

Margaret (Cunningham) Hamilton (c. 1587 – c. 1631)

*nothing was obtained but fair promises of my husband, y^t he
should do his duety to me in tyme coming qth he performed not.*

—Margaret Hamilton (fol. 2v)

MARGARET CUNNINGHAM, star-crossed wife, was born the daughter of James Cunningham of Finlaystone (c. 1552-1630), the seventh (or by some accounts, the sixth) earl of Glencairn. Her father was a clan warlord who for many years took part in the Cunningham-Montgomery blood feud, a conflict between ancient clans that makes *Romeo and Juliet* look like a two-hours' trafficking in child's play.

Margaret's mother, Marion¹ (*née* Campbell) Cunningham, countess of Glencairn, was the daughter of Sir Colin Campbell of Glenorchy; and a younger sister to that Lady Jean Campbell who slew herself for love on the same day that her leman sweete, John Kennedy, fifth earl of Cassilis, married bonnie Jean Fleming. Little else is known of Lady Marion except that she lent moral support and daily bread to Margaret during her troubled marriage; and that she died in 1610.

In 1582, some five years before Margaret's birth, Glencairn participated in the Ruthven Raid, a political coup of Presbyterian nobles led by William Ruthven, first earl of Gowrie. (Glencairn's mother was a Ruthven.) King James VI of Scotland (later, James I of England) at age 16 was lured into Ruthven Castle; abducted; and kept under restraint for more than a year while the nobles established a fiercely Protestant regime.

When King James was liberated and restored to the throne, the earl of Glencairn renounced the interim government, reconciled himself to the king, and received a royal pardon. The Ruthvens were less fortunate: the first earl of Gowrie was attainted, forfeited all titles and honors, and in May 1584 was beheaded. His real estate holdings were bequeathed on the king's favorites (some lands were later restored to Gowrie's eldest son, James, the second earl; but he died too young to enjoy the favor).

The earl's second son, John, third earl of Gowrie, is the Ruthven who lends his name to "The Gowrie Conspiracy." John was a true Scotsman and ane hardie chip off y^e olde blocke: eighteen years after his father's death, he sought vengeance for his father's execution. At age 22, John Ruthven (with his brother James, 19) perished in a rash attempt to murder King James in a turret of the Ruthvens' provincial hunting manor at Strathbraan, county Perth (a scandal glanced at, six years later, in Shakespeare's *Macbeth*). Gowrie lured James into his home, then upstairs to a locked chamber, to inspect a pot of gold that the Ruthvens said they had discovered. After some question concerning his majesty's whereabouts, the king was heard calling from an upstairs window to Thomas Erskine, earl of Mar: "I am murdered! Treason! My Lord Mar, help, help!" A swordfight ensued that left both Ruthven brothers dead; with letters and witchcraft talismans being found in Gowrie's pocket that proved his guilty plot to kidnap and murder the king.

That, at least, was the official narrative. According to another widely credited version, the Ruthven brothers were innocent victims. Gowrie, an immensely popular young lord, was a vocal opponent of the king's June taxation plan, which called on the estates to raise 100,000 crowns so that the king could raise an army. Plus, the king owed Ruthven unpaid loans to the tune of £48,000, money loaned to the crown by Gowrie's father while treasurer: the impatient son was demanding repayment of that debt, in order to discharge his own obligations. Plus, Ruthven was the son of the felon who had kidnapped and incarcerated the king, back in 1582. No one doubted that James heartily detested the third earl of Gowrie. So when the king and his retinue dropped in on the Ruthvens unexpectedly, during a hunting excursion, and the two

¹ Marion] variously, "Margaret" or "Mariot"

young men tried to assassinate him only to be slain themselves, some skepticism arose concerning the royal narrative. Historians, considering equivocal evidence, have never reached a consensus concerning whose version contains the fewest outright lies.

In the catastrophic fall of the house of Ruthven, the Cunninghams lost a staunch ally in their ultra-Protestant and pro-English political sympathies. But James Cunningham, 6th earl of Glencairn, kept his head, and thrived: he was elected to Parliament and was subsequently appointed to the king's Privy Council. By his second marriage to Agnes (*née* Hay) Preston, he formed an alliance with James and Lucy Hay, court favorites of King James (later, of King Charles and Queen Henriette Marie). The earl of Glencairn acquired many honors, amassed great wealth, and died in 1630, an old man of fourscore years.

But until 1609 (when the king negotiated a peace), Montgomeries and Cunninghams continued to shed one another's blood, with gusto. In 1585, a Cunningham died in an attack on a Montgomery church; whereupon the earl of Glencairn and his brother John signed a pact with other kinsmen, vowing to protect whoever had the pluck to assassinate Hugh Montgomery, fourth earl of Eglinton. In April 1586, some thirty Cunninghams, Glencairn's brother among them, ambushed and slew Eglinton as he rode from his home, toward Sterling.

It was at about this time, at the height of the blood-feud, that Marion Cunningham, countess of Glencairn, gave birth to Margaret, our author.

More deaths ensued. Sir Robert Montgomery shot Alexander Cunningham of Montgreenan, at his own gate; in Paisley, he killed John Maxwell of Stainly, a Cunningham ally. In revenge, Patrick Maxwell of Newark shot William Montgomery and his eldest son. Alexander Cunningham of Aitket was also shot dead, while his wife (another Margaret Cunningham) fled for her life and became a recluse. John Cunningham of Clonbeith escaped but was pursued by the Montgomeries to a house in Hamilton. Found hiding in a chimney, Cunningham of Clonbeith was cut to pieces by John Pollock, a Montgomery ally. Etc.



Finlaystone House, family seat of the Cunningham family (the earls of Glencairn), is a 15th century castle extended in 1760 and 1900. It is now the home of the chief of the Clan MacMillan. It was here that Margaret (Cunningham) Maxwell spent her childhood and much of her married life before her 1610 divorce from James Hamilton.

Margaret's father from about 1585 distanced himself from the feud: he was not party to the ambush of Eglinton or to the killings that followed. When guilty kinsmen were apprehended, Glencairn was content for them to answer to the law.

James and Marion Cunningham had nine children – three boys, then six girls of whom Margaret was the eldest. All but one lived to adulthood, got married, had children.

Jean, the fourth daughter, died in 1597.

Margaret had not get recovered from the loss of her little sister when she lost her everything: In December, a contract was made between her father and Sir James Hamilton of Avondale. The two dads wished to make Glencairn's daughter, who was fast approaching puberty, the joyful bride of Hamilton's heir, James junior.

A month later, on 24 January, Margaret became the lawfully wedded wife of James Hamilton, the Master of Strathaven, heir apparent to Strathaven Castle and to the lands of Avondale and Crawford-John, in Lanarkshire.¹

In keeping with Church canon law, the marriage was not consummated prior to the bride's first period. So for the first three years of wedded life, Margaret continued to reside with her parents at Finlaystone, "without receiving anything of [her's] husband's living"; during which time, her "good father" supplied her "abulziament and all things needful."² Margaret would live to remember those days, with nostalgia.

In the autumn of 1600, James Hamilton paid a conjugal visit to Finlaystone, where the marriage was consummated. Margaret does not report how long the husband stayed on before returning home to Avondale; but by November, still living with her parents, she was pregnant.

In February, Margaret packed her things, said goodbye to her parents and siblings and domestic servants, and rode to her new home at Avondale (43 miles to the east, with an overnight stay in Glasgow).

When she arrived at Strathaven Castle, the Hamilton family seat, Margaret was three months pregnant; but her husband was in no mood to have a wife underfoot in the family palace. Evidently with his father's consent, James kept his bride, for months, at a local inn – while refusing to pick up the tab.

We pick up the thread of Margaret's narrative in May 1601. She is seven months pregnant with Hamilton's child, and has just been evicted from an Avondale inn, where, after a three-months' stay, "they would furnish me no longer because they gat evil payment."

From *A part of the life of lady Margaret Cunningham, daughter to the earl of Glencairn that she had with her first husband, the master of Avondale.*³ *The just and true account thereof as it was first written with her own hand.*

"... SO THEN I WAS DESTITUTE,^o and requested my good father and my good mother to deal with my husband, to give me some reasonable money to live upon – which I referred to themselves, how mickle.⁴ They dealt with him, but he continued careless."

Lonely and unhappy, ill-nourished and without ready cash, unwilling to bear her first child in a hostler's house, Margaret in the spring of 1601 returned to Finlaystone for her lying-in. On the fourth of July, she gave birth to a son and a few days later christened him "James."

Having given his daughter away in marriage, Glencairn (like Margaret herself) believed she should cohabit with her husband. The earl permitted his married daughter and his infant grandson to remain with him at Finlaystone until October; but he then sent her back "home" to Avondale.

¹ *Master*] in Scots usage, the heir apparent to the lands and titles of a living father

² *abulziament*] clothing and accoutrements; Scots. for habiliament (*OED* n.1)

³ *master*] in Scots usage, heir apparent; *Avondale*] a parish of Lanarkshire, east of Glasgow

⁴ *how mickle*] (I let them decide) how much

On her return to Stra'ven Castle, Margaret was once more refused permission to dwell with her husband. Turned away, she and baby James took up lodging at a local inn – with a promise of payment for food and shelter that was never forthcoming.

From her parents Margaret requested and received enough money to rent a house in Avondale. They also gave her a one-time gift of grain – “eight bolls” (nearly fifty bushels). That parental largesse kept a roof over her head and bread in her stomach for six months; during which time Master Hamilton, with his servants, paid an occasional visit – “which was but at sometimes, for then he was under feed” as a gentleman retainer “with the earl of Mar.”¹ Margaret reports that she fed her husband, on those rare conjugal visits, with bread baked from her parents’ grain. But James would not countenance her desire to co-habit.

Impatient with his wife’s desire to live together, more annoyed by her demands for sustenance and child support, Hamilton took comfort in the arms of a mistress. The newlyweds quarreled. Margaret became upset, then ill, then desperate:

“In May 1602 my husband conceived a great anger against me (he being in fancy with Jean Boyd); he would not come in the house I was in.

“I took sickness and lay bedfast,° six week. I requested my lady his mother to deal with him in my favors, but he would neither speak to me nor give whereupon to sustain° myself. So, being altogether destitute, I was forced to advertise my parents; my lady my mother° sent my sister, mistress Susanna, to Avondale to me, and desired me to come with her to Finlaystone.²

“My sister dealt earnestly with my husband in my favors. He gave her° fair words and made her many fair promises – but performed none of them. So in July 1602, I was compelled to ride with her in a very disordered estate, as my lord my father and my lady my mother can bear record – for my gown had never been renewed since my coming from them. So they furnished me with clothes; I remained with them till the next harvest.”

In September or October, John Hamilton, first marquess of Hamilton (Lanarkshire), having heard of Margaret’s distress, invited his disorderly kinsman to his home for a conference (“tryst”); to which he also invited Margaret’s parents, the earl and countess of Glencairn. James Cunningham was now better established, both financially and politically, than when his eldest daughter Margaret married. Lord Hamilton’s design was to arrange a match between his son and heir (James Hamilton of Hamilton), and Glencairn’s second daughter, Anne. But to make that happen, he would have to calm the scandal of Margaret’s ill treatment by his kinsman, James Hamilton of Avondale.

A wealthy and powerful man, Lord Hamilton’s family seat was at Cadzow Castle – a structure that today lies in ruins, but was then a majestic palace overlooking the Avon Gorge. The tryst took place in October 1602:

“[M]y lord marquess of Hamilton caused my husband come to Finlaystone with his lordship.³ Which he did, at his lordship’s request, and remained two or three nights, and was reconciled with me, and promised that he should send for me [to Avondale°], to bring me home again to him.

“But the day° that he was to ride away with my lord marquess, my lord and my lady (my parents) accused him before my lord marquess (who was then his young chief – my lord, his lordship’s father, being then alive) why he had used me so rigorously, without cause?⁴ And because they spoke sharply to him before my lord his chief, his anger was renewed again toward me; he gave me all the wit, and would not let me come home° to him at that time.

¹ *forty marks*] about £20; *bolls*] a *boll* is a measure of grain equal to six imperial bushels; *under feed*] boarding with; *earl of Mar*] James Erskine

² *Susanna*] Glencairn’s third daughter, m. 1603 to Alexander Lauder of Haltoun.

³ *My lord marquess*] James, future husband of Margaret’s sister Anne, not actually 2d marquess until the death of his father, John, 1st marquess of Hamilton, on 26 April 1604

⁴ *chief*] i.e., acting as young chief of the clan during his father’s old age

“So I° remained still with my lord my father till the next Martinmas°; then, after many fair letters of request that I wrote to him, he suffered me to come home at the Martinmas.¹

“I was boarded in ane hostler house fifteen weeks.”

Hamilton paid at least one visit to the Avondale inn to see his wife and infant son, for it was in February that Margaret became pregnant with his second child.

“In March 1603, my husband caused me ride up to° Crawford-John, to save his means there – which I gart do, and remained there, twenty days, boarded in ane hostler-house.²

“Then I came to Avondale again and ate in my lady my good mother’s house, eight weeks.”³

Crawford-John was 25 miles southeast of Avondale, 55 miles southeast of Finlaystone. While Margaret was kept busy in that distant hamlet, collecting her husband’s rents from tenant-farmers, she missed her sister’s wedding. In April 1603 (some few days after the death of Engand’s Queen Elizabeth), Anne Cunningham was married at Finlaystone to that other James Hamilton, age 14, a young lord of great expectations, in line to become 2nd marquess of Hamilton. Glencairn, too, by this time had become well-heeled. Anne brought to the marriage a dowry of 40,000 merks Scots (more than £22,000 sterling). If Margaret envied the good fortune of her younger sister, she does not say so.

[Second pregnancy (Feb. – Oct. 1603)]

“Then my husband caused me to ride *again* to° Crawford-John, where I remained eight weeks, very ill-furnished, by ane hostler who was unable to furnish me without good payment;° he was informed by [John Hamilton,] the parson of Crawford-John that he would ‘never get payment.’° Therefore he would furnish me no longer – which I wrote oftentimes to Avondale to my husband, but received no answer. So, having nothing there to live upon, I was forced to come to Avondale again.

“Being great with bairn, I came to my lady (my good mother[-in-law°]) and was with her ladyship three days. I showed her ladyship (and my husband also) that I wanted money to live upon.⁴

“He would have had° me to go back again to Crawford-John – *again*, which I durst not do because of my hard estate there before° ...”

Outraged by his wife’s refusal to return to Crawford-John, Hamilton evicted Margaret from Strathaven, and disclaimed any further responsibility for her. That was during the first or second week of August. Margaret was due to give birth in October.

“I had not a house that I could remain in, to bear my bairn (for my lord Mar had the keys of the p^rlace).⁵ So because I refused to go there [to Crawford-John°], he would give me nothing°. Neither would he let me remain in Avondale, but discharged all the hostlers to give me ‘anything – for my own payment.’⁶

¹ *gave me all the wit*] as used elsewhere by Margaret, “all the knowledge or information”; i.e., my husband accused me of being complicit in the embarrassing lecture I received from her parents, at Lord Hamilton’s place; *the next Martinmas*] the feast of St. Martin, 11 November.

² *to save his means*] to look after his financial interests (e.g., collecting rents); *Crawford-John*] a quiet hamlet in Lanarkshire, forty miles south of Avondale. and eleven miles south of Lanark, the home of Bessie Clarkson (q.v.); *which I gart do*] which I made happen

³ *my mother’s house*] i.e., my mother-in-law’s house, Strathaven, Avondale; it may be that James and his parents had separate dwellings on the Avondale lands.

⁴ *wanted*] lacked

⁵ *my bairn*] her second child; *my lord Mar*] John Erskine (1585-1654), 19th (3rd) earl of Mar; *place*] palace

⁶ *discharged ... payment*] told local innkeepers to give Margaret nothing unless she paid for it herself

“My lady (my good mother[-in-law^o]) sent to me the bailzie¹ and said she would take no burden of me.

“So, being altogether destitute, I advertised my lady marquess^o, my sister, of my estate; her ladyship sent^r for me gentlemen of her ladyship’s own that conveyed me to the palace of Hamilton – where I remained a month – in which time, my lord marquess caused my young lord (his lordship’s son, [Anne’s husband^o]) write letters to my good father and my^o husband, and appointed a day of meeting betwixt his lordship, my lord my father, and them – which day, they all met in the palace garden^o and communed long concerning my estate.² But nothing was obtained but fair promises of my husband, that he should do his duty to me, in time coming – which he performed not. So my estate being so hard, I being great with bairn, my lord my father pitying my estate, was content to take me home to his lordship while after my delivery.³

“So after that tryst, I was very coldishly taken with by my husband.⁴

“When I rode to Avondale, I remained there eight days and then returned to my lord my father to Finlaystone; where I remained till I was delivered of my second son^o, John, the 12 of October 1603.

“When I was delivered, I wrote to my husband to come to me. But he would not, but took voyage to France.^o Within four days thereafter, he left his father and [John Hamilton,]^o the parson of Crawford-John, intromitters with his living in his absence,⁵ and directed them to give me four hundred marks yearly during his absence, to sustain me and his bairns in meat and cloth.⁶

“My lord my father ... that winter riding to Edinburgh, the parson came to his lordship – but his lordship [my father^o] would not speak to him because he had been ane instrument of my misery. Then the parson delivered to my lord my father’s servants fourscore pounds of that portion which was directed to me; wherewith I bought some clothes, which were the first that ever I^o received of my husband.

“So I remained with my lord my father till my husband came out of France (which was the space of half ane year, that he remained in France).⁷ In April 1604 ... at his coming home, he came to Finlaystone to me and promised to behave himself more lovingly to me nor he had done in times past⁸ – which indeed he did, for the span of a quarter of ane year. For within a month after he came home, he took me home into Avondale, where I remained with him, very lovingly used by him. For he was reformed, and behaved himself both holily and civilly, so that he and I dwelt together very contentedly.^o Howbeit, in meantime^o, he had little of his living to the fore, for all he took with him to France, was *spent* – except a little quantity thereof.⁹ Wherewith he caused John Stodhart (his servant) buy provision to his house and contained himself very modestly and quietly the space of eight weeks.”

¹ *bailzie*] Scots. the bailiff (Lady Hamilton sent the sheriff to talk with Margaret, perhaps with instructions to leave Avondale)

² *my lord marquess*] John, first marquess (after Anne's wedding on 30 January 1603 but before before Lord John's death on 26 April 1604); *my young lord (his lorship's son)*] Anne's husband James, who at this moment was still heir apparent

³ *while*] until

⁴ *tryst*] meeting (at the palace of Hamilton)

⁵ *left ... intromitters*] appointed these to men to be his agents in collecting rents from his property in and about Crawford-John

⁶ *four hundred marks*] a significant income, had she collected; skilled journeyman in London (in the trades) could earn up to a shilling a day (usually half that); ten shillings had the purchasing power of about £41 GBP today. A mark was a unit of weight, not a coin; a mark of silver was equal to about 13 shillings. The promised income, compared to today's prices for food, shelter, and clothing, was in the neighborhood of £21,000 GBP.

⁷ *ane*] one

⁸ *nor he had done*] than ever he had done

⁹ *to the fore*] ready case (in advance of collection of rents)

[Third pregnancy (August 1604 – March 1605)]

“But alas, he continued no longer in that estate. For then° he boarded himself, and me, and all his family, in his servant John Hamilton’s house – in which time, he made filthy defection from God, and turned to all his° wonted iniquities, so that he was in a worse estate nor ever I kened him before¹ – and fra’ once he neglected his duty towards God, he kept no duty to° me but became altogether unkind, cruel, and malicious – as appeared plainly by his behavior towards me, which was openly seen in all the° country to his great shame.”

Unable to win her husband’s love, Margaret may have turned for comfort to her only companion: Abigail Hamilton was employed as Margaret’s gentlewoman-in-waiting (which is the only luxury James Hamilton seems to have permitted). There were rumors, among the servants, that Margaret and Abigail Hamilton were closer than was generally approved of, by the Calvinists of Lanarkshire, Scotland.

There was an incident. Margaret provides few details. Evidently, Hamilton burst into his wife’s chamber one night and discovered Margaret and Abigail naked in bed together. That in itself would not have been considered indecent or unusual. It was customary for persons of all social classes to sleep naked; the well-to-do, often, with a same-sex servant or attendant sleeping in a truckle-bed alongside. Nor was it a crime for two men, or two women, to “sleep together” in the literal sense. Both secular and ecclesiastical courts focused punitive attention on sexual acts that had a bearing on inheritance. The law was silent on cuddling by same-sex couples, so long as there were no penetration, no sodomy, no illegitimate offspring, and no forcible intercourse with a female below the age of 10 – rules that allowed for considerable wiggle-room. But James Hamilton despite his abusive behavior toward Margaret could tolerate no thought of a rival. That his wife was now pregnant with their third child made no difference in mitigating his behavior that night.

“He would not suffer my gentlewoman to remain with me – who was known to be a very godly and discreet woman, one of his own name (Abigail Hamilton, father’s° sister to the laird of Stanhouse).² He gave credit to misreports of her and me both – and truly, in the night, put both her and me forth of his house naked, and would not suffer us to put on our clothes; but said he should strike both our backs, in two, with a sword.

“So he and his two men, John Hamilton and William Murray, put us forth – the night being very foul, and I very sick – for I had lyen bedfast twenty days before; and being with bairn, I was unable° to go well in the night.³ He would not suffer his servant John Hamilton to help me to ane house, nor durst any in the town receive me.⁴

“So I had no other relief but go to the minister’s house, which was a great way off. Yet John Hamilton’s wife and her sister, with great difficulty, *carried* me to the minister’s house (in a very miserable estate, as the minister and his wife can bear record). I lay in the minister’s three nights. Then I came to John Hamilton’s and with great difficulty I got° a little chamber of his (my husband being boarded in John’s)°. I ate there also the space of nine weeks, till John would furnish me no longer.

“Then my husband boarded himself in another house but° would allow nothing ane me. So I remained desolate of any money of him. Then some informed him that if he took° all from me, I would obtain a living of him, by law. Therefore he sent to John Hamilton’s wife and commanded her to furnish me half a mark’s worth every day, and no more – which she did the space of eight days. But she left off her change and therefore would give me no more.⁵

¹ *worse ... before*] in worse condition than I had ever known him before

² *father's sister*] her husband's aunt Abigail, born 1565 at Stanhouse, Lanarkshire (date of death unknown); evidently employed by James H. of Avondale to attend on Margaret

³ *unable to go well*] had a hard time walking

⁴ *durst*] dared

⁵ *left off her change*] ran out of coins

“So I continued desolate again the space of six weeks – all which time, I caused the minister (and sundry others) travail with him; also his father dealt with him in my favors°. But none could prevail with him, for he increased in cruelty against me.

“In the mean time his father and he trusted sundry times with my lord my father; at the meetings, he ever promised that he should amend his behavior towards me, but he performed never his promises. He never amended nor yet gave his countenance (for all the requests° could be made), till it pleased God to move his heart to agree with me voluntarily, about twenty days before the time of my delivery.

“In February 1605 my husband was reconciled to me. Then he caused the hostler° (that furnished himself) give me a mark’s worth every day, and he caused John Hamilton give me a better house nor I was in, then; where I remained, and was delivered of his oldest daughter° Jean, in March 1605. I remained furnished for a mark in the day, for the space of four months.”

Just four months after her delivery, Hamilton judged his wife fit to resume earning her keep. A deal was struck whereby Hamilton leased his Strathaven mill (“miln”) to Hugh Glen; who in turn made the earl of Glencairn his assign, with Margaret on hand to supervise the miln’s two employees, and to collect receipts from tenant farmers who brought their grain (“ferm-corn”) for grinding. The arrangement brought Margaret a dependable though small source of income – barely enough to nourish herself and her two sons (James, 5; John, 2), plus a nursing infant (Jean), and her “woman” (possibly, still, Abigail Hamilton).

[Fourth pregnancy (Feb. – Nov. 1606)]

“In March 1606 my good father[-in-law°] deceased.

“Then my husband took in his company (that ate daily in his house) seven gentlemen, and his page, and the boys (by servants, men and women), that I behooved to have to serve them.¹ I had nothing to sustain them all upon but the miln, and two hundred marks that he gave me before his father’s death, and some of his duty-weeders.²

“At the next Beltane he took on sundry sums of money (after the decease of his father).³ But I never received from him a penny thereof to the sustentation of his house, except three angels (and eight bolls of malt that he bought, to brew in beer and ale, to the burial of his father – whom he once purposed to bury honorably).⁴

“So after the death of his father I held house to him the space of half ane year....”

Margaret’s losses included the separation from her sister Anne. The Marquess and Marchioness of Hamilton followed King James to England, where they thrived. The king made James Hamilton (Margaret’s brother-in-law) a gentleman of the bedchamber, a privy councillor, and steward of the royal household. He spent much of his time at court while Anne raised a family of at least eight children.

Anne had her father partly to thank for her husband’s meteoric rise: Both as a member of the King’s Privy Council and as a Parliamentarian, the earl of Glencairn had supported James’s succession to Elizabeth’s crown, and assisted in the planned union of Scotland with England. But no sooner was the king crowned and seated in London, than the Cunningham-Montgomery blood-feud erupted once more into violence, ending a two-year truce. On 1 July 1606, while the Scots Parliament was sitting in Perth, bloodshed reached the steps of the capital: the earl of Glencairn and Sir Alexander Seton (now master of Eglinton) passed one another on the High Street. Fighting broke out between their retinues. Glencairn escaped harm, but one of his men was slain.

¹ *behooved to have to serve them*] I was forced to obtain and prepare food for them all, including the servants

² *duty-weeders*] MS duety weders (duty-collectors)

³ *Beltane* (MS Beltoun, Gaelic *la bealltainn*) was celebrated on May 1

⁴ *sustentation*] bearing of the expense; *angels*] gold coins; *eight bolls of malt*] 48 imperial bushels of barley-grain, evidently purchased to make beer for his father’s wake, which didn’t happen

It was also at about this time that Margaret's husband, James Hamilton of Avondale, killed a man. The victim must have been either a servant, or a duelist – he was spared the gallows, but suffered excommunication from the church as a homicide. (“Suffered” may be too strong a word; Hamilton seems to have taken, in stride, the news of his damnation).

Glencairn's next feud, and Hamilton's next, was with one another although it was not, as might be expected, over Margaret and the children: the two men quarreled over a real estate deal gone bad. Alexander Burnett, laird of Leys and baron of Carstairs – a man ridiculed in Scots ballads as “The Rantin' Laddy” – was in sair need o' money. James Hamilton of Avondale had money but coveted a title. Burnett was willing to part with the baronetcy of Carstairs.

Carstairs at that time was a quiet village in South Lanarkshire; it has since acquired notoriety as the site of an excellent maximum-security psychiatric facility, home to some of Scotland's most violent sociopaths. But no such resource was available in 1606, when the earl of Glencairn filed letters of inhibition against the deal that his violent son-in-law had arranged with the philandering and bankrupt laird of Leys for the baronetcy of Carstairs.

Margaret says nothing of her father's motive for the interference, except that, for her, it did not work out. Hamilton quickly struck back. He was not then residing at Avondale, but Margaret was. Hamilton punished his wife for the sins of her meddling father:

“[James my husband] was highly offended and sent the laird of Leys before him, to Avondale, commanding° me to go out of his house. For he would do no longer a duty to me, alleging that I had the wit° that my lord my father raised the letters [of inhibition].¹ So I was forced to come forth out of his house, and remained in a house of John Hamilton's, being great with bairn.”

When Burnett and his men arrived with a command that she pack her bags and leave, Margaret was eight months pregnant. She obeyed promptly. By the time her husband got home, Margaret had checked out with the three children, the clothes on her back, and pocket change. This time, Hamilton swore he would hear no talk of reconciliation:

“He gart his page take the keys where the furniture of his house lay, and discharged him to send anything to me and my servants. Then he discharged the miller (who was placed° in my lord my father's name) to give me any of the profit of the miln.² So I was destitute – while the laird of Dunrod° came by accident into Avondale:³ unknown to me, he travailed with him [my husband°] in my favor. At length, with great difficulty, he obtained a command to the miller to answer me as he did before.⁴

“Then, on the first of November 1606, I was delivered of his second daughter, Christian – at which time I sent to him to come speak° with me; which he refused,° and came not till fifteen° days after my delivery.”

Margaret doubtless hoped that James would exhibit affection for a baby named *Christian*, after his deceased mother (Christian [Boyd] Hamilton); but it was not to be. Hamilton paid a visit to John Hamilton's rental unit, saw the baby but then skipped the christening service, saying that he must ride to ride to Edinburgh, to “bring home his father's corpse to bury.” By this time, the surplus malt that Hamilton had purchased for his father's wake was grown mouldy – and not just the malt: His father, dead for nine months, still lay mouldering in a coffin somewhere in Edinburgh, awaiting transport to Avondale to be interred.

¹ *had the wit*] *had the information, and did not tell him*

² *gart*] *made, caused* (*OED* *gar* v.)

³ *while*] *until*

⁴ *answer me as he did before*] *i.e., Margaret through the laird of Sinrod's intervention was permitted by her husband to return to Crawford-John and resume authorized collection of receipts for grinding, from which she also fed her family and paid the two employees, in absence of other support from her husband and parents.*

“[James] wrote to his honorable friends to meet him in Edinburgh [...] but rode straightaway to Berwick.¹ His servants, getting knowledge thereof, caused his Uncle Robert [Lindsay°], and Master Robert Boyd [laird of Benheath, brother of James’s mother°], follow him to Berwick. There they found him and desired him to put some order to his adoes.”²

“Uncle Robert” was the Rev. Robbie Lindsay, the new parson of Crawford-John. He was appointed by Margaret’s husband James (who owned the patronage of the church) as a replacement for Rev. John Hamilton: in 1605 the previous minister of Crawford-John was sent to prison for a savage beating he gave to Alexander Lockhart, tutor of Wicketshaw (violence that included his amputation of the middle finger of Master Lockhart’s left hand).³

With two uncles appointed to look after his family, his land, his cash receipts, and his father’s corpse, and a new parson installed at Crawford-John, James Hamilton departed, again, for France, his pockets newly stuffed with inherited cash. Fearing no violence while he was in Europe, Margaret resolved to put her own adoes in order, by suing him. She had threatened to do so, before. This time, she intended to follow through.

When King James’s Privy Council of Scotland met in Edinburgh in January 1607, Margaret’s best allies converged on the capital, including her brother-in-law, the marquess, up from London. Margaret mustered her courage and with sparse funds traveled to Edinburgh to see them; and before returning home took the extraordinary action of filing a lawsuit against her own husband. Her purpose was not to seek a divorce – she had no other man waiting in the wings who would take on the burden of a divorced woman with four children. What she sought was a “living,” a portion of Hamilton’s estate, with a guaranteed annuity:

“[H]aving nothing but the miln to me and my bairns, and servants, it not being sufficient to sustain us, I rode to Edinburgh – all my honorable friends and my husband’s° both being there in January 1607. I rode to Edinburgh and showed° my estate to my lord marquess, my lord Abercorn, my lord my father, and the rest of my friends.⁴ My lord my father dealt with the parson° – who would show me no favor, but bade me pursue by the law, and what I obtained, should° have. In the meantime he impeded me in all he could, that I might obtain nothing. He did me all the *displeasure* he could: during all the time of my husband’s absence, he gart me remain eight days in Edinburgh,⁵ where I spent ane hundred pound of expenses, and given to men of law...”

Someone – Margaret seems to have suspected the parson – sent word to James, in France, that his wife had taken him to court, in hopes of taking him to the cleaners; and advised him to return to Scotland post haste. On the rumor of her lord’s imminent return, Margaret discontinued her costly lawsuit – but not before her friends and family opened negotiations with the two uncles in whom Hamilton had invested power of attorney – Robert Lindsay and Robert Boyd – both of whom could see, now, that Margaret was serious about litigation as a last resort. With Hamilton in France, and one of them (Boyd, the laird of Benheath) sympathetic to Margaret’s plight, the uncles settled.

“Hearing that my husband was to return shortly, I left my pursuit by law. My [brother-in-law,] lord marquess of Hamilton dealt with the parson in my favor, and boasted him to let me have some part of my husband’s living, to sustain me and his bairns upon.⁶ And by his lordship’s

¹ *Berwick*] thus passing through Edinburgh and riding another 25 miles to the coastal village of Berwick

² *adoes*] activities, business (as in “much ado”)

³ Robert Pitteairn, *Ancient Criminal Trials in Scotland*. vol.2 (1833), p.474.

⁴ *my lord marquess*] her sister’s husband, James Hamilton; *earl of Abercorn*] his kinsman, another James Hamilton

⁵ *he gart me remain*] the hostile parson made her stay

⁶ *boasted*] bullied, threatened (*OED* v.1)

earnest dealing, I obtained of the parson a security, subscribed by him and the laird of Benheath (who ever kithed himself a loving friend to me) of the sum of five hundred marks yearly during my husband's absence.¹

"I received, of the sum, two hundred and fifty marks. I bestowed ane hundred marks therefore on his miln, which was all broken and behooved to be bigged."²

Margaret was so thrilled, and so astonished, at the receipt of two hundred and fifty marks, that she took it as a sign of her husband's reformation, though he was still in France. In May, as work went forward on the renovation and expansion of the miln, Margaret dispatched a happy letter to husband James in La Rochelle, in which she "rejoiced no less nor the father of the prodigal son did, at the return of his child!" But her assurance of James's salvation was premature. On news of his wife's legal action, and of Boyd's disbursement of 250 marks on her discontinuance of that action, Hamilton returned home, in a fury.

"My husband came home again out of France in June 1607. At his coming the parson was in Avondale. I was lying sick in the p'lace of Avondale.

"My husband came not to me for the space of three days.

"The parson sued him that I had the rest of my silver to take up from the tenants, and bade him get (from me) the rentals that Benheath and he had subscribed to two tenants – who had, of their interest, to give me two hundred marks and fifty).³

"So my husband sent to me and commanded me to send him the rentals, or else he would 'compel' me.

"So I sent him the same; he took up the silver.

"Then I came to meet him and was but cauldri⁴ entertained by him. For he was of a very ungodly disposition, at his coming – which his outward behavior manifested to all that saw him; which moved me to fear to have society with him (remembering how unnaturally he had used me before, and seeing he had made so great defection from God, and delighted in abusing his body in all filthiness).⁵ I therefore absented myself^o out of his chamber.

"I lay in another chamber for a short space. He inquired of me for which^o cause I abstained from his company. I plainly showed him: in respect of his vigorous dealing against me oft-times before; and seeing he was, at the present, of so^o perverse a disposition, I looked for no better, in time coming. Therefore I could not have society with him without great grief of conscience; also, I looked for nothing but that he would persecute me according to his wonted form, which was most heavy, fra' once^o he knew me to be with bairn. Therefore he would continue in persecuting me. I desired him not to accompany with me.^o

"He then granted that he had neglected his duty to me and promised with great oaths and vows that he should in all time coming keep his body from adultery, and that he should use me most lovingly; and promised that he should allot^o to me to sustain his house upon whatever my lord my father would bid him.⁷

"To confirm all these promises, he desired me to give him a token, to put him in remembrance to keep them.

¹ *subscribed*] subscribed, contracted with (*OED* subscribe v.); *kithed*] showed, manifest

² *behooved to be bigged*] needed to be enlarged

³ *sued*] urged

⁴ *cauldri^{fely}*] icily (*Scots*)

⁵ *how unnaturally he had used me ... abusing his body in all filthiness*] Whatever actually happened in the Hamiltons' bedchamber, Margaret by employing this language invites her readers to believe that he forcibly sodomized her, to her "great grief of conscience"; again, with mention of "his wonted form" during her pregnancy

⁶ *fra' once*] from the time that

⁷ *allot*] allow

“I giving him credit, gave him a ring with a diamond in it – which he sware to wear in remembrance of his promises that he had made that day, so long as he had a hand.”

[Fifth pregnancy (Sept. 1607-April 1608)]

“So he and I was° reconciled; he rode to my lord my father and promised to his lordship that he should use his lordship’s counsel and the laird of Benheath’s. Then they appointed a tryst about the establishing his adoes. At that tryst, they ordained that I should have twenty marks and the profit of the miln to sustain him and his family.

“—Which I got ill payment of. A part of it, I never got. Then, shortly thereafter, he forgot all his promises and entered in his byways, again committing iniquity, with greediness.”

In September, Margaret suffered the loss of her mother-in-law, who had been a quondam if unreliable ally. Hamilton, in his grief, came together with Margaret at Avondale just long enough to get her pregant, again; he then dispatched her to Libberton, north of Edinburgh, seventy miles from any acquaintance but her own children.

“By the advice of his friends, he sent me to Libberton to dwell, and said he would also dwell with me;¹ he caused me and the servants (and commanded me) to furnish his house, and ‘hold an honest house’ to all that came. He gave a precept° to David Meinzie, farmer in his means of Libberton, to answer me of his farm, which extended to 48 bolls of meal; 23 bolls, bear:²

“I gart sell the bear, which gave but £4-the-boll. Being desolate in *elding*, I gart *buy* (which was very dear, because they were not provided in due time).³ The rest of the bear was given for malt that we bought for ten marks the boll. As for the meal, I took up twenty bolls of meal. The rest of it was spended in horse-corn, taking five firlots of corn, for a boll of meal.⁴

“My husband made no residence with me. Notwithstanding, he gart me weekly provide his house for his coming; he gart a flesher in Lanark furnish beef and mutton weekly, promising to pay him every quarter – but paid him not.⁵ He remained the most part of the winter in Edinburgh, and sent his horse and boys to me to Libberton. He had five horses, which got two bolls and a half-boll of corn, every week – which spended me the farm-meal.⁶

“I received about sixteen bolls of bear out of the town and barony of Libberton, which furnished the house in malt. As for all the rest of his farms in Libberton, he paid his mother’s debts therewith.”

[A fifth child, and the last straw]

“In April 1608 I was delivered of his third son, Thomas. I sent to Avondale to him, showing him my weak estate and earnestly desiring him to come to me, but he would not. I sent to him again, desiring him° to come baptize° his son and to give me some silver to buy necessaries to the house in the time of my lying-in°; for I was then evil provided, in respect the flesher in Lanark would furnish none, because he was not paid.

“But he cared for nothing that° I mistered.⁷ Neither came he to me till five weeks after I was delivered; then he came to me and would have accompanied with me for his filthy pleasure;

¹ *Liberton*] a south suburb of Edinburgh, fifty miles from Avondale

² *precept*] instruction; *answer me*] pay his rents to me; *bear*] barley (*OED* n.2, the original England word for barley grain, retained only in the north)

³ *elding*] fuel; possibly, firelogs, never plentiful in Scotland and more costly during cold weather

⁴ *firlots*] a firlot was the fourth part of a boll

⁵ *flesher*] butcher (Hamilton ordered meat for his household on credit but never paid)

⁶ *which got ... which spended*] Hamilton sent his horses down from Edinburgh to be fed, which used up the corn she had bought for other uses

⁷ *mistered*] lacked, required

which I° refused, for diverse respects – especially for his wicked life (at the present being excommunicate for slaughter, and also Jennet Campbell being with bairn to him, with many other heinous sins that he daily committed without any appearance of amendment); which terrified me, that I durst not accompany with him.¹

“Then I caused baptize his son quietly, he garing his brother, Master Thomas, present him to the minister.²

“I remained thereafter in Libberton half a year – he never but once visiting me nor his bairns, nor caring for us.

“Then in August 1608 he (being in a great anger against me) wrote a letter to me, commanding me to remove out of his house within four days – which if I did not, he should come and force me to remove. Also, he wrote to his bailzie in Libberton, discharging° all his tenants in mains and barony to answer me, or° farm’s meal or due service.³

“I, being visited by the hand of God with sickness, sent to him the minister of Libberton, to show him my estate – desiring him to stay [my husband’s°] rigor till his meeting with my father and friends – which was appointed in Hamilton, within eight days. But he would not grant to the minister to stay.

“Then I requested the laird of Symington to deal with him, and he stayed his fury – till the tryst, at which meeting there was little done but a new tryst appointed that same day, month.⁴

“In the meantime, he promised to my lord my father and my lady marquess (my sister) that he should write to his bailzie in Libberton to gar answer me° in all things needful, till the next tryst.⁵ But he kept not his promise.

“[W]ithin three days after the tryst, he ejected° a servant of my lord my father out of his miln in Stra’ven – my lord being assign to a tack of the miln that [my husband°] set to Hugh Glen.

“The next tryst not being come, I remain° destitute at the present of any money to sustain me, my bairns, and family –

“Remaining° in Libberton, the 29 of September 1608.”

The mother of five children, homeless and penniless, her meager income from the millworks now cut off, Margaret aptly describes her condition, in September 1608, as “destitute.” She must have returned with the children to Finlaystone, for we do not hear of her again until June 1610, when her mother died. Marion Cunningham had been Margaret’s only remaining pillar of support.

But at the very moment of her despair, the cavalry arrived in the person of Sir James Maxwell of Calderwood, a man who admired Margaret, possibly loved her, and proposed marriage to her, provided that her union with James Hamilton could be dissolved.

Margaret said yes.

Reformed theology allowed divorce at common law, on grounds of adultery. The secular Commissary Court of Scotland, established in 1563 under James VI, had jurisdiction. By an Act of Parliament in 1573, legal grounds were extended to include desertion. Margaret Cunningham could make a case, on both counts, against James Hamilton. But divorce proceedings were initiated, usually, by the husband: most wives, by suing for divorce, stood to gain nothing but poverty and shame. Besides which, any case at law quickly ran up a legal tab that Margaret could not have afforded to pay.

One can only guess whether it was her father, or Sir James, who fronted the money for the court costs and attorneys’ fees required to file a suit for divorce. All that matters, is that Margaret did it. Moreover, it’s clear that “A Part of the Life of lady Margaret Cunningham, daughter to the earl of Glencairn,” was prepared as an affidavit to be submitted in evidence and not primarily as an autobiography. Margaret

¹ *accompany*] copulate

² *garing*] making (Hamilton again skipped the christening, but made his brother be the presenter

³ *his bailzie*] his bailiff (as lord of the manor, Hamilton also controled the law); *discharging all his tenants*] instructed them to withhold payment (until Hamilton found an agent other than his wife to receive the funds); *or...or*] either...or

⁴ *same day, month*] a month later, on the same date

⁵ *answer me*] promised me that his bailie would look after my financial needs

ignores other significant aspects of her life (matters that were most dear to her heart, such as her relationship with her children), in order to state what was to the purpose: documentation of adultery and desertion by her husband, James Hamilton of Avondale and Crawford-John. The document names at least two other women made pregnant by Hamilton during his marriage to Margaret, and names witnesses who may be called in support of her complaint of physical abuse and desertion.

Possibly submitted as supporting evidence was a copy of Margaret's May 1607 letter to James Hamilton in France, preserved today with "A Part of the Life." Margaret's prose style here is that of a revival preacher, speaking to an acutely deaf audience (her absentee husband, who was then vacationing in La Rochelle, funded by inherited cash from his unburied father). Griselda-like, the long-suffering Margaret exhibits a sweet persona, and she lays it on thick. The value of such a document, in divorce proceedings, was its power to exhibit Margaret's good faith (in both senses: as a wife; as a devout Protestant); and her husband's bad behavior (he returned from France a month later, not as a penitent, but as her persecutor).

The true copy of a letter that lady Margaret Cunningham wrote to her husband, the Master of Avondale:

The God° of all mercies and the Father of all consolation show unto you, more and more, the riches of his mercies in Christ Jesus our Lord, and grant you a lively faith to apprehend the same to your everlasting comfort. Amen.

My Dear Heart,

In the bowels¹ of the Lord Jesus, in the midst of my manifold crosses and tribulations, I rejoiced for the hopes I have of your holy conversation – being somewhat informed by this messenger (your page) who showed° me your godly disposition, the time he was with you in England.² Thereof,° I rejoice no less nor the father of the prodigal son did, at the return of his child!³ – praising the Lord who has the hearts of all creatures in His hand and can mollify them again when He thinks good, though that they were never so flinty or hard! All glory be to His holy name!

For howbeit He suffer us to wander a while astray, yet such is His love° towards us (I mean His own chosen ones) that He will not suffer us to perish, but like a loving and careful Shepherd brings° us home, upon His shoulder, to His fold – as it pleased our master and Savior to look back with His eye of compassion upon His apostle Peter, after his three-fold denial; so that He° made him go forth of the porch and weep bitterly.

So, I trust, He hath of His free mercy drawn you forth of the company of the wicked here, who° oftimes hindered you of your good work (when it pleased God to give you any good motion) and was ever ready to spur you forward to evil. Blessed be His holy name, that He separated° you from them, to *His* glory, and *your* salvation! O [may]° God, for Christ's sake, accomplish that good work which graciously He has begun in you – and° you, ane instrument to set forth His glory.

Now my Heart, seeing it hath pleased God of His great goodness to draw you out from among° the wicked and to give you a sight of your own misery, I beseech you, be thankful to His majesty and be instant in prayer, that it may please Him to continue His grace with you – and that He would remove all impediments that Satan (our old enemy!) lays before you to hinder the work of your salvation.

¹ *bowels*] this odd phrase is borrowed from Paul the apostle ("For God is my record, how greatly I long after you all in the bowels of Jesus Christ" [Php. 1:8]; "Refresh my bowels in the Lord" [Phm. 1:20], et al.)

² *in England*] Margaret's sister and brother-in-law, the marquis and marquesse of Hamilton, had followed King James to London, where they met with great success until her brother-in-law's death at Whitehall, London, on 2 March 1625, three weeks before King James also died; Margaret's husband had evidently gone to London in search of more money or pleasure than he was able to secure in provincial Lanarkshire.

³ *nor*] than

I am sure, wherever you be, you will get many letts, to stay you from God's service.¹ For such is the malice of Satan with us, that he seeks continually our ruin. And when he sees that we have left *his* ways and are entered to walk in the *right* way, then is he most busy to devise inventions to draw us back – partly by° the enticements° of the wicked of the world, and partly by our own wild affections.

But my Heart, heaven must be won by violence! Now, these are our enemies: the Devil, the World, and the Flesh, who stand in the way° to impede us. Fight we must, ere we win by them! But let us fight *manfully*, for we have a rich reward promised us if we continue to the end.

Therefore, my Heart, manfully° march forward, under the Lord's ensign! And strive against all impediments, not doubting but God in His mercies will grant you the victory and will crown you with that immortal crown of glory that He has promised to them that overcome.

I know I shall not need to bid you flee from idolatry (even that most detestable idolatry of the Papists), for hope that the faith is so sure-grounded on that rock, Christ Jesus,° that all boisterous wind whatsoever shall not make it fail.² Yet, my Heart, I will beseech you not to dwell among these idolaters! – for it is hard to handle pitch and not be defiled therewith. Evil company corrupts° good manners.

Then, for Christ's sake, draw you to some part where God is truly served. For the society of the godly is exceedingly° sweet and profitable. And howbeit they be *strangers* to you, yet if they fear God, I know their company will be pleasanter to you, nor they were nearer of kin to you – for that Christian bond that is knit in Christ Jesus (our head) makes us His members to carry a greater love to others, nor any bond of flesh and blood can do – for it is knit with a surer knot, we being all as members of one body.

The Lord accompany you with his Spirit continually, and make you to grow in grace, more and more, to the setting-forth° his glory (to your salvation and to my comfort)! O how joyful news will it be to [me°] when I hear that you grow in grace! Yea, more joyful than if you had obtained a kingdom and made me a queen! – for I know, *that* would perish (for says the Apostle, The world shall perish with the lusts therof)³ – but O, that glorious kingdom that the Lord has prepared for His elect! which shall endure forever! O [may°] God make us enjoy the same, through the merits of His dear Son Jesus Christ, who shed His precious° blood to purchase that Kingdom unto us.

Oh, the love, the inestimable *love*, of our Lord and Savior! – who suffered death to give life to us° unworthy wretches that deserve no good thing at His hand.

Alas, we rebel continually against Him! Alas, for the wild defection of this land, in all estates, all are fallen away! They have forsaken the Lord and provoked the Holy One of Israel to anger! His indignation is kindled over all this nation!

But alas, the devouring angel will get few mourners for the sins of the land. All are fallen in such a senseless security as though all dangers were overpast – but appearingly, there was never greater cause of *lamentation*, nor is in this° country *presently*.⁴ Truly, we have *all*, cause to weep and mourn, night and day, for the abominations of this° land. The Lord's name is greatly dishonored among us, by all estates. The candlestick of God's Word is like to be removed.

Christ is persecuted in His member grievously.⁵ The mouth of His faithful messengers are stopped, their message contemned, and themselves imprisoned and banished.

¹ *letts*] obstacles

² *Papists*] Roman Catholics; Margaret like her parents was a strong supporter of Reform theology. She was too good a Protestant, and had too sure a faith in the Apocalypse, to let pass this occasion of counseling her husband without taking also striking a rhetorical blow at the Papacy.

³ Rom. 6:12

⁴ *nor*] than

⁵ *His member*] 1. the members of His church; 2. in this context, a Freudian slip

“The joy of our heart,” saith Jeremiah, “is gone. Our glory is fallen away. Our mirth is tuned to° mourning.”¹ The garland off our head is fallen. Woe to us that ever we sinned so sore! Woe worth all abominations and wickedness, for [it°] is our sin that hath made this desolation we might worthily lament and bewail our heavy estate and miserable condition!

Yea, we might well accuse ourselves, and with Job curse these our troublous and° wicked last days of this world, were it not that we both see and believe (and find in God’s sacred Word) that a *remnant* God hath in all ages reserved on whom He will show mercy. O Lord, make us members of that handful!

Now, my Heart, in these dangerous days, let that be our city of refuge: let us strive in time while the time is, that tears will be accepted – that we may slacken the furious storms of the Lord’s wrath, with unfeigned tears (both for your sins and mine, in particular – and for the sins of the whole land, in general).

For no question, the angel shall go through°, and mark the mourners for sin before the *destroying* angel come!² And Christ has said that “They that mourn here shall have joy hereafter.”³

(My Heart, I fear I fash you by my long letter, but in truth I do not conceal.⁴ And I fear I get not so-good occasion again shortly, of so trusty a bearer).⁵

I beseech you, my Heart, omit not to write to me the certainty of your estate, both in body and mind, for I long earnestly to know how the Lord deals with you. Therefore, be free with me and hide nothing from me of your estate, for it will do me much comfort and I° shall keep all as secret as you please to command me.

I beseech you, for Christ’s sake, to resort where the Gospel is preached truly; hear it diligently, for alas, our negligent° hearing in time past, I fear, make us to *famish* for that heavenly manna. (Because we loathed of it° then, we had it in abundance.)

If the Lord offer you the occasion to receive° that holy sacrament of His blessed body and blood. I beseech you, as you love your own salvation, abstain no longer, but make a covenant with your sweet Savior – for the joy and comfort that ye° shall receive thereby cannot be expressed!

You shall receive from this bearer a book named *The Resolved Christian*.⁶ I hope the title of it belongs to you. The Lord, by His secret working of His blessed Spirit, work a happy resolution in your heart, and give the gift of perseverance – for they only obtain the reward that fight to the end!

As to my estate I dare not, nor do not, conceal it from you – because I look for comfort and assistance at your hand. (For I hope the Lord has bestowed His graces° upon *you* in far greater measure nor upon *me*!) Therefore, I beseech you, hide not the Lord’s talent, but put it to the profit, to your own comfort and the comfort of others°.

Since your passing of this country, I have had many strong and dangerous conflicts with my spiritual adversary – *all* which, were tedious to write. Particularly, let this far only suffice: I was thereby brought to a sight of my odious sins. My sleeping conscious wakened, I perceived my own frailty and fearful estate I stood in – which made me almost to *faint*, seeing the Lord’s wrath kindled against me, for my sins.

But blessed be the name of my gracious and loving° Father! He has since that, to my great comfort, letten me taste of the sweetness of His mercies! For howbeit He hide° His face for a

¹ *tuned*] “turned” may be the intended word; Margaret quotes Book of Lamentations 4:15-16

² *through*] (verb) pass through

³ Luke 6:25

⁴ *fash you*] annoy you; *I do not conceal*] I’m being frank with you

⁵ *bearer*] letter-carrier

⁶ *this bearer*] the person carrying my letter to you; *The Resolved Christian*] a book by Gabriel Powell, pub. 1600, 1601, 1602, 1603, 1607

moment in His anger, yet He will have everlasting^o compassion. He delights not in the death of a sinner but rather that^o he should convert, and live! Though our sins were as red^o as scarlet, He has promised to make them as white as snow.¹

O the unspeakable love and mercies of the Lord! (which I delight to write of; but, fearing^o to be fashous to you, I am forced to cease, till it please the Lord to offer us another occasion).²

You know my residence. Therefore, I beseech you, write to^o me some comfortable lines as the Lord gives you the grace.

I am uncertain where you will remain, but by God's grace I shall not forget to be instant with the Lord in my private prayers, to prosper all your travels to His glory and your salvation. As oft as I recommend myself to God, I shall (God willing) remember you – as the Lord will give thee^o grace. I beseech you also, have me in like remembrance – for the prayer of the faithful availeth much. Let us ever send up a song of praise to our good God.

The Lord grant a joyful meeting here, if it be His will – and also, in His heavenly Kingdom where we shall never be separate again, but reign with Him forever – through the worthy merits of Jesus Christ: to whom, with the Father and the Holy Spirit^o, be all honor, praise, and glory, forever and ever.

Amen.

*your own to life in the Lord
for ever
Margaret Cunningham*

[Postscript:]

I have written to you the estate of all your^o temporal affairs, as they are presently – which is not well, by appearance to the eyes of the world. Seek counsel of the Lord earnestly what is best to be done. “Cast your care upon him, for He careth for you.”³ “Seek the Kingdom of heaven and the righteousness thereof, and all worldly things necessary shall be casten before you.”⁴

I hear that Mr. John Welsh minister of Ayr and some other of our banished ministers^o are in the Rochelle.⁵ My Heart, I beseech you, haunt their company for I am sure you will get great comfort by them.

Margaret Cunningham
Stra'ven May 19th 1607

Margaret's epistle has as its postscript an inspirational poem of her own composition; part of which goes,

Lines

... A gracious God sounds to your soul: “Repent!”
And has begun to start you to that race.
Then linger not, go^o forward! God is bent
To make your soul increase, and grow, in grace.
I shall^o join hand with you, to serve the Lord.

¹ *Isaiah* 1:18

² *fashous*] annoying

³ Quoting 1 Peter 5:7

⁴ Quoting Luke 12:31

⁵ *John Walsh*] minister of Ayr, Scotland, who married a daughter of John Knox; a Covenanter committed to Presbyterian doctrine as the national religion; imprisoned by King James and exiled to France in 1606, where he continued to preach; *the Rochelle*] La Rochelle

Lift up your song! Praise Him with ane accord! ¹
 What greater wealth, than a contented mind?
 What poverty so great, as want of grace?
 What greater joy, than find Jehovah kind?
 What greater grief, than see His angry face!
 What greater wit, than run Christ Jesus' race?
 What greater folly, than defection tell?
 What greater gain, than godliness embrace?
 What greater loss than change thee, Heaven – for Hell!

My Heart, I beseech you, accept of this informal “Lines” in good part. For I would willingly be a helper to the work of your salvation (for I am bound to do what in me lies to the furtherance of the same). But alas, it is little or nothing that I can do (which I hope ye will consider in respect of my weak sex); but I pray God that every one of us, according to that measure of grace the Lord hath given us, may bring our poor basket of stones to the strengthening of the walls of Jerusalem. Thereof, by grace, we are all both citizens and members.

finis

In suing for divorce after eight years of continuous misery and two years of separation, Margaret was unwilling to let her derelict husband get off, scot-free. She also sued him for equity, filing a complaint with the king's Privy Council.

In common law up to the 17th century, in Scotland as in England, the wife was considered to be the husband's chattel, without separate legal existence apart from her husband. She could neither enforce nor defend her interests in the courts unless her husband be joined with her as plaintiff or defendant. If her husband were the defendant (in any criminal or civil matter whatsoever), the wife could be examined at the investigative level but she could not testify under oath against him, not even if she were the victim, as in the case of physical abuse. In equity law, however, the separate entity between husband and wife had been recognized for centuries.² The infusion of equity law into common law led to a gradual liberalization whereby a wife could sue her husband to enforce property rights, as for the collection of unpaid loans.³

The Register of the Privy Council of Scotland for July 1610—her father was no longer a member – indicates that Margaret Cunningham lodged a complaint against her then “spouse,” James Hamilton, for unpaid debts (which may have included an appeal for reimbursement of the £100 she invested in his Avondale mill). The outcome of that complaint is not stated. And divorce records of the Commissary Court do not survive. But it's clear, from the sequel, that Margaret obtained a measure of satisfaction, and her divorce granted: for on 8 September 1610, she was married to Sir James Maxwell of Caldwell. In March 1614, Margaret gave birth to twins, Alexander and Anna.

Her second marriage was happier than her first. Writing in 1622, shortly after the death of “my last dear husband,” Margaret reports that God “knit his heart and mine together in such entire affection that I think think greater love was never betwixt two.” In addition to Margaret's five children and Sir James's son by a prior marriage, the couple had at least six children together, four girls and two boys, one of whom, Alexander, the twin brother of Anna, died young; those five, plus Margaret's original five, remained to be cared for at the time of Maxwell's untimely death.

Sir James, a man of modest income, made his own son, John, his principal heir: “The hard estate of his house impeded him,” Margaret writes, “that he could not be so beneficial to his children and mine as he would willingly have been. But I know he lacked not good will. He gave his son John about eight thousand five hundred marks.” To his sons by Margaret, Sir James left but little, and to the four girls, nothing but his affection. [Extract ends here. For the rest of Margaret's story, see *Women's Works*, v.3]

¹ *ane*] one (Scots.)

² *separate equity*] See, for example, *Women's Works*, vol. 1, where the husband of Margerie Kempe desires his wife to use her equity to pay his debts

³ *sue...property rights*] See, for example, Anne Clifford Herbert, *Women's Works*, vol. 4.