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# Miscellany XIV



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2010

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TWO SURVEYS OF  
VERNACULAR BUILDINGS AND TREE USAGE  
IN THE LORDSHIP OF STRATHAVON,  
BANFFSHIRE, 1585x1612<sup>1</sup>

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Edited by Alasdair Ross

INTRODUCTION

These two vernacular building surveys were produced as evidence in a long-running court case involving Alexander Gordon of Strathavon and the Grants of Freuchie between 1585 and 1612. Essentially, the Gordons had accused their Grant tenants of the wanton destruction of forest in the lordship of Strathavon. To defend themselves, the Grants ordered that surveys should be undertaken of their properties that had been cited, to determine exactly how many trees were required either annually or biennially for each structure in every area of settlement occupation, and how many trees were also required for household items, agricultural implements, fencing, and ladders. During the period of the case it can be demonstrated that the Grants held other lands in Strathavon that were not included in either of the surveys so it appears as though the Gordon lawsuit was specifically targeted at a distinct block of Grant lands, amounting to a total of six *dabhaichean* (davochs).

The two surveys, both of which are undated, vary in length and detail. The preamble in the longer of the two documents specifically names both John Grant (5<sup>th</sup> of Freuchie) and his late grandfather John Grant (4<sup>th</sup> of Freuchie), and so it must post-date 2 June 1585 when John Grant (4<sup>th</sup>) died.<sup>2</sup> Both documents must also pre-date 1612 when the feud was finally resolved. Only the shorter document occasionally mentions the names of Grant sub-tenants. Unfortunately, it has proven difficult to track this small number of sub-tenants in the historical record. When Sir William Fraser arranged bundles of Grant documents either for inclusion or mention in

<sup>1</sup> My thanks to Lord Seafeld for permission to reproduce these documents. Thanks are also due to Dr Alison Cathcart, Dr Piers Dixon, John Harrison, Dr Aonghas MacChoinnich, Professor Richard Oram, Dr Simon Taylor, and Dr Eila Williamson for reading this article in draft.

<sup>2</sup> National Records of Scotland (NRS), CC8/8/17.

his three-volume work *The Chiefs of Grant*,<sup>3</sup> he placed both documents in a large bundle dated 1580x89. There is, nevertheless, one area of common ground shared by both documents: they each list the numbers of couples required for every structure.<sup>4</sup> By assessing these numbers, it can be argued that the shorter of the two documents (Document A) is the later of the two and may thus date to the period between the early 1590s and 1612 when legal hostilities between the two families were resumed. Different information is provided in each of the documents, both in terms of the numbers of buildings and in the size of those buildings in each area of settlement occupation, thus demonstrating that there had been some re-organisation of structures in these six *dabhaichean* between the two surveys.

Currently, in Scottish terms these documents appear to be unique in the detail they provide and on one level this is very important in terms of both environmental history and vernacular building history. More will be said about this at a later stage. Nevertheless, as all historians of Scotland are aware, the country was strongly regional in nature and there must be a suspicion that while these building surveys are perhaps relevant to the types and sizes of buildings found at that time in areas of upland Banffshire, Strathspey and Highland Mar, they may be completely unrepresentative, both in terms of tree use and in building structure and design, of other regions of Scotland.

### *Editorial Conventions*

In the transcripts all place and personal names have been capitalised, yoghs have been replaced with 'y' and thorns with 'th'. All contractions have been silently expanded and angle brackets are used to indicate a best guess at missing or illegible letters.

### **A: shorter document**

Informatione for L. Grant contra Strathdownis summondis for Spolie of Wodis etc

\*This contenis townis, landis & houssis thair of quhairupoun sindrie tries necessarlie bestowit for Beiting<sup>5</sup> thair of.<sup>6</sup>

\*propone prescripione

\*Sie quhat possessione lis befor tyme of spolie

\*na Inhibitione execut

<sup>3</sup> W. Fraser (ed.), *The Chiefs of Grant* 3 vols. (Edinburgh, 1883).

<sup>4</sup> A single couple formed an A-shaped roof support.

<sup>5</sup> Mending, repairing, replacing.

<sup>6</sup> NRS, GD248/13/6/9.

Beddis, buirdis,<sup>7</sup> durr<is>, windelis, plewis, harrowwis, creillis, cruiksadillis, Maineris, Jaikis,<sup>8</sup> Crubbis,<sup>9</sup> staikis to xxiii & guidis chymbryes brasis<sup>10</sup> thairof

Delvorar, Geanlargis, Auchnahyill, Keppauch and Ballabeg ane davauch land occupeit as followis

Delvorar occupeit be Mr William Farquharson<sup>11</sup> haveand in his awin possession ane fyir hous of fywe cuppill lenth and tua taill forkis tua chalmeris<sup>12</sup> ilk chalmer four cupillis with tua taill forkis tua aitt barneis ilk barne of fyve cuppillis and tua taill forkis ane beir barne of fyve cuppillis and tua taill forkis tua oxin byiris ilk ane thairof thrie cuppillis and tua taill forkis Ane cow byir of sex cuppillis and tua taill forkis ane stabill of thrie cuppillis and tua taill forkis ane kill of four cuppillis & tua taill forkis Ane kilbarne<sup>13</sup> of tua cuppillis and ane taill fork with sommer<sup>14</sup> and staikis Ilk cuppill extending in sollis<sup>15</sup> bakis<sup>16</sup> hous f [sic] howis<sup>17</sup> feit<sup>18</sup> angleris<sup>19</sup> and naigis naillis to tuelf treyis Item of cassokis betuix ilk cupill to hald up the feall<sup>20</sup> wallis fourscoir Item of kebberris<sup>21</sup> to ilk cuppill rowme fywe Ten dossane Item to ilk cuppill

<sup>7</sup> Tables.

<sup>8</sup> Perhaps a privy.

<sup>9</sup> Perhaps a hen coop.

<sup>10</sup> Perhaps a chimney mantelpiece or the brace on a chimney.

<sup>11</sup> Described as servitor to John Grant of Freuchie on 27 July 1570. Fraser, *Grant*, iii, 389–90. Signitory to obligation to assist and defend John Grant of Freuchie on 21 Mar. 1584. Fraser, *Grant*, iii, 157. Witness to Grant document where he was described as William Farquharson of Ruthven in September 1588. Fraser, *Grant*, iii, 169–70.

<sup>12</sup> The common definition of this word is a sleeping place for farm workers. However, since this township also contained buildings designated as cottar houses and servant houses, it seems that a different meaning was meant here.

<sup>13</sup> Literally a barn containing a kiln, presumably for drying grain.

<sup>14</sup> A beam or joist set in the floor of a corn-kiln.

<sup>15</sup> Sollis, plural of sole: a wooden beam forming a threshold of a door or a turnpike stair; the sill of a window; the wooden beam or joist forming part of a foundation. In this context probably referring to the joist and Dr Piers Dixon has suggested that it was probably a sill beam attached to the foot of the couple, running at right angles to that couple, and joined at the other end to the foot of the next couple. There is evidence for this in the barn at Corrimony: G.D. Hay, 'The cruck-building at Corrimony, Inverness-shire', *Scottish Studies*, xvii (1973), 127–34.

<sup>16</sup> A crossbeam or rafter, perhaps forming the horizontal part of the A-frame.

<sup>17</sup> The couples consisted of several parts: the two arms of the couple called 'hoos' which were fixed to the tops of the legs. It is likely that this is what is meant in this context.

<sup>18</sup> The upright posts of the couples, sometimes referred to as 'legs'. My thanks to Dr Piers Dixon for suggesting that this probably indicates a jointed couple, often used when there was not enough suitable timber for a complete couple beam.

<sup>19</sup> A brace piece in the interior angle of a wooden frame and there is some evidence of this in the Corrimony structure.

<sup>20</sup> Turf.

<sup>21</sup> A subsidiary rafter.

of pannis<sup>22</sup> and Ruiffis<sup>23</sup> sewin treyis tua coittis ane for sheip and ane for gait of sex cupillis and four taill fork.

Item ane tenent ~~haw~~ Callit [blank] haweand ane fyir hous with byir and stabill on the end thairof of aucht cuppillis and tua taill forkis Ane aitt barne and ane beir barne of aucht cuppill lenth and four taill forkis Ane Coitt<sup>24</sup> of four cuppillis & tua taill forkis, ilk cupill and rowme thairof furnesit on ather syid of the hous with soill bak fute howis angleris naillis cassokis and kebbberis as the wthers of Mr Williame Farquharsones.

Item four cotteris ilk cotter haweand in fyir hous barne byir coit & stabill ten cuppillis of biging inde xl cuppillis furnesit as said is.

Four wemen houssis for service ilk woman hous being of four cuppillis lenth Inde xvi cuppillis.

Geanlargis occupeit be four tenentis callit [blank] ilk tenent haweand in fyir hous ~~chamer~~ barneis byiris stabill coittis and killis thriescoir cupillis of biging plennesit as said is in sortis of houssis forsaidis.<sup>25</sup>

Auchnahyill occupeit occupeit [sic] be ~~four~~ fyve tenentis callit [blank] ilk tenent haweand thriescoir cuppillis of biging in kyndis of houssis abone-specifeit.<sup>26</sup>

Keppauch occupeit be ~~four~~ tua tenentis callit [blank]<sup>27</sup> ilk tenent haweand in maner of houssis forsaidis thriescoir cuppillis of bigingis inde xii <sup>xx</sup> cuppillis.

Ballabeg<sup>28</sup> occupeit be tua tenentis ilk tenent haweand in maner forsaid inde vi <sup>xx</sup> cuppillis

Delnaboyth occupeit be tua tenentis Callit William Grant [sic] haweand in his awin possessioun in fyir hous chalmeris barneis byiris stabill coittis and killis with kilbarneis thriescoir ten cupillis of bigingis furnesit as is abone-writtin

Tua Coitteris ilk cotter haweand ten cuppillis of biging inde xx cuppillis

<sup>22</sup> Horizontal timbers fixed to the roof cuples which run at right angles to them.

<sup>23</sup> In this context probably the ridge beam of the roof.

<sup>24</sup> In the Scots dictionary this word is defined as either a cotter house or a sheep house. In this instance it must refer to the latter as cotter houses are listed separately.

<sup>25</sup> 'tua seattis' and 'cotter houssis' written in left-hand margin.

<sup>26</sup> 'tua seattis' written in left-hand margin.

<sup>27</sup> 'kill' written in upper margin above this space.

<sup>28</sup> 'Omit', written in left-hand margin.

Four wtheris houssis tuelf cupill of bigingis for servandis

The wther tenent callit [blank] haveand in fyir hous barneis byiris coittis and stabill with his cotteris and wtheris servandis houssis fourscoir cuppillis of biging furnesit as said is

Auchlonye occupeit be four tenentis Callit [blank] ilk tenent haveand in the kyndis of houssis forsaidis with tua cotteris fourscoir ten cuppillis of bigingis inde xviii<sup>xx</sup> cuppillis

Innerloquhye occupeit be Robert Grant<sup>29</sup> brother to the laird of Grant haveand Cotteris and wtheris servandis extending in hall chalmeris kitchein stabill barneis byiris Coittis kill and kilbarneis sex scoir cuppillis of biging furnesit in maner forsaid

Glenloquhye occupeit be Alester McRobye haveand in houssis forsaidis fourscoir cuppillis of bigingis<sup>30</sup>

Ballinedin occupeit be thrie Ane tenentis ilk Callit [blank]<sup>31</sup> ilk tenent haveand fiftie cuppillis of biging planesit in maner forsaid

Dellivrogatt occupeit be ane tenent haveand thriescoir cuppillis of bigingis

Thrie ane pleughis land

Foirletter occupeit be Suetonnis Grant<sup>32</sup> haveand in hall chalmeris barneis byiris coittis barn Coittis and stabill with his cotteris and wtheris servandis fourscoir ten cuppillis of biging plennesit as said is<sup>33</sup>

Thombrek occupeit be thrie tenentis ilk Callit [blank] ilk tenent haveand fiftie cuppillis of biging plennesit as said is<sup>34</sup>

<sup>29</sup> 'ane uther tenent by Robert' written in left-hand margin. Eventually became known as Robert Grant of Lurgs. Dead before 1634.

<sup>30</sup> 'Nota this the lairdis awin heretage', written in left-hand margin.

<sup>31</sup> 'kill' written in margins of this space.

<sup>32</sup> Swein Grant of Dalcharne signed an obligation to assist and defend John Grant of Freuchie on 21 Mar. 1584. Fraser, *Grant*, iii, 157. The same name also occurs in connection to Grants in Duthil and Inverallan parishes. Whether these are different people or the same man is unclear. Fraser, *Grant*, i, 526-27 and iii, 315.

<sup>33</sup> 'Tua tenentis' written in left-hand margin.

<sup>34</sup> 'Omit', written in left-hand margin.

Torrenses occupeit be tua tenentis callit [blank] ilk tenent haveand fiftie cuppillis of biging<sup>35</sup>

Wester Innerourie occupeit be Johne Grant Mcalester haveand in his awin possessioun by his tua tenentis in hall chalmeris stabill barneis byiris Coittis and kill foirscoir cuppillis of biging<sup>36</sup>

Ilk ane of his tua tenentis hes fiftie cuppillis of biging

Tua cotteris and wtheris greshoussis<sup>37</sup> for serwandis thrattie cupillis of biging

Over Camdell occupeit be Johne Grant M cien og haveand in his awin possessioun (by his thrie tenentis) in hall chalmeris barneis byiris coittis stabill and kilbarneis with kill thriescoir ten cuppillis of biging

Ilk tenent of thrie tenentis haveand in thair awin possessioun thriescoir cupillis of biging<sup>38</sup>

Four coitteris haveand fourtie cuppillis biging amongis thame

In wther servandis houssis ten cuppillis biging

Neyer Camdell occupeit be Patrick Grant<sup>39</sup> brother to the laird of Grant haveand in hall chalmeris kitchein stabill barneis byiris kilbarne and Coittis and kill four scoir sex scoir cuppillis of biging plennesit and furnesit as said is

His four tua tenentis ilk ane thairrof haveand fiftie cuppillis of biging

And in cotter houssis and wtheris servandis houssis fourtie cuppillis of biging

Fynrane occupeit be sex four tenentis Callit [blank] Ilk tenent haveand in fyir hous barneis byiris stabill Coittis and servandis houssis fourscoir cuppillis of biging<sup>40</sup>

<sup>35</sup> 'Omit', written in left-hand margin.

<sup>36</sup> 'Half' written in left-hand margin.

<sup>37</sup> Gress house: the cottage of a grassman. A tenant who has no land attached to his house, only a right of pasture. Different from a cottar.

<sup>38</sup> 'Ane tenent fyvetene' written in left-hand margin.

<sup>39</sup> 'aucht cotteris' written in left-hand margin. Eventually became Grant of Easter Elchies. Infert in lands by 1589 and dead by 1640. Fraser, *Grant*, i, 506.

<sup>40</sup> 'Four' written immediately above 'sex'.

Ruthvene occupit be fyre four tenentis Callit [blank] Ilk tenent haveand in the sortis of houssis forsaidis thriescoir ten cuppillis of biging

Item ilk tenentis tua cotteris haveand ten cuppillis of biging

#### Innerloquhye

The mylnes of Ruthvene and Innerloquhye haveand four tua cuppillis of biging and ane taill fork

Item in stuill crubbis clap<sup>41</sup> trough<sup>42</sup> and wtheris necessaris tuentie treyis.

Item the mylne croft of Ruthvene occupit be ane tenent haveand tua syrvandis and in houssis to fourscoir cuppillis of biging

Item in the forest and shealling placeis of the saidis landis thriescoir shealling houssis and in ilk houssis sex cuppillis

Ilk cuppill extendis in soill bak howis angleris naillis & feit & to tuelf treyis ilk cuppill rowme on bayth the sydeis of the hous fourscoir stakis als cassokis and on bayth syidis ilk cuppill rowme of siddis pannis and Ruiffis sewin treyis And ii kebberris to ten dossine etc.

#### **B: longer document**

The particular tries of birk,<sup>43</sup> alrone<sup>44</sup> and vtheris vnder specifeit necessarie requiseit to the biging, beitting, repairing and vphalding of all and sindrie the houssis and bigingis of the landis, mylnes and vtheris abone and vther-speci vnder specifeit perteing to Johne Grant of Frewchie be vertew of his lyfrent richt and charter maid to vmqle Johne Grant of Frewchie his guidschir within the Landis and baronie of Strathawin, and in the vther necessar vses thairof vnder exprimit as followis.<sup>45</sup>

First Vpon the principall onsett<sup>46</sup> and steidding of the mainis of the saidis

<sup>41</sup> A mill clap: a device for shaking the hopper.

<sup>42</sup> A wooden conduit for water which leads to a millwheel.

<sup>43</sup> Birch.

<sup>44</sup> Alder.

<sup>45</sup> NRS, GD248/13/6/10x.

<sup>46</sup> Dwelling.

landis of Deluorar Ane hall or fyre hous haifing fyve trein<sup>47</sup> cuppillis thair-intill and tua taill forkis, Extending Ilk cuppill thairof haifing fyve trein cuppillis thairintill In soillis, leges, balkis angleris howis and naillis To Ten tries of birk and alrone, vther twa Lyke tries for the said twa taill forkis. Inde fyfty twa tries of birk and alrone, vther twa lyke tries. Item Twenty staikis callit cassokis In Ilk rowme of sex rowmes Interiacent betuix the saidis fyve cuppillis and tua taill forkis on ather syde of the said hous Extending to tuelf rowmes on baith the sydes of the samyn hous, Inde tuelf scoir staikis or cassokis in the said haille hous for vphalding of the faill wallis thairof. Quhilk wilbe Sex scoir tries of Birk and alroun. Item Sevin lyke tries for pannis and Ruiffis to the said haille hous Ilk ane of the saidis Sex rowmes Inde xlii tries for pannis and ruiffis to the said haille hous, Item fourty caberis of birk tries for ilk ane of the saidis Sex rowmes on ather syde of the said hous and Swa for Ilk rowm of Tuelf rowmes in the haille Inde xxiiii scoir caberis, Extending to twelf scoir of birk Tries.<sup>48</sup> And Swa the haille tries of the said hall or fyre hous<sup>49</sup> extending yeirlie at the leist ilk twa yeiris of the yeiris libellit<sup>50</sup> To four hundreth fyfty four tries of Birk and alroun, pryce of ilk trie thairof great and small<sup>51</sup> yeirlie ovir heid Twa schillingis.

Item vpon the said principall onset and steiding of Delvorar tua chalm-eris uthir thairof haveing four trein cuppillis and tua taill forkis extending In tries of birk and alroun to ilk cuppill thairof as is abonewrittin And haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of bayth the saidis chalm-eris to sevin hundreth fiftie four treys of birk and alroun forsaid price of ilk trie thairof great and small yeirlie overheid as is abonewrittin.

Item vpon the said principall onset of Delvorar Tua aitt barneis and ane beir barne ilk ane thairof haveing haveing [sic] fyve trein cuppillis and tua taill forkis Extending in treis of birk and alroun quakesp<sup>52</sup> and Ravin<sup>53</sup> trie to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis

<sup>47</sup> Made of wood, wooden.

<sup>48</sup> Dr Piers Dixon has suggested that this statement should not be taken literally because there are no other known examples of longitudinal sub-division either in standing buildings or in archaeological excavation. However, the document does seem to be quite clear on this point and it is likely that this matter will only be resolved through excavation.

<sup>49</sup> Literally a house with a fireplace in it. In this context an ordinary fire house cannot have had a chimney since special provision is made for a house with a chimney at a later point in this document.

<sup>50</sup> As specified in an indictment.

<sup>51</sup> The phrase 'great and small' could refer to either mature and immature trees or to the girth of the different pieces of wood.

<sup>52</sup> Aspen.

<sup>53</sup> Rowan.

pannis staikis cassokis caberis is and vtheris to ilk cuppillis rowme as said is Extending all the treyis of the said thrie barneis To thrattene hundreth thrie scoir tua treyis pryce of of the kyndis of birk alroun quakesp and Ravin treyis pryce of ilk trie thairof as said is great and small overheid yeirlie.

Item tua oxin byiris and ane stabill ilk ane thairof haveing thrie cuppillis & tua treyis taill forkis Extending in treyis of birk alroun quakesp and Ravin trie to ilk cuppill thairof and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the saidis tua oxin byiris and stabill to Nyne hundreth treyis of the kyndis and sortis forsaid pryce of ilk trie great and small overheid yeirlie as saidis.

Item of staikis to the oxin byiris tuentie extending to ten treyis yeirlie. Item of timber to mak thair Crubbis and stallis aucht treyis of birk and alroun yeirlie, pryce of ilk trie overheid as saidis.

Item in the stabill to be haik<sup>54</sup> manger and wtheris necessaris thairto yeirlie four sex treyis Pryce forsaid of ilk trie overheid yeirlie as said is.

Item vpon the said onset of Delvorar ane cow byir of sex cuppillis and tua taill forkis Extending in treis of birk alroun quakesp and Ravin trie to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the said Cowbyir to fyve hundreth thrattie tua treyis of birk alroun quakesp and Ravin trie pryce of ilk trie thairof great and small overheid yeirlie<sup>55</sup> as is abonewrittin.

Item on the said onset of Delvorar tua coittis ane for scheip and ane vther for gaitt ather thairof haveing thrie trein cuppillis and tua taill forkis of the kyndis and sortis of treyis forsaid is Extending in treyis of the saidis kyndis and sortis to ilk cuppill rovme thairof as is abonewrittin and haveing the number of Ruiffis pannis and kebberris to ilk cuppillis rovme as said is Extending all the treyis of bayth the saidis coittis to fyve hundreth thrattie four treyis pryce of ilk trie thairof of the kyndis & sortis of timmer as saidis yeirlie overheid.

Item upon the samen onset ane kilbarne of four cuppillis and tua taill forkis extending in treyis of birk alroun quakesp and Ravin trie to ilk cuppillis

<sup>54</sup> A rack for cattle or horse fodder.

<sup>55</sup> Word, or beginning of word, deleted after 'yeirlie'. It is not clear what this might have been.

rovme thairof as is abonewrittin and haveing the number of Ruiffis pannis Cabberis staikis casokis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the said kilbarne to thrie hundreth thrie scoir sevintene treys of the saidis sortis and kyndis pryce of ilk trie thairof great and small yeirlie oveheid Overheid forsaid.

Item ane kill haveing ane treyin cupill, Extending in treys to the said cuppill with Caberis and staikis ten treys of birk and alroun pryce of ilk ane thairof yeirlie overheid as said is Item ane great trie of birk or alroun to be ane sommer thairto pryce thairof xs monie.

Item of wtheris treis to furneis the said onset and occupieris thairof in pleuch<sup>56</sup> pleuch geir harrovis<sup>57</sup> barrovis<sup>58</sup> Corne forkis muk forkis sadillis schullis<sup>59</sup> spaidis creillis and wther necessaris appertening to husbandrie yeirlie fourtie treis of the kyndis forsaidis pryce of ilk ane thairof great and small overheid as said is.<sup>60</sup>

Item to be doris windovis buirdis kistis formeis<sup>61</sup> stuillis chearis and wyer necessaris appertening to ane hous fiftie treis of the kyndis forsaidis & of alroun treis to be ledderis four treys pryce of ilk trie of the kyndis forsaidis yeirlie overheid as is abonespecifeit.

Item yeirlie to be flaikis<sup>62</sup> to fauld<sup>63</sup> thratie treis pryce of ilk trie of birk and alroun as said is yeirlie.

Item<sup>64</sup> vpon the wther onsett of the saidis landis of Delvorar ane fyir hous haveing four trein cuppillis and tua taill forkis Extending in treis of birk and alroun to ilk cuppill thairof as said is and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the trieis of the said fyir hous yeirlie at least ilk tua yeiris of the yeiris libellit to thrie hundreth thrie scoir sevintene trieis of birk and alroun pryce of ilk trie thairof great and small overheid yeirlie as is abonewrittin

<sup>56</sup> Plough.

<sup>57</sup> Perhaps wooden crossbars for harrows.

<sup>58</sup> Barrows.

<sup>59</sup> Sieves.

<sup>60</sup> My thanks to Dr Piers Dixon for drawing my attention to the similarities between this list and the lists of husbandry items contained in the fourteenth-century inventories and account rolls of Coldingham Priory, J. Raine, *The Correspondence, Inventories, Account Rolls, and Law Proceedings, of the Priory of Coldingham* (Newcastle, 1841), 104 and at p. lxxvi.

<sup>61</sup> Furnishings.

<sup>62</sup> Portable lattice fence or gate or animal pen. Probably a gate in this context.

<sup>63</sup> A livestock fold.

<sup>64</sup> 'Delvorar' written in left-hand margin.

Item on the said onsett ane chalmer ane oxin byir ane coubyir ane aitt barne ane<sup>65</sup> beir barne and ane stabill ilk ane thairof haveing thrie trein cuppillis and tua taill forkis Extending in treis of birk & alroun to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis, pannis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis particular houssis to aughtene hundreth trieis of birk and alroun pryce of ilk trie thairof as said is great and small yeirlie overheid.

Item on the said onsett ane coitt of tua cuppillis and tua taill forkis Extending in treis of birk and alroun to ilk cuppill thairof as said is And haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the said Coitt yeirlie to ane hundreth four scoir aughtene treis pryce of ilk trie of birk and alroun great and small yeirlie overheid as is abonementionat.

Item<sup>66</sup> on the said onsettis thrie cotter<sup>67</sup> houssis and four wther houssis for service of ilk hous thairof haveing tua trein cuppillis and tua taill forkis Extending in treis of birk and alroun to ilk cuppill thairof as said is and haveing the number of Ruiffis pannis staikis cassokis & wtheris to ilk cuppillis rovme as is abonewrittin Extending all the trieis of the saidis seven houssis to thrattene hundreth foirscoir sex treyis of birk and alroun pryce of ilk trie thairof yeirlie overheid great and small aboneexpremit.

Item to the said last onset yeirlie in furnesing of pleuch pleuch geir harrovnis barrovnis Corne forkis muk forkis sadillis schuillis spaidis Creillis and wtheris necessaris appertening to husbandrie yeirlie thrattie treyis of birk alroun quakesp and Rovin trie pryce of ilk trie overheid as said is.

Item to be doreis windovis buirdis stuillis chearis and wtheris necessaris appertening to houssis fourtie treyis of the kyndis forsaidis pryce of ilk trie forsaid.

Item yeirlie to be flaikis to nolt<sup>68</sup> fauldis and ledderis thrattie treyis pryce of ilk trie forsaid.

Item yeirlie to furneis the saidis byiris and stabill in crubbis stallis staikis haik manger and wtheris necessaris apperteneand thairto ten treyis of birk & alroun pryce of ilk trie as saidis.

<sup>65</sup> This word had originally been 'and' but the scribe has changed it to 'ane'.

<sup>66</sup> 'delvorar' written in left-hand margin.

<sup>67</sup> A tenant occupying a house without land.

<sup>68</sup> This could refer to either oxen or cattle.

Item<sup>69</sup> In Geavlargis four fyir houssis four aitt barneis four beir barneis four oxin byiris four stabillis ilk ane of thir houssis haveing four trein cupillis and tua taill forkis Extending in trieis of birk alroun quakesp and Ravin trie to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the saidis particular houssis abonenominat to sevin thousand fyve hundreth and fourtie trieis pryce of ilk trie of the sortis and kyndis forsaidis yeirlie overheid as said is.

Item in the said toun of Geavlarigis four cowbyiris ilk ane thairof haveing fyve tre trein cuppillis and tua taill forkis Extending in treis of birk alroun quakesp and sauche<sup>70</sup> to ilk cuppill thairof as is abonementionat and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the trieis of the saidis four coubyiris to aughtene hundreth and sextene treyis of birk alroun quakesp and sauch treis pryce of ilk ane thairof overheid yeirlie as said is.

Item in the saidis aucht byiris and four stabillis to be staikis crubbis stawis<sup>71</sup> haikis mangeris and wtheris necessaris thairto yeirlie four scoir treyis of birk and alroun pryce of ilk trie thairof overheid yeirlie as said is.

Item in the said toun four Coittis ilk ane thairof haveing tua trein cuppillis and tua taill forkis Extending in trieis of birk and alroun to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis pannis staikis cassokis Caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the saidis four coittis to sevin hundreth four scoir tuelf treis pryce of ilk trie thairof as is abonespecifeit yeirlie overheid great and small yeirlie.

Item ane kill haveand ane cuppill furnesit with caberis and Ribbis extending to ten trieis pryce of ilk trie as said is yeirlie.

Item ane sommer yeirlie thairto pryce thairof xs.

Item<sup>72</sup> on the said onset four houssis for service ilk hous haveing tua trein cuppillis and tua taill forkis extending in treis of birk & alroun to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as said is Extending all the

<sup>69</sup> 'Geaulargis' written in left-hand margin. Now called Easter and Wester Gaulrig.

<sup>70</sup> Willow.

<sup>71</sup> A stall.

<sup>72</sup> 'Geaulargis' written in left-hand margin.

treis of the saidis four houssis to sevin hundreth four scoir tuelf treis of birk and alroun pryce of ilk trie overheid yeirlie as said is.

Item to furneis the said toun & occupearis thairof in pleuch pleuchgeir harrovis barrowis Corne forkis mulk<sup>73</sup> forkis sadillis schuillis spaidis Creillis and wther necessaris appertening to husbandrie yeirlie tua hundreth treis of birk alroun & Ravin treis pryce of ilk ane thairof great & small overheid yeirlie as said is.

Item to be doreis windovis buirdis kistis stuillis chearis and wtheris necessaris appertening to ane hous thrie hundreth treis of the kyndis forsaidis pryce of ilk trie yeirlie overheid great and small as is abonerehearsit.

Item to be ledderis and flaikis yeirlie to the nolt fauldix sex scoir treis pryce of ilk trie as said is yeirlie overheid.

Item<sup>74</sup> in Auchnahyill four fyir houssis four aitt barneis four beir barneis four oxin byiris and four stabillis ilk ane of thair houssis haveand four trein cuppillis and tua taill forkis Extending in treis of birk and alroun to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis particular houssis abonenominat to Sevin thowsand fyve hundreth and fourtie treis pryce of ilk trie of birk and alroun great and small yeirlie overheid as said is.

Item in the said toun of Auchnahyill four cowbyiris ilk one thairof haveing fyve trein cuppillis and tua taill forkis Extending in treis of birk and alroun to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis as pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four cowbyiris to aughtene hundreth and sexten treis of birk & alroun pryce of ilk ane thairof yeirlie overheid as said is.

Item in the saidis aucht byiris and four stabillis to be staikis crubbis stallis haikis mangeris and wtheris necessaris thairto yeirlie fourscoir treis of birk & alroun pryce of ilk trie thairof yeirlie overheid as is abonewrittin.

Item<sup>75</sup> in the said toun four Coittis ilk ane thairof haveing tua trein cuppillis & tua taill forkis extending in treis of birk and alroun to ilk cuppill thairof

<sup>73</sup> Probably meant 'muk'.

<sup>74</sup> 'Auchnahyill' written in left-hand margin.

<sup>75</sup> 'auchnahyill' written in left-hand margin.

as is abonespecifeit and haveing the number of Ruiffis pannis staikis cassokis as caberis and wtheris to ilk cuppillis rovme as saidis Extending all the treis of the saidis four Coittis to sevin hundreth fourscoir tuelf treis pryce of ilk trie thairof yeirlie overheid as is abonementionat.

Item ane kill haveand ane cuppill furnesit with caberis and Ribbis extending to ten treis pryce of ilk trie yeirlie overheid as saidis.

Item ane sommer thairto pryce thairof 10s.

Item in the said onset four houssis for service ilk hous haveing tua trein cuppillis & tua taill forkis extending in treis of birk and alroun to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four houssis to sevin hundreth fourscoir tuelf treis of birk & alroun pryce of ilk trie thairof overheid yeirlie as is abone expremit.

Item to furneis the said toun and occupearis thairof in pleuch pleuchgeir harrovis barrovis Corneforkis mukforkis sadillis schuillis spaidis creillis and wther necessaris appertening to husbandrie yeirlie tua hundreth treis of birk alroun and Ravin treis pryce of ilk ane thairof great and small overheid yeirlie as said is.

Item to be doreis windoes buirdis kistis stuillis chearis furmeis traistis<sup>76</sup> and wther necessaris appertening to ane hous thrie hundreth treis of the kyndis & sortis forsaidis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item to be ledderis and flaikis to the nolt fauld is yeirlie sex scoir treyis pryce of ilk trie of the saidis kyndis great & small overheid as is abonerehearsit.

Item<sup>77</sup> In the toun and landis of Keppaucht four fyir houssis four aitt barneis four beir barneis four oxin byiris & four stabillis ilk ane of thir houssis haveing four trein cuppillis & tua taill forkis extending in treis of birk alroun quakesp ravin trie and sauche to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the saidis particular houssis abovenominat to sevin thovsand fyve hundreth and fourtie treis of birk alroun quakesp ravin trie and sauche pryce of ilk ane thairof yeirlie overheid great & small as said is.

<sup>76</sup> A trestle.

<sup>77</sup> 'keppauch' written in left-hand margin.

Item in the said toun of Keppauche four Cowbyiris ilk ane thairof haveing fyve trein cuppillis & tua taill forkis extending in treis of birk alroun quakesp sauch and hissill<sup>78</sup> to ilk cuppill thairof as is abonementonat and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four Cowbyiris To auchtene hundreth and sextene treis of birk alroun quakesp sauche Ravin trie & hissill treis pryce of ilk ane thairof yeirlie overheid great & small forsaidis.

Item in the saidis aucht byiris & four stabillis to be staikis Crubbis stallis Raillis haikis mangeris and wtheris necessaris yeirlie four scoir treis of birk alroun and hissill treis pryce of ilk ane thairof yeirlie overheid great & small as saidis.

Item<sup>79</sup> in the said toun of Keppauch four sheip Coittis Ilk ane thairof haveing tua trein cuppillis and tua taill forkis extending in treis of birk alroun sauche ravin trie quakesp and hissill to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis pannis staikis staikis [sic] cassokis cabberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four Coittis to sevin hundreth fourscoir tuelf treis of birk alroun quakesp Ravin sauch & hissill treis pryce of ilk ane thairof great & small yeirlie overheid as saidis.

Item ane kill haveand ane trein cuppill furnesit with kebberis and Ribis extending to ten treis pryce of ilk trie as said is yeirlie.

Item ane sommer thairto pryce forsaid 10s.

Item on the said toun four houssis for service ilk hous haveing tua trein cuppillis & tua taill forkis extending in treis<sup>80</sup> of the kyndis & sortis of treis forsaidis to ilk cuppill thairof as is abonewryttin and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four houssis to sevin hundreth fourscoir tuelf treis of the kyndis forsaidis pryce of ilk ane thairof great & small overheid yeirlie as said is.

Item to furneis the said toun and occupearis thairof in pleuch pleughgeir harrovis barrovis corneforkis mukforkis sadillis schullis spaidis creillis and wtheris necessaris appertening to husbandrie yeirlie tua hundreth treis of

<sup>78</sup> Hazel.

<sup>79</sup> 'keppauch' written in left-hand margin.

<sup>80</sup> The phrase 'extending in treis' is an interlinear interpolation.

birk alroun quakesp Ravin trie hissill & sauch pryce of ilk ane thairof yeirlie overheid great & small as is abonewrittin.

Item to be doreis windoeis buirdis kistis stuillis chearis furneis traistis & wther necessaris appertening to ane hous thrie hundreth treyis of the kyndis & sortis forsaidis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item to be ledderis and flaikis to nolt fauldys yeirlie sex scoir treyis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid as said is.

Item<sup>81</sup> In the toun and landis of Delnaboyth tua fyir houssis & tua chalmeris haveing in ilk ane thairof four cuppillis and tua taill forkis extending In treis of birk alroun quakesp sauch hissill and ravin trie to ilk cuppill thairof as said is and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme as is beforsaid Extending all the trieis of the saidis tua fyir houssis & tua chalmeris of fyvetene hundreth and aucht treyis of birk alroun quakesp hissill sauch and Ravin trieis pryce of ilk ane thairof yeirlie overheid great & small as said is.

Item in the samen toun tua oxin byiris tua cowbyiris tua stabillis tua aitt barneis & tua beir barneis of fyv ilk ane thairof haveing fyve cuppillis & tua taill forkis extending in treis of of the kyndis forsaidis to ilk cuppill thairof as said is and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme in maner forsaid extending all The trieis of the saidis particular houssis To four thowsand fyve hundreth & fourtie treyis of the particular kyndis abonespecifeit pryce of ilk trie great & small overheid yeirlie of the saidis forsaidis.

Item in the said toun tua Coittis for sheip ilk ane thairof haveing thrie trein cuppillis and tua taill forkis extending in treis of the kyndis & sortis forsaidis to ilk cuppill thairof in maner forsaid and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme in maner befoirspecifeit Extending all the treyis of the saidis tua coittis to to sex sex [sic]<sup>82</sup> hundreth threttiefour treis of the kyndis forsaidis pryce of ilk trie great and small overheid yeirlie as saidis.

Item in the saidis tua oxin byiris & tua cow byiris & tua stabillis to be staikis crubbis stallis Raillis haikis mangeris and wtheris necessaris thairof yeirlie

<sup>81</sup> 'delnaboyth' written in left-hand margin.

<sup>82</sup> The second 'sex' has clearly been written over another word that is now illegible. This may be why the scribe interpolated a second 'to sex' in the left-hand margin and forgot to erase the original phrase.

fourtie treyis of birk alroun quakesp hissill rawin trie & sauch pryce of ilk ane of the saidis yeirlie overheid as is befoir setdoun.

Item ane kill haveand ane trein cuppill furnesit with caberis and Ribbis extending to ten treis pryce of ilk trie yeirlie as said is.

Item ane sommer thairto pryce forsaid 10s.

Item in the said toun of Delnaboith four cotter houssis for service ilk hous haveing tua trein cuppillis & tua taill forkis Extending in trieis of the kyndis & sortis forsaidis to ilk cuppill thairof as is aboneryttin and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four houssis to sevin hundreth fourscoir tuelff trieis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid great & small abone expressit.

Item to furneis the said toun in pleuch pleuchgeir harrovis barrovis Corneforkis mukforkis sadillis schuillis spaidis Creillis & wtheris necessaris appertening to husbandrie yeirlie aucht scoir treyis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid as saidis.

Item to be doreis windoeis buirdis traistis kistis stuillis fourmeis chearis hallaneis<sup>83</sup> & wtheris necessaris appertening to ane hous tuelf scoir treyis of the sortis forsaidis pryce of ilk ane thairof yeirlie overheid as is afoirwrittin.

Item to be ledderis and flaikis yeirlie to the noltfauldus fourscoir treis pryce of ilk trie yeirlie overheid as said is.

Item<sup>84</sup> in the toun of Auchlonye four fyir houssis four aitt barneis four beir barneis four oxin byiris and four stabillis Ilk ane of thir houssis haveand four trein cuppillis and tua taill forkis Extending in trieis of birk alroun quakesp sauch hissill and Rawin trie trieis to ilk cuppill thairof as is aboneryttin and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme as said is Extending all the trieis of the saidis particular houssis abonespecifeit to Seven thousand fywe hundreth and fourtie trieis pryce of ilk trie thairof great and small overheid yeirlie as is befoirmaid.

Item in the said toun of Auchlonye four cow byiris ilk ane thairof haveing fyve trein cuppillis and tua taill forkis Extending in treis of birk alroun sauch

<sup>83</sup> Inner wall or door screen.

<sup>84</sup> 'Auchlonye' written in left-hand margin.

quakesp hessill and Ravin trie tries to ilk cuppill thairof as is befoirspeifeit and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as is abonementonat Extending all the treis of the saidis fowr coubyiris to aughtene hundreth and sextene trieis pryce of ilk ane thairof yeirlie as said is overheid great and small.

Item<sup>85</sup> in the saidis aucht byiris and four stabillis to be staikis crubbis stallis haikis mangeris and wtheris necessaris thairto yeirlie fourscoir trieis of the kyndis of trieis forsaidis pryce of ilk ane thairof yeirlie overheid as said is.

Item in the said toun four Coittis ilk ane thairof haveing tua trein cuppillis & tua taill forkis Extending in trieis of the kyndis forsaidis to ilk cuppill of the samen in maner forsaid and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme as said is Extending all the trieis of the saidis four Coittis to sevin hundreth four scoir tuelf trieis pryce of ilk trie thairof yeirlie overheid as said is.

Item ane kill haveand ane cuppill furnesit with caberis and Ribbis extending to ten trieis pryce of ilk trie yeirlie overheid as said is.

Item ane sommer thairto pryce forsaid 10s.

Item in the said toun of Auchlonye four Cotter houssis for service ilk hous haveing tua trein cuppillis and tua taill forkis Extending in trieis of the kyndis & sortis forsaidis forsaidis [sic] to ilk cuppill thairof as is abonewrittin and haveing the number of ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as said is extending all the trieis of the saidis four houssis to Sevin hundreth fourscoir tuelf trieis of the kyndis forsaidis pryce of ilk ane of the saidis trieis yeirlie overheid forsaid.

Item to furneis the said toun yeirlie & occupearis thairof in pleuch pleuchgeir harrovnis barrovnis corneforkis mukforkis saddillis schuillis spaidis creillis and wtheris necessaris appertening to husbandrie yeirlie aucht scoir trieis pryce of ilk ane thairof overheid as said is.

Item to be doreis windoeis buirdis traistis furmeis stuillis kistis chayreis hallaneis and wtheris necessaris appertening to ane hous tuelf scoir trieis of the pryce forsaid overheid yeirlie great and small.

Item to be ledderis and flaikis yeirlie to be nolt fauldis fourscoir trieis pryce yeirlie pryce of ilk ane of the samen overheid as said is.

<sup>85</sup> 'Auchlonye' written in left-hand margin.

Innerloquhye Ane hall or fyir hous haveing fyve trein cuppillis and tua taill forkis Extending in trieis of the kyndis forsaidis to ilk cuppillis thairof as said is and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the trieis of the said fyir hous yeirlie at the least ilk tua yeiris libellit of the yeiris libellit to four hundreth fiftie four treyis of the special kyndis for saidis pryce of ilk ane thairof overheid yeirlie as said is.

Item ane brace<sup>86</sup> to the chimley tua stoupis<sup>87</sup> to wphald the samen with tuentie vprychtis to mak the chimley extending the said chimley furnesit as said is to tuelf trieis pryce of ilk trie as said is yeirlie overheid.

Item ane chalmer ane oxin byir ane cow byir ane aitt barne ane beir barne ane kilbarne and ane stabill ilk ane thairof haveing thrie trein cuppillis and tua taill forkis extending in trieis of the kyndis forsaidis to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis particular houssis to tuentie ane hundreth treis of the sortis forsaidis pryce of ilk fort trie overheid yeirlie great and small as said is.

Item ane seidhous and ane Coitt ilk ane thairof haveing tua cuppillis & tua taill forkis Extending in trieis of the kyndis forsaidis to ilk cuppill thairof as is abonementionat and haveing the number of Ruiffis pannis cassokis staikis caberis and wytheris to ilk cuppillis rovme as is abonementionat-specifeit Extending all the trieis of the saidis tua houssis to thrie hundreth fourscoir sextene treyis pryce of ilk ane of the samen yeirlie overheid as said is.

Item tua coitter houssis ilk ane thairof haveing tua trein cuppillis and tua taill forkis extending in trieis of the sortis forsaidis to ilk cuppill thairof as is befoirwrittin and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme forsaid Extending all the saidis treyis of bayth the saidis houssis to thrie hundreth fourscoir sextene trieis pryce of ilk ane thairof yeirlie as said is overheid great and small.

Item to the said oxin byir cowbyir and stabill to be staikis Crubbis stallis haikis mangeris and wtheris necessaris aucht trieis pryce of ilk trie overheid yeirlie as said is.

<sup>86</sup> Band of stonework, timber or metal used to strengthen a framework or structure; in later use especially the breast or arch of a chimney. This is the only fire house in the survey to have a chimney and it is not yet clear why this was so.

<sup>87</sup> Post or pillar of wood.

Item to furneis the said toun and possessouris thairof in pleuch pleuchgeir harrovis barrovis corneforkis mukforkis spaidis schuillis sadillis crelleis and wtheris necessaris appertening to husbandrie yeirlie fourscoir treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item to be doreis windoeis buirdis kistis traistis stuillis chearris furmeis & wther necessaris belonging to houssis sex scoir treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid as said is.

Item to be ledderis and flaikis to nolt fauld is yeirlie fourscoir treyis pryce of ilk ane thairof yeirlie overheid as said is.

Item In Ballinedin and Dellivrogatt four fyir houssis four aitt barneis four beir barneis four oxin byiris four cowbyiris four stabillis ilk ane of thir houssis haveing four trein cuppillis & tua taill forkis Extending in treyis of the kyndis forsaidis to ilk cuppill thairof as is abonewrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the forsaidis particular houssis abonenominat to Nyne thowsand fourtie aucht treis of the special sortis aboneryttin pryce of ilk ane of the samen yeirlie overheid great and small abonecontentit.

Item in the saidis aucht byiris and four stabillis to be staikis crubbis stallis haikis mangeris and wtheris necessaris thairto yeirlie fourscoir treis of the kyndis abonedesignit pryce of ilk ane of the samen yeirlie overheid forsaid.

Item in the saidis landis four Coittis ilk ane thairof haveing tua trein cuppillis and tua taill forkis extending in treis of the kyndis forsaidis to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis four Coittis to sevin hundreth fourscoir tuelf treyis pryce of ilk trie thairof yeirlie overheid as is abonedesignit.

Item to furneis the saidis landis and possessouris thairof yeirlie in pleuch pleuchgeir harrovis barrovis corneforkis mukforkis sadillis schuillis spaidis creillis and wther necessaris is belonging to husbandrie tua hundreth yeiris treis pryce of ilk ane of the samen of the kyndis forsaidis as said is yeirlie overheid.

Item to be doreis windoeis buirdis traistis furmeis kistis Counteris stuillis chearis and wther necessaris appertening to houssis thrie hundreth treis of the kyndis forsaidis pryce of ilk ane thairof yeirlie overheid abonespecifeit.

Item to be ledderis and flaikis to the nolt fauldis yeirlie sex scoir treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid in the yeiris libellit.

Item In the toun of Foirlettir ane fyir hous haveing fyve trein cuppillis thair-intill and tua taill forkis extending in trieis of birk alroun sauch quakesp hissill and Ravin trie trieis to ilk cuppill thairof as is abonevrittin and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treyis of the said fyir hous yeirlie at least ilk tua yeiris of the yeiris libellit To four hundreth fiftie four treis of the kyndis forsaidis pryce of ilk trie thairof great and small overheid forsaid.

Item ane chalmer ane aitt barne ane beir barne ane oxin byir ane cowbyir ane stabill ilk ane thairof haveing four trein cuppillis and tua taill forkis extending in treis of the kyndis forsaidis to ilk cuppill thairof as is abone-mentonat and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as is befoirspecifeit Extending all the trieis of the saidis particular houssis to tua thovsant tua hundreth thriescoir tua treis pryce of ilk trie thairof great and small yeirlie overheid as said is.

Item to the saidis tua byiris and stabill to be staikis stallis crubbis haikis mangeris and wtheris necessaris thairto yeirlie aucht trieis pryce of ilk ane thairof as is befor said yeirlie.

Item ane scheip Coit and ane Cotter hous ilk ane thairof haveing thrie trein cuppillis & tua taill forkis extending in trieis of the sortis forsaidis to ilk cuppill thairof as is aboneexpremit and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as is befoir rehearsit extending all the trieis of the saidis tua houssis to sex hundreth trieis of the kyndis forsaidis pryce of ilk trie thairof as is abonewrittin yeirlie overheid.

Item ane kill haveand ane cuppill plennesit with kaberis & Ribbis extending to ten treis pryce of ilk trie forsaid yeirlie.

Item ane sommer thairto.

Item to furneis the said toun and occupearis thairof in pleuchgeir harrovis & wtheris belonging to husbandrie yeirlie fourscoir treis pryce of ilk ane thairof yeirlie overheid forsaid.

Item to be doreis windoeis buirdis traistis furmeis and wtheris necessaris for houssis sexscoir treis pryce of ilk ane of the samen as said is yeirlie overheid.

Item to be ledderis and flaikis to the nolt fauldis four scoir treyis pryce of ilk trie thairof overheid yeirlie abonementonat.

Item in the landis of Wester Innerourie ane hall or fyir hous and ane chalmer ilk ane thairof haveand four trein cuppillis & tua taill forkis extending in treis of the kyndis forsaidis to ilk cuppill thairof as is befoirexpressit and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme thairof as is befoirsaid Extending all the treyis of the saidis tua houssis to sevin hundreth fiftie four treis of the sortis forsaidis pryce of ilk ane of the saidis treis great and small yeirlie overheid as said is.

Item ane aitt barne ane beir barne ane oxin byir ane cow byir of fyve ilk ane thairof haveing fyve cuppillis and tua taill forkis extending in treis of the sortis forsaidis to ilk cuppill thairof as is befoirrehearsit and haveing the number of Ruiffis pannis cassokis staikis caberis & wtheris to ilk cuppillis rovme as is beforsetdoun Extending all the treis of the saidis four houssis to aughtene hundreth and sextene treis of the kyndis forsaidis pryce of ilk ane thairof yeirlie overheid as is abovespecifeit.

Item ane stabill ane schein Coitt and ane Cotter hous ilk ane thairof haveing thrie trein cuppillis and tua taill forkis Extending in treis of the kyndis forsaidis to ilk cuppill thairof as is abonespecifeit and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as said is

Extending all the saidis treis of the saidis thrie houssis to Nyne hundreth treis pryce of ilk trie thairof yeirlie overheid great and small as is befoir contentit.

Item to the saidis tua byiris and stabill in staikis stallis crubbis Raillis haikis mangeris and wtheris requisite to the lyk houssis aucht treis pryce Of ilk ane thairof as said is.

Item ane kill furnesit with ane cuppill kebbberis and Ribbis extending to ten treis pryce of ilk ane of the samen forsaid.

Item ane sommer thairto pryce forsaid xs.

Item mair in the saidis toun & landis of Wester Innerourie tua fyir houssis tua ait barneis tua beir barneis tua byiris ilk ane thairof haveing four trein cuppillis and tua taill forkis Extending in treis of the saidis kyndis to ilk cuppill as is abovenominat and haveing the number of Ruiffis pannis staikis cassokis caberis & wtheris to ilk cuppillis rovme as is aforsaid Extending all

the treyis of the saidis acht houssis to thrie thowsand and sextene treis of the kyndis forsaidis pryce of ilk ane of the samen yeirle overheid great and small abonewrittin.

Item tua coittis ilk ane thairof haveing tua trein cuppillis and tua taill forkis extending in trieis of the saidis kyndis to ilk cuppill as said is & haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme in maner forsaid Extending all the treyis of the saidis tua coittis to sex thrie hundreth fourscoir sextene<sup>88</sup> treyis of the saidis sortis pryce of ilk ane of the samen yeirle overheid abonerehearsit.

Item to furneis the saidis landis of Wester Innerourie and possessouris thairof in pleuch pleuchgeir harrovis barrovis and siclyk wtheris necessaris requisite to husbandrie yeirle ilk yeir aughtscoir trieis pryce of ilk ane of the samen forsaid overheid yeirle.

Item to be doreis windoeis buirdis traistis furmeis and wtheris necessaris pertening to houssis yeirle fourscoir treyis pryce of ilk ane of the samen forsaid yeirle overheid.

Item to be ledderis and flaikis to the nolt fauldis yeirle fiftie treis of the spaceis and kyndis forsaidis pryce of ilk ane of the samen yeirle overheid abonespecifeit.

Item in Over Camdell ane hall or fyir hous tua chamberis ane aitt barne ane beir barne ane cowbyir and ane ox byir ilk ane thairof haveing four cuppillis and tua taill forkis extending in trieis of the kyndis and sortis forsaidis to ilk cuppill thairof in maner forsaid and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as said is Extending all the trieis of the saidis sevin houssis to tua thowsand sex hundreth thriescoir thrattie nyne trieis of the sortis forsaidis pryce of ilk trie of the samen yeirle overheid great and small forsaid.

Item ane stabill and Coitt ilk ane thairof haveand thrie cuppillis tua taill forkis extending in trieis of ~~ilk~~ the kyndis forsaidis to ilk cuppill thairof in maner befoirexpremit and haveing the number of Ruiffis pannis cassokis Caberis and wtheris to ilk cuppillis rovme as is abonedenydit Extending all the trieis of the saidis stabill and Coitt to sex hundreth trieis of the kyndis and qualiteis forsaidis pryce of ilk ane of the samen yeirle overheid great and small as is abonerehearsit.

<sup>88</sup> 'Fourscoir sextene' interpolated in left-hand margin.

Item In Over Camdell tua fyir houssis tua aitt barneis tua beir barneis ilk ane thairof haveing thrie cuppillis and tua taill forkis Extending in the trieis of the kyndis and sortis forsaidis to ilk cuppill thairof as is abonementionat and haveing the number of pannis Ruiffis cassokis staikis caberis and wtheris as is befoirexpressit Extending all the trieis of the saidis sex houssis to Nyne hundreth trieis of the kyndis and sortis abonerehearsit pryce of ilk trie of the samen yeirlie overheid great and small as said is.

Item tua coittis and ane cottir hous ilk ane thairof haveing tua trein cuppillis and tua taill forkis of the kyndis & sortis forsidis Extending in trieis to ilk cuppill thairof as is abonerehearsit and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris In maner befoirrecitad Extending all the trieis of the saidis thrie houssis to Fyve hundreth fourscoir sextene<sup>89</sup> trieis of the kyndis and sortis forsaidis pryce of ilk trie of the samen great and small yeirlie overheid forsaid.

Item ane kill furnesit in maner forsaid extending to ten trieis pryce of ilk ane thairof as said is.

Item ane sommer thairto pryce abonespecifeit xs.

Item to furneis the said toun of Over Camdell and haill occupearis thairof in pleuch pleuchgeir and wtheris siclyk pertening to husbandrie yeirlie fourscoir trieis pryce of ilk ane thairof yeirlie overheid forsaid.

Item to be doreis windoeis buirdis traistis furmeis and wtheris necessaris appertening to hous sex scoir trieis pryce of ilk ane of the samen yeirlie overheid as said is.

Item to be ledderis and flaikis to the nolt fauldis yeirlie thriescoir treyis of the diuers kyndis forsaidis pryce of trie overheid as is befoirmaid.

Item In Nether Camdell ane hall or fyir hous ane chalmer tua aitt barneis tua beir barneis ilk ane thairof haveing four trein cuppillis and tua taill forkis Extending in trieis of the kyndis forsaidis to Ilk cuppill thairof as is abone-expremit and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as is befoir mentionat Extending all the treis of the saidis sex houssis to tua thowsand tua hundreth thriescoir tua Treis of the kyndis and sortis abonespecifeit Pryce of ilk ane of the samen yeirlie overheid great and small as is afoircontentit.

<sup>89</sup> Interpolation 'Fourscoir sextene' written in left-hand margin.

Item ane kitchein ane stabill tua coitter houssis ilk ane thairof tua trein cuppillis and tua taill forkis Extending in treis of the kyndis forsaidis to ilk cuppill thairof as said is and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as is befoirnumerat Extending the haill treis of the saidis four houssis To Sevin hundreth fourscoir tuelf treis of the kyndis forsaidis ilk Pryce of ilk ane of the samen yeirlie overheid great and small forsaid.

Item ane Cowbyir and ane Coitt of ilk ane thairof haveand fyve trein cuppillis and tua taill forkis Extending in trieis of the kyndis forsaidis to ilk cuppill thairof as is abonespecifeit And haveing the number of Ruiffis pannis cassokis caberis and wtheris to ilk cuppillis rovme as said is Extending all the treis of the saidis tua houssis To Nyne hundreth aucht treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid great and small aboneexpremit.

Item tua fyir houssis tua ait barneis tua beir barneis ilk ane thairof haveing thrie trein cuppillis and tua taill forkis Extending in treis of the saidis kyndis to ilk cuppill thairof as is beforsaid and haveing the number of Ruiffis pannis cassokis staikis caberis and wtheris to ilk cuppillis rovme as is afoir denyeit Extending all the treis of the saidis sex houssis to Nyne hundreth trieis pryce of ilk trie of the samen yeirlie overheid forsaid.

Item tua coittis ilk ane thairof haveing tua trein cuppillis and tua taill forkis extending in treis of the kyndis forsaidis to ilk cuppill thairof and haveing the Number of pannis ruiffis staikis cassokis caberis and wtheris to ilk cuppillis rovme In maner forsaid Extending all the treis of the saidis tua coittis to thrie hundreth fourscoir sextene treis of the kyndis aboneexpremit pryce of ilk ane of the samen yeirlie overheid as is afoirsetdown.

Item to furneis the said toun and haill possessouris thairof In pleuch pleuchgeir and wtheris necessaris requisite to husbandrie yeirlie fourscoir treis pryce of ilk ane of the samen yeirlie overheid as said is.

Item to be doreis windoeis and wtheris necessaris for hous yeirlie sex scoir trieis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item to be ledderis and flaikis to the nolt fauld is yeirlie thriescoir trieis pryce of ilk ane of the samen yeirlie overheid abonespecifeit.

Item In Fynrane four fyir houssis four aitt barneis four beir barneis four oxin byiris four cowbyiris ilk ane thairof haveing four trein cuppillis and tua taill forkis extending in treis of the kyndis forsaidis to ilk cuppill thairof and

having the number of Ruiffis pannis staikis cassokis caberis and wtheris In maner abonespecifeit Extending all the treyis of the saidis particular houssis to Sevin thousand fyve hundreth and fourtie treyis Of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item four stabillis four Coittis & four wtheris houssis for service ilk ane thairof haveing tua trein cuppillis & tua taill forkis Extending in treis of the saidis kyndis to ilk cuppill thairof and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme as is befoirmentionat Extending all the treyis of the saidis tuelf houssis to tua thovsant thrie hundreth thriescoir sextene trieis Pryce of ilk trie of the samen yeirlie overheid great & small forsaid.

Item ane kill furnesit as saidis with cupill ~~Ribbis and~~<sup>90</sup> Ribbis and caberis extending to ten trieis ane sommer thairto pryce of ilk ane thairof respective as said is.

Item to furneis the said toun of ~~Neyer Camdell~~ Fynrane and the occupieris thairof thair stabillis and byiris with staikis crubbis stallis haikis mangeris and wtheris necessaris apperteneand to the lyk vseis tuentie treyis of the kyndis forsaidis pryce of ilk ane of the samen as said is yeirlie overheid.

Item in pleuch pleuchgeir and wtheris necessaris requisite for husbandrie fourscoir treis yeirlie pryce of the samen trie forsaid.

Item to be doreis windoeis and wtheris necessaris for houssis sexscoir treyis pryce of ilk ane of the samen yeirlie overheid forsaid.

Item to be ledderis and flaikis to nolt fauldis yeirlie fourscoir treis pryce of ilk ane thairof yeirlie as said is.

Item In Ruthven sex fyir houssis sex sex [sic] aitt barneis sex beir barneis sex byiris ilk ane thairof haveing four trein cuppillis and tua taill forkis extending in treis of the sortis and kyndis forsaidis to ilk cuppill thairof and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme in maner forsaid Extending all the treyis of the fornarnit particular houssis to Nyne thovsant fortie aucht trieis of the saidis sortis and kyndis pryce of ilk trie of the samen yeirlie overheid great and small forsaid.

<sup>90</sup> Immediately after 'cupill' the two words 'Ribbis and' have been deleted. Since these words overwrote a previous entry, the scribe may have decided to clean up the passage by deleting the words and rewriting them.

Item in the said toun sex coittis and sex wther houssis for service with sex stabillis ilk ane thairof haveing tua cuppillis and tua taill forkis Extending in trieis of the trieis kyndis forsaidis to ilk cuppill and haveing the number of Ruiffis pannis staikis cassokis caberis and wtheris to ilk cuppillis rovme in maner forsaid Extending all the treis of the forsaidis speciall houssis To thrie thousand nyne hundreth thriescoir treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie overheid great and small as said is.

Item to furneis the stabillis and byiris forsaidis in crubbis staikis stallis haikis mangeris & wtheris necessaris yeirlie fourtie treyis pryce of ilk ane of the samen yeirlie overheid as said is.

Item to be pleuch pleuchgeir and wtheris necessaris to husbandrie tua hundreth treis yeirlie pryce of ilk ane thairof forsaid.

To be doreis windoeis & wtheris necessaris requisite for houssis yeirlie fourtene scoir treis of the saidis kyndis pryce of ilk ane thairof yeirlie as said is.

Item to be ledderis and flaikis to nolt fauldus yeirlie ten scoir treis pryce of ilk ane of the samen yeirlie as said is.

Item the mylne of Ruthven haveing thairintill tua trein cuppillis furnesit with pannis Ruiffis cassokis caberis and wtheris In maner forsaid extending all the treyis of the said mylhous to tua hundreth treis of the kyndis forsaidis pryce of ilk ane of the samen yeirlie as said is.

Item to be quheillis<sup>91</sup> mylne crubbis hopper trouch and wtheris necessaris thairto fiftie treis pryce of ilk ane of the samen overheid forsaid.

Item to the schealling houssis Of the saidis landis requisite yeirlie ane thousand treyis pryce of ilk ane of the samen yeirlie overheid great & small as is abonespecifeit.

Item ilk ane cuppillis biging of all and sindrie the houssis and bigingis abonewrittin necessarlie requerit yeirlie at the least ilk tua yeiris In mending betting and repairing thairof in cassokis staikis and caberis with watting is iii<sup>xx</sup> iiiii small trieis abonedesignat pryce of ilk pece thairof xiid monie forsaid.

<sup>91</sup> Wheels.

Ilk cuppill of biging extending in legis angleris housis spurris<sup>92</sup> vpstanderis and maillis<sup>93</sup> to aucht great treis & tua smal treis And ilk tail fork of the said biging with the geavillis & syidis of that samen tail fork comptit to ane cuppill of biging extending as said is.

Item ilk cuppill biging in soillis pannis Ruiffis cassokis all staikis geavill pannis sparris caberis & watingis extending ilk sevint yeir at the new making & biging of all the saidis houssis & bigingis in great treis to seven treis & in small treis to xxiii cassokis & xl caberis pryce of ilk great trie vis vid & of ilk small trie wi wnvrocht with the branches thairof to be watling xiid.

To the miller of Ruthven haveing a fyr hous barne byir cott & wtheris houssis xviii cuppillis the mylne ane cuppill quheillis crubbis hopper troch & wtheris necessaris yeirlie at least ilk tua yeris tuentie great treis & ten small.

To be doreis vindeis etc to the mylleris hous x treis

To the schealling place thairof houssis yeirlie & ilk yeir xl cuppillis of biging.

Delvorar fyirho windeis etc xx treis byiris & stabillis x treis pele<sup>94</sup> pleuis etc xxx treis laderis fiftie treis.

Gearlargis windeis xl treis byiris xx treis / pleuis xxx treis laderis l treis alter siclyk.

Auchnahyill windeis l treis byiris fyve scoir treis / pleuis fiftie treis laderis sex scoir treis.

Keppauch vindois vindois [sic] xl treis byiris tuentie treis plevis etc xxx laderis fiftie.

Delnaboyth Windeis / xl treis byiris tuentie plevis xxx laderis iii<sup>xx</sup>

Auchlonye iii onsettis for tenentis iii<sup>xx</sup> cupillis Windeis fourscoir treis byiris xl treis plevis thriescor treis laderis aucht scoir treis

Innerloquhye ii tenentis iii<sup>xx</sup> cupillis / Windeis / xl / treis byiris tuentie treis plevis xxx laderis fourscoir.

<sup>92</sup> A strut or diagonal stay in a roof. Dr Piers Dixon suggests that they may be spurs jointed to the legs of the A-frame to support purlins or pans.

<sup>93</sup> Probably in error for naillis.

<sup>94</sup> A long-handled shovel.

Ballinedin & Dellivrogat tua tenentis xlviii cuppillis doreis xl treis byris xx  
Tries plevis xxx laderis l treis.

Forlettir ii tenentis iiiii<sup>xx</sup> cuppillis doreis fourtie treis byiris xxx xx laderis  
iiii<sup>xx</sup> plevis xxx

Over Camdell ii tenentis iii<sup>xx</sup>x cup. doreis xl byiris xx plevis xx laderis iiiii<sup>xx</sup>.

Nether Camdell thrie tenentis v<sup>xx</sup>/ doreis iii<sup>xx</sup> byiris xxx treis plevis xl treis  
laderis fyve scoir tries.

Fynran four tenentis iiiii<sup>xx</sup> cup. doreis fourscoir treis byiris xl treis plevis  
thriescoir treis laderis iiiii<sup>xx</sup> treis.

Ruthven iiii tenentis iii<sup>xx</sup>x cup. doreis iii<sup>xx</sup> treis byiris xl plevis xxxviii laid-  
eris iiiii<sup>xx</sup>.

#### *Landholding in Medieval and Early-Modern Banffshire*

The twenty-two *dabhach* lands that formed the two Banffshire parishes of Inveravon and Kirkmichael, and which also comprised the lordship of Strathavon, first appear in the charter record between 1194 and 1232 in a series of agreements between successive bishops of Moray and Earl Duncan II of Fife.<sup>95</sup> It is currently impossible to prove beyond doubt that Strathavon was an older unit of lordship that pre-dated the 1190s but one clue that might help support such a theory can be found in place-name evidence.

In 1980 Geoffrey Barrow argued that the western boundary marker of Strathavon, Beinn Macduibh (Macduff's mountain – Dubh being the eponymous ancestor of the leading Fife kindred, *Clann Duibh*), commemorated the granting of this territory to Earl Duncan II by King William I between 1187 and 1204 after the defeat of Donald MacWilliam.<sup>96</sup> This theory seems plausible but for two reasons. First, it pre-supposes that landholders in Moray actively backed Donald MacWilliam in 1187 and were disinherited by the crown for their 'treason' in supporting the senior branch of the royal kindred. In fact, there is no evidence of this.<sup>97</sup> Second, there is another place-name, *Allt an Gille Mícheil* (little burn of the servants of St Michael), on the south-

<sup>95</sup> *Mor. Reg.*, nos. 16 and 62.

<sup>96</sup> G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 86; Bannermen, 'MacDuff of Fife', in A. Grant and K. Stringer (eds), *Medieval Scotland* (Cambridge, 1993), 20–38, at p. 24.

<sup>97</sup> Alasdair Ross, 'Moray, Ulster, and the MacWilliams', in Seán Duffy (ed.), *The World of the*

eastern boundary of the lordship. If there is any link between place-names in Strathavon and personal-names of earls of Fife, this latter place-name could commemorate the name of an even earlier earl, Gille Mícheil, who died before July 1136.<sup>98</sup> This suggests that Fife possession of lands in Strathavon could go as far back in time as the 1130s, perhaps to the period following the death of Oengus of Moray in 1130 if a political rationale is sought for the appearance of the Fife kindred in northern Scotland at this time. Such a scenario could even explain the parochial dedication to St Michael, the avenging archangel who commanded the army of God, as a commemoration to celebrate the defeat of Oengus and the Moravians by King David.

Alternatively, it might be objected that *Allt an Gille Mícheil* commemorates the same saint remembered in the parochial name (Kirkmichael), so that the place-name was coined for a boundary that marked the extent of lands belonging to a saintly cult devoted to St Michael in Strathavon, perhaps similar to the Gaelic kindred who maintained the cult of St Cainnech of Achadh Bó around Loch Laggan in the lordship of Badenoch. This was *Clann mhic Gille Choinnich* (the children of [a man called] Mac Gille Choinnich, with Gille Choinnich originally meaning 'servant/devotee of Cainnech').<sup>99</sup> Furthermore, it cannot be a coincidence that the parochial church dedicated to St Michael and the extensive shielings on *Allt an Gille Mícheil* were both located within the boundaries of the *dabhach* of Inverchebitmore. However, one important difference between the cult of St Cainnech at Laggan and a supposed cult of St Michael at Kirkmichael is that there is no trace in the historical record of there ever having been a significant cult or kindred dedicated to St Michael anywhere in Strathavon. While this does not mean that such a cult could never have existed, it does make it less likely that *Allt an Gille Mícheil* was named after the saint rather than the earl.

More importantly, none of the above affects the place-name Beinn Macduibh. If the westernmost and highest point of Strathavon is named after *Clann Duib*, this is a grand gesture which makes quite a statement and, while there are many other place-names in Scotland that contain personal or kindred names, few of them are on quite the same scale as Beinn Macduibh. Moreover, no other major medieval kindred in Scotland seem to

*Galloglass: Kings, Warlords and Warriors in Ireland and Scotland, 1200–1600* (Dublin, 2007), 24–44.

<sup>98</sup> Victor Gaffney, *The Lordship of Strathavon: Tomintoul under the Gordons* (Aberdeen, 1960), map facing 24; A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), 164, n. 55.

<sup>99</sup> Alan G. Macpherson, 'An old Highland parish register', *Scottish Studies*, xi, pt 2 (1967), 149–92, at p. 190, n. 13. In Ireland 'Máel' seems to have been regularly used until c.850. It then fell out of use during the next hundred years and was gradually replaced by 'Gille' (cf. M.A. O'Brien, 'Old Irish personal names', *Celtica*, x (1973), 211–360, at p. 229).

have left a similar onomastic footprint. This should perhaps raise a question mark over the geographic origins of *Clann Duib* who clearly possessed many of their scattered earldom lands in Fife thanks to post-1157 grants from kings of Scots.<sup>100</sup>

A case can also be made that the lordship of Strathavon was originally just one part of a much larger and older unit of *Clann Duib* lordship that had once straddled the River Spey and included much of the medieval parish of Advie. While a lack of early written evidence makes such reconstructions problematic in Scotland, one piece of printed evidence relating to these lands can be found in Lachlan Shaw's classic book on Moray. Here, he stated that the lands in Advie that had previously belonged to the earls of Fife were granted to Grant of Ballindalloch by the crown in the fifteenth century. To support this Shaw quoted from a document dated 22 June 1389 when Countess Isabel of Fife resigned the lands of *Strathavie*, *Abrondolie* and *Affyne* to King Robert III.<sup>101</sup> This document does not appear to have survived but further proof that Shaw had seen a genuine document can be found in the Grant archive. On 23 August 1622 an inventory of family charters was completed for Sir John Grant (5<sup>th</sup>) of Freuchie. The first entry in this list noted the existence of 'ane auld charter' made by Earl Duncan of Fife to his steward 'Andro Frewheirich' of the lands of Auchnefur and the two Culquhoichis in the parish of Advie.<sup>102</sup> It is possible to narrow down the date of this record a little further, even though Andrew Frewheirich is otherwise unknown, as there were four earls of Fife called Duncan between c.1133 and 1353. The second oldest charter recorded in the inventory (which has survived) is dateable to the mid-thirteenth century so it looks as though the previous record must relate to a charter of either Earl Duncan I (d.1154) or of Earl Duncan II (1154–1204).

Situated on the south side of the River Spey and sandwiched between these two blocks of Fife lands was the royal thanage of Cromdale, which was also controlled by the earls of Fife on behalf of the crown, and two small blocks of lands possessed by the bishops of Moray. Together, these lands form a distinct territory in the middle of the Spey valley that was once bounded on the west by the secular lordships of Badenoch, Abernethy and Glencarnie, by the earldom of Mar to the south, and on the north and east by large blocks of mensal lands belonging to the bishops of Moray.

By the 1230s the Fife lands in the parishes of Inveravon and Kirkmichael had been granted to a younger son of Earl Duncan II, David de Strathbogie,

<sup>100</sup> G.W.S. Barrow, 'The earls of Fife in the 12<sup>th</sup> century', *Proceedings of the Society of Antiquaries of Scotland*, lxxcvii (1952–53), 51–62.

<sup>101</sup> Lachlan Shaw, *The History of the Province of Moray* 3 vols., new edn (Edinburgh, 1882), i, 226–7.

<sup>102</sup> NRS, GD248/92/1.

and his descendents held the lordship until King Robert I disinherited them after Bannockburn under the terms of the Statute of Cambuskenneth.<sup>103</sup> Although the Strathbogie branch of the Fife kindred temporarily regained these lands in the 1330s, the death of Earl David IV de Strathbogie at Culblean in 1335 probably resulted in the lordship reverting to the earls of Fife before Countess Isabel later resigned the same lands to the crown in 1389. Thereafter, Alexander Stewart, younger son of King Robert II, received a grant of lands in Strathavon and one of his descendents, Sir Walter Stewart, still held the lordship in 1482 when King James III re-granted the barony of Strathavon to him and, failing any male heirs, to George Gordon, earl of Huntly. Eight years after this, on 31 August 1490, Sir Walter granted the lands and lordship of Strathavon, including the castle of Drummyn, to Lord Alexander Gordon (later the third earl of Huntly).<sup>104</sup> This was the beginning of Gordon lordship in Strathavon and their new lands formed a convenient stepping-stone between the core of the Gordon earldom at Strathbogie and the lordship of Badenoch that they had received from the crown in 1451.<sup>105</sup> Yet another family that was expanding its area of influence in Moray at this time, though less spectacularly than the Gordons, were the Grants.

The early history of the Grant family in Moray has yet to be entirely revealed but they gained their foothold in Strathspey via three distinct paths. First, as tenants of a block of crown lands centred upon Freuchie, which were eventually given by the crown to John Grant (2<sup>nd</sup> of Freuchie d.1528) in barony in 1493. Second, as the heirs to the earlier lords of Glencarnie, and the lordship (essentially the equivalent of medieval parish of Duthill) of the same name was granted by King James IV to the same John Grant in 1499.<sup>106</sup> The same year Freuchie also received a tak of the lands and forest of Abernethy for nine years from the crown.<sup>107</sup> Thirdly, more lands were gained through co-operation with the Gordons of Huntly. In 1483, for example, George Gordon, the second earl of Huntly, granted four *dabhachean* (Kinrara, Rait, Blairowie, and Gask) in his lordship of Badenoch to John Grant (2<sup>nd</sup> of Freuchie).<sup>108</sup> Eight years later, on 4 February 1491, the same earl made a further grant of Badenoch lands to Freuchie with the

<sup>103</sup> A.A.M. Duncan (ed.), *Regesta Regum Scottorum v: The Acts of Robert I* (Edinburgh, 1988), no. 41.

<sup>104</sup> NRS, GD124/1/1131; GD124/1/1132.

<sup>105</sup> J.M. Thomson et al. (eds.), *Registrum Magni Sigilli Regum Scottorum in Archivis Publicis Asservatum* (Edinburgh, 1814–1914), ii, no. 442, (hereafter: RMS).

<sup>106</sup> Alasdair Ross, 'The lords and lordship of Glencarnie', in Steve Boardman & Alasdair Ross (eds.), *The Exercise of Power in Medieval Scotland c.1200–1500* (Chippenham, 2003), 159–74.

<sup>107</sup> M. Livingstone et al. (eds.), *Registrum Secreti Sigilli Regum Scottorum* (Edinburgh, 1908–), i, no. 268.

<sup>108</sup> Fraser, *Grant*, iii, no. 42.

*dabhach* of Clewrie in the parish of Inverallan.<sup>109</sup> This latter agreement was the first of three transactions between the two families during the first half of 1491.

This 4 February grant of the *dabhach* of Clewrie to Freuchie meant that he then must have possessed all three *dabhaichean* in the parish of Inverallan (fully one third of the medieval parish) that formed a detached portion of Huntly's lordship of Badenoch. On 15 April 1491, however, Freuchie entered into a new agreement whereby he resigned two of his three *dabhaichean* in Inverallan (Cur and Tullochgorm) to Huntly in return for the three *dabhach* lands of Kincardine parish.<sup>110</sup> Two months later, the picture was further complicated when on 14 June Huntly exchanged the two *dabhaichean* of Cur and Tullochgorm he had just previously received from Freuchie in return for Freuchie's three *dabhach* lands of Fodderletter, Inverourie, and Inverlochty in the lordship of Strathavon and sheriffdom of Banffshire.<sup>111</sup>

The earl of Huntly must then have granted two of these three Strathavon *dabhaichean* to his son, Lord Alexander Gordon. On 22 October 1495 Alexander Gordon sued John Grant (2<sup>nd</sup>) of Freuchie for 600 merks because John had still not infested him in either the two *dabhaichean* of Inverowrie and Inverlochty in Strathavon or the lands of Fochillater in the sheriffdom of Inverness. The Lords of Council gave John Grant forty days to rectify this situation and infest Alexander Gordon or they threatened to distrain Grant of the 600 merks claimed by Gordon.<sup>112</sup> Given the nature of this lawsuit, it seems likely that John Grant was acting as a local sheriff in Strathavon at that time.

So, despite a little local difficulty, by the end of the fifteenth century the two families generally appear to have been co-operating closely in the Spey valley and it is a shame that the earlier fifteenth-century charters do not seem to have survived as they might have shed some light on how the Grants of Freuchie first gained lands in Strathavon. All that really can be said is that since Huntly did not enter into possession of the lordship of Strathavon until 31 August 1490, it may have been Sir Walter Stewart, the previous lord, who first gave the Grants of Freuchie lands there. At face value, Freuchie seems to have come out of this exchange of lands one *dabhach* to the better, although such accounting is meaningless since we do not know the relative values of each of the *dabhaichean* involved in these excambions.

Around the same time as these convoluted land transactions were occurring, John Grant (2<sup>nd</sup>) of Freuchie also played an important role in the day-

<sup>109</sup> *Ibid.*, no. 48.

<sup>110</sup> NRS, GD248/214/4/2/10.

<sup>111</sup> NRS, GD248/92/1.

<sup>112</sup> *Aberdeen-Banff Illustrations*, ii, 308–09.

to-day running of Moray and he occasionally appeared in the twin roles of judge and arbitor in landholding disputes. One such event occurred in 1517 when he and Alexander Ogilvy were commanded to perambulate and judge upon a dispute between James Hepburn, bishop of Moray (1516–24), and William Balye of Ardnely. This case revolved around the fact that the bishop had accused Balye of illegally manuring shieling lands, converting them into arable, and had also erected buildings upon them. On this occasion, Grant and Ogilvy found in favour of the bishop, took the illegal corn for themselves to sell, and ordered that the new corn lands with their associated buildings be destroyed and the land converted back to pasture.<sup>113</sup>

### *The Grants in Strathavon*

After the land transactions of the early 1490s the Grant family do not seem to have regained a foothold in Strathavon until the second quarter of the sixteenth century. George Gordon, fourth earl of Huntly, did not immediately succeed his grandfather Earl Alexander in 1524. As a result, the wardship of the Huntly lands was first possessed by the Douglas earl of Angus and later ended up in the hands of James Stewart, earl of Moray. King James V was himself a minor at this time and under the guardianship of Margaret Tudor and Angus until June 1526.<sup>114</sup> In fact, later legal documents from the reign of Queen Mary clearly indicate that King James V had taken the Gordon lands into his personal wardship before 18 December 1527 when he granted substantial lands in the lordship and barony of Strathavon to John Grant (2<sup>nd</sup>) of Freuchie in liferent.<sup>115</sup>

George Gordon must have attained his majority shortly afterwards since he had granted the lordship and barony of Strathavon to his younger brother, Alexander Gordon, before 1530. Such an award does not mean that John Grant had to relinquish his 1527 royal grant of Strathavon lands and it looks as though George Gordon had to accept Freuchie as a liferent tenant. Indeed, if anything the Grant family increased their interests in Strathavon when, on 6 June 1530, Alexander Gordon made John Grant's heir, James Grant (3<sup>rd</sup>) of Freuchie (d.1552), baillie of the lordship and forest of Strathavon with the right to keep half of the profits of the lordship and forest courts for himself. This arrangement between George Gordon and James Grant was to stay in force during the lifetimes of both Alexander Gordon of Strathavon and Grant.<sup>116</sup>

<sup>113</sup> National Library of Scotland (NLS), MS Adv. 34.4.9, fo. 106r.–106v.

<sup>114</sup> Alison Cathcart, *Kinship and Clientage: Highland Clanship 1451–1609* (Leiden, 2006), 47, n. 57; Jamie Cameron, *James V: The Personal Rule 1528–1542* (East Linton, 1998), 9.

<sup>115</sup> NRS, GD248/78/2/18.

<sup>116</sup> NRS, GD248/78/3/7.

Nine years after this agreement, on 31 August 1539, Alexander Gordon of Strathavon and his brother Huntly came to an agreement that seems to indicate that Alexander exchanged his lands in Strathavon, including Drummin Castle, for those of Cluny in Aberdeenshire. However, a separate charter demonstrates that Alexander Gordon bought the half-*dabhach* of Blairfindie in Strathavon at this time,<sup>117</sup> and this helps explain why he was named as still possessing interests in Strathavon, together with continuing possession of Drummin Castle, in a legal dispute relating to those lands in the 1550s.<sup>118</sup>

James Grant further enhanced his landed interests in Strathavon when he persuaded the two female heirs of the last known *toiseachdoir* of Strathavon, Alasdair Crom Macallan's daughters Marjorie and Katherine, to give up their joint inheritance of the *dabhach* of Inverchebitmore in return for lands elsewhere in Strathspey and Mar in 1542.<sup>119</sup> This excambion, however, was dwarfed by the agreement reached between James Grant and Earl George of Huntly on 8 May 1546. On that day, in a bond of manrent Huntly granted Freuchie and his son John a total of six *dabhaichean* in Strathavon in liferent, together with the keeping of the forest of Strathavon, the keeping of the castle of Drummin, and the bailiery of two-thirds of the lordship, provided that Freuchie kept the shieling and grassing of Inchrory and the mountain of Beinn Avon reserved for the earl's hunting. An additional codicil was that Freuchie had to feed two 'bullis' of cows in the forest for Gordon each year.<sup>120</sup>

These six *dabhaichean*, which amounted to just over a quarter of the extent of the lordship of Strathavon, were situated in the south-western part of the lordship and were bounded on the south-west by the forest of Strathavon. This forest ran westwards up to the summit of Beinn Macduibh and, like the two halves of the forest of Mar, seems to have been permanently set aside for the two activities of hunting and transhumance. The liferent agreement for these lands between the Gordons and the Grants was re-affirmed upon the death of the fourth earl of Huntly in 1562, and again in 1586 just after the death of John Grant (5<sup>th</sup>) of Freuchie. Given these two instances it is only reasonable to assume that the liferent agreement had also been renewed upon the respective deaths of James Grant (3<sup>rd</sup>) of Freuchie before April 1558 and George Gordon, the fifth earl of Huntly, in 1572, but that no record of these latter two renewals has survived. A final point to note is that by 1586 the new lord and baron of Strathavon was another

<sup>117</sup> RMS, iii, no. 2248.

<sup>118</sup> NRS, GD248/78/2/18.

<sup>119</sup> *Spalding Misc.*, iii, 88–89.

<sup>120</sup> NRS, GD248/87/3/8.

Alexander Gordon. He had received these lands from his father in 1575 and this Alexander was a younger brother of the sixth earl of Huntly.<sup>121</sup>

### *Bydand versus Standfast*

This picture of close co-operation between the Gordons and the Grants in Strathavon and elsewhere in Moray post-1524 appears to have been badly broken during the last fifteen years of the sixteenth century. Famously, during the period between 1587 and 1592 members of the Gordon family were responsible for killing two of Grant's kinsmen and, shortly afterwards, Huntly's position of power in the north-east came under threat by the creation of James Stewart as earl of Moray. Disenchanted with a lack of protection from Huntly, Grant of Freuchie temporarily aligned himself and his kindred with the earl of Moray though this alliance was brought to a close by unknown means in October 1591 when Grant was again received into the favour of Huntly. Shortly afterwards, however, Huntly murdered the earl of Moray on 7 February 1592 and this act again temporarily severed the bonds between Huntly and Grant.<sup>122</sup>

This short-lived falling-out between Freuchie and Huntly would provide a good and convenient context for the lawsuit between Alexander Gordon of Strathavon and Freuchie over the alleged destruction of trees in Strathavon, assuming of course that a political agenda was pursued by other means. However, in fact a good case can be built to demonstrate that the relationship between the Grants and the Gordons in Strathavon had been under stress for a much longer period of time before 1587 and actually dated back to the 1530s. The later legal squabble about the misuse of trees in Strathavon seems to have been only one aspect of a much deeper sense of injustice between the two families.

The first signs of a souring of their lordly/tenant relationship in Strathavon occur in a document issued in 1557. Upon the death of James Grant (3<sup>rd</sup>) of Freuchie, the evidence indicates that the earl of Huntly refused to give John Grant entry to the lands he should have inherited in Strathavon, despite Grant offering caution to Huntly 'on numerous occasions'. The Falkland pursuivant<sup>123</sup> was dispatched to sort out the mess and given letters commanding Huntly to halt the arrestments and to accept John Grant's

<sup>121</sup> NRS, GD248/69/3. This reference is to a copy of the original sasine made for the Grant family between 1594 and 1603.

<sup>122</sup> Jenny Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442-1603* (Edinburgh, 1985), 120-1; Keith M. Brown, *Bloodfeud in Scotland, 1573-1625* (Edinburgh, 1986), 152-3.

<sup>123</sup> One of the Scottish heralds.

caution for the Strathavon lands.<sup>124</sup> This initiative must have failed because there were further related problems.

Between 4 April 1558 and 10 July 1559 a document was issued in the joint names of Queen Mary and the Dauphin Francis. This states that although the recently deceased James Grant had been granted a share of the profits of the courts of Strathavon in 1530, either Alexander Gordon of Strathavon in person or people acting in his name had taken all the profits of these courts of Strathavon for the last twenty-two years. In 1558, John Grant, the heir of James Grant, asked for compensation to the amount of 100 merks per annum (a total of 2,200 merks) to ameliorate the financial losses suffered by his family through Alexander Gordon's actions. The Lords of Council agreed that Alexander Gordon should be warned, charged, and summoned to Edinburgh to answer the case.<sup>125</sup>

This second initiative must also have failed because in 1562 the Falkland pursuivant charged the withholders of Drummin Castle (which should have been in the care of Grant as baillie of Strathavon) to hand the keys of the castle over to John Grant, under pain of treason.<sup>126</sup> This warning must have been effective since a later document refers back to a contract made between Huntly and John Grant on 24 August 1562 regarding Grant's heritage in Strathavon.<sup>127</sup> However, Huntly's death in battle on 28 October 1562 must have prevented Grant from receiving sasine since he complained again to the Queen in 1564 that for seven years Alexander Gordon had occupied, laboured, and withheld from him all of the lands in Strathavon that he should have inherited from his father. On this latter occasion, Alexander Gordon was commanded to repay to John Grant all of the mails, entry silver, and duties that he should have received had Alexander not seized his lands, and Gordon was again summoned to Edinburgh to explain his actions.<sup>128</sup>

While it would be easy in the latter instance to accuse John Grant of making mischief while the earl of Huntly was in opposition to the crown in 1562 and the Gordons were subsequently forfeited, this cannot be used as a rationale for origins of the dispute between Huntly, Alexander Gordon, and Grant since it began in 1557 when both Huntly and Grant were in favour

<sup>124</sup> NRS, GD248/78/2/35.

<sup>125</sup> NRS, GD248/78/3/7. It is also worth noting that at some point during this period Alexander Gordon of Strathavon had married a woman who was probably the sister of John Grant (4<sup>th</sup>) of Freuchie so Gordon was now opposing his brother-in-law [Cathcart, *Kinship and Clientage*, 230-1]. It is worth speculating that this marriage may have been negotiated in an attempt to solve the dispute between the two families. If so, it failed.

<sup>126</sup> Fraser, *Grant*, iii, no. 122.

<sup>127</sup> *Ibid.*, no. 337.

<sup>128</sup> NRS, GD248/78/2/18.

at court.<sup>129</sup> This would indicate that both the origins of the dispute and the accusations were genuine rather than political manoeuvring. In the end, John Grant did not have to wait too long after the restoration of the earls of Huntly in 1566 to receive satisfaction. The new earl of Huntly granted him and his heir Duncan Grant a liferent charter for their Strathavon lands on 30 September 1568.<sup>130</sup> This settlement may have been hastened because George Gordon, the new fifth earl of Huntly, was in need of local allies at that time to counter the local dominance of the earl of Moray.

When John Grant finally negotiated entry to his lands in Strathavon, he was not to know that he would only enjoy uninterrupted possession for seven years. In January 1575, one year before his death, the earl of Huntly granted the lordship and barony of Strathavon, together with the castle of Drummin, to one of his younger sons Alexander Gordon.<sup>131</sup> Upon receiving sasine of these lands, Alexander Gordon promptly issued a lawsuit against John Grant (4<sup>th</sup> of Freuchie) for the wanton destruction of trees in Strathavon and thus initiated legal proceedings that continued over the course of the next thirty-seven years.<sup>132</sup>

Alexander Gordon was evidently determined to make a point. Later legal evidence indicates that he initiated lawsuits before the Lords of Council against John Grant for the destruction of trees on an annual basis between 1575 and 1585. This sequence was only brought to a halt by the death of John Grant on 2 June 1585. The following year, John's grandson and heir, also called John Grant (5<sup>th</sup> of Freuchie), was infested in his Strathavon lands on 27 March.<sup>133</sup> It cannot be a coincidence that the lawsuits for the destruction of woods in Strathavon ceased at the same time as Huntly and Grant committed to a bond of manrent 'to mantein, assist, fortifie and defend aganis all personis',<sup>134</sup> although it is hard to believe that the Grants of Freuchie could have been pursued through the courts for so long specifically to force them to commit to such a bond. It seems more likely that Grant insisted on the cessation of the lawsuits and summonses as a price for agreeing to the bond of manrent. Whatever the case, the truce between the Gordons and Grant lasted for less than a decade.

The events of the early 1590s that resulted in the death of the earl of Moray and the short-lived exile of the earl of Huntly are well known and

<sup>129</sup> During the period of Huntly forfeiture, the lordship of Strathavon was granted to Robert Stewart, an illegitimate son of King James V and commendator of Holyrood. Stewart granted lands in Strathavon to the Grants of Carron in 1564 and they seem to have been able to retain these lands after the Gordons were restored (NRS, GD44/6/9).

<sup>130</sup> Fraser, *Grant*, iii, no. 337.

<sup>131</sup> NRS, GD248/69/3.

<sup>132</sup> NRS, GD248/78/2/49.

<sup>133</sup> Fraser, *Grant*, iii, no. 337.

<sup>134</sup> *Ibid.*, no. 151.

do not need to be re-hashed here. Suffice it to say that after the murder of Moray, Grant broke his alliance with Huntly and the two fought on opposite sides at the battle of Glenlivet before Strathbogie Castle was destroyed and Huntly went into exile in May 1595. It has been suggested that the return of Huntly in 1596 prompted John Grant to form a bond of manrent with John Stewart, earl of Atholl, in order to try and protect his interests from the reassertion of Gordon power in the north.<sup>135</sup>

Three months before Huntly went into exile in 1595, Alexander Gordon of Strathavon decided to accuse John Grant once again of destroying trees, woods, and wild animals in three of the six *dabhaichean* of Strathavon (Fodder-letter, Inverurie and Inverlochty) that Grant had held in liferent since 1575, and had warned Grant to remove his sub-tenants and cottars from the same lands.<sup>136</sup> One plank of Grant's defence was that he had received these lands in heritable infeftment from the earl of Huntly in 1594 and that this entitled him to lawfully cut any trees that he wanted in the woods and forests that belonged to these three *dabhaichean*. Grant further argued that Alexander Gordon's 1575 sasine had been a base infeftment and that he had never actually taken possession of the lands in question.<sup>137</sup> While the documentation relating to Grant's heritable infeftment of these lands does not appear to have survived, it cannot be immediately dismissed as a fraudulent claim because at no point did Gordon attempt to refute Grant's allegations concerning a 1575 base infeftment with no possession. At this stage the only counter-argument Alexander Gordon's procurators could muster was that his heritable infeftment dated back to 1575, twenty years before Grant's alleged charter had been issued.<sup>138</sup>

The February 1595 court evidence also demonstrates that another person got dragged into this dispute. This unfortunate bystander was a close relative of Alexander Gordon's, Sir Thomas Gordon of Cluny, who held lands in Strathavon directly from the earl of Huntly, and Cluny had previously sub-infeudated some of those same lands to John Grant. Indeed, Thomas Gordon's evidence shows that 1595 was not the first occasion that Alexander Gordon had dragged him into the dispute and that he had also been forced

<sup>135</sup> Cathcart, *Kinship and Clientage*, 197.

<sup>136</sup> It may also just be a coincidence that these three *dabhaichean* were the same three that had originally been possessed by the Grants of Freuchie in the lordship in 1491.

<sup>137</sup> [http://www.scotlawcom.gov.uk/downloads/dp128\\_lr\\_rectification.pdf](http://www.scotlawcom.gov.uk/downloads/dp128_lr_rectification.pdf) Before the Register of Sasines was established in 1617 it appears that a public infeftment, involving either a charter of resignation or conformation, had been preferred over a base infeftment, unless the base infeftment was followed by possession. John Grant was clearly arguing for the latter in Alexander Gordon's case. The law was changed by the Real Rights Act of 1693 so that the differences between public and base infeftments were removed and the first sasine registered would always prevail.

<sup>138</sup> NRS, GD248/68/2/9. Although this document is badly damaged, the core of the accusations against John Grant are preserved.

to defend himself on a regular basis from 1575 onwards. In any event, 1595 seems to have been the first occasion that Alexander Gordon was successful in persuading the Lords of Council to cancel the letter of tack between Thomas Gordon and John Grant, and Sir Thomas was still writing to the Lords of Council in 1598 in an attempt to persuade them to change their decision.<sup>139</sup>

A handwritten note on the reverse of this last document, written by the messenger James Chalmer, indicates that a copy of Thomas Gordon's legal challenge to Alexander Gordon had been delivered to the latter on 21 February 1598, and that Alexander Gordon had been personally charged and summoned to appear before the Lords of Council to answer Thomas's plea.<sup>140</sup> Interestingly, throughout this period Sir Thomas Gordon refused to back down in the face of Alexander Gordon's litigation and he continued to support John Grant to the extent that he issued new tacks of other lands he possessed in Strathavon to Grant in 1596 and again in 1604.<sup>141</sup>

There is no doubt that John Grant survived these accusations since he kept possession of his six Strathavon *dabhaichean* without penalty, nor was he found guilty of destroying woods. From the surviving evidence it is not clear whether the court cases stopped between 1598 and 1602 or if the dispute just rumbled on without generating any new paperwork. Whatever the case, in 1602, Alexander Gordon obtained a decret of removal against John Grant, his tenants, and his cottars in Strathavon.<sup>142</sup> By this time, it looks as though the Lords of Council had become disenchanted with the whole Strathavon legal process and Alexander Gordon was ordered to take his charter chest to Edinburgh so that the contents might be examined by the Lords of Council to determine whether he or John Grant held the superior title to these Strathavon lands.<sup>143</sup> In addition, the 1602 decret of removal was shortly followed by a second action in which Alexander Gordon's lawyers had clearly found a new stick with which to beat John Grant.

Seemingly for the first time in any of these proceedings, Alexander Gordon's legal team brought up the matter of caution. Specifically, that under the laws of the realm all liferenters had to provide caution to the superior lord for any damage caused to buildings, orchards, woods, parks, meadows, dovecots, and wild beasts such as deer and roe. This seems to have been based upon a 1491 act of King James IV that had been re-affirmed

<sup>139</sup> NRS, GD248/78/2/17.

<sup>140</sup> *Ibid.*

<sup>141</sup> NRS, GD44/6/7.

<sup>142</sup> NRS, GD248/78/3/6.

<sup>143</sup> *Ibid.*

by King James V in 1535.<sup>144</sup> In 1603, according to the letter of the law, the Lords of Council found in favour of Alexander Gordon and ordered John Grant to provide caution.<sup>145</sup> Presumably, they had decided that Alexander Gordon held the superior title to these lands. That was the extent of Gordon's victory: the notice of removal against Grant and his tenants was rejected and Grant was again found not guilty of destroying the forests of Strathavon.

Fortunately, the list of witnesses called in 1602/03 to support John Grant's defence for the numbers of trees being used has survived and it makes interesting reading. To aid his cause he called up forty-one people from Glen Rinnes, the parish of Mortlach, Rothiemurchus, Badenoch, Cromdale, Kincardine, the Braes of Mar, Castletown of Braemar, and Strathavon itself.<sup>146</sup> This geographic spread can perhaps be interpreted as indicative of the precise locations in eastern Scotland where people built structures similar in size and construction technique to those found in the lordship of Strathavon.

In any event, Alexander Gordon had clearly been thwarted in his intent to evict Grant and his tenants from these six *dabhaichean* in Strathavon for a third time, even though he had legally determined that Grant should in future pay him surety. Gordon, however, was obviously determined to pursue Grant and eventually succeeded in his aim. It is unfortunate that the documentation connected with this fourth and final attempt to oust Grant of Freuchie from these six *dabhaichean* does not seem to have survived since the final reckoning is quite remarkable.

Having previously been cleared of all wood-related offences between 1575 and 1611 by the Lords of Council (with the exception of having to find surety), on 24 March 1612 John Grant admitted to all of the decrees Alexander Gordon had brought against him since 1602 and agreed to remove himself and all of his tenants and cottars from the six Strathavon *dabhaichean* as soon as possible. Grant resigned his six Strathavon *dabhaichean* and all other rights he possessed in the lordship to Gordon in 1613 but the process of withdrawal from the other lands in Strathavon that Grant held separately from those six *dabhaichean* was not fully completed until 1618.<sup>147</sup> There is no sign that Grant received anything from Gordon in return for removing himself and his tenants from Strathavon and surrendering his liferent of the lands. Nevertheless, as he had clung on to these lands for so long in the face of continual legal hostility from Alexander Gordon this seems like a very

<sup>144</sup> *The Records of the Parliaments of Scotland to 1707*, ed. K.M. Brown et al. (St Andrews, 2007), 1491/4/4, accessed 31 March 2008; *ibid.*, 1535/23, accessed 31 March 2008.

<sup>145</sup> NRS, GD248/78/2/37.

<sup>146</sup> NRS, GD248/78/2/49.

<sup>147</sup> NRS, GD44/16/13/9; RD1/271.

odd decision unless some other records relating to Grant's change of mind have been lost.

*The Grants of Freuchie: Destroyers of Woods?*

In environmental history terms, there is little doubt that the Grants of Freuchie played a prominent role over time in both the commercialisation of timber extraction and in replacement tree planting in Strathspey and elsewhere throughout most of their estates post-1500.<sup>148</sup> Even though there is no specific surviving information of this type in relation to their tenure in the lordship of Strathavon, a brief evaluation their tenure of other forests in Scotland during the sixteenth and early seventeenth centuries can help shed light on what may – or may not – have been occurring in the woods of Strathavon before 1612.

In fact, looking at the wider context, there is every reason to suggest that Alexander Gordon could have been making spurious claims against both John Grants (4<sup>th</sup> and 5<sup>th</sup>) of Freuchie between 1575 and 1612. For example, in 1584, and after nine years' worth of accusations concerning the destruction of forest in Strathavon had been levelled at John Grant (4<sup>th</sup>) of Freuchie by Alexander Gordon, a report was produced for King James VI on Grant's management of the royal forest of Clunie on the north side of Loch Ness, which was also clearly a major forest resource at that time:

[...] Forsameikle as it is humeblie meint and schawin to ws be our Johne Grant of Frewchy That quhair he hes all and hail the landis of Urquhart and forrest of Cluny with the woddis thair of and pasture of the samen and all thair pertinentis Lyand in the lordschip of Urquhart and our sheriffdome of Innernes perteing to him in heritage as his infetment and seasing thair of perportis And howbeit he takis greit laibour and makis large expenses upounn the dyking planting haidging and keiping of the saidis woddis and growand treis thair of deir da Ra and uyir pasture of the said forrest According to the statuttis & actis of parliament maid thairupounn To the decoratiounn outset and policie of our realme. [...]<sup>149</sup>

Of course, the fact that Grant was likely involved in the production of this report about his own forest management abilities might diminish its overall effectiveness but the same document continues to state that un-named locals were in the habit of destroying Grant's improvements to the royal forest. If true, this would lend veracity to his actions concerning forest management. Furthermore, it must equally be questioned whether Grant would risk lying

<sup>148</sup> H.M. Steven & A. Carlisle, *The Native Pinewoods of Scotland* (Edinburgh, 1959), 112–14; David Nairn, 'Notes on Highland woods, ancient and modern', *Transactions of the Gaelic Society of Inverness*, xvii (1892), 170–221.

<sup>149</sup> NRS, GD248/13/6/16.

about these developments to a king who actively participated in hunting in his royal forests.

In addition, as lords and barons of Glencarnie both John Grants (grandfather and grandson) were responsible for the major forest resources in the Dulnain valley and they also possessed the woods of Kincardine (now known as Glenmore Forest) at the same time. Nevertheless, perhaps John Grant (5<sup>th</sup>) of Freuchie's greatest coup occurred in Strathspey when he received all of the rights to the forest of Abernethy from the three landholders in the parish of Abernethy, the earl of Moray, the bishop of Moray, and the marquis of Huntly between 1606 and 1611.<sup>150</sup> Again, if Alexander Gordon had been justified in his complaints and both John Grants were indeed notorious destroyers of trees during their lifetimes, it should be questioned why these three individuals would together combine to give John Grant (the grandson) effective control of yet another major woodland resource?

In all, by 1612 John Grant (5<sup>th</sup>) of Freuchie either already possessed or had been recently granted possession of some of major woodland resources across Moray and this in itself, if taken at face value, would tend to contradict the accusation levelled at him by Alexander Gordon of Strathavon that he was a destroyer of woods. However, such an interpretation is conditional upon an evaluation of the actual surveys.

### *Analysis of Documents*

#### *Dating the documents*

While there is no obvious evidence with which to date these documents it is immediately clear that there are significant differences between both the numbers of couples required for building purposes and the numbers of structures between the two surveys. Although it might be objected that we are not comparing exactly like-for-like between the two surveys, they do have enough in common to make such a comparison worthwhile.

The first point of comparison has to be the quarter-*dabhach* of Delvorar, the only unit that is detailed in both documents (see Figure 1). In document A, Delvorar is listed as containing a total of forty-three structures consisting of seven fire houses (including three cottar houses), two chalmers, seven coitts, nine barns, seven byres, five stables, one kiln, one kiln barn, and four houses for female servants.<sup>151</sup> In document B, Delvorar is listed as possessing twenty-nine structures consisting of two fire houses, three chalmers, five

<sup>150</sup> NRS, GD44/28/11; GD248/87/2/1; GD248/39/2; RMS, vii, no. 80.

<sup>151</sup> It is hoped that the female servant houses also possessed fires even though this is not stated in either document.

barns, five byres, two stables, three coits, one kiln, one kiln barn, three cottar houses, and four houses for female servants.<sup>152</sup>

*Figure 1: Numbers of structures and couples in the quarter-dabhach of Delvorar*

Document A structures	Number of couples	Document B structures	Number of couples
Fire house	5	Fire houses (2)	9
Fire house with byre and stable	8		
Chalmers (2)	8	Chalmers (3)	11
Oat barns (3)	14	Oat barns (3)	13
Bere barns (2)	9	Bere barns (2)	8
Barns (4)	8		
Cottar Houses (4)	8	Cottar Houses (3)	6
Oxen byres (2)	6	Oxen byres (3)	9
Cow byre	6	Cow byres (2)	9
Byres (4)	8		
Stables (5)	11	Stables (2)	6
Kiln	4	Kiln	1
Kiln barn	2	Kiln barn	4
Sheep coit	3	Sheep coit	3
Goat coit	3	Goat coit	3
Coits (5)	12	Coit	2
Woman houses (4)	16	Woman houses (4)	8
43 structures	131 couples	29 structures	92 couples

Such a straightforward calculation does not tell the whole story. There is a difference of thirty-nine couples required for all structures in Delvorar between document A and document B: this difference is not merely due to larger numbers of some types of structure listed in document A but also to the fact that some of those structures were longer. For example, while the number of female servant houses in Delvorar remains constant over the two surveys they are twice the length in document A. This must surely reflect a need to house a larger labour force at the time document A was compiled. If it did, this could also help to explain the almost double capacity of cereal barns and structures built to either house or shelter animals in document A in comparison to document B. However, it is also important to realise that this increase in the number and size of structures at Delvorar may not be linked to an agricultural and pastoral success story and it should be considered whether they resulted from changing climatic conditions.

<sup>152</sup> In document B neither the cottar nor the female servant houses is listed as possessing fires.

The use of proxy environmental measures clearly indicate that around 1580 there was a pronounced downturn in average summer temperatures across the Northern Hemisphere as the climate further deteriorated away from the Medieval Warm Epoch towards the Little Ice Age. Although this data derives from Ural and Siberian tree-ring data and from the Greenland ice cap, there is supporting historical and palaeoenvironmental evidence to indicate that some Scots also experienced increasingly bad weather patterns after 1550, which would have shortened the growing season for both cereal crops and fodder, together with a reappearance of the plague in the 1580s.<sup>153</sup> During this period it is more than likely that some agricultural activities in Scotland, like the drying of winter fodder, would increasingly have taken place at a greater rate under shelter. All of which could account for the increased number and size of servant houses, barns, stables, byres, and coits since the livestock too would have required increased access to shelter to alleviate the effects of high winds and rain. This scenario could also be used to explain the 400% increase in the size of the kiln that could represent a very real need to quickly process an increasing amount of wet raw material throughout and after the growing season.

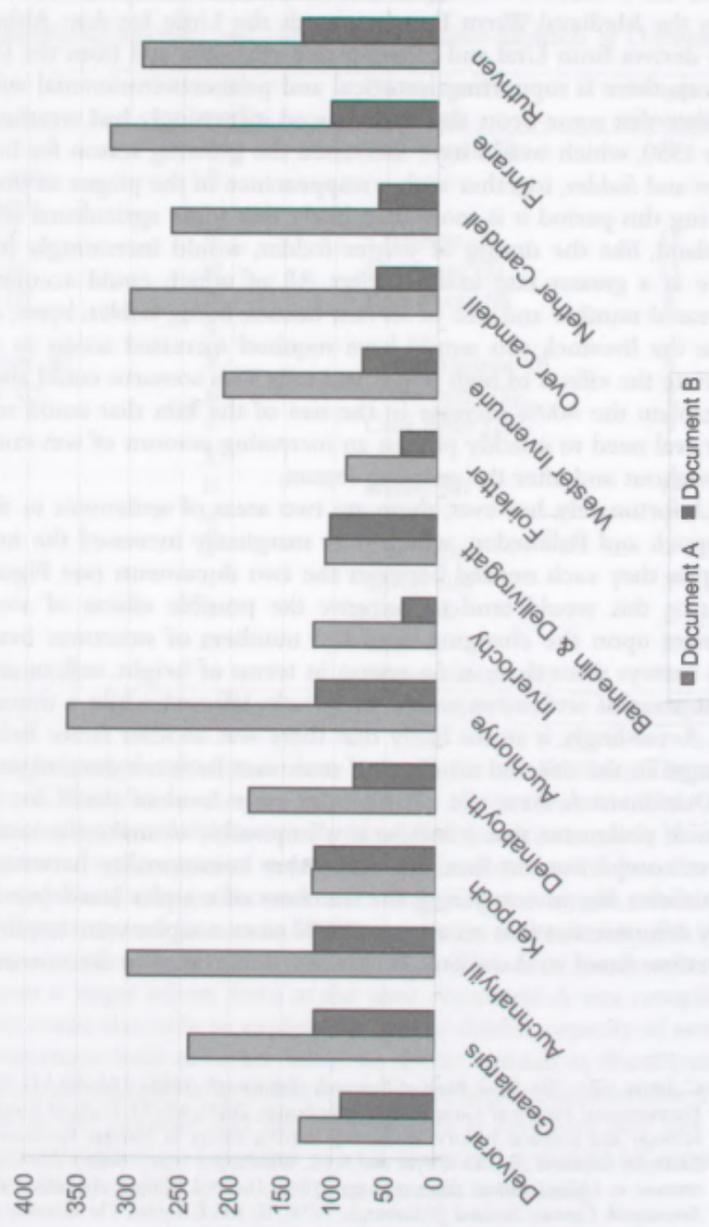
Unfortunately, however, there are two areas of settlement in the survey, Keppoch and Ballineden, which only marginally increased the numbers of couples they each needed between the two documents (see Figure 2). On balance, this would tend to mitigate the possible effects of any climatic changes upon the changing sizes and numbers of structures between the two surveys since there is no reason in terms of height, soil, or aspect why most areas of settlement would be greatly affected while a minority were not. Accordingly, it seems likely that there was another factor behind these changes in the size and numbers of structures between documents A and B.

Document A does not provide the same level of detail for the other areas of settlement that it lists so it is impossible to make the same level of direct comparison. In fact, the only other commonality between the two documents lies in comparing the numbers of couples listed (see Figure 2). This demonstrates that on average 250% more couples were required for the structures listed in document A than for those listed in document B.<sup>154</sup>

<sup>153</sup> C. Innes (ed.), *The Black Book of Taymouth* (Edinburgh, 1855), 124–42; I.G. Simmons, *An Environmental History of Great Britain* (Edinburgh, 2001), 69–70; Richard Tipping, 'Palaeoecology and political history: evaluating driving forces in historic landscape change in southern Scotland', in I.D. Whyte and A.J.L. Winchester (eds.), *Society, Landscape and Environment in Upland Britain* (Birmingham, 2004), 11–20; I. Whyte, *Agriculture and Society in Seventeenth Century Scotland* (Edinburgh, 1979), 11; S.G.E. Lythe, *The Economy of Scotland in its European Setting, 1550–1625* (Edinburgh, 1960), ch. 1.

<sup>154</sup> This percentage does not include shielings since there is no direct comparison for these between the two documents.

Figure 2: Number of couples required



These figures are important for one simple reason: if document B was later in date than document A, it is very unlikely that Alexander Gordon would have initiated a lawsuit in relation to the destruction of the forest resource if the need to exploit that resource had been reduced by an average of 250%. Logically, this would suggest that in chronological terms document B is the earlier of the two sources and that during the time gap between the writing of the two documents, a number of the structures upon the Grant lands in the lordship of Strathavon had been replaced by larger buildings and that many more new structures had been erected. These, however, were not the only changes.

#### *Architecture and building techniques*

Both documents seem to describe broadly similar buildings that essentially consist of a wooden framework, part of which supported turf walls. Although there is no mention of stone foundations in the documents, the surviving ruins upon some of these lands all currently possess such a feature. Archaeological investigation would be required to determine whether these stone foundations are an original feature or whether they overlie an earlier wooden structure.<sup>155</sup>

The documents always specify the numbers of couples and (usually) two tail forks per structure that underpinned the wooden frameworks. All the couples seem to be built in an identical manner and comprise foundation joists, legs, braces, cross beams, arms and (wooden) nails. Both documents also agree that seven great trees were required for roof timbers between each couple, including the tail forks. Based upon this calculation, a five couple house with two tail forks would require forty-two great trees for the major roof timbers. More importantly, this constant surely demonstrates that the relative distances between each couple and the tailforks within a given structure did not change between the two surveys.<sup>156</sup> Finally, both documents agree that many of the structures they describe were partitioned down the centre so that, for example, a five couple building with two tail forks would contain a total of twelve rooms, six on each side of the structure.

There are, however, some noticeable constructional differences within the two documents. For example, while document A states that each couple consisted of twelve trees, it does not indicate the equivalency of the tail forks to either couples or to trees. In contrast, in document B it is stated that each couple consisted of ten trees, eight great and two small, and that

<sup>155</sup> Dr Piers Dixon has noted that similar stone footings in neighbouring Strathdon and Strathdee date to a pre-improvement period between 1650 and 1750, *In The Shadow of Bennachie* (RCAHMS, 2007), 201–4.

<sup>156</sup> The figure of 10ft between couples is often quoted but is a presumption. The distances could vary from 6ft to 19ft. My thanks to Dr Piers Dixon for this information.

each tail fork, together with its gables and sides, counted as one couple.<sup>157</sup> Notwithstanding the lack of information concerning tail forks in document A, it looks as though the couples described in that document were of greater architectural intricacy than those described in document B since they required an extra two trees to assemble. If this was the case, it does not seem that this greater design complexity resulted in an increased load-bearing capacity since the numbers of roof timbers and the distance between those same couples look to have remained constant. Alternatively, it might be that there were fewer mature trees in Strathavon available to construct couples at the time document B was compiled though it would be impossible to prove this.

There are other design differences. According to document B, each room within any structure required forty cabers, together with twenty cassocks, to hold up the turf wall along one side of that room. In contrast, document A lists these numbers at eighty cassocks and 120 cabers per room, which is a massive increase in the amount of small timber required for each structure. These latter figures, despite the different ratio between cabers and cassocks, could indicate that the load bearing capacity of these internal walls had been greatly increased by the time of document A. This perhaps demonstrates that either a greater density of turf was being utilised or that the turf walls were being built higher than previously. Trying to decide why all these changes had occurred is quite another matter since there currently is no other known Scottish material to provide context.

First, it is impossible to reject the notion that these changes in building size, couple design, and walling could have been brought about by simple design changes to local building construction spread across a relatively short period of time. Although there is no evidence of this happening on the Grant estates during the middle half of the sixteenth century, it certainly occurred upon their estates during the later half of the eighteenth century when the factors dictated what methods and materials tenants should use to build new dwellings.<sup>158</sup>

Second, it has already been noted earlier that changing weather patterns could have been partly responsible for the differences in both length and numbers of structures between the two documents. There is, however, a second possible explanation for the differences between the two documents: the mass-movement of people. During the latter half of the sixteenth and

<sup>157</sup> The document appears to contradict itself in describing the amounts of trees required for gables. However, upon the two occasions when the composition of tail forks is described, the scribe was not comparing like-for-like. At the beginning of the document it is stated that only one tree was required for each tail fork alone, whereas at the end of the document it is stated that ten trees were required for each tail fork with its gables and sides.

<sup>158</sup> NRS, GD248/1020.

into the seventeenth century, the Grants of Freuchie were clearly encouraging the settlement of displaced Macgregors upon their lands in Strathavon and elsewhere in Moray. The Privy Council cited the Grants of Freuchie twice, in 1563 and in 1613, in attempts to force them to expel Macgregors both from Strathavon and from other parts of the Grant estates and, on the latter occasion, James Grant of Freuchie was fined 40,000 merks. In addition, Patrick Grant of Ballindalloch was fined £5,000 Scots, Patrick Grant of Carron £1,000 Scots and Campbell of Cawdor 2,000 merks. The fines imposed upon smaller tenants, the vast majority of whom lived in Strathavon, ranged between 200 and 500 merks.<sup>159</sup> Gaffney has suggested that such men were useful to the Grants of Freuchie in pursuing local feuds and the extent of the alliance between the Grants and the Macgregors can perhaps be measured by the fact that a bond of manrent was agreed between John Grant of Freuchy and John dubh Macgregor at Abernethy on 20 June 1592.<sup>160</sup>

Of course, without knowing exactly when, how often, and how many Macgregors moved onto the Grant lands in Strathavon post-1550 it is impossible to make any direct correlation between internal migration and the increase in the numbers of structures between document B and document A. Nevertheless, if a migration of MacGregors into Strathavon did occur sometime between the production of the two tree surveys, such a scenario has an added bonus in that internal migrants may well have brought along their own ideas and practises in relation to the construction of different structures and this could account for some of the differences in building techniques found between documents A and B.

Document B also states how often the component timbers of each structure were to be replaced. According to this, every structure (including the couples) was completely renewed every seven years. In contrast, all other wooden components in every structure were ideally required to be renewed every year, or at most every second year. Presumably, this annual or biennial renewal of the walls, windows, roof timbers, and joists must also have necessarily required that the turf walls be renewed at the same time since divots quickly rot down and become difficult to separate for re-use. It can only be presumed that the old timbers were utilised for fuel while the old turf could easily have been mixed with manure and spread onto areas of crop production to deepen soils. Furthermore, since it has been calculated that the largest of this type of structure required one acre of turf for walling, townships with between twenty and forty structures would have required almost constant access to large amounts of turf. There is later evidence from another part of

<sup>159</sup> *The Register of the Privy Council of Scotland*, ed. J.H. Burton et al. (Edinburgh, 1877-), 1<sup>st</sup> ser., x, 142-44 (hereafter *RPC*).

<sup>160</sup> Gaffney, *Strathavon*, 68-9; Wormald, *Bonds of Manrent*, 304.



the Grant estates in Strathspey that such reservoirs of turf for building were actively managed but no such proof has survived for Strathavon.

#### *Types of wood used*

Document B alone specifies which types of tree were used for different purposes in each area of settlement and these can be seen in Figure 3.

From this it is evident that only three areas of settlement did not appear to possess the full complement of Birch, Alder, Aspen, Rowan, Hazel, and Willow. These three areas also happened to be the three highest in terms of altitude but since there is only around ten metres height difference between them and the next areas of settlement further down the valley, it is unlikely that altitude alone could account for the apparent lack of Hazel, Willow, and Aspen. Instead, it may be that human interference was to blame for their absence in particular areas. Alternatively, it may be that these trees were present in those areas but the inhabitants had deliberately chosen not to utilise them for building purposes around the time of the survey, perhaps due to immaturity of the wood.

Of these six types of tree the most commonly mentioned in Document B are Birch and Alder, which were utilised in every type of structure. This is logical since Alder coppices readily on a rotation of twenty to thirty years and Birch also generally responds well to the same kind of management. Aspen, Rowan, Hazel, and Willow also appear to have been used in most structures and this usage must reflect the fact that Willow, Hazel, and to a lesser extent Rowan, all coppice well and have a variety of uses ranging from fencing to basket work. Rowan is also notable for its toughness and was prized for both cart making and for agricultural implements. All ladders were completely made from Alder.<sup>161</sup>

What is perhaps surprising is that there is no mention of Pine in either of these documents. It is thought Pine had been widely used throughout the Highlands for building purposes so its omission from these documents is puzzling.<sup>162</sup> There are two main options. First, Pine was not present in Strathavon at that time. Second, that Pine was present but wholly reserved for a different use. Although the historical data cannot help inform which of these options is correct, a more recent survey of woodland in Strathavon also highlights an unusually low percentage of Pine. This was conducted for Scottish Natural Heritage in 1997 and found that while woodland occupied about 24% of land below 600 metres in Strathavon, only 53% of that total was comprised of native woodland. Less than 1% of the latter percentage

<sup>161</sup> John Nisbet, *The Forester: A Practical Treatise on British Forestry and Arboriculture for Landowners, Land Agents and Foresters*, 2 vols. (Edinburgh, 1905), i, 144–85.

<sup>162</sup> T.C. Smout, Alan R. MacDonald & Fiona Watson, *A History of the Native Woodlands of Scotland, 1500–1920* (Edinburgh, 2005), 84–90.

Figure 4: Structures in document B

Township	Fire		Houses	Mills	Chalmers	Kitchen	Barns	Coitts	Byres	Seed			Cottar	Servant	Total
	Houses	Buildings								houses	houses	Stables			
Delvorar	2		3			6	3	5		2	1	3	4		29
Geablargis	4					8	4	8		4	1		4		33
Auchnahyill	4					8	4	8		4	1		4		33
Keppoch	4					8	4	8		4	1		4		33
Deinaboith	2		2			4	2	4		2	1	4			23
Auchlonye	4					8	4	8		4	1	4			33
Innerloquhye	1		1			3	1	2	1	1		2			12
Ballinedin & Delivrogatt	4					8	4	8		4					28
Foirletter	1		1			2	1	2		1	1	1			10
Wester Innerourie	3		1			6	3	4		1	1	1			20
Over Camdell	3		2			6	3	2		1	1	1			19
Nether Camdell	3		1		1	8	3	1		1		2			20
Fynrane	4					8	4	8		4	1		4		33
Ruthvene	6		1			12	6	6		6			6		43

was comprised of 'genuinely native' Pines (comparative figures for native Pines were Deeside 20% and Strathspey 27%).<sup>163</sup> Of course, in the absence of palaeoenvironmental data it would be wrong to make any kind of correlation between the information in the two historical surveys and the SNH report but, taken together, they indicate that undertaking pollen work on the area would be advantageous.

#### *Numbers and types of structures*

It is to be regretted that neither of the documents contain the same level of information regarding types of structures. This means that any analysis of structures is heavily dependent on document B alone (see Figure 4 below). The first point to note is the regularity of numbers and types of structures in four areas of settlement, Fynrane, Keppoch, Auchnahyill and Geablargis.<sup>164</sup> While three of these were contiguous, forming part of the same *dabhach* of Delvorar, Fynrane was part of another *dabhach* in the lordship. While it may just be a coincidence that these four areas possessed the exact same number and types of structure, the probability of this occurring by chance must be lessened by the fact that all of the remaining ten areas of settlement contained completely different numbers and types of structures. Accordingly, this might indicate that the types and numbers of structures found upon Fynrane, Keppoch, Auchnahyill and Geablargis were part of a deliberate plan of exploitation, even if it is no longer clear what that might have been.

Slightly more curious is the fact that only one area of settlement, Delvorar, accommodated both cottars and servants. It is difficult to rationalise this: the quarter-*dabhach* of Delvorar was no larger in extent than any of the other three quarters of that *dabhach* and, faced with a substantive lack of other contemporary evidence, it is unlikely that the reason for it requiring the presence of both cottars and servants will ever be known. Virtually all of the remaining settlements allowed for either cottars or servants but not both. It is again very difficult to discern any pattern in this information. Perhaps one scenario might be that this choice of either cottars or servants could reflect a conscious restriction of the rights traditionally assigned to cottars by employing more servants.<sup>165</sup>

Elsewhere in Scotland, Ian Whyte has highlighted the fact that during the seventeenth century farms in upland parishes in Mar tended to have large

<sup>163</sup> N. Mackenzie, *The Native Woodlands of Strathavon and Strathdon* (SNH Commissioned Report No. F97AA101, Edinburgh, 1997).

<sup>164</sup> Though having identical numbers and types of structures, they did not require the same amounts of trees for building and maintenance.

<sup>165</sup> A good discussion of cottars can be found in: M.H.B. Sanderson, *Scottish Rural Life in the Sixteenth Century* (Edinburgh, 1982), 43–5; M.H.B. Sanderson, *A Kindly Place? Living in Sixteenth-Century Scotland* (East Linton, 2002), 32–4.

numbers of tenants and very few or no cottars and servants and he argued that in such cases the tenants must have done all the work.<sup>166</sup> However, the situation in Strathavon seems to have been more fluid and in fact only one area of occupation, Ballinedin and Dellivrogat in the *dabhach* of Inverlochy, required neither cottars nor servants at the time document B was produced.

There are three further oddities in document B that are worth discussing in this section. The first of these is the presence of a structure called a kitchen in Nether Camdell and it can only be presumed that this building was linked in some way to feeding large numbers of people. In this respect it is noticeable that it was located centrally in the parish of Kirkmichael.<sup>167</sup> The second structure of note is the seedhouse, located in the *dabhach* of Inverlochy in the north of Kirkmichael parish. Since it is unique in the survey it can only be presumed that it was a location for the common storage of grain seed. If this was the case, it is unfortunate that neither of the surveys looked at the other part of the Lordship of Strathavon, the parish of Inveravon, since this makes it impossible to tell whether the Inverlochy seedhouse was purely for the use of the inhabitants of Kirkmichael parish or for the use of the inhabitants of the entire lordship. The final oddity is the presence of a wooden chimney on the fire house at Inverlochy. While the construction of this is described in detail, it is not clear why this structure in Inverlochy merited such a technical achievement. As far as it can be ascertained from the surviving records, there was nothing special about either Inverlochy or the people who lived there that could explain why a chimney was thought to be worth investing twelve trees in. Accordingly, it may just have been a technical innovation undertaken by the tenant for his own purposes of display.<sup>168</sup>

It is also noticeable that only ten of the fourteen listed areas of settlement in document B possessed kilns. What this meant in terms of crop production for the four areas without a kiln is unknown and likely to remain so unless pollen work is undertaken in those areas. The scenario is further complicated, however, by the fact that one of the settlements without a kiln, Inverlochy, possessed a kiln barn. There are perhaps four main options. First, the inhabitants of Inverlochy contracted to get their grain dried by a third party. Second, the scribe accidentally missed out recording the kiln at Inverlochy, possibly because it formed an integral part of the kiln barn. Third, the Inverlochy kiln was temporarily out of commission. Finally, the inhabitants

<sup>166</sup> Whyte, *Agriculture and Society*, 143.

<sup>167</sup> Document A noted the presence of two kitchens in Innerloquhye and Nether Camdell.

<sup>168</sup> By the time of the second survey the tenant was Robert Grant, brother to Freuchie. This could explain the chimney but for the fact that it is unknown whether he was also the sitting tenant at the time of the first survey.

of Inverlochry grew no cereal crops and bought in grain for consumption and storage as they required it.

By the time document A was produced, however, Inverlochry was listed as possessing a kiln so it is possible that the third of the four suggestions listed above was the most accurate. This case is perhaps strengthened by the fact that by the time of document A both Delvorar and Fynrane had seemingly 'lost' their kilns while, like Inverlochry, Nether Camdale had also gained a kiln. More importantly, one of the four areas of settlement that did not possess a kiln in either of the two surveys was Ruthven. This is an important omission since Ruthven was also the site of the only mill listed. This would indicate that all material for milling had been pre-dried before it reached Ruthven.

Finally, both documents also mention shielings but not in any great detail. Document B, for example, lists them immediately after Ruthven so it is not clear whether the forty couples it notes were just for the shielings of Ruthven or for all the listed areas of settlement in that survey. Document A, on the other hand, provides slightly more detail and states that all of the areas of settlement it listed possessed sixty shielings, each structure being six couples in length. This leaves two choices: either Ruthven possessed six-seven large shielings or the numbers and size of this type of structure massively increased between the two surveys. Given that a single area of settlement in Scotland could easily possess six or seven shieling buildings in its own right,<sup>169</sup> there is a strong suspicion that the shielings listed in document B were for the sole use of the inhabitants of Ruthven.

Unfortunately, neither document specifies if these shielings and their couples were also completely renewed every seven years with the smaller timber being renewed annually, or whether shieling structures required a completely different plan of maintenance and renewal. The only information provided is that 1000 trees were required for the shielings per annum. Nor do the documents specify whether the architecture of the shielings also included tail-forks. If they did, these six-couple shielings must have been approximately seventy feet in length. If not, the shielings would have been around fifty feet in length.<sup>170</sup>

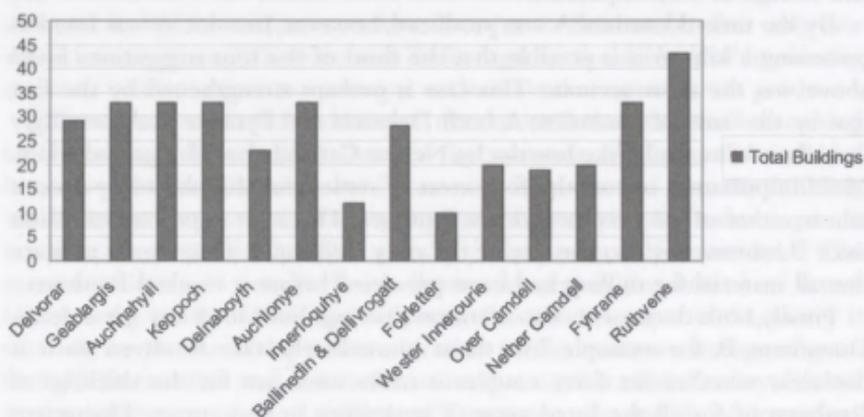
#### *Amounts of wood used*

Only one of the surveys, document B, specifies how often the wooden structures, furniture, and assorted implements had to be renewed. This can

<sup>169</sup> There are numerous examples of this in a number of unsurveyed shieling sites throughout the Cairngorms and Monadh Liath such as the complexes around Loch Spey. These latter structures, for example, can be linked to historical documentation: NRS, CR8/194.

<sup>170</sup> One such structure, the shieling of Fergimor, was located in January 2007. The stone footings of this structure measure 66ft in length. It is not yet clear how typical this size is in the area.

Figure 5: Numbers of buildings in document B



be broken down into three sections. First were the materials that had to be renewed annually and this included all household items, ploughing and husbandry items, ladders, fencing, and the interior partitions of barns, byres, and stables. Second were all the intermediate timbers and wattling between each couple and the tail forks which had to be ideally renewed every year and certainly biennially. Third were the couples and their associated timbers that were renewed every seven years when each structure was completely renewed. Figure 5 (above) lists the numbers of buildings in document B.

The material that had to be renewed annually included the internal partitions in byres and barns, hay mangers, ploughs, plough gear, harrows, barrows, corn forks, manure forks, saddles, spades, creels, doors, windows, tables, chests, stools, chairs, other household furnishings, ladders, and fences. The total amounts of wood required for these are calculated below in Figure 6. It must be presumed that some of these materials like the ploughs and barrows were made out a harder wood like Rowan. Birch and Alder will rot quickly if put into the ground for fencing and it must be supposed that dampness also affected household items like stools, chests, tables, and chairs.<sup>171</sup> Presumably, all of this type of material was recycled for fuel at the end of every year. The final row of this table then adds the number of trees per annum for the shielings belonging to all the settlements.

<sup>171</sup> Nisbet, *The Forester*, i, 160-4.

*Figure 6: Number of trees needed for wooden items renewed annually*

Settlement	Household fittings	Ladders and fences	Barn fittings	Plough gear	Annual total of trees to renew all items
Delvorar	90	34	64	70	258
Geablargis	300	120	80	200	700
Auchnahyill	300	120	80	200	700
Keppoch	300	120	80	200	700
Delnaboyth	240	80	40	80	440
Auchlonye	240	80	80	80	480
Innerloquhye	120	80	8	80	288
Ballinedin & Dellivrogatt	300	120	80	200	700
Foirletter	120	80	8	80	288
Wester	80	50	8	160	298
Innerourie					
Over Camdell	120	60	0	80	260
Nether Camdell	120	60	0	80	260
Fynrane	120	80	20	80	300
Ruthvene	280	100	40	200	620
All shielings					1000
Totals	2730	1184	588	1790	7292

The second group includes all house timbers that had to be renewed either annually or at least biennially. For the purposes of this calculation it has been decided to calculate these figures on an annual basis since this will clarify the maximum possible annual demand on the wood reserves. These timbers were all formed from immature trees and used for items like floor joists, rafters, cabers, cassocks, pans, and wattling. These calculations can be found below in the second column of Figure 7. The third column then adds the totals from Figure 6 and the final column multiplies these figures by seven to calculate the maximum theoretical amounts of trees required during the seven-year life-cycle of every structure.

The final sub-division is for the couples and their associated timbers that were only renewed every seven years. Figure 8 (below) adds these figures to the seven-year totals of all annually renewable timbers to provide an overall seven-year total in the final column.

Figure 7: Number of trees needed for wooden items renewed either annually or biennially

Settlement	Tree totals for all timbers excluding couples	Totals from Figure 6	Maximum total trees every seven years
Delvorar	7719	258	55839
Geablargis	9727	700	72989
Auchnahyill	9727	700	72989
Keppoch	9727	700	72989
Delnaboyth	6611	440	49357
Auchlonye	9727	480	71449
Innerloquhye	2994	288	22974
Ballinedin & Dellivrogatt	8744	700	66108
Foirletter	2959	288	22729
Wester Innerourie	5205	298	38521
Over Camdell	4130	260	30730
Nether Camdell	4578	260	33866
Fynrane	8843	300	64001
Ruthvene	11834	620	87178
Totals	102525	7292 <sup>172</sup>	768719

Figure 8: Seven-year total of trees required

Settlement	Trees for renewal of couples every seven years	Total trees every seven years from Figure 7	Seven-year total of trees per area of settlement
Delvorar	976	55839	56815
Geablargis	1234	72989	74223
Auchnahyill	1234	72989	74223
Keppoch	1234	72989	74223
Delnaboyth	850	49357	50207
Auchlonye	1234	71449	72683
Innerloquhye	364	22974	23338
Ballinedin & Dellivrogatt	1096	66108	67204
Foirletter	379	22729	23108
Wester Innerourie	699	38521	39220
Over Camdell	627	30730	31357
Nether Camdell	680	33866	34546
Fynrane	1115	64001	65116
Ruthvene	1424	87178	88602
Totals	13146	768719	781865

<sup>172</sup> This total also includes 1000 trees for shielings.

This total figure of 781,865 trees per seven years is perhaps slightly misleading for two reasons. First, only around 10,500 of the 13,146 couple total were required to be mature timber. Second, the vast majority (768,719) of the final total was immature timber that had to be sourced either annually or at best biennially. It is also important to remember that timber would not have been the only demand made upon the woodlands of Strathavon at this time. Trees could also have been used to provide fodder for animals; fallen leaves could have been used as litter in the stalled-byres, and the barks of various trees also had many different uses. In addition, a good proportion of the upper part of Strathavon stretching to the top of Beinn Macduibh was designated as a hunting forest and, regardless of whether this area actually possessed any trees, the forester would likely have maintained 'deer-wood' as cover for the animals somewhere in the glen. They would not, however, have been used on a daily basis for fuel since the surviving Strathavon documents make it clear that peat was gathered for such purposes.

At face value, 109,817 trees seems a shockingly large amount of immature timber to source per annum but this all depends on how the resource was managed. Most trees grow quickest in the first few years of their lives and if they are harvested at a young age they are easier to process. Throughout much of Europe at this time the most common system of wood management was coppicing, usually referred to as 'coppicing with standards'. In this, most trees were either cut back to ground level or to stumps on a regular cycle and the stumps then sprouted new multiple shoots that could be regularly harvested. The 'standards' were a few mature trees that were left to grow to provide seed banks and shelter for livestock.<sup>173</sup> Each of the tree types named in the two Strathavon surveys coppice relatively well so, just for the sake of argument, if coppicing was used to manage the Strathavon wood resource on a regular cycle, and if each coppiced tree produced four separate trunks, we could immediately reduce the figure of 109,817 trees per annum to 27,454 trees per annum. Unfortunately, however, there are no surviving records relating to the management of forest in Strathavon before the eighteenth century so such calculations have to remain theoretical.

We can, however, speculate with these figures in another way. Since the survey covered fully two-thirds of the settled area of the parish of Kirk-michael, it is surely legitimate to suggest that the total amount of trees (or single coppiced trunks) harvested in the parish would have been approximately 41,181 per annum, or in crude terms, 4,576 per *dabhach*. If the same method is used to calculate tree-usage in the other part of the lordship of Strathavon, the thirteen-*dabhach* parish of Inveravon in which the Grants of

<sup>173</sup> Paul Warde, 'Fear of wood shortage and the reality of the woodland in Europe, c.1450–1850', *History Workshop Journal*, lxxii (2006), 28–57.

Freuchie also held lands, this would add a further 59,488 trees per annum to the total.

### *Conclusion*

What is perhaps most remarkable about these figures, despite the fact we have nothing substantial to compare them against, is that the evidence of tree usage provided by them was never queried by the Privy Council. Although John Grant (5<sup>th</sup>) of Freuchie was commanded by them to provide surety to Alexander Gordon under the terms of an earlier Act of Parliament, nobody in a position of power to judge the long-running complaints and court cases ever seems to have taken exception to the quantities of trees being processed across an annual or biennial period by the inhabitants of these Grant tenancies in the Lordship of Strathavon.

It is a shame that it has proven impossible to uncover Alexander Gordon's motivations in this case post-1575. While he has every appearance of having been an absentee lord, it is unclear whether he just wanted the Grant family to relinquish their tenancy and was using the alleged abuse of woodland to achieve those aims; whether he was concerned about the increasingly large amounts of wood being processed by the Grant family and their sub-tenants, or whether like many other Europeans he was genuinely worried about a perceived shortage of wood during the sixteenth century. On balance, the fact that he immediately initiated the lawsuit upon being granted these lands might suggest that this was a deliberate ploy in an attempt to break an earlier grant in liferent. It is equally unfortunate that the details of the final reckoning between Alexander Gordon and James Grant (5<sup>th</sup>) of Freuchie are missing since it is obvious that some kind of deal must have been struck between the two men. It is simply impossible to comprehend that the Grants who had successfully defended their rights in the face of thirty-seven years of virtually continuous legal hostility would suddenly admit to all of the accusations previously made against them and voluntarily surrender their lands in Strathavon.

HENRY FORRESTER,  
*THE PAITHE WAY TO SALVATIONE*, 1615<sup>1</sup>

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Edited by John McCallum

INTRODUCTION

This manuscript exists in a small bound volume in St Andrews University Library Special Collections. It appears to be unknown to historians of religion in early modern Scotland; its author, Henry Forrester, was a relatively anonymous minister in the early seventeenth-century church.<sup>2</sup> The work is dedicated to Sir William Oliphant, Lord Newton, one of the most senior judges of the day, but betrays no other hints as to the circumstances of its composition. Although it contains nothing in the way of theological controversy or argument, it offers a fascinating insight into the variety of forms of religious communication attempted by the reformed clergy in Scotland, and hints at a hidden culture of religious writing circulating in manuscript.

*The Author and the Dedicatee*

Very little is known about Henry Forrester. He was born around 1570, the son of another minister, Andrew Forrester, who served the parishes of Dysart, Falkirk and Kippen. He studied at Edinburgh University, starting his course (to judge from his graduation date of 1590) only a few years after it opened in 1583. He became minister of Larbert (later Larbert and Dunipace) in July 1597, and three years later was translated to Tulliallan, a small rural parish to the west of Dunfermline. He married Helen Gillespie, and they had three sons and two daughters, before he died in 1617, two years after completing the manuscript.<sup>3</sup> The only information we have on Forrester's ministry apart from the manuscript is that in 1600 he was attacked by the

<sup>1</sup> I am very grateful to Elizabeth Tapscott for her careful reading of my transcription, and advice on the biblical names, and also to Rachel Hart and Norman Reid of St Andrews University Library Special Collections for their assistance.

<sup>2</sup> Although see J. McCallum, *Reforming the Scottish Parish: The Reformation in Fife, 1560–1640* (Farnham, 2010), 95–120.

<sup>3</sup> *Fasti Ecclesiae Scotticae: the succession of ministers in the Church of Scotland from the Reformation*, 8 vols. (Edinburgh, 1915–50), iv, 310, 350, 363.

laird of Tulliallan 'with his gluiffis upon the face', for which the laird was fined 500 merks.<sup>4</sup>

Although there is no apparent connection between the two men, we naturally know much more about Sir William Oliphant.<sup>5</sup> His legal career began in 1577 when he was appointed an advocate, and by the 1580s he was serving as a justice-depute. By the turn of the century he was one of Scotland's most senior and well-trusted lawyers, and was appointed a lord of session in 1611, and a privy councillor in 1612. He was highly active on the Council, and was a commissioner for the trials of various Jesuits in 1613 and 1615, including John Ogilvie who was executed for denying the king's authority in February 1615.<sup>6</sup> This was the year of *The paithe way to salvation*, but there is no indication in the text of any connection to the Ogilvie trial. The dedicatory epistle refers only generally to Forrester's 'thankfulness' to Oliphant, and indeed the text is noticeably lacking in confessional rhetoric, as we shall see. The only other potential, but very loose connection, is that Oliphant would have been in Edinburgh at the time when Forrester was a student, but there is nothing to suggest that they had any link in the 1580s. With such sparse evidence to go on, we can say little more about the reason for the treatise's dedication to Oliphant. What further light can be shed on *The paithe way* and its author must be found within the manuscript itself.

### *The Manuscript and its Contents*

The manuscript was purchased by St Andrews University Library on 1 March 1944 from the bookseller Elkin Matthews, apparently at the request of William L. Lorimer, Reader in Latin.<sup>7</sup> It consists of sixteen folios, the final one blank. The hand is clear, and very minimally abbreviated throughout, with ruled margins containing annotations and scriptural references in the same hand.<sup>8</sup> The title page is presented formally, as in a printed work, and the main text is prefaced by a full-page epigraph of Acts 10:43 (fo. 3v.). This might suggest that Forrester either intended to publish the work, or was mimicking the appearance of a printed book. There are very few deletions

<sup>4</sup> *Register of the Privy Council of Scotland*, ed. J. H. Burton et al. (Edinburgh, 1877–1970), vi, 586.

<sup>5</sup> G.G. Smith, 'Oliphant, Sir William, Lord Newton (1550–1628)', rev. John Finlay, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/20715>, accessed 15 April 2010].

<sup>6</sup> Mark Dilworth, 'Ogilvie, John [St John Ogilvie] (1578/9–1615)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 (<http://www.oxforddnb.com/view/article/20586>, accessed 15 April 2010).

<sup>7</sup> Dr Norman Reid, personal communication.

<sup>8</sup> In the early sections the biblical references are given in the margins, but later on they begin to be found consistently embedded in the text.

or alterations, lending further support to the idea that this was a neat, final copy for publication or circulation.<sup>9</sup>

The text begins with the dedicatory epistle to Sir William Oliphant, which introduces the central theme of the book. This is that only through Christ can man achieve salvation, and that all of the holy scriptures, Old and New Testament, are centred on the person of Christ, who is 'figured in the law, foirtauld in the propheits, and fulfilled in the goppell' (fo. 2v.). Forrester also indicates that the text was composed in gratitude to Oliphant, and beseeches God to 'give a blissing to this wark in your llo. hairt, and in the hairtis of all thois into quhais handes it sall cume', pointing to the wider intended audience for his work.

The main body of the text is divided into two main sections: firstly five ways in which Christ was declared to be mankind's saviour before his birth, and secondly seven subsequent testimonies of his status as saviour in New Testament times and since. The five Old Testament testimonies consist of God's own voice in Genesis; the patriarchs; the prophets; 'the ministrie of sume godlie men keipers and doctours of ye law'; and the ministry of John the Baptist. The seven subsequent testimonies come from the angels at Christ's birth; various godly men and women at the time of his birth; John the Baptist again; God's own voice at Christ's baptism; his miracles; the evangelists and apostles; and finally the consent and harmony of the true church since the time of Christ. This narrative was, of course, entirely uncontroversial, and no Christian could find fault with it. While Christ is portrayed as the only path to salvation, the issue of good works and human merit is not raised, and so the text only implicitly rejects Catholic teachings. There is no material that bears any apparent connection to the tense ecclesiastical politics of the period, either explicitly or implicitly. Forrester does not attempt to persuade his audience to any particular theological understanding, but to provide them with a spiritual resource, accompanied with a wealth of biblical references, cross-references and quotations. His readers would come away with two key Christian concepts reinforced: the role of Christ as the saviour of mankind, and the unity of scripture.

### *Purpose, Audience and Context*

Forrester's manuscript is significant for a number of reasons. Our evidence for ministerial communication with the laity, whether through sermon, catechesis or treatise, is sparse for the period following the Reformation. This is particularly the case for ordinary parish ministers, as opposed to the

<sup>9</sup> Only one of the alterations, the substitution of 'justice' for 'wraith' (fo. 1r.), substantially alters the meaning or tone of the passage.

more high-profile authors from whom written material disproportionately survives. *The paithe way to salvatione* also adds to the small body of manuscript sermons and treatises dating to the period before the National Covenant. It is rare to find any Scottish religious writing of this kind in manuscript at such an early date.<sup>10</sup> The period after 1590 witnessed, as David Mullan has shown, a boom in religious publication, but Forrester's manuscript provides us with a text which may well have been read, circulated and discussed, without ever making it into print.<sup>11</sup>

The nature of the manuscript also makes it of interest to religious historians. It points to the variety of media by which ministers communicated with the laity. Unlike many of the printed religious works from the period, *The paithe way to salvatione* clearly does not consist of re-worked sermons, since it ranges across the whole Bible rather than offering exposition of a specific text, or offering moral exhortation as an 'application' of the text.<sup>12</sup> Neither does it take the form of a catechism with questions and answers. As such, it points to a level of flexibility in how ministers might seek to instruct the laity, and to a range of unofficial means of dissemination alongside the official channels of sermon, catechism, and Bible reading upon which historians are naturally inclined to focus.

The subject matter of *The paithe way to salvatione* is straightforward, uncontroversial, and to modern eyes, rather repetitive. Forrester offers a thorough series of testimonies and proofs from the Bible that Christ is mankind's saviour. Assuming that he was not primarily attempting to prove the truth of Christ's status as messiah to a sceptical reader, or one who was unaware of this concept, we can infer that his fundamental aim was to reinforce the idea of the unity of scripture. It is possible to imagine that a reader (or someone hearing the text read aloud) who had a fairly limited range of religious knowledge might be surprised by the numerous foreshadowings of Christ found in the Old Testament. A great deal of detail is offered, for example, on the ways in which the Old Testament patriarchs taught of the coming of Christ. Whereas a sermon on an individual Old Testament passage might lead to a wider moral application of the text, anyone encountering *The paithe way* would be in no doubt that all of the Bible is relevant to the essential issue of salvation itself. The Old Testament is *not* superseded by the

<sup>10</sup> The religious autobiographical narratives discussed in David Mullan's recent monograph, for example, date disproportionately to the period after c.1640. Like Forrester's manuscript, most remained unpublished during the seventeenth century. D.G. Mullan, *Narratives of the Religious Self in Early-Modern Scotland* (Farnham, 2010), 39.

<sup>11</sup> D.G. Mullan, *Scottish Puritanism, 1590–1638* (Oxford, 2000).

<sup>12</sup> For an overview of the main features of Reformed sermons see J.T. Ford, 'Preaching in the Reformed tradition', in L. Taylor (ed.), *Preachers and People in the Reformations and Early Modern Period* (Leiden, 2003).

New Testament, because it is a foreshadowing of the latter. Given the fairly basic level of much of the official catechesis approved by the church,<sup>13</sup> and the numerous examples of parishioners unable even to recite the commandments or creed,<sup>14</sup> this may have been a lesson that needed teaching.

Beyond this teaching on the unity of scripture, the manuscript may also have served as a sort of crib for the Bible. Forrester provides a series of individual citations and quotations which could function as an index of references to Christ as saviour in the Bible. (A fellow minister might also find this useful when trying to identify suitable passages for cross-reference and comparison with the text on which he was preaching.) In fact, the rather repetitive structure of the book may well have meant that a reader would benefit more from using the text as a resource or reference guide, than from reading through it as a straightforward prose narrative. The marginal annotations which summarise key passages, and the section headings given in bold lettering, would also aid the manuscript's use as a spiritual resource.

Indeed, if a reader were to go through the manuscript looking up all the biblical references as they read, they would spend a lot of time flicking from one part of the Bible to another in no particular sequence, but they would get a strong impression of the resonances which run through it, and the phrases and ideas which occur repeatedly. This may well have been Forrester's intention. This was a sound strategy for a Scottish pastor of this period, attempting to create and to re-inforce a biblical culture, while taking into account that the Bible is not an easy book for beginners. Forrester offers a narrative 'paithe way' through the Bible. This may actually work rather more effectively in the first half of the treatise, where links between the Old and New Testament are consistently drawn. Inevitably, when dealing with testimonies of Christ's status as messiah from his lifetime, the texts summarised are more sequential, and the manuscript offers less added-value over simply reading the gospel.

Forrester's writing style is plain, and the prose rarely rises above the ordinary. There are occasional shifts into a more rhetorical and oral style, perhaps akin to preaching, with phrases which we can imagine being accompanied by hand gestures. Examples include 'For we man understand that thair is not twa, or ma, bot only ane way to attein to salvatione' (fo. 1r.), or the allusion to prophets being found 'sume heir sume thair, sume in this adge sume in that adge' (fo. 2r.). In a nod to the text's potential use as a biblical reference guide, Forrester sometimes directly instructs the reader to 'Luik the same' in other passages from the Bible. But overall, the prose style is limited and plain, perhaps in keeping with what David Mullan has noted about autobio-

<sup>13</sup> The main catechisms are printed in H. Bonar, *Catechisms of the Scottish Reformation* (London, 1866).

<sup>14</sup> McCallum, *Reforming the Scottish Parish*, 100.

graphical narratives from the period: because the Bible expressed everything best, it was preferable to stick to its phraseology, eschewing literary inventiveness.<sup>15</sup> Certainly the dedicatory epistle and the brief concluding paragraph, as opposed to the main discussion of the 'testimonies' themselves, are the most flowing and readable passages. However, clarity and comprehension are aided throughout by the use of subdivision. Many of the testimonies are divided into categories and numbered, a technique which bears resemblance to many sermons from the period.<sup>16</sup> This may not have made for the most striking prose, but as well as enhancing comprehensibility, it may have added to the almost legalistic atmosphere of the piece, with its formally arranged 'testimonies' and 'proofs' of Christ's unique role as saviour.

*The paithe way to salvatione* was, as already noted, part of a growing body of devotional and instructional texts produced by late sixteenth- and seventeenth-century Scottish ministers.<sup>17</sup> There are indications that Forrester was not alone among Scottish ministers in producing a manuscript work which did not make it into print, as the official printed catechisms used by the church seem to have been accompanied by a number of unofficial texts used by ministers.<sup>18</sup> There are hints of this in a wider European context, as well, with Gerald Strauss noting that many more manuscript catechisms circulated in Germany than have survived, with individual ministers and teachers producing their own handwritten texts.<sup>19</sup> Forrester's text was not, of course, a catechism by any definition, and indeed it is difficult to fit into any genre. Unlike the devotional writings of ministers like Alexander Hume, and James Melville, and the devout Elizabeth Melville, Lady Culross, it is of limited literary value and originality.<sup>20</sup> Forrester decided not to attempt poetic or musical exposition of religious doctrine, placing him in line with those ministers who presented their adapted sermons or treatises in plain prose.<sup>21</sup> Indeed, he was not alone in emphasising the centrality of Christ and the unity of scripture in pointing to him: his fellow ministers Peter Hewat

<sup>15</sup> Mullan, *Narratives of the Religious Self*, 19–20. This was a feature shared with preaching: Ford, 'Preaching in the Reformed tradition', 71.

<sup>16</sup> M. Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, 2002), 50.

<sup>17</sup> Mullan, *Scottish Puritanism*, 3 and passim; McCallum, *Reforming the Scottish Parish*, 95–120.

<sup>18</sup> W. McMillan, *The Worship of the Scottish Reformed Church, 1550–1638* (London, 1931), 134.

<sup>19</sup> G. Strauss, *Luther's House of Learning: Indoctrination of the Young in the German Reformation* (London, 1978), 164.

<sup>20</sup> The most significant works by each of these authors are Alexander Hume, *Hymnes and Sacred Songs* (Edinburgh, 1599); James Melville, *A Spirituall Propine of a Pastour to his People* (Edinburgh, 1598); [Elizabeth Melville], *Ane Godlie Dreame, Compylit in Scottish Meter* (Edinburgh, 1603).

<sup>21</sup> Many of these are discussed in McCallum, *Reforming the Scottish Parish*, 99–119.

of Edinburgh and William Narne of Dysart published books in subsequent years which, in their own way, made this point.<sup>22</sup>

The title of the manuscript may lead one to expect a treatise in the style of English works like the enormously successful *The Plain Man's Pathway to Heaven* (1601) by Arthur Dent. However, the obvious metaphorical possibilities of the idea of the 'pathway' are not pursued, and this element of the title is not explicitly justified or followed up at any point in the main text. There is also little direct spiritual guidance or instruction to readers to think or pray on specific topics, as one might expect in the spiritual handbook genre.<sup>23</sup> Although Forrester's title was derivative of established forms, his treatise itself was individual, and tailored to suit his own particular concerns. Ultimately, the lack of adventure or imagination conveys the crucial point at the heart of the treatise: if there is a 'pathway' to salvation, it is simply through the person of Jesus Christ, as portrayed in scripture, and scripture alone.

#### *Editorial Conventions*

Spelling has been left unaltered, with the exception of i/j and u/v/w, which have been modernised. Contractions and abbreviations have been silently and uniformly expanded (for example Ma<sup>de</sup> to Majestie; & to and). Thorn is given as 'th', and yogh as 'y'. Capitalisation and punctuation have generally been modernised, particularly where commas are found in the middle of clauses in the manuscript. Throughout the text, some words are written large for extra attention: these words have been given in italics in the present edition. The marginal glosses have been reproduced in their original place in the left-hand margin. Editorial interventions are in square brackets.

<sup>22</sup> In Peter Hewat's, *Three Excellent Points of Christian Doctrine* (Edinburgh, 1621), the words 'Jesus Christ' recur frequently, printed in upper-case, while William Narne's *Christis Starre* (London, 1625) drew on classical as well as biblical imagery to emphasise the role of Christ.

<sup>23</sup> The English tract *The perfect pathway to salvation* (1590) contained a wealth of prayers for various occasions including, for example, instructions on how to pray when rising in the morning, with a suggested text (C2v).

*The paithe way to salvatione schewing Chryst to be our only saviour, be declaring the speciall formes and wayes be the quhilk befor he was manifested in the flesche he was promulgat to be our saviour*

*As also The same verifeit be infallible testimonies in the new testament, provand the veritie of the promeses of graice and mearcie contained in the auld, to be fulfilled and perfytlly accomplished in the same lord Jesus, now exhibit in the flesche Set out for the strenthening of our faithe in Jesus, and to assuir us that he is the only saviour of mankynd.<sup>24</sup>*

By Mr Forester preacher at Tulliallan<sup>25</sup>

1615

1615 55

[Title page verso blank]

[f. 1r]

*To the richt nobill and potent lord Sir Williame Olyphand of Newton Lord Advocate to our soverane the Kings Ma[jes]tie.*

*Because sen sin hes enterit in this warld most nobill and worthie lord, and throw sin death upone all mankynd, and that God hes appointed salvatione for na man that evir tuik lyfe, bot only to thame quha belevs in Jesus Chryst his sone, quha in his blissted body hes satisfeit the wraithe of God for us, and be his deathe hes satisfeit the wraith justice of his hevinly fater in paying the debt quhilk was dew to us for our sins. Heirfore it hes pleased the majestie of our good God, for the strenthening of the faithe of his awin elect, and for the assuring thame of thair salvatione in the same lord Jesus, evin incontinent efter the fall of man to preache Jesus to be the lord of lyf to mankynd. For we man understand that thair is not twa, or ma, bot only ane way to atteine to salvatione appointed be our good God in all ages boithe to the fateres in the tyme of the auld testament as also to us in the new, and that is faithe in Jesus. For Abel, the yonger sone of Adam*

ane way  
only to  
salvatione

abell

<sup>24</sup> The title page also contains some writing in a different, but still seventeenth-century, hand which is mostly obscured by holes and fading, although the words 'Ex pamphletis Ro[ber]t My[l]ne' are legible.

<sup>25</sup> This attribution is in a different, slightly later hand.

[f. 1v]

by faithe, to wit in Jesus, ressavit ane testimonie that he was  
 richteous, sayes the apostill to the Hebrewes chap. 11 vs. 4 and  
 Noah the tent fra Adam he was maid the hear [heir] of rich-  
 teousnes quhilk is according to faithe. *ibid.* vs. 7. And as for  
 Abraham the apostill Paull sayes plainly Rom. chap. 4 vs. 3  
 (citing that plaice of Genesis chap. 15 vs. 6) Abraham belevit  
 God and it was imputed unto him for richteousnes. And Peter  
 sayes all the propheites of the auld testament geves testimonie  
 unto Jesus, that everie man quha beleves in Chryst sall ressave  
 the remission of sin be his name. And in the epistill to the  
 Hebrewes chap. 13 vs. 8 Jesus Chryst is said to be ysterday  
 and today the same also for ever, that is he was, is and salbe  
 the fundatione of the kirk for ever. And thairfoir it is that the  
 apostill Johne apoc. chap. 13 vs. 8 calles Jesus the lambe slaine  
 frome the beginning of the warld, in respect that the vertew of  
 his sacrifice is of ane infinit valour, extending the self to all the  
 faithefull of all tymes and adges sence the first creatione, for be  
 the merit of his sacrifice Adam, Abel, Sethe, Abraham and the  
 rest of the holy fateris in the tyme of the auld testament ar  
 als weill saved as Paull. And ony godly and faithefull man, quha  
 leives at the same tyme in the faithe of Jesus is saved also be the  
 merit of that same sacrifice.

The agriement  
 and sweit  
 harmonie  
 betwixt the  
 doctrine of  
 the auld and  
 new testament

For we man understand that thair is no difference betwixt our  
 doctrine now in the tyme of the new testament, and thairs  
 quha leived under the law as tuiching the substance of the  
 doctrine, for all

[f. 2r]

teaches Jesus to be the prince of man, his salvatione and the only  
 lord of our lyfe. The difference only is as tuiching the maner of  
 dispensatione, and revelatione of Jesus to the warld, for to thame  
 God spak be propheites at sindrie tymes and in dyvers maneris  
 Heb. chap. 1 vs. 1 and thairfoir mair obscurly, and particularly as  
 it wer be degreis, and be dyvers maneris and the neirar the day  
 drewe on the moir cleirly was the doctrine of our salvatione  
 in Jesus reveiled. Bot now unto us it is all most cleirly and most  
 fully manifested be our lord Jesus so that the promeis of the  
 cuming of Chryst the seid of the woman maid be the lord him  
 self in paradice to our first parentis, was keipit, propagated, and  
 inlairged continowally thairefter in the church of God be the  
 hally patriarches quha wer befor and efter the flood, then be the  
 propheits and sindrie godlie men inspyred be the spreit of God

Gen.3.15

till at last Johne Baptist the foirrinner of the messias he come, and then incontinent Jesus him self he enterit in his church.

As all wyse men wer not borne ones, nor leived togidder, so the hally patriarches and propheits of God have not beine all at ones, bot wer raised up be the lord thair God, sume heir sume thair, sume in this adge sume in that adge, according to the guid pleasour of his will, and as he saw his saintes stand in neid of thame be reassone of the corrupcione of tymes. And farthermoir the lord haith not at any tyme reveiled unto ane of thais all things that

[f. 2v]

The patriarches  
left sume to  
be declarit of  
Jesus to the  
propheits and  
the propheits  
left sume to  
the apostils

micht be reveiled of the messias, bot als mekle only as wes sufficient for thame, everie ane in thair tymes and places. Nather hes any of thame tauld als muche of the will of God as micht be declarit, bot the patriarches left sume to the propheits, and the propheits left sume to the apostils, bot now thay have left nane for us, bot hes all set opin unto us the hail counsall and will of God in his deir sone Chryst Jesus concerning our salvatioun. For all the scriptures rinnes upone Chryst, lyk the tittill of ane booke, and he is that alpha and omega mentionat in the Revelatioun, that is the beginning and the ending of man his salvatioun. Thairfoir he is figured in the law, foirtauld in the propheits, and fulfilled in the gospell. Sume places als weill of the auld testament as of the new point to his Godhead, sume to his manly nature, sume to his kingdome, sume to his preisthead, sume to his prophecie, sume to his conceptione, sume to his birthe, sume to his lyfe, sume to his miracles, sume to his passione and deathe, sume to his resurrectione, sume to his ascencione, sume to his glorificatioun, all point to our saviour the lord Jesus Chryst, lyk Johne Baptist quhen he cryed out and pointed to Jesus, saying, *this is that lamb of God quha takethe away the sinnes of the world.*<sup>26</sup> Thairfoir let us endeavour to learne Chryst, and then we learne ineute, and want we the knowlege of this lord Jesus, all our learning sall avail us for na thing ane day.

[f. 3r]

I have set doune heir in pledge of thankfulnes to your llo. the speciall formes and wayes by the quhilk the lord in the tyme of the auld testament did revile [reveal] and mak manifest to his church that his sone Jesus suld be the messias and the only saviour of his elect, as also the testimonies in the new testament

<sup>26</sup> i.e. John 1:29.

provand the treuthe and the veritie of the promises of graice and mearcie contained in the auld testament to be fulfilled and perfytlly accomplished in the persone of the same lord Jesus, now exhibit and manifested in the fleshe, all to the end we may repois our selves by a trewe and a lyvely faithe in him, for among men thair is gevin unto us na uther name by the quhilk we may be saved. And thus beseiking God to give a blissing to this wark in your llo. hairt, and in the hairtis of all thois into quhais handes it sall come I end.

*Your llo. servitour H. Forester preacher at Tilliallone*

[f. 3v]

*Peter*

*Act. Chap. X Vers. 43*

*All the propheites geves testimonie to Jesus, that quhasoever beleves in him, sall ressave the remission of thair sin*

[f. 4r]

*Ane treatise containand ane declaratione of the speciall formes and wayes by the quhilk befor Chryst was manifested in the flesche, he was promulgat to be our saviour.*

*As also*

The testimonies in the new testament, provand the veritie of the promises of mearcie, contained in the auld to be perfytlly accomplished in the persone of Chryst Jesus now exhibit in the flesche.

*Thair ar fyve*

speciall formes and wayes by the quhilk befor Jesus Chryst our saviour was borne of the virgin Mary and manifested in the fleshe he was preached to be our saviour.

1. Way, by the voice of God him self.

*I Way*

*The first way* that Chryst was promulgat to be the saviour of man is be the imediat voice of God incontinent efter the fall of our first parentis Adam and Eve in paradice, to assuir thame and all thair beleiving posteritie of salvatione. Gen chap. 3 vs. 15 I will also (sayes the lord to the serpent) put enenimitie [sic] betweine the[e] and the woman, and betweine thy seid and hir seid, he sall break thy head, and thow sall

[f. 4v]

bruisse his heill. Heir the lord God him self preaches and promulgates Jesus Chryst the seid of the woman, quha was to be borne of the blissed virgin Mary withe out the copulatione of

man, to break the head of that auld serpent, the divell and so to be saviour of mankynd.

2. Way,  
be the  
patriarches

*II Way*

The second way that Jesus is promulgat to be the saviour of mankynd is be the hally patriarches quha wer befor and efter the flood be a lang tyme and ordur, keipers and propagatoris of that same promeis of God concerning the cuming of the messias, quhilk God him self maid in paradice to our first parentes. And thairfoir inspeciall it was that thais hally patriarches leived so lang, evin for continewing of remembrance of matters, and deducing of thame to the posteritie the better, and namely that promeis of the cuming of that blissed seid. For Adam quha haid the promeis in paradice immediatly efter his fall, being ane holy man and repenting for his iniquitie, he belevit that promeis, and exponit it to his sones Cain and Abell (withe also Abel belevit for be faithe he ressavit ane testimonie that he was richteous heb. 11. 4) and he leivit untill he delyverit that oracle of God spokin unto him to Sethe ane uther sone of his and the rest of his posteritie: ye he leivit with Henoche [Enoch] the sevint in lye fra him, and to Lamethe [Lamech] the nynt, twa uther hally propheits of God as he was. Withe Henoche he leived thrie hundrithe and aucht yeir, and with Lamethe quha was the father of Noah fyftie sax yeir [f. 5r]

1. Adam  
his cair in  
teaching  
Chryst

in all nyne hundrethe and threttie yeir cairfullie teaching his posteritie the way of thair salvatione be Chryst the messias to come, seing by sin he had brocht in deathe to him self and all his successours.

I omit to speak of Sethe, of Enos, Cainan, Mahalaleel, Jerod [Jared], Henoche, and Methusalem, quha wer all faithfull and holy men.

2. Lameth  
his cair

I cume to Lamethe the father of Noah, a hally patriarche and propheit quha leived with Adam fyftie sax yeir, as said is, and with Sethe, Adam his sone, ane hunderethe thriescoir aucht yeir, and with Enoche ane uther hally propheit ane hunderethe threiteine yeir, and he faithfully delyverit the doctreine, and hally oracles, quhilk he had ressavit fra his fatheris, to his posteritie, to his sone Noha [sic], with quhome he leivit fyve hunderethe four scoir yeir, and to his oth[er] S[h?]em<sup>27</sup> moir then fourscoir yeir.

<sup>27</sup> This word could be transcribed as either Sem or Hem [i.e. Ham]; the identification as Shem is offered here as a more likely reading than Ham, the cursed son of Noah.

3. Noah  
his cair in  
teaching  
Chryst

Noah againe, the tent fra Adam, that holy man and renownit patriarche and propheit of God, as he belevit in Chryst him self, for he was maid the hear of richteousnes quhilk is be faithe heb. 11. 7. so he was maist cairfull to teache Chryst to his posteritie, and he leivit till the fyftie sevint yeir of Abraham, quha was the tent fra him, he neided not to be in doubt quidder the report of his fatheris concerning the promeis of the cuming of the blissted seid, and the rest of the heavenly oracles spokin to Adam was treue: becaus thay wer conveyed to him be the handis of faithfull witnessis of unsuspect credit as hes beine declarit, yea hally propheites quha wer befor him as Adam, Henoche and Lamethe delyverit the hally oracles of God unto him quha wes ane uther propheit as thay wer

[f. 5v]

and thairfoir he was the mair zealous in declaring Chryst to the world. He leived lang with Enos, Adam his oth[er] and with all the rest of the fatheris quha wer thairefter untill the flood, save Enoche, quha a lytill befor his birthe had beine transported. He prophecied ane hunderethe and twentie yeir to the auld wardl quhill the ark was in making, quhill the patience of God aboad [abode?] 1. Pet. 3. 19 and he prophecied blisstedness in Chryst to Sem his sone, and of Japhet [Japeth] his uther sone, his dwelling in Salem Gen. Chap. 9. 24. and he deit the nyne hunder and fyftie yeir of his age, the twa thousand and sax yeir fra the creatione, reiching evin to the fyftie sevint yeir of Abraham, as hes beine said.

4. Abraham  
his cair  
to teache  
his sones  
Chryst

*Now Abraham* the tent fra Noha, as he was instructed be Noha, quha saw Enos the thrid fra Adam, sa God him self did assuir him, that of his loynes Chryst suld come according to the fleshe, and so that promeis of the cuming of the messias is renewed and repeated be the lyvely voice of God fra the heavin to Abraham at thrie severall tymes: God saying ay [always] on unto him, In thy seid, all the nationes of the earthe salbe blissted, first in Gen. Chap. 12 vs. 3, nixt in Gen. Chap. 18 vs. 18, and thirdly Gen. Chap. 22 vs. 17. Thir promeses of the cuming of the messias as he beleved him self, and thairfoir is styled to be the father of the faithfull, and be faithe to have sein Chryst his day John 8. 56. So cairfullie he teached the same to his posteritie as the lord him self testifeis Gen. Chap. 18 vs. 19, to Isaac his sone with quhome he leived thriescoir fyfteine yeir, and to Jacob his oth[er] fyfteine yeir: for Abraham him self efter he ressavit that promeis of the cuming of the messias of his loynes he leived ane hunderethe yeir.

[f. 6r]

5. Isaac  
his cair

*Isaac* againe, the sone of Abraham quha was ane hally man and ane propheit of God: not only was he taucht be his father in the knowlege of the cuming of the messias Gen. 18.19, bot also the Lord instructed him, and renewes that same promeis unto him Gen. Chap. 26 vs. 3, quhilk na questione Isaac propagated to his posteritie, to Jacob his sone with quhome he leived ane hunderethe and twentie yeir, and to Joseph his oth[er] for 29<sup>28</sup> yeir.

6. Jacob  
his cair

*Jacob* againe that holy patriarche and propheit, not only was he teached be his father Isaac concerning the cuming of the messias, bot also be the lord himself Gen. Chap. 28. 14 in the vision of the ladder and Gen. Chap. 49 vs. 10 he being indewed [endowed] with the spreit of prophecie, remembring upone the sweet promises maid be God to Abraham and to Isaac, as also to him self thair in his testament and letter will quhen he is teaching his sones ane by ane, among all the rest speaking to Judah he pointes at the verray tyme of the cuming of the messias. The sceptour sall not depart from Judah, sayes he, nor a lawgever frome betweine his feit, until Schilo [Shiloh] cume, that is Chryst the messias.

*This* promeis sa aft repeated and renewed, is keiped be Joseph and the twell patriarches in recent memorie, ye[a] evin quhen thay wer in Egipht, untill *Moses* come, quha wroot of Chryst as our saviour testifeis John. Chap. 5 vs. 46.

*III Way*The thrid  
way

*The* thrid way Chryst is promulgat to be the saviour of mankynd is be the

[f. 6v]

ministrie of the propheitis inspyred be the spreit of God, efter thair was now ane kingome [sic] established among the people of God, and thairfoir sayes Peter Act. Chap. 3 vs. 24 that all the propheitis frome Samuell, and then furthe, als mony as have spokin, have lykwayes foirtauld of thais dayes, that is, of the cuming of Jesus. Luik how David that kingly propheit in the booke of the Psalmes prophecies [i.e. prophesises] of Chryst, how Isaias in his sevint and fyftie thrie chaptours, and all the rest baith of the small and great propheites prophecies of Jesus. And thairfoir Peter plainly declares that prophecie come not in

<sup>28</sup> The reason for the particular emphasis on this number is unclear.

auld tyme, by the will of man, bot hally men of God spak as thay wer moved be the hally ghaist 2. Peter 1. 21.

*IV Way*

The fourt way

*The fourt way* God hes manifested Jesus to be the saviour of man is be the ministrie of sume Godlie men keipers and doctours of the law, and of the trewe doctreine of God evin unto the cuming of the messias, as wes Esdras, Nehemias, Jesus Syrath [Ben Sira], Maccachias, Heli [Eli?], Simeon, Zacharias and mony utheris. For efter that the lord did send no mo propheitis, for the great unthankfulnes of his people, for the slaughter of his proph-eites, for thair idolatrie, and for the rest of thair abhominations, as it was foirtauld be the propheites Isaias Chap. 3 vs. 1 [and] 2 and Amos Chap. 8 vs. 11. Then his majestie raised up this holy men to keip the memorie of the cuming of the messias in the world, and to promulgat the same.

[f. 7r]

*V Way*

The fyft way

*The fyft and last way* was be the ministrie of Johne Baptist the apparitour and foirrinner of our saviour, quha was sent immediately befor the cuming of the messias in the new testaments tyme, being Elias [Elijah] in spreit, Malachie 4.5, Math 11.14, Luc 1.17, bot not in persone Johne Chap. 1 vs. 21. Then come Jesus our saviour, the most sweet teacher quha ever was the only mediator, redemer, justifier, and sanctifier of mankynd, and he havand finished his propitiatorie sacrifice offering up him self upone the cros for our sinnes, sent furth his apostils to the haill ward to preache repentance and remission of sinnes in his name, and he ascendand into heavin, sitting at the right hand of God keipethe his ministerie heir in this lyfe geavand giftes unto men all for the gadding togidder of his saintes that thay may be saved Ephes. 4 vs. 8.

*Thus muche for the first pairt of this treatise tuiching*

the speciall formes and wayes of by [sic] the quhilk befor Chryst was manifested in the fleshe he was declarit to be our saviour. *Followes now the second, anent the testimonies of the new testament provand the veritie of the promises of graice and mearcie contained in the auld, to be fulfilled and perfynty accomplished in the persone of the same lord Jesus now exhibit in the fleshe.*

[f. 7v]

*The Second Part*

*Thair* ar sevin infallibill testimonies of the new testament, provand the veritie of the promeses of graice and mearcie contained in the auld testament, to be fulfilled, and perfyty accomplished in the persone of Jesus Chryst our lord, borne of the blissed virgin Mary and now exhibit in the fleshe. To wit, the testimonie of the angels, of many godly men and wemen quha leived at the same tyme quhen Jesus was manifested in the fleshe, of Johne Baptist Chryst his forrinner, of the blissed majestie of God him self, of his miracles, of the evangelistes and apostils, and last of all the godly consent and harmonie of the trewe church of God evin sence the apostils dayes.

1. Testimonie is the witness of the angels quha at fyve severall tymes hes testifeit of Jesus

*1. Testimonie in the new testament, is of the angels*

*It* hes pleased the majestie of God first to use the ministrie of the angels of heavin, thay holy ministring spreits, for the revelatioun and preaching of the glaid tydingis of the salvatioun of man be Jesus, and that at fyve severall and particular tymes, befoir Chrystis conceptione, at the conceptione, at his birthe, at his resurrectione, and last at his ascensione.

[f. 8r]

1. Befoir Chrysts conception, to Zacharias first, and next to Mary.

*I. tyme* the angels witnessed of Jesus, it was befoir his conceptione as the evangelist Lucas testifeis Luc. chap. 1 vs. 17 quhair the angell is brocht in speaking unto Zacharias the father of Johne Baptist, telling him that his sone Johne sall go befoir Chryst in the spreit and power of Elias, to turne the heartes of the fatheris unto the childreine &c and to mak readie a people prepared for the lord.

vs. 30. The angell Gabriell sayethe unto MARY the virgin, fear not Mary for thou hes fand favour with God, for lo thou sall conceive in thy wombe, and beare a sone and sall call his name Jesus, he sall be great and salbe callit the sone of the most heihe, and the lord God sall give unto him the throne of his father David, and he sall regne over the hous of David for ever, and of his kingdome salbe none end.

2. at the conceptione, to Joseph

*II tyme* that the angelis witnessis of Jesus, is efter that Mary the mother of our saviour was knawin to be with chylde Math. 1. 20. quhen Joseph hir husband being a just man, and not willing to mak hir ane publik exemple, was mynded to put hir away

secretly, quhill he thocht thais things, the angell appeired unto him in a dreame, saying, Joseph the sone of David, fear not to tak Mary for thy wyfe, for that quhilk is conceavit in hir is of the holy ghost, and sche sall bring furthe a sone, and thow sall call his name Jesus, for he sall save his people frome thair sinnes.

3. tyme at  
his nativite,  
to the  
scheiphirds

*III tyme* that the angels witnessed of Jesus, is efter that our saviour was borne of the virgin, Luc. chap. 2 vs. 10. The angell sayes unto the scheiphirds, be not affrayed for behauld I bring yow [f. 8v]

tydings of great joy, that salbe to all people that is that unto yow is borne this day in the cite of David a saviour, quha is Chryst the lord, and this salbe a signe unto yow. Ye sall find the chyld swaddled and laid in a crache &c.

4. at his  
resurrectione,  
to the  
wemen at the  
sepulchrie

*IV tyme* that the angels buir testimonie of Jesus was efter that he had satisfieid for our sinnes, upone the altar of the cross, and had rissin againe frome the deathe Math. chap. 28 vs. 5. The angell said to the wemen, Mary Magdalen, and the uthir Mary quha come to sie the sepulchrie fear ye not, for I know that ye seik Jesus quha was crucifeit. He is not heir, for he is rissin, cume sie the plaice quhair the lord was laid, and go quickly and tell his discipilles that he is rissin frome the dead and behauld he goethe befor yow into Galile. Thair ye sall sie him: lo I have tauld yow. Luik the same in Marc. chap. 16 vs. 5 and in Luc. chap. 24 vs. 5 and John chap. 20 vs. 12.

5. at his  
ascencione,  
to his  
apostils

*V tyme* that the angels witnessed of Jesus, was efter that our saviour was ascendit to the heavin Act. Chap. 1 vs. 10 quhilles the apostils looked steadfastly into heavin as Chryst ascendit. Behauld twa angels in menes forme, stood by thame in quhyt apparrell, saying ye men of Galile, quhy stand ye gasing into heavin? This Jesus quha is takin up frome yow into heavin, sall so cume as ye have seine him go into heavin.

*Thus* muche for the testimonie of the angels: followes now the witness of mony godly and holy men and wemen, quha leived at the tyme of Chryst leivit his birthe.

[f. 9r]

*The second sort*

of testimonie is the witnes of mony godly and holy men and wemen quha florished at the tyme of the manifestatione of Jesus in the fleshe, as wer Zacharias, Elisabethe, Mary the Virgin, Joseph hir husband, the scheiphirds, the wysemen, auld Simeon, Anna the prophetess, and Martha the sister of Lazarus,

- all inspyred of the spreit of God gave testimonie to Jesus that he was the trewe messiah promesed, and the saviour of the world.
1. Zacharias  
his  
testimonie *I Zacharias* the father of Johne Baptist his testimonie Luc. Chap. 1 vs. 67 he being filled with the holy ghost, prophecied saying Blisshed be the lord God of Israell because he hes visited and redemed his people, and hes raised up the horne of salvatione unto us in the hous of his servand David, as he spak be the mouthe of his hally propheits quhilk wer sen the world began saying that he wald send us delyverance frome our enemies, and frome the hands of all that hait us, that he wald schaw mearcie towards our fatheris, and remember his holy covenant, and the aithe quhilk he swoir to our father Abraham, quhilk was that he wald grant unto us, that we being delyverit frome the hands of our enemies suld serve him without fear all the dayes of our lyfe in hallines and richteousnes befoir him, and thow babe salbe callit the propheite of the most hie, for thow sall go befoir the faice of the lord, to prepar his wayes, and to give knowledge of salvatione unto his people by the remissione of  
[f. 9v]  
thair sins, throw the tender mearcie of our God, quhairby the day spring frome one hie haithe visited us, to give licht to thame that sit in darknes, and in the schaddow of deathe, and to gyd our feit into the way of peace.
2. Elizabeth  
hir  
testimonie *II Elizabeth* the wyfe of Zachariah that holy woman hir testimonie Luc. 1 vs. 42 sche cryed with a loud voice, and said, blisshed art thow among wemen, because the fruit of thy womb is blisshed, and quence cumes this to me, that the mother of my lord suld come to me, for lo als sone as the voice of thy salutatione sounded in my eares, the babe sprang in my belly for joy, and blisshed is sche that beleved, for thais thingis salbe performed, quhilk wer tauld hir frome the lord.
3. Mary *III Mary* the virgin hir testimonie Luc. chap. 1 vs. 46 Then Mary said my saull magnifieth the lord and my spreit rejoyceth in God my saviour, for he hes looked on the puir degrie of his servand, for behauld frome hencefurthe sall all adges call me blisshed, because he that is michtie hes done for me great things, and holy is his name, and his mearcie is frome generatione to generatione on thame that fear him. He hes schawed strenthe with his airme, he hes scattered the proud in the imaginatione of thair hearts, he hes put doune the michtie frome thair seates and exalted thame of law degrie. He hes filled the hungrie with guid things, and sent away the riche emptie. He hes uphaldin

Israell his servand, being myndfull of his mearcie, as he hes spokin to our fatheris to wit to Abraham and his seid for ever.

[f. 10r]

4. Joseph *IV Joseph* the husband of Mary ane holy man his testimonie ibid. in the first chap. of Matthew and secund because he was ay obedient to the voice of the lord schawin unto him be the ministrie of the angell and accompanied Mary and the babe Jesus to Egipt, and to Nazarethe quhairever God gave directione.

5. the  
scheiphirds  
testimonie *V The Schiphirds* thair testimonie Luc. 2 vs. 15 quhen the angels wer gaine away frome thame into heavin thay said ane unto ane uther let us go into Bethlehem, and sie this thing quhilk is come to pas quhilk the lord hes schawin unto us. So thay come with haist, and fand bothe Mary and Joseph and the babe laid in the crathe. And quhen thay had seine it, thay published abroad the thing quhilk was tauld thame of that chyld, and all that hard it wonderit at the things quhilk wer tauld thame of the scheiphirdis. Bot Mary keiped all thais thingis, and ponderit thame in hir hairt. And the scheiphirds returned, glorifeing and praising God for all that thay had hard and seine as it was spokin unto thame.

6. Simeon  
his  
testimonie *VI Simeon* his testimonie Luc. 2 vs. 28 quhen he had takin up Jesus in his airmes, he prayed God and said lord, now lettest thow thy servand depairt in peace, according to thy word, for my eies have seine thy salvatione, quhilk thow hes prepared befor the faice of all people, a licht to be reveiled to the gentils, and the glory of thy people Israell, and vs. 34, behauld this chyld is appointed for the fall and rising againe of mony in Israell

[f. 10v]

and for a signe, quhilk salbe spokin against.

7. Anna hir  
testimonie *VII Anna* the prophetess the dochter of Phanuell, of the trybe of Asser [Asher], a woman of great adge, quha had leived with hir husband seavin yeir fra hir virginitie, a wedow now about fourscoir and four yeir, sche went not out of the temple bot served God with fastings and prayeris nicht and day, sche then cuming at the same instant with auld father Simeon upon thame confessed lykwayes the lord and spak of him to all that looked for redemptione in Jerusalem.

8. the  
wysmen *VIII The wysemen* quha come out of the east thair testimonie Math. 2 vs. 1 quhen Jesus then was borne at Bethlehem in Judaea, in the dayes of Herod the king: behauld thair come wysmen frome the east to Jerusalem, saying, quhair is the king of the Jewes that is borne, for we have seine his stare in the east, and ar come to worschip him.

9. Martha  
hir  
testimonie

*IX Martha* the sister of Lazarus hir testimonie John chap. 11 vs. 27<sup>29</sup> quhen Jesus had said unto hir I am the resurrectione and the lyfe, he that belevethe in me, thocht he war dead, yit sall he leive, and quhasoever livethe and belevethe in me, sall never die. Beleves thow this. Sche said unto him, ye[a] lord, yea lord, I beleve that thow art the Chryst, the sone of God quha suld come into the world. And this for the second sort of testimonies, followes the thrid.

Of Johne  
Baptist his  
testimonie

*Of the thrid testimonie*  
*The thrid testimonie,*

[f. 11r]

in the New Testament, provand Jesus to be the messiah promesed is that notable testimonie of *Johne Baptist* the foirrinne and apparitour of Jesus Chryst our saviour, of the quhilk the evangelist John reportethe John chap. 1 vs. 29 quhen John seithe Jesus cuming unto him, he sayethe behald *that lamb of God*, quha takethe away the sin of the world. This is he of quhome I said efter me cumethe a man quha is preferrit befor me, and I knew him not. Bot because he suld be declarit to Israell, thairfoir am I come, baptizing with watter. Sa Johne bair record, saying I saw the spreit come downe frome heavin, lyk a dov, and it aboard upone him. And I knew him not, bot he that sent me, to baptize with watter, he said unto me upone quhome thow sall sie the spreit come downe and tary still on him, that is he, quha baptizethe with [watter] the hally ghaist,<sup>30</sup> and I saw and bair record that this is the sone of God.

*He*, in respect he styled Jesus to be *that lamb of God*, as is said befor, that is, the sacrifice appointed be God, to tak away the sinnes of the world thairfoir our saviour Luc. chap. 7 vs. 26 extolles him to be greater than the propheites, yit because he explanit not the vertew, the power, and the glory, quhilk at the last schyned, and evidently appeired to all at the resurrectione of Chryst, thairfoir the lord Jesus denyes him to be lyk to the apostils Math. chap. 11 vs. 21, bot that he is to be placed in a mid plaice, as it wer, betweine the propheits and apostils. This for the testimonie of John, followes the fourt testimonie.

<sup>29</sup> The passage cited here actually begins with verse 25.

<sup>30</sup> The change from water to the holy ghost was made at the time of writing, rather than on a later readthrough.

- of the [f. 11v]  
 fourt *The fourt testimonie* in the new testament, quhilk is most wechtie,  
 testimonie most excellent, and be all persones most worthie to be belevit,  
 the witness it is the testimonie of God the father him self concerning his  
 of God the deir and wellbeloved sone Jesus at twa severall tymes, first at his  
 father baptisme, nixt at his transfiguratione Math 3.17. Quhen Jesus  
 was baptized, lo the heavins wer opened unto him and Johne  
 saw the spreit of God, descending lyk a dov, and lichtung upone  
 him, and lo *a voice come frome hevin*,<sup>31</sup> saying this is my beloved  
 sone, in quhome I am weill pleased.  
 And chap. 17 vs. 5 quhen Chryst was transfigured upone Mont  
 Tabor, a bricht cloud schaddowed thame, and behauld, thair  
 come a voice out of the clud, saying this is my beloved sone,  
 in quhome I am weill pleased. Heir him. Luk also Marc. 9 vs.  
 7 and Luc. 9 vs. 35.
- The fyft *Of the fyft testimonie*  
 testimonie *The fyft testimonie* quhairby our saviour is provin to be the  
 messiah ar the unaccustamed, most dreadfull and wonderfull  
 miracles, quhilk our saviour him self wrocht, whiche also the  
 holy propheits foirtauld suld be wrocht be the messiah quhen  
 he suld come. To the quhilk also Chryst Jesus him self remittes  
 us as in John chap. 10 vs. 25, Matt chap. 11 vs. 4, according to the  
 prophecie of Isaiah chap. 35 vs. 5. Thane, sayes he, sall the eies  
 [f. 12r]  
 of the blind be lichtened, and the eares of the deaf be opened.  
 Than sall the lame man leip as ane hairt, and the dumb man his  
 toung sall sing. &c.
- The sext *Of the sext testimonie*  
 testimonie *The sext testimonie* is the witness of the evangelistis and apostils,  
 quha wes indewed with the spreit of God in the tyme of the  
 new testament as wes the testimonies of Peter the apostill, of  
 Stephin the first martyr, of Philip the evangelistis, of the apostill  
 Paul, of the apostill John, and utheris as followes.
1. Peter his I *Peter* the apostill witnesses Jesus to be the saviour of mankynd  
 testimonies in special in sex places  
 of Jesus  
 i. Math. chap. 16 vs. 16 Thow art that Chryst the sone of the  
 living God  
 ii. Act. 2 vs. 36 Efter that Peter had stopped the mouthes of the  
 mokers. Let all the hous of Israell knaw for a suirtie, that God

<sup>31</sup> These five words are spaced out slightly for emphasis.

hes maid him, baith the lord and Chryst, this Jesus I say, quhome ye have crucified.

iii. Act. chap. 3 vs. 17<sup>32</sup> Ye have killed, sayes he, the lord of lyfe, quhome God hes raised frome the dead, quhair of we ar witnesses.

iv. Act. chap. 4 vs. 11 This is the *stone*, sayes he, cast asyde of yow builders, quhilk is become the *head of the corner*. nather is thair salvatione in ony uther, for among men thair is gevin nane uther name under heavin, quhairby we most be saved.

[f. 12v]

v. Act. 10. 43 Jesus is he quha is ordaned of God a judge of quick and dead and to him geves all the propheits witnes that throw his name all that believe in him sall ressave remission of sinnes.

vi. 1. Pet. 1. 19 Ye suld knaw that ye war not redemed with corruptible thingis, as silver and gould, frome your vaine conversacione, receaved by the traditiones of the fateris, bot with the precious blood of Chryst, as of a lamb undefyled and without spot, quha was ordaned befor the fundacione of the world, bot was declarit in the last tymes for your saikes. Thir ar the speciall places of Peter his testificaciones, provand Jesus to be the messiah promesed.

2. Stephin II *Stephin*, the first martyr, his testimonie Act. chap. 7 vs. 52 Quhilk of the prophetes have not your fateris persecuted, and thay have slaine thame quhilk schawed befor of the cuming of *that just ane*.
3. Philip III *Philip* the evangelist Act. 8 vs. 32 Philip began at the same scripture, to wit of the 53 chap. of Isaiah, and preached to the Eneuth [eunuch] *Jesus*.
4. Paul his fyve speciall testimonies IV *Paul* the apostill he hes in speciall fyve testificaciones of Jesus provand him to be the promised messiah.
- i. Act chap. 9 vs. 22 Saull incesing moir in strenthe confounded the Jewes quha dwelt at Jerusalem, confirming that he was the Chryst. [ii].<sup>33</sup> Act chap. 13 vs. 23 Of David his seid, sayes he, haithe God according to his promeis raised up to Israell *the saviour Jesus*. And thairefter in [f. 13r]
- vers.* 32 we declair unto yow that tuiching the promeis maid unto the fateris, God hes fulfilled it unto us his thair childreine, in that he raised up Jesus, evin as it is wretin in the second psalme Thow art my sone, this day have I begottin ye.

<sup>32</sup> Presumably an error for Acts 3:15.

<sup>33</sup> The arabic numeral '2' has actually been written here in error.

iii. Rom. 15. 18 Now I say, that Jesus Chryst was a minister of circumcisiōne, for the treuthe of God, to confirme the promes maid unto the fatheris, and let the gentils prais God for his mearcie.

iv. 2 Cor. 1. 20 all the promeses of God in Chryst Jesus, ar yea, and ar in him amen.

v. 2 Tim. 2. 8 Remember that Jesus Chryst, maid of the seid of David, was raised againe frome the dead, according to my gospell. Thir ar the speciall testimonies that Paull hes of Chryst among mony mo.

5. Johne

V *Johne the apostill* he witnessis 1. John chap. 2 vs. 22 Who is a lyer, bot he that denyethe that Jesus is that Chryst. The same is the antichryst, that denyethe the father and the sone.

2. In his first epistill chap. 5 vs. 1, whasoever belevethe that Jesus is that Chryst is borne of God, and everie ane that loveth him quha begat, loveth him also quha is begottin of him.

And in the 20 vs. We knaw, sayes he,  
[f. 13v]

that the sone of God is come, and haithe gevin us a mynd to knaw him, quhilk is treue, that is in his sone Jesus Chryst.

*Besydes* thir thair ar infinit mo places of the new testament, in the quhilk the evangelistis and the apostils explanes and declares abundantly all the propheites of the auld testament, and the haill circumstances of thair prophecies to be trewly fulfilled in the lord Jesus Chryst, for thay fully expone unto us concerning him all thir sex particularis.

1. To be trewe man and God in ane persone

I *Thay* affirme this our lord Jesus Chryst not only to be trewe and naturall man, maid so for us, conceavit and borne as uther men ar, exceptand only originall sin, bot also to be trewe God in ane persone, and to be the trewe and eternall sone of God the father as mony places witnessis.

2. That Chryst come of Abraham and David

II *Thay* plainely declair this lord Jesus the messiah to be borne ane trewe and naturall man of the natione and kinred of the Jewes, and that of the familie of Abraham and David according to the promeis.

3. That Ch. was borne in Bethlehem

III *Thay* mak mentione of the plaice quhair this lord Jesus Chryst is borne into, to wit in Bethlehem of Judea, and that according to the scripture Michea [Micah] chap. 5 vs. 2. Math 2. 5. Luc. 2.6.10.16.

4. That the nativitie of Jesus is mervelous

IV *Thay* discrybe the birthe and the nativitie of the messiah to be not efter a commone, or naturall maner, bot efter ane mervelous way Math. 1. 20 to wit be the holy spreit, and that Joseph hir

[f. 14r]

husband knew hir not Math 1.15<sup>34</sup> and thairfoir Joseph is only callit the putative or supposed father of Chryst. Luc. 3. 23.

5. The tyme of  
Ch. nativitie  
at the end of  
the 70 weikis  
of Daniels  
prophecie

V *Thay* declair in lykmaner the tyme of the nativitie of the messias Luc. 1 vs. 2 and chap. 4.6.7. By the quhilk is signifeit that Chryst the messias is borne, efter the end of the sevintie weikes specifeit be the propheie Daniell chap. 9. 24 in the fourt monarchie of the Romanes quhen the people of God wes now in bondage.

6. Ch. office

VI *Thay* opin up the office and the dewtie of the messias sa fully according to all the prophecies of the sacred scripture, how he was ressavit be his awin peple, lichtleit [mocked] and contemned be thame, that according thairunto in everie point it come to pas.

*Of the seavinthe and last testimonie. The harmonie of the churche*

The seavinthe and last testimonie, provand Chryst Jesus to be the messias is the godly content and harmonie of the churche of God evin fra the dayes of the apostils, and of all the hally fatheris, and doctouris quha in everie adge did florische sence the birthe of Jesus, as also the consent of all

1. doctours

2. Generall  
councils

3. The thrie  
believes of  
the churche.

4. The blood  
of the hudge  
multitud of  
martyres.

[f. 14v]

the orthodoxe councils, and the thrie symbolis of the churche: to wit the belief of the apostils,<sup>35</sup> of Neice,<sup>36</sup> and of Athanasius<sup>37</sup> do this wintes sufficiently Jesus to be the promesed messias the saviour of the warld.

And it is evident out of ecclesiasticall histories, that only for the confessione of this lord Jesus to be the sone of God, and the trewe messias, mony milliones of martyres hes most patiently suffered the deathe, withe a most blythe and happie depairtout out of this lyfe.

*Thir Testimonies*

Conclusione

befoir rehearsed, ar so firme, valid and suir that the verray gates of hell cannot prevaill aganes thame. And undoubtedly thay convince the blind and blasphemous Jewes, quha rejecting this lord Jesus do looke for ane uther messias. And upone the uther pairt thay corroborat and strenthen michtely the faithe of the

<sup>34</sup> Presumably an error for Matthew 1:18.

<sup>35</sup> Apostles' Creed.

<sup>36</sup> Nicean Creed.

<sup>37</sup> Athanasian Creed.

godly, quhen thay sie the event answer to the prophecies, that so thay may acknowledge and imbraice this lord Jesus Chryst for the trewe messias sent unto thame fra God, and that thairfoir thay suld be thankfull to God for suche a great benefit of a saviour.

*To quhome with the father and the hally spreit be all praise for ever.  
Amen.*

[f. 15r-v ruled, but blank]

# DIARY OF THE CONVENTION OF ESTATES, 1630

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Edited by Julian Goodare

## INTRODUCTION

This document is a daily narrative of proceedings in the convention of estates of 1630. It is anonymous, but was evidently written by one of those who managed the government's business, and a likely author can be identified. After the published acts of parliament it is the single most detailed source of information on this assembly.<sup>1</sup> Because it concentrates on debates rather than decisions, it complements the official record well.

### *Context*

The early seventeenth-century political system required a parliament or a convention of estates to meet every few years to make legal, political and administrative decisions, and above all (from the crown's point of view) to vote taxation. Conventions of estates were parliaments in almost all but name; they could not pass permanent legislation, but they could make administrative orders, and they could tax. The previous convention of estates had met in 1625, and the most recent actual parliament had been in 1621. The assemblies of 1621 and 1625 had seen intense political controversy, as would the next meeting of parliament, in 1633, which proved to be the last during Charles's personal reign.<sup>2</sup> The present edition is complemented by an article that places the main political developments in the 1630 convention of estates in a British context.<sup>3</sup>

The immediate context for the summons of the convention was the expiry of the taxation voted in 1625. The last instalment of the ordinary

<sup>1</sup> *Acts of the Parliaments of Scotland*, 12 vols., ed. T. Thomson & C. Innes (Edinburgh, 1814–75; hereafter *APS*), v, 208–28; *Records of the Parliaments of Scotland to 1707*, eds. Keith M. Brown et al. (<http://www.rps.ac.uk/>, accessed 31 July 2008; hereafter *RPS*), A1630/7/1–60.

<sup>2</sup> For recent studies of the 1621 and 1633 parliaments, see J. Goodare, 'The Scottish parliament of 1621', *Historical Journal*, xxxviii (1995), 29–51; J.R. Young, 'Charles I and the 1633 parliament', in K.M. Brown & A.J. Mann (eds.), *The History of the Scottish Parliament*, vol. ii: *Parliament and Politics in Scotland, 1567–1707* (Edinburgh, 2005).

<sup>3</sup> J. Goodare, 'The Scottish convention of estates of 1630', unpublished paper.

taxation had been due for collection in November 1628, with the last instalment of the taxation of annualrents (an innovation of 1621) falling due in November 1629. The privy council had long been hoping that the king would come to Scotland, receive his coronation and hold a parliament, but he repeatedly postponed the projected visit throughout 1629 and early 1630. It does not seem to have been thought possible to hold a parliament before the king's coronation, so the chancellor, Viscount Dupplin, recommended in April 1630 that a convention of estates be summoned as a stopgap measure, and that it deal solely with taxation.<sup>4</sup> Plans for the convention took shape in May and June, and the order to send out missive letters summoning it was issued by the privy council on 24 June.<sup>5</sup>

There has recently been some discussion of government electioneering in connection with shire representation in the 1633 parliament; this is relevant to the 1630 convention, since what became the 1633 parliament came notionally into being as early as 1628. Shire commissioners were supposed to be elected annually at Michaelmas (29 September), and king and privy council had tried in autumn 1628 to get the previous year's commissioners re-elected unchanged, perhaps fearing that fresh elections would produce fewer government supporters; there had also been occasional efforts to recommend particular candidates. These efforts had met occasional resistance, and the overall results are unclear.<sup>6</sup> There was some half-hearted electioneering in early 1629, when two commissioners were recommended for Roxburgh (but the recommendation was then withdrawn), and the freeholders of Ayr were reprimanded for having elected fresh commissioners in place of those of the previous year.<sup>7</sup> In autumn 1629, the council seems not to have repeated its interventions. It made no known individual recommendations, showed little interest even in having the same commissioners re-elected, and directed its main efforts towards encouraging the holding of elections.<sup>8</sup> There may have been informal electioneering. One of the king's letters to the council, in September 1629, urged councillors to negotiate with sheriffs and other local people in order to encourage the election of 'such able and sufficient men as you know to be weell affected to our service and the publique good'.<sup>9</sup> Whether this was a neutral or partisan phrase,

<sup>4</sup> National Library of Scotland (hereafter NLS), Dupplin to earl of Morton, 8 April 1630, Morton papers, MS 82, no. 19, fo. 25.

<sup>5</sup> *Register of the Privy Council of Scotland* (hereafter *RPC*), 2nd ser., iii, 574. The letters themselves may not have been sent until some time in early July: National Records of Scotland (hereafter *NRS*), treasurer's accounts, 1630-1, E21/97, fos. 31v-33r.

<sup>6</sup> Young, 'Charles I and the 1633 parliament', 107-8.

<sup>7</sup> *RPC*, 2nd ser., iii, 54, 104-5.

<sup>8</sup> *RPC*, 2nd ser., iii, 370, 384-5, 434-5, 439-40; *The Earl of Stirling's Register of Royal Letters, 1615-1635*, 2 vols., ed. C. Rogers (Grampian Club, 1885; hereafter *Stirling Reg.*), ii, 427.

<sup>9</sup> *Stirling Reg.*, i, 376.

and whether any action ensued, does not appear. Overall there is no firm evidence of significant interference in the elections of late 1629. It was the commissioners elected on this occasion who would attend the 1630 convention.

The government, though, was naturally making plans to manage the convention to its best advantage. One letter on this had been written as early as 2 June: a holograph set of instructions by Charles to the earl of Menteith, president of the council, who would play an important role in the proceedings. Two were particularly relevant: 'You must command the chancelor in my name, that no motion bee made in the convention but under the hand of the clarke register, and you must command the clarke register that he present none but eather thouse he shall receive warranted under my hand, or by your advyce.' And: 'That the convention may establishe the submission by decreete, together with the annuitie and superioreties, and that those things that ar disputable in the decreete may be ratified by acte of convention.'<sup>10</sup> The first of these (perhaps prompted by Dupplin, who had made a similar point in April) was clearly an attempt to restrict the remit of the convention and to prevent any repetition of the anti-government challenges of 1625. The other matter, concerning the king's revocation, would form one of the government's major proposals to the convention.

The king's opening letter to the convention itself, dated 5 July, paid attention to the needs of the community as well as to those of the government. It was read out when the assembly opened; this forms one of the first entries in the Diary printed below.<sup>11</sup> Charles announced that he was deferring his visit to Scotland until the next spring, and proposed four articles: to consider 'how the valuations of tithes may be most speedilie and exactlie perfyted', so that the decree on the king's revocation could take effect; to promote woollen manufactures; to promote the recent law reform commission; and to grant a tax.<sup>12</sup> Both the official record and the Diary mention other royal letters to the convention; one of these, on a new fishing scheme, would cause controversy.<sup>13</sup> The government's managers seem to have used royal letters to

<sup>10</sup> Charles to Menteith, 2 June 1630, W. Fraser, *The Red Book of Menteith*, 2 vols. (Edinburgh, 1880), ii, 31–2.

<sup>11</sup> Below, p. 104.

<sup>12</sup> *APS*, v, 208–9 (RPS, A1630/7/2).

<sup>13</sup> As well as the opening letter of 5 July, four more royal letters to the convention were recorded in its minutes: (i) 28 June, on collection arrangements for annualrents tax, and pardon for breaches of penal statutes: *APS*, v, 217–18 (RPS, A1630/7/10). (ii) 28 June, on repair of the causeway of Cowiemonth (near Fettercairn): *APS*, v, 227 (RPS, A1630/7/58). (iii) 12 July, on the fishing scheme: *APS*, v, 220 (RPS, A1630/7/25). (iv) 14 July, on baronets: *APS*, v, 223 (RPS, A1630/7/29). The Diary mentions all but the second of these, treating the first as being just about penal statutes: below, pp. 106–7. Four further royal letters to the convention can be identified. One commented on the recent sending of a Scottish malefactor for trial in England (which the king promised would not be a precedent), and

the convention as a tactical device. They had more prominence than they might have received in a parliament – the reading of a royal letter at the opening of the meeting was not something that would have happened in a parliament, although a parliament typically began with a speech from the chancellor which could serve a similar function. The government clearly did not intend to restrict itself solely to taxation, as Dupplin had recommended; whether the convention could also consider proposals from others besides the government remained to be seen.

### *Procedure*

The convention opened on 28 July. Attendance was fairly typical for the period. There were forty-nine nobles (four of whom were also officers of state), ten bishops, and four non-noble officers of state sitting *ex officio*. The official minutes listed all these in order of precedence (noble officers of state, archbishop, marquis, earls, viscounts, bishops, lords, non-noble officers of state), rather than separating them out into 'estates' as the clerks of parliament would have done.<sup>14</sup> The other estates comprised thirty lairds representing nineteen shires – the Diary usually called them 'gentrie' – and thirty-two burgesses representing thirty-one burghs.<sup>15</sup> Thus there were one hundred and twenty-five people present altogether. Almost half were shire and burgh commissioners, although these possessed only one vote per shire or burgh. The burgh representatives, as was their habit, assembled in a 'particular' convention of the royal burghs on 23 July.<sup>16</sup> Presumably they spent the next few days deciding their negotiating strategy, although nothing was minuted.<sup>17</sup> This attendance was greater than the 1625 convention of estates, though smaller than the 1621 or 1633 parliaments. Nobles who did not attend parliaments had recently adopted the habit of sending proxies, but proxies had not come into use for conventions of estates.

one on a scheme to repair Dunkeld Cathedral: *Stirling Reg.*, ii, 470–1. There was a letter about the extent of the Border commission (on which nothing more seems to be heard), and one about a scheme for an impost on trade in foreign ships (which we shall meet again): *RPC*, 2nd ser., iv, 602, 616.

<sup>14</sup> Conventions of estates were minuted in the privy council register rather than the parliamentary register. On the issue of precedence, under 28 July, there was minuted a protest on his precedence from the marquis of Huntly: *APS*, v, 218 (RPS, A1630/7/16). The Diary shows no interest in this.

<sup>15</sup> *APS*, v, 208 (RPS, A1630/7/1).

<sup>16</sup> *Records of the Convention of Royal Burghs of Scotland*, 7 vols., eds. J.D. Marwick and T. Hunter (Edinburgh, 1866–1918), iii, 321. The representatives appear to have been identical. In the burghs' record, 'William Bell' as the representative of Linlithgow is apparently an error for 'Andrew Bell' in *APS/RPS*. Edinburgh may have had two votes.

<sup>17</sup> On this topic generally, see A.R. MacDonald, *The Burghs and Parliament in Scotland, c.1550–1651* (Aldershot, 2007), ch. 3.

The convention met daily between 28 July and 7 August. The Diary records proceedings for every day between these dates, except for 1 August, a Sunday. On 5–6 August 'the conventioun mett not, becaus the same wer appointit to the committie for the fischinges', but there is information on this and another committee for these days.<sup>18</sup> The official record has nothing minuted for these two days.

Because the Diary recounts debates, rather than merely minuting decisions, it provides a more accurate narrative of daily proceedings than the official record. The latter, indeed, is less polished than the equivalent record of a parliament, no doubt because it was not going to be printed, nor, in general, litigated upon.<sup>19</sup> The strength of the Diary's narrative appears clearly in the discussion of taxation. It shows that the decision to vote a tax was agreed in principle on the convention's first day, 28 July, and that the main acts on taxation were 'red in audience of the estaites' on the next day. There was as yet no final decision on them, but there were three proposals to amend them, of which two were 'past fra' and one was 'referrit to parliament'. The convention then turned to other business, but returned to taxation on 2 August, when the acts were 'red over and concludit'.<sup>20</sup> The official record simply minutes the acts' full texts under the date 28 July and does not mention them again. The five short supplementary acts on taxation, also minuted under 28 July, were therefore probably made on 2 August.<sup>21</sup> The Diary similarly mentions other acts as receiving more than one reading.

Deliberations in a parliament, as Alan MacDonald has shown, primarily involved the four individual estates meeting separately to deliberate on acts being proposed. Members of parliament were angry when these separate meetings were suspended in the 1621 parliament (because the opposition was having so much success in them), and prevented altogether in the 1633 parliament.<sup>22</sup> However, Dr MacDonald says little about conventions of estates, and does not mention those of 1625 or 1630. Here the Diary is revealing: it shows that meetings of the individual estates were allowed. For instance, 'ane coppie' of the gentry's grievances was ordered to be given 'to ilk ane of the estaites' for them to discuss. Then the same was done with the

<sup>18</sup> Below, p. 109.

<sup>19</sup> The exceptions were the two main acts on the taxation, which were printed as individual items (with associated proclamations) for the benefit of administrators: H.G. Aldis, *A List of Books Printed in Scotland to 1700* (2nd edn, Edinburgh, 1970), nos. 722–3.

<sup>20</sup> Below, pp. 104–5, 107. An anonymous presbyterian account said that the demand for taxation 'wes done within tua hours eftir the estaitis conventit and sat doun': NLS, 'History of the Church and State', Wodrow Quarto IX, fo. 279r.

<sup>21</sup> *APS*, v, 209–17 (RPS, A1630/7/4–5) (the two main acts); *APS*, v, 217–18 (RPS, A1630/7/6, 12–15) (five supplementary acts).

<sup>22</sup> A.R. MacDonald, 'Deliberative processes in parliament, c.1567–1639: multicameralism and the lords of the articles', *Scottish Historical Review*, lxxxi (2002), 23–51, at pp. 27–39.

king's letter on the fishings.<sup>23</sup> This seems to be the same procedure that had been recorded more cryptically in 1625, with 'copyis' of certain articles being 'delyverit to everie estate to the intent thay may be advysit thairwith'.<sup>24</sup> Presumably the burghs continued their existing convention when the timetable gave them the opportunity. The shire commissioners must have had at least one early meeting, perhaps before the convention opened, to prepare their petitions for the convention's second day.

The convention departed from parliamentary procedure in other ways. There were plenary meetings, with all the estates together, on most days, whereas equivalent meetings of all the estates in a parliament were intermittent. No doubt as a result, the Diary records a number of instances of 'long debate' in the plenary meetings, whereas debates in parliaments were held primarily in the meetings of individual estates. How the latter meetings dovetailed with the plenary ones at the convention is unclear; the Diary does not usually give times of day, and it is possible that there were different morning and afternoon sessions for individual and plenary meetings.<sup>25</sup> The privy council played a management role, perhaps comparable politically to the role played by the lords of the articles in a parliament. There were procedural differences, since the convention met daily in plenary session, whereas most days of parliamentary business saw meetings of the lords of the articles and not of the full parliament. Members of the estates may have lobbied the council in the way that they lobbied the lords of the articles, but there is no direct evidence of this (it might well have occurred without the Diary recording it). The 1630 convention met in the Palace of Holyroodhouse rather than in Edinburgh, the usual parliamentary venue. Perhaps the choice of a royal rather than a civic venue was intended to symbolise a higher level of royal control. The Diary shows that a large subcommittee on the fishing scheme met in the 'laiche counsell house' in the Edinburgh tolbooth.<sup>26</sup>

The government thus had plenty of ways to make its influence felt in the convention. However, a convention of estates, like a parliament, was seen by many as a public meeting in which the subjects could have their own grievances heard. How did this operate in 1630?<sup>27</sup> In his letter to

<sup>23</sup> Below, pp. 105–6.

<sup>24</sup> *APS*, v, 180 (RPS, A1625/10/8).

<sup>25</sup> The committee on gunpowder was ordered to meet at seven o'clock in the morning, and on the next day, that on tanning at eight o'clock: *APS*, v, 224, 225 (RPS, A1630/7/37, 45). The initial meeting of the full convention was scheduled to begin at ten o'clock: *RPC*, 2nd ser., iii, 621.

<sup>26</sup> Below, p. 109. I am grateful to Dr Alan MacDonald for a discussion of the venue.

<sup>27</sup> This question has sometimes been discussed with reference to a statute of 1594 which laid down that legislative proposals to be made to a parliament should first be vetted by a committee of the estates meeting twenty days beforehand: *APS*, iv, 69, c. 28 (RPS, 1594/4/39). However, there seems to be no evidence that this elaborate procedure was ever

Menteith quoted above, Charles had wanted all 'motions' to come via the clerk register, and to be presented to the estates only if they had prior royal approval or if Menteith himself endorsed them. There seems to be no direct evidence that this occurred, and the Diary indicates that it did not. It does not mention the clerk register at all, nor does it describe Menteith as vetting 'motions' although it otherwise gives him a prominent role. Under 29 July, when the Diary mentions the gentry giving in 'ane number of articles and greivances' which were read and 'ordaineit to be coppied' for all the members, the impression is that these had not previously been seen by anyone in authority.<sup>28</sup> The Diary also shows, as we shall see, that some clearly hostile petitions reached the stage of being discussed in the convention. These petitions were omitted from the official record, because the debates on them were curtailed by the government managers. The official record generally minuted only proposals on which some action was taken, though the action was sometimes minimal – some petitions were simply referred to the king or to the privy council.<sup>29</sup> A second document bundled with the Diary gives twelve petitions, of which nine reached the official record; the other three are given in an Appendix below.

The Diary is vital for telling us which matters were contentious; it does not usually tell us much of what was said in the debates, and certainly does not compare with the detail of English parliamentary diaries, which can give all the speakers in a debate and even quote their speeches. However, the very paucity of information on Scottish debating procedure means that we should make the most of what we have.<sup>30</sup> The Diary does usually outline the substantive issues, giving us some idea what lay behind phrases like 'long debaiting' or 'long dispute'. On the issue of debating *procedure* it is largely silent, though the mention of 'whispering' is intriguing; perhaps these were stage whispers, intended to be audible but not addressed to the chair as formal speeches had to be.<sup>31</sup>

There is some information about voting, though the estates gener-

activated: Sir George Mackenzie, *Observations on the Acts of Parliament* (Edinburgh, 1686), 290; R.S. Rait, *The Parliaments of Scotland* (Glasgow, 1924), 426–7.

<sup>28</sup> Below, p. 105.

<sup>29</sup> There is at least one exception. No action at all is recorded on the gentry's proposal that the legal terms of Whitsun and Martinmas should be changed to Lammas and Candlemas: *APS*, v, 219 (RPS, A1630/7/20).

<sup>30</sup> There exist similar documents for 1612 and 1648, and the earl of Melrose's newsletters to the king in 1621 form a comparable source. For the use made of these sources see V.T. Wells, 'Constitutional conflict after the union of the crowns: contention and continuity in the parliaments of 1612 and 1621', and J.J. Scally, 'The rise and fall of the covenanter parliaments, 1639–1651', both in Brown & Mann (eds.), *History of the Scottish Parliament*, vol. ii; Goodare, 'Scottish parliament of 1621'. All these are government documents; there are private newsletters for a few parliaments, but none has been found for the 1630 convention.

<sup>31</sup> Below, p. 106.

ally sought consensus. The long debates seem usually to have ended with one side reluctantly giving way, or with a compromise, rather than with a majority vote. The occasions when votes were taken were not necessarily those on which opinion was most deeply divided or strongly held; the Diary mentions the following instances. On 28 July it was 'voitit to beginn at the taxatioun' rather than at other matters in the king's letter – a procedural matter. More importantly it was then 'voitit' that the tax should be no more than in 1625.<sup>32</sup> On 4 August, Strachan of Thornton's patent was either to be revised or cancelled; 'the mater came to voteing' and all but two voted for cancellation.<sup>33</sup> On one occasion, voting was used even when the meeting was reaching consensus: after long discussion of the revocation, a compromise 'was acceptit with ane universall applause, and passing to voites, was with uniforme consent aggreit to'.<sup>34</sup>

### *Issues Discussed*

The Diary does not cover the whole range of matters shown by the official record to have been discussed, but, for that very reason, it can give a sense of which matters were most important. What follows is an account of those important matters, roughly in the order in which the Diary mentions them. One of those matters, an explosive one, was religious policy – on which the official record is wholly silent, and even the Diary is not as candid as it might have been. To put these issues in context, there then follows a briefer outline of the remaining business.

The principal reason for the 1630 convention, as we have seen, was the expiry of the previous taxation and the need to renew it. The chancellor argued that 'ever at the end of ane taxatioun, they might expect ane new, and thairfoir it wer fitter to grant this taxatioun with mae termes nor the former', but the convention would have none of this and voted the tax only for a standard period of four years.<sup>35</sup> As well as the 'ordinary' taxation, in 1621 a new tax on annualrents (interest payments and annuities) had been introduced; this had initially been controversial, but the Diary does not mention any discussion of the subject in 1630. The government continued, as it had done since 1621, to make it difficult for the opposition to attack the annualrents tax by combining it with the ordinary taxation in a single act.<sup>36</sup> Royal pressure to vote taxes for longer periods, although unsuccessful when it began in 1630, would continue. The 1633 parliament was persuaded

<sup>32</sup> Below, p. 104.

<sup>33</sup> Below, p. 108.

<sup>34</sup> Below, p. 106.

<sup>35</sup> Below, p. 104.

<sup>36</sup> For this manoeuvre in 1621 see Goodare, 'Scottish parliament of 1621', 35.

to vote taxation for six years.<sup>37</sup> In the Restoration period, some taxes were voted for the king's life or in perpetuity. This trend, which might eventually have made parliaments redundant, was abruptly halted in 1690.<sup>38</sup>

The decision to vote a standard four-year tax, made in principle on the convention's first day, was only the beginning. The Diary reveals that the two taxation acts were read on the next day, and that some problems of assessment and collection were discussed. The burghs were quick to demand an explicit reaffirmation of their traditional one-sixth share of ordinary taxation, evidently because some administrators had been encouraging the king to order an investigation into this which might have led to the burghs' share being increased.<sup>39</sup> The burghs did not get what they asked for, but in the event there was no reassessment. Secondly, the lords of erection (peers holding superiorities of former monasteries) pointed out that many of them had promised to surrender their holdings to the crown temporarily as part of the revocation scheme; they asked that these lords should not have to collect the taxes of their 'vassellis', chiefly the feuars who had become the proprietors of most of the monastic lands. The decision was that, because the crown had not yet taken up its right to purchase their superiorities, the lords of erection still had to collect from their vassals in the meantime; however, they received a 10 per cent allowance for their trouble.<sup>40</sup>

The convention returned to the question of taxation on 2 August, when the Diary shows that the main taxation acts were given their second and final reading. The official record mentions some further issues which may well have been dealt with on this day. The issue of tax collection expenses of sheriffs and bailies of regalities (perhaps arising from a petition) was certainly remitted to the council on 2 August.<sup>41</sup> All royal burghs were empowered to collect the extraordinary taxation themselves, rather than the smaller ones being subsumed in their sheriffdoms; this was prompted by a royal letter, in its turn presumably the result of earlier burghal lobbying.<sup>42</sup> However, no action is recorded on the gentry's petition, given in on 29 July, that a committee should arrange for 'releefe of the taxatioun of dismembred baronieis'.<sup>43</sup>

The king's revocation, first announced in 1625, formed an important

<sup>37</sup> *APS*, v, 13, c. 1 (RPS, 1633/6/16).

<sup>38</sup> J. Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), 320–1.

<sup>39</sup> Below, pp. 104–5; *RPC*, 2nd ser., iv, 65–6.

<sup>40</sup> Below, p. 105; *APS*, v, 218 (RPS, A1630/7/15).

<sup>41</sup> *APS*, v, 224 (RPS, A1630/7/36). The orders that hospitals should be exempt, and that the peers should include dukes, marquises and viscounts, were in fact amendments that were incorporated into the first act before it was passed: *APS*, v, 209–10 (RPS, A1630/7/4).

<sup>42</sup> *APS*, v, 217 (RPS, A1630/7/6).

<sup>43</sup> *APS*, v, 219 (RPS, A1630/7/20).

item of the convention's business.<sup>44</sup> However, although the implementation of the revocation was complex, protracted and controversial, it does not seem to have been unduly so in 1630. Charles had issued a decret in September 1629 which formed the basis of subsequent procedure by the teind commission, the executive body for the revocation. The Diary states that the subject was first raised, on 30 July, by one of the gentry's articles given in on the previous day.<sup>45</sup> Sir Thomas Hope, the king's advocate, adroitly steered the debate towards a decision to ratify the decret, with a sensible additional clause that had been proposed by Lord Loudoun as a titular of teinds. Hope capitalised on the emerging consensus to get several further proposals agreed. One of them received opposition – not from the gentry (who tended to articulate the case of the heritors as teind-buyers), nor from the nobility (who tended, like Loudoun, to sympathise with titulars of teinds), but from the bishops, who objected to the revocation's tendency to make the secularisation of teinds permanent. It was agreed to return to the question on the following day, 31 July; frustratingly, the Diary is silent on the subject, but it is a likely day for decisions to have been made on four articles that are in the official record, and two that are not.<sup>46</sup> Another possible day for these decisions is 7 August, when the Diary tells us that two proposals by the teind commission were ratified.<sup>47</sup> The discussions on the revocation had been tense, but not in the event confrontational.

Religious policy was one of the most contentious aspects of early seventeenth-century Scottish government. The official record gives the impression that religion was not discussed, but the Diary and other sources show that it was – and that it was an explosive matter. The Diary gives a clear outline of what happened; presbyterian sources, though fuller, are in some ways less focused on events within the convention. The two types of source are generally complementary, but there are discrepancies that are important for evaluating the Diary's general approach.

According to the Diary, 'the gentrie' gave in some grievances 'against the Bischopes' on 31 July, but these were refused by Menteith, in the chair. A further grievance against bishops was given in on 3 August by Lord Balmorino, in the name of the lay patrons, complaining that the bishops 'urgit

<sup>44</sup> For a fuller discussion of debates on this see Goodare, 'The Scottish convention of estates of 1630'. For the revocation generally see M. Lee, Jr, *The Road to Revolution: Scotland under Charles I, 1625–37* (Urbana, 1985), 48–62, and A.I. Macinnes, *Charles I and the Making of the Covenanting Movement, 1625–1641* (Edinburgh, 1991), 52–72.

<sup>45</sup> Below, p. 105. As with the taxation, the official record minutes a number of acts under the wrong days.

<sup>46</sup> For four of the articles see *APS*, v, 219 (RPS, A1630/7/20), and for the other two, p. 110 below, nos. 1–2. For decisions on the first four articles see *APS*, v, 220, 224 (RPS, A1630/7/21–23, 31).

<sup>47</sup> Below, p. 109.

and exactit ane uther forme of aithe of the persones presentit be the saidis patrons, nor is contened in the act of parliament 1612'. This was refused by the chancellor, although Balmerino claimed that the bishops were breaking the law.<sup>48</sup> However, detailed presbyterian sources show that the first of the petitions was not from 'the gentrie', but from a group of nobles led by the earls of Rothes, Cassillis and Seaforth, and Lords Yester, Ross, Balmerino, Melville and Loudoun – and supported by members of all three lay estates.<sup>49</sup> It seems that the Diary deliberately scaled down its account of the presbyterian challenge.

Why would the Diary's author have swept the presbyterian nobles under the carpet? He mentioned dissident nobles by name elsewhere in his text – and these names were Yester and Balmerino.<sup>50</sup> He was interested in noble dissent, and was not trying to shield people. The problem seems to have been the scale of the presbyterian challenge, and the alarming difficulty in which the government had been placed. If the first grievances had been allowed to come to a vote, thought the anonymous 'History', then 'undoubtidlie the quhole memberis of the conventioun, very few exceptid, had votid for the presenting of thame to his majestie. We ar bund thairfore to thank God for the gude inclinaioun of the estaitis and may luik for a remidie at the nixt parliament.'<sup>51</sup> Now, the Diary might have been seen by the king. It seems that its author could not face the thought of Charles's reaction to the discovery that his Scottish estates had displayed as much anti-government militancy as his English parliament. It might have prompted awkward questions about the effectiveness of the government managers; and there might not have been a 'nixt parliament' in Scotland.

The most eye-catching official proposal to the convention of estates was for a fishing scheme – an Anglo-Scottish society of entrepreneurs who would build a deep-sea fishing fleet to rival the maritime success of the Dutch.<sup>52</sup> This was first raised on 30 July, and the next day it was referred to 'commissioners chosin of ilk estaite for treating thairupoun'. The convention returned

<sup>48</sup> Below, pp. 107, 108.

<sup>49</sup> William Scot, *An Apologetical Narration of the State and Government of the Kirk of Scotland since the Reformation*, ed. D. Laing (Wodrow Society, 1846), 326–9; NLS, David Calderwood, 'History of the Kirk of Scotland after the Reformation', MS 3926, pp. 369–72; NLS, 'History of the Church and State of Scotland, 1581–1641', Wodrow Quarto IX, fos. 278v–280v. Calderwood here is largely a copy of Scot (unless it is the other way round); the anonymous 'History of the Church and State' is textually more independent. John Row, *History of the Kirk of Scotland from the Year 1558 to August 1637*, ed. D. Laing (Wodrow Society, 1842), 350–1, has a comparable but less detailed account, as does NLS, David Johnstone, 'History of Scotland', 2 vols., Adv. MS 35.4.2, vol. ii, fo. 677r.

<sup>50</sup> Loudoun was also named, but not explicitly as a dissident: below, p. 106.

<sup>51</sup> NLS, 'History of the Church and State', Wodrow Quarto IX, fo. 280r.

<sup>52</sup> For an overview of the scheme see Macinnes, *Charles I and the Making of the Covenanted Movement*, 108–13.

to the subject on 3 August, when 'efter ane long dispute, ane new committie was chosin, who wer ordaineit to meitt upoun Thursday and Fryday and to reporte upoun Saturday the sevint of August'.<sup>53</sup> This helps to clarify the official record, which names the members of each committee and states that the second committee was 'to conveene and meet with the burrowes' and then report back 'upon Saturday nixt'.<sup>54</sup> The difference between the committees was that the first was 'chosin of ilk estaite', but the second contained only nobles, bishops and gentry. Clearly one of the reasons for the 'long dispute' on 3 August was that the burgh commissioners had walked out of the first committee, and had insisted on addressing the issue as a distinct corporate body with which the three other estates had to negotiate. The Diary tells us that the fishing committee met on 5 and 6 August, but not what it discussed. On 7 August, the final day, the official record becomes unusually detailed and we are told something of morning and afternoon deliberations.<sup>55</sup> The Diary adds that the burgh commissioners refused to commit themselves because they needed 'tyme to deliberat, and advyse with the burrowis, from quhom they came commissioneris' – perhaps a tactical bid to abdicate their plenary powers.<sup>56</sup> The result was a continuation of the negotiations rather than the definite decision that the government sought. As well as delaying the launch of this new project, the convention destroyed an existing one, an obnoxious patent held by Sir Alexander Strachan of Thornton.<sup>57</sup>

In this period there was increasing interest in the 'penal statutes', a group of criminal statutes imposing penalties – usually pecuniary – for offences – often economic – that injured the community rather than an individual. These offences included usury, bearing firearms, exporting bullion, and forestalling and regrating markets; adultery (though more often an ecclesiastical offence) might also be included.<sup>58</sup> People expected that the convention of 1630 would issue a pardon for past offences, which would oblige officials, informers or patentees to restrict themselves to the enforcement of current and future ones. This led to some debate. The official record makes it appear that the convention passed an act on the penal statutes on its first day, 28 July, supported by a letter from the king but with a qualified protest against it by the king's advocate; there was then a petition from the gentry on the

<sup>53</sup> Below, pp. 106, 107, 108.

<sup>54</sup> *APS*, v, 223, 225 (RPS, A1630/7/27, 45). The official record minuted the appointment of the first committee at 30 July, but the Diary shows that it was the next day. This explains why the official record has the committee due to report 'to the estais at thair nixt meeting'; that 'nixt meeting' was not on 31 July but on 2 Aug. (1 Aug. being a Sunday).

<sup>55</sup> *APS*, v, 226–7 (RPS, A1630/7/51–60).

<sup>56</sup> Below, p. 109; on plenary powers, see MacDonald, *Burghs and Parliament*, 48–50.

<sup>57</sup> Below, p. 108.

<sup>58</sup> For this see J. Goodare, *The Government of Scotland, 1560–1625* (Oxford, 2004), 101, 209–11.

following day.<sup>59</sup> Yet this petition would make no sense if the act had already been passed. The Diary shows that the sequence of events was longer but perhaps more logical.

On the opening day, the king's letter 'for ane generall pardoun to the leigis' was read, 'wherupoun the estaites tuk the morne to be advysed', that is, they would sleep on it. The gentry's petition was probably among those that they gave in on 29 July, and the issue was debated substantively for the first time on 30 July. To start with, 'ane act was maid conforme to his majesties lettre' – evidently this was just a draft. Proceedings were then interrupted by 'whispering' concerning Lawrence Keir, whom apparently both the whisperers and the king's advocate wanted prosecuted, and the advocate protested that the pardon should not include him; this was recorded for transmission to the king. The gentry's petition, seeking a broadening of the terms of the pardon for those bearing firearms, was then discussed. The advocate argued that this should be remitted to the king (possibly in effect a polite refusal); the Diary gives no decision on this, but his argument was presumably accepted since the act as recorded did not include the broader terms. The convention returned to the subject on 2 August, when the gentry made another demand – that the pardon should include certain faults by lawyers. The advocate again protested, this time saying explicitly that the proposal 'was not of the nature of peynall statutis'. Again he succeeded in keeping the proposal out of the final act – but just to make sure, he entered a written protest clarifying his views as to the scope of the pardon.<sup>60</sup>

The Diary mentions three further issues, all apparently less important. The 'dignitie of barronetis', first launched in 1625 in connection with the Nova Scotia colonisation project, was ratified on 31 July.<sup>61</sup> Woollen manufactures had been one of the four matters raised in the king's opening letter to the estates; the official record says nothing more on the subject, but the Diary tells us laconically that on 4 August 'the article anent the manufactories was remittit to the lordis of secreit counsell'.<sup>62</sup> Finally, law reform, also mentioned in the king's opening letter, was discussed on 4 August. A commission to codify the laws had been appointed in 1628, but had achieved little. 'The estaits thocht it fitt that some persounis of ilk estaite sould be addit' to the existing commission.<sup>63</sup> Nobles and bishops were named by the

<sup>59</sup> *APS*, v, 217–18, 219 (RPS, A1630/7/7–10, 20).

<sup>60</sup> Below, pp. 104, 106–7.

<sup>61</sup> *APS*, v, 223 (RPS, A1630/7/28); below, p. 107. If the Diary's author was Sir Thomas Hope, as argued below, it is worth noting that he had himself been created a Nova Scotia baronet in 1628.

<sup>62</sup> Below, p. 109.

<sup>63</sup> Below, p. 109.

convention as a whole, but lairds and burgesses were nominated by their own estates separately.<sup>64</sup> A renewal of the commission followed in 1631.<sup>65</sup>

The matters discussed by the Diary may be put into context by a brief overview of matters that it omitted, evidently considering them of lesser importance. These almost all arose from petitions. One official matter was Lord Spynie's patent as muster-master general, which was ratified; this was prompted by a petition from him, but concerned an official appointment.<sup>66</sup> Another was a scheme that the king had recommended, which had been promoted by William Ramsay in Pittenweem, for an impost on trade in foreign ships: this was peremptorily rejected by the convention.<sup>67</sup>

There were also many unofficial petitions. Most came via the shire and burgh commissioners, though there were one or two local issues like the repair of Saughtonhall bridge (which was remitted to the council).<sup>68</sup> The official record lists a number of 'Greevances givin in be the gentrie' under 29 July; some have already been discussed above, but there were also decisions on the following matters. Privileges of the justices of the peace were ratified, and the shire commissioners were ordered to report the names of the current justices to the council in order that their commissions could be renewed – though nothing was said about appointing a larger number of justices, which the petition had also requested. The king was petitioned to curtail the 'extraordinarie concourse' of Scots to the royal court, and to send those seeking legal decisions to the ordinary law courts rather than listening to their 'sinistrous information'. A complaint about extortion by writers, commissaries and keepers of the seals was remitted to the council. A committee was appointed to discuss the activation of a patent for gunpowder manufacture. The king was petitioned not to relinquish Nova Scotia as part of the peace settlement then being negotiated with France. Enforcement of statutory weights and measures was remitted to the treasurer and exchequer. The acts of parliament against vagrants were remitted to the council with a recommendation that they should be enforced.<sup>69</sup> Among the few petitions on which no action at all was recorded, there was one against the earl of Moray's commission of justiciary in the north. This did not reach the official record but is preserved in the document bundled with the Diary, and is given in the Appendix below.

The burghs submitted fewer petitions than the gentry, and their petitions elicited less interest from the author of the Diary. Probably the burghs' main

<sup>64</sup> *APS*, v, 225, 227–8 (RPS, A1630/7/49, 59).

<sup>65</sup> *RPC*, 2nd ser., iv, 137–9; cf. Goodare, *Government*, 81.

<sup>66</sup> *APS*, v, 225–6 (RPS, A1630/7/50).

<sup>67</sup> *RPC*, 2nd ser., iv, 616; *APS*, v, 227 (RPS, A1630/7/57).

<sup>68</sup> *APS*, v, 225 (RPS, A1630/7/46).

<sup>69</sup> *APS*, v, 220, 224 (RPS, A1630/7/24, 30, 32–5, 37, 47).

grievance was the patent by which Lord Erskine had been empowered in 1620 to introduce a new method of tanning, to make the method compulsory, and to collect fees from tanners. There had long been complaints about this; the convention of estates set up a subcommittee to consider it, and on its recommendation, ordered interested parties to appear before the privy council in November.<sup>70</sup> The absence of the tanning patent from the Diary places doubt on a recent statement that 'The main stimulus to solidarity among the disaffected element in the Convention of Estates in 1630 was provided by the burgh commissioners ... particularly when their attack was directed against the patent for tanning leather granted to John, Lord Erskine.'<sup>71</sup> The tanning patent was clearly an important grievance, at least to the burghs, but in 1630 it was less important than religion, taxation or the fishing scheme.

The burghs' remaining petitions were dealt with as follows. The problem of interference with trade by Dunkirk privateers was remitted to the king. Robert Buchan's pearl fishing patent was remitted to the council with an order to summon Buchan before it. The problem of royal protections for individual debtors (burgesses tended to be creditors) was remitted to the king. The problem of the sale of plaiding in rolls (thus concealing the 'insufficiencie thair of') resulted in an order to summon interested parties before the council the following February – inhabitants of Aberdeenshire were particularly mentioned. A petition on 'the abuse anent yarn and skinnes', apparently from the burghs, was remitted to the council.<sup>72</sup>

### Conclusions

Sir James Balfour, who in 1630 had just been created the new lord lyon, later looked back on the convention with distaste:

All the grate matters debaitted in this conuentione wer only some courte diuyces to tray how the countrey and its commissioners wold relishe these new dewices wich wer afterwarde brought in and enacted in A° 1633; bot being perceaued by some, they durst at this tyme venter no furdre one them, bot remitted all to a parliament.<sup>73</sup>

Balfour's words have attracted attention, and he conveys a vivid and believable sense of the unpopularity of the 'courte' and its programme. It is hard,

<sup>70</sup> APS, v, 225, 228 (RPS, A1630/7/48, 60). For an outline of the scheme see Goodare, *Government*, 211–12.

<sup>71</sup> Macinnes, *Charles I and the Making of the Covenanting Movement*, 106. For some reason, the present Diary is cited among the sources appearing to support this statement. There also appears to be no evidence of 'solidarity' between the estates on the issue; the Diary presents it as a concern of the burghs alone.

<sup>72</sup> APS, v, 224–5 (RPS, A1630/7/38–40, 43–4).

<sup>73</sup> Sir James Balfour, *Historical Works*, 4 vols., ed. J. Haig (Edinburgh, 1824–5), ii, 180.

however, to see exactly what he can have meant. The 'new devices' of the 1633 parliament are clear: he regarded its most inflammatory measures as the act on apparel of churchmen (which had been combined with an act on the royal prerogative), and an act ratifying former religious acts. He also objected to the taxation of that year and to the ratification of the revocation.<sup>74</sup> One problem is the phrase 'grate matters', which seems to be saying that important government measures were proposed in 1630 but then withdrawn. An alternative reading would see this phrase as ironic, in which case Balfour's meaning would be that the government's proposals were trivial. Neither the Diary nor the official record make it explicit that government measures were postponed or withdrawn, with the exception of the fishing scheme. This may have been what Balfour had in mind; he showed no specific interest in the fishing scheme, and if he thought it was trivial, that would support an 'ironic' reading of the passage.

With the help of the Diary, therefore, Balfour should probably be read as saying: 'The court would have liked to introduce the inflammatory measures that were later passed in 1633, but when they realised that there would be opposition, they proposed some minor measures instead, leaving the important ones to a parliament.' This conclusion, however, should lead to a recognition that this is merely the kind of thing that a disillusioned conservative, hostile to the court, was likely to say with hindsight. It should not necessarily be taken as a well-informed and circumstantial account. Balfour's quoted remarks were accompanied by animadversions on the taxation of 1630;<sup>75</sup> again the unpopularity of the taxation is persuasive in general terms, and this time it is supported by the Diary.

Overall, though, Balfour may have distorted our perspective on the convention of estates of 1630. Not a committed presbyterian himself, he did not mention the presbyterian challenge – something that the Diary itself deliberately understated, though for different reasons. This has led historians to miss the significance of the presbyterians' co-ordinated attack and the support that it attracted among the lay estates in 1630. If either of the presbyterian petitions had been allowed to come to a vote, the estates might well have endorsed them, forcing an outright confrontation between the king and a majority of the estates on a central aspect of royal policy. This was the kind of thing that led in England to the parliament of 1629 being the last for eleven years.

<sup>74</sup> Balfour, *Historical Works*, ii, 199–200.

<sup>75</sup> Balfour, *Historical Works*, ii, 180.

*Manuscript, Authorship, Purpose*

The manuscript is in the National Records of Scotland, Cunninghame Graham Muniments, GD22/1/518. It consists of eight unnumbered pages, of which the last three are blank. It is a neat contemporary copy, evidently made from a rough original.<sup>76</sup> It has no named author or title, and no endorsement. It seems to have been written at least partly for the use of the earl of Menteith, who presided over some of the daily sessions and whose 'grit wisdome' is mentioned.<sup>77</sup> Quite possibly Menteith would have shown it to the king. Its present location is among papers relative to the earls of Menteith within the muniments of the Cunninghame Graham family of Ardoch, Dunbartonshire. In addition to the Diary itself, a further sheet bundled with it (also with no author or title) contains twelve articles by the gentry; three that are not in the official record are given in an Appendix below.

The most likely author of the Diary is the king's advocate, Sir Thomas Hope, who had a close political relationship with Menteith at this time.<sup>78</sup> The fact that Hope figures prominently in the text is itself suggestive, though it might be a simple reflection of reality rather than an indication of authorship – he is, after all, referred to in the third person, and his 'protests' are in the official record. More definite indications come at two points when the Diary tells us what Hope was thinking when he made the statements that it attributes to him: 'he knew the grittest statesmen to be something averse, fra the raterficioun of his majesties generall determinatiounes at this tyme', and he protested against the act on penal statutes 'becaus his majesties advocat knew not gif it was his majesties will'.<sup>79</sup> The Diary also mentions Hope acting on the 'whispering' that he heard against Lawrence Keir, something that would have been natural for Hope himself to write but which another author could have written only if briefed by him.<sup>80</sup> And Menteith's 'grit wisdome' manifested itself in his endorsement of a proposal by Hope.

The Diary was evidently designed for the government's internal use, not for publication. Menteith's 'grit wisdome' is a passing remark; the author hardly ever indulges in the florid rhetoric of the official acts, for instance when the estates gave vent to their 'unspeakable joy and gladenesse to see his majestie in this his native countrie' which made them so willing to vote taxes for his visit.<sup>81</sup> The tone is candid, brisk and businesslike. The govern-

<sup>76</sup> See the repetition of the phrase 'of August' under the date 5–6 August: below, p. 109.

<sup>77</sup> Below, p. 106.

<sup>78</sup> Lee, *Road to Revolution*, 109–10. For an outline of Hope's career see A. Hope, 'Sir Thomas Hope, lord advocate to Charles I', *Stair Society Miscellany*, iv (2002), 145–53.

<sup>79</sup> Below, pp. 105, 107.

<sup>80</sup> Below, p. 106.

<sup>81</sup> APS, v, 209 (RPS, A1630/7/4).

ment's managers want to know what has really been going on, what the difficulties have been, and who the troublemakers are. There are, however, limits to the Diary's candour in its presentation of the scale of support for the presbyterian challenge. The Diary does seem to admit that the presbyterians won the debate, only for Menteith to stifle them in a high-handed way without a vote. Not all of Charles's ministers liked the bishops, of course, and Hope would later endorse the National Covenant. The Diary was trying to recognise the government's difficulties and acknowledging a need to do better next time – but it failed to make clear the scale of the difficulties, and thus missed the opportunity to issue a warning that changes of direction might be needed in order to overcome them. If the Diary was indeed written for Menteith to show to the king, this may well indicate that Hope and Menteith felt that it was impolitic to recommend changes of direction to him. Charles continued on his course, with all its momentous consequences for Scotland and Britain.

#### *Editorial Conventions*

The title is editorial, as the original is untitled. Capitalisation and punctuation have been lightly modernised, as have the letters *i/j* and *u/v*. Contractions have been silently expanded, and page numbers (though these are not in the manuscript) inserted in square brackets.

#### *Acknowledgements*

I am grateful to the Cunninghame Graham family, joint owners of the Cunninghame Graham Muniments, for permission to publish the document.

### Diary of the Convention of Estates, 1630

28 Julii 1630

The whilk day the conventioun of estaites was haldin at Halyrudhouse and the Chancellor, being diseasit be his universall gutt, was borne in and presidit.

Efter reiding of his majesties lettre to the estaites the Chancellor proponit gif he sould beginn at the taxatioun or at the uther articles mentionat in his majesties lettre, and it was voitit to beginn at the taxatioun.

Bot the voiting was interruptit be the Lord Yester, who alledgit that the officiares of estaite could haif no voite, becaus they representit no part of the bodie of the estaites; nor yett payit any part of the taxatioun. Quhilk was repellit inrespect of the act of parliament 1617, wherin aucht officiares of estaite ar fund to haif voite in parliament, and much more in conventiounes.<sup>82</sup>

Thairefter it was proponit what taxatioun sould be grantit to his majestie whither the samen whilk was grantit in October 1625, or gif greater, ather in quantitie or number of termes; and to persuade the augmentatioun thairof the Chancellor useit many argumentis; and amangst the rest this, that ever at the end of ane taxatioun, they nicht expect ane new, and thairfoir it wer fitter to grant this taxatioun with mae termes nor the former.

Bot in end the taxatioun was voitit to be ansuerable to that in October 1625, both in quantitie and termes but change.<sup>83</sup>

Thairefter his majesties lettre red for ane generall pardoun to the leiges, wherupoun the estaites tuik the morne to be advysed.

29 July 1630

This day the Chancellor was absent becaus of his seiknes, and the erle of Monteith presidit, and the actis of taxatioun ordinarie and extraordinarie being red in audience of the estaites, the burrowis craveit thair part of the ordinarie taxatioun to be liquidat to the special sowme, whilk is layed on

<sup>82</sup> This attack on the officers of state followed a successful attack, in the convention of estates of March 1617, on non-noble privy councillors as members of a convention of estates: J. Goodare, 'The Scottish parliament and its early modern "rivals"', *Parliaments, Estates and Representation*, xxiv (2004), 147–72, at p. 151. For the 'act of parliament 1617', passed in June of that year, see *APS*, iv, 526–7 (RPS, 1617/5/11). In the parliamentary record it is presented as a declaration by the king (perhaps because it was considered inappropriate for parliament to amend its own constitution), so it is interesting to see the Diary describing it as an 'act of parliament'.

<sup>83</sup> 'but' = without.

them; termlic, whilk is the sext part of ane hundreth thowsand pundis and extending to twentie fyve thowsand merkes, and this was disputit at lenth and in end past fra be the burrowis.

Item the barrounes and gentrie of the west urgit thair retours to be drawn to ane just proportioun, whilk efter long debaiting was referrit to parliament.<sup>84</sup>

Item the lordis of erectioun craveit, to be fred of the ingathering of the taxatioun of the vassellis, who held landis of them; bot wer now surranderit in his majesties handis; against the quhilk evident argumentis was adduceit be his majesties advocat, proveing that they aucht still be burdenit thairwith inrespect of thair erectiounes standing and this was in end past from.<sup>85</sup>

Item efter this the gentrie gaif in ane number of articles and greivances whilk wer red in audience of the estaites, and efter reiding the same wes ordaineit to be coppied, and ane coppie to be gevin to ilk ane of the estaites. [p. 2]

### 30 July 1630

This day the erle of Monteith presidit in absence of my lord Chancellor, and the barrounes articles being red, the first thair of was disputit quhilk was anent the expeding of the valuatiounes of the teyndis.<sup>86</sup>

Quhairupoun his majesties advocat being askit his opinioun, ansurat that the expeding of the valuatiounes, is to no purpose, except the groundes whairupoun it flowis, and the end wherto it tendis, be ratefiet be the estaites; And becaus he knew the gritest statesmen to be something averse, fra the rateficioun of his majesties generall determinatiounes at this tyme, at leist affrayed to bring it in questioun for feir of repulse: thairfoir he statit his positiones in this sorte, that it sould be found be the estaites, first, that

<sup>84</sup> This was a long-standing regional grievance. During the debate on taxation in the convention of estates of 1617, 'Sum of the westland agreing to the substance urged that no conclusion might be takin till thay wer releved of the importable burding of ane undue proportion imposed upon thair cuntrie be inequalitye of the worth of merklandis, thairs being so far inferiour in rent and proffit to the lyke number of merklandis in uther schyres and pairtis of the cuntrie as thay wer forced to underly moir nor the quadruple of thair due proportion, whairby thair tennantis were becum so poure that it wes impossible to thame to pay any taxation till that inequalitye wer reformed': NLS, Lord Binning to James, 14 March 1617, Denmylne MSS, Adv. MS 33.1.1, vol. viii, no. 8. 'Retours' were conveyancing documents recording the value of lands by the traditional valuation of 'old extent' used for parliamentary taxation. For the assessment system see J. Goodare, 'Parliamentary taxation in Scotland, 1560-1603', *Scottish Historical Review*, lxxviii (1989), 23-52, at pp. 32-6. No action was ever taken to correct the anomaly.

<sup>85</sup> The eventual decision was that lords of surrendered erections still had to collect from their vassals, but they received a 10 per cent allowance for their trouble: APS, v, 218 (RPS, A1630/7/15).

<sup>86</sup> This article is given in the Appendix below, p. 110, no. 1.

ilk heritor sould haif his awne teynd, 2, That the fyft sould be the raite of teynd, 3, That the pryce sould be nyne yeires purchas; Quhilk positiones wer disputit be the estaites, and the Lord Lowdoun haifing urgit with great resson, that this claus sould be addit to the first, That ilk heritor sould haif his awin teynd, he fulfilling his majesties determinatioun,<sup>87</sup> The erle of Monteith in grit wisdome tuik hold of the speeche, and replyt, That in his judgment, it was best to ratefie the hail determinatiounes, togidder with these articles proponit be his majesties advocat; Quhilk was acceptit with ane universall applause, and passing to voites, was with uniforme consent aggreit to.<sup>88</sup>

Thairefter the advocat urgit, That the act of annuitie sould be ratifiet and that lettres of horneing sould be drast for payment thairof, of the crope 1628 and thairefter as the valutiounes sould happin to be discussed in commissioun; Quhilk was grantit.<sup>89</sup>

Item the advocat proponit to haif the generall commissioun ratefiet, and power grantit to them to direct lettres of horneing against the sub commissiouners, quhilk was aggreit to.<sup>90</sup>

The advocat proponit, That the not submittaris sould be tyed, to quyt the teyndis of uther mennis landis, whilk was disputit at great lenth and opposit to be the Bishopes, and at thair desyre continewit to the nixt day.

Item his majesties letre anent the fischeinges of the hail kingdome was red; Togidder with the articles sent downe thairwith: And ane coppie thairof ordainit to be gevin to ilk estaite, that they micht be advysed thairwith against the nixt day.

Item this day ane act was maid conforme to his majesties letre off ane generall pardoun to all his majesties subjectis of sick peynall statutes, whilk was remittit of befor in any parliament or conventioun.

And becaus his majesties advocat hard some whispering, That his pardon sould include Laurence Keir wryter, for whais persute he had ane letre from his majestie; Thairfoir he producit his majesties letre and protestit that the pardoun sould not be extendit to him, quhilk the estaites referit to his majestie.<sup>91</sup> [p. 3]

Item the gentrie craveit, That this pardoun sould be extendit to wearing and bearing of hagbuttis and pestillettes [sic], whair no offence was done thairwith; Quhilk his majesties advocat desyred sould be remittit to his

<sup>87</sup> Loudoun had recently, on 13 April (ratified during the convention on 5 Aug.), agreed to surrender the superiority of his lordship of Kylesmuir in return for a promise of 18,000 merks: *Register of the Great Seal of Scotland*, viii, 1652. He was no doubt concerned to ensure that this agreement would be activated only if he received payment.

<sup>88</sup> APS, v, 218-19 (RPS, A1630/7/17).

<sup>89</sup> APS, v, 219 (RPS, A1630/7/19).

<sup>90</sup> APS, v, 219 (RPS, A1630/7/18).

<sup>91</sup> For the king's letter see *Stirling Reg.*, ii, 437.

majesties gracious consideratioun, as appearing to haif some equitie and resson, bot wanting ane warrand of his majesties lettre, seing it was not of the nature of ane peynall statute and was never remitted of befor.

*31 July 1630*

This day the Chancellor was yet absent and the erle of Monteith presidit, and thair wes some articles gevin in be the gentrie, containing some greevances against the Bischopes; And becaus the erle of Monteith was resolveit not to resave the saides articles, thairfor he conveyned the counsell and advysed with them thairanent, who all in one voice ordaineit the articles to be refused, and thairefter when the estaites was mett, the mater was long debaited among the estaites, wherin it was contendit for the articles, That the same was not against ane standing law; And thairfoir aucht to be recomendit to his majestie; Bot the erle of Monteith declaired oppinlie in presence of the haill estaites, That he wald not admitt of them; Wherupoun the mater ceissit.

Item thairefter the mater of the fisching was handlit, and commissioners chosin of ilk estaite for treating thairupoun and the day of meitting appointit the seconde of August.<sup>92</sup>

Item this day the dignitie of barronettis was ratefiet conforme to his majesties lettre.

*2 August 1630*

This day the Chancellor returneit and presidit, and the act of the generall pardoun being red, it was craveit be the gentrie That the forme sould be expreslie extendit to the clerkes and wryteris, and becaus his majesties advocat knew not gif it was his majesties will and that the same was not of the nature of peynall statutes, he protestit against the same.

Item the actis anent the taxatioun ordinarie and extraordinarie wer red over and concludit.

<sup>92</sup> This helps to clarify the official record, which names the members of each committee and states that the second committee was 'to convene and meet with the burrowes' and then report back 'upon Saturday nixt'. The official record minuted the appointment of the first committee at 30 July: *APS*, v, 223 (RPS, A1630/7/27). However, the Diary here shows that it was the next day. This also explains the statement that the committee was due to report 'to the estaits at thair nixt meeting'; that 'nixt meeting' was not on 31 July but on 2 Aug. (1 Aug. being a Sunday).

### 3 August 1630

This day the parliament was fensit and continewit to the first of Apryle, and the remanent of the day was altogidder employed upoun the fischinges;<sup>93</sup> And efter ane long dispute, ane new committie was chosin, who wer ordaineit to meitt upoun Thursday and Fryday and to reporte upoun Saturday the sevint of August.

### 4 August 1630

This day the Lord Balmerinoche gaif in ane article for himselff and in name of the laick patrones, complaineing upoun the Bishopes [p. 4] who urgit and exactit ane uther forme of aithe of the personnes presentit be the saides patrones, nor is contened in the act of parliament 1612 whilk prescryves the forme of the said aithe, whilk article was long disputit, whither it aucht to be resaveit or nocht, And my Lord Balmerinoche requyred the kinges advocat to assist the laick patrones thairin, becaus it was the transgres of ane standing law; whilk the advocat for guid ressounes refused, without he had ane speciall warrand for that effect fra his majestie; And efter the mater was long debaitit, the Chancellor refused to admitt the saim without the advyse of the secreit counsell and so the mater restit.<sup>94</sup>

Item thairefter the gentrie gaif in thair greivance against the lairde of Thorntoun his patent, whilk was red in presence of the estaites, And efter long dispute the questioun was statit, in thir two branches: Whither gif the said patent sould be altogidder recallit, and the memorie thair of ordaineit to be rased and cancellat furth of the registres, or gif the same sould stand with the restrictiounes alreadie maid be his majestie; Or with such uther additioun thereto, as his majestie sould be pleased to make; And the erle of Monteith haifing with guid ressounes urgit, That the said patent whilk was past under his majesties great seall and allowit be the haill lordis of exchekker, could not be totallie recallit and delite furth of the registre, bot allanerlie reullit and moderat be his majesties restrictiounes maid or to be maid, Yet when the mater came to voteing, The haill estaites except his majesties secretare principall, and advocat, voitit for the absolute recalling and cancelling thair of furth of the registre.<sup>95</sup>

<sup>93</sup> The parliament that eventually met in 1633 had first been proclaimed and 'fenced' (formally constituted by commissioners) in 1628. This was one of several postponements: *APS*, v, 5 (RPS, 1630/8/1); *Stirling Reg.*, ii, 441; *RPC*, 2nd ser., iv, 1-2.

<sup>94</sup> The oaths prescribed in 1612 were one recognising the royal supremacy and one of obedience to the bishop: *APS*, iv, 470, c. 1 (RPS, 1612/10/8). Since at least 1626, bishops had been required to make ministers admitted since 1618 subscribe an additional 'band' of conformity to the Five Articles: Balfour, *Historical Works*, ii, 143-4.

<sup>95</sup> Sir Alexander Strachan of Thornton had received in 1628 a commission to collect omissions

Item this day the article anent the manufactories was remittit to the lordis of secreit counsell.

Item the article anent the commissioun of the lawis was proponit to the estaites, and the commissioun thair of ratefeit and approvin; Bot becaus some of the commissioneris was deceist and als that the estaitis thocht it fit that some persounes of ilk estaite sould be addit thairto, Thairfoir the names of these whilk wer to be addit was condiscendit upoun, and ane new commissioun ordaineit to be exped.

#### 5 et 6 August

Thir two dayis the conventioun mett not, becaus the same wer appointit to the committie for the fischinges, who mett both upoun the fyft and sext of August in the laiche counsell house of August [sic]

Item upoun the sext of August the commissioun for the teyndis mett at Halyrudhouse, wher thir two articles wer maid, viz ane That the heritors who choosis to mak payment of the raite of teynd, sall give reall securitie be Infestment to the titularis for payment of the teynd bolls; And ane uther, That these who hes compeired in the valuatiounes ather in persute or defence and not declynned nor appealed salbe haldin, as gif they had subscriuveit the submissiounes.<sup>96</sup> [p. 5]

#### 7 August 1630

This day the conventioun mett, wher the committie for the fisching maid thair reporte; And efter long debaite, the burrowis offerit to plant and undertak for the land fisching, quhilk they defynned within lochis, and within ane kenning to the land; And declared that they could not presently condiscend, to the associatioun of the fisching in the mayne sea, whill they had tyme to deliberat, and advyse with the burrowis, from quhom they came commissioneris; And thairfoir the mater was continewit till the first counsell day of November, and ane number of commissioneris chosin for ilk estaite, to attend the counsell that day.

Item the two last actis of commissioun maid upoun the sext of August anent the titularis securitie and anent the not submittaris who had compeired in the valuatiounis was ratefiet be the hail estaites.<sup>97</sup>

and concealments in past treasury revenues. For this commission's stormy history see Lee, *Road to Revolution*, 84–5, and J. Goodare (ed.), 'Fiscal feudalism in early seventeenth-century Scotland', *Scottish History Society Miscellany*, xiii (2004), 189–222, at p. 207. Strachan sat in the 1630 convention as a shire commissioner for Kincardine.

<sup>96</sup> A postponed meeting of the teind commission had been scheduled for this day: NRS, treasurer's accounts, 1630–1, E21/97, fo. 35v.

<sup>97</sup> APS, v, 226 (RPS, A1630/7/51).

### Appendix

*Bundled with the Diary is a list of twelve numbered articles, with no heading or endorsement. Nine of them (numbers 3–6, 8–12) are the first nine in the 'articles and greevances' listed in the official record as having been given in by the gentry on 29 July (APS, v, 219 [RPS, A1630/7/20]). The three others are:*

1. For the more spedie valuation of teynds, our humble desire is that an particular and peremptorie day be appoynted to every subcommissioners [sic] to convein before them the titulars and heritours and to tak in the valuations, with certification if the heritors and titulars compeir not sick days as shalbe appoynted to them, that the subcommissioners according to their former pouer shall giwe up and condiscend upon the valuation, and that betuix and find a competent uther day as shalbe appoynted, The subcommissioneris shall report their diligence, and lettres of horning to be derect against the heritors and titulars and subcommissioners for obedience heiroff.
2. Item, if any appellation shalbe made by any partie from the subcommissione That notwithstanding the subcommissioners shall proceid and conclude anent the valuation, and refer to the great commission or to the kings majestie or his parliament what best course they shall take theranent.
7. Item, that the estates would be pleased to consider of the Earle of Murrays commission of justiciary and lieutennandry granted against the north shyres, The lyke wheroff may be granted against uther parts of the kingdome, and that for removing of the great feare and terrour the leidges hes conceaved, according to an particular petition given in theranent.<sup>98</sup>

<sup>98</sup> For the king's wish to continue this commission see *RPC*, 2nd ser., iv, 3.

SIR DAVID HOME, LORD CROSSRIG,  
'A NARRATIVE OF THE RISE, PROGRESS AND  
SUCCESS OF THE SOCIETIES OF EDINBURGH  
FOR REFORMATION OF MANNERS', 1701

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Edited by Nathan Gray

This manuscript, held at the National Records of Scotland, was written in 1701 by Sir David Home (or, less commonly, Hume), Lord Crossrig, and completed on 11 August.<sup>1</sup> It is a description of the foundation and the purposes of the Societies for Reformation of Manners, addressed to Crossrig's peers as a way to justify their activities and generate support.<sup>2</sup>

Crossrig was a founding member of the first Scottish reformation society in Edinburgh, and an active agent of the societies' expansion throughout the city and the country. The document, catalogue number GD158/571, appears to have been written in Crossrig's own hand. A comparison with his spiritual diaries of the same period, held at the Royal College of Physicians in Edinburgh, bears this out. Crossrig evidently had confidence in the clarity of his script, and was willing to take the time to write out the document rather than engage the services of an amanuensis. The phrase 'written of his own hand', therefore, may be taken at face value.<sup>3</sup>

The Societies for the Reformation of Manners were local organisations which hoped to combat moral degradation and impiety on the streets of Edinburgh and other cities, by urging 'the restraining and punishing of Vice' through the passage and enforcement of laws against 'Immorality'. This

<sup>1</sup> Though he did not become a law lord until 1689, for clarity this introduction will refer to Home as Lord Crossrig throughout.

<sup>2</sup> On a visit to Lady Polwarth on 11 Aug. 1701, Crossrig 'Delivered a Narrative to ye Chancellor [Sir Patrick Hume of Polwarth, the earl of Marchmont] Concerning ye Societies'. The National Records of Scotland (NRS) holds Crossrig's narrative in Marchmont's family collection. Crossrig's diaries are catalogued at the Royal College of Physicians of Edinburgh under manuscripts for David Hume. He mentions the 'narrative' on v. 2, p. 42. For Marchmont, see J.R. Young, 'Hume, Patrick, first earl of Marchmont (1641-1724)', *Oxford Dictionary of National Biography* (Oxford, 2004) (hereafter ODNB); online edn, May 2006 (<http://www.oxforddnb.com/view/article/14150>, date of access 18 Mar. 2010).

<sup>3</sup> NRS, GD158/571, p. 10. My thanks to Dr Karin Bowie of the University of Glasgow and to Dr Ulrike Hogg of the National Library of Scotland for their advice on the issue of handwriting.

particular document, in soliciting support from its readers, outlines their obligation to countenance the societies. Though it is a work of propaganda, this does not detract from its historical significance. The document offers an understanding of how the reformers saw themselves and their role in post-Revolutionary Scotland, and, more importantly, how they saw the role of their peers. The reformers were not just landowners, but also working men – like Crossrig himself, an advocate and judge.

### *David Home of Crossrig*

Most of what is known about Crossrig's life comes from an autobiographical volume, *Domestic Details*, compiled between 28 April 1697 and 29 January 1707. The book does cover his entire life, but it focuses on financial and property dealings within his family and with his neighbours. These details are interesting enough in themselves, in illuminating how business was conducted in late seventeenth-century Scotland. However, Crossrig also offers hints at the personal relationships in his life and the intense religious feeling which led to the foundation of the first society in 1699.

Crossrig was born on 23 May 1643, the second son of Sir John Home of Blackadder. He had one elder brother, John, and four sisters: Margaret, the future Lady Ninewells; Katherine; Jean; and Isabel. He studied at the University of Edinburgh, where he was excluded in his second year – he went out to play 'foot-ball', a tradition every 11 March of the university's 'semies', or semi-bajans, which was a violation of university rules.<sup>4</sup> His exclusion came because he would not allow himself to be whipped as a punishment, but his uncle Sir Thomas Dundas of Arniston, a relative on his mother's side, intervened with Robert Leighton, the principal of the university, to allow Crossrig to return for a second semie year.<sup>5</sup> Crossrig graduated in 1662, and proceeded to legal study at Poitiers in 1664.

Crossrig's acquaintance with Patrick Hume of Polwarth, later the lord chancellor and the probable recipient of this manuscript,<sup>6</sup> may have dated to this time. He made particular mention of Polwarth in writing of their return from France in 1666, which was forced because of war between England and France. Polwarth, unlike Crossrig, pursued a legal career upon

<sup>4</sup> Crossrig wrote:

I, with some other semies, did foolishly engage my self with an oath, Ita me Deus amet [As God may love me], to keep that custom of going to the foot-ball; and tho' I was most earnestly entreated the night before by my regent not to go, yet out of conscience of my oath (as I thought,) I went.

Sir David Hume of Crossrig, *Domestic Details* (Edinburgh, 1843), 6. My thanks to Dr Nicholas Evans for confirming my translation.

<sup>5</sup> *Ibid.*

<sup>6</sup> See n. 1.

their return. Crossrig decided to continue studying, but gave it up after a few years. Instead of becoming an 'idle' scion of a landowning family, he involved himself in several unsuccessful business ventures from 1672, including wine importation, brewing and shipping. The failures forced him to borrow 1,000 merks from a William Ker, which 'was the beginning of my debt'.<sup>7</sup>

His family life was marred by numerous premature deaths. His father died when he was fourteen, followed by his sister Jean in May 1668. John Home of Blackadder, Crossrig's elder brother, died in 1675, leaving his children orphans and Crossrig to assume guardianship of his son, also John. Their mother died in May 1678, and Crossrig's first wife, Barbara, followed that November, leaving two daughters and a son. Four years later, his youngest sister, Isabel, and her husband, Patrick Cockburn of Borthwick, died, leaving two children who were under Crossrig's care until 1687. Crossrig did remarry in 1680, having two sons with his second wife, the widow of one James Smith.

His business problems and the deaths in his family lay behind the numerous legal entanglements and complications in which Crossrig found himself in the 1670s and 1680s. Following the death of his brother-in-law Robert Home of Kimmerghame (Katherine's husband), Crossrig was persuaded to move in the summer of 1678 to the Berwickshire family seat of Blackadder, to look after his nephew's affairs 'which obliged me to more trouble and pains ... which continued and encreased extremely till the end of the year 1689'.<sup>8</sup> In *Domestic Details*, Crossrig writes of 'opposition' to his second marriage by his second wife's brother, Robert Hepburn. Hepburn and Crossrig came to terms, which required Crossrig to provide security in the form of 13,000 merks to the heirs and children of the marriage, as well as an annual life-rent of 600 merks to his wife. Financial difficulties were not the only problems Crossrig faced before the Revolution. His presbyterianism, which he does not mention in *Domestic Details* until quite late, had a part in the legal troubles which began in 1684 after a settlement between Polwarth and Crossrig's uncle, James Home of Greenlawdean.<sup>9</sup> Later that year, Polwarth had to flee because of pursuits of presbyterians and suspected

<sup>7</sup> Hume of Crossrig, *Domestic Details*, 18.

<sup>8</sup> *Ibid.*, 20, 23. This nephew was probably John Home, the laird of Blackadder. In 1689, he would return from France, where he had been since 1684. Another possibility is George Home of Kimmerghame, son of Robert, who accompanied John but returned in 1687 (*ibid.*, 42). George had married Jean Home of Aiton 'clandestinely' in 1677, the stress of which, Crossrig alleges, may have contributed to Robert's death.

In 1678, George and Jean had been summoned before the privy council and sentenced to three months' imprisonment in Edinburgh Castle. Their fine, 3,000 merks, was paid via a loan for which Crossrig was bound, but not George. Despite getting a 'band of relief' from George, Crossrig was still paying the lender ten years after the imprisonment. Jean had died before George and John's departure for France. *Ibid.*, 23, 25-6, 33.

<sup>9</sup> *Ibid.*, 33. Greenlawdean had died in 1677, and the agreement with Polwarth appears to have

rebels, in what Crossrig describes as 'a sad year to the country'.<sup>10</sup> Crossrig himself received word that he had been sought for questioning and possible detention while he was away in Berwick on business of his nephew John Home of Blackadder, which caused Crossrig to stay in Berwick for the remainder of the week. When he returned to Blackadder, he discovered that the report was false.<sup>11</sup>

All the same, a circuit court in the Borders 'strake terror into many, considering there had been a circuit at Jedburgh not long before, requiring all heritors to take the test'.<sup>12</sup> The judges, however, were seeking nothing more than 'a voluntary offer of cess', which the Merse granted for two months.<sup>13</sup> The judges were pleased, until Teviotdale offered five months, so they cited the Merse heritors to appear before them in Kelso in the hopes the heritors would offer the same amount. Crossrig suggested writing a separate address pledging five months, instead of simply signing Teviotdale's address 'when some parasits represented that I had been active in opposing the commissioners'.<sup>14</sup> He was cited to appear before the privy council for allowing a conventicle to meet, presumably on his or his family's property. It was the second time Crossrig had been summoned for this reason in one year, having only been released from his summons the first time by Polwarth's influence with the judge. Polwarth was now out of the country, unable to help, and the death of Charles II in February 1685, according to Crossrig, raised the level of insecurity.<sup>15</sup> He considered following Polwarth abroad, but both his family and their affairs for which he was responsible, especially those of his nephews Blackadder and George Home of Kimmerghame, caused him to stay.<sup>16</sup>

Crossrig was detained in the summer of 1685, during the invasions of the dukes of Argyll and of Monmouth. His association with Polwarth evidently did not help him, since Polwarth was with Argyll. He was not treated harshly, he writes, but was in custody for just over three weeks. The bond he had to give upon his release was costly, 'but saved me from great fatigue, and greater expenses that I would have been put to if I had been with the rest of the heritors', who must have remained in custody near Jedburgh.<sup>17</sup> His ability

been a settlement of part of Greenlawdean's extensive debts. Polwarth paid 15,200 merks for the deed to the lands of Greenlawdean.

<sup>10</sup> *Ibid.*, 34.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*, 34-5.

<sup>14</sup> *Ibid.*, 35-6.

<sup>15</sup> Charles's death did, however, 'put a stop to these kind of processes' like that of Crossrig before the privy council. *Ibid.*, 36.

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*, 37.

to participate in a rebellion was also hampered by the amputation of one of his legs in 1681, resulting from an injury which he does not specify.<sup>18</sup>

In addition to threats to his personal liberty, Crossrig witnessed threats to political liberties, especially in the form of a planned repeal of penal laws against Catholics, proposed to parliament in 1686. Parliament defeated it, but the following year, Catholics became, in Crossrig's words, 'impatient of delays', and persuaded James VII to issue the Toleration.<sup>19</sup> At this point, Crossrig decided to pursue a legal career after all, paying 500 merks for entry into the Faculty of Advocates. He gave bond for another 500 because he thought himself 'rusted in the study of the law, so as I could not adventure to undergoe the trial appointed for intrant advocats'.<sup>20</sup> Why, after so many legal entanglements in the 1670s and early 1680s, he decided formally to become an advocate only in 1687 is not clear, but he might have feared where toleration of Catholics would lead, even though it extended to presbyterians as well. He might also have felt his experience in the courts would allow him to perform well as an advocate, despite not having completed his education.<sup>21</sup> After the flight of James VII and II, and the proclamation of William as William II of Scotland on 11 April 1689, Crossrig was nominated to the Court of Session.<sup>22</sup> He took his seat on 1 November as Lord Crossrig, after his formal appointment by the privy council, and was appointed a lord of justiciary on 27 January 1690.<sup>23</sup> The income he earned from his new positions helped him resolve his financial troubles from the previous two decades and gave him and his family a financial security he had not known since the early 1670s.<sup>24</sup>

### *The Societies for Reformation of Manners*

In the late 1690s, Crossrig heard of a series of societies established in England to encourage moral reformation, known as the Societies for Reformation of Manners. A book had been published outlining their foundation, and Crossrig, having been 'very desirous to see such a book', discovered it in an Edinburgh bookshop in September 1699.<sup>25</sup> It provided a framework for him

<sup>18</sup> *Ibid.*, 29.

<sup>19</sup> *Ibid.*, 42–3.

<sup>20</sup> *Ibid.*, 43.

<sup>21</sup> J.D. Ford, 'Home, Sir David, of Crossrig, Lord Crossrig (1643–1707)', *ODNB*; online edn, May 2006 (<http://www.oxforddnb.com/view/article/14140>, date of access 8 Feb. 2010).

<sup>22</sup> Hume of Crossrig, *Domestic Details*, 48.

<sup>23</sup> Ford, 'Home, Sir David', *ODNB*; G. Brunton & D. Haig, *An Historical Account of the Senators of the College of Justice* (London, 1832), 439.

<sup>24</sup> Ford, 'Home, Sir David', *ODNB*.

<sup>25</sup> Hume of Crossrig, *Domestic Details*, 67–8. Crossrig refers to the book in the document, attributed to Josiah Woodward, minister of Poplar, Middlesex: *An Account of the Societies for*

to address serious problems in Scottish society which he had perceived since the Revolution: a 'growth of profanity' and 'the lukewarmness of many who in the dayes of suffering had shewed some zeal'.<sup>26</sup>

His regret over these social phenomena may have been reinforced by the hopes engendered after the Revolution that Scotland would again become a nation of faith following the re-establishment of presbyterianism. The general assembly and parliament had passed resolutions and laws against profanity and blasphemy during the 1690s,<sup>27</sup> a time of consolidation for the new administration in government and kirk, but the view of reformers such as Crossrig was that the measures were insufficient because of their apparent failure.

The societies in England had started in the summer of 1691 as voluntary bodies encouraging the authorities to give practical effect to laws against immorality which had already been enacted.<sup>28</sup> They were controversial organisations on several levels, beginning with their use of informers.<sup>29</sup> Their campaign against alcohol was criticised as being tantamount to treason since, by targeting inns and taverns, they were seeking to deny the crown revenues from excise taxes – money which was needed at a time of military operations in Europe.<sup>30</sup> Church figures sought the suppression of societies because of the involvement of dissenters and the intrusion of civil authorities on the ecclesiastical sphere by prosecuting sins as crimes.<sup>31</sup> Finally, civil authorities suspected them of undermining the practice of law enforcement by issuing suspect and illegal warrants, as well as contributing to factionalism.<sup>32</sup>

The English societies did have strong voices in their favour, the strongest being that of Queen Mary herself.<sup>33</sup> The account cited by Crossrig included

*Reformation of Manners, in London and Westminster, And other Parts of the Kingdom* (London, 1699).

<sup>26</sup> Hume of Crossrig, *Domestic Details*, 66–7.

<sup>27</sup> For example parliament's Act against blasphemy, 28 Jun. 1695 (*Records of the Parliament of Scotland*, ed. K.M. Brown [St Andrews: University of St Andrews, 2007–10], <http://www.rps.ac.uk/trans/1695/5/117>, date of access 29 Nov. 2010) or the general assembly's Act against Prophaneness, 11 Jan. 1697 (Church Law Society, eds., 'Acts: 1697', *Acts of the General Assembly of the Church of Scotland: 1638–1842* [University of London and History of Parliament Trust/Institute of Historical Research, 2010; originally published 1843], <http://www.british-history.ac.uk/report.aspx?compid=60098#s12>, date of access 29 Nov. 2010).

<sup>28</sup> A.G. Craig, 'The Movement for the Reformation of Manners, 1688–1715' (unpublished Ph.D. thesis, University of Edinburgh, 1980), 27.

<sup>29</sup> Craig, 'Movement for the Reformation of Manners', 32, 36–9.

<sup>30</sup> *Ibid.*, 47, 50–1. Conversely, however, the societies maintained that the English forces could not succeed if they were susceptible to vice and debauchery. *Ibid.*, 14.

<sup>31</sup> *Ibid.*, 97–8, 258–62. Not all church officials were opposed to the societies, however. *Ibid.*, 271–2.

<sup>32</sup> *Ibid.*, 42, 225.

<sup>33</sup> *Ibid.*, 27–8; C. Rose, 'Providence, Protestant Union and godly reformation in the 1690s', *Transactions of the Royal Historical Society*, Sixth Series, iii (1993), 162–5. My thanks to Dr Karin Bowie for pointing me to this article.

a proclamation by William, a supportive letter from Mary, and an approbation of the account and the societies' work by both nobles and bishops of the Church of England.<sup>34</sup> By the end of the decade, however, the criticisms were having a more powerful effect. Earlier supporters such as Daniel Defoe now held that the reformation touted by the societies was counterproductive in addressing the symptoms of the crisis of immorality rather than its root causes.<sup>35</sup> Additionally, Defoe accused campaigners of a bias against the lower classes by focusing on crime and punishment, bringing the less well-off to the courts while letting more prominent individuals, some of whom may have been acquaintances of reformation society members, off lightly.<sup>36</sup> The solutions were schools to eliminate immorality beginning in childhood, and possibly to train adults in the catechism, both of which were goals of the Society for Promoting Christian Knowledge, founded in London in 1699 by some of the same men involved in the reformation societies.<sup>37</sup>

Ironically, at a time when the reformation societies were falling out of favour in England, they were starting work in Scotland. The English account, understandably, was quite positive, and the feeling was perhaps that official efforts simply needed a slight push to take their full effect. Despite the influence of the campaign in England, however, Scotland was not without its own antecedents for the reformation societies. Crossrig himself confesses to attending private religious gatherings in Edinburgh in the reign of Charles II.<sup>38</sup> Judging from the accusations levelled at him in 1684 and early 1685, of hosting conventicles on his family's property, rumours about his participation may have been circulating among the political classes.

The religious gatherings Crossrig had intended were not conventicles, according to his description, but any private gathering outside established worship was suspect. Conventicles had given shape to resistance to the various forms of ecclesiastical and civil establishments in the seventeenth century, and had not only inspired violence on the part of their participants, but also in the government's responses. The memory of these meetings was

<sup>34</sup> [Woodward], *Account*, 1–6, 17–20.

<sup>35</sup> D. Defoe, *The Poor Man's Plea* (London, 1700), 19. Two earlier editions had appeared, but the third was the first to which Defoe attached his name. The first edition is available at Edinburgh University Library Special Collections, shelf mark \*\*RR30.5. The third edition is available at Early English Books Online (EEBO), bibliographic number D842B. Two other editions appear.

<sup>36</sup> *Ibid.*, 6–7. Craig writes that try as they might, preachers and reformers were unable to shake off these accusations. 'Movement for the Reformation of Manners', 201.

<sup>37</sup> M.G. Jones, *The Charity School Movement: A Study of Eighteenth Century Puritanism in Action* (London, 1964), 35.

<sup>38</sup> '[R]emembering that in the late evil times, while I lived in Edinburgh I had been a member of a societie that mett every Mundayes afternoon for prayer and conference, I did often regret to some of that societie yet alive, that there were not now such meetings.' Hume of Crossrig, *Domestic Details*, 67.

therefore painfully fresh after the Revolution, and in some parts of the country, they were still being held for people who felt that the Revolution had not gone far enough.

Since conventicles were seen by their participants as alternatives to established religious services, and were often conducted by disaffected or dispossessed clergy, the challenge they posed to authority was palpable. As before the Revolution, any meetings outside the established presbyterian hierarchy were targets of suspicion. In addition to the conventicles, these included religious and prayer societies, which were dedicated to the moral improvement of their own members, or the reformation societies, which additionally sought to export their piety. The difference between the periods before and after the Revolution was official hostility to such groups. Reformation society members may have been discouraged or criticised after 1689, but they were not arrested or detained.<sup>39</sup>

Suspicious over conventicles caused the reformation societies to emphasise their private, voluntary nature, and deny any claim to civil or ecclesiastical authority. They sought the approval of ministers for their rules and methods of urging reformation, which are outlined in Crossrig's narrative.<sup>40</sup> While they did conduct nocturnal patrols of the city, they did not allow their members to go out unless in the company of a legally warranted officer. Arrests and detentions of offenders by reformation society members were forbidden. The members were accompanying patrols only to witness offences and alert the officers to them, and, if necessary, to present testimony in court.<sup>41</sup>

The disclaimers and deliberate brakes put on their activities, however, did not stop critical responses. In c.1701, an anonymous document questioned the necessity of the societies in Scotland. First, the author writes that they were redundant, because the responsibilities they were taking on themselves

<sup>39</sup> One occurrence of detention of a society member was an example of abuse, not official punishment. See the case of Alexander Stevenson below. Unlike the reformation societies, the religious and prayer societies did exist before the Revolution. A contrast should also be drawn between field conventicles, which attracted more attention from the authorities due to the sheer numbers attending them, and house conventicles. As the names imply, the latter were held indoors, had a more limited attendance, and were more discreet than their outdoor and largely rural counterparts. The field conventicles also tended to be more radical.

<sup>40</sup> See National Library of Scotland (NLS), MS 1954, *Journal of the Proposals made to, and the Resolutions taken by, the Society for endeavouring Reformation of Manners, in [Edinburgh], p. 1 (25 Nov. 1699).*

<sup>41</sup> Edinburgh University Library (EUL) Special Collections, Laing MSS La.iii.339, *Register of the Resolutions + Proceedings of a Society for Reformation of Manners*, p. [35] (17 Jun. 1701). In the narrative, Crossrig gives one of several reasons for correspondent meetings of representatives of individual societies: 'for restraining & preventing of Exorbitancies that might proceed from Excess of zeal & Ignorance of y<sup>e</sup> Law', as in usurping the authority of properly qualified civil officers.

were the same as the parish kirk sessions. If the elders on the sessions were not performing their duties, then the reformers should replace them instead of forming new bodies. Second, the author asks what the nature of the reformation societies was, and what 'warrant' they possessed. He does allow for the possibility that they existed simply for the edification of their own members, and 'to inform truly the civil and ecclesiastical judicatures of vice and profan[e]ness, [that's] soe frequently denyed, tho never soe true'. That being the case, it should be the kirk sessions who establish such societies in the parishes, defining their membership and the limits of their activities, rather than the members themselves. Despite the reformation societies' disclaimers, 'I must begg pardon to suspect the desi[gn] of some in [these] societys, whom I have seen verry much offended at the offering the curbs and limitations proposed.'<sup>42</sup> The authorities did not take positive steps to shut down the societies, however, though they followed the members' counsel ambivalently.<sup>43</sup>

The crimes targeted by the societies were, among others, drunkenness – especially after the legal closing time for inns and taverns – Sabbath-breaking, and idle swearing or cursing. The latter must be seen in light of Crossrig's own youthful indiscretion, which caused him to be sent down from university.<sup>44</sup> More than once, the societies demonstrated a sensitivity to status when making delations. In one instance, in December 1700, a Sir [Andrew] Sinclair and a Ms Irvin, 'a gentewoman', were found together 'in a Baudie house'. The man was not detained, but 'Ga[v]e his word to ansuer when called'. Irvin, however, was taken to jail, and only freed upon giving in her bond.<sup>45</sup> In advance of the meeting of parliament in 1702, the first society proposed 'that constables be ware of Disturbing of Taverns when Members of [parliament] Meet there for their Refreshment or Business During that Space'.<sup>46</sup>

Conversely, one Saturday night in April 1703, three men were found drinking at midnight in the house of Andrew Tennent. One of them, Sir George Broun of Colstoun, 'did swear & maletreat the Constables' who were on patrol.<sup>47</sup> He, along with the other offenders identified that week,

<sup>42</sup> NLS, Wod. Coll. Fol. LI, fo. 23r. My thanks to Dr Alasdair Raffe for directing me to this source. See A.J.N. Raffe, 'Religious Controversy and Scottish Society: c.1679–1714' (unpublished Ph.D. thesis, University of Edinburgh, 2007), 99–100.

<sup>43</sup> NLS, MS 1954, p. 43 (20 May 1704): 'altho Delations be some times made yet the Same frequently fall to y<sup>e</sup> Ground, because not insisted on, and the Magistrates having much work adoe, other ways, [sic] can not remember the same, unless some wait on till such processes be brought to a period.'

<sup>44</sup> See n. 3.

<sup>45</sup> NLS, MS 1954, p. 11 (21 Dec. 1700).

<sup>46</sup> *Ibid.*, p. 25 (30 May 1702).

<sup>47</sup> EUL, Laing MSS La.iii.339, p. [89] (20 Apr. 1703).

was reported to the authorities, but his status might still have affected his treatment: some offenders were fined, and others merely reprimanded, but we have no indication for certain what Colstoun's exact sanction was.<sup>48</sup> Hostility to the societies frequently appeared: in March 1701, Captain Alexander Stevenson of the town guard put a man who had identified himself as a society member into the stocks, after this man had brought an alleged prostitute to the guard.<sup>49</sup> The man's actions, of course, do appear to contravene the societies' rules not to impersonate a warranted officer, but Stevenson was the subject of a number of complaints by the societies. Because of his prominent position in law enforcement, he was capable of causing problems for the reformers.<sup>50</sup>

Charity education in the Highlands was another means of reformation the societies supported. As early as 1701, members contributed to the support of a charity school at Abertarff, near modern-day Fort Augustus. Within two years, the school had failed, but by 1705 the idea of establishing a more settled fund to support charity education took hold, leading to the first society producing and sending to London a draft of a royal proclamation in 1708 in support of what became the Society in Scotland for the Propagation of Christian Knowledge (SSPCK).<sup>51</sup> The draft was later used in the proclamation Queen Anne issued that August, outlining the conditions for the incorporation of the SSPCK.<sup>52</sup> Despite this shift in emphasis, Defoe aimed his former criticism at the Scottish societies from 1709, having seen their operations up close since becoming a member of the second society in 1707.<sup>53</sup>

Specific records of societies outside Edinburgh have not been found, but reference is made to groups in Perth and Inverkeithing.<sup>54</sup> One man wrote

<sup>48</sup> *Ibid.*, p. [90] (27 Apr. 1703).

<sup>49</sup> NLS, MS 1954, p. 12 (8 Mar. 1701).

<sup>50</sup> *Ibid.*, p. 13 (22 Mar. 1701). Later on, the first society appeared to give up on its hopes of getting a public trial, so decided to pursue the matter in private discussion. See *ibid.*, p. 22 (7 Feb. 1702). The issue was rendered moot by Stevenson's death in 1704.

<sup>51</sup> NLS, MS 1954, pp. 91–2 (3–24 Jan. 1708).

<sup>52</sup> The connections between the reformation societies and the general assembly's committee for the propagation of christian knowledge, which took responsibility for securing the proclamation, were numerous: Sir Hugh Cunningham, James Gellie, William Brodie and Lieutenant Colonel John Erskine of Carnock were members of both bodies.

<sup>53</sup> *Defoe's Review: Reproduced from the Original Editions*, ed. A.W. Secord (New York, 1938), v. 16, pp. 15–16. The *Review* had both London and Edinburgh publications, with different issue numbers and slightly different content. Defoe's criticism appeared in the Edinburgh edition of 7 Apr. 1709, v. VI, no. 4. Secord placed the significantly different Edinburgh editions out of chronological sequence, after the London editions, which end on p. 600 in v. 16 of his series. Also, see C.E. Burch, 'Defoe and the Edinburgh Society for Reformation of Manners', *Review of English Studies*, xvi (1940), 306–12. For Defoe joining the society, see EUL Laing MSS La.iii.339, p. [125], 3 Apr. 1707.

<sup>54</sup> NLS, MS 1954, pp. 21 (27 Dec. 1701), 27 (15 Aug. 1702).

from Inverness asking for information on the societies, and a minister in Glasgow received permission, along with the provost, to borrow the second society's book for ideas.<sup>55</sup> In the Synod of Merse and Teviotdale, Sir Walter Pringle and James Gellie met with nearly fifty people there in October 1703, including ministers, to offer guidance on establishing societies locally.<sup>56</sup> Other ministers, described only as based in the 'south', were 'But coldish towards ye motion of setting up societies'.<sup>57</sup> Despite efforts to expand, the long-term viability of the societies was questionable. They relied on the enthusiasm and active participation of the members, but these were often difficult to secure. Up to thirteen societies are identified as operating in Edinburgh by July 1703, but members in both societies whose records we have constantly express concern over suspensions of meetings due to lack of interest.<sup>58</sup>

Minutes for the second society end abruptly in December 1707, and the first society fares little better. Crossrig's death in April 1707 caused the members to question whether they would be able to continue without him, whom they considered 'the great Spring and Life' of their society and, by extension, the reformation movement as a whole.<sup>59</sup> It managed to continue into the 1740s, but with a gap in the records after 1708, 'The minuting of what was done in this Society since December 1708 having been much neglected and what Scrolls there had been made, fallen by hand by the Death of many worthy Members, and absence of others who reside mostly in the Country'.<sup>60</sup> Lord Cullen, in 1719, recorded his disappointment that the society had been negligent in its meetings, and urged his fellow members not to let it fall.<sup>61</sup> Despite this, the society was able to regroup in 1740, and began holding regular weekly meetings that October.<sup>62</sup>

Other societies were still extant in August 1744, when the first society recorded consulting them about 'a Day of Prayer & Humiliation', but in April 1745 the minutes stop.<sup>63</sup> The connection to the Jacobite rising is a consideration, as an 1880 letter indicates, but is contradicted by the records of donations which appear at the very end of the volume.<sup>64</sup> Donations are noted through 1748, with space provided until 1755.<sup>65</sup> It is likely, therefore,

55 EUL, Laing MSS La.iii.339, pp. [6] (12 Nov. 1700), [19] (18 or 19 Mar. 1701).

56 NLS, MS 1954, p. 36 (6 Nov. 1703).

57 *Ibid.*, p. 23 (22 Mar. 1701).

58 *Ibid.*, p. 34 (24–31 Jul. 1703).

59 *Ibid.*, p. 70 (12 Apr. 1707).

60 *Ibid.*, p. 100.

61 *Ibid.*, pp. 202, 202A.

62 *Ibid.*, p. 100.

63 *Ibid.*, p. 195.

64 *Ibid.*, pp. 200, 200A–C.

65 *Ibid.*, p. 373.

that meetings continued for a few years following the '45, but how frequent they were we do not know.

### *The Text*

Many of the themes noted above appear in the document, such as those of self-education and self-reformation, in addition to reformation of those outside the societies. Crossrig's diaries are full of self-analysis and relations of private prayer when he felt depressed by his perceived lack of faith. What is significant is a note of regret for the deaths of those such as Thomas Aikenhead, who had been executed for blasphemy at the age of twenty in 1697, 'brought to an untimely tho just end', while including an admission of their perceived necessity.<sup>66</sup>

Crossrig also writes that the Scottish societies have given 'some more latitude to dissenters' than their English counterparts, even though, as A. G. Craig notes, dissenters in England were actively involved in the reformation movement.<sup>67</sup> In Scotland, on the other hand, support for the Revolution Settlement, which sought to sideline episcopalian clergy – especially those who refused to support the settlement or wavered in their support – suffuses the document, though acceptance of converts into the movement is allowed and even hoped for: 'it is humbly Conceived all Right hearted men will approve & fall in Love with the Design, & whoever come to know them will endeavour to Encourage them, & possibly seek to join with them'. The second society, however, took a more rigid approach, limiting its membership to those of the 'true Reformed Protestant Religion'.<sup>68</sup>

In the societies, we can see a pursuit of cooperation between voluntary organisations and civil and ecclesiastical authorities. While the extent of their ultimate achievements may have been questionable, the societies did prepare the ground for later charity and reform movements. The emphasis on the providential reasons for the members' ranks in society, and the obligations laid upon them as a result, reflects a greater role of such professions as business and law, in addition to that of the landed classes.

### *Editorial Conventions*

Since this was a finished text 'in a fair hand', to use the phrase, minimal editing was required. To retain a flavour of the period when the document was written, some idiosyncratic spellings have been kept. Where there is a possibility of misunderstanding, they have been corrected (for example,

<sup>66</sup> See p. 112.

<sup>67</sup> Craig, 'Movement for the Reformation of Manners', 97–9.

<sup>68</sup> EUL, Laing MSS La.iii.339, p. [2]; Raffe, 'Religious Controversy and Scottish Society', 100.

where a new sentence has been created, a formerly lowercase first letter has been capitalised).

Punctuation has been modernised or corrected, mostly in adding commas or apostrophes for clarity. Likewise, superfluous punctuation has been removed. Abbreviations have been expanded for the most part, with the originals of less common examples given in footnotes. Prepositions and shorter words have also been expanded ('yt' to 'that', 'qch' to 'which' and 'wt' to 'with'). 'Ye', however, has been retained. In defining the different sections, many of which are only made distinct from the main text by titles and by numbering style, indentation has been used to emphasise the documents quoted within the document.

### A Narrative

**By Sir David Hume of Crossrig one of the Lords of Session,  
writen of his own hand**

The people of Scotland, who Suffered under the late reigns, can never forget their wonderfull Deliverance & Deliverer, till they forget the Thraldom under which they formerly groand, which it's hoped will not come to pass in this Generation. It's true they are not without fears,<sup>69</sup> that this may fall out of prophaness[*s*] increase, which Disposes men to Ingratitude both to God & Man, and for a long time has so far prevailed, That even in our worst times, it hath been thought Necessary to make Laws to put restraint thereon. And But yet The well Affected of Scotland can not but rejoice at the Good Laws that have been made in the Several Sessions of this Current parliament<sup>70</sup> by his Majestie's Speciall Instructions, and that by the Example of our Neighbours in England & Ireland (which was the joy of her late Majesty) There are some of the people of the City of Edinburgh & other Corporations of this Kingdom who have Associated to lay out themselves for the restraining & punishing of Vice, And that it hath pleased God to give such Success to their Endeavours, That Open profanity in Cursing & Swearing, Drunkenness, prophanation of y<sup>e</sup> Sabath & the like is not at present so very publick and sensible on our street, as it hath been a little while agoe.

That your Lordships<sup>71</sup> May be Informed more particularly of The Rise & progress & Success of the Societies in the City of Edinburgh, I presume to give the following Narrative.

1.<sup>72</sup> The Rise of these Societies was Thus • 1<sup>o</sup>.<sup>73</sup> There had been Societies both in this City & in many other places of this Kingdom in the worst of times, wherein Neighbours did Meet, pray and conferr together for mutual Edification with Concourse of their Ministers, when they could be had. By Means of these Meetings as well as by more publick Means it was that the power of Religion was kept in life. It is very remarkable that notwithstanding the Great persecution of those times, never any was accused or punished for being a Member of, or Meeting in these Societies (that I know of) albeit they were very numerous & frequent, at least once a week.

<sup>69</sup> Crossrig scribbled out a passage here.

<sup>70</sup> part

<sup>71</sup> Lops

<sup>72</sup> This marks the first section of the document. The second section, marked 'II', begins on p. 134, with the words 'Follows The Progress of these Societies'.

<sup>73</sup> 'Primo', 'secundo', 'tertio', etc.

2°. It was Expected after our Wonderfull Deliverance by the Happy Revolution, That a Suffering oppressed people, ready to be Swallowed up of our Common Enemy, the papists, in the Sense and Testimony of their Thankfulness to God and his Instrument of their Deliverance, would have been Eminently pious and have Reformed their lives as much as their Doctrine is Reformed, and would have cherished Harmony & unanimity in promoting & adorning the work of Reformation; But it can not be denied, That the Leaven of Scepticism & Immorality of the late times, has Spread So far, as it is no easie Matter to purge it out, and it is very lamentable that any friend of the present Settlement, should in that concur with the Generality of Enemies thereof, to overturn and undermine it, which we can not hope will stand long on other pillars than those of piety & Righteousness.

3°. Some, particularly of those who had been members of Societies in the evil times (then called Fellowships), observing the unsutable return given by the Generality to the Great Deliverance we have met with, and how immorality still abounded, Atheism, Blasphemy & Luxury increased and waxed bolder, by which Means some have been brought to an untimely tho just end, as the punishment of those who riot in their day,<sup>74</sup> Have wished such Societies were revived, whereby at least Members thereof might be fortified against the bad Example of a Declining time, and that persons of Knowledge, Interest & Influence might Concern themselves therein, now when Religion & piety has all the encouragement that the Law of man can give it, That so it might not [p. 1 ends] Languish and die, thro[ugh]<sup>75</sup> our own corruption, Sensuality, Luke warmness & worldly mindedness.

4°. While they were musing on these things, and lamenting the wickedness of many & Defection of some who had been sufferers or had appeared so zealous in publick for promoting [sic] our happy Settlement and some were murmuring against the Government, others forming parties against it; About two years agoe, their [sic] occurred in our publick News, mention of a Book coming out and then of a Book come out giving an Account of the Rise & progress of the Societies in & about London for Reformation of Manners and the Book coming afterwards to hand, it was a great Reviving To observe the zeal & Success of that people against Immoralitie & that that Undertaking having had its Rise from the late Queen's proclamation, & Letter & an Act of parliament,<sup>76</sup> did come out with the Approbation of

<sup>74</sup> Thomas Aikenhead, a 20-year-old former student at the University of Edinburgh, had been hanged for blasphemy in January 1697. See M.E. Graham, *The Blasphemies of Thomas Aikenhead: Boundaries of Belief on the Eve of the Enlightenment* (Edinburgh, 2008).

<sup>75</sup> throw

<sup>76</sup> part

a Great many of the Bishops & Judges of that Kingdom as also of y<sup>e</sup> Lords Temporal of y<sup>e</sup> House of peers, and which contains a proclamation By his Majesty against profan[e]ness.

5<sup>o</sup>. These matters having been the Subject of Conversation, both with Ministers & others, and, they having much applauded the practice of the English in Setting up Societies for so Noble an End, and considered That our Laws are as Strict against Immoralities, and as Encouraging to those who should stand in the Breach, and that the present Constitution of Church Government is more usefull if assisted for the Suppressing of profanity than the Church Government of England, and that unless private persons put to their hands in a Subserviency to y<sup>e</sup> Magistrate it is next to Impossible for the Laws to have their due & Designed effect, upon these Considerations severall Members of y<sup>e</sup> college of Justice & others did enter into a Societie for the ends foresaid, about the beginning of November 1699.<sup>77</sup>

6<sup>o</sup>. The Undertaking being New, in this kingdom, and several of the Members of the Societie being at an uncertainty what they could do in their private Capacity, they Resolved all to Contribute their [might]<sup>78</sup> to so good a work, and That they might proceed regularly & without all umbrage to Church or State, They Resolved to take advice of the Ministers of Edinburgh, and after Conferring with them one by one, and inviting them and their coming to the Meeting, and After Severall proposals & Rules offered to the Ministers in their Meetings, At Length, after Several weeks' Deliberation & Consultation, The Following Rules were agreed to and approved by the Ministers and Members of the Societie.

Rules to be observed by the Societie  
for promoting the Reformation of Manners  
in themselves & others

Some friends met together, do in the first place consider, That it is their Dutie, as much as they can in their Respective Stations, to procure the Execution of the Lawes by proper Magistrates Against Immoralities. Because as Men, Christians & fellow Subjects, They are bound by all Lawfull & Decent Means To promote the Glory of God, & promote the publick Good, and to Extend Charity to the Souls of others; Especially Considering That endeavours of private persons in this behalf Are Consonant to the Acts of

<sup>77</sup> According to Crossrig, a group met at his house on 3 Nov. 1699, and began holding weekly meetings the next Saturday, 11 Nov. See Hume of Crossrig, *Domestic Details*, 69–70; NLS, MS 1954 and EUL Laing MSS La.iii.339.

<sup>78</sup> Mite

parliament, Council & General Assembly against prophaneness, And may by the Blessing of God be in some Measure Successfull, As appears by the Experience of our Neighbours in England & Ireland.

In the Second place They Consider, That the persons who join in such a work Ought to be duely Qualified. [P]articularly they ought to be sound in the Orthodox protestant Faith, and, Conform thereto, order their Conversations Aright, In Holiness, Righteousness, Sobriety & Charity, As is more fully Express in the Monitory after Mentioned; In respect That as this is the Common Duty of all Christians, so the Scandal would become [p. 2 ends] Greater, if these faults, which they desire to be reformed in others, should be found in themselves or their families, who ought to be Examples of Good to others.

That this Design may be both more Edifying to themselves, & more Blessed in the Success to others, The Societie does most seriously give to all the Members thereof the following Monitory, And most earnestly recommends That each of them do personally Covenant with God in Christ by the Grace of the Holy Spirit to that Effect.

Follows the Monitory by the Societie to all that is or shall become Members of the Societie<sup>79</sup>

'The Design of these Societies being not only to Suppress prophaneness, but also to Advance pietie, These qualifications seem Needfull:

- (1) That it be Acknowledged a Duty & promised to be endeavoured, That Every one strive to [win]<sup>80</sup> to a clear Conviction & Sense of the Evil of every sin, Even the least, and Especially of the body of sin in us as being against the Holy Nation & Sovereignty of God and against his Righteous Law, & Deserving his wrath & Curse, with all the sad effects thereof that ever came upon any in this life, or can come here or in the life to come.
- (2) That we our selves and All others are unable to Deliver our-selves from this state of sin & Misery, and none other is or can be our Saviour but the Lord Jesus Christ.
- (3) That as he is able to save us to the uttermost, and has declared his willingness thereunto, So we renounce all our Lusts, The Devil and the World &

<sup>79</sup> Not indented further than the monitory due to the enumeration of each point.

<sup>80</sup> won

our own Righteousness, & betake our selves unto Christ, as the Only refuge from the wrath of God, That he may be unto us wisdom, Righteousness, Sanctification & Redemption.

(4) That we Accept of God's offer of himself to be our portion & Inheritance, The Lord Jesus Christ for our Instructor, Saviour, Advocate & Lord, And the Holy Spirit for our Sanctifier & Guide, and Exciter unto all the Exercises of Grace & performance of Duties to God & Man; And that we take the Law and word of God for the Rule of our faith & life, & Resign our Selves to his Conduct and to his Disposal, as to what Concerns us for this life and that which is to Come.

(5) That in the Strength of the Lord, & acknowledging our own Insufficiencie, we will Endeavour to fulfill [our] Righteousness and Set our Selves Sincerely to Guard & Watch against all sin.

#### More Particularly

##### I. As to Duties

1°. That in the Same strength, we will Excite our selves to the frequent Exercises of Grace, and lay hold<sup>81</sup> on all occasions thereunto; And in the performance of all Duties we shall have Special regard to the Exercise of Grace, and Endeavour after Communion with God therein and to walk humbly with him, designing in all things his Glory & Exaltation.

2°. That we shall endeavour the Maintenance of the purity of God's Worship & Ordinances, and a due & Sutable attendance thereupon, & Maintain the Worship of God in our families dayly, as well as in Secret.<sup>82</sup>

3°. That we Shall Stir up our selves to a reverent and holy use of God's Name manifested in his word & works.

4°. That we Shall [have]<sup>83</sup> a Speciall care of Sanctification of the Lords day, In Secret, in our families, & in publick, and avoid what we can [sic]<sup>84</sup> all Vain & Worldly Conversation or thoughts thro[ugh]<sup>85</sup> that day.

<sup>81</sup> Possibly 'held'.

<sup>82</sup> I.e., private.

<sup>83</sup> Word omitted.

<sup>84</sup> Possibly intending 'how we can'.

<sup>85</sup> throw

5°. That we shall be carefull to Know, and Sincerely & faithfully practise, the Duty of Every Station & Relation wherein God placeth us, whether in family, Church, State or others.

6°. That we shall use all the [Creatures?] in Sobriety, and earnestly endeavour after Meekness, peaceableness of Behaviour, and a Readiness to render Good for Evil, & to forgive Injuries

7°. That we shall study puretie and Chastitie, in heart, speech & Behaviour, [p. 3 ends] endeavouring the samem<sup>86</sup> in others As well as in ourselves.

8°. That As we resolve not to set our Love on the world, so in as far as God hath made it our Duty, we will use the Means of his appointment and none other for procuring and furthering the wealth and outward Estate of our selves and others, Allwayes with Spiritual mindedness and with regard to the Rules of Justice in all our dealings with others.

9°. That we shall studie plainness, Ingenuity & Candour, speaking the Truth in our hearts, and in whatever station we are or shall be in shall promote the Truth, and never by Calumny or palliating the Truth endeavour the promoting our own by-ends, And shall use all Means Lawfull for preserving our own & our Neighbour's Good name.

10°. That we shall reckon & practise Godliness with Contentment as the Greatest Gain, & Endeavour to be Content with Such things as we have, Remembering allwayes That the Lord hath said, 'I will never Leave thee, nor Foresake thee.'

11°. And because All our own Righteousness are as filthy rags And our best Actions are tainted with sin and can not abide the trial of God's holy, Righteous & all seeing Eye, Therefore we resolve

1. To own and Acquaint our Selves with the Scripture as the Word of God, And Not only to Assent to all the Doctrines & Assertions therein contained, To Yield obedience to [their?] its Commands, Tremble at its Threatenings, Acquaint ourselves with and embrace the Promises therein Contained, But Especially To know Jesus Christ, The root of the promises in whom they are all. Yea & Amen, To [receive]<sup>87</sup> & Entertain him in our hearts & rest on him alone

<sup>86</sup> I.e., same.

<sup>87</sup> Receive

& the Influences & Operations of his Holy Spirit for the Entering upon, thro[ugh]<sup>88</sup> bearing in Every Duty for the Acceptance of our persons & performances petitions & other performances, & for a Mercifull return & Blessing of all our Endeavours.

2. That we will every day endeavour after the Consideration of these things That may discover<sup>89</sup> [c]irc[ling]<sup>90</sup> not only the Danger, but the filthiness & odiousness of Sin, particularly our own Sin, That we shall never run away from God in the Sight & Sense of sin, but being per[s]waded of his Mercy in Jesus Christ, will dayly endeavour after Godlie sorrow for and hatred of all sin, In consideration Especially of him whom we have pierced thereby; And to turn without the least delay from them all unto God, having our resolutions firm and our endeavours constant against them.

3. That we will dayly Exercise our selves in Self Denial, Mortification, Taking up our Cross and following Christ, Watchfulness, Acts of Dependance on God by holy Ejaculations, Self-Examination & Self judging, Endeavouring dayly to Walk in All Good Conscience before God, and to keep a Good Conscience towards God & towards man.

II. As to Sins. That we will sincerely Endeavour to avoid all y<sup>e</sup> sins Contrary to the Duties Engadged to, Especially these sins which are Branded by the Law of the Land, That we will [do] what we can [to] shun all occasions of<sup>91</sup> & all provocations or Temptations there-unto That by our Example & lives as well as other Endeavours we may be assisted to put a stop [to] the current of profanity & wickedness.

(6.) That we will lay hold on all fitt occasions & opportunities That our Conscience tell[s] us are Such To Commend & Recommend The way of God to such with whom we Converse, and To Discourage & Disgrace prophaneness & Vice, To Reprove in the Spirit of Zeal & Meekness, To Exhort unto and Comfort in the wayes of God, with all the powerfull Motives that may occur unto us, Always Looking unto God for Direction & Assistance.

<sup>88</sup> throw

<sup>89</sup> I.e., uncover.

<sup>90</sup> My thanks to Virginia Russell of the NRS and Dr Tom Green for their help with this passage.

<sup>91</sup> I.e., thereof.

(7.) That we will studie to be Valiant for the Lord and the kingdom of Heaven, now in a time when Satan & his Instruments are so bold for Supporting the kingdom of Darkness, and when the Love of many is waxen cold, and so many lye by in the their [sic] lukewarm & unconcerned Temper and are much more ready to plead, if not for the practice, yet for [p. 4 ends] the connivance at wick[ed]ness, and [make]<sup>92</sup> a Mock at sin.

Thus far the Monitori<sup>93</sup>.

These things being presupposed, The Societie is to proceed in Such a fitt Method & order As may most tend to the obtaining the Execution of the Laws against vice and their own Mutual Edification.

To which end they have Resolved in the Mean time till Experience discover what further is Necessary, on the particulars following:

1<sup>o</sup>. That each Meeting shall begin & End with prayer by a Minister if any Such be present, or other wayes by Others of the societie one after another. And every Member shall pour out dayly prayers to God in Secret & in their families That he would be Graciously pleased To direct & prosper their Design Se[e]ing our knowlege, prudence & Success can only descend from Above.

2<sup>o</sup>. That, their number as yet being Small, There be proper Endeavours used for engaging persons of all ranks, Stations & places in the Country to Enter into this or other Societies for the same end & Design, since the making the same Effectual thro[ugh]<sup>94</sup> the Nation will require no less. Yet, none are to be admitted to the Societie of whom there is not Good Ground to hope that they are qualified in Faith & Manners as is Above Exprest, and in order thereunto, no person shall be at first named to be Assumed in publick Meeting till two or more of the Societie be previously Consulted thereanent.

3<sup>o</sup>. That any overture of Importance to be made in the Meeting, be first reduced into writ, and presented by another than him who did draw the same. As also that any one of the Members, on Advising with one or two more of the Societie, may present Overtures from persons who are not of the Societie, by which disin[t]restedness and freedom in the debate &

<sup>92</sup> made

<sup>93</sup> I.e., the end of the Monitori.

<sup>94</sup> throw

Conclusion will be promoted & the Societie will enjoy the Benefit of the Council<sup>95</sup> of others.

4°. That one of the Members do orderly write down all Matters of any import That are treated, Discoursed of, Resolvd or Determined in Each Meeting, The Minutes whereof are are [sic] to be read in the Beginning of the next and the Societie to proceed where the[y] left at the last, That so there may be some standart of what is to be done, the Members may have their thoughts thereof in the Intervals, and delay of Coming to fixed Conclusions may be prevented.

5°. It is a General Rule, That in these Meetings no Matters of State or other Digressions from the Design of the Meeting are so much as to be Mentioned, but the Discourse shall be kept [close]<sup>96</sup> to the work we Meet for, being for Encouraging, Exercising & Encrease of piety & Godliness, the suppression of profanity, & Reformation of Manners. And the Societie utterly disowns the pretending to the least level of Ecclesiastical Jurisdiction. But they only intend As God shall Assist them, to be Subservient [p. 5 ends] in their private Capacities To the Law & Magistrats in finding out by Mutual Reasonings Such Expedients as may be Legally used for Obtaining the Laws to be Execute<sup>97</sup> against immoralities which are so highly regnant, against the Honour of our most Holy Religion, and his Majestie's pious inclinations Exprest in his Acts of parliament & Council thereanent. And that the Overtures on this Head may be the more deliberate, none of them are to pass into Resolutions at the first Meeting in which they are proposed.

6°. The Great Occasion of our Good Laws against prophaneness, their [failure]<sup>98</sup> in the Execution proceeds chiefly from the want of Informers of the guilty to the Magistrats who have power to punish, and tho for encouragement of persons of Inferiour rank There be powers to allow the Informers a Share of the fines, Yet frequently thro[ugh]<sup>99</sup> the Insolency of the Delinquent, Expenses of the process and the like, this Comes to be ineffectual, Therefore the Societie is to name one of their Number who shall be keeper of Such Money As either the Members or others shall deliver in, for being a [fund]<sup>100</sup> for such or the like Charitable uses, To be payed out

95 I.e., counsel.

96 closs

97 I.e., executed.

98 failou[r]

99 throw

100 fond

by the keeper to such persons, in Such Manner, And of Such Quantities as the Societie Shall appoint.

7°. The Societie is to Meet at least once a week at Edinburgh in time of Session on Saturdayes Afternoon from four of the clock till Six And all the Members are to Make Conscience of attendance, Except where there is a Lawfull Avocation.

The Members of the Societie present In te[s]timony of their Approbation of the whole preceeding Rules & premisses have Subscribed the same And Resolve that all persons who shall hereafter be Ad mitted [sic] into their Societie shall Like wise subscribe the the same upon their Admission. Sic Subscribitur

D[avid] H[ome]	J[ames] G[ellie]
F[rancis] G[rant]	J[ohn] E[rskine]
W[illiam] B[rodie]	N[icol] S[pence]
A[lexander] D[undas]	J[?] S[inclair?]
H[ugh] C[unningham]	W[alter] P[ringle]
R[obert] A[lexander]	J[?] P[ringle?] <sup>101</sup> [p. 6 ends]

7°. The Societie being thus Constitute<sup>102</sup> and being Resolved to Meet weekly and to be together for the Space of two houres, That their designs might have y<sup>e</sup> Countenance & Blessing of Heaven They Resolved to begin & End with prayer, by a Minister if present & if they had no Minister, by one of themselves.

8°. And Because they did foresee they would not have Constant work for two houres weekly in Contriving wayes for the better Execution of the Laws against profaneness, and being satisfied That God would the more bless them in their Designs, that they did begin at home & Reformd themselves, and having after the Example of Some of the Societies in England drawn out the above mentioned Rules & Monitory, with some more latitude to dissenters here than they did to dissenters there, It was thought fit to Spend the first half of the Societie's being time together in Religious Conference. [A]nd for y<sup>e</sup> more Edifying procedure therein, the whole articles of the

<sup>101</sup> These names have been taken from NLS, MS 1954. Sinclair may not have been the 'JS' listed here, as Crossrig in *Domestic Details* gave his forename as Matthew (p. 69) and none is given in the MS. The MS also gives no forename for the second Pringle, who is referred to as Pringle of Buckholm, thereafter as Buckholm, but he is the only other 'P' named between the beginning of the minutes and 11 August 1701. He also joined the first society the same day as Sir Walter Pringle, so he may have been a relation. See NLS, MS 1954, p. 12 (15 Mar. 1701).

<sup>102</sup> I.e., constituted.

Monitory was resolved into certain Questions, some of which are read over at every Meeting to be the Subject of Conference at the Next Meeting, & hitherto the Societie has not yet gone thro the half of y<sup>e</sup> Monitory in Conference.

II. Follows The Progress of these Societies. AllTho the above mentioned Societie endeavoured to do as much Good as possible with as litle Noise or talk of their having a hand in it, as ever they could, but yet being very willing & very desirous that others would join in Societies for the Self same ends of the Encrease & promoving of piety & Suppressing of Immoralitie, They procured the Compiling & publishing An Abstract of two books That give an Account of the Societies in England.<sup>103</sup> They recommended the reading of that book as they had opportunity, and when they found a Disposition in any to join in Such Societies, they either Assumed them to their own Societie, or moved them to set up Societies apart, So that now within the City of [Edinburgh]<sup>104</sup> there is [sic] no fewer than Eleven Societies, besides others in the Suburbs, and most of them have a Minister to Meet with them.

These New Societies being desirous to understand the Rules & Method of proceeding of the first Societie, and because it would be inconvenient because[?] by reason of the Numbers, to meet all in one place, it was thought a fitt Expedient That one from every Societie Should Meet together, not only for the better Information of these New Societies, but for a Correspondence with y<sup>e</sup> Societies that all may follow the same Method in prosecution of the Delinquents, & for restraining & preventing of Exorbitancies that might proceed from Excess of zeal & Ignorance of y<sup>e</sup> Law. These Correspondent Meetings have been of Great use for these ends as shall immediately appear.

III. The Success of these Societies is as follows. It is by this Means

1<sup>o</sup>. That the Magistrats of [Edinburgh]<sup>105</sup> by Advice of the Ministers of y<sup>e</sup> City Engaged themselves to be Exemplary in their own Carriage, To Reprove others whom they Obs[e]rve to Transgress, To be more Vigorous in putting the Laws in Execution against prophaneness, And That They caused in April 1700 record the said Engagment in their books and

<sup>103</sup> This would be the book attributed to Sir Francis Grant, *A Brief Account of the Nature, Rise, and Progress, of the Societies for Reformation of Manners &c. in England and Ireland* (Edinburgh, 1700). This is also available through EEBO. It is unclear which is the second book mentioned here, though the 1699 book mentioned in n. 1 above was itself a condensation of a 1698 volume attributed to Josiah Woodward – apparently used by Grant (who identifies it as a ‘Second Edition Enlarged’) – describing the rise of the societies in England.

<sup>104</sup> Edin<sup>t</sup>

<sup>105</sup> Ed<sup>t</sup>

appointed it to be read the first Council day after the four terms yearly And That they recommended to the Deacons to move the like Engadgment to be made in their Corporations.

2°. That there is now chosen a Good set of Constables, who have behaved themselves zealously & most worthily to the Great Advance of Reformation in this City.

3°. That the eight Sessions have been so forward in Concurring for the Magistrats appointing a Judge of Immoralities, setting of zealous [p. 7 ends] Constables & Censors, and that the Town Council was induced to Comply with these Motions, and have Set up pillories in several places of the city for punishing of Delinquents.

4°. It was well designed and it's hoped not without Effect That the whole members of Every Societie should Spend the hour between 7. & 8. on Mundayes Morning in Secret prayer during the Sitting of the parliament, for the Church of God at home and abroad, for the [??] Direction & a Blessing on the king, his Commissioner & All the Members of [parliament]<sup>106</sup> And that on the dayes of their Meeting they Spent a whole hour more than ordinary in prayer to the forsaid purposes.

5°. There have been many prosecuted and fined by The Immorality Court where one of the Baillies of the Burgh [per] Vices is Judge, whereby there is no Small restraint upon people, & Cursing & Swearing is not So open & avowed as formerly.

6°. Such is the Zeal of the Constables & others that accompany them, That They Walk the Streets till after midnight, & if they find any slight women or drunken men on the Streets, they carry them to the Guard; and if Taverns be late open or shops, they procure them to be shutt, whereby it is Observed, That there is no small Reformation in these Matters. Particularly on the Lord's day, people are not now as formerly permitted to Stand and profane that day by idle Conversation on the Streets, and Taverns are not Suffered on that day to entertain any but at Meal time and not after 8. a clock at night.

7°. A Member of the first Societie published a Discourse Concerning the Execution of the Laws made against Prophaneness, A piece in esteem & which Speaks for itself, and of Great use for the Regular carrying on of the Designed Reformation.<sup>107</sup>

<sup>106</sup> parl.

<sup>107</sup> [Attributed to Sir Francis Grant], *A Discourse, Concerning the Execution of the Laws, Made against Prophaneness, &c.* (Edinburgh, 1700). Available on EBO.

8°. These Societies are not Confined to [Edinburgh]<sup>108</sup> and its Suburbs, but are Set up in other Royall Burghs of the Kingdom, and it's hoped in a litle time there will be few Burghs or Shires of Scotland where they shall not be set up, Especially if they Meet as they Deserve with due Encouragement from the Government, As we have no reason to doubt they will, se[e]ing as has been said their only design is to promove piety & Righteousness which is the Stability of our Settlement.

Having given this Candid & full Narrative of the Rise, Constitution, progress & Success of these Societies, it is humbly Conceived all Right hearted men will approve & fall in Love with the Design, & whoever come to know them will endeavour to Encourage them, & possibly seek to join with them. For

1. The Design is most innocent, Usefull & Necessary, being at a time when God was plaguing us for our profanities and Defection from the power of Godliness, and Going over to the Camp of the wicked and joining with them by evil Courses to provoke the Lord to overturn the Great Work he hath wrought for us.
2. The Constitution is Rational, Solid, pious and unexceptionable, and has a Native Tendency to promove piety and bear down profanity.
3. Albeit Several well Meaning persons at first hearing have Scrupled at the Setting up of these Societies, yet all have approved them and gone into them, after their understanding of them fully.
4. The Success that it hath pleased God already to give them, seems to be his Voice from Heaven, and lull to the well Affected to join in them & to propagate them, for stemming the [p. 8 ends] Course [aforesaid],<sup>109</sup> stopping the Carrier of profanity, which as a Deluge threatens the overflowing of this kingdom, and y<sup>e</sup> overturning of our Government in Church & State.
5. Now in a time of Such Animosities & heartburnings This Seems an Effectual Means of Cementing the Differences amongst honest men, and in some Measure of putting a Difference between the precious and the Vile.
6. How can it be thought That a Government, so wonderfully set up & preserved by God's Signall hand, can long stand if we walk not some way Answerable to so Gracious a Dispensation, and lay not out our selves by all

<sup>108</sup> Ed'

<sup>109</sup> afsed

Lawfull & probable wayes of Extirpating prophaneness & Immorality, which end will be our bane & ruine[?]

Therefore it is humblie craved that all who fear the Lord would either join in these Societies or at Least give them all possible Countenance and Encouragement, Especially That such of them as are in publick Trust would Consider It is not for nothing That God hath promoted, placed & kept them in such Stations; That as some time a day they did think, if God should make such a change in church & state as now our eyes behold, They would both rejoyce thereat and, de[s]cending to their Intrest station, promote & Advance his Interest & Glory; so now they who are put into such pools wherein they may do Great Service to God, ought to lay hold on the opportunity he hath put in their hand, remembering it is very uncertain how long it may Continue, and that as the Neglect of it will be the Matter of bitter Reflection when the occasion is over, So the remembrance of their Sincere Endeavours to Serve him to the uttermost in their Stations, will be a sweet ground of praying with Nehemiah, 'Remember me, O My God, Concerning this, & wipe not out my Good deeds, that I have done for the house of My God & for the offices thereof. Spare me According to the Greatness of thy Mercy. Remember me, o, My God, for Good.' Neh. 13.14, 22, 29-31. And it can not be told what Great men by their Example As Magistrates, on joining in Such Societies and Contriving further Methods of Repressing Immorality, Might be Blessed to do.

Might it not be of Use, in due time to Acquaint the king's Majestie with this Narrative or of Such parts of it as May be Necessary for giving him a clear View of the it, & to beseech & Represent how much it will tend to the bearing down of Immorality & the Encouragement of his Majestie's best Subjects and the further Engadging them to a readiness and cheerfulness in his Service, To let his pleasure be further know[n] concerning this Matter, and if it might not be proper to Signify his pleasure to the privy Council in a letter to the purpose following[?]

Right Trustee [sic] &c.

As we can not but regrate,<sup>110</sup> That Notwithstanding the Many Good Laws of that our Ancient Kingdom,<sup>111</sup> Especially Since our Coming to the Throne, against prophaneness & Immorality, and of the care of our Privy Council by emitting a proclamation to acquaint all our Good Subjects with these

<sup>110</sup> I.e., regret.

<sup>111</sup> I.e., Scotland. Scotland was commonly referred to as such because the inheritance of the English throne after 1603 came through the Stuart line, which had originated there.

our Lawes,<sup>112</sup> Yet That prophaneness does still so much abound there, as to threaten the ruine of our Government & Subjects, So we are Glad to hear of the zeal of Some of our Good Subjects, and of the Considerable steps made towards a Reformation, especially in our City of Edinburgh, for which cause We require you to Call the Magistrats of that City & Signify to them our Great Satisfaction with their Good Service therein, & Require them to persevere therein and Encourage all such persons as are most Instrumental and made use of all such Means as they have found or shall find most usefull for carrying on of that Work so acceptable to God & Us.

We have endeavoured & Resolve still to Endeavour the Encouraging of Solid piety & the bearing down of all Immorality by our Example, Laws & the due Execution of them, And Expect the Like from you in the Stations you are entrusted with. To this purpose We require you To let all our Good Subjects know That As God hath made use of us for Delivering that our Antient Kingdom from popery & slavery, and by his Gracious hand hath hitherto preserved us & our Government from many attempts against them, So we Resolve to Rule for him, to own the faithfull & to destroy the wicked of y<sup>e</sup> Land To encourage the practise & power of Godliness, & to put the Lawes in Execution against prophaneness with all Vigour. And for the better effectuating our Design, herein you are to appoint a Constant Committee for receiving and enquiring of into Such Delations of Delinquents as shall happen to be brought before you, and we require our Advocate upon due Information to prosecute them untill Sentence. As also we require you to give due Encouragement to all Judges & Informers who shall faithfully acquit themselves in this Service. Likeas you are to require That in all prosecutions before Inferiour Courts, The Judges, Clerks & procurators Fiscals behave themselves worthily in this Matter, As they would expect a Blessing from Heaven on us, our Government and themselves, and as they will be Answerable on their Highest peril. So we bid you heartily Farewell. Given At [...] <sup>113</sup> [p. 9 ends]

[On the back of the last page is written, perhaps for archival purposes:

‘Narrative

ended Munday August 11. 1701.

[in another hand] By Sir David Hume of Crossrig one of the  
Lords of session written of his own hand’]

<sup>112</sup> Likely NRS, Privy Council acta, 4 Sep. 1696 – 11 July 1699, PC1/51, pp. 337–44. See Raffé, ‘Religious Controversy and Scottish Society’, 98, n. 107.

<sup>113</sup> Left blank for the hypothetical location of issuing the proclamation.

THE MOST MEMORABLE PASSAGES OF  
THE LIFE AND TIMES OF MR J. B.  
WRITTEN BY HIMSELF, 1706

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Edited by Jeffrey Stephen

The author of *The Most Memorable Passages ...* was John Bell (1676–1707). A graduate of Glasgow University, Bell was licensed by the Presbytery of Haddington in 1697 and ordained to the parish of Broughton in the Presbytery of Biggar in September of that year. He transferred to the parish of Gladsmuir in 1701 where he remained until his death on 30 October 1707. Bell's manuscript can be found in the Wodrow collection at the National Library of Scotland: Wodrow Quarto LXXXII, fos. 25–96. Two other works published anonymously have been attributed to him; *An Ingenious and Scientific Discourse of Witchcraft* (1705), and *Abridgement and Alphabetical Index of the Acts of the General Assemblies of the Church of Scotland* (Edinburgh, 1705).<sup>1</sup>

It was not unusual for ministers to keep a diary or write a memoir, with a particular emphasis upon their spiritual experience and work in the ministry.<sup>2</sup> There are a number of published memoirs written by ministerial contemporaries of Bell. However, Bell's uniqueness lies in his emphasis on post-revolution church/state relations, in particular the incorporating union of Scotland and England in 1707, rather than on his personal spirituality or ministry. Bell reveals himself to the reader as a man thoroughly convinced of the rightness of his cause and it is a conviction from which he draws the obvious confidence in his own abilities. Consequently, while he does provide glimpses into some of the spiritual experiences of his youth there is none of the spiritual introspection of someone like Thomas Halyburton. Halyburton (1674–1712) was ordained to the parish of Ceres in Fife in 1700 and was appointed Professor of Divinity at the University of St Andrews in 1710. His memoir has been ranked alongside Augustine's *Confessions* and Bunyan's *Grace Abounding* as one of the finest examples of religious and

<sup>1</sup> H. Scott, *Fasti Ecclesiae Scotticae, The Succession of Ministers in the Church of Scotland from the Reformation*, 8 vols. (Edinburgh, 1915–1950), (FES) i, 366.

<sup>2</sup> David Mullan has identified about seventy Scottish religious autobiographies and diaries up to c.1735. See *Protestant Piety in Early-Modern Scotland: Letters, Lives and Covenants, 1650–1712*, ed. D.G. Mullan (Edinburgh, 2008), 7.

spiritual biography.<sup>3</sup> Halyburton focuses almost exclusively on his personal religious experience, spiritual doubts and fears and his struggle with the intellectual challenge of Deism. References to national events and the wider affairs of the church are few and indeed inconsequential to his aim, which as he explains in his introduction, was to give an account of the Lord's special dealings with him.<sup>4</sup> The best-known and most widely read memoir of the period was written by Thomas Boston (1676–1732). Boston was ordained to the parish of Simprin in 1699 before transferring to Etrick in the Presbytery of Selkirk in 1707. Like Halyburton, Boston writes extensively about his spiritual experiences, but also writes in detail about his parochial work, presbytery affairs and the 'marrow' controversy: a doctrinal dispute within the Church of Scotland over the issue of God's sovereignty and man's responsibility in salvation, and in which Boston was a key figure. References to national and political events, while more prevalent than in Halyburton's memoir, are nevertheless still almost incidental and, despite his opposition to the union, the events of 1706 and 1707 barely merit a mention.<sup>5</sup> Boston's lack of comment is surprising because his continued and lasting hostility to the union was due in large part to his belief, widely held at the time, that it was responsible for the introduction of toleration for Episcopalians, the restoration of patronage and the widespread religious and doctrinal declension that engulfed the church.<sup>6</sup> James Hog's (1658–1734) memoir has similarities to Bell's. Hog, who was the leader of the Marrow brethren that included Boston, wrote at length about some of the key church issues of the 1690s and the affairs of the assemblies, in particular the church's relations with William. Hog provided a dissenting voice to some of the church's

<sup>3</sup> J. Macleod, *Scottish Theology in Relation to Church History* (Edinburgh, 1943), 117.

<sup>4</sup> *Memoirs of the Rev. Thomas Halyburton*, ed. J.R. Beeke (Grand Rapids, 1996), 9.

<sup>5</sup> Boston began his new ministry at Etrick on 1 May 1707, the day the union officially took place, and in his sermon he commented, 'A day remarkable to after ages, as the day in which the Union of Scotland and England commenced, according to the articles thereof agreed upon by the two parliaments. And on that very account I had frequent occasion to remember it; the spirits of the people of that place being embittered on that event against the ministers of the church; which was an occasion of much heaviness to me, though I never was for the union, but always against it from the beginning unto this day.'

<sup>6</sup> John Willison, minister at Brechin and Dundee and a contemporary of Boston's, identified the union as the cause of the church's subsequent declension: see *A Fair and Impartial Testimony, Essayed in name of a Number of Ministers, Elders and Christian People of the Church of Scotland, unto The Laudable Principles, Wrestlings and Attainments of that Church, and against the Backslidings, Corruptions, Divisions and Prevailing Evils, both of the former and present times. And namely the Defections of the established Church, of the Nobility, Gentry, Commons, Seceders, Episcopalians, &c. Containing A brief Historical Deduction of the chief Occurrences in this Church from her Beginning to the year 1744, with Remarks; And Humble Pleadings with our Mother, to exert herself to stop Defection, and promote Reformation* (Edinburgh, 1744); see also, *The Case of the Church of Scotland stated with respect to some Laws antecedent and consequent to the Union; with an humble Inquiry into its influences upon our Reformation, in a letter to a Ruling Elder of the general assembly, from his friend in the country* (Edinburgh, 1715).

actions, which he regarded as unduly compliant with William's wishes and as submitting to an erastian yoke. However, Hog's memoir finishes at the point in time when Bell's really begins.<sup>7</sup>

The political, ecclesiastical and dynastic changes of the revolution of 1688–1690 and their long term consequences, of which Bell writes, were highly significant. The overthrow of the Stuarts created an alternative government in exile with significant domestic support and the threat of invasion and counter-revolution that dominated British politics for the best part of the next sixty years. In Scotland the settlement had far reaching implications, not least of which was incorporating union with England in 1707. Ecclesiastically, the revolution transformed the Presbyterian position from that of indulged dissenters to the legally established church. The religious settlement, while thoroughly Presbyterian, was not inevitable. There was considerable political and religious pressure, including from William, for a moderate settlement that took cognizance of the Episcopalian position. William's preference for an Episcopal settlement proved unobtainable largely because of the Jacobitism of the Episcopalian clergy. Furthermore, the settlement demonstrated the ability of Presbyterians to respond to the changing political circumstances and seize the opportunities they offered. Effective organisation, careful and diligent lobbying of the court, parliament and politicians, as well as the forthright presentation of their position through addressing and preaching, enabled them to galvanise their support within parliament and secure a settlement that not only disappointed their opponents but went beyond what William and erastian inclined Presbyterians would have preferred. The revolution provided the opportunity for Presbyterians to re-build the church upon the foundations laid by the reformers and covenanters; a national church that was Presbyterian in its government, reformed in its theology with a presence and influence that permeated every area of Scottish life and consciousness. Presbyterianism was to be the civilising and unifying factor in national life. They had a vision of a common Scottish Presbyterian identity. The nature of the settlement and the exclusion of the Episcopal interest served to perpetuate the religious conflict

<sup>7</sup> The diary of George Turnbull (1657–1744), minister at Alloa and Tynninghame and close friend and adviser to Thomas Boston, is generally a detailed record of his sermons, lectures and pulpit supply. Overall the entries are marked by brevity with the more detailed ones dealing with family affairs, assembly business and occasional references to political events. The following entry of 30 October 1700 is typical. 'Our parliatt mett, the duke of Queensburry continuing commissioner. The king in his letter to them shews he cannot affect there right to darien, but promiseth whatever else is for the nations advantage: in it are many heats about the affair of Caledonia and a standing army in time of peace; yet severall good laws are made, 1100 souldiers voted to qtinue for two years, and our right to Caledonia asserted: but many members dissent.' See 'The diary of the Rev George Turnbull, minister of Alloa and Tynninghame, 1657–1704', ed. R. Paul, in *Miscellany of the Scottish History Society*, i (Scottish History Society, 1893).

between the two communions that had dominated Scottish religious politics of the seventeenth century. The period witnessed the last major clash of ideology, theology and identity between Episcopalian and Presbyterian. Presbyterianism emerged from this political and religious crucible in a position of strength that its Jacobite/Episcopalian opponents would find impossible to reverse.

Incorporating union of 1707 appeared as an unwelcome and dangerous intrusion upon the Kirk's establishment. Ministers were as concerned about the possible loss of independence and sovereignty as anyone else; Presbyterian nationalism had not yet been laid to rest. The prospect of losing Scotland's parliament and privy council was keenly felt by the church because of the important role both institutions had played in advancing its work. Parliament had been very supportive in terms of legislation and the council had been supportive in enforcing it. This relationship would be difficult to replicate in a British parliament dominated by English Anglicans. Presbyterians did not trust a British parliament to safeguard and maintain the constitution of the Church of Scotland. Certainly, fears for the security of the church's establishment in the new United Kingdom were partly alleviated by the *Act for Securing the Protestant Religion and Presbyterian Church Government*, and there was a determination to adapt to the new political realities and make them work for the benefit of church. The church's vision for a reformed Kirk in Scotland did not change as a result of the union but union introduced a degree of uncertainty about the nature of the cooperation or opposition it might receive from London. Both sides in the union debate regarded the position and attitude of the church as vital to its interests and as such both made concerted albeit unsuccessful attempts to win its support. The commission of the general assembly met in session throughout the period the treaty was being debated through parliament with instructions from the general assembly to do everything within its power to secure the interests of the church in the event of a union. Bell's narrative is important because it sheds light upon the debates within the commission and between the commission and parliament. The treaty of union and the tumultuous events in Edinburgh and elsewhere are seen from the perspective of the church rather than parliament. Furthermore, Bell sets his narrative about the union within the context of the religious politics of the post-revolution period. He believed that a more perfect understanding of the affair of the union could only be had by knowing more thoroughly the political and ecclesiastical background to that event.

#### *Formative Years, Education and Early Ministry*

Bell's narrative can be conveniently divided into three sections: his formative years, education and early ministry; the affair of the union, 1702–1707;

and a narrative of the church's relationship with William and parliament in the 1690s. While Bell's narrative of his youth and education is brief it does provide a necessary preliminary. The first notable event in the memoir is his account of God's gracious providential dealings with him and his family under the difficult circumstances that followed the death of his father. Typically, these were regarded by Bell as God's method of building him up in the faith and as preparatory to his calling as a minister. Thus he demonstrates his qualifications for the ministry not only in terms of his academic but also his spiritual credentials. The reader is left in no doubt that Bell regarded himself as having been educated in the school of Christ, in which his faith has been tried, tested, and purified and importantly that he had submitted to his tribulations with the patience and humility expected of a servant of Christ.

Of his four year ministry at Broughton in the Presbytery of Biggar, Bell is virtually silent, suggesting that it was relatively uneventful. Transferring to Gladsmuir in 1701 he commented that 'he exchanged 200 obedient and submissive people at Broughtoun, for 1200 obstinate people in Gladsmure'. In the confident tone typical of the memoir, Bell noted that it took him ten or twelve weeks to bring them to obedience and regular attendance upon the means of grace. He was dismayed to find serious divisions in his new presbytery, between those he regarded as being of 'cold spirits' and those of 'best repute'. He was also critical of the disorganised state of presbytery affairs. A determined reformer, it took Bell, as moderator of the presbytery, supported by a number of ministerial colleagues, a year of conflict to bring presbytery proceedings into conformity with the demands of the Synod of Lothian.

A key feature of Scotland's post-revolution religious politics was the on-going struggle between Presbyterians and Episcopalians over the control and occupation of parish churches. Roughly equal in terms of numerical strength at the revolution, Presbytery was stronger in the south and Episcopacy north of the Tay. However, the period witnessed a shift in the balance of parochial control as the established church steadily occupied parish churches in southern, central and north-eastern Scotland. Of that process, Bell's narrative provides an interesting and detailed case study. The town of Haddington had a collegiate church that was shared by two Episcopalians who had both qualified according to law by taking the oath of allegiance and the assurance. One of the incumbents, James Forman, died in December 1702 and Bell was appointed to take possession of the church on behalf of the presbytery, thus preventing the intrusion of another Episcopal minister. The church would be given to the Presbyterian congregation in the town, which had worshipped in a meeting house. Despite opposition from the magistrates and town council of Haddington, and threats of violence from a well organised Episcopal mob, Bell and his colleagues were able to take possession of the church. Bell acted with a steely determination but the

successful outcome he secured was guaranteed by parliamentary legislation of 1695 and 1697, which gave the established church the legal right through the local presbytery to supply vacancies.<sup>8</sup> The privy council found in favour of the presbytery twice, the second time being a review of the case requested by Queen Anne following representations from the Episcopal party in Haddington. As was often the case in these disputes, it was marked by bitterness and acrimony and while the outcome was not in doubt the method of settling the new minister was unusual. The presbytery offered the Episcopal party the opportunity to nominate Forman's successor. They chose John Currie, who became moderator of the General Assembly in 1709 and as such became the first since the Revolution who had played no part in the struggles that preceded it. It was a settlement that at least demonstrated a willingness on both sides to pursue a peaceful co-existence even if it was difficult to achieve. Sharing the church with the other Episcopal incumbent led to strained relations at times and Currie welcomed calls to transfer to Edinburgh although the assembly refused to grant them.<sup>9</sup>

The third presbytery dispute arose out of the response of synods to the political circumstances that prevailed at the time of William's death and Anne's accession. These were difficult times for the church; political divisions, Anne's accession having raised the hopes of Episcopalians and the prospect of toleration, Cavalier successes in the elections and the negotiations for union between the kingdoms, all contributed to a sense of foreboding among Presbyterians. Near the end of 1702, synods responded by passing acts reaffirming their position on the doctrine, discipline, worship and government of the church and their willingness to maintain and defend it. All office bearers were required to subscribe to the acts. A division arose in the Presbytery of Haddington when four of its ministers refused to subscribe on the grounds that it would offend the court and that there was no need to repeat the subscription made at their ordination. Bell was one of three ministers appointed to persuade the 'recusants' to change their minds and subscribe the act. Their efforts were unsuccessful and a compromise overture from the presbytery to the synod on behalf of the men, effectively affirming their adherence to the sentiments of the act without subscription, was also rejected by the four men who were ready to argue their case before the synod. The case continued through a series of synod meetings until two of the ministers finally subscribed and the other two received a 'synodical rebuke'. The matter would have ended but for the determination of Archibald Lundie minister at Saltoun and Adam Glass minister at Aberlady,

<sup>8</sup> *APS*, IX, *Act against Intruding into Churches without a legal call and Admission thereto*. *APS*, X, 148, *Act for preventing of Disorders in the supplying and Planting of Vacant Churches*. 30 August 1698.

<sup>9</sup> *FES*, i, 370, 413.

who were joined by Alexander Orrock of Hawick, to take the matter before the general assembly in 1705 on the grounds that such acts were 'tyrannical impositions on men's consciences such as can never bind knaves, and an honest man stood in no need of'. The assembly refused to hear their case and they were forcibly removed from the assembly upon the orders of the commissioner, the Marquis of Annandale. Thereafter, the matter was allowed to drop.<sup>10</sup>

### *The Treaty of Union*

Bell described the prospect of an incorporating union between Scotland and England as a 'formidable danger' to the church; a sentiment shared by the church generally. He was not a member of the commission in 1706 but makes it clear that his narrative of events is based upon his personal observation and experience. Furthermore, as a regular member of the assembly and commission he was a frequent visitor to Edinburgh and therefore well acquainted with current affairs, the literature and leading participants in the union debates. He was convinced by the arguments of anti-incorporationists like James Hodges and George Ridpath who, 'wrote excellently against an incorporating union, and in favours of a federal conjunction, as equally advantageous to both nations'. He regarded the work of Scotland's commissioners at the negotiations as a disappointment and expressed a common prejudice of the time that 'The English treaters were all of them men of the best rank, and brightest parts, of many in England. On the Scots side, the treaters were neither the most considerable for quality or qualification.' Events in 1706 are prefaced with a brief narrative of political events in the parliamentary sessions of 1704 and 1705 in which Bell highlights the erratic and duplicitous behaviour of the Duke of Hamilton, whom he accuses of reneging on an apparent promise to Tweeddale to support him in pushing through the Hanoverian succession. Bell believed that this was a betrayal for which Hamilton and the nation paid a heavy price in 1706, when, desperately trying to stop the union by pressing the succession, Hamilton's entreaties fell on deaf ears as Tweeddale, by this time leading the *Squadron Volante*, had thrown his and their weight behind the treaty. Bell provides a lively and detailed account of the proceedings of the commission during

<sup>10</sup> National Records of Scotland (NRS), CH1/2/5/2, fos. 124-125, Petitions from three ministers regarding encroachments made by some synods and presbyteries on the rights and privileges of the church in imposing bonds on ministers and probationers, without warrant from the word of God or allowance from parliament; *Petition given in by some Ministers to the General Assembly met at Edinburgh the 29<sup>th</sup> of March 1705, with an account of what followed thereupon; Together with an account of the opposition made to the new synodical acts by Mr Alexander Orroc Minister at Hawick from the time that the Synod of Merse and Teviotdale began to move in them, until the meeting of the said Assembly (Edinburgh, 1705).*

1706. Importantly, he does not write about the affairs of the commission in isolation but places them within the context of wider events such as the extra parliamentary activity of the opposition, rioting, mob violence and the threat of armed insurrection from the west. As the reader would expect, the commission is portrayed as the determined advocate of the church's principles, rights and privileges. He maintains that the church is not the tool of either political party and makes the point that the commission refused to take sides in the debate but at all times acted to secure the interests of the church in the event of a union. Indeed, Bell seems to have regarded the fact that the commission angered both sides equally as a vindication of its position. Understandably, Bell's view of the church's actions was not shared by other writers. The Jacobite, George Lockhart of Carnwath portrayed the church as treacherous and as having acted against the national interest. Sir John Clerk of Penicuik maintained that its behaviour was foolish and unnecessary. Bell provides a necessary and sober counterpoint to both.

Bell writes about the debates on all four addresses the commission delivered to parliament and on the issue of a national fast. The most contentious debate took place over the second address, which contained six articles outlining issues of great concern to the church which it wanted parliament to incorporate into any act for church security in the event of a union. Each of the articles is discussed in detail and Bell weighs up the arguments on both sides. The protagonists are conveniently divided into ministers who favoured the articles and ruling elders belonging to the Court Party and Squadron who opposed them. The particular targets of the elders were the articles on the Sacramental Test, the Abjuration Oath and the Covenants. It was an acrimonious debate which divided the commission, and the inclusion of all six articles was regarded not just as a victory but also as a vindication of the church in its adherence to fundamental principles. This was most obvious in the debate on the covenants. The church had not renewed the covenants at the revolution, a point that was made forcefully in the commission by some of the ruling elders who were opposed to the article. Yet the idea of Scotland's covenanted reformation still resonated through the post-revolution church and, as ministers pointed out, the church still adhered to covenanting principles. If for no other reason, it was important to the church to include the article in order to make that point.

Bell regarded the union as potentially dangerous to both Scotland and the established church and like most ministers would have preferred a federal arrangement over incorporation. However, despite his opposition he refused to side with the Country Party opposition, which he described as 'very motley'. Direct action against the treaty was frowned upon and he opposed any suggestion of the use of force, and the practice of presbyteries addressing against the treaty; he would have been happy if the pulpit had remained silent on the subject as well. Bell believed that it was the role of the commis-

sion to act in the interests of the church and to articulate the church's position. It was the role of the wider church to follow the commission's lead and instructions.

### *Church and State in the 1690s*

The section dealing with the religious politics of the 1690s comes last in the manuscript but it was designed to be read before Bell's account of the union. He believed that our understanding of the affair of the union would be enhanced by an account of the revolution and of subsequent events. He concentrates upon the ecclesiastical and political struggle that engulfed William's church union and comprehension schemes from which the Presbyterians emerged in a position of strength. Bell regarded the opposition to the work of the committee for the north in 1694 by Episcopalians in Aberdeen and Inverness as 'the last open effort of the prelatists as an incorporated party against the established church during King William's reign'. The 'sinking Episcopal interest' was only revived upon the accession of Anne. The narrative is a strong defence of the Presbyterian position without embracing the bitter tone found in so many of the pamphlets of the period. Presbyterian loyalty is contrasted with Episcopal disaffection and Bell rarely makes a distinction between Williamite and Jacobite Episcopalians. Emphasis is placed upon Presbyterian moderation and the legality of their proceedings. From Bell's perspective William's instruction to the 1690 general assembly that 'Moderation is what enjoins, neighbouring churches expect from you, and we recommend to you', was unnecessary. Moderation was a feature of all their assemblies, the commission and its committees, including those charged with receiving Episcopal clergy into the church. Yet, moderation as Bell mentions when discussing the actions of the commission in 1706, was not in his eyes synonymous with a retreat from principle. Thus the church defended its position on intrinsic power at the 1692 assembly and stood its ground in pursuit of more stringent terms for receiving Episcopal clergy into the church. Their principled approach was justified in Bell's eyes by the poor response of Episcopalians to the 1693 parliamentary legislation. The men who had clambered over each other to accept William's formula at the 1692 assembly were conspicuous by their absence after parliament passed its Act anent the Quiet and Peace of the church. Thus Bell would have the reader believe that the post-revolution Presbyterian church was standing upon a true revolution footing, loyal, subject to law, marked by moderation in its proceedings and principled in adhering to its fundamentals.

*Editorial Conventions*

The text was written in a very neat and tidy hand, containing few of the contractions common for the period, and presented few editorial problems. There was extensive use of capitals throughout the text and it was decided to replace those not needed with lower case. Some punctuation was added to break up lengthy sentences, and the more obscure Scots words and Latin phrases are explained in the footnotes. The folio numbers in brackets are those of the manuscript pages. Those not in brackets are part of the text.

(f.25) **The Most Memorable Passages of the Life and Times of  
Mr J. B. written by Himself, 1706.**

The Great Goodness of God to his unworthy servant Mr J B.

I was born at Glasgow 2 February 1676 of religious parents who devoted me to the ministry from the womb and educated me agreeably. I should sin against God's goodness to me in my noneage if I did not remarke two things 1<sup>mo</sup> That from the cradle I was preserved from being tainted with the vices incident to children 2<sup>do</sup> That so far back as I can trace my life I loved prayer, and would be now and then preaching to the neighbour children like my self.

2<sup>do</sup> At ten years of age I entered to the Grammar School (Anno Dom: 1686) Mr George Glen being then Rector, and about four moneths thereafter my worthy father died, and my mother then obleiged me to pray in the family by turns with herself and in her hearing. I cannot but say the Lord was encouraging to me about this time and gave me many signal returns of prayer, one time I remember my mother who was left with five children and little to give them, came to me in my closet, & with the tear in her eye lamented that she knew not how to put by that day or get dinner for us. I do not mind if I said anything to her then if it was not to put her in remembrance of a notable expression of my dying father, as for my children (said he to her) take no thought, God will provide for (f.25v) only to you I say be humble, be humble, be humble. So dismissing her respectfully, I shut the door and falling on my knees before the Lord, I was helped to plead the promise made to the widow and fatherless with much warmth of soul and left not off to wrestle till I got an inward confidence that God would provide and be a very present help to the family in this strait. After thanking God for the assurance given me, I called on my mother, and told her not to fear she would be provided, but nothing in particular how I came by this assurance and agreeably it pleased God that within a few hours thereafter a debtor of hers sent her ten shillings which she had not been craving. Bless God o my soul for many such assurances. I do remember what was very searching about that time viz: that death ceised<sup>11</sup> the best friends our family had in town one after another, and I perfectly remember I had never one hours distrust of providence for all that past of that kind. And when my mother and the few surviving friends she had would be lamenting over the death of those I would with an unexpressable cheerfulness of soul cry out, fear nothing, for I know God will stir up instruments to do for us, and that from an airth<sup>12</sup> we dream not of and it was so indeed; for they became our friends one after another from whom we expected le[a]st kindness: By those

<sup>11</sup> seized

<sup>12</sup> A point on the compass; a place.

methods it was that God trained me up in the exercise of faith when I was yet but young; this made me study my Bible, and I fed sweetly upon the promises that are there; I got my fill of the milk of consolations & strength (f.26) to suck ~~falling on my knees before the Lord, I was helped to plead the promises.~~

4<sup>o</sup> I was but a feu moneths att School when my Master took notice of me as one that learned fast, and advanced me. All this while I was acquainting myself with practical divinity, particularly Mr Andrew Gray's Sermons, Smith's Assize. Durham on Death, & some others. I would frequently ask hard questions att my mother, who was a woman well read, of a quick will, and of a liberal education.<sup>13</sup>

When I was about twelve years of age (Anno Domini 1688) I began to my exceptions, and reduced the substance of diverse little books into questions and answer; which proved the beginnings of great easiness essaies this way.

5<sup>o</sup> Being thus furnished, my next business (or case) was to enter into a society for reading & praying, and having pickt up some three or four boys like my self, we continued att that work for some considerable time, of these some proved ministers afterward and ounded to my self then, that they had never prayed till that time. While I am thus employed, in a melancholy mood, I began to weary of the schools, and dealt long with my mother to let me be a marchant as my father was, or put some trade in my hand. But finding her inexorable and bent on my being a schooler, I brack from the school and a certain lawyer in toun pickt me up, and having a conceit of something he saw in me fit for his purpose, profer'd to train me up in his calling gratis and keep me in bed and board at his house for nothing. The offer was tempting enough to me, but not so to my mother, who fearing I might turn a rake, studied to divert me, and told me hou much I should be tempted to cheat, lie and swear, in that employment and so (f.26v) I was prevailed with to refuse the offer. But I being for everything rather then my books, looked still after another way of living: other designs were set on foot, friends meet and matters are drawn up, yet all misgive none knowing how or where the fault was to be lodged. Things going cross in this sort after then once or twice. I determined to keep the schools better, and resolved to read hard. The Revolution comes on, and upon King William's accession to the

<sup>13</sup> Andrew Gray (1634–56), minister of the Outer High Church in Glasgow, *FES*, iii, 465; James Durham (1622–58), Covenanting minister and Professor of Divinity and Glasgow University, *FES*, iii, 456–7. *The Blessedness of the Death of These that Die in the Lond* (Glasgow, 1681); Samuel Smith (1588–1665), *The great assize; or, day of jubilee in which we must make a general account of all our actions before Almighty God; delivered in four sermons upon the XX chapter of the Revelations, plainly shewing the happy state of the Godly, and the woeful condition of the wicked* (London, 1617). First published in 1617, it went through numerous editions.

throne my master is turned out of office, and so living<sup>14</sup> Glasgow I went to Lanerk where I learned my greek with ane uncle of my own by the mother.

6<sup>to</sup> After a year spent this way or thereby (Anno Domini 1692) I came back to Glasgow and entered on the study of philosophy under Mr John Law. I used a more than ordinary application here, and all the time I was learning my logicks I can say that day never past wherein I was not master of my lesson, and I never opened my book to read without prefacing my studies, with a short ejaculation to God. I spent two summer vacancies in extracting the marow of eight or ten of the best tractats of logicks & metaphysics.

7<sup>to</sup> In summer 1692, a certain young nobleman of the same class at the colledge with my self, and who honoured me with singular friendship, pressed me to spend a moneth or two of the vacancy at (f.27) his fathers country house; I was averse because his governour was highly episcopal in his judgement and considering that my prysbyterian principles had no better footing than meer education, I became scrup[ul]ously jealous of a design in that tutor to alter me, and my jealousy was heightened from that mans ordinary way of regrating me, for he would often say; It were a pity ever that youth should have drunk in prysbyterian milk. However, after much pains taken on me, I was prevailed with to comply with the young nobleman's request (Anno Domini 1692). Resolved by God's grace to hold firm my presbyterian principles, which I was helped to doe with more than ordinary courage, the chaplain gained nothing upon me but in effect lost something of what he had; for there was another student of phylosophy occasionally att that place attending a young gentleman related to the family of the same stamp with the chaplain. With this fellow student, I had frequent warm conferences, the result of all which was, that he became more sober in his opinion that way, and some seven years after became a presbyterian minister, and who has owned to me frequently since, that these conferences (the beginning of a closer amity twixt us) did much allay him, who had the disadvantage of an episcopal education. However, it pleased God to withdraw from me att this time and to send me a thorn in the flesh, for I was haunted with ugly suggestions, which became my exercise for several years together. This put me upon personal covenanting, yea subscribing with my hand to the Lord, I fasted (f.27v) prayed, and did frequently take my sacrament with an eye to this temptaion. The first time I did communicat was at Lanerk where Mr John Bannatyne<sup>15</sup> was Minister in the year 1693 and

<sup>14</sup> leaving

<sup>15</sup> John Bannatyne (1641–1707), imprisoned in 1683 for 'for rebellion, reset of rebels and other treasobale crimes'. In 1688 he took possession of the church at Lanark without a legal title but was legally settled in 1690. Frequent member of the assembly and commission, he was active in church politics and wrote against toleration, patronage and incorporating

in the year 1694 commenced Master of Arts from the college of Glasgow and was publicly graduate in the Tron Church by the Reverend Mr James Wodrow<sup>16</sup> professor of divinity, in absence of Mr William Dunlope principal, who was at that time waiting on the parliament as kings chaplain.<sup>17</sup> I sustained a disputation publicly, being impugned by a minister who came from the country, this was in Aprile (1694) and in May that same year I entered to Mr Wodrow's divinity colledge, where I studied hard for three years, in which time God was singularly gracious to me. I was much in love with polemical and casuistick divinity, and for accomplishment in both, I followed this method. Besides my task in the common hall assigned me by the professor, I took care att last to spend fourteen days in reading upon every chapter in the Westminster Confession of Faith,<sup>18</sup> and to excerpt as I went along what was material in ten or perhaps mo[r]e authors upon the subject of the chapter in hand, and revised all att night which I had read through the day. Again I frequented two societies weekly for these kind of exercises, and here theses were impugned &c, & finally, I collected the most material doubts I could find in the whole Bible and put them in a book and their answers annext, with a large and easie index.

Nixt, for my improvement in casuistick divinity, I made it my business to be witness to the soul trouble of such exercised (f.28) persons as I found in the whole toune, and I cannot express easily what dismal cases I have been privie to. Again there was a society of fellow students mett once a week in my chamber for recollecting the notes of all the sermons preached up and down the whole toune since the time of our last meeting, having to this effect severally dispersed our selves in separate churches (Anno Domini 1696). Thus I observed besids whole nights spent in the colledge with intimate commarads in prayer and religious conferences when others were fast asleep, and also Saturdays afternoon which was spent in prayer and

union. *FES*, iii, 307–8. *Some queries proposed to consideration, relative to the union now intended* (Edinburgh, 1706).

<sup>16</sup> James Wodrow (1637–1707), father of Robert the antiquarian. Graduated MA, Glasgow, in 1659. He became a conventicle preacher from 1674, and then a minister in Glasgow in 1688 before assuming the chair of divinity at Glasgow University in 1692. *FES*, vii, 399–400.

<sup>17</sup> William Dunlop (1654–1700), brother-in-law of William Carstares. Went to Carolina in 1684 but returned after the revolution. He became principal of Glasgow University in 1690, and Historiographer Royal for Scotland in 1693. *FES*, vii, 396.

<sup>18</sup> The Westminster Confession of Faith was the product of the Westminster Assembly that sat between 1643 and 1648. The Assembly was appointed by the English parliament with three aims: reformation of the liturgy, discipline and government of the Church of England; to promote church unity with Scotland and continental churches; to clarify the Thirty-Nine Articles, the confessional standard of the Church of England. The Church of Scotland sent commissioners to the Assembly and ratified the confession in 1647. This was reversed in 1661 following the restoration of Charles II but it was once again ratified by parliament as the confessional standard of the church in 1690.

answering cases of conscience in publick society by the professor's approbation and allowance. While I studied divinity, especially the last year I was at the colledge, I made my visits in the town til eight a'clock att night, and after publick worship in the family I threw me down in my night gown on a resting bed, and slept for ane hour, by which time my mother's family was thinking of taking nights rest. I retired to my chamber, and read till two in the morning, then I closed my book, and having run over in my thoughts the several subjects I had been reading all the day over, which were perhaps six or seven for I never read above ane hour upon any one book, I disposed myself to prayer & self examination for one hour, and so I went to bed about four a clock, and was again att my books upon four or att most five hours sleep. To all this I cannot but add, that by reason of the thorn in the flesh which I mentioned formerly, I was brought into the wilderness of souls exercise or affliction, there to continue till I had passed trials in the casuistick part of divinity, and indeed, now that I have perused, Ames, Dickson's, Perkins,<sup>19</sup> &c their cases of (f.28v) conscience, I can say, there is not any three of them but I have felt something of it, or like to it within my own breast. But yet I must say, I thank God for the many sweet hours I had then in my chamber att Glasgow. Then it was by staited thanksgiving days the sense of mercies was kept fresh upon my mind, O my soul remember thou with joy those days in which thou was detained before the Lord for some hours together, and might not stir from the Lords presence, and feast of love. O forget not that happy hour wherein thou was honoured after rising from prayer with such clear manifestations of God, as thou was made to cry out, earth is tasteless now. O if this were the happy hour of my being taken into the upper house, O heaven, heaven, O communion with God, O love of God – mind also what trouble thou felt before thou got assurance that this was something other than a pleasant delusion. Call to thy remembrance how that for many months together thou never walkt betwixt thy closet and the Marcat Cross, nor didst travell a quarter an hour in end without some pithie ejaculation to God, or serious thought.

3<sup>o</sup> Thus furnished, the reverend and worthy professor (in Anno Domini 1696) urged my entring on triels, in order to the ministry, and att length I was prevailed with to yield to the importunity of some reverend ministers in the presbytry of Lanerk and Biggar, and entered upon trials before the

<sup>19</sup> William Ames (1576–1633), Puritan; studied under and influenced by William Perkins. He moved to Holland and became professor of theology at Franeker in 1622. David Dickson (1583?–1663) studied at the University of Glasgow and in 1618 became minister of Irvine, in Ayrshire. He refused to comply with the liturgical provisions known as the Five Articles of Perth and was for a time exiled to Turriff. A leading covenanter, he was appointed professor of divinity at Glasgow in 1640; in 1650 he transferred to Edinburgh, and was ejected at the restoration. William Perkins (1558–1602) studied and taught at Christ's College, Cambridge; an influential figure among the Puritans.

presbytry of Biggar being then twenty years and five moneths compleat, and was licentiated by them to preach within their bounds thirteen May 1697. I had not preached two Sabbaths, till three vacant paroshes who had heard me formerly on my trials did (f.29) sollicate me to accept of calls from them. Brughtoun having first bespoke me, and actually lodged their call in the presbytries hand, I did prefer them, and having preached four moneths I was ordained publickly to the work of the ministry there by Mr Robert Law minister of the gospel at Skirline in the twenty four day of September 1697.<sup>20</sup>

8<sup>o</sup> After I had served four years compleat in Brughtun and honoured of God with several seals of my ministry there, the church thought fit to transport me in July 1701 from the paroch of Brughtune to Gladsmure, a new erection within the bounds of the presbytry of Hadingtoun where I was admitted twenty seven A[u]gust 1701.

9<sup>o</sup> When I came first to the bounds of the presbytry of Hadingtoun (A: Christi 1701) I found myself apparently in hard circumstances having exchanged 200 obedient and submissive people at Broughtoune, for 1200 obstinate people in Gladsmure, and a loving presbytry in Biggar to be collegiate with a set of brethren to most of whom I was intirely a stranger many of them lookt on by superiour judicatories as men of cold spirits, and who were jealous of my strictness. My first care was to reduce my own people to obedience and sweeten them into a good opinion of religion, and by Gods blessing on my poor endeavours they complied within the space of ten or twelve weeks, save three or four who did also conforme and gave attendance to publick (f.29v) ordinances in a short time thereafter. Finding all thus peaceable at home, I was supported inwardly in my attempts of reforming abuses crept in upon the presbytry in their publick meetings. Some of the brethren who were pleased to think me over nice, for fear (as would seem) of disturbance from me, concurred politickly with the more strick party among them to mount me in the moderator's chair. And now I was in greater consternation than ever till I found me master of the affections of that party of them who were in best repute with the neighbourhead, by whose help I learned the practises of under hand dealings of the rest. I was at length jealous<sup>21</sup> for heading a party by reason of the ballast which I kept in the presbytry when I was in the chair and was now and then ruffled in the throng of the janglings of the other party. This obleiged me to alter my former measures, which I did and upon a certain critical juncture of presbytry affairs made a concert with a leading minister of our own number, that he and I should never misunderstand one another, however we might

<sup>20</sup> Robert Law (d.1727), minister of Skirling, in the Presbytery of Biggar, 1689–1699, when he was transferred to Shotts. *FES*, i, 258; iii, 277.

<sup>21</sup> Jealous: regard with suspicion.

be forced now and then to clash in publick. I found this so very successfull that I was encouraged to enter into the same measures with the rest of our honest brethren, and being thus supported I set myself to reform some abuses, crept into the presbytry, and which I understood to be the spring of all the jealousies the synod of Lothian had and quhich was at this time att a great pitch. To work we go, and I take upon me (as being the stranger among them) to quarrel diverse (f.30) procedures, I quarrel the neglect of publick preaching att their meetings, and their irregular way of meeting, keeping no set hour. I am displeas'd with them for not singing of psalms in the church when any of our own number did chance to preach, but I fall out with them chiefly for their superficial way of trying candidats for the ministry, as being the true rise of the synods hard thoughts of them, who found some probationers pass from under their instruction who afterwards proved troublesome to the Church. Diverse other things I stood up for, and after a years conflict all came to be notably reformed, and the whole fraternity were in good terms with me and we lived amicably together.

10. All this time we had preaching episcopal ministers in our bounds who having qualified themselves according to law and submitted to the civil government had the benefite of the king's protection. Of these the toune of Hadingtoun had two, so that the honest party of the people had only a meeting house for several years. It happened that upon the third of December 1702, Mr James Forman, first episcopal minister there died, and great fears were among the honest people lest another episcopal minister should step up in his room nixt Lord's Day;<sup>22</sup> Express notice coming to me then at Edinburgh waiting on the quarterly commission of the assembly. This I did communicat immediately to Mr Matthew Reid<sup>23</sup> minister of the gospel att North Berwick who was also a member of that commission. And just when we was upon this affair which was upon Thursday afternoon, Mr Robert Horsburgh<sup>24</sup> minister att Saltpreston and present moderator of our presbytry (f.30v) comes to us, whereupon we jointly asked advice of the most experienced ministers of the commission, and laid the case before them, craving their opinion whether it were best to delay taking possession of the kirk for the first Sabbath, and call a presbytry *pro re nata*<sup>25</sup> in the beginning of the nixt week, or proceed instanter. After reasoning upon all circumstances, and the present juncture of publick affairs, it was thought even necessary to take

<sup>22</sup> James Forman, graduated MA, Edinburgh 1663, licensed and ordained 1666. Admitted to Haddington, April 1678, *FES*, i, 369, 372.

<sup>23</sup> Matthew Reid (1668–1730), graduated MA, Edinburgh 1687. Ordained and admitted to North Berwick in the Presbytery of Haddington, 1692, *FES*, i, 381.

<sup>24</sup> Robert Horsburgh (d.1724), graduated MA, Edinburgh 1690. Ordained to Glenholm in the Presbytery of Biggar, 1696, and transferred to Prestonpans in the Presbytery of Haddington, 1702, *FES*, i, 243, 389.

<sup>25</sup> *pro re nata*: when a presbytery meeting is called to deal with an emergency.

possession of the kirk *Quam Primum*,<sup>26</sup> and so we advised to meet together presently as a committee of the presbytry and appoint one of our number to supply the vacancy in Haddingtoun, and call the presbytry *pro re nata* upon Tuesday thereafter, to approve what we had done, and be in readiness to act according as we were opposed or encouraged by the episcopal party. Accordingly we met upon Friday morning, and it was laid upon me to undertake the work. We understood the attempt had its own difficulties, wherefore to prevent opposition as much as might be we took care to give the magistrats of the toun of Hadingtoun and toun council a letter, and letters were also sent to the several heritors who had interest in the paroch, advertising them of our procedure, and craving their assistance to me next Lord's Day. Thus instructed I left the commission that afternoon and went for Hadingtoun, on the next day being Saturday, and the day upon which Mr Forman was buried, being the fifth of December. No sooner are the corps interred, then I begin to disperse my letters among the gentlemen present, by the presbytry officer, and having secured Sir Robert Sinclair of Stevenstoun (£.31) and Robert Broun of Colstoun to be on my side of it, and concerted measures with them, I went next to the provost of the toun, who apprehending it dangerous to converse with me alone, called a juncto of the council to be present before he would read the letter. After reading the letter, they required my commission, which I shewed to them. They pretended the magistrats and council were but a fifth part of the paroch, and so could do nothing of themselves. They alledged the presbytry was too sudden in their attempts, and they dealt with me to forbear for this first Sabbath and they thought I might get peaceable possession afterwards; I lookt them through immediately smelling their design to call an episcopal minister to supply the vacancy upon sight, told them very calmly, I was bound up by my commission, and had it not in my option to grant them one day. I told them I had not come to them upon that design without good advice both of ministers and lawyers, and beg'd they would not oppose me, for I was determined to .....<sup>27</sup> all dangers might ly in my way: They put some questions to me which I declined to answer, pretending I would answer nothing but what related to my commission, if they had any scruples in that matter I was here ready to satisfy them, but as for any further, I beg'd their pardon. Finding me thus stiff to my duty, they promised to be positive, and when I could bring them no greater length, I parted with them; and went straight to the house of Mr George Dunbar<sup>28</sup> the surviving episcopal

<sup>26</sup> *Quam Primum*: as soon as possible.

<sup>27</sup> Word missing in manuscript.

<sup>28</sup> George Dunbar (1650–1713), graduate of King's College Aberdeen. Admitted to Haddington 1685 and following the death of James Forman was permitted to preach on alternate diets until his death. *FES*, i, 372.

(f.31v) minister of the place, and discoursed him upon the head in presence of Mr Laurence Johnston<sup>29</sup> preacher in the meeting house of Hadingtoun, and afterwards minister of the gospel at Dunc. I found him all in a plight and deeply concerned. I showed him my commission and after I had deduced to him such circumstances of that affair, as were for my present purpose, he gave me his hand upon it, without asking, that he should be wholie passive and yield me the pulpit in the afternoon. The afternoon (say I) that will not do Mr Dunbar, my commission bears me to supply forenoon, in regard Mr Forman being first minister had always the forenoon by the practise of your church. He answered to this, that it was not so with his colleague and him for they preached per vices, and that if I understood this and considered withal the design of my commission, I told him, that my constituents ran upon a mistake in naming the forenoon as thinking it did of right belong to Mr Forman, and it was much the same to me which of the diets, he called his own, provided I was suffered to supply the defuncts turn. So I told him if it could oblige him, I should yield him that circumstance for peace sake, which He seemed to take very kindly, and gave me all the assurances could be wished for, that he should not be the person that should mount the pulpit in the afternoon, and I told him, if he did not do it, I was not thoughtfull anent any other who could or durst attempt to preach that diet, so we parted. However, lest advantage had been taken of (f. 32) my not offering my self in the forenoon, I went to the provost in company with a notar publick on Sabbath morning, and told what passed twixt Mr Dunbar and me and that with all I was here with a notar publick to warn him as provost that my yielding the forenoon was to be without prejudice to my constituents and hereupon offered to take instruments. But he told me that Mr Dunbar had given him the same account as I had done, that Alderstoune (a ringleader of the episcopal party) told him he was resolved to hear sermon from me in the afternoon and so I dreamed of no opposition that would be made to me, whereupon I stopt me taking instruments and took my leave of him. I was always jealous of a design upon me, and therefore I thought it best to have all my good friends about me so I sent a dispatch to the judicious Sir Robert Sinclair, one of her majesties privy council and another to the laird of Colstoun, a gentleman of good sense, and a new convert to our opinion, who came to my lodging very quickly where we made a new concert upon these emergencies, and so I went to the meetinghouse and preached in the forenoon. After the forenoons sermons were ended, these two gentlemen had a meeting in the house of one baillie Douglass with the provost of the toune and some of

<sup>29</sup> Laurence Johnston (d.1736), ordained to the parish of Duns in the Presbytery of Duns, 1703, *FES*, ii, 9-10.

the country gentlemen, particularly John Hay of Alderstoune, Patrick Cockburn of Clarkingtoun and Dr Hay of Lethum. Then I am called for, and after Sir Robert Sinclair had deduced the progress of their conference, I am desired to produce my commission, which was read by Alderstoune Coram. (f.32v) They objected against my order that it was not from a full presbytry; to which I answered, it was my business to defend that point, and which I would do in due time when called to it by our presbytry or any other superior judicatorie. It was further objected, that we were not mett within the bounds of our own presbytry when we drew the order. I told them, we were the government in law, and not tyed to places or paroches, but might doe service to the church in any place that was most convenient for the time. They said they knew no vacancy in their paroch that needed to be supplied, seeing they had yet a minister surviving, and who was sufficient to discharge the whole work. I told them we had no design upon Mr Dunbar seeing the law did protect him, but I hoped they were so wise as not to advise him to encroach upon the priviledges of the presbytry. I said, there was at least a partial vacancy in the place by Mr Forman's death, and it belonged to the presbytry by an unquestionable right to be supplyd by them, and we were sufficient by the lords blessing to performe our part without Mr Dunbar's help. They said, they doubted if I had law for what I was to do, and they beg'd at least eight days to consider of that matter. I told them the law was patent for us both, there was access to punish me if I attempted any thing contrair to law, and they should have my good will to complain of me above, if I did an ill thing. As for allowng them time to consider of it, I said, I saw no need for that, for (f.33) I could make no wrong step this day which was not in their power to rectifie afterwards if they saw fit, and in fine I showed them, that my commission was peremptory and I was resolved to execute it, if they did not by main force withstand me. I moreover told them, that in my way to them from my lodging, I was informed that some person or persons in this company had taken upon them to cause shut the church doors, and ordered a mob to deny me access. I beg'd they would consider how illegal this was, and impolitick, and that they might rest assured, that no such tumult should drive me from my present duty. Who when Sir Robert Sinclair heard this, he said, 'gentlemen what Mr Bell tells us is news to me, and I am resolved to stand by this minister with all the power wherewith her majestie hath intrusted me.'

So soon as the other party understood our mind, Alderstoune spoke and said, he should be very sorry if I should sustain any prejudice, and he was not afraid of any tumult he knew to be there. They had all of them ane esteem for me, and were only sorry I had the misfortune to be the first adventurer. He added, that he was hopefull we might come to understand one another better then so & thereupon proposed that Clarkingtoun, Lethum and he might be allowed to talk among themselves upon what had past, and they

assured us of their returning speedily to give an account how they were determined, adding withal what tho' the day was short, it was not the first presbyterian sermon I had preached with candle light, we might dispense with this. So be our conference ended amicably. Stevenstoune and Colestone told them they were content if so be (f.33v) I did give way, I told them, I would, and that I intended not to break friendship with them in the matter of a circumstance, only we all hoped they would return quickly with an account of their resolutions, which they for a second time undertook to do. No sooner are they gone from us, when they planted Mr Dunbar in the pulpit, and then sent to tell us by a common bearer, that they were gone to the church, and if we had any business with them, they were to be found in that place. (Anno Domini 1702) we who were thus unhandsomely treated, lookt upon on[e] another not without consternation, to find our selves trickt after this manner. The gentleman that were with me, to make the best of the bargain they could get them down to the streets presently, and call upon me to follow after and so we came along to the church. The gentlemen attended with their own domesticks, whilst I am guarded with some hundreds of our own honest people, whom I exhorted to peace and to appear att the church without so much as a walking staff, which they did. When I came to the church door, that Looks southward there is a rabble with rungs and staves in their hands. No sooner am I come in view, than Alderstone, Clarkingstune and Letham came toward me, and tell me the doors are patent for me and I may have peacable access. Peacable (say I) whence comes such a tumult to be thronging here, if we may peaceably possess the church. Sir, say they, 'there is access for you'; but not to the pulpit, say I, else why are psalms (f.34) singing, and to what purpose is Mr Dunbar. Do you empty the pulpit and I shall soon take possession. Here we stood till psalms were ended, without any great hazard from the mob, who were headed, at least seemed to be encouraged and directed by those three Gentlemen. Meantime Sir Robert Sinclair sent in his principal servant to the church to call Mr Dunbar to come down from the pulpit to speak with Sir Robert, but he seem'd as if he either did not or would not hear. After the psalms were ended, and the tumult some way att ease, the said Sir Robert Sinclair protested and took instruments in the hands of Patrick Ramsay, notar publick in Hadingtoun, against Alderstone and the other above named heretors. Not only for their illegal opposing my access to the pulpit according to my commission, but also for their illegal intruding of a minister, for which not only they but the intruder himself, should be liable in law, and for opposing of him as a privie councillor, with a mob and tumult so seemingly encouraged by the said gentlemen. To all which the Laird of Colstone adheared. Thereafter I took instruments, that seeing I was absolutely refused access to the pulpit, that Mr George Dunbar minister, be liable as an intruder upon the rights and priviledges of the presbytry, seeing there is now a vacancy through

the decease of Mr James Forman. This was done att the south door of the church of Hadingtoun on Sabbath the sixth of December 1702, betwixt the hours of twelve and (f.34v) two in the afternoon, before many witnesses particularly Alexander Miller of Gourlawbank, George Young apothecary in Hadingtoun, John Colt & James Sandy Merchants there &c.

11. These protestations thus ended I returned with our numerous company to the meeting house and preached in the afternoon and then went to Stevenstoun in Sir Robert's coach, having ordered our notar publick to be with us tomorrow early. Accordingly he came and brought us the news of a solemn meeting of Mr Dunbar with his heretors and elders after his illegal preaching, wherein it was declared that all present approved of Mr Dunbar his possessing the pulpit in the afternoon and that he had done the same by the advice and with their approbation. This we found to be literally true, having procured an attested double of the said declaration under the hand of William Brown, session clerk and with it the double of an act of the said meeting, impouring some of their number to address the presbytry to allow Mr Dunbar to supply the whole vacancy till they were otherwise supplyd by a minister of their own otherwise they would oblige him to do it themselves.

On Tuesday o[u]r presbytry having mett, there was a great wrangling among the brethren about the power of that committee which appointed me to preach at Hadingtoun, and the contention run so high that with much difficulty we were approven; and some of our brethren then who (f.35) bare too good affection to the episcopal party cried out upon us of the committee as acting too boldly, They saw no hazard in delaying to take possession, we acted like bishops, and were after that time called by some in mock, the 'Three Hadingtonian Bishops', by others the 'Triumvirate of the Presbytry of Hadingtoun'.

12. It was good we were approven, else our interest had sunk intearly in the whole bounds. The approbation is no sooner obtained than William McCall provost and some other from the episcopal session of Hadingtoun crave access to the presbytry. We understood their meaning, and desiring them to come in, we asked what their will with us was. They told us they had a petition from their kirk session. We craved their commission, and comparing the same with the petition found they acted not agreeably thereunto, for their commission did run in the terms above specified, whereas their petition was much more smooth and modest, they craving no more in it but supply to their vacancy. Nothing like a threatening to oblige Mr Dunbar to supply the whole vacancy in case of our refusal. Thus I am their commission and petition was the effect of a conference I had with some leading persons among them, about an hour before the meeting of the presbytry, wherein I held furth to them the hazard of presenting a petition conforme to such a power given them by their said commission. I found

them with whom I had thus (f.35v) conversed in some confusion of mind, whereupon one of them, the sheriff clerk, took his leave of us abruptly and went to provost McCalls house where their party were mett to draw up their petition, and got the petition drawn accordingly to the module mentioned by me. I knew the draught of the petition so soon as I heard it, and after they were removed, and the presbytry had entered upon the consideration of the petition, I put the moderator in mind of the disonancy of the petition and commission, which put the petitioners much out of countenance afterwards. Upon the whole, the presbytry made this return to the petition, that they had considered a paper given in to them by the pretended session of Hadingtoun, craving supply to the church in room of the deceased Mr Forman, and found, that tho they could not oun that meeting for a lawfull session, and were at a loss how to reconcile this way of address with their obstinate behaviour toward Mr Bell their commissioner on the Lords Day preceeding. Yet in regard it was both their right and duty to supply the said vacancy, did appoint their reverend brother Mr Matthew Reid minister att North Berwick to preach their nixt Lords Day &c. Thereafter the petitioners being called in, the presbytry's answer was read unto them by the clerk, upon which they took instruments, and appealed to the nixt synod of Lothean and Tweeddale. Then (f.36) I protested in name of such as would adhere to me, that the presbytry had granted the thing sought for in the petition, and so no ground for ane appeal.

13. This being over the brethren who before were ready to dismiss such of us with censure who had presumed to take speedy possession of the kirk of Hadingtoun, finding the bad disposition of the prelatick party, begin now to caress us, and strive to undoe us all in resenting the indignity done to me on the Lords Day. And thereupon join in appointing me to go presently to the queen's advocate, and lay the case before him, and crave his advice anent raising a council process on that head, and join Mr Robert Horsburgh their present moderator with me in the persuit. Accordingly all things necessary for our journey being given us, to work we go, and after repeated consultations with the queen's advocate and other able lawyers the result of all was, that it is thought advisable to forbear any council process, till we know how they behave toward Mr Reid nixt Lords Day, which we did. This procedure so much frightened our enemies that when Mr Reid came, there was none found to oppose him, and thus we got peacable possession for that day and always thereafter.

14. Our nixt step of procedure in the presbytry with referance to the paroch of Hadingtoun was to settle a presbyterian eldership among them, which galled the episcopal party extremely, for this was to touch them in the most sensible part. However, the ordinary (f.36v) steps being exactly persued we settled a presbyterian eldership to the number of thirty six persons, all of them beyond exception men of sobriety and good behaviour. When our

adversaries could do no more to stop the progress of our victories, they send Richard Miller Dean of Guild of Hadingtoun, Mr James Dods late baillie, Thomas Reid sheriff clerk, Thomas Ridpath and James Robertson merchants there, to disturb our new elders. And pretending to attend the offering money at the kirk door as elders, did in the conclusion lite upon the offering, and carried all away with them. This obliged us to lay the case before the Lords of the Privie Council who decided in our favours: this was in April 1703.

15. About this time the episcopal clergy are preparing a draught of a toleration act to be passed by the ensuing parliament what sat in May that year, with a design to overthrow the present church government, and reintroduce prelacy in spite of the nation's Claim of Right fram'd at the late happy revolution 1689. And that no method might be left untry'd, the disturbance in Hadingtoun must be made a handle of to make the queen believe that presbytrie and presbyterian ministers were not so acceptable to her majesties subjects in many places of importance, as she was made believe. But on the contrair in most places have an aversion to presbytry (f.37) and inclined to episcopacy. The Jacobite party therefore, to lay hold upon the favourable minute, stir up the episcopal party in Hadingtoun to address the queen ag[ain]st us, and to the end that some topping gentlemen in the paroch may be avenged on Sir Robert Sinclair whose posterity they did mightily envy, he must be particularly mentioned in the address wherein it is alledged, that he planted Mr Reid in the pulpit of Hadingtoun backt with two brigads of her majesties horse guards for the greater ostentation, which was a rude calumny.

This address was carried up to the Bishop of London,<sup>30</sup> and my Lord Tarbat<sup>31</sup> (afterwards Earle of Cromarty) then secretary, did present the same to the queens majesty, whereupon she wrote down to the privie council shewing them, it was her will that they should enquire into the truth of the matters of fact contained in that address, and report to herself.<sup>32</sup> Tarbat brought down the letter with him at his return from London to the parliament. He is very quickly informed how invidious and false that address was, tho his brother Mr Roderick McKenzie of Prestonhaugh<sup>33</sup> (who was about

<sup>30</sup> Henry Compton (1631–1713), Bishop of London. *The Oxford Dictionary of National Biography*, ed. H.C.G. Matthew and B. Harrison, 60 vols. (Oxford, 2004) (hereafter *ODNB*), xii, 883–9

<sup>31</sup> George Mackenzie (1630–1714), Viscount Tarbat and first earl of Cromarty, *ODNB*, xxxv, 577–80.

<sup>32</sup> NRS, PC1/52, 549–52, Queen Anne's letter to the Privy Council concerning the address to her from the heritors and inhabitants of the parish of Haddington and the council's decision in favour of the Presbytery of Haddington; NRS, CH1/2/4/1, fos. 5–6, petition and statement on the vacancy at Haddington.

<sup>33</sup> Roderick McKenzie of Prestonhall, Lord Prestonhall (d. 1712). Appointed Lord Justice Clerk in 1702.

that time made a lord of the session) had the main hand in the draught of that paper, being a main stickler in favours of prelacy every where in the nation, and indeed tho it had been true that was represented, it would not have served the turn it was at first designed for, which was to show the bentness<sup>34</sup> (f.37v) of her majesties subjects towards episcopacy, and consequently, the necessity of a toleration and indulgence to that clergy, which was then the great subject in hand in the nation. And the occasion of a deadly and sharp paper war printed by both parties in hostile manner and with deadly sharpness, so as from arguments they ran into reproaches, libels and invectives. I say the rabble made at Hadingtoun would not serve the design, it being defeated by a counter rabble of their own procuring at Glasgow shortly after that fell out in East Lothian, for Tarbat's brother, now Lord Prestone-Haugh, with the other enemies of the established church government, driving at ill designs, did traffique for several moneths together before the meeting of the parliament to raise heats in the nation, and make a show of dissatisfaction with the church government, in persuance of which plot, one Mr Burges<sup>35</sup> ane episcopal preacher is sent to Glasgow, who attempting to preach in the house of Sir John Bell late provost of Glasgow, their good friend, was rabbled by a multitude of people in spite of three hundred forces then quartering in the toun, & who were in arms to suppress the tumult. Matters thus falling out contrair to their expectation, and the zealots for episcopacy seeming to be in Haddintoun only, Tarbat and his friends urge the council, that the consideration of the queen's letter anent Hadingtoun (f.38) address be laid aside, alledging it was sufficient to have read the said letter in open councill, whereupon Sir Robert Sinclair pressed in open councill, that they might examine the contents of that address, and being backt by Mr Francis Montgomery of Giffen,<sup>36</sup> and others our true friends, it was carried in favours of Sir Robert, and accordingly the committee of the councill mett to that effect on the twenty first December 1703, a double of whose report is as follows.

Edinburgh 21 December 1703

Committee for considering her majesties letter anent the eldership and parochen of Hadingtoun and their address to her majestie.

<sup>34</sup> inclination

<sup>35</sup> Alexander Burgess, Minister at Temple in the Presbytery of Dalkeith. Admitted in 1682 but deprived in 1690 despite his willingness to acknowledge the civil government, *FES*, i, 348-9; see also D.M. Bertie, *Scottish Episcopal Clergy 1689-2000* (Edinburgh, 2000).

<sup>36</sup> Francis Montgomery, Member of Parliament for Giffen and frequent commissioner to the general assembly and the commission. M.D. Young, *The Parliaments of Scotland, Burgh and Shire Commissioners*, 2 vols. (Edinburgh, 1993).

Sederunt earle of Glasgow Lord president of the session,<sup>37</sup> Lord Halcraig,<sup>38</sup> Mr Francis Montgomery, Lord Colingtone,<sup>39</sup> and the provost of Edinburgh. Thereafter came the Lord Justice Clerk (viz) Prestonhaugh. The earle of Glasgow elected preses. The above committie having read the address from the freeholders, heritors, magistrats of the burgh and other inhabitants in the paroch of Hadingtoun in East Lothian to her majesty and her majesties letter to the privy council relative thereto, resolved to consider the same by paragraphs, and Sir Robert Sinclair, and two of the ministers of the presbytry of Hadingtoun (viz Mr Reid and Mr Bell) and such of the heritors and parishioners of Hadingtoun as joynd in the address, having all appeared before the committie, and the first paragraph thereof being read, bearing, that upon (f.38v) the tenth of December last (it should have been the fourth) one of the episcopal ministers dying, there was a pretended order by three of the presbyterian ministers in their neighbourhood, who being that day casually without the bounds of their presbytry, and heard in that place of his death, they forthwith took upon them to appoint a presbyterian minister to preach in the church of Hadingtoun in the defunct's<sup>40</sup> turn the nixt Sunday, which the surviving episcopal minister having diligently prevented for that turn, one of the presbyterian ministers was sent the Sunday following backt with two brigads of the gentlemen of her majesties horse guards, receiving their order from Sir Robert Sinclair of Stevensone by virtue of his authority as her majesties privy councillor, to execute the orders of the presbytry with great ostentation of her majesties legal authority.

The committee did desire the several parties to relate the matter of fact, who being severally heard did agree that a presbyterian minister by order of three of the presbytry of Hadingtoun then attending the synod of Lothian (it should have been the commission of the general assembly for the synod never sits in December) at Edinburgh, was ready to have preached in the vice<sup>41</sup> of the deceast minister of Hadingtoun the Sabbath immediately after his decease, and their being a communing betwixt Sir Robert Sinclair, Robert (f.39) Broun of Colstone and other heritors, the saids other heritors proposed, that the presbyterian ministers preaching might be delayed for that time. But the communing taking no effect, when the presbyterian minister, Sir Robert Sinclair, Colstone and others who were to be his hearers went

<sup>37</sup> David Boyle (1666–1733), first earl of Glasgow, one of the Scots commissioners that negotiated the Treaty of Union.

<sup>38</sup> Sir John Hamilton of Halcraig.

<sup>39</sup> Sir James Foulis of Colinton, third baronet Lord Reidfurd (c.1645–1711), judge and politician. *ODNB*, xx, 545.

<sup>40</sup> The deceased Mr Forman.

<sup>41</sup> place

toward the church, they found no access, there being several persons of small note with staves and poles at the doors, whereupon instruments being taken they retired. And that another presbyterian minister was appointed to preach in the defunct's turn the Sabbath following, and Sir Robert Sinclair being witness to what had past and in regard of a report of a design to raise a tumult the nixt Sabbath, did advertise Mr Charles Campbell, brother german to the Duke of Argyle, commanding officer of the horse guards that their might be a party ready upon advertisement to prevent or compesie<sup>42</sup> any tumult or disorder, but not to appeare except in the case of necessity seeing he would endeavour to prevent any disorder by fair means. And that the said presbyterian minister and Sir Robert and other hearers went to the church the said Sabbath without any opposition or disturbance and that there appeared no souldiers nor officers either upon the streets or in the church-yard.

As to the second paragraph bearing, that the most numerous and considerable part of the parish have called Mr Herriot late minister att Dalkeith against whom there could be no other objection offered but his episcopal (f.39v) ordination.

The committee having heard the presbyterian ministers present on that paragraph, they declared they never offered the objection of episcopal ordination to Mr Herriot or any other minister, but that by the laws of the kingdom no minister can be admitted into any church or benefice but by the church judicatories.<sup>43</sup> And by the twenty second act parlament 1695,<sup>44</sup> it is statute that none shall intrude into any church or exercise any parte of the ministerial function within any parish without being orderly called and legally admitted by the presbytry of the bounds, so that no minister can be imposed upon them or any vacant congregation unless legally admitted by the presbytry. But farther, the said Mr Herriot was deposed by the synod of Lothian many years ago, and he having formerly made his application and complaint to the privy councill, he obtained no redress, so that he continues still under the said sentence of deposition, whereof the heritors that called him were so sensible, that they have deserted that call, and have since called another minister also not allowed or assumed by any judicature of the church.

To which it was answered by Sir John Hay of Alderstone that they did not know of any censure or sentence of deprivation against Mr Herriot when they offered him a call.

The committee are of opinion that it did belong to the presbytry of

<sup>42</sup> 'compesce' restrain.

<sup>43</sup> *APS*, IX, 133, *Act Ratifying the Confession of Faith and Settling Presbyterian Church Government*. 7 June 1690.

<sup>44</sup> *APS*, IX, *Act against Intruding into Churches without a legal call and Admission thereto*.

Haddingtoun to appoint ministers (f.40) to preach from time to time and to supply the vacancy by the decease of one of the ministers of Haddingtoun, and that Sir Robert Sinclair did act prudently and according to his duty, and particularly in advertising ane officer of the guards to have a party in readiness to prevent any disorder or tumult.

16. This procedure of the committie, did so far mortifie Sir John Hay and his complices, that they begin to listen to peace, when no proffers made by good friends could hitherto move them. Accordingly accomodation is set on foot, in which the forsaid committee of the council did frankly offer themselves mediators, and Sir Hugh Dalrymple,<sup>45</sup> Lord President of the Session with Mr Francis Montgomerie from that committee were present at our communing, which was betwixt Sir John Hay, the Laird of Clarkingtoun, and Alexander Edgar then provost of Haddingtoun, for the one side, and Sir Robert Sinclair, Mr Matthew Reid and me, on the other part, and the result of all was, to this purpose. 1<sup>st</sup> That the episcopal part in Haddingtoun should yield their eldership upon our assuming a competent number of them not exceeding the number of eighteen to be added to the thirty six elders established by the presbytry of Haddingtoun, and these to be assumed upon a presbyterian foot, and upon the terms allowed by acts of the Generall Assembly and the present practise of the church. 2<sup>do</sup> That they concur with the presbytry and established eldership in calling a presbyterian minister to supply the vacancy in Haddingtoun (f.40v) and when they have liberty just now to nominate. The said minister thus agreed upon to be orderly called within the space of twenty days after the fourth of January one thousand seven hundred and four years. 3<sup>o</sup> That the provost of Haddingtoun procure a letter from the magistrates and toun council there to the meeting for the forsaid election testifying their concurrence. 4<sup>o</sup> That the gentlemen now present, who decline to sign the said call declare themselves passive so far as neither directly nor indirectly to discourage any person or persons concerned in the above election in concurring to call the person who shall be condescended upon by this meeting.

These articles thus agreed unto, the other party were pleased to nominate Mr John Curry,<sup>46</sup> minister of the gospell at Oldhamstocks as one whom they reconed a fit person to supply Haddingtoun and one whom they judged we could not refuse, having of ourselves attempted to call him formerly.

<sup>45</sup> Sir Hew Dalrymple, first baronet, Lord North Berwick (1652–1737), Judge and Member of parliament for the Burgh of New Galloway 1690–1702 and the Burgh of North Berwick 1702–1707, *ODNB*, xiv, 983–5.

<sup>46</sup> John Currie (d.1720) was ordained minister to Oldhamstocks in March 1695 before being transferred to Haddington in 1704 where he remained until his death in 1720. He was appointed as moderator of the general assembly 1709. *FES*, i, 370, 413. J. Warrick, *The Moderators of the Church of Scotland from 1690 to 1740* (Edinburgh, 1913), 213–24.

We cordially agreed with them in this. The report of our proceedings was carried on before the forsaid committee of the councill att their nixt meeting which was on the fourth of January one thousand seven hundred and four years and all parties being present to oun the thing. The committee agreed unanimously to the whole, adding with all this certification that if Sir John Hay and his party did fail in the premises, Sir Robert Sinclair and the forsaid ministers from the presbytry of Haddingtoun should have access to complaine to them att their nixt meeting, which was appointed to be held in *hunc effectum*<sup>47</sup> if need be on the thirteen[th] instant.

(f.41) 17 But so it was, that committee had not any occasion of farther meeting on that affair, for the presbytry who mett on the twenty first of December last, did (in contemplation of an accomodation) grant full power to Mr Matthew Reid, Mr Robert Horsburgh, Mr John Bell and Mr John Mutter their clerk, upon a petition given in by the people of Haddingtone to them for one to moderate in the election of a minister, to name the day of the said meeting, and the person who was to preside in the action. Thus instructed, we mett at Edinburgh on the fourth of January one thousand seven hundred and four years, where I was appointed to preach att Haddingtone & moderate in the election of a minister on the eleventh instant, which was done accordingly, and a most unanimous call drawn up to the said Mr Curry, with a letter sign'd by the toun clerk of Haddingtone in name and att the appointment of the toun councill. Bearing, that tho the magistrates and toun councill of Haddingtoun could not handsomely sign a call to a presbyterian minister, considering what part they had acted formerly, yet in regard they understand that severals of the heritors and other in that paroch inclined to call Mr John Curry to be their minister in room of the deceased Mr Forman, and others to be passive, they hereby declare, that the said Mr John Curry should be more welcome to them than any other person of his perswasion, and that upon his settlement among them, he should have all suitable encouragement, and might expect the magistrates to concur with him in suppressing of vice and in advancing of pietie and thus (f.41v) concluded this bellum episcopate. Remarkable as well for the great noise it made in the nation, being ranked among the national grievances which were sent up to the queen by the generall assembly anno one thousand seven hundred and three years as for the action.

But if this was a dangerous conflict, there is yet another to be taken notice of betwixt two parties of ministers, within the presbytry of Haddingtone. I have hinted already that in our presbytry we had a sett of men, who were lookt upon as men of large consciences, and cold spirits an unquestionable evidence may be gathered from the ensuing relation.

<sup>47</sup> *Hunc effectum*, a presbytery meeting called for a specific purpose such as an induction.

About the latter end of King William's reign and in the beginning of Queen Anne's reign the nation was miserable divided, and the unhappy distinction of a Court and Country party made no small noise. Each partie did court the churches favour, and finding them the head of a partie that was formidable to any who durst oppose their interest, pains was taken upon each presbytry in the nation and ministers were caress'd on all hands, especially the Country Party, who fram'd their discourses to work upon the strongest and most obstinate passions. But we considered too much what we owe to ourselves, & know too well the profound respect due to the memory of our Glorious Deliverer King William to let any such address transport us so far as to break with the present establishment, or listen to any thing unfit to be offered by us to his successor Queen Ann, as I my self told his grace the Duke of Hamilton<sup>48</sup> in a private conference with him in his apartments at Edinburgh, with whom I was permitted to use great freedom, tho he stood then att the head of the (f.42) Country Party. But some of our churchmen who could not bear (as would seem) the imperious feircness of his words and looks, who spake like a prince that had a right to command, were quickly embarqued in his interest. I confess the other agents for that party used more winning arguments, and to convince them that their own interest obliged them to comply with their demands they assured them that they only aimed att their ease and advantage, and designed to stand by the churches interest, and that they had not forgot that the prelates and their clergy were of all others most dangerous and implacable enemies to their country.

This party made so quick and successful a progress having the art of disguising their designs under the specious pretext of the publick good, that the church began to think of a terrible blow. The toleration act being then on foot, with which that party threatened us, and pretending we did not consult our interest by a luckwarne neutrality, they would be obliged to goe into the measures of such as inclined to that side, since we neglected so much to own them in opposing the court.

Great care was taken to maintain the authority of the church, and to get such ministers elected members of the assemblies anno one thousand seven hundred and two and in anno one thousand seven hundred and three years, as would readily beware of running into factions, and of persuing the interest of either party to the neglect of the publick and general interest of the church, in a juncture so criticall and in a time when complements and discontents were sown among (f.42v) well meaning people, fears made to pass for dangers and misfortunes represented for faults.

<sup>48</sup> James Hamilton, fourth duke of Hamilton and first duke of Brandon (1658–1712), entered parliament for the first time in 1700 and immediately became a recognised leader of the Country Party opposition, *ODNB*, xxiv, 849–52.

In the assembly which sat March sixth anno one thousand seven hundred and two years, to which the Earle of Marchmount<sup>49</sup> then Lord Chancellor was commissioner, we understood by the private instructions from some presbyteries to their commissioners, that their was designs on foot to press that assembly to enact what was truly unseasonable & against their present interest.<sup>50</sup> But providence saw fit to prevent any open Rupture att that time, for we sat only till Wednesday the eleventh of that instant, when the uncomfortable tydings of King William's sickness occasioned the sudden dissolution of that assembly on that same evening. Nixt day I had the honour to dine with the commissioner, and being all of us members of the new commission of the generall assembly, came straight to the assembly house to advise with the rest of our brethren what was the true interest of the church in such a juncture. Before we had closed that evening's sederunt, a letter from princess Ann of Denmark (who was that afternoon Proclaimed Queen of Scotland) to the privy councill containing assurances of her resolution to maintain our church government as then established, was communicate to us upon all which we prepared the draught of a loyal address which we sent to her majesty with letter to our friends att court.

(f.43) In the nixt assembly which sat down March tenth anno one thousand seven hundred and three, where I was also a member, the evil designs of our enemies who waited for a rupture among us, were mercifully prevented, and we helped to keep unity by the good blessing of God upon the endeavours of some wise and judicious ministers among us. This, even when disoblged by Earle Seafeld<sup>51</sup> Lord Chancellor, then commissioner who dissolved our meeting abruptly for fear he had disoblged some at court, who were displeased to find him in too good understanding with the church.

I am convinced in my own mind after all that I my self was witness unto upon this conjuncture of affairs, that nothing was the churches security and the mean of their cement in all their publick resolutions, so much as their standing off[f] from siding with either party; for things were so carried as that neither side was wholly either neglected, nor complied with, and gratified. For, if the Country Party upbraided us as being wanting to our selves in not complying with the profers they made in procuring us a vote in parliament (anno one thousand seven hundred and two) assertive of our intrinsick power, which (as matters then stood) we concluded to be a design to make

<sup>49</sup> Sir Patrick Hume, Lord Polwarth and first earl of Marchmont (1641–1724), Presbyterian politician with erastian tendencies. He was a frequent member of general assemblies and the commission of general assembly, *ODNB*, xxviii, 777–80.

<sup>50</sup> Probably an act asserting the intrinsic power of the church.

<sup>51</sup> James Ogilvy, fourth earl of Findlater and first earl of Seafeld (1664–1730), *ODNB*, xli, 584–6.

us odious to the queen and government, the court now no less surpris'd to find us banding among ourselves in our several provincial synods to stand stiff to our duty in case of any incroachments on our just priviledges which we then injoyed, and which was a very proper project for us in our present hard circumstances, and (f.43v) in a time when we are called to satisfie our own consciences and the consciences of the godly that we had not ruined the cause of religion throu lack of seasonable zeal. This fearing to be assaulted by so powerfull a confederacy, the provincial synod of Lothian and Tweeddale at their meeting in November (anno one thousand seven hundred and two) in imitation of other grave and judicious synods, did, for diverting the threatening storm and preventing any suspicion of treachery amongst ourselves, conclude the following act.

Edinburgh old kirk isle, November fifth one thousand seven hundred and two years. Post Meridium, session sixth.

The provincial synod of Lothian and Tweeddale considering the present state and condition of the churches of Christ both att home and abroad, and the great affairs now under deliberation anent the two kingdoms of Scotland and England, do judge it their duty to excite and stir up one another and to recommend it to all the several presbytries and ministers within their synod to be frequent and fervent in prayer to God, that he would now and always manifest his favour to, and merciful care to his reformed churches and people in all places of the world. And that he would long preserve and bless our gracious Queen Ann, and direct her councils, conduct and guide those who are consulting about the affairs of these nations, and would mercifully preserve and maintain what he hath graciously wrought for his church and people in this land.

(f.44) And the synod appoints, for the mutual edification and stregthening of one another's hands in the Lords' work, each minister and probationer do judiciously in their respective presbytries profess and declare their resolution and engage in the Lord's strength to maintain, and all the days of their life, by God's grace, to persevere in, the true doctrine of this church according to our Confession of Faith, and the purity of worship, discipline and presbyterian government of this church, now so happily established by law: all which we are persuaded are founded on the word of God: and we disown all principles contrair thereunto, and that this profession and engagement be recorded in their respective presbytry books, and subscribed both by ministers and probationers.<sup>52</sup>

This act anent present duty was agreed to by the committee of overtours with consent of some from every presbytry, and the correspondents from

<sup>52</sup> NRS, CH2/252/7, Synod of Lothian and Tweeddale; the act was duly recorded in the presbytery books, see CH2/35/5, Presbytery of Biggar, 29.

the synods of Glasgow and Aire, Perth and Stirling, Merse and Teviotdale, and Synod of Fife, and being considered by the synod was voted unanimously. Only Mr Archibald Lundie<sup>53</sup> minister at Saltoun, Mr Adam Glass<sup>54</sup> minister at Aberlady, Mr William Adams<sup>55</sup> minister at Humbie, and master John Mutter<sup>56</sup> minister at Tranent in the presbytry of Haddingtoun, with Mr William Hamilton<sup>57</sup> minister at Whytekirk in the presbytry of Dumbar, did withdraw, declining to vote to that affair.

Our brethren of the presbytry of Haddingtoun above mentioned being required afterwards to sign the said act judicially before the presbytry according to appointment, refused to do it, for several reasons which they then alledged. Particularly, that this method would (f.44v) irritate the court, and tempt them to be uneasie to the church, that they have done the thing upon the matter at their ordination, and saw no need of repeating these engagements, or to suspect their honesty. That the foresaid acts being concluded on the sudden, for them to adhear thereunto lookt like an implicite receiving of every thing proposed by the older brethren, and a giving way to terrany over the younger sort of ministers.

Upon the whole they desired a conference with such as were willing to sign that resolve, and pitched upon Mr Reid, Mr Horsburgh, and me, to answer their objections and satisfy their scruples, which was agreed unto and accordingly all of us discoursed them upon these heads, and I remember I addressed them to the following purpose.

I told them that they knew sufficiently the present melancholy posture of affairs, that there remained one comfort only, that what occasioneth the disease, directed the cure. The churches zeal in renewing judicially what every minister swore separately at his ordination, is alleged to be the cause

<sup>53</sup> Archibald Lundie, admitted minister at saltoun in the Presbytery of Haddington, 1696; died father of the church 1759, *FES*, i, 393.

<sup>54</sup> Adam Glass (d.1741), minister at Aberlady in the Presbytery of Hamilton. He was ordained in 1697 and refused to subscribe the formula. In 1712 the Synod declared him to be no longer in communion with the church after he had joined the Church of England, *FES*, i, 352.

<sup>55</sup> William Adams (d.1730), minister at Humbie in the Presbytery of Haddington. Ordained in 1701 and refused to subscribe the formula. He demitted his charge in 1714 and set up business as a printer in Edinburgh. Adams rejected the suggestion that union was inconsistent with the covenants and became involved in a pamphlet dispute with James Webster. *A letter from the country containing some remarks concerning the National Covenant and Solemn League. In answer to a late pamphlet, entituled, Lawful prejudices against an incorporating union with England* (Edinburgh, 1707). *A second letter from the country, in vindication of the former concerning the National Covenant and Solemn League: in answer to a pamphlet entituled Lawful prejudices against an incorporating union with England* (1707). *FES*, i, 376.

<sup>56</sup> John Mutter (d. 1739), minister at Tranent in the Presbytery of Haddington, *FES*, i, 397.

<sup>57</sup> William Hamilton (d.1712), deprived in 1681 when minister at Penicuik for refusing the Test; minister at Irvine 1688 and transferred to Kirknewton 1689. Admitted minister at Whitekirk in the Presbytery of Dunbar 1694, *FES*, i, 423.

of the court's taking the alarm. And now I think our only safety lies in a zealous and vigorous pursuit of the synod's appointment, when we have an opportunity of executing our just resolutions, unless we be very much wanting to our selves. And when will we do, what we all know must be done if not now. If there be designs on foot against us, our remissness at this time amounts to little less than an assisting of our enemies. But now if no hurt follow upon our (f.45) subscribing this act, we purchase peace of mind to our selves in tying us more solemnly to adhere to our church priviledges. And what if our being knitt together in this resolve, and its becoming national by our example, with that of some other wise synods (for you all know we are not the first) affright the court from persuing any unfavourable design against us.

I told them moreover, that if such measures should happen to compleat our misery: we are turned out having peace in ourselves that we have backt our good wishes for the interest of the church, with a hearty zeal. And indeed our wishes without this brigade about them avail nothing. Did wishes produce action, we should sufficiently perform that good and easie part before many minuts did pass, but you know it is quite other wayes, so as I know not the season of acting shall be, if not now. Will it be when some new calamity happens, or military execution gives the alarm? If so, o with what sad thoughts shall we then look back upon this neglect. How justly may we then upbraid our selves for our luckwarmness, and conclude that God has left us to fall a sacrifice to the caprice of our insulting enemies because we refused to avow his cause before men.

But now, you have engaged to all this att your ordination, you say, and what needs more; knaves will not be bound by such repeated engagements, and men of integrity are honest and will be so still without the half of this noise.

Certainly, if this prove anything, then *Nimum Pro Bat*,<sup>58</sup> and is equally concludent against our engaging at (f.45v) our ordination as now, for honest men will be so without any oaths att all. But if you were in your duty then, why are you so straitned about it now, especially when the considerations mentioned by the other brethren with others just now hinted at, justify my taking it upon me to say, that now if ever we must sign this act, before that we, what by the treachery of some and luckwarmness of others, have compassed our own overthrow. When we act upon scripture grounds (as we do in our maintaining the presbyterian government) we are upon a sure bottom, and must cast ourselves upon the providence of God, whatever may happen. And upon the whole, what we see doing at court, without seeking to know what may be further intended, I reckon circumspection and distrust

<sup>58</sup> *Nimum Pro Bat*: one who proves too much.

the churches best security, even then when the state is in the promising vein and in the giving humour, much more if what is given with the one hand, be withdrawn by the other. I did moreover insinuate, that to cavill att every thing, drew us into parties, and make divisions and all this about a resolve so lawfull in the matter of it, and only to be quarrelled with (if at all) as unseasonable and too much a provocation to the court, is an evil of such consequences, as none of us I trust, will have the confidence to espouse.

It is well known we have yet amongst us in this synod by the good providence of God, several ancient and worthy ministers, very capable of advising us, and well qualified to pass a right judgement on the seasonableness of such an act. Severals in and about the city have been long upon duty and served the publick upon many occasions, and (f.46) so fit to be trusted. And though religion had not enjoyed this, nor custom made it good, nature does teach it; and that their very weaknesses carry something of dignity in them.

But be as it will, bare unseasonableness tho it be of weight when a business is under deliberation, yet when the act is once concluded, it can be no reason for disobeying, since the decency of unity is of much more value than any special unfitnes that can be supposed in the instance just now before us. But if you seem convinced still that the synod's determination is inconvenient, you ought to consider whither your different sentiment (even supposing it wholly right) is worth the noice that may be made about it. As I take it, your dissent will not prevent the inconveniences you esteem this act lyable unto, and I am sure much disorder is likely to ffollow if you go on in your cross of it &c.

Much more was spoken to the purpose, and incredible pains taken upon them from time to time to give the church the desired security of their being men to be trusted, but all to no purpose. I was much concerned to find religion so much exposed and our presbytry so much vexed with the obstinacy of those brethren. Upon these and the like considerations I adventur'd to draw up the following overture which, with consent of the rest of my brethren who had signed the synod's act, I made offer of to Mr Lundie and the rest of the recusants as a testimony of our respect to them, and willingness to plead for favour to them from (f.46v) the synod if they would but allow us to say they were presbyterians, and that they were agreed with the reverend synod in the main.

The proposal run to these terms, viz: In regard that our brethren are upon the same bottom with us, not only as to the exercise of presbyterial government, but also from the same principle with us; they still owning a parity among gospel ministers, and a subordination of church judicatories, and we being fully persuaded of this by our intimate converse with them. Therefore we humbly conceive, that the reverend synod may forbear att least for some time to urge their subscription to the synod's act, seeing their scrouples to do so, do not flow from their dissatisfaction to the government.

When I read this proposal to them, and their compliance therewith urged by Mr Reid, Mr Horsburgh, & Mr Craige, they thanked us kindly for our brotherly concern in them, but told us att the same time, that they could not comply with the terms proposed in that paper, and would take their hazard of the synod, and spare us the pains of addressing them on their behalf. At length being weary of such obstinacy, and finding all our debates and consultations for peace were rendered ineffectual thereby, we did with much concern and due regrate deliver them into the hands of the synod, who accordingly had them in task for several synods in end, always treating them with great lenity. And att last Mr Hamiltone of Whytkirk & Mr Miller were brought off, and the rest received a synodical rebuke (f.47) for their indiscretion &c and a charge was laid upon the presbytry of Haddingtone to keep a watchfull eye over them, and to report their behaviour to the synod from time to time, as they saw cause.

Matters had stood this still, if Mr Lundie and Mr Glass had not concurred with Mr Alexander Orrock<sup>59</sup> minister at Hawick in complaining to the generall assembly one thousand seven hundred and five, of these joint measures with the synod of Merse and Teviotdale (in whose bounds Mr Orrock lived) in conjunction with the synods of Lothian, Glasgow &c. had taken in the business of these synodical acts. These three did remonstrat against all such acts in an address to the generall assembly anno one thousand seven hundred and five, as being tyrannical impositions on men's consciences such as can never bind knaves, and an honest man stood in no need of.

When these brethren applied to the Committee of Bills to have it transmitted to the assembly, I was present being a member of that committee, and being much vexed and surprized to find Mr Lundie and Mr Glass concerned in such a plot, I took them aside, and dealt with them to forbear but to no purpose. It was rejected by our committee after advisment with the Committee of Overtures, as being directly and immediately directed to his grace the Marquis of Annandale<sup>60</sup> commissioner, and so a business that did more concern him than the assembly, promising with all to read and consider it, if the brethren would direct it immediately for (f.47v) the moderator, leaving out the commissioner, who was no essential member of that court, but they would not so after a protestation taken against us, they complained to the assembly of our injustice.

But the commissioner and the moderator Mr William Carstares,<sup>61</sup> knew

<sup>59</sup> Alexander Orrock (1652–1711), minister at Hawick in the Presbytery of Jedburgh. Licensed by the Presbytery of St Andrews 1687 he was initially an opponent of Episcopacy for which he spent time in the Edinburgh Tolbooth. Admitted to Hawick 1691, *FES*, ii, 114.

<sup>60</sup> William Johnstone, first marquis of Annandale (1664–1721), politician. *ODNB*, xxx, 408–9.

<sup>61</sup> William Carstares (1649–1715), a prominent Church of Scotland minister and political

the plot, and being aware of it, when Mr Orrock was to be heard, the moderator told him, that he being no member of this court, could not allow him to speak, till he knew the mind of the venerable assembly, which being askt, they all cried out as one man, 'remove them, remove them', which Mr Orrock refused to do. Whereupon the assembly officers laid hands on Mr Orrock (the other two brethren standing close by him speechless) who struggled and made resistence, whereupon the commissioner from the throne made a handsome speech, in commendation of the concord and harmony he had seen in the house since he came amongst them, and added, that he was sorry that any who bare the name of ministers of the gospel of Christ should suffer themselves to be made tools of to serve the interests of the enemies of her majesties government, and of the churches prosperity. That he was placed in that station by her majesties favour, to countenance and give protection to this venerable assembly. Therefore he ordered these disturbers to remove, but Mr Orrock and his complices stood their ground, till they received a second order from the throne by way of peremptory command. And so the brethren went of unlamented, and were in a manner insulted by the mob att the door, and reproached as incendiaries &c:

(f.48) After this they printed their intended address, for self vindication, and for begetting the impressions on the minds of the Members of Parliament who were to sit about that time.<sup>62</sup> Accordingly when they were mett, Mr Andrew Fletcher of Salton,<sup>63</sup> a gentleman of very bright and lively parts, but unquiet and uneasie in his temper, and a perfect contradiction to himself, and all the world, complained in plain parlament of the assembly's proceedings, but got so cold an intertainment, that he dropt the bussiness, and dealt with her majesties advocate to interpose for reconciliation betwixt the church and him; pretending that it was not any dissatisfaction to the established government, but the fear he was under of some severer treatment to his minister Mr Lundie, that put him upon these measures. The commission of the Kirk then sitting, accepted of the motion of reconciliation, to the gaining of Saltone.<sup>64</sup>

(f.48v) The II<sup>d</sup> part of the most remarkable passages of the life and times of Mr J. B. written with his own hand.

adviser to William III. He became Principal of Edinburgh University after William's death; moderator of the general assembly 1705, 1708, 1711 and 1715, *FES*, i, 46 and 66; *ODNB*, x, 317-23; Warrick, *The Moderators of the Church of Scotland*, 158-79.

<sup>62</sup> *A Petition given in by some Ministers to the General Assembly, met at Edinburgh the 29<sup>th</sup> of March 1705, with an account of what followed thereupon; together with an account of the opposition made to the new Synodical Acts. By Mr Alexander Orrock (Edinburgh? 1705).*

<sup>63</sup> Andrew Fletcher of Saltoun (1653?-1716), politician and political theorist. Fletcher was a vigorous opponent of incorporating union with England. *ODNB*, xx, 85-92.

<sup>64</sup> Saltoun

ff 1<sup>mo</sup> I am here to give you the true history of a more formidable danger to the Church of Scotland, than any that has been yet mentioned; occasioned by a Treaty of Union betwixt Scotland and England which was most effectually set on foot anno one thousand seven hundred and six.

The court had been endeavouring now of a long time to bring Scotland to declare the same succession with England and settle on the illustrious House of Hannover.<sup>65</sup> James Duke of Hamilton a bold, and courageous, daring prince sett himself att the head of those who went under the name of the Country Party, and opposed the court att every turn. His party was very mottly, being made up of Jacobites Pantioy episcopalians, disoblighd courtiers, and some well meaning presbyterians who were revolution men and intended nothing but the patronny of their country, and freedom from English influence. When the court urg'd our parliament to declare for Hannover as England had done, the Country Party (f.49) would not listen to it unless they had limitations on the sovereign allowed them, and such regulations of government as might ease them of English influence.

ff 2<sup>d</sup> Att this time John Marquis of Tweeddale<sup>66</sup> (a person of good sense and learning, but one whose tongue was subject to the curse of bringing forth with pain) had many friends and relations who followed him, viz, Marquis Montrose,<sup>67</sup> Earle Rothes,<sup>68</sup> Earle Haddingtone,<sup>69</sup> Earle Roxburgh,<sup>70</sup> Lord Beilhaven,<sup>71</sup> Sir John Home of Blackadder,<sup>72</sup> Jerviswood<sup>73</sup> and diverse others. These made a considerable figure in the Country Party. The court perceiving this, and knowing the Marquis of Tweeddale to be a good natured gentleman, they pitched upon him for commissioner to the parliament anno one thousand seven hundred and four. And to engage him the more he was

<sup>65</sup> The succession settlement of 1689 had favoured Anne and her heirs after the deaths of William and Mary. However, the death of the Duke of Gloucester, her only remaining child, left Anne without an heir and both kingdoms without a settlement. The subsequent Act of Settlement, passed by the English parliament in 1701, settled the succession on the granddaughter of James VI, Sophia of Hanover, and her heirs and successors. This unilateral move was resented in Scotland as an infringement of national sovereignty.

<sup>66</sup> John Hay, second marquess of Tweeddale (1645–1713), *ODNB*, xxv, 1013–15.

<sup>67</sup> James Graham, fourth marquess and first duke of Montrose (1682–1742), landowner and politician. One of the sixteen elected Scottish peers to the first British parliament, *ODNB*, xxiii, 196–7.

<sup>68</sup> John Leslie, ninth earl of Rothes (1679–1722), one of the sixteen elected Scottish peers to the first British parliament, *ODNB*, xxxiii, 460–1.

<sup>69</sup> Thomas Hamilton, sixth earl of Haddington (1680–1735), one of the sixteen elected Scottish peers to the first British parliament, *ODNB*, xxiv, 902–3.

<sup>70</sup> John Ker, first duke of Roxburgh (1680–1741), *ODNB*, xxxi, 383–4.

<sup>71</sup> John Hamilton, second Lord Belhaven and Stenton (1656–1708), *ODNB*, xxiv, 869–72.

<sup>72</sup> Sir John Home of Blackadder (d.1706), commissioner to parliament for Berwickshire 1690–1701 and 1703–1705. Young, *Parliaments of Scotland*, i, 349.

<sup>73</sup> George Baillie of Jerviswood (1664–1738), landowner, staunchly presbyterian politician and grandson of leading covenanter Sir Archibald Johnstone, Lord Wariston. Represented Berwickshire in the first British parliament, *ODNB*, iii, 281–3.

impowered to settle the succession on suitable limitations. It was said, the duke of Hamiltone advised Tweeddale to accept of the offer, and promised him his concurrence. He embracing the proposal of being commissioner, the duke of Queensberry's<sup>74</sup> party must ly by for some little time, and make room for lucrative posts, to his friends. Accordingly Roxburgh is made secretary, Rothes privy seal, Mr Johnston<sup>75</sup> clerk register, Jerviswood lord treasurer deput, Lord Beilhaven, Blackadder, &c: are lords of the treasury and privy council. Duke Queensberry and his party refused to joyn influence with Tweeddale's followers and duke Hamiltone, upon some mistakes betwixt (f.49v) Tweeddale and him, not only denied him his promised assistance, but laboured in some sort to affront him and his party, tho the business of the succession was carried by, and a motion made for a previous treaty with England anent their separated interests of trade &c. So Tweeddale returned to London (anno one thousand seven hundred and five) *Re Infecta*,<sup>76</sup> yet he came down again Chancellor of Scotland for half a year. The English court did upon this occasion once more find that Queensberry's party was necessary for carrying on their designs in Scotland, and so the young duke of Argyle<sup>77</sup> (a better souldier than a Christian) was sent down commissioner to the parliament of Scotland (annon one thousand seven hundred and five), instructed anent the business of the union betwixt the two kingdoms. In the mean time England (to the end they might cudgle us into it) made an act declaring all the natives of Scotland to be aliens, and held as born out of the alledgeance of the queen of England, after the twenty fifth of December one thousand seven hundred and five years (except such of them as are settled inhabitants of England, or in service in her majesties fleet or army) until Scotland settle the succession to the crown, in the same manner as England hath settled it, and discharging the importation of Scots cattle, coal & linnen, on the same terms.<sup>78</sup>

ff.3. Whilst the duke of Argyle comes to Scotland, Queensberry stayed still at court, fearing an assault from duke Hamiltone, duke Athol<sup>79</sup> and others (f.50) of that party on whom he had some time before palm'd a

<sup>74</sup> James Douglas, second duke of Queensberry (1662–1711), politician and leader of the Court Party, *ODNB*, xvi, 675–9.

<sup>75</sup> James Johnston (1655–1737), politician and government official; son of leading covenanter Sir Archibald Johnston, Lord Wariston. Also served as secretary under William, *ODNB*, xxx, 368–70.

<sup>76</sup> *Re Infecta*: the matter being not completed.

<sup>77</sup> John Campbell, second duke of Argyll (1680–1743), soldier and politician; leader with his brother, Archibald earl of Ilay, of the political grouping known as the Argathelians, *ODNB*, ix, 814–18.

<sup>78</sup> Commonly known as the Alien Act, its full title was, *An act for the effectual securing the kingdom of England from the apparent dangers that may arise from several acts lately passed in the Parliament of Scotland.*

<sup>79</sup> John Murray, first duke of Atholl (1660–1724), soldier and politician, *ODNB*, xxxix, 946–9.

plot for bringing home the Prince of Wales. But Argyle not being able to do any business till his coming, he ventured down, and came to Edinburgh the twenty fourth day of July, and had never so much respect paid to him, and so many complements, as at this time, being mett with greater splendor, grandeur, and cheerfulness, than the three times he had been commissioner. His presence gave a remarkable turn to affairs, in so much that the union went on, maugres<sup>80</sup> all opposition to the contrary.

The English parliament had given the queen the nomination of the treaters, and authorised them to treat and consult of such a union, of the two kingdoms, as they shall see convenient and necessary for the honour of her majesty, and the common good of both the said kingdoms for ever. Provided always that they do not treat of, or concerning any alteration of the liturgy, rites, ceremonies, discipline or government of the church as by law established in England. And the same measures were to be followed in Scotland in all poynts, which carried accordingly, nothing being reserved but the doctrine, worship, discipline, and government of the Church of Scotland, as by law established. It was generally thought the duke of Hamilton was fully able to have carried the first point against the court, and get the parliament themselves to name the treaters. But Argyle having promised to get the queen to name him for one, he (f.50v) struck in with the court, and with him diverse of his party, thinking he would be able (if upon the treaty) to cause the whole design miscarry. But others of his faction thinking he had acted an ill part, renounced his interest from that moment.

ff.4<sup>o</sup> When the queen came to name the Scots treaters, twas thought meet to have them all of a side, and so the duke of Queensberry's party was pitched upon, being both the most numerous party, and consisting mainly of trew Revolution men. But the duke of Argyle that he might give duke Hamilton satisfaction for his dissapointment, when named to be on the treaty refused, since duke Hamilton was slighted on.

The English treaters were all of them men of the best rank, and brightest parts, of many in England. On the Scots side, the treaters were neither the most considerable for quality or qualification. They were not long att London till they concluded, signed and sealed an union, the particulars whereof were to be a secret till the parliament should meet. The most that any body knew of it was this, that henceforth Scotland and England were to be one and intirely incorporated, only we in Scotland were to be governed by our own laws, and England was to pay us in about four hundred thousand pound sterling for our loss in the Darien business. (f.51)

Some were of opinion that the secrecy enjoyn'd was in part design'd for preventing all writing and scribling against the union as it was set forth in

<sup>80</sup> Maugres: in spite of.

the treaty. But to little or no purpose for an ingenious countryman of our own Mr James Hodges, son to Mr Robert Hodges of Gladsmuir, and Mr George Ridpath another Scotsman, had wrote upon the generall subject some time before, and put the difference twixt a federal and an incorporating union in their due light. And after them others of our countrymen both att London and here att home wrote excellently against an incorporating union, and in favours of a federal conjunction, as equally advantagious to both nations. And thus matters stood when the treaters came down from London.

ff 5<sup>th</sup> When the Lords Commissioners for Scotland came home, their great care was to persuade those they conversed with, that the bargain they had made was very advantagious for the nation, and magnified the business of trade which was generally put up att a high rate by the English, and as generally grasped att by the Scots. And when they were askt (for they never declined to answer any queries, tho they would not expose the articles of agreement, till the parliament should sit, to whom they were countable) why they did not insist upon a federal union, in the interests of succession, wars, alliances and trade (f.51v) reserving to us the sovereignty and independancy of our crown and monarchy. They made answer, that they had essaied that in private conversation and publick also but found the English utterly averse who told them plainly that they never thought themselves secure of Scotland, whilst that nation did continue independent, and until we were every way a part of themselves. In which case, we might assure ourselves of all friendly and kindly entertainment, for what nation (say they) will oppress a part of itself. This way of reasoning, whatever some judicious persons might think of it, was generally well received, so that few or none doubted but it would be a bargain, especially considering, that the queen, as they gave it out, had instructed her commissioners to give all possible satisfaction to the ministers of the Church of Scotland, for securing the true Protestant religion, and government of the church, as by law established within this kingdom.

ff.6. When the parliament sat down, which was upon the third day of October one thousand seven hundred and six years, the commission of the Kirk according to their instructions from the late assembly, sat down also upon the eleventh day of October where many of the traiters anent the union took their place as (f.52) ruling elders, having been nominate by the assembly thereto.<sup>81</sup>

The first motion that was made in the commission was anent addressing the parliament for securing of the doctrine, discipline, worship and govern-

<sup>81</sup> The commission opened on 9 October. The word 'traiters' may possibly mean treaters, a term used to refer to the commissioners who negotiated the union.

ment of the church, as now by law established within this kingdom. This did so far obtain without any noise, that a committee of some ministers and elders were appointed to draw the draught of an address to the foresaid purpose.

When this draught came to be considered at the next meeting of the commission, it was opposed by Mr John Bannatyne, and Mr Thomas Linning<sup>82</sup> from the Presbytry of Lanerk, and some others who were not present when the committee was named, aludging that an address of that nature and consequence deserved to be rypely advised by a more numerous commission, there having been scarce a quorum of the brethren mett att that time and that this being but the first day of the meeting of the commission, it was thought strange they made so large a step. But above all, the forsaid two reverend brethren, did insist upon a national fast and humiliation as prefatory to all, and urged it as the mind of the reverend synod of Glasgow, and as having Instructions from them to move in the commission, that the parlament be applied unto for that effect. To this it was replied that these brethren had been too long in coming to tell their (f.52v) synod's mind, that the commission were now gone some length in that affair, and considering how quickly the parlament might proceed in the business of the union, twas not fit to delay application for securing the interest of the church. And others of the reverend elders (who were the chief spokemen in this affair) were pleased to add, particularly Adam Cockburn of Ormestone,<sup>83</sup> then Lord Justice Clerk and Mr Francis Montgomry of Giffen, that a national fast could not be indicted in shorter time than six weeks, and that it was not to be supposed, the parlament would wait so long. To which it was replied, that the parlament might indict a fast, and go on in their business notwithstanding. That it was not to be thought the parlament would go so hastily on in a business of so great deliberation, and therefor they did conclude, that there could be no hazard in giving the preference to a fast before an address. Att last the courtiers began to insinuate, that a fast att this time, was but for strife and contention, & to amuse the nation, as if the business of the union were some dreadfill thing, and dangerous both to church and state. To which the ministers made answer with protestations that there was no such thing in their intention, but that they did mightily jealousye that (f.53) parlament that would refuse to begin their consultations on so important an affair, without asking counsil and conduct from God. After many reasonings

<sup>82</sup> Thomas Linning (d.1733), minister at Lesmahagow in the Presbytery of Lanark. A former Cameronian preacher, he was received into the established church at the 1690 general assembly, *FES*, iii, 314.

<sup>83</sup> Adam Cockburn of Ormiston (1656–1735), Lord Justice Clerk and Lord of Session, he held the judicial title of Lord Ormiston, *ODNB*, xii, 327–8.

to this purpose, the address was recommitted to a committee who were also to consider of the expediency of a national fast at this juncture.

The next day when the commission mett my Lord Advocate Sir James Stewart<sup>84</sup> presented the address *de novo*,<sup>85</sup> but no word of a fast. whereupon, the ministers entering upon the consideration of the address as it then lay before them, they disputed every inch of the prologue and epiluge, without objecting any thing materiall against the petitory part. Their main quarrel against the complex lay in this, that they thought it contained too many strong innuendos as if the church did homologate an incorporating union as it then lay before the parliament which they thought was none of their business considering that many of their friends in parliament stood otherwise affected and they did not see it their interest or any part of their concern to side with any party.

Att length, after much reasoning, my lord advocate withdrew the address, for the diett, and promised upon what he had heard, to bring it back att another meeting in a new shape, so as it might be more acceptable to all parties, which he did att the next meeting. (f.53v) And so the address was voted and agreed unto and transmitted to the clerks of the parliament. Thereafter the business of the fast was brought into the field, and after much reasoning delayed till another time *Sine Die*.<sup>86</sup>

ff.7. The next news we had about it were, that Walter Steuart of Pardoven,<sup>87</sup> commissioner from the town of Linlithgow to the parliament, and one of the present members of the commission of the Kirk, did next day of the parliament's meeting, make a motion in open house for a national fast, and got quickly so great a backing, that it sustained a debate in plain parliament, till the marquis of Annandale parted the fray by the seasonable motion of delaying the farther consideration of that affair till the commission of the Kirk had come to some resolution thereanent.

It was thought, that Pardoven had nothing else in his view by making such a motion in parliament but to quicken the commission's zeal for a fast, and give them a handle from those motions in parliament, for carrying on so good a design. Accordingly when the commission mett, the hint was improvén, and the business of the fast strongly urged. But still the court members by thronging in among the ministers of whom only a few were come in from remote places of the country, did obstruct all, so that in room

<sup>84</sup> Sir James Stewart of Goodtrees (1635–1713), staunch Presbyterian, served as Lord Advocate between 1692 and 1709 and again from 1711 until his death in 1713, *ODNB*, lii, 695–7.

<sup>85</sup> *de novo*: starting again, anew.

<sup>86</sup> *Sine Die*: no appointed date.

<sup>87</sup> Walter Stewart of Pardovan, Member of Parliament for Linlithgow. Stewart wrote 'A Short Account of the proceedings of the Last Session of the Scots Parliament, with some necessary reflections thereupon. By a member of both that and the preceding parliament', National Library of Scotland, Wodrow Quarto LXXXV, fos. 138–60

of a fast we got only a circular letter which was to be sent to each presbytry in the kingdom exhorting them to pray apart and with their elders with reference to the weighty and (f.54) important business of the union. And to the end that something might be done as a kind of medium twixt a fast and no fast, they appointed freyday the [18] of October anno one thousand seven hundred and six to be a day of prayer from ten in the forenoon to two in the afternoon, and all the members of the commission were exhorted to be present, and a certain number of ministers were named for carr[y]ing on that work. And to avoid confusion and for the greater solemnity, the meeting was appointed to be in the new church of Edinburgh, where all who pleased, might be present to joyn. But no intimation was made of this meeting from any pulpits, only people were allowed to tell their acquaintances and friends of the design.

When the time and hour appointed was come, there was found a very throng assembly in which many of the nobility and gentry were present. Mr William Wishart<sup>88</sup> one of the ministers of South Leith and moderator of the commission, began the work after a short introduction to the people anent the design of that day's meeting. After him Mr William Carstares principal of the College of Edinburgh said prayers, and then a psalm was sung. Nixt, Mr George Meldrum<sup>89</sup> professor of divinity in Edinburgh and Mr John Stirling<sup>90</sup> principal of the College of Glasgow, did pray, and then another psalm was sung. Nixt, Mr Thomas Linning minister at Lesmahago, and Mr George Hamilton<sup>91</sup> one of the ministers of Edinburgh did pray; then followed singing of psalms: Lastly, Mr David Blair<sup>92</sup> one of the Minis-

<sup>88</sup> William Wishart (1660–1729), imprisoned in 1684 for denying the king's authority, he was released the following year and became minister in a meeting-house at Sheriff brae near Leith. Admitted to South Leith in 1692, he was moderator in 1706, 1713, 1718, 1724 and 1728. *FES*, i, 136; *ODNB*; Warrick, *The Moderators of the Church of Scotland*, 180–95.

<sup>89</sup> George Meldrum (1634–1709) was a graduate of Marischal College in Aberdeen. In 1688 he took advantage of King James's toleration and accepted a call to the ministry in the parish of Kilwinning in Ayrshire where he continued until he accepted a call in 1692 to be minister of Tron Kirk in Edinburgh. He accepted the position of professor of divinity at Edinburgh University in 1701 where he continued until his death in 1709. Meldrum was elected moderator of the general assembly in 1698 and 1703. *FES*, i, 139–40; Warrick, *The Moderators of the Church of Scotland*, 92.

<sup>90</sup> John Stirling (1654–1727), ordained and admitted to Inchinnan in the Presbytery of Paisley 1691; principal of Glasgow University 1701–1727 and moderator in 1707. Warrick, *The Moderators of the Church of Scotland*, 196–202.

<sup>91</sup> George Hamilton (1635–1712), deprived as minister at Newburn in 1662 to which he returned in 1692. He became principal of St Leonard's College, St Andrews, in 1696 but transferred to St Giles in Edinburgh the following year; moderator in 1699. *FES*, i, 60; Warrick, *The Moderators of the Church of Scotland*, 113–21.

<sup>92</sup> David Blair (1637–1710), ordained to the second charge of the Scots church at The Hague in 1688. Accepted a call to be minister at a meeting house in Edinburgh in 1689; appointed Chaplain to King William 1690 and admitted to St Giles, Old Kirk, in 1691; moderator in 1700. *FES*, i, 71; Warrick, *The Moderators of the Church of Scotland*, 122–31.

ters of Edinburgh, and Mr Robert Weilie<sup>93</sup> one of the ministers of (f.54v) Hamilton did put up prayers and the whole action was concluded by singing a part of a psalm and pronouncing the blessing. Upon the whole the work was solemn and by the blessing of God comfortably managed, and I must say, I bless the Lord I was witness to it. The toun talk upon this was, that this diet of prayer is all we shall have for a fast. The parliament medled no more with the matter, and the commission were likely to be equally silent.

At length, ministers from the country came in throng to attend the commission, and over powered the court elders. Upon this occasion of power, Mr Linning and Mr Bannatyne with Mr Patrick Cumming<sup>94</sup> att Ormestone, Mr James Ramsay<sup>95</sup> att Eyemouth, and some others did revive and awaken the business of the fast, and after a great struggle, and much heat, to the endangering of the whole church by an open rupture, and splitting into factions, the fast was acquiesced unto by all parties without bringing it to a vote, upon a discourse made by Mr James Ramsay Minister att Eyemouth.

The fast being agreed unto by all, the elders who were members of parliament advised, that the church should carry on that work by their own ecclesiastick authority, without applying to the parliament for the civil sanction, because they saw that this would raise or create new storme in that house. They followed the advice, and it fell out to be most religiously observed, particularly in the city of Edinburgh, where the whole members of parliament (f.55) gave punctual attendance, in which the commissioner (the duke of Queensberry) was very exemplary.

ff.8. Whilst the church is employed about fasting and prayer, the parliament are no less zealous to carry the business of the incorporating union. Her majesty in her letter to the parliament is very pressing to have it carried, as that which has been long desired by both nations, and esteems it as the greatest glory of her reign to have it now perfected. At first, the body of the nation seemed to be for it, till the parliament read the articles of the treaty, and ordered the printing of them that all might see and consider of them. They were no sooner published, than every common person seemed ready

<sup>93</sup> Robert Wylie (1650–1715), admitted as minister to the parish of Yarrow 1690; transferred to Ashkirk 1691 and finally to Hamilton in the Presbytery of Hamilton in 1692. A leading anti-incorporationist he worked closely with the duke of Hamilton in organising anti-union activity and wrote a number of pamphlets, including, *The insecurity of a printed overture for an act for the church's security* (1706) and *A letter from a member of the commission of the late General Assembly, to a minister in the country; concerning present dangers* (Edinburgh, 1707). *FES*, iii, 260.

<sup>94</sup> Patrick Cumming (1649–1731), minister of a Presbyterian congregation in Dublin when he was called to the parish of Ormiston in the Presbytery of Dalkeith in 1690, *FES*, i, 341.

<sup>95</sup> James Ramsay (1672–1749), ordained at Eyemouth in the Presbytery of Chirnside 1693 and transferred to Kelso 1707. Moderator in 1738 and 1741, he wrote against toleration for Episcopalians. Pamphlets included *A Letter from a Gentleman to a Member of Parliament concerning Toleration* (Edinburgh, 1703) and *An examination of three prelatik pamphlets* (Edinburgh, 1703).

as it were to disprove every article of them, and all ranks and sorts of people cry'd, shame on our tr[e]aters, for their base and disadvantageous concessions. It is scarcely to be believed, what irritation was upon every bodies spirit, upon reading those articles, their minds crouded with variety of very melancholy thoughts, which they disburdened themselves of in a great throng of addresses from cities, shires, and particular paroches from all corners of the kingdom, directed to the parliament. The scope and tendency of which was humbly to represent to that honourable house, that an incorporating union of the crown and kingdom of Scotland, with the crown and kingdom of England, and that both nations should be represented by one and the same parliament, as contained in the articles of the treaty of union, is contrair to the honour, interest, fundamental laws and constitution of this kingdom, the birthright of the peers, the (f.55v) rights and priviledges of the barrons and burrows, and is contrair to the Claim of Right property and liberty of the subjects, and third act of her majesties parliament (anno one thousand seven hundred and three) by which it it declaired high treason, in any of the subjects of this kingdom to quarrall or endeavour by writing, malicious and advised speaking, or other open act or deed to alter or inovate the Claim of Right or any article thereof. The duke of Athol entered a protest in parliament in the terms now mentioned, Monday November fourth (anno one thousand seven hundred and six) and to him above sixty other members did adhere.

But to the end it might appear that those patriots were not against all kind of union with England, there was a resolve offered to the parliament the foresaid day, after some debate upon the first article of union, in these terms viz:

Whereas it evidently appears since the printing, publishing and considering of the articles of treaty, now before this house, this nation seems generally averse to this incorporating union in the terms now before us, and subversive of the sovereignty, fundamental constitution and Claim of Right of this kingdom, and as threatening ruine to this church as by law established. And since it is plain, that if an union were agreed in these terms by this parliament, and accepted of by the parliament of England, it would in no sort answer the peaceably and friendly ends proposed by the union; but would on the contrair, create such dismal distractions and animosities amongst ourselves, and such jealousies and mistakes betwixt us and our neighbours, as would involve these nations into fatal breaches and confusions. Therefore, resolved that we are willing to enter into such an union with our neighbours of (f.56) England as shall unite us intirely and after the most strick manner, in all their and our interests of succession, wars, alliances and trade, reserving to us the sovereignty and independency of our crown and monarchy, and immunities of the kingdom, and the

constitution and frame of the government both of church and state, as they stand now established by our fundamental constitution, by our Claim of Right, and by the laws following thereupon; or resolved, that we will proceed to settle the same succession with England, upon such conditions and regulations of government within our selves, as shall effectually secure the sovereignty and independency of this crown and kingdom, and indissoluble society of the same, with fundamental rights and constitutions of the government both of church and state, as the same stands established by the Claim of Right and other laws & statutes of this kingdom.

One would have thought this very fair dealing, but the court would listen to nothing that might retard the completing of the union, as it was then before the house, and according to their constant custom of putting things to the vote where they were unwilling or unable to hear or answer solid reasonings, they voted the first article of the union, in these terms, approve or not (viz: upon supposition the other articles of the union be adjusted by the parliament) and it carried approve by a majority of thirty one votes. There were for it of the nobility forty four of the barons thirty seven, of the burrows thirty three. Against it of the nobility, twenty one, of the barons, thirty three, of the burrows twenty nine. This was (justly) held for a very discriminating vote. The article it self, running in these terms, that the two kingdoms of Scotland and England, shall upon the first day (f.56v) of May ensuing the date hereof (i.e. May one thousand seven hundred and seven years) and for ever after, be united unto one kingdom, by the name of Great Britain.

ff.9. This was a very surprizing preliminary to most in the nation, and occasioned a much greater throng of addresses against the union, then formerly, in so much that every days minuts of parliament was crowded therewith. But amongst all the addresses that were made to the house, there was none more remarkable than that from the Royal Burrows, agreed upon by a meeting at Edinburgh of the date the twenty ninth day of October (anno one thousand seven hundred and six.). The substance whereof is as follows,

They humbly represent, that as they are not against an honourable and safe union with England, consisting with the being of this kingdom, and parliaments thereof without which they conceive neither their religion, nor civil interests and trade, can be secured to them, and their posterity, far less made better and improven. So they find by the articles of union now under the parliament's consideration, that their monarchy is suppress, their Parliament's extinguished, and in consequence their religion, church government, Claim of Right, laws liberties, trade and all that is dear to them, are daily in danger of being incroached upon, altered, or wholly subverted by the English,

in a British parliament, wherein the main representation allowed for Scotland (viz. sixteen noblemen and fourty five barrons and burgesses) can never signifie in securing their reserved interests, or any interest granted them by the English. By the articles, they find their poor people made liable to a certain unsupportable burden of English taxes, while the trade proposed is uncertain, involved and wholly precarious, especially when regulate as to export and import by the laws (f.57) of England, and under the same prohibitions, and restriction, customs and duties; and subject to such alterations as the parliament of Great Britain shall think fit and therefore supplicating the parliament, that they would not conclude such an incorporating union, as is contained in the articles proposed. But maintain the true reformed religion, present church government, the independency of the crown and kingdom and rights and priviledges of parliament, and defeats the popish pretenders to the succession of the crown.

This address (which contains the substance of all the popular objections against the union) mett with no better reception then those that went before it, which was to receive the honor of a reading in open parliament and then ordered to be marked in the minuts, and no more of it.

ff.10. It may be wondered att by posterity, how the body of the parliament came to be so much for this kind of union when the body of the nation was so much against it. But I find two reasons given why the court had the ascendant of the Country Party at this juncture. The first is, that there were in the parliament (modestly speaking) above fourscore who were influenced and interested by court dependencies, honourable and lucrative posts, assurances of the payment of arrears, and other debts, expectation of preferments, or the like selfish ends. The other reason given is that the marquis of Tweeddale and his party (called the Flying Squadron, Squadrone Volante, because they skypt from side to side) fell at this time to join in with the court, in odium of the duke of Hamiltone, who (as is said) first advised Tweeddale (at that time one of his party) to imbrace the offer the court made to him of being commissioner to the parliament (anno one thousand seven hundred and four). And yet when Tweeddale was on the throne as commissioner, big with expectations of the duke of (f.57v) Hamilton's concurrence in settling the same succession with England upon due limitations, the duke gave him a disappontment and laboured in a sort to affront him so that he returned to London *Re Infecta*, as was hinted formerly. The duke of Hamiltone would not proceed to the nomination of a successor in Tweeddale's parliament till we had a previous treaty with England, and now when duke Hamiltone would declare the succession to get free of the union, and craved of his grace the duke of Queensberry, present commissioner to the parliament a recess till her majesty be acquainted herewith, it cannot be granted, for Tweeddale opposeth this, and fortifies the court against duke Hamiltone. Thus we see,

that faction and party places and pensions, do chiefly contribute to compleet Scotland's misery.

ff.11. But whilst all others are addressing against the incorporating union, the church did think fitt to make a particular address for security to the Kirk, in case the intended union should carry, and this in pursuance of their first and more general address formerly mentioned. Never was there such a contest as was here twixt Kirk and state, ministers and ruling elders, and many pretty speeches past on both sides in time of the commission, their adjusting the six articles of their address.

The address it self was as follows, viz.

Art. I That the Sacramental Test, being the condition of access to places of trust, and to benefites from the crown, all of our communion must be debarred from the same if not in Scotland (f.58) yet through the rest of the dominion of Britain, which may prove of most dangerous consequences to this church.

In adjusting of this article (and the like may be observed anent the other articles also) the ministers in the commission by the good hand of God upon them were still harmonious and of a piece, and the ruling elders, who had been members of the treaty, such as the earle of Glasgow, Lord President of the Session, the Justice Clerk, the Lord Forglund, Mr Francis Montgomery, Lord Ross,<sup>96</sup> with diverse others such as earle Rothes, earle Marchmont, Lord Crossrig,<sup>97</sup> John Alexander of Blackhouse,<sup>98</sup> Jarviswood, &c: were all stiff in their opposition to every thing the ministers were for. And yet I cannot but say, tho they had many of their good friends against them, they had also even among the reverend elders some who were cordial for them, especially my Lord Beilhaven, Sir Gilbert Eliot of Minto,<sup>99</sup> and Sir John Maxwell of Pollock,<sup>100</sup> both of them Lords of the Session, the Laird of Lammingtone, Pardivan, Lieutenant Colonel Erskin<sup>101</sup> Brother to my Lord Cardross &c; However, because *Denominatio Desumitur a Majore parte*, I shall, in handling the present controversie, divide the contending parties into ministers and ruling elders.

The design which the ministers had in adjusting this article, was, to have that Test taken away. The elders opposed this, and promised that no Scots man should be affected thereby. This was not satisfactory, in regard it did not

<sup>96</sup> William Ross 12<sup>th</sup> Lord Ross.

<sup>97</sup> Sir David Home of Crossrig (1643–1707), Judge, Privy Councillor and diarist, *ODNB*, xxvii, 871.

<sup>98</sup> John Alexander of Blackhouse.

<sup>99</sup> Sir Gilbert Eliot of Minto, Lord Minto (1650/1–1718). Judge and Member of Parliament for Roxburgh 1703–1707, Eliot voted against its dissolution, *ODNB*, xviii, 169.

<sup>100</sup> Sir John Maxwell of Pollock (d.1732), commissioner for Renfrewshire to the Convention of Estates 1689 and to parliament 1689–1698, Young, *Parliaments of Scotland*, ii, 482.

<sup>101</sup> Lieutenant Colonel Erskine.

ease our friends, the dissenters of England whose consciences this church ought to have a regard unto.

I confess for my own part, tho I was no (f.58v)member of that commission, yet I adventured to drape my opinion to some who bore a figure in that court, and it was this, that we in Scotland might have such another Test (if they would not yield to let it go altogether) so as a mans taking the sacrament of the Lords Supper according to the form and usage of the Church of Scotland, might equally qualifie him for civil and military offices, as his receiving the sacrament, according to the usage of England. When this was moved, the ministers declined the motion in regard that it would bring many of them upon a sore lock, in case noblemen and gentlemen in their paroches, should apply to them for the sacrament, whom they durst not in conscience admitt, as being men whose morals were wretchedly out of order. Upon the other side, my reason for it was, that our friends the English dissenters whose consciences could not allow them to communicate with the Church of England, might have access to communicate with us of Scotland, and on the other hand debauched nobility and gentry, might repair to the Church of England, and communicate there, where there is no such barr laid in their way, as there is by our Scottish discipline. This in my opinion did answer the reason given to the contrair but my reasons wanted to be urged and set in their due light, and the article passed as it stands here.

Art: II That this church and nation may be exposed to the farther danger of new oaths from the parliament of Britain; unless it be provided, that no oath, band, or test of any kind shall be required of any minister, or member of the Church of Scotland, which are (f.59) inconsistent with the known principles of this church.

This article mett with less opposition then the former, and was afterwards agreed to by the parliament as a part of their act for securing the church, in the terms here mentioned. But because I had the good fortune to be among the first who moved to some members of the commission, that such an article as this might be agreed upon, I shall adventure to narrate my poor thoughts upon the matter, which was shortly this, that ministers of the Church of Scotland should be free of all oaths of whatever sort, excepting that of allegiance to the sovereign of Great Brittain. My reason for it was this, that the article as it is worded in the address does not determine who shall be judge of the consistency or inconsistency of an oath, or test, &c. with the known principles of this church. Had these words been added, 'to be judged of (as to its consistency or inconsistency with our principles) by a generall assembly of this church lawfully called, and left to act with full freedom', this had done much to salve the matter. But otherwise, ministers are left to be judges for themselves whither they will swear, or not, according as they are sound or corrupt, which is to leave us ministers to fight it out among our selves, and so to divide us. Whereas by my method, we are

every way safe, because an oath of allegiance to the sovereign is no matter of debate among presbyterians, whose known principles and covenants, lead them natively to be legal to their prince.

Art. III There being no provision in the treatise of union for security of this church, by a coronation oath; that therefore in the coronation oath to (f.59v) be taken by the sovereigns of Great Britain, they be engaged to maintain the doctrine, worship, discipline and government of this church, and the rights and priviledges there of, as now by law established.

This article was agreed to by the parliament.

Art. IV. That in case the proposed union be concluded, the church will suffer prejudice, unless there be a commission for plantation of kirks and valuation of tiends, and making up the registers of that court which were burnt: and a judicatory on Scotland for redressing grivances, and judging causes, which were formerly judged by the privy council, such as the growth of popery and other irregularities, and with which judicatory the church may correspond anent fasts and thanksgivings.

The first part of this article could not well be gainsaid. The registers of the decreets of locality &c: were burnt in the lamentable fire which happened in the Parliament Closs of Edenburgh, the third of February (annon one thousand and seven hundred) in the house of Mr John Buchan, Clerk, and it is necessary some course be taken to recover them.

Also the second part of the article, anent a Judicatory in place of the privy-council, seems equally necessary because that by the nineteen article of the union, the privy council is unfix't, it being only said, that after the union, the queens majesty and her royal successors, may continue a (f.60) privy council in Scotland, for preserving of public peace and order, untill the parliament of Great Britain shall think fit to alter it, or establish any other effectual method for that end.

Art. V. Likeways we do humbly represent, that in the second part of the Oath of Abjuration, in favours of the succession in the Protestant line, there is some reference made to some acts of the English parliament, which every one in this nation who may be obliged to take the said oath, may not so well know, and therefore cannot swear with judgement: As also, there seems to us to be some qualifications, required in the successor to the crown, which are not suitable to our priviledges.

The Oath of Abjuration to be sworn by all that bear any office civil or military and by all ecclesiastical persons, preachers or teachers of separat congregations, lawyers of all sorts and by every member of the House of Commons as is follows.

I A. B. do truly and sincerely acknowledge, profess, testify and declare in my conscience, before God and the world, that our sovereign lady Queen Anne is lawfull and rightfull queen of this realm, and all other

her majesties dominions and counterys thereunto belonging. And I do solemnly and sincerely declaire, that I believe my conscience, that the person pretended to be prince of Wales, during the life of the late King James, and taking upon himself the stile and title of King of England, by the name of James the third, hath not any right nor title to the crown of this realm, or any other the dominions there to belonging. And I do renounce, refuse and abjure any allegiance of obedience to him and I do swear, that I will bear faithfull and true (f.60v) allegiance to her majesty Queen Anne and will defend to the utmost of my Power, against all traiterous conspiracies and attempts whatsoever, which shall be made against her person, crown and dignity: and I shall do my best endeavour to disclose and make known to her majesty and her successors, all treasons and traiterous conspiracies which I shall know to be against her or any of them. And I doe faithfully promise to the outmost of my power, to support maintain and defend the limitation and succession to the crown, against him the said James, and all other persons whatsoever, as the same is, and stands limited by an act, entituled, 'An act declaring the rights and liberties of the subject, and settling the succession of the crown to her present majesty and the heirs of her body being Protestants.' And as the same by another act entituled, 'An act for the further limitation of the crown, and better securing the rights and liberties of the subjects, is and stands limited after the decease of her majesty, and for default of issue of her majesty, to the princess Sophia Electress and Dutchess Dowager of Hannover, and the heirs of her body, being Protestants.' And all these things I plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words; without any equivocation, mental reservation, or secret reservation whatsoever: and I do make this recognition, acknowledgement, abjuration, renunciation. And promise, heartily, willingly and truly, upon true faith of a Christian, so help me God.

(f.61) When this article was considered in the Commission, the Earle of Marchmont read the English acts referred unto in this oath, with a design to persuade the ministers that these contained nothing in them worthy their observation. But this would not do for Mr James Ramsay minister at Eyemouth in a committee of the whole house mett in the Laigh Council House, had brought in four judicious queries which did contain the substance of all the subsequent reasonings on this article and as many upon the sixth article, and upon which the ministers did reason to this purpose. That since we were to swear to the entail of the crown, as it stands entailed in the second act referred to in the abjuration oath, and since by that act it is expressly provided, that the successor shall joyn in communion with the

Church of England, they did therefore conceive that it was inconsistent with their principles to maintain the entail so qualified, and the forsaid burden laid upon the successor, especially considering, that this burden in joyning in actual communion with the Church of England in its present rites and ceremonies, was first proposed, and at length by a plain and positive statute tied upon the successor, by a set of men who were disaffected to the illustrious House of Hannover. Again, whereas, by the forsaid act, it is absolutely provided, that the successor shall take the coronation oath, and in it swear to maintain the state of bishops, with their priviledges, rites, and ceremonies; they do not see it consistent with our priviledges to swear that oath, whereby the successor is obliged to take the coronation oath so qualified, and restricted in (f.61v) favours of prelacy, nor do they see it lawfull for them by their oath to perpetuate an obligation upon the sovereign, which they could not come under themselves, without being inconsistent with their principles and engagements. That to swear in the abjuration oath, that the prince should be obliged to swear this coronation oath, was a virtual renunciation of our principles, and a taking the declaration emitted by King Charles the second in a new dress. And therefore matters standing thus, 'tis proper for the commission humbly to desire of the parliament that in case of an union, the latter part of the abjuration oath be altered, and put in such plain and cautious expressions, as may be liable to no exception that we may see what we are to swear to, without being obliged to turn over whole volumes of the English acts of parliament which perhaps shall not be at hand to every one who must swear that oath.

Art. VI. And in the last place, in case this proposed treaty of union shall be concluded, this nation will be subjected in its civil interests to a British parliament, wherein twenty six prelates are to be constituent members and legislators and lest our silence should be constructed to import our consent to, or approbation of the civil places and power of churchmen; we crave leave in all humility, and due respect to your graces and honourable estates of parliament. To represent, that it is contrair to our known principles and covenants, (f.62) that any church man should bear civil offices, or have power in the common wealth.

Here lay the hinge of the whole controversie betwext the ministers and the elders. This was the *noli me tangere* to the courtiers, and the *noli omittere* to the ministers.<sup>102</sup> The elders alledged, that this was plainly to declaire against the incorporating union, and to state themselves as opposite parties; that it was a going beyond their sphere and too much a meddling with state matters: that it was to ask what they were sure to be denyd of when they sought to have the bishops removed from the British parliament. that such an article

<sup>102</sup> *noli me tangere*: do not touch me; *noli omittere*: leave nothing, do not omit.

and exception against the English clergy, would expose the weakness of our church, and render us odious among foreign divines, who might justly laugh at our madness and capricious humors. These and the like topicks were largely insisted upon by the marquis of Lothian,<sup>103</sup> the Lord President of the Session, the Lord Justice Clerk, Lord Crossrig, Lord Forglan, the Laird of Jerviswood and diverse other elders.

ff.12. On the other side, the ministers pressed the article from many considerations. It was told that though as ministers they were mainly concerned to have the church secured, yet as men and subjects they were not to be regardless of the state, or unconcern'd how or to whom our national interests was to be subjected; that it was not an officious meddling with state affairs for them to protest against what was sinfull in the constitution of any court;<sup>104</sup> that the civil places and power of kirkmen was contrair to the Word of God, and incomptable with their spiritual function; that our covenants especially the National Covenant took all both in kirk and state engaged (f.62v) against it, and the commission was ready to own the obligatoriness of that oath and covenant upon all hazards. That foreign divines knew abundantly well that the principles of the Church of Scotland were in that matter, and many of them concurred with us in them, and that they were not asham'd to own these to be their principles.

To all which it was replied by the elders, that they would not canvass that poynt about the obligatoriness of the covenants, but they thought strange to find the covenant so much made use of now when the Church of Scotland never saw it need to renew that covenant since the revolution.<sup>105</sup> That the end of the National Covenant the civil places of kirkmen, was restricted to the Church of Scotland allenary. The words run thus: the generall assembly having determined the civil places and power of kirkmen to be unlawfull within this kirk. That is, say they, it is unlawfull for any Scots minister to sit or vote in parliament. But what says this to the English prelates.<sup>106</sup>

To this the ministers duplyed, that the Church of Scotland had always walked conform to the covenant since the revolution, and therefore saw no need to renew it.<sup>107</sup> That if now they did not protest against the civil places of kirkmen, they might be reckoned to walk disonantly to their said oath, and therefore they must be excused to let this article go to the parliament as it now stands, to be their publick testimony of adherence to the

<sup>103</sup> William Kerr, second marquis of Lothian (1661–1722), army officer and politician.

<sup>104</sup> Indicates in the margin that the speaker was Mr George Mair, minister at Culross in the Presbytery of Dunfermline, *FES*, v, 19.

<sup>105</sup> Indicates in the margin that the speaker was Jerviswood.

<sup>106</sup> Indicates in the margin that the speaker was Crossrig.

<sup>107</sup> Indicates in the margin that the speaker was Mr Robert Horsburgh.

oath of God. And as to the restriction used in the covenant,<sup>108</sup> it was not to the purpose, seeing the generall assembly, whose determination is therein mentioned, did proceed (f.63) upon scripture grounds, so that the churches argument against the civil places of kirkmen proceeds not *ab Incommode* only, but also *ab Illicito*, and that in all times and places of the world these offices are to be reckoned unlawfull. They tell them that the prelates, their exercising the civil power as members of parlament and council, was the very thing that was meant by the civil places and power of kirkmen in the National Covenant. That it was manifestly unlawfull to introduce prelacy, and to engross the state of bishops into our parlament, and consequently, it were unlawfull for the nation or the parlament who represents it, voluntarily to agree, that in the event of the union, this land shall receive and submit to a British parlament which has prelacy in its constitution, and in which twenty-six prelates shall sitt as our proper legislators. That the chusing and receiving the English parlament with their lords spiritual to be a part of our parlament, is the very same thing as if we should chuse and receive prelates into the parlament that now sitteth in this nation; seeing in the event forsaid, that parlament whereof the lords spiritual are an essential part, shall be as properly our parlament, as the parlament that now sitteth, and these lords spiritual shall have as constant and direct a dominion over us as the peers of Scotland now have in our own parlament, which could never be, unless we did voluntary agree, that the English parlament so constituted, together with a part of our present Scottish parlament, shall be the British parlament, and so become ours. That therefore upon the whole, it becomes the duty of the ministers of this church and especially of this commission to give a prudent and (f.63v) faithfull Testimony to the members of our parlament, against a British parlament thus constituted, that so they may not involve themselves, and this poor nation in the guilt of perjury. These and the like were very largely and calmly insisted upon, and seconded by several worthy ruling elders, particularly my Lord Belhaven, Lord Pollock,<sup>109</sup> Lord Minto & diverse others who spake pointedly upon most of these heads.

This was *opus viginti dierum*, and the result & subject matter not of one, but of many private and extra judicial conferences, as well as publick reasonings. For before it came to publick there was a selct number of ministers nominated by the commission to confer from time to time with the statesmen who had been upon the treaty of union. At first the conference was to be betwixt messers George Meldrum, Mr Carstares, Patrick Cumming, Robert Weillie, Thomas Linning, James Ramsay, John Stirling, Allan Logan &c for the ministers. The Earls Marchmont, Glasgow, Lord President of the Session,

<sup>108</sup> Indicates in the margin that the speaker was Mr Allan Logan minister at Tirryburn and Crombie in the Presbytery of Dunfermline, *FES*, v, 17, 53.

<sup>109</sup> Lord Pollock.

Lord Justice Clerk, Mr Francis Montgomery, Jarviswood, Blackhouse & Beilhaven, &c for the statesmen. These could not be brought to agree upon matters, and they were forced to bring it to the open commission who gave it the finishing stroke on the seventh of November being Thursday (anno one thousand seven hundred and six).

ff.13. This last day, was a great day for debate. Many learned speeches were pointedly and pungently delivered upon the topicks above named, and the elders as their last and greatest effort did insist strongly upon the dangerous consequences of concluding this last article. They put the commission in mind (f.64) what fatal consequences followed upon the divisions occasioned by the publick resolutioners and the remonstrators under the last times of presbytry,<sup>110</sup> and added that they were afraid the voting of this article would have no better effects, and that if the commission did not prevent these impending evils by letting this business fall, some of them who were there present, would be obliged for the exoneration of their own consciences to protest against the vote. To which it was replyd, by the ministers, that they should be sorry to think of any such divisions in this church, [indicates in the margin that the speaker was Mr Thomas Linning] that they trusted in the Lord they should all be harmonious in giving their publick testimony in favours of Scotland's covenanted work of reformation. They added, that this was to them *casus confessionis*<sup>111</sup> and they had much rather displease all the men of the world than offend God. That if any of their brethren, or of the honorable members here present, [indicates in the margin that the speaker was Mr Linning] should find themselves under a necessity of entering a protest, they were not to be blamed, but should have free liberty so to do. They added that it was no new thing to find members protesting against a vote in church judicatories, and that when they did so, it was never lookt upon by them to be a ground of censuring one another. They thanked God the faults and failures of their otherwise worthy ancestors, had taught them better to keep the unity of the Spirit in the bond of peace in such like cases.<sup>112</sup> The Elders notwithstanding of all that was said, insisted upon the

<sup>110</sup> Indicates in the margin that the speakers were Earle Marchmont and Jarviswood. The Presbyterian division to which they referred originally arose during the negotiations with Charles II. Many had reservations about his trustworthiness and his worthiness to subscribe the covenants. After the defeat at Dunbar the Committee of Estates wanted to reinforce the army by readmitting all those previously purged from the army (former engagers) by the Act of Classes of 1649. To this end on 14 December 1650 the Commission of the General Assembly passed two public resolutions allowing their re-admission upon certain conditions. The resolutions enabled parliament to pass an act rescinding the Act of Classes but they also formalised the divisions within the church into those who favoured the resolutions, 'Resolutioners', and those who objected, the 'Protesters'.

<sup>111</sup> *casus confessionis*: a case of confession; indicates in the margin that the speaker was Mr Patrick Cumming.

<sup>112</sup> Ephesians chapter 4 verse 3.

danger of protesting, as if they would have the commission to break upon the head, but at last the commission fell in a manner into a profound silence, as if they intended to signify to them that they were waiting the result of their reasonings.

After some pause, George Baillie of Jerviswood rose up and after a short introduction, entered a protestation before the vote, for exoneration of his own conscience in the matter and to him adhered, the Earles of Rothes and Marchmont Lord Polwart (f.64v) Sir Alexander Ogilvie of Forglan, Sir James Campbell of Auchenbrek<sup>113</sup> and James Campbell younger of Ardkinglass.<sup>114</sup> Thereafter Mr David Blair one of the ministers of Edenburgh, and Mr William Carstares, principal of the college there, both of them her majesties chaplains, represented, that though they were as much against the civil places and power of kirkmen as any of their brethren, yet in regard they were of opinion, that the commission were in this matter meddling too much with civil affairs. This they said for their own exoneration.

Whereupon it was calmly and without any noise put to the vote approve of the article or not. There were fifty nine who voted approve and seventeen who voted not, whereof three only were ministers, viz. the two chaplains and one Mr Robert Bell minister of the gospell at Cavers.<sup>115</sup>

ff.14. When the commission's proceedings took air in the city of Edenburgh it made glad the hearts of all honest people, and when it was heard that Mr Bell was the only man that joyned the two chaplains in the dissent, it went for current that it was I, for Mr Bell had never before been a member of the commission, so far as I can remember, and was much unknown in the city. I had this advantage on my side, that few who knew me well did believe it, and yet they knew not well how to disprove it. But in a few days, the truth came to be known in a method that I here omitt.<sup>116</sup>

ff.15. Mr John Hepburn<sup>117</sup> the schismatical preacher who stood at the head of the separatists on the strick side, called commonly the Cameronians, was present with some of his followers, when the vote was passed in the commission, and the next day there came in an address from his followers (he himself being for the time under the sentence of deposition

<sup>113</sup> Sir James Campbell of Auchenbrek (1679–1756), commissioner to parliament for Argyll 1703–1707 and a member of the first parliament of Great Britain 1707. Cambell was arrested in 1745 for suspected Jacobitism and released in 1747. Young, *Parliaments of Scotland*, i, 92.

<sup>114</sup> James Campbell younger of Ardkinglass (1666–1752), commissioner to parliament for Argyll 1703–1707 and member of the first parliament of Great Britain. Subsequently Member of Parliament for Argyll 1708–34 and Stirlingshire 1734–41. Young, *Parliaments of Scotland*, i, 91.

<sup>115</sup> Robert Bell (1670–1755), minister at Cavers in the Presbytery of Jedburgh 1693–1721 when he transferred to Crailing, *FES*, ii, 107.

<sup>116</sup> David Blair, William Carstares and Robert Bell.

<sup>117</sup> John Hepburn.

since the year one thousand seven hundred and five for his irregularities) to the commission, in their own name, and (f.65) in name of the Christian Societies in Galloway and Nithsdale whom they did represent, shewing their great satisfaction with what they had seen and heard of the commission's proceedings with respect to their address. Blessing the Lord that had helped them to own his covenanted work of reformation in Scotland. Also thanking them for the church's care of and kindness to them for the conference allowed them at Sanchir<sup>118</sup> in the year (one thousand seven hundred and four) and craving another such conference with the ministers of this church, and gave the commission ground of hope of a reconciliation between the church and them. Those same persons in a few days after gave in an address to the parliament against the union.<sup>119</sup>

ff.16. The church's address was unacceptable to none but the Court Party, who were all extraordinarily chaffed at it, and accordingly when it was presented to his grace my lord commissioner, it got a very cold reception. Every body were now of opinion, that the success of the union was marr'd, and considering that the next meeting of parliament the cess act was brought in, it was generally thought that the court had lost heart, and would ajurn the parliament if once the cess were past. This made the cess act pass very unanimously, but when the eight mounths cess was over, the court went on as vigourously as ever.

ff.17. The Jacobite party in the parliament were as much lifted up at this address as any others could be, tho upon a far different view, they concluded the union broken, and a back door left yet open for their darling the Prince of Wales. They all blessed the church, for a company of honest men, and true patriots for (f.65v) the liberties of the country; they ouned that presbytry was more a friend to liberty and prosperity than ever episcopacy was. Upon the other hand, those who favoured the union cried out against the church, and blamed them for disobliging their friends in parliament, and alledged they had cast of[f] the true revolution party, and taken the Jacobites by the hand. But this conjecture did quickly evanish, for in a few days after, the commission gave the Jacobites a deadly thrust, by presenting the parliament with a third address, wherein the ruling elders formerly disobliged, did all concurr. The address was to this purpose, they craved redress from the parliament against the growth of popery, and against the episcopal clergy for setting up the English service book in some of their meeting houses at Edenburgh, and for other irregularities, in which they were encouraged by a certain party who were the known enemies both of church and state. And

<sup>118</sup> Sanquhar.

<sup>119</sup> NRS, PA7.28.22. Address to parliament from the Southern and Western Shires.

begging of the parliament to extinguish the hopes of that party, by settling the succession to the crown in the true Protestant line.

ff.18. When these addresses came before the parliament they got the common fate of being read and marked in the minuts, and without regard to the second address, they proceed to consider of an act for securing of the doctrine, discipline, worship and (f.66) government of the church as now established by law. And after it had been debated in common form, they voted an act to this purpose, viz; they ratified the church government according to the Claim of Right, and ratified all former acts made in favours of the church and made it unalterable for ever, and a fundamental article of the union. They freed the church and people of Scotland from all oaths &c. contrair to and inconsistent with their known principles. They oblige the sovereign of Great Britain to swear in the coronation oath to maintain the church government and priviledges, as now by law established, and bind all masters of colledges to submit to the civil government, to sign the confession of faith and submit to the church government, and to ratifie the constitution and immunities of universities in Scotland.

When this act was debated in parliament, the Duke of Hamilton and others urged that the acts in favours of the church which were to be ratified, should be particularly mentioned in this security act *ad Longum*;<sup>120</sup> But the court, and particularly our protesting elders, urg'd the keeping all in a generall, and carried it, pretending that a general was safer for the church, in regard that in condiscending on particulars, they might chance to omitt something of weight. Tho this was solidly taken off by alledging, that the parliament might name a few and add a general clause for what was not named. But the truth of it was, whatever these men might alledge for themselves, they had no mind that the laws against (f.66v) patronages &c. should stand in perpertuum. Thus in conjunction with the late disobligation the church had given them by their addresses, was known to be the secret spring of their motions in this particular, as we learned from some of them in private. Before the act was voted to be approven, my Lord Beilhaven protested, that it was not a sufficient security for the church, and thirteen mo[r]e members of the house adhered to him, and so voted, not approve. On the other hand, the Jacobites thinking the church was too well secured thereby, did withdraw from the parliament, and would not vote att all, rather to sit & vote against the church whom they had so much extolled the other day for their honesty.

ff.19. The worthy appearance that the ministers of the commission made on this remarkable occasion, makes the characterizing some of them who acted eminently att this juncture a duty which I owe to the honour of

<sup>120</sup> *ad Longum*: at length.

God's grace in them, and giftes bestowed on them, and what I say of them though in brief yet shall be true, not speaking upon hear say, but upon nearer acquaintance.

1. Mr George Meldrum professor of divinity in the colledge of Edenburgh, and one of the ministers of that city, the first man in the commission who voted the address, is a person of great ministerial abilities, and of a godly upright conversation. His learning is solid and of a large compass, and his principles healing and moderate. His gravity, sweetness and moderation together with his great (f.67) forwardness to all charitable offices, do soften his greatest enemies and contribute to render him one of the greatest men in this church. He has been twice moderator to the general assembly. viz (anno one thousand six hundred ninety & eight and anno one thousand seven hundred and three).
2. Mr Robert Weillie one of the ministers of Hamiltone, is a man famed for his excellent preaching and vast reach both of knowledge and apprehension, and is eloquent to a degree.
3. Mr Patrick Cumming at Ormestone is one who has the care of all the churches on him. A constant friend to all young ministers and scholars, and a humble edifying companion. His open and innocent temper, which is free from flattery or affectation, his skill in literature and experimental religion, together with his moderate principles, which are such as do not throw him upon extreams, concur to render him useful and conspicuous.
4. Mr James Ramsay at Eyemouth, is a very rational solid divine, of moderate and healing principles; and very usefull in church judicatories. He signalized himself [incomplete]
5. Mr George Hamiltone one of the ministers of the city of Edenburgh, is a man of age and experience and one that preaches down vice with a mighty force, and one that is humbly proud of the strict regard he bears to the discipline and constitutions of our church. He was moderator to the general assembly (anno one thousand six hundred and nintee nine).
6. Mr John Bannatyne minister att Lanerk is a man sincerely pious, eloquent, bold and enterprizing, & famed for his great gift of prayer. (f.67v)
7. Mr Andrew Cameron minister att Kirkudbright is a man whose great piety and profound learning renders him very usefull in the country where he lives, which is pestered with schism and disorders.
8. Mr John Stirling principal in the colledge of Glagow, succeeds the great Mr William Dunlop, and acquitts himself in that eminent post with applause, being active prudent and pious.
9. Mr John Flint minister at Leswad near Edenburgh, is a very sober

and heavenly person, strict in his principles and practise; an excellent linguist and a man of valuable learning, and one who loving retirement, gives himself wholly to reading and meditation.

10. Mr Thomas Linning minister att Lasmahago is one who is scroupously honest in his principles, but solid and well skilled in church discipline.
11. Mr Allan Logan minister att Torryburn is a considerable philosopher, a smart disputant and well skill'd in controversies.
12. Mr George Mair att Culross is a man of a good gift of preaching and strictly honest.
13. Mr Matthew Reid minister at North Berwick is a man of good sense, of a frank agreeable temper and can talk to good purpose, and is very usefull in the bounds where he lives.
14. Mr David Walker minister at Temple is a consciencious sincere person, of a solid witt, and well skill'd in church discipline.
15. Mr Thomas Wilkie one of the ministers of the Cannongate of Edinburgh is a valuable and usefull (f.68) man, and one whose piety, prudence and peaceable disposition renders him universally acceptable. He has been twice moderator to the general assembly; viz. (anno one thousand seven hundred and one and one thousand seven hundred and four).
16. Mr Robert Horsburgh minister att Saltpreston is a man of a solid witt, an able disputant and preacher.
17. Mr John Curry minsiter att Haddingtone is a very valuable person of peaceable moderate principles and a fluent preacher.
18. I shall add here the character of Mr William Wishart one of the ministers of South Leith, moderator of the last assembly and present moderator of the commission, is a godly grave person, a sweet and excellent preacher and his life being of a piece with his preaching, he makes almost as many friends as there are persons that know him.

ff.20. There are mo[r]e worthy ministers who acted a good part on this remarkable juncture but that I do not incline to be tedious. But because there were some honourable ruling elders who were very usefull and assistant to the ministers on this occasion, I shall say of them truly but what is well known.

1. I begin with that noble patriot for the liberties of his country, John Hamilton Lord Beilhaven, a person of solid worth and distinguishing goodness, and one whose piety and courage are too great to be spoken. He is a man of a clear head, and of a lively imagination, and one that is seldom afraid to speak the very sentiments of his mind. His loyalty is steady and unmoveable, and he has a life for the service of his country. His manly and fine speches att this session of

parliament against an incorporating union (f.68v) equally contrived for courtier and peasant do testify him to be one who neither seeks nor dreads the power of any, and have improved his fame to an undoubted immortality. In a word, he is an universal gentleman, and one that merits all the deference that can be paid to a man of honour.

2. Sir John Maxwell of Pollock one of the Senators of the Colledge of Justice, is one who has every bodies good word. He is easie of access, and ready to oblige: his justice, humility and honesty, have established his reputation in the world.
3. Sir Gilbert Eliot of Minto another of the Senators of the Colledge of Justice, is a man of good sense and undaunted courage. Diligent and dispatchfull in what he does, and one that manages all with prudence and decency; and his deportment on this last occasion, was strictly conscientious and honest, and suited to his principles, for which he suffered in the late reigns.
4. William Bailie of Lammingtone is an honourable gentleman and of an ancient family, of steady vertue, and made up of compassion and goodness. He is very kind to all his relations and never drops his friend under his hardest circumstances. A true blue presbyterian, whom neither honour nor interest could ever engage to desert his principles: and one that hates vice almost as much by nature as grace, being a very sober and temperate man, and my worthy patron.
5. Lieutenant Collonel John Areskine brither to my Lord Cardross, is a person of great worth of wonderfull piety and humility, and one whose life is wholly governed by an interest superiour to his own which makes him burn with the zeal of doing good. In a word he deserves a better character than I am able to give him.

(f.69) I might add here, the character of that incomparable scholar, statesman and lawyer Sir James Stewart of Goodtrees, her majesties advocate and the churches true friend upon all occasions. He is the famed oracle of his age, and the repository of all arts and sciences, and perfectly acquainted with universall learning. A man of the greatest elevation of soul, and largest compass and greatest depth of knowledge that our age hath hitherto produced. He was no friend to the intended union, tho his eminent post did blunt the edge of his zeal against it. He was laid aside by great bodily infirmity (being extremely subject to the gout) before the churches address was concluded, so that we had no access to know his sentiments of particulars.

ff.21. There is one thing remarkable upon the whole matter, that those ministers who were of moderate principles, were most stiff in adhering to the truths of God at this juncture, such as Mr Meldrum, Mr Cuming, Mr Stirling and Mr Ramsay &c. which reached a conviction on many people,

that moderation differs widely from luckwarmness, and that a man may in prudence yeild a circumstance, whilst He adheres to fundamental truths.

ff.22. I would nixt adventure to characterize the three dissenting brethren and the most eminent of the ruling elders who did protest against the churches address, or did otherwise oppose it, and if the reader can but forgive them, that they should have been mislead into the court measures, into the matter of the present union, I may say of them all, they are honest men and of presbyterian principles. (f.69v)

1<sup>o</sup> Mr William Carstares one of [her] majesties chaplains, minister at Edinburgh and successor to the pious and learned Dr Rule late primar of the colledge thereof, is a polite man, and a first rate polititian, of a gentle spirit, and one that has abundance of excellent humour and can deliver his thoughts very handsomely on all occasions.

2<sup>o</sup> Mr David Blair another of her majesties chaplains, & one of the ministers of the city of Edinburgh, is an accomplit divine, and an exact preacher, and a grace of carriage is to be seen in every thing he speaks or does.

3<sup>o</sup> Mr Robert Bell minister at Cavers is a youth of promising parts, and of presbyterian education, being the son of peaceable Mr John Bell late minister at smallum, grand son to good old Mr Robert Bell minister at Dalry in Cunningham Shire, a great grand son to the famous Mr John Bell minister at Glasgow who opened the general assembly (annod one thousand six hundred and thirty eight) all of them presbyterian ministers of great worth & good abilities.

1<sup>st</sup> Among the ruling elders, I shall begin with Patrick Earle of Marchmont, late Lord Chancellor of Scotland. He is a man whose temper is full of peace, heightned and adorned both with learning and grace, whose common discourse is full of substance as well as rethorick, and one whose reason is feirce and cogent. No man ever advanced into the publick with fitter qualifications of body and mind. He suffered much for his integrity and (f.70) honesty to his country under the late reigns, when he was but Sir Patrick Hume of Polwart, and having still preserved his integrity, he is the same good man under all events.

2<sup>o</sup> David Boyle Earle of Glasgow, is a person of an easie and free conversation, and of a generous friendship and one that in a manner loves his friend the better for being poor, if he is but honest. He is courteous and affable out of a native gentleness and disposition, and true generosity of spirit, and knows to be familiar without making himself cheap. He manages all his affairs within the compass of reason and religion. he is present Lord Treasurer Depute.

3<sup>o</sup> Adam Cockburn of Ormestoun, Lord Justice Clerk and one of the Senators of the Colledge of Justice is one whose person is handsome, and his mind has as many charms, so that he is much esteem'd among the politer sort of mankind. He has sweetness and enterprize in his air. He's a man of

refined sense, and one whose word of promise is as good as his parchment, for he knows not to violate his oath for fear or gain. He's a man exactly made to a nails bredth, and ...<sup>121</sup> (f.70v)

4° Crosrigg one of the Senators of the Colledge of Justice, is a man of a sedate temper and one that delivereth himself with a wonderful degree of concern upon him, when he has a mind to carry the day of those that hear him. Of an peacefull serenity, always governs in his countenance, and he is scroupulously honest in all his dealings, doing every thing without disguise or art.

5 Mr Francis Montgomerie of Giffen, uncle to the present Earle of Eglintone is one whose whole behaviour is innocent and undesigning. Men's good actions have his praise, and their weakness, his excuse, and he himself is a very honest gentleman and a true revolution man.

6° George Baillie of Jerviswood is, a well accomplished gentleman, and his parts are bright and lively, and he talks with peculiar briskness. He has some warmth in his natural temper, and can wear his courrage upon occasion as handsomely as he does his learning.

ff.23. This was a dismall year (viz one thousand seven hundred and six) for bad weather. It rained from the end of harvest to near the beginning of December, to the spoiling of the wheat seed-time in the Lothians in so much that our ancient farmers had an observe, that they had not seen such weather since that year of the duke's engagement, and this year the prices of the victuall in Lothian was four pound Scots the boll of wheat and beer and four marks the boll of oats and pease. But especially it was remarkable for mobs, tumults, and rumours of insurrections, which was so great that many stood (f.71) in fear of a new duke's engagement, or civil war with England. The parlament went on vigourously in the union, without regard to the many addresses made to the contrair, which fretted the spirits of very many. The queen's foot guards and ther regiments of soldiers stayed within the city of Edenburgh, being brought in upon an attempt made by the mob on Sir Patrick Johnstone<sup>122</sup> provost of Edenburgh, and one of the treaters, and to protect the parlament from such insults. Shortly after that, the mob at Glasgow attacked provost John Aird junior for refusing to concurr in ane address to the parlament against the union, which was presented to the parlament shortly after signed by above one thousand and four hundred hands.

But the most remarkable rendevouze of private persons was att Dumfries, where they burnt the articles of the union with the names of the Scots

<sup>121</sup> Incomplete.

<sup>122</sup> Sir Patrick Johnstone (d.1736), provost of Edinburgh and commissioner to parliament for the city 1703-1707; Johnstone was a commissioner at union negotiations with England in 1702 and 1706.

commissioners, together with the minuts of the whole treaty, att the Mercat Cross of Dumfries, on the twenty day of November (anno one thousand seven hundred and six). This was done with great solemnity, in the audience of many thousands, the fire being surrounded by double squadrons of foot and horse, in martial order. And after the burning the said books, which were holden up, burning upon the point of a picke, to the view of all the people, giving their consent by huzza's and chearful acclamations, they affixed on the cross a copy of their reasons for so doing, as the testimony of the south part of this nation against the proposed union, as moulded in the printed articles (f.71v) thereof, which they desired to be printed and kept in record, *ad ffuturum rei memoriam*. The copy itself was as follows;

These are to notifie to all concerned, what our our reasons are, and designs in the burning of the printed articles of the proposed union with England, with the names of the Scots commissioners thereanent. We have herein no design against her majesty nor against England or any Englishman; neither against our present parliament, in their acts or actings, for the interest, safety and sovereignty of this our native and ancient nation. But to testify our dissent from, discontent with and protestation against the twenty five articles of the said union, subscribed by the foresaid commissioners, as being inconsistent with, and altogether prejudicial to, and utterly destructive of the nations independency, and crown rights, and our constitute laws, both sacred and civil. We shall not here condescend upon the particular prejudices that do, and will redound to this nation, if the said union be carried on according to the printed articles, but refers the reader to the variety of addresses, given in to the present parliament, by all ranks, from almost all corners of this nation, against the said union. Only we must say, and profess, that the commissioners for this nation, have been either simple, ignorant or treacherous if not all three, when the minuts of the treaty betwixt the commissioners of both kingdoms (f.72) are duely considered; and when we compare the dastardly yieldings unto the demands and proposals of the English commissioners, who, on the contrair, have valiantly acquit themselves for the interest and safety of their nation.

We acknowledge it is in the power of the present parliament to give remissions to the subscribers of the foresaid articles and we heartily wish for a good agreement amongst all the members of the parliament, so as it may tend to the safety and preservation of both church and state, with all the privileges belonging thereto, within the Kingdom of Scotland.

But if the subscribers of the foresaid treaty and union, with their associates in parliament, shall presume to carry on the said union by a supream power, over the belly of the generality of the nation, then and in that case, as we judge that the consent of the same, can only divest

them of their sacred and civil liberties, purchased and maintained by our ancestors with their blood; so we protest, whatever ratification of the forsaid union may pass in parliament, contrair to our fundamental laws, liberties and privileges, concerning church and state, may not be binding upon the nation, now or att any time to come. And particularly we protest against the approbation of the first article of the said union, before the privileges of this nation, contained in the other articles had been adjusted and secured; and so we earnestly require, that the representatives in parliament, who are for our nations privileges, would give timous warning to all the corners of the kingdom that we and our posterity become not tributary and bound (f.72v) slaves to our neighbours without acquitting ourselves, as becomes men and Christians. And we are confident, that the soldiers now in martial power have so much of the spirit of Scotsmen, that they are not ambitious to be disposed of att the pleasure of another nation; and we hereby declare that we have no design against them in this matter.

This paper was afterwards read in parliament, and burned att the cross of Edenburgh by publick order on Monday the second day of December (anno one thousand seven hundred and six).

ff.24. The Country Party finding that no intreaties of theirs, nor charming force of reason and moving speeches could prevail with the court to let go the union. The Duke of Hamiltone, and his brother in law, James Duke of Athole, who stood att the head of that party, resolved upon inviting in the gentlemen addressers, to meet att Edenburgh from all places of the kingdom, to draw up a representation of their case to be sent to court; hoping by this means to prevail upon her majesty and the English parliament to have pity upon our nation, and not force us into this union. But when they were upon a concert of the matter of the intended address, they broke among themselves. The Duke of Hamiltone urged that they should offer to go into the Hannover Succession, if the Queen would be prevailed with to let go the union, and this with a design to take of the odium of any by views (f.73) with respect to the St Germain's prince. But the Duke of Athole refused this, alledging that the Jacobites in their party would not come up to these terms. The court in the mean time having some notice of their project prevented them effectually, for they procured a parliamentary order, discharging any convocation of the gentlemen from the country or other leidges att Edenburgh under pretence of coming in to wait the event of their former addresses to the parliament against the union. And much about the same time, they rescinded that clause of the act of security which relates to the rendevouzing the militia, and declared it cass and null, during this session of parliament only, after which time it was to take its wonted effect and due force. And thus they defate the designs of the west country mobs

and tumults, which were likely to end in sending in arm'd men to raise the parliament by force.

ff.25. When they came the length of the twenty second article, it was moved, that the business of the sacramental test should be considered, according to a former promise of the court, which was yielded unto, and it being thereupon craved, that the said Test should be taken of[f] as to Scotsmen, and a counter security given by those in plaices of trust for security to our church, as the test was to the Church of England. Both were refused by a vote of the house. In the mean time, the court were mortified with the tydings of the sudden death of John Dalrymple Earle Stairs, their great support, and as some worded it, their steersman. He was in the parliament house on Tuesday the seventh of January (f.73v) (anno one thousand seven hundred and seven) and made very excellent speeches and moving, upon the twenty second article, and wrote letters to court that night after supper, and died next morning at five of the clock. It must be owned, that this great contriver, at last advocate for the union, was a great statesman, an able lawyer, and a mighty orator. One who by his sage counsel and rare assistance, outdid all Queensberry's other advisers in the grand affair of the union.

ff.26. Upon Tuesday the fourteen of January (anno one thousand seven hundred and seven) the parliament finished the articles of the union, and the whole being put into the form of an act, the same received a first reading on Wednesday the fifteen instant, with a clause secretly adjected by a few statesmen mett at the abbey, declaring that the parliament of England might provide for the security of their own church as they should think expedient, not derogating from the security given to the Church of Scotland, without needing to ask any new ratification in the parliament of Scotland. The design of this was to prevent the sending back the articles of unon to the Scots parliament on any terms, lest they had not found our parlamanet in the same good humour for making new ammendments.

ff.27. When the act of ratification got a first reading in parliament with this clause in it, only a very few did avert to it. However, the ministers of the commission having got the news, went about among the nobility that evening, and spoke with the Earle of Hyndford, and some other of the treaters, who protested they were not upon that intrigue, and would oppose the thing, which they did (f.74) particularly the forsaid noble peer, who refused to vote the ratification of the union upon that very account. Next morning the commission of the kirk mett at eight a clock and agreed to address the parliament upon this new emergent, and sent out Mr Meldrum to draw a draught of the same against ten a clock (the parliament being to meet about that time of the day) and in the mean time, the moderator and Mr Carstares were sent to acquaint his grace my Lord Commissioner with their designs, and Mr Cuming with Mr Ramsay went to James Ogilvy Earle

of Seafield Lord High Chancellor and the Duke of Argyle, to the same effect.

The Commission having mett att the hour appointed, and read and considered Mr Meldrum's draught of the address, did immediately vote and approve the same, which was presented to the parliament that same day. The true coppie of the address is as follows.

Unto his grace her majesties High Commissioner, and the most honourable the estates of parliament, the representation and petition of the commission of the generall assembly of the Church of Scotland, humbly sheweth,

That we considering the trust reposed in us by the late generall assembly, find it our duty to lay before your grace and lordship when (as we are informed) you are about the passing of an act of (f.74v) of ratification of the articles of the treaty of union betwixt the two kingdoms of Scotland and England which contains these following words, 'declaring nevertheless that the parliament of England, may provide for the security of the Church of England as they shall think expedient, to take place within the bounds of the kingdom of England, and not derogating from the security above provided for establishing the Church of Scotland within the bounds of this kingdom, which shall not suspend or derogate from the force and effect of this present ratification, but shall be under stood as here included, without any necessity of any new ratification in the parliament of Scotland.' Which clause seems to us, not only to be like a blank, put with your grace's and lordship's consent in the hands of the parliament of England, to enact what they shall think fitt for securing the hierarchy and ceremonies of their church; but also a consent that it be an article and fundamental of the union, and as contained in your ratification, which cannot but imply a manifest homologation. We do therefore humbly beseech your grace and lordship, that there be no such stipulation or consent for the establishment of that hierarchy and ceremonies, as you would not involve your selves and this nation both in guilt and (f.75) as you consult the peace and quiet of this nation both in church and state. We pray that God may bless and preserve our gracious queen and direct your graces and lordships in this and all the great and momentous affairs, which are or may be before you.

Signed in name in presence and att the appointment of the commission of the late generall assembly By William Wisheart Moderator, Edinburgh 16 January 1707.

The reading of this awakened some, and surprised almost the whole house who knew little what passed among them just the day before, till this memorial did refresh their memories. There were several as handsome and pathetick speeches made upon this single point, as on any of the knotty subjects of debate which had been before that house from the beginning

and diverse members acquitt themselves well on this occasion, particularly [William] Johnston Marquis of Annandale, ..... Erskine Earle of Buchan, John Hamiltone Lord Beilhaven. All of them appealed to history if ever it was found that a stipulation carried such a blank in it. But the court having once embarque in the design, though they might help the way of wording it, would not part with the thing; and the whole act being put to the vote, it carried approve by about fourty votes or thereby, and thus the afflicting controversie about the union was decided, and the act upon sight touched with the sceptre.

(f.75v) ff.28. Many people did expect that the anti-unioners would have entered a solemn protestation when it came to the finishing stroke, but all they did was, to adhere to their former protestations. It is true there were many of the Countrey Party absent upon the lamentable occasion of the death of the Dutches of Athole, who dyed att the palace of Hamiltone in the beginning of this moneth of January: Whither this might occasion the want of the grand appearance, or if there was any secret intrigue in it, I am not able to determine. The Duke of Hamiltone made a remarkable speech on this occasion, wherein he protested as before God, that nothing but the honour and interest of his country had engaged him to oppose this union; but now that it was carried by vote of parliament, he hoped her majesty should find that she had not a more loyal subject in all her dominions than he should be. My Lord Beilhaven also made a speech upon this juncture, which concluded with the words of great King David in reference to the death of a child which Bathsheba bore to him, recorded second Samuel cp: twelfth, twenty second and twenty third verses, 'And he said, while the child was yet alive I fasted and wept for I had said, who can tell whither God will be gracious to me that the child may live? But now he is dead, wherefore should I fast? I shall go to him but he shall not return to me.'

ff.29. It may perhaps thought strainge, that the zeal of the west country people did not (after all the pains that was taken upon them to influence them) (f.76) lead them to raise the parliament by main force. But beside the dangerousness of such an irregular expedition, there were two things that did concur to hinder and put a stop to this project before the parliament issued out their orders against rendezouzes, namely, 1<sup>st</sup> The unfitness of the season, it being winter and bad weather. 2<sup>d</sup> The Jacobits were carefull to make the 'cats foot' (as the proverb hath it) of the presbyterians, in so much that when the Duke of Athole was told, that it was fit his highlanders should make the first attempt, he urged that the presbyterians ought first to move in that matter having their church government and all at the stake. When these resolutions took aire, the ministers in and about the city of Edenburgh were carefull to give warning to their brethren and friends in the west, and disswad[e] them from so invidious an attempt, intreating them to use their influence with the common people to forbear any such interprize; and at

last the commission sent about a circular letter to all the presbyteries of the kingdom condemning tumults and mobs, and exhorting them to keep the people under their charge peaceable, &c: But when all this was done, the unioners still blam'd the ministers, especially those of the west for all the confusions that were bred there, and improved those disorders to that degree, as to make a handle of them to vindicate themselves in their having so small a regard for the churches concerns in carrying on the union, pretending that if the ministers had been more for the union, and some of them less active against it, it had fared better with the church. Whereas it was well known (f.76v) that their masters in England would let them go no greater lengths toward our satisfaction, only our quondam<sup>123</sup> presbyterians of the union side, were ashamed to let it be known how much they were become court slaves, and therefore they studied to lodge all their defects about church affairs, on the ministers themselves, whom yet all bystanders did fully vindicate, and almost all the kingdom except the unioners.

ff.30. But of all things else, the court took the greater umbrage for their neglect of the church from the addresses given in to the parliament against the union, by the presbyteries of Hamilton, Lanerk & Dumblaine, and this notwithstanding that those three presbyteries stood alone, and had none to concur with them in what they did. The court alledged that the brethren went too much beyond their sphere, and talked too boldly, and with a designe to give irritation to the minds of the common people, and provoke them to disturb the government and many of the brethren blam'd them also, and thought the commission had done what was sufficient for the churches part by their four addresses, and many of all ranks, and qualities began to infer from such proceedings, that their otherwise worthy ministers were more laid by a spirit of faction and party, than by a spirit of (f.77) dissinterested zeal; and the court parasites talkt loud that the Duke of Hamilton had influenced the leading men of the presbyteries of Lanerk and Hamilton & the Duke of Athole had brought over those of the presbytery of Dumblaine.

ff.31. And although I dare not charge so much weakness upon so many judicious and pious men as did sign those presbyterial addresses, yet it must be owned, that those proceedings of theirs did hurt to the publick interests of the church, or at least gave a handle to the court to pour contempt on the body of the ministry, as a company of pragmatcal men, and uneasy to live with. And when I for my own satisfaction wrote to a worthy minister one of the forsaied subscribers, and blam'd that piece of conduct, I received a thundering answer; I had said in my letter, that I know none of the ministers in the country where I lived, who were fond of the union, and as few of the common people, yet we could not win to the freedom of

<sup>123</sup> quondam: former.

preaching publickly against it, or yet addressing the parliament in a judicial capacity, but rested satisfied with the zeal, fidelity and prudence used by the reverend commission with reference to that affair. I said, that if we might be allowed to draw inferences from their affairs we could easily conclude, that the common people (f.77v) were become masters of the ministers secrets, who had by their preaching and addressing put many moe notions into the peoples heads, then they would be able to recover from them by all their rhetorick. That a further testimony then the commission had given against the proceedings of the parliament, was needless and might irritate the government, and give them a handle to wrong the common interests of Christians, and I could not be fond of church destroying testimonies. I told him, that it is hard for men to evite<sup>124</sup> extremes, because of the narrowness of our minds which cannot look many wayes at once. Hence it is that readily the most judicious old experienced Christians hold the middle way in controversies anent too much or too little zeal. I hoped, if the questions anent a further testimony than the commission had given, should happen to be tossed at the next assembly, some wise person, that go the vote as it will, there might be no protestations on either side, that so the ministry might not be openly seen to rent and divide among themselves in the face of their enemies. And in fine, I told him in the body of my letter, that as for my own part, now that the union is in effect concluded, and the whole articles adjusted, I might say, the foundations both of church and state were shaken, that all depended upon the after game which we must leave in God's conduct; But whatever my own private oppinion might be, I was yet at a stand (f.78) how far I should make my private sentiments the measure of my people's faith, & therefore durst not in terminis condemn it in the pulpit. And I gave him a hint of my notes the sabbath preceeding the date of my letter, wherein I was necessarily laid to touch up on what nearly concerned that subject, in answer to that question, 'How the people of God should know the publick snares of the times?' where I shewed what causes there were to fear impending judgements &c. To this letter I gott an answer of the date the twenty first of January one thousand seven hundred and seven years, wherein were these among other passages. He told me that bodily indisposition hindered him from running after all the grounds of his dissatisfaction with my letter, but the matter being so weighty he must needs give it this light touch. And so he tells me he is dissatisfyed with the whole of it, and found in it many inconsistencies, much coldness and indifferency, and signs of instability. To name one for all (says he) what a monstrous contrair is this, that go the vote as it will they agree there be no protestations; and then adds if ye write this letter for advice giving (which I take to be the product of

a newsmonger in this countrey and a canny man like your self) it was too long in coming, if for recreation only, it was too much under your indisposition (for I was at that time in pain with a cord in my neck) if by way of admiration it was too much presumption to take upon me to reprehend those who may be my fathers in all respects, and found among judicious old experienced Christians. (f.78v) As to the substance of my doctrinal notes he says it is even as like a preaching that he heard tell was preached att Edenburgh as one could not know which by which, and was called by a formale glosser and critick, a souple preaching. He bids me remember my own text in the High Church of Edenburgh att King William's death, Proverbs cap: twenty second verse third, 'A prudent man foreseeth the evil and hiddeth himself,' which (he says) was his text upon the late day of humiliation, but he could not find the scope of hidding to run into the proverb of 'Juke and let the Jaw go or'e you,' except I had understood the text to be meant of carnal prudence. And then he adds away with your carnal prudence and piping forth unsensible doctrine when the state of the nation and church is so much in danger as ye suppose it to be, and calls for loud and plain trumpeting the duties and dangers of the day. If (says he) there had been a harmonious sound for loudness and plainness amongst the rams horns, Jericho had rather fallen down than Jerusalem. So far he.

ff.32. This kind of answer did nothing surprise me for I know the temper of the Man. I was also sensible that I must not criticize upon his letter, nor pretend to have discovered as much weakness and narrowness of spirit in it, as he found coldness and carnall prudence in mine. I must not tell him, that his light touch was heavy enough in all conscience, nor how much it savoured (f.79) of the spirit of party to damn all as carnal who were not as bigotted as themselves; nor yet put him in mind that the dreadful ruine of Jerusalem according to our saviour's prediction was brought about by those furious ones whom Josephus calleth the zealotes. I dare not harp upon the string of some ministers their being too much led by formale glossers, and of their being brought to kindle a fire both in church and state, by being the vulgars instruments to do hurt, and by following the giddie conduct of those they ought rather to lead. Neither must I take the freedom to ask how he comes to reproach me with my text upon the melancholy occasion of King William's death, when he himself among many other ministers then att Edenburgh, heard me upon and fence that nice text with much soul satisfaction, as he often afterwards told me. To touch upon the least of those remarks, were too bold a stroak, and too strong expressions: if I dip with him on any of those heads, I am on the sudden engaged in a paper war, which was quite foreign to my design. But since he is pleased to mention my sermon at Edenburgh, I must do my self and the reader the justice to tell what was the rise and effects of that sermon. I was att that time a member of the assembly, which was summarily adjourned upon the heavy tidings of

that good king's death. (f.79v) Some days after I came to toune, a reverand minster of Edenburgh, Mr John Moncrief had engaged me to preach in the new church of Edenburgh, his Vice on Thursday the twelfth of March (anno one thousand seven hundred and two). When I was thus engaged we had not so much as received the tydings of the king's last sickness, and on Wednesday afternoon when the news came to toune, and the assembly was likely to rise thereupon, I dealt earnestly with Mr Moncrief, to louse me from my promise. Both because I was engaged to debate an affair that evening in open assembly by order of our presbytery, but chiefly in regard that the melancholy news mad[e] it much more proper for him to do it, and made it a bold enterprize in me to undergo so severe a task, being but a young man &c. But he would hear no intreaties of mine. Whereupon I went in to the assembly house, and having dispatched my business then lying before them, I retired to my studies. Never was I more perplext, I had a new text to seek, I foresaw that if the assembly is dissolved that evening (as it fell out to be) I must expect a learned and critical auditory. Many melancholy thoughts with reference to the present juncture of affairs did throng my mind, till disburthing my self of them before God in prayer, I was happily directed to the text above mentioned, and there I fixt. The doctrine I advanced from this text was, 'that it is an evidence of true spirituall wisdom and prudence for a man to betake (f.80) him to a secure hiding place upon the threats or discovery of approaching evils.' Here I took occasion to discourse of prudence in opposition to folly, and led the Christian to God's attributes, promises and providence, to Christ the mediator, to prayer, to humiliation, to communion with God and the use of lawfull means, as his best hiding place, and showed them how they might have access thereto. When the hour came I found there one of the throngest assemblies that ever I preached unto, and neither before nor since did I ever preach to a more critical assembly, if it was not on September twenty fourth (anno one thousand seven hundred and four) when, by publick order I preached in that same pulpit, with Mr Horsburgh before the honourable estates of parliament. However, it pleased God so far to bless that day's work, to many who never saw me nor heard me before, that the remembrance of it was savoury and I hope will never be forgotten by some.

ff.33. To return to my former purpose, since I found I must give his letter some answer, as I would not be found to slight him, and may not answer so roundly as otherwise I might, I sent him the following answer. I told him, I was sorry he had so quickly dismissed my whole letter with heavy censure, only it is a father a friend and a well wisher that does it. I told him, that what ever his thoughts were of me I blessed God I knew him to be upright in the main and one whose zeal for Christianity is sound, and (f.80v) although it be a thing most unnatural for one true Christian to afflict another, and more especially for one minister to censure another as

void of true zeal, because of a particular opinion of his own anent present duty; yet it is a thing which sometimes must be born, and I thank God I do it in the present case without impatience. I said, I took the grand quarrel against me to be this; that I seemed to condemn the late addresses from presbytrys to the parliament against the union. I told him my opinion of them plainly is, that I held them for honest and zealous, but unseasonable and less needful considering what the reverend commission have done in that matter already, and that if I had entertained a wrong notion of them, I asked pardon, and declared my self only sorry, that of above sixty presbyteries in Scotland (who know the weightiness of those matters as well as others and whose consciences were equally concerned in them) only three saw cause to betake then to that method of self exoneration. And added that a certain reverend brother of his own acquaintance (viz M. J. B)<sup>125</sup> prophesied rightly when he said, I have brought in two addresses to the parliament, and given there two guinies to the Lord Register to get them tabled in that house, but I fear they do not two guinies worth of good. I give him moreover to know that I neither sent him my letter by way of advice, since he had much better (f.81) advisers nor meerly for my diversion, neither was it sent in a way of dictating to those who may be my fathers in all respects, and judicious experienced Christians; but only to know of him, at how great distance ministers do stand from one another at this juncture when the peace of the church may be in danger by church distroying testimonies. I shewed him that he must not (as he seems to do) state the question twixt him and me, whither truth may be sold for carnal prosperity; for indeed no truth how small soever is to be either neglected, renounced or denied. But the state of the controversie among ministers att this juncture is more likely to be whither some positive duties which bind not att all times (allowing the matter in debate to be of that sort) may be forborn for the churches publick advantage and true necessity; and then I concluded saying, that I knew not this debate which is likely to be set on foot will end, but I did and do pray the Lord to make us suspicious of our religious passions least we think we please God most, when we offend him most.

(f.81v) ff.1. Before I come to a direct account of the churches concern in and behaviour with reference to the union of the two nations, it will not be unfit to give a short account of the re-establishment of our church by the revolution, and the proceedings of our assemblies in pursuance of the said establishment, which I the rather premise in this place, because we may thereby better understand the posture of our Scots affairs when the parliament (anno one thousand seven hundred and six) did meet.

ff.2. At the revolution, the bishops and their clergy did appear very

<sup>125</sup> Probably John Bannatyne.

zealous for the popish King James the seventh, while the presbyterians on the contrair, took arms in favours of the Prince of Orange, and published his Declaration att Glasgow, before it was published in any other place in the kingdom. And came in great numbers to Edenburgh, and guarded the Convention of Estates (anno one thousand six hundred and eighty nine). And a select party who had carried their testimony very high against tyranny from (the year one thousand six hundred and sixty six) till that time,<sup>126</sup> did in one day muster eleven hundred and forty men, as a regiment under the command of the earle of Angus, to fight for religion and liberty under the authority of the prince, then King William, as an evidence that their foresaid (f.82) testimony, was from no disloyal principle to magistracy.

ff.3. When the convention met, the estates declar'd prelacy a great and unsupportable burden to the nation. Soon after, the convention was turned into a parliament and by their act of the sixth of June one thousand six hundred and ninety, did lodge the government of the church in the hands of the presbyterian ministers, that had been outed since January one thousand six hundred and sixty one years, and were then restored; and in the hands of such ministers and elders only, as they had admitted, or should admit afterwards. And at the same time they gave them a power either by themselves, or by a committee, to purge out scandalous and insufficient ministers, and to suspend and deprive such as were contumacious and proved guilty.<sup>127</sup>

ff.4. The first assembly met the sixteenth of October one thousand six hundred and ninety; consisting of an hundred fourty seven ministers, and fourty seven ruling elders. The moderator, Mr Hugh Kennedy one of the ministers of the city of Edenburgh, did publicly declare in name of the assembly, that they would depose no incumbents simply for their judgement concerning the government of the church, nor urge re-ordination upon them. Also that assembly ordered their committees for visitations, in the north and south to be very cautious of receiving informations against the late conformists, and (f.82v) not proceed to censure, but upon sufficient probation. To remove none from their places, but such as were either insufficient, or scandalous, erroneous or supinely negligent, and to admit such to ministerial communion as were found to be orthodox in doctrine, of compleet abilities, of a godly peaceable and loyal conversation; and then concluded to the king's great satisfaction, and I may say also, to his surprize, it having been observed of him, that he was never seen to smile heartily from the time they sat down, till he received the news of their being dissolved.

<sup>126</sup> The United Societies, better known as the Cameronians; 1666 was the year of the Pentland Rising.

<sup>127</sup> APS, IX, 111 and 133. Act Restoring the Presbyterian Ministers who were thrust from their Churches since the first of January 1661 (25 April 1690); Act Ratifying the Confession of Faith and Settling Presbyterian Church Government (7 June 1690).

Such was the pains taken by some to prepossess his majesty with frightsome thoughts of a presbyterian assembly. The last act they made was a deputation to Mr John Law<sup>128</sup> and Mr David Blair both ministers of Edenburgh, to attend his majesty and give him an account of their proceedings.

ff.5. When the enemies of the church did perceive the assembly's moderation, and that their committees received several of the episcopal clergy into a share of the government; and that even in those partes of the kingdom where the presbyterians were most numerous, they began to jealousy that their interest would dwindle into nothing, if a stope was not put to those calm proceedings and took occasion from the rash proceedings of some inferior judicatories, and the fervour of some young ministers, to misrepresent the presbyterians att court; and by the interest of the high church party in England, they procured a letter from the king then in Flanders, to stope the progress of the committees untill his return (f.83) contrary to law, and whereby that party was encouraged to decline the authority of church judicatories, and convene first in lesser associations and then in a general distinct government of their own.

ff.6. The church knowing this to be a snare laid for them by their enemies to break them with the king, received the letter and after that a second with all submission, and held their hand. After this, that same party prevailed upon the king to adjourn the generall assembly by proclamation from the first of November (anno one thousand six hundred ninty one) to the fifth of January following, which stretched the annuall assembly, allowed by an act of parliament, beyond the year. It was hoped by some that the committee of assembly then met would protest against the adjournment, which they did not, but to the contrary, used their endeavours to satisfy the rest of their brethren, and apply'd the council for a day of thanksgiving, on the account of his majesties safe return from Flanders.

ff.7. A division among the presbyterians themselves, being the one thing wanting to break them with the king. The Earle of Lothian, who was sent down commissioner to the assembly, and some other presbyterian gentlemen and ministers, who were ignorant of the secret, but ready to oblige the king as far as they could, were brought into the same measures.

ff.8. The assembly met att Edenburgh January fifteenth (anno one thousand six hundred and ninty two) (f.83v) Mr William Crichton<sup>129</sup> then

<sup>128</sup> John Law (1632–1712) was ordained by the Protesters to the parish of Campsie in 1656 and later deprived by act of parliament in June 1662. In 1687 he was appointed by a general meeting to serve in Edinburgh. Although restored to the parish of Campsie by act of parliament 1690, Law continued at St Giles in Edinburgh and was formally admitted in 1692. He was appointed moderator in 1694. *FES*, iii, 376; *FES*, i, 66; Warrick, *The Moderators of the Church of Scotland*, 58–70.

<sup>129</sup> William Crichton (d.1708) was ordained to the parish of Bathgate in 1655 by the Protester Presbytery. Crichton returned to Bathgate in 1687 following James VII's indulgence and

minister at Bathgate being chosen moderator. The first thing done was the reading of his majesties letter, ordering them to admitt into ministerial communion and a share of church government, such of the episcopal clergy, as should make application to them, and offer to sign the formula subjoyn'd.

I A. B. do sincerely declare and promise, that I will submit to the presbyterian government of the church as it is now established in this kingdom, by their majesties King William and Queen Mary, by presbytries, provincial synods and general assemblies; and that I will, as becomes a minister of the gospell, heartily concur with the said government, for suppressing of sin and wickedness, promotting piety and purging of the church of all erroneous and scandalous men. And I do further promise, that I will subscribe the confession of faith, and larger and shorter catechisms, now confirmed by act of Parliament, as containing the doctrine of the Protestant religion as professed in this kingdom.<sup>130</sup>

ff.9. This formula was concocted at court by the Lord Tarbat (afterwards the Earle of Cromarty), the Master of Stair (now Earle of Stair) who was then one of the secretaries of state, and some others, patrons of the outed clergy; and that upon the plan of a letter sent to the Lord Tarbat from archbishop Patersone,<sup>131</sup> the exauctorate Archbishop of Glasgow, who was att that time a prisoner, for dissatisfaction to the civil government. Mr Johnston (son to the late worthy Lord Wariston) (f.84) who was the other secretary of state, gave the king his advice (as is said) that these proceedings were contrary to law, as indeed it was contrary to the above mentioned act of parliament, June eight<sup>132</sup> (anno one thousand six hundred and ninty). Which made the assembly to be very much surprized upon the reading of the formula, especially considering how much this tended to subvert the authority of parliament and to lodge the power of ordering the government of the church in the hand of the prince alone, according to the abrogated act of Charles second. And also in regard that by this formula, the episcopal clergy were left att liberty not to own the established doctrine of our church, as their own doctrine and sentiments, so that they might intertain and propagate what heterodox opinions they pleased.

ff.10. The assembly, though they well knew that the formula was the concert of their enemies, yet they went on to appoint a committee to answer

opened a meeting house at Hilderstone. He and two other ministers re-formed the Presbytery of Linlithgow in November 1687. Transferred to Falkirk and admitted in 1693, he remained until he moved to the Tron Church in Edinburgh in 1695. He demitted his charge at the Tron in 1707 and died on 27 November 1708. He was moderator in 1692 and 1697. *FES*, i, 136, 193 and 206; Warrick, *The Moderators of the Church of Scotland*, 40–57.

<sup>130</sup> The Larger and Shorter catechism had not been ratified by act of parliament.

<sup>131</sup> John Paterson (1632–1708), Archbishop of Glasgow. *FES*, i, 59.

<sup>132</sup> The act was passed on 7 June 1690.

the king's letter, and to consider the formula, who called the episcopal ministers, who apply'd for admission, before them. And the said ministers did not appear in their own name but in that of the whole body of the episcopal clergy of the north, demanding to be received according to the formula. The committee hereupon put some proper questions to them, particularly whither they believed the doctrine of our church contained in the confession of faith to be true. But they positively refused to give any declaration to their meaning, saying, 'they would not interpret the king's sense, nor that of their absent brethren who (f.84v) gave then no further power than to address in the form which his majesty had seen and approved, and as it was conveyed to them under my lord secretary's hand.'

ff.11. The committee and assembly not being resolved to take any advantage of these men, began to prepare such an explication of the formula as might not prove them guilty of admitting men into the government of the church contrary to law, and yet fall in with genuine meaning which one might reasonably think the words of the formula did import. But the episcopal party were resolved, not to submit to any test for their orthodoxy or give any assurance that they would not endeavour to subvert the constitution of the church, if they were admitted into a share of the Government. But on the contrary, did labour by their haughty deportment to affront the assembly on all occasions, still pleasing themselves with the hopes of a rupture between the king and the kirk; informing his majesty from day to day that the assembly would not agree to his just demands nor comply with his charitable design.

ff.12. To fortify this, and in order to persuade the king of the truth thereof, they transmitted to court a rude draught of an answer to his majesties letter, prepared by a sub committee of the above named committee of the assembly, which being once read in the committee, was ordered to be communicate to the commissioner, and such other persons of quality, as he thought meet, to have their remarks upon it. This draught tho never seen by the assembly nor fully approven by the committee, was by their agents at court misrepresented as the act of the assembly (f.85) and took so far above, that his majesty sent a power to the commissioner to dissolve them att discretion, which he was influenced to make use of, by surprizing the assembly with a dissolution, when they were discussing appeals from inferior judicatories, till their committee should prepare matters for a peaceable issue.

ff.13. This amazing dissolution was acted in such a precipitant manner that he neither appointed a day for the nixt assembly, according to law, nor would allow them to read their minuts; nor would he so much as inform the moderator and some of the members who went to him that morning when the design began to be suspected, of the time of the intended dissolution, tho they assured him that upon granting their request, they would order matters so as the assembly should end calmly without giving any ground for

offence. And when the moderator, in time of the confusion, which appeared in the assembly house upon the illegal dissolution, desired to speak a few words to his grace, he checked him, saying that he was no mere commissioner, nor he moderator. Whereupon, the moderator offered to conclude in the usual form and protested that this dissolution should infer no prejudice to the power of the church, allowed her by law and named a day when the next assembly should meet. To this many ministers adhered and many mo[r]e that were neither members nor friends, but were only design'd to fix the reproach of a tumult upon the assembly, redoubled the words, 'adhere, adhere.'

ff.14. What the episcopal party did expect upon this emergent, we are told by Mr James Gordon, one of their number (f.85v) whom his book, intituled, *The Character of a Generous Prince*, pag. (Mihi) 429,<sup>133</sup> expresseth himself in these terms, 'When' (says he) 'authority was thus so palpably dispised and affronted, many expected, that such refractory subjects should have been made sensible of the genuine meaning of those words of the wise man, where the word of a king is, there is power, and who may say unto him, what doest thou? Whose desire is equivalent to a command, not to be disputed, but readily obeyed in all things lawfull and that the loyal commissioner to the next session of parliament should have brought instructions with him for the same purpose, but nothing of this appeared.'

ff.15. Tho this dissolution did much disoblige the presbyterians, in so much that some of the younger ministers and others, were for asserting the right of the church in a publick manner, yet the ancient and more prudent of the ministry advised to calmness, and give a modest representation of affairs to the king by way of apology, which displeas'd many who did not so thoroughly consider what they ow'd to that great prince for the revolution, nor thought of his being himself a stranger to our constitution and affairs, and under the influence of foreign councils.<sup>134</sup>

ff.16. The parliament mett Aprile (anno one thousand six hundred ninty and three) and considering the churches treatment, resolving with all to deliver them from the importunity of the court, did by their act of the twelfth of June, ordain that no person be admitted or continued to be a minister or preacher within this church, without he first take the oath of allegiance and assurance (f.86) subscribe the confession, as the confession

<sup>133</sup> James Gordon, *The Character of a Generous Prince drawn from the great lines of Heroick Fortitude. From which by the rule of contraries, may be delineated the effigies of a Prodigious Tyrant. The Vertues of the Former and the Vices of the Latter, being fully represented by a pleasant variety of examples from Ancient and Modern History, By a hearty Well-wisher of Her Majesties Government and the Church of England* (London, 1703).

<sup>134</sup> For an alternative view of this representation, see *Memoirs of the public life of Mr James Hogg; and of the Ecclesiastical Proceedings of his time, previous to his settlement at Carnock, particularly of some General Assemblies that met posterior to the Revolution* (Glasgow, 1798), 71-4.

of his own faith and constantly adhere to the doctrine therein contained. Submitt to the Presbyterian church government and concurr therewith, owning the same to be the only government of this church, and never endeavour directly or indirectly its prejudice or subversion. This the parliament knew would be a very severe test to the episcopal clergy of whom so many were Jacobites, and accordingly, though there were above one hundred and eighty who addressed to be admitted into the church on his majesties formula, and notwithstanding of their protestations of loyalty when King William was quarrelling with the assembly, yet not above thirty of them took the oath. And thus the generall assembly was justified in their precautions against assuming such dangerous men into the government of the church.

ff.17. But while the oath of allegiance and assurance were thus extended to all ministers and preachers, it was grievous to some private Christians who thought this an erastian encroachment on the church's privileges, and a sad enthrallment to ministers, without any conceivable necessity, requisite in all lawfull oaths, because presbyterian ministers had many other ways given abundant proof of their loyalty in their preaching and praying for the government &c. But this objection will evanish, when it is considered how much the state of affairs did plead the necessity of it, particularly it is observable, that it was a time of war, wherein many (f.86v) subjects and diverse episcopals were involved in rebellion, and a cause of competition between two kings, like that between Joash and Athaliah, whereon Jehojada Imposed an oath of alledgiance upon the Levites as well as others;<sup>135</sup> And a business the like whereof we find in Scotland after the reformation, in the competition we find between King James and his mother Mary, when ministers were to swear the oath recognising the king's authority out of the pulpit, under the pain of deprivation. The ministers were indeed dissatisfied at the manner of enacting the way of imposing it, and that the government should have in a sort specially singled out them, and required them under that reduplication to take an oath, as if they were the persons most suspected: But Secretary Johnston mollified their spirits, and perswaded them to yield to this, to the end the calumnies of those about the king might be confuted, who did surmise and insinuate to his majesty that presbyterian ministers, though now professing loyalty, yet if tried would not promise by oath to be so more than the episcopals. This oath then was imposed to put an end to this controversie, and distinguish the king's friends from his foes.

ff.18. When the parliament enjoyn'd this oath they did with the same breath address their majesties to call a generall assembly for ordering the affairs of the church, which was accordingly called to meet att Edinburgh the third of December (anno one thousand six hundred ninty and (f.87)

<sup>135</sup> 2 Chronicles chapter 23.

three) but by a new stretch of law was put off till the month of March (anno one thousand six hundred and ninty four) in the following manner. The king had remitted the consideration of the affair of the assembly's meeting to a committee of seven Scots and English councelors in which the Archbishop of Canterbury did preceed, and was said to be foreward enough for the thing. But it was over ruled by vote with the help of secretary Stairs (whose turn it was to serve as secretary for that moneth) and carried, no assembly. But after some time had elapsed and faithfull free advice given to his majesty by Adam Cockburn of Ormestone then Lord Justice Clerk and some others, the king of his own proper motion called for the Lord Carmichael and the justice clerk, and told them he was determined there should be an assembly against the time adjourned unto, and signified to Carmichael that he was to serve in the station of commissioner, promising to send his commission and instructions after him in the usual manner, and to send him no instructions but what were common and expected by all; and withall he ordered Ormestone to go post with Carmichael for Edenburgh against the day appointed. When they had taken leave of the king and employed the Earle of Portland, secretary Johnstone and master William Carstares his majesties chaplain for Scotland (f.87v) advert to the instructions that should be sent after them by Stairs influence, they took journey and came to Edenburgh the Tuesday before the assembly was to sit down. When secretary Stairs was employed to draw Carmichael's commission, whereby he understood there was to be an assembly, he asked att his majesty if he had any instructions to send to him, who answered, none but such as are common. Whereupon he persuaded the king that there were two very material instructions, which seemed necessary, the first was, that the members of the assembly should qualifie themselves in *hunc effectum* by taking the oath of allegiance and signing the assurance before they act anything; the other that the assembly should be dissolved by sound of trumpet att the publick Mercat Cross of Edenburgh. The first (says he) is what they expect themselves, and the last is your majesties prerogative, which you are not to part with. Upon all which the king gave way to the cunning secretary's advice and impowered him accordingly and he dispatched the instructions very quickly; and being some few hours after in company with some of his associats, he chanced to say, that Carmichael and Ormestone were gone for Scotland to hold a church assembly and that they should have an assembly with a vengeance. This sarcasm was no sooner spoken by him than it was carried by one of the company to secretary Johnston, who thereupon went to the king and upon request, got an order to his colleague the M[aste]r of Stairs to show him the instructions, which att first he seem'd to decline, at least waded the business to gain time, pretending the paper (f.88) was fallen by and could not be gotten on the sudden. But Johnston finding a way to oblige him to a speedy production, he carried them to the king and showed him that these

instructions were highly disobleiging to his majesties best friends in Scotland and also contrary to law, but the king continued inflexible and would not be brought to alter what was done.

Mean time, the commissioner at Edenburgh is extremely surprized at the instructions which came to hand only the day before the sitting down of the assembly, and having advised them with Sir James Steuart and some others, they were all extremely perplexed. They declaired the instructions were contrary to law, but how to get the king advertised of this on so short warning is the choaking business. To call the assembly, suffer them to meet and adjourn themselves for some days till they got an express sent to court will not do, because the commissioner was not *in tuto*<sup>136</sup> to let them act anything as an assembly till first every one should qualifie himself according to the instruction, which was to put all in confusion and make an open rupture between the king and the kirk.

ff.19. To be sure, Portland, Johnston and Carstares, who knew the perplexity of their friends at Edenburgh, were not idle att court to get a counter instruction, but all their solisations were to no purpose, till Johnstone att length with much resolution and bravery addressed the king one evening as he was going in his night gown to his bed chamber, craving that his majesty would allow him to write to the Lord Carmichael to proceed in the usual manner, till such time as his majesty had the advice of his servants (f.88v) in Scotland anent what was law.<sup>137</sup> To which the king giving way, Johnston sent an express for Scotland with orders to the commissioner to proceed more *Solito*<sup>138</sup> in the assembly with this advice, as from himself that if there were any ministers members of that assembly who have never qualified by taking the oaths, they should be dealt with to withdraw and go home, that so the churches enemies might have no seen advantage against her.

ff.20. This comfortable message came seasonably to Edenburgh, to the relief of the churches friends, about four of the clock that morning before the assembly sat down, being Thursday the twenty ninth of March (anno one thousand six hundred and ninty four). Mr John Law on[e] of the ministers of the city of Edenburgh was chosen moderator. The terms of receiving the episcopal clergy into ministerial communion were drawn up by this assembly (according to the above mentioned act of parliament, of the date twelfth of June (anno one thousand six hundred and ninty three) impowering their commission to receive into ministerial communion, such of the

<sup>136</sup> *in tuto* (toto): entirely.

<sup>137</sup> This intervention has been attributed to William Carstares by his biographers. See J. M'Cormick, *State Papers and Letters addressed to William Carstares* (Edinburgh, 1774), 59; R.H. Story, *William Carstares* (London, 1874), 238-41.

<sup>138</sup> *Solito*: customary.

late conformist ministers as having qualified themselves according to law, apply personally to them, one by one, upon their signing the confession of faith, owning the presbyterian church government now settled by law, to be the only government of this church, to which they shall submit and with which they shall concur and never (f.89) endeavour the prejudice thereof: and promising to keep uniformity of worship as att present performed and allowed.

ff.21. To this acknowledgment, which all were obliged to take and sign when received into ministerial communion, it was added that neither the commission, or any other judicatory of this church are to take advantage to censure any minister whatsoever, for not having qualified himself in the terms of the above act of parliament (anno one thousand six hundred and ninty three) intituled, 'act for setling the quiet and peace of the church.' And having left the execution of this act to committees whom they appointed to the south and north, they concluded to the satisfaction of his majesties commissioner.

ff.22. Those committees went on with so much success and applause for moderation that some being aware that if they proceeded thus much longer, the north would become as much presbyterian as the west and south, thought it best to give them disturbance. Accordingly when the committee was att Aberdeen, some of the most active of those who did offer to conform upon the terms of the formula in (anno one thousand six hundred and ninty two) with a few others of their brethren, making about twelve in whole did enter into the place where the committee sat, without giving that meeting any previous notice, and proposed some queries to the committee, pretending they could not conform in conscience untill those queries were satisfyingly answered. In those queries, among other things, they questioned the authority of the committee of the assembly and of the king and parliament, of which there was no mention made by them when they offered to conform in (anno one thousand (f.89v) six hundred and ninty two) which made some say that they juggled. The committee gave them a short answer to the whole by telling them, that their queries struck att the foundation of the legal establishment of the church, anent which the querists knew the committee had no power to enter into any debate, and that if satisfaction to their own consciences was their design they might take much more proper measures for it. Upon all which the querists entered a protestation against the authority and proceedings of the committee. And some of their party did take the like when the committee came to Inverness, and upon a representation of this matter to the privy council, the querists were acquitted upon a submission to the council on their knees.

ff.23. This was the last open effort of the prelatists as an incorporated party against the established church during King William's reign. Since which time they begun again to lift up their heads by means of some who

in those times did reassume the name of cavaliers, whereby is understood the anti-revolution party in Scotland, who kept life in the sinking episcopal interest in King William's time, and fancied to themselves a better title to her present majesty Queen Ann's favour, for their having [word unknown, manuscript marked], tho' they showed themselves as much enemies to her majesties right to the crown, as to that of King William.

ff.24. The revolution party were generally for (f.90) presbytry and the rest so indifferent for prelacy that they did not think that matter ought to come in competition with the peace and quiet of the nation. The anti-revolutioners thinking their zeal for prelacy gave their side advantage, they went post to court, particularly some who had been the greatest persecutors of the presbyterians, upon whom their clients of the episcopal party conferred the softer title of the queen's father's friends. When these men went up to court they gave such a representation of things that a letter was obtained from her majesty to the council of Scotland, so much in favours of the episcopal party that they concluded a present indulgence to them intended thereby. This occasioned the setting up of illegall meetings in several places of the kingdom and imploying some preachers that never swore allegiance to the queen; & others who were deprived by the council for their disaffection to the civil government in King William's time, intruding themselves into their former churches. While in the mean time their managers set on foot the following addesses to the queen.

An address to the Queen,

in favour of the episcopal clergy of Scotland.

We your majesties most humble, dutifull, loyal and most obedient subjects, look on it as no small blessing to have a queen of our ancient race of kings who has always been a pattern of vertue, and a constant supporter of the true reformed orthodox religion, and who since her coming to the crown of her illustrious ancestors, has shown such good and generous inclinations to make all her (f.90v) subjects live happily, that we have presumed most humbly to address your majesty to take into your royal consideration the condition of the subjects of the episcopal perswasion in this kingdom. It is not unknown to your majesty the hard measures and discouragements they meet with of late years, particularly those of the clergy, tho' they have always behaved themselves (as their principles oblige them to do) peaceably and submissively to supream authority, may it therefore please your sacred majesty to take these into your royal protection and give liberty to such paroches where all or most of the heritors and inhabitants are of the episcopal perswasion, to call, place and give benefices to minsiters of their own principles, which the presbyterians themselves can have no reason to complain of; for if the plurality they pretend to be true, by this act of grace neither their churches nor benefices are in

hazard: which favour will oblige us more and more out of gratitude, as well as duty, to send up our prayers to almighty God that the same good providence which placed your majesty upon the throne and has blessed the beginning of your reign with such glorious success, may preserve your majesty for a blessing to these lands and that we may never want a true Protestant of the same royal blood to govern us while sun and moon endure.

ff.25. It is scarcely to be believed what indirect methods were used by the procurers of subscriptions to this address, by making children at schools subscribe it, and masters set down the names of their scholars and servants without their knowledge or consent. By concealing the matter of it (f.91) from some pretending it was for charity to the episcopal clergy and refusing to let others see the same, except they first promised to subscribe it, &c.

ff.26. If to this anti-revolution design we add the proclamation of indemnity of the sixth of March (anno one thousand seven hundred and three) issued out by her majesty to make the minds of her subjects easie, and the turning off many revolution men who were in the administration at King William's death, and bringing in men of a contrary party in their room; it cannot be thought strange that the revolution party were allarmed and a general discontent nourished in the kingdom. For by the former of these methods considerable numbers of Jacobites came over to Scotland from France pretending to be new converts and others at home who stood out all King William's time, qualified themselves to sit in parliament and council by taking the oaths to her majesty. Again by the latter method, the cavaliers got many of their friends of the privy council, where they so far discouraged those disorderly practises of the non-jurant clergy, that the revolution party had scarce weight enough to condemn the magistrats of Haddingtone for their illegal opposition made to Sir Robert Sinclair and me, December (anno one thousand seven hundred and two) when taking possession of that kirk upon the death of Mr Forman, one of the episcopall ministers in that parish; or to prevent sending forces to Glasgow to support a Jacobite conventicle held in the house of Sir John Bell, late provost of that city, about January (anno one thousand seven hundred and three).

ff.27. These new converts from abroad, and their friends at home having made the anti-revolution party proud by adding this to their former strength, they formed themselves (f.91v) into a distinct party, and held themselves so formidable by their interest in the high flown episcopal party, that they began to prescribe terms to the government and to propose their own conditions on which they would serve the court and if these were not granted, threatened to oppose the ministry. Their terms were 1. That the revolution should not be confirmed in parliament. 2. That the episcopal clergy should have an indulgence, and 3. That patronages should be restored.

ff.28. This was the posture of affairs at the time when the queen called

a new parliament, to which it was thought that many cavaleers were chosen as members, enough to vote down presbytry and restore patronages, or at least to carry a toleration. These bold proceedings did alarm the revolution men, and divide the Court Party among themselves. For most of that party being revolution men they could not digest the sentiments of the anti-revolutioners, who showed themselves to be against the ratifying the proceedings of King William's parliament with respect to the revolution, but thought it best to pass it over as a thing extraordinary and out of course, alledging that all parties might be easie enough under the shelter of her majestie's general indemnity. The revolutioners knowing well that general pardons granted out of parliament, afford but little safety when questioned in parliament, dispised the motion they left those to plead the indemnity who believed they needed it, but for themselves they resolved upon a parliamentary ratification of the revolution as (f.92) the most effectual way to prevent back blows from the opposite party.

ff.29. In this disposition of affairs, our parliament mett on the sixth of May (anno one thousand seven hundred and three) being ridden in great state and cavalcade from the abbey to the parliament house. The court found by this time, that whatever the Duke of Queensberry her majesties commissioner, and others of the ministry might do in policy not to lose the cavaleers, yet they could not gratify them in complying with their demands, without losing the whole revolution party, without whom they could carry nothing in parliament, being those upon whom her majesty must chiefly rely, as being obliged to defend her title both by principle and interest, whereas the anti-revolutioners are plainly in the interest of Saint Germain's, and look upon her at best to be only queen *de facto*, but not *de jure*, while her pretended brother lives.

ff.30. On the first of June, a draught of the act of toleration was offered as follows.

Her majesty being desirous to give a just ease to all her Protestant subjects in the exercise of their religion, and religious worship, doth with consent and advice of the estates of parliament, statute, enact and ordain that from henceforth, it shall be lawfull for all her Protestant subjects to assemble and meet together, with their respective ministers, for divine worship in any houses they shall think fitt to appoint for those religious exercises, in all towns and paroches of this kingdom, without any lett, molestation or impediment whatsoever, certifying all such as presume to molest or disturb (f.92v) the said preachers in the full exercise of their ministerial function at those religious assemblies, or the persons so assembled for divine worship, that they shall be punished as disturbers of the publick peace of the kingdom, according to law by her majesties privy council, or other judges competent. And in case any preachers in those meetings, or meeting houses, shall

preach any seditious doctrine tending to disloyalty, or to the alienating of the affections and duty of the subjects from her majesties person or authority, or to the disturbance of the publick peace, they shall be exemplary punished by the privy council, according to law, and to the demeret of their crimes and offences. And ordains this toleration hereby granted to have its full force and effect from the day and date of those presents, and that notwithstanding any former acts of parliament, which from henceforth shall make no derogation from the force of this present indulgence and toleration and appoints all judges to discern accordingly.

ff.31. This design of a toleration is known to have been if not contrived, at least to have been undertaken for at the court of England by the Lord Tarbat, now Earle of Cromarty, who, with others, made it pass for the most plausible method of obleiging the church (who had hitherto in a great measure observed a neutrality) to declare themselves in favours of the court (f.93) against the Country Party, and at the same time the only way to gratify the Jacobites. This old fox (as he was ordinarily called) foreseeing upon this, that he must needs meet with a forme of indignation from the kirk, with whom he pretended always to keep in fair terms, he wrote to some ministers att Edinburgh that they might perswade their brethren to agree to this, for stopping the mouths of enemies &c. This had no better effect than a giving the church the alarm who set themselves on work to break these measures. And accordingly the commission of the church gave in the subsequent representation against it.

Unto his grace her majesties High Commissioner and the most Honorable Estates of Parliament, the humble representation of the Commission of the late General Assembly, sheweth,

That being instructed by the late general assembly to advert unto the interest of the church on every occasion, and that the church do not suffer or sustain any prejudice which belongs to us to prevent, as we will be answerable to the next general assembly; and for this end to meet when the parliament sits, and to apply thereto as their shall be occasion, and being Informed (f.93v) of a motion to be made in open parliament, for granting toleration to those of the episcopal persuasion; we find ourselves bound in conscience and in duty, both to this church and nation, and likeways to our constituents, in all humility to represent to your grace, and to the honourable estates, that there can be no just ground to desire or grant such a toleration, seeing there was never in any nation a toleration allowed, where there was no pretence of conscience against joynt communion; and here the people have no scruple in their conscience against communion in worship with the legally established church, and did generally wait on the publick

worship, where they were not restrained by their masters, till by the practising of some persons, they have in some places divided of late, neither can the ministers of the prelatical way, pretend conscience against joynt communion in worship with us, there being no sinfull condition of communion required of them, and it being their constant and known principle, that difference of opinion about church government, is no sufficient reason for separation in worship, and to grant a toleration to that party in the present circumstances of this church and nation, must (f.94) unavoidably shake the foundation of our present happy constitution, overturn those laws upon which it is settled, needlessly disturb that peace and tranquility which the nation hath enjoyed since the late revolution, disquiet the minds of her majestie's best subjects, increase animosities, confusions, discords and tumults, weaken and enervate discipline, open a door both to uncraved vice and to popery, as well as other errors, propogate and cherish dissafection to the civil government and bring the nation under the danger of falling back into the same or worse miseries and mischiefs under which it groaned, and from which it hath been mercifully delivered. All which is so apparent, that we need not insist thereupon, to so august and judicious an assembly, since the known principles and practices of the party for whom this toleration is sought, and the infringement that would be made upon the nation's Claim of Right, and instrument of government thereby doth sufficiently demonstrat the same. We do therefore, most humbly beseech, yea, we are bold in the Lord, and in the name of the church of God in this land, earnestly to obtest your grace and the most honourable estates, that no such motion of any legal toleration, to those of the prelatical principles may be entertained by the parliament (f.94v) being perswaded, that in the present case and circumstances of this church and nation, to enact a toleration for those of that way (which God in his infinite mercy avert) would be to establish iniquity by law, and would bring upon the promoters thereof, and upon their families, the dreadfull guilt of all those sins and pernicious effects both to church and state, that may ensue thereupon, from which that God may preserve all the honourable members of this high court of parliament, shall be our most sincere and fervent prayer.

Signed in name and att the appointment of the said Commission of the General Assembly, sic subscribitar, George Meldrum, moderator.

ff.52. This case of toleration was printed and painted on all hands in hostile manner and with steady sharpness, so that both parties, in the opinion of bystanders, fell from arguments into reproaches and transformed their reasonings into libels and invectives. Each rejoyners swelled bigger and bigger till their readers were outwearied and themselves no less. Both sides

cried out of contention, yet every man imputed the miscarriage to his neighbour, each of them shifting the common disgrace. However, the nation being judges, both parties gave indication of their learning (f.95) and partes. The church had indeed the defensive being first attacked by the advocats for toleration, particularly the Earle of Cromarty, Doctor Garden,<sup>139</sup> Doctor Hay,<sup>140</sup> Mr Sedge,<sup>141</sup> and some others whose names I know not. These were learnedly confuted by the reverend Mr George Meldrum Professor of Divinity att Edinburgh, Mr James Haddow Professor of Divinity att St Andrews, Mr James Webster att Edinburgh, Mr Robert Weillie at Hamilton, Mr James Ramsay att Eyemouth and diverse others.

ff.33. Tis certain that the high flown episcopal party made no doubt of carrying a toleration, and even many of the presbyterians in parliament seemed inclinable to it when first mentioned, because they thought liberty of conscience the right of mankind. But when the matter came to be more narrowly lookt into, and the design of the party soliciting came to be considered, the topicks mentioned in the church's representation, had weight, and the matter had quite a different aspect, for it became evident that the design of the toleration was to nourish dissatisfaction to her majesty and the revolution, especially considering what care that party took, that they should come under no promise to qualifie themselves by taking the oaths to her majesty. And Duke Hamiltone having chanced to say in plain parliament, when this was quarrelled, that he thought they should have toleration without that burden, or words (f.95v) to that purpose, the presbyterians in his party deserted him and the nation did from that moment jealousy his designs, and

<sup>139</sup> George Garden (1649–1733), Scottish Episcopal clergyman and controversialist, deprived by the Privy Council as minister of St Nicholas second charge in 1693 for refusing to pray for William and Mary. He promoted the work of French mystic Antonia Bourignon, whose writings were condemned by the general assembly in 1701. Garden promoted toleration for Episcopalians and the use of the English Service Book. A committed Jacobite, Garden issued a declaration in favour of the Pretender at Aberdeen in 1715. He was subsequently arrested and deposed by the Presbytery of Aberdeen before escaping and travelling to the Netherlands in 1716. *FES*, vi, 2; *ODNB*, xxi, 406–7.

<sup>140</sup> Dr John Hay, incumbent at Falkland 1673–1718; deposed by the Privy Council for not reading the proclamation against owning King James, and praying for William and Mary. Author of *Sound and solid reason against the Presbyterian prints anent patronages, whereby the pretended divine right of the popular election of pastors is perpetually barr'd* (1703); *Imparity among pastors, the government of the church by divine institution; as maintained in an extemporary debate, by an Episcopal divine, against one of the Presbyterian persuasion* (Edinburgh?, 1703); *Self-condemnation: or the author of The second edition of the debate in the shop, condemned out of his own mouth. Wherein the first account, and arguments in the discourse, intituled Imparity among pastors, &c. are vindicated.* (Edinburgh, 1703). *FES*, v, 153.

<sup>141</sup> John Sage (1652–1711). Episcopal bishop and writer, Sage was appointed to the chair of divinity at St Andrews in 1688, which he left at the revolution. He ministered at a meeting house in Edinburgh until ordered to leave the town by the Privy Council in 1692. A prolific writer in defence of the Episcopalian position he was secretly consecrated in Edinburgh in 1705. *ODNB*, lcviii, 577–8.

smelling strongly of bringing over the Saint Germain's prince. He excused himself saying that what he spoke was with a design to break the toleration, and render it odious, and proposed that overture meerly in compliance with a promise given to the cavaleers, who offered upon his owning them in that matter, to join with him against the court in other things which he found to be for the general good of the nation. Adding that he was the more to be excused in this matter, that the court preferments had drawn of many of his party from him. But these defences were repelled so that he must and did smart often for this piece of conduct.

ff.34. The same day, after the act for toleration was given in, the 'Act for Securing the True Protestant Religion and Presbyterian Government', was read and ordered to be marked a first reading, and had the preference to all other publick acts, and was at length voted and carried. Then the act for toleration being again read, it was allowed that her majestie's letter to the privy council about the preachers of the episcopal perswasion (mentioned section twenty fourth) might be laid before the parliament. Accordingly it was brought in and read and immediately returned to the clerk of the privy council.

ff.35. The next day of meeting, seventh June (f.96) the 'Act for Ratifying the first Act of the parliament of King William and Queen Mary', was read for the second time, and the first part of it approving the turning of the meeting of the estates into a parliament was agreed to; and after some debate on the last part, declaring that it shall be treason to impugn or alter the Claim of Right, the act was approved. Upon this the toleration act was dropped and no more heard of it, seeing it is inconsistent with that clause of the Claim of Right which asserts, 'that prelacy and the superiority of any officer in the church above presbyters is, and hath been a great and insupportable greivance and trouble to this nation and contrary to the inclinations of the generality of the people, ever since the reformation (they having reformed from popery by presbyters) and therefore ought to be abolished.' This dropping of the toleration act was reckoned a very great hardship among the prelatists and improved by their friends in England against the dissenters there.

This was the posture of our Scots affairs when the business of the union came to be effectually set about.

# JOHN ERSKINE'S LETTERBOOK, 1742-45\*

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Edited by Jonathan Yeager

## INTRODUCTION

John Erskine (1721-1803) can justifiably be called the leading evangelical minister in eighteenth-century Scotland. His father, John Erskine (1695-1768), was the eminent professor of municipal law at Edinburgh University, who inherited the lands of Carnock from his father, Colonel John Erskine (1662-1743).<sup>1</sup> As the first-born son of a laird, who would one day inherit the lands of Carnock, Erskine was encouraged by his father and grandfather to study law. Instead of following in his father's footsteps, however, the young man decided to become a clergyman, serving as the parish minister of Kirkintilloch (1744-53), Culross (1753-58), New Greyfriars in Edinburgh (1758-67) and finally Old Greyfriars in Edinburgh (1767-1803), where he shared the pulpit with his friend and ecclesiastical rival, William Robertson. Erskine received his education at Edinburgh University along with many Scottish Enlightenment figures such as Hugh Blair, Alexander Carlyle, John Home, William Robertson and John Witherspoon. More than simply a preacher, Erskine became one of the most erudite theologians of his day who incorporated many of the ideas of the new age, including John Locke's empirical method, into his sermons and theological treatises.

Erskine sent the following manuscript to the Boston divine Thomas Prince with the intent that it would circulate among many of the American evangelical ministers (and presumably be printed in Prince's magazine, *The Christian History*) in order to encourage the spread of the eighteenth-century revivals that were taking place on both sides of the Atlantic.<sup>2</sup> Prince did not publish the manuscript, probably because the final edition of *The Christian History* on 23 February 1745 predated the Erskine manuscript by

\* I am very grateful for the generous grant provided by the Strathmartine Trust Marinell Ash Fund, which funded my research. I also acknowledge the Massachusetts Historical Society for allowing me to publish the Erskine manuscript, which is housed there.

<sup>1</sup> The Scottish History Society published a journal of Erskine's grandfather. See W. Macleod (ed.), *Journal of the Hon. John Erskine of Carnock, 1683-1687* (Edinburgh, 1893).

<sup>2</sup> Susan Durden (O'Brien) explains the use of letters for spreading revival in 'Transatlantic Communications and Literature in the Religious Revivals, 1735-1745' (University of Hull Ph.D. thesis, 1978), 102-8.

a few weeks.<sup>3</sup> Besides an initial letter most likely written to Prince, Erskine also addressed William and Samuel Cooper of Boston, Philip Doddridge of Northampton and four younger divinity students at Edinburgh University: James Hall, Charles Lorimer, John Jonston and James Thomson. The letters themselves are between the years of 1742 and 1745, but are not separated in the manuscript; they form one complete collection. Erskine partitioned one letter from another by dotting a line across the page before writing to a new correspondent. The content either relates to the Scottish revivals of 1742 at Cambuslang and Kilsyth or on the practise and preparation of becoming a minister.

The manuscript contains beneficial information about the Cambuslang and Kilsyth revivals of 1742, two of the largest spiritual awakenings in Scotland's history. Estimates range that between 20,000 and 50,000 people gathered for one of the two communion services held in the summer of 1742 at Cambuslang alone.<sup>4</sup> This is a significant crowd considering that only about 1,000 inhabitants resided in the town at this time, and in 1740, as few as 17,000 people lived in nearby Glasgow.<sup>5</sup> Individuals came from all over Great Britain to partake of the Lord's Supper and to hear sermons from the famous itinerant preacher George Whitefield and Scottish ministers such as Thomas Gillespie of Carnock, John Maclaurin of Glasgow, William McCulloch of Cambuslang, James Robe of Kilsyth and Alexander Webster of Edinburgh, all clergyman noted in the manuscript. Hundreds of people confessed to undergoing a conversion experience that sometimes included ecstatic visions and unusual behaviour.<sup>6</sup> The revival at Cambuslang led to similar spiritual awakenings in the nearby communities of Irvine, Stewarton, Kilmarnock, Bothwell, Blantyre, East Kilbride, Glasgow, Cadder, Bladernock, Kirkintilloch, Campsie and most notably in Kilsyth, a town only about ten miles from Glasgow.<sup>7</sup> As a young but capable scholar from a well-respected

<sup>3</sup> On Prince's magazine, see J.E. Van de Wetering, 'The *Christian History* of the great awakening', *Journal of Presbyterian History*, xlv (1966), 122–9. The latest letter by Erskine is to James Hall, dated 29 Mar. 1745.

<sup>4</sup> A. Fawcett, *The Cambuslang Revival: The Scottish Evangelical Revival of the Eighteenth Century* (London, 1971), 119.

<sup>5</sup> See I.D. Whyte, 'Urbanisation in eighteenth-century Scotland', in T.M. Devine & J.R. Young (eds.), *Eighteenth Century Scotland: New Perspectives* (East Lothian, 1999), 181, and T.M. Devine, 'Urbanisation', in T.M. Devine & R. Mitchison (eds.), *People and Society in Scotland* (Edinburgh, 1988), 35.

<sup>6</sup> For an analysis of these conversion experiences, see my *Enlightened Evangelicalism: The Life and Thought of John Erskine* (New York, 2011) and N. Landsman, 'Evangelists and their hearers: popular interpretation of revivalist preaching in eighteenth-century Scotland', *Journal of British Studies*, xxviii (1989), 253–9. On the background of the revivals in Scotland, see L.E. Schmidt, *Holy Fairs: Scottish Communion and American Revivals in the Early Modern Period* (Princeton, 1989).

<sup>7</sup> James Robe of Kilsyth offered an account of the revival at his parish church and the

family, Erskine added credibility to this revival by reinforcing its legitimacy as a manifestation of spiritual renewal in Scotland that was connected with comparative revivals taking place in America and Britain.<sup>8</sup> His personal experience of the events at Cambuslang and Kilsyth convinced him to publish his optimistic *Signs of the Times Considered, or the High Probability, that the Present Appearances in New England, and the West of Scotland are a Prelude of the Glorious Things Promised to the Church in the Latter Ages* (1742), and ultimately led him to change his studies from law to divinity.

Besides giving a personal account of the Cambuslang and Kilsyth revivals, Erskine also offered ministerial advice to some of his fellow divinity students at Edinburgh University. There is very little information about Erskine's life as a divinity student. What is known is that Erskine and Robertson emerged as student leaders at the divinity hall and held opposing opinions about the nature of pastoral ministry and the genuineness of the revivals. Apparently, a dispute arose between Erskine and Robertson over George Whitefield. Robertson and some other students viewed the Anglican itinerant as an 'enthusiast' and his ministry as a sham. Erskine, on the other hand, 'zealously defended the character of Mr Whitefield', according to his biographer.<sup>9</sup> The dispute grew in intensity so that it caused the dissolution of a literary society in which Erskine and Robertson belonged and produced personal tensions between two normally amicable men. In one of the letters, Erskine cited a 'set at the divinity hall' who openly ridiculed what he called 'true religion'. This might have included Robertson as well as other 'Moderate literati'.<sup>10</sup>

As an influential student leader at Edinburgh University, Erskine felt compelled to offer advice to his friends on how to prepare for pastoral ministry and what books to read. In his letters to James Hall, Charles Lorimer, John Jonston and James Thomson, Erskine sought to encourage these young men to enter the ministry or become spiritual leaders in their communities. Erskine took great pains at providing biblical and rational arguments for his friends to become clergymen. Since he read widely on biblical studies, theology and practical divinity, he could offer an extensive reading list for aspiring ministers such as the one given in his letter to James Hall on 15 July 1743. The overall goal of Erskine's letters seems to be aimed

surrounding area in his *A Faithful Narrative of the Extraordinary Work of the Spirit of God at Kilsyth and Other Congregations in the Neighbourhood ...* (Glasgow, 1742).

<sup>8</sup> For the connection between the Scottish and American revivals, see M.A. Noll, *The Rise of Evangelicalism: The Age of Edwards, Whitefield and the Wesleys* (Downers Grove, 2003), and S. O'Brien, 'A transatlantic community of saints: the great awakening and the first evangelical network, 1735-1755', *American Historical Review*, xci (1986), 811-32.

<sup>9</sup> H. Moncreiff Wellwood, *Account of the Life and Writings of John Erskine, D. D., Late One of the Ministers of Edinburgh* (Edinburgh, 1818), 99.

<sup>10</sup> See Erskine to James Hall, 15 July 1743. On the Moderate literati, see R.B. Sher, *Church and University in the Scottish Enlightenment: The Moderate Literati of Edinburgh* (Edinburgh, 1985).

at defending the revivals in Scotland and to encourage the clerical pursuits of up-and-coming evangelical leaders in the Kirk. By studying the content of this manuscript, readers will have a better understanding of the nature of eighteenth-century revivals as well as the rationale for some Scottish ministers in deciding to become clergymen.

#### *Editorial Conventions*

In transcribing the letters, I have listed them in consecutive order and have not altered Erskine's grammar, punctuation and spelling other than by writing out full biblical references and extending scribal abbreviations for words like yt to 'that', agt to 'against' or an apostrophic word such as offer'd to 'offered'. Since it is not always entirely clear when Erskine capitalised a word, I chose to use lowercase letters throughout, except when transcribing proper names and the beginning of sentences. Finally, occasional words have been placed in square brackets, either to employ a missing verb to sustain the flow of a sentence, or to clarify the name of a specific person.

Dear Friend

Culross July 17 1742

'Tis with the greatest satisfaction I take this opportunity of writing you, as I am certain the things I have to inform you of, must needs prove agreeable to you, notwithstanding the disadvantage they'll receive from my way of telling them.

I [was] at Higgin's Neuck on Friday July 9th in my way to Cambuslang, and was much delighted in reflecting on the surprizing and agreeable changes that have happened since I [was] there harvest last to hear Mr W—d. I believe had any one at that time told us, what has happened since, we would have pronounced the account next to impossible. But God's thoughts are not as our thoughts, and when things have the most dismal appearance, then is the time for his arm to display itself, and his right hand to get him the victory.

I spent that night very agreeably at Kilsyth. Mr Robe informed me that about 200 had been wrought upon in that parish, whence of 30 had been touched the week before, and 25 that week. Mr Gillespie our minister at Carnock had gone there on Monday July 5th, with a design only to have staid a day or two, and then gone forward to Cambuslang. But having preached there on the Monday's night at Mr Robe's desire, there was such an uncommon melting among the people, that he thought it his duty to stay still and assist Mr Robe in dealing with the people. Five in Kilsyth parish were awakened by that sermon, and eight by another that he preached next day, besides a considerable number of strangers that were hearing there.

The methods in which people had been wrought upon were various. Some were awakened in time of sermon, and others by reflecting after they had gone home on what they had heard. Mr Gillespie informed me that nothing of an awakening appeared among the people in the time of his sermons, till towards the middle of them, that he found himself led out to insist with something of enlargdness of spirit, on the glories of Christ's person and his ability and willingness to save: and then numbers were drawn with the cords of love to embrace the offered Saviour. On Tuesday July 6 he was preaching on Matthew 22: 4 All things are ready, come unto the marriage: and when he was insisting on the dreadful condition of such as were not espoused to Christ, there was little commotion. But when he came to observe that there was no let, no impediment why the vilest soul there present might not be that very moment espoused to Christ, since he was willing to accept of the most unworthy; numbers were melted in tears, and an unusual concern appeared on almost every face in the congregation. A woman told him she was awakened by that part of his Thursday's sermon, where he said that if the sins of the whole congregation, nay of the whole world were united in one person there was efficacy enough in the blood of Christ to purge them away, and this led her to view the evil of unbelief in rejecting so kind a Saviour. Mr

Robe told me two had been awakened by the known story of the Syracusan Tyrant's hanging a sword by a slender thread over the philosopher's head,<sup>11</sup> which he had introduced to represent the miserable condition of such as have their portion in this life, and are every moment in danger of falling into the bottomless pit. A woman before the remarkable awakening at Kilsyth, had Micah 6:9 and Isaiah 58:1 imprest upon her in a dream, and was so much affected that she awaked in the greatest terror, and lookt out of her bed to see if any body was making such a proclamation.

It is remarkable that most of the awakened persons particularly declare their willingness to part with their lives for Christ, and show much of the spirit of martyrdom. Several of them are under the greatest concern lest their impressions should wear off, without a real change being wrought on their minds. And they seem peculiarly cautious in bringing to the touchstone of God's word any thing offered for their comfort. Mr Robe had mentioned to a man in distress Isaiah 50:10 Who is amongst you that feareth the Lord &c. as ground of comfort. The man replied I do not obey the voice of God's servants, and therefore that scripture does not belong to me.<sup>12</sup>

I went to Cambuslang on Saturday. The place where there tent was is, the most commodious for hearing ever I saw. Tis much in the form of an amphitheatre. It was reckoned there were 20,000 there that day, but I'm certain a voice near as good as Mr Whitfield's could have reached a greater number had they been there. Mr Webster preached first from Luke 2:11 and then Mr Whitfield from Zechariah 12:10. There was little crying but a more attentive audience I never saw, and the bulk of them seemed much affected with both sermons. The tables were without on Sabbath, and notwithstanding the crowd and the rainness of the day, all but the 3d filled very quickly and without the least confusion. The communicants appeared much affected, and severals of them melted into tears. Mr Webster who served 8 tables (6 of them running) was much assisted that day. At night severals were awakened in the time of Mr Whitfield's sermon. On the Monday Mr Whitfield preached from Philippians 2:5; and when he was insisting on the devotion, humility, resignation &c. of Christ, and at the end of every head pressing his hearers to examine their own hearts, and try if they felt these dispositions there, about 30 were so much affected that they could not restrain themselves from loud outcries, and I believe there was but a small number amongst all the multitude that were not more or less concerned. The concern continued all the time of Mr Webster's sermon from Philippians 4:19, tho' the crying pretty much ceased. Mr Whitfield preached again

<sup>11</sup> This story relates to Dionysius (405–367 BC), ruler of Syracuse, and a courtier named Damocles.

<sup>12</sup> Erskine footnotes here that 'On Tuesday July 6 that man got a remarkable out-gate, and was filled with the greatest joy.'

in the evening and the Dutchess of Hamilton who had come just at the end of his forenoon's sermon waited and heard him. I went in after sermon to Mr McCulloch's dining room, and ere I was a quarter of an hour there, about 20 were brought in under the deepest distress. It was impossible for any that saw them to doubt the reality of their concern. I find Mr Webster's Saturday's sermon had been useful to severals of them. Four from Edinburgh, and one from Dunfermline were among the awakened. What they seemed most affected with was the sin of unbelief, and a sense of the hardness and perverseness of their hearts. Some of them were so over-poured with grief that they could not speak. None of them seemed to have despairing thoughts, save one woman, who was crying with the greatest anguish, she had forsaken God, suffered impressions made upon her in her younger years to wear off, mispent time, and rejected an offered Saviour, and that now God would have no mercy on her. When that text Hosea 14:4 I will heal their backslidings was cited to comfort her, she cried out God would never heal hers. One thing was agreeable about her, that she had a sense of the natural loathsomeness of sin, and seemed more affected with the thought of her own ingratitude, than the fears of damnation. I saw some who had got an outgate in the greatest extacy of joy. They were far from placing their confidence in the goodness of a frame, as some maliciously report; but in that covenant that is well-ordered in all things and sure and whilst they were confident God would be their God for ever and ever and their guide even unto death, they were at the same time sensible that they were not always to expect sunshine, but that if God hid his face from them they would be troubled. I went along with Mr Whitfield and Webster to Glasgow, and the whole road was lined with people in distress, most of whom they spoke a little to in passing.

I went to Kilsyth with Mr Webster and [Robert] Trail on Tuesday July 13. Mr Mclaurin had been preaching there. They were singing the last Psalms as we came in, but the reader's voice was almost drowned with the cries of those in distress. On Wensday Mr Gillespie preached to them from Malachi 4:2 and Mr Webster from Ephesians 1:7. God was with both ministers and people in a more remarkable way then ever I was witness to before. Mr Webster put a question to his audience, suppose they could be saved by their own works as they could not, yet if they would not renounce them, and be content to be saved in that way which would most abase themselves, and bring to God the greatest revenue of praise. There was then an uncommon melting in the congregation, and the looks of numbers testified by their eagerness and joy, how much they had it at heart, that the Lord alone should be exalted, and have all the glory of their salvation. 'Tis impossible to any but an eye-witness to frame a notion of what I saw in that blessed place. The best direction I can give is, that such as cannot go there should read over those prophecies, that relate to the plentiful effusion of the spirit in the

latter days, and from them attempt to frame some idea of it. I can freely say one half was not told me. O let us bless the Lord for revealing his arm, and bringing his salvation near to such multitudes of sinners, and let us give him no rest till his knowledge fill the whole earth, as the waters do the sea. In this country-side there is alas but little stirring. They seem more concerned about having parishes settled or schemes promoted so as to ruin those of a different party, than to be united to the common head and knit together in love one to another. O that all who love the Lord Jesus would be earnest at a throne of grace, that even here God would work wonders among the dead, and turn our barren wilderness to a fruitful field.

I was much pleased both to see and hear of the Christian sympathy that prevails at Kilsyth. Ten of Gargunnoch parish who had been there on Monday were taking a drink before they went home. A word dropt by one of them was so blessed that six of them fell under the deepest concern.<sup>13</sup> The people of Kilsyth showed as much care of them, as if they had been their nearest relations. It gave me also the greatest satisfaction to view the affection the people discovered for such of the ministers as had been useful to them, and particularly Mr Gillespie. When he came out of Mr Robe's, I believe a hundred had him by the hand; and as he was riding home with us, he was frequently stopt by those to whom his labours had been blist.

Their method at Kilsyth of dealing with the persons awakened is. They go immediately after sermon to Mr Robe's barn, and he or some other minister goes and speaks to them, and prays with them. Then they are brought to his house and dealt with one by one. There are several instances of such as have been supporting those under concern, or have come thro' curiosity to see them, having been awakened by seeing them, or hearing the ministers speak to them.

As I was either an eye-witness of these things, or had them attested by such as I can depend upon, you are at liberty to show this account to whom you please.

I have only to add that Mr McCulloch's action sermon from Canticles 5:16 pleased me exceedingly. His voice is very disagreeable, but the thoughts he had were very judicious and suitable to the occasion.

J: Erskine

One of the ministers to try the reality of a woman's exercise asked her, if she would fain have others saved. She answered with a great deal of gospel simplicity and affection, I think I could dy to bring souls to Christ, but may

<sup>13</sup> Erskine footnotes here that 'The word was this. One of them with the cap at her head, was saying we came here expecting something, and have got nothing. Upon which she immediately fell under concern herself so that she could not take the drink and 5 others after her. The other four had been under concern before by hearing sermons.'

be I am in a mistake. Another was so full of joy, that she said, how would it be possible for her ever to bless the Lord as she should for his goodness to her, and could not conceal the over-flowing joy that filled her mind. One to whom the Lord had been very kind, and whom he is making useful to others, seemed much afraid of the prevelance of spiritual pride. One young man, had every inch of ground disputed with him by Satan, in a very subtle way as to the grounds of faith, the exercise of one's spirit &c. when dealing with God about salvation, much in that same way in which the most solid Christians and useful ministers have been handled.<sup>14</sup>

A letter to Mr. [William] Cooper at Boston      Edinburgh 28 January 1743

Reverend and Dear Sir

About eight days ago I sent Mr Mclaurin at Glasgow and desired him to transmit to you with the 1st Glasgow ship, a paquet of letters anent the present state of religion here, with copies of Mr Webster's defence of the work at Cambuslang,<sup>15</sup> Mr Robe's Narratives,<sup>16</sup> The state of religion in N. England<sup>17</sup> and the pamphlet I writ on the signs of the times.<sup>18</sup>

Having heard since from Mr Gairdner merchant here of a ship which sails for Boston in a few days, I take this opportunity to send you 3 volumes of pamphlets, which (excepting Robe's narratives, Edwards's Narrative and Marks of a work of the Spirit of God,<sup>19</sup> Finley's Christ triumphing,<sup>20</sup> Smith's character of Mr. Whitfield<sup>21</sup> and the Wonderful Narrative<sup>22</sup>) are I believe almost all that have been either printed or reprinted here as to the state of religion.

<sup>14</sup> This paragraph is listed at the end of the letter.

<sup>15</sup> A. Webster, *Divine Influence the True Spring of the Extraordinary Work at Cambuslang and Other Places in the West of Scotland* (Edinburgh, 1742).

<sup>16</sup> J. Robe, *A Short Narrative of the Extraordinary Work at Cambuslang* (Glasgow, 1742).

<sup>17</sup> Probably C. Chauncy, *A Letter from a Gentleman in Boston, to Mr. George Wishart, One of the Ministers of Edinburgh, Concerning the State of Religion in New-England* (Edinburgh, 1742).

<sup>18</sup> J. Erskine, *The Signs of the Times Consider'd: Or, the High Probability, that the Present Appearances in New-England, and the West of Scotland, are a Prelude of the Glorious Things Promised to the Church in the Latter Ages* (Edinburgh, 1742).

<sup>19</sup> J. Edwards, *A Faithful Narrative of the Surprising Work of God in the Conversion of Many Hundred Souls in Northampton, and the Neighbouring Towns and Villages of New-Hampshire in New-England* (London, 1737).

<sup>20</sup> S. Finley, *Christ Triumphing, and Satan Raging* (Philadelphia, 1741).

<sup>21</sup> J. Smith, *The Character, Preaching, &c. of the Reverend Mr. George Whitefield, Impartially Represented and Supported ...* (Boston, 1740).

<sup>22</sup> C. Chauncy, *The Wonderful Narrative: Or, a Faithful Account of the French Prophets, their Agitations, Extasies, and Inspirations ...* (Boston, 1742).

You'll see from the state of religion in N. England, the letter to Mr Wishart<sup>23</sup> and the Preface to the Glasgow edition of Caldwell's sermon,<sup>24</sup> what pains the enemys of religion have been at to represent the work in N. England as all delusion, with a view to cast a slur on the glorious work now carrying on here and indeed this is the successfulllest attempt they have yet made. For whilst they confined themselves to invectives against the work at Cambuslang, the falsehood of their calumnies so soon appeared, that every thing they said began to be neglected. But now finding this method unsecessful, and that the evidences of the work here being divine cannot be contradicted, they have resorted to this as their last shift, that in N. England where the work began in a pretty similar way, their new converts have run into such delusions and extravagancies, as shows they have become sevenfold more the children of Satan than before: and hence they infer a probability that here also things will ere long turn out in the same way.

On this account dear sir well-disposed people here long for a true and distinct representation of the state of religion with you. Nor are they apprehensive, that when it comes it will prove disagreeable. They find that these pieces which have been published here against it discover such a rancor of spirit and such an ignorance of an emnity against some of the most momentous doctrines of Christianity, that small credit can be paid to their testimony, especially when opposed to evidence on the other side from sermons and letters by the most eminent ministers in your parts.

I have had considerable access for some months by post to converse with severals of those who are called by way of reproach Whitfield's Converts, and this I can say there is no evidence of pure and undefiled religion but what may be found in them. Former pursuits are quitted, the most violent passions subdued, and every imagination of the heart brought into subjection to the obedience of Christ. It would transport you with joy and thankfulness to converse with them. They neglect not the world, but Christ and heaven have their hearts: and while not slothful in business, they are fervent in spirit, serving the Lord. In all things it is their desire that God may be glorified, and that the interests of the kingdom of their Dear Redeemer may be secured and advanced. Sin and a want of the sense of God's favour are the evils about which they are most concerned, and the flourishing of religion in their own hearts and in all around them the chief springs of their pleasure.

Nor can it be said that this is nothing but a transient flash of affection.

<sup>23</sup> C. Chauncy, *A Letter from a Gentleman in Boston, to Mr. George Wishart, One of the Ministers of Edinburgh, Concerning the State of Religion in New-England* (Edinburgh, 1742).

<sup>24</sup> J. Caldwell, *An Impartial Trial of the Spirit Operating in this Part of the World; by Comparing the Nature, Effects and Evidences of the Present Supposed Conversion, with the Word of God* (Boston, 1742).

Some of them are now almost of a year and a half's standing and continue as shining ornaments to their profession as ever, and the instances of such as have drawn back are few and inconsiderable. The trial of cruel mockings is what many of them have patiently endured, counting the reproach of Christ greater riches as all the treasures of the greatest monarch. Love of fame, pursuit of learning or secular interests have been mortified and subdued; and what things were gain to them, nay and all things they have counted but as loss and dung for the excellency of the knowledge of Christ Jesus their Lord. Nor do they rest in present attainments, or count themselves already perfect, but forgetting the things that are behind, they reach forward to these that are before, and the more they advance in holiness the more they see of their own vileness and corruption, and the more do they prize the perfect righteousness of their glorious Redeemer. Nothing that savours of a proud revengeful spirit proceeds out of their mouths. Under personal injuries they discover meekness and forbearance: yet are bold as lions in the matters of their God, and in nothing terrified by the opposition of enemys. Indeed some of them who have met with most of that, are so far from being dispirited thereby, that they seem to live in constant raptures of joy flowing from the inward consolations which when tribulations abound, do much more abound in their souls. It is scarce credible what a difference there is betwixt the appearance of things at present and about a year and a half ago.

The praying societies here and in other places are daily increasing and even these who have scarce passed the bounds of infancy are joyning themselves in meetings for that end, so that out of the mouths of babes and sucklings God is ordaining strength. Those who formerly counted the Sabbath a weariness, now esteem it the holy of the Lord and honourable, and are glad when it is said unto them come let us go up to the house of the Lord. Ordinances are not now a dead letter, but accomplish the pleasure of God, prosper in that for which he sent them and are indeed spirit and life. Nor are these blessings confined to a small spot, but every day they are diffusing themselves further and further. At Cambuslang, Calder, Kilsyth &c, tho' for two thence months past the awakening has not been so great, yet God is graciously pleased to shine upon his ordinances in these parts, and to establish and build up his people in their most holy faith. At Cumbernauld and Muthil the work has of late been greater than ever, both in convincing and comforting. The accounts from St Ninians and Camsie are also agreeable. At Toryburn the number of children who meet for prayer (a great part of whom seem under real concern) is daily increasing. Mr Gillespie minister at Carnock informs me, that severals in Toryburn could give distinct and satisfying accounts of their spiritual exercises, and tho' he seemed shy to speak of his own parish, yet when questioned he could not say but the accounts we had got were true.

Severals who have been wrought on here (particularly of the younger

sort) are persons of rank and distinction, and some of them such as were distractedly fond of the polite diversions of a present age. Now they have forsaken plays, balls and assemblies and are become companions and bosom friends of the children of God, whom they once despised as the dust of the earth and the offscourings of all things. And tho' we cannot boast of so remarkable a change on our universities, yet there are some of those who are now applying themselves to the study of divinity, who I doubt not will in time become polished shafts for their Master's service. Nor can I help thinking that God will inspire some others (whom he has furnished with very extraordinary gifts and graces, and an uncommon zeal for the good of souls) with a resolution to spend their time and their strength in proclaiming the Gospel of their Dear Jesus, and making his name remembered thro' all the earth.

I hope dear sir you will remember me in particular at a throne of grace, that God would fit and prepare me for the work of the ministry, and strengthen me to encounter whatever difficulties I may be trusted with, and when God shall call me out to publick service, that I may then be enabled to open my mouth boldly in his name, and so to teach as becomes the oracles of the living God.

I doubt not but you'll be surprized to find in how daring a manner the Seceders have attacked the work of God. Indeed it will be difficult to vindicate Gib's warning<sup>25</sup> and Ralph Erskine's *True Christ No new Christ*<sup>26</sup> from the charge of blasphemy. And tho' Mr Fisher expresses himself more modestly in his review of Robe's *Narrative*,<sup>27</sup> yet his gross misrepresentations of facts and the sly arts he uses to prejudice people against the defenders of the work, particularly the Revd Mr Edwards<sup>28</sup> your worthy acquaintance, cannot be but shocking and surprizing. May the Lord in his own time open their eyes, and show them their mistake.

I must break off, tho' unwillingly; but intreat that if time allows you would favour me with a letter. The person who delivers you this, has got orders to purchase for me, the principal papers anent the state of religion with you, and also any sermons or other pieces tho' not relative thereto writ by yourself, Mr Jonathan Edwards or Mr Charles Chauncey. As he has got no particular directions, I beg you would inform him of the names of such pieces and where they are to be got. If you write me direct to J.E. Student of Divinity, son to Mr J.E. professor of municipal law, to the care of Mr

25 A. Gib, *A Warning against Countenancing the Ministrations of Mr. George Whitefield ...* (Edinburgh, 1742).

26 R. Erskine, *The True Christ No New Christ ...* (Edinburgh, 1742).

27 J. Fisher, *A Review of the Preface to a Narrative of the Extraordinary Work at Kilsyth, and Other Congregations in the Neighbourhood, Written by the Reverend Mr. James Robe ...* (Glasgow, 1742).

28 Jonathan Edwards of Northampton, Massachusetts.

Thomas Gairdner merchant in Edinburgh. I am loath to take my leave of you, for methinks tho' absent in body yet I am present with you in spirit. May the Lord be with you and prosper your labours more and more; and may we from time to time hear comfortable accounts of one another's spiritual prosperity and of additional subjects gained to the kingdom of Christ. I am reverend and dear sir your sincere friend and humble servant.

Jo: Erskine

P.S. I should have observed that these lately wrought upon in this place, have none of them been affected in their bodies as some at Cambuslang, but the work has gone on in a smooth gentle way.

(The letter and bundle were given to Mr Gairdner, and 10 shillings, which he was desired to order him to whom he gave the charge of the letter to apply for buying what books Mr Cooper should direct).

A Letter to Mr Charles Lorimer Town Clerk of North Berwick

Edinburgh March 29 1743

(N.B. This is in answer to a letter of his dated March 21, and directed to J. H. and me).

Dear Charle

My Dear Friend J. H. just now read me your letter, and as he thought it fit that it should be answered this night but had no time himself, he desired me to do it. But alas! how shall one in such bondage as I, do anything to purpose? Yet methinks love to you as an heir of the same grace of life, and concern for the interests of the Dear Redeemer prompts me to attempt it in a dependance on divine strength. I think I have felt something of the sweetness of religion, and have found God an all-sufficient portion and a present help to me in the greatest extremities. I have met with such surprizing appearances of God's providence in my behalf, as one would think might quell unbelief, and free from my sinful anxiousness about futurity. And yet I know not how it is, but scarce a lawful desire springs up, but along with it there grows an over-concern to have it satisfied, and want of a due sense that whatever is most for God's glory will certainly come to pass, and that it's no great matter what uneasinesses we may have in this life, since eternal felicity awaits us in another. This anxiety is indeed a sin that doth more easily beset me, and alas! often throws me off my feet. After I had spoke to J H. I found my desire rather too vehement that both you and he should be engaged in the work of the ministry. I saw both of you had extraordinary gifts, and I was over-afraid that perhaps these gifts might be in some measure buried, and the church deprived of two who might prove so eminently

useful. Little weighing that if God has use for either of you, he'll force you out, spite of your present diffidence and that should it be otherwise, tho' I and others may be deprived of much of that sweet communion with one another on earth that in that case we might have enjoyed, yet we'll have an eternity together to make up that loss. And tho' at present I can see none whose gifts would in my opinion prove so useful as your's and J. H's, yet it is easy for that God who calls the things that are not as tho' they were, and who out of stones can raise up children to Abraham, to bestow the same gifts on many others. O pray the Lord of the harvest to send forth many faithful labourers to his harvest!

I'm far from saying that every desire of serving God in the work of the ministry is to be blindly followed. Yet it is said 1 Timothy 3:1 He that desireth the office of a bishop desireth a good work. Now in every thing by prayer and supplication with thanksgiving, we may make our desires known to God. Consequently you may do so in the present case, and offer God your services tho' still with submissiveness and resignation. And desires of this kind whether they be granted or not, will you may be sure be acceptable in the sight of God. My heart (said Deborah) is towards the governours of Israel, who offered themselves willingly among the people, Judges 5:9. And we may be sure the heart of God also is towards such offerers. We are required I Corinthians 14:1 to desire spiritual gifts, but rather that we may prophesy, i.e. as is said verse 3d speak to men for edification and exhortation and comfort. Can we then think that those who from a single eye to the divine glory, covet earnestly these best gifts shall be rejected? Jesus has received gifts for men as well as graces, and there's nothing you want to fit you for the most arduous service, but there's store enough of it to be found in him. It's observable that 1 Timothy 3:1 The desire of the office of a bishop is so far approven, that without cautioning against following that desire, unless we find such and such gifts in us; rules are immediately prescribed how he who desires the office of a bishop should behave in the exercise of it.

But you object that a bishop must be apt to teach; and no novice lest being lifted up with pride he fall into the condemnation of the devil. But by apt to teach we are here to understand, willing to take all opportunities of instructing others, being instant in season and out of season. And by a novice we are to understand, one who is not only so in years but in grace also, i.e. not meerly lately converted, but ignorant of the most momentous parts of religion. But you'll say the matter is not mended, and still your objection remains. But I answer, others can judge better than you as to your proficiency in the knowledge of divine things.

You say you think all ministers should be learned, and that you are far from being so, being very rusty in your Latin, and having almost quite forgot your Greek. No doubt learning is of great use. But you know Paul thought

(see 2 Timothy 3:17) that the scriptures could make the man of God perfect and thoroughly furnished to every good work. And that by man of God is meant minister of the Gospel may appear from 1 Timothy 6:11 and other places.

God has often employed persons of low gifts in eminent services, chusing the foolish things of the world to confound the wise, and the weak things of the world to confound the things which are mighty: and base things of the world and things which are despised hath God chosen, yea and things which are not to bring to naught things which are and this circumstance tends much to the divine glory, the treasure being thus in earthen vessels, that the excellency and power may appear to be of God. Many instances there have been of persons whose gifts before were mean and contemptible, who upon being called to publick service have found them wonderfully increased. Most of the antient prophets made great complaints of their unfitness for the work to which they were called. But the answers made to them may abundantly solve all your difficulties. Exodus 4:10 &c. And Moses said unto the Lord, O my Lord I am not eloquent neither heretofore, nor since thou hast spoken unto thy servant, but I am slow of speech and of a slow tongue and the Lord said unto him, who hath made man's mouth, or who maketh the dumb or deaf or the seeing or blind? Have not I the Lord? Now therefore go and I will be with thy mouth, and teach thee what thou shalt say. Judges 6:15 and seq. and he (viz Gideon) said unto the Lord, O my Lord, wherewith shall I save Israel? Behold my family is poor in Manasseh, and I am the least in my father's house and the Lord said unto him, surely I will be with thee, and thou shalt smite the Midianites as one man. In both these instances God seems to allow the truth of the facts objected, and yet does not admit them as a relevant excuse. When Isaiah had the vision of the seraphims praising God (viz Isaiah 6) and found his desires enlarged to joyn with them in the delightful employment, but was discouraged by being a man of unclean lips: straightway one of the seraphims flies unto him and touches his lip with a live-coal from the altar, and solemnly sets him apart to the office of a prophet Jeremiah 1:6. Then said I am Lord God, behold I cannot speak for I am a child. But the Lord said unto me, say not I am a child: for thou shalt go to all that I shall send thee, and whatsoever I command thee, thou shalt speak &c &c.

I cannot but also remark that many have been called to publick services, from being engaged in a way of life quite different from, and which had no tendency to fit them for that end. Psalm 78:70, 71. He chose David his servant, and took him from the sheep folds: from following the ewes great with young, he brought him to feed Jacob his people and Israel his inheritance. Amos was no prophet, nor prophet's son, but an herdsman and a gatherer of sycamore fruit and the Lord took him as he followed the flock, and said unto him, go prophesy to my people Israel vid Amos 7:14, 15. Most of

the disciples were poor fishermen, and called from the very exercise of that business to the work of the ministry. And Matthew we find called when sitting at the receipt of custom.

It may be difficult to state wherein the call to the ministry consists. We are not to look for supernatural discoveries of the divine will. And methinks in the present case you need be at little loss what is duty, since God has raised in you such an inclination, since you have no objection of weight but want of gifts which it's easy for God to supply, since there is such a scarcity of faithful labourers, and so many who are now studying with a view to the ministry seem strangers to the life and power of religion. Offer yourself then willingly to the Lord and unless God in an extraordinary way discourage you, undertake the study of divinity with a view to publick work. Fear not want of necessary furniture and assistance. The promise made to the Apostles belongs in some sort to all who are called to speak for Christ. Mark 13:11. But when they shall lead you and deliver you up, take no thought before hand what you shall speak, neither do ye premeditate: but whatsoever shall be given you in that hour, that speak ye, for it is not ye that speak, but the Holy Ghost and John 14:26. But the Comforter which is the Holy Ghost whom the Father will send in my name, he shall teach you all things and bring all things to your remembrance whatsoever I have said unto you. This text cannot indeed mean absolutely all things, but it must be extended not only to all things necessary to our own salvation, but for usefulness in that station where in God shall place us.

Means may be used to get passed trials without spending 6 years at the divinity hall: and I believe a person will soon pass who has not been more than one. Perhaps 20 £ might answer for colledges, for the divinity hall is gratis. And I doubt not but you might in the mean time be got into some family, which would help to defray the expence. The best divinity books are the cheapest, and if we study the Bible and our own hearts well, we'll need the fewer.

None save Mr Gillespie and J Bonar knows of J. H's affair, and for some time at least, it's proper it should be kept secret. One reason among others is, the presbytery of Dunblane have agreed to take me upon trials, tho' I've been scarce a year studying divinity. But as before any step be taken the thing must be laid before the synod of Perth and Stirling April next, there's a danger that in case it were knowen others had the same views with me, my passing trials might be opposed for fear of making a precedent. On the other hand if my affair go on easily, it may be a good argument afterwards in behalf of others who shall be in the same case. For this reason you see there's the greatest need of secrecy.

On Sabbath night J H and I being together, I occasionally observed that the book of Nehemiah seemed a kind of diary, since along with the relation of facts in that book, you have interspersed observations on the workings of

Nehemiah's own mind, and short ejaculatory prayers for a blessing on the several designs in which he was engaged. This leads us to reading it, and ere we had ended the 1st chapter I saw J.H. considerably warmed. You'll find there Nehemiah is told by a friend the melancholy condition the Jews are in. His love to God and concern for them fills him with the greatest uneasiness on that account. He earnestly longs and prays for their deliverance, and resolves in the strength of God to attempt something with that view. Great were the discouragements and difficulties he had to encounter: and to some it might appear rash in him to form so great a design as the building again of Jerusalem when he had no express revelation for that end. But a love strong as death pushes him on to attempt something, and he sends up a petition to God who has all events in his hands to prosper and succeed him. Soon after God puts an opportunity in his hand; for the king observing him sorrowful (vid 2d chap) enquires the reason and being informed by him, desires him to make his request. Upon this he sends up a short ejaculation to God for direction and success, asks liberty to go and rebuild Jerusalem, and obtains it the good hand of his God being upon him. He goes to Jerusalem and but few men with him, and tells none neither priests nobles nor rulers of the design he had in view. He goes round Jerusalem and views its desolations. Then he goes to the priests &c, represents to them in very affecting terms the sad condition Jerusalem was in, and informs them of the success God had given him with King Artaxerxes. This is made a means of exciting and encouraging them. They resolve to rise up and build, and strengthen one another's hands for that good work. Their enemies hear of this and laugh at the ridiculousness of the attempt: but they encourage themselves with this consideration, that the God of heaven whose servants they were, and in whose cause they were appearing, would prosper them and therefore they'll arise and build. Accordingly as appears from the following chapters they set about the work with great diligence and activity, and notwithstanding the opposition they meet with are not discouraged, trusting that their God would fight for them. At last the council of their enemies is brought to naught, and the work is crowned with remarkable success.

I shall only observe two things from this account. (1) Nehemiah &c had certainly a call to attempt what they did: otherwise their attempts would never have been crowned with so remarkable success. (2) Yet we find no express divine revelation made to him, nor no extraordinary impression on his mind that God had called him to such a work. But being deeply affected with the misery of his country, and feeling his desires much enlarged to do something for its relief, he resolves fairly to venture and begs of God success in the attempt. His success he considers Nehemiah 2:8 as flowing from the good hand of God upon him: and his designs Nehemiah 2:12 as what God had put into his heart, by raising such ardent inclinations there.

And now my dear friend, if God has given you as good a call to the

work of the ministry as Nehemiah had to rebuild Jerusalem, what are you on account of seeming difficulties to resist God? Have you not heard how the walls of our Jerusalem are broken down, and that the remnant of God's people are in great affliction and reproach? Does not your soul weep and mourn over these desolations? Do you not long to have these grievances redressed, and to see our Zion a name and a praise in the whole earth? To see her priests clothed with salvation and her saints shouting aloud for joy? And have you nothing of desire to be employed in so glorious a work, whatever reproach or inconvenience it may bring upon you? Methinks I hear you say Oh! How would I rejoyce should God think me worthy of that honour. But alas I am unfit and unqualified for it, and my taking such a step would tend to the reproach instead of the honour of religion. But what have you to do to look to yourself? Look to that God who has put this good thing in your heart: to that Jesus, in whom every grace and gift you stand in need of is treasured up, and from whose fullness, you have already received so much; and look to that Spirit whose grace can be sufficient for you, and who can perfect strength out of your weakness. What are your difficulties compared with these Nehemiah surmounted? And have you reason to think God's power and grace is less now than it was then?

As the Jews were encouraged Nehemiah 2:18 by Nehemiah's telling them of the good hand of his God upon them, and the king's words spoken unto him: have not you also encouragements of a similar nature? Has not the present work been so carried on, as to appear indeed the Lord's doing and wonderful in our eyes? God has begun to show his servants his greatness and his mighty power; and to use the words of Ezra 9:8. Now for a little space grace has been shoven from the Lord our God, to leave us a remnant to escape, and to give us a vail in his holy place, that our God may lighten our eyes and give us a little reviving in our bondage and should not this encourage us to plead that the God who has begun the work may carry it on: to pray the Lord to furnish many with gifts and graces for that end, and even to offer your service in particular and plead that God may accept it.

My difficulties have been many and great, and such as I would have reckoned almost unsurmountable and yet in every instance, threatened dangers have been at last averted. Trust in the Lord for ever, for in the Lord Jehovah is everlasting strength.

I cannot but remark that you seem to require a greater degree of experience, more time spent in study, and a longer acquaintance with religion, than scripture does, as necessary before undertaking the work of the ministry. Whenever God restores to David the joy of his salvation, he resolves to teach sinners his ways that they might be converted to him Psalm 51:13. Peter when converted is directed to strengthen the brethren. Paul (a novice, as to the time of his grace, tho' not as to the strength of it) is scarce a month converted when straightway he preaches Christ in the synagogues that he

was the Son of God. Acts 9:20 Apollos spoke and taught diligently the things of God, tho' at that time unacquainted with many momentous doctrines of religion, for we are informed that then he knew only the baptism of John, and that afterwards Aquila and Priscilla expounded to him the way of God more perfectly. vid. Acts 18:24 and seq. Call not those novices, of how late so even a date their conversion may be, whose gifts and graces God seems to be ripening in an extraordinary way, for ends that we may be certain are good and wise, tho' we perhaps cannot dive into them.

To ask the advice of friends is certainly right, if they be such in whom you can put confidence. But blindly to follow such advice must needs be dangerous, since perhaps it may proceed from prejudice and prepossession, with too high notions of this world and it's interests, and too low of a better. You have a better friend to ask council of, than any on earth, and one who can never direct you wrong. I shall only desire you to think on two or three texts Micah 7:5, 6, 7, Galatians 1:15, 16, 17 Nehemiah 2:16 and Deuteronomy 33:9, 10.

I expect you'll write me as soon as possible. You have much need to remember me in your prayers, for alas! I can but little remember myself. I am dear C yours in the bonds of love.

Jo: Erskine

J. H. and I had letters this night from J. Bonar. We wrote him to be in if possible against Sabbath came 8 days to Lieth sacrament. We could wish you also were in at that time, that we might all spend some time together in prayer and conference. I shall say no more, but that I don't think you can name me an objection against your studying for the ministry, but what may be answered out of scripture. I'll be anxious till I hear from you, and therefore write soon.

I would have you observe that it's the church's province not your own to judge of your gifts. The uprightness of your aims is all you are to judge, because this none else can discern.

A Letter to Mr James Hall

Carnock July 15, 1743

Dear Jame

It often happens that the very affection which makes one wish most ardently the welfare of a friend, at the same time clouds his mind with so many prejudices as to render him incapable of giving advice with any thing of judgment or discretion. This added to the little experience I have had in theological studies, might almost have tempted me to excuse my

performance of the promise I made, to put into writing the substance of a conversation we had in the Castlehill. But methinks fear of miscarriage is no reason to decline attempting, what if it succeed, as it possibly may, will not only tend to the good of a friend, but the publick advantage.

To begin then with your going to Northampton I need not tell you the esteem I have for Dr Doddridge, and how eminently fitted he seems for training up youth for the work of the ministry.<sup>29</sup> Perhaps were your genius and certain outward circumstances something different from what they are, it might have been right for you to have studied there. But what is duty in one case, may become highly inexpedient in another. It seems to me as stupid an error as it is a common one, that every one who applies himself to the study of divinity, should conduct his studies in the same way. One may have his talent chiefly in explaining scripture, and penetrating into the meaning of difficult passages; another in stating clearly and accurately the doctrines of Christianity; a 3d in defending them solidly against the evils of adversaries; a 4th in handling judiciously cases of a practical nature, discerning accurately the marks of grace and hypocrisy, the means of growth in grace, and the causes, symptoms and cures of spiritual declensions; a 5th in rousing the sleepy and secure; a 6th in dealing gently with wounded consciences, and applying the balm of Gilead to their souls; and lastly some in prudently managing the publick concerns of the church, and consenting schemes that may have a tendency to promote to the general interests of religion. Instances there have been of some, who have had all these talents in a comfortable degree. Particularly this was the case of many of the 1st Reformers, as Luther &c and you know well enough a minister of Edinburgh who is at once honoured with very uncommon success in preaching and defending the truths of the gospel, and has been as remarkably instrumental in bringing to a bearing publick affairs of considerable moment that otherwise probably would have miscarried. But tho' this is the case, I'm certain you'll joyn with me in thinking, that such geniuses as Luther or our friend Mr Webster's are far from common. Generally speaking there is some one or other of the things above-mentioned, which one called to serve in the gospel is more fit for than any of the rest. The 1st inquiry then ought to be, where a person's gift lies. And it often happens that a person himself cannot judge so well in that case, as others who may have frequent occasion to be with him. As pride may make some conceit themselves qualified for what is wholly above their reach: soon over-diffidence (for humility is too good a name, for that which naturally produces such noxious consequences) may lead others to fear that they will never be useful even in that way, that others see it most probable

<sup>29</sup> The Independent minister Philip Doddridge had a Dissenting academy at Northampton, offering comprehensive instruction in mathematics, science and natural and moral philosophy in addition to divinity.

they may be so. However as every one must judge for himself, it is his business setting aside prejudice as much as possible, and weighing carefully (yet not blindly following) the opinions of others, to apply himself mainly to that in which most probably his gift consists, occupying his own talent and not invading that of another. If I may be allowed to hint not my own sentiments only, but those of many other of your most intimate acquaintances, your talent seems to ly in a warm pathetick way of dealing with the conscience, for rousing the secure and comforting the afflicted. For the last of these you seem more eminently qualified, both from the views you have got of truths that might be useful that way, and by something in your manner peculiarly tender and engaging. It confirms me much in this opinion, that even already tho' your acquaintance with books relative to cases of conscience is but small, and you have not gone thro' any plunges of spiritual trouble like those which many others have met with: yet I have been witness to your speaking and writing very suitably to some in the depths of distress. You should lay your account, with one way of that talent's being improven, which tho' it will be more bitter to your soul as the most violent outward afflictions, may yet afterwards yield the most pleasant fruits. I mean experiences of the hidings of God's face, spiritual darkness and desertion, the raging of corruption and the fiery darts of the devil. But tho' God may bring good out of theses things, yet as they are in themselves evil, I may safely say they are no necessary preparatives, tho' they may be very useful ones, to such services as those to which you may probably be called. The cases of souls are so various, that it's scarce possible a minister whose work is any thing extensive, can have gone thro' all the different plunges that some or other of his hearers may be in. But the word of God is an inexhaustable source of comforts, and to that in every case he may have recourse, and with joy draw waters for the benefit of thirsty fainting souls out of these wells of salvation. I therefore cannot but think your scruple was ill-grounded, how can I preach to those whose experiences are different from mine, and how can one so little acquainted with spiritual exercise be fit for directing others under it. It is not our experiences but the word of God and our acquaintance with their cases over whom we watch, which ought to direct us in dividing the bread of life, and giving to each his portion in due season. In the meantime it is your duty to regulate your studies so, as may tend most to fit you for usefulness that way. And for this purpose it is not at all necessary, you should dip so deep in critical studies or the different controversies relating to religion in general or some peculiar doctrines of it, as others may be called to do. A thorough knowledge of every particular debate that has been moved about even doctrines of importance, would take up more time as the limits of the longest life can possibly allow. More acquaintance with these things may be called for, in some than in others. The Deistical controversy many of our ministers and students have sufficiently canvassed: and some of our acquaintances are consid-

erably versed in critical learning and the controversies that have been agitated among Christians anent the doctrines of the trinity, satisfaction, justification by faith &c. What then seems requisite for you with relation to these things is, such an acquaintance with the Greek and Hebrew, as is sufficient for understanding the justness of such interpretations of scripture as you may occasionally meet with, and a careful perusing once and again (Turretin Pictet) or Ridgely's body of divinity<sup>30</sup> or any other that proper judges may recommend to you. And as a further acquaintance with the Deistical controversy than is to be got in these systems seems absolutely necessary, you may peruse a manuscript of Doddridge's on that subject which Mr Gillespie can lend you, and which I believe contains all you will have occasion for. When you have gone thus far, it will be easy for you afterwards, to read with greater care any particular controversy, if circumstances of time and place shall make it your duty to do so. But your main concern seems to be with the practical parts of divinity, and bringing home its doctrines to the consciences of men. I never saw any compleat book on that subject; but the writings of Dickson,<sup>31</sup> Traill,<sup>32</sup> Boston<sup>33</sup> and Durham;<sup>34</sup> of Sibbs,<sup>35</sup> Capel,<sup>36</sup> Dykes<sup>37</sup> and Bolton;<sup>38</sup> and of many of the ejected ministers as Owen,<sup>39</sup> Goodwin,<sup>40</sup> Vines,<sup>41</sup> Gilpin<sup>42</sup> &c. furnish materials that might be useful that way. These therefore I would chiefly recommend to you. The lives of several eminent ministers and private Christians will help to supply the defects of these performances. Of these such as contain the most solid and judicious experiences, or tend to confirm and exemplify the truths of religion, or to direct how to act either in a private or ministerial capacity will be most beneficial. The lives of several of the Reformers, of some of the old Puritan divines and of our countrymen Fraser and Haliburton<sup>43</sup> may be among the best. It were also right you should study with some care, the history of the church in its different periods, chiefly with a view to learn what has contributed most to the

<sup>30</sup> T. Ridgley, *A Body of Divinity* (London, 1731–33).

<sup>31</sup> David Dickson (c.1583–1662), Church of Scotland minister and theologian.

<sup>32</sup> Robert Traill (1642–1716), Church of Scotland minister.

<sup>33</sup> Thomas Boston (1676–1732), Church of Scotland minister.

<sup>34</sup> James Durham (1622–58), Church of Scotland minister.

<sup>35</sup> Richard Sibbes (1577?–1635), Church of England clergyman.

<sup>36</sup> Richard Capel (1586–1656), Church of England clergyman and physician.

<sup>37</sup> [Daniel or Jeremiah] Dyke – Daniel Dyke (1614–88), General Baptist minister and son of Jeremiah Dyke or Jeremiah – (bap. 1584, d.1639), Church of England clergyman.

<sup>38</sup> Robert Bolton (1572–1631), Church of England clergyman.

<sup>39</sup> John Owen (1616–83), Theologian and English Independent minister.

<sup>40</sup> Thomas Goodwin (1600–80), Nonconformist English minister.

<sup>41</sup> Richard Vines (1599/1600–56), Church of England clergyman.

<sup>42</sup> Bernard Gilpin (1516–84), Church of England clergyman.

<sup>43</sup> James Fraser (1639–99), Church of Scotland minister, and Thomas Halyburton (1674–1712), Church of Scotland minister and theologian.

growth of religion, or what at different times have been the causes of it's decay. Lampe's abridgment of church history seems among the best for giving you a general view of these things.<sup>44</sup> But it will be right for you to go deeper into the subject, especially what of it concerns the reformation and succeeding times, and consult Sleidan,<sup>45</sup> Seckendorf,<sup>46</sup> Brandt,<sup>47</sup> Burnet,<sup>48</sup> Knox,<sup>49</sup> Wodrow,<sup>50</sup> Calderwood,<sup>51</sup> and especially Fox's<sup>52</sup> valuable tho' shamefully neglected collections. There is one branch of human literature some insight into which will be of great service to you, viz moral philosophy, particularly what of it relates to the duties we owe to God our neighbours and ourselves, and the conduct which in every particular circumstance is most fit: and to the knowledge of the secret workings, causes and cures of the different passions in the soul of man. As to the 1st of these you may consult Grotius or Puffendorf.<sup>53</sup> As to the 2d, tho' it's a thing of the greatest moment for judging of the genuiness of love to God hatred at sin and other marks of the new creature; and for discerning between what flows from a particular natural byass, and what is the effect of divine influence, yet I know nothing compleat upon it. Some of Bacon's Essays<sup>54</sup> and Reynolds on the Passions<sup>55</sup> are however well worth your reading. And the 1st letter from Philemon to Hydaspes<sup>56</sup> which is evidently wrot with a bad design, and reasons in a very fallacious way, may notwithstanding suggest some useful cautions against taking that for the fruit of the spirit, which possibly may be nothing but corrupt nature, venting itself in a more comely, yet an equally vicious way as before.

The improving your stile should be another part of your care. The writ-

<sup>44</sup> Friedrich Lampe (1683–1729), Dutch Reformed professor; in 1720–7 he was professor of dogmatics and church history at Utrecht; primarily a biblical theologian.

<sup>45</sup> Johann Sleidan (1506–56), German Lutheran Church historian who wrote on the Reformation.

<sup>46</sup> Veit Ludwig von Seckendorf (1626–92), German scholar and statesman.

<sup>47</sup> Geeraert Brandt (1626–85), Remonstrant minister and church historian.

<sup>48</sup> Gilbert Burnet (1643–1715), Church of Scotland minister, theologian and historian; wrote *The History of the Reformation of the Church of England* (1679); later appointed as Bishop of Salisbury.

<sup>49</sup> John Knox (1514–72), wrote a history of the Scottish Reformation.

<sup>50</sup> Robert Wodrow (1679–1734), Scottish ecclesiastical historian; wrote *The History of the Sufferings of the Church of Scotland*, 2 vols. (1721–22).

<sup>51</sup> David Calderwood (c.1575–1650), Church of Scotland minister and historian.

<sup>52</sup> John Foxe (1516/17–1587), English martyrologist.

<sup>53</sup> Hugo Grotius (1583–1645), jurist in the Dutch Republic, and Samuel von Pufendorf (1632–94), German jurist, political philosopher, economist and historian.

<sup>54</sup> Francis Bacon (1561–1626), English philosopher, scientist and statesman – and his *Essayes: Religious Meditations* (1597).

<sup>55</sup> E. Reynolds, *A Treatise of the Passions and Faculties of the Soul of Man* (London, 1640).

<sup>56</sup> H. Coventry, *Philemon to Hydaspes* (London, 1736).

ings of Doily and the Bishop of Cambay<sup>57</sup> contain I believe the best directions on that point. But in this as every thing else, example is generally of more weight than precept, and the perusing elegant writings will be found the best direction for acquiring an elegant stile. I'm sorry to say that many of the authors above recommended will be of small service in that respect, their writings being at once dull and obscure: and that some of those I am now to mention who so much excell these others in point of stile, come as far below them in depth and solidity of thought. In the mean time the stile of Richard and Joseph Alleines,<sup>58</sup> of Richard Baxter in some passages of his *Now or never*<sup>59</sup> and other practical writings, of Howe in his *Vanity of Man as mortal*,<sup>60</sup> and of Dr Doddridge, M. Maurice,<sup>61</sup> and Isaac Watts,<sup>62</sup> seem to be the best patterns for the different kinds of pulpit eloquence. I believe I need not caution you against affecting a florid haranguing stile, nor tell you that the more of scripture there is in a sermon so much the better, as we ought not only to declare truth, but to declare it in words which the holy Ghost teacheth. There is an energy and force in the words of the bible, which all the wisdom and eloquence of men can never equal, and which by the influences of the spirit produces effects peculiar to itself vid Hebrews 4:12 and Psalm 19 thro'out.

Were some to see this letter they would probably be very werry on the old fashioned taste of it's writer, and take it heinously ill, that the noble Earl of Shaftsbury and several English divines (who write in the same strain tho' not with the same spirit, and seem to have derived their notions more from him than their bibles) have not been recommended. Had I been drawing up a catalogue of writers on natural religion, and the principles of morality the heathens were acquaint with, some such might perhaps have been allowed a place in it. But I must say had they been ranked according to desent, few of them would have been honoured with so high a place as Socrates or Seneca. They have most of them banished true Christianity from their sermons, and it's no wonder morality should be set apacking after it, and principles advanced, which a modest heathen would have blushed at.

<sup>57</sup> It is unclear who Doily is; Francis Fénelon, Archbishop of Cambray (1651–1715), French Roman Catholic theologian.

<sup>58</sup> Richard Alleine (1610/11–81), English Puritan divine and ejected minister; Joseph Alleine (bap. 1634, d.1668), English ejected minister and devotional writer.

<sup>59</sup> Richard Baxter (1615–91), English ejected minister and theologian – and his *Now or Never: The Holy, Serious, Diligent Believer Justified, Encouraged, Excited and Directed ...* (London, 1662).

<sup>60</sup> J. Howe, *The Vanity of this Mortal Life: Or, of Man, Considered Only in His Present Mortal State* (London, 1672).

<sup>61</sup> Mathias Maurice (1684–1738), congregational pastor of the Rothwell church in Northamptonshire; changed from High to Moderate Calvinism; published *A Modern Question Modestly Answered* (1737).

<sup>62</sup> Isaac Watts (1674–1748), English hymn writer and Nonconformist pastor.

My mentioning the letter from Philemon &c needs more excuse. I again declare my abhorrence of it's principles; and that the only thing made me commend it was, that it set me a thinking with greater care, how easily self-deceit may make us take that for religion, which is nothing but a more refined self-love. I doubt not but many other pieces designed to traduce religion as maddness or enthusiasm, may serve in like manner to point out mistakes and extravagancies of which enemies make and handle, and so to guard us against them and thus the Christian may suck honey as it were from the most dangerous poison.

And now let me ask you what part of this plan, may not be prosecuted in Scotland as well as at Northampton? Were you to enter deep in critical studies and controversial divinity, the case might be different; but I have reason to think practical religion may be learned to as great advantage here as by going to England. Nay in some respects the advantages of staying here are greater, as you may easily have frequent opportunities of conversing both with newly awakened and converted persons, and such as are of some standing or have made considerable progress in the ways of God. And to see the inmost thoughts of the heart thus opened and as it were dissected, cannot but be highly useful to the students of spiritual physick. I shall only say further, that at present you are in a way of being useful in advising and comforting several of your acquaintances: and to deprive yourself of opportunities of this kind without a very clear call, seems to me a breach of the precept occupy till I come. It ought to be something stronger than possibilities, which should determine one to quit a sphere of usefulness, in which they are already placed.

I cannot but think your stay in Scotland might be useful not only in encouraging and strengthening the hands of many of your acquaintances, but also in getting some of them provided for in families or recommended to persons, who afterwards might be serviceable in promoting their comfortable settlements. Many other things I could hint did time allow, which probably if you were not to lend a hand to them might miscarry, and yet by the blessing of God on the joint endeavours of you and others may possibly be brought to a bearing.

In the mean time I think you should advice with Mr Webster and other ministers what they think proper. I cannot but suggest one thing further. You know there is a set at the divinity hall who are very free in passing their jokes on whatever looks like serious religion, even tho' it should be recommended by the professor himself. Mr Johnstone told us some shocking things on this head, which from what I myself have heard I can easily believe and do you not think it may help to encourage Mr Goudy, and strengthen his hands in opposing the corruptions, that seem creeping in amongst us, to see others and some of them of distinguished rank attending his lectures and resolutely pursuing another plan. Who knows how far you and some

others may be honoured to promote a reformation there. I shall only add I was once as fond of going to Northampton as you can possibly be: but now think, considering what events known to you have followed my staying at home, that I have great reason to bless God my friends were of another mind, and my journey prevented.

I earnestly wish things were so ordered, that we could prosecute our studies for some time together. Till it please God I be in a fixed way, we may be together even in the wintertime. I could wish we were to stay in the same room: but whether we did that or not, we might read and converse every day on subjects of divinity. If I be soon settled, I expect, neither you nor your friends will be against your staying with me when the hall is up. I hope we might spend our time in a way that would be much for both our improvements, and probably C.L., J. B.<sup>63</sup> or some other friend might be prevailed with to lend us their assistance. I think you should take the 1st opportunity, tho' it were by going to Balgonie, of consulting Mr Nimano and Lady Jean, who are both disposed to give you their best advice, and well-qualified to do so. I would not have writ so freely to any but yourself. I know however our judgments may differ, you will take it in good part. I beg you would be cautious in showing it to none, if it were not C.L. I am dear J. your affectionate friend &c.

J: Erskine

A Letter to Dr Doddridge at Northampton  
Carnock 16 July 1743

Reverend and Dear Sir

Your kind and agreable letter of the 11th of June came to hand, and would have been answered ere now, had I not been necessarily from home and almost in a constant hurry since ever I received it. Indeed sir I cannot but regret my misfortune, in being at such a distance from one, whose advice and example might by the divine blessing have proved so useful. And yet I desire to acquiesce, nay ever to rejoyce, that the sentiments of my friends were in that point different from mine, as providence had wise ends to serve by my staying in Scotland, which at that time I could not so much as guess at. I was not long at the divinity hall, till I had access to see and hear of things there, that seemed to presage many of our churches being filled with strangers to real godliness. For what other judgment could I form of

<sup>63</sup> Charles Lorimer and John Bonar.

such, who not only discovered the greatest enmity at such as they reckoned strict adherers to the peculiar doctrines of Christianity, but as I was credibly informed made a mock of praying societies, and laughed at their professor for recommending them. Yet there were several students of different principles, and who seemed to have religion realy at heart, tho' some of the more forward of these were laughed at and accounted enthusiasts. About the beginning of December Mr Hall (Sir J. Hall's 2d brother and failing him heir to the estate of Dunglass) desired me to joyn a society he was in, where there were some divines. I for some time declined, Satan (as I have reason to think) endeavouring to persuade me, it would be too great a consumpt of time. However at last I went, and was so much satisfied, that I attended as constantly as possible their meetings. It was not long before I contracted a peculiar intimacy with Mr Hall and a comrade of his Mr Lorimer. I soon perceived such a spirit of undisguised piety, such a zeal for the interests of religion, and such an uncommon appearance of edifying gifts in them both, that I often wished them engaged in the study of divinity. Others who were acquaint with them, and saw how fast they ripened in knowledge and grace, were of the same sentiments. At last one day I opened my mind to Mr Hall tho' with fear and trembling. He told me he had had frequent inclinations that way, but want of gifts discouraged him and made him almost lay aside any such thoughts. I endeavoured to remove his principal objections; I told him his desire was lawful for he that desireth the office of a bishop desireth a good work, and that every lawful desire we might without sin make known to God by prayer and supplication; and that by following that method, I doubted not but God would one way or other clear up to him what course he ought to take. In a short time he got some clearness, and both of us wrot to Mr Lorimer who is now also determined to study divinity. There are also some others who seem disposed that way. Mr Hall and Mr Lorimer have been singularly useful in a private way, by writing to and advising several of their comrades: and by stirring up severals who seemed concerned about religion, to joyn in praying societies and strengthen one another's hands in the good ways of God.

And now should my studying divinity and studying it at Edinburgh, have no further desirable consequences than the encouraging two such eminent Christians to follow my example, I think I have no cause to repent it. I find J. Hall has had some thoughts of going to Northampton and even passing his trials there. I am apt to think, and I believe did you know every particular in his circumstances as well as I do you would joyn with me in thinking, that these thoughts are suggested or at least encouraged from a bad earth. He is at present in a situation that gives him opportunities of very extensive usefulness among the young people at Edinburgh. God has already honoured him much in that way. And I believe he is the member that the societies he is engaged in could least dispense with, and whose absence would draw after it

the worst consequences. His humility makes him insensible of these things, but such of his comrades as are most concerned about the flourishing of religion and best acquainted with it's present state, cannot but dread what may ensue on the loss of one whom God has so remarkably blest to them. Indeed when I think what consolations he has administered to me in some of my saddest moments; with what tenderness I have seen him especially at Kilsyth directing wounded souls to the alone Physician of value, and encouraging the hearts of the people of God; and lastly how few there are who seem fit for supplying his place, the bulk even of such as are aiming well, wanting both his zeal to spur them on to such a conduct and his fitness for it: when I say I consider these things, I can scarce help reminding you (as I know you'll excuse my freedom) of the parable of the ew lamb, and intreating for the sake of our Dear Redeemer, and the regard you bear his interests in this church, that you would not rob us of one whom as matters are at present situate we could not part with without manifest loss. May the God of mercies dispose you to pity, and rather to diswade him from coming to you as otherwise.

It is certain criticism and controversial divinity can't be studied to such advantage with us, as at Northampton. But these are things which Mr Hall's talent does not seem to ly in the knowledge of practical religion, and the method of dealing with afflicted consciences, seems his chief gift and what he ought mainly to improve. And for this he has rather greater advantages here, as he can have any where else, from his acquaintance not only with young converts, but several most judicious Christians of the longest standing. And speaking from time to time as occasion offers to people under distress, cannot miss to be an improving exercise.

I would beg did your time allow, an answer to this. But if not, I hope the 1st time you write to any of your Edinburgh correspondents, you'll desire them to inform me of your receipt of this.

I was sometime ago informed by a pamphlet of M. Maurice's entitled *Monuments of mercy*,<sup>64</sup> that under Mr Davis's ministry at Rowel<sup>65</sup> there was a work similar in several of it's outward effects to that at Cambuslang. It would be a very acceptable piece of service to several of your Scots friends, and which is of greater moment might perhaps remove the prejudices of some who oppose the present work, were the affair of Rowel set in a clear light. We have not been able to procure a sight of what Davis himself wrot on the subject, but hope your assistance may be useful that way if you send it or any thing else of that kind, you may direct it for me to the care of Mr

<sup>64</sup> M. Maurice, *Monuments of Mercy: Or, Some of the Distinguishing Favours of Christ to His Congregational Church at Rowel* (London, 1729).

<sup>65</sup> The English Independent minister Richard Davis (1658-1714).

Trail, and order your bookseller to put it up with any other word he has for him. I am your's &c.

J: Erskine

A Letter to Mr John Jonston Student of Divinity at Edinburgh

Carnock 23 July 1743

Dear Johne

Self condemnation for not writing you sooner is the principle cause why I write when I have neither time nor capacity to say anything improving. I feel a laziness creep upon me, which except I have a very strong impulse to an action; makes me delay things till the proper season is past. A tardy wisdom seems of no nobler extract then folly itself. Alas! what precious opportunities have we lost of doing and getting good, the like of which we may probably never again meet with. Let us lament what is past and be doubly diligent as to what yet remains. Let every moment of our lives be improv'd to some valuable purpose, and let us search carefully what are the hindrances of such a conduct. Let ease and pleasure be despis'd and duty vigorously set about, tho' there should appear a lion in the way and mountains of difficulties stare us in the face. A day profitably spent is not properly speaking past. The fatigue of it is indeed over, but the pleasure arising from it rather increased. At present I feel the loss of what has often spur'd me, and given me fresh vigour, when ready to faint. I mean the conversation of Christian friends. This you and other of our dear acquaintances in town still enjoy. May God make you thankful for it, and enable you to make a suitable improvement of the blessing. In the mean time pity and pray for one who feels the want of it, and the bad effects following upon that want. Let us tho' absent in body be present in spirit. This is a mystery the world knows not of. I can freely declare I felt more real communion with my Edinburgh friends the time of the last West Kirk sacrament, when we were 14 miles distance from each other, than at Kilsyth when sitting together at the table of the Lord. God can make up the loss of every mean and supply all our wants out of his own inexhaustible fulness. Let us devise liberal things, and by liberal things we shall stand. Inform me what's the situation of religion in the town, in our society, and above all in your own heart. I send you along with this Clark on Inspiration<sup>66</sup> and Pope on God's Lovingkindness,<sup>67</sup> which I beg you would give Mr Wetherstone and

<sup>66</sup> S. Clark, *The Divine Authority of the Holy Scriptures Asserted in Two Discourses ...* (London, 1699).

<sup>67</sup> M. Pope, *A Practical Discourse on the Loving Kindness of God* (London, 1701).

see my name blotted out. The day they were borrowed is marked upon them. If they have in the divinity hall library Petto's witnessing work of the spirit,<sup>68</sup> I wish you could get me a loan of it. J. Hall will take care of any word you have for me. I am dear John's your's in the bonds of love.

Jo: Erskine

A Letter to Mr James Thomson at Oldcambus  
Carnock 15 October 1743

Yours of the 10th instant I received yesterday, and at present have neither time nor capacity largely to consider your difficulty. It seems to ly here that your inclinations to the ministry are not so constant, so strong and so pure, as they would be had you a call to that work. All I shall say is, absolute perfection is not to be expected in any of these respects. While the constitution of our bodies and frame of our minds is so variable, our desires must in some measure be so too. What you ought to consider is, how your desires run out at such times, when your mind is least distracted by either inward or outward trouble, and so in a capacity to think with calmness and deliberation. If at such times as these, the desire of your heart is to serve God in the Gospel of his Son, and to declare effectually the righteousness of Jesus to a people (in a spiritual sense), yet unborn; and if your desires are animated by love to God, and zeal for the honour of the Redeemer; and tho' corrupt motives may also thrust themselves in, yet if you allow them not, but pray God to deliver you from them; you desire a good work, and your desire is certainly acceptable to God. Whether the thing desired shall be granted is another question. Secret things belong unto the Lord, but unto us only the things which are revealed. Our duty in every lawful desire is, to be anxiously careful for nothing, but in every thing by prayer and supplication to make our desires known, and to beg that if it's for God's glory and our own good he would crown them with success. But when this is done, we are not to sit idle, expecting that God shall in an extraordinary way reveal what is duty, or work a miracle to clear our way. But consulting the rules scripture has laid down for persons in our circumstances, we are to walk by these, laying our account with outward difficulties and inward perplexities, as what all the children of God have in some degree been trusted with, and what are necessary to beat down self-confidence and promote a constant dependance on God alone. Friends may for a time oppose you, and yet afterwards be convinced. You know how David's elder brother stood affected to his chal-

<sup>68</sup> S. Petto, *The Voice of the Spirit ...* (London, 1654).

lenging Goliath vid 1 Samuel 7:28, 29. And in your attempt may I not also say, is their not a cause. Expecting soon to hear from you, I am your's &c.

To Mr Samuel Cooper Son to the deceast Mr William Cooper minister at Boston

Edinburgh 9 February 1744

Dear Brother

I had this day the mournful tidings from Mr Mclaurin of your worthy father's decease. I can't say I ever felt myself so affected, about one wholly unknown to me, save by the traces of a truly Christian spirit, which I could not but with pleasure discern in these of his letters and printed performances I had occasion to see. There seemed something in his way so similar to that of two of my dearest and most familiar friends, that I contracted a fondness for him perhaps in some measure criminal, and flattered myself what benefit I should reap from his correspondence and advice. And now my dear brother, let me claim a share in your friendship; and let us who I believe are much of the same age, and I would hope heirs of the same grace of life, endeavour tho' at a distance to prove mutual helps to each other in the good ways of God. There is a certain sympathy between the members of Christ's mystical body however separated in place, and a certain communion of joys and griefs resulting from this, which strangers to the spiritual life cannot intermeddle with. I myself have felt sometimes so uncommon a concern about those whom I never saw in the flesh and particularly the dear Christians of New England, that I have been led out to plead for them at a throne of grace, and to praise God on their behalf, with a fervor far superior to what I ordinarily enjoy when pleading for myself or nearest concerns. O that both of us could follow the footsteps of some of our forfathers! O that our hearts were burning with the same flame of divine love, and animated like them with an ardent zeal for promoting the interests of the kingdom of Christ and making the Redeemer's name glorious to the ends of the earth. O that we were equally willing to spend and to be spent for the Gospel, and to venture our interest reputation and life itself in our Master's cause. Who knows what trials may be before us, and what difficulties we may have to encounter betwixt this and a grave? Let us then look up to God alone for conduct and protection, that we tho' weak in ourselves may be strong in the Lord and in the power of his might. If we be not slothful but followers of them who thro' faith and patience do inherit the promises: ere long we also shall enter in peace, be admitted into the joy of our Lord, and received as members of the general assembly and church of the 1st born whose names are written in heaven. There shall we meet our friends who have died in

the Lord never to part from them more: and with them shall joy in the delightful exercise of ascribing blessing and honour and glory and praise to him that sitteth on the throne and to the Lamb for ever and ever. Well may the prospect of this support your mind, may even fill it with joy under the loss you have met with. A loss which indeed it would be the height of stupidity to be unaffected with, but yet a loss which God is able abundantly to supply. Did we but rightly reflect that every thing good and agreeable in the creature flows from God as its spring, we would learn when deprived of comforts to look up to him who can more than compensate the want of them. May the God of your Father, the God which led him and fed him all his life, and so eminently fitted him for publick service by adorning his soul with a large measures of the gifts and graces of the holy Ghost: be your sun and your shield, your portion and exceeding great reward. May the angel which redeemed him from all evil lead and conduct you, that you may be kept from falling and presented blameless before the presence of his glory with exceeding joy. May you like him fight the battles of the Lord, and may the Captain of salvation crown you with success.

If you incline to keep up a correspondence in Scotland, you may please signify so much in a line to me, and I shall endeavour to procure you a correspondent who I hope will prove both useful and agreeable. As there is a Seceding preacher who bears the same name with me, let any letter for me be put under Mr Mclaurin's cover to prevent miscarriage. I am your's &c.  
Jo: Erskine

To Mr James Hall

Kirkintilloch. 29 March 1745

As to what you write about Northampton I refer you in part to what I wrot 15 July 1743. But to ballance accounts. Let us 1st see, what you propose to gain by going there. And (1) You alledge it would put you on a regular way of studying. But cannot that be effected at an easier rate, by making yourself master of what system you like best, and making collections where you think it defective; by planing out a scheme, and adhering to it except upon extraordinary emergencys. You will tell me you have laid schemes formerly which yet were soon broke. But the reason of this is to me very apparent. Your schemes were too difficult and at 1st sight I apprehended they would not succeed. Whereas it ought not to have been so much your care to get soon thro' with your study as to do what you did to good purpose. Besides you will afterwards have more liberty as heretofore, to follow the plan you judge best, as you will not be so much incumbered with colledge hours, and following the method of a professor (2) Probably I could give more application at Northampton, as I would have fewer avocations. Answer:

avocations from company may be more easily prevented as I once imagined, by letting it be known that you want to have such and such hours to yourself without being disturbed by any body, and giving absolute orders to servants call who will to tell you are not at leisure. Nor will this give any disobligation when it's known, that the cause is class application to study, and that all are treat in the same way. Besides this may and ought to be prevented by letting your acquaintances know that there is such a particular time or times in the week, when you will be glad to see them. I may likewise observe that somethings you call avocations are a real benefit. But of this afterwards (3) I would probably acquire a greater facility and accuracy of speaking, which would make composing so much the easier. As to facility you have a good deal of that naturally, tho' perhaps not the accuracy could be wished. But both these are best acquired by reading good books with care; by frequently hearing those who are esteemed the most accurate and eloquent preachers; by observing and marking down not only any remarkable excellencys in books or sermons, but likewise any remarkable defects whether in the method, the reasonings, or the style; by keeping a book for plans either upon texts or subjects (and here I would advise you to mark down remarkable hints whenever they occur, even tho' you should not be able to find out a general method; and on the other hand to mark down draughts of discourses, tho' you have no prospect of enlarging them soon) and lastly by using yourself to regular compositions with all the care and accuracy in your power and after having corrected them again and again yourself, submitting them to their correction, who you know will be free with you and will not expose to others any thing that may be weak.



