, and what other pirates they interacted with, before assessing their crimes.[10] Indeed, Mark Hanna has commented on this, underlining the value pirates had to the regime as the most skilled practitioners in naval warfare in Elizabethan England, and, thus, how some officials reluctantly viewed pardons as necessary to supplement the lack of naval resources.[11] This is clearly White's intention, and it cannot be known how much he has omitted, obfuscated, or lied about. Clearly, the interrogators had a wealth of evidence against him, given his lengthy confession.[12]

White's career as a pirate began, he claimed, after his participation in the French wars of religion which were fought between 1562 and 1563. White claimed to fight for the Huguenots under Louis, Prince of Condé, attaining the rank of Lieutenant, commanding three hundred men.[13] Under examination in 1565, he stated that he had been a mariner for twelve years, but his activities before 1562 were not examined by the local officials or councillors who interrogated him. White's military-naval skillset undoubtedly propelled him to his brief success as a pirate in the Irish Sea, and his exploits reveal a remarkable network of buyers in the area around Whithorn. His piracies in the region between 1563 and 1565 were numerous, as his examinations show, however, before his interactions with the people of Galloway, White had cultivated similar relationships with officials in the south of Ireland. After serving in the French wars, White sailed home to England, and on the way, pirated a ship of Brittany and sold the goods in Cork to the Mayor and other buyers there. He then travelled to Dungarvan, where he delivered 'a hondreth and ffoure poundes of englyshe coyne in gold and sylver'

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[8] After being captured in Wales, White was first examined by local officials of the Welsh port towns on 26 February 1565, TNA, HCA, 1/38, ff.138-141v. He was then examined by the Council in the Marches of Wales on 12 April 1565, TNA, HCA 1/38, ff.124-137v.

[9] Appendix 2, p. 219

[10] For further examples of this, see TNA, HCA 1/36, f. 1-1v, 12-14, HCA 1/40, ff. 14-16v, 18v-19v.

[11] M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill, University of North Carolina Press, 2015), pp. 49-50

[12] It is unclear if White received a pardon, given the lack of available records of personnel in crown service in Elizabethan England. While many did receive pardons in the 1560s, White's numerous piracies against English and Welsh victims would perhaps have made his case futile.

[13] Appendix 2, p. 212. These figures are likely inflated by White to bolster his usefulness as a military commander.

to the constable of Dungarvan castle, Henry Stafford, 'to be kept saiffe of truste' until he could safely return for it.[14] Pirates in the Irish Sea, as in other bodies of water, were not confined to operate within any maritime borders – they roved as they wished. White had operated on the coast of Munster before participating in the conflicts in France, interacting with local elites as he would do later in Scotland.

A Piratical Network in Whithorn

In Scotland, White successfully sought out local urban and landed elites to unload pirated goods, mainly wine. In White's first examination, he claimed to have been forced into Whithorn in 1563 due to stormy conditions, and around the same time peace was declared in France, leaving him with no means of plying his trade. He was then 'constraynyd to seke for ayde at the lord of garlowes and mogh[ram]'[15]. White is referring to Alexander Stewart of Garlies and John Dunbar of Mochrum here. Both of these men were from branches of prominent noble families close to the burgh of Whithorn. Social stratification of early modern Scottish society split the noble class between peers, whose aristocratic rank and privileges kept them above the lesser nobility, the lairds. Lairds were noblemen without a ranked peerage like Duke, Earl or Lord. They were usually, but not exclusively, beholden to a noble house.[16] It is to this class of nobleman, alongside the urban elites in the locality, the merchant burgesses, that White sold his pirated goods. Garlies and Mochrum, White claimed, provided him with a Scottish crew and a letter of marque to sail against the Portuguese.[17] This duo were identified by White in his earlier examination as managing the Whithorn pirate operation at this time. White's second examination, though, adds another remarkable participant to this list on his first visit to Whithorn:

> And there mette wth my Lord Robt Erle of Sutherland[18] the quene of Scotlands brother, and the young lord of garleyes, And the Lord of Moghrom who p[er]swaded this ex[amina]t to s[er]ve agaynest the portyngalls at the sea, by lycense of the Quene of Scotland the same

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[14] Appendix 2, p. 212

[15] Appendix 2, p. 214

[16] For discussion on the classifications placed on nobles in society, see J. Goodare, 'The Nobility and the Absolutist State in Scotland, 1584-1638', *History* 78, no. 253 (1993), pp. 161-182; K. M. Brown, 'The Second Estate: Parliament and the Nobility', in K. M. Brown & A. R. MacDonald (eds*), Parliament in Context, 1235– 1707* (Edinburgh: Edinburgh University Press, 2010), pp. 67-94. Brown differentiates between peers and lairds as essentially greater and lesser nobles. Brown rejects the association of lairds in Scotland with the 'middling sort', the urban and professional classes who also rose to positions of influence within central government. Brown also notes the distinction between Scottish and English models of nobility, the latter of which places a more rigid distinction between titled peerage and 'lesser nobility'.

[17] Appendix 2, p. 217

[18] There is evidently some confusion on the part of White or the scribe who recorded his examination. The Earl of Sutherland at this point in time was John Gordon, eleventh Earl of Sutherland, whose seat was in the northeast of Scotland, and who was in exile during the time of White's alleged first contact with Mochrum and Garlies. Mary, Queen of Scots had two half-brothers named Robert who were illegitimate sons of James V. The eldest was Robert Stewart, later Earl of Orkney, and the youngest, Robert Stewart, later prior of Whithorn, who was later referred to as a son of the Countess of Sutherland. It is almost certainly the younger Robert that is being referred to here. P. D. Anderson, 'James V, mistresses and children of', in *Oxford Dictionary of National Biography (ODNB)* (Oxford: Oxford University Press, 2004), accessed 10 July 2020, https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-69935/version/0

portyngalls being her enemyes, declaringe that they wold be this ex[amina]t[e]s ayde and obtayne him men and vyttells. And so he went to the sea havinge xiiii scottyshe men wth him in his barke, wth vyttells at the cost of said Lords.[19]

Of the three men here who 'p[e]rswaded' White to enter their service, and provided him with a crew, none had the authority to grant a letter of marque to sail against the Portuguese. It is unclear if a letter of marque actually existed granting White license to sail on behalf of the kingdom of Scotland. If it did, it was most likely fabricated or purchased for the purposes of piracy.[20] Nonetheless, the revelations in White's examinations give remarkable insight into who was coordinating this piratical network, and the sheer volume of attacks that it was responsible for, which go far beyond what has survived in the official source material and in secondary literature.[21] The attacks which did reach the Scottish Privy Council in 1565, in the form of a combined suit on behalf of three separate victims, resulted in an investigation into the matter headed by the Warden of the West March, Sir John Maxwell of Terregles, later fourth Lord Herries (possibly himself a buyer of the goods). Terregles was to find the buyers of these pirated goods, and place them in ward until the victims were compensated. He concluded that of all the buyers of the goods, the laird of Mochrum and the son of the laird of Garlies were to stand surety for the repayment of the whole sum, which corroborates White's suggestions that the operation was coordinated by these men.[22]

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[19] Appendix 2, p. 217

[20] Although this was before the peak of corruption in English privateering during the 1570s and 1580s, purchasing letters of marque and reprisal without cause to use them was a known practice in England in the early 1560s. Some letters of marque were amended to suit an opportunity, or simply forged, or even issued retrospectively. See K. R. Andrews, *Elizabethan Privateering: English Privateering during the Spanish War 1585-1603* (Cambridge, Cambridge University Press, 1964), pp. 22-31; Rodger, *Safeguard of the Sea*, pp. 199-204, 243-6. There are also examples of this happening in Scotland at time. Elizabeth I wrote to her ambassador in Scotland, Thomas Randolph, in 1561, instructing him to pressure Mary, Queen of Scots for 'redress of such pyratts of yt co[n]trey yt hail ye seas under collor of yr l[ett]res of Marque'. *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2021), SP 52/6 f.130, Elizabeth to Randolph, 25 August 1561.

[21] See Chapter 1, pp. 47 and Chapter 2, pp. 63-4 for further discussions on White's piracies.

[22] *Register of the Privy Council of Scotland (RPCS)*, First Series, i, ed. J. H. Burton (Edinburgh: H. M. General register House, 1877), pp. 503-4; *RPCS*, ii, 636-8, 645-6; W. S. Borthwick, 'A Case of Piracy: 1565', *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society (TDGNHAS)*, Third Series, xxiii (Dumfries, 1946), pp. 11-18.

Map 3: The lands around Whithorn (1654).[23]

During the reign of Mary, Queen of Scots, the Scottish state had not yet enacted any legislation or enforced any policy towards tackling piracy through prosecuting those who engaged with pirates. In England, the 'aydors and abbettours' of pirates had begun to feature in the anti-piratical measures of Elizabeth I's Privy Council, but there was no meaningful precedent for trying those who bought the goods in Scotland at the time of White's piracies.[24] Faced with a daunting task, Maxwell of Terregles set about bringing in the buyers of these goods, but met with considerable resistance, most notably from one Master Robert Stewart, an archer of the Queen's Guard, who 'behavit him verie irreverentlie in his wordis, gevand evill exempill to utheris; throw the quhilk, grittar inconvienientis and disordour mycht follow'.[25] This demonstrates how difficult it was during this period in time to enforce reactive measures against piracy, particularly at the local level.

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[23] John Dunbar of Mochrum's lands lay a short distance northwest of Whithorn. Note also the neighbouring estate of Alexander Vaus of Barnbarroch, Mochrum's son-in-law, who also purchased White's pirated goods.
[24] *Acts of the Privy Council of England (APCE)*, vii, ed. J. R. Dasent (London: Her Majesty's Stationary Office, 1893), p. 240.
[25] *RPCS*, i, p. 348.

Buyers of White's Goods

Those who bought goods from pirates in the area, and facilitated their operations, were not immediately named to the Privy Council in 1565. The buyers' names which have survived in official source material come from a list given in 1577, twelve years after the attacks. This list appeared due to the ongoing efforts of the English and Welsh victims looking to receive payment after Terregles' investigation in 1565, who were still awaiting compensation. By this point, Dunbar of Mochrum had been ordered to compensate the victims of White's piracy, despite paying £300 sterling to Terregles in 1565. Due to their earlier payment, Dunbar presented a counter suit to the council in 1577 in which he named some of the buyers who had not paid.[26] Mochrum argued that he had paid his share (with Garlies) as surety to Terregles in 1565, so should not be responsible for repayment. Mochrum named thirty-three buyers in his attempt to deflect his responsibility for repaying the debts to the victims of White, the most prominent of these were Patrick McGowne, provost of Whithorn, and the elder and younger lairds of Garlies (by this point both deceased).[27] The majority of the buyers provided by Mochrum were of lower social status than he was. They were mostly of tenant status with landed superiors, or were minor landholders around the burgh of Whithorn. The names given are part of one protracted suit in Scotland featuring three victims of White's piracies. As has been demonstrated, White's examinations reveal extensive depredations by the pirate, which ranged from France to Ireland, Wales, and the east coast of England, and for Scotland, too, they included far more than what has survived in Scottish official source material.

White's examinations reveal a network of buyers which contains many urban and landed elites in Galloway, and provide new insight into the participation of lairds in a piratical network in southwest Scotland. The illegitimate son of James V of Scotland, Robert Stewart, later Prior of Whithorn, is chief among those implicated by White. As mentioned above, Alexander**,** fifth laird of Garlies, and his son, Sir Alexander Stewart, were leading figures in bringing in pirate hauls to the area.[28] The Stewarts of Garlies were also closely connected to the Dunbars of Mochrum through marriage, and retained business relations until the death of Sir John Dunbar of Mochrum in 1578. Also mentioned in White's list of buyers is Alexander Vaus of Barnbarroch ('the Lord of Burnebara'), who was Mochrum's son-in-law.[29] Finally, the participation of two MacLellan lairds, Thomas MacLellan of Bombie and

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[26] *RPCS*, ii, p. 636-8, 645-6.

[27] Borthwick, 'A Case of Piracy, pp. 15-17; *RPCS*, ii, pp. 644-7. It is this list which has survived in official records and historiography.

[28] Sir J. Balfour Paul, *The Scots peerage; founded on Wood's edition of Sir Robert Douglas's peerage of Scotland; containing an historical and genealogical account of the nobility of that kingdom* (*Scots peerage*), iv (Edinburgh, 1907), pp. 152-60. The Stewarts of Garlies were prominent landowners in Galloway, and would later be raised to the peerage as Lords Garlies and subsequently Earls of Galloway in 1623. By 1565, they had acquired the church lands of the Friars of Wigtown, and several baronies in the Galloway region. They were close kinsmen of the Matthew Stewart, Earl of Lennox, who briefly served as regent of Scotland from 1570 until 1571. Sir Alexander Stewart, younger of Garlies, was killed during the assassination of his kinsman Lennox in 1571.

[29] P. H. Mackerlie, *History of the Lands and Their Owners in Galloway. With Historical Sketches of the District*, ii (Paisley, 1906), pp. 51, 195-6; J. Balfour Paul, *Scots Peerage*, iv, p. 152; TNA, HCA 1/38, f. 132.

Alexander MacLellan of Gelston, as buyers of White's goods on multiple occasions, is perhaps most remarkable. MacLellan of Bombie was a particularly influential laird who also held great influence in the burgh of Kirkcudbright, as well as later becoming Lord Herries' son-in-law. Crucially, the MacLellans were hereditary customs officers in the region for most of the sixteenth century.[30] One name which appears frequently in White's examinations is 'lord martin mecolls', but it remains unclear who White is referring to here.[31]

White's examinations confirm that there was a much higher participation in pirate networks of members of the landed social groups in the Solway region than was previously thought. The sources used in previous works which touched on the subject alluded to mostly urban people and rural tenant classes engaging with White.[32] Indeed, that this network seems to have been coordinated by the lairds of Mochrum and Garlies affirms that, in the late sixteenth century, participation of the landed classes enabled piracy to flourish. This is similar to aspects of illicit trading networks common in other Lowland areas of the archipelago, such as southwest England and south Wales during the same period, and in Ireland in the early seventeenth century. Historiography which has implicated Elizabethan officials in piratical activity has been plentiful. However, historians have had considerable trouble in unearthing definitive examples of the landed participation in illicit trading networks beyond those who directly engaged with pirates. Families such as the Killigrews and Hopkinses in southwest England, and the Wogans and Perrots in Wales, have all been shown to have had links to piracy while retaining their place among their respective mercantile communities and, in some cases, their positions in the admiralty administration.[33] Keith Pluymers has also highlighted how in Ireland, the O'Driscolls of Baltimore, who cultivated relationships with English traders from the late sixteenth century, enabled both the landed Gaelic and seafaring English participants to circumvent regulations and profit from pirated goods, to their mutual benefit.[34] Mark Hanna also purports a 'plunder economy' in the Elizabethan West Country, sustained by the local gentry, which injected much-needed cash sums into the pockets of 'West Country

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[30] TNA, HCA 1/38, ff. 132-4v; *RPCS*, i, pp. 336-7, 438, 503-4, ii, 603-4; R. C. Reid, 'Early Records of Kirkcudbright', *TDGNHAS*, Third Series, xxii (Dumfries, 1942), pp. 152; A. Murray, 'The Customs Accounts of Kirkcudbright, Wigtown and Dumfries, 1434-1560', *TDGNHAS*, Third Series, xl (Dumfries, 1963), pp. 137, 154.

[31] See Appendix 2, p. 218. The use of the term 'lord' may indicate a peer in the area, and could be the Welsh scribe's interpretation of Lord Maxwell, however, this cannot be certain. White uses 'lord' when referring to lairds as well as peers in his confession. The name 'mecolls' may refer to many common surnames in the area, including McCall, McKie, McGill or McGhee. It may also refer to the name Meikle, or indeed Castlemeikle, which, incidentally, was part of the estate of the Stewarts of Garlies. One of the most informative guides to prominent families in the area and the lands they held remains Mackerlie, *History of Lands and Their Owners in Galloway*.

[32] *RPCS*, ii, pp. 636-8, 644-7, 650; Borthwick, 'A Case of Piracy', pp. 11-18; Murdoch, *Terror of the Seas?*, pp. 114-5.

[33] D. Mathew, 'The Cornish and Welsh Pirates in the Reign of Elizabeth', *English Historical Review* 39, no. 155 (1924), pp. 337-348; Rodger, *Safeguard of the Sea*, pp. 343-4; J. C. Appleby, 'Devon Privateering from Early Times to 1688', in *The New Maritime History of Devon Volume I: From Early Times to the Late Eighteenth Century*, eds. M. Duffy, S. Fisher, B. Greenhill, D. J. Starkey and J. Youings (London: Conway Maritime Press, 1992), pp. 90-7.

[34] Pluymers, 'Pirates and the Problem of Plantation in Seventeenth-century Ireland', pp. 86-92.

silversmiths, jewelers, and tavern keepers'.[35] Yet, investigations into piracy and the sale of illicit goods rarely provide concrete examples of wider participation in these illicit trading networks by those on land. White's examinations place some of the lairds in Galloway within an illicit maritime network in the Irish Sea, hitherto unknown to historians of piracy in the archipelago. That the Solway region, and the southwest more generally, has been viewed as being somewhat of a commercial backwater among economic historians supports arguments presented in this thesis that the conditions in the area were conducive to piracy and illicit trading.[36]

Indeed, an inventory of the estate of Sir John Dunbar of Mochrum, on his death in 1578, shows that the laird was conducting a large trade in wine, dried fruit and cloth – all imported commodities – with local lairds and urban dwellers. Mochrum traded frequently with burgesses of Whithorn, and was probably a supplier of wine to the burgh, as at his death, the provost of Whithorn, Patrick McGowan, owed Mochrum £205 for nineteen puncheons of wine.[37] Many of those who Mochrum implicated in buying pirated goods from him a year earlier in front of the Privy Council were also listed as debtors in the inventory of his estate, including the provost of Whithorn. As well as those named to the Privy Council, the laird of Garlies and his grandson both owed money for six puncheons of wine; David Murray of Broughton owed the rather large sum of 800 merks for an unspecified purchase; the Gordons of Lochinvar and Craiglaw appear as cautioners for debts and for wine purchases themselves; as do the Crawfords of Balgregan, the McKees of Moniaive and the McCullochs of Killaser.[38] Evidently, Mochrum maintained a trade in wine with many of the most influential families of the region and the burgesses of Whithorn, as well as many tenants, craftsmen and freeholders. Mochrum's inventory also contained a large amount of foreign currency, including Portuguese ducats, English rose nobles, Spanish ryals and Dutch double ducats, suggesting he had at least intermittent contact with foreign traders.[39]

The length of time between Andrew White's capture and examination in 1565 and the culmination of the suit of his victims in Scotland in 1577 obfuscates the details of this illicit network considerably. Those named in 1577 by Mochrum to Scottish authorities were generally lower in social status, and the more prominent buyers named by White in 1565 to English authorities are missing from his list, making it highly unlikely that those named by Mochrum in 1577 were indeed the original buyers of White's goods. White visited Whithorn on several occasions, each time selling his goods to several urban and landed elites. Those named by Mochrum as 'intromittors' with White in 1577 are also his own debtors, and therefore it is most likely that Mochrum was profiting from White's piracy by selling on stolen wine to these individuals. Others named by White, such as Thomas MacLellan of Bombie and

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[35] Hanna, *Pirate Nests*, pp. 42, 52-7.
[36] See Chapter 1 of this thesis, pp. 33-4.
[37] 'Inventory of the Estate of the Late Sir John Dunbar of Mochram who Died on 10th December, 1577', eds. W. F. Cormack & A. E. Truckell, *TDGNHAS*, Third Series, lx (Dumfries, 1985), pp. 62-72.
[38] 'Inventory of the Estate of the Late Sir John Dunbar of Mochram', pp. 163-8; *RPCS*, ii, 644-70.
[39] 'Inventory of the Estate of the Late Sir John Dunbar of Mochram', p. 165.

Alexander Vaus of Barnbarroch, may have dealt directly with the pirate, and so their own stockpile of pirated goods are not accounted for in 1577. When ordered by the Privy Council to repay White's victims, Mochrum named his own debtors as the 'intromittors' with the pirate, and thus, the full extent of the piratical network cannot be known. That being said, the surviving documents which have been consulted for this chapter – White's examinations and the inventory of the estate of one of his chief buyers – have provided solid evidence for an illicit trading network in southwest Scotland.[40] Our knowledge of Lowland Scots in the southwest participating in illicit trading networks facilitated by pirates has been significantly enhanced by these documents. Records of illicit trading networks are rare, and it is no coincidence that they have survived in two of the burghs in the Solway Firth – those which were bereft of international trade and isolated from the political and commercial centre.

Kirkcudbright in the late sixteenth century

This case study aims to provide an in-depth analysis of localised piracy, assessing piratical activity in Kirkcudbrigh, but also the wider illicit activity of burgh residents and officials who facilitated and interacted with pirates. The rationale for choosing Kirkcudbright is twofold: surviving records for the burgh make a case study possible; and Kirkcudbright stands out among the west coast burghs as being particularly amenable to pirates in the late sixteenth century. The burgh records for Kirkcudbright, transcribed in full for publication, are a valuable source providing insight into a burgh's activities in the late sixteenth century. Indeed, the court books show a council which met with regularity and operated somewhat efficiently in conducting the day-to-day business of the town.[41] These records show that the council was proactive in dealing with petty cases among burgesses, guarding against plague, pursuing those who avoided their tax to the burgh, and regulating matters of trade and shipping.[42]

Outside of local studies conducted by the Dumfries and Galloway Natural History and Antiquarian Society, Kirkcudbright has not enjoyed a prominent place among Scottish studies of the early modern period.[43] Burghs of similar stature to Kirkcudbright, including its neighbour and rival, Dumfries, have also received limited coverage in national historiographies. One study of the town of Dumfries, published alongside a study of Edinburgh covering the same period, can explain why smaller burghs receive so little attention from scholars. James Brown's assessment of Edinburgh's 'merchant

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[40] TNA, HCA 1/38, ff. 138-141v, 124-137v; *RPCS*, ii, p. 636-8, 645-6.

[41] The choosing of burgh officers and town councillors happened once per year during the twenty eight year period that is covered by the first volume of the court book (1576-1604), with some years being missed and retaining the same council. See *KTCR*, i, pp. 1-2, 41-2, 78-9, 120-1, 147, 171-2, 180, 191-2, 205, 210, 221-2, 229-30, 242-3, 252-3, 266-7, 277-8, 287-8, 287-8, 301-3, 314-5, 331-2, 342, 356-7, 366-7, 381-2, 397-8, 426-7, 441-2.

[42] *KTCR*, i, pp. 53, 213, 364, 401, 214, 149.

[43] For studies of Kirkcudbright's activities during the late sixteenth century, see Reid, 'Early Records of Kirkcudbright'; Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries'; A. Murray, 'The Customs Accounts of Dumfries and Kirkcudbright, 1560-1660', *TDGNHAS,* Third Series, xlii (Dumfries, 1965), pp. 114-132.

princes' in the early decades of the seventeenth century demonstrates how merchants in the capital were diversifying overseas, investing in industry, and cultivating long-term commercial partnerships.[44] Conversely, Winifred Coutts' study of the 'provincial' town of Dumfries shows how the majority of traders within the burgh dealt only locally, or had farming interests alongside small trading operations. Those who did trade internationally often did so through Edinburgh middle-men with connections to Europe; or traded over land to England.[45] The stark contrast between the merchant societies of Edinburgh and smaller burghs, such as those on the Solway Firth, exemplifies why these burghs have not featured prominently in economic studies. Burghs are often judged by historians on their position in the rolls of tax returns paid to the crown.[46] Indeed, even in Christopher Smout's article tracing Glasgow's 'spectacular rise to fame and wealth' from 1580, he argues that the tax assessments of the Convention of Royal Burghs 'provide the best possible index to the relative prosperity of Scottish towns over a long period'[47] However, this thesis, and this case study, are not primarily concerned with economic prosperity; they are concerned with illicit activity, and research has shown how pirates were attracted to more remote ports, away from the prying eyes of central government and customs officials.

The burgh of Kirkcudbright, like all other royal burghs of the time, was governed by a town council. Town councils in the sixteenth century consisted of elected magistrates (the provost and two or more baillies) alongside a treasurer, town clerk, a dean of guild (who represented the merchants), and a contingent of elected burgesses who sat on the council – usually numbering around twelve. Unsurprisingly, town councils were dominated by the most powerful of the urban social classes – the merchants. Likened to small oligarchies, those with the most power and influence usually sat on the town council in some capacity, and tended to occupy the magistrate offices. Burgh organisation was not standardised in the sixteenth century; burgh councils and courts varied in size, functionality, and social stratification – craftsmen, for example, were represented to a greater extent in some burghs than in others.[48] By the seventeenth century, the role of the provost in a royal burgh was increasingly becoming a role reserved exclusively for burgesses, in the late sixteenth century it was still fairly common for a local laird or peer to occupy this role although many burghs had moved on from this practice. The burgh of Ayr, for example, fought against the appointment of Sir William Stewart of

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[44] J. J. Brown, 'Merchant Princes and Mercantile Investment in Early Seventeenth Century Scotland', in *The Early Modern Town in Scotland*, ed. M. Lynch (London: Croom Helm, 1987), pp. 125-146.

[45] W. Coutts, 'Provincial Merchants and Society: A Study of Dumfries based on the Registers of testaments 1600-1665', in *The Early Modern Town in Scotland*, ed. M. Lynch (London: Croom Helm, 1987), pp. 147-166.

[46] See M. Lynch, 'Introduction', in *The Early Modern Town in Scotland*, ed. M. Lynch (London: Croom Helm, 1987), pp. 4-10. The burgh rankings at any time can be seen in the volumes of the Convention of Royal Burghs, see *Records of the Convention of Royal Burghs of Scotland (RCRBS)*, ed. J. D. Marwick, 4 vols (Edinburgh, 1866-1880).

[47] T. C. Smout, 'The Development and Enterprise of Glasgow', *Scottish Journal of Political Economy* 6, no. 3, (1959), p. 194.

[48] J. Goodare, *The Government of Scotland 1560-1625* (Oxford: Oxford University Press, 2004), pp. 190-1; Whyte, *Scotland before the Industrial Revolution*, pp. 190-209; C. Mair, *Mercat Cross and Tolbooth* (Edinburgh: John Donald, 1988), pp. 82-94.

Monkton as provost in 1585, after he had obtained letters from the king securing his appointment. Ayr had been free of external interest in the burgh since 1531, and Monkton served only one year in office.[49] Kirkcudbright, in the late sixteenth century, had not quite caught up with its Ayrshire neighbour, and continually elected Thomas McLellan of Bombie as provost from 1565 at the latest, until 1596, a year before he died.[50]

Bombie's influence in the region went beyond the burgh of Kirkcudbright. He held lands throughout the Galloway region and in the shire of Wigtown, and held the position of customs officer for the Stewartry of Kirkcudbright throughout his lifetime, repeatedly being called upon to submit his customs receipts. Bombie was also named a gentleman of the bedchamber of James VI in 1580, during the rise to prominence of Esmé Stewart, then Earl of Lennox. Many of those who were named to attend the king in that year were from the southwest, and were attached to Lennox. Bombie's connections to Lord Herries of Terregles undoubtedly helped secure his appointment.[51] During Bombie's provostship, the town council was composed of a provost, two baillies, a dean of guild, a clerk, a treasurer, four elected officers, and, intermittently, a kirk master, in addition to another twelve elected councillors, resulting in a council usually composed of around twenty-three individuals. There was only a small amount of rotation from year to year in personnel, ensuring the oligarchical structure of the council remained in place throughout the late sixteenth century, with local power being vested in the hands of the same individuals throughout the period. Alan MacDonald has suggested that the relationship between a burgh and a peer or laird was one of mutual benefit. Lairds or peers could gain status and local influence, while a burgh gained an ally with connections to the political centre. Indeed, Kirkcudbright is shown by MacDonald to have an 'active provost' – one who regularly attend council meetings and engaged in trading activities.[52] MacLellan of Bombie was heavily involved in the running of the town, and his connections to the political centre – a result of his connections to the Lennox Stewarts and the Maxwells of Terregles – can certainly be viewed as advantageous to the burgh.

In terms of legitimate trade, assessments of Kirkcudbright have varied in their conclusions. The editors of the burgh court books contended that the records display a 'considerable sea-borne trade in wine, salt and iron'. The references to murky mercantile practices of forestalling – buying up

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[49] *RPCS*, iv, pp. 223-5; J. W. Forsyth, 'Provosts', in *The Royal Burgh of Ayr: Seven Hundred and Fifty Years of History*, ed. A. I. Dunlop (Edinburgh: Oliver & Boyd, 1953), pp. 316-322.

[50] While Bombie was absent from the burgh, his position as provost was taken up by his kinsman, Thomas MacLellan of Crofts. *Kirkcudbright Town Council Records 1576-1604, transcribed by Miss B Johnston and Miss C. M. Armet at the Instance of John, IV Marques of Bute (KTCR)*, i, (Edinburgh: Oliver & Boyd, 1939), pp. vii-viii; *The Exchequer Rolls of Scotland = Rotuli scaccarii regum Scotorum (Exchequer Rolls)*, xix, ed. G. P. MacNeill (Edinburgh: General Register House, 1898), p. 300. It is likely that Bombie was acting as provost before 1565, however, the town council records begin in 1578, and the town's contributions to the exchequer until 1555 were submitted by Thomas MacLellan of Auchlane, Bombie's tutor while he was a minor. *Exchequer Rolls*, xviii, pp. 117, 145, 226, 258, 284.

[51] Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', pp. 153-4 *RPCS*, iii, pp. 322-4.

[52] A. R. MacDonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (Aldershot: Ashgate, 2007), pp. 36-8.

merchandise before it reached market – and engaging with Scots merchants based overseas who avoided customs, help demonstrate this.[53] R. C. Reid, a frequent contributor of work on the burghs of the Solway, to both local and national publications, echoed this sentiment, referring to the burgh records as a 'mine of information on such matters as shipping'. Reid also stresses that the town's neighbour, and closest rival, Dumfries, overshadowed the smaller burgh, and indeed at times set an example to be followed in burgh administration.[54] Atholl Murray, in his assessments of customs accounts of the burghs of the Solway from the mid-fifteenth until the mid-seventeenth century, stresses the smaller amount of customs paid by Kirkcudbright in comparison to other west coast ports such as Ayr and Dumbarton, and later Glasgow.[55] Kirkcudbright's penchant for not submitting customs dues to the exchequer perhaps contributed to this characterisation, but it is accurate, nonetheless. From a national economic perspective, historians have paid little attention to Kirkcudbright due to its minor contribution to the exchequer and its lowly position on the burgh tax rolls. Doctoral research by Martin Rorke has shown how the level of shipping traffic in the west coast in general pales in comparison to the east coast ports, and for Kirkcudbright, Wigtown and Whithorn especially, the customs returns for these burghs were far below what was contributed even by other west coast ports, like Ayr, throughout the fifteenth and sixteenth centuries.[56] S. G. E. Lythe's assessment of Scotland's economy foreshadows conclusions reached by Rorke, where far greater scrutiny is applied to the east coast ports than those on the west. Lythe asserts that it was 'inconceivable' that the lower prices in west coast ports were a result of bulk economies which competed with the larger trading centres. Rather, they were a result of geography and illicit activity in the western seas.[57]

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[53] *KTCR*, i, p. vi.

[54] Reid, 'Early Records of Kirkcudbright', p. 150.

[55] Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', pp. 136-163; A. Murray, 'The Customs Accounts of Dumfries and Kirkcudbright', pp. 114-132.

[56] M. Rorke, 'Scottish Overseas Trade, 1275/86-1597' (Unpublished Ph.D. Thesis, University of Edinburgh, 2001), pp. 88-97. See also the tables of customs dues for Kirkcudbright, Ayr, and Wigtown/Whithorn, *Ibid.*, pp. 442-4, 354-8, 484-5.

[57] S. G. E Lythe, *The Economy of Scotland in its European Setting 1550-1625* (Edinburgh: Oliver & Boyd, 1960), pp. 250-2, 181. In the 1550s and 1560s, the Scottish Privy Council attempted to standardise prices in burghs on wine due to the depreciation of the Scottish pound. Each tun of French wine imported to Scotland was to be sold for £2 more in ports on the 'East Seas' than in those on the 'West Seas'. Lythe suggests that this may have been an effort to incentivise trade into western ports which were in need of any help they could get, or it may also have been intended to offset the illicit trade of wine brought into the southwest by English pirates. *Ibid.*, p. 181.

Map 4: Kirkcudbright's natural harbour (1654).

Geography certainly played a part in the dearth of local trade in the Solway ports. Kirkcudbright, positioned in a neat natural harbour, and easily accessible a few miles north of the mouth of the River Dee, was a welcome rest for ships travelling north in the choppy waters of the Irish Sea. However, one of the rare accounts of Kirkcudbright by a foreign observer in the sixteenth century, written by Sir Thomas Holcroft in 1547, alludes to why Kirkcudbright was a problematic place to trade:

> Those that know Kirkcudbright say that it is one of the Greatest havens of the world…
> but they never heard of larger vessels than 40 or 50 tons unloading or putting in there,
> unless through a storm; the larger ones go to Ayr or Dumbarton, for the country
> of Kirkcudbright is so full of mountains, rocks, &c. that nothing can pass but upon a man
> or horse's back.[58]

The rugged terrain of the Southern Uplands, the mountain range which spans the width of southern Scotland, provided a buffer between the lands of Galloway and the Central Lowlands. It is recognised as being an impediment to the trade of Dumfries by Coutts, who suggested that merchants in the seventeenth century had to travel east into the valleys of Nithsdale, Annandale and Eskdale before going north to Edinburgh.[59] The geographical barriers between Galloway and the political and commercial centre in Edinburgh can be likened to that described by Hanna in his appraisal of the Elizabethan West Country, which helped foster the conditions required for pirate nests. Cornwall, England's most piratically-inclined county in the Elizabethan era, was geographically isolated from the rest of southern England by the River Tamar, which ran almost the length of the eastern boundary of Cornwall's border.

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[58] *Calendar of State Papers, Domestic Series, of the Reign of Elizabeth, 1601-1603 with Addenda 1547-1565*, ed. M. A. E. Greed (London: Longman, 1870), pp. 368-9.
[59] Coutts, 'Provincial Merchants and Society', p. 155.

Those wishing to travel to Cornwall had an arduous journey north to find a safe crossing, before having to cross the rugged Cornish upland country to reach the port towns in the south. Towns in Cornwall, like Kirkcudbright, also had a history of evading customs dues to the crown.[60]

Map 5: Seventeenth century map of Galloway (1654).[61]

Ideas presented in wider Atlantic maritime scholarship help provide an understanding of the market forces which pulled pirates into geographically obscure ports. David J. Starkey's analysis of piratical markets in the eighteenth century Atlantic notes how economic outlets for pirates generally appeared in physically and socially isolated regions. Starkey's contention that piracy 'tended to emerge and thrive at the junctures when disequilibria were evident between demand and supply'[62] certainly applies to the burgh of Kirkcudbright a century and a half before: the burgh's legal supply of wine and other luxury foreign commodities did not meet the demand of the local landed elites. Michael Jarvis, in a similar vein, has advocated a reinterpretation of Atlantic history through the viewpoint of early modern mariners, rather than from the colonies that were established around that ocean. This, he argues, helps augment a more authentic geography of the northern Atlantic world, which incorporates maritime communities previously marginalised in historiography. In doing so, Jarvis is able to demonstrate how

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[60] Hanna, *Pirate* Nests, pp. 22, 23, 25.
[61] How early modern Scots perceived the mountainous barrier of the Southern Uplands is illustrated in this map of Wigtownshire and the Stewartry of Kirkcudbright.
[62] D. J. Starkey, 'Pirates and Markets', in *The Market for Seamen in the Age of Sail*, ed. L. R. Fischer (Liverpool: Liverpool University Press, 1994), pp. 60.

engagement with piracy, albeit in combination with the practice of wrecking, helped strengthen the economy of Bermuda, a geographically isolated port in the centre of the northern Atlantic. This occurred due to the injection of capital which was not readily available in the small Bermudan economy, traditionally dependant on seasonal harvests and successful crop yields.[63] When this type of approach is applied to the Irish Sea world, it becomes clear why Kirkcudbright was able to function as an early modern pirate nest. The studies mentioned here have demonstrated a link between geography and the market forces which stimulated piratical activity. Kirkcudbright was positioned on the northeastern fringe of the Irish Sea, outside of the jurisdiction of the English admiralty; but also isolated from Scottish commercial centres, and losing trade to more profitable west coast ports such as Ayr and Glasgow. It is, therefore, evident that the phenomena which propelled many in the Atlantic world into piracy are also apparent in the Solway Firth during the late sixteenth century. What must also be demonstrated however, is a market of buyers of illicit goods and some willing local officials who facilitated these activities; both of which Kirkcudbright had in abundance.

Illicit Activity in Kirkcudbright

Kirkcudbright's history of avoiding tax to the crown can be seen throughout the sixteenth century in the records of the Scottish Exchequer. In 1527, the custumar of Kirkcudbright, William MacLellan of Bombie, was ordered to appear in Edinburgh before the exchequer with his accounts, or risk a fine of £10. The reason for the threat was that in two consecutive years, he had sworn, without documentation, that his customs duties amounted to £12, trying to avoid paying the presumably larger amount actually owed to the crown. A fine had actually been issued to Kirkcudbright in 1501, to Thomas MacLellan of Bombie, customs officer for Kirkcudbright and Wigtown, for failure to appear.[64] Fines for individual customs officers were not uncommon throughout the sixteenth century. Non-appearance was fairly common from burghs of all regions, however, Thomas MacLellan of Bombie's non-appearance became a problem for the exchequer in the late sixteenth century. Only one account for Kirkcudbright was submitted between 1555 and 1582, covering the whole period, and amounting to a small and specific value of £71 18s 8d. The exchequer had repeatedly called on Kirkcudbright to submit accounts, doing so in 1562, 1568, 1576, 1577, 1579, and would do so again in 1599, but would not receive another customs account until well into the seventeenth century.[65]

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[63] M. J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (Chapel Hill: University of North Carolina Press, 2010), pp. 2-3, 84-5. For other studies which account for illicit activity and avoid national or state-centric narratives, see W. Klooster, 'Inter-Imperial Smuggling in the Americas, 1600-1800', in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, eds. B. Bailyn and P. L. Denault (Cambridge: Harvard University Press, 2009), pp. 141-80; C. Matson, *Merchants and Empire: Trading in Colonial New York* (Baltimore: John Hopkins University Press, 1998).

[64] Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', p. 140; *Exchequer Rolls*, xv, p. 362, xi, p. 372-3.

[65] Rorke, 'Scottish Overseas Trade', pp. 29-30, 94-6, 444; *Exchequer Rolls*, xix, p. 496, xx, pp. 389, 503-4, 518-9, 547-8, xxiii, p. 512; Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', pp. 154.

Other burghs in the same region were not so negligent. Kirkcudbright's neighbouring burgh of Dumfries, for example, submitted accounts with more regularity, doing so eleven times in the period between 1557 and 1597.[66] Other small burghs in the southwest were similarly engaged in submitting customs accounts. Irvine did so on twenty one occasions between 1560 and 1598.[67] The reason for Kirkcudbright's failing to appear or submit accounts, it has been assumed, was a result of the dearth of trade in the area.[68] However, burgh records show that there were several interactions between Kirkcudbright merchants and various French merchants between 1576 and 1597.[69] Furthermore, Bombie's interactions with pirates in 1565 and 1575 allude to his predilection for overlooking his duties as customs officer, as well as ships being present in the area. Lack of legitimate trade in Kirkcudbright was indeed a problem for the burgh, but this only goes so far in explaining the lack of communication with the exchequer and the miniscule accounts submitted. There were procedures in place in the exchequer by which any burgh with no customs duties to pay had to appear and swear an oath to that effect, which Bombie clearly never did.[70]

As well as avoiding customs duties, the burgh also frequently abused its right to 'small customs' allowances. In the fifteenth and sixteenth centuries, 'great customs', those most commonly referred to, were levied by the crown on goods exported from the country. Small customs, on the other hand, were taxes or tolls levied by an individual burgh, which were raised, supposedly, for the common good.[71] These small customs allowances were what allowed the burgh of Ayr to levy a tax on goods coming into the harbour in order to compensate mariners and their families who were injured or lost their lives at sea.[72] In Kirkcudbright, however, the burgh pushed the boundaries of legality with small customs in more serious matters, which led to a joint complaint by other burghs of the southwest. A case against Kirkcudbright was brought to the Convention of Royal Burghs in 1592 by the burghs of Ayr, Glasgow, Irvine, and Dumbarton. The charge of extortion was put forward as Kirkcudbright had been extracting four bolls of salt from each ship and bark that entered the harbour, including from its neighbouring burghs, who were considered 'frimen' and not subject to any trading taxes outside of customs.[73] The

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[66] Rorke, 'Scottish Overseas Trade', p. 377; *Exchequer Rolls*, xx, pp. 296, 314, xxi, pp. 1, 215-6, xxii, pp. 92, 131, 182-3, 424.
[67] Rorke, 'Scottish Overseas Trade', p. 436; *Exchequer Rolls*, xix, pp. 173, 196, 222, 275, 293, xx, pp. 149, 210-11, xxi, pp. 216, xxii, pp. 92, 246, 419, xxiii, pp. 85, 130-1, 190, 246, 332. Irvine's contributions are often small or incomplete, but they show regular contact between the burgh and the exchequer.
[68] Rorke, 'Scottish Overseas Trade', pp. 94-5; Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', pp. 154.
[69] *KTCR*, i, pp.1, 133, 157, 203, 329, 341. These records show Kirkcudbright burgesses travelling to France, and also French ships entering Kirkcudbright. The presence of an Ayr merchant on board a French ship in Kirkcudbright harbour in 1597 alludes to a wider trading network in the southwest. Ayr had a significant carrying trade in French wine to the smaller burghs of the southwest.
[70] A. Murray, 'The Procedure of the Scottish Exchequer in the early Sixteenth Century', *Scottish Historical Review* 40, no. 130 (1961), p. 107. Bombie's interactions with pirates are outlined throughout this chapter. See pp. 146, 148, 156-8.
[71] Murray, 'Customs Accounts of Kirkcudbright, Wigtown and Dumfries', p. 137.
[72] For a full discussion on this, see Chapter 7, pp. 181-5 of this thesis.
[73] *RCRBS*, i, (Edinburgh, 1866), p. 382.

Kirkcudbright representative was ordered to appear at the next convention to answer the charge, or risk a £20 fine. Kirkcudbright, of course, failed to answer the charge in the following convention, and was fined £20. Evidently, the benefits of this tax outweighed the £20 penalty. Nonetheless, the burghs of the Clyde and Ayrshire coast persisted with their suit, and Kirkcudbright had to answer the following year, when they were ordered to refund all customs lifted from burgesses of Scottish towns.[74] It can be concluded that Kirkcudbright was unaffected by this imposition by the Convention of Royal Burghs, as they proceeded to enact a small customs tax in 1594 by which all ships entering the port paid a tax to the town magistrates in wine, providing a quart for their supper each day it lay in port.[75]

Kirkcudbright and Piracy

As has been shown above, Thomas MacLellan of Bombie was one of the chief buyers of the goods of Andrew White in 1565, so by the time a pirate haul was brought into Kirkcudbright by Leonard Robertson a decade later, Bombie already had a history of dealing with pirates. Robertson raided the River Dee in the north of England in 1575, targeting merchants from the town of Chester.[76] Like Andrew White a decade before, his buyers were the local lairds and urban elites in the Galloway area, this time using the town of Kirkcudbright as a market for his pirated goods. Kirkcudbright was used as a market for stolen goods in 1565, and again in the early 1580s, and so Robertson's pirate haul in 1575 was not an isolated attack.[77] While opportunistic piracy was common in the Irish Sea in the late sixteenth century, the evidence that exists in historical records pertaining to Kirkcudbright displays a pattern of interactions with pirates which can only lead to the conclusion that the burgh accommodated pirates when there were profits to be made. As has been shown above, Kirkcudbright's trade pales in comparison with other burghs in the late sixteenth century, and the burgh pushed the boundaries of legality when it could. The dearth of lucrative international trade within the burgh, the harsh maritime environment of the Irish Sea, and the geographical isolation from the political and commercial centre of Scotland, are all criteria befitting an early modern pirate nest. What is also evident around the burgh of Kirkcudbright, though, is a willingness of local elites to participate in this illicit activity, which is fundamental in allowing pirates to operate.[78]

Robertson and his crew robbed the ship *Trinity of Helberie* and its cargo of Spanish wine from Anthony Hankey of Chester in 1575, which resulted in diplomatic pressure being applied to the regent Morton. As in 1565, when similar pressure had been exerted on Mary, Queen of Scots, an investigation

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[74] *RCRBS*, i, pp. 397, 435, 455-6.
[75] *KTCR*, i, p. 300.
[76] *RPCS*, ii, pp. 603-4.
[77] *SPO*, SP 63/25 f. 35, Captain George Thornton to Sir William Cecil, 2 July 1568; *RPCS*, iii, 446-7, iv, 134-5.
[78] For perspectives on piracy engaged with remote regional communities Hanna, *Pirate Nests*, pp. 24-6; D. J. Starkey, 'Pirates and Markets', pp. 59-81; Pluymers, 'Pirates and the Problem of Plantation in Seventeenth-century Ireland' pp. 80-1.

into the buyers was delegated to powerful regional lords.[79] One remarkable aspect of this attack, however, is that Robertson enjoyed burgess status in Kirkcudbright. He is recognised as a burgess of the town when he was pursued for petty debts by fellow burgesses in the burgh court books in 1576 and 1577.[80] The burgh was harbouring a known pirate among their number while the chief magistrates and local landlords purchased his pirated goods. In this instance authority was delegated 'conjunctlie and severalie' to Lord Herries and his kinsman, John Maxwell, eighth Lord Maxwell, the former and current Wardens of the West March respectively, and both peers. The list presented to the Privy Council, which contained sixteen buyers of Robertson's Spanish wine, contained the names of the two lords assigned to investigate the attack.[81]

The Privy Council relied on regional peers as their agents in the localities; that some were intromitters with pirated goods did not change this. Lord Herries was himself a Privy Councillor during the time he was ordered to investigate the buyers of Robertson's goods.[82] In addition to the two Maxwell lords, the list of buyers of the pirate haul sold at Kirkcudbright also contained lairds from the chief landed families in the area. Among these were John Gordon of Lochinvar, Sir James Douglas of Drumlanrig, James Kennedy of Blairquhan, William Adair of Kinhilt and, of course, Thomas MacLellan of Bombie. Bombie's colleagues in the town council of Kirkcudbright were also well-represented, adding urban elites to the list. Among their number were John Meikle, Andrew McBrome, and William Whitehead, all of whom held positions in the council a year later in 1576.[83] The outcome of this case is unknown, as it appears only once in the records of the Privy Council, after the investigation had concluded. By this point, only Lord Herries had provided compensation to Anthony Hanky, the merchant of Chester spoiled by Robertson. The other fifteen buyers were ordered to do so or risk being denounced as rebels (known then as being put to the horn), and the Privy Council provided the 'officaris of armes' with the power to take any of the buyers into custody and seize the value of the goods.[84] When the wider contexts of Scotland and the archipelago are considered, it must be remembered that towns like Kirkcudbright and Whithorn were situated within the Scottish West March, and the process of reform in the 'frontier' regions of the three kingdoms discussed in Chapters 4 and 5 of this thesis were not yet underway at the time of this attack in 1575. Indeed, as Keith Brown has noted,

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[79] *RPCS*, ii, pp. 603-4 Robertson's methods and similarities to Andrew White are discussed in Chapter 2, pp. 64-5 of this thesis.
[80] *KTCR*, i, pp. 5, 6, 37, 39, 41.
[81] *RPCS*, ii, pp. 603-4.
[82] A similar relationship existed between the Elizabethan government and the gentry of the English West Country and south Wales during the 1570s. See Rodger, *Safeguard*, pp. 343-5.
[83] *RPCS*, ii, pp. 603-4; *KTCR*, i, pp. 1-2, 41-2. John Meikle was also a baillie of the town in 1576, and Andrew McBrome took the same position the following year.
[84] *RPCS*, ii, pp. 603-4.

'the entire process of horning was a shambles with criminal and civil law confused, and no-one quite sure what the status of an outlaw was'.[85]

The practice of horning in sixteenth-century Scotland was reserved for those deemed outlaws by the crown. This could be applied to those engaged in feuds, cattle rustlers, serial debtors, and also pirates and their accomplices. Horning had very little effect, particularly towards those who interacted with pirates. When pirates, and those who engaged with pirates, are viewed alongside other outlaws in Scottish society, it becomes clear that the chosen method of punishment by governments in Scotland in the mid-sixteenth century was insufficient.[86] In the West March, those who could afford to purchase pirated goods – landed and urban elites – could in many cases also afford to take the risk of being put to the horn. Many of those who purchased goods from Robertson were powerful regional lairds within their own right, but also came from families with significant political power on a national scale. That Bombie, the crown's customs officer in the Stewarty of Kirkcudbright, and also the provost of the burgh, was known to be engaging with pirates on at least two separate occasions, as well as harbouring a known pirate in the town, did not deter the Privy Council granting him a position as a Gentleman of the Bedchamber three years later, after he became the son-in-law of Lord Herries.

Kirkcudbright also provided a market for pirated goods on other occasions in the late sixteenth century. In 1568, Captain George Thornton, an officer of the English crown in Irish service, reported that he had chased the pirate captain Wolsall from the Isle of Man into Kirkcudbright while in command of the queen's ship, the *Hare*. Wolsall sailed in a ship of 140 tons and carried a Spanish prize of 60 tons. Both the ship and prize were recovered in Kirkcudbright, by the 'lord of yt contrye who (w[i]th his companye) made great spoyle of suche goodes'. The English mariners were then stranded in the mouth of the River Dee in Kirkcudbright, due to rough weather. Some attempt was made to recover the goods from the English seamen, as they were met with hostility from 'great slewes of bothe horsmen and fotmen to recover the shippes by force'. The town of Kirkcudbright provided them with no victuals while they were stranded, but did not attack the queen's ship while it lay aground for eight days. The townsfolk of Kirkcudbright, though, did manage to keep some of the goods that the pirates had brought in their Spanish prize.[87] In this instance, the pirates made an escape after visiting Kirkcudbright.

[85] K. M. Brown, *Bloodfeud in Scotland, 1573-1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh: John Donald, 1986), pp. 47-8. See Chapter 4, pp. 100-104.

[86] For competing perspectives on horning and its usefulness to the Scottish crown, see Brown, *Bloodfeud*, pp. 47-8, 254-5; J. Goodare, *The Government of Scotland, 1560-1625* (Oxford: Oxford University Press, 2004), pp. 178-180. Even Goodare makes clear that the messengers at arms, the crown officials who enforced hornings in the localities, were powerless against the most powerful offenders. Adam Mongomery of Braidstane and William Stewart of Monkton both failed to appear for piracy-related offences in the 1580s and were put to the horn. Braidstane is not recorded in any of the records of the Privy Council thereafter, and Monkton went on to make a political career in the wake of the rise to power of his brother, James Stewart, earl of Arran. *RPCS*, iii, pp. 72, 446-7; R Macpherson, 'Stewart, Sir William, of Monkton (*c*.1550–1588)', *ODNB*, http://www.oxforddnb.com/view/article/26517

[87] *SPO*, SP 63/25 f.35, Captain George Thornton to Sir William Cecil, 2 July 1568. I would like to thank Dr Alison Cathcart for this reference. There is a discrepancy between this manuscript and the summary given in the

Thornton did not mention the local lord by name, but it is likely to have been Bombie. The account also alludes to the local lord making 'great spoyle'[88] of the goods; whether the goods were in fact purchased by the locals is unknown. In any case, they either seized or bought pirated goods in 1568 and did not return them to the English admiralty. This case does not appear in the records of any governing institution or court during the period. It is a report by an English officer, and is a reminder that the evidence that we do have of Scottish piracy in the sixteenth century, mostly contained in the Scottish Privy Council or English Admiralty Courts, cannot provide an accurate measure of the true extent to which Scots were engaging with pirates, if not directly participating in piracy.

Kirkcudbright's appeal to pirates is showcased again in the early 1580s, through an incident brought to the attention of the Privy Council, which involved Sir William Stewart of Monkton, later provost of Ayr. On 13 February 1581-2, the Privy Council heard a case of piracy in which a consortium of French merchants had lost a rather large cargo of dyes, cork, and wine to Scottish pirates somewhere between Rouen in France and Middelburg in the Netherlands. The Scottish pirates, who are not named, then brought the goods from the French coast all the way to Kirkcudbright, where they sold them 'to the liegis of this realme'.[89] The French merchants then sent a factor, James Craig, to recover these goods, and was given permission to seize them from the Privy Council. Craig was somewhat successful in his mission, recovering most of the goods from 'sindre handis of the cuntre'. Following this, Monkton, and one Mathias Dangrew, obtained a commission of searchery, which they 'privatlie pirchest', with the intention of intercepting these goods before they left Scotland to be returned to their original French owners. For doing so, Monkton and Dangrew were put to the horn before they were able to make any impediment to the return of the pirated cargo.[90] Monkton's machinations were thwarted by James Craig before they could be executed, but this case demonstrates how some of the legal obstacles apparent in England at the time were also inhibiting victims of Scottish piracy.[91] Nonetheless, Kirkcudbright's appeal as an illicit market for stolen goods had not abated by the 1580s. The lairds of the Galloway region were again guilty of intromitting with pirates, this time travelling there from the French coast.

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adjoining calendar. The calendar summary states that Thornton 'recovered the goods' from the Scots, but a closer inspection of the manuscript confirms that Thornton managed to recover the two ships, but regarding the Spanish ship laden with goods, he reported that 'wth the spoyle of the Scots she was marvelous[ly] light'. For the calendar, see *Calendar of State Papers, Ireland, Tudor Period, Rev. ed*, ii, ed. B. Cunningham (Dublin: Irish Manuscript Commission, 2010), p. 67.

[88] *SPO*, SP 63/25 f.35, Captain George Thornton to Sir William Cecil, 2 July 1568.

[89] *RPCS*, iii, pp. 446-7.

[90] *Ibid*. It is likely that the documents purchased at this time came from someone within the structure of the Scottish Admiralty Court, or even the Lord Admiral, similar to practice in England. Lord Admiral at this time was James Douglas, fourth Earl of Morton, regent of Scotland.

[91] The use of documentation which was privately purchased or issued retrospectively was particularly troublesome for the Elizabethan government in late sixteenth century England and Wales. K. R. Andrews, *Elizabethan Privateering: English Privateering during the Spanish War 1585-1603* (Cambridge, Cambridge University Press, 1964), pp. 22-31; Rodger, *Safeguard of the Sea*, pp. 199-204, 243-6.

Conclusion

Historiography of piracy in Scotland does not account for the participants on land – those who facilitated it by turning a blind eye, those who sheltered pirates, and those who bought goods from them. This is partly a result of national narratives and state-centred approaches which have overlooked the peripheral areas of the archipelago, where piracy was most likely to flourish. Piracy in the burghs of the Solway Firth was concentrated in three decades of the late sixteenth century. Material presented in this chapter has demonstrated how the involvement of local elites, both urban and landed, was essential in creating the conditions required for a pirate nest to function. The participation of landed elites in the area surrounding the burgh of Whithorn has been uncovered in the examinations of the pirate involved in providing cargo for an illicit network of buyers in the southwest. When compared to similar networks presented in historiography of English and Welsh piracy, we see that pirate nests functioned in the same way in southwest Scotland in the late sixteenth century. Pirates relied on powerful families with commercial connections within the localities; those who could afford to buy their stolen goods, and who could also dispose of them through webs of illicit commerce stretching into the wider countryside. In this case, Dunbar of Mochrum and Stewart of Garlies were the chief landowners who profited from such an operation. Piracy within the burghs has also been addressed in this chapter. Perspectives in maritime history used in the study of the Atlantic have been applied to the burgh of Kirkcudbright, and the case study in this chapter has shown how the geographic isolation, combined with the dearth of legitimate trade in the area, and the willingness of local officials to overlook illicit activity, fostered the conditions required for a functioning early modern pirate nest. These conditions were compounded by the demand for luxury imported items by the local lairds in the area. It was Thomas MacLellan, the laird of Bombie, whose influence in the burgh helped facilitate piracy and illicit trade in the burgh. His connections to powerful figures in central government, and his abuse of the offices of customer and provost in Kirkcudbright, allowed Bombie to make a profit from pirates on several occasions, remaining unchecked by central authorities. This thesis has analysed the wider Irish Sea and specific regions and localities, and has demonstrated at various points how central governing authorities were largely unable to limit piracy in the Irish Sea and North Channel. In light of this, the following chapter will analyse how this was undertaken by the maritime communities themselves, focusing on the burgh of Ayr, which suffered at the hands of pirates.

Chapter 7: The Problem of Piracy in the Southwest: A Case Study of Ayr in the Late Sixteenth Century

> Thairfore the provest baillies counsale and communitie ordanis and concludis Johne Rankine, Johne McKall, Johne Rayt, and Alane Neill skippers... to gang w[i]t[h] boittes sufficentlie furnessait to serche seik tak[e] and apprehend ye saids rubveris... And quhat sumeuir skayt[h] beis an commoun cause of ye toun to ye pertis dampmseit in ony sort eyer be slauchter hurt ot mutilatioun (as god forbid) swa fall out, swa yt yair wyfes and ba[i]rnes salbe supportit and helpit be ye toun in cais of ony slauchter or mutilatioun[1] – Ayr Town Council, 1595

Introduction

The role played by Scots of the southwest in piratical activity in the Irish Sea and North Channel has been outlined through local case studies in Chapters 2 and 6 of this thesis. In this chapter, a similar methodology will be employed in investigating how maritime communities dealt with the problem of piracy in this era. Building on conclusions arrived at in the first three chapters of this thesis regarding the ineffective and dilatory response of the central governing institutions to piracy throughout the British and Irish archipelago, this chapter will incorporate the local perspective into the assessment of piracy affecting the southwest. This perspective is too often missing from historiography of sixteenth century piracy, particularly that assessing Scotland. It will do so by compiling a case study of the burgh of Ayr, one of Scotland's premier trading ports of the west coast. The reasons for this are two-fold. Surviving material for the burgh is ample enough to conduct such a study, given Ayr's prominence on the west coast and the relatively high volume of international trade conducted by Ayr merchants. Secondly, the methods used by the burgh in offsetting the damage done by piracy are unique in Scotland at this time, as far as evidence suggests. While traditional methods, such as setting out naval expeditions from the burgh, were used in the late sixteenth century, Ayr incorporated piracy into the remit of their charitable ventures and methods of risk distribution. The Mariners' Society of Ayr was the only society of its kind to account for piracy in the late sixteenth century. This valuable source material will bring a new perspective on methods of dealing with piracy in the early modern era. A comparison with other societies of the same kind suggests that it was the maritime environment in which the inhabitants of Ayr operated that induced such innovations, underpinning the merits of approaching maritime history from the perspective of communities around one body of water, rather than from a national perspective. Before assessing this society, it is pertinent to investigate how individuals and communities dealt with piracy more generally, before focusing the analysis on the locality. This chapter will begin by assessing how communities across Europe sought to offset the dangers of piracy, most notably through marine insurance markets, which transformed these risks into fixed costs. It will also assess risk distribution in Scotland, when Scots at this time were devoid of any access to marine insurance markets. The various local societies which were created in the late sixteenth century were the chief method of risk distribution

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[1] D. M. Lyon, *Ayr in Olden Times* (Ayr, 1928), p. 7.

in the absence of marine insurance, and Ayr was unique, so far as we know, in counting piracy among the risks associated with seaborne travel at this time.

Dealing with Piracy in the Late Sixteenth Century: Risk Distribution in Scotland

Scholarship assessing how Scottish merchant shipping protected itself against piracy is scant for the period under investigation. Work on earlier periods, however, can illuminate the difficulties faced by Scottish mariners in the centuries before the reigns of Mary, Queen of Scots and James VI. David Ditchburn has outlined the dangers that mariners of late medieval Scotland faced when embarking on overseas trading voyages. Like the sixteenth century, the Scottish governments of the previous century were also dilatory in their response to piracy, and were unable or unwilling to seriously consider tackling maritime insecurity. Strategies employed in combating the threat of piracy, from the perspective of the state, relied heavily on diplomatic pressure and judicial efforts in foreign courts. These measures were reactive, rather than proactive, in reducing the activities of pirates against Scottish mariners, and were rarely successful.[2] Some proactive measures were taken by the state, such as the granting of safe-conducts and licenses to trade on an individual basis, or diplomatically negotiated truces and treaties which affected a whole country, but these were not guaranteed to keep shipping safe from attack. James IV of Scotland spent large sums of money building a navy, but there is no evidence that this was effective in patrolling the seas. The strategies that were used most often were those employed by merchants and mariners themselves, such as arming ships or sailing in convoys, but even those were not robust enough to deter pirates.[3] Edda Frankot's study of maritime law in northern Europe during the late medieval period has shown how maritime justice was administered predominantly through burgh courts. Using the burgh of Aberdeen as her Scottish case study, she has shown how local courts, in this case the Baillie court, were the key legal mechanism used to administer maritime justice up until the sixteenth century.[4] It is this local tradition that the current chapter is primarily concerned with. This thesis has demonstrated that in the late sixteenth century, the governments of the two sovereigns of the British and Irish archipelago were not able to curtail the activities of pirates. How localities responded and how early modern mariners protected themselves against piracy, and dangers at sea more generally, has not been included in historiography assessing maritime Scotland.

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[2] D. Ditchburn, 'Piracy and War at Sea in Late Medieval Scotland', in *Scotland and the Sea*, ed. T. C. Smout (Edinburgh: John Donald, 1992), pp. 40-7; See also, D. Ditchburn, 'Maritime Ports and Transport, c1200-1500', in *Scottish Life and Society: A Compendium of Scottish Ethnology*, ed. K. Veitch (Edinburgh: John Donald, 2009), pp. 38, 43-4. For an illuminating study of maritime life in medieval England, that investigates how sailors guarded their cargoes, see R. Ward, *The World of the Medieval Shipmaster: Law, Business and the Sea c.1350-1450* (Woodbridge: Boydell Press, 2009), pp. 74-8, 97-8.
[3] Ditchburn, 'Piracy and War at Sea', pp. 42-4.
[4] E. Frankot, *'Of Laws of Ships and Shipmen': Medieval Maritime Law and its Practice in Urban Northern Europe*, (Edinburgh, Edinburgh University Press, 2012), pp. 144-9, 154-7, 199-201.

In the early modern period, splitting cargoes between ships and sailing in convoys were options still available to a merchant or shipmaster. A view into how merchants operated in late sixteenth century Edinburgh can be seen in Margaret Sanderson's study of merchant testaments. Sanderson demonstrates how one merchant could split his wares over as many as nine ships so as to avoid heavy loss at sea. Merchants often owned shares in ships, rather than owning ships in their own right, as a means of distributing the risks associated with overseas trade. They also frequently hired the services of a shipmaster to transport their goods, providing work and capital for the wider maritime community in a port. Merchants who sent cargoes overseas occasionally accompanied them, but more frequently sent a trusted factor along with their goods to make the sale in their name.[5] Studies of early modern Scottish merchant practice rarely account for methods of risk distribution, but it is certain that these practices remained common throughout the seventeenth century. Christopher Smout's study of Scottish trade from 1660 outlines many of the dangers faced at sea by seventeenth century merchants, and the methods used for overcoming such obstacles to trade. Storms and wrecks were the most damaging hazards to the early modern mariner during peace time (and were inevitable even during the summer months), but these were also compounded by the privateers and naval forces of foreign sovereigns during wartime – a reality which caused Smout to question why marine insurance was not widely used by Scots at this time.[6] Privateers (and presumably also pirates) were guarded against by naval escorts. Scotland still had no standing navy, but by the late seventeenth century, the English navy was used to patrol Scottish coastlines. Spreading risk between ships was also still common, much like in the sixteenth century. Even these methods were not reliable, though, as foreign privateers still wreaked havoc on Scottish shipping.[7]

Evidence of piracy cases show the strategies used by merchants in the late sixteenth century. Merchants from Scotland, England, Ireland and Wales all appear as victims in cases where goods had been stolen from ships which belonged to several merchants, who were safeguarding their own interests by spreading the cost of owning ships and cargoes.[8] Scots also travelled in convoys to avoid attacks at

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[5] M. Sanderson, 'Edinburgh Merchants in Society, 1570-1603: the Evidence of their Testaments', in *The Renaissance and Reformation in Scotland: Essays in Honour of Gordon Donaldson*, eds. I. B. Cowan & D. Shaw (Edinburgh: Scottish Academic Press, 1983), pp. 190-2.

[6] T. C. Smout, *Scottish Trade on the Eve of Union 1660-1707* (Edinburgh: Oliver & Boyd, 1963), pp. 57-67

[7] Smout, *Scottish Trade on the Eve of Union*, pp, 59-70.

[8] Examples of piratical attacks on vessels which contain goods of several merchants are awash in the historical source material. In 1578, a ship carrying the goods of four English merchants was taken by Scottish pirates near the Isle of Man, prompting the Privy Council to send orders to Henry Stanley, fourth Earl of Derby against the Scots, *Acts of the Privy Council of England (APCE)*, x, ed. J. R. Dasent (London: Her Majesty's Stationary Office, 1895), p. 256. In 1587, a venture between Robert Browne of Orkney and Mark Linch of Galway was spoiled by the English pirate Thomas Cooke near Dursey Island in southwest Ireland, *State Papers Online, 1509-1714 (SPO)* (Gale Centage Learning: 2007-2022), SP 52/42 ff.82-92, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587; SP 52/42 f.122, Memorial of Instructions to Sir John Wogan, 4 December 1588. A short voyage across the Bristol Channel proved disastrous for a convoy of four Welsh ships in 1592 when a cargo worth an estimated £10,000 sterling was taken by English pirates. The goods belonged to a large consortium of merchants from Carmarthen, Milfordhaven and Barry in Wales, The National Archives (TNA), High Court of Admiralty (HCA), Oyer and Terminer Records, Examinations of Pirates and

the hands of pirates in the early modern era.[9] The hazard of storms in the Irish Sea, which could cause a ship to wreck or force mariners to unburden their heavy goods to keep stable, could also leave a ship open as prey for pirates.[10] These methods were all common among the merchant and sailing communities of Scotland during the late sixteenth century. However, these same methods did not offer any financial compensation in the event of a loss, rather, they sought to limit the damage done by attacks through strength in numbers or spreading risk.

Risk Distribution in Scotland

As well as the real-time strategies employed by mariners to protect their cargoes on the open seas, merchants across early modern Europe negated the financial damage caused by pirates and other commerce raiders by transferring that risk through insuring their cargoes against such occurrences as shipwreck, adverse weather, piracy and privateering. Through marine insurance, Europe's merchant communities were able to transform the risk of piracy and other dangers at sea into a fixed cost, using a system that, at its core, remains largely unchanged today. In essence, merchants selected the amount they wished to receive in the event of a catastrophe at sea, up to, but not exceeding, the value of their ship and goods. In order to receive this compensation in the event of a misfortune, a percentage of the agreed value of the ship and goods would be paid to the merchant-insurers before the journey was undertaken – this was, and still is, known as a 'premium'.[11] Typically, a single policy would be covered by multiple insurers, who each agreed to cover their portion of the value to be paid out in the event of a successful claim, each assuming only a portion of the whole risk.[12]

Marine insurance did not address the problem of piracy; it did not lessen its effects or discourage pirates from operating on the seas. However, it did provide those who would become victims of piracy a means of safeguarding their financial interests at a cost far smaller than the loss of a ship or cargo. Crucially, though, marine insurance was not available to all. Many merchant communities in

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Other Criminals, HCA 1/44, f. 74. That the diplomatic efforts, legal cases, and naval expeditions against piracy were centred around gaining redress predominantly for merchants, rather than masters and mariners, illustrates how influential this social group were in maritime affairs.

[9] For examples of this, see J. D. Marwick, *The River Clyde and the Clyde Burghs* (Glasgow: Scottish Burgh Records Society, 1909), p. 30; *Register of the Privy Council of Scotland (RPCS)*, iii, ed. D, Masson (Edinburgh: H. M. General register House, 1880), pp. 300-3; *RPCS*, iii, pp. 446, 467.

[10] This was discovered by an unfortunate English crew who were travelling from Bristol to Workington, which lay on the English side of the Solway Firth in 1566. As they sailed north, they were caught in a 'tempest' and blown to the Kyles of Bute, where a group of Scots boarded the ship and murdered most of the crew. The ship in question, the *Samuel* of Bristol, was built for a consortium of merchants headed by William Gyttons and William Hopkins, and skippered by Edward Stone, who also owned a share of the bark. See, *SPO*, SP 52/12 f.53-4, Elizabeth to Mary, 15 June 1566. The name of Gyttons in Bristol seems to have been singularly unfortunate, as eighteen years after this attack, a William Gyttons of Bristol lost his whole ship and cargo worth £960 sterling in Lough Foyle at the hands of an Ayr pirate (and merchant) named Robert Jameson. *SPO*, SP 52/36, Petition of William Gyttins of Bristol to the Privy Council of England, 30 August 1584

[11] A. B. Leonard, 'Introduction: The Nature and Study of Marine Insurance', in *Marine Insurance: Origins and Institutions, 1300-1850*, ed. A. B. Leonard (London: Palgrave MacMillan, 2016), pp. 3-4.

[12] *Ibid*.

smaller European kingdoms did not generate enough capital to penetrate the insurance markets in the economic powerbases. They lacked the necessary institutions to accommodate an insurance market, and, thus, were not able to access this tool of risk distribution in the sixteenth century; and among this number were the Scots.[13]

Indeed, in an era when monarchs and governments struggled to curtail piracy and privateering, marine insurance offered a private means of averting the risks associated with navigation. However, it did little to tackle these problems at their core. It did not reduce the risk of piracy on the seas, rather, it helped alleviate the destruction it caused. Despite the shortcomings of marine insurance during the period under investigation, it was indeed a useful tool of risk distribution for the early modern merchant. It was available to many who operated in theatres far beyond the Irish Sea, however, to Scots who wished to protect themselves against the dangers of pirates, marine insurance was not in their arsenal. This raises questions as to why such a practice was not undertaken by Scots. The only scholarly analysis of the subject came from Angelo Forte in 1987, who based his analysis on legal source material (or lack thereof). Forte scoured the legal and commercial sources of the sixteenth and seventeenth century, demonstrating how risk distribution in Scotland relied on more traditional methods until around 1700. The Scots used maritime loans as a means of offsetting loss at sea from around the 1590s, as evidenced in William Welwod's *The Sea Law of Scotland*, published in 1590.[14] These were based on borrowing sums of money to offset loss at sea and were not akin to the early modern insurance contracts used elsewhere in Europe. Indeed, they were similar to the medieval loans used before the creation of the insurance markets. Forte also draws attention to merchants splitting their cargoes among several vessels, or dividing property on a ship into shares – methods used elsewhere by merchants seeking to avoid substantial loss at sea.[15] Forte's work remains the only substantial assessment of marine insurance in Scotland in the early modern period. He consults all relevant source material, and provides apt comparisons with evidence of marine insurance in other countries at the time – leaning particularly on English and Dutch examples. His conclusion that marine insurance was in its 'embryonic phase' in the seventeenth century should be taken as reliable.[16]

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[13] Addobbati places Scotland within the 'peripheral areas' which did not have access to marine insurance until the early eighteenth century. Addobbati, 'Italy 1500-1800', pp. 64, 76. For a deeper analysis of Scotland and marine insurance which takes the same view, see A. D. M. Forte, 'Marine Insurance and Risk Distribution in Scotland before 1800', *Law and History Review* 5, no. 2 (1987), pp. 393-412.

[14] Forte, 'Marine Insurance and Risk Distribution in Scotland', pp. 398-403; W. Welwod, *The Sea Law of Scotland, Shortly gathered and plainly dressed for the ready use of all seafaring men* (Edinburgh, 1590), reprinted in *Scottish Text Society: Miscellany Volume* (Edinburgh: Scottish Text Society, 1933), pp. 38-79.

[15] Forte, 'Marine Insurance', pp. 403-8.

[16] *Ibid*., p. 407. Forte's conclusions were challenged by Scott Chrichton Styles, a former student of Forte, in 2016. Styles attempts to push the use of marine insurance in Scotland back to the mid- to late sixteenth century. However, his arguments rely on his own belief and not a small amount of conjecture. His assertion that the widespread use of marine insurance in London and Amsterdam is evidence enough to demonstrate Scottish use, without providing any source material to reinforce such a claim, must be taken with a degree of scepticism. See S. C. Styles, 'Scottish Marine Insurance before the Mid-Eighteenth Century', in *Continuity, Change and*

If the strategies employed by the Scottish crown and other governing institutions did not stem the flow of piracy in the late sixteenth century, and the use of marine insurance was not widely available to Scottish merchants engaged in trading overseas, then how did Scottish mariners go about safeguarding against dangers at sea? One method, which has yet to be fully assessed by maritime historians of Scotland, was the creation of local sailors' societies in individual ports to offset any damages incurred while at sea. These societies varied in their respective operations, but were generally funded by local taxes or levies taken from ships entering or leaving a port, and distributed to victims of seaborne disasters. Occasionally referred to as a 'Seaman's Box' or a 'Sailor's Box', they were developed from an earlier local initiative created in the port of Leith in 1380 during the reign of Robert II, called the 'prime gilt' fund. Little is known about the early activities of this fund, other than it was a charitable initiative. In the fourteenth century, the masters and mariners formed 'some kind of Incorporation', which levied its prime gilt fund by charging 12d on each ton of goods imported into Leith.[17] This 'Incorporation' would go on to become the Fraternity of Masters and Mariners at Leith. By 1555, the Fraternity, along with the clergy at Leith, had acquired land and began constructing a hospital for infirm sailors funded by the prime gilt collections.[18] By 1592, the prime gilt fund had evolved into a robust system of tax collecting in the port, set out by the 'Skippers, Maisters and Mariners of the saide Town and their Kirkmasters present', suggesting that there was still some oversight from the Kirk, given that the fund served a primarily charitable purpose. By then, the system of tax collection had evolved, and now collected dues based on the type of goods aboard a ship, their weight, and their origin or destination. It is unknown when the prime gilt fund reached this form, but it was certainly before 1592.[19] Records of similar local initiatives from around the same time period have survived, and a comparison of those whose records are intact reveals some remarkable results with regard to risk distribution in Scotland.[20]

Records of similar societies to that of Leith have survived for the burghs of Ayr (1581), Kirkcaldy (1591), and Aberdeen (1597). It is entirely possible that other burghs adopted similar systems, but records have not been discovered for the period under study. The Ayr Mariners' Society, which was created in 1581, is the main focus of this chapter with regards to local initiatives which safeguarded against loss at sea. Before a full analysis of the records of that society, it is also worthwhile analysing these initiatives more generally. As has been shown above, scholarly discussion of risk distribution in the early modern world has been framed around merchants, insurance markets and

Pragmatism in the Law: Essays in Memory of Professor Angelo Forte, eds. A. R. C. Simpson, S. C. Styles, E. West and A. L. M. Wilson (Aberdeen: Aberdeen University Press, 2016), pp. 237-279.

[17] S. Mowat, _The Port of Leith: Its History and its People_ (Edinburgh: John Donald, 1997[?]), p. 21.

[18] _Ibid._, p. 117. The Fraternity of Masters and Mariners at Leith lasted until 1872, when it was abolished. Their Fraternity House (which became known as Trinity House), is a grand building which now serves as a museum dedicated to the Fraternity. J. Russell, _The Story of Leith_ (Edinburgh, 1922), pp. 127-8.

[19] Aberdeen University Special Collections, Aberdeen Shipmaster Society Papers, Prime Gilt, Table of Prime Gilt for the Port and Haven of Leith (1590-2), MS 3070/13/1.

[20] Transcriptions of excerpts have been added as an appendix to this thesis, see Appendix 3.

international trade. This is unsurprising; merchants were the elite figures of urban society, they were responsible for the international trade of early modern states, and they were influential in municipal governmental structures, as well as having representation in national governmental institutions. However, these local societies in Scotland, developed from a charitable initiative in Leith, also sought to alleviate the damage done to the shipmasters and mariners of the seafaring communities. Documents relating to the founding of these societies are explicit in their intended purpose. The constitution of the Aberdeen Shipmasters' Society, for example, was laid out in a band subscribed by twenty four principal mariners of the town in 1598, and ratified in a charter signed by James VI in 1600.[21] The charter laid out the primary purpose of the society:

> for support and help in tyme cuming, of auld, aigit and decrepit maisteris and marineris of Our said burghe of Aberdeine, thair wifes, widowis, fatherless childrene, seik, indigent, and unhabill personis of thair vocatioun, to winn and lawbour forthair levingis, and sic as happene to be causin and reducit in extreme povertie, the soumis of money baith in propertie, accidents and casualities [22]

In Kirkcaldy, too, their Prime Gilt Box's remit is laid out in the burgh records for the town, accounting for the 'pure brethren, merchandis, marineris, traffectaris be sie of this burghe quhome it sall happen in tymes cuming to fall in povertie and necessitie be onie accident at the Providence of God'.[23] There is no surviving constitution of the prime gilt fund in Leith to consult, but it is clear that the other societies are taking their lead from Leith. That the prime gilt table of Leith can be found in the records of the Aberdeen Shipmasters' Society attests to the leading role that was played by the town.

Risk distribution in Scotland, while not as advanced as the more prominent countries in the European theatre, can be viewed as retaining a local character throughout the late sixteenth century. Forte, in his assessment of marine insurance, muses that the legal provisions for loss at sea were 'clearly too crude to exist unsupported by some method of risk distribution'.[24] Forte does not elaborate on what these methods are in the sixteenth century, besides merchants splitting cargoes or sending factors on voyages, but does allude to legislation passed by the Convention of Royal Burghs which 'sett ane scatt and extentt for releif of the personis dampnefeit' when goods were lost at sea.[25] This legislation, though, was concerned with the goods on board a ship which had been lost due to stormy weather. It was intended as a 'generale law', and did not set any specific taxes to be levied by individual burghs; it

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[21] This charter has not survived in the records of the society, but was transcribed as an appendix in Alexander Clark's short but illuminating history of the society. A. Clark, *A Short History of the Shipmaster Society or the Seamen's Box of Aberdeen* (Aberdeen: Smith & Sons, 1911), Appendix I, pp. 69-76.
[22] Clark, *Shipmaster Society*, Appendix I, p. 70.
[23]*The Kirkcaldy burgh records, with the annals of Kirkcaldy, the town's charter, extracts from original documents, and a description of the ancient burgh (Kirkcaldy Burgh Records)*, ed. L. MacBean (Kirkcaldy, 1908), p. 127.
[24] Forte, 'Marine Insurance and Risk Distribution in Scotland', p. 403.
[25] Forte, 'Marine Insurance and Risk Distribution in Scotland', p. 403; *Records of the Convention of Royal Burghs of Scotland (RCRBS)*, i, ed. J. D. Marwick (Edinburgh, 1866), pp. 44.

simply gave them the power to do so, should they choose to.[26] This highlights the reliance on local, rather than national or institutional, methods of risk distribution in Scotland during the early modern period. It is similar to 'club-good' initiatives of early insurance ventures in Europe, where close communities of merchants were able to share the cost of loss, securing the trading interests of the community as a whole, while safeguarding the interest of the individual merchant who suffered a loss.[27]

The records of the societies of mariners which have survived from the late sixteenth century show that these local initiatives, while taking a lead from Leith, were not uniform, and retained a level of autonomy within their local community. There was, in each case, oversight from the respective municipal authorities. While there is scant historiography which assesses these initiatives, Clark's history of the Shipmasters' Society of Aberdeen shows how the society enjoyed considerable influence in the town of Aberdeen in maritime affairs, particularly those 'outside the proper objects of its constitution'.[28] As a method of risk distribution, the Aberdeen initiative sought to provide financial aid to the mariners of the town. The merchants of Aberdeen, on the other hand, were catered for using a separate 'Merchandis box', contributions for which were levied from ships being freighted, and from block transactions carried out by merchants of the town.[29] Evidence of separate boxes in other burghs has not survived, and it seems to be the case, for Ayr at least, whose surviving records are as comprehensive as Aberdeen's, that the merchants were catered for as part of the wider maritime community. This is the most likely reason behind Ayr Mariner's Society's most endearing feature to this research: that it is the only society from the period, whose records have survived, that explicitly compensated for losses to piracy.

Ayr Mariners' Society

Risk distribution in Scotland during this period, as mentioned above, did not make use of marine insurance to any significant extent. The local perspective, so often missing from maritime scholarship relating to Scotland, helps explain how merchants and mariners went about safeguarding their interests against the dangers at sea in the absence of adequate provisions from central governing institutions. The records of the Ayr Mariners' Society are a valuable piece of local source material with national implications, which show the society incorporated the risk of piracy into their constitution. Was Ayr unique in doing so in the late sixteenth century, and if so, why? The most likely answer to that question is related to the maritime theatre in which merchants and mariners of Ayr operated, as opposed to those

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[26] *RCRBS*, i, 44-5. This initiative was primarily concerned with the practise of off-loading heavy merchandise at sea, which was often done to avoid danger to life in times of heavy storm or during difficult navigation. With merchants splitting their cargoes between ships, this attempted to compensate one merchant who had lost goods by allocating a share of the goods which were kept, and by setting a tax on the crew of the ship who cast the goods overboard.

[27] Leonard. 'Introduction', pp. 6-7.

[28] Clark, *Shipmasters' Society of Aberdeen*, p. 1.

[29] *Ibid.*, p. 9.

from the three other societies in which records survive. The waters of the Irish Sea and North Channel were the domain of Highland pirates, as well as English, Welsh and Irish pirates, who could be adversarial towards mariners of the southwest of Scotland. The southwest's proximity (and close connection) with the province of Ulster, where Highlanders and Englishmen clashed, also contributes to the risk of piracy within the region's immediate surroundings.

Ayr Mariners' Society has been absent from any scholarship since the mid-twentieth century, and has not yet been assessed in any national studies of the sixteenth century. Local source material is again crucial in understanding early modern Scottish piracy. The society featured briefly in Hugh McGhee's study of Ayr's harbour before the seventeenth century. McGhee viewed piracy, and particularly the physical danger associated with it, as a catalyst for the formation of the initiative.[30] James Paterson, the renowned antiquarian, used the records of the society to demonstrate the considerable volume of trade enjoyed by the town. Paterson saw their value in an economic context, particularly regarding trade with France, England and the Isle of Man.[31] These local studies, valuable as they may be, do not offer any comparison beyond the burgh or provide further context to the founding of the society. A recent analysis of the records of the society in the mid-seventeenth century from Michelle Brock demonstrates their potential national significance. Brock has explored these records as a source of societal and religious tension, albeit for a later period. Brock incorporates the records into a wider study of a remarkable event in the town in 1647 – a communal confession by merchants and mariners in front of the kirk during a time of religious radicalism and political upheaval. Brock's analysis reveals, among other things, the impetus on local communal process during the Covenanting movement.[32] The records of this society have wide-reaching implications and have not yet been assessed in relation to piracy.

The constitution of the society displays a community clearly beleaguered by the perils associated with navigation. The document outlines its intended purpose, by providing compensation through a tax for those who suffered by:

> peussing [pushing] of thair guides [overboard], sum be pilleing [pillaging] and reifting of thair gudis be piraccie, sum be mutilatioun and greit hurt to thair boddie sustenit in defence of thair guidis and thair awnirs [owners] and merchands.[33]

From this short passage, two important conclusions can be made. Firstly, Ayr's constitution is radically different to the surviving documents of other societies in that they cater for robbery by pirates, the

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[30] McGhee, 'The Old Harbour of Ayr', p. 85.

[31] Paterson, *History of the County of Ayr*, i, p. 180.

[32] M. Brock, 'Plague, Covenants, and Confession: The Strange Case of Ayr, 1647–8', *The Scottish Historical Review* 97.2, no. 245 (2019), pp. 129-152. Brock's article also reveals the wilful disregard by the maritime community of any restrictions – legal, moral, or otherwise – placed on their behaviour while at sea or travelling abroad. I would like to thank Dr. Brock for providing me with an advanced copy of this article.

[33] National Library of Scotland (NLS), Minute-book of the Mariners' Society of Ayr, MS 941, f. 2. Goods were often pushed overboard in rough weather to avoid a wreck.

physical harm that they did, and also included a provision for loss of the goods at sea. Kirkcaldy, for example, provided only for those 'quhome it sall happen in tymes cuming to fall in povertie and necessitie be onie accident at the Providence of God'.[34] Aberdeen's constitution is more wide-ranging, including provisions for 'extreme storme, tyme of distresse, and appearand danger for their lifes a seyburde'.[35] Documents of other societies show these ventures to be solely charitable in their outlook. The inclusion of provisions for piracy and loss of goods leads into the second point worthy of comment from this passage – that these provisions were beneficial to the merchant class of Ayr who freighted the ships. Therefore, Ayr Mariners' Society can be viewed as having a dual functionality. It was clearly intended as a charitable venture toward the destitute mariners in the burgh, but also functioned as a tool of risk distribution for those who stood to lose out from lost or stolen cargoes. The influence of the merchants within the society can be seen in 1598 in a dispute between the 'awneris and m[erchant]s on the ane pairt, and the mariners and cumpany of sailleris on the uther pairt' regarding the hiring of mariners in other ports who did not contribute to the society's cause.[36] The participation of merchants within this society helps explain why piracy was factored into the constitution. It was the merchants (who were also owners or part-owners of many of the ships in the burgh) who stood to lose their financial investments to pirates.

On top of a unique constitution, the Ayr Mariners' Society also retained a unique system of taxation, in comparison with the other societies of the period.[37] While Ayr clearly took the lead from the prime gilt fund instituted by the Fraternity of Master and Mariners at Leith, as did Aberdeen and Kirkcaldy, they diverged on some important points. The system instituted in Ayr did not take the name 'prime gilt' like the other funds, but instead implemented a system termed 'guidage', presumably named so for the tax on goods imported and exported. Cargoes being taxed by Ayr were split into three distinct categories. Firstly, goods to and from France were subject to their own tax. Secondly, goods to and from England, Ireland or the Isle of Man formed the middle category. And finally, a category for goods being taken up the coast to the Isles formed the last category.[38] Ayr's guidage system was similar to Leith's in that it taxed goods based on their destination or origin. It was more intricate in its assessment of the tax though. In Leith, a port which enjoyed more substantial trade with a greater number of trading partners, a standard tax was implemented. Where Ayr made distinction between individual commodities

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[34] *Kirkcaldy Burgh Records*, p. 127.
[35] Aberdeen's constitution is printed in Clarke, *Shipmasters' Society*, pp. 70-3.
[36] NLS, Mariners' Society of Ayr, f. 5.
[37] A full transcription of this document can be seen in Appendix 3: Document 1. It has been transcribed to mirror the original. Some punctuation and formatting has been added to aid the reader. I would like to thank Dr. Aonghas MacCoinnich for his help with this transcription, although any errors are the responsibility of the writer
[38] Appendix 3: Document 1. This table has been used as an indicator of the town's imports and exports. See Paterson, *History of the County of Ayr*, i, p. 180.

(e.g. hemp exported to France was taxed higher than the same measurement of wool exported to France), Leith taxed each commodity at the same price based on their destination.[39]

Ayr's taxation system offers a valuable insight into the trade conducted by the burgh. Much like the imports and exports outlined in economic source material assessed below in this chapter, this document shows that Ayr exported herring, salmon, animal hides, cloth, linen, coal, hemp, wool and grain. In return, they imported wine, salt, beer, rye, wheat peas, beans, corn, woad, and resin from France.[40] From England, Ireland and the Isle of Man, Ayr imported rye, beer, grain, animal skins, seaweed and fertiliser, timber, oars, joists and rope for shipbuilding.[41] France was clearly the most prominent trading partner in the minds of the maritime community in Ayr at this time. However, the third category in the taxation table of the society, that regarding the Isles of Scotland, is also quite remarkable. There is no set tax on goods exported to the Isles, rather the tax is based on 'Quhatsumevir can be gottin', suggesting that trading expeditions to the Isles involved not a small amount of bartering with the Gaels there. This document makes it clear that Ayr's system of risk distribution was a result of mariners operating in the Irish Sea theatre, travelling to France, England, Ireland and the Isle of Man, where pirates were known to operate. They were also trading with the Gaels in the Isles of Scotland, so much so that it was worth taxing goods carried there. And it is for this reason that we see the 'mutilatioun and greit hurt to thair boddie sustenit in defence of thair guidis' factored into the society's remit for compensating mariners, when similar provisions are not included in the constitutions of the east coast burghs' initiatives.[42]

Evidently, these taxation systems were designed to meet the needs of the individual maritime communities they served. The absence of wider scholarship on these societies is regrettable at this time, but this chapter has demonstrated that the local perspective must be accounted for when studying how the problem of piracy was faced in the early modern era. The records of the Ayr Mariners' Society are incredibly valuable in this regard, yet their limitations must be acknowledged. It is certain that the merchant class retained some influence over the society. In 1616, the society decided that the distribution of the guidage fund was to be the responsibilty of eight men selected from their number, who used their own 'sicht and distinctioun' to decide who out of 'the decayit brethren, thair wyfes and bairnes' received payments. This was an oversight committee, responsible for the payments by the society to its members, and was to consist of both merchants and mariners.[43] How far the collections from the guidage system were allocated to those who lost their goods to piracy cannot be discerned with these records. The society, in its early years, did not record who was paid by the system, or for what

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[39] Aberdeen University Special Collections, Prime Gilt MS, Table of Prime Gilt for the Port and Haven of Leith (1590/2), MS 3070/13/1. For clarity on this issue, the tables of prime gilt/Guidage are transcribed in Appendix 3.
[40] Appendix 3: Document 1.
[41] Appendix 3: Document 1. The timber and shipbuilding equipment were likely imported solely from Ireland.
[42] Appendix 3: Document 1.
[43] NLS, Mariners' Society of Ayr, ff. 8-9.

reason they deserved compensation. Therefore, it is impossible to quantify exactly how much piracy contributed to the destitution of merchants or mariners of Ayr in the late sixteenth century. Nonetheless, the longevity of the society, which was still providing for 'decayit brethren of the foresaid airt [of navigation]' as well as their 'wyfis and children' in 1640, speaks to the contribution made to the local community.[44] Undoubtedly, there were those who sought to circumvent this tax, or did not pay their share. Extra measures were considered in 1597, due to payments being avoided by ships in the harbour, preventing the collection of relief for mariners.[45] These limitations notwithstanding, this society clearly sought to provide some relief for the merchants, owners and mariners of the town of Ayr with regard to losses due to piracy. Piracy was a primary cause for the creation of this society, and although it did not prevent piracy from happening, it clearly did lessen the effects of it on the maritime community, and certainly more so than national initiatives enacted prior to its creation.

It has been a central contention of this thesis that piracy cannot be viewed by historians in isolation, as it has been in many studies. Chapters 2, 3 and 4 have demonstrated, through an archipelagic approach, that piracy was addressed alongside other forms of disorder on land, at least in Scottish state interventions. From a more localised perspective, the problem of piracy in Ayr was addressed, in part, alongside methods of risk distribution – an aspect of maritime history which has not yet featured in the historiography of piracy in Britain and Ireland in the early modern period. Of course, more common anti-piratical measures were employed, as will be shown below. The records of the Mariner's Society of Ayr, though, have added a new dimension to piracy historiography in Scotland, which also raises questions about the burgh's efforts to limit piracy. The most crucial question, for this research, is why Ayr was alone among its contemporaries to incorporate piracy into its charitable fund for mariners. What follows is an examination of the burgh of Ayr in the late sixteenth century – its urban history, its trade and wider maritime activity, and also its connections to piracy.

The Burgh of Ayr

Ayr is a former royal burgh on the west coast of Scotland, south of the Clyde Firth and east of the Kintyre peninsula. The town was granted a royal charter between 1203 and 1206, by William I of Scotland. This charter, the oldest surviving document which brought a royal burgh into being (rather than erecting one from an existing town structure), provided the blueprint for what would become Scotland's premier town on the west coast until the rise of Glasgow in the late sixteenth century.[46] It has been argued that the creation of the burgh of Ayr, with its royal castle adjoined, was a means of extending royal authority into the southwest, where the region had 'a sturdy tradition of independence

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[44] NLS, Mariners' Society of Ayr, ff. 21-3.
[45] NLS, Mariners' Society of Ayr, f. 5.
[46] G. S. Pryde, 'Charter of Foundation', in *The Royal Burgh of Ayr: Seven Hundred and Fifty Years of History*, ed. A. I. Dunlop (Edinburgh: Oliver & Boyd, 1953), pp. 4-17.

or at least local autonomy.'[47] Ayr grew to prominence among the burghs on the west coast of Scotland throughout the fourteenth and fifteenth centuries, and by the mid-sixteenth century was in possession of a herring fleet which operated in the waters of the North Channel. The burgh also owned a fleet of small vessels used for trading with Ireland, the Isle of Man, England, Flanders, and most importantly, France, the Highlands, and the other ports in the southwest.[48]

Ayr, like all other burghs at this time, was governed by a town council. Unlike some smaller burghs, such as Kirkcudbright, the council went to great effort to limit the influence of the nobility in the burgh.[49] Some of the most powerful merchant families in the burgh were able to hold on to administrative and political control through retention of the highest municipal offices. Names like Lockhart, Fergushill, Stewart, and Jameson appear regularly on the list of provosts of Ayr, occasionally holding the office for three years at a time.[50] The previous case study illustrated Kirkcudbright's penchant for illicit activity and the corruption of official there, which was, in part, due to the physical and political isolation from the governing centre in Edinburgh.[51] This is less apparent in the case of Ayr, which was not so physically isolated as Kirkcudbright or Whithorn, and enjoyed far more legitimate trade due to its location. There were certainly individuals in Ayr who operated outside of the law, and even some who practised piracy, however, there is no evidence to show that illicit behaviour was institutionalised in Ayr as it was elsewhere.

Ayr's connection to the political centre is difficult to define. There were times when the town sought to utilise its privileges as a royal burgh, particularly to safeguard or further its own interests. On 20 June 1555, for example, Ayr, Irvine, Dumbarton and Glasgow successfully lobbied Parliament to safeguard their fishing interests in the western Highlands, where local Highland elites had been exacting a tax on each barrel of herring taken from around Loch Fyne.[52] The same day, the same four burghs were granted an exemption from legislation which forbade taking victuals out of ports due to a general dearth in their supplies, so that they could trade with the Highlands.[53] However, the burgh was not averse to bending the rules either, particularly when it came to operating in the Highlands. Throughout the late sixteenth century the burgh was reprimanded for allowing the sale of arms and ammunition to

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[47] Pryde, 'Charter of Foundation', p. 6.

[48] H. McGhee, 'The Old Harbour of Ayr (From earliest times to the Union of the Crowns)', *Ayrshire Collections*, Second Series, i (Ayr: Ayrshire Archaeological and Natural History Society (AANHS), 1950), pp. 78-80.

[49] For discussion of how burghs were governed in Scotland in the sixteenth century, see Chapter 6 of this thesis, pp. 148-54.

[50] J. W. Forsyth, 'Provosts', in *The Royal Burgh of Ayr: Seven Hundred and Fifty Years of History*, ed. A. I. Dunlop (Edinburgh: Oliver & Boyd, 1953), pp. 316-322.

[51] See Chapter 6, pp. 151-4 of this thesis.

[52] J. D. Marwick, *The River Clyde and the Clyde Burghs* (Glasgow: Scottish Burgh Records Society, 1909), p. 23; *The Records of the Parliaments of Scotland to 1707 (RPS)*, eds. K.M. Brown et al (St Andrews, 2007-2022), A1555/6/29, Date accessed: 27/07/2021.

[53] Marwick, *Clyde Burghs*, p. 23; *RPS*, A1555/6/15, Date accessed: 27/07/2021. The western burghs were granted the exemption as they used bread, ale and whisky as bargaining tools or offerings when negotiating with Highlanders.

the mercenary forces of the Highlands who sought to apply their trade in Ireland against the forces of Elizabeth I.[54] Clearly, the inhabitants of the burgh of Ayr were willing to flout the regulations that came from the political centre if there was profit to be made, while, at the same time, utilising the mechanisms of the central government for their own protection.

Ayr and Trade

Ross MacKenzie refers to Ayr as 'the only good harbour on a notoriously bad coast.'[55] Contemporary accounts support this; an English report on Ayrshire around 1563 described Ayr's harbour as 'biggar and better beilded nor Hadington was, and having the moste trade of m[er]chand[i]se upoun the west seis'.[56] Similarly, John Leslie, Bishop of Ross wrote in 1578 that Ayr was 'illustir and fair anuich [sufficient] baith in riches and biging [buildings], and a plesand situatione, with a prettie sey porte quhair strange nations oft arryues and thair landes, the port is sa commodious.'[57] These favourable appraisals may have been apt at times throughout the sixteenth century, but there were also times of hardship in the harbour due to blowing sands, stormy weather, and the build-up of sediment carried by the River Ayr into the harbour, which sat at the mouth of the river. The harbour enjoyed no protection, being left open to the elements, and thus required constant upkeep from the town council. Much of the town's common good was spent lifting wrecks, clearing the seabed, and rebuilding the quay due to the westerly gales which blasted the west coast of Scotland.[58] The state of the harbour became so decayed that by 1583 ships were having trouble entering to conduct trade. By 1587, Parliament had set up a commission consisting of lairds and nobles from the Kyle district of Ayrshire to inspect the damage. A report was submitted, and imposts were granted for repairs. Evidently this was not sufficient as further repairs had to be carried out in 1599, and again in 1604.[59] Ayr's harbour, like Kirkcudbright, was naturally well-constructed to accommodate shipping. However, with the absence of a breakwater for protection from the rough waters and stormy weather, and with a heavy flow from the river into the seabed, the harbour required constant work and demanded resources of the town to maintain steady trade.

Ayr's trade in the late sixteenth century has been assessed by MacKenzie in his informative, if brief, economic study of the burgh, which makes use of valuable local source material. Ayr's principal exports were raw materials and re-exported French wine and salt. Coal, cloth, herring and animal skins

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[54] *SPO*, SP 52/61 f. 56, Robert Bowes to Lord Burghley, 6 November 1597, SP 52/62 f. 8, George Nicolson to Lord Burghley, 5 March 1597-8, SP 52/68 f.59, Proclamation of King James VI against sending aid to the rebels in Ireland, 27 May 1602.

[55] R. MacKenzie, *Ayr's Export Trade at the end of the 16th Century* (Darvel: AANHS, 1988), p. 3.

[56] Anonymous, 'Military Report on the Districts of Carrick, Kyle and Cunningham, with reference to the Possibility of the Occupation of that Portion of Scotland by an English Army', *Archaeological and Historical Collections relating to the Counties of Ayr and Wigton*, iv (Edinburgh, 1884), pp. 17.

[57] J. Leslie, *The Historie of Scotland* (1578), i, ed. E. G. Cody (Edinburgh: Scottish Text Society, (1888), p. 15.

[58] MacKenzie, *Ayr's Export Trade* p. 6. McGhee, 'Old Harbour of Ayr', p. 78-80.

[59] *RPS*, 1587/7/153, Date accessed: 27/07/2021; McGhee, 'Old Harbour of Ayr', p. 84.

were the principal exports produced locally.[60]Ayr's trading relationship with France was by far the town's most substantial, in terms of volume of trade and the value of merchandise. From France, Ayr imported mainly wine, high quality salt, and luxury goods from the continent, and, in return, exported cloth, animal hides and herring. The goods and money obtained from France facilitated a carrying trade from Ayr to the local ports in the North Channel, including the Solway burghs, the Clyde burghs, Ireland, and the Highlands and Islands.[61] Local source material concurs with the secondary analysis on the carrying trade of Ayr. The outgoing cockets from Ayr show that coal was carried to Ireland and the Highlands, as were significant quantities of French wine. Smaller local ports were also regularly featured among Ayr's exports, most notably Saltcoats.[62] The scant records that we do have for other burghs in the west of Scotland also display Ayr's ubiquity on that coast. The Kirkcudbright Town Council records, for example, record Ayr merchants selling French wine and salt, English cloth, Scottish herring, and even raw iron in the burgh. They also contain records of transactions between Ayr merchants in Kirkcudbright's neighbouring burghs of Dumfries and Wigton, as well as sales of wine to western burgesses in the Isles, suggesting that they were initially there selling wine to Highlanders.[63]

The activities of Ayr's merchants around the North Channel are also visible through complaints raised by Ayr and other burghs against each other. The most extreme example comes from the incident in the Clyde where boats of Dumbarton and Glasgow attacked men of Renfrew who had purchased salt from merchants of Ayr, encroaching on the privileges of the other Clyde burghs.[64] This was by no means an isolated incident. Ayr burgesses had also been breaking bulk and selling salt illegally from the *Elizabeth* of Ayr in the Clyde in 1576, which resulted in the burgh of Glasgow sending their master at arms to board the ship under cover of darkness to remove the sails and charge-pieces of the *Elizabeth's* guns.[65] Glasgow and Dumbarton fiercely protected the waters of the Clyde, particularly from neighbouring burghs – often at the expense of their neighbour, Renfrew, on the opposite side of the river, but also their closest competitors on the Ayrshire coast. In 1602, at the Convention of Royal

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[60] MacKenzie, *Ayr's Export Trade*, pp. 1-13.
[61] MacKenzie, *Ayr's Export Trade*, pp. 5-7, 8-11; J. Paterson, *History of the County of Ayr: with a genealogical account of the families of Ayrshire*, i (Ayr, 1847), pp. 180-1.
[62] Ayrshire Archives, Ayr Burgh Records, Miscellaneous Volumes, Cocket Book 1577-1632, B6/29/1. This manuscript volume has no folio or page numbers. Entries are recorded by date. For examples of Ayr's carrying trade, see entries for 9 June 1589, 9 October 1589, 15 October 1589, 19 October 1590, 15 August 1591, 12 July 1593 5 May 1597.
[63] *Kirkcudbright Town Council Records 1576-1604, transcribed by Miss B Johnston and Miss C. M. Armet at the Instance of John, IV Marques of Bute (KTCR)*, i, (Edinburgh: Oliver & Boyd, 1939). For examples of Ayr merchants unloading goods in Kirkcudbright, see pp. 142, 156, 157, 166, 325, 341, 415. For Ayr merchants dealing with other burghs in the Solway Firth, see pp. 155, 161, 216. For the transaction in the Isles, see p. 155
[64] See Chapter 1, p. 46-7 of this thesis; *RPCS*, iii, pp. 300-2.
[65] *Extracts from the Records of the Burgh of Glasgow*, i, ed. J. D. Marwick (Glasgow: Scottish Burgh Records Society, 1876), pp. 46-7. The term 'breaking bulk' refers to the practice of unloading small amounts of a cargo, rather than selling items by their allotted weights or measurements. This was illegal as it allowed merchants to avoid regulations on pricing and duties to be paid on goods sold. It was also done outside of burgh markets and fairs, where free trade was supposed to be conducted. It is also worth noting that in this case, the merchants had mounted artillery on their ship when operating in the Clyde.

Burghs held in Ayr, the three Clyde burghs complained that Ayr and Irvine were causing destruction to the herring fishing in the Clyde by allowing illegal nets to be used which harmed the young population. Ayr retorted by complaining about the pollution in the river caused by the Clyde burghs, which was harmful to fishing interests, resulting in the three burghs being ordered to clear the river of animal carcasses.[66] Inter-burghal jealousies and conflicts were not uncommon in the early modern period. The inhabitants of the burghs on the west coast all shared and competed within the same maritime space. Such was the close, intimate maritime environment on the west coast of Scotland that these conflicts were inexorable, and the burgh of Ayr was no different from the others in pushing its own agenda at the expense of others, even partaking in murkier trading and fishing practices in the adjacent waters.

Ayr Pirates

This case study of how piracy affected mariners on the west coast of Scotland has focused on Ayr for two reasons. Firstly, the surviving source material relating to the burgh is dense enough to make such a study possible; and, secondly, Ayr is foremost among the burghs of the west coast in taking steps to combat piracy in the late sixteenth century. The attacks against those in the burgh will be analysed in detail, as will the steps taken by the burgh and its inhabitants to limit the damage exacted upon the maritime community by pirates. Before doing so, it is also worth mentioning that there were also those within the burgh engaged in illicit activity – and even piracy – who should not go unaccounted for. The activities of two individuals in particular, John Crawford and Robert Jameson, showcase the type of criminality common at the time. The records of the intelligence network of the Tudor state, preserved in English state papers, are a valuable resource in uncovering this illicit activity.

In general terms, merchants of the west coast caught the attention of English officials during the period by transporting arms and ammunition into Ireland to be used against the English campaigns there. This practice is most evident during the Nine Years' War (1593-1603) in Ireland, but was also common in the decades before. John Crawford, a burgess of Ayr, was found to be carrying not only ammunition, but also troops, across the North Channel in the 1570s and 1580s.[67] Crawford was taken prisoner in Bristol in 1570 by a merchant named Water Dull, who claimed to have been pirated by Crawford in the Isles of Scotland, but was forced by the English Privy Council to release him. This attack was then used by Crawford as a pretext for his future transgressions. His connection to Lennox,

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[66] *RCRBS*, ii, pp. 151-2.
[67] *SPO*, Cotton Caligula C/III f. 582, Robert Bowes to Leicester, 20 February 1579-80. John Crawford was the brother of Thomas Crawford of Jordanhill, known as 'Captain Crawford', who gained considerable renown after he led a force which stormed Dumbarton Castle in 1571 for the King's Party during the Marian Civil War. Captain Crawford was a servant of Matthew Stewart, thirteenth Earl of Lennox, regent of Scotland (1570-1571), and was later elected provost of Glasgow in 1577.

through his brother, secured letters from the regent to exert diplomatic pressure on the mayor of Bristol on Crawford's behalf.[68]

The wider archipelagic context is crucial when assessing Crawford's further activities after his seizure by Dull. In 1575, Crawford wrote to Walter Devereux, first Earl of Essex – then in Ulster embarking on a mission to colonise the province through plantation – advising him of the latest plans for a rising in Ulster out of the Isles of Scotland. In this letter he advised Essex that he would be in Lough Swilly on the northeast coast of Ulster seeking redress for his goods lost to Dull, and would be bringing with him twenty armed soldiers, who were mostly likely Highlanders being transported to Ireland. Crawford mentioned in his letter that he would take care of an unspecified matter that had previously been discussed with Essex while in his 'garden gangand', suggesting that he was already in Essex's service, and had business in Ulster before 1575.[69] Essex was at that time engaged in a conflict with Turlough Luineach O'Neill, lord of Tyrone in Ulster, and in command of considerable forces of Scottish mercenaries. By 1580, Crawford was known to the Dublin administration and English agents in Scotland for transporting Highland mercenaries into Ireland to Turlough Luineach. Crawford's activities were significant enough to raise the ire of Francis Walsingham, Elizabeth I's Secretary of State, who saw the matter as a breach of amity between Scotland and England.[70] Crawford leant on the protection of his brother and George Lockhart, a prominent merchant in Ayr, when he was brought before Walsingham's diplomatic agent in Scotland, Thomas Randolph. Again, he claimed to be in Ireland in the pursuit of his goods he lost to piracy in 1570, but this was not taken seriously by Randolph or even the two Ayr men defending him. Randolph informed Walsingham that he decided to deal with Crawford in Ayr by himself as otherwise 'by lawe I might not obtayn not [nor] get by justice at the Counsalls hands'.[71] Randolph was clearly aware that subjecting Crawford to the central authorities in Edinburgh would not be a fruitful endeavour. He had 'complained often' about Crawford to the Privy Council in Edinburgh, yet had been unsuccessful as the Council claimed not to know where he was, despite the English diplomat seeing Crawford pursuing his own interests at court.[72] Crawford's duplicitous nature was clearly enabled by his connections in the locality and to the political centre, and he was not alone among Ayr burgesses to exploit such connections.

Robert Jameson, a burgess of Ayr operating around the same time, can be tied to piracy on two occasions in the early 1580s, both of which were carried out on the coast of Ulster. Firstly, in 1581,

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[68] *APCE*, viii, p. 17; *SPO*, SP 52/20 f.174, The Regent Lennox to Lord Burghley, 26 June 1571.
[69] *SPO*, SP 63/50 f.74, John Crawford, burgess of Ayr to Walter Devereux, earl of Essex, 5 February 1574-5. The Scots phrase 'garden gangand' means 'walking in the garden'.
[70] *SPO*, SP 63/72 f.20, Council of Ireland to the Privy Council, 9 March 1580-1; SP 52/29 f.47, Walsingham to Thomas Randolph, 15 March 1580-1.
[71] *SPO*, Harley 6999 f.135, Thomas Randolph to Walsingham, 30 March 1580-1.
[72] *Ibid*.

Jameson was implicated in a piratical attack against a Thomas Copran of Dublin.[73] By 1584, Jameson was again implicated in a piratical attack in the north of Ireland against the *Pheasant* of Bristol, the goods of which belonged to a William Gyttons. Gyttons' petition to the English Privy Council regarding this case enlightens us as to how this particular pirate operated in the North Channel and further afield. Gyttons claimed to have chased Jameson to Ayr, but had to flee for fear of being murdered there. Jameson's movements then took him to Spain, and subsequently to Rochelle – a port which traded frequently with Ayr. Gyttons was attacked in Rochelle while pursuing the Ayr pirate, and subsequently pursued him in the *Parlement* court in Paris over the next three years, during which time one of his factors was murdered. Gyttons was unsuccessful in his pursuit, he claimed, due to the 'subtile practises' of Jameson and the Scottish diplomats in Paris, as well as a 'captaine of the garde' there, who was also Scottish.[74] The activities of the two individuals mentioned here illuminate how duplicitous and ruthless merchant sailors could be in the sixteenth century. It also draws attention to how difficult it could be to curtail their acts of piracy. Both Crawford and Jameson operated in the north of Ireland, but were able to lean on influential contacts at the Scottish and French courts for protection; neither were apprehended for acts of piracy. Jameson even loaned his ship to James VI in 1585 to be part of the fleet which took the king to Denmark to collect his bride.[75] From this perspective, the town of Ayr cannot be considered as a peripheral community. The substantial volume of trade conducted by the burgh, combined with its inhabitants' connections to the political centre, allowed it to operate as a successful trading port. However, despite these connections to the political centre, mariners of the burgh of Ayr operated in areas which were considered peripheral; particularly Ireland, the western Highlands, and the West March of Scotland, interacting frequently with the communities there and sharing maritime space with them.

Ayr Victims of Piracy

As has been shown in Chapter 1 of this thesis, the western burghs of Scotland suffered piratical attacks primarily at the hands of English, Welsh and Highland aggressors. Piratical attacks featuring Ayr burgesses as victims are in tandem with the general trend in the southwest. Ayr seems to have had a peculiar and antagonistic relationship with the town of Bristol. The relationship between John Crawford of Ayr and Walter Dull of Bristol, mentioned above, may have been the catalyst for this hostile relationship. A few years after Crawford was imprisoned in Bristol, an incident in Lochryan, where a ship of Bristol used counterfeit Scottish money, resulted in the ship being apprehended in Ayr.[76] According to James Douglas, fourth Earl of Morton, then-regent of Scotland, the town of Ayr received

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[73] *SPO*, SP 52/42 f.83, Spoils committed upon the Scots by the English since 1581, 2 December 1587. This attack is also covered in Chapter 2, p. 62-3 of this thesis.
[74] *SPO*, SP 52/36, Petition of William Gyttins of Bristol to the Privy Council of England, 30 August 1584.
[75] *RPCS*, iv, pp. 469-70, 485.
[76] *RPCS*, ii, pp. 405-6.

'great and owtrageous threatenings to be unfriendlie intr[e]atit and delt w[i]th' by the inhabitants of Bristol. The anglophone Morton intervened to see that the Bristol men were released, most likely to preserve the relationship with England or to avoid further hostilities.[77] Robert Jameson's attack on the *Pheasant* belonging to William Gyttons of Bristol adds another element to the relationship between the two towns. It is unclear exactly why this antagonism existed, but it was likely borne out of piracy.

Ayr merchants suffered at the hands of English pirates throughout the 1570s and 1580s. James VI wrote to Elizabeth I in 1585, complaining about incidents of piracy against merchants of Ayr and Irvine which were still in the English courts from 1578.[78] In 1587, the *Mary* of Ayr, belonging to John Osborne, John Bell and William Purries, was robbed by the pirates Thomas Cooke and Richard Smith near Milford Haven in Wales. The goods on board belonged to a Welshman, Richard Pickard of Tenby. The cargo contained salt, oil and fish, indicating the merchants were exporting goods from France to the Welshman.[79] Two years later, Sir Archibald Douglas, James VI's ambassador to the English court, wrote to William Cecil, Lord Burghley, High Treasurer of England, complaining about two merchant ships of Ayr which were robbed by English pirates off the coast of Brittany.[80] Merchants of Ayr, like many others, suffered at the hands of English pirates as a side effect of England's diplomatic and maritime conflicts with other countries.

For Ayr, the heavy dependency on French trade could be a double-edged sword. On the one hand, the shorter journey time for French merchants up the Irish Sea, coupled with the smaller tariffs on French trade on the west coast of Scotland, encouraged French ships to visit the area. When England was hostile to France, merchants from French ports in Brittany and further down the Bay of Biscay could visit the west coast of Scotland without risking the treacherous voyage through the hazardous waters of the English Channel.[81] On the other hand, though, Ayr's connection to France during the periods of English maritime aggression left merchants vulnerable to the very thing which encouraged French merchants to trade there – maritime aggression from England. During the 1580s, English pirates and privateers clashed with their French counterparts, often as retaliation to French maritime aggression. This 'cross-Channel plunder', as termed by Appleby, had a deleterious effect on Anglo-French diplomatic relations from the early 1580s, which lasted well into the next decade.[82] Surviving

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[77] *SPO*, SP 52/26/2 f. 137, The Regent Morton to Henry Killigrew or Walsingham, 22 September 1574. This episode is covered in detail in Chapter 3, pp. 90-1 of this thesis.

[78] *SPO*, SP 52/38 f. 66, James VI to Elizabeth, 24 September 1585.

[79] *SPO*, SP 52/42 f.82, Spoils COMMITTED UPON the Scots by the English SINCE 1569, 2 December 1587.

[80] *SPO*, SP 52/26/2 f.137, Archibald Douglas to Lord Burghley, 20 January 1588-9.

[81] Mackenzie, *Ayr's Export Trade*, p. 7; S. G. E. Lythe, *The Economy of Scotland in its European Setting 1550-1625* (Edinburgh: Oliver & Boyd, 1960), pp. 155, 181.

[82] J. C. Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud: The History Press, 2009), pp. 183-5. For more on Anglo-French depredations, see 'Pirates and Communities: Scenes from Elizabethan England and Wales', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-c. 1600*, eds P. Dalton & J. C. Appleby (Ashgate: Surrey, 2009), pp. 149-172; C. L'Estrange Ewen, 'Organized Piracy round England in the Sixteenth Century', *Mariner's Mirror* 35, no. 2 (1949), pp. 35-40

evidence of English aggression on merchants of Ayr suggests that they were caught in the cross-fire of Anglo-French hostilities in the late sixteenth century.

The other facet of maritime aggression towards burgesses of the southwest in this period, Gaelic piracy, is arguably more consequential with regards to how the burgh of Ayr went about dealing with piracy. Attacks by Gaels from the Highlands and Islands of Scotland troubled the western burghs throughout the sixteenth century. The western Gaeldom, of course, was not a homogenous political entity. Some clans in the sixteenth century took to piracy, the maritime lordship of the Clan Donald South in Scotland being a prime example.[83] Some on the west coast though, such as the Campbells of Argyll and the MacKenzies of Kintail, did profit from cooperation with the crown. As such, the western burghs did not suffer at the hands of all Gaelic clans. On the contrary, the Campbells of Argyll offered the burghs protection throughout the sixteenth century. In February of 1507, Archibald Campbell, second Earl of Argyll, entered into a league with the burghs of Ayr, Irvine and Dumbarton, offering his protection in return for waiving customs payments, allowing the Campbells to move goods in and out of the burghs for free. This league was renewed by the burgh of Irvine in 1572 with Archibald Campbell, fifth Earl of Argyll; and in 1580 a similar agreement was instituted by the burgh of Renfrew and Colin Campbell, sixth Earl of Argyll.[84] Ayr had benefitted from the protection of the Campbells earlier in the sixteenth century; however, this was not retained throughout the period under study here, and Ayr did suffer at the hands of Gaels.

In 1584, a burgess of Ayr named Gilbert Thomson, carrying a cargo of wine and salt to Lough Foyle in the north of Ireland, was driven by 'a grite storme and tempest' to Rathlin Island, where he was attacked by the followers of Angus MacDonald of Dunyvaig. In this attack, Thomson's nephew and an Irish passenger on the boat were murdered, while the men 'patt violent handis' on Thomson before robbing his whole cargo and ship's rigging. Thomson had earlier sold wine and whisky to MacDonald of Dunyvaig, who was in his debt for 200 merks.[85] In April 1590, Ayr merchants were harassed by the 'Scots hielend men' lying behind the Ailsa Craig, a small island off the south Ayrshire coast, ambushing merchant shipping as it travelled south. One burgess, Gilbert McDuff, reported being shot by hagbuts during an attack.[86] The violent nature of the attacks at the hands of Gaels on the Scottish western seaboard differentiated the experience of piracy in the burghs of the west coast from that of the east coast burghs. This is an important consideration when assessing how Ayr dealt with piracy

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[83] For a discussion of Gaelic clans who took to piracy, see Chapter 1, pp. 42-5 and Chapter 2, pp. 64-8 of this thesis.

[84] *The Register of the Privy Seal of Scotland*, i, ed. M. Livingstone (Edinburgh: General Register House, 1908), p. 205; *Muniments of the Royal Burgh of Irvine*, i, (Edinburgh: Ayrshire and Galloway Archaeological Association, 1890), pp. 59-60; Marwick, *The River Clyde and the Clyde Burghs*, pp. 30-1.

[85] *RPCS*, iv, p. 393.

[86] Lyon, *Ayr in Olden Times*, pp. 6-7.

throughout the late sixteenth century.[87] This may also account for the inclusion of piracy in the Ayr Mariner's Society, whose constitution accounts for the 'mutilatioun and greit hurt to thair boddie sustenit' at sea.[88] An archipelagic approach to this thesis has shone light on the activities of Gaelic piracy throughout. Chapter 5, in particular, has analysed in detail the nature of piracy at the hands of displaced and disaffected Gaels in the North Channel, and assertions made here are also applicable to the evidence of Gaelic piracy on Ayr shipping in the late sixteenth century.[89]

Dealing with Piracy

The inability of Tudor and Stuart state initiatives to curtail piracy left maritime communities open to attack throughout the British and Irish archipelago. As such, many communities dealt with the problem without the aid of the crown or royally-sponsored governing institutions. In Scotland in particular, the emphasis on the local perspective can be seen in the legislation of central governing institutions. In Parliament, for example, the southwest was often treated as a region in itself. Legislation on trade, customs and fishing during the period treated the western burghs as a bloc, often to protect the burghs.[90] However, this could also be to the detriment of some of the burghs in other matters. The state of decay of Irvine's bridge and harbour was such that it was investigated several times throughout the 1580s and 1590s. Ayr was ordered to contribute to the upkeep of the bridge through a tax levied by the Convention of Royal Burghs in 1582. Eventually, by 1596, the Privy Council had concluded that the harbour of Irvine should be temporarily moved to Little Cumbrae, a small island adjacent to Irvine on the Ayrshire coast. The £4773 bill for the move would be paid for, not by the treasury, but by a combined effort of the burghs of Irvine, Ayr, Glasgow and Dumbarton, as well as allowing a toll to be uplifted from traffic in the port, even from mariners of neighbouring burghs.[91]

This strategy, of implementing solutions that would be applied and paid for by the western burghs themselves, can also be seen in the Convention of Royal Burghs, a national body composed of members from individual burghs. In the 1560s and 1570s the preferred method of dealing with piracy and maritime issues, was to delegate to a local landowner or office holder, such as the Warden of the

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[87] For an alternative view of the nature of Gaelic piracy, see A. MacCoinnich, '"His spirit was given only to warre": conflict and identity in the Scottish Gàidhealtachd, c. 1580- c. 1630', in *Fighting for Identity: Scottish Military Experience, c. 1550-1900*, eds. S. Murdoch & A. MacKillop (Boston: Brill, 2002), p. 143.

[88] NLS, Ayr Mariner's Society, f. 2

[89] See Chapter 2, pp. 64-8, and Chapter 5, pp. 130-7 for discussions around the nature of Gaelic piracy in the late sixteenth and early seventeenth centuries. This is not to say that there was not a risk of violence at the hands of venture pirates or Lowland pirates. On the contrary, there is evidence to suggest otherwise, as in the case f Robert Jameson above. See also *RPCS*, v, p. 87.

[90] In 1581, for example, it was enacted that foreign merchandise brought into the west should be sold only in the king's free burghs. In 1584, a similar initiative was also applied to fish caught in the west, which was to be packed and sold only to merchants of the western towns, not sold to foreigners or those without burgess status, or sold outside of the realm. See *RPS*, 1581/10/46, Date accessed: 27/07/2021, 1584/5/25, Date accessed: 27/07/2021.

[91] *RPS*, 1587/7/154, Date accessed: 27/07/2021; *RCRBS*, i, pp. 150-2; *RPCS*, v, p. 305.

West March.[92] As the sixteenth century progressed, the Convention of Royal Burghs began to take an increasingly active role in regulating maritime affairs. When an expedition was planned in 1587 to hunt pirates in the North Sea, it was decreed that a similar initiative was to be implemented by the western burghs in their own waters, at their own behest.[93] Treating the western burghs as a bloc in maritime matters made sense logistically, as they were operating in a different maritime environment. However, this left them isolated at times when piracy was being considered. Measures to limit piracy at a national level were overwhelmingly weighted toward the east coast burghs and the waters of the North Sea.[94] On the west coast, the local approach to tackling piracy is an essential consideration when assessing how maritime communities operated in the late sixteenth century.

Map 6: Scotland's west coast, from the perspective of the burgh of Ayr

In the southwest, merchants operating in the Irish Sea and further afield protected their investments by spreading their cargoes and operating in consortiums to spread the risk of suffering losses a sea. Those operating in the North Channel, who shared maritime space with many of the clans of the Highlands and Islands, faced more immediate danger which often carried the risk of physical harm. Smaller burghs, such as Irvine and Renfrew, relied on the protection of the Earl of Argyll and the Clan Campbell, although this protection came at a price. Irvine and Renfrew had to agree to serve Argyll in times of war, and to have their boats ready for his service at any time he may call, as well as offer financial incentives to the Campbells.[95] For larger burghs, such as Ayr, this seems to have been too much of an asking price for protection, as Glasgow, Dumbarton and Ayr chose not to embark on this partnership with Argyll. Much of Ayr's treasury funds were spent on the maintenance and repairs of the harbour in the later decades of the sixteenth century, and burgh expenditure was high. Nonetheless,

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[92] This happened in 1565 after Andrew White had brought pirated goods to Whithorn, and again in 1575 with Leonard Robertson in Kirkcudbright. *RPCS*, i, pp. 503-4, ii, p. 603. See also, Chapter 6, pp. 156-8 of this thesis.

[93] *RCRBS*, i, 242-3.

[94] For examples of initiatives which solely tackled piracy on the east coast, see *RCRBS*, i, pp. 27-8, 28, 31, 50, 101; *RPCS*, ii, p. 222, iv, pp. 9-10, 195-6.

[95] *Muniments of the Royal Burgh of Irvine*, i, pp. 59-60; Marwick, *River Clyde and the Clyde Burghs*, pp. 30-1.

evidence from the close of the sixteenth century shows Ayr embarking on pirate-hunting operation on their own. Money was raised in 1590 to pay for a ship and crew to chase the Gaelic pirates who had been robbing Ayr merchants from behind the Ailsa Craig.[96] In 1602, money was granted to Malcolm Hunter and William Thom of Ardgowan, men in the employ of 'the laird of Blackhall', who had been spoiled by 'the clan Donnald' near Pladda, a small island off the south coast of Arran.[97] The surviving local evidence from the burgh of Ayr showing how the town dealt with piracy mainly addresses the threat of Gaelic aggressors. The different maritime environment in the Irish Sea and North Channel meant that mariners of the western burghs had to deal with different types of piracy whereas those on the east coast dealt primarily with venture piracy.

Conclusion

When assessing how early modern mariners dealt with piracy, the local perspective is critical, given the relatively high levels of autonomy within Scottish urban areas. Analysis of the techniques employed by local communities in dealing with piracy must also be framed around wider methods of risk distribution. Dealing with the problem of piracy in the early modern period was problematic in any maritime theatre. Throughout most of western and northern Europe, marine insurance offered a way for maritime communities, consortiums, and even individual merchants to transform the risk of piracy into a fixed cost, in order to avoid the long and arduous process of pursuing redress in a foreign court. Admittedly, this was not a completely reliable solution, and did little to compensate the shipmasters and mariners aboard the vessels attacked by pirates. Nonetheless, it was a method of offsetting the damages of piracy available to European maritime communities and individuals. In Scotland, however, there is no evidence of any use of marine insurance late sixteenth century. The erection of local mariners' societies at this time is indicative of the ineffective measures implemented by central governing institutions in protecting their own shipping. These societies, which were inherently charitable by nature, also served as a means of risk distribution in Scotland. In a similar way to marine insurance, they offered financial compensation to those who suffered loss at sea, but risk distribution at this time remained local in character, and also relied on more traditional methods such as maritime loans. This chapter has assessed how the mariners of Ayr sought to offset the dangers of trade navigation. It has demonstrated how the maritime environment was a key factor in determining how the merchants and mariners of Ayr went about safeguarding their interests. It has shown how Ayr, as a prominent burgh on the west coast of Scotland, suffered at the hands of pirates in the Irish Sea and North Channel. Ayr's proximity to the western Highlands and Islands of Scotland, and to the province of Ulster in Ireland, presented the immediate danger of Gaelic piracy, which was considered to be more dangerous for mariners venturing out to sea. The provisions included in the Mariners' Society of Ayr covered piracy, and the physical

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[96] Lyon, *Ayr in Olden Times*, pp. 6-7; *Ayr Burgh Accounts*, p. 163.
[97] *Ayr Burgh Accounts*, p. 216. The laird of Blackhall at this time was John Stewart of Ardgowan.

dangers associated with it, were a result of Ayr's close contact with seafaring communities of the Highlands and Islands. This chapter has demonstrated the value of the local perspective in studying piracy, and wider maritime history, when used in conjunction with national, international, or indeed, archipelagic, studies. The valuable source material used here for Ayr has implications well beyond the locality, helping us understand the nuances of dealing with piracy which are not always apparent in national studies.

Conclusion

This thesis has examined piracy in the Irish Sea and North Channel from 1560 to 1625 adding new dimensions to existing historiography. In particular, it has sought to adopt an archipelagic perspective by shifting the focus on to the Irish Sea and the communities that existed at the edges of this body of water, communities not always accounted for in national studies. In some aspects, this thesis has concurred with existing historiography while adding to it through incorporating new dimensions to current works. In other respects, it has challenged existing narratives, extracting nuances not apparent through national or state-centric perspectives. At its core, this thesis has retained an exploratory element in its investigation. Much of what is covered, even from the perspective of the state, has not yet been applied to the Irish Sea. Indeed, studies of piracy around the British and Irish archipelago generally, although not exclusively, have focused on maritime theatres with close connection to the European continent or across the Atlantic Ocean. This approach leaves many maritime communities unaccounted for in historiography, particularly those in more geographically remote regions. Furthermore, often the framing of piracy studies around state-centred and national frameworks has obfuscated our view of how early modern communities within one maritime theatre interacted. This is particularly apposite when applied to the communities of the Irish Sea, many located in what was (and still is) thought to be the 'peripheral' regions of the respective kingdoms of Scotland, Ireland and England in the late sixteenth and early seventeenth centuries.

The data which has driven many national studies of piracy – that of Admiralty Courts, national institutions, and state papers – has greatly enhanced our knowledge of venture piracy around the archipelago and further afield and has been integral to this study. A survey of piracy affecting the communities of the Irish Sea in Chapter 1 has revealed the nature of maritime depredation carried out in this region. For the burghs of southwest Scotland, Gaelic piracy was almost as impactful as venture piracy. The different maritime environment in the western theatre of the archipelago requires a more in-depth analysis than what has thus far been presented within scholarship. Material presented in Chapter 2 has also contributed to the conception of the Irish Sea as an environment suited to pirates. The activities of the communities assessed in the case studies in this chapter have demonstrated the appeal of this region to pirates through investigation of the illicit markets offered in the Isle of Man, southwest Scotland and, to a lesser extent, the western Highlands of Scotland. Man, in particular, was a welcome refuge to pirates at various points in the late sixteenth century. There has been some scholarly assessment of Man's illicit trading activity, but this is exclusively focused on the period after 1650.[1] Similarly, the southwest of Scotland has featured in piracy studies, but assessments have been weighted toward other communities or other topics. This thesis has shown that the Irish Sea communities

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[1] J. R. Dickinson, *The Lordship of Man under the Stanleys: Government and Economy in the Isle of Man, 1580-1704* (Manchester: Chetham Society, 1996), pp. 326-30

facilitated and encouraged piracy, and that the environment there was wholly conducive to maritime depredation, as yet overlooked in national studies of piracy. This was a result of conflicting territorial and legal jurisdictions within a close-knit geographic region distant from central authority that also featured a coastline full of havens, creeks, and rivers favourable to those avoiding visibility. How state interventions reduced piracy in this environment has been a key line of enquiry in this thesis.

The efforts of the Tudor and Stuart monarchies to reduce piracy had limited effects within the Irish Sea in the late sixteenth century. Chapters 2 and 3 analysed the role of the English and Scottish states but retained an archipelagic perspective throughout. In the absence of any Scottish naval presence in the region in the late sixteenth century, it was the efforts of the English crown to control the Irish Sea which were most consequential. Patrols in the region were infrequent, overstretched, and lacked the appropriate shipping for the maritime environment, particularly around the north of Ireland.[2] This thesis has shown how the island community on the Isle of Man, and the seafaring communities of western Gaeldom and southwest Scotland, all frustrated English efforts to gain control of the sea routes between England and Ireland. Thus, piracy persisted despite the efforts of the English crown in these waters. The same ships and personnel used in halting the flow of Gaelic mercenaries and illegal arms and ammunition into Ireland and used to maintain control over these waters were also used to clear the seas of pirates. This highlighted the necessity of assessing piracy alongside wider developments, something not always apparent in national studies, and which is most easily achieved through an archipelagic approach.

State responses to piracy in the Irish Sea have also been a main component of this research. If the ultimate goal of this research is to underline the value of a local or regional perspective in piracy historiography, then it is also pertinent to fully incorporate national responses. The English administration made a concerted effort to limit piracy from the outset of Elizabeth I's reign and throughout the 1560s and 1570s. As these depended on the competency and cooperation of local elites often they were ineffective in the maritime communities where piracy was commonplace. Anti-piratical measures enacted by the English authorities before 1585 were no longer enforced, and no new ones were introduced; after 1585 the Tudor state was more focused on defending against a possible Spanish invasion while also contending with war in Ireland from 1594. Overall, any measures taken by the Tudor administration largely failed for several reasons. The authority of maritime legal institutions in England was contested at a local level, and the admiralty lacked the resources to contain piracy along the vast coastlines of England, Wales and Ireland. The Tudor state's heavy reliance on private interests in maintaining sea power also incentivised plunder, and the participation of local elites in piracy and

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[2] D. M. Loades, *The Tudor Navy: An Administrative, Political and Military History* (Aldershot: Scolar Press, 1992); pp. 56, 91, 93, 111,156 190, 219; A. Cathcart, 'The Maritime Dimension to Plantation in Ulster, ca. 1550-ca. 1600', *Journal of the North Atlantic*, Special Volume 12 (2019); pp. 102-6; T. Glasgow, 'The Elizabethan Navy in Ireland', *Irish Sword* 7 (1966), pp. 291-307.

privateering industries further accelerated these problems. Such factors are particularly relevant when examining Scots operating in the Irish Sea.

Material presented here has added a Scottish dimension to existing historiography, and has investigated how officials seeking to recoup Scottish losses in the Irish Sea ran into difficulties in the localities. Like England, Scotland struggled to curtail the activities of pirates from 1560 until the regal union in 1603. Official measures to limit piracy are less apparent in surviving source material in Scotland. Until 1587, the Scottish Privy Council took no steps toward addressing the problem, save for reacting to cases as they appeared before them, and making diplomatic efforts, primarily with England. The Convention of Royal Burghs in Scotland also put in place measures to curtail piracy, but these were heavily weighted towards limiting the commercial damage to the merchant community, rather than addressing the causes of piracy; perhaps though this is unsurprising given the Convention's composition and remit. The activities of this institution in curtailing piracy are an important aspect of the Scottish response, but are absent from scholarly assessments. Given that the convention provided a link between centre and locality in the context of Scottish urban communities, their vested interest in protecting the merchant community from the dangers of piracy is evident in the records of the convention.

Meanwhile, diplomatic exchanges between Tudor and Stuart administrations were reactive and were used as a means of pushing the other into action. Correspondence taken from English state papers has shown how the status of amity between the two nations was used as a bargaining tool by either side. This aspect of the state response to piracy has also been omitted in the historiography of Anglo-Scottish piracy, and is particularly relevant to the Irish Sea region, given the multitude of communities who coexisted (and clashed) in these waters. Diplomacy was also one of the key mechanisms by which states limited piratical attacks on their subjects.[3] Despite individual successes, diplomatic efforts concerning piracy did little to offset the wider damage done to Scots, particularly in the Irish Sea due to the predilection for piracy in the English West Country and south Wales. Anglo-Scottish diplomacy at this time was also concerned with wider efforts to create order on land. Indeed, many of the policies utilised by the Scottish state were also tied to efforts to create order on land in problematic regions. In the southwest, anti-piratical measures were incorporated into policies aimed at maintaining peace in the Border regions. Therefore, the measures enacted by James VI which aimed to limit piracy in the Irish Sea, were also connected to measures aimed at creating order in the peripheral regions of his kingdom. By analysing piracy against these wider developments, particularly from a Scottish perspective, this thesis has argued that state responses to piracy must be situated within these contexts, and that the peripheral areas of the kingdom, where piracy is most prevalent, must also be incorporated, highlighting the merits of an archipelagic perspective when assessing the Irish Sea.

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[3] Some aspects of Anglo-Scottish diplomatic exchanges around piracy are discussed in S. Murdoch, *Terror of the Seas? Scottish Maritime Warfare 1513-1713* (Leiden: Brill, 2009) pp. 115-20.

In the light of James VI of Scotland's accession to the thrones of England and Ireland, issues arising from competing monarchies and strained diplomatic relations in the archipelago were lessened by the dynastic union. Maritime historians have argued for a decrease in English piracy in home waters in the wake of the new regime in England and Ireland. They point to the large-scale relocation of professional venture pirates to Mediterranean and Atlantic theatres, as well as the new peaceful relationship with Spain from 1604.[4] However, measures and legislation invoked at the political centre in London largely failed in peripheral areas. They were beset by many of the same problems as those outlined in Chapters 2 and 3 – corruption of officials, lack of enforcement in localities, and the lack of appropriate shipping in the Irish Sea. Historians of state formation and state-building have also pointed to James' drive for further union in the aftermath of his accession, and the 'civilising' policies that were enacted in the frontier regions throughout the archipelago. These have yet to be incorporated into studies of piracy in the early seventeenth century. Localised piracy in the Irish Sea remained a threat to order in the Stuart kingdoms, as did Border reivers and displaced Gaelic clansmen.

Scholars have also highlighted a more cooperative relationship between Scotland, England and Ireland in maritime matters under James' direction. Lord Ochiltree's mission to the Western Isles of Scotland, which was supported by English ships and officers serving in the Irish Sea, serves as a particularly potent example of this.[5] That these were the same ships and officers who served as the crown's pirate hunters in these waters was not a coincidence; piracy is again best viewed alongside the wider context of the maritime environment in which it was occurring. However, the decline in piracy purported by maritime historians was short-lived in the northern theatre of the Irish Sea. This reinforces the need for more localised and regionalised studies to provide nuance to national studies, as the social dislocation in the western Highlands and the north of Ireland caused by James' civilising policies led to a flurry of piratical attacks which are analysed in Chapter 5.

One of the central aims of this thesis, given its archipelagic approach, has been to bring peripheral communities in the Irish Sea to the fore, particularly those of the Gaelic maritime world. Much of recent scholarship on piracy differentiates between two pirate traditions. That of venture piracy, and that of Gaelic piracy. Much more has been written about venture piracy, and, as a result, current assessments of Gaelic piracy require refinement. These pirate traditions in the archipelago are not necessarily differentiated solely on an ethno-cultural basis. They are a result of different shipping

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[4] C. Senior, *A Nation of Pirates: English Piracy in its Heyday* (David & Charles: London, 1976), pp. 7-13; C. Kelleher, *The Alliance of Pirates: Ireland and Atlantic Piracy in the Early Seventeenth Century* (Cork: Cork University Press, 2020), pp. 6-12.

[5] M. J. Braddick, *State Formation in early modern England, c.1550-1700* (Cambridge: Cambridge University Press, 2000), p. 373; D. U. Stiùbhart, 'Murder in Barra, 1609? The Killing of the 'Peursan Mór'', *Béascna*, 8 (2013), p. 156; D. U. Stiùbhart, 'Three Archipelagos: perspectives on early modern Barra', in Paula Martin (ed.), *Castles and Galleys: a reassessment of the historic galley-castles of the Norse-Gaelic seaways* (Laxay: Islands Book Trust, 2017), 180; A. MacCoinnich, *Plantation and Civility in the North Atlantic World. The Case of the Northern Hebrides, 1570-1639* (Leiden: Brill, 2015), pp. 134-5.

traditions, different geopolitical contexts, and different motivations for piracy.[6] Nonetheless, as scholars of the wider Gaelic world seek to overturn the historical perceptions of Gaelic communities as barbarous or uncivilised, so, too, should scholars of piracy.[7] This thesis has pointed to the violent nature of attacks at the hands of Gaels, as displayed in the historical record. But it has also emphasised the motivations behind Gaelic attacks which come from displacement as a result of state 'civilising' policies. The Gaelic world was not homogenous, and those characterised as pirates constitute some of the most displaced or disaffected clansmen operating at sea, save a few exceptions.

This thesis has reconceptualised Gaelic piracy, overturning characterisations of 'subsistence sea raiding'.[8] Material presented in Chapter 5 has allowed for a deeper investigation of some of the depredations of displaced Gaels. It has shown the extent of piratical depredations by singular leaders of rebellion in the early seventeenth century. It has also revealed much about the motivations of these sea rovers. The wider geopolitics of the archipelago, as well as developments in state formation and civilising policies enacted at the political centre, are key considerations which help conceptualise Gaelic piracy. By adopting a grassroots approach to piracy in the North Channel, this chapter has extracted nuances of Gaelic piracy by going beyond investigating the activities of clan chiefs. It has shown that even in piracy, activities of clansmen are not necessarily a reflection of clan leadership. Chapter 2 has also added nuance to debates around Gaelic piracy and, along with the assertions of Domhnall Uilleam Stiùbhart, who has shown commercial links of Gaelic clans in the Irish Sea, this chapter has unearthed illicit commercial ties of the western Highlands and Islands to communities of the Irish Sea, including the western burghs.[9]

When the whole of the Irish Sea region is analysed, piracy can be seen to have declined in the aftermath of regal union. Localised piracy persisted, yet the volume of attacks reported in historical records drops. This is mostly reflective of the movement of venture piracy away from bases in the English West Country and south Wales, to Irish, Atlantic, and Mediterranean maritime theatres. However, far less attention has been paid to Gaelic piracy during the same time period. In many aspects, this thesis has challenged national perspectives, but it has not been its objective to discount their value. It has sought to extract nuance and realign perspectives in piracy. While assertions made in national studies regarding the movement of piracy to other maritime theatres are largely accurate, the northern

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[6] For a discussion on the shipping traditions of the archipelago in the medieval and early modern period, see N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1660* (London: Harper Collins, 1997), pp. 166-8, 204-20.

[7] Research which overturns negative historical perspectives in the Gaelic world in Scotland is most forcefully articulated by Aonghas MacCoinnich. See A. MacCoinnich, *Plantations and Civility: Plantation and Civility in the North Atlantic World: The Case of the Northern Hebrides, 1570-1639 (Leiden: Brill, 2015)*, *passim*. For an Irish Gaelic perspective, see G. Farrell, *The 'Mere Irish' and the Colonisation of Ulster* (Cambridge: Palgrave MacMillan, 2017), *passim.*

[8] Appleby, *Under the Bloody Flag*, pp. 22.

[9] D. U. Stiubhart, 'Three Archipelagos: Perspectives on Early Modern Barra' in *Castles and Galleys: A Reassessment of Historic Galley-Castles of the Norse-Gaelic Seaways*, ed. P. Martin (Laxay: Island Book Trust, 2017), pp. 172-80.

regions of the Irish Sea do not reflect these developments. Piracy in the North Channel and the northern regions of the Irish Sea was largely a result of the 'civilising' efforts of the Stuart composite monarchy in the Gaelic regions of Ulster and the western Highlands and Islands of Scotland.

The extraordinary detail brought to life in the piratical cruises laid out in Chapter 5 has provided a snapshot of piracy centred around the Islay Rising of 1615. Accounts of Gaelic piracy are rarely so vivid, and they have significantly enhanced our knowledge of the practice in the early seventeenth century. Coll Ciotach and Sorley MacDonald, the two main aggressors, used piracy alongside land raiding as a means of sustenance as they evaded crown forces, but also as a means to realise their wider aims of reasserting Gaelic hegemony in Ulster and the Western Isles. Their cruises registered several victims, none of whom have appeared in sources traditionally used for piracy studies. Chapter 5 demonstrates why regionality is critical when assessing piracy within a distinct body of water. National studies of piracy have not accounted for the significant degree of maritime violence within the North Channel and northern Irish Sea region. Regionality, though, must be assessed against the backdrop of wider developments. In this case, the plantation of Ulster led to a rise in piracy affecting the southwestern burghs in the early seventeenth century, while piracy in the Irish Sea as a whole declined. State-centred studies have not captured this nuance, due, in part, to a preoccupation with venture piracy in Anglophone communities.

In addition to the important regional and archipelagic considerations presented in this thesis, the local case studies have also offered significant contributions to our knowledge of how pirates operated in the Irish Sea. Local case studies of piracy in communities of England, Wales and Ireland, have all contributed to our understanding of piracy in the Irish Sea, yet to date there are no comparative studies of Scottish communities there. These two chapters illustrate above all how different these two individual burghs were during the period. Kirkcudbright, isolated physically from the political centre by a mountain range, saw far less legitimate trade than some of the other western burghs, such as Ayr and Glasgow. This case study, applying approaches prevalent in Atlantic historiography, has shown how the geographic isolation, combined with the dearth of legitimate trade in the area, and the willingness of local officials to overlook illicit activity, fostered the conditions required for a functioning early modern pirate nest. This analysis, combined with valuable source material relating to piratical networks in the wider Galloway area, sheds new light on how piracy was facilitated in both urban and landed areas by local elites in Scotland during the period. The confessions of piracy used in this case study, despite the limitations of this type of source material, have contributed to our understanding of illicit networks in the southwest of Scotland. This is in alignment with recent scholarly works that have assessed the connections between piracy and landed communities elsewhere.[10]

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[10] M. G. Hanna, *Pirate Nests and the Rise of the British Empire, 1570-1740* (Chapel Hill: University of North Carolina Press, 2015); C. Kelleher, *The Alliance of Pirates: Ireland and Atlantic Piracy in the Early Seventeenth Century* (Cork: Cork University Press, 2020)

The case study of Ayr, on the other hand, has brought new material to light which demonstrates how mariners safeguarded against piracy in the late sixteenth century. An in-depth analysis of the records of the Ayr Mariners' Society has revealed how this local institution offset the dangers of piracy, providing charitable relief and risk distribution for merchants and mariners. A comparison with surviving records of other burghs from the same time period shows that Ayr, so far as existing records indicate, was unique at this time in catering for piracy in its methods of risk distribution. This alludes to the dangerous maritime environment in which Ayr mariners operated, in close proximity to Gaelic regions, where violence was more characteristic of their piratical attacks. This study highlights the need for a local perspective in maritime history, and demonstrates the wider appeal that case studies can have when placed within their wider contexts. The nuances displayed in the case studies of Kirkcudbright and Ayr have significantly broadened our understanding of Scottish piracy in the sixteenth century.

This thesis has made a case for more local source material to be utilised in the study of piracy. However, this case may have been made stronger by the inclusion of more local material from elsewhere in the Irish Sea. As the bulk of the research was conducted in the lead-up to and during the Covid-19 pandemic, much of what was originally intended to feature could not be included. In particular, records relating to the Isle of Man and the north of Ireland may have strengthened the arguments. Closer analysis of some of the smaller burghs in the Clyde may also have strengthened this thesis – mainly Irvine and Renfrew. Further material relating to the early seventeenth century would also have added nuance, particularly when assessing concepts of state formation around the regal union and their impact on piracy. The inaccessibility of much of this source material during the pandemic has been unfortunate. Notwithstanding, this thesis has provided a platform from which further research can be constructed.

Indeed, further analysis of the records of the burghs of the southwest can be supplemented by investigations of neighbouring Irish Sea communities, in order to develop the archipelagic approach more fully. In addition, communities outside the Irish Sea may also be incorporated to achieve a fully archipelagic perspective. The Orkney archipelago is a prime example of a region with close connections to piracy. Much wider maritime research has incorporated many of the island communities of England and Ireland in the early modern period.[11]

Despite the contributions made in this thesis, there is still much work to be done on the subject of piracy, particularly in Scotland. The case has been made here for local and regional approaches to enhance our understanding of Scotland's maritime communities. It has not been the intention of this research to make a case for southwestern exceptionalism, rather, to differentiate the southwest from the regions on the eastern and northern coasts of Scotland. Piracy was prevalent along all coastlines of

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[11] D. Cressy, *England's Islands in a Sea of Troubles* (Oxford: Oxford University Press, 2020); A. Cathcart, 'Island Empire: James VI and I and the Isle of Man in an Archipelagic Context' in *Scotland and the Wider World: essays in honour of Allan I. Macinnes*, eds. N. McIntyre and A. Cathcart (Woodbridge: Boydell & Brewer, 2022), pp. 34-48.

Scotland, and more regional assessments will undoubtedly increase our understanding of this overlooked part of Scotland's history. Given the richness of local source material unearthed which relates to the burghs of the southwest, what might the records of the more prosperous east coast burghs reveal about piracy affecting Scotland?[12] Further study of the Gaelic maritime world, with these communities as the focal point, would also contribute to reconceptualising Gaelic piracy in Scotland and in Ireland, where Lowland Anglophone communities have been the focus of attention for many scholars.

This thesis is, of course, a work in progress. Many aspects of piracy could not be included. Historians of English piracy have focused on different aspects which have not featured here, or indeed been covered in Scottish assessments of piracy, given the dearth in scholarship of the subject. Scholars have assessed social and legal aspects of piracy, the performative aspects of pirate executions, and even the representations of pirates in contemporary media.[13] It has been a central contention of this thesis that piracy must not be assessed in isolation and has shown how it was often a result of state formation and the adjoining civilising policies. But what of other variables? Environmental factors have been referenced at times throughout this thesis, but it has not included such things as famine and scarcity as a contributor, which is particularly apposite in the Irish Sea given the high rate of opportunistic piracy there. The legal aspect of piracy, also in serious need of scholarly attention, would require a thesis all of its own. The role of admiralty courts too, and the Lord High Admiral in Scotland, are in need of further scholarly assessment. Overall, this thesis has broken new ground in its assessment of piracy in the Irish Sea. It has utilised source material hitherto neglected which has reconceptualised piracy and attempted to reframe and realign many of the historical debates, bringing peripheral communities to the fore in its analysis and approach. Yet the topic of piracy, in terms of scholarly assessment in Scotland, remains in an embryonic state.

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[12] Studies of Aberdeen, for example, have contributed much to what we know about maritime history and piracy in the medieval period. D. Ditchburn, 'The Pirate, the Policeman and the Pantomime Star: Aberdeen's Alternative Economy in the early Fifteenth Century', Northern Scotland 12 (1992), pp. 19-34; E. Frankot, *'Of Laws of Ships and Shipmen': Medieval Maritime Law and its Practice in Urban Northern Europe* (Edinburgh, Edinburgh University Press, 2012).

[13] C. Harding, 'Hostis Humanis Generis' – The Pirate as Outlaw in the Early Modern Law of the Sea', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (London: Palgrave MacMillan, 2007), pp. 20-38; C. Jowitt, 'Scaffold Performances: The Politics of Pirate Execution', in *Pirates? The Politics of Plunder, 1550-1650*, ed. C. Jowitt (London: Palgrave MacMillan, 2007), pp. 151-168.

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Appendix 2: The Depositions of Andrew White

The National Archives, High Court of Admiralty: Oyer and Terminer Records, HCA 1/38: 1565-1570, ff. 124-140

Transcription of White's First Deposition – 26th February 1565

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The Examynacon of Andrew Whyte the xxth day of ffebruary anno septimo Regni Elizabeth upon certen Articles mynystryd unto hym by Rychard Bulblebey[1] knight and Willm thart[2] gent accordinge to the termre of my Ld admyrall of England hes of Comyssyon

Andrew whyte of thage of xxiiii yeres or thare aboutes examynyd upon the sayd artycles to the ffyrste he saythe that he was borne in the towne of donstor in the countye of Somersett

To the Second the sayd andrew whyte sayth that he was brought up for the most parte of his lyffe at the corte in servys with mastres Clarensyons and from har with Sr Thomas parry knight and ffrome his servys departed to ffoye

To the thyrdd he saythe that his travell, trade and lyvinge for the moste parte this vii yeres hath byn upon the Seas for Imedyatly after that he departyd oute of servys in the Corte he wentt to the place namyd ffoy afforesayd and there toke shippinge and passage in a ffrench man to Borrage where he by channse mett wyth dyvers servytores then beinge in wage wyth the prynse of Rossyco? otherwyse caullyd the duke of of Rossyco/Cossyco? whoe beinge beseged by the duke of pondy and in servys with the duke of goywes[3] in respect of suche servys as the sayd andrew whyte had donne agaynste the papystes was made and chosen tobe lyffetenaunt of three hundret men under captayne Rygodyre dwellinge besydes sybbes. and so contynewed lyffetenaunt during all the warres Betwene the prynce of condye and the duke of gowyes, and after that the sayd prynce of Rossycor was overcome with fforce by the duke of ponnd, monsoyr monbuke, and

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monsoyre de duras the sayd Andrew whyte for that he was capten under the sayd monsoyr Rygodyr and not able any longer to contynew in servys styll myndett to serve in the defense of ffa…[4] the quenes mandstye of Englond did p[ro]ffesse and observe, mett by channse wth one John Inchdowe of pastowe at ponnd by Rochell and by meanes of acquayntannce toke passage wyth hym to Englond and saylinge upon the sees conferd together to take a brytton Laden wyth gascoyne wynes wche they toke and afterwardes the sayd andrew sold the same to one mores Roche then mayor of the Cyttye of corke in Irelond and to the commynaltye of the same cyttye, the wholle Load of the same pryse was xxxiity tonnes and sold for vli vis viid the tonne[5] of leafull money of the same. ffrom thens he departyd to dongarw…[6] in Irelond by lande and came to one harry staffords howse constable of that Castle and of friend shippe delyv[er]yd hym a hondreth and ffoure poundes of englyshe coyne in gold and sylver to be kept saiffe of truste tell he the sayd andrew whyte shold eather come ffor hyt or send at whiche tyme by the meanes of the sayd harry stafford & went in consert with one harry newman of

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[1] Sir Richard Bulkeley

[2] William Thackwell. Damaged record

[3] Duke of Guise

[4] hole in record

[5] £5, 6 shillings, 7 pence the tonne

[6] Page fold

waymouth and Thomas wollesall havynge a specyall lycens and aucthoryte to serve at new haven, and at the sayd Andrew whytes goynge to the sees wth the sayd newman and wollesall & leafte the wholle some of iC and iii li[7] in the costody of the sayd harry stafford and his wyffe, sone after beynge in consert and Company of newman and wollesall travellinge the sees toke a shippe of Bordeos[8] in gastoyne Laden with wheate and Rye wche grayne they all three of one consent sold the same in a place caullyd stydwalles in northwalles to the Commynaltye and poore inhabytants of the Contrey and allso one barke Laden wyth Allo…? wche was sold by newman in whythorne in Scotlonde

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To the forthe he sayth that he hath byn a traveler upon the sees ev[er] syns new haven was ffyrste Englishe

To the vth he sayth that he servyd in the Barke bryan bellonginge to London the honor[9] thereof was one capten bryan

To the sixte he saythe that he toke a pryse Laden wyth lymyn clothe being in consert wth one John mey of dover. the valew and pryse thereof was sold by the sayd andrew wythe the concent of his companey to one Steven Rawlings of dover and after that he had made such sale, the said Rawlings appoynted and made the sayd andrew capten of the Barke wche was the pryse of lymyn clothe to serve upon the sees agaynst and upon the Enymes of the quenes ma[jes]te of Englond the tyme of the settinge for the sayd pryze barke was abowte Ester Last paste and so shortely after his adventure towards the sees by fforce of weather was dryven to porchemouth wheare he did aryve certen dayes, and upon his arryvall theare was charged in the quenes mats name by one Ser andryan poynyns knight by v[er]tue of the quenes mats hes of comyssyon unto hym adressyd to venture the sees and to seke for the quenes mats shippesat garneseys or else wheare. Whereunto the sayd andrew obeyd and accordinge to his dutye went unto the sees and at lenght came to garnesey and theare sought the sayd shippes wche not beinge theare had certyffycate ffrom the Bayllyffe and juratte or offycers of that place testyffying his being ther and came and aryved at dartmoth and enqueringe theare lyke wyse for the quenes mats navy or shippes, non was thare at all ar that place, whereupon the sayd andrewe

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in lyke man[er] had certyffycates ffrome ane gylbert Roope deputye mayor of the towne testyfying and notyffyinge the same, and so ffrme thens made sayle to porchemouth Baike agayne and there made delyvery of the quenes mats lres to the sayd Sr Adrean poynyns servand and deputye in the p[re]sens of capten Basyn and mr davyson servante to the sayd Sr Adrean poynyns knight and so dyscharged

To the viiith and ixth artycle sayth that after he had delyvyd and dyscharged hym sellffe of the quenes mate hes went and Repayred to the sees in the pryze barke afforesayd myndinge upon adventure to … his corse wowards the Landes eand to seke and meete with the quenes mats Enymes nevthelesse by fforce of weder was dryven to whytthorn in Scotland and arryvinge there a certen space in the meane tyme pease was p[ro]clamyd and publyshed Betwene Englond and ffrance by soche an occacon thereof the sayd andrew whyte thought hym selfe to be in greafe danger of debt because he was in debt ffor the fornyture of his barke in victualls and other charrge and by resob of pease he was greatly hynderet and deferyd utterly of his porpos by meanes and ocacon wher and to

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[7] £104
[8] Bordeaux
[9] owner

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practyse some way to recover his losses was of … nede constraynyd to seke for ayde at the lord of garlowes[10] and moghrg…[11] for a lre of marte[12] agaynst the portingales by fforce thereof the sayd abndrew wentte to the sees accompanyinge wth certen Scotts men. the masters name was John Karson the other names of his company and … he doth not know. and so entringe into the sees by fforce of extreme weader was dryven to the haven of myllfford to hys knoledge a month or v wekes affore chrystmas

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Last paste wheare the[y] ffound and toke a barke of carmyrthyn laden wth xxi tonnes of gastoyne wyne and ii or iii pecs of lyn[en] clothe by compulcon and …[13] of the sayd scotes men, wche pryze so taken brought the same barke and wynes to whythorne in Scotland and theare sold the wynes for xxli Scots the tonne and resevyd payment in hand, and fforther sayth that when he toke the Barke of wynes at Mylfford he left the carmmerthyn men his barke beinge in borthen xxx tonnes, and fforther sayth that after he resevyd paayment for the wynes in whythorne, fforthwth he made sayle to the sees and by channse aryved at the holyhead in anglesey aboute new yeres day Last paste and happynynge to aryve wthin the sayd haven mett there wth a shippe or barke of plymout of the borthen of liiiity tonnes and upwards and laden wth lii tonnes of gastoyne wynes beinge of the goods and m[er]chandyses of william dod of chester m[er]chante Raffe Radford mchante honor[14] of the same, and at the ffyrste metinge and aryval together the sayd andrew sayled upon the barke and wyllyd the mr of the sayd shippe to send there cocke[15] aborde his barke, wche the[y] did accordingly and so sone as the cocke came a borde the sayd andrews Barke he wth his Company manyd the boate and entryd upon the sayd shippe Laden wth the wynes afforesayd and [t]her dyd fforth wyth take and made sayle to whythorne, and left hys Barke to plymoth men

Transcription of White's Second Deposition, 12 April 1565

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Apud ludlowe xii Aprylis Anno RR Elizabeth xc vii (7th year of reign. Makes it 1565)

Andro Whyte of Dunster in the countie of Somerset gent, beinge the day aforesaid exa[mi]ned before th right hon[our]able the Lord P[re]sident and others of the Queenes Mats counsaill in the m[ar]ches of Wales, howe long was he a traveler upon the sea, and wat offence hath he done. Sayeth that he used & travelled the seas at sondrye tymes by the space of these xii yeres Last past. and did comytte any offence against the Queenes Mats Lawes at any time before the warres at the

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newe haven was ended and peas concluded bytwyne England and ffrance. And sayeth that aboute ii monethes next before the conclucon of the said peas, this ext having L men in his companey in a ba[rk] called a John of the which this ex[amina]t[e] was owner of the one halfe, and one Stephen

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[10] Garlies
[11] Poor record. Mochrum.
[12] marque
[13] Pad record
[14] owner
[15] cook

Rawlyns owner of the other half went to the sea against the Quenes Enemy. Accordingly to a p[ro]clamacon in that behalf

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Made. And sayeth that one William Skynner of Reddynge in the countie of Barke was m[aste]r of the same bark. this ext being capteyn, harry hyggyns of Ap[ro]son[16] in Devonshyre beinge M[aste]rs mate, harry More of Devonshyre, John Armestronge of the same countie, Hughe Johns, a Welshman of Monmouth, Christopher P[er]kyns of the countie of Kent beinge quarter m[aste]r, Richard Ellie[?] of Saynt Katherins orelle of Lyme House beinge maister gommer John Scott of haberdeyne in Scotland his mate John

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Duglas dwelling aboute done dee in Scotland Boteman of the barke, Johne Clerke of Lyme House ny London his maite, Thomas persie of harwych in essex or Suffolk Stuard of the barke, Richard Danyell of aboute exmouth in Devonshyre beinge Cooke John Cardoc of Romsey in Hampshyre, Raiff Smyth of Hartyll Pole in the northe contrey John … of __[17] in the countie of Gloucester, Wode Lane of Totneys in Devonshire And others whose names he doth not remember, S[er]vinge in the cost of ffrance

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By the space of aboute vi dayes, were put by force of wether into portsmouthe. And there at their arryval this ext leaving the Barke near ports mouth this ext and one of his men named John Elson affore named depted thence to southehampton to bye meat and vyttelle beinge aboute Ester Last paste to one Mr Stonnehouse and Tarryed wth him being xii myles from the place, where the bark was, but one nyght and thence he beinge sent for by the Mr of his Barke declarynge that

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Sr Andrian poynynge Lieuten[an]t of ports mouth had charged this ext and his campaney to s[er]ve the Quenes Matie in seekynge her race shippes upon the seas a dely[veri]n[g] her grace Lres and the counsalls to Sr Thomas Coton viceadmyrall of her grace shippes in the narrowe seas and so wth all spede this ext went into his barke and made sayll ov[er] to garneysey[18] beinge so comannded by Sr Andryan Poynynge. And at this exts and his

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companeyes arryval at garneysey the quenes shippes were deptd toward the ffarme/ffurne Rock and at garneysey this ext seeking theym Required c[er]tificat of his being there of the Captayne named Mr Chamblen bailiff and Jurous? of granesey and had the same ctificat. And thence this ext assayled a Longest the cost of ffrance toward the furne afforesaid And aboute the ffurme this ext and his

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[16] This reads 'Aproson', with the p abbreviation symbol for pro included. Could be Apson.

[17] Gap in record

[18] Guernsey

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companye mette an Englishe shippe of warr who declared that the Quenes shippes were Returned toward Darte mouth to Refreshe their vyttells and to darte mouth this ext assayled and thence arrived aboute a forte nighte next after Ester Last past and ffound not the Quenes shippes there for that they had chasse upon cten ffrenche shippes wch caused theym not to arryve at darte mouth. And this ext being eat darte mouth to seeke theym Requyred

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A ctificat of the maior there of this ects beinge there to seeke the Quenes shipps and had the same ctificate and brought freshe vyttells and sayled a Longest the coost of England to have some newes of the Quenes shippes and beinge as ffar as Portland mett wth one monk an Englishe man of warr who declared that the Quenes shipps were at portes mouth and thither this ext sayled and there Arryved aboute a sevenyght[19] next before maye daye Last past. and before

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his Arryval they were passed toward Dover vi hours before, And there this ext delyv[er]ed the Quenes mats said Lres & her counsalls to Sr Andryan poynyngs deputie whose name this ext remembereth not in p[re]sence of Captayne basinge of ports mouth Mr Davyson and Rogers ii of Sr Andryan Poynyngs men. and of the same delvy this ext had a discharge in wryttinge of the same deputye of the said Lres, this ext Requyred wayge & Recompence for him self and his companey his shippe and

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vyttells s[er]vinge at his owne costs and charge duringe the said tyme. And thence not havinge neyth[er] his waige nor recompence, sayled thence to the Landes ende of England. Aboute mounte baye aboute a wycke next after maye last past and there hereinge of peas dycharg[ed] all his men savinge vi and ii boyes, that is to say, Raulff Smyth, Rychard danyell, Wes Lane, James Browne, John Clerke, Thomas Persye, John elson and a boye names Davye a Skottyshe boye. And thence saylinge

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homeward toward Mynheld? aboute the same tyme this ext and his companey in his barke by channce mette by Cotonne? wth one Thomas bygott a Mr of a barke. and thence heyred him and one of his companey to be a pylat to this ext to the north pte of Ireland called the band to ffyshe for Salmons. And in saylynge to thither by chance of contrary wyndes arryved at Bewemaris in Wales whence the said bygott beinge this exts pylat went ashore to his wyff at Bewemaris, where the same

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Pylat dwelled before and thence he was stayed aboute mydsomer Last past, for displeasure that men of west chester bare him for that he was wth captayne hogge when the same hodge toke a shippe of

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[19] week

west chester Laden wth Lether beinge forfayted to the Quenes Matie. And from Bewemaris this ext and his said vi men and ii boyes saylled to Whythorne in Scotland to have a pylat to saylle to the Ryver of ban in the north of Ireland to thentent[20] to ffyshe there, And at this exts arryvall at Whyttehorne he amended his Barke

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And there mette wth my Lord Robt Erle of Sutherland[21] the quene of Scotlands brother, and the young lord of garleyes, And the Lord of Moghrom[22] who p[er]swaded this ext to s[er]ve agaynest the portyngalls at the sea, by lycense of the Quene of Scotland the same portyngalls being her enemyes, declaringe that they wold be this exts ayde and obtayne him men and vyttells. And so he went to the sea havinge xiiii scottyshe men wth him in his barke, wth vyttells at the cost of said Lords

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And beinge upon the seas mett a barke aboute a sevenight next before mychalmas Last past betwyne England and Wales toward brystowe a mynst? Barry in Wales wch bark beinge the Bark of one Harry horne of Glowcester, havinge no Ladinge wthin her this ext toke the same barke of one dymyck m[aste]r of the same barke, and dely[ve]red to hym this exts barke beinge worse then the other, and depted wthout any ffurther offence or hurte done. And thense saylinge a Longest the channell

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towards the Landes ende of England this ext mette wth an other Barke of Brydgewatter in Somerset shyre laden wth sylke & lynyn clothe beinge the goodes of Jeffrey Shyrthcom[23] J[oh]n Gybbes and other mchants of Brydgewater and the said barke of Brydgewater beinge chased by a ffrenche pynneys and like to be taken, was refreshed by this ext, who brought the same in sauftie? to barye in Wales, And there this ext wthout takinge anythynge of the own[er]s

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of the same Barke & goods sayled after the ffrench pynneys and toke her at an Ileland called Lande ende betwyne England and Wales and had in the same ctyne ffryses beinge by the same ffrenchmen taken before to the value of aboute two hundreth mkes, and went from thence wth the same ffryses to whytehorne in Scotland and there made sale of the same pryce to the said Lord moghrome, Lord of Barmetoara[24], the old lord of Garleys, Lord of Mart…[25] Thomas Makleman and others of that contrey whose names this ext knoweth not knowinge that

[Page 132v]

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[20] the intent
[21] Scribe mixed up here – not Earl of Sutherland, see Chapter 6, p. 143
[22] John Dunbar of Mochrum
[23] Shirton
[24] Barnbarroch
[25] It is unclear who White is referring to here.

this ext had taken the same upon the seas of the ffrenchman for this ext tould theym the same. And from whythorn this ext wth his said companey went into the seas. And at mylfordhaven mette wth the Barke of Carmarthin havinge in her xxv tonnes of gastoyne wyne ii hockchetts of pr…[26] iii or iiii pecs of lynen cloth beinge the goodes of p[er]sons to ths ext unknowen, wch barke and goodes this ext and his said company toke, And delyv[er]ed

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this exts said barke to the same carm[er]thin men & sufferinge them to dept whomeward, sayled to whythorne, and there made sale of all the same wynes and goodes contayned in the same Barke of Carmarthin about Christemas Last past, to the said Lordes abobne spied[27] except the Lord Burnetoara[28] and to others of the same contrey, whose names be my lord gelson, patrycke megon, John Aberpatrycke, henry Gomenton?, Lord Amartynmecolls, Thomas mykey[29] and others whose names this ext doth not remember but this ext hath geven ye

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Whole note to Mr begge of carmthin at bewemaris. And ffrom Whythorne this ext went wth his companey to sea toward the cost of ffrance, And mette comynge out of the sea at the hollyhell in Wales wth the ship of plymouth Laden wth gascoyne wynes aboute newe years daye last past, the own'[er]s name of that shipp is Ramond of plymouth in Devonshire wch shippe and wynes this ext and his said companey

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toke and delyvered this exts shippe to the same Remonds deputie. And And there this ext p[ro]mysinge the same deputie to send whome[30] the same remods shipp agayne toke ii of the same deputies company and a boye whose names be John gloyver of Stonnehouse in Devonshyre, p… the botesman of the shippe and Thomas the Boye, and depted wth the same shippe, and wynes contayninge aboute L tonnes of wynes to this exts Remembrance, saylinge to Whythorne and the arryved and sold xxxi tonnes thereof in maner ensuynge (viz) viii tonnes to patrycke megon

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to the use of the lord of Garleys theldr[31] Lord of Moghram and the Lord of geldson, this ext sold ii hockeshedes of that wyne to the said lord martin mecolls, to george martin of porberycke[32]ix hogkechetts, to John Akepatrycke a tonne, Henry Corryngton a tonne, to ffrance[s] morrey ii hockechetts, to Thomas Maclennyn a tonne, to John macklenyne vi hickechetts. And the rest of the said xx tonnes this ext sold to the goodman of bars…[33]

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[26] Bad photo
[27] specified
[28] Barnbarroch
[29] Thomas McKee
[30] home
[31] the elder
[32] Port Patrick
[33] Word obscured by page fold.

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named Jhn Agarde dwellinge besydes the mulle of Galwaye[34], and after this sale, this ext myndinge to sayle toward plymouthe discharged his owne men and hyred iii other men at whytehorn in Scotland whose names be will[ia]m babbes georg halden and hn sweton to helpe to brynge whome the shippe to the owner to plymouth accordinge to this exts pmyse afforesaid wth the same other two wch this ext had taken in the same shippe as before, and wanting a mr in the same shipp to sayle thyder this ext went wth theym hymself

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And in theyr viage were taken at hollyhedd and brought to p[ri]son by the deputie sheriff Janckin woodes to the castell of bewemaris. And at his apphencon the same Janckin woode had of this exts handes xx m[ar]kes in scottyshe testons, a sylv[er] salt, a sylv drynckinge pece, xiiii sylv spons. And there was also taken out of the same shipp out of a chest and from this exts boye, Aboute Liii ls in sylv and also xxvi ffreche crownes ffrom this exts boye, by the sheryffs companey wch of them he doth not knowe for yt was dark

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when this ext and his companey were taken, And callinge to his better Remebrannce upon his examinacon. Sayeth that in november Last the daye next before he toke the bark of Carmthin he and his companey saylinge ffrom scotland towardes the cose of ffrance channced to mete a pycard of Cowye & hayled theym, and asked whether they had ay vyttells for money, and they declared they had ctayne cheses wthin borde. And so tis ext willed theym to put into a bagge half a score of

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cheses, and that this ext would laye theym aborde & gave theym money for the cheses and in Leynge of theym a borde in tyme of fowell wether this ext brake the pycardes wall, so that the companey subposed that the pycard had byn broken & there upon one hughe holland of Cowye Lept for savegarde of him selfe into this exts bark and others of his companey would have …[35] yim and were put of, by the sea, and so the pycard returned to Cowye, and the Said holland Requestes this ext to put hym

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a shore in some place in wales or England & this ext pmysed so to do, in the fyrst place that this ext came unto, and one the morne next after this ext and his companey mette the said bark of Carmthin and toke the same, and Sayled therein takinge the same holland wth hym to whythorne agaynest the said hollandes wylle, And at their arryvall at whythorne the same holland depted ffrom this ext unknowen to him and sythence this ext sawe him not. And further this ext saieth that the same holland was not consentinge to the takinge of the said

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[34] Galloway
[35] Page fold

barke of Carmthin nor had any pte of the goodes of the same. And ffurther this ext saieth that he did not at any tyme comytte any other offence then the offence and pyracyes before in this ex[ami]nacon confessed for the wch this ext most humbly submytteth him to gode and to the Quenes mats m[er]cie desyringe your hons to be good and m[er]cifull to hym

henr Sydney

Appendix 3: Extracts from Documents relating to Tax Collection for Risk Distribution Initiatives

Document 1: The Guidage Tax System implemented by the Mariners' Society of Ayr, 1581[1]

The Tabill and Roll of the guidage to be takin up in all tyme cuming

The outwart guidage fra Scotland to ffrance
Item for everie last of hering – iis iiid (2 shillings, 3 pence)
Item for everie last of salmont – iis iiid
Item for everie dakir of hydis – vid
Item for everie pak[2] of clayt – iid
Item for everie pak of lynt – iiid
Item for everie twn[3] of colie – xviiid
Item for everie pak of hemp – iiid
Item for everie pak of woll iid
Item for everie twn or punscheon or [of] garnalit[4] guids – xviii d

The inwart guidage of of france in Scotland
Item Everie twn of wyne – iid
Item for everie thousand tune - vid
Item for salt, beer, Ry[5], quheit peiss,[6] beinis,[7] all cornit guids, that is garnellit c[on]teining sex[8] punscheons[9] to the twn – ixd
Item for everie twn of waid contening xii peks [10] – xii(d)
Item ilk thousand Rosat[11] - vid
Item everie ball of ... – vid

The guidage of guidis passand first outwart fra Scotland to Irland Ingland Ilay Man
Item for everie last of hering – iiid Stirling
Item for everie twn of wyne – iid Stirling
Item for everie twn of colie[12] – iid Striling
Item for everie twm in punscheonnis qtering[13] four punscheonnis – iid Sterling

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[1] National Library of Scotland, Minute-book of the Mariners' Society of Ayr, MS 941, ff. 3-4. This document has been transcribed to mirror the original. Some punctuation and formatting has been added to aid the reader. I would like to thank Dr Aonghas Maccoinnich for his help with this transcription.
[2] pak, a bundle. Similar to peck.
[3] tun
[4] Stored in a granary, or, grained goods
[5] rye
[6] quheit peiss = wheat peas
[7] beans
[8] six
[9] puncheon = large cask of liquid
[10] peck, a dry measure
[11] resin
[12] coal
[13] quartering

Item for everie thrie barrell of orchart lit[14] – id Stirling

The guidage of guidis Inbrocht to Scotland owt of Ingland Irland and Ile of Man
Item for quert (?) perts Ry beire and all garnallit guids conteining sex punscheonnis Ilk twn – ixd
Item foe everie pak of skinnis – xiid
Item for everie four punschennis full of wairies[15] - ix d
Item for everie hundret[16] burds[17] – xiid
Item for everie dosane of airis[18] – iiid
Item for everie dosane of geist[19] or spar[20] o[ver]heid ixd
Item for everie for everie hunder greith stringe[21] - id

The Ilis[22] guidage outwart
Item Quhatsumevir[23]can be gottin for everie twn of wyne the ane half of the same to be given to the toller[24] to ... to the c[om]mon coffer, & the uther half to be distributit amang the cumpany.

Document 2: Prime Gilt tax system implemented at the port of Leith, 1592[25]

Table of the Prime Gilt of the Port and Haven of Leith to be uplifted in manner following of the hail ships arriving to or frae the same made and sett forth be common consent of the Skippers, Maisters and Mariners of the saide Town and their Kirkmasters present, conform to the Gift and Erection thereof, Decreet of Our Sovereign Lords of Session passed thereupon and as of auld passed [past] memory of man the same in particular has been in use as said is to be uplifted[26]

At Leith the 1st Day of Aug[us]t the year of God fifteen hindred and ninety two yearis

Item for ilk Ton goods from Bordeaux, Sherat, Nantes, Rochelle, or ony port or ports of France, Spain, or Portugal and other quarters, transported thencefrae and wheresoever the same shall happen to be loosed and deliverit be any ships of Leith or Queensferry – Twalve Pennies Scots

Item for ilk Ton of goods from Dieppe, Newhaven, Flanders, wherever the ships looses or delivers the same – Nine pennies Scots

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[14] orchard lit - dye
[15] ware = seaweed used as manure
[16] hundred
[17] boards
[18] oars
[19] joist = piece of timber
[20] piece of timber
[21] graith string = rope for rigging a ship
[22] Iles = Western Isles
[23] whatsoever
[24] tollar = a collector of tolls or taxes
[25] AUSC, Prime Gilt, Table of Prime Gilt for the Port and Haven of Leith (1590-2), MS 3070/13/1
[26] This document has been transcribed by an anonymous writer, most likely in the eighteenth century. The transcription has been used here. Some words have been anglicised in the transcription.

Item for ilk Ton of Goods to Dieppe, Newhaven, Flanders or other ports eight barrels p. Ton –
Aughteen deniers tournois.

Item ilk sack of Goods delivered at Flanders or any ports thereof – One stiver and a half

Item ilk surplath[27] goods to the Easter Seas or ony ports of the same – Twa gross
Item of ilk Last Goods containing twelve barrels p. last loosit and delivered in Scotland – Twelve
pennies

Item. It is set down that there shall be uplifted of ilk gret last corne viz., Barles of Corn that beis
transported from the easter seas to Scotland – Twa Shillings . – And if it be transported frae the said
parts of easter seas to France, Flanders or any other parts out of Scotland – Three sous

Item. It is to be understood that the goods transported be any ships not belonging to Leith or
Queensferry are not astricted to pay the said duty of Pryme-gilt except the loose or laden at ony of the
samen, and sae if they appertain or belong to anie of the said towns of Leith or Queensferry wherever
they loose or laden they are subject to pay the duties above exprest.

Item. Whatsomever ship within the realm of Scotland ladens at the port or havens of Leith or
Queensferry they are astricted to pay the duties above mentioned at whotsomever port or ports they
shall happen to deliver their goods, and to find caution before their departing of the due payment of
the same.

Item. Whatsumever ship receiving of any manner of goods and being astricted to deliver the same at
the port and haven of Leith and arriving from any of the forenamed countries they shall be subject to
pay haimworth as if they were of the said town of leith or Queensferry the forenamed duties in
manner above exprest.

Item. It is to be understood that reason was and avowed to have been the use that all ships ladin at
Leith shall find caution as said is for payment of the forenamed duties, the ships always lading frae
ham are not to be astricted to pay the said duties until arrival at Leith, and to pay in manner above
exprest.

Document 3: Extract from the Royal Charter of the Aberdeen Shipmasters' Society, 1600[28]

… TO WIT everie maister and mariner at the receipt of his hyre in Scotland sall pay and delyver to
the maister or maisters, keiparis of the said box furth of his hyre, at receipt of the same, twelf pennies
ilk voyage; and in France, at the receipt of his hyre, sall pay to the said box ane sous; in Flanders, ane
strive; and in Danskin ane gross, and everie master ten shillingis ilk voyage mare: quhatsumevir
master or mariner gettis ony stire-man hire hire for inbringing onie schip or crear furth of the sand
within the harberie of Our said burgh of Aberdeine, the said maister or mariner, getter of the said
steerman hire, shall pay furth yrof five shillingis to the said box; and gif ony maister or mariner of

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[27] sarplar = a bale of wool, skins, cloth etc.
[28] Reprinted in Clark, *Shipmasters Society of Aberdeen,* Appendix I, pp. 69-73

Our said burgh of Aberdeine, sall happen to get or resaive styreman hyre frae ony port or pairt beyond sey, to any port or haven within this our Realme, bear and charge as ane stireman sall pay to the said box twenty shillingis…

Item, everie boit that beis lossit or laident, gangand or comin to and fra the same port and haven pf Aberdeine, with VICTUAL, LYME, COILLIS, SALT, or onie uther manner of merchandice, sall pay to the said pure[29] and box therefor, CONFORME TO THE TOWN OF LEYTH[30], aught pennies…

Document 4: Extract from a Minute Book in the Kirkcaldy Burgh Records, detailing the founding of the Prime Gilt Fund there.[31]

THE PRIME GILT BOX INSTITUTED IN 1591
At the Burgh of Kirkcaldy the sevent day of September Jaj. Vc, four scor eleven zeiris

… that is to say that all tymes heirafter fra the day and dait heirof, ilk schip or crear[32] of this burgh, the awnir or awnirs sall pay ilk voage for ewilk[33] tun of her burdening four pennies scottis. Lyk as also the awniris, maisteris and marineris freelie and willinglie oblissis thame to giff and deliver ilk voage the dutie, uss and wont, to be payit to thame be the merchandis fraughteris of thame, toties quoties[34], callit the Pryme Gilt. Sic Lyk the said merchandis for their pairt oblissis thame and ilk ane of thame that at ilk tym thai fraught onie schippe or crear of this burgh thai shall pay and delyver ane dewtie of sax s and viii d, and this to be extendit allsuel to merchandis of uther townis…

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[29] poor
[30] The capitalisation here is in the original. It has not been added for effect.
[31] *Records of the Burgh of Kirkcaldy*, pp. 127-130
[32] crayer
[33] each
[34] Toties quoties = as often as necessary, or, on every occasion