

JOHNSTON OF
WARISTON'S
DIARY

1655-1660

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DIARY OF SIR ARCHIBALD JOHNSTON
OF WARISTON
VOL. III

DIARY OF
SIR ARCHIBALD JOHNSTON
OF WARISTON

VOLUME III

1655-1660

Edited from the Original Manuscript, with
Notes and Introduction by

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INTRODUCTION

THE second volume of the printed *Diary of Sir Archibald Johnston of Wariston*¹ closed with the month of August, 1654. The remaining note-books cover, with sundry gaps, the period from mid-April 1655 to May 1660. It is much to be regretted that Dr. Hay Fleming was unable, on account of long and painful illness, to bring to the editing of these also his intimate knowledge of the men and events of Wariston's time which so characterises the second volume and makes it a fit continuation of the earlier volumes edited by Sir George M. Paul.

For the present volume it has been judged expedient to print the diaries with much abridgment, and to include only such passages as reflect Wariston's life in its relation to the times, his motives as revealed by himself, and the working-out of them as he followed the slippery paths to which he set himself, until his fall, so much greater because of the heights he had attained. The meditations and prayers which occupy so much the larger part of these last note-books are omitted except where they bear directly on his actions, and this not only on account of space but because the former Extracts amply testify to this phase of his character. Entries concerning his domestic affairs are also excluded; let it be said that these were seldom happy, his own and his family's ill-health, at times mental as well as physical, and the extreme poverty of his circumstances rendered him irritable and frequently 'mightely passionat at children and servants' in small matters. 'Alsmuch sleepe as I

¹ Scottish History Society, second series, vol. 18.

want alsmuch mor passion I haive ; it is so with my wyfe and sicklyk with us both for waunt of meate, and so it wilbe naturaly in the children.' ¹

The historical value of the diaries is not to be doubted, so much was Wariston concerned in the public life of Scotland and so frankly does he record arguments and debates which preceded notable decisions. Although the central figure is always Wariston one must acknowledge the candour with which, particularly in penitential moods, he reveals by-ends. 'I thought good,' he wrote in such a mood, 'to look over the sins of my publik imployments, and throw the whol I found an proud, highmynded, humorous, vainglorious, ambitious, selfseeking, self-exalting, insolent humor and heart.' ² This is the key-note of the *Diary*.

For some years Wariston, deprived of his duties as Clerk-Register in Scotland, had held no public office. 'If I live not to doe good,' he wrote, 'my nature is such as it wil be doing meekle evil.' ³ In the controversy between Protester and Resolutioner he had found scope for his activities and had irremediably widened the breach by the publication, in the years 1652 and 1653, of his three commentaries on the quarrel, *The Nullity of the pretended Assembly at St. Andrews and Dundee*; the *Causes of the Lords Wrath against Scotland*; and the *Answer to the Declaration of the pretended Assembly at Dundee*. Robert Blair, who had striven for peace between the two parties, spoke of the *Nullity* as being 'a great heightening of our woeful divisions and a rendering of them as to men or means incurable.' ⁴ Nevertheless, urged to it by his fellow-peacemaker James Durham, ⁵ Blair had pressed James Wood as a leading Resolutioner to make one more effort for union, and a conference with the Protesters was

¹ P. 43.

² P. 22.

³ P. 22.

⁴ Blair's *Life* (Wod. Soc.), p. 304.

⁵ Baillie's *Letters*, iii. 278.

arranged to meet at Edinburgh on the first of June, 1655. To Wariston the news came as a shock : he had no mind for such a conference and he expressed to James Guthrie his 'great feares of evil and little or no hoopes of good' as the result, 'especyaly,' he acknowledges, 'when they [the Resolutioners] are fixed and united, and wee ar disjoynted.'¹ Letters, however, were dispatched, 'north, south and west,' summoning Protesters to the meeting. Evidently the letters miscarried, or arrived too late, since only a few ministers came to Edinburgh at the appointed time.

Writing on May 31, Wariston says, 'some foor of us, or fyve, mett with Mr. Blair and Mr. Durham, and they fell to presse the *amnestia* or act of oblivion, of their Acts and our Protestations,' in a word, to let bygones be bygones. Baillie, who was present, tells of the willingness of Gillespie and Carstairs, the minister of Glasgow, to capitulate, 'but Wariston, Guthrie and others were as rigid as ever.'² Wariston was for no oblivion without repentance first ; the nation must be 'purged' as in the Visitations ordered by the Assembly Commission in 1650, 'be the sam persons according to the sam reules in the sam wayes, for the sam ends.'³ As the Protesters claimed to be the Commission of 1650, not acknowledging the succeeding assemblies, Wariston's motion meant no less than to put the complete government of the Church into their power. High words followed, during which Gillespie and Carstairs 'lett fall [that] if they had thought on al the inconveniences they had absteaned from protesting at St. Andrews'; and Durham 'desyred I might not be at the nixt conference, or hold my toungue.'⁴

In the afternoon of the following day Wariston and his friends met again with Blair. While at the place of meeting

¹ P. 1.

² *Letters*, iii. 280.

³ P. 4.

⁴ P. 4.

they were joined by three of the Resolutioners, who expressed surprise to find them there ; for themselves ' they cam only in to speak with Mr. Blair.' It would appear from Baillie's account that their coming was to expostulate with Blair's overture of the previous day, ' as granting to the Remonstrators almost all their unreasonable desyres.' ¹ Wariston was equally dissatisfied. ' I told my dissatisfaction with the ouverture as renversing our cause, and that wee could not transmitt it, but should be willing to meet to conferre anent union if it wer possible on Gods termes.' In the evening he returned home, ' blissing God that He brought me out with hail bones ² and a safe conscience in that mater.' ³

Notwithstanding the failure of the June conference there were those among the Protesters who clung to the hope of union. A motion to this end made by John Livingstone was debated in committee on September 3. Wariston harked back to his demand for repentance first. ' I urged as the best mean of union that wee should be reunited to God, and desyre them [the Resolutioners] to concurre therein and them with us in the Commission and Visitations 1650.' This was leading nowhere. Gillespie, recognising the uselessness of so unyielding an attitude, suggested petitioning the Council to settle their dispute. ' I refused,' says Wariston, ' that maiking them arbiter of our differences, but that I could petition them as our captivers to restore us, and if they would not, yet to revive us in our bondage, and desyre they would restore us to the condition wherin they interrupted us in 1650, and let the remnant apoynt thes of the Comission and Visitations 1650, and uthers comissionated from them and let them back them with their Civil authoritye, and wee shal be content to taik in the godly of the Publik

¹ *Letters*, iii. 280.

² The reference is doubtless to Psalm xxxiv. 20.

³ P. 4.

Resolutioners that wil ingage to prosecut the busines then comitted according to the reules, and so separat them from their trayne.’¹

It is improbable that Livingstone’s motion was regarded with any seriousness by the committee; their real business was over before it came to be discussed, and had not Gillespie spoken of an appeal to the Council it would have been dropped with Wariston’s reiteration of his former demand. Something more than a way to union, which the Protesters did not desire, was occupying their minds—re-uniting Scotland in a national Covenant. ‘Waristone and Mr. James Guthrie had fallen on a new conceit,’ Baillie wrote, ‘to put all the godly in the land, of their faction, under the band of a new Covenant, which Mr. Guthrie had drawne in some sheets of paper, from which he had cut off all the articles of our former Covenants which concerned the King, Parliament, or liberties of the land, or mutuall defence.’² The idea had originated with Guthrie more than a year before. He wrote of it to Wariston somewhat mystically, perhaps, for Wariston took it as being by way of vision or divine communication. Not so, Guthrie wrote later, ‘what I writte of the waye and means of Scotlands reviving and deliverye seene in a glimmering afarre of is but a confused mishapen thought, not founded on any extraordinarie communicatione bot upon former and present dispensationes. The substance of it is by bringing us againe into the bond of covenant.’³

The matter had come before a meeting of the Protesters in the end of January 1655, when it was opposed by Gillespie and Livingstone but evidently approved by their brethren, although not at once taking shape. In April Wariston wrote to Guthrie ‘to remember about the land’s reconfederacy,’⁴ and for the meeting in September not only was

¹ P. 9.

² *Letters*, iii. 297.

³ Laing MSS. i. 295.

⁴ P. 1.

Guthrie's draft ready but a paper by Wariston showing reasons for taking the new oath based on what he had written 'for swearing the Covenant 1638.'¹ The Council, learning of the motion, 'was highly offended, and spoke threatening words of Waristoun and Mr. James Guthrie for this attempt; yet after their apologie were so well pleased that the Generall gave Waristoun a visit in his house, which I know not if he hath yet done to any other of the nation. . . .'² 'God had given them favors in the eyes of the man,' Trail wrote to Guthrie, 'and that he was weal-pleased anent their report of our ouverture anent the Covenant.'³ It was not so, however, with Col. Lockhart, who, on receiving the information from Sir John Chiesley, sent for Wariston, and spoke to him 'with great freedom . . . very threatning things if we minted to a Covenant togither tho even for religious ends and on religious words only. He sayd it would putt them to airmes and us to blood and suffering, and that the present power would never give or suffer power to on[e] of the pairtyes to use jurisdiction over the uther. . . .'⁴

To Broghill also came rumours of the new move by the Protesters. He wrote to Thurloe, 'I have even now received information from a good hand that thos ministers which they call the Remonstrators are composinge a kinde of a covenant to recommend and offer to the people, wherin they say they doe not meddle with anythinge a[bout] civil government, but only to strengthen themselves in matters of faith and doctrine in thes times of defection and backslidinge. The information is not yet verry cleere, but such as it is the looks of it are not good.'⁵ In spite of the doubtfulness of their proceeding the new Covenanters decided to have the draft 'transmitted to

¹ P. 8.² Baillie, iii. 297, 298.³ P. 10. The reference is to General Monk.⁴ P. 7.⁵ Thurloe, iv. 37.

the godly' for their approbation, but when the reports came in it was 'agreed to keepe it in dependance under further consideration til a mor convenient season.'¹ Great secrecy was preserved about its actual contents, but it is evident these were intended to give the subscribers the religious power in the land.² Some months later Wariston acknowledged 'the lands growing dayly in haytred of the Covenant and . . . strangely in love with old deposed ministers.'³

It is interesting to note that when, four years later, the English Committee of Safety, of which Wariston was a member, were trying to arrive at a new and permanent form of government and Sir Henry Vane was advocating absolute toleration in religious matters as a fundamental,⁴ Wariston urged the Covenant while the others were for the *Agreement of the People*.⁵ At that time his mind was on the Solemn League and Covenant; then he remembered that of 1655. 'I knew not whither I had heir a draught of that covenant wee intended once in Scotland in 1655, but that General Monk was jealous of it.'⁶ I resolved to search over my papers, and their be Gods gracious favour, I found I had reserved it when I sent the rest of my papers hom.' Accordingly, when the opportunity came, 'I read to the Committee the articles of the covenant as wee drew it up in 1655 at Edinburgh, and pressed them to mak thes positive fundamentals of gouverment for God . . . but they would not heare of it. . . .'⁷

It is unfortunate that the diaries between September 10

¹ P. 12.

² Cf. p. 11.

³ P. 27.

⁴ Forster's *Statesmen of the Commonwealth* (1851), iii. 202.

⁵ P. 151. For the text of the *Agreement of the people*, see Gardiner's *Constitutional Documents* (1889). The Articles concerning religion are at pp. 280, 281.

⁶ The apparent inexactitude of this statement may be accounted for by the very changed relations of the two men in 1659.

⁷ Pp. 151, 152.

and November 17, 1655, are awaiting. On the latter date the two parties are again in conference. It is from Baillie that we learn in a summary way the causes which led to a new meeting which, although called by the Protesters, was by no inspiration of sudden friendliness on their part, or any hope of union. Whether by hearing of Wariston's proposal in September and to be beforehand with his party, or acting on their own initiative, the Resolutioners deputed Douglas and Wood to put before General Monk the desperate state of the divided Kirk. This was done by a paper setting forth its 'grievances' and offering 'remedies.'¹ Monk was sympathetic, but he regretted his own inability to do anything except to send their paper to the Protector; and with it he promised to send a second paper of the Resolutioners in reply to an order by Cromwell, dated in August 1654 but not yet enforced, for 'the better support of the Universities in Scotland and encouragement of publick preachers there.'² The reply is written in dignified yet humble language, showing that in the Order is involved the total subversion of the Presbyterian government of the Kirk and admitting into Scotland the principle of 'toleration' which the Kirk abhorred, and giving the ecclesiastical government to the Civil power. Nor, indeed, were the Protesters any more favourable to the Order which had been brought to Scotland by one of themselves, Patrick Gillespie, and was (perhaps derisively) known as 'Gillespie's Charter.' They, too, lodged a protest against its vast toleration, which, if permitted, would easily provide an engine for all kinds of dishonesty and looseness in the Church.³

¹ The paper is printed in the *Consultations of Ministers* (S.H.S.), i. 80-87.

² The Order is printed *in extenso* in Nicoll's *Diary*, pp. 163-167. The Resolutioners' reply is in *Consultations*, i. 71-80.

³ The Protesters' paper is printed in *Consultations*, i. 51-69. It may be said here that the value of the volumes of the *Consultations* to the student of Scottish ecclesiastical history cannot be overestimated.

In his conversation with Douglas and Wood, Monk took occasion to challenge them with the Resolutioners' persistence in praying in public worship for the exiled King notwithstanding the proclamation which threatened defaulting ministers with loss of stipend and deprivation of office. Douglas, replying, maintained it as a duty which would not be departed from so long as the proclamation made threats of personal loss the reason for the change. Already the sheriffs had seen the futility of bringing the proclamation into effect, and had desisted from attempting it. Again Monk declared his inability of himself to make any alteration, but he suggested that as soon as the new Council came into office it might be managed. To Broghill, the President of the Council, accordingly the Resolutioners went. 'Broghill,' says Baillie, 'having a good impression from his sister-in-law, the Ladie Clotworthie, of Mr. Douglas and Mr. Dickson, dealt kindly with them; and understanding their stick at the proclamation, albeit with some difficulty, got the Council to take it off, shewing withal, to the ministers the strictness of his instructions against all who continued publickly naming of the King. After much deliberation they thought fitt to give it over.'¹

In a letter to Thurloe, Broghill wrote of his interview with the two ministers. He realised that with such men 'the threatninge of takinge away their salary, as if fear of loosinge that, had only incited them therunto.'² In the end the ministers agreed that provided the obnoxious proclamation were nulled and they given time for deliberation, 'they would not only freely leave off that manner of prayinge but also soe far close with and owne our authority as I should be convinced had they bin well handled they had not bin now at this distance, and would not longer continue at it.' The ministers were as good as their word,

¹ *Letters*, iii. 295.

² Thurloe, iv. 56.

and on October 5 they passed a resolution to forbear from that practice.¹

The Protesters, who long since had ceased to mention the King in public prayer, 'did grieve and mock at this change. Some of our people,' says Baillie, 'from whom we did not expect it, were offended; but above all General Monk was irritat against us as if we had yielded to Broghill what we denyed to him; and from that day, in all occasions, befriended openlie the Remonstrants to our prejudice, as men to be trusted beyond us, their principles being opposite to the interest of their enemy, Charles Stewart, whom we did affect still notwithstanding our silence in our publict prayers.'²

Monk's jealousy of Broghill and his chagrin at being outdone by this newcomer into the government of Scotland led him to magnify, or to misconstrue, statements he had heard from Douglas and Wood about the Church's dispute as if they had charged the Protesters with averseness from union of any sort. He confided his version to Trail, with whom he was on very friendly terms, and Trail recounted them in a long letter to Gillespie, which he, in turn, read publicly to a grand committee of Protesters at Glasgow. They, 'stirred up by Mr. Traile's calumnious letter, sent Mr. Gillespie and others to clear them of our imputations,' writes Baillie, 'and to desyre that the ministers of Edinburgh might call a meeting for union if possible; or, if no, that it might be seen by whose fault the discord continued.'³

Thus (if in somewhat roundabout fashion) we come to the occasion of the conference which began at Edinburgh on November 8, and was in being when the *Diary* is resumed. It continued for three weeks, and at the end of it the enmity was more bitter than before. The papers

¹ The Resolution is printed in *Consultations*, i. 89, 90.

² *Letters*, iii. 296.

³ *Ibid.*

which passed between the parties have been printed in full in the first volume of the *Consultations*; with them should be read Wariston's notes of the debates, often violent, among the Protesters before their decisions were reached; these reveal not only the divisions among the Protesters themselves but the anxiety of Wariston and Guthrie that there should be no healing of the breach. That, in the end, there was unanimous rejection of the Resolutioners' final paper was made occasion of thanksgiving by Wariston, who saw in the concessions that were offered only purposes 'to insnaire and devyde us.' On November 26, he writes, 'Afternoon wee got their last aunswer, and blisseth the Lord God that without contest or heate the whol meiting found it unsatisfactorye.'¹

The Protesters' next move was to make direct application to the Council for authority to act as the Commission of 1650, thereby giving them jurisdiction over the whole Kirk. For this they had Monk's approval, 'sundrye woundred to see the General so realye our freind as he was.'² For Monk, having espoused the cause of the Protesters, stopped at no half-measures. Wariston tells of his taking 'meal'³ with us,' and moving 'the sending of som of our number up with our petition, which wee sayd wee thought som of ours would doe if the Counsel desyred.'⁴

The Resolutioners, becoming aware of the intended petition, immediately wrote to their patron Broghill both protesting against the petition and giving in writing 'Reasons why the power of the Commission of 1650 cannot now stand in force.'⁵ These they followed with a

¹ P. 15.

² P. 19.

³ The word may possibly be 'meat,' or it may be merely 'weal.'

⁴ Pp. 18, 19.

⁵ The Protesters' petition, drawn by James Simpson, is printed in Thurloe, iv. 255; the Resolutioners' letter and 'Reasons' are printed in *Consultations*, i. 184-190.

cross-petition to the Council 'for tymely preventing and remedying these greevous and growing evils under the sense wherof the Kirk of God in this land groaneth.'¹ Broghill was not slow to take advantage of the Kirk's division. He began now what he acknowledged later² to have been a 'courting' of both parties, playing one against the other by their jealousies in order to bring both, not certainly to union among themselves, but to accept the rule of the Commonwealth. His favour was to the Resolutioners, who, while 'haveing too many amongst them not fitt for the callinge of a minister of the Gospel' are 'yet still an entire and strongly cemented party.'³ In a long letter he described to the Protector the state of the ministers in Scotland and his dealings with them. The Protesters, fewer in number, are 'men for the generallity more strict and close in their outward walkinge than the generallity of the other . . . and as much devided within themselves as from the Publike Resolutioners; part of them led by the laird of Warresten and Mr. James Gutery who are bitterly averse to your Highnes authority, if not to any.'

Broghill's courtship of the Resolutioners ran smoothly. From them he obtained vast promises of living peaceably under the Government, and he did not doubt that within a few months' time they would 'openly pray for the government and incite the people to obey and defend it.' He praised Mr. Douglas as 'the leadingest man of all the Church of Scotland'; of Sharp he wrote, he is 'a man I have made good use of in all this business, and one who, I thinke, is devoted to your service.'⁴ With the Protesters his wooing was not so certain of success. Gillespie and Livingstone he judged would not be hard to win, but with

¹ Printed in *Consultations*, i. 191-193.

² Thurloe, v. 123.

³ *Ibid.*, iv. 557.

⁴ *Ibid.* iv. 558. Cf. also Broghill to Thurloe, iv. 479, and Baillie, iii. 321.

Wariston and Guthrie, whom he termed 'Fifth-Monarchy-Presbyterians,'¹ it promised to be another matter. On several occasions the President invited them to dinner, when, in a genial atmosphere, he discussed their affairs with them. Wariston writes of one occasion when Broghill, after retailing some piece of gossip concerning the King's amours in Holland,² challenged them about the Protesters' attitude to the Government's scheme for Justices of the Peace. 'Wee spak freely,' writes Wariston 'against the clause in the Act about the Justices of the Peace and the clause for executing the Act of Treason and the keeping of the Protector's peace.'³ Their exceptions may be judged best from a letter addressed to the Sheriff of Roxburghshire by Col. Gilbert Ker, who had been named to the office and had refused to act. 'I am convinced in my conscience,' he wrote, 'that imployment is sinfull and unlawfull as it is there stated, framed and ingaged into, as not being allowed by the Word of the Lord, contrary to our Solemne League and Covenant, as also a manifest ineroachment uppon the liberties of the Kirke of Christ in this land'⁴; and, indeed, among the instructions to the Justices were orders for dealing with offences which came within the Church's discipline.

It would seem that the arguments of Wariston and Guthrie had some effect, for the day following Broghill sent for Wariston to ask him to amend the Act, but this Wariston declined to do so long as the offending clauses remained.⁵ Nevertheless the summons of the President had its influence on his mind. A few days later he wrote in his Diary, 'I dreamed in the morning of being on the head of a steiple and troubled how to win doune agayne,

¹ Cf. p. 5. The phrase was Hutcheson's.

² P. 25.

³ See *Scotland and the Protectorate* (S.H.S.), pp. 308, etc., and Appendix vi.

⁴ Thurloe, iv. 480.

⁵ P. 25.

and thought it had been better to haive kept sole a ground ; and this stak long with me after several wakings and mynded me of the vanitye of my fancyes when I heard of the Presidents seeking me, as if my heart would be blyth of a temptation.' ¹

The month of March 1656 was uneventful. The Protesters awaited the answer to their petition before deciding to convene a meeting about sending commissioners to Cromwell. Impatient, Wariston visited both Broghill and Monk for news of the petition, but none was forthcoming ; nor was it known ' what privat transaction had past between the Inglish and Public Resolutioners.' At St. Andrews, Rutherford was ' on the project of getting M. J. Guthry in M. Ja. Woods place in Saint-Andrewes. The Lord direct us in that motion for it seemes to be of great consequence.' ² Gillespie had accepted the principalship of Glasgow, ' going from the ministerye to a philosophye college and taiking it from the Inglishes.' Col. Lockhart had been appointed Ambassador to France. ' I prayed the Lord to keepe me honest,' wrote Wariston. From England came news that ' a new Protector hes beene choysen ; fyve leited, the Protectors son, Fleetwood, Lambert, Desborough and Monk, and thes naymes casten in within the hatt, and whom the Protector drew to be the man, and that putt in within a cabinet and not to be known til after his deceas. If it be trew its strainge newes.' ³ There was word also of Sir Henry Vane [the elder] ' killing himself, but I beleevved it not, and if his being killed wer treu I feared that he had been assasinat be som bodye and then imputed

¹ P. 26.

² P. 28. Wood was professor of Ecclesiastical History in the New College of which Rutherford was principal. So unhappy was he from the opposition of Rutherford that he desired to quit the College. A way out was found for him when Broghill, at the suggestion of Sharp, had him appointed to the principalship of the Old College (Baillie, iii. 316).

³ P. 29.

to himself; and if it be al treu he hes playd the part of Achitophel both in lyfe and death.' ¹

Of April there is no record, and when the Diary resumes in May it is evident that public feeling in Scotland has been stirred up against Wariston. He tells of an occasion at a Communion when on his entering the church 'on[e], Jean Hamilton,² shoe that was distracted at the Ferrye, got in afor the Lady Liberton and their begoud to speak, and when I desyred hir to be quyet becaus the apostle forbids a woman to speak in the churche, shoe fell out upon me publiklye that I could not spell nor pronounce, and then told that I was Kings Advocat and had sold the King as Judas had sold his Master, that their was a Judas heir, that I had killed Earle of Montrose tho God has His awen honor in it, that I had maid myself King, that wee could not live without a King, that wee should haive on[e] agayne . . . that shoe had touched me in the quick and therfor I did garre taik hir awaye.'³ The demented woman's attack did not leave Wariston scatheless. He deplored the fact that 'publik congregations' should 'heare of such raylings on me, and haive distracted folk to blaze my real faults of pryde, ambition, ostentativenessse, passion, cankerdnesse, becaus I mourne not in secret over them, and to laye base treacherye as Judas to my charge most falsely and so vent the malignancy of the spirit within the partye. . . . The Lord punishes me in this sense as the congregation hath heard, and by it I wil be for

¹ P. 29. The report was that Vane had killed himself out of remorse for his share in Strafford's death.

² This was no doubt the Jean Hamilton referred to by Lamont as 'one of the Lady Laderdayls servants' who 'tooke a phrenisie at Laderdaile so that they were forcet to binde her with small cords. About the end of this yeare [1649] she did recover.' (Lamont's *Diary*, ed. 1810, p. 11). It would seem that her malady returned, and it is probable she was well-known as a character whose worst enemy was her tongue.

³ P. 29.

this week the song of the drunkard and subject of laughter in the streets.' ¹

The bitterness of Jean Hamilton's recrimination did not soon leave him. She had, as she said, touched him to the quick. Absurd as it seems, the insinuation of kingship did not lack foundation. 'Shoe is come of the Hamiltons who hates me as if I had wronged the King and the Duk of both of whose lyfes the Lord knows I am most innocent. . . . He knows I neyther had hoopes nor designes nor thoughts of coming to any of their roomes.' ² *Qui s'excuse s'accuse*. Even Wariston's friends were not blind to his ambition—Sir John Chiesley once spoke of his strut as 'very Protector-lyk, going on his tiptoes with his craig up in the lift!' ³ and Guthrie remarked in his presence, 'that if I would let him see my diaryes he would find that W[ariston] had hoopes to be Protector befor he dyed.' ⁴ It was no new track he followed when, still pondering Jean Hamilton's challenge, he was led to think of Cromwell. 'What the better is Cromwell of his peaceable possessing and commanding thes 3 nations. O what a masse of feares and cares and griefes and perplexityes and designes and desyres and projects and plotts and jealousyes and diffidences and aprehensions of poysonings, massacring and surpryzings is his breast this daye full of and weighted with! God keepe me from envying him, or desyre to be with him or tayste of his dayntyres.' ⁵

Perhaps to get rid for a while of his accusing thoughts he set out for a day's fishing, 'but was disapoynted, and so read al daye in Baxters directions for comforting an afflicted mynd.' ⁶ And when at length a suitable day came and he 'was al daye at the watter and fishing, Mr.

¹ Pp. 30, 31.

² P. 31.

³ P. 24.

⁴ P. 54.

⁵ Pp. 31, 32.

⁶ P. 32. *The Right Method for a settled Peace of Conscience . . .* by Rich. Baxter, 1653.

Jh. St[irling] speaking to me afor Jh. Ramsay of the fixt threats and oppressions against me in the toune greived me. The Lord pitye me wham Thou hes brought so low as every pettye bodye now tramples on mc.' ¹

For a whole month his fit of depression lasted. Then, on a morning while he was dressing came a letter from London, from Argyle, hinting that if Wariston 'would taik the Registers in keeping' he would be paid a salary, and something would be done about his debt. If Lady Wariston, to whom the letter was addressed, saw in it a way out of their troubles her husband perceived only a snare to draw him into compliance with the Government by taking public employment. As one who knew well that high resolutions would not feed a hungry family, she reasoned the matter with him until reluctantly he agreed that if some other held the office he would be willing to accept his pension out of the emoluments. Turning over the matter in his mind when he was alone, questioning about Argyle's sudden interest in his affairs and what lay behind it, and how he should answer him, there came this thought, 'what if the Protector wrot down that he never mynded to putt me out of my place and sent down the Registers as belonging to me . . . and would not requyre eyther my medling in judicatoryes or giving any oathes or ingagments—what might I doe in that case?' ² What? Argyle, equivocal, slippery, was one man: the Protector was another. . . . 'Heir I thought the Lord directed and assisted me to wryte a direct refuseal and withal expresse my confidence in God if they would not paye me my debt. When I shewed my letter to my wyfe with my desyre to haive it in and awaye the night she weeped.' ³

Argyle in the meantime had been pursuing the matter

¹ P. 32.

² Pp. 32, 33.

³ P. 33.

at the English Court. He spoke of it to Fleetwood and Lambert, 'and after som expostulation and on[e] saying I neyther loved the power that was nor that which is, they offered if I would receive the Registers to moove my Lord Protector to give me them with his pension, and that this was the summe of all.'¹ Argyle conveyed all this to Wariston in a second letter. But Wariston had already communicated his answer to the first to his friends Stirling and Rutherford who thought it 'very honest,'² and he had now less hesitation in replying 'conforme to the former.' He gave, however, the draft to his wife to be written to Argyle as from her. 'I see my wyfe greeting whyl shoe is wryting.'

The *Diary* continues, 'I went down and read my wyfes letter and found hir al begotten, and that shoe had written my full resolution to suffer the worst in thir tymes and agaynst medling in publik imployments and that on grounds of conscience, and when shoe had sent it away shoe weeped and sayd shoe had lattin me doe thir things without hir being a temptation by representing the treu particulars of my low condition, that wee could not subsist nor keepe our familie unles God doe for us now agayne as He did in our extremitye in the end of 1648, and shoe weeped bitterly. . . . I desyred to hold up [in prayer] my nayme and my wyfes and of every on[e] of my children, Elizabeth, Archbald, Rachel, Hellin, Margret, Jhon, Sanders, Janet, Catherin, James. . . .'³ Such a portrayal as this of the characters of husband and wife is not likely to pass now without condemnation of Wariston: the man sacrificing himself, and also those dearest to him, for a principle which he held to be eternal and inviolable, the wife pathetic in her loyalty to her husband, made willing to forget the instincts of the mother rather than

¹ P. 36.² P. 34.³ P. 37.

to be a temptation to him to abjure his conscience—if only Wariston were such a man! But in his resolution two things had weighed with him; the one, fear of scandal among his friends should he in the smallest way incline to that compliance with the usurped power which he had so vehemently denounced to others; the second, distrust of Argyle, and this was strengthened by a letter from Guthrie reflecting on the Marquis's offer 'wherein he wrytes weal his suspicions of Argyle being on a designe of imployment, and to haive me ingaged to taik off the reproach.'"¹

With that assurance with which he communicated those matters to his friends he spoke to Trail of this new temptation and how he had met it. The dry comment of the minister left him less sure. 'I was a little troubled,' he writes, 'with finding M. R. Tr[ail] thought my temptation was woven with smal threed, and why might not I without any new oath or ingagement medle with my awen place?'² Into this new uncertainty came a letter from Sir Brice Cochran telling him that he had put his petition about his debt before the Protector and had been promised 'a very satisfactory aunswer' to it; a committee of the Counsel would be appointed to consider it, and the result would be communicated to him by Argyle.³ Again Argyle! 'I thought it remarkable this letter coming to me . . . after M. J. G[uthrie's] letter to me.'⁴ Nevertheless he wrote 'a letter to my Lord Marquis of my thrid refuseal to medle in publik civil places and my desyre that he would presse ane answer to the particulars of my petition according to the Lord Protectors promise. . . .'

In the month of July all that is noticeable is the record of a dream in which he was in a room with the Protector and his son, and that he held in his hand the Protector's

¹ P. 38.

² P. 37.

³ P. 38.

⁴ P. 38.

hat, 'and his son went out afor me. What sort of dream this was and what it imported I know not.'¹

There is no diary for the month of August 1656, but we know that during that period Lord President Broghill continued to prosecute his wooing of the Resolutioners. On August 12, he was able to write to Thurloe that they had agreed that every presbytery would certify to the Council the moral fitness of a minister-elect and his willingness to engage 'to live peaceably and in-offensively under the present government.'² 'By which meanes,' he wrote, 'not only the Kirk judicatory do or will owne the present authority even in Kirke affairs (which they never till now did) but also forthwith above 150 of the parochial ministers will voluntary give the said engagement, and all others in the future which are admaitted shall doe the like.'³

A week later Broghill wrote to Thurloe again, 'I hope if we manadge thinges well the two partyes of Scotland, viz. Remonstrators and Publick Resolutioners, shall both courte us as too long we have courted them.' For the Protesters hearing what their brethren had done sent Wariston to Broghill, and following the interview the President wrote of them, 'They have called a meetinge, and, as my Lord Warreston is com to informe me, are resolved to employ some commissioners to his Highness, and to goe a length which never yet they went, nor, as som thought, never would doe.'⁴ If Broghill felt that his work ('which has bin neere a yeare a-weaving') was done in bringing the two parties, not, indeed, together, but both to accept the government, he had still some fears of the outcome particularly as concerned the Protesters. He was about to proceed to London, but before setting out

¹ P. 40.

² The forms for certification are printed in *Consultations*, i. 202, 203.

³ Thurloe, v. 301.

⁴ *Ibid.*, p. 323.

he wrote again to Thurloe, 'I beg you, sir, if you see any need for it, prevayle with his Highness to heare what I can say ere any alteration be made; for thos who sollicit it are the bitterest enemyes against the government in all Scotland as theyr writeinges will shew which I bringe up alonge with me. Mr. Gillespy and the sober sort of Remonstrators are free to signe. 'Tis Mr. Guttery and thos fierce men are against it who in their writinges call his Highness's government usurped and unlawfull.'¹

For the London commission the Protesters spoke of sending Rutherford and Guthrie. Wariston tells that Monk was for his going and against the two ministers, and grasping at the chance he set about making the best of it. 'I never was about so tiklish a busines and daungerous and of greater consequence in the right and wrong doing of it to God, His friends and interests, nor this is.'² His going was freely debated among his friends; one was decided against it; another shook his head, 'the Protector would never abyde my freedom'; his wife wept, certain that were he to go to London she would never see him again; 'my Lord Brodye told me that som thought they might, out of no evil will to me, counsel the Protector to restrayne me from wryting papers or medling in Scots busines.'³ He wrote a letter to Fleetwood setting out his circumstances, hoping that it might reach the Protector's hand. Sleepless nights and cankered days followed; examination of his motives, excuses for them, resolution never to enter into the Government's affairs—unless it were for the weal of the Kirk. 'I cannot denye my desyre to use the meanes of getting my awen for maintenance of my familye; and then som secret hints and hoopes of Gods reviving His work and people in this

¹ Thurloe, v. 336.

² P. 41.

³ P. 43.

7(th) year of their captivitye which used to be the year of release. . . .’ But he could not hide from himself the knowledge that, by whatever means, he was bent on going to London. ‘That which feares and skaires me most from it is the feare of a conjuncture of my corruption and outward temptations of baits and straits and societys and exemples and advantages and daungers, and the Lords desertion of me to sinful compliances contrary to the Word, my covenants, principles, testimonyes, *Causes of Gods wrayth*, advyces given to others, resolutions taken anent myself, reasons agaynst taking of places, expectations of the godlye, vows to God, and letters to men, providential temple words recorded in my diarye, many expressions in familye prayer and in exercises at conference and prayer, strenthening the hands of al enemyes, greiving the hearts and weakning the hands of the godlye, the very chaynge of the temper with the air knowen by experience of befor.’¹ Formidable as were such reasons against going, they were wiped out by one morning’s waking thought of ‘Peter going to the Gentiles against his former resolutions for the which he is forced to apologize.’²

When at length the Protesters decided on the man who should go to London for them, James Simpson of Airth was chosen, and Wariston’s name had not been mentioned.³ ‘I saw now my sute of Gods cleiring my cal to gang or byde by emergent providences and by unanimity of His servants. . . .’⁴ While accepting as best he might this setback to what he had hoped for, he was suddenly cheered by a letter from Argyle. Broghill had dealt with the Protectors about the Scots Registers and had had him so engaged about them as would be ‘comfortable’ to Wariston. There was confirmation of this when Guthrie

¹ P. 43.² *Acts*, 10th and 11th chapters.³ P. 44.⁴ P. 45.

came to him with a letter from Lord Tweeddale 'saying that he had remembered, and would remember our freinds busines, and that my Lord Broghill had brought it to a good passe, and he thought it was about my busines.'¹ If hope sprang anew in Wariston, it was quickly dashed when both Guthrie and Lady Wariston read in the vague statements not the restoration of the Clerk-Registership but perhaps some pension to be paid to him out of its revenue while another was given the office, 'somthing that may look lyk a gift from them, or a dependance on them'²—the price, in effect, of his silence! He was in a strait: the Clerk-Registership was his by right, yet he saw not how he could practise its duties without offence to his friends and encouragement to the Government, nor could he, on the other hand, 'sell it or consent to any uther having of it tho for a sume or rent to me.'³

As so often happened with Wariston, brooding over his troubles led him to review the incidents of his life and times and to search out in them the hand of providence. It was at this time that awaking early in a morning his thoughts turned to the past ten years. 'I thought indeed God most just and holy in al that He had doen in Ingland, Scotland, Irland. I thought it a work of admirable justice His bringing the King to a scaffold and his family to ruyn, after his long opposition with blood to the Covenant and Reformation. . . . Then I thought God had justly ruyned Scotland for espousing his quarrel and holding up warre for his familye against Gods persecuting justice, and after such evidences of the dissimulation of his son making the Covenant but a shoe-horne to his awen ends. . . . I thought it a particular mercy to myself that He had so long continewed subsistence to me and had kepted me free of State medlings and offices wherin I could not have

¹ P. 46.² P. 46.³ P. 46.

thes sex years medled without sines, snares, scandals and daingers. . . . I acknowledged His holy justice in taiking my places from me which I abused, and I wonder that He hes lattin no uther yet tak office.' ¹ Thus no matter how wide his thoughts may radiate they still return to that which is at the centre of his mind, his place as Clerk-Register, 'The desyre of it had been an idol to me and the waunt of it the worme of my gourd.' ²

It was into such a mood that there came a letter from Argyle. The Protector, he wrote, has 'apoynted 300 pd. sterling, yierly for you.' 'I thought,' is Wariston's comment after he has told the good news to his wife, 'this was the first bleu boore of outward providential dispensations for my support and subsistence or mean of releafe' ³; and he notes that whereas the former hint of a pension was to be dependent on his accepting the charge of the Registers, it is now assured to him 'without the place,' and, he hopes, 'without snares and offences.' If now the problem of living and the danger of compliance seemed to be removed, his mind was not long suffered to be at ease. He is told of those who are 'farking' ⁴ at Court for the Registership. He feels that some providential purpose has kept it from being filled, 'tho many hes sought it long'; and he resolves to make confession of his 'sins in relation to that place,' notably of his yielding to the calling home of the young King, 'apoynting the bonfyres, moving and sending the Act for admission of the King to the exercise of his power of purpose for the Kings favor to continew me in that place.' ⁵

Wariston's confessions during those last years were frequent and self-accusing. If we are to believe him, there

¹ Pp. 46-48.

² P. 50.

³ P. 49.

⁴ 'Farking,' or rather 'forking,' as in p. 50. 'Forking for a job' = looking out for employment (Jamieson).

⁵ P. 51.

was nothing done by him in his public capacities that had not self-interest at the root of it, 'Sathan and my corrupt heart hes gotten al the deeds.'¹ But he was writing for posterity; his diaries were to be a legacy to his children and to their children; there is exaggeration, there is pride almost in his taking blame to himself for by-ends. He knew and acknowledged this tendency even in childhood and in his school-days, 'I was even in and from the shooles ay intertensing lying imaginations and . . . I could never relate a mater of fact as it was in treuth, without adding, paring or chayngeing something to gratify this idol.'² Yet, in his life, Wariston accomplished some great and good things for Scotland, and one does not care to narrow them down to mere self-seeking or paraded egotism; to find in the patriot only the politician.

In his confession now he went back to the time, and possibly the occasion, when the idea of being appointed Clerk-Register first entered his mind. It was at the Treaty of Ripon in 1640, and he remembered that he was made one of the commissioners to the Treaty both at Ripon and London because as procurator of the Church he was acquainted with its 'reasons and prejudices,' able, therefore, to advise on Kirk-matters should they arise. Across his quick mind there flashed the thought, 'would not Simpson, now pleading the cause of the Protesters in London, need just such an adviser in dealing with the English about Church-government? Should he write to him about that?' 'Then,' he says, 'I thought good not to make hayste.' And, as it happened, that night he received another letter from Argyle. The Protector was being pressed by Sharp in Wariston's absence to act for the Resolutioners, but he would wait until he heard Simpson.³ Uncertain how to act, he determined to put the

¹ P. 173.² P. 172.³ P. 52.

matter to the test of the lot,¹ 'should he write to Simpson of his former employment?' The answer was negative, 'so I blisssed God and absteaned from wryting so particularly.'² Two days later, 'being pressed by som suggestions to it,' he wrote to Simpson, but, he warned him, should he be sent for it must be 'only as procu[ra]tor of the Kirk to give information of the Kirks rights and upon a Church account and not a civil.'³ Having despatched the letter, sensible of guilt in writing he prayed that to 'prevent any prejudice by it, rayther let the letter miscarye or mak them conceale it, or let me see by his lettres that such a thing was resolved of befor, or that he hes rayther hindred it.'⁴ In the diary Cromwell becomes now, 'the man whom Thou hes providentially maid Thy depute on earth'; and for himself Wariston sees from Scripture 'our deutye to mak use of the favour of the providential magistrat sett over us by Gods hand.'⁵

Simpson had arrived in London early in November 1656, forestalled by Sharp whom the Resolutioners had sent up 'to attend the motions of any that shall be sent from their dissenting brethren'⁶; at the same time they wrote to Lord Broghill explaining Sharp's mission, and to the English Presbyterian divine, Simeon Ash, introducing Sharp, and complaining bitterly to him of the animosity of their Protesting brethren, 'it hath been and is their study to misrepresent our persons and actions unto these that are in power, and to render us odious by loading us with calumnies.'⁷ By whatsoever means, the Protesters learned of the letter to Ash. Rutherford, who knew Ash well from old Westminster Assembly days, addressed a brief

¹ Wariston's means of divination by 'casting the lot' was a device frowned on by both Rutherford and Guthrie, who thought it should be 'spayingly used, and had som doubt of it' (see *Diary*, ii. 77).

² P. 52.

³ P. 53.

⁴ *Ibid.*

⁵ P. 54.

⁶ *Consultations*, i. 204. Sharp's Instructions are at pp. 204-210.

⁷ *Ibid.*, p. 213. The letters to Broghill and Ash are at pp. 210-214.

letter to him, to be given by the hands of Simpson for whom he begged the favour of Ash's 'other eare.'¹ Ash, lending his other ear to Simpson and finding his story so widely different from Sharp's, showed to him Rutherford's letter with its charge that the Resolutioners had forsaken the Covenant, had joined with the malignant party, and had now entered into an engagement with the present powers whereby 'noe godly man can get any maintainance in this land but such as well sinfully comply. . . .' It was no more than a blunt statement of fact however Sharp might explain it away to Ash. What he did was, 'with much a doe,' to get a copy of the letter and to give it to Broghill. Broghill, in turn, sent both Sharp and the letter to Thurloe; 'This bearer, Mr. Sharpe, is the minister imployed out of Scotland from the generallity of the ministers ther to his Highness. He is a sober, good man and a frend and servant to his Highnes.' Of the letter, he wrote, 'I tooke it from him to let you have it that his Highnes may see what sweet juglinge ther is.'²

When, as it must, a copy of the letter reached Sharp's brethren in Edinburgh it created some exercise among them. The friendship of Ash and his fellow-divines in London must be secured. And first they wrote a lengthy letter to Ash and his powerful Presbyterian ally Edmund Calamy. They had heard of Rutherford's letter and the 'verie black character' he had given them, but 'we have this testimony that whatever Mr. Rutherford thinks of us or others, yet he is verie dear unto us because of the gifts and graces of God in him, and his service done in the Church of Christ, and do attribute his keenness of spirit in this particular to his uncharitableness and his want of

¹ Rutherford's letter, No. 346 in Bonar, where it is inexactly printed, is in Thurloe, v. 656. The copy as printed in *Consultations*, i. 231, is imperfect.

² Thurloe, v. 655, 656.

that measure of prudence . . . requisite for managing aright of publicke differences, especially such as ours are.'¹ Continuing they repeated their version of the Kirk's quarrel, following this with letters to Broghill, Disbrowe and Col. Whetham defending themselves against the Protesters' charges.² Baillie, too, was employed to write similar letters to his old friends Calamy and Ash, and the veteran politician Francis Rous.³ Ash, as if swayed by the letter from Edinburgh and not less by the capable pleading of Sharp, finally replied to Rutherford in an unfriendly letter, 'this your tartenesse in language did not a little trouble mee, and the rather because your dissenting brethren expresse themselves with much love and sweetness of spirit towards yourself and others with whom they seek to continue their former accord. . . .'⁴

It is not to be wondered at that Simpson, never the man for the business into which he was thrust, sent anxious letters to his brethren 'pressing our sending commissioners up to London.'⁵ Some were for having a meeting to decide whom they should send, others fearing that it involved acceptance of the Government dissented. 'M. J. G[uthrie] entered his dissent, and M. G. H[all] told his mynd

¹ *Consultations*, i. 232. Probably in the heat of this time, certainly not later, Rutherford wrote the bitter preface to his *Survey of the Survey of Hooker*, which reflected on the Resolutioners' engagement to the Commonwealth government. The preface repeats the charges in the letter to Ash, and it deals with no matters subsequent to that time, the end of 1656. The *Survey* had been in the printer's hands a year earlier, but controversy then lying dead, there was no call for books of the kind (Baillie, iii. 306). Not until May 1658 was the book published, and it had the fate to follow on the heels of a Declaration for peace with the Protesters put out by the Resolution body (*Consultations*, ii. 138-140). Baillie at the request of Douglas reviewed the preface, and, although it must seem that he knew the circumstances, he accuses his 'much honoured and beloved brother' of 'spitting in the face of our Mother-Church' (*Letters*, iii. 375). His editor, David Laing, in a footnote suggests that the preface belongs to 1658, which is not evident.

² *Ibid.* pp. 240-248.

³ *Letters*, iii. 328, 332.

⁴ *Consultations*, i. 288-290.

⁵ P. 55.

against it, and Col. Ker held his silence. M. J. G[uthrie] was greived at my not dissenting also. . . .’ Nevertheless names were suggested, Guthrie, Gillespie, Ker and Wariston. Guthrie ‘refused peremptorily.’ At their next meeting Gillespie ‘unanimously was voyced,’ and apparently Wariston. ‘I spak my mynd freely, the reasons agaynst my upgoing, and now leaves the busines at Gods doore after conjuration of them al not to laye any call at my doore except from conscience being convinced of the usefulness of my going to the work of God. . . . I was then . . . called in and told that unanimously I was called by them.’¹ Thus at last came the end of three months’ hopes and fears in the success of his ‘busines.’ Some days later he wrote in his diary, ‘This morning I told my wyfe of my haiving less scruples anent places then I had . . . Lord, order weal that anent Clerk Register.’ Not less successful had Argyle been in his aim to bring Wariston to London. As if to quiet any lingering scruple on Wariston’s part, he wrote telling him he would be asked to do nothing but what he himself was persuaded of, and he cautioned him that being the ‘great observer and reverencer of Providence’ he was, so he should be ‘the mor submissive and subject and respective to the providential magistrat.’ For Wariston himself, ‘I thought everybodys eye was on this my voyage either as my rysing agayn or falling mor.’ And when he lay down at night he dreamed his day-dreams over again. ‘This night, in the midst of it,’ he wrote, ‘I fell in a dreame that one wrote to me that these nations wer becom as a unite citey, and that I was apoynted to be gouvernor of it, which left an impression on me.’²

On January 5, 1657, the Protesters’ Commissioners, Wariston, Guthrie, Gillespie and Sir Andrew Ker of

¹ P. 56.

² P. 57.

Greenhead set forth for London armed with a letter of recommendation from Monk to the Protector.¹ 'Truly,' wrote Monk, 'I must confes that they have bin very peaceable, and perswaded all others of theire opinion to bee the like since my comeing into this country; and if I may make soe bould as to offer my opinion to your Highnes, they are better to bee trusted than the other partie which are called the Generall Resolucion men.' To one of the Resolutioners Wariston had boasted that already the Protector had been made aware of the Protesters' desires and had given them hopes of their obtaining them.² It was not without some anxiety, therefore, that they viewed the departure of the commission, and they wrote to Sharp warning him to be 'cautious and warie in pressing anything' with the Protector, 'because of the snares wherein we may be involved through that competition betwixt us and our brethren'?³ 'You had need of a long spoone,' Baillie wrote meaningly to him, 'trust no words or faces for all men are liars.'⁴

The change of battle-front from Scotland to London called for information to Englishmen who knew little of the causes of the Kirk's differences. It was needful to win the friendship of all who might influence the Protector's decision, and at Sharp's request, the Resolutioners drew up again their story from James Wood's papers. In the end of January they were able to send to Sharp their *True Representation of the Rise, Progresse and State of the present divisions of the Church of Scotland*,⁵ with the suggestion that it might be published. For the rise of the quarrel the *Representation* goes back to the Westland Remonstrance of October 1650, which, it is maintained,

¹ *Scotland and the Protectorate*, p. 345.

² *Consultations*, i. 268.

³ *Ibid.*, p. 269.

⁴ *Letters*, iii. 335.

⁵ *Consultations*, i. 291, and *infra*, p. 68 n.

sounded the first open declaration of a dissension which had long been threatening the Church's unity. The Resolutions followed that, but they were no more than the occasion for separation and for the Remonstrants' claim to be the Church of Scotland. The efforts for union and the concessions offered by the Resolutioners had met with no real response; instead, the Protesters were about a scheme of church government by an extrajudicial committee to be composed of both parties, which if put in practice would render presbyteries and synods of no account, and would overturn the foundations of the Presbyterian system. When Wariston came to read the tract he thought it 'good to cleir the conscience of the Protector anent the treu state of the busines and anent the mater of union'¹; mainly, it may be judged, because of its authors' honest showing that the case of the Protesters was founded on their opposition to the defence of King and Country in the English invasión.²

The *Representation* was speedily put in print, the more necessary if it would overtake 'a paper full of calumnies and lyes against the judicatures of this Kirk in generall and many persons in particular, contrived by the Protesters and spread at London in the City and Court by Mr. James Symson.'³ While no steps were taken to have this paper printed Sharp was able to secure a copy of it which he sent to his friends at Edinburgh.⁴ Shocked by the nature of the charges made against them, the Resolutioners wrote to Calamy and asked for help 'by their brotherly assistance and advice.' 'We have already,' they wrote, 'had some taste what their way will be by a vile paper

¹ P. 68.

² The Westland Remonstrance was chiefly a charge against 'crooked' dealing in the Treaty at Breda in the commissioners yielding to the King; and the Resolutions involved the rescission of the Act of Classes of which Cromwell was the inspirer.

³ *Consultations*, ii. 2.

⁴ P. 57.

which, we hear, they have put in the hands of our dear brethren and others there, which we professe we could not look upon without amazement and sorrow that men should have the boldness (to say no worse) to spread such a paper to the prejudice of their Mother Church and brethren, and that among strangers.' ¹

Diaries between December 16, 1656, and February 10, 1657, are awaiting. There is a mere reference on the latter date to the debate before Cromwell on the preceding day, but of his own share in it Wariston says nothing. Sharp reports with some relish an incident when Wariston broke in 'with his rambling, usual expressions of our taking in the Malignant party . . . our sinfull treating with the head of the Malignants at Breda.' So good an opportunity Sharp did not miss. 'I thought strange,' said he, 'how the Lord Warriestoun should instance the treaty at Breda, since I could assert it that his hand was as deep in that treaty as any one man's in Scotland.' Taken aback, Wariston complained that he was 'reflected upon'; that it was true he had consented to the treaty, but did repent of it, and turning to Cromwell, he declared his repentance anew. "'I know you doe," said the Protector, "but speak no more of this which doth not concerne your present bussiness."' ² That the Resolutioners at home enjoyed the story and did not fail to repeat it is evident from a letter written by Lady Wariston to her lord. 'Ther is noiss heir,' she wrote, 'of your repentance that Mr. Sharp wrot down at lenth; al wes said as your debait, soe they [had] ther own bitter geares on it. Lord set a watch befor your lipes that all your sayings may tend [to the] Lords honnour, and not to your owne hurt.' ³

If Wariston's notes are strangely meagre about the

¹ *Consultations*, i. 341.

² *Ibid.*, i. 353.

³ Laing MSS., i. 307.

progress of the Protesters' appeal to Cæsar the cause is to be found in the growing ascendancy of political interests over those of the Church, and his dominant passion to have again the office of Clerk-Register. In those days he found his best friend in Fleetwood; Fleetwood was a patient listener—and of kin to Cromwell. To him on the day after the meeting with the Protector, Wariston in 'a long and free discourse' poured out all the story of his lost office, the arrears of debt due to him, the poverty of his family at home, his doubts about Broghill and Disbrowe, and his fear of double-dealing to procure the Registership for Swinton. To Fleetwood's mind the solution of the whole business was for Wariston to take the Registers himself; but he had to learn the casuist's mind and its scruples; there was the matter of Toleration, a common right in the religious life of England but never to be accepted in Scotland; and there was, too, the breaking of the Treaty of 1641 by the English invasion of Scotland without warning. Still, looking to the example of Ezra and Nehemiah, he could so far recognise the Government as to serve 'eyther in purging ministerye or magistracye.'¹ When, returning to their lodging, Wariston told his friends Guthrie and Simpson of his interview, he learned that, unknown to him, Guthrie had been writing letters home to Rutherford and John Stirling reflecting on his inclining to compliance with the English rule. This knowledge of what he considered double-dealing on Guthrie's part led to a bitter quarrel between these two, who for so long had been regarded in Scotland as of one mind.

Wariston's entries in his *Diary* relative to the quarrel are spread over several days; at times they are not quite coherent and the issues are confusing. What may be

¹ P. 58 and n.

gathered is that among the Protesters when they appointed their commissioners to London there were 'many heats, contests, debaytes, despayres, disapearances, disapoyntments, dejections' before final agreement on instructions was reached.¹ There seems to be no record of what those instructions were other than what Baillie wrote from hearsay.² In effect, they were to enforce by civil authority the scheme which the Protesters had propounded to the Resolutioners in the bygone conference at Edinburgh in November 1655,³ and which the Resolutioners had rejected, viz.: that committees of equal number of both parties should be formed in each synod for the exercise of ecclesiastical discipline. The Resolutioners recognised that to give the Protesters the power of a negative vote was the first step to the loss of all they stood for. But now there was an additional overture, 'That the Protector should nominate a committee to plant Kirks, and that the power of giving up stipends in all vacant churches should be in this committee'; reminiscent of the much derided 'Gillespie's Charter.' It would seem that when this committee, or commission-to-be, was discussed in their meeting, names of leading Protester laymen were mentioned who might be free to accept the Protector's nomination; among them was Wariston's. He was asked if he were free. 'I de-clayred,' he writes, 'I was free, and they wer al very weal pleased and hooped the mor that things might com to som settlement.'⁴ All this Wariston urged in defending himself against Guthrie's charge that he was seeking employment from the English. Why, he asked, did not Guthrie debate the matter in the meeting? Why spread it abroad now by his letters to Scotland? Guthrie 'denyed his ever conceiving the instructions in that sense

¹ P. 56.² *Letters*, iii. 353.³ *Consultations*, i. 92-184, *passim*.⁴ P. 59.

of our accepting that comission, but it was to godly Englishmen and uther Scotsmen that was ingaged of befor and wer free to act in thes comissions in magistracye,¹ having in mind, perhaps, the old dispute about their party accepting commissions as Justices of the Peace. On this lame explanation Wariston adroitly posed him : Was not, he asked, the taking of those commissions the same as taking another place ? 'The lawfulness [of the one] inferred the lawfulness of the uther.' Guthrie agreed, but protested he liked neither.

Day after day as the two met, fresh discussions arose. Guthrie's attempts to mollify his friend met with no success but rather brought new recriminations. The sting of the letters secretly written to Scotland stuck to Wariston. 'Had it not been safer and clearer to you,' he said, 'to have told the meeting that yee thought it a sin to me to act in it, and so their to putt it to a debayte, nor from this to wryte to Scotland against me for it. . . .'² It is probable that what was in the minds of both men all the while was the Clerk-Registership ; in neither of them without conscious guilt, for Wariston could not hide from himself that that was a profounder interest than his becoming a member of Cromwell's committee. And for Guthrie—'Certaine it is,' Baillie wrote to his correspondent Spang, 'that Mr. Guthrie opposed my lord Waristouns resuming his place of Register. If it had been upon both of their professed principle of the unlawfulness to take places subordinate to an unlawfull power, I could the better have excused it ; but Mr. Guthrie (as one who should have known it with the best, informed me) with all his power did labour secretly to get that place to his confident friend Swintoun, with the burden of a yearly pension of three hundred pound sterling out of it to Waristoun.'³ Some-

¹ P. 59.

² P. 60.

³ *Letters*, iii. 356.

what startling to Guthrie, therefore, must have been a question put to him by Wariston in one of their altercations, 'If the Protector should send the registers down to Scotland unto the clerks and give me a localitie of payment of my debt on the Registers, whither he thought I might accept of it; he sayd he told me he lyked not the warrant that cam to me for my pension out of them.'¹ Wariston, delighted to have the answer he hoped for, put his next question, Should a minister 'taik a warrand for his bygon debt and service. . . .' ? But Guthrie tartly replied that he liked not the comparison.²

The quarrel never was healed. Wariston, too self-conscious to forgive those who offended him, regarded such overtures for peace as Guthrie made only with suspicion.³ The old friendship and community between the two men throughout the Church's controversy no longer held; Guthrie in a letter home described Wariston as 'our Independent,'⁴ and it is noticeable that in mentioning the great debate before Cromwell on February 24, when Guthrie maintained the Presbyterian principle notwithstanding the insinuations of Sharp, Wariston is altogether silent about Guthrie's share, while of his own he writes: 'The Lord assisted me to speak that which in our sight took deepest impression on the Protector's mynd, and himself repeated as most observable.'⁵ Sharp's account⁶ does not reveal what is meant, although he writes largely of Guthrie's argument. On the other hand, Sharp's relations are of his own victories in their war of words. He writes of this day's combat, 'This was one of my triumphing dayes.'⁷ It is remarkable, too,

¹ P. 60; 'Them,' in this case, referring to the English Government.

² P. 61.

³ Such overtures as are signified at pp. 67 and 79.

⁴ P. 64.

⁵ P. 66.

⁶ *Consultations*, ii. 5-18.

⁷ *Ibid.*, p. 18.

that after the debate Gillespie should have approached Wariston telling him of the Protector's 'speaking very respectivelye of me and proposing to keepe me heir at London and to give me a place in the Admiraltye which had 500 pound sterling of salarye.'¹ However flattering Gillespie's information might appear when told, to Wariston's unquiet, suspicious mind when he came to think it all over in his bed it assumed another aspect: he saw in it only a proof of Cromwell's jealousy and his unwillingness to let him live in Scotland; or, perhaps, that the Protector had now disposed of the Clerk-Register-ship for the benefit of Lord Broghill! A dream, or a nightmare, although seriously set down in the *Diary*; the jumble of his ruling passions—an unquenchable longing for his old 'place' as Register, and an insane hatred of Lord Broghill, now to Wariston's imagination become the arch-enemy of Scotland.

It was at this time, the middle of February 1657, that rumour was rife in London about a change in the Instrument of government. Coming from service in the Abbey Church on February 16, Wariston heard that 'the great busines of the hereditary gouvernment' would come on that week. 'Thou sees the instrument, Lord Brochil,² of carying it on is the instrument of our ruine; he thinks to be very great by his so doing and so hoopes to undoe us. Lord, free us of him if it be Thy will, and send som Mordecai in his stead. . . .'³ Meeting with the political preacher, Philip Nye, the old Independent obstructionist of Westminster Assembly, he spoke of coming changes: there was to be a House of Lords, said Nye; a King and Bishop would follow; better a King should come in this family than in the old, 'the old familye would not accept of

¹ P. 66.

² Cf. Firth, *Last Years of the Protectorate*, i. 128 n.

³ Pp. 61, 62.

bounds as a new would.'¹ But rumour has many faces, and next he was assured by Guthrie that the 'Bill anent the Gouvernement' was coming before the House, 'but had left out the clause anent House of Lords, or making the gouvernement hereditarye.'² All doubts, however, were laid aside when, coming from Greenwich in the afternoon of February 23, he heard of the reading of Sir Christopher Pack's *Remonstrance*, tending to the settlement of the Nation, and of Liberty and Property, being passed by a vote of 144 against 54. Cromwell was to be asked to take on himself the title of King and to create a House of Lords of seventy members to be chosen by himself.³

The effect of the news on the Protesters' commissioners was to discourage them. Guthrie 'was for no mor application nor giving in of instructions seeing this new chaynge maid many alterations, but to goe al home.' Gillespie 'was also for going hom but to leave som to tyme right the giving in the instructions.' Together they discussed the question of union with their brethren 'but brak in peeces in heate and contest.'⁴ Wariston is silent about his attitude. It may have been that he saw all the hopes of his London visit fall to the ground, the Registership fade out. A few days later he received a letter from Rutherford, 'importing his forgetfulnesse of speaking to me about my tairking my place, and his thinking if whyl I am commissioned I taik a place it would[wound] many; and bidding me byde Gods tyme and keepe be our instructions.'⁵ Kindly as were Rutherford's words, Wariston perceived in them a warning, and he concluded whence the occasion of the letter arose. 'This I remember perfytly of M. S. R[utherford] speaking that to me, and that I think M. J. G[uthrie's] letter has drawen out this letter

¹ P. 63.² P. 64.³ P. 65 and n.⁴ P. 67.⁵ P. 69.

from him.'¹ With bitterness he thought of the ruin to himself and to his wife and family should the commission now be dissolved.

In the meantime Parliament continued to debate the various articles of the *Remonstrance*. On March 3, power was voted to the Protector to name his successor. The little company of Scots had risen from dinner when the news came to them, and at supper they spoke together of this great alteration from the former Instrument.² Guthrie said, 'Who knowes but the Protector maye nayme W[ariston] his successor?' One imagines a laugh go round, but laughter had no place with Wariston, in whom the sense of humour was lacking. He took the incident to bed with him, remembering that Guthrie in the passion of their quarrel in its beginning had taunted him with having dreams of the Protectorship. He thought now that he was being jeered at; but the arrow had found a sure mark. 'This troubled me in my bed, and I begged of the Lord to lead me in plain, safe, clean, clear wayes free of mis-belief or unbelief. . . .'³

Wariston had heard from Major Strange of 'the Protectors long harangue to the officers' on February 28.⁴ On March 4, he learned more of it from Gillespie, and the *Diary* suggests some interesting matters that have not been included in the printed fragment⁵; such as that when in Scotland in 1648 Cromwell shewed 'that he was not agaynst monarchye; that he beleived God would curse him and leave him no lyfe to goe his owne lenth if he should give up the good interest and the godly unto the hand of the sprit of the nation and unto the cavaleer

¹ P. 69. It would appear that Rutherford sent the letter to Lady Wariston for transmission to her husband. Cf. her letter to Wariston in Laing MSS., i. 306.

² P. 69 n. 4.

³ P. 70.

⁴ P. 68.

⁵ Stainers' *Speeches* of O.C., pp. 261-264 and elsewhere.

pairty; but he saw the necessitye of a balance and a necessitye of an union of many that had fallen off on this account and upon that, by dissatisfaction; and he condemned the rigid spirit that was in the Anabaptists heir and was in our Scots presbyterye when it was inteir, to lett non of a different opinion, tho good men, live asyde them; that he thought our debaytes to no use, and that he should think with som of the Counsel upon our whol busines and caive his respects to the cause of God which he knew was the tendencye of our busines. . . .'¹ That Cromwell should bring in the Protesters' commission in a speech to the English officers seems out of place, yet his reference to English Anabaptists and Scots Presbyterians might very well lead up to it. It is true that some months later the Protector appointed a committee to deal with the dispute.²

On March 5, the Parliament continuing the debate on the *Remonstrance* voted that future parliaments should consist of two Houses.³ Cromwell himself had declared to the officers the necessity of a second House, to be 'a check or balancing power,' otherwise what had happened to James Naylor might as easily happen to one of them.⁴ He had made it clear that the Parliament's cruel sentence on that unfortunate man, 'wholly without us,' was distasteful to him.⁵ Guthrie brought the news of the vote to Wariston, 'withal of a great mans telling him that I was to be naymed one of thes to serve for Scotland' in the new House of Lords.⁶ It would be a step to power which he craved, but there was still the Registership—

¹ Pp. 70, 71. The reference to monarchy asserted by Cromwell in Scotland in 1648 may be that in Blair's *Life* (Wod. Soc.), p. 210.

² P. 92. Cf. *Consultations*, ii. 49.

³ *C.J.*, vii. 498.

⁴ *Burton Diary*, i. 384.

⁵ *Ibid.*, p. 370 n.

⁶ P. 71.

what was the Protector's mind about that? If he could meet the Protector——. 'I bad Major Strange tell my Lord Protector I desyred to speak with him about our publik busines.'¹ In the afternoon he went to the Tower where the registers lay. 'It maid my heart seak to see them, espeyaly ane floore lying full of the papers lyk a great heape of dung. . . .' No meeting then with Cromwell is recorded. The Protector had weightier matters in hand than the public business of the Protesters, and Wariston is informed on the ninth of March that 'four or fyve ministers' have been deputed to confer with them. Worse news, however, was to meet him on that day. 'I heard at desner of the Houses vote that al Scotsmen are capable of trust who haive lived peaceably since 1652. and therby hes shewed their good affection to the Gouverment. . . . Heir I saw the one half of our desyres and a godly magistracye cutt off. . . .'² For the Protesters instructions to their commissioners included the revival of the Act of Classes, 'to the end the places of civill power should be in the hands of their party.' Sharp, jubilant for the vote, jeeringly asked Wariston when they were going home!³

Everything seemed to be going wrong with the Protesters' business. They were summoned to meet in the Council chamber, and for a moment Wariston took heart again. But the business was to deal with a petition sent in by Guthrie to have a Resolutioner minister in Stirling removed and his place given to a nominee of the Protesters, and, as it happened, when the matter came before a number of the Council Wariston was absent. On Sir Gilbert Pickering asking where he was, 'Guthrie answered smileinglie that

¹ P. 71.

² Pp. 72, 73. March 1, 1652, being fixed as the date possibly had relation to the Tender.

³ Baillie, iii. 354.

he had that day taken physic !' ¹ To the delight of Sharp, Guthrie and his friends were strongly censured by Lord Broghill who defended the Resolutioner ministers ; ' Mr. Guthrie,' he said, ' was the greatest enemye to the Gouvernement.' ² Notwithstanding his rebuff and the failure of his petition, Guthrie remained the buoyant man he was. It is pleasant to find him a few days later going off for golf, ' but,' writes Wariston who mentions it, ' I could not doe it.' Instead he continued to brood over his ' place ' and decided (for if the commission were to dissolve and its members return to Scotland he had lost his time) to ' cast the lot ' for direction about the Clerk-Registership, whether he should now use means to obtain it, or not. The matter was one of great complexity. First, the lot must be cast to know if the subject were a proper one ; if the answer ' wer affirmative then to advyse about it and preparations to it in the casting of the 2d. lott ; if it wer negative how to construct it or to advyse about it by uther wayes and meanes.' On the other hand, should his enquiry by the lot be to ' use means to prevent the disposing of that place to uthers, as to Swynton . . .' should the answer be negative, ' to use the means to prevent til I see how my debt maye be payed.' He decided to cast the first lot thus, ' Shal I speak to the Deputye to prevent the disposing of Clerk Register til I be payed or secured of my debt ? ' The answer was negative ; ' and so I thought according to my previous interpretation of the negative I might use the means to prevent uthers getting of them.' Should the lot fall against this, then—' if it wer offered me and layd at my doore, that I might ask whither to accept or not.' Twice during his proceedings he was interrupted by callers, but, privacy being restored, ' I cast the first lott, whither to cast the lott, and it being

¹ *Consultations*, ii. 24.

² P. 74.

No, negative, according to my previously written interpretation. . . . I might use means for Clerk Register.' ¹ Puzzling as it all seems, and not without suspicion of playing fast and loose, it is evident that he obtained the answer he wanted.

It would appear that for a while, acting on the good counsel of certain friends, Wariston had abstained from this mechanical method of ascertaining the Divine will; yet now, with the memory of their advice present in his memory, ² he returned to the practice, and as time went on he continued its use, often in order to pretend a sanction to acts which his conscience condemned. Dickson was not off the mark when (as Lady Wariston wrote to her husband) ³ he characterised Wariston as 'a deluded man'; but years of poverty, anxiety, suppression, had left their mark on him, and while his sagacious mind remained acute his will had weakened; ill health had made of him a man irritable, suspicious, censorious, having few friendships and, to his own mind, many enemies.

On one of those earlier February days when rumour was busy about coming changes in the State, it happened that Wariston, slipping into Guthrie's chamber, found a copy of Rutherford's *Lex, Rex* open on his table at a chapter with the significant motto, *This will be the manner of the King that shall reign over you.* ⁴ It is equally significant that on March 26, the day on which the *Humble Petition and Advice*, 'engrossed on vellum,' was ready for presentation to the Protector, there should have been published a re-issue of *Lex, Rex* with the new title, *A Treatise of Civil Polity*; wherein, if he cared, Cromwell might read the meaning of Kingship. ⁵

¹ Pp. 74, 75.

² P. 74.

³ P. 64.

⁴ P. 64—I Sam. viii. 11.

⁵ P. 64 n. For Cromwell's arguments against taking the name of King, see Stainer's *Cromwell's Speeches*, pp. 264 *et seq.* All else but the name he assumed.

Of greater consequence to the Protesters than arguments about Kingship was the loosening of the bonds by which the Scots Act of Classes had enslaved the friends of the *Engagement*. They drew a petition, not without wrangling among themselves,¹ to be presented to the Protector, in which they gave 'reasons why advisers, aiders and abettors of the warr 1648, against the Parliament of England should be excludit from trust, as well as the invaders thereof, in the 4 and 13 article of the Bill.'² Cromwell is reminded that the Act of Classes which debarred from citizenship not only the actual invaders of England in 1648 but, in varying degrees, all who favoured the *Engagement* although not actively taking part, was based on his own demand for future security. He is told also of the distinction made by himself in 1650 between Engagers and those who protested against them³; and it is shown that if all 'be not excluded the members for Scotland for the Parliament shall only be of the malignant stamp . . . and being in the magistracy of Scotland and so having the executive power of the laws in borrowes and counties, they shall discourage a godly ministrie and people,' and so on. The framer of the petition was Wariston, and he found it no easy task to set down as a coherent whole the diverse demands of his friends; 'The Lord knows what raging and wryting and solliciting I susteained in that busynes, and with what faynting, wearying, distrusting and despayring, somtymes giving it quyte over and uther tymes using al the meanes and praying to God to haive a care of it as farre as it concerned Him in His glorye and world and people in their weal-

¹ P. 73. Gillespie and Guthrie with 'rooted jealousye' each 'suspecting every word the uther spak.'

² *Consultations*, ii. 39-41.

³ *Declaration of the Army*, 1650, addressed to 'all that are saints and partakers of the Faith of God's elect in Scotland.'

fayre, and would weaken the hearts and hands of His adversaries in Scotland.' ¹

There was a day when Cromwell met the Parliament's committee in the matter of the *Petition and Advice* and addressed them with many words, not once debating the question of Kingship, the burden of most of his speeches then. The Parliament's vote, he told them, permitted him to discuss with them the articles of the document; 'I have a paper here,' he said, 'to offer you upon that account, and truly I must needs say and think that in such a case as this is, in so new a work and so strange a work as this is that is before you, it will not be thought ill of.' At once he proceeded to mention the matter of the franchise in Scotland. 'You would not exclude those that were under Duke Hamilton in that invasion because it hath been said to you, perhaps, that if you exclude all those you shall have no members from Scotland. I hope there may be persons of that nation that will be ready to give a better testimony of their country than to admit of that argument; and I hope it is none.' Allowing for the inclusion of aiders of the *Engagement* who have lived peaceably and quietly, 'why, for diverse years they have not been willing to do other: they have not had an easy possibility to do otherwise, to live unquietly; though, perhaps, [they] have been the same men, many of them [that have borne arms against us, and] though I know many of them are good men, worthy men.' And he promised to offer to them an amendment to the Article.² The amendment antedated the qualification for citizenship to 1648 in place of March 1, 1652,³ thereby accepting the Protesters' petition.

On June 15, the proviso was debated in the Parliament.

¹ P. 83.

² Stainer, pp. 333, 334.

³ *The Humble Additional and Explanatory Petition and Advice* (26 June 1657), and Gardiner's *Constitutional Documents*, p. 346.

Feeling against it was strong. Disbrowe told the House that if that additional clause were put in 'it will exclude all that are fit to serve you, unless it be some ministers. . . .' Dr. Clarges would have the original clause stand. As to the Kirk party having protested against the *Engagement*, 'there was no such thing as a protestation. The dissension between Argyle and Hamilton's faction was the cause of all, and it was more to support Argyle's lust and ambition than out of any godliness . . . Argyle is a crafty man.'¹ Others followed, and when the House divided the proviso was carried by 55 votes against 42.² Wariston and Gillespie had been early at the House, and failing to obtain word with either Thurloe or Fleetwood, Wariston had there written a letter to Fleetwood enclosing the amendment. News of the division came to the Protesters at dinner. 'When the particular question was stated wee caryed it,' says Wariston, 'and the clause of debarring thes that was debarred be the Parliament 1649 putt in, which is a direct repealing the Act of Stirling and re-establishing the Act of Classes, 1649, and so on the mater determining the question of the publik resolutions to the honor of God and encouragment of good people, and discouragment of the malignant partye.' But Guthrie hearing of Dr. Clarges's outburst 'wished their wes no trueth at the bottom of it, and [said] this would seclude sundry honest men that had been on the *Ingagement* and wes secluded in 1649.'³

It was now Sharp's turn to think of going home. If the proviso came to be enforced on Scotland the Resolutioners would have no power in Kirk or State. There was still hope, however, that at its final reading it might either be thrown out or modified. Accordingly he prepared a new proviso and won for it the approval of such friends as

¹ Burton, ii. 249-251.

² P. 81. Cf. *C. J.*, vii. 557.

³ Pp. 81, 82 and *n.*

Whitelocke, Thurloe and Col. Jones, 'it is so reasonable,' they said, 'it cannot be refused,' and they promised that one of them should move it in the House.¹ His proviso, Sharp explains when writing to Edinburgh, 'containeth the excepting [from the amended article] of all such who have been imployed or authorized by the Council or Commander-in-chief, and such also who are of a blameless and godly conversation.'²

When, therefore, on June 25 the Additional and Explanatory Petition and Advice came up for the third reading, Thurloe moved the addition of the clause, 'or such persons as have been immediately employed by his Highness Council in Scotland being of good conversation.' Having passed the first reading it was moved 'that it be read a second time.' On a division the motion was lost by 66 to 62 votes.³ 'And so it was dashed,' wrote Sharp, 'and the proviso of exclusions standeth as it was ingrossed in the Bill. . . . Verily I find that my Lord Broghills absence by his gowt, of which he is not yit quit rid, hath lost that matter to us.'⁴ Nevertheless Sharp's friends in the House had argued long and well for the modified proviso, none with greater force than Disbrowe (who knew Scotland). 'The difference in Scotland,' he said, 'was but only about the Argyle and Hamilton families, and not out of any affection to you. The Hamilton party were the looser sort, yet some godly men were drawn in. . . . The truth is they were all a mass of Cavaliers and unless out of this lump we can pick the best——. If you set one of this party on horseback, they will make work for you and raise distempers . . . this very party that are pleaded for [the Protesters] were those that fetched in Charles Stuart, your grand enemy. This party will not come in to you yet, but preach against those that come in to you and excom-

¹ *Consultations*, ii. 42.

² *Ibid.*

³ *C.J.*, vii. 575.

⁴ *Consultations*, ii. 43.

municate them. They refused the magistrates of Edinburgh from the sacrament for three years; and some durst not stir out for a year for fear of being knocked on the head for complying with you.' ¹

Wariston's exultation about the vote of June 15 was somewhat damped by Fleetwood, who told him 'his feare of new opposition in the House to our busines at the 3d reading.' ² For one thing he was grateful, Broghill had been laid aside for three weeks 'by the goutt, or els he had stopped both our publik and privat busines.' ³ On June 25, after dinner, came one from Fleetwood asking for him. It was to hear of Thurloe's motion. 'This excoëdinglie troubled me and maid me . . . to run to the House and speak with Lord Tuedal and S[ir] Ja. Macdowall, both whom I found drawen asyde by Mr. Sharpe and Mr. Desborough to my discouragment.' ⁴ But, as it happened, Tweeddale had second thoughts after Sharp's apparent winning him, 'when it came to the vote he was against the proviso. . . . I told him,' says Sharp bitterly, 'he might misse his end, which for all his fawning he is like to doe.' ⁵ And when at length the result of the division became known, 'al that is within me,' wrote Wariston, 'blisseth the Lord that hes now tuyse rubbed shayme on thes Publik Resolutions . . . and hes now by a second sentence *in foro contradictoria* established the thing and prevented the Counsels adding that clause which the Parliament hes expresly rejected.' Three weeks before, he had written in his *Diary*, 'I thought . . . if the Lord would blisse in my hand the diligence used to gett the clause amended about our Scots malignants I would see som use of Gods calling me heir.' ⁶

On the day after his signal triumph Wariston received letters from home. The vote of June 15 was known in

¹ Burton, ii. 307, 308.

² P. 85.

³ P. 84.

⁴ P. 86.

⁵ *Consultations*, ii. 44.

⁶ P. 76.

Scotland, and Lady Wariston wrote of the 'raging of the people' against him for it. His daughters wrote that the people were 'laying asyde hoopes' of the Protesters' commission and their business in London.¹ Guthrie (as we have seen) had shaken his head gravely when he heard of the Englishmen's contention that both parties in Scotland were alike culpable for the Engagement, and 'wished ther was no trueth' in it. Indeed, the victory was won rather through the indifference of the English members (who, having no interest in Scots affairs, did not vote) than because of any justice in the proviso. Sharp, writing to Baillie, advised taking little notice of the business: 'Were you heir at the source of effaires you would see that the Protestors and ther abettors have not such cause to boast and bragg as they doe. . . . Doe not think that our necks shall be put under the yোক of these men.'² If there was boasting it was on Wariston's part, as the *Diary* shows. Gillespie, eager as he had been about the proviso, wrote a letter to Dickson and Douglas in no boastful spirit urging peace and a willingness for a re-consideration of the overtures of both parties in the last conference. It is a pity that the answer was somewhat chilling, 'If peace be seriously minded, we for our parts, with concurrence of those who have joint interest, are ready cordially to entertain motions for peace and to embrace an union on safe terms.'³ To Sharp, who had the charge of delivering the letter, its terms were altogether what he desired. He wrote: 'Your letter to Gillespy was delivered this day. It was just according to my mind, though I think it shall not be according to his.'⁴

During the time of the Parliament's perfecting the *Petition and Advice* Cromwell had leisure to take into his consideration the Clerk-Registership of Scotland. He

¹ P. 88.

² *Letters*, iii. 342.

³ *Consultations*, ii. 44-46.

⁴ *Ibid.*, p. 65.

discussed with members of his Council the several Scottish offices, and Wariston's name was mentioned for the Registers, with, however, the condition that the Clerkship would be with a salary only and without 'power to nominate deputes and to receive the benefitt.'¹ News of this was brought to Wariston by Gillespie, who urged acceptance of the new condition. 'This jumbled, plaiged, troubled me exceedingly as turning the place voyde of its trust and then its benefit to a pension. I told him,' Wariston writes, 'my resolution not to sell thes places agayn and my loathnesse to chaynge or wrong the place; and that I desyred rayther to haive my debt secured and 400 pension be year, and not to medle in places so much tossed by the English and controverted by our awen.'² He decided he would himself see Cromwell and ask him 'to putt it in a way of consideration.' By the aid of Fleetwood he obtained audience. 'I told him my three rights—of 3000 pound sterling, of Clerk Registers place, and 400 pound sterling. I told him my present condition. He acknowledged the debt was deu and sayd I had been long creuel to my self, my wyfe and children'; and then, moved by the Protector's sympathy, when he was asked if he were 'cleir and free to serve and taik imployments,' he assented, if it were 'in things lawful and conduceable to the service of God and His people, and his Highnesse therin.'³

If thus Wariston met the great crisis in his life, it was not entirely the emotion of the moment that forced his surrender; he had already fortified himself against the arguments for adhering to those principles of non-compliance which for years past he had insisted on to others, and to himself. His was still the acute, methodical mind which long before had drawn 'reasons' against surrendering the Covenant; 'reasons' for holding a General

¹ P. 76.² P. 76.³ Pp. 77, 78.

Assembly with or without the Royal sanction ; ' reasons ' for great national decisions ; and later for party decisions ; and now for his own. And so we find at the end of this note-book, but with the date June 7, three days before his interview with Cromwell, some jottings ' about C[lerk] R[egistership]. First, since the Protector's Government has now been settled by Act of Parliament and consent of the nation, it is ' als lawful to tak places from him as from King James . . . *Reddite Cæsari quæ Cæsaris*, give to thy King or Emperor (whom yee question for usurpation) the things that belongs to a King. . . . ' Second, ' I see not mens being useful to their generation by lying asyde upon discontent as by indeavouring in every capacity what they can.' Third, ' Is not Cr[omwell] without the Malig-nants better nor Ch[arles] with them ? which is the real state of the question. . . . ' ¹

Below these reasons there is a suggestive memorandum, ' Mr. Creu told me of my Lord Saint Jhon having many clerks under him and his getting latelie great soumes for their entries, as 8000 pound for one place within the 12 moneths.'

Not at once, however, was Cromwell to give him the satisfaction he hoped for. He accepted Wariston's petition for his place, ' which he promised to think upon,' with the remark that some of the Council were ' stieking ' on the Register's right to nominate his clerks.² But if he were left in doubt during their interview about the Protector's intention, he was speedily reassured by Fleetwood, who came to him and told of the ' respect and affection ' with which he was regarded, and suggested that Wariston should ' draw the paper ' ³—in other words, should prepare the deed for signature.

Just then, when the prospect of restoration to his place was brightest, Wariston received a visit from Guthrie,

¹ P. 91.

² P. 78.

³ P. 78.

come to tell him of his going home and his resolve notwithstanding their differences to remain his friend ; and he handed to him ' a paper of his reasons agaynst the taiking of places.' Bitterly, Wariston asked why he waited till now with these, since ' yesterday ' he had declared himself free to serve in his place. With much misgiving he gave the paper to Gillespie, who, although ' troubled at it,' assured him he ' would mak his best use of it.'¹ Evidently he went with it to Cromwell and the whole matter of the Clerk-Registership was discussed again, Fleetwood being with them also to plead Wariston's claim. Cromwell still hesitated ; there was that ' busines of the clerks nomination by the Clerk-Register.' He would first speak with Lambert and Broghill about it.

It is possible to assume from Wariston's disjointed notes that Cromwell sent for Guthrie intending to argue with him about his reasons against taking employment, and that Guthrie turned him back to 1650 and the Covenant broken by the English invasion of Scotland. Not for the first time did Cromwell find in Guthrie ' the little man who would not bow ' ; he answered him ' smoothly,' even humbly (as Cromwell could), that ' obligations and promissorye oaths wer " if God will," and with reservation of Providence, and not obliging in chaynging exigencies of providence ' ; some things in the Covenant were conditional.² When Guthrie told Wariston of the passage it was with no sense of defeat on his part.

The news that Cromwell intended to consult with Broghill troubled Wariston. ' The Lord that hes maid the Heman that vexed and oppressed His interest and freinds in Scotland sensiblye to fall, goe on with it til Thou free us of his yোক.'³ When, however, he heard of Broghill's return to the Court he was minded to seek his support.

¹ P. 79.² P. 80.³ P. 80.

It was a question for the lot, and the answer was affirmative, 'I went therafter and saw my Lord Brochil and told him I was to speak to the Counsel about my debt. He kepted faire and afarre of.'¹ The coolness of his reception promised no support, and when a few days later he knew that his business was to come before the Council, he prayed, 'The Lord free Thy people in Scotland from Lord Brochil and keepe him out of the Counsel heir. Let him rayther fall off his hoopes and faile of his expectations befor the prayers of Thy people.'² Next day he was summoned hastily by Fleetwood. 'The Deputye told me that the busines would be docn if I agreed to one clause that was added, of being subject to his Highnesse and his Counsel heir their regulation of the fees.' With almost a touch of lightness that came from relief, 'I told him I was subject to them howsoever and was contented with the clause.' That night, as directed by Fleetwood, he went to Thurloe's house, where he found Gillespie and the appointment 'subscriyved and sealed, in his pocket.' The next day, 'I heard of M. Desboroughs confidence that my busines would be stopped, and then of his seaknesse consumptionlyk. Lord forbid that I rejoyced in any bodyes evil, but I would think it a remarkable mercye to free the godlie in Scotland from the yoak of my Lord Brochil and his band.'³ Very simply, and very kindly, his old perceptor, Robert Baillie, wrote: 'My Lord Waristouns domestic straits made him content, contrarie to his former resolutions, to embrace his prior place of Register from his Highness.'⁴

The note-book which bears Wariston's story from July 13 to September 8, 1657, is described by its writer as 'a sad book, and this August a sad moneth to me.'⁵ The Protesters' business has been at a standstill; Guthrie

¹ P. 89. ² P. 90. ³ Pp. 90, 91. ⁴ *Letters*, iii. 352. ⁵ P. 97.

has gone home; Lambert, their greatest advocate with the Protector, has been disgraced¹; Gillespie, Simpson and Wariston continued to importune the Protector and the Council for a settlement of their demands, until for very weariness of them they appointed an 'extrinsek comittee' to hear them and report. The committee was composed of fourteen members, seven of whom were ministers, and of these four were Independents and three Presbyterians. Sharp reckoned that of the laymen four were friendly to him, but he had no enthusiasm for the new order; nor for the committee 'whereof the *major pars* are Independents and the rest are mongrell Presbyterians.'² He regarded it as a subtle movement by Gillespie 'to gain some credit to himself and associats, and seeme to overture for peace when he did not mind it.'³ When Thurloe, endeavouring to appease him, said that the appointment of the committee was by the Protector in the hope to bring about union, he declared that while he had been willing to debate with the Protesters before Cromwell 'for clearing matters of fact,' he refused to 'commune' with them 'in reference to Church matters'; they were men under censure of the Kirk, 'prejudiced persons, and so incompetent to give any just representation of our differences.'⁴ As for union their *proviso* was sufficient to show the reality of that!

Nevertheless Sharp attended the sessions of the committee and wrote to his friends in Edinburgh at great length of all that passed.⁵ Wariston, on the other hand, has but few notes about the debates, being, as Sharp challenged him, too much taken up with his private affairs⁶; for Wariston, pledged now to be the Protector's servant in the State, made free of the new friendship.

¹ Carlyle's *Cromwell* (ed. Lomas), iii. 494.

² *Ibid.*, p. 51.

³ *Ibid.*, pp. 54 *et seq.*

⁴ *Consultations*, ii. 50.

⁵ *Ibid.*, p. 52.

⁶ *Ibid.*, p. 86.

He tells of a conversation with Cromwell when Scots affairs and Scotsmen were discussed with possible appointments in Scotland. So intimate was their talk that the Protector suggested that Wariston might 'give him from tyme to tyme ful information of maters and of persons their cariages in Scotland,' adding with meaning that 'it should not meet me agayn.'¹ On another occasion Wariston coming to Hampton Court found the Protector and his wife 'at their musik, yet my Lord seing me caused sett-in a chair to me and chalenged me for not coming in befor desner and took me bye the hand very kyndlie.'² But Cromwell in those days was a man of uncertain moods, and Wariston tells that on one day he got from him no more than 'a salute' and his dinner, with a marked avoidance of conversation; while on another occasion his advances were met with 'an evil ansuer that he had not the leasure.'³

As the committee appointed to hear the Protesters' claims and Sharp's answers continued its sessions it became evident that it, too, was divided, and there appeared the strange paradox of English Independents supporting the Protesters, who were rigid Presbyterians. One of them, challenged by a friend of Sharp's on the committee, replied, but hesitatingly, that 'he thought the Remonstrators professed to be for Presbyterian government as the Long Parliament was for the King!'⁴ When the time came for the committee to report to the Council, a paper containing certain Proposals, or Resolves, made by the Protesters and 'certified' by Owen and his Independent brethren⁵ was submitted, while the report of the Presbyterian members contained a criticism of the Proposals and shewed that to give effect to them would not only put Scotland at the mercy, or under the domination,

¹ P. 93.² P. 94.³ P. 97.⁴ *Consultations*, ii. 118.⁵ *Ibid.*, p. 98.

of the Protesters, but would render still wider the breach between the parties.¹ In the end, the Council having considered the respective papers, probably voiced the English mind about the dispute when they advised the disputants to return home, forget their differences, and together set about the reformation of abuses in the Kirk.

It was now that Wariston, not damped by previous slights, secured an interview with the Protector. He found him 'gruff and sour,' a disposition which he thought might be due to news from Scotland, the Scots post having arrived just before he got access²; he suspected possible objections by the Council there to his appointment to the Session and Exchequer, which he had claimed as belonging to the Clerk-Registership. Cromwell, however, began about the Kirk business. Allowing that the Protesters did contend for the power of godliness and their brethren for the form, 'he thought the course taken not indifferent nor healing but wydening differences.' Both must come under the oversight of the Council, even although that were called by them 'a depending of the Church on the State, which in sum things should be.' Wariston here must have interpolated somewhat about the Council being composed of 'godly men,' for Cromwell said sharply that 'he would look to the constitution of the Counsel!' It had been in his mind (he said) to send some 'moderat ministers' from England 'to aprove and eject ministers and agree differences.' Why, he asked, in the Protesters' list of names, had they omitted those of Douglas and Dickson? Wariston assured him that the Protesters had named no names—their proposal was for joint committees to be formed of both parties. Alarmed to find the changed attitude of the Protector, he urged him 'to think on the

¹ *Consultations*, ii. pp. 108-113

² P. 99.

prejudice to their interests and freinds of Christ in that land from so sad a disapoyntment after such promising expressions.' ¹ But the reminder had no force now; the influence of Broghill and Thurloe on behalf of Sharp had had its effect on Cromwell, and here was a letter from Monk in Scotland (it may have been in the Scots post of that day) 'bearing,' as Thurloe told Sharp 'his representation of the present state of your Church and much in favour of your partie. When I had sayed (Sharp continued in repeating his conversation) "in favour of us who stand for our established church government" ? he answered "yea," and that the letter came very opportunely.' ²

Vainly did Wariston now attempt to shift the conversation to his own affairs; about them the Protector would advise with the Council and speak to the Secretary. 'I was both heavy and glayd after this parting,' Wariston wrote, 'heavy that I fand my Lords temper alienated from what it was to us, and glayd that I got my leave to goe hom.' ³ So far as his mission for the Protesters was concerned it had ended in failure; only for himself had he succeeded, and his success brought him no happiness. So marked was his despondency at that time that Gillespie warned him that it would be the ruin both of himself and of his friends. ⁴ The ruin of the Protesters' commission was, indeed, accomplished. 'The Council heir,' Sir Charles Wolseley said to Sharp, 'would not alter what had been done by my Lord Broghill.' In his letter Sharp continues: 'Then he sayed to me that Wariestoun had been taking his leive of him and was going for Scotland . . . so that we shall not more be troubled with them.' ⁵

In the end of September 'in som payne and seaknesse

¹ P. 99.

² *Consultations*, ii. 126.

³ P. 99.

⁴ P. 100.

⁵ *Consultations*, ii. 124.

and confusion' Wariston set about the preparations for his journey home. He had received from Thurloe, according to Cromwell's promise, the 'Commissions for Exchequer and Session but without salaries.'¹ A month earlier there had come to him a too candid letter from his wife, 'sad enough, yet pressing me to courage.' Words she wrote kept echoing in his mind. As he brooded over them, repeating them again and again, he set them down in his *Diary*: 'I am the infamy of the people, contempt of the great, and reproach and proverb amongst our nation.'² That was the verdict of his countrymen, and it is to a Scotland having such thoughts of him that he must now return, the friend and servant of the English Commonwealth.

Wariston arrived in Scotland in the early part of October. There is no record of the day, and there is no record of his life in Edinburgh for eight months to come. From the diarist, Nicoll, however, we learn of his activities. Nicoll was no friend to Wariston and his jibes must not be taken too literally, but it is certain that the various offices which were under the Clerk-Register's control underwent a 'purging'; clerks were dismissed and their places given to others, friends of Wariston's or such men as he might trust; even then, on their appointment they had to find cautioners for their honest dealing. Prices of decreits were increased beyond what a people ground by poverty could afford to pay.³ Wariston, it would appear, 'resented' some advances and kept a watchful eye on those who sought to benefit by them, but he could do little to amend them.⁴ There is a note at the end of a later diary which seems to show the arguments he was met with by the clerks, 'Our pryces goeth not according to worth but paynes, and

¹ P. 100.

² P. 97.

³ Nicoll's *Diary*, pp. 203, 204, 207, 208, 213.

⁴ Pp. 103, 104.

seales heighten the worth. . . . At the advysing of every cause the Clerks got ay tuo or thre dolars besyds the pryce of the decret.'¹ Nicoll's accusations may have had a real foundation, but it may be doubted that Wariston, mindful of his promises to Cromwell, was wholly responsible.

Altogether in those days, with money coming in, the Wariston household was not without a measure of comfort and happiness. At the end of a year at home Wariston was able to write in his *Diary*: 'The Lord be blissed for His granting me this tuel months injoyment of my family after a wearisom 9 moneths absence, and hes restored me to health and strenth, and settled my daughter and sobered my son² and given my wyfe better health, and inabled me mor to my calling, and provyded for my family and preserved my childrein, and brought motions for my daughters to my doore. . . .'³

On September 9, 1658, news of the Protector's death reached Edinburgh, and of his having named Richard, his son, his successor. Wariston writes: 'I heard his last words were, "Richard, mynd the people of God and be tender of them," thryse repeated.'⁴ The following day Richard was proclaimed Protector at Edinburgh, and Wariston was summoned to attend the ceremony. He cast about in his mind for an excuse, 'but being called to it by the Counsel I saw no relevant reason that would beare the weight of my refusing and lossing my calling.'⁵ When it was over Guthrie did not fail to challenge him 'for joyning in the thanksgiving at the proclamation of the Protector,' and to remind him of former papers of his against usurpers.⁶ But Wariston was now the servant of the Commonwealth, and a peer in Cromwell's 'House of Lords.' On December 22

¹ Pp. 105, 106.

² Archibald, whose mental disorder seems to have become less violent.

³ P. 103. ⁴ P. 102.

⁵ P. 102. ⁶ P. 103.

he received the summons to Richard's Parliament to meet on January 27, 1659, and on January 11 he turned his face once more Londonwards; but not before Guthrie had expressed in a letter to him his wonder that he should go to London, and there be willing to take the oath to the new Protector notwithstanding his former covenants and engagements. 'He thought eyther the Lords angel by som stroak would stand in my waye, or it would turne to som snaire to my soule.'¹ Twelve months later, when Wariston's English bubble was about to burst, he remembered Guthrie's letter: 'I thought Mr. Ja. Guthery would think himself a prophet of the ruyne of this Army and of my prejudice by meddling with this people.'²

There is no record of the first three months of Wariston's stay in London. When the *Diary* resumes on April 29 Richard's Parliament has come and gone and Richard himself has finished his experiment in Kingship. The government of England, such as it is, is in the hands of a General Council of Officers whose watchword is the Good Old Cause, a Commonwealth and Free State without King and House of Lords, and Wariston's brief lordliness as a member of the Other House is over. The people of England have begun to clamour for the return of the Long Parliament, which has not sat since Oliver closed its doors in April 1653. The Army, always more able to throw down than to build up a government, agreed to the recall of the members, 'the desires of many good people concurring with ours therein,' and they sent for Speaker Lenthall who, having excused himself sufficiently, according to custom, resumed his old chair. On Saturday, May 7, the doors again opened, but only with difficulty was a quorum obtained, and those of Republican members. Shortly there came to the door twelve or so of the old members secluded

¹ P. 105.² P. 161.

by 'Pride's Purge' in 1648. On attempting to take their seats they were repulsed, and it was ordered that only those members who had attended until April 1653 should be admitted.

Wariston was against the restoration of the Long Parliament for reasons which he gave to Dr. Owen and Fleetwood but which do not appear in the *Diary*. Perhaps, as was said of Lenthall's unwillingness to return, he grudged the loss of his 'new lordship' and his importance as a peer of the Other House. He bemoans the 'rash taking the new style and title of it' to himself 'in sending or receiving of lettres and papers,' and he accuses himself of 'excesse, ryot, pompe, pryde, vaynglorye, rysing of heart, lifting up of sprit, vapping, vantage, boasting, building castles in the aire, dreaming visions of my awen heart.'¹ It was penitence born of defeat; for when he heard of Col. Jones' motion in the House that a Council of State, to consist of twenty-four members, should be appointed, and the Parliament's decision to have twenty-one chosen from the House and ten more from outside,² he began to think how he might be chosen.³ Should he, in the first place, go to Owen and suggest that a Scotsman might be put upon the Council? He cast the lot, and the answer was negative. Instead, therefore, of seeking Owen he wrote a letter to Col. Sydenham about the appointment of such a Council as was in view, telling him to 'remember the security of Gods people lyes mor in qualifications of persons intrusted than [in] forme of gouvernement,'⁴ and this he backed up with certain passages of Scripture. As it happened, the hint was not needed; already Col. Lilburne 'had been speaking with som of the House to nayme som of the ten out of or for Scotland, tho non of us had maid any such motion.'⁵ One thought now possessed his mind, and with

¹ P. 107.² Ludlow, ii. 83.³ P. 110.⁴ P. 111.⁵ P. 111.

whomsoever he chanced to meet he turned the conversation to the choosing of the Councillors. At dinner he spoke of it to Philip Nye, and Nye told him they were 'ballating the naymes . . . which he thought a blind waye and might be contradictory to their qualifications,'—just what Wariston had written to Sydenham. Later in the day he heard that his name and Swynton's were being mentioned, 'they would not heare of Argyles name.'¹

As it chanced, coming from church the next day, he fell in with Argyle. The Marquis assured him that Swynton's name alone was spoken of, and he added maliciously that, of course, Wariston would not 'medle' with English councillors 'becaus of their loosnesse in religion!' Yet, reflected Wariston when writing of the incident, 'I thought he would fayne medle himself.' Meeting with Scobell, once Clerk to the Parliament and now cast off, he spoke of the appointments, but Scobell's news was merely that the House was speaking of a member for Scotland, and named no names. 'I spak to him,' Wariston writes, 'for the Marquis [Argyle] to be the man!' At length the choice fell on Wariston, not, as he tells, by ballot but by the vote of the House.² Later he was to learn from Sir Henry Vane how narrowly his appointment came about: 'S[ir] H. Vayne in privat had told me both of lettres from Scotland agaynst me and suggestions heir, and that it was but by Providence that I was apoynted to be on this Counsel by his coming occasionally in to the Committee when they wer speaking of nominating one Scotsman out of a desseigne to haive Swynton, but som exceptions was taiken against him and so I was naymed and resolved upon. . . .'³ It would seem that one member had objected that Wariston was a spy and a stranger, and others feared his 'long speeches' and his 'pressing uniformity in Church maters.'⁴ The

¹ P. 112.² P. 113.³ Pp. 118, 119.⁴ P. 114.

charge of long speeches was soon to be proved, for when called to take the oath as a member of the Council, he proceeded to state his 'opinion of formes of gouverment as lawful, indifferent, subordinat, conditional, mutable when eyther they proved inconsistent or destructive to the ends, or God by a strong hand of providence chaynged the same.'¹ Having enlarged on these various heads he took the oath. When his three days and as many nights of anxiety awaiting the Parliament's choice were over, he made this entry in his *Diary*: 'The Lord pitye me, I am growen unweal since Saturday morning that this busines took up my mynd.'²

Wariston entered on his new duties with earnest intention to work for the well-being of the three nations, especially for Scotland whose sole representative he was on the Council. He could not help reflecting on the great change that had taken place in his condition. 'Now sitting at Counsel table in Whythal I wounder to see Charles Stewart and Oliver Cromwell their families secluded from it and poor Wariston, a stranger, brought into it without my hand.'³ He was not slow to write to his friends in Scotland of his preferment. Hay of Craignethan tells in his *Diary*⁴ that hearing that 'Wariestoun was made a Counsellor in England' he 'hardlie believed it'; but later when he had opportunity to read some of Wariston's letters (which were many and frequent) he found that he was 'employed in the greatest affairs of State; that he got Mr. Sharp reprieved from being a prisoner; that he and Lambert had resaved all Thirlo his papers, and that Thirlo would scarce put on his hatt in their presence, a change!'⁵ As to the Sharp

¹ Wariston's speech on his taking the oath is given in full in the *Clarke Papers* (iv. 11-15). The editor's conjecture there that it was Wariston's is proved by this entry in the *Diary*, p. 115.

² Pp. 113, 114.

³ P. 116.

⁴ Scottish History Society, First Series, vol. xxxix.

⁵ Hay, pp. 34, 42.

business, it appears that Wariston had obtained his examination by a Committee of the Council on the charge of association with Royalist plotters, and that Sharp had emerged from it still under suspicion and had been ordered to remain in London until further orders. Sharp learned later that the Council would have had him imprisoned but that 'this Warriestoun did oppose, saying it would putt the ministrie and most of Scotland about their eares.'¹ With all those letters home passing from hand to hand, filled as they were with promises of great things to be done for Scotland since 'the busines of the union of the 2 nations and the constitution of the judicatories in Scotland wer remitted to that councell whereof he was a member,'² it is significant to find Lady Wariston with that levelheadedness which was hers rebuking her lord for his 'presumption' in his letters written to Scotland.³

For the matter of union which was exercising both Parliament and Council, Wariston and Argyle together had composed a plan which provided for the mitigation of the assessments, for the setting-up of the Presbyterian order in the Church, and for maintaining Scots law in the State.⁴ Guthrie wrote to Wariston of a scheme of his own which he had propounded to Lambert and Fleetwood, whereby Scotland was to have Home Rule and government by the 'honest party' (something like the government in Church and State in 1649 by the anti-Engagers), and England would have the assurance of the ruling Scots that she would be secure from any danger by Scotland so that an English army of occupation would no longer be required there.⁵ Lambert doubted this; he foresaw under such rule in Scotland a rising of Malignants and the 'good people' forced to fly to England for help.⁶

¹ *Consultations*, ii. 181 *et seq.*, 190.

² Hay, p. 40.

³ P. 118.

⁴ *Consultations*, ii. 185.

⁵ P. 116, with *Consultations*, ii. 185.

⁶ P. 116.

So many programmes and opinions relative to union passed before him that Wariston was in a quandary. Were he to attempt to force the Council to one or other way he would only ruin Scotland by haste; were he, on the other hand, to await events 'they in Scotland wil wounder at delayes as if from my neglect.'¹ He was still in this state of perplexity when he was suddenly appointed to the Chair of the Council in succession to Sir James Harrington. 'Waristoun for a week or two,' Sharp wrote to Douglas, 'is putt into the chayre of the Councill of State that they may be ridd of his multiloquy and impertinent motions (as some say) for the prisedent must not make motions nor debate: be sure, your Remonstrators will be high on this his advancement.'²

Thus came to Wariston the fulfilment of his dreams of greatness. 'I thought it a strainge lyk busines,' he wrote, 'that my Lord Protector Olipher his son is shutt out of the publik counsels of thes nations and the most pairt of them that was Counselors with him, and that I should be brought to sitt in the Counsel and Counsel chamber at Whythall and to sitt in his very chaire and preside in the Counsel. . . . I thought it observable also that the Lord thus preferres me in sight of men.'³ All that remained for him now was disillusionment. It came not all at once; his mercurial nature forced him to alternations of self-assurance and despair, and as the months passed the former became less and less apparent. 'I thought also,' he wrote, 'that this airy, windy, shadowy hour of presiding without real advantage fed but my ph[antasy]. . . .'⁴ He heard that some of the House wondered that he was put in the chair, 'as if they had not an Englishman for it.'⁵ The reason was not far to seek. 'I heard som sayd I had subscryved papers for

¹ P. 116.² *Consultations*, ii. 188.³ P. 117.⁴ P. 122.⁵ P. 123.

them that non in Ingland durst haive doen.' ¹ He was the catspaw of the Council.

That the Council of State had no use for Wariston other than to serve their own ends and to preserve their anonymity, is evident from the manner in which his motions relative to union were either not listened to or were turned aside with contempt. His native shrewdness, his profound knowledge of the laws of Scotland had no chance for expression. 'Pity my simplicity,' he wrote, 'preyed upon by subtilty of uthers'; and he added this aphorism: 'In dealing with nimble, witty, untender men diffidence is necessary to a statesman.' ² He was conscious that his utterance sounded uncouth to English ears. On one occasion Whitelocke took his place at an important meeting with the London City Council 'and made a long harangue to them, which maid me see Gods good hand in keeping me out of the chaire; they would not have understood me, and I could not haive delyvered it weale, and my way of expression would haive been lyable to many exceptions and misconstructions.' ³ What troubled him most was the duty of signing orders and warrants to which he had no mind, ⁴ but the passion to be great among men outweighed his fears, and his English friends continued by their subtlety to prey upon his weakness.

In the meantime his friends in Scotland had begun to despair of his accomplishing anything for their unhappy country. They had come to see that his boasts of great things to be done were merely empty words and they urged him to return home. They regarded him as a ruined man 'for medling with thir people' ⁵; and when it was evident that he had 'no inclination to come hom' they flouted him with the taunt that it was 'becaus of chaires

¹ P. 158.

² P. 127.

³ P. 130.

⁴ Pp. 130, 132.

⁵ P. 124.

and cushions' in England.¹ The matter of the Union still agitated both Council and Parliament, Wariston continuing to oppose its religious toleration for Scotland. His efforts, however, were suddenly countered by the petition of 'sum weill affected persones in and about Edinburgh,' subscribed by over two hundred hands, 'desyryng the abrogation of lawes in Scotland contrary to their liberty of conscience.'² 'I was troubled to heare that the petitioners,' he wrote '... had gotten the thanks of the House, which will mightely provoke them in Scotland'; and, as if he feared a reflection on himself, he added, 'What wil the Lord doe with us in Scotland or with me in particular?'³ But soon other affairs were to occupy the attention of the House, and no more would be heard of the Act of Union.

Sir George Booth's rising in Cheshire, in order, as he maintained, to secure from Parliament the rights of the old secluded members, had been successfully dealt with by Lambert, and it was whispered that on the strength of his victory Lambert was about to make himself Protector. What he did was to attempt to make the Army independent of the Parliament⁴; the first effect was to render the Parliament's supremacy over the Army more decided. Taking the high hand, they voided Fleetwood's commission and placed the power of Commander-in-chief in the hands of seven officers, of whom Fleetwood was but one. 'Many observed,' wrote Wariston, 'that the Parliament was very high and the Airmy very low, and that this Parliament by the waye they took would break this Airmy in peeces be tyme, and keepe them from being fixed in heads and leaders that might disturbe the Parliament.'⁵

Wariston meanwhile was a looker-on. He reflected that

¹ P. 130.

² P. 126, and Nicoll, p. 245.

³ P. 128.

⁴ P. 137.

⁵ P. 138.

as the King was once broken by the Parliament, so yet again the Parliament would be broken by the Army. 'The bottom of the question is, Whither the military or civil powers shal be supreme or subordinat, and whither the sprite of the nation or som select party shal haive the power.'¹ It was a time of division and confusion. The Parliament's appointment of seven officers to take command, and the exclusion of Lambert and his lieutenants brought matters to a head. On October 12, certain well-affected regiments were summoned to protect the House, and next day they occupied its precincts. Lambert with his following approached their leader, and for a moment it seemed as if bloodshed must result.² Then Wariston took a hand: 'I moved the dealing with both partyes to prevent blood, and went between them and got a meeting of the Counsel and the officers at it, and after much debayte the Counsel agreed to send an orдор to both pairtyes to withdrawe their forces back to their quarters. It pleased God so to blisse it as after noon they both obeyed the order and drew off their forces. . . . Both partyes eshuned the taiking of the first blood, and the sojours wer unwilling to yoke one with another; and I think both wer content with the order to withdraw, wherin Salloway and I had greatest hand.'³ History hitherto has not told, or has not known, of Wariston's share in this pacification.

Lambert and his Army officers closed the doors against the Parliament and determined to take the government of the nations into their own hands. Out of the Council they formed a Committee of ten members, quickly to be merged in a Committee of Safety consisting of twenty-three members, and to this Wariston 'was choysen unanimously and not by plurality as S[ir] H. Vayne and Major Salloway was.'⁴ But the Officers had calculated without

¹ P. 140.² Ludlow, ii. 138-140.³ P. 144.⁴ Pp. 147, 148; *Parl. Hist.*, xxii. 2.

Monk. Fleetwood, as was his custom, wrote of the revolution to the General in Scotland, 'a necessity of Providence leading to what hath bin done;' and the Council of Officers, headed by Lambert, followed with a copy of the model of their intended government.¹ Monk had already declared his own attitude in three letters (which were printed), to Fleetwood, Lambert and the Speaker.² He demanded the restoration of the Parliament, failing which by the revolutionaries he would himself enforce it. Wariston thought Monk's attitude very 'jugment-lyk,'³ yet he failed to grasp its significance, for when the Committee of Safety 'resolved on a free letter to General Monk pardoning what is past and threatening if he desist not in tyme coming.'⁴ it was by Wariston's hand that an arrogant letter was sent to Monk in just such terms, and signed 'In the name and by order of the Committee of Safety, Johnston, President.'⁵ With it was enclosed a private letter asking for payment of his arrears to be made by Scotland in terms of an order of the Committee. Monk, answering with much restraint, mentioned that no such order had yet reached him, 'and indeede, if it weere,' he wrote, 'I cannot see how monies can be issued by it, in regard the authority is soe now we neither know of its constitution or power.'⁶ Nor did the usurping government itself know what should be its constitution. Some were for bringing back the *Agreement of the People* of 1648; Wariston for re-swearing the Covenant. 'I had many thoughts about my deuty to presse the renewing of our Covenant with God as my motion and offer. . . . That I am sure is the way of agrement of the people among themselves and with God and to mak us agayn the people of God. . . .'⁷ It is notable that during those months of

¹ *Clarke Papers*, iv. pp. 63, 67, and p. 77 n.

² *Parl. Hist.*, xxii. 4-6.

³ P. 149.

⁴ P. 150.

⁵ *Clarke Papers*, iv. 80, 81

⁶ *Ibid.*, p. 88.

⁷ P. 151; see *ante*, p. xiii.

England's confusion Wariston busied himself with offering advice which, notwithstanding his high office as President, was constantly ignored. The City was demanding a Parliament, although not the Long Parliament again, and at length the Officers realising their inefficiency were ready to set aside their government and revert to a Parliament. 'The Lord help us,' wrote Wariston impatient of their vacillations, 'for this people ar very uncertain and chaynging in their notions and opinions of persons and busines.'¹ There was reason for it; the Council of Officers were beginning to fear for themselves, and Monk was marching to the South. 'I heard,' wrote Wariston, 'that I was lyk to be arreisted for seigning warrands in the nayme of the Committee. The Lord keepe me from skayth and prejudice.'² The Officers were inclined to put the government in the hands of their Committee of Safety, so that they themselves might be safe. 'I found the officers,' says Wariston, 'much confused, devyded and perplexed what to doe; what Parliament to call,'³ whether the Long Parliament or a new Representative. Ludlow proposed that whatever body should be called, 'the essentials of our cause might be clearly stated and declared inviolable by any authority whatsoever,' and that 'a certain number of persons of known integrity' should be appointed to determine any questions that the Parliament might raise. Accordingly a committee of twenty-one members was appointed,⁴ to be known as the Conservators of Liberty, among whom was Wariston. The essentials, or principles, as summed up by Wariston were—no King, no House of Lords, no 'imposition on conscience.'⁵ In this strange galley the covenanted Presbyterian Scot sailed deeper into the dangerous sea of English politics. At that time he dreamed a dream: 'I dreamed one told me and let me see

¹ P. 155.² Pp. 155, 156.³ P. 157.⁴ Ludlow, ii. 172-174.⁵ P. 157.

great watters coming in upon me, and I looked and saw them on the one hand, and I looked about and I saw fyre coming upon me or rounding about me on the uther hand, and I woundred, but was keeped from great feare and astonishment, and I admired that I was not mor affrayed ; and with this I awaked. . . .¹

But the dream was true ; within a week of its warning he wrote: 'This morning I putt away al my papers and lettres out of my house for safetye.'² A day later: 'I begged of the Lord He would not withdraw His counsell from me but tell me whither I should hyde myself somewhear, or not, but abyde in my lodging. . . . I cast the lott and it [was] to hyde myself. . . .'³ So, too, had Fleetwood advised him before yet he saw the danger coming, and Fleetwood was now to stand his friend ; the night before his flight Wariston, through Fleetwood's good offices, received payment of five hundred pounds from the Exchequer, 'to be a provision for me now in my straitte and exigence.'⁴ Of all those whom he had counted his friends in London, this timorous son-in-law of Cromwell's alone remained faithful to him even when with somewhat blunt candour Wariston told him 'the thre faults of his nature—No good friend and no ill foe ; slow to com to a determination and sudenly break it ; and doe things by privat suggestions.'⁵ In his hiding, with leisure to review his friendships, he wrote of Vane, who had at first bestowed a supercilious patronage on him and was himself now in disgrace with the newly restored Parliament, 'I thought [it] was the just hand of God agaynst that man, whos politik, deceiptful, double false waye had ruyned the whol busines, and if he had gotten his will and waye had ruyned al the ordinances of God, and it wil be no greife to good people to see him putt out of power.'⁶ He wrote no less bitterly about the Council

¹ P. 159.² P. 161.³ P. 161.⁴ P. 161.⁵ P. 159.⁶ P. 164.

of Officers: 'Never was their a pack of men seen mor deserted of God and emptyed of witt, sense, reason, comon honesty and moral trustynesse.'¹ He had lost faith in all but himself. Hearing that the Parliament were about to appoint a new Council of State, 'it would be,' he thought, 'a strange and wondrous act if the Lord made thes men yet for al thats past and gon to call me to their counsels.'²

Lady Wariston was now in London and, unlike her husband, free to come and go among the gossips and so able to convey to him news of what was passing. She told him of a letter of General Monk's to the Parliament in a post-script to which the General characterised Wariston as an incendiary, as the cause of the quarrel between Protector and Resolutioner, and 'now sturring up the Remonstrators agaynst the Parliment,' all of which being read in the House raised 'a huffe and a heate' and the demand that his 'place' should be taken from him and given to Dr Clarges. 'And never man spak for me,' he added sadly as he set it down in his *Diary*.³ Nor did she hide from him the judgment of friends in Scotland; and their words, too, he set down in his *Diary*, but what seems to be a penitent confession is rather their condemnation of the man who had forsaken his country to join with its enemies: 'And whereas I thought I was following the call of Gods providence . . . the treuth is I followed the call of providence when it agreed with my humor and pleased my idol and seemed to tend to honor and advantage; but if that same providence had called me to quyte my better places and tak me to meaner places or non at all, I had not so hastily and contentedly followed it. . . .'⁴ When his wife, too, blamed him for his 'medling' with the English Committee, he broke out in bitter railing; she had been a miserable comforter to him in the days of his calamity, he cried; and it is plain that

¹ P. 162.² P. 166.³ P. 167.⁴ P. 167.

she refused to humour him in his wounded pride. Left to himself, he subsided like a spoiled child into self-pity: 'My heart was lyk to break and burst with greif and anguish.'¹

As time went on, and always Monk was drawing nearer, Wariston's danger increased. A warrant was issued for his arrest, and officers were ordered to search for him. With three places of refuge before him he cast the lot. The lot fell on the house of a pewter-maker who lived with his wife and their little girl, the sole survivor of six children. 'I went thither by Gods good hand, tho their wer tuo men standing in the very entree of the passage that looked strangely to know me, and I cam safe to the poulderers house . . . I find everybody is for my reteirment.'²

It was Wariston's habit, as the *Diary* shows, to *write* in the act of thinking, and for some days following his entry into his new lodging the records are scarcely less than the ravings of a distracted man. He cursed England for shedding the blood of Scotland—she would have her hour of retribution. He cursed Vane for his double-dealing at the framing of the Solemn League and Covenant, making it to serve only 'as a politik engyn for a tyme'; he has been instrumental in calling the Parliament again, and it will prove his own ruin and destruction. He cursed the pride of the twice-restored Parliament—it will find Monk a different man from Fleetwood to deal with, Monk who claims to be a Plantaganet 'and so nixt to the Crown,'³ and who may yet make good his claim. The thought of Monk's potential greatness brought to his disordered brain the memory of his own day, when all the nation was subject to his orders and Parliament itself must be called only by his subscription. If for a moment pride filled him, it was quickly dashed when he remembered the Chair to which he owed his power. 'That doolful, sinful, wraythful Chaire to me! woe is me that ever I saw it and sate in it! O it

¹ P. 167.

² P. 169.

³ Pp. 171, 172.

had been better for me I had been sick or fallen that daye I cam from Scotland to England !' . . . ¹

If Wariston ever had the feeling of the common joys of life he is strangely silent about it, but now for a few brief hours the influence of the humble pewterer's home was to awake in him a sort of happiness and simplicity which had long slept. One day, while he sat writing, he was interrupted by the sound of trumpets without for the meeting of the House. Rising from his chair he went to the window and looked out ; there, in the street, were ' boyes and maidens and everybody going to and fro, I thought they had by Gods providence mor liberty nor I . . . ' ² The sight of boys and girls playing in the street of the city moved in him some softer feeling ; he went back to his own boyhood, seeing himself even then proud, arrogant, ambitious, untruthful ; the boy had been father of the man. As he wrote, the call to dinner came, and he went in and sat down with the little family. They talked of the procession to the House, of Monk's entry, ' and, as it wer to shew the vanity of worldynesse I told that in 1643 I had als welcom and glorious an entree by commissioners and coaches from both Houses wherin,' he confesses, ' coaches was an addition ! ' ³ And although he was bankrupt of everything he had striven for or attained, sitting with the pewterer and his wife and their little maid and recounting to them his past glories, he had a taste of happiness if only in the forgetfulness of his present grief. Out of that cheerful atmosphere he returned to his *Diary*, and to the darkness of his spirit. As if ashamed that he should so have unbent he wrote : ' What profit or honor could I haive by telling it to the peuderer and his wyfe, but this shews the strange madnesse of my develish heart, which is lyk the proverb of "Peters wyfe wil never mend. . . ." ' ⁴

Nevertheless the effect of this new association was to

¹ P. 172.

² P. 172.

³ P. 172.

⁴ Pp. 172, 173.

break in some measure the crust that had grown over his better self. When he next traversed the beaten track of his past life he saw in a new light the violence and the cruelty with which in his day he had treated those to whom he was opposed; 'without considering that I might have my tower-and-fall-about.'¹ But the respite was brief. Monk's word was now the law of the Parliament. Lambert and Vane had fallen. Wariston receiving news of passing events under Monk's high hand saw in them 'som confirmation of some selfye designe or interest in the busines,'² and he 'remembered a word in a letter from Scotland, "Better I was off the stage afor som things wer acted on it."'³ His friends in Scotland did not fail to write to him. 'Mr. Ja. Guthrye wrytes his hoope that I now clearly see that God hes farre disapoynted me of al thes good ends I proposed to myself . . . and my awen family by my undertakings with several partyes wherwith many of Christs freinds wer stumbled . . . he jugeth their is mor of the Lords merceye toward me in this present dispensation than in al my former places and preferments. . . . No difference of jugment hath estranged his heart from myn.'⁴ If there was something of the spirit of I-told-you-so in Guthrie's letter, there was nothing but kindness in a letter received from William Chiesley: 'Your Christian freinds heir mynds you and your interests, and hoopes yet for good things.'⁵

From February 14 to March 20, 1660, there is no record in the *Diary*. On March 21 Wariston, apparently having freedom to go in and out again, went to Whitehall, where the Council sat and his petition for his arrears was being considered. While he 'jacked' about the doors hoping to intercept some members whose favour he might gain, his lady approached Monk seeking a hearing for her husband and was met by a gruff refusal: if he were heard 'it would

¹ P. 173.² P. 177.³ P. 177.⁴ P. 177.⁵ P. 177.

goe worse' with him.¹ In the end the Council voted him a pension of six hundred pounds per annum 'until further orders,'² to be paid out of the profits of the Register. Wariston, when he learned of the vote, protested that the Registership and all its emoluments were his own and they had no right to take it from him. He attempted to force himself on Monk, but 'som of the guard pulled me awaye,' and when later he and his wife got access, Lady Wariston presented his petition which Monk read but refused to receive. Wariston, he declared, was a dangerous man; 'al meetings and partyes wherin I medled was broken. . . . My wyfe did abyde behind and spak with his lady. I walked in the roome, and tuo things cam to my mynd—the one that this tyranical mans reigne would not last . . . the uther was that he so kendled when he saw me or heard of my place that he eyther had som response and som feare of my being in any place, or he had som privat desseigne and interest in reference to my place.'³

Three days later Wariston and his wyfe began their journey back to Edinburgh, where they arrived on April 9. He left England the most detested man among those whom he had served; he found himself in Scotland the most hated.⁴ When he thought to renew old friendships he found the past rise up against him. Guthrie, his former friend and associate in the Kirk's controversy, had one last thrust at him: 'When I went in to my studye the first thing I met with in it . . . was my letters which in 1654 and 1656 I had written to M. Ja. Guthery and he had sent back to me agayn to lett me see what I had written to him against places.'⁵ Sir John Chiesley told him of a changed people: ' . . . their was als many now in Scotland agaynst the Covenant as was in it for it in 1643,'⁶ and he warned him to put his papers out of the way lest

¹ P. 178.² P. 179.³ Pp. 179, 180.⁴ Nicoll, p. 279.⁵ P. 180.⁶ P. 180.

they came to be his undoing. Colonel Gilbert Ker wrote sadly of the effect on 'Gods people' of his declining from his former principles; ¹ yet he learned that the hatred and indignation of the people of Scotland against him was not so much for his recent siding with the Commonwealth as for his old 'mints of service in the Covenant and work of reformation, and opposition to the King.'² Robert Burnet, his brother-in-law, told him 'with Christian freedom' that men were speaking of having his life as 'the cause of al the blood in Scotland, author of the Act of Classes, the heightner of the pryces and extortioner of the leiges,' and so on through a list of his vain-glorious dealings in the public life of the nation. 'The Lord knows,' writes Wariston bitterly, 'I deserve it not from my nation, to whom I had a great respect and a great desyre to doe them good and gayne their respect.'³

It was one thing for Wariston in his penitential moods to 'wander from one grave to another'⁴ of his past life, and to declare that selfishness was like a worm at the root of all he accomplished; he had no mind that others should accuse him of that.

With the Restoration and the approach of the King to England came news that 'seven of the [late] Kings tryers wer excepted from pardon, that al the rest wer to be seized on by the serjant and their goods and estats confiscated to the Kings Majesty . . . Lord be blissed,' adds Wariston, 'their is nothing as yet against me.'⁵ Nearly two months passed before the blow fell on him; of those two months there is no record, but a fragment dated

¹ P. 181.

² P. 181.

³ P. 183.

⁴ The phrase is Rutherford's, applied to the man who is forever bewailing past sins, and, as the same writer says elsewhere, 'making himself sick of old diseases'; and remembering Wariston's early services to Scotland and the ignoble part he played later, we may find in Rutherford again the description of such a life, 'a grave with a few flowers growing upon it.'

⁵ Pp. 183, 184.

September 10, 1660, tells of his fleeing from the warrant for his arrest and going into hiding in Scotland. In the meantime Argyle and Guthrie had been put to death. A later fragment of the *Diary*, covering two weeks of June 1661, shows Wariston on the Continent whither he had escaped, 'flitting from place to place for saifty.' It tells chiefly of his dreams wherein Rutherford (who had died two months earlier) is with him instructing and comforting him; and of his seeing the King 'lying in his bedd in the room, and I fell down befor the bedsyde and tooke the Lord to witnesse that I had not layd any desseigne for the ruyn of his father or himself or their Crown.'¹

Here the *Diary* ends. Others² have written of the remaining months of Wariston's life; of his betrayal and capture in France and his being taken to London and put in the Tower, and thence sent to Leith to be warded in the Tolbooth of Edinburgh to await execution; and of the Privy Council's charge that he shall go on foot, bareheaded, from the shore of Leith to the Tolbooth. Up that hard way, therefore, on the eighth of June 1663, this broken man, wrecked in brain and body, stumbled, while those who had come to see forgot their hatred of him in very pity. On July 22 he was hanged at the Cross of Edinburgh.

In his *Diary* Wariston has told his own story. It is the story of a man who having set out in the path of service to his country, equipped for its duties as few men were in his time, and having won the respect and admiration of his fellow-countrymen, began at length to seek his own ends, and wandering into by-paths in their pursuit lost his way.

J. D. O.

¹ P. 185.

² See Wodrow's *History* (1838), i. 355-362.

EXTRACTS FROM WARISTON'S DIARIES AND NOTE-BOOKS

XIV. 17 APRIL TO 10 JUNE 1655

. . . 25 April. I heard M. Ja. Guthry was unweal and desyred to speak to me about som things of publik concernement, but it was layte. Lord preserve him and direct him and ingage him to think mor and mor of this lands reconfederacy with God in his tyme according to his intent and promise when he was going to dye, and his awen prognostik¹ and token for good now granted to him, the planting of Stirling.² . . .

26 April. . . . I wrote to M. J. Guthry to remember about the lands reconfederacy. . . .

3 May. . . . Afternoon I heard M. Ja. Guthrye his letters about a conference with Public Resolutioners for union.³ I was surprysed with it and ejaculated to God for His direction several tymes, and then expressed my mynd of mor feare, yea, great feares of evil and little or no hoopes of good, especyaly when they [Resolutioners] are fixed and united and wee ar disjoynted and gotten once moving; and I desyred a meeting of the whol [Protesters] first to agree on the grounds and instructions afor they naymed the persons, as wee used to doe in Assemblies and Parliaments. After many difficult debayts wee wer brought to nominate 6 ministers and twoe elders, and me among them, tho I reasoned against it for M. J. Durhams letter boare that I obstructed al union; and wee gaive

¹ Guthrie to Wariston, Nov. 27, 1654 (Laing MSS. Report, Hist. MSS. Com. 1914, pp. 295, 296).

² Baillie's *Letters*, etc. (Laing), iii. 283. *Stirling Burgh Records* (Glasgow, 1887), pp. 216, 217, 224.

³ *Register of Consultations of Ministers of Edinburgh* (S.H.S.), i. 90. Baillie, iii. 278 *seqq.*

them no mor power than to trye their [Resolutioners] mynds and overtures, heare and report, and to propound nothing to them but what was in the former grounds of union condescended to be at our meittings of befor. . . .

12 May. I heard from M. J. G[uthrie] of the new Counsel,¹ 7 Inglish and tuo Scots, Lockhart and Swynton, and of a shifting aunswer of P[rotecto]r to our desyre for publik meeting . . . and of Inglestons wearying of Court. . . . I cam out to Ingleston and mett with him, and saw that our desyre of a meiting was shifted by the Protector ; . . . that Col. Fenwik desyred to haive 4 houres conference of me and lived a reteyred life, and told Ingleston he would gett faire words and that was all. I found he had never spoken a word about my wyfes lettre : that their was no dreaming to get money out of their hand : that themselves acknowledged they would al goe throw-uther if this old man dyed : that he saw little lyfe or pietye at Court ; that Swynton played at cairts and spended largely. . . . When I went to family prayer and whyl I am praying the Chancelor² cam to the doore. It pleased God to give me liberty to praye for the awakning of his conscience. . . .

25 May. I prayed the Lord to blisse the letters gon North, South and West,³ and to direct me in this great busines, a meiting to be the nixt week anent union. Now the Lord my God be with me and with Thy servants at it, and let us doe nothing offensive to The[e] or contrary to our testimonyes. . . . I heard that Argyle was crewelly rayted by the Inglishes, and that he sayd Cromwell was to be crowned King, and he would not goe up til that was by. He saw som had a great desyre to ruyne him, and then he defended the Inglishes their invasion of us. Lord, save me from snaires on the on[e] hand or the uther, as he has played with both. And tho now he speaks against the Kings hom-coming he was the main instrument of it,⁴

¹ Thurloe, *State Papers*, iii. 423.

² Earl of Loudon.

³ Letters summoning the Protesters to the proposed Conference on June 1.

⁴ Balfour, *Annales*, iv. 2.

and in the Comittee [of Estates] one day called me in effect both a false man and a traitor alledging I had feynzied an Act of Parliament to hinder the King from the thron.

Lord guyde me this daye for Christs saik, and be with me in Kirkliston sermon and in going to it and from it. I thought of our meeting for union in ryding down. I heard of the Protectors designe to be Emperor, and to that end he was indeavouring to be choysen Protector of Holland. . . .

28 May. . . . I got a wairning agaynst rash proceiding to sudain medling in maters of union.

29 May. . . . I was interrupted by M. J. G[uthrie] coming and L[ord] Arb[uthnot's] letter about a new motion of sending Commissioners from the shyres to the Protector. . . .

30 May. Wee conferred weal at breakfast and in ryding in about union in jugement, affections, judicatoryes, comoun deuty, and heard of sundry com out of the West by [beyond] our intention. Blissed be God for guyding and assisting me in conferences with M. P. Gil[lespie] and M. Ja. Durham. . . .

31 May. Wee got M. S. R[utherford's] letter shewing Gods providential stopping him by waunt of letter. . . . The providence disapoynting the letters for the meeting is remarkable. . . . Som foore of us or fyve mett with Mr. Blair and Mr. Durham,¹ and they fell to presse the *amnestia*, or act of oblivion, of their acts and our protestations. At first I thought wee was confused, but the Lord assisted M. J. G[uthrie] and me to be and grow very free and to back freedom with stronger reason then they could aunswer. I urged the duty of indeavouring repentance of the nation in al my relations and capacities, wherat they stormed terribly. M. Blair spak of that of 3 Phil. 16, and I retorted it, for my reule, that the poynts contraverted standing as they ar wee might in the interim joyne in practise of al comoun deuty in judicatoryes and uther-ways *ne quid detrimentum ecclesia Christi capiat*. They

¹ Baillie, iii. 279.

wer both right sharpe and sayd wee tuo stood in the waye, and they ought not to stand on a feu, and M. J. Durham had letters from sundry, bearing that they would be satisfyed, and sayd som wer moderat and som high on both sydes; and wee had mor adoe to aunswer M. P. G[illespie] nor any of them, as I fortold at the first motion of it. I urged instance of Ezra and Nehemiah and of our forfaythers in former defection to haive been urged to such an act of oblivion had they repented in 9 Ezra, or wee in 1638 or the lyk in 1648. I instanced the Scripture cautions in maiking of peace. I urged the overture of honest mens giving mutual security to satisfye jealousyes and ingaging to concurre in work of purging as in the visitations, 1650, be the sam persons according to the sam reules in the sam wayes for the sam ends. Mr. Blair sayd wee cryed ay 'Purge, purge!' M. J. Carst[airs] and M. P. G[illespie] lett fall [that] if they had thought on al the inconveniences they had absteaned from protesting at St. Andrewes. M. J. Durham desyred I might not be at the nixt conference, or hold my toungue. I desyred to know if I had spoken any word in passion, and they granted [that I had] not, but sayd my rigidity had much offended the uther pairtye if they had been present. I told, nobody heard my minister and me. M. J. G[uthrie] and I was grieved that non of the uther tuo doe countenance us. When particularly reflected on wee saw the union of Glascow was driven at. Wee blessed God that wee had used freedom and that without passion.

1 June. . . . Afternoon we mett with Mr. Blair, bot tho now the 3d tyme wee attended our brother wee was disapoynted, and three of them only cam in and told they thought not to haive seen us their, they cam only in to speak with Mr. Blair. I told my dissatisfaction with the ouverture as renversing our cause, and that wee could not transmitt it, but should be willing to meet to conferre anent union if it wer possible on Gods termes. At night I cam out to Wariston blissing God that He brought me out with hail bones and a safe conscience in that mater according to my earnest prayer to God, and remembering

that not only wee and Mr. Blair but M. Ja. Wood also observed the Lord[s] strange providence disapoynting the wairnings sent by letters to partyes on both sydes for this meiting, which hes a loud language of His not being pleased at this tyme with that work on the termes men would goe about it. My soule blisseth God for this close of my medling in that busines. . . .

5 June. Wee did ryde in to the toune. Afternoon I spak with M. D[avid] D[ickson] about the ouverture which he sayd they ¹ did laugh at, and wer not to meit unles wee proposed som ouverture that might give them som hope and apearance of satisfying them. He would not graunt to goe out with us to Currye Communion. . . .

7 June. . . . M. G[eorge] H[utcheson] jeared and jested al yesternight and this daye at desner and sayd *satyrice* the Protesters would els haive the gouvernement or haive no peace, and that W[ariston] was only for a croune, and that wee wer al Fyft Monarchye men, and it wer best som of them [Resolutioners] and som of us wer sent awaye to som iland, their to live together til wee agreed.

I heard of the excyse laying on this countrey besyds the cess, of purpose to exhaust it.² . . . I heard of my Lord Argyles and Lauthians upgoing to London, and of Mr. Lighton being drawen with them, and, I feare, Col. Ker. Now the Lord preserve him from their snares and intanglements.

(A fragment (called No. 25) follows here—it consists of three pages, and merely refers to the Edinburgh Communion.)

XV. 30 JULY TO 10 SEPT. 1655

. . . 5 Aug. Communion in Edinburgh. . . . M. G. H[utcheson] cam in and preached notablie. Wee had 10 tables, I went to the seventh. M. Jn. Baird taught afternoon.

¹ 'We understood that our overture was laughen at by their high stomacks.'—Baillie, iii. 280.

² *Scotland and the Protectorate* (S.H.S.), p. 294 and n.

13 Aug. This afternoon I went, conferred and prayed with Janet Arnot, and in the ryding out I fell in passionat expression, Sorrow a bitt to on[e] of them that gives not their horse meat ! and after I cam hom Ja. Runcheman spak the lyk and I had not a face to reprove him becaus of my awen guilt. . . .

15 Aug. I wrot to M. J. Guth[rie] of the summe of my thoughts that it wer deuty to maik som ingagement conforme to our acknowledgment in the causes of Gods wrayth, and to returne to our Commission and Visitation 1650, and purge the ministry. . . .

23 Aug. I heard the Counsel was coming, that many in Inland had petitioned the Protector to taik on the title [of King] that the juges was troubling som of the ministers, that justices of peace would presently be settlet throw the shyres. . . . I heare from M. R[obert] T[rail] that Public Resolutioners was inclyning and, as he thought, agreing with the Inglish to quyte the King if they would grant them a Generall Assembly. . . .

28 Aug. . . . I got Anna Hayes news from William Douny that al places was to be declared vaccant ; that the Protector had recommended me to his Counsel to restore me to my place and pensions if I could be gayned ; and S. J[ohn] Ch[iesley] missed be one vote to be Clerk to the Counsel of State (which I think to be fancyes). Then I got Col. Kers letter ; though it was written Aug. 18. Yet I got it not til just at entree of our meeting. M. Rutherford in prayer begged to see a covenant renewed with tears throw Scotland to God agayn. . . .

30 Aug. This morning my wyfe early wakened me, and I could gett no quyetnesse til I arose and wrot my myte to further the covenant. . . . M. J. G[uthrie] read his paper after M. J. S[impson's] good prayer, and then I read myne. M. John Hamilton prayed notablie ; then M. S. Rutherford told me of M. J. Lev[ingstone] at it and not medling with it. Wee heard the reports and M. J. G[uthrie's] paper read over agayn, and spak about M. J. Lev[ingstone]. . . .

31 Aug. . . . M. Jn. Lev[ingstone] maid many ob-

jections against the renewing of the Covenant *hinc et nunc* and especyaly as not expedient in this tyme, wherin wee debayted weal a long tyme from 2 Chr. 15 ch. and 29 and 30 ch. The Lord opened M. S. Rows¹ mouth to tel the impression from my paper and then M. S. Aus[tin]² to tell the impression as mynds of the godly in the countrey. M. G[ilbert] Hal[l] prayed weal. This forenoon M. J. Lev[ingstone] objected very sadly against it to the growing of sundry, and wee debayted al forenoon. After desner I was called be S[ir] J. Ch[eisley] to speak to Col. Lokhart which wee did and found the Lords hand in opening his mouth with great freedome to speak very threatning things if we minted to a Covenant together tho even for religious ends and on religious words only. He sayd it would putt them to airmes and us to blood and suffering, and that the present power would never give or suffer power to on[e] of the pairtyes to use jurisdiction over the uther, but would maintean al as long as he lived in their liberty of serving God as they thought fitt, and would gouverne by principles of policy and prudence and not suffer convocations or combinations, and not suffer anything mor in Scotland than in England in church-maters. I thought on the mater seeing they would not allow us to cal ourselves a remnant or captives, or them strangers, or to meet and supplicat or present ouvertures of an extensive nature as he called it, which is one main work for planting and purging the ministry. I thought it looked the lykest to 2 K[ings] 19, and Exod. 6, and imported crewel bondage, captivity, and domination over our soules, beyond 9 Neh. at end. O Lord, heare and pitye and saive Thy inheritance. I blissed God in my heart and thanked Him for His freedom, for it maid me understand

¹ Samuel Row was minister of Kirkmabreck in 1640, whence in 1655 he was translated to the parish of Sprouston and admitted by the Protesters irrespective of the Presbytery, who opposed his admission (Scott's *Fasti*, i. 471, 738).

² Samuel Austin (Oustin) was minister of Penpont, possibly succeeding his father who died in 1637. Samuel joined the Protesters in 1651. (*Fasti*, i. 668.)

the natur and designe of their gouverment, and maid my heart to stand and ugge at medling with them in places of power and trust. Afternoon M. P. G[illespie] and I debayted his objections and our Aunswers.

1 Sept. Wee met in the committee and debayted long on the 2 Chr. 29 and 30 ch. if a national covenant their or not, and then the Lord led us to laye asyde debaytes and to resolve once upon a draught wheron if wee agreed to transmitt it with som reasons or preface to the godly up and doun the land. Wee apoynted another committee for drawing up the evidences of defection. I thought the Lord ledd us on into a calme waye of debayte, blissed be His Nayme, and wee sent som out to General Monk. I got liberty in the grace after desner and then found Gods good hand on me in the getting among many papers the old reasons for swearing the Covenant 1638,¹ and then mooved M. J. G[uthrie] to bring out his draught of the covenant and wee went calmly on thro the articles of it once and then revised the most pairt of it. M. Ja. Wederburne prayed notably, and spak that the kye might carye the Ark weal, and M. P. G[illespie] told us of Gen. Monks taiking weal with our advertisment, and speaking very faire of friendship. This was from the Lord to counterbalance the discouragment which wee had from Juge Lokhart.² . . .

3 Sept. Dumbar day. At the sub-committee wee went throw the draught of the covenant. Afternoon wee went in the hail meeting throw the draught and al aproved the mater therof and desyred it to be transmitted to the godly ; and I sayd in the meiting, as I had befor to sundry, that if God putt it in the hearts of His people to enter in covenant with Him, and throughed it among them and us, that God according to His promise would eyther move our present powers to shew us compassion and assist us to purge and plant His House and so to build His Temple,

¹ *Lawfulness of the Subscription to the Confession of Faith*, see Wariston's *Diary* (S.H.S.), i. 323 ; and *Roths' Relation*, pp. 90-92.

² Baillie, iii. 297, 298. Unlike Monk, Broghill thought ' the looks of it not good ' (Thurloe, iv. 37). Brodie's *Diary*, p. 152.

or that He would remove them, for He would through His interest move or remove who stood in His waye.

Then we fell upon the debayte of motions for union with Public Resolutioners urged by M. J. Leviston [Livingstone] and then I urged as the best mean of union that wee should be reunited to God, and desyre them to concurre therein and them with us in the Commission and Visitations 1650. And then M. P. G[illespie] asked if wee would petition the Counsel to settle maters between thes of the Pub. Resolutioners and us, and I refused that maiking them arbiter of our differences, but that I could petition them as our captivers to restore us, and if they would not, yet to revive us in our bondage, and desyre they would restore us to the condition wherin they interrupted us in 1650, and let the remnant apoynt thes of the Comission and Visitations 1650, and uthers comissionated from them and let them back them with their civil authoritey, and wee shal be content to taik in the godly of the Publik Resolutioners that wil ingage to prosecut the busines then comitted according to the reules, and so separat them from their trayne. I was called away, and I heard sundry took notice of it.

I blissed God that this being Dumber day after 5 yeirs going over us we had gon throw the materials of a covenant with God once putting Chryst in the offer of His people to be called their Husband and Spouse. O Lord Jesus, ouye [woo] Thou their hearts, warme their affections, revive their spirits, gayne their loves; let it be as a resurrection from the dead.¹

4 and 5 Sept. I wrote in the morning the draught of the supplication, read it at the meiting, found sundry pleased with materials, blissed God for that. After great debaytes we agreed to referre it to the nixt meiting anent the maner of application, and I desyred them to studie

¹ Henderson's phrase regarding the National Covenant, frequently employed by him; cf. *Intentions of the Army* (R. Bryson, 1640), p. 22; *The Covenant, with a Narrative of . . . taking it by House of Commons and Assembly of Divines* (London, 1643), p. 29; *Sermons, Prayers, etc.* (1867), p. 135.

the distinctions between lawful magistrats and conquerors and captives and subjects, and on the whol mater and maner of applications. M. Jn. Nave [Nevay] in his grace bad us seek not great things for ourselves and yet praye for rightly qualifiyed magistrats.

6 Sept. . . . M. P. Gilespye was protested against by one Captain Melvin,¹ and then preached weal on 26 Acts, 28, 29. We had a long debayte in the afternoon about that clause of renewing former ingagements. M. J. Guthrye recomending this busines to God and desyring Him eyther to move or remove thes over us that they hinder not our espousals. My heart at night thanked God for dissolving our meeting with so litle evil doen and so much good layd at the door of the Brydgroom and Bryde. . . .

7 Sept. after meeting. . . . I told to M. J. Guthrye and M. Wm. Adair that all spak for holding out the Kings interest out of the Covenant as the brazen serpent. . . .

8 Sept. . . . I thought it my deuty to offer my service to God if He would putt anything in my heart to wryte as I halfe promised to M. M. Mowat anent the Covenant to prevent snaires in the meeting at Kilmarnok on Wedinsday nixt. . . . I remember that yesternight in the midst of supper M. J. G[uthrie] sent me up M. R. Trayles letter shewing that God had given them favors in the eyes of the man² and that he was weal-pleased anent their report of our ouverture anent the Covenant and our advysing about an application to them and our necessitye to haive a mor frequent meiting, and he promised that wee should haive it, and then he graunted letters to the gouvernor discharging any to medle with the Kirk of Stirling and stopping the presbyterye from meeting their seing they mett not their of befor. I blissed God for both of thes as returnes of our sutes and tokens for good. . . . My Lord Brodye cam in . . . and told me of Argyles pressing him to goe up, and his doubt about going or not going up to London.³ . . .

¹ See Nicoll's *Diary*, p. 158.

² General Monk.

³ Brodie, pp. 152, 153.

10 Sept. . . . My heart blissed God for His furthering His work in thir circumstances, His giving us knowledge of the meeting at Kilmarnock on Wednesday nixt by [beyond] the intentions of the apoynters; then His de-teaning M. W. Adair heir for the papers, and His assisting M. J. G[uthrie] both to draw up a good aunswer to the objections and to draw weel up the letter, and that wee got thes ready and sent them away to that meeting at Kilmarnok.¹ I desyre even to observe and blisse God for His prospering any circumstances in this busines. O Lord, prevent Thou any plott that may be layd by any to stoppe this great busines.

M. J. Guthrye and I spent this afternoon with Swynton and had a long free conference with him about the Covenant. . . . In M. J. G. and my debayte with Swynton wee found his apprehension that the Present Power would be jealous of the busines of the Covenant in any ecclesiastick power or mater of our national tendency, or of strenth in any pairty in whom they had no confidence, but rayther al pairtyes be broken and [they be supreme] above al. Wee urged from their principle of tolerating the sam in congregational as in Presbyterial churches; in our seperating Gods interest from the Kings in [the] Covenant; and that if they would countenance that as using the power of Commission 1650 for planting and purging of the Kirk they might taik us by Gods interest as ours even as they took uther men be theirs, and they may be sure wee would live contentedly under them and not ryse with uthers who tho they would restore civil libertyes yet would not so countenance Gods interest.

XVI. 17 Nov. to 26 Dec. 1655

1655, November 17th. This morning from my heart I blissed God for His yesterdays kyndnesse to me in particular and to our meeting in general by so clear a discoverye of their [Resolutioners] mynd.² I got liberty

¹ For the Kilmarnock meeting, see Baillie, iii. 298.

² The papers of Resolutioners and Protesters during the November meeting are given in full in the *Consultations*, i. 92-184.

agayn in privat and then I drew up nottes upon their paper. Al forenoon wee debayted with M. P. G[illespie] who cam in with new motions and ouvertures about the constitution and acts and about purging, and he and I had publik contest about it. . . . Wee had terrible debaytes amongst ourselfs and found M. P. G[illespie] very hotte upon the matter. Theirafter wee had a conference with Mr. Ja. Wood and others in M. R. D[ouglas] chalmer wher wee had great debaytes about the juge¹ [judgment] and submission wheron they stak and wherof wee maid a report which I thought stak with our folk, but they ar very loose. . . .

19 Novem. Al this daye wee had continued debaytes upon their [Resolutioners] paper for union, among ourselfs, and afternoon at the conference the Lord assisted M. J. G[uthrie] to draw the scroll² and brought it about by [beyond] al our expectations their receaving the cotype of it. Wee had long debaytes about the cotype of it and then about the acts and constitution and juge and submission. Mr. Bailzye sayd to me they wald passe from the acts and constitution and laye them asyde, but stak on the juge.

20 Novem. Oh that the Lord would carye me throw this daye and weak free of sines and snaires. Wee had debaites about the reports given in in writte anent the ouverture of the Covenant,³ and at last with difficultye got it agreed to keepe it in dependance under further consideration til a mor convenient season. O Lord, look to Thy covenant for wee cannot get it caryed throw. Thou sees how it is obstructed and by whom, and on that account I cannot tell what to doe.

Wee fand the reports unanimous for the Commission of the Kirk 1650, with the sounder pairt of the Church approved by vote of the most pairt of the meiting. For the 3d, anent application, it was the report of al but som

¹ The *juge*, the judgment of the Assembly of 1650 on the deposed ministers.

² For Guthrie's paper, see *Consultations*, i. 119-126.

³ *Ante*, p. 8, n. 2.

requyred in it adherence to our former testimonyes. The vocing the negative of the Covenant was putt off and delayed til after the sight of the issew of the union.

21 Novem. Wee had this foranoon great debaytes about the Comission 1650. We debayted about the application and I offered to proue by a series of our Assemblies and the Acts theirof that our faythers counted such commissions from the K[ing] a great breach and incroachment, and then told the storye of the lyk in 1584,¹ and desyred them to represent it in their application, and when they wer loath to it exonered my mynd to them freely and fully and told I would doe the lyk to the Englishes.

M. Ja. Gutherye and I spak our mynd to M. R. Tr[ail] and M. Jn. St[irling] anout the union.

22 Novem. I got great liberty and sensible influence and assistance in our foranoons debayte upon the differences in the articles. Afternoon not so much, and I was sleepe. At night I heard them presse our drawing their concessions. Wee resolved among ourselves to meet. Wee heard our meeting was right weal sett in the fyve main differences. . . .

23 Novem. . . . Wee had a great debayte about negative bands wherin the Lord was very sensiblye gracious and present with me and with M. J. G[uthrie] against M. P. G[illespie]. Afternoon wee debayted agayn about the protestation and negative bands, and at the conference fand that they [Resolutioners] had heard of our debaytes and yielded that wee might give in our reasons and prosecute the protestation against the acts but not against the constitution. M. J. Smith abused me in it. Wee saw them coming off with concessions to insnaire and devyde us, as I told M. J. Gutherye. I cam hom heavey fearing that som of us would be left alon.

24 Novem. Jn. Sempil cam in and told me that som spak of a 3fold division among us, som joyning with the union, som with the ordinance, and som standing be the

¹ Calderwood's *History* (Wod. Soc.), iv. 212.

protestation on the grounds for which it was maid ; and he sayd, since our mingling at Dumbarre the Lord had preserved us. Al this foranoon wer haid a great debayte that their new concession was nothing on the mater, and our agreement to 1(st) Article with declaration to mak no use of protestation to annull the constitution and authority of that Ass[embly] and acts was an establishing of their authoritye by our consent, and a passing from the proper essential strayne and effect of our protestation, which wee read and debayted ; and I blisse God who gaive to M. J. G[uthrie] S[ir] J. Ch[iesley] and me, and M. Jn. St[irling] very sensible assistance to convince others in it, tho M. P. G[illespie] and M. Ja. Neismith and M. W. Guthry urged as strongly as they could the contrairye.

Efternoon wee debayted about the juge and at last M. J. G. and I fell long and stiffe in an argument against submission. At the end wee fell som few to think and speak of our whol busines and our straits between a sinful agreement with them on the on[e] hand, the execution of the ordinance on the uther, and the real distempers among ourselves ; and whither it wes fitt to offer to joyne in uncontraverted deutyas both laying aside the contraverted things *in statu quo* and they removing the censures and acts that barres them, and they practising their concessions ; or whither it wer good upon our breach to send som to the Protector or to call a material General Assembly of al the godly and *sanior pars in corrupto statu reformando in ecclesia restituenda uti in constituenda*. Col. Ker moved that wee might spend this winter in humiliations for the causes of Gods wrayth, and our declining since 1651 as much as uther godly men did in 1650 and 1651 from what they wer in 1648 and 1649 ; and who knew but the Lord might therby fitt us for a covenant and uther deutyas agayne the spring, and prepare som good providence for us.

M. Ja. Simpson mooved for a previous conference among som few toomorrow night to know uthers mynd, and to advyse with the Lord on our whol busines, what to doe about the union, ordinance, application, good understanding. I blissed God for the close.

25 Novem. Lords Day. At night wee mett and conferred after prayer together in a very calme, sober waye.

26 Novem. At our meeting I propounded my ouverture for the comissions of equal number in Synods and yet lyable to Synods and Commission with authority from Synods lyable to the Synods as the Commission was to the Generall Assembly. M. J. G[uthrie] maid that only for consultation and that Sinods should not renverse without the previous advyce of that Commission, and if wee break wee should shew to the Inglishes our offer of equal number and our desyre of their permitting the Comission 1650, or any uther of equal number, to sitt, and if they wil not act with us to let us doe it alon. . . .

Afternoon wee got their last aunswer, and blisseth the Lord God that without contest or heate the whol meiting found it unsatisfactorye; and then [we] debayted our ouverture and sundrye was unsatisfyed with it, and M. J. G[uthrie] took instruments that their was many in the house mor rigid nor I was tho our brethren could not believe it, and wee apoynted it to be drawn up. Then I went and saw the General who obliged us by sending to us the petition of Stirling.

27 Novem. . . . I begged that this weak, yea this day He would continue His begun kyndnes to maik us dissolve without a snaire as He hes assisted us alongst the debaytes. I am affrayd of one in the close as I fell in one at the close of the treaty with the K[ing]; brunt bairnes dreads fyre.¹ Feare of reproches and breaches may intangle me, the Lord preserve Thy barrowman and remnant this day and to-morrow and the 3d day on our feet to our pairting with a good conscience.

This foranoone [I] was forced to adore and blisse God for our unanimous vote and resolution of our dissatisfaction with their [Resolutioners] concessions and demands and of our proposing our ouverture to them; for the which M. G. Maxwel at the close heartilye blisted the Lord God

¹ The pacification at the Birks, June 1639. For Wariston's reference, see *Fragment of Diary* (S.H.S., vol. 26), and Rutland MSS. (Hist. MSS., Com. XII., iv. 514).

for bringing us to such an unanimity after so many threatnings of a breach.

When wee communicated our aunswer at the conference they [Resolutioners] asked earnestly and I answered thryce that wee wer unanimous, which did astonish them and did evidence their great disapoyntment of the great hoopes they haive had of our division and breaches amongst ourselves upon the occasion of their concessions. M. Ja. Wood was so full of griefe and confusion that he could not speak and daight [durst] not byde but got out of the house.

I urged our refusal was on grounds of conscience wherat themselves would stik if they wer of our jugment; and now our ouverture reserved both jugments and could not stick at conscience but convenience and credit, and that wee gaive mor nor wee sought becaus they wer but to laye asyde their censures and wee layd asyde both the Commission 1650 and the use maiking of the ordinance. M. Ja. Durham prayed weal and wee desyred their aunswer this night or too-morrow morning early. At our awen meeting wee debayted on M. J. G[uthrie's] draught of the application, and therein wee was lyk to break and devyde. I was for the midle waye declaring our adherence to our testimonyes and giving in the papers to the President.

28 Novem. Wee debayted about application to the present powers and the expediencye theirof; and then on M. Ja. Simsons draught, and after many debayts wee agreed upon it and som to subscriye and present it. We couchd in som smooth general expression our adherence to our former testimonyes after som debayt to haive had it mor expresse. I blissed God that caryd us throw in it to prevent whatsoever other course they would taike. I heard our brethrein intended som new paper to us.¹

29 Novem. This daye both foranoon and afternoon wee had great and hote debaytes about the supplication to the Counsel, and then about our reasons against the ordinance. Wee got read at last our reasons and then I

¹ The paper is printed in *Consultations*, i. 146-160.

read for my exoneration sundrye of the acts of our Assemblys and Parliaments, which I found God blisse to the moving and confirming sundrye of our number against the Court ecclesiastik and the ordinance.

At night agayne wee had a sharp debayte in privat about it with M. R. T[rail] and M. J. S[impson] (as befor with M. J. N[aismith] and M. H[ugh] K[ennedy]). I heard that som was discontent (even M. J. St[irling] and M. G[ilbert] H[all]) at our parenthesis about our former testimonyes. Wee got our brethreins paper, very sharpe and tairt, and hard of M. J[ames] W[ood] visiting M. P. G[illespie], and his seeking him agayne and declaring his mynd for their concessions. I told in our meiting that I thought in thir debaytes and papers for union the Pub. Resolutioners had reacted their sines 1651 by their manteaning of them as necessarie for peace, and that God had led and forced us (almost against sindry of our wills) yet in effect to react our deutyas and testimonyes 1651. Wee spak of the remedyes, apoynted a fast last Foorsday of February and our nixt meeting on 2 Tuesdaye Merch. At night when I was heavye and sleepye after our dissolving be M. Al. Monc[rieff's] prayer that tho wee had a terrible feighting lyfe of it this whol moneth, what with the on[e] hand what with the uther, yet that the Lord had been graciously pleased to keepe us from the feared snares in the union, application, ordinance.

30 Novem. The Lord give me counsel and courage this daye to perfyte what Thou has led us to begin. Now in the end and in the last daye of it as a preparative to somewhat that is to follow Col. Ker marked this daye to be Hamilton daye¹ and the daye of our debayte anent the Covenant to haive been Dumbar daye. I debayted with M. R. Keyth who was staggering, faltering and falling about the ordinance. Wee sought the General and he was gon, went down to the President but he was seak, yet according to his awen desyre wee sent the papers to

¹ The engagement at Hamilton was on Sunday, 1st December 1650. Col. Gilbert Ker leading the Westland Army was defeated by Lambert and taken prisoner.

him which he promised to communicate to the Counsel. Wee cam up and debayted with Swynton, and then with good libertye and assistance with Col. Lokhart and then with Col. Scroop and Col. Wittham.

1 Decem. . . . I had a terrible payne in my head. I remembered that in al our late meeting every thing wee did was mor subject to debayte and contest then the rejection of their ouvertures in the whol mater, and nothing was so unanimous as that wherin they expected our greatest division ; and their last paper passing over our observation that al their concessions was but in substance their ouverture 1652 ¹ shews that wee haive lighted righton their hid designe. M. P. G[illespie] urging to fall first on the union was readily to shuffle out resolution anent the Covenant and debayte anent the ordinance. The Lord hes strangely prevented our meetings laying asyde the first and as strangely caryd throw our testimonye against the last. Lord ease and delyver me from this payne of my head and assist Thy servant that is drawing up our aunswer to our brethreins paper, and be with us in any conference this night.

Wee got not Mr. Desborough but conferred with S(ir) Edward Rods ² and perceived that they wer al Erastians and heard that the General took our papers sent out with Col. Ker very kyndlye. I blissed God the payne in my head went awaye.

2 Decem. Lords Day. . . . I heard from M. Ja. Durham that they of the Public Resolutions intended to haive given us in a general ouverture, which they did not. . . . Col. Ker told us that he was weal taiken with by the General anent our papers. I blissed [God] in my heart that He suffered not the Publick Resolutioners to gogle us by som new general fanfara of an ouverture that would not haive doen us good and yet might have taigled us in our application, wheras now I thought the Lord had maid us to exoner ourselves in the on[e] hand and to the uther. . . .

4 Decem. This morning the General took meal with us

¹ *Act and Overture . . . for the Peace and Union of the Kirk . . . 1652.*

² Sir Edward Rhodes, a member of the Council for Scotland.

and mooved the sending of som of our number up with our petition, which wee sayd wee thought som of ours would doe if the Counsel desyred. Wee was twyse at Mr. Desboroughs and after keeping us half an houre in his utter roome he sent us word that he was busye about som uther busines and could not speak with us then. Wee read the aunswer to their [Resolutioners] last paper this foranoon. . . . sundrye woundred to see the General so realye our freind as he was. . . . At night I heard of M. Ja. Durhams tartnesse against us and of the Public Resolutioners intending to supplicate the Counsel and to haive ridd warre agaynst us.

5 Decem. I recomended to God the guydance and isseu of our papers given in to the Counsel.¹ Wee had many obstructions against our ingiving them and found many angrye now at it. . . .

. . . At night I visited the Lady Ridhall and heard of my Lord Traquairs going to an assyse which, if it be treu, is the most just jugement of God on him becaus about this sam tyme 20 year he as Chancellor of Assyse got my Lord Balmerinoh condemned, and his accusation is for perjurye, a cryme wherof he is ordinarilye guiltye. . . .

6 Decem. I heard the Presbyterye of Edinburgh was on a testimonye against the Commission of 1650 and would be on a supplication against it. . . .

7 Decem. I heard M. J. Wood was com to the toun and they wer preparing a supplication to the Counsel, and I heard of their seeking a General Assembly and asseuring not to medle therin with any controverted thing, which they may easily doe as standing determined alreadye. . . . I conferred long with my Lord Tuedail and found that som was putt upon som new devyce that the shyres might ingage to live peaceablye and the Englishes to diminish their forces. . . .

8 Decem. After desner I heartily blissed God for His keeping the[c] clouse and damm and stoppe of national wrayth unbroken doun by the late attempt and violent

¹ The Protesters' petition was drawn by James Simpson, minister of Airth (*ante* 28th November), and is quoted in Thurloe, iv. 255-257.

inforcement threw the plausible notion of union and peace which was lyke to deceive many and draw them off their feet. . . .

9 Decem. . . . I went to the College Kirk (which remembred me of M. H. Rolloks sermons and of my drawing up the draught of the National Covenant neer to the seat whair I sate). . . .

11 Dec. This night, being the shortest day of the year, was on[e] of the terriblest stormes¹ for wind and drift that hes been since King James death. I heard of ships perishing in Leyth and Musselbrugh. . . . It portends som great chaynge or newes. . . . This storme, as I heard, trysted with som meeting and upsitting of the Publik Resolutioners for some crosse-petition to be given in to the Counsel. . . .

14 Decem. The mor I thought on the storme I apprehended the mor of Gods immediat hand agaynst the pryde of present powers in their navyes and forain conquest. . . .

15 Decem. This morning I conferred and debayted long with Mr. Desborough; then the foranoon with my Lord Howard, and I thought the Lord assisted me in both to be very free and plain and somewhat convincing. . . .

18 Decem. . . . I heard the Counsel was maiking new impositions on moneys and goods throw this countrey, very lyk to the bidding people mak brick without straw.

19 Decem. I blesse God for yesterdays assisting and His Kyndnesse moving the General to befreind us and discharge quarterings on us. Lord direct us anent our particular with the Chancelor and General. I prayed for the Lords pitying a squeezed, peeled people and told to Cesnok and S[ir] J. Cheesly my apprehension of this warre between England and Spayne from the 2 and 3 Joel, and the ways of the Lords reteiring our airmye out of Ingland and Irland. I heard much of the great prejudice doen by the storme; I took it for an sad prognostik and omen of som heavye jugment on Britayne. . . .

¹ See Nicoll's *Diary*, p. 171.

XVII. 27 DEC. 1655 TO 15 JAN. 1656

27 Decem. . . . I remembred the Lady Ingleston telling me that the Inglish in their hearts kepted a great respect and affection to M. J. G[uthrie] and me above uthers tho they thought us the only two obstructers of their settlement in Scotland, and withal that our Scotsmen had no will of my medling and in coming least it offuscat them, and withal that some thought wee had com by this application a farre greater lenth then befor, and they thought betyme wee would goe yet a fairther length. . . .

1656, 2 Jan. . . . I got the printed order about the assesment for 10,000£ *per mensem*, a crewel bondage and oppression to this poor land, taxing real and personal estate and ministers stipends, and my nayme insert among the commissioners. . . .

3 Jan. . . . Whyl I was writing I hard on[e] coming out of the toune and got only word from M. R. Trayle that our petition was sent to London; that a crosse-petition was given in to the Counsel; that many observed the ecclipse of the moon to fall out the first night of the new year and the great streamers just up to the *punctum verticale* not usual to be seen, and that in on[e] moneth and that the first of the year two ecclipses, that sundry thought ther was lyk to be great shaikings in Europe eir this year end. . . .

5 Jan. I thought that from the 15 year of my age til 22 was my privat youth; from 22 to 27 of my age was my privat lyfe; from 27 to 40 of my age was my 13 yeir of publik lyfe; from that til 46 now neir, my privat reteyred lyfe for fyve years even as it was uther fyve years privat afor my publik imployment. I thought if God would give me uther 13 yeirs of a publik, even be course of nature I would be near my end. . . . I desyre and does offer before heaven and earth and His angels my service once agayn for His publik interests and frends unto the Lord my God in Chryst Jesus, and if He thinks not fitt to imploy me my requeast is with Barzillai for my sons and daughters to be imployed by Him; and in the mean

tyme that He would send be what hand He wil blisse to his poor people, and I shal desyre to praye for a blissing to them and to His instruments for them. Only I desyre now to table this my offer on the condition and termes of His awen grace. . . . Many hes thought I haive been borne for a blissing or a curse, and the most pairt thinks I am borne for a plague to Thy Church and interests. Leave me not to verefy the sayings of enemyes as so many propheeyes. If I live not to doe good my nature is such as it wil be doing meekle evil. . . .

6 Jan. Lords Day. I thought good to look over the sins of my publik employments . . . and throw the whol I found an proud, highmynded, humorous, vainglorious, ambitious, selfseeking, selfexalting, insolent humor and heart. In 1638 it brak out in begining and end of Assembly of Glascow, and then on Treatye at Birks. Then in end of Assembly 1639, and discontent and almost dissolution at Wayrestoun. Then in 1640 about clause in the Committee of Estats, the nomination to the treaty in Yorkshyre at Ripon; and my thoughts and phancies on thes yards anent Clerk-Register. Then in nomination for London and phancies in the Medow of Wair. Then thes thoughts and phancies in 1641 in Covent Garden and at London Stow (?) and St. James Park, and dealing with M. and K. [? Marquis (of Hamilton) and King]. Then the dealings for Clerk-Register with K[er] and P[rimrose]

The discontent and melancholy at disapoyntments and mistaikes, lyk Jonah in 4 ch. and 6 Esther. Then the great provocation losing of my place in Session and pension in imploying Will Murray as agent for the Kirk with the K[ing]; my sin about him at London with Louthian and Balmerino, then my contest about the place with H. in 1642. Then in end of 1643 my discontent when I was not lyk to be sent up; my byding from the Kirk on Saboth with S[ir] H[enry] V[ane] to draw the propositions of both kingdoms for peace; my pryde of heart in 1644 becaus of my employments; in 1645 my ambition at St. Andrews about Advocats place, and plead-

ing for the K[ing] so much at London. The bargain of freinds with the Advocat ; my snar at Newcastle, my lossing my Byble and diarye on the back of it ; my almost ruyne in Advocatship in 1647, and my sinful readmission of Traquair ; and in 1648, after the Westland Read (Raid) my ambition and greed both for Cl[erk] R[egister's] place and benefits by Cl[erks] trysted with my mothers death and wyfes seaknesse, and many scandalous reproches. My sin about the proclamation in 1649, and the bon-fyres and the act for the K[ing's] admission to the exercise of his power, the headstone of my publik provocations.

And thus al alongst I find selfhonor and profit and pleasure hes been interlacing and interweiving itself in al my publik medlings from 1637 til the end of 1650, that was the end of them. . . .

8 Jan. . . . I thought that God had for seven years together, from the end of 1637 til end of 1644, been fulfilling His promises and heaping His blissing on Scotland and honoring His afor the nations and building up His work and people, and since that tyme for 11 yeir together been verefying His threatnings, heaping on their snares and jugments, and disgracing them afor the world, and casting down His work and people, six years of it from som within ourselves and fyve years from a forain enemye ; and that wee had gotten tuo blinks of His good providence in the interim afor Dumbar, on[e] at and after Philiphaugh, and another after Preston ; but no blink of His providence since Dumbar this fyve years, no blew bore of providence at al, no look over His shoulder to us, and the reason of the difference I conceive becaus in both thes tymes His Church representative was standing inteir against His enemyes, but now the most part of them joyned with one or uther of them. In relation to privat I thought God had given me 13 yeirs imployment, from end of 1637 til end of 1650, and had graunted me in it many steps of advancement and even that in externals ; but in the height of my imployment I had comitted the height of my iniquity about the act for exercise of power. . . .

XVIII. 16 JAN. TO 2 MAR. 1656

16 Jan. . . . I went down to see James Lawsson, and their on his taible by providence did I see on[e] Jhon Bisco upon the grand tryes of the thoughts,¹ which title staired in my face as so fitt for my inquisition after such toes and froes in my thoughts, and I sent to search for the book and as he comended it for a good and a searching peece, so I begge the Lord by it may helpe to cleare me of what right and wrong in thes my thoughts. . . .

17 Jan. . . . I heard from Sir Ja. Stewart and he from Sand[ers] Jeffrey that the Protector's mynd was cam about our petition and that the ordinance was to stand and a committee to be apoynted of both sorts by the Counsel for purging, and so no party getts their will. 'This cankered me al day. I wrotte a letter to S[ir] J. Cheislye and wounded at his slighting of my papers, but the Lord lets us see al flesh disappoynting us that wee may lippen to Himself alon. . . .

24 Jan. . . . I heard sermon in West Kirk. I should consider the calling that Gods providence hes casten me in of publik testimonyes and privat exercises in conferences and prayers, and to begge of God that He would beare my cost and charge in both; and I remembred S[ir] J. Ch[iesley's] observation upon my saying that the cock of W[ariston] was very protector-lyk, going on his tiptoes with his craig up in the lift. Mr. Ja. Gutherye told me of M. And. Ker desyring to speake with him and me. Now the Lord guyde M. J. G. and me in our conference with him, for I aprehend he be putt to expiscat our myndes. M. J. G. told me that M. J. Menzeis had sayd that the Protector offered to M. P. G[illespie] to lett the Commission of Ass[embly] 1650 to sitte, and that M. P. G. thought it not fitt, and I heard he might haive gotten anything doen for my busines but had shifted it. Both thes ar strange things to me and holds out the doolful

¹ John Biscoe, minister in Southwark, d. 1679; author of *The Grand Trial of True Conversion, or, Sanctifying Grace appearing and acting first and chiefly in the Thoughts* . . . London, 1655, 8vo.

effects of that voyage and so confirmations *ex post facto* of Gods leading us to a testimonye against it. . . .

25 Jan. . . . S. J. Ch[iesley] told me of his speaking to Col. Lokhart about our busines and his telling to him that he had spoken to the Protector of it when M. P. G[illespie] was their and found it not faisible; but he knows not if it wil be better now. He sayd Argyle had som favor tho not great, that money (?) it was impossible to give, and for land in Irland the rebels lands served not the half of the adventurers; and that the deanes and chapters lands the Protector keepled for the use of his awen familie untouched. . . .

28 Jan. . . . I went with M. J. G[uthrie] and dyned with the President and discoursed with him about our busines, and for M. J. G. petition and our awen and S[ir] J. St[ewart's] and heard of some daunger to Glencairne and of a strange outcast and contest at a drunken baptisme of a Dutch ladyes chyld to the King between the Scots and English courtiers, that som wer killed and others wounded, which I thought ominous-lyk. Wee spak freely against the clause in the act about the Justices of Peace, and the clause for executing the act of treason and the keeping of the Protector's peace.¹ . . .

29 Jan. . . . I heard the Presidents servant had been seeking me and I went down to him. It was to cause me mend their act about the Justices of Peace, which I told I could not becaus of the uther clauses about the Protector's peace and the Act of Treason. . . . I . . . saw Juge Ker and heard of some undertaikings of M. Douglas, Mr. Dikson and Mr. J. Wood to the President to expone the 3d article of the Covenant as restricted to the Kings person, to declare their allowance of the Government, to preach and praye for it; and that they wer to subscriye som paper about it, and that M. Drumond the deposed minister² now scoutmaster of the Scots forces in Scotland

¹ *Scotland and the Protectorate* (S.H.S.), p. 308 n., and *Appendix*, p. 403.

² David Drummond, minister at Linlithgow, was deposed for refusing to preach against the Engagement, 1648 (*Assembly Commission Records* (S.H.S.), ii. 123, 233).

had gotten from the Protector the gift that Mr. Blair had (which I thought looked ugly-lyk); and that Col. Lokhart had gotten the Abbacye of Kelso from the Protector to himself. . . .

30 Jan. . . . I prayed on 23 Joshua. I thought the Lord trysted weal by a special providence this chapter after such tydings of the Public Resolutioners going to joyne with the Inglishes, and afor our getting tomorrow their Aunswer which may be intended for our intanglement and insnairment. . . . M. J. Guthry told me how his busines was putt off after great debayte in equal termes to both, and that after desner the President chalenged him for treasonable words in the first paper against the Ordinance,¹ and he heard their was som gumme among themselves in the Counsel, and that the Public Resolutioners was maiking them great offers. . . .

I dreamed in the morning of being on the head of a steiple and troubled how to win doune agayne, and thought it had been better to haive kept sole a ground; and this stak long with me after several wakings and mynded me of the vanitye of my fancyes when I heard of the Presidents seeking me, as if my heart would be blyth of a temptation. . . .

22 Feb. . . . This foranoon I communicated the stoyre of M. A[ndrew] G[ray's] death and papers to M. R. T[raill], M. J. St[irling] and M. P. G[illespie], and heard from them of the Public Resolutioners their aspersing us² for ryse and continuance of the differences, and craiving al restraints to be taken off and that our unreasonable desyres be not graunted; and that they got a general aunswer but that they had much secret dealing with the President sensyne

¹ Thurloe (iv. 557) prints Broghill's letter to Cromwell, in which at some length the President relates his dealings with Resolutioner and Protester and his interview with Guthrie. He writes also of the verbal assurance given him by the Resolutioners to live 'inoffensively and peaceably' under the new government, and this was confirmed by a letter, dated 23rd February 1656, by the hands of Dickson, Douglas, Wood and Sharp. The letter is given in *Consultations*, i. 198-201.

² The petition of the Resolutioners to the Council is printed in *Consultations*, i. 191-193.

and had gon farther on in owning of their Gouvernement then wee had doen and would doe ; and M. P. G. sayd playnly unles wee owned their Gouvernement as lawful and declaired our subjection to it and resolution for it wee would get nothing doen with the English ; and he beleived the Public Resolutioners wer secretly closed tho M. R. Tr[ai]ll told of a difference between M. R. D[ouglas] and M. Ja. Wood who went farther on, as also between M. Ja. Sharpe and M. J. Smith and M. R. Knox. . . .

23 Feb. . . . S[ir] J. Ch[eisley] cam in and wee inclyned both to wryte and send up our supplications, and so I wrote a letter to my Lord Fleetwood, another to my Lord Lambert, a 3d to my Lord Laurence, a 4th to Juge Lockhart, on[e] to Argyle, S[ir] B. Cochran and Mr. Cambel, and after S. J. C. correcting som words and his wryting to Col. Lockhart wee sent the pacquet away with our supplications and letters. . . . I sayd our application, for our particuler releefe is not til after both Protesters and Public Resolutioners their application to them for publik releefe. . . .

26 Feb. . . . I heard of the lands growing dayly in haytred of the Covenant from M. J. Naysmith and M. F. Aird and at night from M. J. G[uthrie] of the lands growing strangely in love with old deposed malignant ministers. . . .

28 Feb. . . . It was suggested to me that the light both of Protesters and Public Resolutioners was against compliance with the present powers, and that it was but straits as temptations drawing eyther of them on. Its lyk as thes complied most with the King runs first in the State to thir people so it shal be with thes also in the Church, and alas, our consultations are too lyk to Balaams 2d enquiryre. . . .

XIX. 3 MAR. TO 5 APR. 1656

11 March. . . . I got a letter from M. S. R[utherfurd] about his wyfes feared death. Lord prevent it if it be His will and hold up the heart of His servant who is weightd

with calumnye. I heard of M. Ja. Wood his preaching, that it was heresy and traichery; [of] M. P. Gilespey going from the ministerye to a philosophye college¹ and taiking it from the Englishes; and that Col. Lokhart goeth to Fraunce Extraordinary Ambassador; and heard of many folks buying land. I prayed the Lord to keepe me honest.

12 March. Our meeting-day. I got a letter from M. Jh. Burnet weal pleased with the Remedyes. I got libertye to praye for our publik affaires, and anent our meiting, eyther not to conveyne or not to doe anything at all if wee could doe no good. Lord keepe us from evil. Now the Lord be with me this daye and blisse the letter which I haive written to M. S. Rutherford; he is on the project of getting M. J. Guthry in M. Ja. Woods place in Saint-Andrewes. The Lord direct us in that motion for it seemes to be of great consequence. . . .

13 March. I aprehend som refuising newes from London becaus Col. Lokhart I thought would attempt the motion befor he went awaye, and I hear he is gon or going. I heard when he went out of this he was right discontent and that Brochil called M. J. G[uthrie] and me Fyft Monarchye men.² . . .

. . . Wee mett and wist not what to doe being so few, debayted the busines whither of sending or not to the Protector, or calling a meeting to send or not, wherin I was not clear but spak of the snares of 2d addresse to the King. Wee resolved to keepe the morrow, first half of the daye in conference and prayer. I went to President and General to trye about the aunswer of our petitions. . . .

14 March. . . . We eshewed the debayte of calling a meeting anent sending or not to London til we heard what aunswer to our petition, or knew what privat

¹ Patrick Gillespie, minister of Glasgow, was appointed by Cromwell Principal of the College of Glasgow. He was the first of the Scottish ministers to include Cromwell in the Kirk's prayers.

² See Broghill's letter to Cromwell, *ut supra*. 'Indeed, by as much as I can recollect after severall discourses and meetinges with the lord Warresten and Mr. Gutery, thos of their judgment are, as I may call them, Fifth-monarchy-presbiterians.'

transaction had past between the English and Public Resolutioners. . . .

26 March. . . . I got a letter from my wyfe to com in to taik my physik and to tell me that a new Protector hes beene choysen ; fyve leited, the Protectors son, Fleetwood, Lambert, Desborough and Monk, and thes naymes casten in within the hatt and whom the Protector drew to be the man, and that putt in within a cabinet and not to be knowen til after his deceas. If it be trew its strainge newes. . . . Then young Riccarton cam in and sayd their was a noyse of seing 80 sayle of ships of Spaniards. . . .

3 April. . . . Som told me of S. H[enry] V[ane] killing himself, but I beleeved it not, and if his being killed wer treu I feared that he had been assasinat be som bodye and then imputed to himself ; and if it be al treu he hes playd the part of Achilophel both in lyfe and death.

XX. 5 MAY TO 5 JUNE 1656

5 May. Monday, at Calder Communion. . . . When I cam in to the Kirk, on[e] Jean Hamilton, shoe that was distracted at the Ferrye, got in afor the Lady Liberton and their begoud to speak, and when I desyred hir to be quyet becaus the apostle forbids a woman to speak in the churche, shoe fell out upon me publiklye that I could not spell nor pronounce and then told that I was Kings Advocat and had sold the King as Judas had sold his Master, that their was a Judas heir, that I had killed Earle of Montrose tho God has His awen honor in it, that I had maid myself King, that wee could not live without a King, that wee should haive on[e] agayne ; that shoe cam their to speak hir mynd to me, that tho I pretended to denye the world I had it fast in my airmes ; that I had the word and that their was no uther King now ; that I winked [?] on the ministers ; that shoe had touched me in the quick and therfor I did garre taik hir awaye.

Shoe had in the loging the night befor, upon occasion of hir tyning at our exercise a cloved orange which shoe preferred to hir Byble, fallen out in rayling against me as

a cankered, passionat man and proud and ambitious and who could suffer non to reule but myself, and had abused my servants. The Lord kepted me calme and free from al anger, passion or heate at hir, but I pityed hir as in a fitt of madnesse and spak non at al to hir mor nor to any, but som uthers caused taik hir out of the dask and kirk least shoe should disturbe the exercise, and shoe cryed for Sampsons strenth when shoe held the pillar, and went in to the ministers and spak blasphemye to them, as both M. G. Hal and M. Jh. Prymrose declared, and I heard shoe had twyse comunicated yesterday, and had taken the fitt in the foranoon sermon. Their was a good providence that shoe spak nothing to or of my wyfe but to and of me, and ther was som malignants in the Kirk interteaned the storye with laughter. Now the Lord God give me the right and sanctified use of this dispensation that the Lord wil haive publik congregations to heare of such raylings on me, and haive distracted folk to blaze my real faults of pryde, ambition, ostentativenesse, passion, cankerdnesse, becaus I mourne not in secret over them, and to laye base treacherye as Judas to my charge most falsely and so vent the malignancy of the sprit within the partye or Sathans present suggestions to affront and disgrace me in publik. The Lord remembered me presently of tuo things—what would shoe have sayd if I had taken hir gold when I was Kings Advocat and did pleade for hir and got a composition to hir? the uther that God justly rewarded me for my tuyse outgoings after the exercise in the evenings and looking what people had been at it; and my natural corruption and earnest desyre of the good esteyme of professors and their applause and good reports is most justly payd hom by God in their revylings and raylings on me, for I heard afterward that a woman wairned my man that shoe [Jean Hamilton] was coming in to rayle on me, and that in cold blood in Edinburgh shoe had oft rayled on me and sayd shoe would speak to me and to M. J. G[uthrie] for ruyning of the Kirk and Kingdome, and I remember shoe sayd I had brought in confusion and division in the Kirk and the Lord would

requyre me for it. Shoe spak the very comon speeches of malignants against me. It troubled me to heare that som professors [believed] hir in thes things. . . .

. . . The Lord punishes me in this sense as the congregation hath heard, and by it I wil be for this week the song of the drunkard and subject of laughter in the streets. . . .

7 May. . . . I read on Baxter of Infidelity.¹ At night I prayed and notted on 2 Sam. 16. This passage is the mor remarkable to me that as it followeth after his wrong to Mephibosheth so that rayling of J[ean] H[amilton] against me fell immediatly after my praying on Mephibosheth in 2 Sam. 9 and 10 ch. and then becaus shoe is come of the Hamiltons who hates me as if I had wronged the King and the Duk of both whose lyfes the Lord knows I am most innocent, and tho the Lord may justly poynt thes at som secret sines yet whyl I medled in publik affaires He knows I neyther had hoopes nor designes nor thoughts of coming to any of their roomes, and if ever I got any hoopes of publik service agayn it was borne in on me when heavilyest afflicted and least dreaming of or fitte for it in 1653, and I haive prejudged no body sensyne by medling but waytes on Gods way and tyme of supporting or delyvering me. After prayer I heard Jean Hamilton had abused M. Jh. Stirling and taken hir to M. Jh. Smith ; and a new report going up and doun of a new addition to be maid to the Counsel, as of Sir A. J.² , Sir J. Chiesly, Sir J. Stewart. The one report and the other wil be maker of discourse to many.

8 May. . . . I thought the eyes of al in heaven and hell ar most on a pierced Christ, the on[e] rejoycing in it, the uther mourning for it. How little think they or look to the things taikes us up heiraway, as gayning an estate or place or authority over som men or peece of earth. What the better is Cromwell of his peaceable possessing and comanding thes 3 nations. O what a masse of feares and cares and griefes and perplexityes and designes and desyres

¹ *The Unreasonableness of Infidelity, manifested in four discourses . . .* by Richard Baxter. London, 1655, 8vo.

² Perhaps Wariston refers to himself.

and projects and plotts and jealousyes and diffidences and aprehensions of poysonings, massacring and surpryzings is his breast this daye full of and weighted with ! God keepe me from envying him, or desyre to be with him or tayste of his dayntyess.

9 May. . . . I went to Riccartoun as to goe to the fishing but was disapoynted, and so read al daye in Baxters directions for comforting an afflicted mynd.¹ . . . I heard that poor Jean Hamilton is growen stark mad, gon naked and blasphemed and raged, and is thought by som to be possessed. I heard of the Protectors injoyning a cittadel to be presently erected at Leyth,² and that he had seized on the Lord Major of London and on the moneys in the several halles.

13 May. . . . I was al daye at the watter and fishing. M. Jh. St[irling] speaking to me afor Jh. Ramsay of the fixt threats and oppressions against me in the toune greived me. The Lord pitye me wham Thou hes brought so low as every pettye bodye now tramples on me, as Job sayd in his 30 ch. God forgive me for any oppression or threatning of any whyl I was in power. . . . I got a letter from M. Jh. Oliphant shewing the terrible backslyding in the people of the Clidsdail, and deadnesse in their minis-terye. . . .

20 May. When I looked on 9 Amos 1, and so forth, I thought when in begining of 1650 I applyed it in Brunsfeild to James Graham I little dreamed befor the end of the year I would taik it home to ourselves. . . .

31 May. Preparation to Edinburgh Communion. This morning whyl I am putting on my clothes I got a letter from Argyle to my wyfe of the ouverture if I would taik the Registers in keeping they would give me a salarye, and mor in our busines might be doen afterward ; and after I had told my wyfe about my resolution not to medle in their publik employments, which would but draw sines

¹ *The Right Method for a settled Peace of Conscience and Spiritual Comfort* . . . by Richard Baxter. London, 1653, 8vo.

² Nicoll's *Diary*, pp. 179, 188. *Scotland and the Protectorate*, p. 318. (Cf. Laing MSS., p. 298.)

snaires and scandals on me from which God has kepted me now six year since I gott a grott by my publik callings, and yet wee debayingt whither shoe might wryte that if they could find no uther waye of paying our pension they might cause any to whom they intrusted the Registers, and out of the Exchequer paye us owr yeirly pension. And whyl in the gallerye I was thinking what if the Protector wrot down that he never mynded to putt me out of my place and sent down the Registers as belonging to me (as he hes given to M. R. Blair his pension agayn) and would not requyre eyther my medling in judicatoryes or giving any oathes or ingagements, what might I doe in that case ? . . .

5 June. . . . I read over my letter haiving the reasons against taiking of places [under the Commonwealth] and heir befor the Lord my God renewes my resolutions not to beard with their places and gifts but only to taik my bygon rights or debt which is owand to me and which M. S. Rutherfords tractat¹ shewes I may clayme from any usurping power as all Scotland seeks and taiks the benefit of common justice. Now the Lord my God keepe me from temptations and lead me out of them; direct and assist me to wryte to my Lord Argyle an honest, clear [?] aunswer which Thou wil back and blisse. Heir I thought the Lord directed and assisted me to wryte a direct refusal and withal expresse my confidence in God if they would not paye me my debt. When I shewed my letter to my wyfe with my desyre to haive it in and awaye the night she weeped, as being, shoe said, between great straits on every hand, and thought it best to delaye it til S[ir] J. Ch[iesley] saw it; to which I yeelled; but just as I cam from hir the gentleman that maryed Janet Skein cam to hir and was to returne to the toun that night, which providence of God called me, I thought, to send it awaye, and to wryte in a postscript about 2 Kings, 5, etc.

¹ Rutherford's tract has not been printed. It is probably the unfinished treatise on 'the power of the civil magistrate in matters of religion,' which, in the handwriting of Samuel Rutherford, is in a volume of MS. tractates in the University of Edinburgh (Laing MSS., p. 204).

I did both and inclosed it within on[e] to S. J. Ch. after reading to send it awaye ; and I wrot to Archibald Cambel to keepe off all such motions and temptations from me, and withal told him of my portion, refuge and sheild. After sending them awaye I spread the letter befor the Lord and begged that whyl I eshewed temptations and desyred to keepe His waye of deuty, I begged of the Lord that He would let me find His good hand towards me and my busines now as sindry tymes He did in King Charles' tyme tho I refuse the Protectors imployment.

XXI. 6 JUNE TO 1 JULY 1656

6 June. . . . I remember yesternight after dispatching my aunswer to the Marquis that I was persuaded their would be many sinnes, snaires and scandales in my meddling with publik imployments in thir tymes. . . .

8 June. 2nd Communion at Edinburgh. . . . I am going to communicate in the Grayefriers Kirk wheir, in Februar, 1638, wee renewed the National Covenant and got, as M. G. Hall sayd, the new plantation ; but alas ! wee haive pulled it up by the rootes. O I beg mercy for al the wrongs I haive doen to it since that tyme to this now, in above 18 yeirs tyme. . . .

9 June. . . . I comunicated to M. Jn. Stirling and M. S. Rutherford my aunswer to my Lord Marquis of Argyle which they thought very honest. . . . When I was going to the exercise Col. Ker cam in and told me strange storyes about his testimonye in the session of Ancrum against the late oaths, and M. Jn. Leviston his casting up our pressures of sprit to haive the Covenant renewed, and then his declaring in his session that he could not preach at Ancrum tho he took much mor tyme and paynes to his studys nor he used to doe ; and others observing a decaye in M. Levistons preachings elswheir, and I thought so and som uthers in his Saboth sermon. . . .

10 June. . . . Immediatly after [family worship] I heard of the strange work of God on Saturday last killing M.

Tho. Chartres ¹ by the stroak of a horse after his dissipating his congregation by his (? turning) above ordinances and his coupling 13 horse since Mertymes last. O the jugments of the Lord! God hes blasted the only tuo gathered congregations in Scotland. . . . Wee met this foranoon about M. Jn. Levistons busines. He and M. S. R[utherfurd] prayed and wee delayed til 5 at night. I heard of M. Th. Chartres pressing to maik an accomodation that week with the Quakers and their saying to him on the Thursday that a suden jugement would destroy him, and that he was buying the superiority of land their to (? crest) himself over the feuers and was not dreaming of death; and of 11 of his congregation becoming Quakers as above ordinances. M. J. Durham sayd he thought that evil sprit in them would turne in end to violence and blood, especyaly against ministers. I woundered to heare that al the Malignants in Glascou had given a call unanimously with the honest folk unto M. R. Mackuaird.² . . .

11 June. . . . This foranoon wee debayted long about M. Levistons busines, and their the Lord directed us to an ouverture of his going to Ireland for a visite 6 moneths with one or two from Ancrum with him, and that he should return free inteir and uningaged, and thereafter maters would be clearer for a determination. . . . It pleased God to maik both partyes satisfyed with our determination, and to thank Him for it. Then wee spak of M. S. R[utherfurd] busines in New College and of J. G[uthrie] busines at Stirling, and knew not what to doe about eyther of them; then about M. R. Mackquards perplexitye whither to goe to Erskin or Glascou and wee advysed him to goe to Glascou. . . .

12 June. . . . M. Jn. Stirling told me of old malignants

¹ Scott's *Fasti*, ii. 289. Charteris was translated from Stonehouse to East Kilbride, where he formed an Independent congregation, and was killed as above stated. (See Baillie, iii. 322-323.)

² Robert M'Ward was appointed minister of the Collegiate Charge of Glasgow. He had been secretary to Samuel Rutherford, whose *Letters* he collected and published in 1664. At the Restoration he was arrested for 'sedition and treasonable preaching' and banished from Scotland. He took refuge in Holland, where he died, December 1681.

being easily discernable by their good wishes, prayers and speeches in favors of Papists, King of Spayne and King of Poland, agaynst Protestants, Inghland and Swede, as ever befor by the lyk for the King and agaynst the Parliament. M. P. G[illespie] told us sundry evidences of the secret ingagment of the heads for Public Resolutions to the Inghlishes as (? and) a Counselor speaking of having M. J. Wood bound by word and writt, and Presidents taiking out a paper out of his pocket and saying that M. J. Smiths preaching and praying was afor such a daye and so afor his ingagment; and that they spak most freely to him alon but not on[e] afor another; and M. J. Durham told of M. J. Wood saying to Mr. Blair he knew not of that place til it cam to his hand, and yet Mr. Douglas and M. D. D[jackson] telling him that he had spoken of it to them and they had no will of it, and straive to dissuade him from it but they (? he) took another gayte of his awen. . . .

. . . M. J. G[uthrie] proposed S(ir) J. Ch(iesley) going up [to London] about our publik affaires; he would not heare of it. . . .

13 June. . . . M. J. Guthery told me that on[e] had proposed to another (I thought it was Mr. Lighton to S[ir] J. Stewart) that I would taik the Principals place: it remembred me of my dreame in London about my turning a schoolmaster when putt out of publik maters, which I haive oft expounded of our exercises in the Catechisme. . . .

16th June. . . . After desner I resolved to go to the feilds and when I was gon out I was by providence driven back and then . . . I was called in becaus of som lettres com, and in the incoming I ejaculated on that word 'Watch and praye that thou enter not into temptation,' and their I saw it was a letter from my Lord Argyle shewing of their meeting the Lord Deputy, President and Lambert, with [? writ] on the Saturday 7 June about my busines, and after som expostulation and on[e] saying I neyther loved the power that was nor that which is, they offered if I would receive the Registers to moove my Lord Protector to give me them with his pension, and

that this was the summe of all, and Archbald Campbels letter shewing my Lord Marquis great respects and paynes in that busines. . . . I drew a draught of an answer to this, conforme to the former and left it to my wyfe to wryte it from hir. I had desyred hir to wryte to Argyle this morning afor I knew of this . . . I see my wyfe greeting whyl shoe is wryting . . . Lord, shoe may think that be my refusal I ruyne my children, but O Lord Thou can draw mor good even to us out of our honest tender conscientious aunswer nor out of our compliance with the tymes. . . . Thou can putt mor of Thy employments on me that I refuse mans employments in so tiklish a tyme. . . . If the report of Argyles taiking imployment hold treu he knows how seasonable it was.

I went down and read my wyfes letter and found hir al begotten, and that shoe had written my full resolution to suffer the worst in thir tymes and agaynst medling in publik employments and that on grounds of conscience, and when shoe had sent it away shoe weeped and sayd shoe had lattin me doe thir things without hir being a temptation by representing the treu particulars of my low condition, that wee could not subsist nor keepe our familie unles God doe for us now agayne as He did in our extremitye in the end of 1648, and shoe weeped bitterly. . . . I desyred to hold up my nayme and my wyfes and of every on[e] of my children, Elizabeth, Archbald, Rachel, Hellin, Margret, Jhon, Sanders, Janet, Catherin, James, and I begged of the Lord to look upon every on[e] of us and al our necessityes inward and outward, and to pitye them and supplye them and provyde weal for every on[e] of us in temporals, spirituals and eternal. . . . I thought the Clerk R[egister's] place had been often my *summa* and my idol, and my former getting of it had brought me under scandals, and farre mor would this way of getting it doe. . . .

23rd June. . . . I was a little troubled with finding M. R. Tr[ai]ll thought that my temptation was woven with smal threed, and why might not I without any new oath or ingagement medle with my awen place? I shew

him it related to the croun as much as to the leiges, and I could not sweare *de fidei administratione* in relation to the present powers. . . .

25th June. . . . I got from M. Rob. Reule M. J. G[uthrie's] letter wherein he wrytes weal his suspicions of Argyle being on a designe of imployment and to haive me ingaged to taik off the reproach. . . . I got a letter from S(ir) B[rice] Cochran out of Irland of his representing my condition fully and delyvering my petition to my Lord Protector and his being satisfyed with it and promising a very satisfactory aunswer to it, and to apoynt a committee of the Counsel to consider it, and asked who would seek the returne of it, and he told my Lord Argyle, and that he was confident of a good isseu of it. I thought it remarkable this letter coming to me after my morning comittment and after M. J. G[uthrie's] letter to me. . . .

26th June. . . . I was put to wryte a letter to my Lord Marquis [Argyle] of my thrid refuseal to medle in publik civil places and my desyre that he would presse ane answer to the particulars of my petition according to the Lord Protectors promise to M. P. Gillespye and agayn to S(ir) B. Cochran, and I shew the reasons of my not meddling in State affaires and my resolutions to spend my tyme in mor immediat services to God, and my willingnesse to execut the comission layd on me in 1650 for visiting the Borders, Heylands and Yles to trye the condition of the churches and cariage of ministers and elders ignorant or scandalous. . . .

27th June. . . . I heard from Dundas and Mr. R. Trayle that their was som rumor of som chaynge to be shortlye about the Protectors title and waye of gouvernment in Scotland. . . .

28th June. This morning I thought in my bed on the waye of Gods justice in divers degrees of it on instruments according to the degrees of their sin, as the Lords executing the old King and but banishing the young; the Lords executing Straford, Canterburie and the two Duks of Hamilton, and his imprisoning and ruyning the estate of Crawford-Lindsay and Lauderdail; His keeping Loudon

free but estate under ruynes; Argyle in effect in exile, Cassilis mor free nor any of them; Liberton killed and Lauthians estate ruyned; His keeping S(ir) J. Ch[iesley], Brodye and me freer in our persons, but I am most undone in my estate, yet hes had most freedome from outward distractions, and now one is lipning to his witt and diligence at home, and other to his Court abroad.

. . . I thought it observable that M. J. Hart hard the Lord Henry Cromwell saye that the President [Broghill] had written to Ingland and Irland that he had drawn over the pryme ministerye of Scotland to the present government, and that M. J. Wood sayd wee [Protesters] feigned and spread lyes on them [Resolutioners], and that he knew some pryme of the Protesters gaive in to the present powers a paper of ingaging to becom friends to their freinds and foes to their foes if they would give them their power, and upon refuseal of that had retyred the paper; and when he sayd he knew my Lord Waristons and M. J. G[uthrie's] jugments whom they suspected most, he replyed, men did strainge things in thir tymes; and when he told him how mightily they wer reproched in Irland about the way of leaving off prayer for the King, he sayd they could defend it, [it] was no case of conscience nor *casus confessionis* fra once they tak off the bands layd on them. . . .

. . . When I thought heir on my account the 13 yeirs of my publik employment I acknowledged self had gotten the fatt of my sacrifices and drink of my offerings in every year—as in end of 1638 about the books of Glascou,¹ in end of 1639 about Treatye at Birks and about the agents place with the King for the Kirk; and trouble and seaknesse in Wariston; in end of 1640 about Clerk to the Committee and being with it and going to Treatye at Rippon and London, and many thoughts in both places

¹ Wariston was appointed by the Glasgow Assembly licenser for the press of books dealing with Kirk affairs. Possibly the reference is to the summary of the Acts of that Assembly which he was ordered to prepare for the use of the Presbyteries, and for which he charged the ministers 'ane dolor.' (See *Diary*, i. 404, 409.)

anent Clerk Register; in the 1641 dealings at London with King and Marquis, then seaknesse in Edinburgh and Wil. Murrays business; in 1642 agayn at London, busines of Will Murraye; in 1643 anger for motioning another to London,¹ in 1644 pryde in debaytes,² in 1645 at St. Andrewes about Advocats place, in 1646 at London playdayes [? pleadings] for King, speech at Newcastle; in 1647 great heate and discontents, in 1648, at end, thoughts, desyres and designes of Clerk Register; in 1649 the proclamation of King [Charles II.] and the scandal about Clerks places; in 1650 the bonfyres and Act for admission of King to the exercise of his power,³ and that from this wrong waye of the wyse steward to mak the King my freind not to putt me out of my places, which brought on the losse of my places and estat and the ruyne of the land. . . .

XXII. 1 JULY TO 27 JULY 1656

. . . 4th July. . . . I remember that I forgot to wryte as I intended my last nights dreame, that I was in a roome with the Protector and his son and that I had his hatte in my hand, and his son went out afor me. What sort of dream this was and what it imported I know not. . . .

. . . My proud heart cannot forgett what M. Mershal sayd in the Assemblie of Divines⁴ when I was first brought in—that God had sent me to them as an angel of God in their distresse, to guyde them in al their pathes of managing that great busines of the Covenant, Treaty and assistance. . . .

¹ The Assembly of 1643 nominated eight commissioners to attend the Westminster Assembly. Wariston is last named and possibly may have been omitted in the first nomination (*Principall Acts of General Assembly*, 1643, p. 40).

² Wariston entered into the debates in the Westminster Assembly. Cf. Lightfoot's *Journal* (Works, ed. Pitman, xiii. 145, *et passim*, Gillespie's *Notes*, 1846, p. 15, etc.).

³ Acts of Parliament, vi. (1819), 535; Balfour, iv. 73.

⁴ The occasion was possibly on thanks being returned by the Assembly, moved by Marshall, Dec. 1644 (*Minutes of Westminster Assembly*, 1874, p. 23).

XXIII. 1 SEPT. TO 7 OCT. 1656

2nd Sept. . . . This daye 6 year wee was lying on the hill head foragaynst Dumbar. . . . I heard from Greenhead¹ that Desborough was the great enemye to al our busines, and that the General [Monk] was for my going and against the tuo ministers that was naymed. . . . M. Francis Aird told me that he was not for my going to London, and that Mr. Blair sayd the Protector would never abyde my freedom, wherupon I remembered his growing in heate at some expression of myne in my Ladye Hooome hir ludging. I was heavye at desner when I remembered of Dumbar . . . and as I prayed if this busines be not of Thee, through Thee, and for Thee, cast Thou in lets and impediments in the gayte of it and mak me resolut for sufferings. . . . My Lady Loudoun told me of my wyfes weeping to hir when shoe heard of my voyage, saying that shoe would never see me agayne. . . .

4th Sept. I never was about so tiklish a busines and daungerous and of greater consequence in the right and wrong doing of it to God, His friends and interests, nor this is. . . . Who knows but this daye my letter maye readily com to Lord Fleetwoods hand and so from him to the Lord Protectors. Now the Lord God guyde that letter weal and tyme Thou maters so, and turne Thou sprits so, as if it be Thy will from that airth and Thy dealing in it light may break up to us to hinder or further our voyage as Thou would haive it. . . . Lord, lett me not goe if I goe not resolved against sinful compliances, and if I goe not resolved for restraint and suffering for testimonye to Thy name. . . . Now, O my soule, what sayes thou in simplicitie befor the Searcher of hearts in thes tuo—I resolve be Gods grace not to disclayme but adhere to my former testimonyes against the warre, the conquest, the gouvernement as founded theron and a toleration in ecclesiastical maters. I resolve not to medle with ingagements to stand and fall with them and to

¹ Sir Andrew Ker of Greenhead.

maintaine their power and interest, and not to be farther for them nor they shall turne to be for God, and in the conditional subordinat termes of the Covenant even at their best. . . . I resolve to medle in no State employments except it wer a comission as to Ezra, Nehemiah, Zerubabel to build the House of God and settle and further Christs interests ; or a comission to honest men to see al the magistrats wee [*? wer*] apoynted of godly men in the termes agreed to, and to reule the people according to their awen lawes of Church and State, only they paying tribut and keeping garisons, til the Lord should chaynge the heart of our conquerors to let us be free, living in freindship with our neighbours . . . ; then in case of pressing my recalling our testimonyes or entring into absolut ingagements, I resolve be Gods grace to suffer restraint or exile or sequestration or forfeiture, or what els they shal inflict on me, if the Lord wil assist and uphold me. Dear Lord, if anything in this be a going further nor Thou allows, discover it to me and s craipe it out and let it never be heard of nor suffer us to be tempted in it. Let us resolve al querees befor upgoing. If they chaynge the ministers and send not M. J. G[uthrie] and M. S. R[utherford] but apoynt M. P. G[illespie] let them chaynge all togither, and remember that about Jehoyada and about 1 Sam. 10 and 10 Acts. . . . If wee went al three I hoope wee would not part and the Lord would not suffer us to devyde, but mak us instant in prayer togither. Now, O my soule, tell the Lord in syncer, pure, naked simplicitie what swayes the most in thy inclinations to goe, and what moves the most in thy inclinations to staye. Their inclynes me to goe, the great straites of His work and people, weakning, faynting and fayling daylye, and my earnest desyre, if the Lord would honor me agayne, to be in publik service instrumental for the good of His affaires and people, and my encouragements from Dunfermling comunion, and the cast of the lott, and their [English, or Protesters] call after hearing my reasons against it and sundry of their resolutions against it from feares of my restraynt. I cannot denye my desyre to use the meanes of getting my

awen for maintenance of my familye . . . and then som secret hints and hoopes of Gods reviving His work and people in this 7(th) year of their captivitye which used to be the year of release . . . at the least the beginning of som restauration to it and to His remnant and to His barrowman. But howsoever it goe with me the Lord revive His work and people. That which feares and skaires me most from it is the feare of a conjuncture of my corruption and outward temptations of baits and straits and societyes and exemples and advantages and daungers, and the Lords desertion of me to sinful compliances contrary to the Word, my covenants, principles, testimonies, causes of Gods wrayth, advyces given to others, resolutions taken anent myself, reasons agaynst taking of places, expectations of the godlye, vows to God, and letters to men, providential temple words recorded in my diarye, many expressions in familye prayer and in exercises at conference and prayer, strenthening the hands of al enemyes, greiving the hearts and weakning the hands of the godlye, the very chaynge of the temper with the air knowen by experience of befor. . . .

6th September. This night I lay long waiking and then I wrote in the morning sundry thoughts and then was called in to my Lord Brodye. . . . Then ryding to Hermiston I was mightely passionat at children and servants becaus my man cam not to me but, I thought, had gon the uther gayte, til I saw him at Hermiston and found the madness of my passionat braid when I waunt nights rest; alsmuch sleepe as I want alsmuch mor passion I haive; it is so with my wyfe and sicklyk with us both for waunt of meate, and so it wilbe naturaly in the children. . . .

8th September. . . . My Lord Brodye told me that som thought they might, out of no evil will to me, counsel the Protector to restrayne me from wryting papers or meddling in Scots busines.

10th September. . . . This morning the 10 and 11 [of] Acts cam in my mynd becaus taught on by our minister, and teaching and causing Peter going to Gentiles against

his former resolutions for the which he is forced to apologize. What if the Lord should so doe to me in relation to publik imployments from which, of befor, He had dissuaded me and I dissuaded others ?

. . . I heard that Col. Fenwick and som uthers wer putt in the Tower—Lord send me clear light whither to gang or byde.

15th September. At night M. J. St[irling] comes in and told me of the general odiousnesse of the Protector to al pairtyes, which remembered me of M. G[eorge] G[illespies] letter afor his death¹ not to hold him up when falling. . . .

26 September. . . . M. G[ilbert] H[all] prayed weal for Gods good hand instructing us in the choyse of a person [as commissioner from the Protesters to Cromwell] . . . wee voted a minister ; circumstances over-weight substance in arguing. I feare som remarkable snaire. The Lord hes cleired me of His not calling me at this tyme, both by lott and by no[?] bodys] mentioning my nayme, tho som mentioned M. J. G[uthrie's]] nayme, but wee agreed on M. J. Simpson. . . .

27th September. . . . I spak to M. J. Simpson who resolved to goe to Glasgow and speak with M. P. Gil[lespie]. I thought it strange, and told it that it was strange M. P. G[illespie] going to London and drawing up ordinances² to impose on al Scotland without advyce of any and against their conjuration not to medle in ecclesiastik maters, and sending up sensyn ouvertures and instructions anent al our affaires without our advyce, as he acknowledged to M. J. G[uthrie] ; and yet no meiting, after 4 several meitings and dealings with him to be present, shal medle with any publik mater in his absence or without his consent—which, I sayd, was to mak him not only Archbishop of Glasgow but Metropolitan and Patriarch of Scotland. This may bring him to ruyne

¹ See Gillespie's *Usefull Case of Conscience*, Edin. 1649. The letter is appended to the tract, 'Concerning associations and confederacies with Idolaters, etc.,' and is dated September 4, 1648.

² 'Gillespie's Charter,' see Nicoll's *Diary*, pp. 163-167.

as the present obstracter of al deutytes to be doen for his Church, and causer of prejudices and divisions to us. . . .

I read to M. J. Simpson his prayer yesterday morning which should convince him the mor of Gods calling him to goe and me to be content to haive my tyme longer blank and useles and to be weaned from great maters. . . . Afterwards I was in the Advocats and then in my Lady Loudons and spak with my Lord of the Public Resolutions taiking the Ingagement, for which wee have no light, which if any would have fortold at Perth when the Remonstrance¹ was condemned would haive been called a lye and a calumnye, tho this Ingagement in the mater be mor than an oath of allegiance as more directly against defensive armes. . . .

28th September. Lords Day. . . . In the looking back to the nottes in my diarye at Doulphinton comunion I saw now my sute of Gods cleiring my cal to gang or byde by emergent providences and by unanimity of His servants, and so by both, by letters from South and West, and news from England, and by the Lords lott, and by unanimity of all and every one not to call me at this tyme, that the Lord very directly cleired my abyding at home at this tyme. . . .

30th September. . . . At night when I was going to bed this thought cam in my mynd, Who knows but as God brought me from Perth afor King Charles his coronation so He may be graciouslye keeping me from London least I should be at Cromwells coronation, as I told my wyfe. . . .

XXIV. 8 Oct. to 3 Nov. 1656

8th October. . . . I begged the Lord would direct me what use to maik of M. Ja. Simpsens going for my private condition. Then I told my wyfe of its keeping me from sleep. . . . I got my Lord Argyles letter shewing from my Lord Broghill that he had the Protector so ingaged

¹ 'The Westland Remonstrance,' see Balfour, iv. 141-160. Condemned by the Estates at Perth, 25th Nov. 1650 (*Ibid.*, pp. 176-178).

to dispose of the Registers as would be comfortable to me. What that means I know [not], but this I know that God hes al mens hearts in His hand and can maik my enemyes my freinds. . . .

9th October. M. J. Guthry when he cam in lett us see som additaments to the Act of Union and then told me of my Lord Tweddals letter saying that he had remembered and would remember our freinds busines, and that my Lord Broghil had brought it to a good passe, and he thought it was about my busines. M. J. G[uthrie] and my wyfe feared it was som pension out of the Registers, or som summe from him that was to gett the disposal of them; somthing that may look lyk a gift from them, or a dependance on them. My heart was perplexed, begging of the Lord som cleanly support or releefe, and putting the trust and care of managing it weal upon the fayth and credit of the Lord my God; and the mor that I maye saye to the Lord He has keeped me from going to that Court to haive any hand in it myself, and also the mor becaus the Lord Broghil who manages it hes a prejudice agaynst godly men. . . .

10th October. . . . I prayed anent that busines on Argyles and Twedals letters that it might be without snaires and offences (wherof I wrote to Argyle) a mein of my subsistence til God lett me see what He would doe with me. . . . And I thought somewhat heavily of my place of Clerk Register being disposed to any uther seeing God had preserved it as yet to me, and I saw not that I could accept of it without offences to godly, dishonor to Gods nayme and my profession, and snaires to myself and incouragement of adversaryes in their waye; nor how I could sell it or consent to any uther having of it tho for a sume or rent to me. . . .

15th October. . . . This morning awaking early I thought on the works of God thes 10 years since my coming out of England, as weal worthy the searching out that wee may sing of His mercy and jugement. . . . I thought indeed God most just and holy in al that He had doen in England, Scotland, Irland. I thought it a work of admirable

justice His bringing the King to a scaffold and his family to ruyne, after his long opposition with blood to the Covenant and Reformation and countenancing or conniving at the Irish bloody rebellion, and notwithstanding al the many rysings of people for his deliverye, and our Ingagement for it, and treaty at Yle of Wight for it, and turning al appearances for him to haysten his ruyne. Then I thought God had justly ruyned Scotland for espousing his quarrel and holding up warre for his familie against Gods persecuting justice, and after such evidences of the dissimulation of his son making the Covenant but a shoe-horne to his awen ends; and God had justly payed us hom our airmyes spoylezes mad in Ingland and Irland, and our statesmen and noblemens designes to restore the King in Ingland and inrich themselves, and hes justly brought down our proud, godles nobilitye that tyranized over the commons. And withal I thought it a great work of mercy to his remnant who in al apearance had been rooted out of the world if the King and his malignant party had gotten als many victoryes as they got defeates. Then I thought the old Parliament of Ingland had requyted us ill for first making them and procuring their call and meiting in 1640, and maintaining and restoring them when they wer brought low to extremitye in 1643 and 1644,¹ and that God justly for their captivating us as the Lacedamonians did the Messenians by their General and airmye, and for their rejecting Christs Kingdom in His Church becaus not subjected enough to their priveleges of Parliment, their great Diana, hes by the same General and airmy, raysed up by themselves, broken them, scattered them, conquered and captivat them, as in 2 *Zecharye*; trampled on their priveleges and libertyes and broken uther thre of their Parliments sensyn, and taken the gouvernement on his awen hands and keepes them at under. And as they doe it to us upon pretence of selfpreservation, so did he it to them on the sam pretence; and that the Lord was just even in killing and captivating sundry of

¹ The reference is to the Solemn League and Covenant and the raising of a Scots army on behalf of the English Parliament.

that airmy that caryed our people to Barbados,¹ as in 3 Joel, in the Holland warre and Spanish warre, and by the great affronts at Jamaica refuted their argument of successe. . . . Then I thought it a double mercy to this remnant that they got leave to live and injoye ordinances and saiftye, and then that they got the grace to testifye against the intaiking of the malignant party on the one hand, and now thes six years against the usurpations and oppressions from the Sectarian party on the uther, and so in suffering tymes to doe the deuty of a party and witnesses for God; and I thought it a particular mercy to myself that He had so long continewed subsistence to me, and had keeped me free of State medlings and offices wherin I could not have thes sex years medled without sines, snares, scandals and daingers. . . . I acknowledged His holy justice in tairking my places from me which I abused, and I wonder that He hes lattin no uther yet tak my office. 109 Ps. . . .

18th October. . . . I thought the Lord knew M. J. G[uthrie] and I was counted the men of contention and stryfe and cursed be many. . . .

22nd October. . . . After breakfast . . . comes a woman out of the toune with a letter to me from my Lord Argyle of 14th October, bearing that my freind Fleetwood assured him of my Lord Protector reserving one care for my freinds, and that he was 'very tender in his respect towards you and affected with your condition and had apoynted 300 pd. sterling yeirly for you; which as its an act of kyndnesse from men, so (al things considered) of great mercy from the Lord, wherin I rejoyce, and being doen afor your awen coming heir I think it so much the mor seasonable and should rayther be an motive for your coming nor any retardment to it.'² I was surprized with this and sent for my wyfe and comunicated the letter to hir, and sate down and blissed the Lord that had looked

¹ Cromwell's treatment of the Scottish prisoners taken at Worcester was fully ventilated in correspondence in the *Times Literary Supplement* during September-December 1919.

² Wariston is obviously quoting the words of the letter.

on me in my low condition and provyded meat for me. . . . I thought this was the first bleu boore of outward providential dispensations for my support and subsistence or mean of releafe. . . .

I thought it a remarkable providence that I had kepted in my litle pocket the offer of the place and my refuseal of it, aye aside my covenant, and now I putt this advertisement in besyde them . . . and I remember their was but a pension offerd to me with the place which had been full of snares and offences, and now His providence brought about the same pension without the place, and, I hoope, without snares and offences. . . . This remembers me of Thy moving the King to favor me and give lettres and ordres for me even when and whyl in simplicity of heart in obedience to God, I was doing the things most contrary to him; and that he mooved the Earl of Crawford at St. Andrews to cause paye me my bygon pensions, even sicklyk after I had angered him most; and the Lords causing paye me in an heape in 1649 al that he had kepted from me of my pensions, notwithstanding Earl of Lauthians urging preference for his faythers pensions. . . . I acknowledge if I gett not the sanctified use of it it maye turne a blowflame even as the Lord moving the Marquis of Hamilton and Calendar and the rest, in 1647 to grant the 3000 pound sterling to me wherof to this daye I haive reaped no good but the nayme. Lord, mak this mor effectual, and let me find Thou wil yet mak that good to me, and the mor that Thou knows the fear of the slandering Thy name, offending Thy freinds, and stopping my mouth in controversyes for The between the nations maid me absteane from pressing it in Ingland in 1648 and 1649, when my Lord Argyle got his and Sir William Dick som of his. . . .

24th October. When I cam to Ingleston he told me of thre forking at Court for my place, Juge Smith alledging an order from the Short Parliament, and Laird of Garthland, and Col. Barclaye, and I thought Swynton readilye might gett it assoon as any of them. I prayed the Lord God to give me subsistence and service and doe in al civil

places what He pleased ; but He had maid that place a subject of my prayers and expectations, and of His promises and performances to me, and had now kept it to the fore undisposed of to any, tho many hes sought it long. I praye the Lord to sanctifye to me every dispensation of His even tho another should gett my office. . . . Now the Lord my God when Thou taikes it from me let me find Thou hes a better for me, a place wherin I may doe The better service. I confesse my great sins in that place both in my consenting to the close of the Treatye.¹ and drawing up in it the Act for admittting the King to the exercise of his power ; and in the scandalous selling the clerks places for the which Thou might justly taik it awaye, as also for my idolizing it and saying my mountain stood strong, and my nest was bigged and imployments provyded for my childrein be it. . . .

25th October. This morning I thought on the news I heard of 3 or 4 forking for my place of Clerk Register, and I thought it very lykly one of them would gett it ; therfor I resolved and indevoured to confesse my sins in relation to that place, as that from September 1640 at Rippon the desyre of it had been an idol to me and the waunt of it the worme of my gourd, and the seeking of it had drawen me to snares with the King, M. and W. M. ; the thoughts and desyres of it taken up many of my prayers and intermingled itself in many of my proceidings ; that the disapoyntment of it had casten me in seeknesse at Edinburgh in September 1641, that I had desyres of it agayn in end of 1645 when Duree had colluded with Jam. Graham ; that after that disapoyntment the persute of Advocats place brought me to publik snares and privat ruyne, and the losse once of my Byble and diarye, but that God restored them to me for the which my soule blisseth Him ; that in the end of 1648 and beginning of 1649 the Lord in my great extremitye provyded som releif of my debt, and then som subsistence, and then that place ten yeirs

¹ The Treaty at Breda, April 29, 1650 ; cf. (*Consultations*, i. 353) Sharp's comment on Wariston's action, 'his hand was as deep in that treaty as any one man's in Scotland.'

after my first designe and desyre of it, as *summa votarum humanorum*. Then in 1649 I confessed my wronging my profession . . . by my scandalous selling the clerks places; then my great offending of God by my yeilding to the Treaty at the end of it, apoynting the bonfyres, moving and sending the Act for admission of the King to the exercise of his power of purpose for the Kings favor to continew me in that place. . . . On the uther hand I acknowledged Thy great kyndnesse in Thy performing Thy promises maid to me many yeirs befor in bringing that place to me; then in Thy provyding be that place mantenance to me for the 6 years of my trouble, then in maiking the safty and recoverye of these registers the mean of my preservation both from many snares in the publik resolutions and many bodily daungers in the armyes merching threu Fyfe, and in His cleiring my honesty to both pairtyes in my recovering and sending thes registers to Stirling. . . .¹

I got from M. Jh. Stirling Tweddals letter that he had spoken to his Highnesse about Waristons particular and had a very good aunsuear with many expressions of goodwill to him as being a good and a godlye man, and the owning of such mens concernements he maid his interest and wil be easilye intreated for them. I suppose he is to applye the profits that will com by the things that belonged to that office to his behoofe, and their is order for drawing somthing of that to passe his Highnesse hand given to my Lord Brochil; and I heard he had written to som of our brethrein to keepe the Fast and M. Ja. Wood had come over to consult about it, but the ministers of Edinburgh could not keepe it.² Upon this occasion I went and spread the letter befor the Lord and blissed the Fayther, the Son,

¹ The story of Wariston's recovery of the Scots Registers is told by Dr. Hay Fleming in the introduction to the *Diary*, ii. xxi.-xxviii.

² See *Scotland and the Protectorate*, pp. 332-333. Cf. Nicoll, p. 186: The letter sent by Dickson and Douglas respectfully declining to keep the Fast which had been ordered by the Protector, 'for a blessing to the Parliament of England now sitting at London,' explained that in Scotland a Fast could be ordered by the Kirk alone, 'and we look upon the precedent as of great consequence.'

and the Holy Ghost for thus turning the heart of the man whom He hes putt in power thus to favor me and express his goodwill and interest to ounesuch. . . .

28th October. This morning I thought on the clause in Committee of Estats 1640 and Comission to London becaus I was procutor of the Kirk and acquaynted with the reasons and prejudices, and whither I should acquaynt M. J. Simpson with that or not. Then I thought good not to make hayste. . . .

At night, after praying, I got lettres out of the toune, one from Argyle that he had thanked the Protector for his kyndnesse to me, and that the Protector uttered very favorable expressions of me, and told of M. Sharpe pressing an aunsweare becaus of my resolution not to come, but he delayed it til he heard Mr Simpson. . . .

30th October. . . . After praying on the wealtrysted beginning of 12 Proverbs, I asked by lott the Lords mynd whither I should wryte up to M. Ja. Simpson the suggestion tuyse brought on me that if the Protector called me as procutor of the Kirk I would goe up; and after reading end of 16 Prov. and touching my covenant and praying for the Lords direction therin, the aunsweare was No; and so I blissed God and absteaned from wryting so particularly. I did wryte thereafter to him, to Argyle, to my Lord Tweddal, both my thanks and my faythful and free advyce to the Protector not to wrong the Church as King James was fortold, for it would bring doun the croun. . . .

31st October. . . . I remember this morning in my bed I told my wyfe my feare from what Col. Lockhart sayd to Juge Ker, of the Protector not thinking the gouvernement settled or sure whyl he was at such distance with the godlye in Scotland, and som speaking of our too great fayth, and from his politik and jealous nature, and from his profession of respects to me, that if I went up he would stryve to ingage me in som allyance with him, and if I refused, suspect and persecute me the mor, as Saul did to David; tho I sayd to hir if any heard this they would think it a strong fancye and a strainge imagination. . . .

1st November. This morning I wrote to M. Ja. Simpson,

being pressed by som suggestions to it, and at the hinder end I added, if ther was any notion ther of calling me up as M. P. G[illespie] by M. J. Carstares letter hinted, that it might be only as procutor of the Kirk to give information of the Kirks rights and upon a Church account and not a civil, but that unles he saw that it would be for the good of the publik busines that he would stryve to stoppe it. My wryting this much stak with me least it rubb upon my absteaning from wryting fully on Foursday becaus of the lott, and least it haive any hand in my calling up which may bring me to snares, scandals and daungers afterward. The Lord my God keepe me from sin or skaithe by it. I haive not sayd I would goe up, and sundry ar apprehending I wil be sent for, but I think ingenuously it looks too lyk to a willingnesse to goe, yea to a fetching a baire and tempting them to tempt me be a call. God forgive me that Thou thinks wrong in it and prevent any prejudice by it, rayther let the letter miscarye or mak them conceale it, or let me see by his lettres that such a thing was resolved of befor, or that he hes rayther hindred it. . . .

3rd November. . . . I dreamed of being with the Protector and his pressing me to places and my refusing it, but pressing on him the rectifying of al things wrong in Church maters, and wairning him that God utherwyse would ruyne him; and his speaking to me of M. W. Crichtoun. . . .¹

XXVI. 4TH NOVEMBER TO 16 DECEMBER 1656

7th November. . . . M. J. G[uthrie] told me that sundry would taikie offence at the nayme of my getting a pension unles it wer declared to be a part of my former rights and debts. . . .

8th November. . . . I prayed the Lord to order weal

¹ A sly allusion on the part of Cromwell to the Protesters appointing William Crichton to the charge of Bathgate on April 10, 1654, notwithstanding that one, John Hutcheson, had been admitted (by the Resolutions) on Jan. 31. (See *Diary*, ii. 202-203, 226-227, 231; *Fasts*, i. 167.)

al that concernes my busines at London, that it may be free of snares and offences. Lord, order that busines anent my going or abyding weal for Thy naymes saik. . . .

10th November. I dreamed this night of my ryding to London and my conferring sprituallie; and when I awaked . . . never to carye me up hence to London unles it be by a clear unanimous call of His freinds and without offence of His saints in the countrey. . . . Give our Commissioner favour in the eyes of the man whom Thou hes providentially maid Thy depute on earth. . . .

14th November. Al this night I dreamed of Evil-Merodach raysing up the head of the King of Judah,¹ and I thought I saw from Scripture our deutye to mak use of the favour of the providential magistrat sett over us by Gods hand. . . .

At my homecoming I got M. J. Simpsons letter of my Lord Fleetwoods making his addresse, and of Doctor Owen and Thomas Goodwin being with the Protector, of his haiving no hoope of any considerable seen advantage (Toleration and State interest in al things being so dear and tender to all heir with whom we haive to doe) and a new hearing to be on Tuesdaye thereafter. . . .

18th November. . . . I begged to heare good newes from London, both of public and privat busines. I read out the tragedye of Edward the 2ds lyfe and death,² and then Richlieu his lyfe and death. Then M. Jh. Chartres cam in and told of a shoure of blood in Sanct Jhonston, both in the Gouvernors yaird and in another called Jack Or, his yaird, which remembered me of the shoure of blood and of the earthquak in our south shyres in the spring 1650.³ . . .

26th November. . . . At night M. J. G[uthrie] sayd to me afor M. J. St[irling] that if I would let him see my diaryes he would find that W[ariston] had hoopes to be Protector befor he dyed. He prayed heavilye at night. . . .

27th November. . . . This morning wee had many

¹ 2 Kings xxv. 27.

² Marlowe's *Tragedie of Edward the Second*.

³ On May 28, 1650 (Nicoll, 16), and on April 27, 1650 (Balfour, iv. 8).

debaytes and at least seemed to agree on joynt committees, then on countenancing right devyded presbyteryes, then for a comission to godlye men acquaynt with our Church affaires; then debayted anent the magistrats calling so many of ilk jugement to adyse anent union and al maters of differences. M. J. G[uthrie] unsatisfyed with this as introductory to the magistrats hand. . . . In the meantyme M. Ja. Simpsons lettres cam, pressing our sending commissioners up to London. Lord God, desert me not; it troubles me, M. J. G[uthrie] and I differing in opinion; Lord, direct us to unanimitye: God keepe me from snares. . . .

28th November. This morning I was troubled to think of M. J. G[uthrie's] unsatisfaction, and that the going was lyk to be casten on M. P. G[illespie] and me, which affrighted me. . . . Greenhead shew a paper sent down to the shyres for ingaging them to concurre in airmes with the Protector and for Protector. . . . I drew up a paper for an instruction relating to the Comission 1650, and from *sanior pars*, and I desyred the nomination to be cleared to be by both pairtyes. . . . This foranoon the plurality of the meiting was for the meeting to be called, and M. J. G[uthrie] entered his dissent, and M. G. H[all] told his mynd against it, and Col. Ker held his silence. M. J. G[uthrie] was greived at my not dissenting also, wheras I would haive had the nomination to be clearlye in the tuo pairtyes. . . . Wee agreed this night on the positive and negative expressions of profession to the present powers. Wee debayted about the greivance anent the Covenant which I pressed as for Gods honor and our agreiment with Him. . . . Wee resolved to speak of persons as a committee this night. . . . M. Alexander Dunlap prayed. . . . Then the committee inclyned to M. J. G[uthrie] M. P. G[illespie] and me and Col. Ker. Then M. J. G[uthrie] refused peremptorily and desyred a committee to hear him, unsatisfaction in the instructions, and his wyfes seaknesse. . . .

29th November. . . . It was voyced two reuling elders by the moderator's voyce. . . . God guyde the persons nomination. . . . M. P. G[illespie] unanimously was

voyced, and then I spak my mynd freely, the reasons agaynst my upgoing, and now leaves the busines at Gods doore after conjuration of them al not to laye any call at my doore except from conscience being convinced of the usefulness of my going to the work of God. . . . I was then, after my prayer, called in and told that unanimously I was called by them, and, as they thought, convinced of God now the second tyme, after al my reasons, that I should goe. Dear Lord, Who calles me, let me find it of The, throw The, for The. M. P. Gilespey told, my unanimous call was his greatest incouragement. . . . Wee debayted about the greivances. I got a letter at night from Mr. Rutherford shewing the mynd of Christians only for one being their at London, and for their jugling expressions about the Ingagement. . . .

1st, 2nd, 3rd December. In thes dayes wee had many heats, contests, debaytes, despayres, disapearances, disapoyntments, dejections. Some of the debaytes ar marked on the uther syde. . . . Wee both despayred of our busines and then agreed on it unanimously, blissed, blissed, blissed be the Lord our God ; only M. J. G[uthrie] stak unresolved anent his journey ; the Lord remove that out of the waye. . . .

8th December. . . . M. J. Simpson wrote to me about M. Desboroughs terrible discourse agaynst M. J. G[uthrie] and me as thes who would cutt the Protectors throate. I thought it a strange thing that the Parliament was now much taken up about declaring the gouvernement to be hereditarie, which I thought would even be presently at an end one waye or uther when we com their, if God send us their.

[At the end of this volume is a further entry under this date, which follows.]

8th December. Lord, my doubt now lyes not in my call but my courage. This morning I told my wyfe of my haiving less scruples anent places then I had. . . . Lord, order weal that anent Clerk Register ; al that concernes The or me I doe remit, submitt and commit to The. . . .

I remember of S[ir] H. Vayne and Lord St. Johns entring

to the Counsel after the Kings death and chaynge unto an Comonwealth, that with protestation they aproved not what was doen but seing it was doen they wer willing to concurre to manteane the Commonwealth, so maye I saye, and the Counsell admitted that their protestation. . . .

My Lord Argyles letter of a great man that they should bid me doe nothing with them nor for them but that wherin I was alsmuch persuaded as they. I am counted a great observer and reverencer of Providence and so should be the mor submissive and subject and respective to the providential magistrat. I thought everybodys eye was on this my voyage either as my rysing agayn or falling mor. I apprehended indeed the Lord was eyther to bring out a great good or evil out of it to his remnant and barrowman. O my Lord, prevent the one and bring about the uther. . . .

11th December. This night, in the midst of it, I fell in a dreame that one wrote to me that these nations wer becom as a unite citey and that I was apoynted to be gouvernor of it, which left an impression on me. . . .

XXVII. 10TH FEB. TO 19TH MAR. 1657

Diarye from 10th Februar 1657, at London

February 10th. . . . Mr. J. G[uthrie] told me that my Lord Brochil doeth with me as the Earl of Traquair did with M. Jh. Maxwell whom he outwitted and overshot. I found be the Lady Swynton that Col. Lockhart had spoken to the Protector for the Clerk Registers place to Juge Swynton and that the Protector had insinuate he would haive no entrees taken for places; and that my Lord Brochil was exceeding angry at it and called it 3000 pound sterling, but apearantly be hir discourse my Lord Protector hes expressed som condition anent it if I wer free to taik it. . . .

We heard that Mr. Sharpe had sent doun our paper to Scotland. Lord, blisse yesterdays debaytes ¹ and let them

¹ For Sharp's report, see *Consultations*, i. 348-369.

leave a stamp upon the heart of counselors and ministers that heard them, and especyally on the Protector's heart. The Lord gaive me oportunitye of a long and free discourse with my Lord Fleetwood both anent the publik and my awen particular, and anent my Lord Brochil and Mr. Desborough, and about Swinton and the Registers . . . and he was very kynd and respective and promised to doe me right in thes particulars, but pressed me much to taik my imployment of the Registers. I urged the sending them to som honest clerks that the benefit of them might paye my debt, and between [now] and that tyme the Protector will haive a prooffe of my serving and I wil haive of his reuling. I urged the difference of toleration heir [in England] and their [in Scotland], and the going on in the warre without a previous treatye.¹ I shew him I was free to serve as Nehemiah and Ezra, eyther in purging ministerye or magistracye, which was my imployments in 1650 when interrupted by their incoming, and desyred only restitution of godly to that condition they wer in befor their warre. . . . I begge of the Lord He wil blisse my exonerer myself in my Lord Fleetwoods bosom.

I told an account of al our conference to M. Ja. Simpson and Mr. Ja. Guthrye and I found that M. J. G[uthrie] had been wryting to M. Jh. St[irling] and M. Samuel Rutherford. I feared the aspersion my nayme and I thought it not faire dealing to conceale it in Scotland to run out in

¹ The reference is to the English invasion of 1650 without the three months' warning provided for in the Treaty of London, 1641. In June 1650 the Scots became aware of movements of English troops towards Scotland, some from one point, some from another, but alike converging on Scotland. While the Scottish parliament resolved 'to send letters to the parliament of England and to the General of the army there to understand their purpose towards this kingdome' (Acts, vi. 323-325), the Commission of Assembly published *A Seasonable and Necessary Warning concerning Present Dangers and Duties* (Edin. 1650). The writer, James Guthrie, refers to the English obligation to give due notice 'before any engagement in these Kingdoms in War.' Cromwell on his northward march reached Durham on July 15, 1650, where probably he met with the Commission's paper. He drew up as a reply to the *Warning*—*The Declaration of the Army of England upon their March into Scotland*—'If treaties be urged against us it is easie to say by whom they were broken'; he instances the Engagement of 1648 which, though 'protested against and revoked since,' does not make up the breach 'so as to challenge England still upon agreements and articles.'

passion heir at a question about it, and refuse to debayte it, and then goe to the pulpit or publik lecture with it and send it abroad among many hands in Scotland. Lord pitye me and bring me out of this temptation and tribulation and confusion, and keepe me from the hand and will of myn enemyes watching for my halting. . . .

11th February. . . . I told Greenhead what past between Mr. Gutherye and me. I heard the Protector had called for us in the foranoon but he had apoynted us in the afternoone. Now the Lord be with us in our debaytes. . . . Wee should haive mett with the Protector and debayted with Mr. Sharpe but it was putt off to a uncertain daye, and Major Strange spak to us for my Lord Brodye and my joyning in the Counsel and managing busines to the interest of the godly and godlynesse; and I told in prudence, tho wee wer clear wee could not medle til wee saw how their publik busines went, and in what channel, and with what colleagues they did rune.

After returning hom M. J. G[uthrie] fell aspeaking with me about publik acting and I told him how much he had greived me, mor than ever I expected, and then he denyed my speaking about my paper when I gaive it to him, and then denyed his ever conceiving the instructions in that sense of our accepting that comission, but it was to godly Englishmen and uther Scotsmen that was ingaged of befor and wer free to act in thes comissions in magistracye. I remembered him that my nayme, Col. Ker, S[ir] Jh. Ch[eisley] Col. Ker (sic), Glanderston,¹ Brodyes naymes was spoken, and I was asked if I was free, and I declayred I was free, and they wer al very weal pleased and hooped the mor that things might com to som settlement. He graunted that the taiking of these comissions and uther places is al one [and the same] thing, and the lawfulnessse [of the one] inferred the lawfulnessse of the uther; and that he thought and sayd so then and thinks so yet; and I told him I was sure their was not one in our meeting that understood it in his sense or had a doubt of it in myn, but

¹ William Mure of Glanderston. (See *Diary*, ii. 74 n.)

when the report cam back they sayd that was the ouverture that was lyk to doe most good. . . .

After supper M. J. G[uthrie] spak whither this people was freinds or foes, and whither wee should not praye for breaking their power. . . .

12th February. . . . After prayer M. J. G[uthrie] fell upon the busines of controversye and had sundry sharp reflexions, and after desner told his desyre to go hom ; and then I speaking about his wryting home he told he had written to som of my freinds. I sayd, his doing it and not telling me of it both greived and angered me. . . .

Let this be a tymeous wairning against my ingaging to or with this people. Thou hedges in my waye with a heuen ston that I never expected in this lyfe.¹ . . . If yee seek this in favors of thes that ar clear to act in it then yee seek it in favors of me who declared befor al our meeting upon their asking, that I was clear to act in it, and non of the meeting shew their offence at it but told me, sundry of them, that they wer glayd of it ; so, I think, the most part of al whos naymes was spoken, as S[ir] J. Ch[eisley], Glanderston. Had it not been safer and clearer to you to have told the meeting that yee thought it a sin to me to act in it, and so their to putt it to a debayte, nor from this to wryte to Scotland against me for it. . . .

13th February. . . . Whyl I was praying alon M. J. G[uthrie] cam in and told me he thought our yesterdays difference afor Greenhead would haive many bad consequences. He saw what commoved me was his wryting to Scotland without my knowledge. I woundred his being so quyet at my different opinion in Scotland and yet be in such a passion at it heir. When I asked him, If the Protector should send the registers down to Scotland unto the clerks and give me a localitye of payment of my debt on the Registers, whither he thought I might accept of it ; he sayd he told me he lyked not the warrant that cam to me for my pension out of them, and lyked not my saying

¹ Wariston evidently is quoting his own words to Guthrie.

by comparison that a minister would taik a warrand for his bygon debt and service. . . .

14th February. This morning I thought on sundry absurdities from M. J. G[uthrie's] opinion dryving us to a no magistracye and no ministry and no Church nor State or necessar[il]y to ane universally wicked seeing wee cannot choyse the godly, as a sin. . . .

This daye I did wryte tuo sheets to S[ir] J. Ch[iesley] of my aunswer to M. J. G[uthrie's] ground of imbodying the godly by talking of places with enemyes and usurpers, and of my ground from the example of Ezra and Nehemiah. . . .

I heard of the Protector haiving one fast and the General Majors another about the great busines of the gouvernment, and som saying that it would break them al in peeces, and that it comes in to the Parliament the nixt Wednesdaye, the daye appoynted for our fasting and praying together . . . som of the officers sayd whatsoever wee thought of our voyage yet treuly the godly among their officers thought it very remarkable that God trysted from several parts a speaking language of the sam thing to the Protector.

I heard Major Strainge had been with the Protector and desyred them to look on us, and thes wee had to doe with, as befor he would haive wished the magistrat to haive looked on the Episcopal pairty and the old Puritans in Ingland, and I heard that sundry Presbyterian ministers thought much of St. Andrews book ¹ and begond to inclyne to Prelacye agayn. . . .

16th February. . . . I went to the Abbey and by providence cam in whyl Mr. Caryl was reading 1 Kings 3 ch. which speaks to me. . . . I heare the great busines of the hereditary gouvernment comes on this week : Thou knows how it will gang and what Thou will draw out of it, in justice agaynst adversaries or in mercye to Thy freinds. I remitt and committ to Thy overruling. Thou sees the instrument, Lord Brochil, of carying it on is the instru-

¹ Archbishop Spottiswoode's *History of the Church of Scotland*, published at London, 1655.

ment of our ruyne ; he thinks to be very great by his so doing and so hoopes to undoe us. Lord, free us of him if it be Thy will, and send som Mordecai in his stead. . . . In the evening we had a long conference with Doctor Owen and Mr. Naye¹ about our busines, and woundered to heare that Mr. Sharpe averred not above 5 or 6 deposed ministers reponed agayne. Then wee heard that the the great busines² for certain comes in on Wednesdaye. Lord, Thou sees that busines and my Lord Brochils credit be it stands in the waye of Thy concernement in our hands : remove obstructions and through Thy busines ; wee cleared them of Lord Brochils wrong information that wee being tryed by him wer found irreconciliable and the uther plyable. Mr. Sharpe and Lord Brochil had been with Mr. Owen. Nobody so espouses our busines as Brochil doeth theirs. Lord, stirre up som sprit to caire for The and us in it. . . .

17th February. . . . This day I spak to my Lord Lambert and Lord Fleetwood about our busines, to espouse it and heart it and mynd it, and remember my Lord Protector of it. . . . Lord, Thou sees how heavy lyk our busines lookes. This daye I did wryte to my wyfe.³ At night I found at our meiting the inclinations of sundrye to goe home and so to leave me in the lurch for publik and privat. I was very heavye this night and found my heart lyk dead. . . . I thought my reteirments in Wariston was even more useful to my soule and uthers nor yet my publik imployments wer. . . .

18th February. . . . Mr. Naye spak to me in Major

¹ Philip Nye (b. 1596, d. 1672) was one of the ' Five Dissenting Brethren ' appointed to the Westminster Assembly. He was before all else a politician and at the Restoration he narrowly escaped with his life.

² ' The great busines ' was the presentation to the Commons of the *Humble Petition and Advice* in its first form (*infra*, p. 65, n. 1).

³ Lady Wariston's reply to this letter is among the Laing MSS. in the Library of the University of Edinburgh. It reveals the strong common-sense and also the femininity of the lady—' I writ confusedly of many things, so ye wold have som closs-locket thing to keip my letters in for they are not fit to be seen ' (Hist. MSS. Com. Report, Laing MSS., pp. 305-308).

Strainge that the Parliament was about the House of Lords ; that a King and a Bishop was in the belly of the nation ; that a King would com in by the nixt successor and in another familie, and better com in in this ; that the godly being peevish in it Malignants would becom instruments, and that was the daunger. He sayd, the man that ruyned us in Scotland was lyk to ruyne them heir and be the great man ; that the old familie would not accept of bounds as a new would ; that the old maid ay one nation clash against another ; that King James ruyned the peerage of Ingland by keeping them at Court and farre from interest in the countrey, utherwyse whyl joyned they caryed al in the House of old. Then Greenhead told me of my Lord saying to Major Strainge that he knew wheir the interest of godlynesse and godly men laye on our side, and that he would cleave unto us and settle first the magistracye to our contentment, and speak with Mr. Gilespeye. . . .

Greenhead told me of the Protector speaking to him that he should haive alsmuch a care of us and our interest as of the honest interest in Ingland, and told, many would be tilling in our eares, but forbad us to beleive any harsh things against him til wee saw the contrarye ; and that he resolved after once hearing Mr. Sharpe and us agayn to caite ¹ that he would doe us good. And then he told him how il satisfied he was with som of our number being too busye to speak as if he wer to sett up his awen and our carnal interest, which should be found utherwyse ; but he would beare with it becaus he was a minister. Lord help us ; som fishes out our mynds and then tels them to our disadvantage. . . .

At desner I got a pacquet from Edinburgh wherin S[ir] J. Ch[iesley] and my wyfe wrytes agaynst my medling with the 300 pound pension as that which maid me contemptible as a forecasten courtier and to hing at their belt ; and shew me by divers informations that my Lord Brochil gaive the publik resolutioners an account of al

¹ *Caite, caive, or kyth*=shew.

concerning my particular and that it was of designe doen to keepe me in a reteyred lyfe; and that al my freinds wer rayther for my talking my place, wherin I might doe good and wherin Publik Resolutioners thought I would doe prejudice to them, than the pension. . . . Shoe did wryte that som lettres wrote down that I was to gett my awen place and be President of the Session; that M. D. D[ickson] called me a deluded man, M. J. G[uthrie] 'our Independent,' and M. P. G[illespie] 'our politician,' and M. G. H[utcheson], if wee maid not yet wee told lyes enough. Shoe thinks a delaye til publik busines be over, bids me aye wayte on God and trust Him. Shoe is agaynst my renuncing the Clerk Register place til I gett my debt. . . .

20th February. Thanksgiving Day. . . . Between sermons I lighted on Mr. Rutherfurds *Lex Rex* on M. J. G[uthrie's] table cleiring in 18 ch[apter] inferior juges to be immediatly subordinate to God. . . .¹

21st February. . . . M. J. G[uthrie] told . . . that the Bill anent the Gouvernement was to com in on Mononday but had left out the clause anent House of Lords, or making the gouvernement hereditarye. . . .

23 February. . . . I heard M. S. Bond² preach weal on 2 Timoth. 3. 5. Therafter I heard the busines of the gouvernement was coming in to the House. Then M. J.

¹ Rutherfurd's *Lex, Rex*, was first published in 1644. In 1648 it was reissued with a new title, *The Pre-eminence of the Election of Kings, or a Plea for the People's Rights*, possibly at the instigation of the Independents in time of the Treaty at Newport; the Presbyterians who were for the restoration of Charles to his rights as king would see how one of their own number laid down the duties of kingship. Now on March 26, 1657, Rutherfurd's treatise appeared again, with still a new title, *A Treatise of Civil Polity, being a resolution of forty-three questions concerning Prerogative, etc.* It will be seen that on March 26, the name *Humble Remonstrance* (Wariston's 'great busines') was changed to that of *Humble Petition and Advice*, as more befitting an address to a king, which title according to the first article Cromwell was to assume; and for the duties of kingship there was no better prescription than *Lex, Rex*. It may be believed that in this third issue of the treatise the sponsors were the Presbyterian party. It may be noted, too, that Rutherfurd's motto to chapter xviii., at which the book lay open, is 'This will be the manner of the King that shall reign over you' (1 Sam. viii. 11).

² Sampson Bond, minister (1646) of Maidenhead, Berks.

G[uthrie] and I all foranoon debayted the busines of taiking inferior magistracye ; he urged the taiking of the judiciarye, nomothetik and militarye power all one, and I urged Ezra his doing the one who I thought would not doe the uther. I urged a comand 18 Exod. and instance, and non could shew me a prohibition and practice of any absteaning from that scruple. He sayd he never wrote agaynst concurrence and never waived in one poynt since the begining. M. P. G[illespie] told his being with the Protector and his bidding us attend with Mr. Sharpe tomorrow at 9 acloak. . . .

Afternoon they caryed me doun to Greenwich, and when we cam back wee heard of the House devyding and 144 for the reading of it and 54 but agaynst it,¹ and that the remonstrance to be maid by the Parliament to his Highnesse to taik on him the title of King with al the titles and libertyes therof, and to haive a House of Lords of 70 choysen by the Protector, and non to com in in place of any dying but be their consent ; that the members of Comons their qualifications should be juged by a comittee and the Counsel, and the great officers of the airmy maid by Protector and Counsel and that Counsel aproven in Parliament and [illegible] sune for intertainment of airmy and no new imposition but be Parliament, and that to be triennial. I heard Whaley² and Goff³ and Butler⁴ devyded from the rest of the general majors.⁵ Then I heard from E[arl] Tuedal that wee wer called great enemyes to this. I thought often, and I sayd that this was the begining of great revolutions among them. The Lord

¹ On February 23, 1657, Alderman Pack presented to the House a paper 'tending to the settlement of the nation.' By a majority of 90 votes the paper, *The Humble Remonstrance of the Knights, Citizens and Burgesses Assembled in Parliament*, was ordered to be read (C.J., vii. 496; Burton, i. 378 *et seq.*). On March 26, the title was changed to that of *The Humble Petition and Advice*, which ultimately became the instrument of the Protector's government (C.J., vii. 512).

² Major-General Ed. Whalley, member for Nottinghamshire.

³ Major-General Goffe, member for Southamptonshire.

⁴ Major-General Butler (Boleler), member for Northamptonshire.

⁵ Cf. Firth's *Last Years of the Protectorate*, i. 150, 151.

knows what He will draw out of this in relation to His freinds and foes, but O, if it be dark, misty and drumley, and looks jugmentlyk and an engyne to break them al in peeces if ther should be a forrain invasion. They stated the question whether wee should be reuled by the sword or be law. . . .

24th February. . . . This foranoon wee had 3 houres conference with Mr. Sharpe afor the Protector,¹ wherin the Lord assisted me to speak that which in our sight took deepest impression on the Protectors mynd, and himself repeated as most observable for the which I blisse God.

Afternoon M. P. G[illespie] cam in and told me of the Protectors speaking very respectivelye of me and proposing to keepe me heir at London and to give me a place in the Admiraltye which had 500 pound sterling of salarye, bot M. P. G[illespie] told my freedom to my awen place if our publik busines went right and I got good colleges [colleagues].

25th February. . . . I apprehended in my bed from M. P. G[illespie's] discourse and his reservation that eyther the Protector had a jealousye of me and loath to lett me live in Scotland as that had disposed of my place to sum uther or the benefit of it to my Lord Brochil. . . . I mett be providence with Greenhead . . . he told me ingenuously the Protectors expressing his desyres to keepe me their at London in imployments, and I told my apprehension of Brochils hand in that, and of the Publik Resolutioners hand in it when they apprehend my clearnesse to taik imployments, as befor their hand to cause him procure me the 300 pound sterling, and their former opinion to the King that Church and State would not be in peace whyl I was their. He told me his apprehension of Protectors designe to devyde us among ourselves, which is also from Brochil and M. P. G[illespie's] too readynesse to accept a commission from the magistrat and to frainit a toleration to Independents and to heighten the Protectors harsh opinion of M. J. G[uthrie]. I spak to M. J. G my apprehension of

¹ See Sharp's report (*Consultations*, ii. 5-18).

Brochils designe to keepe me heir as they keepe Argyle on fair pretences, and so to keepe him also. . . .

After desner wee heard of the great heates in the House and then apoynting the Fast on Frayday, and nayming Mr. Naye, Manton, Caryl and Doctor Owen, the last after two houres debayte, and then Mr. Gilespye.¹ Wee had then a long debayte among ourselves about our instructions. M. J. G[uthrie] was for no mor application nor giving in of instructions seeing this new chaynge maid many alterations, but to goe al home. M. P. G[illespie] was also for going hom but to leave som to tyme right the giving in the instructions. Wee could not agree about the busines of union but brak in peeces in heate and contest. My heart oft cryed the Lord pitye us, for He braks us among ourselves and the godly heir also among themselves. . . .

26th February. . . . Lord, direct, assist and blisse me in this days debayte with Mr. Sharpe, conference with the Lord Protector, debaytes among ourselves. . . . Wee got no debayte with Mr. Sharpe becaus the Protector had no tyme. Foranoon M. J. G[uthrie] proposed to me that wee might wryte a joynt letter to Scotland that wee should not medle in that debayte about places til wee cam to Scotland. I told, if he had proposed that first I had lyked it weal, but now I could not: he had written without me and I without him, and I knew not what desseigne it might haive, and I thought the interest of a bygon opinion and that he could not reteyre from it was als great a snaire to him as interest of advantage or prejudice was to another; but tho wee differd in the mean I could live with him als kyndlie as ever I did, and so might he with me, unles he wer lyk the Independents in Holland that crumbled to nothing by subdivisions becaus they could suffer non that differd from them. He sayd, who was going asyd sought a toleration from them that stood stil; he sayd he could gett als many lettres up agaynst my mynd as I could gett for it. . . .

¹ *C.J.*, vii. 497.

28th February. . . . Jh. Cathnes told us that my Lord [Protector] had sent late one night and airly another morning for M. Sharpe. My Lord Brochil sayd to him afor tuo noblemen that the Protector gaive him a great testimonye for abilitye and moderation and the goodnesse of his cause. Major Strange told us the Protectors long harangue to the officers about the Long Parliament and uthers necessarily broken, and the first draught of the gouverment by som feu persons haiving in it at first kingship and negative voyce and hereditarynesse,¹ and now his resolution to refuse, but to think the power to nominate his successor necessary, and the balance by another House between the supreme magistrat and the Commons to be requisit; and I thought that in apearance they ar lyk to agree upon thes things. Major Strange sayd, he professed to the officers that he was convinced in his conscience that godlynesse and godly men wer on our syde of it and that he should be seen to countenance and incourage us. . . .

2nd March. . . . I remember, after prayer yesternight, M. J. Simpson told me from Major Strange of the Protectors cleiring himself from thes reports anent Mr. Sharpe. I thought M. Sharps book² good to cleir the conscience of the Protector anent the treu state of the busines and anent the mater of union. . . . Major Strange asked at me about the uther House; I sayd, anent all gouverments my scruple laye aye upon the qualification of the men as for God and godlynesse, men of parts and graces and publik sprits for the work and people of God as their trade, calling, exercise, honor, profit, pleasur and very lyfe.

This day my Lord Argyle drew us down to Wellage³ al afternoon, and I read Mr. Sharpes book which aproved the

¹ Cf. Stainer's *Speeches of Oliver Cromwell* (1901), pp. 261 and 460.

² *A True Representation of the Rise, Progresse and State of the present divisions in the Church of Scotland* (London, 1657). Written, at Sharp's request, by James Wood, and 'smoothed' by George Hutcheson, to being 'something enervat not only in its sharpness but vigour,' alleges Baillie (*Letters*, iii. 354). It is printed *in extenso* in *Consultations*, i. 292-340.

³ Woolwich.

treaty at Bredhah and the publik Resolutions, and now the 3d tyme manteanes them; and if thes be the causes of Gods anger according to our prediction in solemn ingagement and declaration at our feight if malignants wer on our forces and counsels, and our acknowledgment after Dunbar in causes of humiliation,¹ certaynly this wil greive the Lord; and if the Protector wil decyde the controversye according to the conscience of his awen heart, and the godly in England observing that for the cause, he wil decyde it for us,—and so in the uther poynt of our desyres for puretye in ordinances and officers; as I sayd to Major Strange. . . .

I got M. R[utherford's] letter² importing his forgetfulnesse of speaking to me about my taiking my place, and his thinking if whyl [until] I am commissioned I taik a place it would [wound] many, and bidding me byde Gods tyme and keepe be our instructions. This I remember perfytyly of M. S. R[utherford] speaking that to me, and that I think M. J. G[uthrie's] letter has drawen out this letter from him, yet I desyre to reverence Gods hand in His tyming and trysting it to me. And then with teares I spread thir lettres befor God, and the case of my foor sons, and heavily represented to the Lord that my nayme, estate, children, wyfe and [? household] was lyk to be ruyned, and no good lyk to be gotten doen for His work and people, and so this tyme and voyage lyk to break and sink and ruyne me. . . .

I heard Mr. Sharpe caused jears at my saying I repented of that treatye. . . .³

3rd March. . . . After desner, I heard the House had voted power to the Protector to nayme his successor.⁴ . . .

¹ See *Register of Assembly Commission* (S.H.S.), iii. 49-52.

² The letter is not printed, but Rutherford's opposition to the Commonwealth government and to any Scots taking office in it never varied (see *Letters* (Bonar's edit.) No. 330 and *passim* to 358). 'We should disclaim such as have sinfully complied with the late usurpers.'

³ The Treaty at Breda.

⁴ Unlike the *Instrument* of 1653 which declared that the Protector should be elective, not hereditary (*Government of the Commonwealth*, 16th December 1653, Art. xxvii.).

I remember at supper M. J. G[uthrie] sayd, Who knowes but the Protector maye nayme W[ariston] his successor? (which I thought might be a jear as, in his passion on 12 Feb. he sayd, What if W[ariston] hes dreamed to be Protector?) This troubled me in my bed, and I begged of the Lord to lead me in plain, safe, clean, clear wayes free of misbelief or unbelief. . . .

4th March. . . . I heard few Noes against the present vote, the officers thinking it better the Protector had the choyse than the Counsel who was devyded, and one half for hereditarye gouvernement. . . .

The Marquis of Argyle told us of the Act and comission against seducers of any of the airmye terrifying the officers; and S[ir] B. Cochran told us of the Protectors comending M. Sharpe, and that he told him how wee wer ay opposers to monarchye. . . . Then M. P. G[illespie] cam in and told us how General Major Lambert stood yesternight maiking his addresse by an onwayter, and forced to gae his waye, which was a strainge chaynge. And then he told us of my Lord Protectors long discourse¹ to justefye himself that he had not been on a designe, consultation and indeavour in this busines to haive titles to himself and build up his awen house which he knew would not be pleasing to God. He told that he was agaynst the calling of this Parliament, that he shew himself unsatisfyed with the gouvernement; that he in Scotland in 1648 shew that he was not agaynst monarchye²; that he beleived God would curse him and leave him no lyfe to goe his owne lenth if he should give up the good interest and the godly unto the hand of the sprit of the nation and unto the cavaleer pairty; but he saw the necessitye of a balance and a necessitye of an union of many that had fallen off on this account and upon that, by dissatisfaction; and he condemned the rigid sprit that was in the Anabaptists heir, and was in our Scots presbyterye when it was inteir, to lett non of a different opinion, tho good men, live asyde them; that he thought our debaytes to no use,

¹ Speech to the Officers (Burton, i. 382-384).

² See *Life of Robert Blair* (Wodrow Soc.), p. 210.

and that he should think with som of the Counsel upon our whol busines and caive his respects to the cause of God which he knew was the tendencye of our busines. . . .

I heard Mr. Simpson tell that the House had voyced the uther House to be of 70 persons at the Protector his nomination, to be the balance to the House of Commons. . . . M. J. Guthery cam in and told me of the vote and withal of a great mans telling him that I was to be naymed one of thes to serve for Scotland in sad seriousnessse, and my Lord Brodye another. . . .

6th March. I awaked this morning and had many thoughts about this new House, and what if I wer putt to it in reality what need had I of the counsel of God in al wayes possible, and to taik it to an advisandum with God. . . . I heard of the Protectors speaking very faire to the officers yesterday, that whatever the House did it behooved to come to him, and he would aye mak the interest of the godlye his chiefest end. Som told me of 60 of the Parliament going awaye out of discontent, and that Lambert was thought under a cloud, and that the House jeered when a man cited a Scripture to confirm what he said. . . .

The Lady Swynton told me after my complement to hir for hir and hir husbands kyndnesse, that my Lord Brochil called it a great thing, and that shoe knew it was mor their interest to give me my place nor myn to receave it, and that they would much (sic) it to be litle worth. Shoe sayd my Lord Protector knew men right weal, and my Lord Brochil and Mr. Sharpe. Shoe apprehended my Lord Brochil would not goe to Scotland agayn, and they durst not trust him in Irland, and that Lambert was under a cloude, and signified mor in their busines nor the Counsel did. I bad Major Strange tell my Lord Protector I desyred to speak with him about our publik busines.

This day I dynded in Fish Street, and after desner saw the Registers in the Tower. It maid my heart seak to see them, especyaly ane floore lying full of the papers lyk a great heape of dung. . . . Garthland¹ told of an order

¹ Sir James Macdowall.

from the Protector and his Counsel in the tyme of the Little Parliament ¹ to send them hom to Scotland. . . .

7th March. . . . I would begge of God that He would look to His interests and freinds and draw som advantage to thes out of the present reelings : let us find overturnings, overturnings, overturnings til He com whos right it is ; ane overturning of King Charles and his familie and Monarchie into a Comonwealth, from that a 2d unto a Protector, Counsel and a Parliament ; and now the 3d overturning of that unto a Monarchie agayn and House of Peers, which sundry apreheends will draw in Bishops agayn or Superintendents, and so maik the circle round and proove the emptynesse, vanity, naughtinesse, folly of man. Our Scots busines is at a stand, the English busines at a reele, and many looking on it as our 1647 and expecting another 1648, but when shal wee see again an 1649. I thought this morning about our publik busines and the prejudice of our delaye til their be a new Counsel, and I spak to Mr. J. G[uthrie] and then to Greenhead about it, and I found them inclyned to my motion. The Lord our God be gracious to us in this thing and prevent division amongst us, which my Lord Brochil intends. . . .

Master (?) Jhonston cam in at night and told me of a remonstrance from the gathered Church in the West by Mr. Foord and Mr. Forbes presented to the Protector agaynst the title of King and his colouring of things by his not seeking and by the Parliaments voting of things and lamnesse of the gouvernement, and his never being agaynst monarchye. This took an impression that what the good people heir was thinking and saying of the Protector about his present chaynge, the substance of the sam things proportionably would sundry in Scotland be saying and thinking of me if I medled with places, and I thought it strainge that his declyning case and myn should jumpe so togither and lyk uther. . . .

9th March. . . . I heard at desner of the Houses vote that al Scotsmen are capable of trust who haive lived

¹ ' Barebones ' Parliament (*Parl. Hist.*, xx. 152 ; *Clarendon*, Bk. xiv. par. 15).

peaceably since 1652¹ and therby hes shewed their good affection to the Gouverment, which remembered my Lord Argyle and me of the word anent Malignants and incendiaryes not coming within the verge of the court wherby to mak division or disturbance of the peace between the King and his people. Heir I saw the one half of our desyres and a godly magistracye cutt off; wee need not devyde on it, they knew it weal enough. The Lord knows how litle wee wil gett for the uther half anent the ministrye, seeing the Deputye told me of the Protector putting us to conferre with four or fyve ministers. . . .

10th March. . . . I was heavye about the vote but desyred grace to committ al things to Gods overruling. Mr. Sharpe to S[ir] J. Melr[?] jeered us upon the vote and asked when wee was going to Scotland. . . .²

This night M. P. G[illespie] sent us word that wee was bidden al meet toomorrow at night in the Counsel chamber about our publik busines. God send us som comfortable news after Mr. Sharps insulting and asking if wee wer going to Scotland seeing Malignants whom wee would exclude wer as farre ben as ourselves. . . .

11th March. S[ir] And. Ker, M. J. Simpson and I was al thre convinced of M. P. G[illespie's] and M. J. G[uthrie's] rooted jealousye, suspecting every word the uther spak. . . .

14th March. I told M. J. G[uthrie] my apprehension of the Protector's polytik gate both in his aunsuer to us and in the nomination of 70 persons to maik a medlee, a hotch-potch, a pleasing of both sydes. . . .

18th March. . . . I heard this daye of the Parliaments slighting and slightly going throw the mater of religion by settling no other thing in it but universal toleration which was destructive to it. Then at night I heard of my Lord

¹ The Fourth Article of the *Humble Petition and Advice* provided that those in Scotland who had lived peaceably under the Government since March 1652 should have the rights of citizenship. Wariston saw in this the freeing of many who had been deprived of such rights by the *Act of Classes*, which, notwithstanding its having been repealed, he desired to see again in force.

² Cf. *Consultations*, ii. 26.

Brochil his high words anent the busines of Stirling, that eyther the Counsel wer knaives or thes who had given in that petition for Stirling,¹ and that eyther the Counsel or Parliament would redresse it, that their was mor godly men in Stirling for M. Simpson² nor for Mr Reule; that non had separated from M. A. Cants ministerye; that the Protesters their was most rigid against Independents; that Mr. Guthry was the greatest enemye to the Gouverment and that Mr. Guthrye fand the comittee passing from their former report and seeking new ouvertures to please both pairtyes. . . .

19th March. . . . M. J. G[uthrie] was going to the goofe [golf] but I could not doe it. I thought with myself whither, I might in the old covenanted waye ask counsel of God in my perplexity knowen to many and wherupon sundry had written to me at Dudiston, M. G. Hall, M. R. T[raill], M. J. St[irling], M. S. R[utherford], Brodye, S[ir] J. Ch[iesley]. I enquyred, What if God sayd the affirmative I would be encouraged, but if He sayd the negative would thou desist? O deale fairly with God, never inquirye His mind unles thou will follow it, and reverence it, and deem weal of it, yea, better of it nor your awen waye tho yee see it not in the tyme; doe not with God as men does often with their freinds in the motions of mariage. I thought this, if God wer negative I should not be active nor use meanes for that, but wayte passive His call and determination. Lord, mak me clear in the stating of the question as whither to use the means for Clerk Register or not, but lye by til God declared His mynd by som cleerer providence; and anent that to trye first whither to cast the lott on it or not, and if it wer affirmative then to advyse about it and preparations to it in the casting of the 2d lott; if it wer negative how to construct it or to advyse about it by uther wayes and meanes. I desyre to suspect the haystinesse of my nature, or whither first to mak inquirye if I shal use means to prevent the disposing

¹ For the Petition, see *Consultations*, ii. 28, 29.

² For the Matthias Simpson-Rule controversy, see *Extracts from the Records of the Royal Burgh of Stirling* (Glasgow, 1887), pp. 220-227.

of that place to uthers, as to Swynton, and whither to inquiryre about that by lott to be the first cast, and if it be the affirmative to trye it ; if negative to use the means to prevent til I see how my debt maye be payed. That seimes to be my present strait and caise, and Gods resolution would mor and mor cleir me. . . .

Heir I bowed and called on my God and lighted on this question before the Lord, Shal I speak to the Deputye to prevent the disposing of Clerk Register til I be payed or secured of my debt? . . . Then I cast the first lott, it was negative, and so not to cast the lott anent that business ; and so I thought according to my previous interpretation of the negative. . . . I might use the means to prevent uthers getting of them. Whyl I was in prayer asking the Lords mynd whither to ask by lott anent my using means for Clerk Register as that which He had maid me praye for . . . and first anent my inquiryre about the lott anent that question, if it were affirmative to goe into the 2d lott ; if it wer negative to taik it for graunted that I might use the means, and if on 2d lott it wes to absteane from using means yet to think therafter, If it wer offered me and layd at my doore, that I might ask whither to accept or not. When I got som liberty to praye about that I was interrupted. . . .

When after this the 2d tyme I was praying for the Lords direction about this and had cuttd the papers I was agayn stopped and interrupted by Doctor Purves ¹ incoming to me and long discourse, and this maid me in doubt whither to goe on or leave off til another tyme. Then after prayer agayn . . . I cast the first lott, whither to cast the lott, and it being No, negative, according to my previously written interpretation. . . . I might use means for Clerk Register. . . .

[At the end of this book of the Diary are some jottings and a long series of notes and arguments 'Anent Places'—examples in casuistry, chiefly.]

¹ Dr. George Purves, named in 1656, a Justice of Peace for Edinburghshire (*Scotland and the Protectorate*, p. 312).

XXVIII. 7TH JUNE TO 12TH JULY 1657

1657, June 7th. At London. . . . I thought yesternight if the Lord would blisse in my hand the diligence used to gett the clause amended about our Scots Malignants I would see som use of Gods calling me heir, and I would taik it as some confirmation of His goodwill to haive an evil magistracye their [Scotland] amended. . . .

8th June. . . . I went to the Hall, spak with Col. Couper¹ and G[eneral] M[ajor] Lilburne and gaive them papers for the Lord Deputye, and then Mr. Simpson sayd I had doen enough in use of means, and told me of Mr. Sharps diligence. . . . I was interrupted in prayer by one Col. Jones² who is a secluded member, and [he] spak to me about the warres 1650, etc., and then Mr. Gilesbye cam in and told me of my Lord Lamberts telling him that my Lord Protector had spoken to him about juges and about me, and that he found they would not graunt the place³ as it was, with power to nominate deputes and to receave the benefitt, but only with an honorable salarye, and that he thought the Counsel topping it and placing in clerks for lyftyme and quarrelling at every one I shal putt in. He thought it would be freest of trouble and contention that I should taik it so. This jumbled, plaiged, troubled me exceedingly as turning the place voyde of its trust and then its benefit to a pension. I told him my resolution not to sell thes places agayn and my loathnesse to chaynge or wrong the place; and that I desyred rayther to haive my debt secured and 400 pension be year, and not to medle in places so much tossed by the English and controverted by our awen. . . . I oft read peeces of Stronges new book of our subjection to Gods will in all things.⁴ . . . M. J.

¹ Col. Cooper represented Down, Antrim and Armagh in the Parliament. Ludlow says, 'a good officer.'

² Col. John Jones represented Merioneth in the Long Parliament.

³ The Clerk Registerhip.

⁴ William Strong, minister of the Abbey Church at Westminster, was one of the best of the Independents. He was superadded to Westminster Assembly. The book, posthumously published in 1657, is called *A Treatise showing the subordination of the Will of Man unto the Will of God*.

S[impson] prayed at night and . . . spak many seasonable words to me. God forgive my not mor heart-concurrence with them. I am a poore, silly, forfaughten body. . . .

9th June. . . . Mr. Simpson told me of M. J. G[uthrie] and his being at the Deputyes, and finding from him no hoope of a Counsel, resolved to goe hom. I oft thought their was a confusion among themselves and that they wist not weal wheir they wer since the last bill was past. If our busines com into the House the Lord guyde it right and the will of the Lord be doen. Why I was thinking to goe to M. P. G[illespie] he cam in to me and I told him my thoughts upon his tydings . . . and my thoughts on the whol as best to speak to my Lord Lambert and my Lord Deputye, and also to my Lord Protector anent my condition and my rights, and to see what they would doe in it and to desyre my Lord to putt it in a way of consideration. . . .

I went and saw the Deputye and he promised to mynd our busines when it cam in to the House which, he thought, would not be til Thursdaye, if this week at all; and he sayd he had spoken about my particular to the Lord Protector on Saturday. . . . M. P. G[illespie] cam in and told me that the Protector sayd he was no freer to goe to his wyfe and chuldren nor he was to bestow my place upon me, but their was som difficultye about the nomination of the clerks and he desyred that he might speak with me about it. . . . After supper . . . M. J. Simpson told me from my Lord Deputye that the Protector desyred me to com to him toomorrow earlye. . . .

10th June. Conference with Protector. . . . M. P. G[illespie] cam in and wee went to Whythal wheir his Highnesse desyred us to reteir to a chalmer wheir wee attended long, from 8 till 10 a cloak, and at last he called us in to a gallerye wheir I deduced to him my condition.

I told him my three rights—of 3000 pound sterling, of Clerk Registers place, and 400 pound sterling. I told him my present condition. He acknowledged the debt was deu and sayd I had been long creuel to my self, my wyfe and children. He maid a long discourse of his intentions

and good affections to the Remonstrators, and his desyre of an union between that godlye pairtye their and with uthers of the uther jugment and thes heir, and sayd it was not weal doen in differences to look only to one part or partye. He asked if I was cleir and free to serve and taik imployments, and I told I was free in things lawful and conduceable to the service of God and His people and his Highnesse therin. He sayd he would speak mor fully with Mr. Gilespye and deale honorably with me.

Wee spak about Argylls right¹ and S[ir] W. Dicks seeking it, and my desyre of so much by year out of the excese of Edinburgh til I be payed of it. He thought it reasonable that waye or som uther waye. Then I gaive him my petition which he promised to think upon. Then he told me about som sticking on my nomination of the Clerks. Wee shew him how every man preferred his freind and non could aunswer for them and I could not aunswer for the Registers, and it would be thought a mark of distrust, and the mor that he graunted deputyes to uthers as to Lord Lockhart and the Lord Stranever,² and little advantage cam to the publik by it. And we told him about William Purves, one clerk of the Exchequer instead of foor, which I found did stick with him. . . .

I remember the Protector sayd, why should he give faire words when his contrary actions afterward would convince men of the untreuth therof? The Deputye sayd he found my Lord Protector had indeed respect and affection to me and desyred me to draw the paper.³

11th June. I earnestly intreated the Lords favor to perfyte what He had begun and to maik good this hint and mint to my restauration. I desyred grace to taik it out of His hand. I taik Brochils seaknesse and absence

¹ Argyll's claim (see *Scotland and the Protectorate*, pp. 414, 415). Sir William Dick was a former Lord Provost of Edinburgh, was imprisoned by Cromwell, and died in great poverty at Westminster, 19th Dec. 1655. Some provision later was made by Parliament for his impoverished family (*C.J.*, vii. 558, 567).

² George, Lord Strathnaver, was appointed Sheriff for the year 26th March 1656 to 25th March 1657.

³ i.e. for the Lord Registership.

out of Thy hand. I taik the Lord Protector, Lord Lambert and Lord Deputyes favors and respects out of Thy hand. . . .

Afor desner M. J. G[uthrie] cam to me and told me of his waygoing and his resolution and desyre to keepe friendship notwithstanding of any difference of opinion, and then he gaive me a paper of his reasons agaynst the taiking of places. I told him I thought it strange that I haiving oft sought it if he had any reasons sticking with him that he would communicate them, and that he never did it til now after that yesterday I had declared myself free to serve in my place. . . . When I read the paiper I found it very sharpe and ful of reflexions. I lett M. P G[illespie] see it and he was troubled at it. I told him it was sad to meet with discouragements on both hands. He sayd he would mak his best use of it. . . . After long attending the Deputy I left him and M. P. G[illespie] to goe to my Lord Protector about my busines. . . . Why I am ejaculating M. P. G[illespie] comes in and telles me the great debayte the Deputye and he hes had with the Protector about that busines of the clerks nomination by the Clerk Register and his desyre of reasons why it should be settled in the old waye, and that he would first speak with my Lord Lambert and my Lord President, but that he should doe som thing in it agaynst Monondaye, and he was clear in it in his awen conscience and it was as sure as if it wer subscryved, and he should see that 300 pound sterling payed to him; he thought it a honorable debt and for an honest cause. . . .

. . . 12th June. . . . The Deputye ¹ told me he thought my Lord intended to nominat the House of Peers and his successor, but presently the first, and he feared our being swallowed up in the sprit of the nation if God prevent it not, and desyred us to conferre and praye about it. The Deputye sayd my Lord Brody and I might see wee had smarted by abstayning so long from publik imployments. . . . M. P. G[illespie] told me from my Lord Lambert that

¹ Major-General Fleetwood.

the Protector was full of the justnesse of my debt of 3000 pound, and that it should be payed. . . .

I wayted long on Mr. Secretary¹ and at last I gott him and spak to him and he at the beginning looked soure upon me but at the end promised his assistance. He sayd it was a new busines to him. He was glayd of my freedom. . . . I fell in a debayte with M. J. G[uthrie] about his paper and desyred to know his intent, whither it was to me alon for wairing or intended to be spread, that I might accordingly frayme my aunswer, and desyred his awen advyce what he would doe in my case if he had gottin such a paper from me. He sayd he could not give advyce and he would be left to his awen libertye and discretion. He pressed to know the reason why I had chaynged my resolution, and I told him the necessitye from hom and heir their ruyning that place and my interest in it, that the very delaye had maid it impossible to me, and the circumstance of tyme altered not the busines, and being asked be the magistrat, should I haive denyed my jugment or sayd I shall tell you it when I haive gotten the aunswer to the publik busines. Then he spak passionatly about my turning. I desyred him to absteane from reflexions.

13th June. . . . Mr. J. G[uthrie] cam in and told me the discourse he had with the Protector about the Covenant and how he shew obligations and promissorye oaths wer 'if God will' and with reservation of Providence, and not obliging in chaynging exigencies of providence, as som things in the Covenant as conditional. They spak about the settlement. He denyed his speaking harshlye of him to any and spak smoothly to him. . . .

14th June. . . . Now the Lord that hes begun to visit and restore me goe on til He mak an end, and doe me better things nor at my begining, and the Lord that hes maid the Heman² that vexed and oppressed His interest and freinds in Scotland sensiblye to fall, goe on with it til Thou free us of his yোক. Thou hes disapoynted his plott to gayn al the Court and absented him from the House

¹ John Thurloe.

² Lord Broghill.

by the gutt [gout]. The Lord keepe us from his return and reule in Scotland, and Thou that hes maid the supream governor mor sensible of what prejudice his colleague may be doing even to his particular interest in Scotland maik him mor and mor sensible of it and free us from his tyranizing and oppression also. . . .

15th June. Note against Malignants. . . . M. P. G[illespie] and I went to the House and got not the Secretarye, and hearing the Lord Deputye was com in but finding he could not be spoken with I wrot a letter and sent the amendment ¹ to him, and God ordored so as he went to the House and got the letter at his gayte. In tyme of our desner William Steuart cam in and told us that the House had devyded upon it and 55 for us and 42 agaynst us, and that it was caryed for us first by vote and then by division of the House, and that my Lord Lambert moved to seclude them from places of trust. . . . Will. Steuart told that if the speaker had caused the I I [ayes] goe out and not the Noes (which was not ordinary becaus a new busines) wee had lost it, becaus indifferent falk sat stil. The Deputye sayd he was glayd to see al the swordmen almost for us and som honest men who in the mater are for us yet wer for delaying it til it cam in an act for Inghland anent inferior judicatoryes, as Mr. Bamfeild ² and som uthers. My Lord Tuedal told me that my Lord Lambert was refused at the Comittee to adde the word 'and to uther publik trusts,' and yet brought it in in the House and seconded, thrided, and fourted it, and when almost it was dung dead he asked a question whither it should be putt to the Question, and caryed it; but George Lockhart would haive the House devyded on, and 50 or 55 for us and 40 or 42 against us, and then when the particular question was stated wee caryed it and the clause of de-

¹ The paper is printed in *Consultations*, ii. 39 *et seq.* The amendment is to the fourth article of the *Petition and Advice*, and provided for the exclusion of the Engagers as in the *Act of Classes* (*supra*, p. 73, n. 1). It was voted on June 15, and carried by 50 to 42 votes (*C.J.*, vii. 557). It therefore formed an article in the *Additional and Explanatory Petition* (June 26, 1657).

² Thomas Bampffield, member for Exeter, Speaker 1659.

barring thes that was debarred be the Parliament 1649 putt in, which is a direct repealing the Act of Stirling ¹ and re-establishing the Act of Classes, 1649, and so on the mater determining the question of the publik resolutions to the honor of God and incouragment of good people and discouragment of the malignant partye. I heard one, Doctor Clergis,² speak against it violently, and sayd their was no difference 1648 but whither Duk Hamilton and Argyle should be General; and M. J. G[uthrie] sayd when he heard it he wished their wes no trueth at the bottom of it, and this would seclude sundry honest men that had been on the Ingagement and wes secluded in 1649. It is the mor remarkable that it is in the very advyce and petition, of explanation of the gouverment, which is much mor then in an act about magistrats which wil not readily win in this Parliament; tho it cam not ordorly in yet they pulled it in be head and eares. The Deputye sayd he marked it the mor as the returne of prayer. Lord, lett it be a token for good to us to seclude such from elections of ministers. . . .

M. P. G[illespie] told me his meeting and speaking with Mr. Secretary and giving him the papers and his promise to revyse them and wryte any amendments of them, but withal desyred to know my mynd anent the gouverment and anent K[ing] Ch[arles] St[uart] his interest. M. P. G[illespie] told him not only I but many godly men wer not satisfied with the warre and conquest that begood their title and that he hooped they would not seek of us the approbation of the waye of coming to their gouverment, but that wee seing them settled, the magistrats by Gods providence and the peoples consent, wee wer free to serve them in the civil trusts that wee received. And for Ch[arles] St[UARTS] interest, wee wer also farre against the

¹ The Act of Stirling rescinded the Act of Classes (see Balfour, iv. 301-306).

² Dr. Clarges, Monk's brother-in-law, was member for Ross, Sutherland and Cromarty. See Burton, ii. 249-251, for the debate in which Clarges made the statement, which, however, was commonly held by the English ever since 1650.

bringing it in as uthers wer, and had als good reason becaus of the dangers to the work and servants of God of our jugment; and M. P. G[illespie] told me his feare of M. J. G[uthrie] spreading somthing of our instructions to cause putt us to thes questions to hinder a good correspondence amongst us, becaus he hes told us of it tho wee never heard of it from any uther and I feare it be by Mr. Drummond¹ to M. Sharp and by him to my Lord Brochil and by him or Mr. Desborough to the Secretarye. The Lord remove this obstruction also. The Lord knows what raging and wryting and solliciting I susteained in that busynes, and with what faynting, wearying, distrusting and despayring, somtymes giving it quyte over and uther tymes using al the meanes and praying to God to haive a caire of it as farre as it concerned Him in His glorye and world and people in their wealfayre, and would weaken the hearts and hands of His adversaries in Scotland. Now blissed be the Hearer of prayer and the pityer of our fayntings heir and at home and that gives som ground to hoope for a better magistracye in Scotland be my medling in it, as M. J. S[impson] sayd if I gott this amended he wott weal much for means was deu to my diligent paynes, and one day in the Hall he sayd I had doen enough for it, Comitt it to God and leave it upon Him; and so I seriously somtymes when I despayred of means and instruments and found them slak, negligent, I cast the care and management of that busines on the Lord who hes layd Brochil asyde by the goutt upon his bed, and trysted Lambert and Fleetwood so weal to be their to back it. I heard Mr. Sharpe spak to Mr. Clergis and uther Parliament men as if ther whol busines laye upon it, which maye be one token whither they or wee be for the Malignant party and interest in Scotland. . . .

16th June. . . . I thought this news of yesterdays vote would com lyk unexpected thunder upon the Malignant

¹ Mr. Drummond, 'an honest, sober young man' (*Consultations*, ii. 35, q.v.). It is worth recording that the 'eminent minister in the West' to whom Sharp at Lauderdale's request sent copies of the *True Representation*, was Richard Baxter.

partye in Scotland and much discourage the Public Resolutioners and fitt them for good termes of an union . . .

17th June. . . . I heard after sermon that Mr. Gilespeye got not Mr. Secretarye, and the lad not telling me that he was to come down by I grew angry at his neglect and letting things coole contrary to my Lord Lambert and Fleetwoods advyce. . . . When a man lippens his busines to another oportunityes ar lost, folk layes not things to heart; he did his awen busines with farr greater diligence, but I found therafter he had been at the Secretarye, for when I went in to my Lord Fleetwoods he was praying, and prayed notablie anent the publik busines, especyaly for Gods direction of the Protector in the right choyse of counselors and Parliament men, and then of his successor; and he prayed God heartily for the vote in our favors as the returne of prayer. . . .

If my Lord Protector be now upon thes nominations its a great busines that wil maik a great crisis of affayres and putt them in a good or bad channel. . . .

Col. Fanchye¹ or Major Darney sayd to me I might see the usefulness of my coming up heir, for utherwyse the House would never haive had that sense and feeling of our condition nor that impression they haive against the Malignants in Scotland, and from our experience their feare of their awen. . . . Blissed be the Lord that hes layd asyde thes 3 weekes Brochil by the goutt, or els he had stopped both our publik and privat busines. My Lord Lambert sayd they had by this vote layd a foundation and should indeavour to build on it and to restore godly men in Scotland to that power and capacitye they had in their best condition as in 1649, and if thy maid not good use of it the blayme should lye at their awen doore.

¹ 'This Fanchy being 3 months agoe at my Lord Broghill's lodging the M[arquis] of Argyll there at that tyme, asked me if I knew him. I sayed, "not." "This," sayd he, "is the most violent anabaptist of any officer in the army." He was once a minister and chaplain to Colonel Lowthian's Regiment, married one related to the L. Fleetwood, upon which score he staves in his family at this tyme. This man is one of Guthree's agents. . . .' (Sharp in *Consultations*, ii. 30).

I prayed this foranoon for the publik and my privat busines, and afternoon hearing great compagnye was dyning with my Lord Deputye and that he had by a noble speech refused the 1500 pound which the House had given to him in Irland, til thes nations wer settled, and remembring his prayer yesterday morning I begoud to think, who knowes but my Lord Protector to remove al jealousyes maye nominat him to be his successor, and nominat a good Counsel and uther House, and I gaive a hint of this thought to Ingleston and to my wyfe. I thought, if their be any of my Lord Protectors posteritye that the Lord would mak use of, its lyklyest to be his daughter and his goodson¹ that ar both godly and humble and much exercised and given to prayer. . . .

20th June. . . . After desner I got my Lord Deputye who fell in a pious discourse with me . . . when without a particular word he told me his feare of new opposition in the House to our busines at the 3d reading, and to their busines also in Irland. . . . He sayd also that he had spoken to the Secretary to dispatch my busines and he promised to doe it, but he hinted som fear of some underhand dealing against, but added that it did not yet appeare above ground. . . . After desner I went down and attended in the outer room of the Counsel chamber til I was exceeding wearye. I got many ejaculations to the Lord who lifted me once up to the toppe of the affaires of thes nations and now hes brought me so low to jack and attend on their servants. . . . At night Mr. G[illespie] told me that the Protector had an uncou discourse to him about Commonwealths men and Fyft monarchy men and Anabaptists, with som hints at us as reported to be such. . . .

24th June. . . . This foranoon wee was in the Deputyes. After hearing som motion to be in the House about oathes of the Protector, Parliament and Counsel,² to be trew and faythful to the gouverment, M. J. S[impson] and M. P. G[illespie] prayed, and wee conferred anent the imploying godly men and difference of it from the Fyft Monarchie.

¹ Fleetwood who married Cromwell's daughter.

² *C.J.*, vii. 571, 572.

After desner wee heard that the vote for the oathes was caryed be 6 voyces, which no doubt wil heirafter be extended to al uther places of trust, and readily is designed by som to debarre honest men from publik imployments, and to be a purge of their airmye afterward. This jumbled and confounded me and Mr. Gilespye mightelie.

25th June. 2d vote against Malignants. . . . After sermon going throu the Hall I saw great preparations for a staige that the Protector may taik his oath and receive the sword solemnlie. . . . After desner . . . one from the Deputy asks for me and I went with him and had various thoughts by the way both of hoopes and feares anent publik and privat busines, and my Lord told me how providentialie he cam in to a committee wher Mr. Secretary, Col. Jhons, Mr. Desborow was bringing in clauses in the Act of trusting persons, provisoes to capacitate al that elected or wer elected to treat about the union, and al that hes been since imployed by the Counsel in any trust, and this tuo clauses taikes in al our Malignants and Ingagers, 1648. This exceedingly troubled me and maid me . . . to run to the House and speak with Lord Tuedal and S[ir] Ja. Macdowall, both whom I found drawn asyde by Mr. Sharpe and Mr. Desborough to my discouragment, but Gods providence brought to my hand first Captain Ogilbye and then Major Darney and Major Eleis, and after speaking with them, they went to aduertise som of our freinds. . . . Mr. Thurlo, the Secretary, maid a motion in the House for the chaynge of the clause and especyalie to except thes whom the Counsel had imployed, and that Mr. Desborough had a long serious harangue about the ingagment of the Counsels credit on the busines, yet that after much contention it was caryed not to chaynge but keepe the clause as it was, and that be three voyces after devyding of the House upon it. For the which al that is within me blisseth the Lord that hes now tuyse rubbed shayme on thes Publik Resolutions as maid be our Scots Parliament at Perth and Stirling, and then as re-acted by the English Scots Counsel, and hes now by a second sentence *in foro contradictoria* established the thing and prevented

the Counsels adding that clause which the Parliament hes expresly rejected, and so in effect declaired that the taiking of the Tender or being putt in places of trust by the Counsel is no signal testimonye, and so restricts the latitudes befor left to the Protector and his Counsel in the clause, and girds it the mor.

26th June. Instalment of Protector. This morning I thought my attendance on this Parliament and obteaining som thing to be doen was just lyk my doing the lyk in 1639 in the Parliament at Edinburgh in the Parliament House, and so who knowes but I may gett liberty after this to speak in this Parliament as I got in that. Mr. Sharps leading and keeping away the Provost of Edinburgh¹ til the vote was past was remarkable, and the chayngings of Tuedal and Garthland. . . . I went to the Hall and woundred up and doun idle til at last G[eneral] M[ajor] Lilburne cam to me and told me of the hot discourse that Mr. Desborough had agaynst us and how his brother aunsuered him, and then he told me that they voyceed not to sitt agayne afor the 26 of Januar,² and a libertye to al the secluded members to com in, they taiking the oath; and then that my Lord was to nominate al thes of his Counsel and the General Majors and som uthers to be in the House of Peers, and for Scotland intended to nominate E[arls of] Sutherland, Cassilles, Lockhart and Brodie, and he could not tell the fyft, but sayd that I had been in so great and long difference with them that they eshunned me, and he thought it was not Swintoun nor Argyle.

. . . Afternoon, instead of going to the Hall to see the instalment I went hom and recomended this busines about the nominations to the Lord, and particularlie what might concerne me in his nominating or not nominating of me on the uther House or Counsel of Scotland. . . .

Heir ends the reigne of the House of Comons which hes thes 8 or 9 yeares endured, and the Protector hes been right wyse that hes maid them quyte it to him and to

¹ Andrew Ramsay.

² Parliament resumed on January 20.

both Houses with their awen consent after sitting above 9 moneths. . . .

I got lettres from my wyfe about the raging of people in Scotland at me for the new vote, as my Lord Deputye told me in the morning of that pairtyes raiging heir strayngely at the disapoyntment; and my Lord Tuedal told me that if I had not on Foorsday mett with him and he had not after my information gon to my Lord Lambert he had condiscended unto the exception of the persons imployed by the Counsel, and that their was ten up in the Speakers chamber who if they had been sent for had comed doun and caryed it cleirly agaynst us, and that the Speaker pronounced it once against us and that Lord Desborough spak desperatlie against us—that wee wer once al cavaliers and every one of us took our turne, and that the question in 1648 was only which of the pairties should command the airmie; and that wee wer such enemyes to them as wee noncommunicated them, yea, was readye to excommunicate them for conjunction with them; and that my Lord Lambert aunsuered notablie and shew how many among themselves was long unsatisfyed with laying asyde that familye,¹ and that who had abseaned from principles of conscience he lyked better nor who joyned with them from base ends and principles; and that my Lord Lambert in his speech yeilded anent the persons imediatly imployed by the Counsel in places of eminent trust, but the uther pairtye was so confident to carye it that they cryed, To the question!

At night I got my wyfes lettres of their rage in Scotland, and my daughters of peoples laying asyde hoopes of us and our busines. . . . I thought it remarkable that my Lady Tuedal saw my Lord Brochil goe out of the toune in the very tyme of the solemnitye at Westminster yesterday.² I thought it a strange passage of Gods hand to cause K[ing] Ch[arles] as for the saiftie of his croune to intrust the malignant pairtie with power and they to maik use of that legal power to transferre his croune to uthers,

¹ The Stuarts.

² The installation of Cromwell as Lord Protector.

and to maik them agayn after maiking use of the Malignants to that translation tho K[ing] Ch[arles] feared them most, and then to bring them in to enjoye the benefeit of chaynge *in facto esse*. . . .

29th June. . . . Afternoon I got Mr. Secretary and had a long conference with him about the information of the mater of fact anent the Ingagment, 1648, wherin he told me the information that Argyles pairtie, or Church pairtye, was for the warre alyk as Hamiltons pairtie was, and that they wer but lyk Hollis and Stapletons pairtie in England, and thought the Parliament of England was for them; and that Mr. Sharpe informed him that Mr. Douglas and Mr. Dickson thought this secluded many godlie men and discriminated but them and us, and he pressed union among godlie men, and I told how they would not haive it unles with al the ministerie. . . . The Lord knew if godlie men in Scotland was for that Ingagement 1648, and if Mr. Sharpe informed so he was in the wrong to Mr Douglas and Mr. Dikson, and seing they used the argument from the generalitie of the godly against Ingagment 1648, how could this vote seclude many of the godlie, as Mr. Grove¹ sayd from information, fyve pairs of six. I got a letter from my wyfe shewing mens rage agaynst me.

2nd July. . . . I heard my Lord Brochil was com back agayn to Scotland yaird, and it was reported that he was to be a Counselor. The Lord our God bestirre Thysel for our publik and privat busines. . . . It cam in my mynd to advyse whither to goe and see my Lord Brochil or not; the Lord direct me. And heir after prayer I cast the lott to try whither I should seek direction in it that way, and the first lot was I [aye] to trye it be lott, and the second lott was I to goe and visite him. The Lord give oportunetye and blisse it to me. . . . I went therafter and saw my Lord Brochil and told him I was to speak to the Counsel about my debt. He kepted faire and afarre of.

4th July. . . . After desner M. Gil[lespie] told me of

¹ Thomas Grove, member for Wiltshire.

his speaking long with the Protector and M. Secretarye and found their was so great opposition to my haiving that place as haiving so great an influence in Scotland that it behooved to taik tyme to heare all, and they both spak so much for moderation in gouvernement and talking in moral men that wee might see in what channel busines does run. . . .

8th July. . . This foranoon the Secretarye should doe my busines. . . . The Lord free Thy people in Scotland from Lord Brochil and keepe him out of the Counsel heir. Let him rayther fall off his hoopes and faile of his expectations befor the prayers of Thy people.

9th July. 'Gift of Cl[erk] R[egister] post.' As yesterday morning I prayed on 74 Ps[alm] so this morning on 75 Ps. which if the Lord would tryst this daye with the passing of the particular (Cl[erk] R[egister]) I should taik it as a begun verefication therof. . . .

¹ After wryting this I went down to the yaird and prayed, and was heavye becaus of my hoopes from the mornings ordinarye and my seiming disapoyntments. When I cam in and was speaking with Mr. Simpson my Lord Deputyes man cam from [sic, *lege* for] me, and I prayed al the way going down, fearing som new stoppe and promising som new prayse to the Lord if this night, after my despayring of it, I should find it doen according to 75 Ps. in the morning; and the Deputye told me that the busines would be doen if I agreed to one clause that was added, of being subject to his Highnesse and his Counsel heir their regulation of the fees. I told him I was subject to them howsoever and was contented with the clause. Then he bade me, this night goe to the Secretarye, so I went down and in his house I found M. P. G[illespie] had gotten it, subscriyved and sealed, in his pocket, which maid me to admire Gods trysting it to a daye. . . .

10th July. . . . Afternoon wee went up the watter. Wee got not Secretarye at all. I heard of M. Desboroughs confidence that my busines would be stopped, and then

¹ Here the handwriting changes, and is written large till the end of this day's Diary (note by transcriber).

of his seaknesse consumptionlyk. Lord forbid I rejoyced in any bodyes evil, but I would think it a remarkable mercye to free the godlie in Scotland from the yoke of my Lord Brochil and his band. . . .

[Among some jottings at the end of the volume there occur the following :—

About Cl[erk] R[egistership]—7th June.

After the Protector's government settled be Act of Parliament and consent of nation als much as my conqueror was, I think it als lawful to tak places from him as from King James. . . . *Reddite Cæsari quæ Cæsaris*, give to thy King or Emperor (whom yee question for usurpation) the things that belongs to a King as unto God the things dew to any God or given to any King and possessed and brooked by them. . . .

. . . I see not mens being useful to their generation by lying asyde upon discontent as by indeavouring in every capacity what they can. . . .

. . . Is not Cr[omwell] without the Malignants better nor Ch[arles] with them? which is the real state of the question. . . .

. . . Mr. Creu told me of my Lord Saint Jhon having many clerks under him and his getting latelie great soumes for their entries, as 8000 pound for one place within the 12 moneths.]

XXIX. 13TH JULY TO 8TH SEPTEMBER 1657

[The period covered by this volume of the Diary was one of disappointment and disillusionment. The business of the Protesters was referred to a committee which seldom could get a quorum together, and with each new delay Wariston's spirits sank lower. From Scotland came letters telling of sickness in his family, even urging his return; but he himself fell ill and poured out his complaint in many pages which need not be transcribed. He feared that his place of Clerk Register was restored 'in wrath rather than blessing,' and he regretted that ever he had left his retirement. Cromwell appeared to shun him, and

in making new appointments to the Session in Scotland left him out altogether, a heavy blow to Wariston, who considered that a Judgeship belonged to his office as Clerk Register.]

The following extracts are made :—

1657, July 13th. . . . Wee rode out to Brainford to goe to Hampton Court, but learned at Kew that his Highnesse had summoned his Counsel at Whythal agaynst 10 a cloak, and so we cam back agayn. Wee heard the Lord Lambert was left out in the summonds.¹ . . .

14th July. . . . After desner wee was sent for by the Deputye who told us of the debayte in the Counsel about our busines, and of their referring it to an extrinsek comittee,² Doctor Owen, M. Manton, Griffon, Couper, Caryl, Lau, Whaley, Maj: Gen: Goffe, Mr. Cary, Dining [Downing], Godfrey, Gysop [Jessop], Scobel, which troubled us as being the langlands, and the feare wherof maid us several moneths agoe seek such a one, but the Protector took it ay on himself; and their hearing and stating M. Sharps papers and ours will taik long tyme. I thought this was the first fruit of the late Counsel chaynge. . . .

15th July. Conference with Protector. . . . After sermon I went to Whythal, mett be providence with Mr. Secretary himself and spak to him about my busines, and then with Mr. Bacon about S[ir] J. St[ewarts] business. Then I wayted on his Highnesse long in his roome and after long attending and much wearying at last I got accesse, and I thanked him for his favor and the mor of the opposition. He spak to me of his respect to the cause and people of God as Gods interest in the world, and declared his resolution to trust me anent uther persons, and desyred me to informe him by letters and he would haive special reguaird therto; asked about S[ir] J. Ch[iesley], read his petition; he knew his abilityes and posed me about his tendernesse, and told me his inclinations to imploye him

¹ See Carlyle's *Cromwell* (Lomas), iii. 494. Cf. Thurloe, vi. 427 (Stoope to Marigny).

² *Consultations*, ii. 49.

abroad and continue his 200 pound out of Exchequer. He spak, if S[ir] W. Lokhart knew him? He spak about Lord Brodye his abilitye and tendernesse, and putting him on the Exchequer and maiking his maintenance honorable. He spak of Cassillis and Sutherland and of the Over House and of Brodye, and hinted a little anent myself without ingaging himself. He spak about Greenheads busines and Colonel Ker, and of paying his 12 thousand merk and settling 200 pound sterling be year upon him, and asked if he would come up upon his sending for him, he would fayne imploy him.

Wee spak about the Registers sending home, and long about the Comission for plantation [of churches] and the planting and purging the Church, especyaly in Highlands and Yles, and our comission, 1650, for them to M. J. G[uthrie], M. P., G[illespie], Brodye and me for them, and haiving shooles¹ their and litle villages near the garisons, and they comanded to dwell their al winter, and 40 of their sons brought up at Durham College in a shoole, and such of them putt to al trades and callings and then sent hom agayn. . . .

He desyred me to give him from tyme to tyme ful information of maters and of persons their cariages in Scotland and it should not meet me agayn; and desyred me to labour to bring in godly men. . . . I spak long about the Session to him and for putting 6 Scots juges instead of 3 English. He spak to me about S[ir] J. M[acdowall] and Commissariot of Galloway to him, and cald it 140 pound sterling. He promised to taik course about my awen debt. As for that clause of submitting to his regulation,² I thought it most just, only I disyred that when his Highnesse mynded to chaynge the pryces he would heare me first and not doe it at information of ill willers. He keeped me to desner and caused Lord Richard salute me. . . .

At night I heard that on Monondaye al my Lord Lam-

¹ Schools.

² In the matter of the appointment of clerks.

berts comissions wer called for and that one found him alon in his house without a servant, reading on the Byble, and desyring non to gett wrong by coming to him. . . .

16th July. . . . I was greived to heare the debaytes between my Lord Protector and Lord Lambert afor the Lord Deputy and ?[Gen:] M[ajor] Desborough; al the countrey now knew of this chaynge of Court. I blissed God for bringing to my hand the orders of the Parliament and Counsel of State to carye hom the Registers. This daye I heard of the Protectors refusing to medle in petitions about the Registers but referring them to me. I blissed God for doing me right. I thought often of Gods particular hand in trysting the Protectors passing my gift at such a tyme, between so great busines, the settling of the gouvernment on the Protector and removing the Lord Lambert. He subscopyed it on Thursday night and chalenged Lambert on Frayday morning. . . .

18th July. Wee dyned at Branfoord and cam to Hampton Court just whyl my Lord and his Ladye was at their musik, yet my Lord seing me caused sett-in a chair to me and chalenged me for not coming in befor desner and took me be the hand very kyndlie. But S[ir] Th. Pryde¹ cam in and, as wee thought, jumbled the Protector, yet at last he called us in and looked soure upon it, which maid me affrayed. . . .

21st July. . . . I went down and spak with Mr. Secretarye about the Records and the letter for me. He promised faire. . . . Som said that my Lord Brochil was to be this day putt upon the Counsel, the Lord prevent it if it be His will; if not, Lord turne it about to our good. . . .

This afternoon wee was with the Committee for our publik busines and scarce could get a Committee. Mr. Sharpe cam not at all, and Mr. Manton told his aversenesse to com their and his hint from Mr. Secretary of getting that Committee stopped.² It was adjourned to Frayday afternoone. . . .

22nd July. . . . The Lord prevent Lord Brochils going

¹ Col. Thomas Pride of the 'Purge' of Dec. 6, 1648.

² Cf. *Consultations*, ii. 51, 52.

to Scotland or coming on the Counsel heir. Lord keepe us from M. Desborough his malice, violence, calumnies and suggestions and skayth. . . . I found the Master of the Rolles against any bodyes meddling with any rolles whyl in England or any sending them awaye. . . .

23rd July. . . . This foranoon I wayted long on my Lord Protector and got him not, but gave my petition to the Secretary, and, blissed be the Lord, I heard the Counsel had passed it to send the privat Registers to Scotland which is a great advantage and favor to the country. . . .

24th July. . . . Afternoon wee was with the Committee about publik busines, and M. Sharpe denyed his haiving any power to treat their or medle with any union or accomodation. . . .¹

3rd August. . . . Afternoon Mr. Sharp cam again and dealt with the Committee to be present and to be heard as a privat person and they had caused him sitt down with us, till God putt it in my mynd to urge the unreasonable-nesse and prejudice of his being their in a privat capacitye, and so his sending for uthers to obstruct als long. In the debayte he shew he never apeare in a publik capacitye, he had non from the Church or his judicatoryes ; yea, he had non from the one syde of the Church but a commission from 4 or 5 ministers and his instructions tying him onely to informe the Lord Protector and not to apeare befor any uthers, or to seek or receive any judicial determination of our differences ; and he, being hardly putt to it, refused to apeare their in the capacitye he had apeare in afor his Highnesse. He reflected on me and on M. J. S[impson]. At last was refused by the Committee, and they went throw the remedies with us very fairlye. . . . Blessed be His nayme who . . . removed yesterday the great obstructor and obstruction of our busines and maid the Committee see strange dissimulation and double dealing and subtle evasions of that man that hes stood in our way thes seven moneth and cleids himself with publik

¹ Cf. *Consultations*, ii. 56.

or privat capacity as it will mak for jamfing us and putting us off.

4th August. Committees report. . . . I went out and mett with Mr. Griffeth who told me his remembrance of a passage of our declarations in 1639 or 1640, that when wee was often at a losse and a stand and wist not what to doe, that God mad the adversarye by som course of theirs open a doore and mak a patent waye to us ; and he sayd both wee and they wer at a stand in this busines if Mr. Sharpe had ouned a publik capacitye and objected strongly agaynst al the maters of fact and instances shewed by us ; and God by his denying a publik capacitye shew strange dissimulation keeped one foote loose that the Publik Resolutioners had never mad application and wer tyed to nothing, and he did thereby free the Lord Protector from a great temptation of not discontenting so considerable a pairty that applyed themselves to him. . . .

I remember wee saw M. Sharp laughing very disdainfully afor this report was made, and heard that he sayd to Mr. Lighton¹ (who was now come) that al our busines was to be hekled over agayne. What he has sayd to the Committee will seclude him alyk from medling with the Counsell. . . .

19th August. 'A straitte.' . . . M. Waird² was with me and he sayd his place was *comunibus annis* 500 pound, and that the 6 pence on the billes was the halfe of it, and he had 250 pound, and the 6 pence on the billes was to be taken away, and yet he would haive me to augment his maintenance or agree upon a proportion of the benefits. I told him my thought was to bring it to a 3 pence on the bill and to give him som pairt of it, but if it continowed not I could give nothing out of it ; and seing I knew not weal the work of the place, and I knew uther places run not up to their salaryes, and the prejudice of the pre-parative. . . .

25th August. . . . I heard for certain that Lord Richard

¹ Leighton had accepted office from Cromwell, having been appointed Principal of Edinburgh University in 1653.

² Waird was Principal Clerk of the Bills (Nicoll, p. 203).

[Cromwell] had disjoynted or broken his thigh bone at a hunting, which was remarked as strangely trysted with his faythers deseigne of bringing him forth into the world. . . . Mistris Gilesby told me the great despyte people vented in London upon occasion of Lord Richard breaking his thigh. . . .

28th August. . . . I got at desner lettres from my wyf, sad enough yet pressing me to courage ; and a letter from Lord Brodye absolutly refusing to medle in imployments. Lord pitye me that hes medled in the Clerk Register place. . . .

29th August. . . . I got only a salute of the Protector, and my desner, but sensibly found him shift speaking with me, and so was forced to com hom disapoynted. . . . This hes been a sad booke and this August a sad moneth to me. . . . I am lyk to goe hom disapoynted of publik busines and of my debt and calling, and only this place gotten which hes a great noyse and shew but not lyk to be so real and beneficial to me, and hes raysed much dissatisfaction and scandal agaynst me. . . .

30th August. . . . I am the infamy of the people, contempt of the great, and reproach and proverb amongst our nation. . . . I confesse I am, as it wer, composed of thes tuo extremes, presumption and despayre, carelesnesse and carefulnesse, elevation and dejection of heart. . . . O the holy justice of God becaus I was not content thes six years with the shadow and noyse of trouble whyl I had the substance of comfort, He sends me now the noyse and shadow of comfort with the substance of trouble. . . .

7th September. . . . The Protector could not speak with me in the morning. I wayted long until he cam back and he gaive me an evil ansuer that he had not the leasure ; yet at the Deputyes desyre I wayted on. . . . I spak fully to the Deputy about the disgrace of keeping me off the Session and Exchequer. . . .

8th September. . . . This day I attended the Counsel and heard they had been al day on the letter to the ministers of both jugments, and that they had sraiped out the

clauses about presbyteryes, synods, reules and constitutions, visitations and equal numbers and voves and covenants, to our greife and prejudice, and that they had had a greater debayte nor was usual in the Counsel. And that upon a petition of Mr. Ryley the Counsel had comitted the busines about the records to a committee, and that right bad. . . .

[At the end of the Diary are a few notes, of which the following may be given :—

Ryley granted and Mr. Beck wryte the notte of it, that they received of the records 144 hogsheads, 10 barrels, 15 boxes, and 5 trunks.

My Lord Protectors speaking of making me a juge to M. P. G[illespie] and then to myself, and causing me to wryte to my Lord Brody, and his willingnesse to accept but [only] upon that encouragment.

Our shewing to Mr. Secretary the Clerk Register was ay a juge but by divers comissions, and of my Lords speaking of it to me.

I shal serve *gratis* in the Exchequer. . . . I hoope I wil not suffer for my freedom about that Court. I absteane to nayme the salarye.

That was a thing that moved me, that I might not live without an exercise, and becaus of clamor I shal live upon the Clerk Registers place without seeking for the future the 400 pound sterling yearly for which I haive the publik fayth, and if utherwayes they wil not I wil rayther serve *gratis*.

Sore malice, becaus they got me not hinderd from the Clerk Register place, to hinder me from the Session. He is a juge in England and utherwyse cannot oversee clerks.]

Various Fragments. 1657

A fragment of 16 leaves carries the Diary from September 20 to October 4, 1657, at which time Warriston had set out for Scotland. The following extracts may be given :—

1657. 25th September. . . . I got acces to the Protector and he spak to me how our busines stack with him,

tho he thought the Remonstrators ever contending for the power of godlynesse and uthers for the forme, yet he thought the course taken not indifferent nor healing but wydening differences. He spak of moderat men as Mr. Calamy and Ash lyking them better nor us, tho they differd from them. He could not tak the power from the Counsel which should haive an oversight of thes things, tho it would be called a depending of the Church on the State, which in sum things should be. He would look to the constitution of the Counsel. He inclyned to send some moderat ministers from this to aprove and eject ministers and agree differences. He spak of our lists given in without M. Dikson or M. Douglas. I told wee had given in non, that was his awen ordinance 1654,¹ and no desyre of ours, but our ouverture was for joynt comittees, and wee should leave a cotype of our desyres with the President to be comunicated to his Highnesse and his Counsel, and earnestly desyred him to peruse them. I told how the godly men of both jugments was against Commissions from the magistr[ates] and that stopped the execution of that ordinance 1654. I desyred him to think on the prejudice to their interests and freinds of Christ in that land from so sad a disapoyntment after such promising expressions.

I thanked him for giving me the trust my predecessors had. When I spak of my publik debt tho it had 3[?] blanks, he sayd he behooved to advyse it with the Counsel and speak with Mr. Secretary. . . . I was both heavy and glayd after this parting, heavy that I fand my Lords temper alienated from what it was to us, and glayd that I got my leave to goe hom. He bad me be faythful in my particular trust and prayed the Lord to send me a good journey. . . . I observe that a Scots post and parcel cam to the Protector afor I got acces and who knowes bot som thing wes in it to mak him so gruff and sour in the publik busines and my particular, and if my place of being on the Session and Exchequer be stopped I may easily see it. . . .

¹ Gillespie's Charter (*ante*, p. 44, n. 2).

28th September. Voyage from London. This morning I was in som payne and seaknesse and confusion with preparations for my journey. I begged pardon of my 9 months sinnes since my coming from hom and blissed Him for His favours. The Secretary gaive me the tuo Commissions for Exchequer and Session but without salaryes. Lord sanctifye that to me. Then I heard M. Ward had gotten a reference from the Protector to the Counsel of Scotland. Lord sanctifye that to me also. M. P. Gil[lespie] spak weal to me against despondency of sprit and melancholy which wald ruyne me and our freinds. . . . Wee cam to Wollen that night, and I was the better of the ryding. . . .

29th September and 30th. . . . I was whyles seak by the way, and at night wee cam to Brighthouse. . . . This day wee cam to Stiltan and then to Stamford, and read by the way the long tryed and tossed lyfe of Athanasius. . . . I thought eyther it was the Counsels lettres to my Lord Protector or som about him or som aprehension of new troubles in Scotland (wherof my wyfe wrot some feares) or som offer of public resolutioners owning the gouverment mor nor wee that hes chaynged my Lord Protector's mynd about our busines. I thought God had scattered and sent us who had gon up together down one by one without knowing to this day what would becom of our busines, and leaving him last that thought to be first; lykas I thought wee got ay in publik and privat busines first appearances of good and therafter it was eyther reversed or prooved a shadow. . . . The Deputy told M. J[ames] S[harp] that many eyes would be on us what report wee maid and what effect it took. . . .

1st October. Stamford. This day wee read the lyves of sundry Faythers as Athanasius and Augustin and Chrysostom in continual troubles. Wee cam saifly to Newark at night.

2nd October. Newark. . . . I read Luther and many other choyse mens lyves . . . and blissed God that brought us weal to Doncaster. . . .

3rd October. Doncaster. Wee cam . . . to Ferribrig

and then to Weatherby wher I was unweal with the much tossing of the coach by the cogging way. . . .

[This fragment ends here.]

XXX. 20TH MAY TO 1ST AUGUST 1658

[There is a very considerable gap in the Diaries. Wariston is at home, but overwhelmed with domestic troubles and anxiety. Son Archibald has been at Paris and London under doctors and by their advice is sent home. He is assuredly insane and at times maniacal; and news comes that at school his sister Helen shows marks of a like distemper. 'I thought within myself and told my wyfe that this was a new and sore jugment, and most justly, from the Lord, both becaus of my excessive desyre of children who, now I saw, might be the greatest plaigues and ruynes to me, and in regard of the litle spiritual use I had maide of that rod on me in my sons person: and then I heard of Elizabeth's growing weaknesse and of Archibalds growing distemper. . . . I spak afor my wyfe fully to Archibald for his taking of physik and agaynst his seeking of magik-bookes after which I heard that he was asking; and that he had sayd of som things, if men would not give them to him he would gett them from Sathan. . . .']

No less bitter are the experiences in his public life.]

XXXI. 24TH AUGUST TO 8TH NOVEMBER 1658

26th August. . . . I heard of my Lord Protector's seaknesse. The Lord preserve him: he is the means under God of our peace and his death may cause many troubles in thes nations, and so may a wrong nomination of his successor. . . .

27th August. . . . Instead of the high hoopes I had that I and my seed would doe God great service in their generation my soule is filled with feares not only of disapoyntment of thes hoopes but also of our doing the very contrary, even great disservices and dishonors to God. . . .



2nd September. S[ir] Ja. St[ewart] cam out and after he was gone I got a letter from William Cheislye ¹ of the Counsellors, juges, officers keeping a privat fast becaus of my Lord Protectors seaknesse; and then at night som word came out from M. B. that it was feared he was dead. . . .

9th September. Lord Protectors death. . . . After prayer one cam and told me of my Lord Protectors dying the 3 September and nayming his son Richard his successor, and the proclamation of him as Protector, and therafter I got ane letter from the Counsel to com in the next day to the solemnizing of the proclamation. This did putt me to many thoughts and resolutions, and made me and my wyfe sit doun and praye the Lord to look to His interests and people under this new revolution and to sanctifye it to us and to al His. . . . It seemed remarkable his dying on 3 September, the day of Dumber 8 yeers, and Worcester 7 yeers, as 1638 and 1645, so 1658 is lyk to bring the juges. His nomination will breed many thoughts of heart to many in thes nations. Gods providence hes trysted his death with the tyme of Ch[arles] St[uarts] lowest condition and incapacity to sturre. I heard his last words was, 'Richard, mynd the people of God and be tender of them,' thryse repeated. 'Lord, pity Thy people when their ryseth a prince that knoweth them not,' sayd one of the tuo English ministers at their fast. . . .

10th September. This day was the proclamation made of Richard to be Lord Protector. ² I had som thoughts about it, and som mistakes may be of my being at it, but being called to it by the Counsel I saw no relevant reason that would beare the weight of my refusing and lossing my calling. . . .

23rd September. . . . I often thought it remarkable

¹ William Chiesley, Depute Clerk of the Bills (Nicoll, p. 204). As a Writer to the Signet he had a somewhat chequered career, due largely to his covenanting principles. He married Samuel Rutherford's sole surviving child, Agnes. His memory (and hers) does not merit the obloquy cast upon it by Dr. Murray in his *Life of Rutherford* (1828).

² The proclamation was made at Edinburgh on Sept. 10, 1658 (Nicoll, pp. 217, 218).

that their was aforhand so great aprehensions in everybody of troubles to aryse upon my Lord Protector's death whensoever it should fall out, and now after his death their was so litle sense [of] greife or feare. . . .

10th October. . . . The Lord be blissed for His granting me this tuel months injoyment of my family after a wearisom 9 moneths absence, and hes restored me to health and strenth, and settled my daughter and sobered my son and given my wyfe better health, and inabled me mor to my calling, and provyded for my family and preserved my childrein, and brought motions for my daughters to my doore. . . .

14th October. . . . I got a bitter and sharpe letter from M. J. Guthery challenging me for bidding them delay their testimonye, and for joyning in the thanksgiving at the proclamation of the Protector, and for going, as he sayd, contrary to a paper of myn that was for testimonyes. . . .

[This section begins on a more cheerful note. Suitors have appeared for Wariston's daughters Rachel and Helen, the eldest daughter Elizabeth, happily married, is about to become a mother, as also is Wariston's wife. Suddenly Rachel becomes very seriously ill, is given up by doctors, and minister-friends, forgetting about Protester and Resolutioner, visit the stricken family. For three weeks the Diary is taken up with Rachel's illness, with Wariston's hopes and fears and the overwhelming anxiety that shadowed his home. Rachel recovers and the infant granddaughter, 'my oye' is baptised by Mr. Mungo Law, named Helen, 'after his gudam, my wyfe, and my two gudames, Helein Heriot and Helein Symervail. . . .']

XXXII. 9TH NOVEMBER 1658 TO 23RD JANUARY 1659

13th November. . . . Juge Dalrump¹ told me of my Lord Keeper his ushing the House yesterday and speaking of the great complaynt of many anent the pryces of the

¹ Judge Dalrymple, first Viscount Stair. For Monk's high character of him, see Thurloe, vi. 367, 372.

Signet and Registers,¹ and that the Counsel was loath to doe anything in it without this Courts advyce, and that they seemed loath to medle in it, especialy seing the Register had often offered to the Court and they had de- clyned it, and desyred he would speake to himself and he could answer objections and complaynts when made knowen. I marked the Lords tyming of things to me that after He delyvered me from one feare He sent me another. . . .

The Keeper told me my Lord Protectors funerals was stayed becaus 600 reformadoes that should haive gon after the corps with picks had resolved to arreist his corps² til they wer payed their arreares, which had been a terrible affront ; and then that they had resolved to isseu out the writts for a Parliament immediatly after interment of my Lord Protectors corps, and that the officers continue their meeting at St. James, and som sayd they cald for Lambert, uthers that they called for Harrison. Thes wer al great newes. . . .

18th November. . . . I . . . heard of my Lord Pro- tectors body being privatly at 12 at night buried and the solemnity kepted another day ; and that the Protector behooved to dissolve the meeting of officers and intended to call a Parliament. . . .

27th November. . . . I did wryte this day up to London about the renewing of my gift of Clerk Register. . . .

22nd December. . . . This 22 day I got the summonds to the Parliament [at London] agaynst the 27 Januar : O Lord my God, direct me anent that voyage and my cariage and behaviour in it. . . .

28th and 29th December. . . . Greenhead told me I had mor enemyes both heir and above than I was awarre off, and who thought my place too good a morsel for a Scot and intended if they could to shift me out of it, which wer a double wrong after calling me to the House of Peers and deteaning my publik debt and means of maintenance from me. . . .

¹ Cf. Nicoll, p. 204.

² Cf. Guizot's *Cromwell and the Restoration*, i. 260 (M. de Bordeaux to M. de Brienne).

30th and 31st December. I dealt for Ingleston to be for Stirlingshyre. I heard my Lord Keeper ¹ took ill uther folks recommendations of men as if they had plotted to haive no Inglishman.

1659. 5th January. . . . I got . . . Mr. Ja. Gutherys letter woundering at my going up [to London] and willingness to taik the oath, which he thought inconsistent with our former covenants and ingagments, and that I saw not how I was loosed from my former bands be no case or chaynge of affaires, and that he thought eyther the Lords angel by som stroak would stand in my waye, or it would turne to som snaire to my soule. I thought strange that he wrote as if the former bands in reference to former gouvernors did stand. He desyred me to seek God afor I took that oath.

[On 11th January Wariston set out for London, and travelling by easy stages he arrived on January 20 at Huntingdon.]

20th January. Huntingdon. . . . I cam post saife to Witham then to Stamford, then to Stilton, and then to Huntingtoun. . . . This was the place that the late Lord Protector in his youth lived and spent his estate, and, as my Lord Keeper told me, got be Gods providence his uncles estate of 800 pound be year, and that be his nomination of him as his heyre when he could not see him for spending his awen. . . .

22nd January, London. . . . Wee cam from Walton to London safe and whol. . . . I spak with Fleetwood and Sydnham ² and fand them kynd.

[At the end of this Diary are sundry notes, chiefly memoranda about matters for attention before Wariston's departure for London. A lengthy note 'About Clerk Register[ship]' appears to be his arguments in extenuation of the raising of the fees, etc. 'Our pryces goeth not according to worth but paynes, and seales heighten the

¹ Samuel Disbrowe.

² One of Oliver's Council and Governor of the Isle of Wight.

worth. . . . At the advysing of every cause the Clerks got ay tuo or thre dolars besyds the pryce of the decreit. . . .'

Another note is under the caption, 'Anent the Parliament—To consider God calls me and wherto but to glorifye and injoye Him, let that be the designe of my heart. . . . Not elegancy of expression but to speak sense—Called beyond procurment or expectation. . . . If Lord Fleetwood or Thur[loe] wil acquaynt me with misteryes of busines I shal after seeking God and thinking on it, eyther shew my resolution to assist and further it, or if any scruple stiks with me I shal frendly tell and debayte it. . . .']

XXXIII. 29TH APRIL TO 12TH JUNE 1659

30th April. . . . Foranoon I mett with Doctor Owen, Col. Sydnham, Mr. King, Griffeth, and at last with my Lord Fleetwood, and told them largely my reasons against calling the Long Parliament. I heard they had agreed to byde one be another and manteane civil and spritual libertyes already obtained, and to submitt to what gouvernement God shal inclyne them to. I heard the Protector was not very sensible of his condition tho Doctor Owen spak thryse to him. I told Fleetwood how people spak of Gods jugment making the airmy force him to dissolve a Parliament that was for him and then to cast him off, it would be thought one of the greatest cheats that ever was putt upon a man. I told him the daunger of bringing in of Lambert. Ker he mor looked on as the sun rysing. . . .

1st May. I thought the busines went on just lyk against the King, but apearantly the Protector lipned to som secret combination and assistance. They granted experience of this ay proved my maxims that ther was not so much difference of good between one forme of gouvernement and another as worth to purchase it at rate of blood. . . .

I heard from Argyle and William Stewart that som had observed and told I was tampering with Fleetwood to stope the calling of the Long Parliament, and it troubled

me to see Argyle and Swynnton so much inclyned to it. . . . This overturning my Lord Protectors place, from whos fayther, under God, I had the restitution of myn, lets me see how uncertain and moveable my outward condition is. . . .

Lord sanctifye to me the dounfall of my new lordship, pardon my vanity . . . in a foolish, rash taking the new style and title of it to myself, in sending or receiving of lettres and papers. I have maid litle good use of the means I haive had from thir people by my place and the Protectors letter ; justly may thou taik it from me, becaus wee haive not been accurat in keeping our vows of wairing the teyth of our incomes upon pious uses. Lord forgive al my excesse, ryot, pompe, pryde, vaynglorye, rysing of heart, lifting up of sprit, vapping, vanting, boasting, building castles in the aire, dreaming visions of my awen heart. Let me believe as I may see with my eyes, the vanity of al sublunary injoyments and preferments. The Protector had such a plausible entree and peaccable possession of a thron as could be, and cast sudenly doun out of it in a week after the whol nation and al ranks in it, their addresses to him ; but poor Scotland hes not medled in that waye, and medles also litle with the chaynge. . . . Lord, reule Thou at Walingford House¹ . . . al their consultations and debayts to the best. I am sure I haive given faythful counsel and tymous wairning to both pairts. . . . Lord, discover to us why Thou overturnes al our settlements. I have often thought and sayd the first of Haggai shew the cause of it : the Comons they despyed the Uther House, and the souldiers they haive despyed the Protector.

3rd May. . . I mett, after a report of the resolving on a Long Parliament with Dr. Owen who told me he had better hoopes of things going in a better waye nor befor to eschow the calling of the Long Parliament, unles they were secured anent the gouvernement, what they thought fittest, to keepe the Protectors title and dignitie, to haive

¹ Wallingford House, the residence of Lord Fleetwood, was the headquarters of the Army party.

an good Counsel and the uther House or Senate fixed and a new representative qualified. I heard the officers was at fasting and praying this daye, therafter that som of them was meeting in Sir Hary Vaynes ¹ with him, Hazelrig, Salloway, Ludlow, and with them Jones, Sydnham, Lambert, Berrye. . . .

4th May. . . . I heard for newes that the Long Parliament men and the officers that mett wer agreed. . . . I heard the Protector was at a private fast, and that their was som discoveryes of plots that was hatched by som about the Protector, Brochil, Wilkinson and uthers to haive apprehended Fleetwood and Desborough, as also projects between som Presbyterian ministers at London and Brochil, Sharp and Secretary. . . .

6th May. . . . I heard the Long Parliament was to sitt doun toomorrow.² Power and force doeth maters. . . . A strainge change of al the counsels in Europe : King of Swede ingaged in warre in Denmark ; peace between France and Spayne ; and the Protector overturned in thes nations, and that without blood, within a fortnight, contrary to the intentions and desyres of the main instrument and reulers of the commotion. . . .

7th May. . . . I saw airmys invitation to Long Parliament men,³ their dounsitting in a House with speaker, dyning together, drawing up som declaration ⁴ and voycing it, declaring this nations returne to be a free state and comonwealth (without King in single person and House of Lords, I conceive) as in 1653 ; and that they had apoynted to sitt too morrow al day, but taik in the morning a sermon from Doctor Owen ; that their was som apprehension of som rysing up and doun England, especyaly in the City, and so al the guards was doubled for securitye. . . .

. . . I heard they had apoynted a Comittee for Saifty ⁵

¹ Ludlow writes of the meeting at Sir Henry Vane's on April 29, and adds that ' three or four days later the same company met again at the same place ' (*Memoirs* (Firth), ii. 74-77).

² The Long Parliament, which had been dissolved by Cromwell, April 20, 1653, resumed on May 7, 1659 (*C.J.*, vii. 644).

³ *Ibid.*, p. 645.

⁴ *Ibid.*, pp. 645, 646.

⁵ *Ibid.*, p. 646.

for 7 dayes to Fleetwood, Lambert, Vayne, Hazelrig, Sallowaye, Sydnham, [John] Jones, to prevent breaches and ruptures. . . .

9th May. . . . I heard from Captain Jhonston that he heard in the citye of my speaking so much in the House agaynst toleration. Then I putt away my coffer. I thought Argyle too busye. I went to Doctor Owen and heard from him the summe of the propositions from the airmy about Counsel and Senate and for confirmation of things doen. He and I agreed that, under God, al their security laye in persons. He wist not what they would doe about our union. He sayd wee could only gett the half of our Counsel in Scotland and prest to know the naymes of the fittest. I spak of Lockhart, Brodie, Sir J. C[hiesley] C[olonel] Ker, Sir A[ndrew] K[er], Cesn[ock], Arg[y]le and Swy[nton]. He objected agaynst the tuo last. . . .

I heard of a number of votes past in the House anent breaking Great Seale, securing the Militia of London, giving new patents to al the juges, declaring that non should be imployed but godly men, weal disposed to the good old cause and interest of the Comonwealth; that no moneys be issewed out without warrand of the House. . . .

10th May. . . . After sermon I heard that they had voyced al places civil to be voyde and that the Committee bring in a list of the fittest men for imployments.¹ This troubled me as a thunderbolt. . . .

Therafter I heard they wer urging to bring the juges to the barre to acknowledge their offence in taiking their commissions from an usurper and tyrant, as they called him. They stood to their justification from many instances of the lyk being taken from usurpers. This debayte was lyk to interrupt the terme. Col. Barclay² sayd this was lyk the ingagers their repentance. After desner I heard that which troubled me, that Col. Witham³ and Auditor-

¹ C.J., vii. 648.

² Col. David Barclay of Ury, father of the eminent Quaker.

³ Col. Whetham was a member of the Scottish Council in 1655; member of Parliament for St. Andrews, 1658-59.

General Thomson¹ had been al day consulting with Pittilloh² and Mr. Patrick Oliphant anent the Secretarys place and myn, that they might be fermed for 5000 pound sterling, and that I caused paye 3 mark for every registrat bond. . . .

13th May. . . . I went and spak with Lambert about the Remonstrators and the Session, and then with Laurence, and therafter with Doctor Owen who told me of his going to enter the officers to their Humiliation, and then with our Keeper. Therafter I spak in the hall with Auditor-General Thomson about the laite informations anent me and my place. They apoynted a meeting at my chalmer anent a short act for the juges continewing of justice til further order. I heard therafter, that upon Col. Roch his speech, the airmy instead of going this day on in their fast adjourned it til Wednesday and gaive in their proposals. . . . I saw the airmyes proposals and thought them very sharpe in one of them as secluding at Scotsmen. At night I heard they were settling their militia in Fleetwood as Comander-in-Cheife, and a comittee of six, Hazelrig, Vayne, Lambert, Desborow, Ludlow, Berry, and then that they wer nominating their Counsel of State³ and had nominated 7 of ten that wer not members of the House. . . .

14th May. 'About Counsel of State; repented 30 December.' . . . After haiving sundry thoughts what to doe I at last consulted with God, whither I should medle to goe to Owen and speak that one of our nation might be putt upon their Counsel. I, after prayer, cast the lott and

¹ Col. Thompson had been appointed Collector of confiscated revenues in Scotland in 1653 (*Scotland and the Commonwealth* (S.H.S.), p. 181); and a Judge of the Exchequer in 1659 (*Scotland and the Protectorate*, p. 387).

² Robert Pittilloh, Advocate, had been disappointed in the matter of place, and published two tracts in 1659 by which he is best remembered, viz. :—*The Hammer of Persecution . . . Under the government of Oliver, late Lord Protector, and continued by others of the same spirit*; and *Scotland mourning: A short discovery of the sad consequences which accompanies the delay of the settling Judicatories in that Nation*. The tracts, which are extremely rare, were reprinted at Edinburgh, 1827.

³ Cf. Ludlow, ii. 83, 84.

it was negative, and so I went not to Owen, and I mett not with Sydnham nor Fleetwood, but Sir Andrew Ker went to Doctor Owen with the paper for the Court, and I went to learne from Mr. King, and I wrote a letter to Sydnham to mynd 18 Exod., 2 Sam. 2. 3, 7. Neh. 2, and 1 Timothy, 5. 21, 22, and that he would remember the securety of Gods people lyes mor in qualifications of persons intrusted than forme of gouvernement. And in reference to Scotland I remembered him of 32 Numb., 2 Chr. 28 ch., and 34 Jerem.

Therafter I found Swynton against the giving in the paper for the juges sitting. Then I saw I could not meet with Sydnham, nor Sir Andrew Ker with Doctor Owen, and so means and instruments fayled becaus thes whom I could lippen most to wer both out of the toune; but when I went in to the Hall, Col. Lilburne told Greenhead and me that he had been speaking with som of the House to nayme som of the ten out of or for Scotland, tho non of us had maid any such motion; and seing som of our naymes would be a tossing in som of their mouthes, tho I was desyred to goe with Argyle and Swynton to Rothampton, I thought it my deuty to goe hom and goe to my God and begge . . . His disposing in mercy and for good of his poor unworthy servant, whither by calling him to imployment or reteirment. . . .

I went out to desner as I had promised, and I mett with Mr. Naye who told me they wer ballating the naymes of the Counselors, which he thought a blind waye and might be contradictory to their qualifications. Therafter I heard the House had past from Sir Anthony Ashley-Couper¹ and Townsend, and Sir Andrew Ker told me that Col. Whyte told him that my nayme and Swyntons name was mentioned among them, and W. Stewart sayd they

¹ Ashley-Cooper sat as member for Wiltshire, Sir Horatio Townshend member for Norfolk. Prynne in his *Englands Confusion* (1659) characteristically describes these men. Of the former he says, 'A gentleman too wise and honest to sit in such company,' while of Townshend he says, 'A gentleman of too good an estate to be hazarded with such a crew' (p. 16).

would not heare of Argyles name. . . . Therafter I heard 28 nominat on the Counsel of State and the uther thre left til Monondaye, and that my nayme and Swyntons was mentioned among the thre, and the doubt was whither to haive one or tuo for Scotland, and the question would goe between Swynton and me. . . .

15th May. . . . I perceaved that my sprite was not capable to beare the dreame of an imployment for fancies : how much lesse could I beare the imployment itself. . . . At coming from church Argyle told me that Col. Puffrey ¹ sayd he heard of no bodyes nayme in the House but Swyntons, and Argyle sayd he thought it would be a snaire to me to medle becaus of their loosnesse in religion, and yet I thought he would fayne medle himself, and might I not alyk doe in this Counsel as in the uther House ; but the Lord my God keepe me from being led, guyded and acted by my avaricious, ambitious, proud, vaynglorious, selfy humor and passion, motives, ends and interests to inclyne to anything or imbrace any place that wilbe agaynst His will or weal of His. . . .

Som men ar using means with men and solliciting them for this imployment : I sollicit non but God. . . .

16th May. . . . This very morning I thought on the observation that som had that Olifer, Protector, never thraive after disapoynting the addresse and expectation of the Scots protesting party, and on the remembrance of our testimony against their Toleration and conquest, citing that of 36 Jerem. about the cutting it with a pen-knyfe as an ill token that he would have non to sitt on the Thron. . . . And I thought on that removing first the old family and then the late, lyk that of Saul—who knowes but it wil be one overturning after another til he com to whom God hath given it. . . .

Going to the church I mett with Mr. Scobel ² who told

¹ Col. Purefoy, member (1658-59) for Coventry. 'Doting Purefoy, without purity or faith' (Prynne, *op. cit.*).

² Scobell had been Clerk to the Commonwealth Parliament, and on the new House of Lords being formed he was transferred to the 'Other House.'

me the Parliament had putt him out and putt in another without calling once for him. He told me som wer speaking of one for Scotland, and I spak to him for the Marquis [Argyle] to be the man. He told me of Mr. Nayes falling in the watter. . . . I saw som juges sitting and continewing the Court and uthers putt out. I mett with Caithnes who told me that my nayme and Swyntons was among the Parliament men. I told him Argyle was farre fitter nor wee both; wee had litle interest and they had 3 yeirs experience of my totle inability to helpe them in their matters. The old Speaker, Bamfield, cam in to Argyle and told us of Lord Harys proclamation¹ that the officers keepe quyet for his Highnesse service, that Anabaptists wer putt in heir in places and armes, and the ministry in great danger. . . . Why I am praying, my man cam in and told me that I am voted to be one of the Counsel of State. . . . I dyned with Cranston and Will. Stewart and mett with Cathnes, and heard I and one, Josias Berners, and Sir Rob. Haywod was called and voted by the House and not by billett; and after desner I heard that sundry had been sollicitied and did speak for Swynton, but confessed that they heard such characters of me as maid them voyce for me, and among uthers told that S[ir] H[arry] Vayne was my good freind and gaive this character of me as one that kepted my principles by my protesting against the Bill of Recognizance in the Uther House,² which, if it be treu, lets me see how God blisseth honest boldnesse in deuty and testimony for God. I thought also, if the Lord bring me in to the Counsel heir at Whythall after my jacking at their doores, its lyk His bringing me in to the Parliament of Scotland after jacking at theirs. . . . Sundry professed glaydnesse that I was choysen on the Counsel. The Lord pitye me, I am growen unweal

¹ Cf. Thurloe, vii. 683, Henry Cromwell's letter of resignation of the government of Ireland to the Parliament.

² The Bill for recognition of Richard Cromwell as Protector was introduced by Thurloe, Feb. 1, 1659 (Thurloe, vii. 603). After being debated for some days it was passed, Feb. 14 (*C.J.*, vii. 603; Burton, vii. 26 *et seq.*; Ludlow, ii. 54 *et seq.*).

since Saturday morning that this busines took up my mynd. . . .

17th May. This morning be daylight I awaked and could gett no sleepe, and ejaculated to God to sanctifye this dispensation to me and better me by this chaynge and assist me in this new vocation wherunto I had no hand be any publik employment that ever I was called to. The Lord inable me to the deutys and keepe me from the snares of it . . . and maik my employment serviceable to Thy interests in al the 3 nations, and particularly to thes in Scotland whom I alon in this Counsel doeth represent, as I did befor in the House of Lords ; and I heare the Counsel is to sitt in that place wherin I haive been weary with ydlenesse and now am lyk to be with busines, even as in 1639 I was in the Scots Parliament House wherin therafter I was much taken up. But it troubles me to think of being deteaned from hom. Caithnes gaive me tuo warnings, the one that they feared my long speeches, the uther my pressing uniformity in Church maters. . . .

19th May. . . . I went out and saw S[ir] Hery Vayne, and then he told me that Major Leister had objected in the House against me as a spye, a stranger, and a rigid man in my opinions of Church government and so unfitt in this tiklish tyme to be on their Counsel but that no head [heed] was given to it. . . .

20th May. Entry to Council. . . . I went in soone and read the Act, Oath and Instructions and found them to mainteane a Commounwealth as it is declaired by the Parliament, without single person, kingship and House of Peers, and was lyk to yeild to the taiking of them until som uthers moved a delaye til afternoone, and their wec debayted about promissory oathes and som unqualified members, and rose til the afternoone ; and then I studied som things to speak. . . .

I was afternoon lyk to be pressed to taik the oath, and I resolved to eshun it until I saw it further debayted, and I knew not whither I was one of the persons at whom som were dissatisfyed. I write this in the Counsel Chamber,

and I think it a strange chaynge in Gods providence that the Protector is banished out of this house and roome and that I haive a call to be in it. . . . Who would haive sayd to me on 20 Apryle that befor 20 May I should sitt in their Counsel of State, or after dissolving of the Parliament would haive sayd that within a moneth I would be on their Counsel. I would not haive beleived it but thought it a dreame. . . .

Why I am wryting this at a buyboord the Counsel calls on me and desyres me to taik the Oath. I first excused til I should know if I was one of them excepted agaynst, becaus one had doen so in the House—and that nowayes satisfying, and they asseuring I was non of thes, then I told my opinion of formes of gouvernement as lawful, indifferent, subordinat, conditional, mutable when eyther they proved inconsistent or destructive to the ends, or God by a strong hand of providence chaynged the same; and the distinction of *fieri* and *in facto esse*; and the prejudice of preparative as in 1652; and my thought of their meaning and taiking of it but as a qualified and conditional obligation anent so subordinat and mutable things; and in thes termes I had no scruple to taik it; and so they declaired they meaned so and I took it and only in reference to their place and station of counsellor whereunto they wer called, and so I tooke it.¹

21st May. . . . At night I heard the House had agreed unto al the airmyes petitions² on articles, except 9, 13, and 15, which they had committed to a Grand Committee. . . .

22nd May. . . . In going to the Kirk afternoon I was called away to the Counsel becaus of their discoverye of a new insurrection for the King by a conjunction of Presbyterian and Protestors party with Malignants and assistance of France and Spayne their forces under Prince of Condé for Ch[arles] his restitution. Wee wer sworne secrecy for persons and circumstances that might prevent discoverye.

¹ Ludlow, ii. 84.

² The Army's Petition is printed in the *Parliamentary History*, xxi. 400-405.

I prayed the Lord to prevent blood. I saw som debayte upon the officers sitting til they took the Oath. I perceived now *ex post facto* Gods good hand in drawing and dryving me to taik the Oath aforhand on Frayday befor this discoverye. . . .

24th May. . . . I heard of intentions of Ch[arles] Stewart to invade this nation; of the late Protector's submission and acquiescence to the present gouvernement under the hand of Lord Herys dark letter and present obedience; of Swynton, Garthland, Barclays subscryveing a petition in nayme of the deputyes 1652¹ to the Parliament for stopping courts til Act of Union wer past, and for that perfection to send for the deputyes 1652 or putt it in som uther waye. The Counsel did putt me on al the forrayn treatyes to review them.

25th May. . . . Now sitting at Counsel table in Whythal I wounder to see Charles Stewart and Oliver Cromwell their families secluded from it and poor Wariston, a stranger, brought into it without my hand. . . .

27th May. . . . I got a letter from Mr. James Guthery telling me of his wryting to Fleetwood and Lambert to be sensible of their invasion of Scotland and to lett Scotland goe free both for Church and Staite in things religious and civil, and that he hooped I would second it.² I heard they thought if it wer knowen they would fall in great jealousyes of the honest pairty of Scotland who now wer in good repute heir, and so may turne to our greater distrust and bondage. . . .

28th May. . . . Greenhead told me what Lambert had spoken to him of M. Ja. Gutherys letter, and how he thought if they would doe so with us good people behooved to quyte Scotland, Malignants would so overpoure it and ruyne them, or wee behooved to flye to Ingland for help.

1st June. . . . I am in a difficult condition about Scots affaires, they in Scotland wil wounder at delayses as if from my neglect, and som heir blayme me as ruyning Scotland by hayste. . . . I mooved agayne in Counsel for

¹ C.J., vii. 664. The Petition was remitted to the Council of State.

² See *Consultations*, ii. 185.

prayer afor busines every daye, and they debayted and resolved it. . . .

3rd June, 'My presiding in Council'—

. . . S[ir] J. Harrington after I was troubled with the newes of the chaynge of the Keepers of the Great Seale by vote this day in the House after long debayte,¹ spak to me that he behooved to nayme me in his roome.² The Lord knowes I haive not, and shal not speak to any for it, but if it fall out so I shall think it strainge and a mater of many thoughts. . . . The Lord keepe me at al tymes and especyaly at this tyme from ambitious desseignes or desyres. . . . I haive mor feares of lossing Clerk Register-ship nor hoopes of great preferments. . . . I feare this motion tikle my ambition mor nor edifye my soule if it should fall out, therfor aforhand I cast it over on the Lord to hinder or further the motion as He thinks best. After I had written this and left it on the Lord, when the Counsel meets Sir Ja. Herrington naymes me and putts it to the vote and, I knew not how, they voyced me, and I sayd I was sure they would not doe themselves nor me that wrong; and agayn he asked them affirmative and negative, and they naymed [me] for a fortnight, and I would not undertake it but for a week. . . . I found my home at night full of people. . . .

4th June. I thought it a strainge lyk busines that my Lord Protector Olipher his son is shutt out of the publik counsels of thes nations and the most part of them that was Counselors with him, and that I should be brought to sitt in the Counsel and Counsel Chamber at Whythall and to sitt in his very chaire and preside in the Counsel. . . . I thought it observable also that the Lord thus preferres me in sight of men when and whyle He keepes me very uncertain of my place, the means of my lyvelihood. . . .

6th June. . . . I begged the Lords presence at the Counsel. Wee nominated the Clerks and I prayed short. I got lettres from my wyfe shewing my despondency when

¹ C.J., vii. 671.

² As President of the Council.

I [am] out of place and presumption whyl now in it written to Scotland. Alas, both ar too treu. . . .

At desner I saw a paper very bitter against me,¹ Argyle, Lockhart, Swynton, Barclay prented. . . . God give me the right use of it and forgive the spreaders of it. . . .

7th June. . . . I heard of great jealousyes between the Parliament and airmy upon late votes that the airmy should taik their commissions from the Parliament in the House.

8th June. . . . I heard therafter the airmy had resolved to taik no comissions from the Parlement and so apearantly their might be a breach between them. . . . I spak to sundry of the Parliament men and airmy to apoynt som choyse men (as thes that was on the Committee for saifty) to agree on the best wayes and means of removing jealousyes. I heard the House called in Col. Harker² and gaive him his commission. I fand thre suabes[?] from S[ir] H. Vayne when I urged Scots busines, which occasioned my reveiwing things and my fearing least my imployment wer in justice and not in mercy, for evil and not for good, seing I could gett no good doen for Scotland, and it was lyk to wrang both my mynd and body and my estate and nayme and familie. . . .

9th June. . . . I see my place is very uncertain and my maintenance by old or by new. S[ir] H. Vayn spak to me to goe extraordinary commissioner to the King of France and Cardinal Mazarin and Louis de Haro, but I am no great politician but a playn man; then I haive not the language, and lastly, I scruple at titles to Cardinal; and I am seakly, and but one heir to remember them of Scotland. S[ir] H. Vayne in privat had told me both of lettres from Scotland agaynst me and suggestions heir, and that

¹ This tract, *A Lyvely Character of sum pretending Grandees of Scotland to the Good Old Cause*, is reprinted in Nicoll, pp. 237-240 (King's Pamphlets, E. 985 (15)).

² Col. Francis Hacker (*C.J.*, vii. 673). The Parliament took the business of granting commissions in the Army out of the hands of Fleetwood, and the Commons Journal for many days thereafter is filled with the names of officers who received their commission at the hands of the Speaker.

it was but by Providence that I was apoynted to be on this Counsel, by his coming occasionally in to the Committee when they wer speaking of nominating one Scotsman out of a desseigne to haive Swynton, but som exceptions was taiken against him and so I was naymed and resolved upon. . . .

[At the end of this section are one or two jottings; one is evidently a resolution concerning his part in the Council—'1 Cor. 7 ch. Abyde in Counsel of thes on both chaynges to medle litle in their maters but in Scotlands affaires.'

There follow notes 'for supplications at Counsel'—
'Let thir walles speake to us by chaynge of counsellors: som are in hell this day for counsels given in this place. . . . Our guilt greater as after greater experiences. . . .']

XXXIV. 13TH JUNE TO 27TH AUGUST 1659

14th June. . . . I wrote lettres al daye to Scotland. Wee went throw the instructions and dispatch to Col. Lockhart. I had a long conference with Sir Hery Wayne about publik busines. I found him for the Senate in the governement. The House voyced to preserve the ministrye and their maintenance out of the tythes til a better waye be found out. I wrote to my wyfe my submission to the Lords furthering or hindering of hir voyage; and I was troubled to heare of som sent after the Marquis of Argyle. . . .

15th June. . . . I heard of a motion in the House for every mans refounding what he had gotten by any place or gift since the Protectors coming to the gouvernement. Col. Sydnham told it but withal that the House did not lyke it. Som would haive them to goe back till 1642. Alas, this motions of refounding, of disanulling all gifts and settlements maid by the Protector, and of questioning former treatyes and stopping juges and officers to proceed til further order. I feare least thes and uther such lyk things draw unto inconsistency and confusion and uni-

versal discontent, and fulfill Mr. Jhon Maclellan his dreame ¹ anent Ingland. . . .

16th June. . . . I wrot long lettres to Sir Jhon [Chiesley] and my wyfe about al publik things, and particularly about this new notion of refounding which I heard had past the grand Committce and which if execute agaynst me would utterly ruyne me and wrong Sir Jhon and destroy Ingleston; and which busines I thought was a new call to my wyfe to com up. . . .

17th June. 'I continewed President.' I spak to Major Salloway ² and then to S[ir] H. Vayne about a new President, and he sayd nothing but to think on it til the afternoon, tho uthers had been speaking about my continewing out my moneth. I saw the new Counsel house. I heard of sundry resolved for the act of refounding as that which would bring in 100,000 pound to publik use. . . .

I heard Sir H. Vayne debayted for the Senate from Scripture and Henry Nevil ³ against it without Scripture. . . . This afternoon after long attendance for S[ir] H. Vayne in vayne wee was forced to sitt doune, and tuyse they, after my desyring to be freed, putt it to the question that I should continew President for another fortnight. . . .

18th June. . . . This afternoon I heard S[ir] H. Vayne and Mr. Nevil debayte in Counsel Chamber about the

¹ John Maclellan, minister of Kirkcudbright. In a letter to Lord Kirkcudbright, Feb. 20, 1649, he said: 'If all England were as one man, united in judgment and affection, and if they had a wall round about it reaching to the sun, and if it had as many armies as it hath men, and if every soldier had the strength of Goliath; and if their navy could cover all the ocean; and if there were none to hiss out, or to move the tongue against them, yet I dare not doubt of their destruction when the Lord hath sworn by His Life that He will avenge their breach of Covenant. When, by whom, and in what manner He will, I profess ignorance and leave it to His own Majesty. . . . I laugh at their new model of a platonic republic, their resolve *No King*; but the day is coming when a King will count it a great happiness to be far from them and their miseries' (from a contemporary MS. *penes me*).

² Edward Salway, member for Droitwich; 'a smart prating apprentice newly set up for himself' (Prynne, *ut supra*).

³ Henry Nevill, member for Reading; 'religious Harry Nevill' (*Ibid.*). He was accused before the Parliament of atheism and blasphemy (Burton, iii. 296-305).

great question of *melior au major pars* should gouverne, just in the same waye as the Public Resolutioners and Lord Brochil used to debayte with the Protesters. . .

19th June. . . . I apprehended from great divisions and differences of jugment in the Parliament anent the forme of gouvernement, and the bottom of all whither *melior vel major pars* should reule the mor, the jugment of confusion upon us that was threatened and fortold by Mr. Jh. Maclellan. . . . I thought in al apearance God in thes nations was calling al the godly, tho different amongst themselves in opinions, to unit[e] for His ends in the main against the ungodly that would swallow them up. . . . I thought thir confusions would mak most for the re-introduction of Charles Stewart, from experience of inconveniences.

20th June. . . . I got lettres from my wyfe shewing hir resolution to com up, for the which I blissed God. . . .

23rd June. . . . I wrote lettres in the Protector's study off the watter, and in that gallery remembring that in that very place the Protector Olipher had spok first to me, and promised to give to me my place of Clerk Register-ship, and how the Lord be two calls from the Protesters meeting, and answers both from temple providences and from lott did call me into Ingland in January 1657, and that brought me to acquayntance heir and to the obtayning of my place agayn after much attendance, and then to my place as a juge; and that maid Him call me to the Uther House once and agayn; and the second call brought me hither and my being heir occasioned their calling me to the Counsel, and the poynt of praying brought me to be President tuyse when enemyes was plotting my ruyne. . . .

24th June. . . . Their is a strange sprite of distraction upon men, and many things sticks with us and wee winne not throw our affaires, and al my concernements stiks also. . . . I heard the Parliment had spent al day in the debayte about indemnity and clause of refounding. . . .

25th June. . . . I wrote in the Protector's studye a letter to Sir Jhon of my search whither thir thre imploy-

ments, that in 1657, that of calling me to the Uther House, that of calling me to the Counsel and presiding therin, be in justice or mercy, and my desyre of his searching the Lords mynd anent and telling it to me. . . .

27th June. . . . I mooved to som of the Counsel to lay by this debayte of refounding, and got them inclyned to it; and to laye asyd the busines of the teythes, and I heare in ansuer to the Quakers they have apoynted them to be payed til the Parliament find a better waye of maintenance.

28th June. . . . I read our draught of Act of Union to S[ir] H. V[ayne] and Lambert, and fand the best as a briar, loath to favor us or admitt of the proviso for religion which I offered, or to haysten the Act, but putt it over to Whytlok.

29th June. . . . Mr. Gilespye told me in the Protector's study that in that place my Lord Fleetwood and he dealt with the Protector to subscryve my gift of Clerk Register-ship, and he refused to do it at the tyme til he spak with the Secretary to putt in som clauses in it. Litle dreamed he then that his son would be putt out of it and I would be oftner in it. . . .

1st July.—'Another President.' . . . Now this day my moneth expyres. I putt it over on the Lord what to doe with me, to continew me in or to remove me. . . . I feare my vayne humor maks ill use of this presiding. . . . Why I am looking to the watter and seing it one tyme flowing and another tyme ebbing, I thought it the just figure of human things, tumbling and rolling, and so also my condition, tossed to and fro. . . . This afternoon upon my speaking to S[ir] H. Vayne to name another President he naymed Lord Whitlok, but because he could not com til Tuesday I to continew til he came. . . .

2nd July. . . . I thought also that this airy, windy, shadowy hour of presiding without real advantage fed but my ph[antasy]. . . .

4th July. . . . In the Counsel I found such new alarums of signes and plots of adversaries, and som intended surpyzes of the Parliament and Counsel as putt them al

aloft and to think in mor moderat courses, and that both Counsel and Parliament may sitt at Whythall and haive lodgings for them therin, at least for the Counsellors. . . . I spak to them agaynst this urging new oathes and the word 'constant' in it, which at least is intended to seclude al takers of it from serving under any uther chaynge, which wil scruple many, even the tenderest, and wil not be found lawful if a Parliament or Gods strong hand shal make a chaynge. . . . Their ar so many plots against this gouverment and gouvernors, and I being now putt on the Counsel may be brought under their danger, but if I should be surpryzed by any plott I desyre to leave this testimony to my children and freinds, and to any uther that shal ever by providence see my diaryes, that I doe heirby beare witnesse for God that He is the best master that ever man served. . . .

. . . I heard of a vote of a House that al grants since 1653 should be at the disposeal of the House, except my Lord St. Jhons and place and the grants maid by him. The Lord knowes when and how to reserve my place also or dispose of me to the better. . . .

5th July. . . . The Counsel would have been for continueing me another moneth, but I eshuned it.—

6th July. . . . I fand in the morning afor the Counsel som to tell me that som of the House woundred that I was putt in the chaire as President as if they had not an Inglishman for it; which with the noyse of plots and knowledge of mens malice and envye the greater against me becaus of that place, maid me the mor to reverence Gods providence in the chaynging me from it. . . . I was troubled to find such jealous and hott words between Fleetwood and S[ir] H. Vayne, and I perceive jealousyes rooting both in the members of the House and Airmye, which may readily break out agayn unto flammes if God prevent not. I find every one of them thinks the uther hes broken their privat conditions to them maid befor the sitting of the House.

7th July. . . . I got Whytloks draught of the Act of Union, and fand the narrative unhappy and reflecting, and

I told S[ir] H. Vayne that unles they absteaned from such narratives wee would not medle in that Union, doe of themselves what they pleased ! This afternoon I read on Baxter about Gouvernment.¹ . . .

8th July. . . . I heard som strainge rumors of sturrings among Malignants, and that the Counsellors had devyded Whythal amongst them and my absence prejugged me. I went out but to trye the newes and just as I am returning I meets som Counselors coming in and returned with them to learne, and they voyced me into the Chaire and apoynted to me Mr. Rouse² his house to dwell in, and caused me wryte lettres for the raying presently al the militia troupes, and I found troupes of horse and foote going throw al the citye. . . .

The Lord knows what He mynds to doe be al thir new appearances of revolutions. Som spak of the K[ings] papers spread abroad among the soldioury as excepting Argyle and me in Scotland, and som few uthers heir, 3 or 4, from pardon. . . .

11th July. . . . I lyked not weal Mr. Rouse his house. I found S[ir] H. Vayne to alter the narrative of the Union, to rep[re]s the distribution, the clause about lawes, and uncertain in the proportion of the cesse. Then in my lettres from Scotland I heard my Lord Argyle thought it unfitt that any of his familye should match with any of my familye becaus of the tiklishnesse of the tymes that would overturne me. . . . Everyone lookes upon me as ruined for medling with thir people. Their is a strange contempt and haytred throw the nation of this present Parliament, and their counsels and ways hes been very infortunated and deserted-lyk ; they haive neyther taiken a pious, prudent or politik waye, but lyk that in 19 and 29 Isaye, as if som perverse sprit mingled among them.

¹ *The Holy Commonwealth*, 1659.

² Old Francis Rous, an ardent Presbyterian during the Civil War, and, when the times had changed, equally ardent for Cromwell on the plea that *might is right* ; in the controversy about the Engagement to adhere to the government ' without King or House of Lords,' he took an active part. He is best remembered for his metrical translation of the Psalms on which the Scottish version was founded.

. . . I thought once on it as observable that this commonwealth coming to power hes ay wronged me in my particular, as in the 1650 and 1651, and now agayn, yea both, in my Clerk Registership. . . .

I saw publik maters on a hurry and confusion and look very jugment lyke. I saw my awen privat estate and provision of my childrein waisting and going away. . . .

16th July. . . . I spak freely with Fleetwood about sending comissioners to Scotland, and then about himself and the jealousyes held of him becaus of the last Protector's nomination of him under his hand and seale. I saw great jealousye between the Parliament leaders and army leaders, as also blood falling out between the souldiours and countrey people, and great desseignes and desyres of an universal rysing of Malignants, and their is a great discontent on the mynds of al the people, and as Mr. Ogle sayd to me, mor on the ministrye nor ever of befor. . . .

18th July. . . . S[ir] Archd. [Arthur] Hazelrig told me he was neyther of S[ir] H. Vayne nor Mr. Nevils opinion anent gouvernment, but for a successive Parliament and they to choyse a Counsel as they doe now, and the elections to be by one of ten out of every parish, and thes to meet in countrey elections for choysing Comissioners to Parliament, and thes in Parlemint to sitt perpetually, but that every year one 3d part to goe out and another 3d part to come in, and so in the Counsel. I examined Major Harlow.¹ I found artificial rumors spread to devyde Parliment and Airmy. I found sundry discontented about the oath of juges in Scotland. . . .

19th July. . . . Wee debayted this morning the mater of the Scots Union. They would not heare of my clause for religion; they putt out the clause restricting it to civil things; they putt in the restriction of lawes to such as wer not contrary to Declaration of 7 Maye.² They

¹ Robert Harley the younger, second son of Sir Robert Harley and his wife Brilliana. He was ordered to be arrested by an Order of Council, Dec. 28, 1658, and confined January 1659 (Thurloe, vii. 598). The proceedings of the Council of State note under July 16, that he was 'committed' (*Cal. S.P. Dom.*, 1659-60, p. 32).

² Cf. *C.J.*, vii. 644-645.

wer difficult to nayme the proportion of cesse and was not so sensible of our burthens. Then I saw a petition from above 200 hands in Scotland¹ desyryng the abrogation of lawes in Scotland contrary to their liberty of conscience, which maid me heavy. . . .

20th July. . . . I got the Counsels order for Sir Hary Wayne his making a report to the House of the Bill of Union and of Grace. I heard of sundry intelligences of Ch[arles] Stewarts intending to com over, and of Malignants designing to ryse and massacre som at their entree. I took my wyfe throw the new lodgings. . . . I had seen thes possest by King and Queen, and then by the Protector and his lady and son, and the Court frequented in both tymes; and now both of thes families casten out of them. . . . I heard Sir H. V[ayne] mynds to goe awaye out of the toune. . . .

21st July. . . . The Lord hes pulled up be the rootes al the wayes of my subsistence and settlement in Scotland; whither He wil resettle me their or settle me heir I know not. . . . My Lord Fleetwood afternoon sayd he behooved to propose about comissioners to Scotland. He spak of Col. Couper and Kelso,² S[ir] Ja. Harrington,³ Brodye and me. He sayd he had gotten a letter from Monk of troublesom-lyk condition of Scotland. Therafter I mett with Sir H. Wayne and found him very froward and untoward and humorous about the busines of Union. . . . I had read yesterday much on Baxters Holy Comonwealth anent *θεοκρατία* which agreed much with my notions in 1653 about *θειαρχία*, the true reigne of God and Christ in Christian Comonwealth. I was heavy this daye, and got lettres from Scotland of their being in a bad condition and troubled with this new petition of S[ir] Ja. Magdugal and Brodyes wryting about the cesses and ease of burthens. . . .

23rd July. . . . This day I wrot hom to Scotland. . . .

¹ Nicoll, pp. 244, 245, quotes the Petition (C.J., vii. 736).

² Col. Cooper had been a member of the Council for Scotland, 1655; Col. Kelsey was of the Wallingford House party.

³ 'Smiling Sir James Harrington' (Prynne).

The very circumstance of S[ir] Ja. Harrington seeking and getting the tuo best roomes of my new lodgings spak to me as a just censure for my pryde and vainglory and boasting of them. . . . I saw Col. Witham¹ and Desborow hardly soliciting for going to Scotland; the Lord that knowes the condition of His people and affaires their prevent what is prejudicial theirot. Non is admitted to their Counsels heir but I, and they care not what one poor man saye to them. . . . At night I got somthing doen for the poor fishers in Scotland. S[ir] H. V[ayne] hinted somthing of sending Major Salloway to Scotland with Sir James Harrington. My wyfe told me of Robin Andrews communicating to hir that he saw som men and underhand designs and workings to my prejudice, and som officers rayling against me. . . .

25th July. . . . I mooved this evening in Counsel both for publik fasts and for a declaration to undeceive the people, but the apprehension of the ministerye not concurrence hindert the one, and of som folks declaring too farre hindered the uther.

26th July. . . . S[ir] H. Vayne undertook the Bill of Union agayne, and I sent in to him our reasons for ease of the cesse. . . . At night I found from S[ir] H. Vayne that somthing was chaynged be him and Whytlok in the draught he got to give in to the House. I feare *latet anguis in herba* . . . pity my simplicity preyed upon by subtilty of uthers. In dealing with nimble, witty, untender men diffidence is necessary to a statesman. . . .

27th July. . . . I heard that tho the Counsel stopped my motion about the fast yet the Parliment had resolved to keepe it in the House with the Counsel on Wednesday com 8 dayes, and Doctor Owen, Caryl, Lockier and Couper to preach befor them. I feared the confidence I saw amongst them heir, as if God wer a necessary and not a voluntary agent for them, and as if delyverance wer so habituated to them as it could not leave them. . . . I woundred to heare of my Lord Saye and Seale his con-

¹ Col. Whetham was a member of the Scottish Council, 1655; member for St. Andrews, 1658-59.

versing with Malignants and jeering against this skirt of the Parliament, and their suspicion of his being in the present plotts. . . . The Act of Union was amended, sent to the House, and read once their. I got a letter from Scotland, one of Juge Goodzear, importing reports of jealousye against me, and a letter from Gen. Monk shewing the necessityes of that people as unaible to paye the 12 months sesse. I was troubled to heare that the petitioners for liberty [of conscience]¹ had gotten the thanks of the House, which will mightely provoke them in Scotland. What wil the Lord doe with us in Scotland or with me in particular? I got from Mr. Andrew Birny a letter of Mr. Jh. Stirling pitying my condition in this tiklish tyme and company when I can gett litle good doen and evil prevented, and yet will beare the blayme of all. . . .

25th July. . . . I am troubled the House gaive thanks for the late petition from Quakers. . . .

29th July. . . . Wee got newes by intercepted lettres of their [? Royalists] rysing on the 1 of August, Mononday nixt, which did putt us all in a hubub and confusion for hayste of dispatches. . . .

30th July. . . . I heard confirmations of the intelligence of Caveleers rysing. . . .

1st August. This be our intelligence is the daye desinged for the randevous in West and North. This night was a terrible storme,² very ominous to the day of their randevous. Wee heard of our troupes talking many prisoners. This daye I got lettres out of Scotland troubled about my condition. I found my wife discontented about S[ir] Ja. Harringtons talking awaye the tuo best roomes of our lodging. . . .

2nd August. . . . I heard good newes of Ockeys suppressing the intended insurrection at Bristol,³ and of our forces preventing their randevous every wheir. . . . I was troubled to see Fleetwood, Lambert and Doctor Owen so fluctuant about comissioners to Scotland, tho they naymed me for one.

¹ *C.J.*, vii. 736.

² Cf. Clarendon, xvi. 36.

³ *Cal. S.P. Dom.*, 1659-60, p. 68.

3rd August, Fast Day. . . . After sermon wee was rayased out of the Parliment House by lettres out of Cheshyre that Sir George Booth and uthers was taiking armes and to march unto that toun of Chester,¹ which maid them feare the rysing of the Presbyterian pairty. Then wee hard from Glocester of the taking of Massy and lossing him agayne.² . . . I was troubled at the receat of my lettres from Scotland bearing my former lettres to haive been opened. . . .

5th August. I had heard yesternight of som desseigne of assassination of members of the Parliment and Counsel . . . and found people very apprehensive of a deepe warre. . . . After debayte the Counsel resolved to send my Lord Lambert unto Cheshyre and General Major Desborow to the West and my Lord Fleetwood to abyde at London. . . .

6th August. . . . I was troubled, after Lord Lambert and General-Major Desborow their going from the Counsel to the North and West, with a debayte in the Counsel about som new project in the City amongst the ministers for a petition from Comon Counsel and Comon Hall, and the uncertainty of the militia forces or trayned bands, and the necessity of inlisting voluntiers weal-affected to the gouvernement; and upon intelligence that thes in Chester wer about 30 troupes, or 3000 men, horse and foote. My feare that troubles me—is this busines lyk to draw to tuo standards Ch[arles] St[ewart] and Caveleers, and yet many presbyterian ministers with him; and on the uthor hand

¹ Sir Geo. Booth, a member of the Long Parliament during the Civil War, presented himself on its resumption, 8th May 1659; but with Prynne and others was excluded (see *Parl. Hist.*, xxi. 384 *et seq.*, for Prynne's account of their exclusion). In August 1659, Booth led a rising in Cheshire, not ostensibly for the King but against the Parliament. His first success at Chester was soon followed by his defeat by Lambert, and attempting to escape in feminine guise he was captured and sent to the Tower (Clarendon, xvi. 35 *et seq.*).—M. de Bordeaux to Cardinal Mazarin (Guizot, i. 447 *et seq.*).

² Major-General Sir Edward Massey was a devoted Royalist. For the previous two months he had been preparing for a rising in Gloucestershire on behalf of the King (*Nicholas Papers*, iv. 158 *et seq.*). He was 'by some trechery surprised,' and taken prisoner. The story of his escape is graphically told by Whitelocke (*Memorials*, p. 683). Cf. *Nicholas Papers*, iv. 178.

the Comonwealth pairty, but the Quakers, Anabaptists, 5th Monarchists with them? Now whatsoever of thes pairtyes prevayle the ordinances and ministry ar lyk to gett a clash and be under hazard of ruyne. . . .

8th August. . . . I got lettres from Scotland that weighted me much becaus they thought I had no inclination to com hom but to abyde still becaus of chaires and cushions ; alas, litle know they whats at the bottom of my heart, how heavye and melancholious it is. I was very heavye this afternoon, and whyl I was so Whytlok tels his moneth was out and som uthers was nominat by som to preside, but then uthers naymed me and I excused myself becaus of my serving tuo moneths, and now the defluxion fallen down on my eares ; but the voyce caryd against the proposition of the grandees that I should be President for a fortnight, which troubled me becaus I knew not what ordors I might be putt to subscribye and what persons to send for.

9th August. This morning I prayed on the 8 Hezek[iel] and theirafter in my study sought by lott the Lords direction whither I should eshun and shift or refuse presiding or not, but continew it according to yesterdays call, and after prayer the lott fell No, not to eshun and shift. . . . I sat down at Counsel and found that I heard not. I ejaculated *adjuva supplicem*, and theirafter upon not hearing, I ejaculated *Epapha*, and finding no helpe in eares and som dimnesse in eyes, and fearing that of Balaam going on after a rebuk and stoppe several tymes, I maid my excuse to the Counsel, and so Whytlok was put in for a week in the chaire. . . .

This afternoon . . . wee had a meeting with the Lord Mair [Mayor], Aldermen and Comoun Counsel, wherin Whytlok communicated the Parliaments Declaration to them and made a long harangue to them, which maid me see Gods good hand in keeping me out of the chaire ; they would not have understood me, and I could not haive delyvered it weale, and my way of expression would haive been lyable to many exceptions and misconstructions. . . .

10th and 11th August. I found the noyse in my ears to

continew, tho I caused blow some tobacco in them. . . . I got lettres from Scotland plaiging me becaus of their discontent and thought of my unwillingnesse to goe hom. I wrot an ansuear to M. Ja. Guthery. I spake a long whyl with St. Jhon about the Act of Union. I heard the Parliament had apoynted us to be the sixteenth pairt of the Parliament; wee hoope they wil give us noe mor shaire in their burthens. I heard of the Quakers petition from Scotland with their lyes on ministers of Clidsdail. I saw the Anabaptists and Fyft Monarchy men al winning upon this occasion to airmes and regiments, wherof I feared the consequence as dangerous, and that their would be a greater difficulty to agree al their forces amongst themselves and to cause them to laye down airmes than now to beate Sir George Booth. . . .

13th August. . . . I remembered that this day 9 yeir was our meeting and resolution at the West Kirk on 13 August 1650,¹ about the King. Then I told my wyfe the many chaynges had befallen us since the begining of the troubles in 1637 til this day; as in 1639 and then in 1640 I was sent to the Borders; therafter to treaty at London; agayn, in end of 1641, sent up about the Irish treaty; in begining of 1644 sent up to Committee of both kingdoms; in end of 1646 sent hom and maid Advocat; in 1648, putt to the Highlands²; in 1649, made Clerk Register, and in 1650 putt from it by English; living on in a reteyred condition in Wariston and Edinburgh til, 1657, I [was] sent to England, restored to callings in end of it, and brought from Scotland in begining of 1659, and now chaynged from one House to the Council House and putt in effect from my place. So Scotland in warre 1639,

¹ For the *Declaration at the West Kirk*, and Wariston's discreditable part in its publication, see *Diary*, ii. 17, 18. For Douglas's story of it, see his letter to Sharp in Wodrow's *History* (1838), i. 47, 48; and for Cromwell's reception of it, see his *Letter, with a narrative of the proceedings of the English Army in Scotland*, printed by Edward Husband . . . Aug. 23, 1650. Herein are printed the *Declaration* and Cromwell's letter to David Leslie. Cf. *Records of the Commissions of the General Assemblies* (S.H.S.), iii. 25, 26.

² Cf. Baillie, iii. 64.

'40, '44, '45, '46, '48, '49, '50, and aye since under Englishes, so that neyther the publik nor my particular hes continued in an certain condition for 3 yeirs together except thir last 7 yeirs in captivetye. . . .

It troubles me to forthink of the dangers and ruynes I forsee wil befall the ministry and ordinances by the advantages adversaryes wil taike from the hand of the Presbyterian ministers found in this rebellion. Wee got no lettres of intelligence til this night that a pairty rying in Nottinghamshyre was scattered and beat and som killed and sundry taken prisoner with the Colours.¹ . . .

14th August. . . . I heard lettres shewing the first blood in a militia troupe persewing a rying pairtly near Nottingham. . . .

15th August—Presidentship. . . . This day they voyced me into the chair notwithstanding I told them of my dulnesse of hearing and of my taiking physik the nixt, yet they refused al excuses. It pleased God to assist me to gett a letter in favors of Edinburgh,² which pleased my heart and maid me goe hom to my wyfe with a laughing countenance which, shoe sayd, was the first tyme shoe saw me doe that since I came sitting in the Chair. After ejaculations I cast the lott whither I should esheu the Chair, and it was No.

16th August and 17th. This evening being in a perplexity on the one hand by presiding to undergoe so oppressing a burthen and to be under the guilt and stayne of subscryving warrants wherunto I would not give my consent ; and on the uther hand of being suspected for refusal and lesse regarded in busines of consequence to Scotland, I found when I cam to the Counsel that they had apoynted and ordered in my absence that every Counselor according as he is sett down in the Act of Parliament shal serve as President for a fortnight in his toure, which, blissed be the Lord, will free me from subscriptions and oppressive burthen this long tyme, a number being

¹ *Cal. S.P. Dom.*, 1659-60, pp. 113, 120.

² *Ibid.*, p. 112, relates to levying the assessment ' with best satisfaction to the people ' (see under August 29).

naymed befor me. . . . I hoope to see the daye in which I shall blisse the Lord for this His breaking my hand free from subscriptions to things I durst not positively consent unto, which the Lord hes now doen without my hand as He putt me in that chaire on Monondaye sore against my will.

This very daye, the 17 of August was a remarkable daye this same daye 20 yeir agoe in Edinburgh, when the great Act was past in the Assembly of Edinburgh, 17 August 1639.¹ Many ups and douns haive I seen since that tyme both in publik busines and privat. . . . I was heavy this night. . . .

19th August. . . . I haystned the Counsel to the House for the Bill of Union wheron they spent the foranoon, but subcommitted the clause anent lawes and the proviso given in for toleration, and I found they intended to eshun ascertayning the quantity of the cesse. . . .

20th August. . . . I got the newes at the Counsel of Lamberts feighting S[ir] Ge[orge] Booth, and beating and routing him and his pairty at Norwich² [Northwich], which was strange newes and seasonable to prevent many evils. . . . Som observes that S[ir] Ge. Booths papers was for liberty of conscience, alyk as the Parliments, and was only for a civil right of a free Parliament. Then this was a remarkable providence, to tryste this defeate of S[ir] Ge. Booth with the newes of Charles Stewarts landing in Norfolk, if that report be treu. . . .

23rd August. This morning I . . . heard of Chester surrendered to Lord Lambert . . . but I am very affrayed of the desseigne and indeavour of som pairtye to putt the Anabaptists and the Quakers in airmes, which may their-after be loath to laye down their airmes, and to taik the advantage of this oportunity to take away the tithes and bring the maintenance of the ministry to hing at the belt of the State.

24th August. . . . I heard of petitioners making ouver-

¹ His Majesty's unwilling consent to the subscription of the Covenant of 1638 (*Acts of Assembly*, 1639).

² Booth's defeat at Northwich. Cf. Guizot, *ut supra*, p. 463.

tures about places, and thereafter that the Committee had mett and read my paper and returned back the whol busines to the Grand Committee, but I heare that the petitioners rageth agaynst me for the doing of it, and I heare that Col. Barclay openly sollicitis in it, and Swynton underhand. This day Sir George Booth was taken in a womans habit coming up to London. . . .

25th August. This morning . . . I heard of sollicitations against my imployment. I thought in my bed of the [? sinne] of this; let the Lord doe what seemeth Him good, to cause them putt me in my former imployments as Juge and Clerk Register, or as commissioner for settling Scotland, or as Counselor constantly heir; or to leave me out of their imployments and putt me back to a reteired lyfe, as He shal think best. . . .

XXXV. 28TH AUGUST TO 13TH OCTOBER 1659

. . . 29th August. . . . I saw a letter from Monk for commissioners and Courts of Justice, and this letter apoynted to be reported to the Parliament. . . . I got lettres from the provost and M. Jh. Stirling shewing their surprys at and sensible recentment and thankfulnessse for the procuring that letter from the Counsel¹ in their favors, which General Monk woundred that I had gotten it doen, and did wryte to the Counsel if they had not gotten the warrand for the moneys he had been forced to putt the army on free quarter. . . .

6th September. . . . I heard of a great debayte in the House about a new Ingagement to be imposed on the members of the House and of the airmy,² and so to goe thereafter throu al the rest, which bred great heate and contest in the House, and hot words between Sir Archibald [Arthur] Hazelrig³ and Sir Hary Vayne. I heard of meeting of som Presbyterian, Independent and Anabaptist ministers for reconciliation and cooperation for

¹ *Ante*, p. 132.

² *Parl. Hist.*, xxi. 451.

³ Member for Leicester; 'vain-glorious, harebrained Haselrig' (Prynne).

ordinanees against Quakers. I found litle apearance of going on in the Bill of Union, but rayther of their laying it asyde until the gouverment be settled first heir.

7th September. . . . I heard that the members of the House wer mightely devyded about the Ingagement, and the greatest heats that could be in words was between Sir Arehibald [Arthur] Hazelrig and S[ir] H. Vayne, and that Mr. Nevil and uthers was jeering at their division, and taking advantage of it, and saying that honest men will com to their awen when theeves reckon. . . .

8th September. . . . I heard of Doctor Seaman, Doctor Reynolds, Calamy, Jenkyns and Jacomb, with Owen, Nay, Caryl, Griffith, Dean, Jessey, Griffin,¹ their meeting for cooperation against anti-ordinanees and anti-ministry. I did wryte of it to Seotland. It would seem strange that Public Resolutioners and Protesters could not agree on a petition. I heard the busines of the gouverment was delayed til 10 of October, and so they would delaye that anent the Ingagement. I heard James Naylor² was putt to freedom by the House. . . .

¹ The first five were leading Presbyterian divines in London. Lazarus Seaman, minister of All-hallows, Bread St., had been a member of Westminster Assembly. Edmund Calamy was minister of Aldermanbury and a member of Westminster Assembly. Edward Reynolds had just been restored to his deanery of Christchurch. He became Restoration Bishop of Norwich. William Jenkyn was minister of Christchurch; had been arrested for complicity in Love's plot in 1651. Like those others named he had a large share in bringing back the King. 'Jacob' is probably Thomas Jacomb, minister of St. Martin's (Ludgate). The last group consists chiefly of Independents—Dr. Owen, the favourite preacher to the Parliament; Philip Nye (of whom before); Joseph Caryl, author of the great commentary on *Job*, in twelve thick quarto volumes; George Griffith, a supporter of the Protesters in their appeals to Cromwell; he was preacher at the Charter House. Dean was probably Henry Denne, an eminent Baptist preacher, as also was Henry Jessey, a sound scholar, who escaped the persecution served out to the Baptists but was ejected from his living, St. George's (Southwark), at the Restoration, and died, 1663.

² James Naylor had been a soldier during the Civil War, having served in Lambert's regiment of horse and risen to the rank of quarter-master. He left the army in 1651, and later became a Quaker. Falling into the excesses of some of Fox's followers he rode into Bristol in 1656, while women strewed garments on his way and hailed him as the Son of God.

9th September. . . . I spake to sundry about our bill of Union, but found the House delaying it til the nixt week, and apoynting them to prepare commission and instructions and naymes for comissioners to Scotland.

14th September. . . . I heard mor certain information of Pittillochs paper against Swynton and me. I was much troubled to heare that they wer doubling the cesse upon poor Scotland, and that after their conviction of the injust inequality of it and voyce and sense of the House that wee should be but the 13 part, and yet to double it at the 6 part is a terrible sin and wrong and which wil meete them agayne in their awen dish and coyne. . . . I heard after desner that they had a great debayte in the House upon it, and that they kepted up the sowme in the Bill and so 12000 for Scotland *per mensem*, but to putt in a proviso of spairing Scotland for the one half, or at the rate of 13 pairt.

15th September. . . . Afternoon the draught of the Instructions was brought in for Commissioners to Scotland, and without reading them once over together past every one of them. I got assistance to speak my mynd freely against that of the lawes of Ingland being the reule of our justice in Scotland, and then for exception of kirk-lands or teythes mortifyed and granted for maintenance of ministers, hospitals, colleges or schooles, or uther pious uses; and the most part of the Instructions was past the Counseil and that in so slight a maner as it troubled me to see the poor nation so contemned and trampled upon, people not caring what they doe with it or to it. . . .

17th September. . . . At night I heard of Pittillohs

Nayler was arrested and brought before the Parliament for blasphemy. A committee was formed to deal with his case, and on their report he was brought before the House. The debates which followed are reported at great length by Burton (*Diary*, vols. i. and ii.), and are valuable only for the impression they give of the speakers. An inhuman sentence was pronounced and carried out on the man, although it might have been seen that at the time he was mentally deranged. He was confined in Bridewell until, as Wariston states, he was released in September 1659. The Quakers, who had repudiated him, received him again on his repentance. He died in the end of 1660 in the forty-fourth year of his age.

paper and S[ir] H. Vayns ladyes wairning my wyfe that every day speeches and informations wer agaynst me, and my place given not only to honest men who knew me but to strangers who knew me not. And then I heard of General Monks letter.¹ . . .

22nd September. . . . When I went out to the Counsel I heard the House was to sitte afternoon agayne and that they had been in a great heate about a petition that was coming from the airmye.² Therafter I heard that the officers had been in Fleetwoods at a meeting and wer gon with their addresse to the House, and that they desyred in it Fleetwood to be established Lieutenant-General without limitation of tyme and with power to give commissions; and that Lambert be General-Major of the horse, and Monk General-Major of the foote; and that they settle the gouvernement according to the proposals of the Airmye, and several other things; and that the Comon Counsel of the City desyred their liberty in the selection of the Lord Major; that thir things putt the House in a great heate; that they debayted to send lettres to Irland and Scotland to prohibit the subscryving to this addresse. . . .

23rd September. This day the House was on great debaytes about the late petition,³ wheranent very bitter queries wer printed and spread, and the House cam to a voyce that it was needles, chargeable and dangerous to haive more General officers, and that Lieutenant-General should rebuike the petitioners; and som spak highly to putt Lord Lambert in the Tower, and sayd it was lyk

¹ Wariston probably refers to Monk's letter to the Parliament, September 3, tendering his resignation through ill-health and advancing years. Monk's friends endeavoured to suppress the letter, and although it was in the hands of Speaker Lenthall, and Vane urged the reading of it, it was withdrawn by Monk's own order. (See Guizot's *Monk* (Bohn, 1861), pp. 44, 45.) It may have been by way of mollifying the General, whose letter was imputed to his dissatisfaction with the course of events, that on October 5, the Parliament ordered a letter expressing their appreciation of his services to be sent to Monk (*C.J.*, vii. 792).

² *C.J.*, vii. 784.

³ *Ibid.*, 785. Wariston's account of the debate, although brief, is interesting as a sidelight.

Adonijahs sute to Salomon alyk as to sute the kingdome. I heard also that it was the Anabaptist party of the Airmy had most hand in it, and that it had gon threw the Airmy if not thus prevented, but that the officers would acquiesce.

24th September. . . . I heard of the officers meeting and acquiescing to the vote of Parliament and resolution to adhere to them, and of Lamberts harangue and desyre of liberty to reteire from his charge. . . . Many observed that the Parliament was very high and the Airmy very low, and that this Parliament by the waye they took would break this Airmy in peeces be tyme, and keepe them from being fixed in heads and leaders that might disturbe the Parliament. I did wryte home the newes of Airmyes submission to the Parliment, but som thinks it sticks in the stomak of sundry officers, this evening [levelling] of Lambert to the Tower and uther officers to hanging. . . .

27th September. I got heavy lettres from Mr. Gilespye and Mistris Simpson, and one from General Monk of his resolution to come awaye. . . . I heard the Committee had cast out that fundamental of Toleration out of the constitution of the Government by a vote of 16 against 6. . . .

29th September. . . . I spak with Col. Thomson, Col. Roch and uthers for our union, but after my returne I heard the House had layd it asyd till their awen gouvernement, but they spak of letting us haive justice doen. I admired [wondered] that now thes 5 moneths they pretended unanimity to passe the Union and now delays it. . . . Mrs Gilespy wrot to me to move that Swynton might be a commissioner to Scotland. This comes from his lady. The Lord knows I know not when they intend to send commissioners to Scotland. . . .

1st October. . . . I heare that the officers had now putt in their remonstrance that no officer or souldiour should be putt out without a Counsell of Warre, nor putt in but by the Comittee of Nominations; that som of the Parliament men wer speaking of adjourning and leaving a declaration behind them; that sojourns was speaking high; that the City bad Parliment, Counsel and officers to a

feast after sermons on the Thanksgiving Daye¹; that many expected a reule. . . .

3rd October. . . . I went to see Sir Hary Vayne, and learned from him that they mynded to debayte this daye the recreuting of the House and filling it up with new members, but he thought that to be by a syde wynd a settling the gouverment as Sir Arthur [Hazelrig] would haive it. He thought they should not taik so much offence at what the army did, but settle the gouverment with their consent. I heard that som had protested at the Committee against their votes and would renew it, and others joyne to it at the Counsel of Officers after noone. The Lord knowes I am at my witts end and I cannot tell what to wish. S[ir] A. H[azelrigs] party is mor for ordinances and against Quakers, but less for godly men; and S[ir] H. V[ayne] mor for godly men but lesse for ordinances. I heard that S[ir] A. H[azelrig] sayd on Saterday in the Counsel-chamber that S[ir] H. V[ayne] would ruyne the nation, and he desyred never to come in the place whier he was, and the uther chalenged. . . . I heard at the Counsel of Officers their was high and hotte debaytes between S[ir] A. H[azelrig] asserting the absolut power of Parliament and the officers asserting their being employed against arbitrary gouverment in whatsoever, and my Lord Fleetwoods urging them to sleepe upon the whol busines and the adjournment of their meeting to Somerset House. . . .

4th October. . . . I heard som saye the Parliament and Airmy would agree, and I fand S[ir] H. V[ayne] and Salloway sound that way to complye with the current and not to breake with the Airmy, which would be their ruyne. I heard that som of the Airmy was for chalenging S[ir] A. H[azelrig] for his accusing the Airmye wrongouslye. . . . One party seemes mor to favor ordinances but, withal, the Malignants also. Another party seemes to favor mor godly men but, withal, the Quakers also. . . . I thought, as the Lord made the meetings of Parliament

¹ *C.J.*, vii. 790.

a terror and curbe to the Kings of the nations, so He makes the general meetings and Counsel of Officers a terror and curb to Parliaments ; as He brak the King by Parliament He hes and maye yet agayn break the Parliament by the Airmy. The bottom of the question is, Whither the military or civil powers shal be supreme or subordinat, and whither the sprite of the nation or som select party shal haive the power. In the meantyme poor Scotland lyes desolate without law, justice, gouverment or settlment of publik or privat interest, religious or civil. I admire their casting Scotland and Irland in that confusion that they will not regrayte the breach of this Parliament. . . . I heard the Airmy, about 400 officers, had, al except three that dissented, agreed on their remonstrance to be presented to the House by Desborow with a colonel of every regiment, and sent to Scotland and Irland.

The Counsel spak somthing of commissions to the juges and officers in Scotland, and I thought it sounded not right, and I was al night very pensive and heavy, but my wyfe told me of the sweet contented condition of Craufurd and Lauderdale at Windsor¹ in their extrem hardships.

5th October. . . . I went and spak with Sir H. Vayn and then with Major Salloway fully and freely about the Clerk Register place, and, blissed be the Lord, they took both weal with it and promised to speake together about it. . . . Thairafter I heard of the Parliaments giving the Airmy a faire ansuer in general to their Remonstrance, and thanks for their adherence to the Parliament, but they would consider it on Saterdag.² Afternoon I was with the Dutch Ambassador, and therafter heard upon occasion of my mornings speaking with S[ir] H. V[ayne] and M. Salloway they had mooved to referre the nomination of the

¹ The Earl of Crawford was taken prisoner in August 1651 when Monk's troop made a night-raid on the Committee of Estates at Alyth (Nicoll, p. 56). Lauderdale was captured at Worcester in 1651 and ultimately confined at Windsor. His contentment there is evidenced by his letters thence to Richard Baxter (Dr. Powicke, in the *Bulletin* of the John Rylands Library, vii. 1 (1922)).

² *C.J.*, vii. 792. The Remonstrance is printed in the *Parl. Hist.*, xxi. 460-465.

comissioners and juges for Scotland unto the members of the House on the Counseil, and that they intended to meet on it Frayday morning. . . .

6th October. Thanksgiving. . . . I was at the feast and sate down at the end of one of the tables, and a lieutenant of a troupe next me, and when I looked up to the high table wheir I used with the rest of the Scots Comissioners to sitt at their feasts in 1640, 1641, '42, and '44, '45, '46, I acknowledged God was just and righteous to our nation and to me that had made us who was once as half of the head now to becom the tayle, and thes who in their distresse had been sent as messengers to me, Darnley, Goodwin, Corbet¹ (who last knew me their) wer sitting farre above me. This brought serious, humbling thoughts in my head. . . .

7th October. About nomination of Scots juges. . . . Mr. Scobel cam out and told me they wer thinking on fyve, tuo to be of the House and three out of it; but no word of any Scotsmen for juges. They wer thinking of naymes, and spak of S[ir] J. Hoope,² but not of S[ir] J. Ch[iesley] and spak of English lawers to draw us to their lawes. . . . I found the committee had dissolved without wryting anything but that the Commissioners should not exceed fyve, tuo out of the Parliament and tuo uthers, and one left to the Parliaments nomination. I heard that Fleetwood naymed P. Laurence.³ Sir H. V[ayne's] lady told my wyfe I behooved to abyde heir this winter. . . . I heard afternoon they mynded to send doun English lawers and that Swynton was taking his leave of people as Lord Lambert told me he was feared to be putt out. I heard the Bill of Union was layd asyd for a fortnight, and somthing anent the Great Seale was altered to the

¹ Probably Major Dorney. Sir Robert Goodwin, member for East Grinstead. Miles Corbet, a regicide, sometimes known as Lord Corbet. He had been made Chief Baron of the Exchequer in Ireland in 1655. He signed the death warrant of King Charles I. and was executed after the Restoration.

² ? Sir James Hope of Hopetoun.

³ Henry Lawrence, President of Cromwell's Council.

worse.¹ I feare they use us mor and mor as a province. . . . I heard of Juge Ker being slandered as a bryber by his wyfes taking brybes. I thought myself band to beare witnes for him against slanders, and so I spake with Fleetwood, S[ir] H. Vayne, Walton, Scot, and I was sorrye to heare of a paper given in by Ro[bin] A[ndrews] that I feare doe me wrong. . . .

I heard therafter the Committee delayed the sending of Commissioners til Union was past, but presently to nominat the juges. I heard they stuck at som, Lockhart, Ker, Brody. They objected against Ker his putting out tenants because Independents and kepted not their fast or thanksgiving; and against Brody that he would not take the Ingagment and would but leave them in the loch. . . . What they haive doen anent myself I knowe not. . . . S[ir] H. V[aynes] lady sayd only to Lady Lauderdail that I was to keepe my awen place and to abyde heir. . . .

9th October. . . . The newes of France and Spayne joyning together for Ch[arles] Stewarts restitution upon his turning Papist² remembered me of the old ryme :

"Flan. Fran. Consurgent
Hispania viribus urgent
Tunc Anglica gens periit."

. . . The Lord may most justly bring this nation once very low for their conquest and illusage of poor Scotland who helped them in their distresse to al this power.

10th October. . . . I went out to speake about Brody and I found S[ir] H. Vayne backward and cankerd to me about him. I spak freely against their taking away Scots lawers and imposing English as a sin befor the Lord. I spak also fully to Salloway and Sydnham and S[ir] Arth. Hazelrig. I heard from Salloway they wer not free to putt me in tuo capacities, both to be Keeper of the Registers and a Juge. I told him he was ever one their as the Master

¹ *C.J.*, vii. 792. 'Resolved . . . that there be in the Seales of Scotland, first, the Arms of England, then those of Scotland, and next, those of Ireland.'

² Cf. Clarendon, xvi. 66.

of the Rolles is one hear. Sydnham told me of their observing that I had spoken to non of them, and their inclyning to give me the Rolles place. I fear a desseigne at the bottom to putt out men of interest and especyaly Presbyterians out of Session, and putt in men above ordinances. I feare S[ir] H. V[ayne's] hand in this pye, becaus Brody and I ar Presbyterians, and Ker; and I heare he keeps an exception against Brody as begyling him at Dalkeyth¹ to drawe an explanation and then he would ingage, and thereafter resyled. . . . Therafter I heard of a new paper made by Mr. Patrick Oliphant against Swynton and me, wherin they call my wyfe Eva as the cause of my wrongs.

11th October. . . . I was al foranoon with the Dutch Ambassador, and afternoon with S[ir] H. Vayne wheir I heard of the House annulling all things doen by the Protector and making it treason to any to lift up money or cesse off any people of thes nations without warrant of Parliament, and lawful to any to resist them²; and wer to deny the three demands of the Airmy about putting in and out of officers and Fleetwoods commission, and runing to a very great height. At night I heard som motion was made to putt Fleetwood in the Tower, and that it should be a cryme in any to insist on such proposals. . . . I heard the Committee was unanimous anent my being Clerk Register as before.

12th October. . . . I thought this Parliament run on the former rock of stretching their authority til it rent and splitt on the prerogative of power, as the King, Protector, former Parliaments and late Convention did. . . . At night I heard the Parliament had, upon a letter subscrybed by Lambert, Desborow, Berry, Ashfeild, Cobbet, Barron, Parker, Kelso and Creed, discharged them from their regiments³ and took my Lord Fleetwoods commission

¹ Perhaps refers to the Tender of 1652 which Morayshire at first rejected, Brodie being one of the signatories. Later Morayshire accepted (*Cromwellian Union* (S.H.S.), pp. 161, 162).

² *C.J.*, vii. 795.

³ *Ibid.*, 796. The letter, dated October 5, is printed in Thurloe, vii. 755.

from him, and apoynted seven Comissioners for the Generalship, Fleetwood, Hazelrig, Monk, Ludlow, Walton, Morley, Ouverton; which wee thought a strange and judicial madnesse unles they wer sure of most pairt of Airmy, wherof they wer confident, but I found at night the Airmy resolut to dissolve them. . . .

18th October. Parliament dissolved. . . . I heard Hazelrig, Morley, Walton was al night in the House and gott in Morleys regiment and Mossys and som of Ockeyes horse and Thomsons regiment coming to them, they barri-caded al the pallis yairds, back and foar, and the Army had drawen out a regiment of horse and lienguard and 4 regiments of foote. I moved the dealing with both partyes to prevent blood, and went between them and got a meeting of the Counsel and the officers at it, and after much debayte the Counsel agreed to send an ordor to both pairtyes to withdrawe their forces back to their quarters. It pleased God so to blisse it as after noon they both obeyed the order and drew off their forces; and Hazelrig and Morley cam to the Counsel, so did Walton and Scot who had been blocked up, and so blissed be the Lord that prevented al blood, which was so near that they wer in our place at puisse¹ of pick within one anothers airmes, and at another place Morley gave direction to give fyre if Lambert advanced, but Lambert told him he would turne another waye. Both partyes eshuned the taiking of the first blood, and the sojourns wer unwilling to yoke one with another; and I think both wer content with the order to withdraw, wherin Salloway and I had greatest hand.²

At night wee mett at Counsel and their got knowlege that Lieutenant-General Fleetwood had sent tuo companys to the Hall and to the Parliaments doore, which imported the dissolution of the Parliament, as the stopping of the Speakers coach in foranoon did, who cryed to the sojourns he was their General. The Counselors spake also of dissolving the Counsel and gave order in things as their

¹ *Puisse*=push.

² See *Parl. Hist.*, xxi. 471-477; Clarendon, xvi. 84, 85; Ludlow, ii. 137-140. Wariston's share in the pacification is new.

letterwill. Every one blaymed another for bringing it to this passe, and som rejoycing they had doen their deuty and kepted their station til cutted off, and uthers that they had indevoured to prevent breaches.

XXXVI. 14TH OCTOBER TO 6TH DECEMBER 1659

1659, October 14th. . . . I went to the Counsel Chamber and found it very uncertain whither they wil dissolve the Parliament and Counsel, or not. . . . In the debayte at the Counsel I spake and read 17 Proverbs, 9 and 14, and 19 v., and 20 ch. 3 v., and 25 ch. 8, 9, 10, 11 v., to stoppe heats and chalenges for bygons; and then I urged as an ouverture *pro futuro*, that the Counsel having power by instruction to advyse the Parliament anent the peace, good and gouvernement of thes nations, tak up the Airmyes first proposals which the officers thought wer agreed on by Parliament afor their meeting, and the late proposals, and advysing a satisfactory answer therunto. . . . I found at Counsel som asserting the Parliaments absolut authority, som that it was limited not to be prejudicial to the cause. This afternoon wee had long and serious debaites in the Counsel about demanding the withdrawing of the forces from the Parliament doores, and whither wee should sitt and act til the first of December or not. The first was resolved on, and last delayed til tomorrow. In the meantyme I heard the general mceeting of officers had agreed on Fleetwood to be their commander-in-cheife and to receive orders from no uther. . . .

15th October. . . . I thought on a warrand for my arrears. . . . I drew the letter but durst not present it, becaus Mr. Scot, their President, being advysed with, playnly said it was without their power. Therafter, after nayming thre uthers to be President and everyone shifting it, my Lord Fleetwood first naymed me, and then the whol Counsel, to be President. . . . I told the Counsel my feare that [? the Counsel] was lyke to dye in my hand. . . .

Wee debayted al foranoon about dissolving, and at last S[ir] H. Vayne produced a paper of a medium for Airmys,

declairing the Parliament to sitt down on first of December and to obey the orders of the Counsel in the meantyme and the Counsel to consider their proposals and wayes of settlement and propose them as their opinion to the Parliament. . . .

I fear the Lord myndes not to doe any good by that model and I hoope He wil not lett them doe evil, but their turning of things upsyd down shal be as the potters claye. . . . The vote caryd not to putt to the question; som resolved to goe and som to byde according to their oath and trust. . . . I wrote hom to lettres to Scotland who will wonder. . . .

17th October. I fand first by S[ir] H. V[ayne] that he was loath that I should continew in the Chair, and therafter Whytlok was choysen. . . . I was with S[ir] H. V[ayne] and Salloway and S[ir] Ja. Harrington in at S[ir] A. Hazelrig in his chamber, wher they fell out in mutual chalenges and expressions of jealousyes. At Counsel Fleetwood proposed that foor of the Counsel might speak with foor officers of the Army. I heard privatly S[ir] H. V[ayne] had been with Lord Lambert. . . . After this I was choysen one of the fyve for the Counsel, S[ir] H. Vayne, Major Salloway, Whytlok, S[ir] Ja. Harrington and I to meet and conferre with my Lord Fleetwood, Lambert, Desborow, Berry and Sydnham about the sitting of the Counsel and carrying on affairs of this Commonwealth. . . . Wee found they would not heare to re-admitt the Parliament agayn, would haive the Counsel ingaging with them and would apoynt a new gouverment. I told them of our practise in 1643 in calling the Convention of Estates,¹ and in 1648 in the Dissenters sitting down as the Committee of Estates and calling a Parliament which ratifyed the proceidings of Dissenters and condemned the uthers. . . .²

¹ *Memoirs of Bishop Guthry* (ed. 1702), pp. 111, 112; *Register of Privy Council of Scotland*, Ser. II. vii. 428; *Declaration of . . . Privie Councell* (Edin., Tyler, 1643).

² The 'Dissenters' refer to the anti-Engagers of 1648. The Parliament sat down in January 1649, and repealed all the Acts of the late Parliament on behalf of the Engagement, and instituted the infamous Act of Classes. It was entirely the instrument of the Kirk and represented a 'purged' Committee of Estates.

18th October. . . . Afternoon S[ir] H. Vayne, Major Salloway, Whytlok, Harrington and I had discourse of old storyes and difficultyes, and heard of the Airmye appointing Fleetwood General; Lambert General-Major; Desborow General Commissary. . . . I wrote to Scotland for union of honest men their. Tho al things be quyet I see not throu them. . . .

19th October. . . . Wee spak to Keepers of the Great Seale and Mr. Speaker. After supper the Committee mett and resolved once to send a letter for justice in Scotland, but theirafter Major Salloway scrupled at the Counsels doing of it, which troubled me exceedingly and made me saye that nation might look on them as oppressors and murtherers and not as reulers and gouvernors. . . .

20th October. This morning I drew a draught of a letter for justice in Scotland, but I feare the Counsel passe it not. . . . I prayed at night . . . and wrote sadly to Scotland of the Counsels refusing to settle justice in Scotland, tho I offered to them the petition from Edinburgh. . . .

21st October. . . . Wee had great debaytes in the Counsel about the Counsels sitting or not, and a Committee of Saifty. The Counselors declared they would not goe beyond their instructions, and desyred to know their institutions about the gouvernement, which would cleare them to act. I urged very much the letter for justice in Scotland to be from the Counsel and by reasons brought most of them to conviction of its expediency. . . .

22nd October. Nomination of me on Committee.¹ . . . In the foranoon I heard the officers had been up al night til tuo aclok in nominating a Committee of Saifty or Counsel of State, and that they had nominated the ten that was the Committee and thre uthers yesternight, and that this day they naymed ten mor, and therafter I heard who wer the persons²; and when I heard that I was one of them and that I was choysen unanimously and not by

¹ The Committee of Ten appointed out of the Council of State to act as executive (Whitelocke, p. 685).

² The Ten were speedily merged into a Committee of Safety consisting of 23 persons (Ludlow, ii. 131).

plurality as S[ir] H. Vayne and Major Salloway was, and that I remembered of that circumstance that I was naymed yesternight when I not knowing of any such thing but having sundred on the Counsels resolution to meet this night agayn. . . .

24th October. . . . I heard Pitilloch and Oliphant had on Saturday given in to some officers papers against me and was this day prenting them. I spak with my Lord Fleetwood about my Lord Argyle to be putt in, which he sayd he feared it was too laite, but withal he should consider it in another thing they wer to be about. I heard som of them had spoken and naymed in the tyme of election my Lord Brodyes name and som Hoptouns nayme. Their-after I heard their was papers given in against Laurence, Strickland, Whytlock, Tichburne, Clerk, and naymes appered such as Pembrok, Harrison, Cary¹ and suchlyk by the 5 Monarchy men and Quakers. Then I heard som papers was against S[ir] H. V[ayne] and Major Salloway. I went and spak with him. . . . I heard after supper of great discontents amongst families and persons heir one against another, and that som great men and officers wer als discontent at this Counsel as at the Parliment. . . .

25th October. Warrant for Session. . . . I heard som was against imploying Presbyterians and that their was difficulty about persons and powers. This day at the Counsel with very great difficulty I got the letter to General Monk or the juges for the sitting of the Session til the next terme, tho Sir H. V[ayne] opposed it and gaive his No unto it, and caused chaynge tuo clauses of it, til further order, and for payment of the juges. . . . I wrot long lettres to Scotland about union and the reasons of my new

¹ President Laurence; Walter Strickland, a member of Cromwell's Council; Sir Robert Tichborne, regicide: he had been Lord Mayor, 1656-57; author of *A Cluster of Canaans Grapes*, and *The Rest of Faith*, 4to. 1649. Col. Clarke was member for Dartmouth, etc., in the Parliament of 1658-59. Philip Herbert, Earl of Pembroke, who had accepted the Republic and was a member of Cromwell's Council of State. Major-General Harrison, regicide, executed for his share in the death of Charles I.; so also was John Carew who met the same fate. These two were leaders of the Fifth Monarchy men.

employment and my affaires ; and then on a sudain I was called to the Counsel and heard General Monks letter to Fleetwood¹ against their raying of the Parliament, and that he and the forces with him would venture their lyfes for their restitution, and that he had prented a Declaration at Edinburgh² and comanded the forces in that nation, and so readily would ingage thes nations agayn in a Civil Warre, and rayse al the malignants in England, Scotland and Irland ; and many feared Charles Stewart was at the bottom of his busines be Aitkens depositions and uthers in S[ir] G. Booths busines.

26th October. About General Monk. . . . I thought this busines looked very jugment-lyk and lyk the Lords deseigne and practise which He had in Scotland in 1644, '45, '46, by bringing back our forces in pairtyes out of England and Irland (wheir they had been proude and oppressive) in to Scotland to resist and repell James Graham,³ wheir sundry of them was beaten, and by their withdrawing. God caryed on His designe of punishing the King and laying our pryde low. So who knows but the Lord to humble England and punish the Malignants in both nations and to ease oppressed Scotland, makes Monk (whom He may also intend to chasten, and that with blood for the blood [which] was cruelly shed at Dundy⁴) thus to sturre and rage, to bring in a Civil Warre to England as by James Graham He did unto Scotland, and who knows but He may mistryste the rysings in 1659 as in 1648, first Sir Ge. Booth afor General Monk and G. Monk afor the forrain invasion ? . . .

27th October. . . . This day they wer about their Declaration. S[ir] H. V[ayne] and M[ajor] Salloway and I had much debayte about the present dispensation, S. H. V. looking on it as an introduction to the glorious appearance of the Kingdom of God, and so calling much for fayth and expectation of its aproch ; I, looking to the ordinary reules in the Word, apprehending it looked judg-

¹ See *Parl. Hist.*, xxii. 4-6.

² Aldis's *List* (Edin. Bibl. Soc.), No. 1592.

³ The Marquis of Montrose.

⁴ See Wariston's *Diary*, ii. 128 n.

mentlyk to the nation for their provocations ; and Salloway making use of both and inclyning mor to my mynd nor to Sir H. V.

Afternoon wee heard that Cobbet was imprisoned at Berwick¹; that Sir A. Hazelrig was sent for to give assurances becaus his lieutenant-colonel had the comand of Berrik. . . . This night I got a letter from the General Counsel of Officers subscryved by sundry, to be at the Horse Chamber to receive my commission.² . . .

28th October. Committee of Safety. . . . Thir divisions are lyk to plunge us al in blood, and tho I haive been clear *in facto esse* of gouverments yet not so in the *fieri* of them. . . . Wee mett and the powers was delyvered to us and wee fell in a debayte, and som advysed for a day or tuo, and I told *nihil novi sub sole*, what [is] doen now in England in 1659 was doen in Scotland in 1639 and 1643, and Salloway added, 'and in England 1653'—our Committee of Estate and their Committee of Saifty. I told it was in reference to Scotland they called me to serve and I did serve, and whatsoever concerning Scotland could moove me to serve at any time was trysted by Providence to moove me to serve now, without delaye, to witt, the using speidy means to prevent misinformation and blood in Scotland, and one dayes delaye now may occasion many moneths work. . . .

29th October. . . . In the Committee wee resolved on a free letter to General Monk pardoning what is past and threatening if he desist not in tyme coming.³ . . .

1st November. . . I saw S[ir] H. V[aynes] draught of the gouverment and dislyked the fundation of it and toleration in it, and had a debayte with Salloway, Whytlocke and Ludlow on it; and beyond my expectation I saw my nayme among that sub-committee apoynted about it. . . .

3rd November. . . . Thes tuo dayes I had great debaytes with S[ir] H. V[ayne] and Major Salloway about

¹ *Parl. Hist.*, xxii. 9.

² Whitelocke's copy of this summons is in *Memorials*, p. 685.

³ *Clarke Papers*, iv. 80, 81.

toleration and Agreement of the People, 1648 preferred to Confessions of Fayth and Covenants to God. I sayd if they secluded God from the gouverment they secluded themselves from His protection and blissing, and would move Him to draw the sword He threatens. . . . I spak at lenth with Doctor Owen about this busines of toleration and seclusion of God, and Gen. Major Kelso and to my Lord Lambert and Col. Berry. M[ajor] General Ludlow sayd I would ryve my sydes alongst it. . . .

4th November. . . . I found lettres from Scotland especyaly Mr. Jh. Stirling, of the dangerousnesse of my condition in Scotland seing I am putt on the Committee of Saifty. The Lord direct me to urge the Covenant whyl the uthers urge Agreement of the People. . . .

6th November. This morning I had many thoughts about my deuty to presse the renewing of our Covenant with God as my motion and offer. . . . That I am sure is the way of agrement of the people among themselves and with God and to mak us agayn the people of God. . . .

I had yesterday pressed at the Committee (and wrote of it down to Scotland) that the first and 2d articles of it and the promising close of it to reforme ourselves and al under our charge might be fundamentals in reference to religion. . . . But I knew not whither I had heir a draught of that covenant wee intended once in Scotland in 1655, but that General Monk was jealous of it.¹ I resolved to search over my papers, and their be Gods gracious favour, I found I had reserved it when I sent the rest of my papers hom, which was a new confirmation to me. . . .

8th November. . . . I fand whyl I was out that S[ir] H. V[ayne] and Major Salloway had drawen up the busines of toleration and drawen over Desborow. . . . I saw their designe to overturne the ministry and the ordinances of Jesus Christ. I testified against it afternoon, and wrote to Scotland of my mynding and moving for the draught of Covenant as it was drawen over in 1655. . . .

9th November. . . . Al this day I was kepted in con-

¹ *Supra*, pp. 1, 7, 10, 12.

tinual debaytes with S[ir] H. V[ayne] and Major Salloway about the busines of vast toleration and magistrats seclusion from meddling in religious maters. . . . Fleetwood, Berry, Whytlok, Desborow, they drew up middle papers to agree us, but it could not be; and the Lord be blissed that wee could not agree on halving papers which would provok God. . . . I declared I thought I was bound to contend to death and resist to blood and goe to the stake in this busines, wherin they thought I was so warme and urged me to moderation and condescension. . . .

This night the Lords providence trysted weal the coming of Gen. Monks letters¹ of sending commissioners hither, and the coming in of tuo companyes at the very tyme when the Comoun Counsel was sitting and sundry in it resolved to present a petition for restitution of the Long Parliament, and Mr. Scot, Sir Anthony Ashley-Couper, Mr. Bernard, Col. Ockey, and Hacker and Barton in another rounge, wayting for isseu, and they seing their disapoyntment from Monk and the Comon Counsel went away discouraged. . . .

10th November. . . . Afternoon wee had a debayte upon a new draught of S[ir] H. V[ayne] anent liberty of conscience, but resolved to bring in the debayte into the Committee. . . . I read to the Committee the articles of the covenant as wee drew it up in 1655 at Edinburgh, and pressed them to mak thes positive fundamentals of gouvernement for God . . . but they would not heare of it. . . .

14th November. . . . This daye I heard the Northern Commissioners was lyke to agree to laye asyde the last Parliament and to be pleased with the gouvernement . . . but after this I heard of an expresse com from Lord Lambert showing that General Monk was marching to Dunbar. . . .

15th November. Agreement of armies. This morning I got my lettres from Scotland and Newcastle shewing the

¹ Printed in *Parl. Hist.*, xxii. 18.

rumors spread their against the present reulers as Anabaptists and overturners of magistracy, ministry, and lawes and libertyes; al which I shew to my Lord Fleetwood and uthers. Therafter I heard the cecommissioners wer agreed on 10 persons (amongst which my nayme) to consider and frayme the gouverment, and som from every regiment of the thre armyes to conclude it. I fand S[ir] H. V[ayne] and M[ajor] Sall[oway] il satisfied with it as ruynous to the sectary (?). . . . I heard the officers had agreed. The Lord prevent blood.

16th November. . . . I found sundry discontent[ed] that the officers had agreed without the consent or knowledge of the Committee of Saifty. . . . I discovered a great ambiguity in som things in the late Agreiment. I found S[ir] H. V[ayne] and Major Salloway mightly troubled at this Agreiment as making Monk the balance or an equal balance. . . . I see the General Counsel is made the suprem delegating power without representatives from the people. . . .

19th November. . . . It troubled me to see the uncertainty of publik busines and the aparant ruyme of my particular, my conscience was worne to a bark, my nayme under great reproches. . . .

20th November. Its strange why and how it comes to passe that I preside in thir courts and runs so much hazard, with no particular advantage. . . .

21st November. . . . I did on Saterdag communicate to Mr. Scobel the draught of the Covenant 1655, and the summe of the debaytes, and I did this morning communicate the other cotype of it to Doctor Staynes. . . .

22nd November. I read this morning most part of Prins *Support of the Magistrates Sword*. . . . I gaive to Mr. King the draught of the Covenant and sume of the debaits theron. I was troubled al night about Lord Fleetwoods being upon the wrong syde of the debayte anent vast liberty of conscience which Col. Berry strictly opposed. I told my testimony against it in the smoothest way they could putt it down. . . . I told I would never consent to the last clause of rescinding former Acts and

Covenant made in favors of reformation. Lord Fleetwood sayd I would stik be old fundations tho rotten: I was much troubled, as I told my wyfe; I feared evil to him. . . .

23rd November. . . . I heard of a letter from General Monk delyvered to Comoun Counsel to sturre them up to ryse in airmes, and that daited 12 November; but that non spak for it after hearing it read. . . .

24th November. . . . I gave to Doctor Owen the draught of the Covenant, som of the debaytes, and my myte for renewing the Covenant.

29th November. . . . I heard mor and mor that som of the old Counsel had mett and sent out comissions to putt us all in blood. . . . I heard that General Monk grew calmer after the receat of the Agriement. . . .

1st December. . . . When I was thinking to praye in privat I got notice from my Lord Fleetwood that Monk had shifted to subscryve the treatye and putt it off by several excuses, which makes me aprehend he drifts off til thir people heir be in a readynesse to ryse when he ryses; and so its the mor our deuty to secure them; the Lord is the lyker to putt us all in blood. . . .

2nd December. . . . Wee was busye al daye about the prentises of London who was preparing a petition for a free Parliament. . . .

5th December. . . . I heard Col. Morley and Sir Arthur [Hazelrig] was gone on to Portsmouth, and Witham in it had declared for the Long Parliament.¹ I heard Monk was not peremptorily for them. This day the forces was in the City. The Comoun Counsel receaved the prentises petition and apoynted a Committee for it. The prentises made a tumult agaynst the souldiours, and one sojour wounded and one prentise killed, and al was once lyk to goe throu uther, but things wer pacified.² The Lord Major comanded the prentises hom and the forces was drawn off and much mischeif prevented now the second tyme—when the Parliament was raysed, and now . . . I

¹ Ludlow, ii. 127. ² See Whitelocke, 689. *Clarke Papers*, iv. 167-168.

heard Col. Berry in the Committee putt to the question that I should be made President of the Senate for my lyfe becaus of the dispatch of affaires, and I sayd if I once saw them settled I would reteyr to my petty hold. . . .

6th December. . . . This daye the seven aldermen cam to us, and I had a short speech to them in the nayme of the Committee about the means of preventing such disorders and tumults in the City, and to inquyre for the blood was shed¹; and wee voyced instructions to Leut. Col. Nego agaynst Portsmouth.

XXXVII. 7TH DECEMBER TO 30TH DECEMBER 1659

7th December. . . . Wee heard the City was raging and perswading the Lord Major the militia and authority belonged only to him. . . . I had som aprehension from my fancyes within thes two dayes that I had reason to feare least the Lord in His anger at ph[antasies] wer ruyning me by shadows of imployments with consumption of my subsistence and stops of Clerk Registership, the idolized mean of my provision. . . . In the Committee I recomend[ed] the General Counsel and our meeting to the Lord. Afternoon Doctor Seaman spake to me about the Citye to speake with my Lord Fleetwood to prevent their ruyne and keep a good understanding. Then Tichburne had a proposal from the Lord Maer and Court of Aldermen for a Comoun Counsel to apoynt a committee to treat with my Lord Fleetwood and such as he shal apoynt, but waiveing the Committee of Saifty. I was for al peaceable ouvertures and prevention of blood. At night I was surprized to heare of the officers laying asyde the gouverment by vote, and falling to a general debayte about a Parliament and Senate. The Lord help us, for this people ar very uncertain and chaynging in their notions and opinions of persons and busines. I heard that I was lyk to be arreisted for seigning warrands in the nayme of the

¹ See Whitelocke, 689. The Aldermen 'excused the late tumult in the City, and [said] that they had no hand in it.'

Committee. The Lord keepe me from skayth and prejudice. . . .

9th December. . . . This morning I heard the meeting voyced a Parliament consisting of tuo Assemblyes, and returned to the draught they had befor layd asyde. I got lettres shewing Monks forces merching to Tweedsyde and his leaving comissions under nayme of watches to preserve from theeves, robbers, Highlanders. . . .

I heard that the thre generals wer mirry at Portsmouth and could not denye their ingagments. Som was sent down to Lawson¹ and the Fleet. I heard the Counsel of Officers went mor unit[ed]ly on. The Comoun Counsel rejected a petition calling the[m] the only visible suprem authority of the nation. I heard that Alderman Foulk was heading that party. I heard the Great Seale would be too-mowro putt to my confirmation which remembered me of the Lord accomplishing now in end of 1659 what was my motion and ouverture by Mr. James Simpson to Lord Brochil in end of 1656.

10th December. . . . I heard that the great debayte was whither the Senate should be elected now heir or by the people, and that many was inclyning to please the people, becaus officers had gotten good estats and would not hazard them in feighting with the people. . . . This night the Counsel voted a Parliament to meet in or befor Februar, and that Ludlow² spake highly and threateningly against it and for the old Parliament. It troubled me to find almost al bodyes to slight us of the Committee of Saiftye. I was glad to see a paper of sharp reasons agaynst the sitting of the old Parliment, and an ansuer prented from Doctor Owen³ to the tuo great questions of the tyme, anent the magistrats power in maters of religion, and anent tythes. . . .

¹ John Lawson was appointed by Parliament, May 26, 1659, 'to command in chief the ships in the Narrow Seas, in the capacity of Vice-Admiral' (*C.J.*, vii. 666).

² Cf. Ludlow, ii. 168, 169.

³ Owen's Answer was printed for Francis Tyton, in a quarto sheet, with title-heading only. It will be found in his *Works* (Goold's edit.), xiii. 508 sqq. Cf. Wariston's letter to Sir James Stewart, Lord Provost of Edinburgh (*Leyborne-Popham Papers* (Hist. MSS. Com.), pp. 132, 133).

11th December. . . . I blisse God that by this calling a Parliment He puts a stoppe to som mens wyld career for universal toleration and removeal of tythes. . . . I acknowledge this opposition in Scotland, in City, in Portsmouth, hes laid stoppe in som mens waye. . . . I heard that Lawson did hyde with the army, and Col. Fagge ¹ was taken. This night I was raysed to subserve som warrants for persons aprehension.

12th December. . . . I heard of tuo merciful dispensations, the one, the taking Col. Fagge and dissipating the new gatherings in Sussex; the ither, the Lord discovering and preventing the plott of delyverye of the Tower to their hands of adversaries. . . . I got lettres of Monks coming to Berrick with his force and bag and baggage, and sending for his comissioners to come to him, and not sending his tuo, and leaving comissions to Malignants in Scotland. Then I found the officers much confused, devyded and perplexed what to doe; what Parliament to call. I heard Mr. Calamy had a very uncou sermon pressing nobles, gentrye, citizens and comouns all to ryse for the Parliament 1642. Therafter I heard that the City desinged to ryse tomorrow morning and surpryze the guards and putt all in blood and confusion. . . . I got som libertye in the Committees prayer, and after it the Committee voyced their opinion to the Counsel of Officers for their settling a Counsel of State by which they would abyde and see owned; and settling further with a new (?) Senate and calling the representatives of the people. . . .

13th December. . . . I heard the Counsel of Officers inclyned to dissolve and remitt busines unto the Committee of Safty. Then I heard after desner of their nayming 21 conservators of som principles they condescended on agaynst Kingship, House of Peirs, and imposition on conscience ²; and that they naymed me one of the 21, after som opposition be Ludlow and Rich and the Sectarian party becaus I was a man bound up in the mater of liberty of conscience, and Rich sayd I had lately asserted the

¹ ? John Fagge, member for Sussex.

² Cf. *Parl. Hist.*, xxii. 24.

Cavelier interest ; but many of them gaive me an good and great testimonye. The Counsel of Officers cust over the whol busines of calling the Parliment on Committee of Saiftye, and wee found difficultyes in it, and resolved to mak querees concerning it to the officers. They thanked the Committee of Saifty for their paynes and caire, and they desyred them to goe on in their busines. Their was a long conference between them and the City about their militia. . . . I got Mr. Simpson and his brothers lettres shewing General Monks rage agaynst me, and so I wrote an letter to cleir myself from calumnyes.

14th December. A Parliament. . . . Wee mett at Committee and had great debaytes about the Senate to be elected.¹ Wee desyred a committee of the officers that wee might conferre with them about the securitye of His cause and people. I heard som sayd I had subscryved papers for them that non in Ingland durst haive doen. I maye see by thir peoples uncertainty how soone they maye leave us in the lurch and danger. I feare from man that I smart for it if I haive not protection from above. . . . Wee agreed on the proclamation of the Parliment to meet on the 24 of January, and so within one year three Parliments, and it wil be strange that I was called up to the first, called by the second to be on the Counsel and made to subscryve the warrant for the 3d. . . . Afternoon wee had great debaytes with the Committee of Officers about the Senate *pro et contra*, and resolved to keepe them secret. I thought General Monks letter to Lamber[t] fair on generals and sharpe in particulars, and Lamberts letter for a Parliament or a Senate or Conservators cam strangely trysted.

15th December. . . . I found S[jir] H. Wayne and Major Salloway jeir at the putting in in the Covenant 'according to the Word of God,'² and beguyling Argyle and revyling Doctor Owen and the Anabaptists for their

¹ Cf. Ludlow, ii. 171, *sqq.*

² The reference is to the phrasing of Article 1 in the Solemn League and Covenant. It was at first intended that the model of the Church of Scotland should be followed by England.

late paper. This day the Proclamation for the Parli-
ment was made, and that with quyetnesse. . . . I thought
strainge that in al the new imployments this twelmonth I
have been called as to the House of Lords, to be a member of
the Counsel and preside most in [it]; to be in and preside
in Committee of Safty continually; to be on the Comittee
of 19 for qualification, and now on Comittee of 21 for
Conservators of the Peace. . . .

17th December. . . . I heard that the officers wer
speaking of merching to York to joyne with my Lord
Lambert, which I sayd would be an exposing al their
freinds to danger and ruynes and the Cause itself. Everyone
of the officers told to us their confusion and unfittnesse to
manage such a busines as gouvernement. . . .

18th December. . . . This last night I dreamed one
told me and let me see great watters coming in upon me,
and I looked and saw them on the one hand, and I looked
about and I saw fyre coming upon me or rounding about me
on the uther hand, and I woundred, but was keepest from
great feare and astonishment, and I admired that I was
not mor affrayed; and with this I awaked. . . .

20th December. . . . This foranoon Doctor Owen,
Whytlok, Tichburne, Sydnham, Desborough and I spak
with my Lord Fleetwood to condescend to the giving out
of the writts, and spak freely to him, but could not
prevayle, which troubled us exceedingly. He sent Mr.
King away to Lambert to desyre him to merch hither. I
spak with my Lady Lambert and then privatly and freely
to my Lord Fleetwood and told [him] the thre faults of his
nature—No good friend and no ill foe; slow to com to a
determination and sudenly break it; and doe things by
privat suggestions. But this afternoon wee got knowlege
of the cityes refusing Vice-Admiral Lawsons desyre and
declared for a new free Parliement, and so would rayther
concurr with the Army nor with Lawson for the Rumpe.
Then after many long debaytes the Counsel of Officers
voyced to desyre the Committee of Safty to isseu out
the writs for the new Parliement, which disapoynts S[ir]
H. V[ayne] and Major Salloways designe in Lawsons

treaty. Blissed be the Lord that has closed so sad a daye so weal ; for wee was once thinking to secure the Tower, and wee heard Rich was gon away with his regiment, and several regiments thinking on petitions, and I spak to my wyfe for thinking on som secret hole for me to lurk in.

21st December. . . . Mr. King is gon to bring up Lambert and the body of his forces, and Desborough, Owen, Whytlok, Tichburne and I inclyned to reteire to the Tower. The Lord pitye us, a brother may not trust a brother ! . . .

After the debayte som opposed the nayming of Scotland and Irland in the warrant, which troubled me much that I sayd I could never subscribe for a Parliment to Ingland with a seclusion of Scotland ; and after the debayte the warrant was past and foor writts sealed and two of them sent away to London. But after they wer gon wee was sudenly sent for to Wallingford House wheir it was told us that Col. Rich and Major Bremen¹ with his troupes and som of Berryes had come in the back of the forte and thes in Portsmouth befor them, and caryd al in to the toun, and that the sojourns everywheir was lyk to mutiny for want of sylver, and saying they would not feight against the Long Parliment, and that the officers being conveyned at Wallingford House had no hearts nor hands to stick to it, but would betray us all and delyver us up to the hands of our adversaries ; and Doctor Owen, Sydnham, Desborow, told us all was gon, and their was nothing but to send and treate, and the army at Portsmouth would now be [so] high as they would not heare of termes ; and when officers was putt to declare whither they would abyde be us, they fell in debayte about their principals, especially liberty of conscience, and they pressed me to wryte a letter to the she[riff] to recall thes tuo writts, and [all] the words wee heard was w[ords] of despayre and despondencye becaus of the Airmyes treachery ; under-officers and sojourns would not stand be their superiors nor us. Thes things astonished us. . . .

Sir Hary Vayne and Major Salloway cam in and called

¹ Cf. Ludlow, ii. 183 n.

the sumonding this new Parliament to be Sir George Booths busines, and told the City of London had choysed their new Comoun Counsell of malignantly disposed [persons], which interpreted their meaning about a free Parliament. . . . I thought Mr. Ja. Guthery would think himself a prophet of the ruyne of this Army and of my prejudice by meddling with this people. I thought it better to abyde openly and suffer what they will inflict nor to hyde myself and run away. . . .

23rd December. This morning I putt away al my papers and lettres out of my house for saiftye. . . . I spak with Doctor Worsley ¹ and was lyk to differ, but the Lord directed us aright to agree and I got my moneys and he got the Great Seales. I begged the Lord to preserve this suplye and releefe unto me in my straits. I acknowledge and receaves it all as from Him, and begges His preservation of me from affronts, disgraces and prejudices; for I heard Mr. Short and uthers that hes been stopped in their actions mynds to arreist me for the indemnityes granted to Thurloe and uthers. . . . Mr. Fyrbank cam to me and told me that my Lord Fleetwood sent for the [bo]oks and papers of the Com[mittee], which would ruyne me [and] the clerks, but I discharged him to doe it and sent him to Mr. Scobel, who had no will of it, and so I feared prejudice and treacherye that by destroying the [books] it might not apeare [who] did sitte.

24th December. My retirement. This night my Lord Fleetwood advysed me eyther to goe to Lambert or tak a chamber with him or in Jameses. . . . I begged of the Lord He would not withdraw His counsel from me but tell me whither I should hyde myself somwhear, or not, but abyde in my lodging. . . . I cast the lott and it [was] to hyde myself. . . . [I owned] my obligation to God that mooved Fleetwoods heart to propose this about the 500 pound and to make it effectual to me, by Worsley, to be a provision for me now in my straite and exigence, and so payed to me the night afor my flight, one taken for good

¹ Dr. Benjamin Worsley.

joyned with His provyding this hyding-place for me ; and therfor I desyre to remember my vow to imploye in good uses the tenth of what I receave from the publik, which is 50 pound of this. . . . I am sure I may saye it was Thy hand putt me in that chare of supremest comand in thes nations, now for thes tuo months, and its als evidently Thy hand that putts me out of it. . . . Never was their a pack of men seen mor deserted of God and emptyed of witt, sense, reason, comon honesty and moral trustynesse nor this General Counsel of their officers ; pardon our rashnesse and folye that trusted them ! . . . This Army hes idolized themselves for their conduct, courage, unity, strenth, experience, resolution. . . . They took on them gouvernement wherof they have tuye in one year given a demonstration of their incapacity to weild or manage. . . . They could be drawen on a sudainty to break Parliments but with deliberation could [set]tle nothing. . . . Posterity wil hardly beleive the storye of thes giddy heads and reeling tymes in maters of religion and gouvernement. . . .

This Long Parliment neyther the last tyme nor this seemes to returne to their power in a penitent, beleiving, reforming frayme and temper, and so it looks rayther jugment-lyke unto them. . . . This Parliment was set up in me against my jugment and yet it was turned to my imployment ; what this restitution wil doe I know not. I remember the story of the Earle of Athol¹ who was deceived by a prediction that he should be crowned King of Scotland afor he dyed ; and the late James Graham sucklyk that he should be the greatest man in that nation.² I shall leave application to deprecation that it be not so with [my] ph[antasies].

25th December. . . . The Lord knows I knew neyther of the Protectors calling me to the Uther House, nor the Parliaments calling me to the Counsel of State, nor of the Counsel of Officers calling me to the Committee of Safty, nor of that Committees calling me to preside, and I look on al

¹ This may refer to that Walter Stewart, Earl of Atholl, who, claiming to be the eldest son of Robert II., pretended right to the Throne.

² Cf. Napier's *Memorials of Montrose* (Maitland Club), ii. 383.

their employments *quoad* the efficient as alyk lawful and legal in reference to Scotland. . . . Let me find a good hand of God putting me by and out of the way as He did in 1651 at Perth afor the terrible blow cam on and the tempest flow and overflow. I acknowlege Gods justice in removing Fleetwood from the head of the army seing he fayled to the Lord in the article that concerned Gods interests, and fayled thes that had lipened to him for waunt of resolution and activetye, and followed too much tuo men ¹ who wer his real adversaries. . . .

26th December. Parliament sat down. I heard yeaster-night from my wyfe that Fleetwood desyred me to goe to Lambert wher I would be saifest ; that he knew not what would be his awen condition ; that som called him false ; that Doctor Owen sayd it was good I suffered ay on the right syde. Lady Lambert sayd Fleetwood delyvered up all contrary to his promise, and that shoe could not trust S[ir] H. V[aynes] offers, and som sayd they would seclude S. H. V. and M[ajor] Sall[oway] from [the] House, and that [the] City was raysing their militia or trayned bands, and would haive Parliment as in 1648, or a new free one. . . . Fra once I found Fleetwood rayther syde with S[ir] H. V[ayne] and M[ajor] Sall[oway] about toleration and not back thoroughly his freinds that he had ingaged, his fayling to God and men prognosticated to me sad things against him and the ruine of his family ; as I told him, his enemyes threatened they would not leave one haire of the Protectors family behind. That army had proven treacherous to God, to the Protector, to the Parliament, and now to Fleetwood : what a madnesse was it in me to trust them and hazard my all with them.

29th December. . . . I was interrupted by Rachels ² coming who told me of Lamberts resolution to merch to Scotland and feight Monk ; of the House being on an Act of Indemnity and secluding the 9 officers from their places, and drawing up som impeachment against Lambert, and

¹ Sir Henry Vane and Salwey.

² Wariston's second daughter. She married Robert Baillie of Jerviswood.

secluding S[ir] H. V[ayne] from the Counsel ; that my Lady Lambert was cheirfuller nor on the Saboth that hir husband would doe for himself ; that they thought few would trouble me in particular ; that Worsley was at the Post Office, wherof I was glayd that he might haive no prejudice from us ; that S[ir] H. V[ayne] and Major Salloway absteaned from the House yesterdaye ; that their was som difficultye amongst themselves and that som of them was drawing up an empeachment against Sir Hary Vayne, and that S[ir] A[rthur] H[azelrig] would not com in til he went out ; the which if it be treu I thought was the just hand of God agaynst that man, whos politik, deceitful, double false waye had ruyned the whol busines, and if he had gotten his will and waye had ruyned al the ordinances of God, and it wil be no greife to good people to see him putt out of power . . . And he hes drawen on Major Salloway unto the same guilty desinge and conspiracy for vast toleration and agaynst the ordinances. . . . I heard the canons of the Tower did shoote, which I think be for Sir Arthur [Hazelrig] and Col. Morley and Walton, their Generals, their coming in. . . . I went to prayer agayn, and then was interrupted by Mrs. English telling me that shoe saw Sir Arthur and Morley goe to the House, and that mor woundred to see that Whytlok was tuyse sent for and cam to the House and was very chearfull, and that Fleetwood was sent for to the House. What a strange reele is this ! And that toomorrow they wer to apoynt 31 to be on the Counsel, and had approven Gen. Monks proceidings and given him thanks for his great fidelity and service, and bidden Lamberts forces returne to their quarters without taking notice of him. . . .

30th December. . . . This morning I awakned early and thought on Mistris English newes about the Parliaments nomination of their 31 on their Counsel of State,¹ and therupon fell to poure out my heart in teares and cryes unto the Lord my God, and to conceale nothing from Him was in my heart on the one hand or the uther. I acknow-

¹ *Parl. Hist.*, xxii. 35-37.

leged my ph[antasy] and ambition and avarice and pryde and vaynglory had brought me often to ruyne, and that I never devysed or prosecuted anything for my awen end but God blasted it and ruyned me almost by it; as by Sessioners place 1641, Advocats place 1647, selling of Clerks places in 1648, and passing the Act for the King's exercise of his power in 1650 to keepe my place; my coming heir in 1657 and agayn in 1659 to fixe my place and interest myself in honorable or profitable imployments; and now in October and November last. Al my destruc-tions and dangers hes ever been of myself and from myself, and al my helpes and releifes and outgaites from God. . . .

XXXVIII. 30TH DECEMBER 1659 TO 7TH JANUARY 1660

30th December. . . . I got a letter from my wyfe shewing S[ir] H. V[ayne] and Major Salloways byding from the House and thinking al was going wrong and looking towards the King agayne, in House, City and Army, and that they would reteire. . . . I wayted long this evening to heare what newes. . . . I putt on my shoes and resolved to goe home, when Captain Bruce comes at 7 aclok at night and shewes me from my wyfe a letter conteyning the naymes of the new Counseil, putting in Martin and uthers and holding out not only Vayne, Salloway, Ludlow and Roch, but Fleetwood, Sydnham, Whytlok, Strickland, Holland, al that was on the Committee of Safty; and tels they wer to chuse uther ten toomorrow, which wil be suchlyk¹; then that shoe heard Fleetwood in prayer give glory to God and take shayme to himself in a spritual waye; and that Desborow had written to the Speaker a very Christian letter shewing how he had been blinded and now his eyes wer opened; and that S[ir] H. V[ayne] jeered at it and sayd he expected to heare of the lyk from me (I aprehend the Lord may mak this Achitophel ruyne himself). . . .

31st December. . . . Alas for my confederating and

¹ *Parl. Hist.*, xxii. 36.

associating with that Army which had been unfaythful, false and ungrate to God and man ; and abetting them in their unlawful courses. Tho I had no hand in their raying of Parliaments yet I strenthened them in their continewed secluding of them ; yet in reference to God this I may saye, I had not a real conviction that they wer the lawful authority of this nation, and farre lesse to our nation. . . .

I am the better content of my being out seing S[ir] H. V[ayne], M[ajor] Salloway, Ludlow and Rich are out of it, whose policyes and triks doe bring on this chaynge. I perceived Monks raying of forces and chaynging officers and his procedure aproven which wil mightely incourage not only the Public Resolutioners but the Malignant party in Scotland whom he kepted fairly in the halse. . . . It would be, I thought, a strange and wounderful act if the Lord made thes men yet for al thats past and gon to call me to their counsels, and I will readily obey it and saye I followed Gods call of me, and why not als weal when in an ordinary and unanimous waye they laye me asyde and leave me out, I should saye God cals me to reteire and I wil goe cheerfully about it. . . .

1660, first of January. . . . I blissed God for the provision He furnished in M. Worsleys money to paye the debt of my family, which wer presently called for from my wyfe, and now that He hes made one Gibson saifly bring by sea a 140 pound to hir and 50 pound com by bill be land ; and I heard thes who was imprisoned wer perseuing actions against me for wrongous imprisonment. . . . I am in a great strait and hazard as ever in my lyfe, surrounded with dangers and difficultyes, perplexityes and vexations, greifes and feares . . . they compasse me about lyk bees. . . .

[The diary for the next few days is occupied with self-reproaches.]

6th January. . . . I heard the House had sent for General Monk ¹ to com up with som of his forces (which is good policye to weaken him and breake his army). . . .

¹ C.J., vii. 804.

Just after I had written this my wyfe cam in and told me the newes of General Monks wryting up in a postscript of a letter against me as an incendiarye that had made the division in Scotland between the Protesters and the Publik Resolutioners, and that I had been now sturring up the Remonstrators agaynst the Parliment ; whereupon sundry spake in the House agaynst me in a huffe and heate, and would haive my place given to Doctor Clergyes, and they called it 2000 pound, and never man spak for me, and its to be prented toomorrow. . . .

Friends wer troubled and warned me from Scotland. . . . And whereas I thought I was following the call of Gods providence . . . the treuth is I followed the call of providence when it agreed with my humor and pleased my idol and seemed to tend to honor and advantage ; but if that same providence had called me to quyte my better places and tak me to meaner places or non at all, I had not so hastily and contentedly followed it, as apeard by my great despondency and melancholy when I thoght the Counsel of State was taking my old idol, Clerk Register-ship, from me, and my great lightnesse, vanity, frothy-nesse, upliftednesse of mynd and raysednesse of heart when I was called to the Counsel and to preside in it, and then when I was made, and kepted on to be President in the Comittee so as I never seriously pressed the chaynge of it ; and now the Lord punishes my ambition. . . . General Monk to accuse me as the incendiarye of thes nations both at home and abroad, and to seek my place to his good brother, Doctor Clergis ! . . . And heirupon som heavy, bitter words of my wyfes to me for my meddling with this Comittee and my passionat repart[ee] that I found hir often a miserable comforter to me in the day of my calamity ; my heart was lyk to break and burst with greif and anguish. . . .

XXXIX. 7TH JANUARY TO 19TH JANUARY 1660

1660, January 7th. I blisse the Lord for ane passage which I take from Him, that when upon General Monks

letter and the postscript of it accusing me as one who had indevoured all I could to sturre up the people of that nation [Scotland] agaynst their interest, the House was in a huffe and heate and would presently dispose of my place, called 2000 pound be year, to Doctor Clergis (for which designe the letter hes been written joyntly and from his malice) and chalenge me for taking away the registers [of] Scotland, that Mr. Scot (from whom I feared most prejudice becaus Fleetwood had caused aprehend him on a blank warrand subscryved by me) stood up and called me a good man, 'and being a stranger what end could he have but settlement?' and desyred them to delaye til General Monk came, and so waived the debayte and resolution. . . .

9th January. . . . I heard they had called for the books of Exchequer,¹ and finding a tally strucken for 3000 pound to Secretary Thurloe they advysed him to repaye it in presently to the Exchequer, and so, William Stewart sayd, they would doe with 500 pound was payed to me. I haive reason to blisse God that he got not a tallye strucken in the Exchequer and so it will not com in their, but I feare unlesse the Lord prevent it, that it come-in in Worsleys accompts, and so it is saifest that my wyfe mak no use theirof. . . . One brought in the newes book telling S[ir] H. V[ayne] was called in and charged with crymes against the Parliment and confyned to Rubby Castle; and then I found they had remitted it to the Counsel of State to take the Post Office in their hand and call for an account of the profites of it (which would call in agayn the 500 pound gotten from Worsley²) and that Monk was on his merch hither since the 2d of January, which will haysten the disposing of my place from me. . . . Heir my wyfe told me of Mr. Scots saying I was a dangerous

¹ On December 30, was remitted to a committee the examination of the Exchequer's intromissions 'since the late interruption of this House . . . with power to send for persons, papers and records' (*C.J.*, vii. 799, 800).

² Worsley was now Comptroller of the Post Office. It was remitted to the Council of State 'to call the persons who have received the profits of the said office to an account' (*Ibid.*, 804).

man, and that I knew the danger of subscriptions and had caryed away the registers of the Croune, and General Monk would mak good what he did wyte ; and that Fleetwood was advysed to reteyre to his farthest house, and he counselled me to lie privat in som place til I saw what General Monk did against me ; that he was mynded to wryte to him about himself and me. . . .

13th January. This morning in my new lodging . . . one cam in and told the Citye was jouking and declyning since Monks letter, but on the uther hand confirmed the report of a Parliment called in Irland and that Lord Brochil was President of it, and then that Viceadmiral Lawson intended to petition for an Act of Indemnity to thes was ingaged ; and then a new sheet of Mr. Prin's ¹ for the secluded members insisting on the force in 1648 upon the Parliment which, becaus it was succesful, is ouned by the members of this Parliment, and the late force becaus not so succesful is condemned. Eyther both wer lawfull or unlawfull. . . .

14th January. . . . I got newes from my Lord Fleetwood to reteir wheir it was not knowen, and then my wyfe got advertisment that a comittee about Ouvertons business had gotten a warrand to summond me afor them, which was doen to bring me under arreistment and ro send officers to search for me. . . . And heir being in a perplexity wheir to goe, to which of 3 several places, after praying with my wyfe and then apairt for the Lords direction, I cast the lott, and it was to goe to the poulderers [pewterers] lodging, and so accordingly I went thither by Gods good hand, tho their wer tuo men standing in the very entree of the passage that looked strangely to knowe me, and I cam safe to the poulderers house. . . . I find everybody is for my reteirment. . . .

15th January. . . . I begged the Lords direction of me whither I shal now give in a paper to the House or Counsel to mitigate their rage and anger against me, and after prayer I cust the lott ; it was No.

¹ Possibly Prynne's *Seven additional Queries in behalf of the secluded Members*, although Thomason dates January 4.

17th January. . . . I got a rayling book of the proceedings of the Committee bringing in every member speaking and me among the rest, blissing Lambert and al his undertakings for my preferment, and that wee should be archangels and lords of the Comonwealth, and that wee should have al the angels of the nation at our awen service ; that our sons may spend liberally on pictures and great horses. ' Lambert is my *primum mobile*, he hath given me a good comand, and wer he the deel himself I will gang along with him whyle he is in power, and my conscience wil permit me to doe anything that he imposes on me, and he knowes that weel enough ; I wil not care now a fiddle for my Lord Marquis of Argyle ; he is no good cook wil not lik his fingers ; doe as I doe, beleive in God and in my Lord Lambert : false loones, the devil spread his nett over them. Poor Archibald Jhonston, woe is me for the[e], for thou has thought to have been a mukle laddy, but now the pyper of Kilbarchan will laugh the to scorne ! ' ¹

18th January. . . . The goodman and goodwyfe of the house told me, of six they had no chyld but a litle girle. I thought myself bound to recomend the familie to the Lord seing it furnished to me shelter and accomodation. . . . I cannot speak for them to the present gouvernors or captain of their hosts for them, but, Lord, I desyre with Elisha to recommend them to Thee, and their little girle. . . .

[At the end of the volume are three pages 'Anent myself,' evidently notes for his proposed petition to the Parliament, protesting his innocence in political intrigues he presses for payment of his arrears—'12,000 sterling a losse by they coming in at Dunbarre, and my hazard of accusation of treason,' 'paye me my debt for which my place [Clerk Registership] was given, and take it when you will.']

¹ Habbie Simpson, the Piper of Kilbarchan. His 'Elegy' by Robert Sempill of Beltrees has been recently reprinted with notes in Lyle's *Poems and Ballads of Kilbarchan* (1929).

XL. 19TH JANUARY TO 26TH JANUARY 1660

1660, January 19th. . . . Thou may make Ingland yet find the smart of Scotlands blood at Dunbar, Innerkeythen, Worster, Dundye, and much mor in Titlefeilds and Barbadoes. . . .

20th January. . . . I can never forgett one circumstance in this late chaynge, that Sir H. Vayne and Major Salloway was so voky that day at desner afor they went doun to Vice Admiral Lawson that they had keeped themselves free and so might agree both partyes, and how they had drolled and cajoled us in Scotland, Sir H. Vayne by putting in the Covenant the clause, 'according to the Word of God,' to make and cast all loose; and Major Salloway som word in the paper of the Marquis of Argyle at Dumbarton. Thir things made me in the tyme secretly ejaculate to the Lord that He would make them sensible of thes wrongs and humble them for them, for He knew with what simplicity of heart wee walked in that busines of the Covenant which the uther made loose that it might only serve as a politik engyn for a tyme and then layd asyde; and I thought their pryde in the overreaching uthers would meet with an overreach and a dounfall. I thought they haive been strangly overreached and deceived in being instrumental to call in this Parliment agayne to their awne ruine and distruction. . . .

I thought this Parliment that is proude becaus of their second reviving wil have adoe with a General that is proud too, and who thinks they owe their restitution to him, anf they wil not find his humor lyk my Lord Fleetwoods, and the Lord can soon . . . dash them one agaynst another . . . and if they fall by the eares they will find him peremptory and tyranical, in his waye. It hes been often reported that he claymes to be com of the Plantaginet¹

¹ General Monk was the second son of Sir Thomas Monk of Potheridge, Devon, whose family was descended from Edward IV. by his Queen, Elizabeth Lucie (Lady Gray).

and so nixt to the Crown, and he not having religion to restrayne and now almst al power putt in his hand to make good his clayme : it looks lyk a tiklish busines. . . .

22nd January. . . . I was vokye to think al the nation subject to my orders, and that great scales passed by my warrant, and a Parliment would be called be my subscription, and so they behooved to ounne their callers ; and al this poynts out my sine to be in that Chayre (which I thought was som kynd of attaynment of my far-imaginations and prognosticating fancees that eir 7 yeir I would be a great man and in high places, as one night in the pryd of my heart I remembred my wyfe of my fortelling it to hir in 1653 in Wareston, about 7 yeirs agoe). . . .

That doolful, sinful, wraythful Chaire to me ! Woe is me that ever I saw it and sate in it ! O it had been better for me I had been sick or fallen that daye I cam from Scotland to Ingland ! . . .

23rd January. As I am wryting this I heard the trumpet going by for their meeting in the House agayn. . . . When I looked throu the glasse and saw the boyes and maidens and everybody going to and fro, I thought they had by Gods providence mor liberty nor I. . . .

26th January. . . . I remember this proud, ambitious humor caved in my chylldhood ; I would not ryde behind Mr. Ja. Shouer but befor him ; I would be best in the s[c]hool, *aut Cesar aut nihil*. I could not byde in the shoole in the College of Glascow but study my lessons of superiors aforhand. . . . I was even in and from the shooles ay intertensing lying imaginations and . . . I could never relate a mater of fact as it was in treuth, without adding, paring or chayngeing something to gratify this idol. . . .

Having written this much imediatly afor desner, at the desner, speaking of Monks entree and, as it wer to shew the vanity of worldlynnesse I told that in 1643 I had als welcom and glorious an entree by commissioners and coaches from both Houses—wherin coaches was an addition ! What profit or honor could I haive by telling it to the peuderer and his wyfe, but this shews the strange madnesse of my develish

heart, which is lyk the proverb of 'Peters wyfe wil never mend. . . .'

[A section marked No. V., from 19th January to 26th January 1660, repeats in enlarged form No. XL., but adds nothing new to the latter.]

XLI. 26TH JANUARY TO 2ND FEBRUARY 1660

1660, January 26th. . . . I got a letter from my wyfe shewing Fleetwood, Whytlok, Strickland, Holland was sent for to the House, and Mr. Scobel with al the books and papers and draughts belonging to that Committee, and so telling me they would call for that money of Doctor Worsleys and mak a great dinne and reproch of it; and so their was a false lying gift wherof I haive vaunted within my breast; so was Advocatship, and so hes the Clerk Registership been tuiyse to me, and so hes al things I idolized and hunted after in a world proved to me as wind or a cloud without rayne. . . .

27th January. I feared in a review of my waye their was too much of my natural violence and passionat humor and self-interest in my great opposition to the Malignants, especyaly at Sanctandrews 1646, and Ingagers 1648, and Grahamians in 1649, without considering that I might have my tower-and-fall-about. . . . They syded with the upmost then and so haive I doen now; they for the King, and I for myself. Alas, God hes gotten words from me, and Sathan and my corrupt heart hes gotten al the deeds. . . .

[Here some leaves are missing containing the end of this day's diary and the first portion of 28th January.]

28th January. . . . I heard Swynton was com up with General Monks lady; he courted ay one with every party. I wish he gott som good doen for poor Scotland. . . .

30th January. . . . The face of affaires now presently looks very dark heir, and my wyfe told me shoe found by the Speaker and uthers that they thought not themselves in a sure or saife condition. . . .

31st January. . . . He wil light my candle (which is now gon out with a snuffe, as I remember I thought when I looked to the expyryng of my mornings candle above a saveall, as they call it) and illighiten my darknesse . . . a word which I should never forgett, becaus it was the last word which my mother spake on earth as she expyred. . . . My wyfe sent me lettres from Scotland from my daughters showing my country-mens bitter informations to General Monk agaynst me. . . .

1st February. . . . Comes in Mrs. Shaw with my wyfes letter telling me of the Parliments division in several partyes, St. Jhon and som with him being for a free Parliment, Henry Navil and some with him for dissolving this and calling a new Parliment; som for a Parliment with the Protectors qualifications; som for Ch[arles] St[ewart] tho not darring to vent it; Fleetwoods and Lamberts regiments unwilling to goe out of the toune without their old officers or payment of their arrears; Sir H. Vayne lyk to be put in the Tower; Sir A[rthur] H[azelrig] saying they stood in a staggering condition and hing be a hayre. Corbet and Ludlow accusing Sir Hardresse Waller, S[ir] Ch. Coot and Brochil¹ for bringing in Charles Stewart; S[ir] Anth[ony] Ashl[ey] Couper discovering tuo preists in Fleetwoods regiment; the House voting to General Monk St. James and the Park and the Cokpitt. Then she sent me a prented letter written in my nayme to the House reproching, revyling and jeering and mocking me vyldly.² . . .

2nd February. . . . I begoud to think of what strange revolutions may fall out if the King shal be brought in agayn, whither by the sword intestin or forraygne or by the peoples pressure or som Parliments treatye. . . . This chaynge of the army unto uther hands and the posture of affaires in Irland and temper and commotion of peoples mynds throw [through] Ingland and Scotland ar strange

¹ For charges against Ludlow subscribed by Sir Charles Coote, see Ludlow, ii. App. III., and cf. *C.J.*, viii. 815, and Guizot, ii. 234.

² Under February 2, 1660, Thomason has *A Letter to the House from the Laird Wareston*, s.sh. Press-mark, 669, f. 23 (26).

preparations to strange revolutions, and maye make thes in present power the breakers or dissolvers of themselves with their awen hands. . . . Then I begoud to think on the feigned letter as written be me the House but vyldly revyling me . . . yet my enemyes reproach my nayme mor for my deutyen nor my sins. . . .

I remember I saw the sojourns hollowing strangely in the streets as they marched, but heir, after prayer, I was surpryzed with strange newes that the sojourns cryed for paye, all or non of it, and had imprisoned their officers, sent som to London, cryed for a free Parliament and for the City, and would not goe out of the toune.¹ What this will turne to the Lord knowes.

XLII. 11TH FEBRUARY TO 14TH FEBRUARY 1660

[For ten days there is no record, or a portion of the Diary is amissing. In the interim Wariston has decided on returning to Scotland. The entries for the four days which occupy this portion of the Diary express his doubts as to the wisdom of his return. Arrangements had been made for the journey by sea, in which his daughter would accompany him, while his wife, awaiting her confinement, would remain in London. The ship has been delayed for lack of a convoy against pirates.]

11th February. . . . After desner hearing very extravagant newes and finding my fancee clivering therto, I thought their was ay som devil at the one end of my fancee eyther to suggest lying imaginations hatched on its awen forge . . . or to presse credence to lying reports that ar agreeable to our carnal appetit or present humor . . . And just whyl I am thinking of this the trumpet and then the drum sounds in my eare for the House their meeting contrary to the report. . . . I got [a letter] from my wyfe confirming the strange reports that the General [Monk] and the City was agreed, and that he had written a letter to the Parliment² for their issewing out their writts to fill the House with free elections without

¹ Cf. *C.J.*, vii. 834.

² *Parl. Hist.*, xxii. 92, 93.

oath befor Frayday nixt and determine their sitting accord[ing] to their awen vote at beginning of Maye and call them a free Parliment; and that they took this very high, and the City was overjoyed with his proceedings becaus the House had voted a fyne of 600,000 pound on the Citye; but the report goes he wrote that their order was no better than of the Committee of Safety which I can hardly beleive. If this newes be treu they tend to som new great revolution. . . .

. . . Heir cam in my wyfe with Mrs. Shaw with a chaynged countenance telling me the certainty of the newes of Gen. Monks conjunction with the City and his wryting so to the House; and that bonfyres for it was put up throu al London and the bells ringing, and the fyres was com the lenth of Charin Crosse; and whyl wee ar speaking the shouting and hollowing of people, the putting on bonfyres and the reigning of bells came our lenth, which when I saw and heard I could scarce beleive my awen eyes and cares. . . . I thought also the peoples joye and triumph at the dounfall of the Rump was seen in the bonfyres and bells to be farre greater nor at the dounfall of the Committee. . . . I thought and told to my wyfe my thought and observation as remarkable, that this Parliment which did by their army, and by this very man, conquer, captivat and detean in captivity their poor brethren in Scotland who had trusted them and had ventured their lyves for their delyvery in the tyme of their greatest distresse shalbe as it wer restored from the dead by this man and his army called the Scots Army and coming from Scotland. . . .

13th February. Whyl I thought this may be a great daye . . . the trumpet of the Parliments guard sounded in my cares, and then I got a sight of General Monk and his officers their letter of the 11 from Whythal to the Speaker,¹ which is very reflecting and bitter against the late Committee of Safty and all that acted in it or with it, and sharpe against Lambert and Vayne, and resolut for

¹ *Parl. Hist.*, xxii. 98-103.

this Parliment sitting, and disclayming al interruptions of them as treacherous as peremptory for qualifications to seclude al hes been in arms against the Parliment (and so al the late Comittee and Army), but al who in late warres declared their disaffection to the Parliment, and presses only issuing out writts against Frayday and their rising in May according to their awen vote and calling then a new Parliment. Then I heard som rumor Parliment, Army, City wes agreed, and Corbet wished I wer at home. . . . I thought this letter of General Monks wil readily irritate the Sectarian party and not please the present Parliment and discontent the secluded members and the countrey that ar for them, and so he is lyk to sitt between tuo stooles and may wind himself a pirne! . . . I heard a proclamation for Lord Lamberts compeirance befor the Parliment agaynst Thursday under payne of treason.¹ I apprehended this hard prosecuting Lambert and the sectaryes on the one hand and opposing the King and Cavaliers and secluded members on the uther hand imported som confirmation of som selfye designe or interest in the busines, and I remembered a word in a letter from Scotland, 'better I was off the stage afor som things wer acted on it. . . .'

Mr. Ja. Guthrye wrytes his hoope that I now clearly see that God hes farre disapoynted me of al thes good ends I proposed to myself in reference to the work and people of God and my awen family by my undertakings with several partyes wherwith many of Christs freinds wer stumbled . . . and that he desyres to bear burthen with me, and he jugeth their is mor of the Lords mereye toward me in this present dispensation than in al my former places and preferments. . . . no difference of jugment hath estranged his heart from myn. . . .

14th February. . . . M. W. Ch[iesley] wrytes, 'Your Christian freinds heir mynds you and your interests, and hoopes yet for good things. . . .'

[There is again a hiatus of five weeks. When the *Diary*

¹ *Parl. Hist.*, xxii. 129, 130.

resumes Wariston has not yet left London. Apparently he has come out of hiding, and has presented his petition to the Council for payment of his claims.]¹

XLIII. 21ST MARCH TO 20TH MAY 1660

1660, March 21st. . . . I went to Whythall and jacked their amongst the attenders and the waltermen to speak to som of the Counsel as they went in. . . . Then hearing . . . that my busines was in befor them and that the General was not in at the first tyme but in at the second tyme I apreghended al would goe wrong. . . . Theirafter I heard from Mr. Hartlib² that they had renversed the report and was putting me to som weekly pension, which troubled me exceedingly. . . .

The General grew angry when my wyfe desyred a hearing to me in the Counsel, and sayd if I did it it would goe worse with me. . . . Therafter I got knowlege that they would not resolve without the General, and that the sitting on the Committee of Safty was much objected, and that they could not paye that debt becaus of Scotlands ingagment, nor that 400 pound least a preparative for pensions, and that with very great difficultye, on Mr. Crewes importunetye they past six hundred pound be year out of the profits of that place which they tak from me [Clerk Registership] tho they have no right to tak it

¹ See Appendix.

² For a brief sketch of this extraordinary man, see Masson's *Milton*, iii. 193, *sqq.* A *Biographical Memoir* of Hartlib was published (1865) by H. Dircks, and 1920, Dr. Turnbull of the University of Liverpool published a *Sketch of his Life and his Relation to J. A. Comenius*. While Comenius laboured for his 'reformation of schools,' and John Dury for the 'uniting of Protestants,' Hartlib acted for them in London. It is worth noticing that Dr. John Gauden preaching to the Commons, on the occasion of the Communion at the opening of the Long Parliament, made an appeal for support of their work and, in a marginal note in the printed sermon, asked that contributions might be sent to 'Mr. Hartlib whose house is in Duks-place in London' (*The Love of Truth and Peace*, qu. 1641, pp. 42, 43). Hartlib met or corresponded with every public-spirited man of his time: his letters if collected together from their numerous deposits would form a valuable contribution to the literary, philanthropic and social life of the period.

and I have right to keepe it. . . . The tymes are so chaynging that their warrand for this 600 pound sterling may never be worth six pennyes to me. . . .

22nd March. . . . I went and saw the President and he told me I behooved to mak the General my freind or I needed not present anything becaus they would doe nothing anent Scotland without him, and they thought my place had been disposed of to uthers. I spak heir to Mr. Creu who told me that with exceeding great difficultye it was got doen what was doen, and he despayred of any mor unles the General himself proposed and pressed it, and the President sayd the same to me. . . .

23rd March. . . . I spak to Mr. Creu about amending the word, 'until further order,' in the Counsels Act, and he after speaking with the President and uthers told me it could not passe without it, and that their was an very great difficultye in getting it doen, and that not only the General but som uthers spake against me in it; and he heard that the General was troubled sore that it was so much (tho he sayd to Mr. Sharpe that the Counsel would have made it 500 and he mad it 600—is not this strange false dealing?). . . . I saw my Lord General and went to speake with him and som of the guard pulled me awaye, and his guard went so throng about him and would suffer non to com neare to him that I thought strange to see it. Better waunt power nor haive power and feare. . . . It was a strange word the General sayd that I was a dangerous man: al meetings and partyes wherin I medled was broken; indeed one may observe so since my late publik medlings in 1657, for the first Parliment I was called to was broken, and that I cam to was broken, and the Counsel I sate in was broken, and the Committee I presided in was broken, and the Protectors, and then Fleetwood, Lambert, Desborow, Berry, I joyned with was broken, and so was the Scots Session and Exchequer; and now the Lords providence in mens malice, rage and revenge casts me out of al publik employments. . . .

24th March. . . . Wee went to the General, and after long wayting my wyfe and I got acces and shoe presented

his petition and he would not receive nor keepe nor medle in it, tho he once read it but sayd I was payed 600 pound with the juges be year (wherof I never had a penny) and got entryes of the Clerks (wherof not a hapeny) and would ay be fingering and haive a hand in the place; and so he flung away from us. My wyfe did abyde behind and spak with his lady. I walked in the roome, and tuo things cam to my mynd—the one that this tyranical mans reigne would not last (but Lord keepe my hand even of prayer from stretching itself out against him). . . . The uther was that he so kendled when he saw me or heard of my place that he eyther had som response and som feare of my being in any place, or he had som privat desseigne and interest in reference to my place. . . .

[On March 27 Wariston and his wife (the latter greatly against the advice of her London friends on account of her health) set out for Edinburgh, arriving on April 9. There he found his son Archibald's mental condition so serious that he had a mind to have him put under 'tuo strongmen' and confined to 'a chalmer of Wariston.' He learned, too, that it was the desire and instruction of the Council in Scotland that he should be debarred from public employment.]

15th April, Lords Day. At Edinburgh. When I went in to my studye the first thing I met with in it, but looking to the open shottels [drawers], and the first shottels I looked on, was my letters which in 1654 and 1656 I had written to M. Ja. Guthery and he had sent back to me agayn to lett me sce what I had written to him against places; and I took this providential coming of thes to my hand on the Saboth morning after my retorne as very remarkable to sturre me up to repentance and review of my wayes. . . .

20th April. . . . The Lord knows that in the Counsel and Comittee of Safty I had som good purposes threw His grace towards Gods covenant, work and people in Scotland. . . .

21st April. . . . S[ir] J. Ch[eisley] sayd tuo strange words to me, the one that their was als many now in Scotland agaynst the Covenant as was in it for it in 1643;

the uther that he thought the prayers of Gods people had brought me out of that insnaring condition now to be in the common suffering lot of His children ; a third, he desyred me to putt my papers out of the waye least they wer afterward a snare and proces to me in thir new redings. . . .

27th April. . . . I remember of a letter I got from Col. Ker of his cordial respects to me ; that my former services made the wound I had given to Gods people the mor deep, and stik the faster and presse them the mor sore, and that my late way had brought sad reproches and burthens too heavy for them to beare. . . .

28th April. . . . This afternoon I heard that partyes wer growing strong on both sydes in England for blood, and I heard both from M. Th. Craufurd¹ and Joseph Brodye² that the bulk of this nation was turned Montrosian agaynst the Covenant and work of reformation and Presbyterial government and hayters of the active instruments theroof, and devydings their estats amongst them ; and that alreadye the countrey was so broken as their was no travelling but in great compaignyes.

29th April. . . . I saw and heard be the temper of most part of Scotland that, alas, they ar fitting themselves for a new jugment, and their haytred and indignation and persecution of me is not for my late offences agaynst God but for my old mints of service in the Covenant and work of reformation, and opposition to the King.

1st May. . . . I have heard of General Monks saying that he had lettres under my hand that would take my head, and the particulars I heare ar my wrytings thanks to God for Sir George Booths defeate as trysted with the newes of the Kings landing in England ; then my pressing him to tak ingagments of thes Malignants ; then my lettres in favors of the English Army and Committee of Safty ; thes, with Mr. Sharps accusation that I called afor Cromwell

¹ Thomas Craufurd, A.M., was Professor of Philosophy and Mathematics in the College of Edinburgh ; died 1662. His *History of the University of Edinburgh from 1580 to 1646* was printed at Edinburgh, 1808.

² Joseph Brodie of Aslisk was brother of Alexander Brodie, the Diarist.

the King the head of the Malignant party, and the uther that I wrote I was *in terminis a quo* tho not *in terminist ad quem*. . . .

8th May. . . . After sermon we got the King's Declaration sent to the Houses, and I found in it the clause for oblivion, an exception of whom the Parliment should except; and the clause very long and positive for tender consciences. Its doubted if the first extends to Scotland, and if it doeth the second doeth so also. . . . Then the Kings letters to General and tuo Houses, and a Remonstrance of all the officers to the General of their acquiescence and glaydnesse at the Kings Declaration.¹ . . . Why I am reading thes I getts an letter delyvered to me sent from Mr. Mowat out of Paris but written by Monsieur Morus, minister of Paris, in Apryle last, desyryng me to complye with the present chaynge, and assuering me *nomine summarum potestatum*, be whose warrand he wrytes, not only of the Kings oblivion but of his *gratia et benevolentia*. . . .

14th May. . . . I spak this foranoon with my Lord Loudon, and found Argyle and I was tuo hayted men. . . . Then the proclamation was for the bonfyres, and afternoon bonfyres was every wheir, and my wyfe was desyred be everybody to have one. It remembered me of the bonfyres when the King cam into Scotland in 1650, wheir that night in my awen chalmer I wrote a letter to Liberton about the King. I praye the Lord to keepe the one bonfyres from kendling a fyre of blood and warre in thes nations, as the uthers did. I thought the instrument that hes brought it about and the falshood by which he hes brought it about are not sonsye, and the tempers of people looks not right for a mercy but looks mor jugment-lyk. . . . O what a strange chaygne between this daye and this day 12 moneth . . . it being the day the Long Parliment was billeting and chaysing the Councillors to be on their Counsel of State. . . . Every body wil think now that the Lords providential ansuer calling me to that imployment wil now turne to my ruynes, and Loudon told me this day that

¹ The King's Declaration from Breda, the letters to the two Houses and the letter to Monk are printed in the *Parl. Hist.*, xxii. 237-246.

non would medle in busines if eyther Argyle or I medled, wee was so hateful. . . .

At the tyme of the bonfyres their was great ryot, excesse, extravagancy, superfluity, vanity, naughtinesse, profanetye, drinking of healths ; the Lord be merciful to us.

16th May. . . . This daye I thought of putting al my papers out of the waye least they be surpryzed. . . .

18th May. . . . This foranoon Mr. Robert Burnet¹ told me with Christian freedom of mens speaking to haive my lyfe, and that becaus I was the cause of al the blood in Scotland, author of the Act of Classes, the heightner of the pryees² and extortioner of the leiges, putter in of worse clerks, taker of the oath against the King and Lords, and for Cromwell and for Comonwealth, and lastly joyning with Lambert ; but the old quarrels is the Covenants and my opposition to Malignants and the execution of som of them at St. Andrews and heir in Edinburgh³ ; and that they desyre my blood and doe not heare of my being in any place agayne. . . . The Lord knows I deserve it not from my nation, to whom I had a great respect and a great desyre to doe them good and gayne their respect. . . .

20th May. . . . I saw the newes that seven of the Kings tryers⁴ wer excepted from pardon, that al the rest wer to be seized on by the serjant and their goods and estats confiscated to the Kings Majesty ; that Oliver Cromwell

¹ Wariston's brother-in-law, afterwards Lord Crimond, father of Bishop Gilbert Burnet. (*Miscellany*, vol. ii., (S.H.S.) ; see Introduction to Burnet-Leighton Papers.)

² Cf. Nicoll, p. 279.

³ The list of Wariston's victims is a long one. He and Argyle, through the instrumentality of the Kirk and Estates, harried 'Malignants' to death. Let it suffice to name as having suffered at Edinburgh, the Marquis of Montrose, and at St. Andrews, Sir Robert Spottiswoode, second son of the Archbishop Spottiswoode, was executed in January 1646. There is a grim entry in Brodie's *Diary* (p. 232) in the year 1661 : 'I hear . . . that Mr. Alexander Spotswood had got a gift of Wariston's forfeitous.' This Alexander was second son (and heir) of Sir Robert.

⁴ Of the 59 regicides a number had died before the Restoration, others fled and died abroad. Of those brought to trial, Harrison and Carew (the Fifth Monarchy men), Scot, Clement, Scroop, John Jones, Hacker, Axtell, Barkstead, Okey and Miles Corbet, and with them the lawyer Cook and the infamous Hugh Peters, were executed.

and his son and Ireton and Bradshaw and Pryde, their estats wer forfeaulted, and uthier officers apprehended, and indytmēt against Thurloe; that Scot, Lyle and uthers had fled; that the King was to com to Whythall. Lord be blissed their is nothing as yet against me.

[Here the Diary, except for a few detached fragments, ends. On July 16, 1660, a warrant was issued for his arrest, and a reward of one hundred pounds Scots promised to any who should bring him in, while any who may harbour or conceal him will be proceeded against for treason.¹ Wariston succeeded in eluding the search, and we have the following note under date of September 10, 1660:—

‘I acknowledge the Lord had, be His ordinance of lotts thyrse lately preserved my lyfe, in His bringing me from London (in which if I had remayned I had been taken and layd fast on suspicion of Lamberts rysing). . . . Then in sending me to, and keeping me in — and now lately in bringing me out of — befor the search, and preserving me as yet well heir, whyl I heare that Cambnethen (who, I heare, sayd he would consult with the devil by the sorcerer in Clidsdail, but he should haive me if I wer out of hell) is in the West with tuo troupes reeling and raging throu honest folks houses for me. The Lord blindfold them never to find the right doore. . . . I begged the Lord speedyng over Monsieur Morus. . . . When al at hom is my enemyes Thou canst rayse helpe from strangers, and let me find that Thou was 30 yeirs agoe preparing this remedye against this stroake, by our freindship then in France. . . . And Thou that makes me heare of Lady Margret Kennedy,² a stranger to me, hir strange, respective and affectionat speeches to hyde me if she could in hir

¹ See Wodrow's *History*, i. 64, 65.

² Lady Margaret Kennedy, daughter of the Earl of Cassillis, married Bishop Burnet. Her letters to Lauderdale were printed at Edinburgh, 1828.

heart, canst rayse up means and instruments of one or uther to pitye, helpe. . . .'

A second fragment, said to be copied from Wariston's Diaries by Mr. Meek, relates to the period } 25 May — 11 June
4 June — 21 June

1661. Wariston in the meantime had escaped to the Continent and was living at Bolbec, near Havre, or 'flitting from place to place for saifty.' Many pages are taken up with his dreams: 'I thought I was in a place wheir I got word of the K[ing's] absolut decree, declaration or proclamation agaynst me above any uther, and that som brought a cotype of it to let me see, which I was so desyrous to reade that when Mr. Rutherford was speaking to me I interrupted him, and sayd I would saye nothing til I saw it. . . . I thought in that part concerning me it begoud, Wheras he used to saye (and had som of my language, etc.) but how I know not. I was interrupted and saw the King lying in his bedd in the room, and I fell down befor the bedsyde and tooke the Lord to witnesse that I had not layd any desseigne for the ruyne of his father or himself or their Crown. . . . I remember I thought Mr. Rutherford spake som seasonable instructing word at my one eare and then a comforting word at the uther . . . which refreshed me, and I thought the King was calmer.' It is unlikely that Wariston was then aware that Rutherford had died two months before.

He wrote a 'long letter' for his wyfe in London, but hesitated to send it. 'On the one hand I intend it for comfort to my wyfe and bairnes . . . on the uther hand if it be intercepted it may bread greif to them, danger to my freind at London, and mor trouble to me. . . . I cast the lott whither I should send it or not, and it was negative, which quyeted my mynd.'

There is no further record.]

APPENDIX

FREQUENT mention is made in the Diary of Wariston's 'particular,' his claim for arrears of payments earned by him or promised to him. Among some miscellaneous papers attached to the Diary the following statement of his claim, although written in the third person, has every appearance of having been set down by himself for presentation by way of petition as he intended :—

*Information and Accompt concerning the
Lord Wariston's place and sufferings (undated)*

'The Parliament of Scotland in the yeare 1647 finding clearely that Sir Archibald Johnstoun of Waristoun had spent most part of his owne estate in the publique service betwixt Scotland and England (and that from the yeare 1637 to 1647) did assigne unto him by their act the summe of three thousand pounds sterling to be payed unto him out of the first and readiest of the brotherlie assistance then due by England to Scotland ; and the Parliament of Scotland and Commissioners of England then in Scotland, who received the assignment and sent it to both houses, did by their letters recommend it to be presentlie satisfied. And albeit the Parliament of England at severall tymes and their armie after the battell of Newburry had acknowledged his doing them good service, yet because of intervening troubles he wants it to this day, the reimbursment of his owne estate spent in the publick service.

'In the yeare 1649 the Parliament of Scotland finding his sufferings and losses for his opposition to the Engadgment 1648 superadded to his former spending of that which was his childrens portions in the service of these nations, they gave unto him by Act of Parliament the right of foure hundred pounds *per annum* dureing his lyfe (whether he

continued in publick employment or not), whereof he hes receaved none since January 1651-2.

‘ Lykeas the Parliament did in the same ycare by their act and gift under the great seale give unto him for his lyfetye the office and benefite of the Clerke of Register in Scotland, that his losses might be some way repaired by the entrie of underclerks according to the law and custome of that nation usually given unto his prediceors in that place.

‘ I shall forbear to be tedious by setting downe his other sufferings in being put foure tymes from his house and the use of anything in it by Montrose his warre, the Engadgment in the yeare 1648, the English and Highlanders plundering his moveables, and other losses that followes warre, by reason that he had many honest folke in the lyke condition with him, that did chuse rather to suffer nor sin.

Suma of the debt due to him whereof he	
hes standing rights	£08160 00 00
Suma of his losses of his entrie money and	
the losse of his place	11000 00 00
	<hr/>
Suma of the whole is	£19160 00 00

‘ As also since May 1659 he hes had no benefite by his place.

‘ The said Sir Archibald Johnstoun being in the exercise of the place of Clerke of Register and on the Councell, one of the Lords of Session and Exchequer, in the yeare 1650 when the English army came into Scotland at Dumbar, the profite of these whole imployments, amounting to the summe of one thousand pounds sterling *per annum*, and by their incomeing and putting out and changing of the clerkes hee thought himselfe bound in conscience and did give backe to the clerkes their money which he had at their entrie, about foure thousand pounds sterling, as can be made appeare by writt under their hands; besydes the great charges he was put to upon the convayance and preservation of the records.

'Then for the space of seaven yeares he was reteired from all publike employments, so that he was at the losse of seaven yeares of the profite of his place and the entrie money.

'He entered to his place againe as Clerke of Register, a Judge of the Session and Exchequer, in June 1657, and from that tyme untill June 1659 Henrie Hope, Receaver, hes given it under his hand that he received in for these two yeares tyme for the Clerke of Register and his deputie Clerkes the summa of		£4512 15 08
More received from Mr. Thomas Murray for extracts out of the Castle		0065 02 00
More received from him for seaisings in the country		0015 03 04
More received from William Purves and Edmond Thompson for the Exchequer		0008 08 10
Suma is		<u>£4601 09 10</u>

'Payed out of this above mentioned summe by the Clerke of Register to his deputie clerkes (whose places and sallaries was appoynted by the Councell) Mr. Richard Warde, William Downie, Mr. James Balfoure, James Browne, Joseph Brodie, Mr. Thomas Murray, Mr. James Rich, Thomas McDowall, and Henrie Hope, receaver, and the charges wared out upon the records taking out of the Tower and sending home, as shall be clearelie instructed by receipts, the sume of £2800, 00s. 00d.

'So rests cleare to the Clerke of Register for the whole two yeares the summe of £1801, 09s. 10d.

'This is the true summe that the Clerke of Register hes had for all his employments these two yeares, out of which sume he hes beene two years at London, to witt 1657 and 1659, upon his owne proper charges for publike bussines.

'Whereas some gives misinformation as if he had raised the pryces and so burthened the liedges, the untrueth of this shall cleare the selfe by the fyve yeares tyme that the State hes had this place in theire owne hand, that under Auditor Thompsons hand and Henrie Hopes the place

(one yeare with another) is neare fyve hundred pounds more expensive to the liedges then any of these two yeares that he hes had it, takeing along extraordinary bussines that he did gratis above the poore folkes roll, as is evident by the Register bookes, that there is a great deale more of bussines done in one of these yeares that the Clerke Register had the place then was in a yeare and a halfe preceeding when the State had it. Lykeas the sixpence sterling which was above the law put upon everie bill in the yeare 1652, amounting yearelie to foure hundred pounds sterling, was taken away at the Clerke Registers entrie for the ease of the subjects.'

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